

THE STATE OF CANNABIS POLICY IN CALIFORNIA'S CITIES & COUNTIES



PRESS RELEASE

CONTACT:

Lynn Silver, MD, MPH, FAAP

Getting it Right from the Start Project,
Public Health Institute

LSilver@phi.org
(917) 974-7065

Jonathan Bash

Brown-Miller Communications, Inc.,
Getting it Right from the Start Project

jonathan@brownmillerpr.com
(818) 205-5532

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The State of Cannabis: Local Scorecards Provide Glimpse into California's 'Wild West' Patchwork of Cannabis Policies

OAKLAND, CALIF., JANUARY 14, 2021 ... For the first time, California cities and counties can measure how well their new cannabis ordinances are protecting youth and supporting social equity. Released today by Getting it Right from the Start at the Public Health Institute (PHI), [157 scorecards](#) summarize cannabis policies in each of the California cities and counties that have opted to permit storefront sales of recreational cannabis. The scorecards bring light to a patchwork of local policies that often fall far short of what public health leaders believe is necessary to prevent the cannabis industry from following in the footsteps of Big Tobacco.

"California is solidly in the 'Wild West' of cannabis regulation, creating an overheated cannabis market that has already led to increases in teen use. This approach can have serious negative impacts on physical and mental health, as well as equity," says pediatrician Lynn Silver, MD, MPH, who heads PHI's Getting it Right from the Start project.

The City of San Luis Obispo scored the highest of all jurisdictions, with 52 points, thanks to several early and bold actions by the city council, including limiting the number of retailers and distancing them from places that serve youth. Contra Costa County came in second, showing nationwide leadership by prohibiting the sale of flavored products for inhalation or combustion, widely known to hook kids, and establishing zoning rules beyond state law to keep cannabis storefronts away from schools.

"The practical information PHI offers to cities and counties is indispensable, and was used to formulate our local rules," says Dan Peddycord, Director of Public Health for Contra Costa County. "Local governments' decisions over the next few years will be critical. If we do this right, we can provide safer legal access while reversing epidemic increases in youth vaping and heavy use of marijuana. But without swift action, we could expose our young people to harm for decades to come."

Based on a 100-point scale, the scorecards measure 27 specific local policies across six categories: storefront-specific requirements, taxes and prices, marketing, smoke-free air, equity and conflicts of interest, and product limits. This is the first time the scorecards have been made public, and the project plans to publish updated versions annually. Scorecards were prepared only for those jurisdictions which allow storefront sales.

PHI worked with state and national subject matter experts, including cannabis businesses, regulatory officials, policymakers, local municipalities and community partners to identify best practices that can help communities better safeguard their youth and support social equity through passage of more thoughtful and effective cannabis policies.

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The project's data found that 157 of California's 539 cities and counties allowed storefront sales of recreational cannabis by January 1st, 2020. Of those jurisdictions:

- 70 percent limited the number of storefront cannabis retailers—one of the most important and widely adopted policies.
- 80 percent established stronger buffers to distance stores from youth serving institutions or other sensitive use sites.
- 75 percent implemented local cannabis taxes, though only two of them assured in law that those taxes were allocated for substance abuse prevention, youth education or mitigating the impact of the war on drugs.
- Only one city, Cathedral City, taxed products by the amount of tetrahydrocannabinol (THC) in products.
- Most communities let the cannabis kid's menu roll. Only one jurisdiction, Contra Costa County, banned flavored products known to be particularly appealing to youth, while three banned "cannapops"—cannabis-infused sweet beverages like orange soda.
- Most communities kept their storefront retailers smoke-free, though 34 went backwards on smoke-free air by allowing on-site cannabis consumption, bringing back the era of smoke-filled rooms.
- Only 13 had specific policies for equity in hiring or licensing, up from 5 in 2019.

Most jurisdictions had low scores, averaging 19 points, but scores improved by an average of 2 points between 2019 and 2020. Many launched their legalization process focused primarily on revenue-enhancing measures, like local retail taxes, but left public health guardrails and social equity provisions to be crafted later or not at all.

