



Receive and File Report: Cannabis Special Events Feasibility Study

City Council Meeting – October 22, 2024

City Council Request

August 6, 2024

Recommendation to request City Manager to work with the Office of Cannabis Oversight and all relevant departments to conduct a feasibility study on hosting temporary cannabis special events within City limits, including types of appropriate venues, and report back with Council presentation in 60 days.

Cannabis is a legal and growing industry in California, and therefore, as regulators, we must not treat it any differently than regulating alcohol or tobacco. It is our responsibility to help destigmatize cannabis by providing education on what is legal as well as best practices in other jurisdictions.

Feasibility Study Framework

Research

State regulations and best practices in other jurisdictions

Internal Policy Discussions

Special Events & Filming, Business License, Fire, Police, Health & Human Services

Community Engagement

Online survey and roundtables discussions

City Council Update

Comprehensive Report

Internal Policy Team

City Manager

Office of
Cannabis
Oversight
Special
Events &
Filming

Financial Management

Business
Services
Bureau

Health & Human Services

Environmental
Health Bureau
Community
Health Bureau

Fire Department

Police Department

Focus Area: The internal policy discussions were focused on large-scale cannabis special events with onsite consumption due to interdepartmental coordination needed to ensure event safety.

Department of Cannabis Control Regulations

- Temporary cannabis events are defined as multi-day events, ranging from one to four days, where cannabis can be sold and consumed.
- Temporary cannabis events **may only be attended by persons 21 years of age or older.**
- Cannabis goods **may only be sold by a licensed cannabis retailer** (storefront or non-storefront) at a temporary cannabis event.

Department of Cannabis Control Regulations Cont'd

- Temporary cannabis events are hosted by an event organizer or promoter who is responsible for coordinating all aspects of the event, including maintaining the event space and hiring security.
- The event organizer must obtain a *Cannabis Event Organizer License* and *Temporary Cannabis Event License* issued by the Department of Cannabis Control, as well as approval by the local jurisdiction where the event will be hosted.
- Temporary cannabis events may only be held at a county fair event, district agricultural association event, or at another venue expressly approved by a local jurisdiction.

Department of Cannabis Control Regulations Cont'd

- A temporary cannabis event license shall not be issued for a premises that is licensed for the sale of tobacco or alcohol. In addition, **consumption of tobacco or alcohol is prohibited on the licensed temporary cannabis event premises.**
- Cannabis consumption at a temporary cannabis event must not be visible from any public place or non-age-restricted area.
- Smoking of cannabis goods cannot take place within 1,000 feet of a school, daycare center, or youth center while children are present, and where smoking tobacco is prohibited.

Department of Cannabis Control Regulations Cont'd

Temporary cannabis events are subject to daily sales limits for both medicinal and adult-use cannabis.

	Daily Sales Limit Per Customer
Adult-Use	<ul style="list-style-type: none">• 28.5 grams of non-concentrated cannabis• 8 grams of cannabis concentrates• 6 immature cannabis plants
Medical	<ul style="list-style-type: none">• The amount documented on a valid physician's recommendation or• 8 ounces of medicinal cannabis in the form of dried mature flower• 12 immature cannabis plants

Department of Cannabis Control Regulations Cont'd

- Licensed retailers may only conduct sales activities within a designated area at a temporary cannabis event.
- Mobile sales activities by way of wagon, car, or similar means are prohibited.
- All sales of cannabis goods at a temporary cannabis event must comply with the California Cannabis Track-and-Trace (CCTT) system, also known as METRC.
- License retailers are prohibited from giving out free cannabis goods, including samples or “tastes”, and cannabis accessories.

Intent

The intent of the survey was to obtain an understanding from different stakeholders of what they want (or don't want) of cannabis special events. This includes types of events, potential policy considerations, and concerns.

The survey also asked participants if they were interested in a roundtable discussion with the Office of Cannabis Oversight.

