



NEIGHBORHOOD COUNCILS

NEIGHBORHOOD COUNCIL #4
TUESDAY, APRIL 19, 2022, 7:00 p.m.
SIMI VALLEY LIBRARY COMMUNITY ROOM*
2969 TAPO CANYON ROAD

***NOTE REVISED LOCATION**

AGENDA

| | |
|----------------------|---------------------------------|
| NC #4 Chair | Joe Piechowski |
| NC #4 Vice Chair | Kyle Marks |
| NC #4 Secretary | Michelle Scharf |
| CS Coordinator | Emily Habib |
| City Council Liaison | Mayor Pro Tem Elaine P. Litster |

1. Call to Order/Welcome/Pledge of Allegiance

2. Agenda Review

3. Approval of Minutes

4. Correspondence

5. Public Statements/Comments

This is the time allotted for public statements or comments on matters within the subject matter and jurisdiction of the Executive Board not on the agenda. Statements and comments are limited to no more than three (3) minutes per speaker.

6. Informational Presentation

City Budget Update

7. New Business

Consideration of Cannabis Businesses in Simi Valley

8. Community Services Coordinator's Report



9. Executive Board Comments

This is the time allotted for Executive Board member statements or comments on matters within the subject matter and jurisdiction of the Neighborhood Councils, to request a future agenda item, or to give an Ad Hoc Committee Report. This is also the time to make any announcements related to community events and other items of interest.

10. Adjournment: Tuesday, May 17, 2022, 7:00 p.m.

/s/

Yvette Moore
Administrative Officer

If any interested individual has a disability that may require accommodation to participate in this meeting, please contact the Community Services Coordinator at (805) 583-6756. Upon advance notification, reasonable arrangements will be made to provide accessibility to the meeting.

DRAFT MINUTES

1. Call to Order/Welcome/Pledge of Allegiance

Vice Chair Kyle Marks called the meeting to order at 7:01 p.m. He also confirmed that a quorum was present.

| | | | |
|----------------|---|--------------------------------|---|
| Michael Murphy | P | Michelle Scharf | E |
| Nora Frost | P | Vacant | |
| Bobby Calderon | P | Vacant | |
| Brian Kane | P | Vacant | |
| Adam Greenberg | P | Vacant | |
| Kyle Marks | P | Vacant | |
| Joe Piechowski | E | P=Present; E=Excused; A=Absent | |

2. Agenda Review

No changes were made to the agenda.

3. Approval of Minutes

A motion was made by Nora Frost and seconded by Bobby Calderon to approve the February 15, 2022 minutes as presented. The motion passed.

4. Correspondence: None

5. Public Statements/Comments: None

6. Informational Presentations

a. Input on the first draft of the Ventura County Multi-Hazard Mitigation Plan (Plan)

Eileen Connors, Emergency Services Manager, provided a brief overview of the draft Plan. It emphasizes pre-disaster planning for natural and man-made disasters with an emphasis on strong, integrated state and local planning. She described the public review process and requested input on the draft Plan from Executive Board members and the public.

b. Overview of allowable parking locations on residential properties

Christian Ferris, Code Compliance Officer, gave the presentation. He informed Executive Board members that the City will resume enforcement of residential off-street parking standards on July 1, 2022. Enforcement will affect all residents who park in unapproved locations, on unpaved surfaces, and/or have additional paving in their front yards with no zoning clearance. He then updated them on the current standards.

7. New Business
 - a. Nomination of a Representative to the Community Projects Grant (CPG) Review Committee

By consensus of the Executive Board, Bobby Calderon was elected the representative to the Community Projects Grant (CPG) Review Committee and Adam Greenberg was elected the alternate.
 - b. Nomination of a Representative to the Program for Public Information (PPI) Committee

By consensus of the Executive Board, Kyle Marks was elected the representative to the Program for Public Information (PPI) Committee and Brian Kane was elected the alternate.
8. Community Services Coordinator's Report

Emily Habib informed Executive Board members that recruitment for the July 2022 term had concluded and this recruitment would complete a full 13 member NC 4 Executive Board.
9. Executive Board Comments: None
10. Adjournment: Tuesday, April 19, 2022, 7:00 p.m.

By the consensus of the Executive Board, the meeting was adjourned at 8:05 p.m.

CITY OF SIMI VALLEY • MEMORANDUM

DATE: April 1, 2022
TO: Neighborhood Council Executive Boards
FROM: Samantha Argabrite, Deputy City Manager
SUBJECT: CONSIDERATION OF CANNABIS BUSINESSES IN SIMI VALLEY

At the February 28, 2022 City Council meeting, the City Council received a staff report providing a summary of the history of cannabis consideration in the City, including the 2018 advisory ballot measures, both of which failed. The report also provided a summary of the permitted cannabis related activities throughout Ventura County.

