DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT

CITY PLANNING COMMISSION
DATE: September 14, 2017
TIME: After 11 a.m.
PLACE: Los Angeles City Hall
200 North Spring Street
Room 340
Los Angeles, CA 90012

CASE NO: CPC-2017-2260-CA
COUNCIL FILE: 14-0366-S4
CEQA: ENV-2017-2261-ND; ENV-2017-3361-SE
LOCATION: Citywide
COUNCIL DISTRICT: All
PLAN AREAS: All

PUBLIC HEARING: June 29, 2017

SUMMARY: A proposed ordinance (Appendix A) amending the Los Angeles Municipal Code (LAMC) to establish location restrictions for commercial cannabis activity consistent with Measure M adopted by Los Angeles City voters on March 7, 2017.

RECOMMENDED ACTIONS:

1. **Find**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including Negative Declaration No. ENV-2017-2261-ND ("Negative Declaration"), and all comments received, that there is no substantial evidence that the project will have a significant effect on the environment;
2. **Determine** that based on the whole of the administrative record, the project is exempt from CEQA pursuant to California Business and Professions Code Section 26055(h) on the basis that the project will adopt ordinances, rules and/or regulations, that will require discretionary review under CEQA to approve licenses to engage in commercial cannabis activity in the City of Los Angeles (ENV-2017-3361-SE).
3. **Recommend** that the City Council adopt the proposed Ordinance (Appendix A);
4. **Adopt** the staff report as the Commission's report on the subject; and
5. **Adopt** the Findings.

VINCENT P. BERTONI, AICP
Director of Planning

KEVIN J. KELLER, AICP, Executive Officer

THOMAS ROTHMANN, Principal City Planner

PHYLLIS NATHANSON, Senior City Planner
(213) 978-1474

NIALL HUFFMAN, City Planning Associate
(213) 978-3405

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communication may be mailed to the Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012 (Phone No. 213/978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent a week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at 213/978-1300.

Table of Contents

Summary 1
Initiation 1
Background 2
Draft Ordinance 5
Discussion 8
Public Outreach & Participation 15
Conclusion 16
Appendices 17

Summary

The Commercial Cannabis Location Restriction Ordinance is a proposed Los Angeles Municipal Code (LAMC) amendment that would establish location and distancing requirements for commercial cannabis activity within the City. The Department of City Planning drafted the ordinance in response to the passage of Proposition M, which requires the City Council to repeal the City's existing regulations concerning medical cannabis dispensaries and states the City's intent to adopt a comprehensive regulatory process and structure for all medical and nonmedical commercial cannabis activity.

The Commercial Cannabis Location Restriction Ordinance is one component of that larger regulatory structure. This draft ordinance is limited in scope to restricting the location of various types of commercial cannabis activity. Another component of the regulatory structure, an ordinance creating a Department of Cannabis Regulation and Cannabis Commission, has already been adopted by the City Council. Additional regulations regarding the specifics of the application and review/approval process, operating standards, enforcement, and other topics are being developed by other City departments and will be processed separately.

The draft ordinance:

- Allows certain defined commercial cannabis activity to take place in the City, so long as it is:
  - Conducted by persons operating under a State license.
  - Authorized by the City's Department of Cannabis Regulation.
  - In compliance with the location restrictions specified in the ordinance, as well as with additional regulations.
- Identifies zones within which specified types of commercial cannabis activity are eligible to operate.
- Requires that cannabis retail activity with on-site sales observe a specified distance from sensitive sites, as well as from other cannabis retail activity with on-site sales.

In addition to the main text of the ordinance, the Department has also prepared an ordinance supplement providing a land use review process option with the Zoning Administrator as the initial decision-maker, which the Commission may incorporate into the ordinance at its discretion. This optional ordinance supplement was requested by the Planning and Land Use Management (PLUM) Committee of the City Council. However, it is now understood that the new Department of Cannabis Regulation will have discretionary authority over commercial cannabis activity; thus, the Department does not recommend that the ordinance supplement be incorporated at this time.

Initiation

This Commercial Cannabis Location Restriction Ordinance, a proposed amendment to the Los Angeles Municipal Code (LAMC), was initiated on June 6, 2017 by the Director of Planning in response to recent State legislation – including the 2015 Medical Cannabis

Regulation and Safety Act, and the 2016 Adult Use of Marijuana Act (Proposition 64) – as well as Proposition M, passed by City voters in March 2017. Given that Proposition M states the City's intent to adopt a comprehensive regulatory process and structure for all cannabis-related commercial activity, the Director determined that as part of that process and structure, it is in the interest of public safety and welfare to regulate the location and distance requirements of cannabis-related businesses to ensure compatibility with surrounding neighborhoods and protect sensitive sites from negative impacts.

Background

Federal Law

Currently, activities involving cannabis or cannabis-derived products are subject to prohibitions in Federal law, including the Controlled Substances Act. The draft ordinance is not intended to conflict with Federal law, but is intended to be interpreted to be compatible with Federal enactments and in furtherance of the public purposes that those enactments encompass. The draft ordinance is not intended to authorize any violation of Federal law, nor is it intended to stand as an obstacle or conflict with any efforts by the Federal government to enforce Federal laws concerning cannabis.

Proposition D

Commercial cannabis activity in the City currently is subject to restrictions specified in Proposition D, approved by voters in 2013. Proposition D prohibits the operation or establishment of medical cannabis businesses in the City, but provides for the assertion of limited immunity for medical cannabis businesses that comply with certain requirements, including having registered with the City Clerk under the 2007 Interim Control Ordinance and subsequent legislation. As a condition of the limited immunity, Proposition D requires medical cannabis businesses to observe specified distances from various types of sensitive sites.

Recent Changes in City and State Legislation

On March 7, 2017, Los Angeles voters passed Proposition M, which requires the City Council to adopt an ordinance repealing Proposition D effective January 1, 2018. Proposition M also states the City's intent to adopt a comprehensive regulatory process and structure covering both medical and nonmedical commercial cannabis activity.

Proposition M was prompted by two recent pieces of State legislation. In 2015, the State Legislature passed the Medical Cannabis Regulation and Safety Act (MCRSA), which established a State licensing system for medical cannabis commercial activity. In 2016, California voters passed Proposition 64, also known as the Adult Use of Marijuana Act (AUMA), which removed State prohibitions on personal possession and use of small amounts of cannabis for nonmedical purposes and established a State licensing system for nonmedical cannabis commercial activity. These two laws were later modified in June

2017 by the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), which merged the State licensing systems for medical and nonmedical cannabis.

The draft ordinance seeks to directly address the challenges presented by the recent State legislation to license and regulate both medical and nonmedical cannabis, and responds to the voter mandate provided by Proposition M to establish a comprehensive regulatory structure for commercial cannabis activity within the City.

The following paragraphs provide further discussion of the history of cannabis regulation in the City, up to and through the passage of Proposition D.

Commercial Cannabis Regulation Prior to Proposition D

Prior to Proposition D, medical cannabis businesses were regulated by a series of City ordinances, some of which were challenged in court, and all of which are now expired. These ordinances responded to State legislation and were intended to control the unlawful proliferation of medical cannabis dispensaries across the City.

The Compassionate Use Act (CUA), adopted by State voters in 1996, as well as the Medical Marijuana Program Act (MMPA), enacted by the Legislature in 2003, provided California's qualified patients and their primary caregivers with limited immunities to certain criminal prosecutions under State law. This legislation was intended in part to exempt qualified patients and primary caregivers who obtain and use marijuana for medical purposes from specified and limited State criminal penalties.

In the years following the passage of the CUA and MMPA, according to local media reports and neighborhood sightings and complaints, more than 850 medical cannabis businesses may have opened, closed and reopened storefront shops and commercial growing operations in the City without any land use approval under the LAMC or other regulatory authorization from the City. The Police Department reported that, as the number of dispensaries and commercial growing operations proliferated without legal oversight, the City and its neighborhoods experienced an increase in crime and negative secondary harms associated with medical cannabis businesses.

In response, in August 2007 the City enacted an Interim Control Ordinance (ICO) to prohibit medical marijuana businesses in the City and to exempt from this prohibition certain existing facilities that timely registered with the City Clerk. The exemption would remain until such time as the City adopted comprehensive medical cannabis regulations.

The City replaced the ICO in 2010 with the Medical Marijuana Ordinance (MMO; Ordinance No. 181,069). The MMO sought to limit the number of businesses by providing priority registration to those that, among other conditions, timely registered under the ICO.

Several hundred marijuana business and patient plaintiffs filed more lawsuits challenging the MMO. On December 10, 2010, the Los Angeles County Superior Court found portions of the MMO invalid, including its ICO registration restriction. On July 3, 2012, the 2nd

District Court of Appeal reversed the trial court's injunction against the City in its entirety. [*420 Caregivers, et al. v. City of Los Angeles* (2012) 207 Cal.App.4th 703].

Prior to the Court of Appeal ruling in *420 Caregivers*, the City responded to the Superior Court order by passing the Temporary Urgency Ordinance (TUO; Ordinance No. 181,530), effective January 28, 2011. The TUO replaced the ICO registration restriction, found invalid by the Superior Court, with a lottery. Dozens of additional lawsuits followed that challenged the TUO. On October 14, 2011, the trial court ruled, among other matters, that the TUO was valid. Although the trial court upheld its validity, the TUO sunset with the MMO in 2012.

Los Angeles voters approved Proposition D in the May 2013 municipal election. Proposition D provides a limited immunity from specified and limited enforcement for businesses timely registered under the 2007 ICO and meeting other registration, operation, and location restrictions.

Reaction to Proposition D

The cannabis industry and some members of the public became unsatisfied with Proposition D following the State's adoption of MCRSA and AUMA, because these new State laws established State licensing systems for medical and commercial cannabis activity predicated upon, among other requirements, obtaining a local license. MAUCRSA similarly prohibits State licensing authorities from approving a State license if approval of a State license will violation the provisions of any local ordinance, and allows applicants to provide the State proof of a local license, permit or other authorization from the local jurisdiction verifying that the applicant is in compliance with the local jurisdiction.

The cannabis industry and some members of the public assert that Proposition D creates uncertainty because it provides for a limited immunity rather than a license. In comparison, a license would provide certainty regarding which businesses comply with City regulations and which do not. Additional objections include the assertion that Proportion D has been ineffective at controlling the continued unlawful proliferation of illegal marijuana businesses to the detriment of local communities. This is notwithstanding that the City Attorney's Office reports that it has filed 576 criminal cases against 535 businesses, resulting in the successful closure of hundreds of illegal marijuana businesses.

Regulatory Approaches in Other Jurisdictions

In March 2017, the Department reviewed existing and proposed regulations concerning medical and nonmedical cannabis commercial activity in several jurisdictions around California, as well as other states that have legalized or decriminalized either medical or nonmedical cannabis. Among the topics reviewed were: zones where commercial cannabis activity is allowed and/or prohibited; distancing from sensitive sites; distancing from other cannabis businesses; performance/operational standards; and caps, if any, on the number of businesses.

Many jurisdictions that were queried had regulations in various stages of development at the time of the Department's inquiry. Only Boulder, Colorado and Denver, Colorado had regulations for nonmedical cannabis in place at the time of the Department's inquiry, while most others had existing regulations for medical cannabis but only proposed or draft regulations for nonmedical cannabis.

Most of the jurisdictions approach or are considering approaching cannabis retail or dispensary businesses as a retail use, and propose to allow it in commercial and industrial zones, while cultivation, manufacturing, and other non-retail activities are generally proposed for industrial zones. Many jurisdictions also require or are considering some type of distancing between cannabis businesses and sensitive sites of one type or another. For example, Anchorage, Alaska is considering 500 feet; Berkeley, California requires 600 feet for medical cannabis businesses; and a distance of 1,000 feet is required or being considered in Boulder, Colorado; Denver, Colorado; San Diego, California; and Portland, Oregon.

Commonly identified sensitive sites include schools, child care centers, and alcoholism or drug abuse treatment or recovery facilities. Jurisdictions requiring or considering distancing between cannabis businesses include Berkeley (600 ft), Boulder (no license issued if within 500 feet of at least three other cannabis businesses), San Diego (1,000 feet between retail businesses), Portland (1,000 feet between retail/dispensary businesses, not including "retail couriers," or delivery-only retailers), and Denver (1,000 feet between retail/medical cannabis businesses).

Only a few of the jurisdictions have or are considering numerical caps on cannabis businesses. Berkeley's existing requirements for medical cannabis specify a maximum of six medical cannabis businesses in a city of approximately 120,000 residents and 10 square miles, though it is unclear whether a similar cap will be imposed on nonmedical businesses. San Diego (1.4 million residents; 325 square miles) is considering a cap of 36 retail businesses, with 18 currently existing as dispensaries. Denver (700,000 residents; 150 square miles) has a cap of 226 sales locations.

Almost all jurisdictions reviewed have or are considering performance and/or operational standards such as hours of operation, security measures, odor control, limits on square footage, and renewable energy requirements. These standards were not reviewed in detail in this report, as the City of Los Angeles' performance and operational standards for commercial cannabis activity are being developed separately by other City agencies.

Draft Ordinance

The Commercial Cannabis Location Restriction Ordinance is one component of a broader legislative approach to commercial cannabis activity in the City. This draft ordinance (Appendix A) is limited in scope to restricting the location of various types of commercial cannabis activity. Another component of the regulatory structure, an ordinance creating a Department of Cannabis Regulation and Cannabis Commission, has already been

adopted by the City Council. Additional regulations regarding the specifics of the application and review/approval process, operating standards, enforcement, and other topics are being developed by other City departments and will be processed separately. The draft ordinance:

- Allows certain defined commercial cannabis activity to take place in the City, so long as it is:
  - Conducted by persons operating under a State license.
  - Authorized by the City's Department of Cannabis Regulation.
  - In compliance with the location restrictions specified in the ordinance, as well as with additional regulations.
- Identifies zones within which specified types of commercial cannabis activity are eligible to operate.
- Requires that cannabis retail activity with on-site sales observe a specified distance from sensitive sites, as well as from other cannabis retail activity with on-site sales.

In addition to the main text of the ordinance, the Department has also prepared an ordinance supplement providing a land use review process option with the Zoning Administrator as the initial decision-maker, which the Commission may incorporate into the ordinance at its discretion. This optional ordinance supplement was requested by the Planning and Land Use Management (PLUM) Committee of the City Council. However, it is now understood that the new Department of Cannabis Regulation will have discretionary authority over commercial cannabis activity; thus, the Department does not recommend that the ordinance supplement be incorporated at this time.

Requirements for Commercial Cannabis Activity

The draft ordinance provides regulation of commercial cannabis activity in the City, but only when: (1) conducted by a person that is both licensed by the State of California to engage in the activity; (2) authorized by the City's Department of Cannabis Regulation; (3) located within certain zones; and (4) observing specified distances from certain sensitive sites.

Types of Activity and Eligible Zones

The types of commercial cannabis activity and the zones in which they would be eligible to operate are summarized as follows:

- Retail commercial cannabis activity – primarily commercial and industrial zones: C1, C1.5, C2. C4, C5, CM, M1, M2, M3
- Microbusiness[1] commercial cannabis activity – primarily industrial zones: M1, M2, M3

[1] A microbusiness license allows a business to cultivate cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer.

- Indoor cultivation and "Level 1"[2] manufacturing commercial cannabis activity – primarily industrial zones: MR1, M1, MR2, M2, M3
- Mixed-light (i.e., greenhouse) cultivation commercial cannabis activity – as an accessory use only in primarily agricultural zones: A1, A2
- "Level 2"[3] manufacturing commercial cannabis activity – primarily industrial zones: MR2, M2, M3
- Distribution commercial cannabis activity – primarily industrial zones: MR1, M1, MR2, M2, M3
- Testing commercial cannabis activity – primarily industrial zones: CM, MR1, M1, MR2, M2, M3

In certain specific plan areas without conventional zoning, the above types of commercial cannabis activity are eligible to operate in specified subareas that most closely correspond to the zones listed above.

Distancing Requirements

The draft ordinance requires businesses to observe specified distances from certain sensitive sites, as follows:

- Retail and microbusiness activity: 800 feet from schools, from alcoholism/drug rehabilitation or treatment facilities, from public libraries, from public parks, and from other cannabis retail and microbusiness activity with on-site sales.

No distancing requirements – either from sensitive sites or from other cannabis-related business sites – are proposed for:

- Cultivation, manufacturing, testing and distribution activity with no retail on the same site.
- Retail and microbusiness activity with no on-site sales (delivery only).

Ordinance Supplement

The Ordinance Supplement is provided as an optional component of the legislation and is intended to create a site-specific land use review process for commercial cannabis activity. This process would require applicants seeking a compliance document from the Cannabis Commission to first submit an application to the Department of City Planning for review and recommendation concerning the proposed activity at a particular location. The initial decision-maker would be the Zoning Administrator, whose discretion would be limited to making findings specified in the Ordinance Supplement. The Zoning Administrator's decision could be appealed to the appropriate Area Planning Commission, with a second level of appeal to the City Council.

[2] Level 1 cannabis manufacturing, as defined in State law, manufactures cannabis products using only nonvolatile solvents, or no solvents.
[3] Level 2 cannabis manufacturing, as defined in State law, manufactures cannabis products using volatile solvents.

This land use review process was requested by the City Council's Planning and Land Use Management Committee and has been included as an optional supplement to the draft ordinance. However, the Department recommends against incorporating this additional level of review, as the Department of Cannabis Regulation has been created specifically to review individual businesses and make decisions regarding whether to authorize commercial cannabis activity in a particular location.

Discussion

Limited Immunity vs. Affirmative Regulation

The public review draft of the ordinance released on June 8, 2017 contained language prohibiting commercial cannabis activity citywide, but allowing specified activities to assert limited immunity from enforcement of the prohibition so long as they complied with certain rules, including the location requirements that are part of the draft ordinance. This approach was very similar to the limited immunity currently available to existing medical marijuana businesses under Proposition D.

Following the release of the public review draft, a large number of comments from stakeholders voiced opposition to the system of prohibition and limited immunity employed under Proposition D, saying that it has created too much ambiguity and uncertainty for the cannabis industry, opening the door to arbitrary and selective enforcement and harming business' ability to obtain financing and enter into leases and employment contracts; that it would contradict a mandate from voters, in the form of Proposition M, to repeal Proposition D; and that a system of affirmative regulation would better serve the needs of the industry by providing more certainty and legitimacy.

After reviewing this and other input, the Department agrees that a system of affirmative regulation would be preferable to the Proposition D system of prohibition and limited immunity. Accordingly, the draft ordinance has been revised to remove all reference to a citywide prohibition on commercial cannabis activity or to limited immunity, with the understanding that the details of how such activity is to be authorized will be addressed separately.

Eligible Zones and Businesses

The draft ordinance distinguishes between the types of businesses that are eligible to operate in specific zones based on the type of State license held by the business. In general, the Department's recommended zones for each business type are based on whether the activities covered by the business' State license – separate from the fact that such activities involve cannabis or cannabis-derived products – are permitted in an existing particular zone. Thus, a business holding a cannabis retail license is generally eligible in zones where retail uses are permitted, a business holding a cannabis manufacturing license is eligible in zones where manufacturing uses are permitted, and so on. There are, however, a few specific instances in which cultivation activities are

recommended to be allowed in a smaller range of zones than their closest equivalent uses, as explained later in this section.

Numerous neighborhoods are covered by specific plans, many of which employ the range of zones that appear in the Zoning Code. In cases where a specific plan employs its own unique zones, the Department reviewed the provisions of the specific plan to determine which subareas would permit the land uses that correspond to the business activities covered by each State license type. These subareas were then added to the list of eligible zones for the appropriate type of commercial cannabis activity.

Some specific cannabis-related activities are not eligible to operate in any zone. This includes businesses holding licenses that permit cultivation wholly outdoors (license types 1, 1C, 2, 3, and 5 under MAUCRSA). The specific rationale for the recommended eligible zones for each type of business is described below.

Cultivation: The closest equivalent uses in the Zoning Code to commercial cannabis cultivation are farming, greenhouses and plant nurseries. Farming is permitted in the A1, A2 and PF Zones, as well as in the MR1 and more permissive zones. Greenhouses are permitted as an accessory use in the A1 and A2 Zones, and as a main use in the C2 and more permissive zones. Plant nurseries are permitted in the A1, A2, and PF Zones, as well as in the C2 and more permissive zones.

Under MAUCRSA, cannabis cultivation licenses are generally divided into outdoor, indoor and mixed-light (i.e., taking place under a combination of natural and artificial light, usually in a greenhouse or similar structure. License types 1, 2, 3 and 5 allow exclusively outdoor cultivation. License types 1A, 2A, 3A, and 5A allow exclusively indoor cultivation. License types 1B, 2B, 3B, and 5B allow mixed-light cultivation. License types 1C and 4 allow for outdoor, indoor or mixed-light cultivation, either alone or in combination.

Additionally, MAUCRSA separates cannabis cultivation licenses by size. License types beginning with “1” are termed “specialty” licenses and are oriented toward businesses growing very small quantities of cannabis. The Type 1 license allows outdoor cultivation of less than 5,000 square feet, the Type 1A license allows indoor cultivation of between 501 and 5,000 square feet, the Type 1B license allows mixed-light cultivation of between 2,501 and 5,000 square feet, and the Type 1C license allows up to 25 mature plants for outdoor cultivation, up to 500 square feet of indoor cultivation, and up to 2,500 square feet of mixed-light cultivation. License types beginning with “2” are termed “small” licenses and allow between 5,001 and 10,000 square feet of cultivation. License types beginning with “3” allow between 10,001 and 22,000 square feet. The Type 4 license does not specify a size limitation, and the license types beginning with “5” allow more than 22,000 square feet, with the Type 5 license limited to one acre of outdoor cultivation.

Outdoor cannabis cultivation is not recommended to be eligible in any zone. An outdoor cultivation site is more difficult to secure against unauthorized entry or theft, and presents an increased risk of cannabis plants being acquired and distributed in an illicit manner. Buildings or greenhouses, on the other hand, offer the benefit of a fully enclosed structure

with a locked door. Additionally, an outdoor cultivation site does not afford any ability to control odors that may emanate from cannabis plants, either through enclosure or air filtration. This is a matter of concern since many of the zones in which farming is permitted lie in close proximity to residential zones. Based on these factors, it is desirable for cannabis cultivation to take place only in enclosed structures with locking doors. Thus, the Department's recommendations do not include identifying eligible zones for businesses licensed for exclusively outdoor cultivation (Types 1, 2, 3, and 5).

Mixed-light cannabis cultivation, which is intended to take place in a greenhouse or similar structure, is recommended to be eligible as an accessory use in the A1 and A2 zones only. Greenhouses offer the possibility of enclosure but are partially or fully transparent to someone looking in from outside, making them superior to outdoor sites in terms of security and odor control, but inferior to permanent habitable buildings. Thus, the Department recommends limiting the scale and extent of mixed-light cultivation, and recommends that it be limited to an accessory use. It is not recommended that businesses holding a Type 5B mixed-light cultivation license be allowed, because this license allows more than 22,000 square feet of canopy on the same premises, and a cultivation operation of this size would not be consistent with an accessory use. Additionally, it is worth noting that license types 5, 5A, and 5B, all of which are classified as "large" scale cannabis cultivation, will not be issued by the State until January 1, 2023.

Because greenhouses are permitted as a main use in commercial and industrial zones, it is not recommended that these zones be made eligible for mixed-light cultivation at this time, and that the use be confined to the A1 and A2 Zones. Additionally, while the A1 and A2 Zones permit a stand selling agricultural products that are grown on-site, it is not recommended that cannabis sales stands be permitted, as a stand does not allow for the level of security and visual screening that a fully enclosed building does. The sale of cannabis is for all intents and purposes a retail use that is most appropriately carried out in zones that permit retail.

For indoor cannabis cultivation, the closest equivalent use in the Zoning Code is farming. Indoor cannabis cultivation, in which the building is fully enclosed and opaque to all natural light, is widely seen as the most lucrative setting in which to grow cannabis, as it allows for total control over temperature and lighting, and for vertical stacking of the plants, all of which can significantly increase the yield from a given site. For this reason, the Department recommends that indoor cultivation be treated as a primarily industrial land use and permitted in the MR1, M1, MR2, M2 and M3 Zones, and not in the A1, A2 or PF Zones.

Additionally, it is not recommended that any eligible zones be identified for "specialty cottage" cultivation conducted under a Type 1C license. The Type 1C license, according to MAUCRSA, allows "cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises" [Business & Professions Code Sec. 26061(a)(4)]. From the

title of the license and the limitations imposed by State law, the intent of the Type 1C license appears to be to allow small-scale, home-based commercial cultivation of cannabis. As stated previously, the security and odor control concerns associated with outdoor cultivation have led the Department to recommend against allowing outdoor cultivation in the City. For mixed-light and indoor cultivation, the more lucrative nature of these types of businesses makes them inappropriate in most residential neighborhoods, and the range of currently recommended mixed-light and indoor cultivation license types is adequate to accommodate a wide range of commercial cannabis cultivation businesses of varying sizes. Thus, it is not necessary or appropriate to identify eligible zones for the Type 1C license at this time.

Cannabis nurseries, in which cannabis plants are grown to less than full maturity, are permitted under State law with a Type 4 license, which allows the nursery cultivation to take place outdoors, indoors, or in mixed light. Businesses holding a Type 4 license are appropriate in the City because cannabis nurseries fulfill a particular need (i.e., for young cannabis plants that can be grown to full maturity and repeatedly harvested). Thus, it is recommended that cannabis nurseries be allowed to operate under the rules for either indoor or mixed-light cultivation, but not outdoor cultivation. For this reason, the Type 4 license appears in the draft ordinance as an eligible license for both of these two categories of cultivation, with limitations to allow only indoor and mixed-light nurseries.

Manufacturing: Under MAUCRSA, cannabis manufacturing, which often involves the extraction of key chemical compounds to make concentrates, is separated into Level 1 and Level 2 manufacturing. Level 2 covers manufacturing activities that involve the use of volatile solvents. Under MAUCRSA, a volatile solvent is one "that is or produces a flammable gas or vapor, that when present in the air in sufficient quantities, will create explosive or ignitable mixtures." Commonly used substances of this nature include, but are not limited to, pentane, hexane, butane, propane, and ethanol.

By definition, there is a risk of fire or explosion where volatile solvents are used to extract concentrated cannabis. Where such processes are used in manufacturing, fire departments typically require that the extraction take place in a "closed loop" system so that no combustible air can escape and come into contact with a spark or anything else that would cause it to ignite. Additional safety measures include walls designed to withstand gas explosions and other methods of containing any explosions that might occur.

Currently, examples of similar uses to Level 2 manufacturing identified in the Zoning Code include oxygen manufacturing/compressing, petroleum products bulk distribution, and adhesive and rubber cement manufacturing, all of which are first allowed in either the MR2 or M2 Zone. Accordingly, the Department recommends allowing Level 2 manufacturing in the MR2, M2 and M3 Zones.

Level 1 manufacturing is closest in nature to uses such as drug products manufacturing or food manufacturing, which are permitted in the MR1, M1, MR2, M2 and M3 Zones. Accordingly, these zones are recommended as the eligible zones for Level 1 cannabis manufacturing.

Testing: A cannabis testing license (Type 8 under MAUCRSA) is intended to allow for the testing of cannabis or cannabis-derived products for quality assurance, health and safety purposes. The closest equivalent uses for this activity from the Zoning Code is "laboratory, experimental, film, motion picture, research or testing," which is permitted in the CM, MR1, M1, MR2, M2 and M3 Zones. The Department recommends that cannabis testing be allowed in these zones.

Some of the comments received from stakeholders expressed a desire for cannabis testing to be allowed in commercial zones, similar to a medical or dental laboratory; however, the Department does not recommend this, as medical and dental laboratories typically do not engage in testing of medical or industrial products, and a testing laboratory is closer in nature to the types of activities that can be expected to take place in a cannabis testing facility.

Retail: The closest equivalent use in the Zoning Code to cannabis retail is "retail," permitted in the C1, C1.5, C2, C4, C5, CM, M1, M2 and M3 Zones. Accordingly, these zones are recommended as the eligible zones for cannabis retail under a Type 10 license.

Distribution: The closest equivalent use in the Zoning Code to cannabis distribution is a "distribution center, plant or warehouse," permitted in the MR1, M1, MR2, M2 and M3 Zones. Accordingly, these zones are recommended as the eligible zones for cannabis distribution under a Type 11 license.

Microbusiness: A cannabis microbusiness holding a Type 12 license may engage in retail, Level 1 manufacturing, distribution, and less than 10,000 square feet of cultivation activities on the same site. Because of the potential for all of these cannabis-related activities to be co-located, the Department recommends allowing microbusinesses only in zones where each of these activities is otherwise allowed. Thus, only the M1, M2 and M3 zones are recommended as the eligible zones for cannabis microbusiness activity.

Transport: Under MAUCRSA, licensed businesses may transport cannabis or cannabis products to other licensed businesses or – in the case of retail or dispensary businesses – to customers. No State license exists specifically for commercial cannabis transport. The draft ordinance does not address commercial cannabis transport, since transport is an activity that takes place in the public right-of-way between one location and another, and is largely addressed in State statutes and regulations.

On-site consumption: State law does not prohibit local jurisdictions from allowing on-site consumption of cannabis on the premises of a retailer or microbusiness. The draft ordinance does not state whether on-site consumption is allowed, and instead leaves this topic to be addressed by the operating standards, which will be processed separately.

Distancing Requirement

The draft ordinance's 800-foot distancing requirement is intended to minimize the secondary negative impacts associated with cannabis retail, including crime and nuisance behavior. It applies only to cannabis retail and microbusiness locations that have on-site sales to the public. The types of sites from which the 800-foot distance must be maintained fall into two general groups: so-called sensitive sites that serve as gathering points for unsupervised minors or individuals susceptible to substance abuse, and other cannabis retail establishments.

Past legislation concerning commercial cannabis, most recently Proposition D, has sought to maintain separation from sensitive sites out of a recognition that cannabis businesses are potential targets for crime due to the large number of cash transactions, and that there are secondary impacts from this crime that can affect the surrounding community. An additional rationale is that some public consumption of cannabis is inevitable in proximity to cannabis retail businesses, despite prohibitions against this behavior; that this consumption may pose a health risk to individuals exposed to secondhand smoke; and that individuals under the influence of cannabis may engage in other nuisance behavior.

Additionally, previous legislation requiring separation between cannabis retail businesses has sought to avoid over-concentration of businesses in the same area, so that no one neighborhood or district becomes a destination for cannabis retail and the anticipated instances of crime and nuisance behavior remain relatively isolated from one another. Thus, the draft ordinance takes practical measures to separate cannabis sales from certain locations – especially but not limited to those where minors are frequently present – that are especially inappropriate for individuals to be under the influence of cannabis.

State law identifies 600 feet as the default radius for commercial cannabis activity to observe from schools, child care centers, and youth centers; however, the law states that a local jurisdiction may specify its own radius. Because of this flexibility afforded by State law, and because of the precedent set by Proposition D of requiring a radius of more than 600 feet in some cases (namely schools), the Department recommends that the City set an 800 foot radius from specified sensitive sites.

The key considerations in determining the radius distance are the anticipated visibility between cannabis retail businesses and sensitive sites, as well as avoiding situations in which two or more businesses with on-site sales locate on the same block. These criteria are intended to discourage the development of cannabis districts in which patrons linger for long periods of time, visiting multiple cannabis businesses in succession.

For these reasons, it was decided that the minimum distance should be approximately one city block, plus an additional distance to discourage two cannabis retail businesses with on-site sales from locating at opposite ends or corners of the same block. In this situation, a prospective patron would have to cross the street at least once in order to walk from one business to the next, or from the business to one of the categories of

sensitive sites. Since a typical Los Angeles block measures approximately 600 feet on its longest dimension, a radius of 800 feet would satisfy the criteria described above.

Staff evaluated the effect of this radius with the aid of GIS visualizations, and determined that, in concert with the specific combination of sensitive site categories identified below, it would result in in a reasonable range of locations eligible for cannabis retail in a variety of neighborhoods and in all Council Districts.

Sensitive Site Categories

As stated previously, State law affords the City some flexibility in specifying its own distancing requirements and sensitive use categories. The default categories in State law are schools, day care centers, and youth centers. The categories identified in Proposition D are schools, public parks, public libraries, child care facilities, religious institutions, youth centers, alcoholism and drug abuse recovery or treatment facilities, and other medical marijuana businesses.

The categories of sensitive sites recommended for inclusion in the ordinance are based on those specified under the City's current regulations for medical cannabis; i.e., Proposition D, with some specific categories omitted. Schools, public parks and public libraries are included because they are gathering points for significant numbers of minors, particularly minors who may be unsupervised, and because they can be readily identified and their locations verified through publicly available sources of data and information. Alcoholism and drug abuse recovery and treatment facilities are included because they contain concentrations of individuals who may be susceptible to addiction and substance abuse, and thus potentially would be harmed by ready access to a controlled substance.

One Proposition D category, licensed child care facilities, is omitted because any minors at licensed child care facilities can be expected to be supervised while in the facility and must be checked in and checked out by an adult when entering and leaving the facility. Supervised minors would not be as likely to come into contact with cannabis as they would in the course of visiting a school, park or library unsupervised. Thus, the distancing requirement from child care centers is not recommended for inclusion.

Two additional Proposition D categories, religious institutions and youth centers, are not recommend for inclusion, as the recommended sensitive use distancing requirements effectively limit locations adjacent to publicly operated youth amenities, and also due to the exceptional legal difficulty of identifying these sites and verifying their locations in a consistent, systematic manner. All of the other Proposition D categories are either public facilities or licensed facilities that can be identified reliably through public data and information. No such information is available, on a comprehensive basis, for religious institutions or youth centers, which are often very informal in nature and can be operated without any attachment to a particular space or location. Thus, child care centers, religious institutions, and youth centers are not included as sensitive site categories.

Similarly, the MAUCRSA category of "day care centers," the term used in State law to identify child care facilities that are not located in the provider's own home, are not recommended for inclusion because the recommended sensitive use distancing requirements effectively limit locations adjacent to publicly operated youth amenities, and because minors at day care centers can be expected to be supervised while in the facility and checked in and checked out by an adult. Thus, day care centers are not included in the draft ordinance as sensitive site categories.

Public Outreach & Participation

A public review draft of the ordinance was released on June 8, 2017. Notice of the availability of the draft, as well as of the staff hearing, was posted on the Department of City Planning website, and emailed to a list of persons and organizations who had previously expressed an interest in the update process or who were deemed likely to have an interest based on involvement in past discussions of commercial cannabis and Zoning Code regulations. Additionally, on the same day the office of the City Council President distributed to local media outlets a variety of materials relating to the City's overall package of proposed commercial cannabis regulations, including the draft location restriction ordinance as well as the application/approval process, operating standards, enforcement, and other topics.

The Department conducted a staff-level hearing to gather input on the proposed ordinance on June 29, 2017. Department staff estimated that more than 200 people were in attendance. The Department received spoken testimony from 61 individuals at the hearing.

The Department received a total of 40 pieces of written correspondence on the proposed ordinance, inclusive of both letters and emails. Organizations submitting correspondence or making in-person comments included but were not limited to the following:

- Americans for Safe Access
- Behavioral Health Services, Inc.
- Brentwood Community Council
- California Minority Alliance
- City of Rancho Palos Verdes
- IndoGrow Properties
- Melrose Hill Neighborhood Association
- LA Cannabis Task Force
- LA City Council Rules, Elections, and Intergovernmental Relations Committee
- Offices of Council President Wesson and Councilmembers Huizar and Koretz
- San Pedro Neighborhood Council
- Southern California Coalition
- South Robertson Neighborhood Council
- Studio City Neighborhood Council
- United Cannabis Business Association
- United Food and Commercial Workers Local 770

- Weedmaps
- Woodland Hills-Warner Center Neighborhood Council

Comments touched on a broad range of topics. The most frequent comment made in both written correspondence and spoken testimony was that businesses should be granted licenses (or otherwise affirmatively regulated) rather than being given limited immunity. Other frequently made comments were that cannabis uses should be allowed in zones that would otherwise support the use, and that the distancing requirement from sensitive uses was too large.

A smaller number of comments said that the distancing requirement should be increased, either by adding to the number of sensitive site categories or by increasing the radius beyond 800 feet. Additional comments identified issues with "grandfathering" of existing medical marijuana businesses; asked that outdoor and/or mixed-light cultivation be allowed in the City; asked that the method of measuring distance to sensitive sites be changed in favor of a more lenient method (for example, measuring from building to building rather than from lot line to lot line); and asked that manufacturing with volatile solvents be allowed in the City.

The comment regarding limited immunity was addressed by removing all reference to limited immunity from the ordinance and providing an affirmative authorization structure; the matter of licensing will be addressed separately in regulations being processed by other City agencies. The Department made all efforts to align the eligible zones for cannabis activities with the zones that expressly allow similar uses, with some deviations as explained earlier in this report. Staff continues to recommend a buffer distance of 800 feet and the range of sensitive site categories specified in the draft ordinance, for reasons explained earlier in this report. Other comments incorporated into the draft ordinance include allowing mixed-light cultivation in the A1 and A2 zones, and allowing Level 2 manufacturing in the MR2, M2 and M3 zones, with the understanding that the Fire Department will ensure that appropriate safety measures are taken.

Conclusion

The Commercial Cannabis Location Restriction Ordinance responds to the challenges posed by recent State legislation and the passage of Proposition M for municipal governments to properly regulate commercial cannabis activity. It has been developed with significant input from a large number of individuals and organizations and seeks to achieve a balance between the interests of patients and caregivers; the growing cannabis industry; potential customers of nonmedical cannabis businesses; and neighbors concerned about the quality of life in the City's communities. The Department recommends that the Commission approve and recommend that the City Council adopt the ordinance, the findings, and the associated environmental document.

Appendices

Appendix A – Proposed Ordinance
Appendix B – Ordinance Supplement
Appendix C – Findings
Appendix D – Environmental (ENV-2017-2261-ND; ENV-2017-3361-SE)
Appendix E – Maps

ORDINANCE NO. _____

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Article 5 is added to Chapter X of the Los Angeles Municipal Code to read as follows:

ARTICLE 5

COMMERCIAL CANNABIS ACTIVITY

SEC. 105.00. PURPOSES AND INTENT.

The purpose of this Article is to stem the negative impacts and secondary effects associated with Cannabis related activities in the City, including but not limited to those documented in case law and in the legislative histories of cannabis regulations in the City, including but not limited to: neighborhood disruption and intimidation caused in part by increased transient visitors; exposure of school-age children and other sensitive residents to cannabis; cannabis sales to minors; and violent crimes.