Community Survey Results

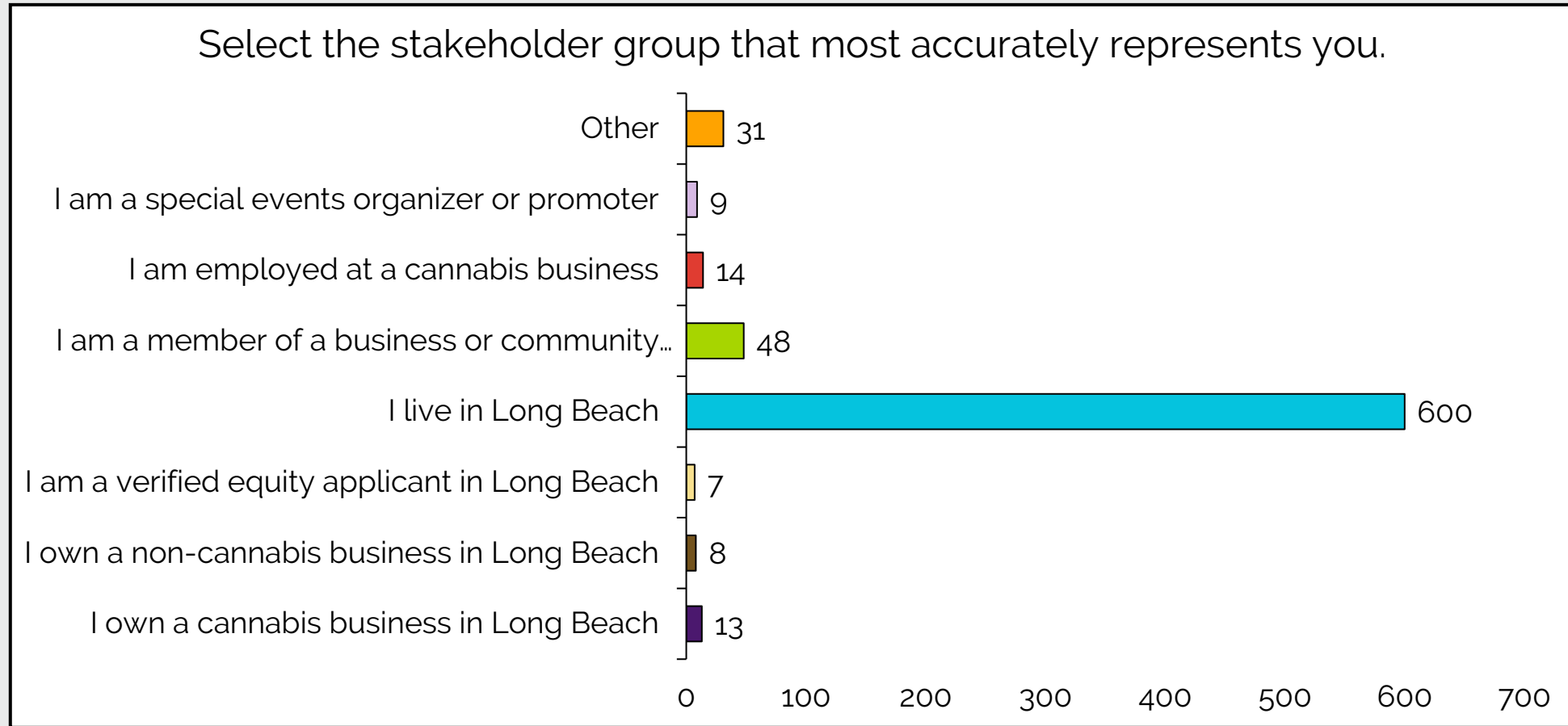
730
Responses

155
Respondents
expressed interest in
participating in a
roundtable discussion

English Survey – Released on Sept. 6th and closed on Sept. 25th

Spanish, Tagalog, and Khmer Surveys – Released on Sept. 25th and closed on Oct. 16th

