



AGENCY: City Council  
MEETING DATE: October 25, 2021  
DEPARTMENT: Community Development  
PRESENTED BY: H. Gurewitz  
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## AGENDA ITEM SUMMARY

### **TITLE:**

**Receive Report and Provide Direction to Staff on Whether the City Should Establish a Limit on the Total Number of Cannabis Dispensaries Allowed in the Central Business District (CBD) or Other Commercial Districts**

### **ISSUE:**

On Monday, September 27, 2021, the City Council approved an urgency ordinance placing a 45-day moratorium on the approval of applications and permits for cannabis dispensaries in the Inland Zone of Fort Bragg. In the City Manager's staff report, the purpose of the moratorium was to allow Council to consider several issues which included whether cannabis dispensaries should be limited in total number or location throughout the commercial districts in the City.

### **ANALYSIS:**

Currently, there is no limit on the number of cannabis dispensaries allowed in the City, though the use is limited to locations only in the Central Business District, General Commercial, and Highway Visitor Commercial districts in the Inland Zone of the City. If the Council would like to consider further limiting the number of cannabis dispensaries, it could consider some of the following options:

- Place an overall total limit on the number of cannabis dispensaries allowed in the City;
- Place a limit on the number of cannabis dispensaries allowed in a particular district;
- Limit how close a cannabis dispensary can be to another cannabis dispensary;
- Create a cannabis overlay zone that identifies specific areas of town where cannabis dispensaries can be allowed.

If the Council wishes to establish a limit, some methods to consider include:

1. Population
2. Geographic location
3. Local knowledge

An example of a **population based limit** would be the California Department of Alcohol and Beverage Control (ABC) limit, used for off-sale alcohol licenses. The ABC has a limit of one off-sale (consumption off-site) license for every 2,500 people. According to the 2020 US Census, the City of Fort Bragg's population is approximately 7,200 people within the City limits. This would translate to a total of 3 dispensaries allowable. However, licenses from the ABC are based on the census tract not the City population. Using just the City's population does not take into account the outlying areas that are served by the City resulting in this lower number because it doesn't take into account the whole population that shops, eats, and works in Fort Bragg.

**Geographically**, Council could decide to create an overlay zone that limits where dispensaries can be located based on the existing constraints of youth centers and residential uses. An overlay zone would show exact locations where dispensaries could be allowed. Based on the Planning Commission’s interpretation of the existing code, and taking into account the 600-foot buffer required around potential youth centers an overlay zone may look similar to the map below:



Note that the map only relates to inland commercial zones, because cannabis retail is currently not a permitted use in the coastal zone within the City limits. The red highlighted areas indicate the areas of the commercial district that are not across the street or alley from residential use and that are not within 600 feet of anything that may be considered a youth center, to the best of staff’s knowledge.

A limit could also be placed based on the **location** of dispensaries. For example, “no more than one dispensary within 300 linear feet of another dispensary or within one city block of another dispensary.”

**Local Knowledge.** Alternatively, the Council may elect to choose a set total number of allowable dispensaries based on local expertise in an effort to prevent the overconcentration of cannabis dispensaries city-wide or in one particular zone. While this may not be a scientific way of determining the number of allowable dispensaries, it recognizes that the City Council represents the people of Fort Bragg and that the members of the Council have valuable knowledge and insight.

**RECOMMENDED ACTION:**

Provide direction to staff on how Council would like to proceed with determining if a limit should be placed on the number or location of dispensaries allowed in the City.

**ALTERNATIVE ACTION(S):**

Provide alternative direction.

**FISCAL IMPACT:**

No significant fiscal impact.

**GREENHOUSE GAS EMISSIONS IMPACT:**

Not applicable.

**CONSISTENCY:**

Any updates to the Inland Land Use and Development Code must be consistent with the Inland General Plan.

**IMPLEMENTATION/TIMEFRAMES:**

To be determined.

**NOTIFICATION:**

1. Brandy Moulton
2. Hrant Ekmekjian
3. Chelsea Haskins
4. Danny Schultz
5. Brittany Biesterfeld
6. Cannabis Notify Me subscriber list