

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE MB

Manhattan Beach prohibits commercial cannabis activity in the City. Measure MB, which was placed on the ballot by a petition signed by the requisite number of voters, would repeal such prohibition and allow for the retail sale, cultivation, manufacturing, distribution and testing of cannabis in the City.

Measure MB provides that three cannabis retailers shall be a permitted use by right on property that is located (1) in certain commercial districts, subject to exceptions, (2) more than 1,000 feet from identified schools and youth centers, and (3) more than 850 feet from identified day care centers. Measure MB identifies the specific schools, youth centers and day care centers that are subject to the separation requirements.

If Measure MB is approved by a majority of the voters: the City Council will not be able to increase or reduce the number of permitted retailers, but may issue cultivation, manufacturing, distribution and testing laboratory permits for cannabis; and the City Manager shall adopt an application process that contains rules for submission, intake and approval. Measure MB establishes a point system for evaluating and ranking applicants. The City Manager shall make all decisions in reviewing and issuing permits, with the City Council having a limited role in publicly ranking tied applicants pursuant to specified criteria. If the number of retailer permits falls below three, the City Manager shall open a new application period.

Measure MB imposes operational and design requirements on cannabis businesses including, but not limited to, requirements related to security, community relations, odor control, and signage. The City Manager is authorized to impose additional operational requirements necessary to protect the public health, safety, and welfare. Measure MB also requires background checks of owners and managers of a cannabis business, and annual reviews conducted by the City Manager. The City Manager may suspend or revoke a cannabis business permit under certain circumstances, which decision is appealable to the City Council.

Measure MB does not impose a tax on cannabis businesses, but businesses receive points if they pledge to provide a financial contribution equal to 2% of projected gross receipts to a public school or public park located within the City, and/or to a public or nonprofit community organization serving the City or its residents.

The above statement is an impartial analysis of Measure MB. If you desire a copy of Measure MB, please call the City Clerk's Office at (310) 802-5056 and a copy will be mailed at no cost to you.

A "Yes" vote allows for permitting of three cannabis retailers in Manhattan Beach, and potentially other cannabis businesses.

A "No" vote is a vote against the establishment of cannabis businesses in Manhattan Beach.

/s/ Quinn Barrow
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