Community Survey Results Cont'd

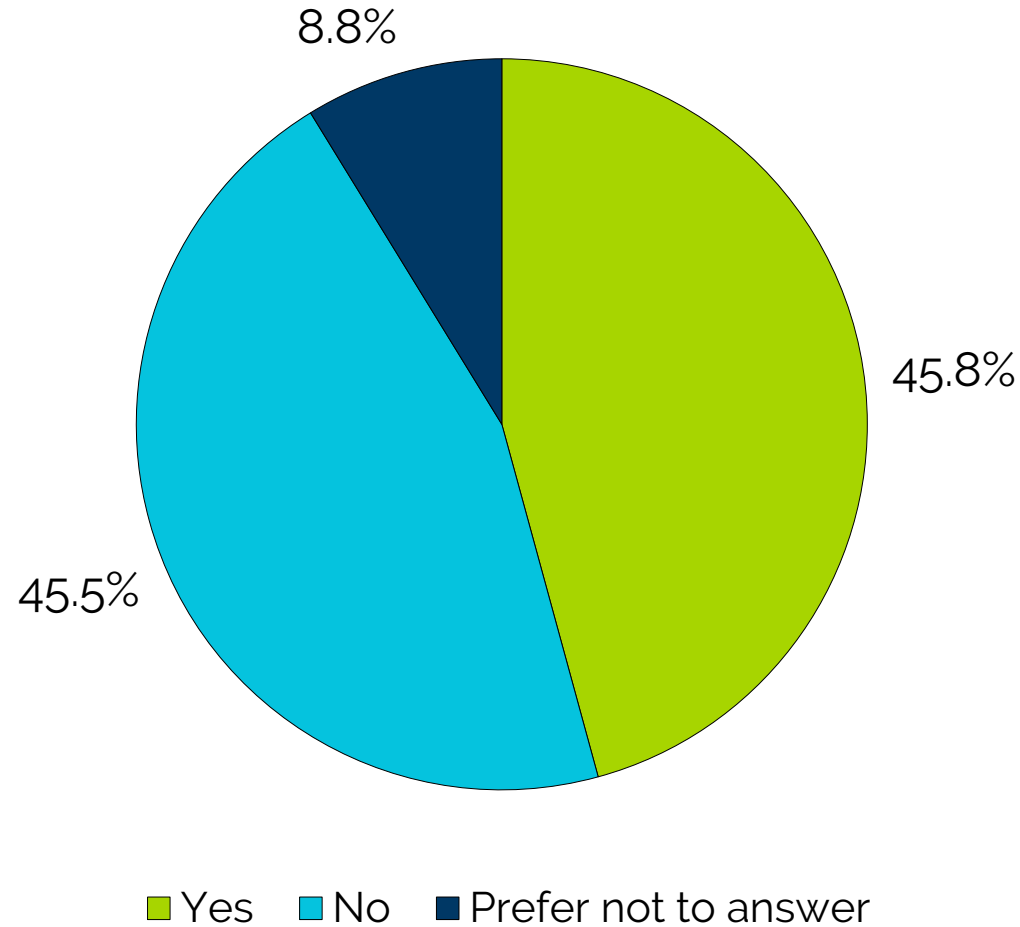


Note: This is not a demographic question.

Multiple options may be applicable to you, however, please select the one that most accurately represents you and your interests in completing this survey.

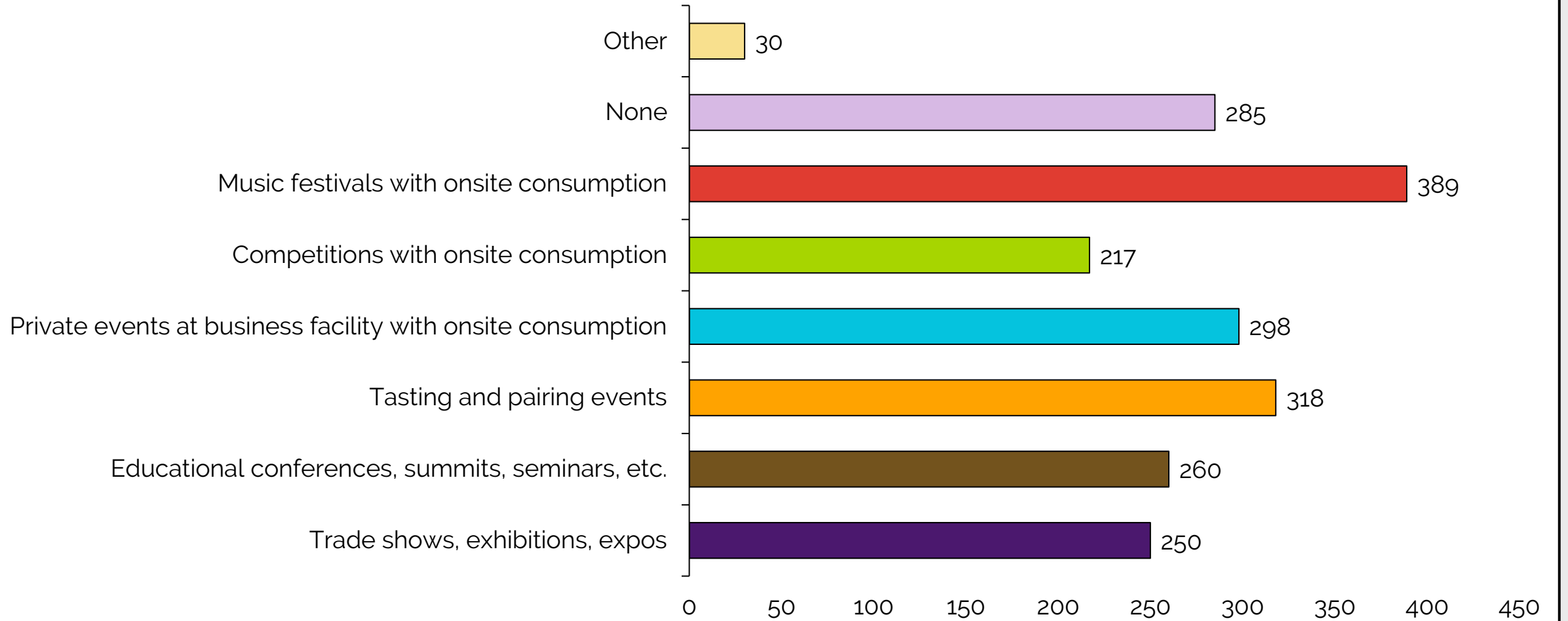
Community Survey Results Cont'd

Are you a consumer of cannabis or cannabis products?