To assist local governments, Getting it Right from the Start offers model policies for cannabis retailing, marketing and taxation that cities and counties can adopt. The project also offers complementary resources and expert technical assistance to state and local regulatory agencies, policymakers and their staff, as well as community organizations and advocates.

The most current Local Cannabis Policy Scorecards, an overview of best practices throughout the state, the research methodology and many other resources are available at www.gettingitrightfromthestart.org.

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[Getting it Right from the Start](#), a project of the Public Health Institute, works with states, cities, counties and community partners to develop evidence-based model policies and provide guidance on cannabis policies that can help reduce harms, protect against youth and problem cannabis use, and advance social equity.

[Public Health Institute](#) improves health, equity and wellness by discovering new research, strengthening key partnerships and programs, and advancing sound public health policies. Their hundreds of programs have impacted millions of people, creating a framework that will continue to impact communities for generations to come.

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FACT SHEET

WHAT: For the first time, California cities and counties can measure how well their new cannabis ordinances are protecting youth and supporting social equity. New scorecards summarize cannabis policies in the 157 California cities and counties that have opted to permit storefront sales of recreational marijuana.

The scorecards bring light to a patchwork of local policies that mostly fall far short of what public health leaders believe is necessary. In a legal market lacking that more solid foundation, dangerous products and practices, like ultra-high potency grape flavored vapes, billboards everywhere or invisible health warnings in 6-point font, will rapidly become entrenched, leading to a host of problems down the line.

WHY: New data from the National Study on Drug Use and Health was recently released, showing statistically significant increases in cannabis use among California teens aged 12 to 17 from 2017/18 to 2018/19. Past year use in this group rose from 14 percentage points up to 16 points, while past month use went from 7 points up to 9 points—a 26 percent increase in the proportion of monthly cannabis consumers.

According to the Surgeon General, cannabis can have a number of negative effects on the adolescent brain, including problems with memory and learning, and impaired coordination.

The National Academies of Science, Engineering and Medicine concluded there was substantial evidence that cannabis use is associated with:

- Low birth weight, if used during pregnancy
- Motor vehicle accidents
- Psychosis and schizophrenia
- Problem use, especially when used at a young age or frequently.

These effects can have a strong impact on community public safety, including increased auto accident rates due to consumers driving under the influence. Emerging evidence also suggests higher rates of other mental health issues, including depression and suicidal ideation.

To mitigate these issues, cities and counties that choose to legalize retail sales of cannabis should adopt a set of common sense, evidence-based cannabis policies to fulfill our collective responsibility to protect youth and promote social equity as soon as possible.

WHO: **Getting it Right from the Start**, a project of the Public Health Institute, works with states, cities, counties and community partners to develop evidence-based model policies and provide guidance on cannabis policies that can help reduce harms, protect against youth and problem cannabis use, and advance social equity.



Model Ordinances

Developing model local ordinances for licensing cannabis retailers, marketing, and general and special taxes on cannabis.



Research

Carrying out research with local and national stakeholders and experts to identify best practices.



Legal Analyses

Developing legal analyses of relevant issues for licensing, constraints on marketing and taxation.



Technical Resources

Managing a national Listserv, providing webinars, presentations, visits & other TA tools that support communities, educating policymakers & sharing experiences.



Public Health Input

Providing public health oriented input to regulatory processes and supporting other stakeholders to do so.

The Getting it Right from the Start project is funded by the Conrad N. Hilton Foundation. Our research is also generously funded by the Tobacco-Related Disease Research Program and the National Institutes of Drug Abuse. However, the opinions expressed in our work reflect the positions of the project and do not necessarily represent the official views of any other organization.

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SPOKESPERSONS

Policy Perspective:

Lynn Silver, MD, MPH, FAAP

Principal Investigator & Pediatrician,
Getting it Right from the Start Project,
Public Health Institute

LSilver@phi.org
(917) 974-7065

Research Methodology:

Aurash Jason Soroosh, MSPH, RD

Policy Research Associate,
Getting it Right from the Start Project

Aurash.Soroosh@phi.org
(408) 590-8298

Sacramento Region:

Sarah-Michael Gaston

Policy Advocate,
Youth Forward

Sarah@youth-forward.org
(916) 304-5172

Southern California:

Marielle A. Reataza, MD, MS

Project Coordinator, National Asian Pacific
American Families Against Substance Abuse

Marielle@napafasa.org
(562) 294-1394

Bay Area:

Dan Peddycord

Public Health Director,
Contra Costa Health Services

Daniel.Peddycord@cchealth.org
(925) 313-6712



Additional questions or difficulties reaching a spokesperson?