This Article is not intended to conflict with federal or state law. It is the intention of the City Council that this Article be interpreted to be compatible with federal and state enactments and in furtherance of the public purposes that those enactments encompass.

SEC. 105.01. DEFINITIONS.

The following words or phrases, when used in this Article, shall be construed as defined below. Words and phrases not defined here shall be construed as defined in Sections 11.01 and 12.03 of this Code; and in Sections 1746, 11362.5, and 11362.7 of the Health and Safety Code.

"Alcoholism or Drug Abuse Recovery or Treatment Facility" shall be construed as defined in Section 11834.02 of the California Health and Safety Code.

"City" means the City of Los Angeles.

"Cannabis" means Cannabis as defined in Section 26001 of the California Business and Professions Code, included in the Medicinal and Adult Use Cannabis Regulation and Safety Act.

DRAFT

"Commercial Cannabis Activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of cannabis and cannabis products as provided for in Division 10 of the California Business and Professions Code.

"Public Library" means a place in which literary, musical, artistic, or reference materials, such as books, manuscripts, newspapers, recordings, or films, are kept for use but not for sale, which is under the control, operation or management of the City Board of Library Commissioners.

"Public Park" means an open space, park, playground, swimming pool, beach, pier, reservoir, golf course, or similar athletic field within the City of Los Angeles, which is under the control, operation or management of the City Board of Recreation and Park Commissioners, the Santa Monica Conservancy, the County of Los Angeles Department of Beaches and Harbors, or the California Department of Parks and Recreation.

"School" means an institution of learning for minors, whether public or private, which offers instruction in grades K through 12 in those courses of study required by the California Education Code or which is maintained pursuant to standards set by the State Board of Education. This definition includes kindergarten, elementary, junior high, senior high or any special institution of learning under the jurisdiction of the State Department of Education, but it does not include a vocational or professional institution or an institution of higher education, including a community or junior college, college or university.

SEC. 105.02. LOCATION AND OTHER REQUIREMENTS FOR COMMERCIAL CANNABIS ACTIVITY.

The Commercial Cannabis Activity described in subsections A(1) – A(8) shall be limited to such activity conducted by a person licensed by the state of California and the City's Department of Cannabis Regulation to engage in such Commercial Cannabis Activity described in this Article.

The Commercial Cannabis Activity described in subsections A(1) – A(8) shall not be required to comply with the distance restriction from a school, day care center, or youth center stated in Business and Professions Code Section 26054. In place and stead of these State law distance and sensitive use restrictions, the Commercial Cannabis Activity shall be required to meet the distance and sensitive use restrictions stated in this Article.

A. Commercial Cannabis Activity

1. Retailer Commercial Cannabis Activity. Commercial Cannabis Activity falling under the category "Type 10--Retailer" in Section

26050 of the California Business and Professions Code, only to the extent such commercial activity is located and occurring:

(A) Within any of the following zones:

(1) Chapter 1 of the Los Angeles Municipal Code: C1 Limited Commercial Zone, C1.5 Limited Commercial Zone, C2 Commercial Zone, C4 Commercial Zone, C5 Commercial Zone, CM Commercial Manufacturing Zone, M1 Limited Industrial Zone, M2 Light Industrial Zone, or M3 Heavy Industrial Zone, under Chapter 1 of the Los Angeles Municipal Code; or

(2) Commercial Manufacturing (Glencoe/Maxella) Zone: CM(GM) Zone under the Glencoe/Maxella Specific Plan; or

(3) Central City West Specific Plan Zone: RC4(CW) Residential Mixed-Use Category, RC5(CW) Residential Mixed-Use Category, C1(CW) Limited Commercial Category, C2(CW) Commercial Category, C4(CW) Commercial Category, or CM(CW) Commercial Manufacturing Category, under the Central City West Specific Plan; or

(4) Warner Center Specific Plan Zone: WC Warner Center Specific Plan Zone where "Retail Store, general merchandise" or "Hybrid Industrial" uses are permitted under the Warner Center Specific Plan; or

(5) Alameda District Specific Plan Zone: ADP Alameda District Specific Plan Zone under the Alameda District Specific Plan; or

(6) Los Angeles Sports and Entertainment District Specific Plan Zone: LASED Los Angeles Sports and Entertainment District Specific Plan Zone under the Los Angeles Sports and Entertainment District Specific Plan; or

(7) Los Angeles International Airport Specific Plan Zone: LAX Los Angeles International Airport Specific Plan Zone within the Airport Airside Sub-Area, Airport Landside Sub-Area, and LAX Northside Sub-Area under the Los Angeles International Airport Specific Plan; or

(8) Playa Vista Specific Plan Zone: C1(PV) Commercial Zone, C2(PV) Regional Mixed Use Commercial

(Area D) and Commercial Zone (Area C), M(PV) Industrial Zone, and M2(PV) Industrial Zone under the Playa Vista Specific Plan; or

(9) Oxford Triangle Specific Plan Zone: C4(OX) Community Commercial under the Oxford Triangle Specific Plan; or

(10) Paramount Pictures Specific Plan Zone: Paramount Pictures Specific Plan Zone within the Main Lot, Lemon Grove Lot (Parcels A and B), South Bronson Lot, Windsor Lot, Camerford Lot, Waring Lot, and Gregory Lot (Parcels A and B) under the Paramount Pictures Specific Plan; or

(11) USC Specific Plan Zone: USC Specific Plan Zone within Subarea 3 under the USC Specific Plan; or

(12) Jordan Downs Urban Village Specific Plan Zone: CM(UV) Commercial Manufacturing Zone under the Jordan Downs Urban Village Specific Plan; or

(13) Cornfield-Arroyo Seco Specific Plan Zone: UC(CA) Urban Center, UI(CA) Urban Innovation, UV(CA) Urban Village Zones under the Cornfield-Arroyo Seco Specific Plan; and

(B) Outside of an 800-foot radius of a School, Public Park, Public Library, and Alcoholism or Drug Abuse Recovery or Treatment Facility; and outside of an 800-foot radius of any other Retailer or Microbusiness Commercial Cannabis Activity having on-site retail sales, which is licensed by the state of California and licensed by the City's Department of Cannabis Regulation to engage in the Commercial Cannabis Activity defined in this section.

Exception. Any Retailer Commercial Cannabis Activity with sales to the public limited to off-site deliveries and having no on-site sales shall not be required to be located outside of the 800-foot radius cited in this Paragraph (B).

2. Microbusiness Commercial Cannabis Activity. Commercial Cannabis Activity falling under the category "Type 12--Microbusiness" in Section 26050 of the California Business and Professions Code, only to the extent such commercial activity is located and occurring:

(A) Within any of the following zones:

(1) Chapter 1 of the Los Angeles Municipal Code: M1 Limited Industrial Zone, M2 Light Industrial Zone, or M3 Heavy Industrial Zone, under Chapter 1 of the Los Angeles Municipal Code; or

(2) Warner Center Specific Plan Zone: WC Warner Center Specific Plan Zone where "Hybrid Industrial" uses are permitted under the Warner Center Specific Plan; or

(3) Alameda District Specific Plan Zone: ADP Alameda District Specific Plan Zone under the Alameda District Specific Plan; or

(4) Los Angeles International Airport Specific Plan Zone: LAX Los Angeles International Airport Specific Plan Zone within the Airport Airside Sub-Area, Airport Landside Sub-Area, and LAX Northside Sub-Area under the Los Angeles International Airport Specific Plan; or

(5) Paramount Pictures Specific Plan Zone: Paramount Pictures Specific Plan Zone within the Main Lot under the Paramount Pictures Specific Plan; or

(6) Playa Vista Specific Plan Zone: M(PV) Industrial Zone, and M2(PV) Industrial Zone under the Playa Vista Specific Plan; or

(7) Cornfield-Arroyo Seco Specific Plan Zone: UC(CA) Urban Center, UI(CA) Urban Innovation, UV(CA) Urban Village Zones under the Cornfield-Arroyo Seco Specific Plan; and

(B) Outside of an 800-foot radius of a School, Public Park, Public Library, and Alcoholism or Drug Abuse Recovery or Treatment Facility; and outside of an 800-foot radius of any other Retailer or Microbusiness Commercial Cannabis Activity, having on-site retail sales, which is licensed by the state of California and licensed by the City's Department of Cannabis Regulation to engage in the Commercial Cannabis Activity defined in this section.

Exception. Any Microbusiness Commercial Cannabis Activity with sales to the public limited to off-site deliveries and having no on-site sales shall not be required to be located outside of the 800-foot radius cited in this Paragraph (B).

DRAFT

3. Indoor Commercial Cannabis Cultivation Activity. Commercial Cannabis Activity falling under the category "Type 1A—Cultivation; Specialty indoor, Small"; "Type 2A—Cultivation; Indoor, Small"; "Type 3A—Cultivation; Indoor, Medium"; "Type 4—Cultivation; Nursery", limited to indoor cultivation; or "Type 5A—Cultivation; Indoor, Large", in Section 26050 of the California Business and Professions Code, only to the extent such commercial activity is located and occurring:

(A) Within any of the following zones:

(1) Chapter 1 of the Los Angeles Municipal Code: MR1 Restricted Industrial Zone, M1 Limited Industrial Zone, MR2 Restricted Light Industrial Zone, M2 Light Industrial Zone, or M3 Heavy Industrial Zone, under Chapter 1 of the Los Angeles Municipal Code; or

(2) Warner Center Specific Plan Zone: WC Warner Center Specific Plan Zone where "Hybrid Industrial" uses are permitted under the Warner Center Specific Plan; or

(3) Alameda District Specific Plan Zone: ADP Alameda District Specific Plan Zone under the Alameda District Specific Plan; or

(4) Los Angeles International Airport Specific Plan Zone: LAX Los Angeles International Airport Specific Plan Zone within the Airport Airside Sub-Area, Airport Landside Sub-Area, and LAX Northside Sub-Area under the Los Angeles International Airport Specific Plan; or

(5) Paramount Pictures Specific Plan Zone: Paramount Pictures Specific Plan Zone within the Main Lot under the Paramount Pictures Specific Plan; or

(6) Playa Vista Specific Plan Zone: M(PV) Industrial Zone, and M2(PV) Industrial Zone under the Playa Vista Specific Plan; or

(7) Cornfield-Arroyo Seco Specific Plan Zone: UC(CA) Urban Center, UI(CA) Urban Innovation, UV(CA) Urban Village Zones under the Cornfield-Arroyo Seco Specific Plan; and

4. Mixed-Light Commercial Cannabis Cultivation Activity. Commercial Cannabis Activity falling under the category "Type 1B—Cultivation; Specialty mixed-light, Small"; "Type 2B—Cultivation; Mixed-

light, Small"; "Type 3B—Cultivation; Mixed-light, Medium"; "Type 4—Cultivation; Nursery", limited to mixed light cultivation, in Section 26050 of the California Business and Professions Code, only to the extent such commercial activity is located and occurring:

(A) Within any of the following zones:

(1) Chapter 1 of the Los Angeles Municipal Code: A1 Agricultural Zone, or A2 Agricultural Zone, under Chapter 1 of the Los Angeles Municipal Code, provided that the use is accessory in nature.

5. Level 1 Manufacturing Commercial Cannabis Activity. Commercial Cannabis Activity falling under the category "Type 6—Manufacturer 1" in Section 26050 of the California Business and Professions Code, only to the extent such commercial activity is located and occurring:

(A) Within any of the following zones:

(1) Chapter 1 of the Los Angeles Municipal Code: MR1 Restricted Industrial Zone, M1 Limited Industrial Zone, MR2 Restricted Light Industrial Zone, M2 Light Industrial Zone, or M3 Heavy Industrial Zone, under Chapter 1 of the Los Angeles Municipal Code; or

(2) Warner Center Specific Plan Zone: WC Warner Center Specific Plan Zone where "Hybrid Industrial" uses are permitted under the Warner Center Specific Plan; or

(3) Alameda District Specific Plan Zone: ADP Alameda District Specific Plan Zone under the Alameda District Specific Plan; or

(4) Los Angeles International Airport Specific Plan Zone: LAX Los Angeles International Airport Specific Plan Zone within the Airport Airside Sub-Area, Airport Landside Sub-Area, and LAX Northside Sub-Area under the Los Angeles International Airport Specific Plan; or

(5) Paramount Pictures Specific Plan Zone: Paramount Pictures Specific Plan Zone within the Main Lot under the Paramount Pictures Specific Plan; or

DRAFT

(6) Playa Vista Specific Plan Zone: M(PV) Industrial Zone, and M2(PV) Industrial Zone under the Playa Vista Specific Plan; or

(7) Cornfield-Arroyo Seco Specific Plan Zone: UC(CA) Urban Center, UI(CA) Urban Innovation, UV(CA) Urban Village Zones under the Cornfield-Arroyo Seco Specific Plan; and

6. Level 2 Manufacturing Commercial Cannabis Activity. Commercial Cannabis Activity falling under the category "Type 7—Manufacturer 2" in Section 26050 of the California Business and Professions Code, only to the extent such commercial activity is located and occurring:

(A) Within any of the following zones:

(1) Chapter 1 of the Los Angeles Municipal Code: MR2 Restricted Light Industrial Zone, M2 Light Industrial Zone, or M3 Heavy Industrial Zone, under Chapter 1 of the Los Angeles Municipal Code; or

(2) Warner Center Specific Plan Zone: WC Warner Center Specific Plan Zone where "Hybrid Industrial" uses are permitted under the Warner Center Specific Plan; or

(3) Alameda District Specific Plan Zone: ADP Alameda District Specific Plan Zone under the Alameda District Specific Plan; or

(4) Los Angeles International Airport Specific Plan Zone: LAX Los Angeles International Airport Specific Plan Zone within the Airport Airside Sub-Area, Airport Landside Sub-Area, and LAX Northside Sub-Area under the Los Angeles International Airport Specific Plan; or

(5) Paramount Pictures Specific Plan Zone: Paramount Pictures Specific Plan Zone within the Main Lot under the Paramount Pictures Specific Plan; or

(6) Playa Vista Specific Plan Zone: M(PV) Industrial Zone, and M2(PV) Industrial Zone under the Playa Vista Specific Plan.

7. Testing Commercial Cannabis Activity. Commercial Cannabis Activity falling under the category "Type 8—Testing" in Section

26050 of the California Business and Professions Code, only to the extent such commercial activity is located and occurring:

(A) Within any of the following zones:

(1) Chapter 1 of the Los Angeles Municipal Code: CM Commercial Manufacturing Zone, MR1 Restricted Industrial Zone, M1 Limited Industrial Zone, MR2 Restricted Light Industrial Zone, M2 Light Industrial Zone, or M3 Heavy Industrial Zone, under Chapter 1 of the Los Angeles Municipal Code; or

(2) Commercial Manufacturing (Glencoe/Maxella) Zone: CM(GM) Zone under the Glencoe/Maxella Specific Plan; or

(3) Central City West Specific Plan Zone: CM(CW) Commercial Manufacturing Category under the Central City West Specific Plan; or

(4) Warner Center Specific Plan Zone: WC Warner Center Specific Plan Zone where "Hybrid Industrial" uses are permitted under the Warner Center Specific Plan; or

(5) Alameda District Specific Plan Zone: ADP Alameda District Specific Plan Zone under the Alameda District Specific Plan; or

(6) Los Angeles International Airport Specific Plan Zone: LAX Los Angeles International Airport Specific Plan Zone within the Airport Airside Sub-Area, Airport Landside Sub-Area, and LAX Northside Sub-Area under the Los Angeles International Airport Specific Plan; or

(7) Playa Vista Specific Plan Zone: M(PV) Industrial Zone, and M2(PV) Industrial Zone under the Playa Vista Specific Plan; or

(8) Jordan Downs Urban Village Specific Plan Zone: CM(UV) Commercial Manufacturing Zone under the Jordan Downs Urban Village Specific Plan; or

(9) Cornfield-Arroyo Seco Specific Plan Zone: UC(CA) Urban Center, UI(CA) Urban Innovation, UV(CA) Urban Village Zones under the Cornfield-Arroyo Seco Specific Plan; and

8. Distributor Commercial Cannabis Activity. Commercial Cannabis Activity falling under the category "Type 11—Distributor" in Section 26050 of the California Business and Professions Code, only to the extent such commercial activity is located and occurring:

(A) Within any of the following zones:

(1) Chapter 1 of the Los Angeles Municipal Code: MR1 Restricted Industrial Zone, M1 Limited Industrial Zone, MR2 Restricted Light Industrial Zone, M2 Light Industrial Zone, or M3 Heavy Industrial Zone, under Chapter 1 of the Los Angeles Municipal Code; or

(4) Warner Center Specific Plan Zone: WC Warner Center Specific Plan Zone where "Hybrid Industrial" are permitted under the Warner Center Specific Plan; or

(5) Alameda District Specific Plan Zone: ADP Alameda District Specific Plan Zone under the Alameda District Specific Plan, or

(6) Los Angeles International Airport Specific Plan Zone: LAX Los Angeles International Airport Specific Plan Zone within the Airport Airside Sub-Area, Airport Landside Sub-Area, and LAX Northside Sub-Area under the Los Angeles International Airport Specific Plan; or

(7) Playa Vista Specific Plan Zone: M(PV) Industrial Zone, and M2(PV) Industrial Zone under the Playa Vista Specific Plan; or

(8) Cornfield-Arroyo Seco Specific Plan Zone: UC(CA) Urban Center, UI(CA) Urban Innovation, UV(CA) Urban Village Zones under the Cornfield-Arroyo Seco Specific Plan.

B. The distances specified in this section shall be the horizontal distance measured in a straight line from the property line of the School, Public Park, Public Library, Alcoholism or Drug Abuse Recovery or Treatment Facility, or other stated Commercial Cannabis Activity, to the closest property line of the lot on which the subject Commercial Cannabis Activity is located, without regard to intervening structures.

C. Commercial Cannabis Activity otherwise meeting all restrictions of this Article shall not be in violation of the distance restrictions in this Article applied

to a Public Park, Public Library, Alcoholism or Drug Abuse Recovery or Treatment Facility, or School, respectively, if the following occurs after the later of the date on which the: (a) State issues a license to the Commercial Cannabis Activity for its location; and (b) the City's Department of Cannabis Regulation issues a license to the Commercial Cannabis Activity:

(1) The Public Park, Public Library, or Alcoholism or Drug Abuse Recovery or Treatment Facility, first opens for use by its patrons within the prohibited distances stated in subsections 1(B) or 2(B) of subsection A of this section; or

(2) The private School receives a building permit from the City for a school at a location within the prohibited distances stated in subsections 1(B) or 2(B) of subsection A of this section; or

(3) The public School receives approvals by the Office of Public School Construction and California Department of Education and Division of the State Architect, for a location within the prohibited distances stated in subsections 1(B) or 2(B) of subsection A of this section.

SEC. 105.03 NO AUTHORITY TO PERMIT USE IN ANY ZONE

The use of any building, structure, location, premises or land for any Cannabis related activity is not currently enumerated in the Los Angeles Municipal Code as a permitted use in any zone, nor is the use set forth on the Official Use List of the City as determined and maintained by the Zoning Administrator.

The Commercial Cannabis Activity described in subsections A(1)–A(8) of this Article is limited to the activities provided by the licenses issued to such Commercial Cannabis Activity by the state of California and the City's Department of Cannabis Regulation.

So long as this Article remains in effect, the Zoning Administrator shall not have the authority to determine that the use of any building, structure, location, premises or land for any Cannabis related activity may be permitted in any zone; to add any Cannabis activity to the Official Use List of the City; or to grant any land use approval authorizing any Cannabis activity.

Subject to the restrictions of this section, the Zoning Administrator shall have authority to issue interpretations under Section 12.21A.2 of Chapter 1 of this Code as may be necessary to clarify any provision(s) of this Article to remain consistent with any amendments to State law.

SEC. 105.04. NO VESTED OR NONCONFORMING RIGHTS.

Neither this Article, nor any other provision of this Code, or action, failure to act, statement, representation, recognition, certificate, approval, permit or license issued by the City, its Department of Cannabis Regulation, its departments, or their respective representatives, agents, employees, attorneys or assigns, shall create, confer, or convey any vested or nonconforming right or benefit regarding any Commercial Cannabis Activity beyond the activities provided by the licenses issued to such activity by the state of California and the City's Department of Cannabis Regulation.

SEC. 105.05. UNLAWFUL CANNABIS ACTIVITY.

A. It is unlawful to conduct any Commercial Cannabis Activity in the City without a license issued by the state of California and by the City's Department of Cannabis Regulation.

B. It is unlawful to conduct any Commercial Cannabis Activity in the City falling under Type 1 (Cultivation, Specialty outdoor, Small); Type 1C (Cultivation, Specialty cottage, Small); Type 2 (Cultivation, Outdoor, Small); Type 3 (Cultivation, Outdoor, Medium); Type 5 (Cultivation; Outdoor; Large); or Type 5B (Cultivation, Mixed-light, Large), in Section 26050 of the California Business and Professions Code.

C. It is unlawful to engage in any of action or conduct allowed under Health and Safety Code § 11362.1(a)(3), if such action or conduct occurs outdoors upon the grounds of a private residence.

D. It is unlawful to plant, cultivate, harvest, dry, process, manufacture or store any living marijuana plants allowed by State law, if such action or conduct occurs outdoors at any location in the City.

E. It is unlawful to possess, plant, cultivate, harvest, dry, process, manufacture, distribute, store, test, package, label, transport, deliver, sell, purchase, obtain or give away any Cannabis or Cannabis product allowed by State law, if such action or conduct occurs in any structure where any Cannabis or Cannabis derived product is visible from the exterior of the structure.

F. It is unlawful to transport or deliver by vehicle any Cannabis or Cannabis derived product allowed by State law, where any Cannabis or Cannabis derived product is visible from the exterior of the vehicle.

G. It is unlawful to operate, use, or permit the operation or use of any land, structure, or vehicle in the City for any of the stated prohibited actions or conduct. It is unlawful to own, establish, or permit the establishment of any land, structure or vehicle in the City for any of the stated prohibited actions or conduct.

It is unlawful to rent, lease or otherwise permit any of the prohibited actions or conduct at any location, structure or vehicle in the City.

SEC. 105.06. NO CONFLICT WITH STATE LAW

This Article is not intended to conflict with State law. This Article shall be interpreted to be compatible with State enactments and in furtherance of the public purposes that those enactments encompass.

SEC. 105.07. NO CONFLICT WITH FEDERAL LAW

This Article is not intended to conflict with Federal law or stand as an obstacle or conflict with any efforts by the Federal government to enforce Federal laws related to Cannabis related activities.

Sec. 3. **URGENCY.** The City finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety for the following reasons: As documented in, among other places, case law and the legislative histories of cannabis regulations in the City, the proliferation of unauthorized cannabis businesses, with the attendant crime and negative secondary impacts, poses a current and immediate threat to the public welfare; that despite aggressive enforcement by the office of the City Attorney, an unknown number of unauthorized cannabis businesses, including growers, delivery apps and delivery services, continue to open, close, and reopen within the City, and the proliferation of these unauthorized businesses has led to increased crime and negative secondary impacts in neighborhoods, including but not limited to violent crimes, robberies, the distribution of tainted marijuana, and the diversion of marijuana; that with State licenses for retail sales of cannabis, including nonmedical cannabis, becoming available in 2018, a comprehensive regulatory and enforcement system is required to protect the public and consumers of cannabis from the aforementioned crime and negative secondary impacts on the City's communities; that the passage of the 2016 Adult Use of Marijuana Act has created confusion about the legality of commercial cannabis activity in the City in the absence of a comprehensive local regulatory and enforcement system, with certain businesses selling or distributing nonmedical cannabis to the public despite lacking the proper authorization from the State or City to do so; that the State's issuance of licenses to businesses in other, nearby jurisdictions in the absence of a comprehensive local regulatory and enforcement program in the City of Los Angeles would create further confusion and potentially lead to the further proliferation of unauthorized cannabis businesses in the City; and that this further proliferation would result in that threat to the public welfare. For all of these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 4. **SEVERABILITY.** If any section, subsection, subdivision, clause, sentence, phrase or portion of this Article is held unconstitutional or invalid or unenforceable by any court or tribunal of competent jurisdiction, the remaining sections, subsections, subdivisions,

clauses, sentences, phrases or portions of this measure shall remain in full force and effect, and to this end the provisions of this Article are severable.

Notwithstanding anything to the contrary in the prior sentence, if any State or City licensure requirement is held unconstitutional or invalid or unenforceable by any court or tribunal of competent jurisdiction, the Commercial Cannabis Activity subject to such licensure requirement shall be prohibited in the City.

Sec. 5. The City Clerk shall certify, etc.

DRAFT

ORDINANCE SUPPLEMENT - LAND USE REVIEW OPTION

[NOTE: *In response to a request from the City Council Planning and Land Use Management (PLUM) Committee, this Land Use Review option provides for the Department of City Planning to review and impose site-specific conditions for each Commercial Cannabis Activity Business seeking a compliance document.*]

SEC.45.19.8.3

G. Land Use Review and Determination: Each person seeking a compliance document from the City's Cannabis Commission shall be subject to site-specific land use review and a determination by the Zoning Administrator and appellate decision-maker, as provided in the following subparagraphs.

(1) Application and Initial Review Process. Applications shall be subject to the procedures set forth in the following subsections of Section 12.24 of the Los Angeles Municipal Code [This process generally follows the application, review, and decision-making process for a conditional use permit, deviating from that process as indicated.]:

a. Subsection B (Application for Permit), except that the application shall be for a determination by the Zoning Administrator regarding a Certificate of Compliance for the proposed Commercial Cannabis Activity at the proposed location, not a conditional use permit or other similar approval providing any affirmative authorization or vested right;
b. Subsection C (Initial Decision), except that the initial decision shall be made by the Zoning Administrator;
c. Subsection D (Public Hearing and Notice);
d. Subsection E (Findings for Approval), except that the Zoning Administrator shall have the authority to issue a determination regarding a Certificate of Compliance for the proposed Commercial Cannabis Activity at the proposed location, not a conditional use permit or similar approval specified in Subsections U., V., W., or X. of Section 12.24;
e. Subsection F (Conditions of Approval), except that in issuing a determination regarding a Certificate of Compliance, the Zoning Administrator may impose conditions related to the interests addressed in the findings set forth in Subsection E;
f. Subsection G (Time to Act); and
g. Subsection H (Failure to Act – Transfer of Jurisdiction).

DRAFT

(2) Appeals. An applicant or any other person aggrieved by the Zoning Administrator may appeal the decision to the Area Planning Commission in accordance with the procedures set forth in the following subsections of Section 12.27 of the Los Angeles Municipal Code [This process generally follows the appeals process for a variance, deviating from that process as indicated.]:

a. Subsection H (Filing of an Appeal), except that the appeal shall be regarding the Zoning Administrator's determination, not a variance;
b. Subsection I (Appellate Decision and Public Notice);
c. Subsection J (Time for Appellate Decision);
d. Subsection K (Record on Appeal);
e. Subsection L (Appellate Decision), except that the Area Planning Commission shall be subject to the same limitations regarding findings and conditions as are applicable to the Zoning Administrator in Subparagraph (1) of this Subsection G;
f. Subsection M (Date of Final Decision), except that the action of the Zoning Administrator may be appealed to the Area Planning Commission regardless of the Zoning Administrator's determination;
g. Subsection N (Failure to Act);
h. Subsection O (Appeal to City Council), except that the decision of the Area Planning Commission may be appealed to the City Council whether or not the Area Planning Commission upholds or denies the Zoning Administrator's determination; and
i. Subsection P (Action by Council and Mayor), except that the City Council's decision on the matter shall not be transmitted to the Mayor for his or her action.

DRAFT

Appendix C: Findings

General Plan/Charter Findings

1. In accordance with **City Charter Section 556**, the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent, and provisions of the General Plan. The draft ordinance furthers the following goals and objectives of the General Plan:

Framework Element:

Goal 7B. A City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base.

Objective 7.2. Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

The draft ordinance helps to create a City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base by balancing the proliferation of commercial cannabis activity, public safety, and access to cannabis and cannabis-derived products. It advances these policies by identifying certain agricultural, commercial and industrial zones as eligible locations for the sale, cultivation, manufacturing, distribution and testing of cannabis and cannabis-derived products, and by requiring businesses engaging in on-site sales of cannabis to maintain an additional distance from specified categories of sensitive sites, as well as from other businesses engaging in on-site sales of cannabis.

The draft ordinance helps to establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and ensures maximum feasible environmental quality, for the same reasons previously stated, by balancing the proliferation of commercial cannabis activity, public safety, and access to cannabis and cannabis-derived products.

Goal 7D. A City able to attract and maintain new land uses and businesses.

The draft ordinance helps to create a City able to attract and maintain new land uses and businesses by balancing the proliferation of commercial cannabis activity, public safety, and access to cannabis and cannabis-derived products. It advances this policy by identifying certain agricultural, commercial and industrial zones as eligible locations for the sale, cultivation, manufacturing, distribution and testing of cannabis and cannabis-derived products, and by requiring businesses engaging in on-site sales of cannabis to maintain an additional distance from specified categories of sensitive sites, as well as from other businesses engaging in on-site sales of cannabis.

Housing Element:

Objective 2.1. Promote safety and health within neighborhoods.

Policy 2.1.1. Establish development standards and policing practices that reduce the likelihood of crime.

Policy 2.1.2. Establish development standards and other measures that promote and implement positive health outcomes.

The draft ordinance helps to reduce the likelihood of crime and promote positive health outcomes by controlling the proliferation of commercial cannabis activity and restricting the location, in particular, of retail-type cannabis businesses, which have been associated with criminal activity, nuisance behavior, and negative secondary effects. The draft ordinance contains location restrictions that limit the sale, cultivation, manufacturing, distribution and testing of cannabis and cannabis-derived products to certain agricultural, commercial and industrial zones and require businesses engaging in on-site sales of cannabis to maintain an additional distance from specified categories of sensitive sites, as well as from other businesses engaging in on-site sales of cannabis.

These restrictions will help to reduce the likelihood of crime and associated negative secondary impacts on neighborhoods by discouraging over-concentration of cannabis retail businesses with on-site sales in the same neighborhood, so that no single area becomes a destination for cannabis retail and the anticipated instances of crime and nuisance behavior remain isolated from one another.

Despite legal prohibitions against the behavior, some public consumption of cannabis is inevitable near sites with on-site cannabis retail sales. By increasing the distance between on-site cannabis retail sales and between on-site cannabis retail sales and sensitive sites – particularly parks, libraries, and schools where minors are likely to congregate – these location restrictions will help to reduce exposure to health risks such as secondhand smoke, and will help to reduce minors' exposure to cannabis and cannabis-derived products.

2. In accordance with **City Charter Section 558(b)(2)**, the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice.

Conformity with Public Necessity: The proposed ordinance is in conformity with public necessity because it: a) identifies appropriate zones for the sale, cultivation, manufacturing, distribution and testing of cannabis and cannabis-derived products in the City; and b) requires businesses engaging in on-site sales of cannabis to maintain an additional distance from specified categories of sensitive sites, as well as from other businesses engaging in on-site sales of cannabis; c) provides needed regulation to an emerging industry with the potential to generate jobs and revenue in the City; d) balances concerns regarding public safety with access to cannabis and cannabis-derived products.

In addition, the proposed ordinance is in conformity with public necessity because it responds to the passage by voters, in the election of March 7, 2017, of Proposition M, which requires the City Council to repeal the City's existing regulations concerning

medical cannabis dispensaries and states the City's intent to adopt a comprehensive regulatory process and structure for all medical and nonmedical commercial cannabis activity; and as part of that process and structure, it is in the interest of the public safety and welfare to regulate the location and distance requirements of cannabis-related businesses to ensure compatibility with surrounding neighborhoods and protect sensitive sites from negative impacts.

Furthermore, the proposed ordinance is in conformity with public necessity because it responds to recent State legislation – including the 2015 Medical Cannabis Regulation and Safety Act, and the 2016 Adult Use of Marijuana Act (Proposition 64) – that present challenges to license and regulate both medical and nonmedical cannabis and ensure that commercial cannabis activity is compatible with surrounding neighborhoods and that sensitive sites are protected from negative impacts.

Conformity with Public Convenience: The proposed ordinance is in conformity with public convenience for the same reasons as stated above, because it: a) identifies appropriate zones for the sale, cultivation, manufacturing, distribution and testing of cannabis and cannabis-derived products in the City; and b) requires businesses engaging in on-site sales of cannabis to maintain an additional distance from specified categories of sensitive sites, as well as from other businesses engaging in on-site sales of cannabis; c) provides needed regulation to an emerging industry with the potential to generate jobs and revenue in the City; d) balances concerns regarding public safety with access to cannabis and cannabis-derived products.

Conformity with General Welfare: The proposed ordinance is in conformity with general welfare for the same reasons as stated above, because it: a) identifies appropriate zones for the sale, cultivation, manufacturing, distribution and testing of cannabis and cannabis-derived products in the City; and b) requires businesses engaging in on-site sales of cannabis to maintain an additional distance from specified categories of sensitive sites, as well as from other businesses engaging in on-site sales of cannabis; c) provides needed regulation to an emerging industry with the potential to generate jobs and revenue in the City; d) balances concerns regarding public safety with access to cannabis and cannabis-derived products.

Conformity with Good Zoning Practice: The proposed ordinance is in conformity with good zoning practice by: a) identifying appropriate zones for the sale, cultivation, manufacturing, distribution and testing of cannabis and cannabis-derived products in the City; b) separating incompatible land uses and preserving the character of neighborhoods by requiring businesses engaging in on-site sales of cannabis to maintain an additional distance from specified categories of sensitive sites, as well as from other businesses engaging in on-site sales of cannabis.

CEQA Findings

The Department of City Planning determined that the proposed ordinance (Appendix A) would not have a significant impact on the environment. Negative Declaration ENV-2017-

2261-ND (Appendix D) was prepared to assess any potential impacts on the physical environment.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed ordinance (Appendix A) could have a negative effect on the environment. The attached Negative Declaration was published in the Los Angeles Times on Thursday, August 31, 2016, and reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are located at the Code Studies Division of the Department of City Planning in City Hall Room 701, 200 North Spring Street.

Furthermore, based on the whole of the administrative record, the lead agency finds that the project is exempt from CEQA pursuant to California Business and Professions Code Section 26055(h) on the basis that the project will adopt ordinances, rules and/or regulations, that will require discretionary review under CEQA to approve licenses to engage in commercial cannabis activity in the City of Los Angeles (ENV-2017-3361-SE).

Appendix D: Environmental

1. Negative Declaration ENV-2017-2261-ND
2. Statutory Exemption ENV-2017-3361-SE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED NEGATIVE DECLARATION

LEAD CITY AGENCY	**COUNCIL DISTRICT**
City of Los Angeles	All
PROJECT TITLE	**CASE NO.**
City of Los Angeles Commercial Cannabis Regulation Ordinance(s)	ENV-2017-2261-ND

PROJECT LOCATION

Citywide enabling ordinance.

PROJECT DESCRIPTION

See attached Initial Study/Negative Declaration

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY

City of Los Angeles

FINDING:

The City Planning Department of the City of Los Angeles has proposed that a negative declaration be adopted for this project because none of the analyzed potential impacts would be significant.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-make may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM	**TITLE**	**TELEPHONE NUMBER**
NIALL HUFFMAN	CITY PLANNING ASSOCIATE	(213) 978-3405
ADDRESS	**SIGNATURE (Official)**	**DATE**
200 N. SPRING STREET, ROOM 701 LOS ANGELES, CA. 90012		August 31, 2017

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK

ROOM 395, CITY HALL

LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

INITIAL STUDY AND CHECKLIST

(Article IV B City CEQA Guidelines)

LEAD CITY AGENCY	COUNCIL DISTRICT	DATE
City of Los Angeles	All	August 31, 2017

RESPONSIBLE AGENCIES

City of Los Angeles, Los Angeles Regional Water Quality Control Board, South Coast Air Quality Management District (SCAQMD), Los Angeles Building and Safety Department, Los Angeles Department of Water and Power (Board of Water and Power Commissioners), Los Angeles Board of Public Works, Los Angeles Department of Transportation

PROJECT TITLE/NO.	CASE NO.
City of Los Angeles Commercial Cannabis Regulation Ordinance(s)	ENV-2017-2261-ND

PREVIOUS ACTIONS CASE NO.	☐ DOES have significant changes from previous actions. ☐ DOES NOT have significant changes from previous actions.

PROJECT DESCRIPTION:

The proposed Project consists of Commercial Cannabis Regulation Ordinance(s) including an amendment to the Los Angeles Municipal Code in order to implement Measure M adopted by City voters on March 7, 2017. Under the proposed Project, the amendment I would:

- Establish procedures for review and approval by the City Cannabis Commission, and establish operating regulations for commercial cannabis activities to protect the public health and safety.
- Establish location criteria for specific types of commercial cannabis activities.

The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

For further discussion, see Section 2.2, *Project Description*.

ENVIRONMENTAL SETTING:

The project site is citywide in nature and includes vacant and developed parcels and more completely described in the attached Initial Study/Negative Declaration.

For further discussion, see Section 2.2, *Project Description.*

PROJECT LOCATION:

Citywide

For further discussion, see Section 2.2, *Project Description.*

PLANNING DISTRICT	STATUS:
Citywide	☐ PRELIMINARY ☒ PROPOSED ☐ ADOPTED

EXISTING ZONING	MAX. DENSITY ZONING	
Agricultural, Commercial, and Industrial Zones	N/A	☒ DOES CONFORM TO PLAN
PLANNED LAND USE & ZONE	**MAX. DENSITY PLAN**	
N/A	N/A	☐ DOES NOT CONFORM TO PLAN
SURROUNDING LAND USES	**PROJECT DENSITY**	
N/A	N/A	☐ NO DISTRICT PLAN

☞ DETERMINATION (To be completed by Lead Agency)

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	City Planning Associate
SIGNATURE	**TITLE**

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less that significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated

7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.