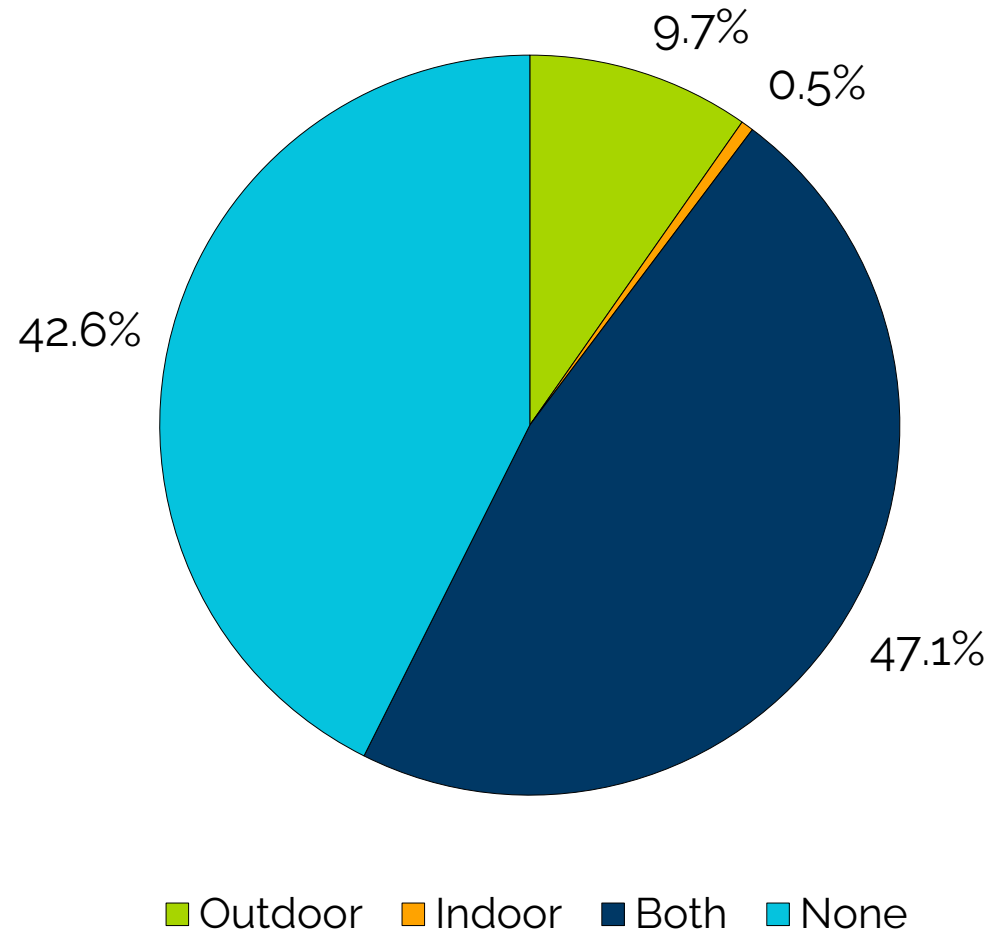
Community Survey Results Cont'd

What types of cannabis special events are you interested in?



