

RESOLUTION NO. BLC21-0007

A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING LEGACY MEDICAL CANNABIS BUSINESS LICENSE #CLM-000001 FOR THE BUSINESS KNOWN AS THE MEDMEN WEHO LOCATED AT 8208 SANTA MONICA BOULEVARD.

The Business License Commission of the City of West Hollywood hereby resolves as follows:

SECTION 1: Farmacy Collective, is an original medical dispensary business operating in the City since 2011. Based on the Cannabis Code Amendment adopted in August 2020, the business is allowed to apply for a Legacy Medical Cannabis Business License. On March 25, 2021, Farmacy Collective, applied for a Legacy Medical Business License to continue to operate at its existing location as, MedMen WeHo.

SECTION 2: A public hearing was noticed and held by the Business License Commission on June 1, 2021, pursuant to Section 5.08.070 of the West Hollywood Municipal Code.

SECTION 3: Section 5.08.010 and 5.70.035 of the West Hollywood Municipal Code, requires approval of the Business License Commission before any Cannabis Business License is issued.

SECTION 4: The Commission finds that the applicant, Farmacy Collective (MedMen WeHo), has satisfied the application requirements as required by WHMC Sections 5.70.030 and 5.70.035 and has been reviewed for operational compliance with WHMC 5.70 and State regulations. Based on the evidence in the record and testimony presented at the public hearing, the Commission further finds that the applicant and any prospective manager are 21 years of age or older; the applicant and any prospective manager has not had a similar type of license previously revoked or denied within the past two years; and the applicant and any prospective manager has successfully passed the background investigation required under WHMC Section 5.70.030(c). A zone clearance has been approved for this location to ensure it is sufficient distance from sensitive uses. Further, the grounds for denial of a business license under WHMC Section 5.08.080 do not exist. The proposed conditions promote safe and responsible operation. Additionally, this business qualifies as a Legacy Medical Business, as it was one the four existing medical cannabis collectives that were operating in the City of West Hollywood on December 31, 2017. MedMen submitted ownership information on October 1, 2020, as required under the Code. Based on the existing business operations and lack of security concerns, security may

be provided in accordance with existing operations and additional security as proposed under the May 2018 Screening Application is not required at this time. Thus, the Commission finds that the proposed business, as conditioned, can be approved.

SECTION 5: Based on the foregoing findings and information in the staff report and record of proceedings, the Business License Commission hereby approves Legacy Medical Cannabis Business License #CLM-000001 for the business known as MedMen WeHo located at 8208 Santa Monica Boulevard with the following conditions:

General Conditions (MedMen WeHo Cannabis Business License):

1. This resolution reflects the Business License Commission's decision to approve cannabis business licenses subject to conditions. Following the Business License Commission's decision, the license shall not be effective until the applicant has submitted all information required under the Applicant Checklist in compliance with the West Hollywood Municipal Code, to include the State of California Cannabis Bureau Control license, and the licensee has received all required agency approvals as determined by the Director of Public Works or designee, including those from the City of Building and Safety Division, as necessary. Following agency approvals, the applicant must submit the required documents to the Department of Public Works / Code Compliance Division at (323) 848-6375 for license issuance.
2. This license will be valid for a period of one year from the date of issuance and be subject to annual renewals.
3. This license is not assignable, except as permitted under WHMC Sections 5.70.043(b)(9), 5.70.043(b)(10), and 5.70.060.
4. This license may be subject to a review of the compliance with and adequacy of the conditions of this resolution prior to annual renewal.
5. Licensee shall post clearly visible signs at all entrances and exits and at both on and off-site parking areas, requesting patrons to respect residents of adjacent residential neighborhoods by being quiet when leaving, reminding patrons of the existence of permit parking districts within the neighborhoods adjacent to the business, and that the consumption of cannabis in public areas is not permitted pursuant to state law.
6. A responsible person shall always be on the premises to act as manager and supervise employees during business hours.
7. The applicant shall comply with the Noise Ordinance as found in WHMC Chapter 9.08. Noise complaints shall be immediately addressed.
8. Odor generated by the business shall not be detectable outside the property or lease area boundaries, or anywhere on adjacent property or public rights-of-way, or within any other unit located within the same

building as the cannabis use. The licensee shall comply with the approved Odor Control plan attached. Odor complaints shall be immediately addressed.

