

## BALLOT TITLE AND SUMMARY

Title:

An Initiative to Allow Operation of Cannabis Businesses That Previously Operated Illegally, In Violation of the Pasadena Municipal Code

Summary:

The purpose of the proposed Measure is to modify the Pasadena Municipal Code as adopted by the voters when they approved Measure CC in June of 2018 in three primary ways.

First, the proposed Measure would amend Pasadena Municipal Code Chapter 5.78 (Commercial Cannabis Activity) to allow cannabis businesses that operated in violation of the Municipal Code in 2018 to operate without the required City commercial cannabis permit until December 31, 2024, unless such businesses were convicted of a crime in 2018. This would allow such businesses to operate without a permit required of other commercial cannabis businesses, until December 31, 2024. The Measure would require cannabis businesses that operated in violation of the Municipal Code in 2018 to obtain that permit as of January 1, 2025, although it is unclear what the criteria for issuance of such permit would be. The Measure would also prohibit the City from ordering such businesses to discontinue or to modify their operations and would prohibit the City from removing or declaring such businesses to be a public nuisance based solely on their engagement in commercial cannabis activities. The Measure would remove provisions from Measure CC that protected all commercial cannabis businesses from unfair lease rental terms.

Second, the proposed Measure would amend Pasadena Zoning Code Section 17.50.066 (Cannabis Businesses) to allow such commercial cannabis businesses that are operating without a City land use permit to operate at their current location. Such businesses would not have to comply with the separation and distance requirements from sensitive uses such as schools, places of worship, and residential properties set forth in Pasadena's Zoning Code that apply to all other commercial cannabis businesses. The Measure is unclear as to whether such businesses must apply for a land use permit after December 31, 2024. The Measure would allow an increase in the number of commercial cannabis businesses above the limits set by Measure CC of six retailers total and no more than one per Council district.

Finally, the Measure requires the City of Pasadena to pay the legal expenses of the Measure's proponents if the City does not defend the Measure against a legal challenge and should the proponents take up such a defense, regardless of whether the proponents win or lose.