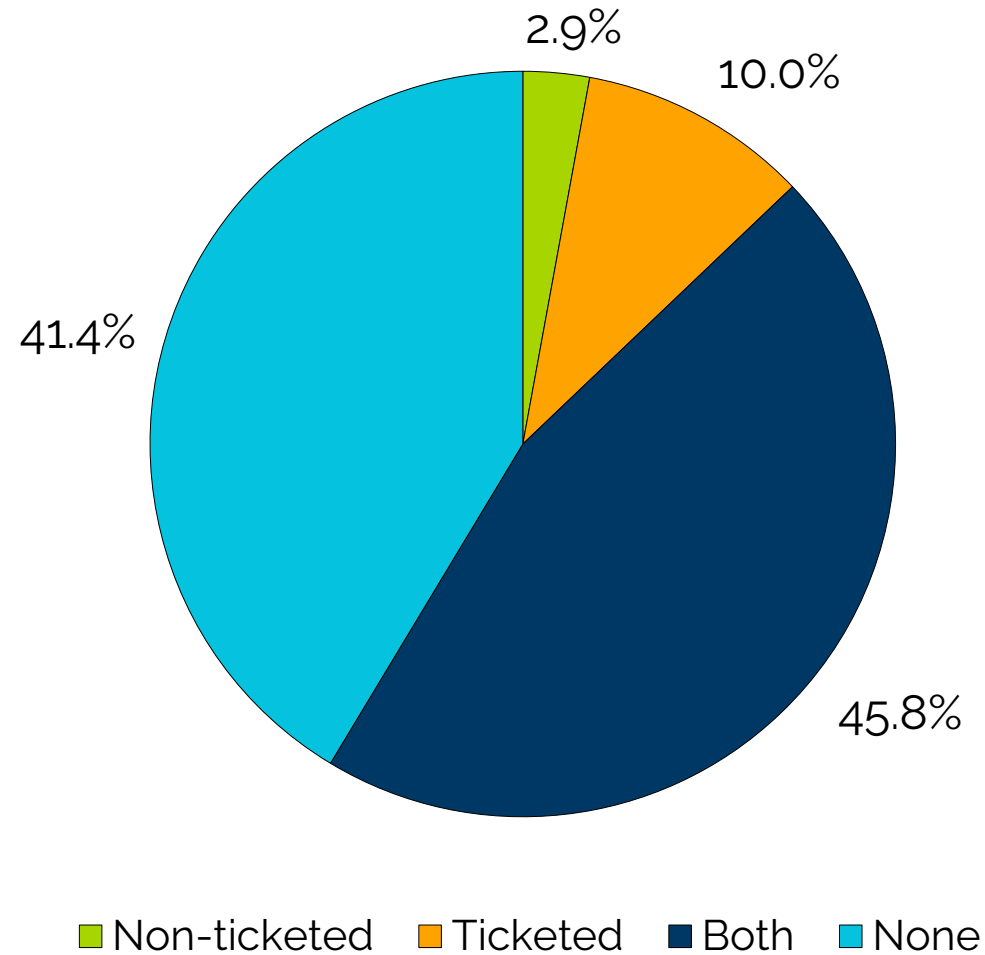
Community Survey Results Cont'd

Are you interested in outdoor or indoor cannabis special events?



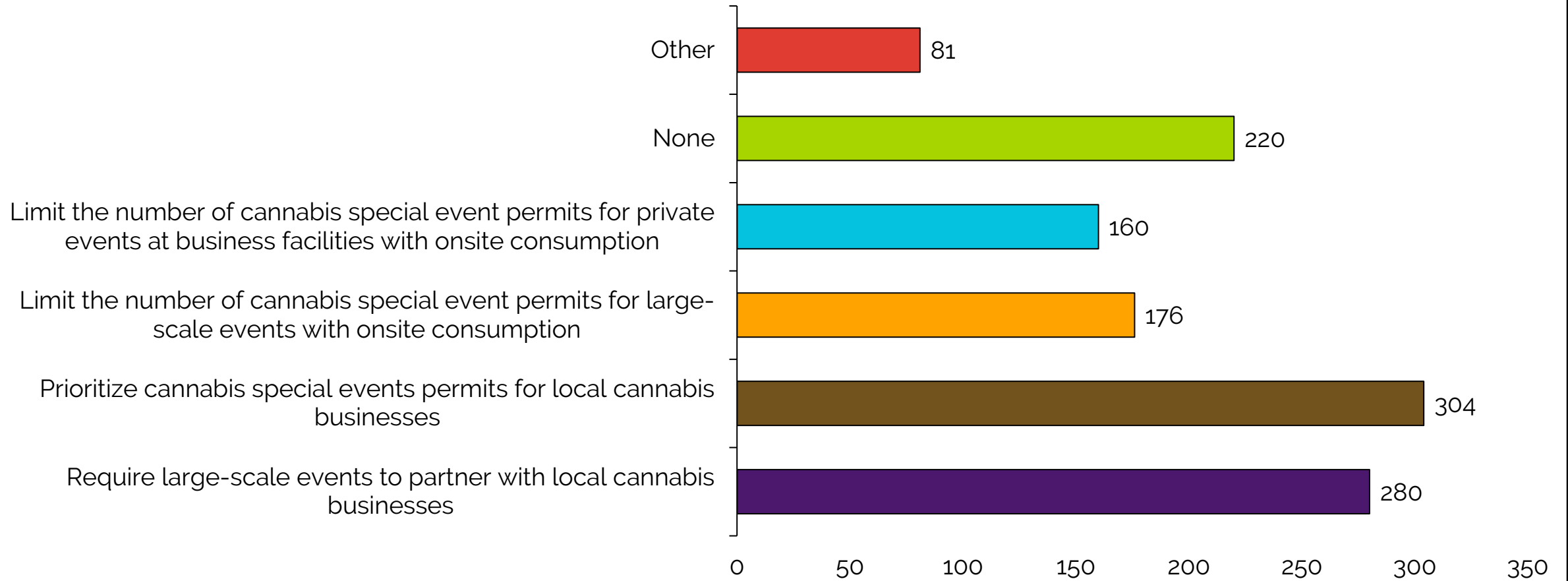
Community Survey Results Cont'd

Are you interested in non-ticketed or ticketed cannabis special events?