9. Licensee shall proactively monitor and resolve any issues involving disturbances, loitering or ingestion of cannabis in parking lots or surrounding streets, sidewalks and alleys.
10. Licensee shall provide law enforcement and all neighbors within one hundred feet of the business with the name and phone number of an on-site community relations employee to notify if there are operational problems with the establishment.
11. Licensee shall employ a minimum of two (2) on-site security guards during all hours of operation. Neighborhood security guard patrols shall be conducted for a two-block radius surrounding the business during all hours of operation.
12. The licensee shall not employ security guards armed with firearms or tasers.
13. Upon presentation of proper credentials by any Code Compliance or Law Enforcement Officer, the licensee shall consent to entry of the place of business at all reasonable times to enforce the provisions of this business license or the West Hollywood Municipal Code.
14. Licensee shall operate in substantial compliance (as deemed by the City) with the business plan, the odor control plan, and the security plan as submitted in the Legacy Medical Cannabis Business License application, as well as all commitments, statements, and items in the May 2018 adult-use retail pre-screening application, unless otherwise noted as a "deviation" in the business license application or deemed to be an insignificant change by the Director of Public Works.
15. Within one year of issuance of the Legacy Medical Cannabis Business License, the business shall demonstrate substantial compliance with the design concept section of the business's May 2018 adult-use retail screening application.
16. No on-site sales of alcohol or tobacco, and no on-site consumption of alcohol or tobacco products by patrons or employees.
17. The business shall enter into Labor Peace Agreements, as applicable, pursuant to WHMC Section 5.70.110.

Adult-Use Specific Conditions:

1. Licensee shall comply with all applicable requirements in Chapter 5.70 of the WHMC including Section 5.70.040 (Adult-Use Retail – Operating Requirements), state law, and any other applicable laws or regulations.
2. Adult-Use Retail sales to persons under the age of twenty-one is prohibited.

3. On-site consumption of cannabis is prohibited.
4. Cannabis or cannabis products shall only be sold to an individual in an amount consistent with personal possession and use limits allowed by the state.

General Medical Use Conditions:

1. Licensee shall comply with all applicable requirements in Chapter 5.70 of the WHMC including Section 5.70.043 (Medical-Use Dispensaries – Operating Requirements), state law, and any other applicable laws or regulations.
2. Medical-Use sales to persons under the age of eighteen is prohibited.
3. On-site consumption of cannabis is prohibited.
4. Cannabis and cannabis products shall only be sold to an individual in an amount consistent with personal-medical use as allowed by state law.
5. Medicinal cannabis shall only be sold to qualified patients and their caregivers as defined by state law.
6. Licensee shall implement a “compassion program” to provide subsidized medicinal cannabis to income eligible patients in accordance with the program described in the applicant’s medicinal screening application and in accordance with WHMC Section 5.70.043(a)(14).

Legacy Medical Cannabis Business License Specific Conditions:

1. Licensee shall comply with all applicable requirements in Chapter 5.70 of the WHMC including Section 5.70.043(b) (Medical-Use Dispensaries / Legacy Medical Cannabis – Operating Requirements), state law, and any other applicable laws or regulations.
2. Legacy medical businesses are required to continue to sell cannabis for medical use, subject to the requirements of WHMC Section 5.70.043.A, and may also sell cannabis for adult use, subject to all of the requirements of WHMC Section 5.70.040
3. Licensee shall close one hour before the state or city limit on hours of operation, whichever is more restrictive, and may not operate for more than twelve hours per day. The restricted hours of operation expire on December 31, 2027. Licensee shall provide the City’s Code Compliance Division with their operating hours to be kept on file with the City. After initial hours are submitted to the City any subsequent changes shall be provided to the Code Compliance Division within one week of the change in hours.
4. Licensee is prohibited from expanding the existing square footage of the business as existing on August 3, 2020.
5. Licensee is prohibited from changing the current location of the business,

except as otherwise provided in WHMC Section 5.70.043(b)(6) due to destruction or redevelopment of the building.

6. Licensee is prohibited from entering into any new management agreements for the management of the business, unless approved through the variance process in WHMC Section 5.70.060(c) and subject to subsections (c)(1), (c)(2), and (c)(4).
7. Licensee is prohibited from changing the business name and business branding until such time as an assignment of the license is permitted under WHMC Chapter 5.70 and as otherwise allowed under WHMC Section 5.70.043(b)(9).
8. Licensee must contribute to the Marketing Fund to Benefit West Hollywood Cannabis Businesses, as set out in WHMC Section 5.70.043(b)(11).
9. Licensee shall maintain continual operation, and failure to continually operate shall be grounds for revocation of the business license and forfeiture of any future right to a legacy medical business.

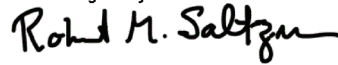
PASSED, APPROVED AND ADOPTED by the Business License Commission of the City of West Hollywood at a regular meeting the 1st day of June 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DocuSigned by:

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Robert Saltzman, Chair

ATTEST:

DocuSigned by:

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Danny Rivas, Code Compliance Manager

Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.