9) The explanation of each issue should identify:

   a. The significance criteria or threshold, if any, used to evaluate each question; and

   b. The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Hazards & Hazardous Materials	☐ Public Services
☐ Agriculture and Forestry Resources	☐ Hydrology/Water Quality	☐ Recreation
☐ Air Quality	☐ Land Use/Planning	☐ Transportation/Traffic
☐ Biological Resources	☐ Mineral Resources	☐ Utilities/Service Systems
☐ Cultural Resources	☐ Noise	☐ Mandatory Findings of Significance
☐ Geology/Soils	☐ Population/Housing	
☐ Greenhouse Gas Emissions		

INITIAL STUDY CHECKLIST **(To be completed by the Lead City Agency)**

☞ **BACKGROUND**

PROPONENT NAME	PHONE NUMBER
City of Los Angeles	(213) 978-3405

PROPONENT ADDRESS

200 North Spring Street, Room 701 Los Angeles, CA 90012

AGENCY REQUIRING CHECKLIST	DATE SUBMITTED
City of Los Angeles	August 31, 2017

PROPOSAL NAME (If Applicable)

City of Los Angeles Commercial Cannabis Regulation Ordinance(s)

☞ **ENVIRONMENTAL IMPACTS** (Explanations of all potentially and less than significant impacts are required to be attached on separate sheets)

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a city-designated scenic highway?	☐	☐	☒	☐
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒
III. AIR QUALITY. Where available, the significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the SCAQMD or Congestion Management Plan?	☐	☐	☒	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment (ozone, carbon monoxide, & PM 10) under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒
IV. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the City or regional plans, policies, regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?	☐	☐	☒	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
V. CULTURAL RESOURCES: Would the project:				
a. Cause a substantial adverse change in significance of a historical resource as defined in State CEQA §15064.5?	☐	☐	☒	☐
b. Cause a substantial adverse change in significance of an archaeological resource pursuant to State CEQA §15064.5?	☐	☐	☒	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
VI. GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potential result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
VII. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒
IX. HYDROLOGY AND WATER QUALITY. Would the project result in:				
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b. Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted)?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?	☐	☐	☒	☐
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐
g. Place housing within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood plain structures which would impede or redirect flood flows?	☐	☐	☒	☐
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐
XI. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☒	☐
XII. NOISE. Would the project result in:				
a. Exposure of persons to or generation of noise in level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Exposure of people to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c. Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?	☐	☐	☒	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☐	☒	☐
d. Parks?	☐	☐	☒	☐
e. Other governmental services (including roads)?	☐	☐	☒	☐
XV. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/CIRCULATION. Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e. Result in inadequate emergency access?	☐	☐	☒	☐
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒
XVII. TRIBAL CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☐	☒	☐
XVIII. UTILITIES. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resource, or are new or expanded entitlements needed?	☐	☐	☒	☐
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	☐	☐	☐	☒
c. Does the project have environmental effects which cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

☞ **DISCUSSION OF THE ENVIRONMENTAL EVALUATION** (Attach additional sheets if necessary)

PREPARED BY	TITLE	TELEPHONE #	DATE
Amec Foster Wheeler, Environment & Infrastructure, Inc. 104 W. Anapamu Street, Suite 204A Santa Barbara, CA 93101	Environmental Consultant	(805) 962-0992	Monday August 28, 2017

INITIAL STUDY & DRAFT NEGATIVE DECLARATION FOR PROJECT ENV-2017-2261-ND

City of Los Angeles
Department of City Planning
200 North Spring Street, Room 701, City Hall
Los Angeles, CA 90012

ENVIRONMENTAL CHECKLIST

Project Location: Citywide

Page 1 of 109

Project Title	**City of Los Angeles Cannabis Regulation Ordinance(s)**
Lead Agency Name and Address	City of Los Angeles Department of City Planning, Code Studies Division 200 North Spring Street, Room 701 Los Angeles, CA 90012
Contact Person	Niall Huffman
Phone No.	(213) 978-3405
Project Location/Address	Citywide
Project Sponsor's Name	Department of City Planning Code Studies Division City of Los Angeles
Zoning	Agricultural, Commercial, and Industrial zones
General Plan	Agricultural, Commercial, and Industrial land use designations
Other Public Agencies who will review the document for consistency	N/A

TABLE OF CONTENTS

1 Introduction 4
1.1 Project Background 5
1.2 Project Goals and Objectives 6
2 Project Information 7
2.1 Existing Setting 7
2.2 Project Description 13
2.3 Assessment Methodology 24
3 Evaluation of Environmental Impacts 27
4 Environmental Factors Potentially Affected 28
5 Determination of Significance 29
5.1 Aesthetics 30
5.2 Agricultural and Forestry Resources 35
5.3 Air Quality 38
5.4 Biological Resources 44
5.5 Cultural Resources 49
5.6 Geology and Soils 54
5.7 Greenhouse Gas Emissions 58
5.8 Hazards and Hazardous Materials 62
5.9 Hydrology and Water Quality 66
5.10 Land Use and Planning 71
5.11 Mineral Resources 78
5.12 Noise 80
5.13 Population and Housing 85
5.14 Public Services 87
5.15 Recreation 91
5.16 Transportation/Traffic 93
5.17 Tribal Cultural Resources 96
5.18 Utilities and Service Systems 98
5.19 Mandatory Findings of Significance 105
6 References 107
7 List of Preparers 109

LIST OF FIGURES

Figure 1a. Existing Setting 9
Figure 1b. Existing Setting 10
Figure 2a. Proposed Project 20
Figure 2b. Proposed Project 21

LIST OF TABLES

Table 1. City Council Districts 7
Table 2. General Agricultural, Commercial, and Industrial Zone Coverage 8
Table 3. Commercial Marijuana License Types Permitted Under MAUCRSA Permissible Under the Proposed Ordinances 16
Table 4. Citywide Zones Permissible for Commercial Cannabis Activities 17
Table 5. Retailer Permissible Zones 18
Table 6. Microbusiness, Cultivation, Manufacturing, Testing, and Distribution Eligible Zones 19
Table 7. Projected Los Angeles Cannabis Cultivation Build Out Based on Denver Data 25
Table 8. Project Los Angeles Licenses Based on Denver 26
Table 9. Comparison of General Plan Framework Element Land Use Designations and Eligible Zoning Districts 72
Table 10. Land Use Standards and Typical Development Characteristics of Eligible Areas 73
Table 11. Select Steps to Obtain State-Level Licenses 74
Table 12. Select Steps to Obtain Proposed Project Local-Level Compliance Documents 76
Table 13. Allowable Construction Hours 81
Table 14. Noise Ranges of Typical Construction Equipment 81
Table 15. Caltrans Vibration Annoyance Potential Criteria 82
Table 16. Vibration Source Levels for Construction Equipment 82
Table 17. Projected Water Supply and Demand 99
Table 18. Wastewater Treatment Plant Capacities 99
Table 19. Solid Waste Disposal Facilities Used by the City 100

1 Introduction

This Initial Study and Negative Declaration (IS/ND) has been prepared in accordance with the California Environmental Quality Act (CEQA) and State Guidelines for Implementation of CEQA. It serves as the environmental document for the proposed City of Los Angeles (City) Cannabis Regulation Ordinance(s) (project). The project consists of the repeal of Section 45.19.6 through 45.19.6.9 of the Los Angeles Municipal Code (LAMC) (Section 1 of Proposition D regarding Medical Marijuana) and adoption of ordinances including an amendment to the LAMC, establishing the City of Los Angeles Cannabis Regulation Ordinance(s) including defining where cannabis activities may be permissible along with regulations for commercial cannabis activities. The primary intent of this IS/ND is to (1) determine whether Project implementation would result in potentially significant or significant impacts to the environment; and (2) to incorporate mitigation measures into the Project's regulatory framework, as necessary, to eliminate the Project's potentially significant or significant project impacts or reduce them to a less than significant level.

In accordance with CEQA, projects that have potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, must undergo analysis to disclose the potential significant effects. The provisions of CEQA apply to California governmental agencies at all levels, including local agencies, regional agencies, State agencies, boards, commissions, and special districts. CEQA requires that an IS be prepared for a discretionary project such as the City of Los Angeles Cannabis Regulation Ordinance(s) to determine the range of potential environmental impacts of that project and define the scope of the environment review document. As specified in the CEQA Guidelines Section 15064(f), the lead agency may prepare a MND if, in the course of the IS analysis, if it is recognized that the project may have a significant impact on the environment, but that implementing specific mitigation measures (i.e., incorporating revisions into the project) would reduce any potentially significant impacts to a less than significant level. As the lead agency for the proposed Project, the City of Los Angeles (City) has the principal responsibility for conducting the CEQA environmental review to analyze the potential environmental effects associated with Project implementation. During the review process, the City determined that potential impacts would be less than significant Therefore, a ND has been prepared for the proposed Project.

1.1 Project Background



While Proposition 215, SB 420, and the Medical Marijuana Regulation and Safety Act (MMRSA) addressed use of medical cannabis, commercial cannabis, including medical and non-medical, is a current issue involving local action from the City to establish regulations and a compliance program, consistent with state law and licensing program.

The Project has a unique regulatory setting and background as it involves commercial cannabis activities, which are considered federal criminal offenses under the Controlled Substances Act (CSA) adopted in 1970. The CSA made it unlawful to manufacture, distribute, dispense, or possess any controlled substance and reflects the federal government's view that marijuana is a controlled substance with "no currently accepted medical use." The views and laws of the State and the City have differed significantly from the federal government. For example, in 1996 the passage of Proposition 215 by California voters (aka, the Compassionate Use Act) allowed use of medical cannabis statewide without threat of local or state criminal prosecution. Proposition 215 provided immunity from state law enforcement for patients and their designated primary caregivers to possess and cultivate marijuana for their personal medical use given the recommendation or approval of a California-licensed physician. However, Proposition 215 did not cover commercial cultivation or manufacturing of cannabis products and expressly did not allow unlimited amounts of cannabis to be grown anywhere. In 2004, Senate Bill (SB) 420 broadened Proposition 215 by further protecting patients and caregivers from state criminal prosecution for additional related activities (e.g., transporting medical cannabis) and allowed patients to form medical cultivation "collectives" or "cooperatives" to grow cannabis for medical use, as well as established a voluntary state ID card system run through county health departments. In the City, demand for medical cannabis and dispensaries led to a need for regulation of illegally operated cannabis businesses. Proposition D was passed by City voters in May 2013 for the regulation of medical marijuana businesses.

In 2015, the California Legislature passed the Medical Marijuana Regulation and Safety Act (MMRSA or MCRSA), establishing permitting for marijuana cultivation at the state level (with local approval). The law went into effect on January 1, 2016; however, the state estimates that the program will not be implemented January 2018, when necessary agencies, information systems, and regulations to begin issuing state

commercial cultivation licenses are in effect. In the interim, local governments may choose to adopt new ordinances to permit or license local businesses in preparation for state licensing. Under the MMRSA, facilities currently operating in accordance with state and local laws may continue to do so until their license applications are approved or denied.

For non-medical cannabis activity, Proposition 64, commonly known as the Adult Use of Marijuana Act (AUMA), was passed by California voters on November 8, 2016. Subject to specified restrictions, Proposition 64 legalizes cannabis under state law for use by adults 21 or older, including cultivating cannabis for personal use. Proposition 64 also sets up a state licensing scheme for commercialization of non-medical marijuana and state licenses for a range of commercial cannabis activities are to be issued by January 1, 2018 (Table 1). Proposition 64 imposes state taxes on sales and cultivation, provides for industry licensing and establishes standards for cannabis products. Proposition 64 allows local jurisdictions to regulate (including prohibit) and tax non-medical cannabis. Senate Bill 94, signed by Governor Brown on June 27, 2017, repealed MCRSA and merged its provisions with AUMA unifying medicinal and commercial cannabis administration now referred to as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).

Proposition M, also known as the Los Angeles Cannabis Enforcement, Taxation, and Regulation Act (CETRA), was passed by City voters on March 7, 2017. Proposition M affirms the City Council's power to revise and/or replace Proposition D with new local legislation relating to cannabis and medical cannabis after conducting public hearings. In the meantime, Proposition D remains in place. Proposition M authorizes criminal penalties, nuisance abatement, increased civil fines, and disconnection of utilities for unauthorized cannabis activities, beginning January 1, 2018. Proposition M also establishes new business taxes and a rate structure, effective January 1, 2018, for cannabis and medical cannabis related activity. Proposition M itself does not set up a new licensing scheme for commercial cannabis activity in the City. Rather, Proposition M provides that the City Council will hold public hearings and enact new ordinances pertaining to cannabis and medical cannabis activity in 2017 to take effect in 2018 as well as the concurrent repeal of Proposition D. As such, the Project aims to respond to the requirements of Proposition M, along with City goals for orderly land use and operations of cannabis-related activities. On June 27, 2017, the City Council adopted an administrative ordinance to establish a Cannabis Commission and a Cannabis Department.

1.2 Project Goals and Objectives

The City is proposing two ordinance(s) in order to create a regulatory process and structure for commercial cannabis cultivation, processing, manufacture, distribution, testing, and sales, which together constitute the proposed Project. The proposed Project ordinance(s) would:

- Establish procedures for discretionary review/approval by the City Cannabis Commission, and establish operating regulations for commercial cannabis activities to protect the public health and safety
- Establish the location criteria for specific types of commercial cannabis activities

2 Project Information

2.1 Existing Setting

The City is generally located on the Pacific Coast of California, extending inland from Santa Monica and San Pedro Bays up to 50 miles to the San Gabriel Mountains as well as including a large part of the San Fernando Valley. The City has an approximate land area of 465 square miles (297,600 acres) with a population estimated at more than 4.0 million residents in 2017. The City lies within the Los Angeles County which encompasses 4,000 square miles, 88 incorporated cities and more than 12 million residents. The City is generally bounded on the north by Angeles National Forest; on the east by the Gateway Cities (e.g., Long Beach, Bell, Compton); on the south by the Pacific Ocean and South Bay Cities (e.g., Torrance and Manhattan Beach); and on the west by the Pacific Ocean, Malibu, Santa Monica Mountains, and Ventura County. The City is divided into 15 different City Council Districts based on roughly proportionate population which vary in size.

Table 1. City Council Districts

District	Member	Area		Population
		Square Miles	Acres	
1	Gil Cedillo	15.8	10,112	237,000
2	Paul Krekorian	25	16,000	252,300
3	Bob Blumenfield	36.6	23,424	264,400
4	David Ryu	41	26,240	248,300
5	Paul Koretz	37.5	24,000	264,900
6	Nury Martinez	27.2	17,408	258,000
7	Monica Rodriguez	54.1	34,624	260,000
8	Marqueece Harris-Dawson	16	10,240	250,200
9	Curren Price	13	8,320	266,000
10	Herb Wesson, Chair	14.5	9,280	244,900
11	Mike Bonin	63.8	40,832	289,400
12	Mitchell Englander	58.7	37,568	284,400
13	Mitch O'Farrell	13.6	8,704	252,300
14	José Huizar	24.2	15,488	236,900
15	Joe Buscaino	32.1	20,544	275,500

The City includes extensive heavily urbanized areas within the Los Angeles Basin; more than 20 miles of Pacific Ocean coastline that supports the Port of Los Angeles, sandy beaches, and coastal lagoons; and rugged mountainous terrain within the Santa Monica and San Gabriel Mountains. More than 87% of the City is developed with urban uses, but the City includes major undeveloped areas, particularly with the Santa Monica and San Gabriel Mountains. Primary watersheds within the City include the Los Angeles River, Ballona Creek, Santa Monica Bay, and the Dominguez Channel.

Agricultural zoning and development occurs in pockets throughout the City and is typically concentrated along the more "rural" settings within the hillside areas. Uses that are typically permissible in

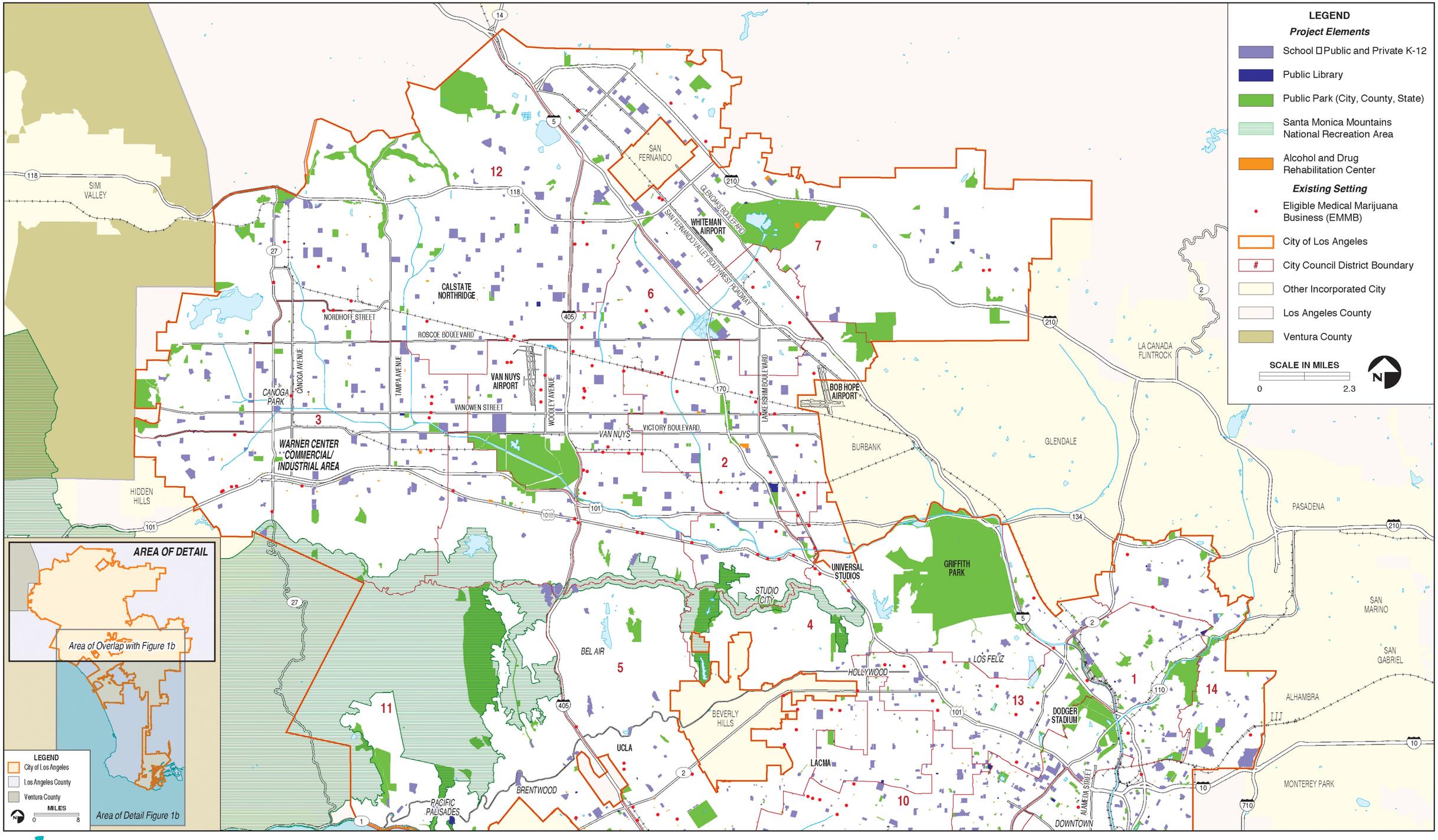
agricultural zones include agriculture, single-family dwellings, open space, golf courses, and plant nurseries. General agricultural zones include approximately 18,000 acres of the City (Table 2).

Commercial zoning and development occurs throughout the City and is typically concentrated along major thoroughfares and in major shopping centers. Commercial uses are clustered around major thoroughfares for economic and traffic reasons and to provide a buffer between residential uses and noisy major streets and industrial uses. General commercial zones include approximately 12,700 acres of the City (Table 2) (Figures 1a and 2).

Industrial zoning and development is typically more concentrated around major thoroughfares and highways than commercial zoning. Industrial uses are clustered around infrastructure routes and hubs such as the Port of Los Angeles, LAX, and portions of downtown, San Fernando Valley for economic viability and to limit the number of sensitive uses impacted by potential nuisance pollution, noise, odors, etc. General industrial zones cover 22,900 acres within the City (Table 2).

Table 2. General Agricultural, Commercial, and Industrial Zone Coverage

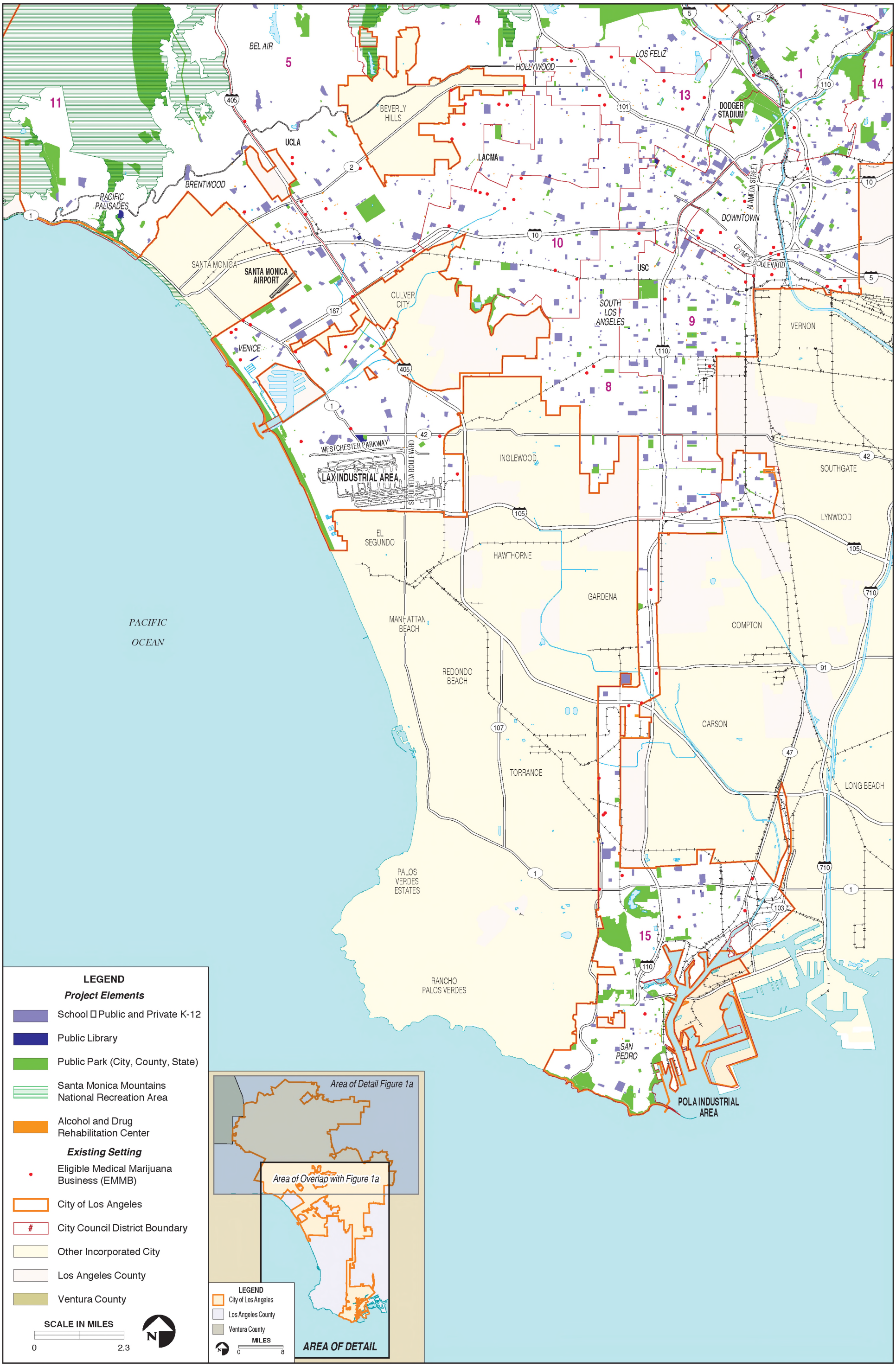
General Zone	Acreage	Parcels	% of City (300,000ac)
Agricultural			
A1	15,471	540	5.2
A2	2,558	191	0.9
Total	18,029	731	6.1
Commercial			
C1	524	609	0.2
C1.5	386	297	0.1
C2	8,704	7,905	2.9
C4	2,131	1,553	0.7
C5	53	30	0.0
CM	873	577	0.3
Total	12,671	10,971	4.2
Industrial			
M1	2,860	894	1.0
M2	6,478	979	2.2
M3	10,923	444	3.6
MR1	1,280	491	0.4
MR2	11,386	180	3.8
Total	22,927	2,988	7.6



amec foster wheeler

Existing Setting
Northern Los Angeles Area

FIGURE 1a



amec foster wheeler

Existing Setting
Southern Los Angeles Area

FIGURE 1b

2.1.1 Environmental Baseline Conditions for Cannabis Activities

Historically, cannabis cultivation and manufacturing of cannabis products and their distribution has been illegal, which means that these activities have occurred unofficially in the City and have not been reliably documented. As a result, there are no complete and reliable records for the existing locations, total area, or productivity of existing cannabis cultivation and manufacturing in the City, though from related records it is known that these activities do currently occur within the City. While some data is available on distribution at dispensaries from tax records and enforcement activities, the amount of cannabis cultivation and manufacturing currently taking place within the City is difficult to quantify with any degree of accuracy. Data from law enforcement was unavailable, and although representatives of the cannabis industry were contacted, they indicated that no systematic survey of cannabis cultivation and manufacturing activities appears to have been undertaken (K. Kaeni, United Cannabis Business Association; personal communication, June 20, 2017). Therefore, this analysis discloses the best information that is available on typical types of cannabis cultivation and manufacturing activities, but does not attempt to speculate on the current type, level or location of such activities. However limited available data on distribution and dispensaries is summarized below.

2.1.2 Cannabis Product Sales

With regards to retail distribution, based on City Controller-provided data, there are 191 Proposition D compliant medical marijuana dispensaries in operation within the City that have received, or are eligible to receive, a Business Tax Registration Certificate (BTRC) for 2017. Prior to 2017, over 756 dispensaries have previously held BTRCs but may not have paid taxes and there are 536 businesses involved with 576 criminal cases filed by the City Attorney's office. Furthermore, the City Controller estimates that there may be up to 1,700 cannabis dispensary business of varying legal standing currently operating within the City. Under Proposition D, medical marijuana businesses were limited to approximately 135 within the City and required to comply with several requirements including, but not limited to, passing annual background checks; maintaining a 1,000-foot buffer to the nearest school; and maintaining a 600-foot buffer to the nearest park, child care facility, and other existing medical marijuana business. With implementation of MAUCRSA, commercial cannabis activities that are licensed as retailers or microbusinesses by the State, may, if allowed by the local jurisdiction, provide for on-site consumption of cannabis or cannabis products provided that access to the cannabis consumption area is limited to persons 21 or older, cannabis consumption is not visible from any public place or non-restricted area, and sale or consumption of alcohol or tobacco is not allowed on the premises.

2.1.3 Cannabis Cultivation

Cannabis cultivation operations vary widely by type and location, and include indoor growers in commercial and industrial and other areas, greenhouse growers and outdoor growers typically in residential or more rural areas. As noted above, no reliable data is available for ongoing cultivation within the City of Los Angeles;

however, based on typical industry information sources, types of cultivation generally include (RAND Drug Policy Research Center 2010):

- **Indoor** – Cultivation occurs in an enclosed space with full suppression of natural light. Artificial lights, irrigation, dehumidifiers, and HVAC equipment are often used to control interior climate. Indoor facilities are typically secured and locked to prevent trespassing and theft.
- **Outdoor** – Cultivation occurs in an open-air space with access to only natural light sources. Cultivated area can either have unobstructed access to sunlight or can be covered with a light-permeable structure (e.g., hoophouse with transparent cover). Structures used in outdoor cultivation are commonly temporary and do not involve permanent foundations. Outdoor cultivation is often secured with fencing and located in relatively inaccessible areas on private properties to dissuade trespassing and theft, or in some cases through trespass on public lands. Usually, the cannabis plants are not planted directly into native soil, but are in soil-filled containers or bags.
- **Greenhouse/Mixed Light** – Cultivation occurs inside a greenhouse structure, which can provide mixed light sources. Passive greenhouses use only natural light, though it can be controlled with shading, and typically use drip or recirculating irrigation. Mixed light greenhouses supplement natural light with light suppression/shielding and artificial lights, along with HVAC and other climate controls. Greenhouses are typically secured and locked to prevent trespassing and theft.

2.1.4 Types of Cannabis Product Manufacturing

Although no specific data is available for the City of Los Angeles, a range of cannabis product manufacturing are known to occur, including the manufacturing of tinctures, infusions, extractions, and various types of hash. Cannabis product manufacturing is defined as production, preparation, propagation, or compounding of manufactured cannabis products either directly or indirectly, or by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, at a fixed location that packages or repackages cannabis. In summary, types of cannabis products typically include:

- **Hash** – a product made from filtered cannabis plant matter. Methods of filtering can include screening with mesh, cold water filtration, and heat pressing to form rosin.
- **Tinctures** – a product made by dissolving cannabis in alcohol, such as ethanol or vodka.
- **Infusions** – a product made using heat to infuse foods, oils, or liquids with cannabis.



A rosin press consists of two heated plates which are pressed together at high pressure (typically between 300 to 600 psi) to convert hashish into rosin. This process is typically considered non-volatile manufacturing.

- **Extractions** – a product made using solvents to dissolve THC from the cannabis plant matter. Processes can be volatile and potentially explosive, such as production of butane honey oil (BHO) and high-pressure CO_2 extract, or non-volatile, such as the production of low-pressure CO_2 extract.

Cannabis products are made through a variety of manufacturing processes that range from low input/low risk to high input/higher risk, as described below. Many types of cannabis manufacturing operations involve use of nonvolatile processes to extract desired compounds. However, while properly administered more volatile cannabis manufacturing operations typically have similar or lower risk profiles than many other types of manufacturing, historically unregulated and inexpertly administered operations using volatile chemicals with jury rigged equipment have led to several industrial accidents, generally involving fires or small explosions in different areas of the state.

Cannabis manufacturing can generally be divided between volatile and non-volatile processes; industry data indicates that a substantial portion of manufacturing employs volatile techniques

- **Infused Products** - Infuses raw cannabis flower/leaves or prepared concentrate into different mediums (e.g. oil, milk, butter, other lipids) to make new products such as: edibles like baked goods, tinctures, the production of lotions and salves, soaps and the like, and vape pens.
- **Non-flammable Extraction** - Using cold water, heat press, lipid (butter, milk, oil) or other non-chemical extraction method to make bubble hash, kief, rosin, cannabis-infused lipid, etc.; CO_2 extraction to make cannabis concentrates/oil (closed loop only) under pressure. Under MAUCRSA, cannabis product manufacturing that employs these methods is referred to as "Manufacturing Level 1;" whereas, under MCRSA and AUMA, all gaseous extraction fell under "Manufacturing Level 2."
- **Flammable Extraction** - Compressed and uncompressed liquid solvents using pentane, hexane, butane, propane, ethanol, etc. to make cannabis concentrates/oil (closed loop only); post-extraction refinement, taking previously extracted cannabis concentrates and further refining through processes such as chromatography, to make distillates. Under MAUCRSA, cannabis product manufacturing that employs these methods is referred to as "Manufacturing Level 2" and is often subject to more stringent regulation or outright prohibition in comparison to Manufacturing Level 1.

The type, extent and distribution of such manufacturing activities within the City of Los Angeles are unknown and the information above represents typical activities described in available cannabis literature and public testimony during the City's June 29, 2017 hearing at Los Angeles City Hall.

2.2 Project Description

The City is proposing two ordinances to implement Measure M adopted by City voters on March 7, 2017 as well as to protect public health, safety and welfare:

1. Establish procedures for review/approval by the City Cannabis Commission and establish operating regulations for commercial cannabis activities to protect the public health and safety
2. Establish the location criteria for specific types of commercial cannabis activities

Commercial cannabis activities may only be conducted by persons that are both licensed by the state of California and recognized by approval by the City's Cannabis Commission. The use would be permitted so long as the commercial cannabis activity complies with all regulations applicable to commercial cannabis activity under City ordinances and the laws of the state of California.



The proposed ordinances would set forth zones where compliant commercial cannabis operations would permissible.

The purpose of the proposed Project is to control the negative impacts and secondary effects associated with commercial cannabis activity in the City, including but not limited to: neighborhood disruption and intimidation caused in part by increased transient visitors; exposure of school-age children and other sensitive residents to cannabis, cannabis sales to minors; and violent crimes.

Under the proposed Project, commercial cannabis permitting would be available for specified commercial cannabis activities provided that the following requirements are met:

1. Is conducted by a person that is both licensed by the state of California to engage in the commercial cannabis activity and recognized by a permit issued by the City's Cannabis Commission;
2. Meets all applicable restrictions and regulations applicable to the activity under the proposed amendments or any other ordinance adopted by the City; and
3. Meets all the restrictions and regulations applicable to the commercial cannabis activity under the law of the state of California.

2.2.1 Proposed Location Restriction by License Type

Under the Proposed Project, to legally cultivate, manufacture of distribute cannabis or cannabis products, an applicant would need to obtain a permit from the City Cannabis Commission

Commercial cannabis activities would be subject to state licensing beginning January 1, 2018. The state's licensing program includes a range of license types that would be required for commercial cannabis activities. Local agencies have discretion to allow none, some, or all of the commercial cannabis activities subject to licensing. Types of commercial cannabis licenses that are proposed by the Project to be permissible are limited to exclusively indoor or greenhouse/mixed-light activities shown in Table 3 below. Procedurally, the proposed Project would allow for permits for certain commercial cannabis activities in a restricted range of locations to be issued by the City Cannabis Commission.

All other commercial cannabis activities described in Section 26050 of the California Business and Professions Code are not permissible under the proposed Project.

The proposed Project area includes the entirety of the City, but the proposed ordinance(s) would only affect developed and vacant parcels with agricultural, commercial, and industrial zoned properties encompassing approximately 35,750 acres or approximately 12 percent of the City's total land area (see also Tables 4, 5, and 6). The proposed Project would affect certain Agricultural, Commercial and Industrial zones within the City limits. Zones not affected by the proposed Project include, but not limited to: Residential zones, parking zones, and the Open Space, Public Facilities, and Submerged Lands zones. Eligible zones and typical uses are summarized in (Table 4). The proposed Project would not create any new zones.

Table 3. Commercial Marijuana License Types Permitted Under MAUCRSA Permissible Under the Proposed Ordinances

Type	Designation	Description
Type 1A	Cultivation; Specialty indoor; Small	Indoor cultivation using exclusively artificial lighting of less than or equal to 5,000 square feet of total canopy size on one premises.
Type 1B	Cultivation; Specialty mixed-light, Small	Mixed-light cultivation using a combination of natural and supplemental artificial light between 2,501 and 5,000 square feet, inclusive, of total canopy size on one premises
Type 2A	Cultivation; Indoor; Small	Indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
Type 2B	Cultivation; Mixed-light; Small	Mixed-light cultivation using a combination of natural and supplemental artificial light between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises
Type 3A	Cultivation; Indoor; Medium	Indoor cultivation using exclusively artificial lighting between 10,000 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
Type 3B	Cultivation; Mixed-light; Medium	Mixed-light cultivation using a combination of natural and supplemental artificial light between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises
Type 4	Cultivation; Nursery	Cultivation of cannabis solely as an indoor nursery,
Type 5A	Cultivation; Indoor; Large	Over 22,000 square feet using exclusively artificial lighting
Type 6	Manufacturer 1	Manufacturing sites that produce cannabis products using nonvolatile solvents or non-flammable gaseous solvent (e.g. CO_2)[1]
Type 7	Manufacturer 2	Manufacturing sites that produce cannabis products using volatile solvents
Type 8	Testing	Testing of marijuana and marijuana products. Testing licensees shall hold licenses for other categories or own or have ownership interest in a non-testing facility
Type 10	Retailer	Retail sale and delivery
Type 11	Distributor	Distribution of commercial cannabis products
Type 12	Microbusiness	Cultivation on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer provided all requirements for those uses are met

[1] SB 94 SEC. 131. 11362.3(b)(3) "Volatile solvent" means a solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. This amends AUMA's definition of volatile solvent which read, "means volatile compounds including: (1) explosive gases such as Butane, Propane, Xylene, Styrene, Gasoline, Kerosene, O_2 or H_2; and (2) dangerous poisons, toxins, or carcinogens, such as Methanol, Iso-propyl Alcohol, Methylene Chloride, Acetone, Benzene, Toluene, and Tri-chloro-ethylene"

Table 4. Citywide Zones Permissible for Commercial Cannabis Activities

Zone	Zone Title	Typical Permissible Uses
Agricultural		
A1	Agricultural	Extensive agricultural uses, one-family dwellings, parks, playgrounds, community centers, golf course, truck gardening, and home occupations
A2	Agricultural	All A1 uses on lots smaller than minimum required for A1
Commercial		
C1	Limited Commercial	Local retail stores less than 100,000 sq. ft., offices or businesses, hotels, hospitals and/or clinics, parking areas, CR uses (except churches, school, or museums), and R3 uses (two-family dwellings, apartments, multiple dwelling, and child care)
C1.5	Limited Commercial	Retail, theaters, hotels, broadcasting studios, parking buildings, parks and playgrounds, and R4 uses
C2	Commercial	C1.5 uses, retail with limited manufacturing, service stations and garages, retail construction business, churches, schools, auto sales, and R4 uses
C4	Commercial	C2 uses with limitations, R4 uses
C5	Commercial	Wholesale, storage, clinics, limited manufacturing, limited C2 uses, and R3 uses
CM	Commercial Manufacturing	C2 uses may be conducted as wholesale businesses without limit on floor area used for storage and residential uses including homeless shelters, joint live/work quarters, and R3 uses
Industrial		
MR1	Restricted Industrial	CM uses, limited commercial and manufacturing, clinics, media products, limited machine shops, and animal hospitals and kennels
M1	Limited Industrial	MR1 uses, limited industrial and manufacturing uses, no R zone uses, no hospitals schools, churches, any encloses C2 use, wireless telecommunications, household storage
MR2	Restricted Light Industrial	MR1 uses, additional industrial uses, mortuaries, and animal keeping
M2	Light Industrial	M1 and MR2 uses, additional industrial uses, storage yards, animal keeping, enclosed composting, and no R zone uses
M3	Heavy Industrial	M2 uses, any industrial uses, nuisance type uses 500 ft. from any other zone, no R zone uses

2.2.2 Retailer and Microbusinesses

Under the Proposed Project, commercial cannabis activities with on-site sales to the public would be restricted within 800 feet of sensitive uses, such as K-12 schools, public parks, libraries and alcohol or drug treatment facilities

Commercial cannabis activities that involve public sales or service, including Retailer and Microbusiness (state license Type 10 and 12), would be geographically restricted to eligible zones (Tables 5 and 6). Generally, these cannabis activities would be allowed in commercial and industrial zones Citywide and in some specific plan areas. Commercial cannabis activities would be further restricted within the eligible zones by an 800-foot wide buffer area around various sensitive uses and other existing Retailer and Microbusiness commercial cannabis activities. Sensitive uses, as defined in the proposed ordinance, include schools (public or private, K through 12), public parks, public libraries, alcoholism or drug abuse recovery or treatment facility, or other commercial cannabis activity (Figures 2a and 2b). Retailer and Microbusiness commercial cannabis activities that do not include on-site retail but only provide off-site delivery services would not be subject to the 800-foot buffer restriction. Following application of the sensitive use buffer, 32,914 acres over 13,288 parcels would be eligible for commercial cannabis activity permit for Retailer commercial cannabis activities.