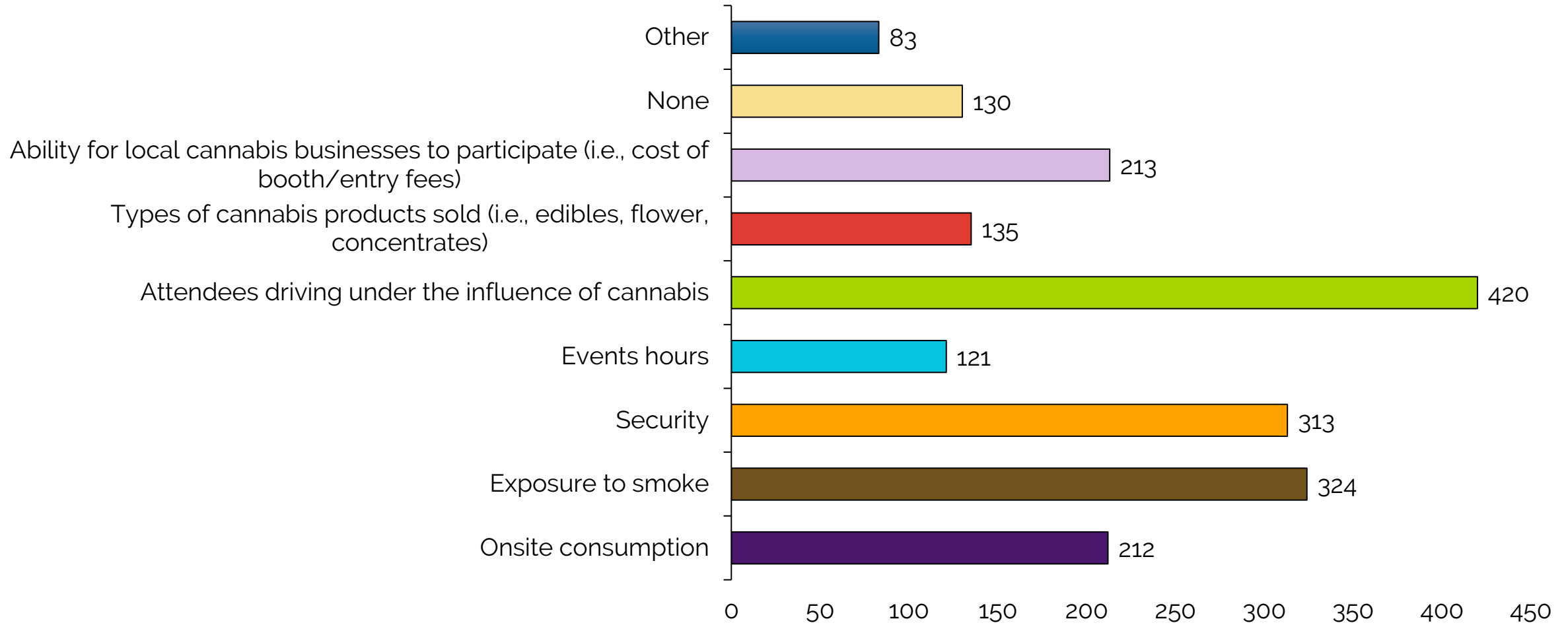
Community Survey Results Cont'd

If the City were to develop a cannabis special events ordinance, would you be interested in any of the following policy considerations?



Community Survey Results Cont'd

What concerns do you have regarding cannabis special events?



Community Survey Results Cont'd

Preliminary Themes from Written Responses

Supportive

- Prioritize local business participation
- Opportunity to increase local tourism and economy, like other cities that allow cannabis special events
- Support legal industry and diminish illicit market and underground events
- Cannabis consumption should be allowed at events, like alcohol

Concerns

- Health risks such as secondhand smoke and exposure to community, especially youth
- Concerns about driving under the influence and ability to adequately enforce, based on current staffing capacity
- Tobacco smoke is not allowed, so cannabis smoke should not be allowed either
- Concerns about cannabis consumption being allowed at all special events

Roundtable Discussions

Intent

The intent of the roundtable discussions is to delve into the responses of each stakeholder group, solicit additional feedback, as well as to provide general education on what is allowed at cannabis events per state regulations and best practices.

Roundtable Discussions Cont'd

Completed

- Long Beach Collective Association (LBCA)
- Coalition for a Smoke Free Long Beach
- Verified Equity Applicants in Long Beach

Pending

- Residents
- Business owners
- Business or community organizations
- Special events organizers/promoters
- Employees working at a cannabis business

City of Oakland

2018 – Number of permits limited to 12 per year per location, individual or entity, to prevent a specific location from becoming a “de facto dispensary” without undergoing the cannabis license application process

2023 – Limit on the number of permits removed for a one-year pilot period to foster more opportunities for equity applicants to engage consumers. Limit of the number of permits is set to be reinstated on January 1, 2025

Locations – Frank H. Ogawa Plaza (city hall)
Henry J. Kaiser Center for the Arts

City of Oakland

Example – The Emerald Cup was hosted at the Henry J. Kaiser Center for the Arts on August 17 and 18, 2024. This was a 2-day ticketed cannabis special event which included a music festival, competition, marketplace with on-site consumption, art gallery, and educational speaker sessions.