Following the presentation, the City Council directed staff to present the cannabis information to the Neighborhood Council Executive Boards and conduct a poll of the Executive Boards and at-large members regarding locating cannabis related businesses in Simi Valley. The poll is included as Attachment A.

It is recommended that the Neighborhood Council members review the staff report (Exhibit 1) prior to their respective meeting, and come prepared to vote on their preferences for locating various cannabis related businesses in Simi Valley.

Prepared by: Samantha Argabrite, Deputy City Manager

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| Attachment A – Cannabis Poll..... | 2 |
| Exhibit 1 – February 28, 2022 Staff Report Packet | |

Neighborhood Councils Poll Regarding Cannabis in Simi Valley

The Simi Valley City Council is considering whether to permit cannabis businesses in the community. Which of the following do you support allowing in Simi Valley? Please circle **YES** or **NO** for each item and return to the Neighborhood Council Coordinator.

Thank you for your participation.

| | | | |
|----|--|------------|-----------|
| 1. | Operation of retail cannabis dispensaries, i.e. Storefront operations in shopping centers or office buildings | Yes | No |
| 2. | Operation of medical cannabis dispensaries, i.e. Storefront operations in shopping centers or office buildings | Yes | No |
| 3. | Operation of cannabis manufacturing facilities, i.e. The processing of cannabis within industrial buildings | Yes | No |
| 4. | Operation of cannabis testing laboratories, i.e. The testing of cannabis materials within an industrial building | Yes | No |
| 5. | Operation of cannabis cultivation businesses, i.e. The growing of cannabis within industrial buildings | Yes | No |
| 6. | Operation of cannabis distribution businesses, i.e. Processing and distributing cannabis for delivery to end user or retailers | Yes | No |
| 7. | Operation of lounges/events that allow cannabis consumption on site | Yes | No |
| 8. | Operation of cannabis related recreational activities; for example, cannabis yoga, cannabis cooking and baking classes | Yes | No |

**CITY OF SIMI VALLEY
MEMORANDUM**

February 28, 2022

TO: City Council

FROM: Office of the City Manager

SUBJECT: DISCUSSION AND POSSIBLE ACTION REGARDING CANNABIS IN THE CITY OF SIMI VALLEY

STAFF RECOMMENDATION

Staff recommends that the City Council review and discuss the results of the 2018 City cannabis measures placed on the ballot and provide direction to staff.

BACKGROUND AND OVERVIEW

During the January 24, 2022, City Council meeting, the City Council requested to review and discuss the results of the cannabis measures that the City placed on the ballot in 2018.

FINDINGS AND ALTERNATIVES

During the 2018 General Municipal Election, the City Council placed three measures on the ballot related to cannabis. The first measure was to determine whether cannabis sales in the community should be taxed. This measure was in response to cannabis deliveries in the community and the expectation that future state law would preempt cities from prohibiting cannabis sales and retail locations in their respective jurisdictions. The other two measures were advisory measures to determine the community's tolerance for legalized cannabis sales in the community.

Currently, state law allows cannabis retailers to deliver to any jurisdiction. Cannabis retailers delivering to Simi Valley must obtain a Business Tax Certificate and register with the City to ensure that the proper tax is collected. On average, the City collects approximately \$15,000 annually through cannabis deliveries in the community.

The questions as they were posed to the voters are provided as follows:

Measure Q:

| | | |
|--|------------|---------------|
| Shall the measure to fund, for unrestricted general revenue purposes such as public safety, infrastructure, and streets, which taxes cannabis (marijuana) businesses at annual rates not to exceed \$10.00 per canopy square foot for cultivation (adjustable for inflation), 6% of gross receipts for retail cannabis businesses, and 4% or less for all other cannabis businesses, generating an unknown amount of revenue and levied until repealed by the voters or the City Council be adopted? | YES | 31,171 |
| | NO | 15,718 |

A total of 46,889 individuals weighed in on the question whether cannabis should be taxed in Simi Valley. In a margin of more than two to one, voters affirmed that if there are cannabis sales in the community, they should be taxed.

The following two questions were posed to the voters as advisory measures; a vote on an advisory measure is non-binding and will not change the law. It is a method to gauge voter support or opposition on a particular issue.

Measure R - Advisory:

| | | |
|---|------------|---------------|
| Shall the City Council allow marijuana related businesses, such as cultivation, manufacturing, distribution, testing facilities, and deliveries to operate in the City? | YES | 23,609 |
| | NO | 25,588 |

A total of 49,197 individuals voted on Measure R, with 23,609 “yes” votes and 25,588 “no” votes. The majority of voters (1,979 more voted “no”) did not support marijuana businesses being allowed to operate in the City.