Table 5. Retailer Permissible Zones

Citywide Commercial Zones		**All City Industrial Zones**	
CM	Commercial Manufacturing	M1	Limited Industrial
C1	Limited Commercial	M2	Light Industrial
C1.5	Limited Commercial	M3	Heavy Industrial
C2	Commercial		
C4	Commercial		
C5	Commercial		

Pursuant to Section 26070 of the California Business and Professions Code, a commercial cannabis microbusiness license authorizes the cultivation of less than 10,000 square feet of cannabis canopy cultivation and operation as a licensed distributor, Level 1 (Type 6 license) manufacturer, and retailer on a single premise provided the licensee complies with all the requirements of these individual license types. Permitting for Microbusiness would be possible on 25,000 acres over 2,550 parcels, many overlapping those for Retailers.

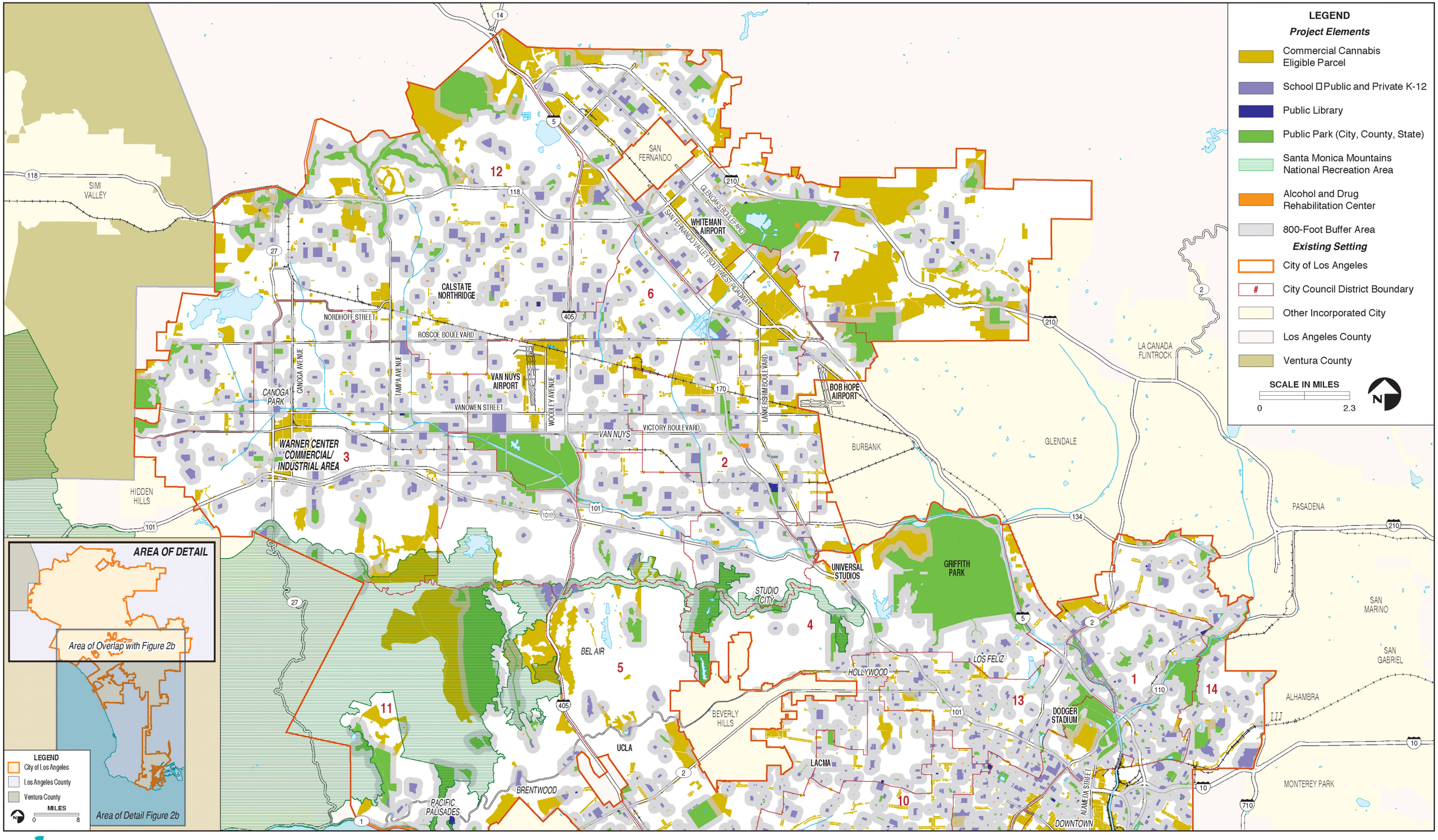
Table 6. Microbusiness, Cultivation, Manufacturing, Testing, and Distribution Eligible Zones

All City Commercial Zones			
CM*	Commercial Manufacturing	A1[x]	Agricultural
		A2[x]	Agricultural
All City Industrial Zones			
M1	Limited Industrial	MR1[†]	Restricted Industrial
M2	Light Industrial	MR2[†]	Restricted Light Industrial
M3	Heavy Industrial		

*Only available to Testing cannabis activities

†MR1 and MR2 available for cannabis cultivation, manufacturing, distribution, and testing activities. MR 1 not available for Level 2 manufacturing (Type 7 license).

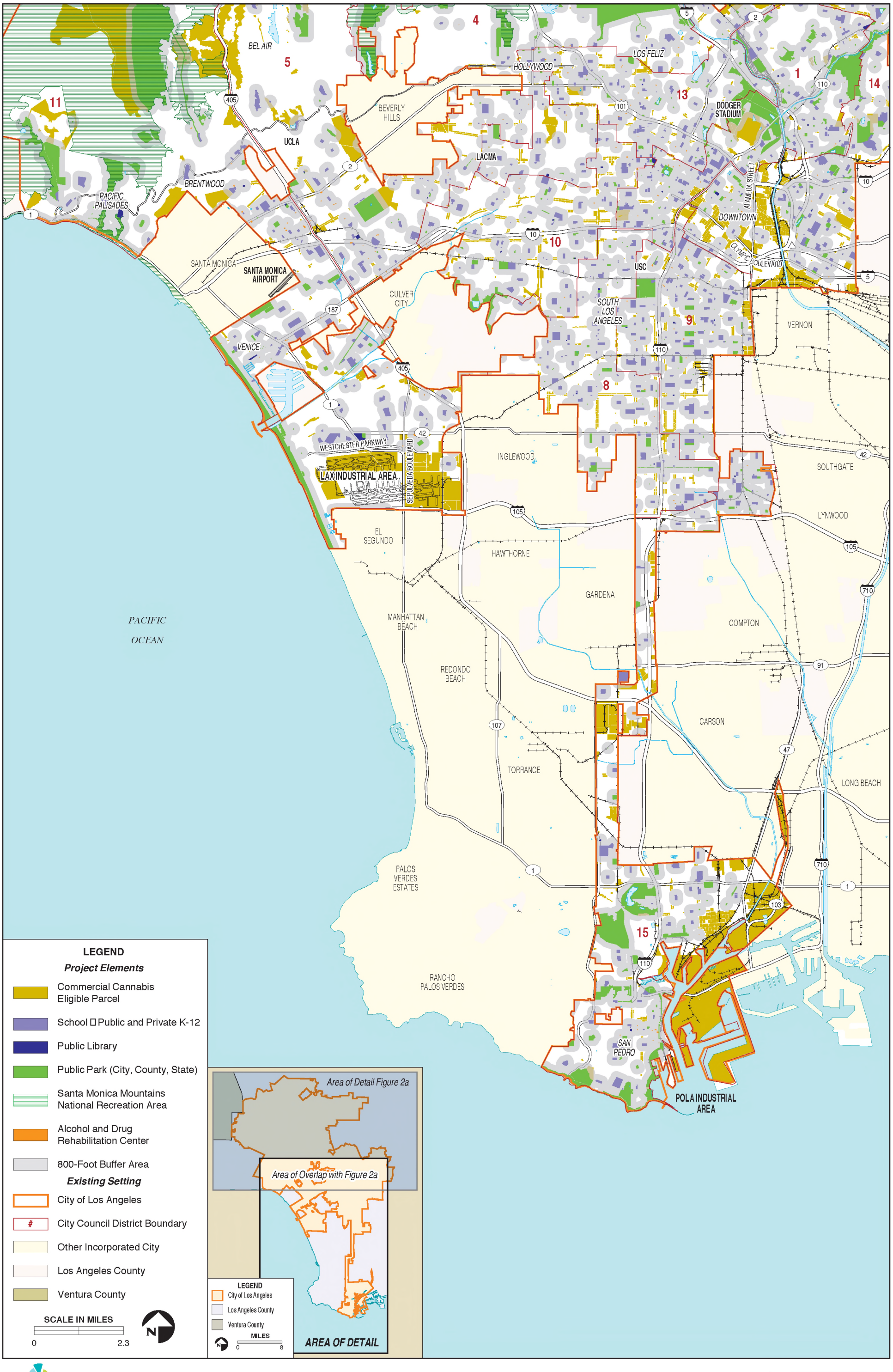
[x]A1 and A2 only available for mixed-light cannabis cultivation as an accessory use. This activity is not allowed in other zones.



amec foster wheeler

Proposed Project
Northern Los Angeles Area

FIGURE 2a



amec foster wheeler

Proposed Project
Southern Los Angeles Area

FIGURE 2b

2.2.3 Commercial Cannabis Cultivation

The proposed Project would allow for indoor, artificial light cultivation (Type 1A, 2A, 3A, and 5A licenses) and mixed-light cultivation (Type 1B, 2B, and 3B) across the full range of sizes defined by state law. The proposed Project does not differentiate between the differing sizes of indoor cannabis cultivation activities. In addition to cannabis cultivation activities for sale or manufacture, the proposed Project includes cannabis nursery activities (Type 4 license, limited to indoor operations or mixed-light as an accessory use) with the other cultivation activities. Pursuant to Section 26001 of the California Business and Profession Code, cannabis nursery activities produce only, "clones, immature plants, seeds, and other agricultural products specifically for the planting, propagation, and cultivation of marijuana." The Project does not include outdoor cultivation. Indoor cannabis cultivation would be permissible on 27,734 acres over 3,239 parcels; whereas, mixed light cultivation would be permissible on 45,763 acres over 3,970 parcels.

2.2.4 Cannabis Product Manufacturing

Pursuant to Section 26100 of the California Business and Profession Code, commercial cannabis manufacture is divided into two levels, Level 1 (Type 6 license) using nonvolatile solvents or no solvents, and Level 2 (Type 7 license) using volatile solvents. The proposed Project includes both Level 1 and Level 2 cannabis product manufacturing (Type 6 and Type 7 licenses) as permissible if located in eligible zones. Cannabis product manufacturing would be permissible on 27,734 acres over 3,239 parcels which represents complete overlap with the area and parcels associated with indoor cannabis cultivation.

2.2.5 Cannabis Testing and Distribution

Pursuant to Section 26101 of the California Business and Profession Code, marijuana or marijuana products may not be sold unless a representative sample has been tested by a certified testing service (Type 8 license). Testing services aid in ensuring that cannabis products meet the quality assurance requirements and do not exceed the limits of compounds including Tetrahydrocannabinol (THC), Cannabinol (CBN), Cannabidiol (CBD), and others. Testing facilities would be permissible under the proposed Project within selected industrial or commercial zones within the City. Pursuant to Section 26101 of the California Business and Profession Code, distributors (Type 11 license) are required to be bonded and insured and purchase cannabis from a cultivator for sale to licensed retailers, or manufacturers and would be permissible in the same zones as Type 8 testing facilities with the exception of the CM zone (Table 6). The total area of eligibility for testing covers 28,141 acres over 3,961 parcels. The total area of eligibility for distribution covers 27,268 acres over 3,384 parcels. As before, there would be substantial overlap in the area of permissibility for these uses as that for other cannabis activities.

2.2.6 Limited Grandfathering of Proposition D-Compliant Existing Medical Marijuana Businesses

Under the proposed Project, existing medical marijuana businesses (EMMBs) that can demonstrate compliance with the requirements of Proposition D will retain their existing limited immunity until such time that they receive approval from the Commission regarding their application for a commercial cannabis activity permit. An EMMB seeking a permit from the Commission must continue to operate in compliance with all the

existing limited immunity restrictions of LAMC Sections 45.19.6.3 (Proposition D) and the applicable LAMC business tax provisions, may not expand the physical size of its business premises existing as of March 7, 2017, and applies for a permit to be issued by the Commission within 60 calendar days of the first date that applications are made available. If an EMMB's premise is located within a zone that does not allow for indoor cultivation, all on-site cultivation activities must cease by December 31, 2024. Of the existing 191 EMMB's, 177 are currently located within a zone that would be permissible for cannabis cultivation activities and 14 would be required to relocate under the proposed Project.

2.2.7 Application Windows

The proposed Project, if adopted, would create several windows to submit applications for compliance documents authorized by the newly created Commission. The application periods would be divided into four windows:

1. **Proposition M Priority Processing**: Window 1 would occur for the first 60 days from when applications are first made available to the public and would be limited to EMMBs that can demonstrate compliance with the requirements of Proposition D. All on-site cultivation will be required to end operations by December 31, 2024 if the EMMB's premises is within a zone district that does not allow for indoor cultivation commercial cannabis activity.

2. **Non-Retail Registry Processing**: Window 2 is reserved for applicants that were conducting indoor cultivation or manufacturing commercial cannabis activity in the City prior to January 1, 2016 and may continue to operate so long as their application for a permit from the Commission is submitted within the first 30 days that applications are made available to the public. Any existing indoor cultivation or manufacturing commercial cannabis activity that does not submit an application by the 30th day will be required to apply as a new commercial cannabis activity.

3. **Social Equity Program Processing**: Window 3 is reserved for applicants under the Social Equity Program once that program is approved by the City Council. The Social Equity Program is currently under development. Criteria for applicants under the Social Equity Program will be developed based on a social equity analysis aimed at promoting equitable ownership and employment opportunities in the cannabis industry in order to decrease disparities in life outcomes for marginalized communities in the cannabis industry and to address the disproportionate impacts of the war on drugs within these communities. While the City of Los Angeles' Social Equity Program is in development, other jurisdiction programs have sought to implement applicant outreach and assistance programs, decrease or waive application fees, or streamline the permitted process for applicants.

4. **General Public Processing**: Window 4 will be open to the general public and will not open until the Social Equity Program has been approved, funded, and implemented by the City Council.

2.2.8 Project Option for Analysis

Reduce 800-Foot Sensitive Use Buffer to State Minimum 600 Feet

The proposed ordinances set an 800-foot buffer, or exclusion area, around sensitive uses as defined above, or 200 feet greater than the 600-foot buffer required by state law. Reducing the required buffer distance would expand the area where cannabis activities with public sales would be permissible.

2.3 Assessment Methodology

2.3.1 Environmental Baseline

Baseline conditions are defined as the existing physical setting that may be affected by the Project (State CEQA Guidelines, § 15125, subdivision (a). This environmental setting constitutes the baseline physical conditions by which the City will determine whether impacts from the Project and options are significant. The impacts of the Project are defined as changes to the environmental setting or baseline attributable to the proposed Project.

With the exception of Proposition D-compliant dispensaries and cannabis businesses against which the City Attorney's Office has filed legal action, precise and reliable data on existing cannabis cultivation and manufacturing is difficult to obtain. As stated above, 191 Proposition D-compliant dispensaries exist and 14 are located within an impermissible zone eligible for cannabis cultivation. Therefore, these 14 businesses would be required to either cease cannabis distribution and cultivation, move to an eligible location, or close. The City Attorney's Office has also filed 576 criminal cases against 535 businesses. Of these 576 cases, 156 (27 percent) were against businesses located on sites that are, or were, located within a zone that would be eligible for commercial cannabis activity, while the remaining 420 are, or were, located in ineligible zones. The City's historical enforcement demonstrates the existence of cannabis activities beyond dispensaries. Between July 13, 2015 (when the City took over enforcement of these prosecutions) and July 13, 2017, the City prosecuted 107 cases involving cultivation. As to manufacturing, the City does not have that data as it is enforced as a felony by the District Attorney. Some currently unlawful manufacturing or cultivation operations may be able to remain in their current locations or may need to relocate.

Information on the existing environmental baseline has been obtained from the City, Amec Foster Wheeler's experience with CEQA analyses related to cannabis, and other publicly available data sources and literature.

2.3.2 Estimate of Potential Build Out Under Proposed Project

Given the limited data available for both existing and reasonable build out under the proposed Project, the City of Denver, Colorado may serve as a basis for buildout or growth projections. Since Colorado legalized cannabis in 2014, the commercial cannabis industry in Denver has matured and represents potential development similar to that which could be expected over the first few years of implementation of the proposed Project (Marijuana Policy Group 2016). Two methods were used to assess potential build out under the proposed Project; one is based on eligible Denver zoning for indoor cannabis cultivation compared with

square footage occupied by cannabis cultivation and then extrapolated to Los Angeles based on the City's eligible indoor cannabis cultivation zones under the proposed Project, and second, a proportional comparison Los Angeles and Denver populations and likely permit demand.

Table 7. Projected Los Angeles Cannabis Cultivation Build Out Based on Denver Data

	Denver	Los Angeles
Population (City Limits)	600,158	3,792,621
Population (Greater Metro)	3,090,874	17,877,006
Land Area	153 square miles	465 square miles
Eligible Indoor Cultivation Zoning	481,137,188 square feet 11,045 acres	866,941,536 square feet † 19,902 acres
Percent Eligible Indoor Cultivation Occupied by Growers	0.7 percent	0.7 percent*
Indoor Cultivation	Occupied 3,545,040 square feet 81 acres	Potential growth - 6,387,663* square feet 147 acres
† Based on areal extent of M1, M2, M3, MR1, and MR2 zoning in Los Angeles *Extrapolated from Denver data		

Application of the 0.7 percent eligible zone occupation rate for indoor cultivators in Denver compared to eligible cultivation zoning in Los Angeles would result in anticipated cultivation build out of 6,387,663 square feet (147 acres) of indoor cultivation in Los Angeles.

Use of population as a proxy for likely license demand results in a potential business demand for Los Angeles would potentially be 5.8 times greater than Denver and results in potential number of licenses described in Table 8 (City of Denver 2017).

17,877,066 (Los Angeles metropolitan area population) / 3,090,874 (Denver metro population) = 5.8

Table 8. Project Los Angeles Licenses Based on Denver

License Type	Denver Issued Licenses	Projected Los Angeles Licenses
Stores/dispensaries	160	928
Cultivation	200	1,160
Manufacturing	70	406
Testing	6	35

While these numbers represent an initial effort to project build out and demand for licenses under the proposed Project, differences between the Los Angeles and Denver including population, property values, permit requirements, density, greater isolation of Denver compared to integration of Los Angeles with all of Southern California, an existing regulatory environment that immunized a certain marijuana activities and an existing physical environment that includes substantial illegal commercial cannabis activities, may result in greatly different numbers following implementation of the proposed plan. Therefore, while such numbers provide useful information, pursuant to CEQA Section 15145,

"*If, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.*"

the City finds that the projected build out conclusions above are too speculative to be employed for further analysis and evaluation. Additionally, as discussed above, the location of where existing Proposition D compliant or non-compliant businesses would locate or relocate after project approval is also unknown at this time and analysis relying on future specific locations, other than those zoned areas identified as part of the proposed Project, would be speculative. Therefore, analysis within this IS/ND will rely upon programmatic assessment only and not employ the potential buildout numbers extrapolated from the Colorado numbers or specific locations for its analysis.

3 Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
    a. Earlier Analysis Used. Identify and state where they are available for review.
    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of an adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c. Mitigation Measures. For effects that are “Less than Significant With Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
    a. The significance criteria or threshold, if any, used to evaluate each question; and
    b. The mitigation measure identified, if any, to reduce the impact to less than significance

4 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the proposed project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ AESTHETICS	☐ GREENHOUSE GAS EMISSIONS	☐ POPULATION AND HOUSING
☐ AGRICULTURE AND FOREST RESOURCES	☐ HAZARDS AND HAZARDOUS MATERIALS	☐ PUBLIC SERVICES
☐ AIR QUALITY	☐ HYDROLOGY AND WATER QUALITY	☐ RECREATION
☐ BIOLOGICAL RESOURCES	☐ LAND USE AND PLANNING	☐ TRANSPORTATION AND TRAFFIC
☐ CULTURAL RESOURCES	☐ MINERAL RESOURCES	☐ UTILITIES
☐ GEOLOGY AND SOILS	☐ NOISE	☐ MANDATORY FINDINGS OF SIGNIFICANCE

INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)	
PROPONENT NAME:	**PHONE NUMBER:**
City of Los Angeles	213-978-3405
APPLICANT ADDRESS:	
200 N. Spring St., Room 701	
Los Angeles, CA 90012	
AGENCY REQUIRING CHECKLIST:	**DATE SUBMITTED**
City of Los Angeles	August 11, 2017
PROPOSAL NAME (If Applicable):	
Proposed Citywide Municipal Code Amendment: Cannabis Regulations Ordinance(s)	

5 Determination of Significance

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

8/31/17

Niall Huffman Date

City Planning Associate

5.1 Aesthetics

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

5.1.1 Existing Setting

A scenic vista is generally defined as a public view of highly valued visual and scenic resources exhibiting a unique or unusual feature, such as mountains, hillsides, bodies of water and/or urban skylines. A scenic vista may also be a distant view that provides visual relief from less attractive nearby features. Designated federal and state lands, as well as local open space or recreational areas, may also offer scenic vistas if they represent a valued aesthetic view within the surrounding community or landscape. Examples of local scenic views include public views of the Pacific Ocean, the Santa Monica Mountains, and, the downtown Los Angeles skyline.

Currently, there are two scenic highway segments officially designated by the California Department of Transportation (Caltrans) within the City of Los Angeles, which include a six mile portion of the Pasadena Freeway (also known as the Arroyo Seco Historic Parkway) from milepost 25.7 to 31.9, and a two and a half mile portion of State Route 27 (SR-27) known as Topanga Canyon State Scenic Highway from milepost 1.0 to 3.5 (Caltrans 2015). Additionally, scenic protection provisions are contained in Community Plans where applicable, and the LAMC contains provisions aimed at protecting views. These include height limits and building setback requirements. Some locally designated scenic highways, including the Mulholland Drive Scenic Parkway, are regulated by specific plan ordinances that contain design provisions intended to protect natural ridge tops, neighborhood visual ambience, public views, and other features (City of Los Angeles 2001a).

Light impacts are typically associated with the use of artificial light during the evening and nighttime hours. Glare may be a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass and reflective cladding materials, and may interfere with the safe operation of a motor vehicle on adjacent streets. Daytime glare is common in urban areas and is typically associated

with mid- to high-rise buildings with exterior facades largely comprised of highly reflective glass or mirror-like materials. Nighttime glare is primarily associated with bright point-source lighting that contrasts with existing low ambient light conditions. The proposed areas associated with the Project are largely confined to well-lit, commercial and industrial areas of the City with high levels of ambient nighttime lighting, including street lights, architectural and security lighting, indoor building illumination, and automobile headlines.

The LAMC additionally states "No exterior light source may cause more than two footcandles of lighting intensity or generate direct glare onto exterior glazed windows or glass doors; elevated habitable porch, deck, or balcony; or any ground surface intended for uses such as recreation, barbeque or lawn areas or any other property containing a residential unit or units" (LAMC Chapter 9, Article 3, Section 93.0117).

The proposed Project would restrict commercial cannabis activities to specified agricultural, commercial and industrial zone districts within the City (refer to Table 2). Eligible commercial areas occupy approximately 32,927 acres of the City and are relatively widely dispersed, with eligible commercial areas typically located along major arterials and boulevards such as Ventura Boulevard, Van Nuys Boulevard, and Lankershim Boulevard in the northern part of the City and Broadway, Wilshire Boulevard, and Pico Boulevard in the southern reaches of the City, as well as being concentrated at intersections of larger roads (Refer to Photos 5.1-1 through 5.1-2). Although existing aesthetic characteristics of these areas vary widely throughout the City, existing buildings along such corridors are generally 1-3 stories in height and are located in a range of commercial centers including strip malls and typical neighborhood shopping centers based around a supermarket and/ or drug store. Building ages, architectural characteristics and landscaping vary widely as does parking, although many such centers are characterized by parking lots fronting on the street with limited perimeter landscaping and parking lot trees; such centers are typically well lighted and may often border relatively closely on residential neighborhoods (refer to above photos).

Eligible industrial areas of the City occupy approximately 12,824 acres and are relatively concentrated, with eligible industrial areas clustered within and adjacent to the Port of Los Angeles, adjacent to Los Angeles International Airport (LAX) and its Specific Plan Area, and along the Los Angeles River in and adjacent to Downtown (Refer to Photo 5.1-3). Although existing aesthetic characteristics of these areas vary widely throughout the City, existing buildings along such corridors are generally 1-3 stories in height and are located in a range of industrial centers and stand-alone buildings, including modern tilt up industrial parks, older warehouses and manufacturing buildings, particularly in Downtown and near the POLA. Building ages, size and architectural characteristics vary widely, from modern industrial parks to historic industrial structures with older sometimes unique architecture as well as warehouse buildings of widely varying design. Typically, newer industrial parks support extensive surface parking and well maintained landscaping, while older industrial structure and warehouses have very limited landscaping and sometimes large paved exterior areas for both parking and storage. Newer industrial parks and buildings are typically well lighted and may border relatively closely on residential neighborhoods. Older industrial uses within and around POLA and LAX are often lighted at differing levels of intensity, depending on use, and are well separated from residential neighborhoods. However, within and around the Downtown, industrial uses can border upon or intergrade with adjacent residential communities.



Photo 5.1-1. Strip Mall. The commercial shopping center located at the corner of Yucca Street and Highland Avenue represents a typical example of an existing commercial center that could accommodate a dispensary under the proposed ordinance.

Source: Google Earth, 2017



Photo 5.1-2. Commercial Mall/Center. The Beverly Center shopping center located along Beverly Boulevard represents a typical example of an existing commercial shopping center that would be eligible for commercial cannabis activities under the proposed ordinance.

Source: Google Earth, 2017

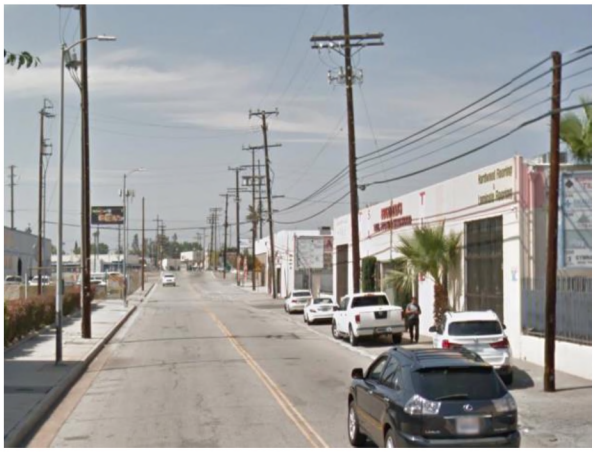


Photo 5.1-3. Industrial Center. The industrial area within the vicinity Bellaire Avenue at the intersection with the railroad tracks represents a typical industrial area within the City that could accommodate cultivation and manufacturing processes under the proposed ordinance.

Source: Google Earth, 2016



Photo 5.1-4. Existing Dispensary. An example of an existing dispensary in the City located at the corner of N Cahuenga Boulevard and Sunset Boulevard. The dispensary is located within an existing commercial block, with green colored exteriors and green crosses.

Source: (Google Earth, 2017)

Existing dispensaries are located throughout the City (refer to Photo 5.1-4), and are generally located within buildings congruent with the existing environment. Dispensaries are generally marked by a bold green medical cross symbol on its façade.

5.1.2 Discussion

a) **Less than Significant.** The proposed Project would permit development of commercial cannabis facilities within eligible commercial and industrial zones throughout the City. These areas are generally developed with existing structures, parking lots, storage areas and other related uses and lie within heavily developed industrial regions or within retail commercial strip malls or shopping centers along arterial roadways, boulevards or large urban streets. Given the amount of existing development and vacant or underutilized structures within these zones, it can be anticipated that many or even the majority of cannabis related businesses would locate within existing structures. However, because of the potential for limited relocation of existing dispensaries and other cannabis related business, some new construction or modification of structures may occur within scenic vistas. Where such development would occur as a result of this Project, such as within the industrial areas surrounding the harbor, LAX, and downtown, and within commercial areas along major arterials and boulevards in the northern and southern portions of the City, City site planning and design review requirements and/or existing design standards would minimize adverse impacts to any scenic vistas (e.g., views of mountains along road corridors) by requiring proper placement, orientation and design of structures on an individual site. Further, individual community Design Review Boards evaluate site plans to assure the massing, placement, form, spatial elements, and overall quality of a building's design are consistent with the area's visual character and would not impact public scenic views. Nevertheless, there could be several by right development outside of specific plan areas that may not be subject to City design review. Potential development (e.g., new construction and/or additions) of commercial or industrial zoned properties that occur associated with the proposed Project would be required to abide by the provisions included in the proposed Ordinance and all applicable regulations included in the applicable Community Plan, Specific Plan, if any, and the Los Angeles Municipal Code (LAMC) Chapter 1, Planning and Zoning Code, that address preservation of publicly available scenic vistas. Therefore, the proposed Project would not necessarily block or otherwise impede an existing public view of a scenic vista. Impacts would be less than significant and no further analysis is required.

b) **Less than Significant.** There is the potential for some relocation of existing dispensaries and possibly other cannabis related business, and the potential for some new construction to occur within the view shed of existing scenic highways with views of the City skyline. However, existing design and form regulations and adopted policies would protect community scenic resources and prevent adverse effects on a site by site basis. The Project would not authorize new construction that could directly affect scenic resources, but may require relocation of existing businesses or stimulate new construction. This could lead to indirect impacts to scenic resources or ornamental landscaped trees located along scenic highways. However, due to limited scenic resources within developed commercial and industrial areas and the relative distance of commercial and industrial area skylines from designated scenic highways, such impacts are not anticipated to be significant. As further discussed in Section 5.5, *Cultural Resources*, historic structures that may be located proximate to scenic highways would similarly be largely unaffected by the Project. With implementation of

the proposed Project, compliance with existing regulations would address concerns over out-of-scale development, massing, bulk, and form of future potential development (e.g. new construction and/or additions), and the Project would not result in significant impacts to surrounding visual resources or rock outcroppings. Therefore, impacts would be less than significant and no further analysis is required.

c) **Less than Significant.** Similar to the above, potential development (e.g., new construction and/or additions) of commercial or industrial zoned properties that occurs pursuant to the proposed Project would be required to abide by the provisions included in the proposed Ordinance and all applicable regulations included in the applicable Community Plan, Specific Plan, if any, and the Los Angeles Municipal Code (LAMC) Chapter 1, Planning and Zoning Code, that address community character and design. With adherence to existing standards and approvals associated with aesthetic character, impacts would be less than significant and no further analysis is required.

d) **Less than Significant.** Potential future development (redevelopment and/or additions) within commercial or industrial zoned properties that occurs associated with the Project, and associated construction, may result in some temporary and permanent light sources. Redevelopment and/or building additions may result in either an incremental reduction or intensity in lighting. New development of this nature would require adherence to local community plans that would limit adverse lighting impacts. Therefore, impacts would be less than significant and no further analysis is required.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from the consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project within the same districts. However, the same existing protections for aesthetic resources under the proposed Project would remain in effect under the Option and, consequentially, impacts to aesthetic resources would remain less than significant.

5.2 Agricultural and Forestry Resources

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

5.2.1 Existing Setting

The California Department of Conservation, Division of Land Protection, lists Prime Farmland, Unique Farmland, and Farmland of Statewide Importance under the general category of "Important Farmland". The Important Farmland Map Coverage maintained by the Division of Land Protection indicates that no land within the City is included in the Important Farmland category (Department of Conservation 2014). Only land located within an agricultural preserve is eligible for enrollment under a Williamson Act contract, and no land located within the City boundary is currently covered by a Williamson Act contract (Department of Conservation 2013). According to the City General Plan, the state geologist has identified several parcels located in the City that are categorized as significant farmland. The largest of those identified was within the Open Space Zone portion of Pierce College in Woodland Hills, related to the community college's educational curriculum (City of Los Angeles 2001a).

The City contains approximately 18,000 acres of land designated for agricultural uses (zones A1 and A2), which provide a variety of small grows of nursery products, flowers and foliage, vegetable crops, and similar products. Within the Los Angeles County region, woody ornamentals, root vegetables, bedding plants, alfalfa hay, and dairy and livestock comprise the largest market share commodities. Large portions of land designated for agriculture are located within the Shadow Hills area in the northeast portion of the City, various parcels within the Northridge area in the northwest region, land in the Tarzana area from I-101 to the mountains, and smaller regions and parcels in the center of the City from Sepulveda to Dodger Stadium (many of which do not have active agricultural uses present). In 2014, agricultural commodities provided $229,686,760 in value to the Los Angeles County area. Within the County, nursery products comprised 6,343,800 square feet of greenhouses and 1,717.8 field acres, while flowers and foliage comprised 1,061,000 square feet of greenhouses and 94.5 field acres.

The Project area solely consists of all vacant and developed lots zoned for agricultural, commercial and industrial uses (refer to Table 2). These areas do not contain any forest land or land zoned for timberland production (City of Los Angeles 2001a). Forest land is defined as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits" (California PRC Section 12220[g]). The only remaining substantial conifer and big tree forests within the immediate Los Angeles City area are located outside the City's boundaries within the Angeles National Forest and on the north slope of the Santa Susana Mountains (City of Los Angeles 2001a).

5.2.2 Discussion

a) **No Impact.** Because the Project would be focused on urbanized areas away from mapped important farmland or agricultural uses (Project cannabis related-uses in agricultural zones would be limited to greenhouses), implementation of the proposed Project would not convert farmland to non-agricultural uses. No impacts would occur, and no further analysis is required.

b) **No Impact.** The proposed Project would not be located on or affect any Williamson Act land, nor conflict with existing agricultural zoning, due to the requirement that potential cannabis cultivation, manufacturing, and commercial uses be restricted to industrial and commercial areas only away from existing agricultural areas. Therefore, no impact would occur and no further analysis is required.

c) **No Impact.** The proposed Project restricts cannabis cultivation, manufacturing, and commercial uses to parcels zoned for commercial or industrial use only, most of which are already developed. The proposed action would not conflict with existing zoning for, or cause rezoning of, forest land or timberland. No impacts would occur and no further analysis is required.

d) **No Impact.** Because there is no forest land or timberland in the City, and future development would not cause a loss of forest land or timberland, no impacts would occur and no further analysis is required.

e) **No Impact.** The Project does not propose or authorize development and would not expand any new or existing land uses into agricultural or forest land. In addition to the reasons stated above, potential

development (e.g., demolition, building additions, new construction, etc.) that occurs pursuant to the proposed Project would not result in the conversion of farmland or forest land to other uses. No impacts would occur and no further analysis is required.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from the consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project within the same districts. However, the same existing protections for agricultural resources under the proposed Project would remain in effect under the Option and, consequentially, impacts to agricultural resources would remain less than significant.

5.3 Air Quality

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. **Would the project:**				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

5.3.1 Existing Setting

The City is located in the South Coast Air Basin (Basin) that covers the non-desert portions of Los Angeles, San Bernardino, and Riverside Counties in addition to Orange County. The South Coast Air Quality Management District (SCAQMD) monitors and regulates the local air quality in the Basin and manages the Air Quality Management Plan (AQMP). Air quality is affected by stationary sources (e.g., land use and development) and mobile sources (e.g., motor vehicles). Air quality at a given location is a function of several factors, including the quantity and type of pollutants emitted locally and regionally, and the dispersion rates of pollutants in the region. Primary factors affecting pollutant dispersion are wind speed and direction, atmospheric stability, temperature, the presence or absence of inversions, and topography. The Basin frequently experiences weather conditions that trap air pollutants within the Basin, due to temperature inversions and periods of stagnant wind conditions. The air quality within the Basin is influenced by a wide range of emission sources, such as dense population centers, heavy vehicular traffic, industry, and weather.

To protect the public health and welfare, the federal and state governments have identified six criteria air pollutants and a host of air toxics, and established ambient air quality standards through the federal Clean Air Act and the California Clean Air Act. Federal and State criteria air pollutants include Carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone (O_3), particulate matter less than 10 microns in diameter (PM_{10}), fine particulate matter less than 2.5 microns in diameter ($PM_{2.5}$), and sulfur dioxide (SO_2). The air quality impacts are assessed by comparing impacts to baseline air quality levels and applicable ambient air

quality standards. Standards are levels of air quality considered safe from a regulatory perspective, including an adequate margin of safety, to protect public health and welfare.

The entire Basin is designated as a federal and/or state-level nonattainment area for ozone, $PM_{2.5}$, and PM_{10}. At the federal level, the Basin is designated as an extreme nonattainment area for ozone meaning that federal ambient air quality standards are not expected to be met for several years (US EPA 2015a). Additionally, the Los Angeles County region of the Basin is designated as a moderate nonattainment area for $PM_{2.5}$, nonattainment area for Pb, and as a serious maintenance area for PM_{10} and CO (US EPA 2015b). The basin is in attainment of federal standards for SO_2 and NO_2, a subcategory of NOx. At the state level, the Basin is also designated as a nonattainment area for ozone, $PM_{2.5}$, and PM_{10}. The Basin is in attainment for the state ambient air quality standards for CO, Pb, NO_2, and SO_2 (ARB 2014; SCAQMD 2013).