Event safety and security measures were supported by the Oakland Police Department (ODP) including Community Ambassadors, and a private security company. ODP was present on-site and within the surrounding perimeters of the venue including sidewalks, parking lots and garages. Police vehicles and roaming officers followed mutually approved strategic planning procedures to respond to any concerns or incidents during the event.

City of Sacramento

2018 – Passed a resolution authorizing the City Manager, or designee, to issue approvals and impose conditions for temporary cannabis events. Temporary cannabis event approvals must adhere to the current special events application and review process which requires all local rules to be followed prior to the issuance of a special permit.

Location – Cal Expo is 350 acres in size with eighteen different venues and facilities that can host 1,000 to 10,000 attendees. Staffed by more than 330 State police officers responsible for maintaining security and crowd control.

City of Sacramento

Example – The 2024 California State Fair was hosted at Cal Expo and this year's fair featured a "cannabis experience" including a cannabis exhibit, onsite sales, and consumption. The cannabis exhibit is an educational event showcasing the industry, history, and culture through infographics and interactive booth and product displays.

The cannabis consumption took place in a far and distinct area to preserve the family-friendly environment of the fair, protect public health and safety, and at the same time, create an immersive and enjoyable experience for consumers.

The integration of cannabis sales and consumption at the 2024 State Fair was implemented in coordination with the cannabis event organizer (Embarc), Department of Cannabis Control, Cal Expo, Cal Expo Police Department, and City of Sacramento.

City and County of San Francisco

2018 – Established a pilot program and framework for the Office of Cannabis (OOC) to issue Cannabis Event Permits authorizing cannabis sales and consumption in connection with temporary events and provide a mechanism for the temporary waiver of the local regulations restricting smoking or cannabis consumption. This framework allows the OOC to impose any permit conditions conducive to public health and safety, mitigation of adverse community impacts, prevention of underage access to cannabis, and overall event safety.

City and County of San Francisco

2019 – The Cannabis Event Permits framework was amended to add qualifications for retailers and equity criteria for cannabis event permit applicants.

The retailer qualifications stipulate that only individuals or entities that hold a local Cannabis Business Permit, or an individual employed by a Cannabis Business Permit holder acting as an agent of that permit holder, may provide onsite sales of cannabis goods at the event, and only if said individuals and/or entities have been identified in the application for the Cannabis Event Permit.

The equity criteria for cannabis event permits stipulates that an applicant must submit an Event Permit Equity Plan describing the actions it will take to support local equity goals.

City and County of San Francisco

Pilot Program – The Cannabis Event Permit pilot program is limited to the following:

- Events previously held on a regular basis
- Events in prior years having received a city-issued permit
- Events in prior years having significant unregulated cannabis sales or consumption, which by determine of the OOC could be reduced or eliminated by issuing a Cannabis Event Permit

Eligible events previously held on a regular basis include the 420 Festival, How Weird Street Faire, Clusterfest, Outside Lands Music and Arts Festival, Folsom Street Fair, Hardly Strictly Bluegrass Festival, Carnaval, and Pride. Most recently, the Outside Lands Music and Arts Festival was held at Golden Gate Park on August 9, through August 11, 2024.

City of Long Beach – GreenlightLB

GreenlightLB combines community education, systems, and behavior change strategies to reduce drug-impaired and distracted driving, implement youth cannabis prevention activities, and ensure adults can make responsible decisions related to cannabis.

- **Education:** Provide in person and virtual workshops that cover a range of cannabis-related topics including impacts on healthy living, consuming legally and responsibly, and how to store safely away from kids and pets.
- **Prevention:** Specialized youth programs and workshops to reduce youth access to cannabis, and to train educators and parents on what they need to know about trends in cannabis use.
- **Outreach:** Greenlight hosts and participates in many local education activities to engage with Long Beach residents including health fairs and pop-ups.

City of Long Beach – GreenlightLB

Responsible Cannabis Vendor Program

The training program was developed to assist cannabis retail licensees in finding appropriate public health and compliance training for staff. It prepares owners, managers, and frontline staff to effectively and safely handle complex situations that may arise while selling cannabis in licensed stores.

The course topics include legal information, safety and security, checking IDs, selling responsibility, and consumer and education.

Community Health Impacts

Secondhand Smoke and Vapor Exposure

- Indoor cannabis events are likely to produce unhealthy levels of secondhand smoke and vapor exposure. Studies of indoor cannabis use show that cannabis smoke generates significantly higher levels of particulate matter (PM2.5) than tobacco smoke, posing serious risks to cardiovascular and respiratory health, particularly for vulnerable populations.

