

AN INITIATIVE AMENDING SOLANA BEACH MUNICIPAL CODE TO REPEAL CURRENT PROHIBITIONS ENTIRELY AND ALLOW COMMERCIAL CANNABIS (MARIJUANA) RETAILERS IN NON-RESIDENTIAL ZONES AND MARIJUANA DELIVERIES AND CERTAIN CULTIVATION IN ALL ZONES IN THE CITY OF SOLANA BEACH

Currently, all commercial cannabis activities, including marijuana dispensaries, sales, deliveries, cultivation and processing are prohibited in the City of Solana Beach, consistent with state and federal law. This initiative would repeal existing prohibitions and authorize two marijuana dispensaries without size restrictions in office professional, general commercial, special commercial, light commercial and light industrial zones (a combined land area of 0.3 square miles). Every dispensary could sell medical marijuana and/or adult use (recreational) marijuana. Marijuana activities permissible under the initiative are currently illegal under federal law. The initiative allows indoor non-medical cultivation pursuant to state law and a 1.25% tax on recreational marijuana sales. It does not tax medical marijuana sales or deliveries. The initiative allows cannabis businesses to open between the hours of 7:00 a.m. and 10:00 p.m. every day of the week and allows deliveries of marijuana at all hours to every home and business in every zone with five orders permitted per trip and no restriction on the number of trips, delivery vehicles or total deliveries. Dispensaries would not be located within 600 feet of one another or a public school, but could be located near private schools, daycare centers or youth and community centers.

The initiative allows artificial lighting to keep immature marijuana plants alive and permits the sale of up to six plants per person per transaction with no limits on the number of transactions per day. It prohibits cultivation at the dispensaries, but allows personal indoor marijuana cultivation consistent with California law and medical marijuana cultivation of 12 plants per qualified patient and up to 24 marijuana plants per premises if two qualified patients reside therein. The initiative allows parolees and probationers to live on premises where marijuana is being grown with written confirmation of their allowed medical marijuana use. Medical marijuana cultivation would not be allowed within 1,000 feet of schools, community centers or parks and not on premises with any religious or youth-oriented facilities or child care center. The initiative includes operational conditions on commercial marijuana activities, including signage, security cameras, alarm systems, business records maintenance for two years, and separate lobby and counter spaces.

The initiative establishes a \$2,500 application fee without a fee study. It includes a process under which the City of Solana Beach would be required to rank marijuana business applicants' floor plans, product mixes and business models. Applicants would describe how they will cater to visitors and represent Solana Beach in their marijuana businesses. The initiative would allow minors who are qualified patients to enter dispensaries if accompanied by a parent or guardian. If any of the initiative's provisions are declared unconstitutional, the initiative's remaining provisions would stay in effect to the fullest extent possible.

If the initiative passes, it can only be amended or repealed by a vote of the people.