

January 22nd, 2017

Re: AUMA Amendments PC-16-100 proposed by CSD Planning Department 161209



Dear Councilmember Lorie Zapf,

We at the Ocean Beach Planning Board appreciate the City's desire to be proactive in enacting legislation related to the safe growth, sales, and consumption of cannabis in light of the landslide decision by both California and San Diego voters to legalize the substance. We are also appreciative of the San Diego Planning Community's willingness to create new zoning to enable a clear and enforceable compliance path for new businesses.

However, as a local Planning Group we are outraged at the Planning Department's attempt to leverage the land use code as a means to continue prohibition of Cannabis against the will of the voters of San Diego. In 2016, all 9 City Council districts voted overwhelmingly in favor of Prop 64. Ocean Beach voted overwhelmingly to pass the measure with 81% in favor. San Diegans are looking to our local leadership for a thoughtful and responsible approach to zoning regulations in regards to the Adult Use Marijuana Act.

The December 9th, 2016 amendments to the Municipal Code proposed by the Planning Department, are just the opposite, prohibiting the following uses within City Limits:

- Cultivation and processing
- Transportation
- Distribution and storage
- Testing

Below is a link to the amendments presented to the Planning Commission on December 15th, 2016. [PC-16-100 Adult Use of Marijuana Act Amendments.pdf](#)

The meeting minutes from that hearing have not been published yet, but a video transcript is available on their website: http://granicus.sandiego.gov/MediaPlayer.php?view_id=8&clip_id=6845. **In summary, the Planning Commission completely disagreed with the approach proposed by the Planning Department. Instead the Planning Commission took an opposite position, suggesting to strike the prohibitory language added to the Municipal Code.**

The Planning Department has disregarded this suggestion, and has moved forward with their original language in PC-16-100. This is irresponsible, not in line with the intent of the voters, and not a sensible approach for cannabis use in San Diego.

Support of the supplemental trades of the cannabis industry is critical to the safe delivery of the product within our region. Without creating a safe full supply-chain, the providers of these services will likely end up operating in the unregulated and dangerous black market. Moreover, by prohibiting these use types San Diego will lose local jobs in an industry that is predicted to bring in \$25 billion in revenue to the state of California.

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The Ocean Beach Planning Board is recognized by the City of San Diego as the primary advisory group for land use and land development issues in the Ocean Beach Community, and exists, in part, to advise the City on amendments to the Land Development Code. Ocean Beach is home to the top marijuana-related clothing brand *Seedless*, which has been in operation and a staple to our community since 1992. Furthermore, we are home to one of the foremost local marijuana testing labs, *Pharm Labs*. The December 9th, 2016 amendments put forward by the Planning Department effectively bans all cannabis-related enterprise within the Ocean Beach Planning District.

We applaud the Planning Commission's wholesale dismissal of the prohibitions set forth by the Planning Department, and request that you oppose the amendments to the Municipal Code proposed in PC-16-100.

We recommend the following:

- A CUP process is created for cultivation and processing, transportation, distribution and storage of cannabis products.
- Cultivation and processing, along with distribution and storage should be relegated to agricultural and industrial zones due to their need for large buildings or acreage.
- Testing, a scientific process requiring only a small space, should be allowed in commercial zones and should not be subject to a distance requirement to parks which effectively excludes the entirety of Ocean Beach.

The Ocean Beach Planning Board commends the City on a proactive approach to cannabis, but we very concerned that the "broad-brush stroke" approach put forward by the Planning Department does not align with the will of the community nor the General Plan. San Diego's City of Villages development strategy is based on the goal to create "mixed-use activity centers that serve as vibrant cores of our community." To create vibrant and sustainable communities, we need responsible, area-specific approaches to regulating new use types. The amendments put forward by the Planning Department are just the opposite, and do not reflect a fully developed, well thought out, area-specific approach to Cannabis use in our community.

Please stand with the Ocean Beach Planning Board: oppose the amendments put forward by the Planning Department with PC-16-100, and work with the Planning Commission to craft new language that promotes a responsible, area-specific approach to regulating land use for Cannabis in our community.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Ambert', written in a cursive style.

John Ambert, AIA, LEED AP BD+C

[Ocean Beach Planning Board](#), *Chair*

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