Outdoor Exposure Risks

- Outdoor events may not fully mitigate exposure risks for workers, as evidenced by a study of law enforcement officers providing security at outdoor concerts. Small amounts of cannabis were detected in the post-event urine of 34% of officers, and many reported symptoms such as red eyes, dry mouth, and headaches during the events.

Drugged Driving Risks

- A meta-analysis of studies concluded that cannabis doubled the risk of crash involvement, and data shows a significant increase in traffic accidents post-legalization. In Long Beach, residents are only allowed to consume cannabis at a private residence. Allowing events where consumption is permitted would likely increase the number of intoxicated users on the road.

Thirdhand smoke (THS)

- THS refers to the leftover contamination on surfaces and dust after smoking, which can linger and re-enter the air long after the smoking event ends. People can be exposed to THS by breathing it in, touching contaminated surfaces, or ingesting it through hand-to-mouth contact, leading to health risks such as respiratory and cardiovascular problems, partly due to harmful chemicals like ammonia and PAHs.
- Studies indicate that THS from cannabis use contains THC and contaminates indoor surfaces, like tables and chairs, even with ventilation. This suggests that people could be exposed to THC and other chemicals by touching these surfaces, even if they weren't present when cannabis was consumed. These findings highlight the importance of carefully considering how shared community spaces will be utilized for cannabis special events, as lingering contamination could pose health risks to future occupants.

Alignment with Special Events Process

A Special Event is any organized event including, but not limited to, large scale events such as races, parades, marathons and sporting events, concerts, fairs, community events, and any organized assembly of seventy-five (75) or more people on any public space, waterway, property, structure, or public right of way, owned or controlled by the City of Long Beach.

Tier 1

- Free open to the public, no setup, no alcohol.

Tier 2

- Open to the public, no ticket for entry, minimum setup or private nonprofit fundraising event.

Tier 3

- Ticketed, extensive venue setup with controlled access & exclusive use

Alignment with Special Events Process

Current Regulations – Chapter 8.68 of the LBMC (smoking in public places) currently stipulates exceptions for filming and/or special events. In addition, when a special events permit is issued to an event organizer or promoter, it becomes a private activity. The activity can designate outdoor tobacco smoking area as part of their private venue if they choose.

Potential Revisions – The same approach (as above) would be followed for a cannabis special event with onsite consumption. In addition, a cannabis event organizer or promoter would need to follow state cannabis regulations and local cannabis regulations stipulated under Chapter 5.92 of the LBMC.

Amendment to Chapter 5.92

To authorize cannabis special events in the City, an amendment to Chapter 5.92 of the LBMC (cannabis ordinance) would be required to add a new operating conditions section for this cannabis activity.

This amendment would also require a temporary waiver to Chapter 8.68 of the LBMC (smoking in public places) for the duration of the cannabis special event with onsite consumption.

Staff Safety Concerns

Safety concerns for staff working the special events include:

- Exposure to secondhand cannabis smoke
- Potential staff impairment and inability to operate a vehicle during and post-event

While various policies and procedures may be developed to limit this exposure, certain situations may arise where secondhand smoke is unavoidable. This includes emergency situations that require staff response in the designated cannabis consumption area.

Based on research of best practices in other jurisdictions and existing special event regulations in the City, staff is open to exploring solutions to address staff safety concerns such as exposure to secondhand cannabis smoke.

Meet and Confer Process

An ordinance to permit cannabis special events would have an impact on City employee working conditions, due to potential staff exposure to secondhand cannabis smoke.

As a result, before any Ordinance updates can be considered and approved by the City Council, the City has an obligation to notice all impacted employee associations prior to approval and implementation of cannabis special events ordinance, in accordance with Section 3505 of the California Government Code. The City would be further required to meet promptly, and in good faith, upon the request of any employee association to discuss foreseeable impacts from a cannabis special events ordinance.

Potential Policy Considerations

1. To safeguard the City's ability to collect local cannabis taxes and enforce local regulations, any sales of cannabis and cannabis products at cannabis special events may only be conducted by a licensed Long Beach cannabis retailers, regardless of the event size or location.
2. To prevent any specific location from becoming a "de-facto dispensary", special events permits will be limited to six (6) per year per individual, business entity, business owner, and event organizer or promoter. This limitation would apply to both licensed Long Beach cannabis storefront retailers and delivery-only retailers.
3. The City Manager, or designee, shall be authorized to impose conditions on cannabis special event permits at their discretion to ensure overall event safety. This includes issuing permits only to event organizers or promoters with proven experience in hosting large-scale events with onsite consumption.

Next Steps

1. Staff plans to complete feasibility study and issue a comprehensive report within 45 days.
2. City Council could then direct staff to prepare an ordinance for cannabis special events.
3. The meet and confer process with impacted labor groups must be successfully completed, in order for a proposed policy to move forward.
4. Once the meet and confer process has concluded, then staff will bring back an ordinance draft for City Council consideration.



Thank you

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Grace Yoon

Deputy City Manager

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