Sensitive Receptors

Sensitive receptors known to or likely to exist within proximity of licensed cannabis activities under the project include residences, schools, playgrounds, childcare centers, athletic facilities, retirement homes, and medical care facilities. Land uses which are sensitive to air pollution include residential uses, schools, churches, and parks. The proposed Project would restrict commercial cannabis activities to specified agricultural, commercial, and industrial zone districts within the City (refer to Table 4). Eligible agricultural areas occupy approximately 18,000 acres of the City and are generally restricted to the less developed areas of the City at the boundaries, or within the hillside areas (Refer to Figures 3 and 4). Eligible commercial areas occupy approximately 35,750 acres of the City and are relatively widely dispersed, with eligible commercial areas typically located along major arterials and boulevards such as San Fernando Road, Roscoe Boulevard, and Victory Boulevard in the northern part of the City and S Alameda Street, E. Washington Boulevard and W. Florence Avenue in the southern reaches of the City, as well as being concentrated at intersections of larger roads (Refer to Figures 3 and 4). Such commercial uses may often border relatively closely on residential neighborhoods, including schools, parks, churches and other potential sensitive receptors. Eligible industrial areas of the City are relatively concentrated, with eligible industrial areas clustered within 12,824 acres adjacent to POLA, adjacent to LAX, along the Los Angeles River, and in and adjacent to Downtown (Refer to Figures 3 and 4). Newer industrial parks may border relatively closely on residential neighborhoods, and are often located across wider arterials or urban streets from such neighborhoods. Older industrial uses within and around POLA and LAX are often well separated from residential neighborhoods. However, within and around the Downtown, industrial uses can border upon or intergrade with adjacent residential communities, such as the Downtown Industrial District in Skid Row.

Odors

Cannabis cultivation and, to a lesser degree, manufacturing is often accompanied by strong odors. Odors can vary by crop variety, ranging from pepper, balsamic vinegar, pine, citrus, and skunk. Most of the pungent aromas of cannabis come from a class of chemicals called terpenes. Terpenes are among the most common compounds produced by flowering plants, vary widely between plants, and are responsible for the fragrance of nearly all flowers. Cannabis produces over 140 different terpenes. These terpenes are found in varying concentrations in different cannabis varieties. THC, the cannabinoid primarily responsible for cannabis' psychoactivity, has no odor whatsoever. Type and potency of cannabis odors range widely from variety to

variety, as do the opinions by receptors regarding whether the odor is pleasant or objectionable. However, the predictability and degree to which cannabis odors can travel or be perceived is highly variable depending on climatic and topographic conditions near a cultivation site. Outdoor cultivation has the greatest potential to expose sensitive receptors to odors, though greenhouses, indoor cultivation and manufacturing may occasionally contribute odors to surrounding areas if ventilation systems are not effective or if indoor spaces are periodically aired out. Cannabis odors can be successfully contained within structures or filtered to prevent diffusion into surrounding areas if advanced filtration systems are employed and proper site management undertaken.

5.3.2 Emissions Thresholds

Air quality impacts are assessed by comparing impacts to baseline air quality levels and applicable ambient air quality standards. Federal and state air quality standards have been established for various pollutants. Standards are levels of air quality considered safe from a regulatory perspective, including an adequate margin of safety, to protect public health and welfare.

Construction

The SCAQMD's thresholds recommend that projects with construction-related emissions that exceed any of the following regional (mass daily) emissions should be considered potentially significant.

- 550 pounds per day of carbon monoxide (CO)
- 100 pounds per day of nitrogen oxides (NO_X)
- 150 pounds per day of sulfur oxides (SO_X)
- 75 pounds per day of reactive organic gases (VOC)
- 150 pounds per day of Respirable Particulate Matter (PM_{10})
- 55 pounds per day of Fine Particulate Matter ($PM_{2.5}$)

Localized significance thresholds (LSTs) were developed in response to the SCAQMD Governing Board's Environmental Justice Enhancement Initiative (I-4). LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each SRA, project size, and distance to the sensitive receptor, etc. LSTs are only applicable for emissions of CO, NOx, PM_{10}, and $PM_{2.5}$. LSTs do not apply to emissions from mobile sources such as automobile traffic or public transport (SCAQMD 2014).

Operational

A project's localized air quality impact is considered significant if CO emissions create a hotspot where either the California one-hour standard of 20 ppm or the federal and state eight-hour standard of 9.0 ppm is exceeded. This typically occurs at severely congested intersections (Level of Service [LOS] E or worse). Based on analyses of localized concentrations within the San Francisco Bay Area that has similar ambient CO concentrations as the project vicinity, a project would have to increase traffic volumes at affected intersections to more than 31,600 vehicles per hour for a CO hotspot to occur.

The SCAQMD currently recommends that projects with operational emissions that exceed any of the following emissions thresholds should be considered potentially significant.

- 550 pounds per day of CO
- 55 pounds per day of VOC
- 55 pounds per day of NOX
- 150 pounds per day of SOX
- 150 pounds per day of PM_{10}
- 55 pounds per day of PM2.5

5.3.3 Discussion

a, b, & c) **Less than Significant.** The Project would apply to commercial cannabis activities and businesses which cultivation, manufacture, transport, and distribute cannabis. Although it is anticipated that most cannabis related activities authorized under the proposed Project would locate within existing structures, the Project would authorize uses which may result in some degree of future construction activities which could result in short-term construction-related air emissions. Currently, it is known that many existing cultivation and manufacturing operations are not currently located within appropriate industrial zone districts, and no information is available on the exact location, amount, or mix of these types of uses in regards to indoor, outdoor, or greenhouse cultivation. As such, it is foreseeable that relocation, remodels/ interior improvements, and potentially even new construction would occur. However, because no data is available on these uses and the potential amount, location, and type of new development associated with cannabis related activities, it would be speculative to provide estimated construction emissions. Further, due to high land values, the City's rigorous permit process, and relatively large amounts of existing available industrial space, potential cannabis relocation or expansion projects would most likely be concentrated within existing structures, limiting new development. Therefore, it is unlikely that new development related to commercial cannabis cultivation and manufacturing would result in a level of development that would generate construction air emissions which would exceed adopted significance thresholds for construction-related emissions; in any case, no reliable data exists on which to base such calculations. Based on screening criteria for construction emissions as provided in the SCAQMD CEQA Air Quality Handbook, a potentially significant air quality impact is expected to result from construction of new commercial or industrial development which is greater than 559,000 sq. ft. or 1,102,520 sq. ft., respectively. Given available vacant building space and high land values, new cannabis activities would likely occur within existing development, and it is not anticipated that the Project would result in the future development of new commercial or industrial spaces that would exceed SCAQMD screening criteria for new construction. Regardless, where new development or redevelopment is required to support commercial cannabis activities, such activities would be subject to City permit requirements and site plan review processes when applicable (LAMC Chapter I, Article 6.1, Section 16.05).

As many applicable commercial cannabis operations currently operate and contribute air emissions within the Basin, implementation of the Project is expected to only incrementally alter commercial cannabis operations and emissions, including those associated with vehicle emissions from retail deliveries, product

transportation, employee trips, and customer/visitor traffic, as it is anticipated that new commercial cannabis operations would occur within currently occupied commercial and industrial spaces which generate and contribute towards regional air emissions. Through implementation of proposed cannabis regulations, the Project would, however, likely result in the relocation of some existing commercial cannabis activities to eligible areas of the City, resulting in potential changes in trip lengths for both existing employees and customers. In addition, because no data is available on existing uses or the potential amount, location and type of new development associated with cannabis related activities, it would be speculative to provide estimated operational emissions. Further, given inability to predict where cannabis operations would be relocated, affected areas, trip length details, customer preferences, and other details determining employee and customer trip length, assumption regarding this potential increase or decrease in vehicle emissions remains speculative. Therefore, impacts to air quality from construction and operational emissions generated as a result of implementation of the Project are considered negligible in relation to an already substantial but unknown environmental baseline and are not expected to result in non-compliance with the adopted AQMP; impacts are considered less than significant.

d) **Less than Significant.** As discussed above, the Project would not directly result in the generation of substantial short-term construction or long-term operational air pollutant emissions. While commercial cannabis activities, including operation and potential future construction, may result in the generation of air emissions, such emissions are not anticipated to comprise a substantial new source of air emissions to which a sensitive population would be exposed. Given the current location of potentially eligible cannabis operations, implementation of the proposed Project has the potential to result in the relocation or renovation of some existing businesses, which may result in construction or redevelopment and associated potential for increased pollutant emissions. However, because no data is available on existing uses or the potential amount, location and type of new development associated with cannabis related activities, it would be speculative to provide estimated operational emissions. In addition, because these activities would occur over a prolonged period of time, be dispersed throughout the City, would likely involve only limited new construction due to high land values, permit barriers and relatively large amounts of existing vacant structures, the already well developed nature of eligible commercial and industrial areas, and the inability to directly quantify potential emissions, impacts from associated air emissions are not anticipated to be considerable and cannot be quantified reliably. Additionally, given the proposed Project's minimum buffer distance requirements from sensitive land uses, the Project is not expected to result in the generation of air emissions such that nearby sensitive populations or uses are affected, due to the likelihood that commercial cannabis activities would be located within existing occupied commercial and industrial spaces and that the Project is not anticipated to result in new development which would exceed SCAQMD construction emission screening thresholds. Further, given the level of speculation surrounding assumptions for the amount, location and type of new commercial cannabis activities, analysis of Project impacts from generation of air pollutants and exposure to sensitive uses is required to remain programmatic. For the reasons discussed above, impacts concerning the exposure of sensitive land uses to air pollutant concentrations are considered to be less than significant.

e) **No Impact.** As discussed, odors from cannabis are highly subjective, and may be perceived as a nuisance or pleasant odor depending upon the individual. However, implementation of the proposed Project could

result in the generation of objectionable cannabis odors from particularly from cultivation. In particular, where industrial areas border residential or interface with residential uses or other sensitive receptors, such as along the edges of Airport industrial areas or within and adjacent to Downtown, potential odor impacts could occur. While commercial cannabis activities have to potential to result in the generation of odors, all commercial cannabis businesses and operations considered under the Project would be required to comply with City of Los Angeles Cannabis Regulation Ordinance(s), which require business to take measures that would neutralize odors inside the premises or prevent odors from being perceived by a person at the exterior of the business or on any adjoining property. Such measures include the installation of air filtration or ventilation systems and technologies which have been known to feasibly reduce or neutralize odors from cannabis. These technologies may involve carbon filtration screens which can be placed at all ventilation openings, dispersal of deodorizing compounds through misting systems located around within the interior of the cannabis operation, and other technologies which focus on the containment of odors and indoor climate conditions to the interior of the operation. In addition, existing laws that prohibit cannabis consumption in public locations would minimize potential annoyance related odors associated with cannabis use. With implementation of this requirement, commercial cannabis activities would not result in the generation of detectable potentially objectionable odors, and no direct impact would occur under the Project. No further analysis is required.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to air quality which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Under implementation of the Option, impacts to air quality could be similar to those described for the proposed Project. All other regulations and restrictions proposed for commercial cannabis activities could be as described for the proposed Project, and have the same effect with regard to regulating pollutant and odorous emissions. In particular, odors control technologies as discussed above would ensure that cannabis related odors do not impact sensitive receptors. As such, a reduction in the minimum setback requirements considered under the proposed Project would not substantially affect the number, extent, type, or concentration of eligible commercial cannabis activities such that air emissions from such operations are significantly less or greater than those anticipated under the proposed Project.

5.4 Biological Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

5.4.1 Existing Setting

Inland/Terrestrial Habitat

Inland habitats include undeveloped areas, park and open space areas, lakes, reservoirs or dam sites, and other areas with extensive natural or introduced vegetation which may provide habitat or refugee for local species and migratory birds. Due to the wide-spread urbanization of the City, habitat suitable to support special status species is limited in the vicinity of existing commercial and industrial areas which tend to be clustered within the most heavily urbanized areas of the City. Habitat expected to occur within areas that would accommodate cannabis related activities would be limited to already highly urbanized areas inhabited primarily by ruderal or nonnative species, such as commercial areas along major roads and boulevards and industrial districts within the areas of Downtown, LAX, and POLA which consist largely of built environments and paved hardscaped surfaces. Agricultural areas would also support some cannabis related activities within greenhouses. Species and habitat expected to occur in such areas are not identified as significant

biological resources protected under existing local or regional plans, policies, or regulations established to protect sensitive species or natural communities.

Significant Ecological Areas

Significant ecological areas (SEAs) are significant habitats identified by Los Angeles County as important for the preservation and posterity of local biodiversity. Los Angeles County defines SEAs as ecologically important land and water systems that support valuable habitat for plants and animals, and are often integral to the preservation of rare, threatened or endangered species and the conservation of biological diversity in the County. These areas are classified as one or more of the following: (a) habitats for rare and endangered species of plants and animals, (b) restricted natural communities - ecological areas that are scarce on a regional basis, (c) habitats restricted in distribution in the county, (d) breeding or nesting grounds, (e) unusual biotic communities, (f) sites with critical wildlife and fish value, and (g) relatively undisturbed habitats. There are a number of SEAs located within the City of Los Angeles boundaries, including the Griffith Park, Ballona Wetlands, El Segundo Dunes, Harbor Lake Regional Park, Tujunga Valley/Hansen Dam, and portions of the Verdugo Mountains SEA. Several of these SEAs are generally located within designated public parks or open space areas that tend to be more removed from commercial and industrial development, while some such the El Segundo Dunes SEA and portions of the Verdugo Mountains SEA may be located adjacent to or within a quarter mile of designated commercial-industrial zones. While the Project applies to existing development commercial and industrial areas of the City and does not tend to overlap or adjoin designated significant habitat, the Project has identified the Terminal Island (Pier 400) SEA as eligible land for commercial cannabis activities, which supports a large nesting site for the state and federally endangered California least tern (*Sterna antillarum browni*). While the policies and regulations for SEAs adopted by the County do not apply within City boundaries, the City does have an analogous set of policies within its General Plan that require protection of sensitive biological resources and species similar to those found within SEAs.

Wildlife Corridors

For many species, the landscape is a mosaic of suitable and unsuitable habitat types. Environmental corridors, such as stream courses, are segments of suitable habitat that provide connectivity between larger areas of suitable habitat, allowing species to disperse through otherwise unsuitable areas. On a broader level, such environmental or wildlife corridors also function as avenues along which wide-ranging wildlife can travel, plants can propagate, genetic interchange can occur, populations can move in response to environmental changes and natural disasters, and threatened species can be replenished from other areas. In California, environmental corridors often consist of riparian areas along streams, rivers, or draft other natural features. Within the City, significant wildlife corridors include the Los Angeles River, which transects several eligible agricultural, commercial, and industrial areas particularly in Downtown, and the mountainous regions connecting Griffith Park to the Santa Monica Mountains.

Aquatic/Marine Habitat

Under the Project, eligible commercial and industrial areas exist adjacent to the Ballona Wetlands and the Los Angeles River which support suitable aquatic habitat, as well as within POLA which neighbors the Pacific Ocean and San Pedro Bay. The Ballona Wetlands are located adjacent to Marina Del Rey just under a mile north of LAX and the airport industrial area. The wetlands support several unique habitats, including

estuarine, brackish, and freshwater marshes as well as riparian habitats and seasonal wetlands. Within the City, the Los Angeles River is largely channelized. Where the Los Angeles River has not been fully channelized, the river supports suitable habitat for a number of reptiles, amphibians, birds, and mammals, in addition to providing linkages between habitat and corridors for wildlife movement. In the southern portions of the City, the area surrounding POLA is heavily commercialized with the heavy industrial shipyard development. While terrestrial features of the site provide little habitat suitable to sensitive or protected biological resources, the harbor channels are known to provide habitat for a number of marine species. The Port maintains a protected California least tern nesting site on Pier 400, designated as the Terminal Island (Pier 400) SEA (Los Angeles Department of Regional Planning 2017). As previously mentioned, this site is designated as eligible for commercial cannabis activities under the Project, but the policies and regulations applicable to this SEA do not apply within the boundaries of the City.

5.4.2 Discussion

a) **Less than Significant.** Commercial cannabis activities would be limited to the existing designated agricultural, commercial, industrial, and manufacturing districts of the City which are substantially built out, and, therefore, would have only limited potential to cause substantial adverse impacts to an individual species or population, or cause the destruction of any sensitive habitat. Although some limited commercial areas may border undeveloped open space regions in the Santa Monica, San Gabriel, or Santa Susana Mountains or key aquatic resources such as the Ballona Wetlands or portions of the Los Angeles River, most eligible areas are typically located within highly urbanized portions of the City surrounded by existing development. Some limited new or expanded development may occur throughout the life of the Project in order to support cannabis activities; however, these activities would occur primarily within previously developed areas of the City which do not support habitat for candidate, sensitive, or special status species. Some future construction or redevelopment may occur adjacent to areas supporting habitat or designated as an SEA, such as agricultural, commercial, and industrial areas located adjacent to the Tujunga Valley/Hansen Dam SEA. However, many of these areas are highly disturbed or consist of previously built or occupied lots, and future disturbance of previously undisturbed areas under the Project would not be expected. Further, because no data is available on existing uses or the potential amount, location and type of new development associated with cannabis related manufacturing activities, it would be speculative to address impacts to any particular area or habitat. Therefore, the Project is expected to result in less than significant impacts to any candidate, sensitive, or special status species or habitat.

b) **Less than Significant.** Activities involved under the Project would be far removed from designated riparian habitat or other sensitive natural communities identified in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Eligible commercial and industrial areas may occur near areas such as the Ballona Wetlands of Los Angeles River which support may support riparian or sensitive habitat. However, given that the Project would be limited largely to previously developed or disturbed agricultural, commercial and industrial zone districts, the potential for the Project to result in adverse effects to such habitat is considered unlikely. Given the broad extent of eligible parcels within the City and potential for cannabis activities to be located adjacent to designated sensitive habitat or natural communities, impacts of the Project are considered less than significant.

c) **No Impact.** Activities occurring under the Project would not adversely affect federally protected wetlands, including marshes, vernal pools, or coastal regions. Habitat suitable to support federally protected wetlands, including marshes, vernal pools, or coastal regions is limited in the vicinity of existing commercial and industrial areas which tend to be clustered within the most heavily urbanized areas of the City. Wetland habitat expected to occur within areas that would accommodate cannabis related activities would be limited to already highly disturbed drainage within commercial areas along major roads and boulevards and industrial districts within the areas of Downtown, LAX, and POLA which consist largely of built environments and paved surfaces. While the Ballona Wetlands and some intact habitats along the Los Angeles River are located proximate to LAX and Downtown industrial areas, the distance of any potential new development from these resources would limit potential for direct impacts from any cannabis related development and water quality and runoff regulations would avoid potential for indirect impacts. Further, because no data is available on existing cannabis uses or the potential amount, location and type of new development associated with cannabis related activities; it would be speculative to identify potential impacts to wetland areas. Therefore, no direct impact or reasonably foreseeable indirect impact would occur under implementation of the proposed Project and no further analysis is required.

d) **Less than Significant.** Activities occurring under the Project would not disrupt any habitat corridors or affect the movement of any resident or migratory wildlife. As discussed below under 5.4.2(e), the Project would not result in any significant impacts to locally protected trees or conflict with the City's Tree Protection Ordinance. Although the trees are mainly ornamental and nonnative, they may serve as corridors between habitat or provide suitable habitat, including nesting habitat, for migratory birds. The City requires that all projects which may result in the removal of a tree may be required to comply with the Migratory Bird Treaty Act by either avoiding grading activities during the nesting season (February 15 to August 15) or conducting a site survey for nesting birds prior to commencing grading activities. Adherence to the MBTA regulations would ensure that if construction occurs during the breeding season, appropriate measures would be taken to avoid impacts to any nesting birds if found. Given the requirement for adherence to the MBTA for any future development, implementation of the proposed Project is anticipated to have a less than significant effect on wildlife corridors or the movement of any resident or migratory species.

e) **Less than Significant.** Developed areas or vacant lots which may be eligible for commercial cannabis activity under the Project may contain several trees which have the potential to provide suitable habitat for local or migratory species, act as corridors between habitat, or themselves be considered a sensitive biological resource. The City's Protected Tree Ordinance No. 177,404 (Chapter 4.6 of LAMC) defines specific species of protected trees, which measure four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree. Any future development or redevelopment required to support commercial cannabis activities and proposed on a lot supporting a protected tree would be required to adhere to the native protected tree ordinance requirements that are part of the City's Municipal Code. Because no data is available on existing cannabis uses or the potential amount, location and type of new development associated with cannabis related activities; it would be speculative to identify potential impacts to sensitive or protected trees. However, given requirement for adherence to City regulations and the lack of physical development occurring under implementation of the Project, impacts are considered less than significant.

f) **No Impact.** The Project does not include or authorize any physical development and would limit potential future development to existing agricultural, commercial, and industrial zones within the City. Eligible areas for cannabis activities are restricted to agricultural areas suitable for greenhouse development in less urbanized areas of the City; commercial zones which are located primarily along major roads and boulevards; and industrial districts within areas such as Downtown, LAX, San Fernando Valley, South Los Angeles, and POLA which consist largely of built environments and paved hardscaped surfaces, in which no habitat conservation plans have been adopted. As activities occurring under the Project would not occur within an area applicable to any adopted habitat conservation plans, natural community conservation plans, or other approved regional or state conservation plans, no direct or reasonably foreseeable indirect impacts would occur under implementation of the proposed Project and no further analysis is required.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to biological resources which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Implementation of the Option has the potential to affect the area of eligibility due to reduced buffer requirements. Reducing minimum buffer requirements from sensitive uses and other commercial cannabis activities has the potential to result in a greater area of impact. However, as discussed in Section 5.4.2, above, eligible areas for commercial cannabis activities are generally located in almost entirely build environments which are located away from areas supporting biological resources, and impacts of the Option would be similar to those discussed above.

5.5 Cultural Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries (see Public Resources Code, Ch. 1.75, Section 5097.98, and Health and Safety Code Section 7050.5(b))?	☐	☐	☒	☐

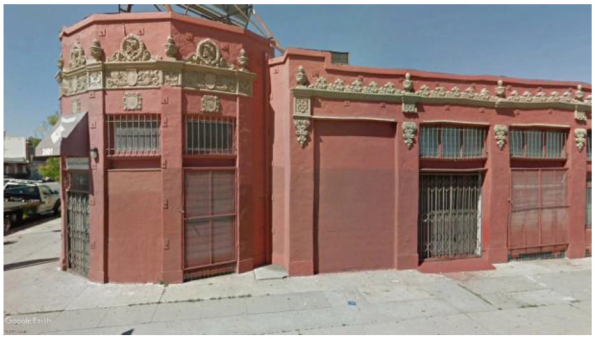
5.5.1 Existing Setting

A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment (California PRC Section 21084.1). Section 15064.5 of the *State CEQA Guidelines* defines a historical resource as (1) a resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; (2) a resource listed in a local register of historical resources or identified as significant in an historical resource survey meeting certain state guidelines; or (3) an object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, Provided that the lead agency's determination is supported by substantial evidence in light of the whole record. Further, historical resources included in a local register of historical resources, or deemed significant, are presumed to be historically or culturally significant, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. Local "Historic-Cultural Monuments" (HCMs), Historic Preservation Overlay Zones (HPOZs), SurveyLA, and other surveys meeting the criteria of 5024.1 of the PRC, are included for consideration and discussed below. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section. Overall, there are three types of cultural resources considered for the purposes of CEQA in this analysis, (1) mandatory (state designated or determined eligible by the state), (2) presumptive (by local ordinance resources or survey records), and (3) voluntary.

Under the City's Cultural Heritage ordinance local buildings and sites that meet the criteria for designation can be declared HCMs by the City Council after recommendation from the Cultural Heritage Commission. Any person can nominate a building or site for designation and the property owner does not need to give consent, and the City has designated approximately 1,138 HCMs (City of Los Angeles 2017a). Additionally, the City has adopted 35 HPOZs for various family communities and commercial neighborhoods citywide (City of Los Angeles 2017b). Each adopted HPOZ are contained within and managed by its associated Community Plan Area. Proposed modifications, including demolition, of a designated HCM:

- Requires Cultural Heritage Commission review for proposed exterior and interior alterations in accordance with the Secretary of the Interior's Standards for Rehabilitation;
- Allows Cultural Heritage Commission may object to the issuance of a demolition permit within 180 days, with a 180-day extension possible upon approval of the City Council;
- Activates CEQA review which protects historic buildings from adverse impacts; and
- Entitles HCM-owners to technical assistance in complying the Secretary of the Interior's Standards.

Location within an HPOZ requires a property owner to comply with the City's HPOZ ordinance, which provides for review of proposed exterior alterations and additions to historic properties. The procedures and specific criteria for review are described in the applicable preservation plan for the area. Typically, the preservation plan identifies contributing properties and any defining architectural or other features, and may establish a preservation board for reviewing individual project.



Based on the zoning, this structure would be eligible for permits for commercial cannabis activities. This structure is a designated historic structure located at Western and Cimarron within the CM zone district.

The city has designated local HCMs and HPOZs, which along with resources identified on the state Register of Historic Resources and National Register of Historic Places helps to protect historic resources as defined by PRC Section 21084.1. further, to ease the access of obtaining historic resources as defined by PRC Section 21084.1, the Department of City Planning Office of Historic Resources (OHR) is working create a comprehensive historic resources inventory that consists of buildings, structures, objects, natural features, cultural landscapes, and districts from approximately 1850 to 1980 that are located in the City. The historic resources inventory includes City designated HCMs, HPOZs, properties and districts in the National Register of Historic Places, identified multi-family historic districts, identified single-family residential historic districts, identified commercial districts, and National Historic Landmarks. OHR has compiled the data from completed surveys and made it available to the public on the SurveyLA and the Historic Places LA

websites[2]. Examples of historic structures located within commercial cannabis eligible zones include the Bernard N. Meyer American Merchant Marine Veterans Hall and Longshoremen's Dispatch Hall near the Port of Los Angeles (POLA), an unnamed structure at Western and Cimarron (pictured), and the former Young's Market Dr. Pepper Bottling Works (pictured).



Former Young's Market Dr. Pepper Bottling Works, now a structural coating manufacturing facility. Historic structures vary widely in current occupancy and integrity, both structurally and culturally.

Section 15064.5 of the *State CEQA Guidelines* defines significant archaeological resources as resources which meet the criteria for historical resources, or resources which constitute unique archaeological resources. Within a largely developed urban area such as the City of Los Angeles, archaeological resources may be buried beneath existing development, including buildings, parking lots or other improvements. Although the integrity of such remains may have been disturbed by past development and grading, such buried sites can retain integrity and cultural importance. The California Register of Historical Resources provides the one basis for and extent to which historical resources of the State deserve to be protected. California Health and Safety Code Section 7050.5 direct procedures to undertake in the case that human remains are found. California Public Resources Code Section 5097.98 additionally provides procedures that would direct action in the case that Native American remains are discovered. Construction activity may continue unimpeded on other portions of a project site.

The City of Los Angeles General Plan states that "Discovery of archaeological materials may temporarily halt the project until the site has been assessed, potential impacts evaluated and, if deemed appropriate, the resources protected, documented and/or removed" (City of Los Angeles 2001a).

Paleontological resources include fossil remains or traces of past life forms, including both vertebrate and invertebrate species, as well as plants. Paleontological resources are generally found within sedimentary rock formations. Existing regulations for the protection of paleontological resources additionally include California Health and Safety Code Section 7050.5, which directs procedures to undertake in the case that human remains are found. PRC Section 5097.98 additionally provides procedures that would direct action in the case that Native American remains are discovered. The City of Los Angeles General Plan states that "Discovery of archaeological materials may temporarily halt the project until the site has been assessed, potential impacts evaluated and, if deemed appropriate, the resources protected, documented and/or removed" (City of Los Angeles 2001b).

[2] SurveyLA website: http://preservation.lacity.org/survey /
HistoricPlacesLA website: http://preservation.lacity.org/survey/historic-places-la

5.5.2 Discussion

a) **Less than Significant.** The proposed Project does not directly propose or authorize any development and would be limited to existing developed commercial and industrial zones within the City; however, it is expected that many existing dispensaries would be required to relocate to eligible zones and new or existing, though currently unknown cultivation or manufacturing uses, would need to develop or redevelop locations for cannabis activities. Given the potential for redevelopment of existing sites to support relocated or new cannabis activities, it is possible that designated historic structures would be selected for these uses and remodeled potentially altering key character defining features of the structures. The Los Angeles Department of Building and Safety (LADBS) standard procedures for changes of use and significant interior remodeling of existing buildings includes review of the cultural resource database, which shows properties which fall within an HPOZ or HCM and requires review for projects that might impact these resources. It is anticipated that potential alterations to historic structures would addressed at this point and either the submitted plans would be modified in such a way to mitigate loss of integrity of the structure or another location would be chosen. There are certain cases in which demolition may occur of certain sites unless they are located within a specific plan area or Community Plan Implementation Overlay (CPIO) that requires site review. However, because the total amount, location and extent of remodels or new construction associated with this project are unknown, it would be speculative to assume any specific number of sites may be affected by the Project at this time. As described above, it is anticipated that many buildings would be reused or internally modified to accommodate cannabis operation activities, with appropriate review required by LADBS to protect character defining features and the historic integrity of such structures. In addition, future projects would be subject to all federal, state, and local regulations regarding the protection and preservation of historic resources and, therefore, impacts to historic resources and locally designated HCMs would be less than significant.

b) **Less than Significant.** Any potential development activities (i.e., redevelopment, building additions, grading or earthmoving etc.) pursuant to the Project would continue to be subject to existing laws and regulations that require local agencies protect buried archaeological resources. In addition, as discussed in Section 2.3 (Assessment Methodology) above, the total amount, location, nature and timing of development that could be indirect generated by this Project is unknown, and it would be speculative to estimate a specific number or location of sites that could be affected by the Project at this time because the total amount, location and extent of new construction associated with this project are unknown. Further, it is anticipated that many existing buildings would be reused or internally modified to accommodate cannabis operation activities, avoiding the potential for disturbance of subsurface archaeological remains. Therefore, continued compliance with California PRC 21083.2, in conjunction with City General Plan requirements, would ensure that impacts to archaeological resources would be less than significant. No further analysis is required.

c, d) **Less than Significant.** Similar to the above, any potential development activities (i.e., redevelopment, building additions, etc.) pursuant to the Project would continue to be subject to existing laws and regulations that require local agencies to protect buried paleontological resources or human remains. Due to existing high land values, available vacant or underutilized building stock and the City's rigorous permit process, large percentage of potential future development or redevelopment sites associated with the proposed Program are anticipated to be sited on previously developed areas; thus, the likelihood of disturbing these subsurface

resources is low. Adherence to the guidance of California PRC 21083.2, PRC 5097.98, and California Health and Safety Code Section 7050.5 would ensure that impacts to paleontological resources and human remains would be less than significant, and no further analysis is required.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to cultural resources which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. However, as discussed in Section 2.3 (Assessment Methodology) above, the total amount, location, nature and timing of development that could be indirectly generated by this Project is unknown, and it would be speculative to estimate how changes in buffer distances would increase or change development potential. However, compliance with the same legal requirements of the California Public Resources Codes would remain in effect under the Option and, consequentially, impacts to cultural resources would remain less than significant.

5.6 Geology and Soils

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exacerbate existing hazardous environmental conditions by bringing people or structures into areas susceptible to potential substantial adverse effects, including the risk of loss, injury or death, involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

5.6.1 Existing Setting

The City is located within seismically active Southern California, and is subject to moderate and possibly strong ground motion due to earthquakes from one of the several faults that traverses the area. Fault rupture is the displacement that occurs along the surface of a fault during an earthquake. The California Geological Survey (CGS) designates Alquist-Priolo Earthquake Fault Zones, which are regulatory zones around active faults. These zones, which extend from 200 to 500 feet on each side of known active faults, identify areas where potential surface ruptures along active faults could prove hazardous and identify where special studies

are required to characterize hazards to habitable structures. There are numerous Alquist-Priolo Fault Zones, as well as Fault Rupture Study Areas located throughout the City including the Hollywood and Raymond faults.

Soil liquefaction occurs when loose, saturated, granular soils lose their inherent shear strength due to excess water pressure that builds up during repeated movement from seismic activity. Factors that contribute to the potential for liquefaction include a low relative density of granular materials, a shallow groundwater table, and a long duration and high acceleration of seismic shaking. Liquefaction usually results in horizontal and vertical movements from lateral spreading of liquefied materials and post-earthquake settlement of liquefied materials. Liquefaction potential is greatest where the groundwater level is shallow, and submerged loose, fine sands occur within a depth of approximately 50 feet or less. Portions of the San Fernando Valley, San Pedro, Northeast Los Angeles, West Los Angeles, and South Los Angeles, are susceptible to liquefaction, and thus may be susceptible to seismic-related ground failure such as lateral spreading, subsidence, or settlement (City of Los Angeles 2017c). Due to typical commercial/industrial needs for wide, flat areas, more lands zoned for commercial/industrial uses are located in liquefaction areas than in those prone to landslides.

Landslides are movements of large masses of rock and/or soil. Landslide potential is generally the greatest for areas with steep and/or high slopes, low sheer strength, and increased water pressure. Portions of the San Fernando valley, the Pacific Palisades, Brentwood, Northeast Los Angeles, and Westchester/Playa Del Rey could be affected by landslides (City of Los Angeles 2017c). Because most commercial/industrial uses within the City area located on level areas, there are limited areas of the City with these land uses located on steep land prone to landslides.

Erosion is the movement of rock and soil from place to place and is a natural process. Common agents of erosion in the vicinity of the City include wind and flowing water. Significant erosion typically occurs on steep slopes where stormwater and high winds can carry topsoil down hillsides. Erosion can be increased greatly by earthmoving activities if erosion-control measures are not used. Development on hillside parcels designated as "Hillside Areas" would be subject to all applicable Best Management Practices (BMPs) relating to erosion and stormwater runoff and are included in the City's Low Impact Development (LID) Ordinance (LAMC Ordinance No. 181,899), which ensures that development and redevelopment projects mitigate runoff in a manner than captures rainwater at its source, while utilizing natural resources.

Expansive soils are typically associated with fine-grained clayey soils that have the potential to shrink and swell with repeated changes in the moisture content and poor drainage. The ability of clayey soil to change volume can result in uplift or cracking to foundation elements or other rigid structures such as slabs-on-grade, rigid pavements, sidewalks, or other slabs or hardscape found on these soils.

5.6.2 Discussion

a-i, a-ii) **Less than Significant.** New construction and/or additions would likely occur due to implementation of the Program as a result of both relocation of existing commercial cannabis activities to eligible zones and development of new structures or redevelopment of existing structures in support of new cannabis activity. However, as discussed in Section 2.3 (Assessment Methodology) above, the total amount, location, nature and timing of development that could be indirectly generated by this Project is unknown, and it would be

speculative to estimate specific or the total amount, location and extent of new construction that could be exposed to seismic hazards. In addition, due to existing high land values, available vacant or underutilized building stock and the City's rigorous permit process, a large percentage of potential future development or redevelopment sites associated with the proposed Program are anticipated to be sited within existing structures. Therefore, it would be speculative to attempt to identify the extent to which new structures and future occupants could be exposed to seismic hazards. Further, future development would be subject to all federal, state, and local regulations regarding land use siting and fault rupture, including the California Building Code (CBC), the City of Los Angeles Building Code seismic standards, and applicable City ordinances relating to seismic retrofitting and structure evaluation prior to completion of construction, which may also include site-specific geotechnical investigations that would evaluate the potential for seismic risk and identify appropriate mitigation measures. No potential actions with implementation of the proposed Project would exacerbate existing geological hazards, and therefore impacts would be less than significant with conformance to the existing federal, state, and local regulations. No further analysis is required.

a-iii, a-iv) **Less than Significant.** The Project may encourage new development (i.e., limited development of new buildings redevelopment, building additions, etc.) in largely existing agricultural, commercial and industrial areas, which encounters some areas indicated to have the potential for landslides or liquefaction. Due to the location of commercial/industrial areas that may experience some cannabis-related development pursuant to the Project, there is a higher potential for siting to require geologic accommodation for liquefaction than to accommodate for landslides. Nevertheless, all development that occurs pursuant to the Project would be required to comply with current seismic design provisions of the CBC and City's Building Code seismic standards, which incorporates relevant provisions related to development protection against liquefaction. Therefore, cannabis cultivation and manufacturing practices would not exacerbate existing geologic or soils hazards associated with liquefaction or landslide potential, and compliance with existing building regulatory measures would ensure that potential impacts would be reduced to less than significant. No further analysis is required.

b) **Less than Significant.** The Project does not propose or authorize any development, though may encourage new development (i.e., redevelopment, building additions, etc.) in largely existing agricultural, commercial and industrial areas, which do not typically occur on hillside areas. Nevertheless, in the case that an eligible parcel is located in an area designated with the potential for soil erosion, the project would be required to adhere to the City's LID, mitigating the impacts of runoff and associated stormwater pollution, including BMPS designed to address runoff and pollution at the source. Therefore, the Project would not result in substantial erosion or loss of topsoil and impacts would be less than significant. No further analysis is required.

c) **Less than Significant.** As discussed in impacts a-iii and a-iv, some Project-eligible sites may be located in areas susceptible to landslides or liquefaction. However, as discussed in Section 2.3 (Assessment Methodology) above, the total amount, location, nature and timing of development that could be indirectly generated by this Project is unknown, and it would be speculative to estimate specific or the total amount, location and extent of new construction which could be exposed to landslides or liquefaction. In addition, due to existing high land values, available vacant or underutilized building stock and the City's rigorous permit

process, a large percentage of potential future development or redevelopment sites associated with the proposed Program are anticipated to be sited within existing structures. Therefore, it would be speculative to attempt to identify the extent to which new structures and future occupants could be exposed to seismic hazards. Further, future development that occurs pursuant to the Project would be designed and constructed in conformance with the CBC, as well as the City's UBC requirements. These requirements are designed to protect site cannabis employees and limited quantities of occupants in CM – Commercial Manufacturing zoning districts from risks or the exacerbation of existing hazardous geologic conditions related to unstable soil. Compliance with existing laws regarding the risk of loss, injury, or death, from exacerbating any existing potential for lateral spreading, subsidence, liquefaction, or collapse would reduce potential impacts to less than significant. No further analysis is required.

d) **Less than Significant.** The Project does not propose or authorize any development, though may encourage new development (i.e. redevelopment, building additions, etc.) in existing commercial and industrial areas, which may be located on expansive soils. In the case that an eligible parcel is located in an area designated with expansive soils, future development that occurs pursuant to the Project would be designed and constructed in required conformance with the CBC, as well as the City's Building Code requirements. Indoor cannabis cultivation, manufacturing, and commercial uses would not exacerbate existing expansive soil risks, and compliance with existing standards, as required by the Department of Building and Safety regulations, would reduce potential impacts to less than significant. No further analysis is required.

e) **No Impact.** The City is served by the City of Los Angeles wastewater (sewer) system (see also Section 5.18, *Utilities and Service Systems*). It is expected that existing development connects to the sewer system and all potential new development pursuant to the Project would connect to existing sewers mainlines and service lines, which are largely located in the surrounding roadways. Therefore, future development would not require the use of septic systems and no impact would occur. No further analysis is required.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to geology, geologic hazards, and soils which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. However, as discussed in Section 2.3 (Assessment Methodology) above, the total amount, location, nature and timing of development that could be indirectly generated by this Project is unknown, and it would be speculative to estimate how changes in buffer distances would increase or change development potential. Further, the same existing protections from geological hazards and for soil resources under the proposed Project would remain in effect under the Option and, consequentially, impacts to geological resources would remain less than significant.