Measure S - Advisory:

| | | |
|---|------------|---------------|
| If the City allows marijuana related businesses to operate in the future, should those businesses be limited to operate only in the City’s Sexually Oriented Business Overlay Zone? | YES | 21,663 |
| | NO | 25,979 |

A total of 47,642 individuals voted on Measure S, with 21,663 “yes” votes and 25,979 “no” votes. The majority of voters (4,316 more votes) favored that, if the City allows marijuana related businesses to operate in the future, those businesses should not be limited to

operate only in the City's Sexually Oriented Business Overlay Zone (Attachment A, page 6).

Should the City Council wish to receive community input on allowing cannabis in the City, an advisory measure may be placed on the November 8, 2022, ballot during the General Municipal Election. To do so, staff would include language for the advisory measure in the resolution when the City officially calls for the election in June 2022. The cost to include the measures on the 2018 ballot were approximately \$9,200 for each. Staff estimates the cost will be slightly higher to include a measure during the 2022 General Municipal Election due to increased printing and mailing costs.

While the 2018 ballot measures provided voter sentiment, there is no requirement to formally poll voters again on the issue prior to moving forward with allowing sales of cannabis in the community. The City Council could direct staff to return at a future meeting with a revision to the Municipal Code allowing for cannabis sales in the community. Alternatively, the City Council could direct staff to present the issue to the Neighborhood Councils for feedback.

If the City Council elects to place an advisory ballot measure before the voters on the 2022 General Municipal Election, staff recommends the City Council direct staff to return with proposed language for a ballot measure to address the desired questions.

Staff surveyed the cities in Ventura County to determine where cannabis related activities are permitted. The results are provided below.

- The City of Port Hueneme not only allows for recreational cannabis sales in the city, but on Monday, February 7, 2022, the City Council approved four, two-day cannabis events in 2022 where sales and consumption will be permitted. In fiscal year 2020, the city collected \$2.2 million from cannabis dispensaries. In December 2021, the City Council directed staff to revise the city's cannabis ordinance to allow for consumption in designated lounges.
- The City of Ojai allows for recreational cannabis dispensaries. According to the *Ventura County Star*, as of November 2021, Ojai had three dispensaries operating in the city and two manufacturing businesses going through the permitting process. Currently, dispensaries are permitted in Manufacturing Districts and are not permitted in General Commercial Districts.
- In the City of Oxnard, the city set a deadline of January 2021 for businesses to apply for a cannabis retail permit. By the deadline, 51 businesses applied and 16 were selected to apply for a special use permit to begin selling cannabis in the City. As of February 23, 2022, the Planning Commission has approved special use permits for fourteen applicants.

- During its November 17, 2021, meeting, the City of Moorpark adopted an ordinance that permits industrial hemp businesses, including testing labs, and CBD retailers in the city.
- The City of Ventura has adopted a regulatory and zoning ordinance for cannabis in the city. On February 8, 2021, the City Council adopted a resolution for the maximum number of businesses and buffers from sensitive uses. The maximum number of storefront and non-storefront retailers and microbusinesses is five. There is a maximum of 10 manufactures, distributors, and testing labs. The city received 25 applications for consideration and according to the timeline listed on the city's website, the City Manager will make his final selection by June 2022 following evaluations, interviews, scoring and a public meeting.
- The City of Thousand Oaks allows for medical cannabis dispensaries in industrial zones and has two locations.
- The City of Santa Paula currently allows testing but bans all other commercial cannabis activities. Santa Paula voters approved a cannabis tax in 2018.
- The City of Camarillo currently prohibits cannabis businesses of any type in the City, including cultivators, manufacturers, distributors, retailers, and testing laboratories.
- The City of Fillmore prohibits the sale of recreational and medical marijuana and commercial cultivation.

The following alternatives are available to the City Council:

1. Direct staff to return with language for an advisory cannabis measure(s) to be included during the November 2022 General Municipal Election;
2. Direct staff to return with a revision to the Municipal Code allowing for the sale of medical and/or recreational cannabis in the City;
3. Direct staff to poll the Neighborhood Councils regarding the sales of cannabis in the City;
4. Receive and file this report.

Staff has no recommendation.

SUGGESTED CITY COUNCIL MOTION

I move to:

Direct staff to return with language for advisory cannabis measure(s) to be included during the November 2022 General Municipal Election;

OR

Direct staff to return with a revision to the Municipal Code allowing for the sale of medical and/or recreational cannabis in the City;

OR

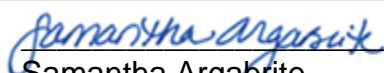
Direct staff to poll the Neighborhood Councils regarding the sales of cannabis in the City;

OR

Receive and file this report.

SUMMARY

During the January 24, 2022, City Council meeting, the City Council requested to review and discuss the results of the cannabis measures that the City placed on the ballot in 2018. Staff recommends that following the City Council's review and discussion, the Council provide direction to staff.


Samantha Argabrite
Deputy City Manager

Prepared by: Samantha Argabrite, Deputy City Manager

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City of Simi Valley Sensitive Uses Overlay