5.7 Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

5.7.1 Existing Setting

Global climate change can be measured by changes in wind patterns, storms, precipitation, and temperature. Scientific consensus has identified human-related emissions of greenhouse gases (GHGs) above natural levels is a significant contributor to global climate change. GHG are substances that trap heat in the atmosphere and regulate the Earth's temperature, and include water vapor, CO_2, methane (CH_4), nitrous oxide (N_2O), ground level ozone, and fluorinated gases, such as chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and halons. The potential impacts of climate change include severe weather patterns, flooding, reduced quality and availability of water, sea level rise, and beach erosion. Primary activities associated with GHG emissions include transportation, utilities (e.g., power generation and transport), industry, manufacturing, agriculture, and residential. End-use sector sources of GHG emissions in California are as follows: transportation (39 percent), industry (23 percent), in state and imported electricity generation (19 percent), agriculture and forestry (8 percent), residential (6 percent), commercial (5 percent), and non-specific sources (1 percent) (ARB 2017).

Assembly Bill (AB) 32 is a California State Law that establishes a comprehensive program to reduce GHG emissions from all sources throughout the state. AB 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms to reduce California's GHG emissions to 1990 levels by 2020, representing a 25 percent reduction statewide, with mandatory caps beginning in 2012 for significant emissions sources. The Los Angeles Climate Action Report for the City of Los Angeles Sustainability pLAn accounted for GHG emissions from the energy, on-road transportation, stationary sources, solid waste, water conveyance, ports, off-road transportation, and wastewater treatment sectors. Total existing emissions in 2013 were inventoried at approximately 29 million metric tons CO_2e (carbon dioxide equivalents). The energy sector accounted for 64 percent of emissions, followed by the transportation sector that represented 34 percent (City of Los Angeles 2015).

As mentioned in Section 5.3, *Air Quality*, the project involves licensing of cannabis activities throughout the City, which is within the Basin. The Basin is an area of high air pollution potential as it is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. This topography traps the air and its pollutants in the valleys or basins below. The major sources of

GHG emissions in the vicinity include motor vehicles and building energy needs, as well as the construction and maintenance of buildings, streets, and infrastructure.

To combat expanding development and reduce GHGs below historic targets, the City adopted their Climate Action Plan (CAP) in 2007, also known as GreenLA. The City's CAP established GHG reduction targets of 35 percent below 1990 levels by the year 2030. To achieve this targeted reduction, GreenLA identifies goals and actions that would directly reduce GHG emissions from municipal facilities and operations, as well as establish a framework to address citywide GHG emissions through implementation of focused reduction strategies. These strategies focus on issues such as energy, water, transportation, land use, waste, port and airport operations, and establishes the following goals for each issue:

Energy

- Increase the generation of renewable energy;
- Encourage the use of mass transit;
- Develop sustainable construction guidelines;
- Increase citywide energy efficiency; and
- Promote energy conservation.

Water

- Decrease per capita water use to reduce electricity demand associated with water pumping and treatment.

Transportation

- Power the city vehicle feet with alternative fuels; and
- Promote alternative transportation (e.g., mass transit and rideshare).

Other Goals

- Create a more livable City through land use regulations;
- Increase recycling;
- Reduce emissions generated by activity associated with the Port of Los Angeles and regional airports;
- Create more city parks, promoting the environmental sector; and
- Adapt planning and building policies to incorporate climate change policy.

In addition, the City updated the Los Angeles Green Building Code based on updated to the 2013 California Green Building Standards Code as part of Ordinance No. 182849 (Green Building Ordinance). Together, these two measures work to establish a clear guidance for reducing citywide GHG emissions through efficient building design, renewable energy requirements, and other measures targeted at reducing energy demands and resource costs.

No numerical threshold for GHG emissions has been adopted by CARB, SCAQMD, or the City, which would apply to the Project. As such, per CEQA Guidelines 15064.4, the City is provided discretion in determining a significance threshold for GHG emissions within their jurisdiction, and may choose to consider thresholds of significance from previously adopted or recommended by other public agencies or experts, so long as the threshold chosen and the decision to adopted such threshold is support by substantial evidence (CEQA Guidelines Section 15064.7(c)). In order to qualify GHG emissions from a project within its jurisdiction, the City relies on compliance with adopted regulations, plans, and policies which intend to reduce GHG emission o meet statewide targets which have been set forth in Assembly Bill (AB) 32. In other words, a project may be determined to have an insignificant impact on regional GHG emissions and climate change if the project conforms with policies and programs which aim to achieve AB 32 GHG reduction targets. As such, the State and City's GHG reduction policies, including Executive Orders S-3-05 and B-30-15, the Southern California Association of Government's (SCAG's) Regional Transportation Plan (RTP) and Sustainable Communities Strategy(SCS), and the City's CAP and Green Building Ordinance would apply to the Project. Thus, in the absence of an adopted numerical threshold, the Project would not have a significant effect on the environment if it is found to be consistent with the applicable plans and policies established within these adopted regulatory documents.

5.7.2 Discussion

a & b) **Less than Significant.** GHGs are currently generated through operation of the existing cannabis industry within the City. Emissions may be generated during the cultivation, manufacturing, and wholesale of cannabis and cannabis products through the use of energy resources and operation of personal or commercial vehicles. Future commercial cannabis activities may expand, generate, and emit GHGs through the use of energy resources (i.e., electrical equipment and machinery), operation of vehicles for the transport of commercial cannabis products and equipment, as well as travel to and from a commercial cannabis operation by employees and customers.

The proposed Project consists of a code amendment that applies specific requirements and regulations to cannabis activities within zoning districts throughout the City which could accommodate the type of activities involved under operation of proposed state licensed businesses. While the proposed Project does not expressly propose or authorize any development, future development may occur as a result of Project implementation in order to support relocation and operation of cannabis businesses within eligible zone districts within the City. It is foreseeable that some existing cannabis operations would relocate to eligible zone districts within the near future as many existing commercial cannabis businesses are currently known be located outside of eligible zone throughout the City; however, as previously discussed, the location and extent of new development or redevelopment occurring as a result of implementation of the Project is highly speculative, and cannot be feasibly assessed at this time. Regardless, where existing or new commercial cannabis operations would relocate and propose site development, redevelopment, or substantial building modifications, such activities would be subject to site development review requirements of the City (LAMC Chapter 1, Article 6.1, Section 16.05), in which case the City shall have discretionary authority when reviewing proposed site plans, of 50,000 square feet or more, and determine whether an individual development project related to commercial cannabis activities would be consistent with the policies and programs established to

achieve GHG reduction targets as adopted in applicable regulatory documents, which include SCAG's RTP/SCS, the City's CAP, and the City's CAP, and the City's Green Building Ordinance.

In addition to direct GHG emissions, implementation of the Program has the potential to result in increases in citywide energy demands, particularly electricity, which is known to contribute significant GHG emissions. Given that energy use is a primary component of regional GHG emissions, many regulations and policies adopted by the State, City, and other local agencies are targeted at reducing overall energy demands of existing and new development. Cannabis operations, particularly cannabis cultivation and manufacturing, are considered to have relatively intensive energy demands, often requiring large amounts of electricity to power equipment, such as lights, air ventilation and circulation systems, fans, water pumps, and CO2 enrichment systems. For example, and indoor cultivation operating year-round may consume anywhere from 35 kW to 200 kW of electricity per 1,000 square feet of cultivated canopy space (California Public Utilities Commission 2017). The Project does not directly require new development or redevelopment; however, should additional expansion of uses or related structures occur to support commercial cannabis activities, such development would be subject to additional permit review and conditions to address new site specific demand for energy resources and compliance with energy reduction strategies to ensure conformance with adopted goals and regulations for GHG emissions. Additionally, the Project would require that all local license types of all sizes meet the requirements of the State. For example, such requirements include providing 42 percent of the electricity demands with on-site zero net renewable sources (i.e., solar, wind-power), purchase of carbon offsets for any proportion of power above 58 percent which is not provided by renewable energy sources, or demonstration that equipment to be used would be 42 percent more energy efficient than standard equipment. The Project's requirement for adherence to such policies would further ensure that commercial cannabis activities comply with adopted state, City, and other local agency GHG emission reduction goals through the implementation of energy reduction strategies while ensuring that such activities do not result in the wasteful or inefficient use of such resources.

Given that the Project would not directly conflict with adopted GHG reduction policies and programs, impacts with regards to GHG emissions are considered less than significant.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to greenhouse gas emissions and climate change which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Implementation of the Option would not substantially affect the type or extent of operations which would emit GHGs under the proposed Project. Therefore, impacts under this option are considered similar to those discussed in Section 5.7.2, above.

5.8 Hazards and Hazardous Materials

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e)	For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g)	Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

5.8.1 Existing Setting

The Project area includes the eligible agricultural, commercial and industrial areas of the City where commercial cannabis activities would be eligible under the proposed LAMC Article 5.2.1. Due to the nature of development and land uses which typically operate within these commercial and industrial areas, parcels

eligible for commercial cannabis permits under the proposed Project may occur within or in close proximity to known hazardous waste clean-up sites or development which supports the use, storage, transportation, or disposal of hazardous materials.

5.8.2 Discussion

a & b) **Less than Significant.** The Project does not directly propose the construction, demolition, or redevelopment of any structures or uses. Over time, adoption of the proposed ordinances would be expected to result in some expansion of the cannabis industry beyond its currently unknown size. However, because no data is available on existing uses or the potential amount, location and type of new development associated with cannabis related activities, it would be speculative to address impacts to where a type of hazard may be present or the communities which such hazards might affect. Regardless, for commercial cannabis activities, typical hazardous materials may include fuels, solvents, paints, oils, grease, and pesticides, as well as volatile and flammable gases and liquids used in manufacturing. However, the use, transportation, storage, or disposal of such materials is expected to occur on a relatively minor scale for each commercial cannabis activity, as cannabis activities do not typically require large quantities of these materials which would pose significant threat to the public. Additionally, given the broad range in type of license, size, location, extent, preferred method of operation (i.e., non-organic vs. organic) of a given cannabis operation, it is difficult to predict the volume and type of chemicals which could be used or stored at any given site. Regardless, under the Project, commercial cannabis activities would be subject to compliance with existing regulations adopted for the safe handling of chemicals and hazardous materials, and a site that includes public sales would be set back a minimum of 800 feet from existing or proposed sensitive uses and other cannabis retail business, reducing the potential for exposure to sensitive uses to hazards and hazardous material, as well as reducing the potential for the concentration of potentially hazardous cannabis-related activities to a defined area. Additionally, commercial cannabis cultivation and manufacturing would be restricted to agricultural and industrial zones within the City in order to buffer cannabis uses most likely to utilize hazardous materials in day to day operations from surrounding uses. Further, the Project would apply only to cannabis activities and businesses which receive and operate under a state license and comply with medical and adult use cannabis regulations which would require a licensee to handle all hazardous waste in compliance with all applicable hazardous-waste statutes and regulations. Therefore, it is not anticipated the Project would pose substantial new risk to the environment from the release of or exposure to hazardous materials, and impacts are considered less than significant.

c) **Less than Significant.** Potentially hazardous activities which may occur during the cultivation or manufacturing of cannabis could include the use, storage, transport, or discharge of hazardous materials, such as petroleum products, solvents, pesticides, herbicides, paints, metals, and asbestos. The proposed buffer requirements and restrictions on eligible commercial cannabis activities under the Project would not restrict the operation of commercial cannabis businesses or activities which may engage in potential hazardous activities within a quarter-mile of an existing or proposed school, and the Project may have the potential to pose a threat to the safety and wellbeing of nearby sensitive receptors, such as school. Under the Project, commercial cannabis cultivation and manufacturing would be restricted to industrial zones within the City in order to buffer the cannabis uses most likely to utilize hazardous materials in day to day operations

from surrounding uses and within areas developed to accommodate such activities. While there is the potential for industrial zones to be located within close proximity to schools in some locations throughout the City, therefore increasing the potential for exposure to such uses from hazardous activities and materials from future cannabis operations, the proposed buffer requirements included under the Project and the City's development review standards would ensure the appropriate siting of future cannabis activities from nearby sensitive uses. Further, because no data is available on existing uses or the potential amount, location and type of new development associated with cannabis related manufacturing activities, it would be speculative to address impacts to any particular sensitive receptors, communities, or development that would result from the location of commercial cannabis activities within or quarter-mile of such uses. However, all commercial cannabis activities eligible under the Project would be required to comply with all applicable City, state, and federal policies and regulations related to the handling, use, storage, transport, or disposal of hazardous materials or waste. While the Project may allow for the siting of hazardous activities which may emit or expose the public to hazardous emissions or materials within a quarter-mile of an existing or proposed school or other sensitive receptor, proposed buffer requirements and adopted regulations would ensure that such activities would not pose significant threat to the human or biological environment; therefore, impacts of the Project are considered less than significant.

d) **Less than Significant.** The Project involves the implementation of a regulatory program for commercial cannabis activities and businesses throughout the City. While it is speculative or unreliable to assume or predict the location, type, and extent of commercial cannabis operations which would occur within the City under the Project, it is expected that existing commercial cannabis dispensaries not located in a permissible zone would move from their current locations into properties within permissible zones; whereas, new commercial cannabis activities would require new development or redevelopment of existing structures that may have hazardous waste histories. As such, given the programmatic nature of the Project, it is not feasible to identify where commercial cannabis activities currently are or could be located with regard to known hazardous clean-up or waste sites. However, under the Project, eligible commercial cannabis activities would be required to acquire a state cannabis license and comply with applicable local, state, and federal regulations related to siting of development on or near hazardous waste sites. For instance, state Draft Cannabis Regulations require applicants seeking a state license to provide evidence that a hazardous materials record search through the EnviroStor database was conducted for a proposed cannabis site, and where a hazardous site is encountered, protocols including clean-up remediation regulations are implemented to ensure the appropriate management of such sites and the protection of the health and safety of employees and workers. Due to requirements for compliance with such regulations, impacts of the Project are considered less than significant.

e) **Less than Significant.** The Project would allow for the operation of commercial cannabis activities within agricultural, commercial, and industrial zones of the City, which include areas within close proximity to local airports such as the LAX, Van Nuys Airport (VNY), Santa Monica Airport (SMO), Compton/Woodly Airport (CPM), and Hawthorne Municipal/Jack Northrop Field (HHR). Where commercial cannabis activities are located within, or proposed to locate in an eligible commercial or industrial zone within an airport land use zone, such use would be subject to the policies and regulations established by the respective Airport Land Use Plan (ALUP) as administered by the Los Angeles County Airport Land Use Commission (ALUC). The

ALUC establishes an ALUP for each airport within the incorporated and unincorporated areas of the County, and the policies of the ALUP serve to ensure the protection of workers, employees, and visitors from airport/aircraft hazards. Policies and regulations included under an ALUP for development within the vicinity of an airport include specific development standards, such as height and density restrictions, and limitations on compatible land uses so as to ensure new development does not pose significant threat to both aircraft operations or to employees and residents of a development with regard to hazards associated with operation of an airport (e.g., aircraft incidents, harmful aircraft noise). As existing and future uses subject to the Project would be required to comply with the policies and development requirements of the ALUP, impacts of the Project are considered less than significant.

f) **No Impact.** Eligible agricultural, commercial, and industrial zones of the City for which commercial cannabis activities would be allowed under the Project are not located adjacent to or within close proximity to any private airstrips. Therefore, no impacts to the safety of workers, residents, or visitors working at or visiting the Project area would occur from implementation of the Project in this regard. No further analysis is required.

g) **Less than Significant.** The Los Angeles Emergency Management Department (EMD) oversees emergency operations, preparedness, and planning within the City. EMD is currently in the process of updating its existing Local Hazard Mitigation Plan, which identifies and plans for the management and mitigation of disastrous events which may occur within the City, including adverse weather, dam failure, drought, earthquake, flood, landslide/debris flow, tsunami, fire, sea level rise, and upset from hazardous materials. Potential permissible commercial cannabis activity areas are in locations which are currently serviced by existing emergency services and included within adopted emergency management or response plans. Therefore, implementation of the Project is not anticipated to physically interfere with any adopted emergency management or emergency response plans, and impacts are considered less than significant.

h) **No Impact.** The Project would apply to commercial and industrial zones of the City, which have been identified by the California Department of Forestry and Fire Protection (Cal Fire) as non-very high fire hazard severity zones (Cal Fire 2012). Eligible parcels and zoning districts Project do not lie within, or adjacent to, areas which have been identified as having a moderate or high threat of wildlife; therefore, the Project would have no impact with regards to the exposure of people or structures to wildland fires and no further analysis is required. For additional discussion of potential impacts on the provision of fire services, see Section 5.14, *Public Services.*

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to exposure of hazards to schools and sensitive populations which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. However, the same existing protections from hazards and hazardous materials under the proposed Project would remain in effect under the Option and, consequentially, impacts related to hazards would remain less than significant.

5.9 Hydrology and Water Quality

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐
e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f)	Otherwise substantially degrade water quality?	☐	☐	☒	☐
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h)	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☒	☐
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam?	☐	☐	☐	☒
j)	Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami or mudflow?	☐	☐	☐	☒

5.9.1 Existing Setting

Surface Water

The City is located within the Los Angeles Coastal Plain, which is adjacent to the Pacific Ocean, overlies several groundwater basins, and contains many surface water features (i.e., lakes, ponds, reservoirs, flood channels, rivers, streams, creeks, etc.), most notably the Los Angeles River and San Dominguez Channel. The Los Angeles River and San Dominguez Channel discharge into the Pacific Ocean at the Port of Long Beach and Port of Los Angeles, respectively. In addition, the City is located within and overlies several watersheds, which include the Ballona Creek Watershed, Dominguez Channel Watershed, Los Angeles River Watershed, and Santa Monica Bay Watershed. The quality of water within these watersheds is managed by the City of Los Angeles Stormwater Program under the Enhanced Watershed Management Program (EWMP), which oversees the development and management of EWMP Plans for each individual watershed by their respective Watershed Management Groups. These EWMP Plans were developed to address and ensure compliance with the Municipal Separate Storm Sewer System (MS4) Permit Order No. R4-2012-0175 for Los Angeles County, issued by the California Regional Water Quality Control Board (RWQCB) Los Angeles Region.

Groundwater

The City overlies two major groundwater basins (the Coastal Plain of Los Angeles and the San Fernando Valley) and receives water supplies from three groundwater basins underlying the County of Los Angeles (the Central subbasin of the Coastal Plain of Los Angeles [Central Basin], the San Fernando Basin, and the Sylmar subbasin of the San Fernando Basin [Sylmar Basin]). The geographic extent of groundwater basins within the region continue to evolve as managing agencies gain a better understanding of the hydrogeologic connections affecting each aquifer. A portion of the Central Basin (adjudicated 1965) and the entire San Fernando Valley Basin (adjudicated 1979) are adjudicated and neither of these basins are designated as being in a state of overdraft condition, (i.e., more water is being extracted from the aquifers than is naturally recharged through the soils and stream valleys). The Central subbasin has been designated by the California Statewide Groundwater Elevation Monitoring (CASGEM) Program as a high priority basin, while the San Fernando Valley basin and subbasins have been designated as medium priority basins (DWR 2017). The supplies and quality of the Central subbasin are managed by the Water Replenishment District of Southern California under the Groundwater Management Plan (1998) for the Central and West Coast Basins. The Los Angeles Department of Water and Power (LADWP) utilizes 87,045 acre-feet per year (AFY) of groundwater as part of its municipal water supply (See Section 5.18 for discussion the City's total water supply).

5.9.2 Discussion

a) **Less than Significant.** The Project does not directly propose the construction, demolition, or redevelopment of any structures or uses which would discharge waste water or modify existing City discharge systems. It can be expected that some existing commercial cannabis activities would relocate under the Project from impermissible zones to permissible zones and that new or relocated commercial cannabis activities would incrementally increase demand for wastewater disposal, as cannabis cultivation and manufacturing operations do not generate significant amounts of waste water as new wastewater would be generated primarily from use of municipal facilities by employees or customers. Commercial cannabis

activities which are licensed by the state and recognized by a compliance document would dispose of waste water using existing waste water systems which are managed and regulated through the City's National Pollutant Discharge Elimination System Permit for the Municipal Separate Storm Sewer System (NPDES MS4 Permit) and adopted Total Maximum Daily Loads (TMDLs) for local receiving water bodies. Individual development projects required to support commercial cannabis activities would be required to comply with the City of Los Angeles LID Ordinance (No. 181899) and the City of Los Angeles Department of Public Works Bureau of Sanitation Watershed Protection Division's Water Quality Compliance Master Plan for Urban Runoff. Therefore, the proposed Project would not violate any water quality standards or waste discharge requirements, and would have a less than significant impact in this regard.

b) **Less than Significant.** Implementation of the Project would foreseeably result in increased water demand for cultivation and manufacturing. Cannabis is considered a water intensive crop; indoor cultivation operations may require 0.39 AFY for every 1,000 square feet of cannabis canopy. Water demand for cannabis manufacturing is nominal. Currently, LADWP receives 87,045 AFY or approximately 17.0 percent of its water supplies from local groundwater basins which have been adjudicated and are managed by local groundwater agencies to ensure the sustainable withdrawal, recharge, and quality of the basins water supplies. Per LADWP's current Urban Water Management Plan (UWMP) which plans to meet service demands even during drought years, the City has an adequate supply of water. As a conservative estimate, if one percent of LADWP's groundwater budget were used for commercial cannabis activities, 2,231,923 square feet (51 acres) of cannabis canopy could be supported. This level of water usage represents one percent of 17 percent of the City's annual water budget and is, therefore, within LADWP's supply capacity. The Project can be expected to indirectly result in new development or redevelopment of existing sites that would be developed with hard surfaces which would not affect runoff or groundwater infiltration/recharge, nor is it anticipated that the Project would result in substantial new water demands. Further, new development occurring indirectly under the Project would be subject to compliance with Article 9, *Green Building Code*, of the LAMC, which would require development to use open-grid pavement systems or pervious or permeable pavement systems on at least 25 percent of site hardscape, which would improve ground permeability, groundwater recharge, and reduce surface runoff. Therefore, the Project is not expected to deplete local groundwater supplies or substantially adversely affect groundwater conditions, and impacts of the Project are considered less than significant.

c & d) **Less than Significant.** The Project does not directly propose any new development or redevelopment, and future development not occurring under the Project which is proposed to support commercial cannabis cultivation would occur within industrial and commercial zones of the City that are primarily built-out and consist largely of developed areas. Future development or redevelopment occurring within these areas would not be expected to adversely alter existing drainage patterns or contribute to erosion or siltation on- or offsite or substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or offsite. Furthermore, individual, new or redevelopment projects would be subject to the City building permit process that would include a review of site drainage characteristics along with requirements for construction best management practices. Therefore, the proposed Project would have a less than significant impact on drainage patterns or alignments and on- and off-site erosion and run-off result in flooding on- or off site.

e) **No Impact.** The Project does not directly propose any new development or redevelopment, and future development to support commercial cannabis activities would occur within industrial and commercial zones of the City that are primarily built-out and consist largely of developed areas. Future development or redevelopment occurring within these areas is not expected to drastically alter existing drainage patterns or contribute to substantial new amounts of runoff on- or offsite which would exceed the capacity of existing or planned drainage systems. The Project and new development occurring as an indirect result of its implementation would be subject to requirements of the City's NPDES MS4 Permit, adopted TMDLs, and Ordinance No. 181899, which would ensure that new development manages onsite runoff and do not contribute new sources of polluted runoff. Therefore, the proposed Project would have no impact in this regard and no further analysis is required.

f) **Less than Significant.** The Project does not directly propose the construction, demolition, or redevelopment of any structures or uses which would discharge waste water or modify existing City discharge systems. The proposed Project and any future development required to support commercial cannabis activities would not include any new point-source discharge as these uses would dispose of waste water using existing waste water systems which are managed and regulated in compliance with the City's NPDES MS4 Permit and adopted TMDLs for local receiving water bodies. Individual development projects required to support commercial cannabis activities would be required to comply with the City of Los Angeles Low Impact Development (LID) Ordinance (No. 181,899) and the City of Los Angeles Department of Public Works Bureau of Sanitation Watershed Protection Division's Water Quality Compliance Master Plan for Urban Runoff. Therefore, the proposed Project would have a less than significant effect on water quality.

g) **No Impact.** The proposed Project does not propose the development or redevelopment of any residential units or structures. Therefore, the Project would have no impact with regard to the placement of housing units within a flood hazard area. No further analysis is required.

h) **Less than Significant.** The proposed Project would create a permit pathway and regulations for commercial cannabis activities located within eligible agricultural, commercial, and industrial zones of the City. Many of these parcels are located within areas with minimal threat of flood risk, and are designated as Zone X by the Federal Emergency Management Agency (FEMA), while a number of parcels may be located within areas at threat of inundation from flood hazards. Given the programmatic nature of the Project and lack of development or redevelopment proposed, it is not feasible to determine whether an existing or future commercial cannabis business would be located within a potential flood hazards area. Therefore, it is possible that existing or future cannabis activities or businesses could be located within a designated flood hazard area. However, while the Project does not propose the development or redevelopment of any structures or allow for expanding of any new or existing land uses, the City has adopted the 1980 Flood Hazard Management Specific Plan (FHMSP) (Ordinance No. 172081; amended 1988) which minimizes impacts to properties located within areas prone to flooding. The FHMSP requires properties located within an area of flood hazard to undergo additional permit review and implement mitigation measures, such as installation of protective barriers, structural reinforcement, and raising the base elevation, to protect these sites and reduce risk of inundation in the event of a flood. Any new development or redevelopment required to support commercial cannabis activities would be subject to the requirements of the FHMSP, which would ensure

appropriate protection and mitigation from flood hazard. Therefore, the proposed Project would have a less than significant impact in this regard.

i) **No Impact.** The proposed Project would be confined to agricultural, commercial and industrial zones of the City, and does not propose the construction, demolition, or redevelopment of any structure located downstream of or within the floodplain of a dam, levee, or flood control channel. Therefore, the proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of the failure of such structures and the proposed Project would have no impact in this regard and no further analysis is required.

j) **No Impact.** The Project does not propose the development or redevelopment of any structures within any areas subject to mudflows. The Project would permit cannabis activities and businesses within the Venice, Marina del Rey, and the POLA, sections of which have been designated as areas subject to potential inundation by a tsunami (California Department of Conservation 2017). However, this development would likely be confined to existing paved and previously disturbed areas given the nearly complete build-out of these areas. While the Project does not directly propose the development or redevelopment of any structures, commercial cannabis businesses could foreseeably propose the future development of new or existing areas within these areas. As Venice, Marina del Rey, and the POLA consist almost entirely of developed space and built areas, future development or redevelopment would not increase exposure to tsunami inundation areas. Outside of these areas, cannabis activities allowed under the proposed Project would not be located within any areas designated as being within an area subject to potential inundation by a tsunami or seiche. Therefore, no impact from seiche, tsunami, or mudflow would occur as a result of the Project. Furthermore, hazards associated with seiche, tsunami, or mudflow near the POLA are a part of the existing condition and the proposed Project would not exacerbate the likelihood or magnitude of any of these hazards. No further analysis is required.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to exposure of hazards to schools and sensitive populations which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. However, the same existing protections for water resources including construction best management practices and compliance NPDES permit under the proposed Project would remain in effect under the Option and, consequentially, impacts related to hydrology and water quality would remain less than significant.

5.10 Land Use and Planning

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

5.10.1 Existing Setting

The Department of City Planning is charged with the responsibility of preparing, maintaining, and implementing a General Plan for the development of the City of Los Angeles. The General Plan consists of the Framework Element, which provides overall guidance for the future of the City and other citywide elements including State mandated elements such as the Transportation, Housing, Open Space, and Land Use Elements. The Planning Department implements the General Plan utilizing a variety of tools through the application of zoning regulations. Traditional zoning, Specific Plans, Overlay Districts, and special use permits, such as Conditional Uses and other tools, all regulate the use of land in the City (City of Los Angeles 2017d).

Land use in the City is governed by the City of Los Angeles General Plan Land Use Element, which combined with the Los Angeles Municipal Code (LAMC), adopted Specific Plans, and associated zoning map, direct what uses may be implemented on associated parcels. The City is divided into 37 Community Plan Areas that are roughly analogous to the neighborhoods of the City. Planning administration over the 37 Community Plan Areas is consolidated under seven Area Planning Commissions. The proposed Project area includes the entirety of the City, but the proposed ordinance(s) would only affect developed and vacant parcels of agricultural, commercial and industrial areas.

Zoning districts, detailed in Table 4, correspond to a variety of potential land use designations under the City's General Plan. The range of land use designations which correspond to underlying eligible zoning districts are primarily located within the Neighborhood District, Community Center, Regional Center, General Commercial, Boulevard – Mixed Use, and Industrial land use designations, as further described below (see Table 9).

Table 9. Comparison of General Plan Framework Element Land Use Designations and Eligible Zoning Districts

Land Use Designation:	Neighborhood District	Community Center	Regional Center	General Commercial	Boulevard – Mixed Use	Industrial		
Corresponding Zones						Light	Heavy	Transit
A1*								
A2*								
C1	X				X			
C1.5	X		X		X			
C2	X	X	X	X	X			X
C4	X	X	X		X			
C5								
CM						X		X
HI*								
M1						X		X
M2						X		X
M3							X	
MR1						X		
MR2						X		
*A1, A2, and HI zones are not included in the commercial or industrial land use designations in the City General Plan – Framework Element								

Each land use designation contained in the General Plan Framework Element has typical development characteristics and associated uses, which correspond to zoning districts that detail associated land use and development standards. Similarly, in accordance with the LAMC, some uses are discouraged within each land use designation. A summary of each land use designation and associated typical characteristics is contained below (Table 10).

Cannabis regulation is necessary for the City, with 191 Proposition D-compliant medical marijuana dispensaries in operation within the City that have received a Business Tax Registration Certificate (BTRC) for 2017, over 756 dispensaries that have previously held BTRCs but may not have paid taxes, approximately 536 criminal cases filed by City Attorney's office, and the City Controller estimates of up to 1,700 cannabis dispensary business of varying legal standing currently operating within the City. The number of cannabis-product manufacturers in operation within the City is currently unknown as this industry currently exists outside existing regulations.

Table 10. Land Use Standards and Typical Development Characteristics of Eligible Areas

Land Use Designation	Typical Characteristics / Uses
Commercial	
Neighborhood District	• "Neighborhood District" contains a diversity of uses that serve daily needs, such as restaurants, retail outlets, grocery stores, child care facilities, community meeting rooms, pharmacies, religious facilities and other similar uses. The clustering of uses minimizes automobile trips and encourages walking to and from adjacent residential neighborhoods.
Community Center	• Same as "Neighborhood District" with the following modifications: • Entertainment, larger cultural facilities (museums, libraries, etc.), and similar community-oriented uses characterized by high activity, and commercial overnight accommodations, small offices, among other larger community uses • Inclusion of small parks and other community-oriented activity facilities
Regional Center	• Corporate and professional offices, retail commercial (including malls), offices, personal services, eating and drinking establishments, telecommunications centers, entertainment, major cultural facilities (libraries, museums, etc.), commercial overnight accommodations, and similar uses. • Mixed-use structures integrating housing with commercial uses, with some buildings only commercially oriented and others containing a mix of residential and commercial uses.
General Commercial	• "General Commercial" applies to a diversity of retail sales and services, office, and auto-oriented uses comparable to those currently allowed in the "C2" zone (including residential). They are located outside of districts, centers, and mixed-use boulevards and occur at the intersections of major and secondary streets, or as low rise, low-density linear "strip" development along major and secondary streets.
Boulevard – Mixed Use	• "Mixed-Use Boulevards are intended to enhance the connecting spaces that lie between neighborhood districts, community centers, and some regional centers that occur as clustered development along the City's arterial corridors, traditionally zoned for commercial uses • Areas may be differentiated into smaller districts (e.g., commercial uses may be clustered at intersections, abutted by mixed-use, and intervening areas developed for multi-family housing). Uses within each area may be determined by the community plans. • Mixed-use boulevards generally consist of three types: housing and commercial integrated in a single structure; in structures side-by-side, or on a block-by-block basis.
Industrial	
Light	• Industrial uses with potential for a low level of adverse impacts on surrounding land uses • Increased range of commercial uses that support industrial uses (through zoning amendments) • Possible consideration for other uses where parcels will not support viable industrial uses (determined by community plan)
Heavy	• Industrial uses • Possible consideration for other uses where parcels will not support viable industrial uses (determined by community plan)
Transit	• Industrial uses with higher levels of employment that would benefit from proximity to public transit • Increased range of commercial uses that support industrial uses (through zoning amendments)

As detailed above, Proposition 64 legalized cannabis under state law for use by adults 21 or older, including cultivating cannabis for personal use. Proposition 64 also set up a state licensing scheme for commercialization of non-medical marijuana and state licenses for a range of commercial cannabis activities are to be issued by January 1, 2018 (refer to Table 11 concerning obtaining a state-level license). Senate Bill 94, signed by Governor Brown on June 27, 2017, repealed MCRSA and merged its provisions with AUMA unifying medicinal and commercial cannabis administration now referred to as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).

Table 11. Select Steps to Obtain State-Level Licenses

State Licensing Requirements (SB 94)
Section 41.26055. of Business and Professions Code (a) Licensing authorities may issue state licenses only to qualified applicants. (d) Licensing authorities shall not approve an application for a state license under this division if approval of the state license will violate the provisions of any local ordinance or regulation adopted in accordance with Section 26200. (g) (2) Prior to issuing a state license under this division for any commercial cannabis activity: (A) The licensing authority shall notify the contact person for the local jurisdiction of the receipt of an application for commercial cannabis activity within their jurisdiction. (B) A local jurisdiction may notify the licensing authority that the applicant is not in compliance with a local ordinance or regulation. In this instance, the licensing authority shall deny the application. (C) A local jurisdiction may notify the licensing authority that the applicant is in compliance with all applicable local ordinances and regulations. In this instance, the licensing authority may proceed with the licensing process. (D) If the local jurisdiction does not provide notification of compliance or noncompliance with applicable local ordinances or regulations, or otherwise does not provide notification indicating that the completion of the local permitting process is still pending, within 60 business days of receiving the inquiry from a licensing authority submitted pursuant to subparagraph (A), the licensing authority shall make a rebuttable presumption that the applicant is in compliance with all local ordinances and regulations adopted in accordance with Section 26200, [except in certain instances].

As also discussed above, Proposition M was passed by City voters on March 7, 2017. Proposition M affirms the City Council's power to revise and/or replace Proposition D (regulation of medical marijuana dispensaries) with new local legislation relating to cannabis and medical cannabis after conducting public hearings. Proposition M authorizes criminal penalties, nuisance abatement, increased civil fines, and disconnection of utilities for unauthorized cannabis activities, beginning January 1, 2018.

As further explained in Section 5.4, *Biological Resources*, there are several SEAs located within the City of Los Angeles boundaries. While the Project applies to existing development commercial and industrial areas of the City and does not tend to overlap or adjoin designated significant habitat, the Project has identified the Terminal Island (Pier 400) SEA as eligible land for commercial cannabis activities. However, policies and regulations for SEAs adopted by the County do not apply within City boundaries. Additionally, the Project area does not overlap, interrupt, or lie adjacent to designated habitat corridors or wildlife passages. While terrestrial features of the City provide little habitat suitable to sensitive or protected biological resources, the harbor channels at the Port of Los Angeles are known to provide habitat for several marine species. However, these areas are not designated critical habitat, notably due to the large amount of industrialized uses within the harbor area.

Additionally, as discussed above, projects require adherence to the City's tree protection regulations. Although most trees within the City in commercial and industrial areas are ornamental and nonnative, they may serve as corridors between habitat or provide suitable habitat, including nesting habitat, for migratory birds. The City requires that all projects comply with the Migratory Bird Treaty Act by either avoiding grading activities during the nesting season (February 15 to August 15) or conducting a site survey for nesting birds prior to commencing grading activities (see also, Section 5.4, *Biological Resources*).

5.10.2 Discussion

a) **No Impact.** The proposed Project does not directly propose or authorize any development and would be limited to existing agricultural, commercial, and industrial zones within the City; however, as discussed in Section 2.4, *Assessment Methodology*, it is expected that some existing dispensaries would be required to relocate to eligible zones and new or existing, but currently unknown, cultivation or manufacturing uses would need to develop or redevelop locations for cannabis activities. Zoning districts such as C1, C1.5, C2, C2, C4, C5, and limited Specific Plan zones, may permit residential uses, however the general character of local communities is largely driven by the primary land use and restrictions of the land (i.e. commercial uses, etc.), in addition to local Community Plans. Any development actions associated with the proposed Project (i.e., redevelopment, building additions, etc.) would be limited to supporting indoor cannabis cultivation, manufacturing, and commercial uses, subject to existing LAMC zoning requirements. The adoption of the proposed Project would create a set of compliance standards for the form that these potential activities could take within the commercial and industrial zones citywide. Overall, the proposed Project does not include a proposed highway or any other project that would physical divide any established community. Development would have to comply with plan and zoning provisions for commercial and industrial uses and all development standards and therefore, this has no potential for creating a barrier from one part of a community to another. As such, the Project would not affect established communities and there would be no impact to the connectivity of established communities. No further analysis is required.

b) **Less than Significant.** The proposed Project would include all agricultural, commercial, and industrial zones within the City limits. While the proposed Project would not directly propose, or authorize, any development, some retailers would be required to relocate to permissible zones. Zones excluded from the proposed Project include: Residential Estate, One-Family Residential, Multiple Residential, Parking, and Open Space/Public Facilities/Submerged Lands. Permissible zones and typical uses are summarized above. The proposed Project would not create any new zones.

The introduction or continuance of indoor and mixed-light cannabis cultivation activities, manufacturing, and commercial uses to and within agricultural, industrial, and commercial lands may result in conflicts with some existing Community Plan Area goals or policies. Ultimately, the Project does not directly propose or authorize any development, and commercial cannabis activity permits would be limited to existing agricultural, commercial, and industrial districts of the City, removed by at least 800 feet (or 600 feet under Option 1) from existing sensitive land use areas (retailers with on-site sales), as discussed in Section 2.2, *Project Description*, and Section 5.3, *Air Quality*.

Existing retailers located in impermissible zones mentioned above would no longer exist within the established communities. Given the Project's purpose and intent to limit cannabis activities to indoor commercial and industrial zones and greenhouses/mixed-light uses in agricultural zones, the Project would ensure consistency with General Plan and zoning regulations that address compatibility with surrounding land uses.

As detailed in Table 12 below, the proposed Project Local License Application Requirements require that the Applicant have a state license or be able to provide evidence that they are applying for a state license. Under Section 41.26055 of the State License Application Requirements (SB 94), detailed in Table 11 above, the applicant may provide certification that the applicant is in, or will be in compliance, with all local ordinance requirements and regulations. The City application would be incomplete without obtained certification from the state licensing authority, since the City license requires issuance of a state license.

Table 12. Select Steps to Obtain Proposed Project Local-Level Compliance Documents

Proposed City of Los Angeles Local License Application Requirements
Commercial Cannabis Activity Entitled to Permit Commercial Cannabis Permits are available for the Commercial Cannabis Activity that meet all of the following requirements: Is conducted by a person that is both licensed by the state of California to engage in the Commercial Cannabis Activity defined in this section and recognized by a permit issued by the City's Cannabis Commission; and Meets all applicable restrictions and regulations applicable to the activity under this Code or any Ordinance adopted by the City; and Meets all the restrictions and regulations applicable to the activity under the law of the state of California.

Local license applications that have been submitted may be able to provide proof of state license submittal, and under SB 94, the City may notify the licensing authority that the applicant is in compliance with all applicable local ordinances and regulations, or otherwise provide notification indicating that the completion of the local permitting process is still pending within 60 days of state application submittal in order to complete the state license application process. If the City does not notify the licensing authority, and the applicant does not include a local approval, the state licensing authority will make a presumption that the applicant is in compliance with all local ordinances and regulations adopted. Where this may result in a situation where an applicant has obtained a state license, but not a local license, the City may notify the state of noncompliance and the state may revoke the state license. These licensing steps would ensure that local policies regarding site location eligibility and associated environmental resource protections are accommodated through the licensing process. Therefore, impacts would be *less than significant* and no further analysis is necessary.

c) **Less than Significant.** Given the Project would not directly involve any physical development, the Project would not necessarily conflict with the City's tree protection regulations or Migratory Bird Treaty Act. However, it is expected that approximately 14 existing dispensaries would be required to relocate to eligible zones and new or existing, but currently unknown, cultivation or manufacturing uses, which would need to develop or redevelop locations for cannabis activities. Given the potential for redevelopment of existing sites to support relocated or new cannabis activities, it is possible some sites would lie within the boundaries of local

Community Plans with applicable environmental protection policies. The Project would be required to comply with local Community Plans, and would not conflict with adopted SEAs as discussed in Section 5.4, *Biological Resources*. Therefore, implementation of the proposed Project is not anticipated to affect wildlife habitat or the movement of any resident or migratory species, or conflict with existing conservation plans. Impacts would be less than significant and no further analysis is required.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from the consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project within the same districts. Reducing the mapped buffer from 800 feet to 600 feet would not result in different land use impacts from planning consistency compared to the proposed Project, and would align with the default distancing in state law. Additionally, the same existing protections, including approval processes and allowable uses, for land use and planning under the proposed Project would remain in effect under the Option and, consequentially, impacts to land use and planning would remain less than significant.

5.11 Mineral Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐

5.11.1 Existing Setting

Mineral resources are located throughout the Project area. Portions of the San Fernando Valley as well as portions of the area immediately adjacent to the Ventura Freeway (SR 134), the Golden State Freeway (I-5), and the Harbor Freeway (SR-110) are designated as Mineral Resource Zone-2 (MRZ-2), per the Department of Conservation, California Geological Survey. MRZ-2 designated zones are not part of the LAMC but are designated by the DOC are generally located around the Interstate 5 alignment from downtown north through the east side of the San Fernando Valley. According to the Surface Mining and Reclamation Act, MRZ-2 are areas where significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists (California Department of Conservation 2013). However, much of the area within MRZ-2 in the City was developed with structures prior to the MRZ-2 classification, and therefore, unavailable for extraction (City of Los Angeles 2001c). In addition, a number of areas throughout the Project area are zoned for oil drilling use and gas extraction which are in operation or could become operative; however, the proposed Project would not create additional requirements or limitations on oil drilling within designated City Oil Drilling Districts (DOGGR 2015).

5.11.2 Discussion

a) & b) **No Impact.** As the Project area is limited to those areas zoned for agricultural, commercial, and industrial use, there is potential for existing or new development to overlie mineral and/or oil resources within the Project area, including those mapped in the Conservation Element. Future development associated with the proposed Project would be limited to indoor or greenhouse/mixed-light cannabis activities primarily on developed areas of the City not currently involved with oil or mineral extraction activities. Reuse of existing developed areas, due to low vacancy rates in the City, would not further limit access to oil or mineral resources when compared to the existing baseline. Therefore, implementation of the proposed Project would be unlikely to result in the loss of availability or restrict access to a known mineral resource. Therefore, the proposed Project would have a less than significant impact to mineral resources.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to mineral resources which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. However, even with the expanded area of effect, given the distribution of mineral resources within the City and prior structure coverage, it is unlikely that the reduced buffer area, and expanded area of effect would increase impacts to mineral resources under the proposed Project beyond a less than significant level.

5.12 Noise

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or of applicable standards of other agencies?	☐	☐		☐
b)	Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐		☐
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐		☐
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐		☐
e)	For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	

5.12.1 Existing Setting

Noise is typically defined as unwanted sound that interferes with normal activities or otherwise diminishes the quality of the environment. Prolonged exposure to high levels of noise is known to have several adverse effects on people, including hearing loss, interference with communications and sleep, physiological responses, and annoyance. The noise environment includes background noise generated from both near and distant noise sources, as well as the sound from individual local sources. These sources of noise can vary from an occasional aircraft or train passing by to continuous noise from sources such as traffic on a major road. The standard unit of measurement of the loudness of sound is the Decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear. Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more useable range of numbers in a manner similar to the way that the Richter scale is used to measure earthquakes. In terms of human response to noise, studies have indicated that a noise level

increase of 3 dBA is barely perceptible to most people, a 5 dBA increase is readily noticeable, and a difference of 10 dBA would be perceived as a doubling of loudness. Everyday sounds normally range from 30 to 100 dBA. The Los Angeles Municipal Code Section 41.40 *Construction Noise* dictates regulations for construction hours as indicated in Table 13:

Table 13. Allowable Construction Hours

Days	Allowed Construction Hours
Monday-Friday	7:00 a.m. – 9:00 p.m.
Saturdays and National Holidays	8:00 a.m. – 6:00 p.m.
Sundays	Not permitted

The Los Angeles Municipal Code Section 112.05, *Maximum Noise Level of Powered Equipment or Powered Hand Tools,* details that the maximum noise level powered equipment may produce within a distance of 500 feet from a City residential zone is 75 dBA at a distance of 50 feet, unless compliance is technically infeasible. Technically infeasible means that the noise limitations cannot be attained during use of the equipment even with the use of mufflers, shields, sound barriers and/or other noise reduction techniques.

Construction-related noise and groundborne vibration would be generated by various types of equipment as a result of construction activities anticipated to occur at a project site. Additional sources of noise may occur from general construction truck movement along designated haul routes, site development (e.g., development, excavation, grading, and building construction) and other unknown construction sources. The analysis of construction-related noise impacts is qualitative in nature, discussing the potential range of construction-related impacts that could potentially occur an individual project site where future development may be proposed. Noise levels generated from common types of construction equipment which may reasonably be experienced during construction of future development are provided in Table 14.

Table 14. Noise Ranges of Typical Construction Equipment

Construction Equipment	Noise Levels in dBA L_{eq} at 50 Feet
Trucks	82–95
Jackhammers	81–98
Generators	71–83
Compressors	75–87
Concrete Mixers	75–88
Concrete Pumps	81–85
Back Hoe	73–95

Note: Machinery equipped with noise control devices or other noise-reducing design features does not generate the same level of noise emissions as that shown in this table.
Source: (USDOT - Federal Transit Administration 2006).

These noise levels would diminish rapidly with distance from the construction areas, at a rate of approximately 6 dBA per doubling of distance as equipment is generally stationary or confined to specific areas during construction. For example, a noise level of 86 dBA measured at 50 feet from the noise source to the receptor

would reduce to 80 dBA at 100 feet from the source to the receptor, and reduce by another 6 dBA to 74 dBA at 200 feet from the source to the receptor. The noise levels from construction at the off-site sensitive uses can be determined with the following equation from the Harris Miller Miller & Hanson Inc. Transit Noise and Vibration Impact Assessment, Final Report:

$$L_{eq} = L_{eq} \text{ at 50 feet} - 20 \text{ Log}(D/50)$$

Where L_{eq} = noise level of noise source, D = distance from the noise source to the receptor, L_{eq} at 50 feet = noise level of source at 50 feet.

Typically, groundborne vibration is of concern in urban areas when heavy construction (e.g., pile driving, major excavation) immediately abuts sensitive uses such as residences. Groundborne vibration typically does not travel far and intensity of vibration is affected by soil type, ground profile, distance to the receptor and the construction characteristics of the receptor building. While groundborne vibration is of much less concern in open space areas, the Caltrans Transportation and Construction Vibration Guidance Manual provides a method to estimate potential effects from project activities based on common human response to conditions and construction equipment. Table 15 indicates vibration levels at which humans would be affected. Table 16 identifies anticipated vibration velocity levels (in/sec) for standard types of construction equipment based on the previously established 400-foot distance to the nearest sensitive residential receptor.

Table 15. Caltrans Vibration Annoyance Potential Criteria

Human Response Condition	Maximum Vibration Level (in/sec) for Transient Sources	Maximum Vibration Level (in/sec) for Continuous/Frequent Intermittent Sources
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.9	0.10
Severe	2.0	0.4

Source: Caltrans 2013.

Table 16. Vibration Source Levels for Construction Equipment

Construction Equipment	Vibration Level (in/sec) at 25 feet	Vibration Level (in/sec) at 50 feet	Vibration Level (in/sec) at 100 feet
Loaded Trucks	0.076	0.035	0.017
Jackhammer	0.035	0.016	0.008

Source: (Caltrans 2013).

5.12.2 Discussion

a, b, c, & d) **Less than Significant.** The proposed Project involves the regulation of commercial cannabis activities and operations within the City which currently, or in the future, contribute to the noise environment. The existing noise environment primarily consists of on-road vehicle noise and noise generated by surrounding development. The principal source of noise for commercial cannabis activities is generated by heating, ventilation, and air conditioning (HVAC) systems, vehicles trips by haulers of commercial cannabis

product, delivery drivers, employee trips, and customer trips to and from a commercial cannabis operation. Noise generated by these types of operations are characteristic of and included within the existing noise environment. In commercial and industrial areas where cannabis operations are allowed under the proposed Project, ambient noise levels may typically range from 55 dBA – 65 dBA. Implementation of the Project foreseeably increase commercial cannabis activities and operations within the City. However, due to the programmatic nature of the Project, lack of proposed development, and state of existing cannabis operations, implementation of the Project is not anticipated to substantially increase long-term operational noise levels relative to existing conditions. In addition, as the Project would provide new regulatory requirements on a historically prohibited activity, existing permitted medical cannabis activities would continue to be required to comply with the noise regulations adopted in the City Municipal Code (Chapter XI, Noise Regulations), including regulations specific to certain types of equipment such as heating and air conditioning units (Chapter XI, Section 112.02), while new operations would become subject to the same provisions. These existing City noise regulations would ensure future commercial cannabis operations do not result in the generation of substantial new operational noise such that applicable ambient noise levels are exceed or result in the disruption of nearby sensitive land uses. While implementation of the Project would likely result in the relocation of existing cannabis businesses or activities which are currently located outside of an area of proposed eligibility, future construction, redevelopment, or operations would be subject to adopted City policies and regulations established to limit construction and operational noise.

It is known that a limited number of known cannabis operations would be required to relocate to permissible zone districts, and may result in some level of new development or redevelopment; however, at this time, it is speculative to assume the location and extent in which such development may occur. Instead, where new development or construction is required to support future cannabis operation, development would be subject to City development review processes to determine the appropriate level of environmental review for the project, which would identify the effects of proposed development, include effects of construction vibration on adjacent development and foreseeable construction noise levels, and would identify mitigation necessary to reduce adverse project impacts. Depending on the type and extent of development or construction activities that may occur as a result of Project implementation and necessary to accommodate operation of cannabis activities within the City, construction may result in the generation of noise levels on the scale of 82 dB to 98 dB, or greater depending on the distance of construction from noise receptors, when engaging in activities that use equipment which generates the greatest level of noise (i.e., jackhammers, haul trucks, backhoes). However, the exact level of noise generated from construction cannot be assessed due to lack of site specific development plans. Regardless, indirect noise impacts resulting from future construction occurring as a result of Project implementation would be determined and addressed during the review of individual projects as part of the City's site plan review process where applicable (LAMC Chapter 1, Article 6.1, Section 16.05). Development projects that are not of sufficient scale to require site plan review, are typically minor enough that they would be unlikely to trigger noise threshold exceedances. During this process, the City would determine the appropriate level of environmental review, which would identify potential adverse effects from noise and any mitigation necessary to reduce such impacts. Given existing City regulations and development review processes and requirements for future projects which may occur

indirectly as a result of Project implementation, impacts of the proposed Project are considered less than significant.

e & f) **Less than Significant.** As discussed in Section 5.8, above, the Project would allow for commercial cannabis activities within agricultural, commercial and industrial zones of the City which may be located adjacent to a public or private airport or airstrip. As such, commercial cannabis activities have the potential to operate or exist within a 2-mile radius of these airports or within the boundaries of an adopted ALUP. However, the Project does not propose the development or redevelopment of any structures or areas, and future development within the vicinity or ALUP of an airport or airstrip would be subject to adopted development standards for uses located within these areas, which impose additional restrictions on the type of use and form of development located within established airport noise contours. Given these requirements and that commercial cannabis activities would be similar in nature to non-cannabis commercial and industrial uses which currently exist within these areas, the Project is not anticipated to expose residents or employees to excessive noise levels from airport and airstrip operations. Further, to protect employees and customers from excessive exterior airport noise, under the LAMC Chapter IX, Article 1, Section 91.1207.14.3, all structures located within the vicinity of an airport which experiences an annual CNEL of 65 dB or greater, or are located within a determined Aircraft Noise Impact Area, would be required to conduct an acoustical analysis demonstrating that the proposed design of the structure would achieve the allowable interior noise level prescribed in Chapter XI, *Noise Regulations,* of the LAMC. Where additional design features may be required to achieve prescribed interior noise levels, measures to reduce interior noise levels during aircraft operations may include additional noise shielding/barriers or the use of noise dampening material during building construction or renovation. Given the requirements and regulations included as part of the LAMC which would be applicable to all new structures or renovations for future cannabis operations, the Project would have no impact in this regard, and no further analysis is required.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to noise which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Implementation of this alternative has the potential to result in a greater concentration or amount of commercial cannabis activities located within the City when compared to the proposed Project. While there is the potential for an increased number of commercial cannabis activities or businesses, these operations would similarly be restricted to agricultural, commercial and industrial areas of the City, where activities would not result in noise levels that are dissimilar from surrounding commercial and industrial development. While such operations could be located closer to sensitive uses, the noise generated from common commercial cannabis activities (both indoor cultivation and manufacturing) is not anticipated to generate noise levels which are incompatible with residential uses; however, potential impacts would be reduced through incorporation of the reduced 600-foot buffer under this Option. Therefore, it is not anticipated that implementation of this option would result in a substantially greater amount of new noise within the City or generate noise which may conflict with nearby sensitive uses. While the Option has the potential result in a greater amount of activity and future development, such activities would be subject to conformance with adopted City policies related to noise, and impacts are considered incrementally greater but similar to those discussed in Section 5.12.2, above.

5.13 Population and Housing

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☒	☐
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

5.13.1 Existing Setting

The 2016 population estimate for the City of Los Angeles is 3,976,322 inhabitants, and Los Angeles County with a population of 10,137,915 (U.S. Census Bureau 2016). The unemployment rate in Los Angeles is lower than the national average, with the Bureau of Labor Statistics (BLS) reporting an unemployment rate of 4.0 percent for the Los Angeles – Long Beach – Glendale, Metropolitan Statistical Area in May 2017 compared to 4.7 percent for the State of California and 4.3 percent nationwide (Bureau of Labor Statistics 2017). The existing cannabis industry in the City, exclusive of existing Proposition D-compliant dispensaries, is operating outside of the current legal framework which results in a lack of data regarding employment tied to the industry.

The Southern California Association of Governments (SCAG) prepared a 2016 Regional Transportation Plan / Sustainable Communities Strategy document (2016 SCAG RTP/SCS) which includes a vision for the future of transport and development within the large, interconnected southern California region, and lists projects to be initiated and/or completed by 2040, and forecasts future changes in mobility, sustainability, population, employment, and land use and housing needs. The document notes that though the region's employment levels have returned to 2007 levels, the population continues to grow slowly, at approximately 0.7 percent, with a total increase of 20 percent by 2040.

5.13.2 Discussion

a, b, c) **Less than Significant.** The proposed Project would not directly induce growth by proposing new homes or similar residential structures, and does not include the extension of any roads or similar expansion infrastructure. While some eligible areas would allow limited residential development to co-locate on parcels with potential Project activities, such as within commercial zoning districts that allow both uses, the Project would not directly encourage or permit the establishment of new housing or expanded infrastructure, nor significantly displace residential housing supply, given the eligible zones are proposed to be limited to commercial and industrial districts. Potential new construction or redevelopment activities are largely

anticipated to occur within the City on previously developed parcels within commercial and industrial areas. Given estimated buildout assumptions and related growth forecasts of the 2016 SCAG RTP/SCS, as well as with regional and local growth policies, including the City's General Plan Framework Element, the Project's projected population growth would be aligned with other assumed growth rates for other commercial and industrial uses. Impacts would be less than significant with no further analysis is required.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to population and housing which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. However, even with the expanded area of effect, impacts to population and housing would be similar to the proposed Project as there would be limited impact to population growth and no anticipated residential displacement under the Option. Therefore, impacts to population and housing under the Option would be less than significant.

5.14 Public Services

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection?	☐	☐		☐
b)	Police protection?	☐	☐		☐
c)	Schools?	☐	☐		☐
d)	Parks?	☐	☐		☐
e)	Other public facilities?	☐	☐		☐

5.14.1 Existing Setting

The Los Angeles Fire Department (LAFD) provides fire protection services as well as emergency medical (paramedic) services within the City. Los Angeles City has 106 stations that provide the community with emergency response services. The LAFD has approximately 3,246 personnel, of whom 1,018 are sworn firefighters. The LAFD is responsible for providing fire protection and emergency medical services to the Project Area. The LAFD operates 114 stations throughout the Project area (Los Angeles Fire Department 2015). Additionally, the LAMC Fire Code directs the installation of automatic sprinkler systems, smoke detectors, and fire alarms systems. A significant impact would occur if the proposed Project resulted in substantial population growth that would generate a demand for additional fire and emergency services that may result in substantial adverse physical impacts.

The Los Angeles Police Department (LAPD) provides police protection services within the City. The LAPD consists of approximately 9,000 sworn officers and operates 25 individual police stations. A significant impact would occur if the proposed Project resulting substantial population growth or commercial/industrial activities that would generate a demand for additional police facilities or employees and associated response efforts that may result from the provision of new or physically altered government facilities.

The Los Angeles Unified School District (LAUSD) provides public school education to the Project area. The LAUSD has over 1,200 schools throughout the district, with more than 900,000 enrolled (Facilities Services Division 2015). A significant impact would occur if the proposed Project resulting in substantial population growth that would generate additional demand for new school building development and associated operational activities that may result in substantial adverse physical impacts.

As further discussed in Section 5.15, *Recreation,* the City of Los Angeles Department of Recreation and Parks operates and maintains over 16,000 acres of parkland, in addition to a variety of additional athletic fields, playgrounds, senior centers, skate parks, and more. A significant impact would occur if the proposed Project resulted in substantial population growth that would generate an additional demand for recreation

and park services, that may result in substantial adverse physical impacts from the construction of new park facilities.

Within the City of Los Angeles, the Los Angeles Public Library (LAPL) provides library services. LAPL provides services at the Central Library, eight Regional Branch Libraries, and 64 Community Branch Libraries. A significant impact would occur if the proposed Project includes substantial population growth that would generate an additional demand for other public facilities (such as libraries) and associated physical impacts from the construction of such facilities.

5.14.2 Discussion

a) **Less than Significant.** The proposed Project adheres to existing zoning and land use form and massing requirements of industrial and commercial zones. The proposed Project does not propose or authorize development or expand any new or existing land uses. As discussed in Section 5.13, *Population and Housing* above, future development that occurs pursuant to the proposed Project would be aligned with other assumed growth rates for other commercial and industrial uses. Site plans would be reviewed and approved by the LAFD prior to the issuance of building permits and would be required to incorporate all applicable provisions of the LAMC Fire Code, including, but not limited to, installation of an automatic sprinkler system, smoke detectors, and a fire alarm system.

An elevated risk of fire associated with indoor cannabis cultivation and manufacturing is a common concern, as discussed in Section 5.8, *Hazards and Hazardous Materials* discussion. Because indoor cannabis cultivation typically involves use of high-intensity grow lights, as well as various other pieces of equipment (e.g., water pumps, humidity control, temperature control), a relatively large electrical load may be created. If the load exceeds the system capacity (e.g., as may occur in a building without appropriate or updated wiring for use in cannabis cultivation), it could result in an electrical fire. Existing operators operating outside of adopted codes and policies would likely avoid fire inspections, and so inclusion to the proposed Program would reduce the potential for future increases of fire services associated with hazardous fire sites.

Potential new development of industrial and commercial structures with manufacturing practices would be required to pay property taxes and assessments that go toward the City's General Fund, which is the LAFD's main source of funding. The monies generated from these activities would go toward improvements, maintenance, and addition of fire stations and resources with any fire service demand increases. Revenue would be used to offset fire service demands within the Project area and throughout the City to ensure adequate service citywide. Furthermore, the LAFD would continue monitoring response times to develop educated estimates of future needs (personnel and equipment) in anticipation of any new development. While a number of potential development or redevelopment activities pursuant to the Project would consist of the relocation of some cannabis activity sites located in impermissible zones, this would not necessarily increase demand on services and would instead redistribute services from one area of the City to another. Potential future increases in cannabis activity sites are speculative, though would primarily occur within commercial and industrial sites already covered within fire protection areas and would not necessarily require an associated expansion of the 114 existing fire protection stations with associated adverse environmental impacts.

Therefore, development or redevelopment that occurs pursuant to the proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives. Impacts to fire and emergency services would be less than significant. No further analysis is required.

b) **Less than Significant.** As noted in Section 2, Proposition M would revise and/or replace Proposition D with new local legislation relating to cannabis and medical cannabis after conducting public hearings. Proposition M authorizes criminal penalties, nuisance abatement, increased civil fines, and disconnection of utilities for unauthorized cannabis activities, beginning January 1, 2018. Considering the ongoing nature of many operations that would likely seek a permit under the Program, there is the potential for a decrease of pressure on police protection resources. Under existing conditions, police spend time and resources responding to cannabis activity–related issues, such as investigating and abating unpermitted grow houses or dispensaries. With the proposed Project, retailers, cultivators, and manufacturers not currently operating in compliance with existing standards could apply for local approval and become lawful businesses, reducing the enforcement needs for these operations. With a legal pathway for cannabis cultivation and increased supply of legally grown cannabis, there also may be less opportunity or incentive for criminal organizations to introduce black market product into the supply chain, thus decreasing the need for police resources to address these issues. The track-and-trace system, by creating a mechanism for tracing cannabis products per state regulations, would further impede interference by the black market in lawful cannabis commerce.

However, considering that the City of Los Angeles, and the state as a whole, may experience a large number of new cannabis cultivation businesses, it is possible that existing police protection could be strained to provide resources beyond their existing capacities. While some crime associated with licensed cannabis commercial and industrial activities would likely continue (i.e., robberies at cultivation sites and dispensaries), tax revenue collected from individual projects (e.g., development of vacant lots or significant redevelopment and/or additions) would be used for any potential increased demand for police services. As discussed above, while a number of potential development or redevelopment activities pursuant to the Project would consist of the relocation of many cannabis activity sites located on ineligible land, this would not necessarily increase demand on services and would instead redistribute services from one area of the City to another. Potential future increases in cannabis activity sites are speculative, though would primarily occur within commercial and industrial sites already covered within police service areas and would not necessarily require an increase from 9,000 officers or expansion of 25 existing police stations with associated adverse environmental impacts. Therefore, impacts to police services would be less than significant.

c) **Less than Significant.** Under the Project, as discussed in Section 5.13, *Population and Housing* above, future development that occurs pursuant to the proposed Project would be aligned with other assumed growth rates for other commercial and industrial uses. As such, it is considered unlikely that a substantial number of new or altered school facilities would be required as a result of adoption of the proposed Project. Therefore, because the Project is not anticipated to result in substantial population growth or a substantial increase in

demand for new or altered school facilities, adverse environmental impacts from facility construction or operation would be avoided. Therefore, this impact would be less than significant.

d) **Less than Significant.** As discussed in Section 5.13, *Population and Housing* above, future development that occurs pursuant to the proposed Project would be aligned with other assumed growth rates for other commercial and industrial uses. Therefore, the Program is not anticipated to result in substantial population growth such that demand for parks or other public facilities in any particular location would necessitate new or altered facilities, the construction of which could cause significant impacts. Therefore, this impact would be less than significant.

e) **Less than Significant.** As discussed in Section 5.13, *Population and Housing*, development associated with Project adoption would not result in a substantial increase of population within the City beyond that assumed for other commercial and industrial uses. Therefore, the Project would not result in an increased demand for library services or similar public facilities, and no new or physically altered government facilities would be required which could cause significant environmental impacts. Therefore, this impact would be less than significant.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to public services which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. However, even with the expanded area of effect, impacts to public services would be linked to growth in population and housing. As such, impacts under the Option would be similar to the proposed Project as there would be limited growth inducement. Therefore, impacts to public services under the Option would be less than significant.

5.15 Recreation

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

5.15.1 Existing Setting

The City of Los Angeles has over 400 established parks, containing undeveloped open space and parkland, and recreational facilities such as golf courses, bird sanctuaries, mountain trails, picnic areas, and landmarks. Recreational destinations in the Los Angeles Basin receive millions of visitors annually, and are visited and used by a variety of user groups such as picnickers, hikers, cyclists, horseback riders, and outdoor enthusiasts. City parks range in size from the 4,300 acres of Griffith Park to 0.9 acre Alvarado Terrace Park northwest of the I-10/I-110 interchange. In addition to City-managed parks, a range of state and county-managed parks such as Kenneth Hahn State Recreation Area located in Baldwin Hills are located within the City limit but not managed by the City.

5.15.2 Discussion

a, b) **No Impact.** The Project would be confined to agricultural, commercial, and industrial zones of the City, and would not directly involve any new housing or similar influx of population or park users, as discussed in Section 5.13, *Population and Housing*, that may contribute to an increased use of existing neighborhood or regional parks or substantial physical deterioration of a recreational area or facility. Additionally, because there would not be any influx of new population or associated park users, no construction or recreational facilities are required under the Project that may have an adverse physical effect on the environment. Therefore, no impact is anticipated on City recreational resources.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to recreation which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. Under the Option, commercial cannabis activities with on-site sales to the public would be eligible permits on parcels 200 feet closer to public parks than under the proposed Project. However, potential impacts to recreation resources are tied to population increases that may result in additional demand for parks or result in

accelerated deterioration of park facilities rather than proximity of surrounding land uses. Therefore, impacts to recreation resource under the Option would be similar to those under the proposed Project.

5.16 Transportation/Traffic

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

5.16.1 Existing Setting

The Project would apply to the entire City with allowed cannabis related activities on the agricultural, commercial, and industrial zones of the City which would be eligible for commercial cannabis activities under the proposed Commercial Cannabis Activity Prohibition Permitting regulations. The circulation network within the City is comprised of 181 miles of interstates, freeways, and highways overseen by the California Department of Transportation (Caltrans) and over 7,500 miles of arterials, collectors, and local streets planned, designed, constructed and maintained by the Los Angeles Department of Public Works and Los Angeles Department of Transportation (LADOT). This system serves as the backbone of the circulation network within the City and greater Los Angeles Area, supporting the movement of over 3.8 million City residents with nearly 75.2 million vehicle miles of traveled daily. Moreover, the City supports a well-established pedestrian and bicycle network, boasting over 1,600 miles of bike paths and bikeways and nearly 10,750 miles of pedestrian sidewalks(Los Angeles Department of City Planning 2014). In addition to these networks, the City supports one of the most utilized transit systems in the Country, ranking third in public transit usage of all cities nationwide. The circulation system is supported and serviced by several transit

authorities, including the Los Angeles County Metropolitan Transportation Authority (Metro), LADOT, and a handful of transit service providers (Los Angeles Department of City Planning 2014).

5.16.2 Discussion

a) **Less than Significant.** The proposed Project consists of a regulatory program that does not directly propose any new development or use. It is expected that some unknown amount of new or expanded and compliant commercial cannabis uses would potentially remodel or increase existing building footprints. Such improvements could therefore generate additional vehicle trips to the existing setting (e.g., deliveries to and from cultivators and manufacturers, customers visiting retailers, vehicle trips related to construction of individual cannabis sites, etc.). However, because no data is available on existing uses or the potential amount, location and type of new development associated with cannabis related activities, it would be speculative to provide estimates on the associated change in vehicle trips and the overall traffic environment which would occur under this Project. Future development required to support further commercial cannabis activities included under the Project would be subject to existing policies and regulations related to construction vehicle traffic, including the City's Department of Building and Safety Haul Route Monitoring Program, which would ensure that construction traffic from hauling of excavated or imported fill material is appropriately managed to ensure the effectiveness of the circulation system.

The Project has the potential to increase vehicle miles traveled due to restrictions on eligible zoning districts. However, given the level of speculation surrounding assumptions for the amount, location and type of new commercial cannabis activities, analysis of Project impacts from changes in the number of vehicle trips or changes in the traffic environment is required to remain programmatic. Due to the highly speculative assumption regarding potential changes in the traffic environment that may occur under implementation of the Project and requirements for adherence to adopted policies and regulations targeted at reducing the number of vehicle trips and associated vehicle miles traveled, the Project is not anticipated to substantially increase the amount of vehicle traffic or conflict with adopted plans or policies establishing measures for effectiveness of the City's circulation network. Therefore, impacts of the Project are considered less than significant.

c) **No Impact.** The Project would prohibit the transportation of cannabis by aircraft and does not involve any direct or indirect changes to air traffic patterns or frequency, runway alignments, or flight approach zones. Therefore, the Project would have no impact to air transportation and no further analysis is required.

d) **Less than Significant.** The Project does not propose any new roadway development or alterations to existing transportation design features and would not result in the operation of large equipment which may be considered incompatible with the existing transportation network. The Project may result in the relocation of some existing cannabis operations, both compliant and uncompliant with Prop D to commercial and industrial zones and increases in the number of commercial truck trips in these areas. However, because no data is available on existing uses or the potential amount, location and type of new development associated with cannabis related activities, it would be speculative to predict the degree and location in which changes in the amount of commercial truck trips would occur. Regardless, as the Project would limit such development to commercial and industrial zones which are developed to support such operations and activities, such traffic

would be similar in nature to surrounding commercial and industrial development, and would not present a substantial new hazard for pedestrians, bicyclists, or motorists. Therefore, impacts would be less than significant.

e) **Less than Significant.** The proposed Project applies to cannabis activities and businesses and would provide permits for commercial cannabis operations located within existing commercial and industrial zones of the City. These areas are primarily developed and support sufficient emergency access via the municipal road system. In addition, any future development occurring within these zones to support commercial cannabis activities would be subject to development requirements of the City and local emergency service provides, including the Fire Department, which require new development to provide adequate access to and from a site in the event of an emergency. While it cannot be predicted where and the concentration in which cannabis activities would relocate to eligible commercial and industrial zone would occur, it is foreseeable that such activities would occur under the Project, in which the operation of cannabis businesses in such zones would be subject to compliance with policies and regulations addressing emergency access to and from a given site. Therefore, the Project would have a less than significant impact with regard to emergency access.

f) **No Impact.** The Project does not propose any alterations to the existing pedestrian, bicycle, or transit network, nor would it result in any new hazardous features which might affect the safety and operation of such facilities and their users. As such, the Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Further, all commercial cannabis activities applicable to the Project would be subject to compliance with adopted policies and regulations oriented towards the provision, development, and maintenance of these facilities. Therefore, the Project would have no impact in this regard, and no further analysis is required.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to transportation/traffic which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project, which would potentially disperse a commercial cannabis activities over a negligibly larger area (i.e., reducing each buffer by 200 feet). In spite of the comparatively smaller vehicle miles travelled under the Option, potential impacts to transportation would be less than those anticipated under the proposed Project, and would remain less than significant.

5.17 Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in the Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or,	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources code Section 5024.1, the leak agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

5.17.1 Existing Setting

AB 52, which went into effect on July 1, 2015, established a consultation process with all California Native American Tribes on the Native American Heritage Commission List and required consideration of Tribal Cultural Values in the determination of project impacts and mitigation. AB 52 established a new class of resources, tribal cultural resources, defined as a site feature, place, cultural landscape, sacred place or object, which is of cultural value to a Tribe that is either: (1) on or eligible for the California Historic Register or a local historic register; or (2) treated by the lead agency, at its discretion, as a traditional cultural resource per Public Resources Code 21074 (a)(1)(A)-(B).

Public Resources Code Section 21083.09, added by AB 52, required the California Natural Resources Agency to update Appendix G of the CEQA Guidelines to address tribal cultural resources. Pursuant to Government Code Section 11346.6, on August 8, 2016 the California Natural Resources Agency adopted and amended the CEQA Guidelines to include consideration of impacts to tribal cultural resources. These amendments separated the consideration of paleontological resources from tribal cultural resources and updated the relevant sample questions to add specific consideration of tribal cultural resources.

5.17.2 Discussion

a, b) As discussed in Section 5.5, *Cultural Resources*, the potential to discover unknown tribal cultural resources within the Project area is limited but not impossible, given the previously disturbed nature of much of the proposed affected areas and procedural aspect of the proposed Project. Where redevelopment or new construction would impact undisturbed soils, state laws protecting subsurface cultural and tribal resources would remain in effect as described in Section 5.5. The Project does not propose any alteration or damage

to any designated tribal cultural resources, though has the potential to allow Project-related activities in culturally sensitive areas within the City that are subject to state law regarding the disturbance or destruction of tribal cultural or archaeological resources. In the event that unexpected tribal cultural resources are found during construction, the City follows state law prohibiting the destruction of cultural or archaeological resources.

AB 52 requires lead agencies to consult with California Native American Tribes that request such consultation in writing prior to the agency's release of a Notice of Preparation of an Environmental Impact Report; or notice of a Mitigated Negative Declaration; or Negative Declaration (ND). The City sent out a letter to all the tribes on the Native American Heritage Commission List for the County that have previously requested notification of interest in City Projects pursuant to the requirements of AB 52 in July 2017. To date, no response or formal request for consultation has been received, though any future communication will be included in final environmental documentation. The City has complied with the requirements of AB 52 and the proposed Project would not result in any unanticipated impacts to known tribal cultural resources.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to recreation which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. However, as discussed in Section 2.3 (Assessment Methodology) above, the total amount, location, nature and timing of development that could be indirectly generated by this Project is unknown, and it would be speculative to estimate how changes in buffer distances would increase or change development potential. However, compliance with the same legal requirements of the California Public resources codes would remain in effect under the Option and, consequentially, impacts to tribal cultural resources would remain less than significant.

5.18 Utilities and Service Systems

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The following significance criteria are based on Appendix G of the 2016 CEQA Statutes and Guidelines. To determine the effects of a project on utilities and service systems, would the Project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e)	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	☐	☐	☒	☐
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g)	Comply with federal, state and local statutes and regulations related to solid waste?	☐	☐	☒	☐

5.18.1 Existing Setting

Water Supply and Infrastructure

Municipal water supply services within the City are provided by the LADWP, which received a total of 513,540 acre-feet (AF) of its municipal water supplies in 2015 from the Los Angeles Aqueducts (53,546 AF; 10.4 percent), groundwater from the San Fernando, Sylmar, and Central groundwater basins (87,045 AF; 17.0 percent), recycled water (10,437 AF; 2.0 percent); and additional supplies from the State Water Project, and the Colorado River Aqueduct. Water supplies received from the State Water Project and the Colorado River Aqueduct are wholesaled to LADWP by the Metropolitan Water District (MWD) (362,607 AF; 70.6 percent) (LADWP 2016). Metropolitan's 2015 Urban Water Management Plan demonstrates sufficient supply to meet projected demands, even during dry years, through 2040 (see Table 17; LADWP 2016).

Table 17. Projected Water Supply and Demand

Supply Source	2015 Actual (AFY)[1]	2020 Projected (AFY)	2025 Projected (AFY)	2030 Projected (AFY)	2035 Projected (AFY)	2040 Projected (AFY)	Projected Increase in Supply and Demand 2015-2035 (AFY)
LA Aqueduct	53,546	275,700	293,400	291,000	288,600	286,200	232,654
Total Groundwater	87,046	112,670	110,670	106,670	114,670	114,070	27,024
- *San Fernando Basin*	*80,097*	*90,000*	*88,000*	*84,000*	*92,000*	*92,000*	*11,903*
- *Sylmar Subbasin*	*0*	*4,170*	*4,170*	*4,170*	*4,170*	*3,570*	*3,570*
- *Central Subbasin*	*6,948*	*18,500*	*18,500*	*18,500*	*18,500*	*18,500*	*11,552*
Recycled Water	10,437	19,800	59,000	69,000	72,200	75,400	64,963
Total Purchased/Import Water	362,607	75,430	65,930	65,430	60,630	74,930	-287,677
Conservation	0	125,800	110,900	111,600	109,100	108,100	108,100
Stormwater Capture	0	2,400	4,800	9,200	16,600	17,000	17,000
Total Demand/Supply	**513,540**	**611,800**	**644,700**	**652,900**	**661,800**	**675,700**	**162,064**

Source: LADWP 2016.

Due to the unregulated nature of much of the cannabis industry that exists within the City, it is difficult to predict current and future demands for water supplies which would be associated with commercial cannabis activities. However, given that many of these operators utilize water supplies from existing water infrastructure, existing water demands associated with cannabis activities are accounted for as part of the actual City water demand. The largest portion of water demands for commercial cannabis activities is associated with the cultivation of cannabis, which has been characterized as a high-intensity-water-use, often having greater amounts of water demands when compared to other agricultural crops. Based on existing research, indoor commercial cannabis cultivation could require up to 0.35 gallons per day per square foot of cultivated canopy, which may result in water demands of up to 0.39 AFY per 1,000 square feet of cultivated canopy area.

Wastewater

Wastewater services for residential and non-residential development are provided by the City Public Works Sanitation Department (LA Sanitation). LA Sanitation manages and maintains over 6,700 miles of public sewer lines within the City, which convey nearly 400 million gallons per day (MGD) of wastewater to four wastewater treatment and reclamation plants: Hyperion Water Reclamation Plant, Terminal Island Water Reclamation Plant, Donald C. Tillman Water Reclamation Plant, and the Los

Table 18. Wastewater Treatment Plant Capacities

Treatment Plant	Current Average Flow	Dry Weather Design Capacity	Remaining Capacity
Hyperion	262.2 MGD	450 MGD	187.8 MGD
Terminal Island	16.1 MGD	30 MGD	13.9 MGD
Donald C. Tillman	33.9 MGD	80 MGD	46.1 MD
Los Angeles-Glendale	14.3 MGD	20 MGD	5.7 MGD
Total	**326.5 MGD**	**580 MGD**	**253.5 MGD**

Source: LADWP 2016.

Angeles-Glendale Water Reclamation Plant. In total, these four facilities can treat up to 580 MGD of wastewater, and currently have a remaining treatment capacity of 253.5 MGD (43.7 percent of permitted capacity) (Table 18).

Given the commercial and industrial nature of the cannabis business, existing commercial cannabis activities, including both cultivation and manufacturing, do not generate large amounts of wastewater, other than municipal wastewater from employees or customers. While the cultivation of cannabis may require large amounts of water, this water is often applied directly to the plant, and no wastewater or runoff is produced. As such, wastewater generated by existing cannabis activities within the City is expected to represent a small portion of the City's total amount of wastewater generated annually. With regard to manufacturing, associated operations and activities do not typically require the use of a large amount of water, and like other common manufacturing operations, have similarly low water demands.

Solid Waste

In addition to wastewater, solid waste, including greenwaste and recycling, collection and disposal services for residential and non-residential uses within the City are provided by LA Sanitation. LA Sanitation collects an average of 6,652 tons per day (tpd) of solid waste which is sorted or disposed of at the Central L.A. Recycling and Transfer Station (CLARTS) and a total of four County/City landfills and two waste transformation facilities, which include: Antelope Valley Landfill, Calabasas Landfill, Chiquita Canyon Landfill, Commerce Refuse to Energy Facility, Lancaster Landfill, Southeast Recourse Recovery Facility, and the Sunshine Canyon Landfill. In total, these landfills currently receive an average of 15,768 tpd, approximately 52 percent of which is generated by the City, and have the capacity to receive approximately 17,736 tpd of future solid wastes (47.1 percent of maximum permitted capacity) (Table 19).

Table 19. Solid Waste Disposal Facilities Used by the City

Landfill	Total Amount Disposed in 2015	Total Amount of City Waste Disposed in 2015 (% of total)	Max Permitted Capacity	Remaining Daily Throughput Capacity
Antelope Valley	1,567 tpd	893 tpd (57%)	3,564 tpd	1,997 tpd
Calabasas	904 tpd	488 tpd (54%)	3,500 tpd	2,596 tpd
Chiquita Canyon	3,446 tpd	1,895 tpd (55%)	6,000 tpd	2,554 tpd
Commerce Refuse and Energy Facility[1]	360 tpd	58 tpd (16%)	1,000 tpd	640 tpd
Lancaster	364 tpd	15 tpd (4%)	5,100 tpd	4,736 tpd
Southeast Resource Recovery Facility[1]	1,426 tpd	143 tpd (10%)	2,240 tpd	814 tpd
Sunshine Canyon	7,701 tpd	4,775 tpd (62%)	12,100 tpd	4,399 tpd
Total	**15,768 tpd**	**8,267 tpd (52%)**	**33,504 tpd**	**17,736 tpd**

Source: County of Los Angeles Department of Public Works [LADPW] 2016.

Within the City, existing cannabis activities may generate solid waste, as well as green waste and hazardous waste, from cultivation and manufacturing of cannabis. Types of solid waste generated from cannabis

activities may include municipal solid waste from workers or customers or packaging product waste. Hazardous materials may be generated including oil for equipment, solvents, household or commercial cleaning supplies, pesticides, and equipment which may contain lead or mercury (i.e., light fixtures). Cannabis cultivation also generates greenwaste or cannabis plant waste such as soils, plant trimmings, plant stalk, or whole plants that are not suitable for cultivation (i.e., male plants).

5.18.2 Discussion

a) **Less than Significant.** Implementation of the proposed Project is not anticipated to result in the generation of a substantial new amount of wastewater, which would require disposal and treatment through the City's existing wastewater system. Commercial cannabis activities applicable to the proposed Project currently operate within the City and generate waste water which is conveyed, treated, and discharged through the City's existing waste water system. This system currently operates at approximately 52.3 percent of its maximum permitted treatment capacity and meets adopted Waste Discharge Requirements (WDRs). The Project would allow permitting of commercial cannabis activities that operate within areas of eligible agricultural, commercial, and industrial zone districts, receive a state license to operate, and demonstrate conformance with applicable policies and regulations related to commercial cannabis activities. Because no data is available on existing uses or the potential amount, location and type of new development associated with cannabis related manufacturing activities, it would be speculative to provide estimated wastewater flows generated by the Project. However, given that existing wastewater systems are operating within their permitted capacity, the capacity of such systems is planned to accommodate existing and future development, and likelihood that commercial cannabis operations would move into vacant or occupied structures or retrofit existing development with is current serviced by the existing wastewater system, the Project is not expected to exceed the capacity of existing wastewater systems such that requirements of applicable WDRs are exceeded. Additionally, the Project is not anticipated to have a substantial effect on the capacity of such systems, as all development included under the Project, including operation of commercial cannabis businesses, would be required to comply with the City's wastewater standards, including the requirements of the City's Water Conservation Plan (Chapter XII of the LAMC), which would serve to ensure compliance with the standards and regulations of the RWQCB. Therefore, the Project is not expected to necessitate the expansion or construction of wastewater systems such that construction activities could result in significant harm to the environment and is considered to have a less than significant impact in this regard.

b) **Less than Significant.** The proposed Project would involve the permitting and regulation of operation of commercial cannabis activities within the City. Typical water demand for commercial cannabis activities would result primarily from the cultivation and irrigation of cannabis, which has been characterized as being a high-water-demand activity, while other commercial activities are anticipated to have low water demands similar to commercial, industrial, or retail land uses. Commercial cannabis cultivation is not expected to generate a large amount of wastewater, as the water is applied directly to the plant and little to no runoff or wastewater is generated. For other commercial cannabis activities involving the manufacturing or sale of cannabis products, wastewater demands are similar in nature with other commercial, industrial, or retail uses which generate municipal wastewater primarily from workers or customers.

Commercial cannabis activities applicable to the proposed Project are accommodated by existing and projected water supplies and demand, and are serviced by existing wastewater infrastructure which operates within its capacity to collect, convey, treat, and discharge wastewater generated within the City. As the Project does not involve construction or redevelopment of any structures and would be limited to developed areas of the City currently serviced by existing infrastructure, the expansion or construction of water and wastewater infrastructure is not anticipated. Based on discussions with the LADWP staff on August 9, 2017, a project that does not involved changes to the existing zoning or General Plan designation is considered to be consistent with the growth forecasts used to inform the UWMP. In the case of the proposed Project, a change in the existing zoning or General Plan designation would not occur, and rather the Project would include the allowance of a new type of operation on agricultural, commercial and industrial zoned lands which are compatible with the type of use and development associated with commercial cannabis operations considered under the Project. As such, the Project is not considered to be inconsistent with the UWMP growth forecasts, and to the extent that projects do not involve changes to the existing zoning or General Plan designation, they are considered to be consistent with the growth forecasts used to inform the UWMP and adequate supply is available to serve such projects. Further, where future structural development or redevelopment may be required to support licensed commercial cannabis activities in conformance with the City's proposed regulations for commercial cannabis activities, such development would be subject to additional review requirements, including the City's Development Review Process (LAMC Chapter 1, Article 6.1, Section 16.05), where applicable and comply with City policies and conditions to address effects of such development.

c) **Less than Significant.** The proposed Project would involve the permitting and regulation of commercial cannabis activities, which operate within permissible agricultural, commercial, and industrial zones. The Project would not directly require new development or redevelopment. At this time, effects of the Project on demand for municipal water supplies remains speculative, as the exact location and size of future cannabis operations is unpredictable, and such impacts cannot feasibly be assessed. However, should additional expansion of uses or related structures occur to support commercial cannabis activities, such development would be subject to additional site development review to address generation of stormwater or potential stormwater runoff, including expansion or construction of new stormwater features. Additionally, all development associated with the Project would be subject to compliance with the requirements City's LID Ordinance No. 181,899, which includes the implementation of LID features and designs addressing the management of stormwater onsite and reduction of site runoff in conformance with the requirements of the adopted RWQCB Water Quality Control Plan and the City's NPDES MS4 Permit. Therefore, impacts of the proposed Project are considered less than significant.

d) **Less than Significant.** As discussed above under Section 5.18.2(b), the proposed Project applies to existing operational commercial cannabis activities that generate water demand and are accommodated by existing and planned water supplies. Such operations could be relocated to agricultural, commercial and industrial sites that would result in some increase or expansion of uses and/or structural footprints and result in a net increase in water demand. While cannabis cultivation is considered to be a high-water-demand use which has similar or higher water demands than other agricultural crops, the water demand for cultivation activities is currently included in the summary of City water supplies. Where existing cannabis operations

would move into existing developed spaces, the Project would require licensees to upgrade all applicable water systems to the most recently adopted code standards, which include requirements for the implementation of water conservation and system efficient features. In addition, such development and operations would also be subject to compliance with the requirements and regulations of the City's Water Conservation Plan (LAMC Chapter XII), as well as the Green Building Ordinance, which include standard requirements for the conservation of potable water and water efficiency for new development and renovation of existing buildings (LAMC Chapter XII, Article V). Given that the City has planned for increases in water supplies and demands through 2040, and that development and operations occurring under the Project would not conflict with adopted policies and regulations for existing or planned water supplies, impacts of the proposed Project with regard to sufficiency of water supplies are considered less than significant.

e) **Less than Significant.** As discussed above under Section 5.18.1, *Existing Setting,* as well as Sections 5.18.2(a) and (b), existing City wastewater treatment systems are capable of accommodating City wastewater demands and currently operate at approximately 52.3 percent of the systems current maximum permitted treatment capacity. Given that commercial cannabis activities would be subject to compliance with adopted City policies and regulations regarding the management of wastewater and development or expansion of such facilities, the Project is not anticipated to result in the determination by a wastewater service provider that capacity to receive and treat wastewater generated by future cannabis activities does not exist. Therefore, impacts of the proposed Project are considered less than significant.

f & g) **Less than Significant.** Commercial cannabis activities applicable to the proposed Project currently operate within the City and generate solid waste from materials, containers, equipment, and typical municipal or household waste from workers or customers which is currently managed and disposed of at local waste transfer, sorting, or disposal facilities which operate within their permitted capacity. In addition, cultivation of cannabis generates green waste or cannabis plant waste which requires special management and disposal of cannabis waste. Under the proposed Project, commercial cannabis activities would be required to dispose of solid waste at permitted waste disposal facilities, and manage cannabis plant wastes in conformance with the proposed Commercial Cannabis Cultivation Activity requirement for a Cultivation Plan, which requires the holding, management, and disposal of cannabis plant materials in conformance with state law. These draft state cannabis regulations would require cultivators to compost onsite, or make all cannabis greenwaste unusable and unrecognizable through grinding and mixing of green waste with non-consumable solid waste, such that the resulting mixture is at least 50 percent non-cannabis waste. After this process, cannabis green waste may be disposed of at a permitted solid waste landfill, composting materials handling facility, or in-vessel digestion facility.

Further, commercial cannabis businesses operating under the proposed Project would be required to comply with the state regulations which require businesses to compost or recycle their organic waste (Assembly Bill 1826) and requirements for all cities and counties within the state to reduce, recycle, and compost at least 50 percent of waste diverted to landfills. Any hazardous materials defined in Title 22, Division 4.5, Chapter 11 of the California Code of Regulations which are used or generated during operation of a commercial cannabis business must be managed and disposed of in accordance with state regulations at a permitted hazardous waste receival/disposal facility. While it is speculative to assess the future generation of solid

waste which would require disposal at a solid waste facility due to the inability to accurately predict the amount of cannabis activities that may occur under the proposed Project, existing City regulations and the proposed requirements of the Project would ensure that all cannabis solid and green waste is appropriately managed so as to ensure the capacity of waste disposal facilities exists in the future for both existing and future development within the City. Therefore, impacts of the proposed Project are less than significant.

Potential impacts of the Project scenario discussed in Section 2.2.8, *Project Option for Analysis,* above with regard to impacts to public utilities and service systems which may vary from the proposed Project is discussed below.

Option (Reduced Sensitive Use Buffer Area): Impacts resulting from consideration and implementation of the Option could potentially allow a greater area of potential effect than the proposed Project. However, potential increases in service demand associated with this expanded area of effect would remain closer to impacts under the proposed Project, and given the service capacities discussed above would be unlikely to exceed one of the listed significance thresholds. Therefore, impacts to public utilities and services under the Option would be similar to those under the proposed Project.

5.19 Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source(s)
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wild-life population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	☐	☐	☐	☒	
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	

5.19.1 Discussion

a) **Less than Significant.** Potential development (e.g., additions, new construction) of agricultural, commercial and industrially-zoned parcels that occur pursuant to the proposed Project would not impact any endangered species or modify any special status species habitat. Due to the developed nature of the applicable land areas (e.g., agricultural, commercial and industrial areas), construction activities and operation of future development would not impact nearby habitat or flora and fauna populations within identified biological resource areas.

Additionally, as discussed in Section 5.5, *Cultural Resources*, potential impacts related to archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.

b) **No Impact.** Based on the proceeding discussions, no significant impacts were identified for the 18 environmental factors analyzed above. The Project would provide a beneficial impact for commercial and industrial aspects of cannabis cultivation and manufacturing within the City. As discussed in Section 5.1, *Aesthetics*, the Project is not anticipated to directly hinder the visual aesthetics of other projects with its implementation, and would provide opportunities within various vacant, unused areas of the City. Cumulative projects that increase population could increase the demand for cannabis related industries in the form of

jobs and demand, and the Project would serve as an avenue for accommodating the potential demand without resorting to unregulated and environmentally adverse activities.

Cumulative construction impacts related to development that occurs pursuant to the proposed Project has the potential to result in cumulative air quality, GHG, noise, and temporary traffic safety and circulation impacts. There is the potential for future projects (existing or not yet existing) within the City to undergo construction simultaneously with the Project, resulting in temporarily adverse impacts, but such impacts would be short-term due to the temporary nature of construction. Cumulative construction impacts therefore be would be adverse but less than significant.

Operation of the Project in combination with cumulative projects may increase demand on City public services and utilities; however, as described in Sections 5.14, *Public Services* and 5.18, *Utilities and Service Systems*, the Project would not result in the need for additional City infrastructure beyond what is accommodated by the City, pursuant to the Project. As discussed in Section 5.10, *Land Use and Planning*, the Project provides consideration for existing communities and appropriate siting for cannabis activity sites, thus tempering perceived quality of life issues over time. Therefore, cumulative impacts and impacts to human beings from the proposed Project would be less than significant.

c) **Less than Significant.** As identified throughout the analysis, the proposed Project would not have an environmental effect that would cause substantial adverse effects on human beings directly or indirectly, due to assured provisions for public service, odor and air quality controls, land use and planning consistency, hydrology and water quality protections, and hazards and hazardous materials safety. Impacts would be less than significant.

6 References

ARB. 2014. *Area Designations Maps / State and National*. Accessed: 5 October 2015. Retrieved from: http://www.arb.ca.gov/desig/adm/adm.htm

——. 2017. *California's Greenhouse Gas Emission Inventory*. Accessed: 20 June 2017. Retrieved from: https://www.arb.ca.gov/cc/inventory/data/data.htm

Bureau of Labor Statistics. 2017. *Los Angeles-Long Beach-Glendale, CA Economy at a Glance*. Accessed: 6 July 2017. Retrieved from: https://www.bls.gov/eag/eag.ca_losangeles_md.htm

Cal Fire. 2012. *CAL FIRE - Los Angeles County FHSZ Map*. Accessed: 29 June 2017. Retrieved from: http://www.fire.ca.gov/fire_prevention/fhsz_maps_losangeles

California Department of Conservation. 2013. *California Geological Survey - SMARA Mineral Land Classification Maps*.

——. 2017. *Los Angeles County Tsunami Inundation Maps*. Accessed: 26 June 2017. Retrieved from: http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/LosAngeles

California Public Utilities Commission. 2017. *Energy Impact of Cannabis Cultivation. California Public Utilities Commission*. Accessed: 5 July 2017. Retrieved from: http://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/About_Us/Organization/Divisions/Policy_and_Planning/PPD_Work/PPD_Work_Products_(2014_forward)/PPD%20-%20Prop%2064%20Workshop%20Report%20FINAL.pdf

Caltrans. 2013. *Transportation and Construction Vibration Guidance Manual*. Accessed: 1 February 2016. Retrieved from: http://www.dot.ca.gov/hq/env/noise/pub/TCVGM_Sep13_FINAL.pdf

——. 2015. *California Scenic Highway Mapping System - Updated November 20 2015*. Accessed: 5 July 2017. Retrieved from: http://www.dot.ca.gov/hq/tsip/gis/datalibrary/Metadata/ScenicHwys.html

City of Denver. 2017. 'The Denver Collaborative Approach: Leading the Way in Municipal Marijuana Management'.

City of Los Angeles. 2001a. *Conservation Element of Los Angeles General Plan*.

——. 2001b. 'General Plan'.

——. 2001c. *City of Los Angeles General Plan - Conservation Element*. Accessed: 31 May 2016. Retrieved from: http://planning.lacity.org/cwd/gnlpln/consvelt.pdf

——. 2015. *Los Angeles Climate Action Report. The Sustainable City pLAn*. Accessed: 10 August 2017. Retrieved from: https://www.lamayor.org/sites/g/files/wph446/f/landing_pages/files/pLAn%20Climate%20Action-final-highres.pdf

——. 2017a. *Historic-Cultural Monument (HCM) List - City Declared Monuments - Updated February 2017*. Accessed: 6 July 2017. Retrieved from: http://preservation.lacity.org/sites/default/files/HCMDatabase%23020817.pdf

——. 2017b. *Amendments to the HPOZ Ordinance Take Effect | Office of Historic Resources, City of Los Angeles*. Accessed: 7 July 2017. Retrieved from: http://preservation.lacity.org/news/ohr-proposes-amendments-hpoz-ordinance

——. 2017c. *NavigateLA website*. Accessed: 5 July 2017. Retrieved from: http://navigatela.lacity.org/navigatela/

——. 2017d. *Planning and Zoning*. Accessed: 6 July 2017. Retrieved from: https://www.lacity.org/for-business/popular-services/planning-and-zoning

Department of Conservation. 2013. *State of California Williamson Act Contract Land*.

——. 2014. *Farmland Mapping and Monitoring Los Angeles County Map*. Accessed: 3 May 2017. Retrieved from: http://www.conservation.ca.gov/dlrp/fmmp/Pages/LosAngeles.aspx

DOGGR. 2015. *Department of Conservation Division of Oil, Gas & Geothermal Resources - Well Finder*. Accessed: 16 November 2015. Retrieved from: http://maps.conservation.ca.gov/doggr/#close

DWR. 2017. *California Statewide Groundwater Elevation Monitoring (CASGEM)*. Accessed: 27 June 2017. Retrieved from: http://www.water.ca.gov/groundwater/casgem/index.cfm

Facilities Services Division. 2015. *Los Angeles Unified School District*. Accessed: 23 October 2015. Retrieved from: http://www.laschools.org/new-site/

LADPW. 2016. *County of Los Angeles Countywide Integrated Waste Management Plan 2015 Annual Report*. Accessed: 27 June 2017. Retrieved from: https://dpw.lacounty.gov/epd/swims/ShowDoc.aspx?id=6530&hp=yes&type=PDF

LADWP. 2016. *Los Angeles Department of Water & Power Urban Water Management Plan*. Accessed: 23 June 2017. Retrieved from: file:///C:/Users/taylor.lane/Downloads/2015%20Urban%20Water%20Management%20Plan-LADWP.pdf

Los Angeles Department of City Planning. 2014. *Mobility Plan 2035 - General Plan Mobility Element*. Accessed: 6 July 2017. Retrieved from: http://planning.lacity.org/Cwd/GnlPln/MobiltyElement/Text/MobilityPlan_2035.pdf

Los Angeles Department of Regional Planning. 2017. *SEA Program | DRP*. Accessed: 5 July 2017. Retrieved from: http://planning.lacounty.gov/sea/studies

Los Angeles Fire Department. 2015. *LAFD Overview | Los Angeles Fire Department*. Accessed: 23 October 2015. Retrieved from: http://www.lafd.org/about/lafd-overview

Marijuana Policy Group. 2016. 'The Economic Impact of Marijuana Legalization in Colorado'.

RAND Drug Policy Research Center. 2010. *Estimated Cost of Production of Legalized Cannabis*.

SCAQMD. 2013. *SCAQMD Air Quality Management Plan*. Accessed: 5 October 2015. Retrieved from: http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan

——. 2014. *Localized Significance Thresholds*. Accessed: 9 November 2015. Retrieved from: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds

U.S. Census Bureau. 2016. *U.S. Census Bureau QuickFacts Los Angeles*. Accessed: 6 July 2017. Retrieved from: https://www.census.gov/quickfacts/fact/table/losangelescitycalifornia,US/PST045216

US EPA. 2015a. *State Designations | Area Designations for 2008 Ground-level Ozone Standards | Ground-level Ozone Standards Designations | US EPA*. Accessed: 5 October 2015. Retrieved from: http://www3.epa.gov/ozonedesignations/2008standards/state.htm

——. 2015b. *The Green Book Nonattainment Areas | Green Book | US EPA*. Accessed: 5 October 2015. Retrieved from: http://www3.epa.gov/airquality/greenbook/index.html

USDOT - Federal Transit Administration. 2006. 'Transit Noise and Vibration Impact Assessment' *(No. FTA-VA-90-1003-06)*.

7 List of Preparers

Lead Agency

City of Los Angeles
Department of City Planning
Code Studies Division
200 North Spring Street, Room 701
Los Angeles, CA 90012
Niall Huffman, City Planning Associate

Environmental Consultant

Amec Foster Wheeler, Environment & Infrastructure, Inc.
104 West Anapamu Street, Suite 204A
Santa Barbara, CA 93101

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CITY CLERK'S USE

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY	COUNCIL DISTRICT
City of Los Angeles Department of City Planning	All

PROJECT TITLE	LOG REFERENCE
City of Los Angeles Commercial Cannabis Regulation Ordinance(s)	ENV-2017-3361-SE

PROJECT LOCATION
Citywide

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
The proposed project consists of Commercial Cannabis Regulation Ordinance(s) including an amendment to the Los Angeles Municipal Code in order to implement Measure M adopted by City voters on March 7, 2017. Under the proposed project, the amendment would: a) establish procedures for review and approval by the City's Cannabis Commission, and establish operating regulations for commercial cannabis activities to protect the public health and safety; b) establish location criteria for specific types of commercial cannabis activities. The proposed project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:
City of Los Angeles

CONTACT PERSON	AREA CODE	TELEPHONE NUMBER	EXT.
Niall Huffman	(213)	978-3405	

EXEMPT STATUS: (Check One)

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
CATEGORICAL EXEMPTION	Sec. 15300 *et seq.*	Art. III, Sec. 1

Class _____ Category _____ (City CEQA Guidelines)

X OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.

JUSTIFICATION FOR PROJECT EXEMPTION:
Based on the whole of the administrative record, the project is exempt from CEQA pursuant to Business and Professions Code Sec. 26055(h) on the basis that the project will adopt ordinances, rules and/or regulations, that will require discretionary review under CEQA to approve licenses to engage in commercial cannabis activity in the City of Los Angeles.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE	TITLE	DATE
Niall Huffman	City Planning Associate	9/5/17

FEE:	RECEIPT NO.	REC'D. BY	DATE

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

NAME (PRINTED)

SIGNATURE

DATE

Appendix E: Maps

1. Retail Eligible Locations
2. Microbusiness Eligible Locations
3. Indoor Cultivation and Level 1 Manufacturing Eligible Locations
4. Mixed Light Cultivation Eligible Locations (Accessory Use Only)
5. Level 2 Manufacturing Eligible Locations
6. Distribution Eligible Locations
7. Testing Eligible Locations

DRAFT COMMERCIAL CANNABIS LOCATION RESTRICTION ORDINANCE

Proposed Eligible Locations
(Existing Medical Marijuana Businesses* Included)

Retail

Businesses that sell cannabis products directly to the public

- Existing Medical Marijuana Business
- 800-foot buffer from: *Schools, Parks, Libraries, Drug/Alcohol Rehab & Recovery Facilities, EMMBs*

Zoning
- Commercial zones that are eligible
- Industrial zones that are eligible

Administrative Boundary
- City of Los Angeles
- Council Districts

*Existing Medical Marijuana Businesses (EMMBs) that are operating in compliance with proposed eligible location provisions and tax provisions of Proposition D

0 1 2 4 6 8 Miles

Layer(s):	Source(s):
Public / Private / Charter School(s)	LA Unified School District / California Department of Education
Parks & Recreation	LA County and Los Angeles Department of Recreation & Parks
Library Facility	Los Angeles Public Library System
Drug/Alcohol Rehab & Recovery Facilities	California Department of Health Care Services
Existing Medical Marijuana Business	Los Angeles Office of Finance BTRC 2017
Zoning	Los Angeles Department of City Planning
Basemap	ESRI

Disclaimer:
The City of Los Angeles is neither responsible nor liable for any inaccuracies, errors or omissions with respect to the material contained on this map. This map and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitations, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City of Los Angeles is not responsible for any special, indirect, incidental, or consequential damages that may arise from the use of, or the inability to use, the map and/or the materials contained on the map whether the materials contained on the map are provided by the City of Los Angeles, or a third party.

N W E S

Los Angeles Department of City Planning - Information Technologies Vincent P. Bertoni - Director

Copyright © September 5, 2017 Department of City Planning All Rights Reserved

12 Mitchell Englander
7 Monica Rodriguez
6 Nury Martinez
3 Bob Blumenfield
2 Paul Krekorian
4 David Ryu
5 Paul Koretz
11 Mike Bonin
13 Mitch O'Farrell
1 Gilbert Cedillo
14 Jose Huizar
10 Herb J. Wesson, Jr.
9 Curren D. Price, Jr.
8 Marqueece Harris-Dawson
15 Joe Buscaino

DRAFT COMMERCIAL CANNABIS LOCATION RESTRICTION ORDINANCE

Proposed Eligible Locations
(Existing Medical Marijuana Businesses* Included)

Microbusiness

Businesses that cultivate cannabis on an area less than 10,000 square feet and act as a licensed distributor, Level 1 manufacturer, and retailer

- Existing Medical Marijuana Business
- 800-foot buffer from: *Schools, Parks, Libraries, Drug/Alcohol Rehab & Recovery Facilities, EMMBs*

Zoning
- Commercial zones that are eligible
- Industrial zones that are eligible

Administrative Boundary
- City of Los Angeles
- Council Districts

*Existing Medical Marijuana Businesses (EMMBs) that are operating in compliance with proposed eligible location provisions and tax provisions of Proposition D

0 1 2 4 6 8 Miles

Layer(s):	Source(s):
Public / Private / Charter School(s)	LA Unified School District / California Department of Education
Parks & Recreation	LA County and Los Angeles Department of Recreation & Parks
Library Facility	Los Angeles Public Library System
Drug/Alcohol Rehab & Recovery Facilities	California Department of Health Care Services
Existing Medical Marijuana Business	Los Angeles Office of Finance BTRC 2017
Zoning	Los Angeles Department of City Planning
Basemap	ESRI

Disclaimer.
The City of Los Angeles is neither responsible nor liable for any inaccuracies, errors or omissions with respect to the material contained on this map. This map and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitations, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City of Los Angeles is not responsible for any special, indirect, incidental, or consequential damages that may arise from the use of, or the inability to use, the map and/or the materials contained on the map whether the materials contained on the map are provided by the City of Los Angeles, or a third party.

N W E S

Los Angeles Department of City Planning - Information Technologies Vincent P. Bertoni - Director

Copyright © September 5, 2017 Department of City Planning All Rights Reserved

12 Mitchell Englander
7 Monica Rodriguez
6 Nury Martinez
3 Bob Blumenfield
2 Paul Krekorian
4 David Ryu
5 Paul Koretz
11 Mike Bonin
13 Mitch O'Farrell
1 Gilbert Cedillo
14 Jose Huizar
10 Herb J. Wesson, Jr.
9 Curren D. Price, Jr.
8 Marqueece Harris-Dawson
15 Joe Buscaino

DRAFT COMMERCIAL CANNABIS LOCATION RESTRICTION ORDINANCE

Proposed Eligible Locations

Indoor Cultivation & Level 1 Manufacturing

Indoor Cultivation:
Businesses that grow cannabis
Level 1 Manufacturing:
Businesses that produce cannabis products using nonvolatile solvents, or no solvents

Zoning
- Commercial zones that are eligible
- Industrial zones that are eligible

Administrative Boundary
- City of Los Angeles
- Council Districts

0 1 2 4 6 8 Miles

Layer(s):	Source(s):
Public / Private / Charter School(s)	LA Unified School District / California Department of Education
Parks & Recreation	LA County and Los Angeles Department of Recreation & Parks
Library Facility	Los Angeles Public Library System
Drug/Alcohol Rehab & Recovery Facilities	California Department of Health Care Services
Existing Medical Marijuana Business	Los Angeles Office of Finance BTRC 2017
Zoning	Los Angeles Department of City Planning
Basemap	ESRI

Disclaimer:
The City of Los Angeles is neither responsible nor liable for any inaccuracies, errors or omissions with respect to the material contained on this map. This map and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitations, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City of Los Angeles is not responsible for any special, indirect, incidental, or consequential damages that may arise from the use of, or the inability to use, the map and/or the materials contained on the map whether the materials contained on the map are provided by the City of Los Angeles, or a third party.

N W E S

Los Angeles Department of City Planning - Information Technologies Vincent P. Bertoni - Director

Copyright © September 5, 2017 Department of City Planning All Rights Reserved

12 Mitchell Englander
7 Monica Rodriguez
6 Nury Martinez
3 Bob Blumenfield
2 Paul Krekorian
4 David Ryu
5 Paul Koretz
1 Gilbert Cedillo
13 Mitch O'Farrell
11 Mike Bonin
14 Jose Huizar
10 Herb J. Wesson, Jr.
9 Curren D. Price, Jr.
8 Marqueece Harris-Dawson
15 Joe Buscaino

DRAFT COMMERCIAL CANNABIS LOCATION RESTRICTION ORDINANCE

Proposed Eligible Locations

Mixed Light Cultivation

Businesses that grow cannabis

Zoning

Agricultural zones that are eligible

Administrative Boundary

City of Los Angeles

Council Districts

0 1 2 4 6 8 Miles

Layer(s):	Source(s):
Public / Private / Charter School(s)	LA Unified School District / California Department of Education
Parks & Recreation	LA County and Los Angeles Department of Recreation & Parks
Library Facility	Los Angeles Public Library System
Drug/Alcohol Rehab & Recovery Facilities	California Department of Health Care Services
Existing Medical Marijuana Business	Los Angeles Office of Finance BTRC 2017
Zoning	Los Angeles Department of City Planning
Basemap	ESRI

Disclaimer:
The City of Los Angeles is neither responsible nor liable for any inaccuracies, errors or omissions with respect to the material contained on this map. This map and all material contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitations, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City of Los Angeles is not responsible for any special, indirect, incidental, or consequential damages that may arise from the use of, or the inability to use, the map and/or the material contained on the map whether the material contained on the map are provided by the City of Los Angeles, or a third party.

N W E S

Los Angeles Department of City Planning - Information Technologies Vincent P. Bertoni - Director

Copyright © September 5, 2017 Department of City Planning All Rights Reserved

12 Mitchell Englander
7 Monica Rodriguez
6 Nury Martinez
3 Bob Blumenfield
2 Paul Krekorian
4 David Ryu
1 Gilbert Cedillo
5 Paul Koretz
13 Mitch O'Farrell
11 Mike Bonin
10 Herb J. Wesson, Jr.
14 Jose Huizar
9 Curren D. Price, Jr.
8 Marqueece Harris-Dawson
15 Joe Buscaino

DRAFT COMMERCIAL CANNABIS LOCATION RESTRICTION ORDINANCE

Proposed Eligible Locations

Level 2 Manufacturing

Businesses that produce cannabis products using volatile solvents

Zoning
- Commercial zones that are eligible
- Industrial zones that are eligible

Administrative Boundary
- City of Los Angeles
- Council Districts

0 1 2 4 6 8 Miles

Layer(s):	Source(s):
Public / Private / Charter School(s)	LA Unified School District / California Department of Education
Parks & Recreation	LA County and Los Angeles Department of Recreation & Parks
Library Facility	Los Angeles Public Library System
Drug/Alcohol Rehab & Recovery Facilities	California Department of Health Care Services
Existing Medical Marijuana Business	Los Angeles Office of Finance BTRC 2017
Zoning	Los Angeles Department of City Planning
Basemap	ESRI

Disclaimer:
The City of Los Angeles is neither responsible nor liable for any inaccuracies, errors or omissions with respect to the material contained on this map. This map and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitations, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City of Los Angeles is not responsible for any special, indirect, incidental, or consequential damages that may arise from the use of, or the inability to use, the map and/or the materials contained on the map whether the materials contained on the map are provided by the City of Los Angeles, or a third party.

N W E S

Los Angeles Department of City Planning - Information Technologies Vincent P. Bertoni - Director

Copyright © September 5, 2017 Department of City Planning All Rights Reserved

12 Mitchell Englander
7 Monica Rodriguez
6 Nury Martinez
3 Bob Blumenfield
2 Paul Krekorian
4 David Ryu
5 Paul Koretz
1 Gilbert Cedillo
13 Mitch O'Farrell
11 Mike Bonin
14 Jose Huizar
10 Herb J. Wesson, Jr.
9 Curren D. Price, Jr.
8 Marqueece Harris-Dawson
15 Joe Buscaino

DRAFT COMMERCIAL CANNABIS LOCATION RESTRICTION ORDINANCE

Proposed Eligible Locations

Distribution

Businesses that supply other businesses with cannabis products

Zoning
- Commercial zones that are eligible
- Industrial zones that are eligible

Administrative Boundary
- City of Los Angeles
- Council Districts

0 1 2 4 6 8 Miles

Layer(s):	Source(s):
Public / Private / Charter School(s)	LA Unified School District / California Department of Education
Parks & Recreation	LA County and Los Angeles Department of Recreation & Parks
Library Facility	Los Angeles Public Library System
Drug/Alcohol Rehab & Recovery Facilities	California Department of Health Care Services
Existing Medical Marijuana Business	Los Angeles Office of Finance BTRC 2017
Zoning	Los Angeles Department of City Planning
Basemap	ESRI

Disclaimer:
The City of Los Angeles is neither responsible nor liable for any inaccuracies, errors or omissions with respect to the material contained on this map. This map and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitations, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City of Los Angeles is not responsible for any special, indirect, incidental, or consequential damages that may arise from the use of, or the inability to use, the map and/or the materials contained on the map whether the materials contained on the map are provided by the City of Los Angeles, or a third party.

N W E S

Los Angeles Department of City Planning - Information Technologies Vincent P. Bertoni - Director

Copyright © September 5, 2017 Department of City Planning All Rights Reserved

12 Mitchell Englander
7 Monica Rodriguez
6 Nury Martinez
3 Bob Blumenfield
2 Paul Krekorian
4 David Ryu
5 Paul Koretz
13 Mitch O'Farrell
1 Gilbert Cedillo
11 Mike Bonin
14 Jose Huizar
10 Herb J. Wesson, Jr.
9 Curren D. Price, Jr.
8 Marqueece Harris-Dawson
15 Joe Buscaino

DRAFT COMMERCIAL CANNABIS LOCATION RESTRICTION ORDINANCE

Proposed Eligible Locations

Testing

Businesses that evaluate the quality and safety of cannabis and/or cannabis products

Zoning
- Commercial zones that are eligible
- Industrial zones that are eligible

Administrative Boundary
- City of Los Angeles
- Council Districts

0 1 2 4 6 8 Miles

Layer(s):	Source(s):
Public / Private / Charter School(s)	LA Unified School District / California Department of Education
Parks & Recreation	LA County and Los Angeles Department of Recreation & Parks
Library Facility	Los Angeles Public Library System
Drug/Alcohol Rehab & Recovery Facilities	California Department of Health Care Services
Existing Medical Marijuana Business	Los Angeles Office of Finance BTRC 2017
Zoning	Los Angeles Department of City Planning
Basemap	ESRI

Disclaimer:
The City of Los Angeles is neither responsible nor liable for any inaccuracies, errors or omissions with respect to the material contained on this map. This map and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitations, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City of Los Angeles is not responsible for any special, indirect, incidental, or consequential damages that may arise from the use of, or the inability to use, the map and/or the materials contained on the map whether the materials contained on the map are provided by the City of Los Angeles, or a third party.

N W E S

Los Angeles Department of City Planning - Information Technologies Vincent P. Bertoni - Director

Copyright © September 5, 2017 Department of City Planning All Rights Reserved

12 Mitchell Englander
7 Monica Rodriguez
6 Nury Martinez
3 Bob Blumenfield
2 Paul Krekorian
4 David Ryu
5 Paul Koretz
1 Gilbert Cedillo
13 Mitch O'Farrell
11 Mike Bonin
14 Jose Huizar
10 Herb J. Wesson, Jr.
9 Curren D. Price, Jr.
8 Marqueece Harris-Dawson
15 Joe Buscaino