Contact Jonathan Bash at Brown-Miller Communications, Inc.
at (818) 205-5532 or jonathan@brownmillerpr.com.

2020 SCORECARD METHODOLOGY

Based on the best available research, we identified **six primary categories of policies** where local government can act to protect youth, public health and equity if they opt to allow cannabis commerce. Criteria with the greatest potential for constraining promotion of youth use and prevent harmful use receive higher points, based on evidence from tobacco and alcohol control or cannabis research. Cannabis laws of all California cities and counties passed by January 1, 2020, were scored, using legal databases, including Municode and Cannaregs, as well as municipal websites, accompanied by direct outreach to county or city clerks when needed. The maximum score possible was 100.

1) RETAILER REQUIREMENTS: Strategic limits on cannabis retailers can decrease youth use and exposure to cannabis.

- **Caps on Retailers (10 points max).** Limit the number of licensed retailers, uses ratio to number of inhabitants
- **Distance from Schools (5 points).** Mandate a distance greater than 600 feet between K-12 schools and retailers
- **Retailer Buffers (2 points).** Mandate a required distance between retailers
- **Other Location Restrictions (3 points).** Mandate required distance between retailers and other youth serving locations not covered by state law such as parks, playgrounds or universities, or other locations such as residential areas
- **Health Warnings Posted in Stores OR Handed Out to Customers (4 points each).** Mandate retailers post and/or hand out health warnings informing consumers of relevant risks at point of sale

2) TAXES & PRICES: Taxes & higher prices can decrease youth access while raising valuable revenue for local communities.

- **Local Cannabis Tax (6 points).** Impose a local tax on cannabis retail
- **Dedicated Tax Revenue (6 points).** Dedicate tax revenue to youth, prevention or reinvestment in communities most affected by the war on drugs
- **Tax by THC Content (5 points).** Impose higher tax rates for high potency (high THC) products (if sale is allowed)
- **Discounting (2 points).** Prohibit discounting on cannabis such as coupons or discount days
- **Minimum Price (1 point).** Establish a minimum price floor for cannabis

3) PRODUCT LIMITS: End the Cannabis Kids Menu of products that appeal to youth or which will increase risk of adverse events.

- **Limit High Potency Products (6 points max).** Prohibit sale of high potency cannabis flower and products through bans or ceilings
- **Flavored Products (Non-Edibles) (5 points).** Prohibit the sale of flavored combustible or inhalable (non-edible) products
- **Cannabis-Infused Beverages (4 points).** Prohibit the sale of cannabis-infused beverages
- **Products Attractive to Youth (2 points).** Prohibit more clearly than state law the sale of any products that are attractive to youth

4) MARKETING: Limited exposure to marketing can decrease youth use and provide accurate warnings to inform consumers.

- **Billboards (6 points max).** Restrict or prohibit the use of billboards to advertise cannabis
- **Health Warnings on Ads (4 points).** Require health warnings on all cannabis advertisements
- **Therapeutic or Health Claims (3 points).** Prohibit the use of therapeutic or health claims on cannabis products, packages or ads
- **Business Signage Restrictions (3 points).** Restrict on-site business advertising
- **Marketing Attractive to Youth (2 points).** Detailed restrictions on packaging or advertising attractive to youth

5) SMOKE-FREE AIR: Smoke-free air policies can improve air quality, protect kids and reduce secondhand smoke exposure.

- **Temporary Events (5 points).** Prohibit temporary cannabis events such as at county fairs or concerts in parks
- **On-Site Consumption (3 points).** Prohibit on-site cannabis consumption, whether by smoking, vaping or use of edibles

6) EQUITY & CONFLICTS OF INTEREST: Cannabis policy can promote social equity and reduce conflicts of interest.

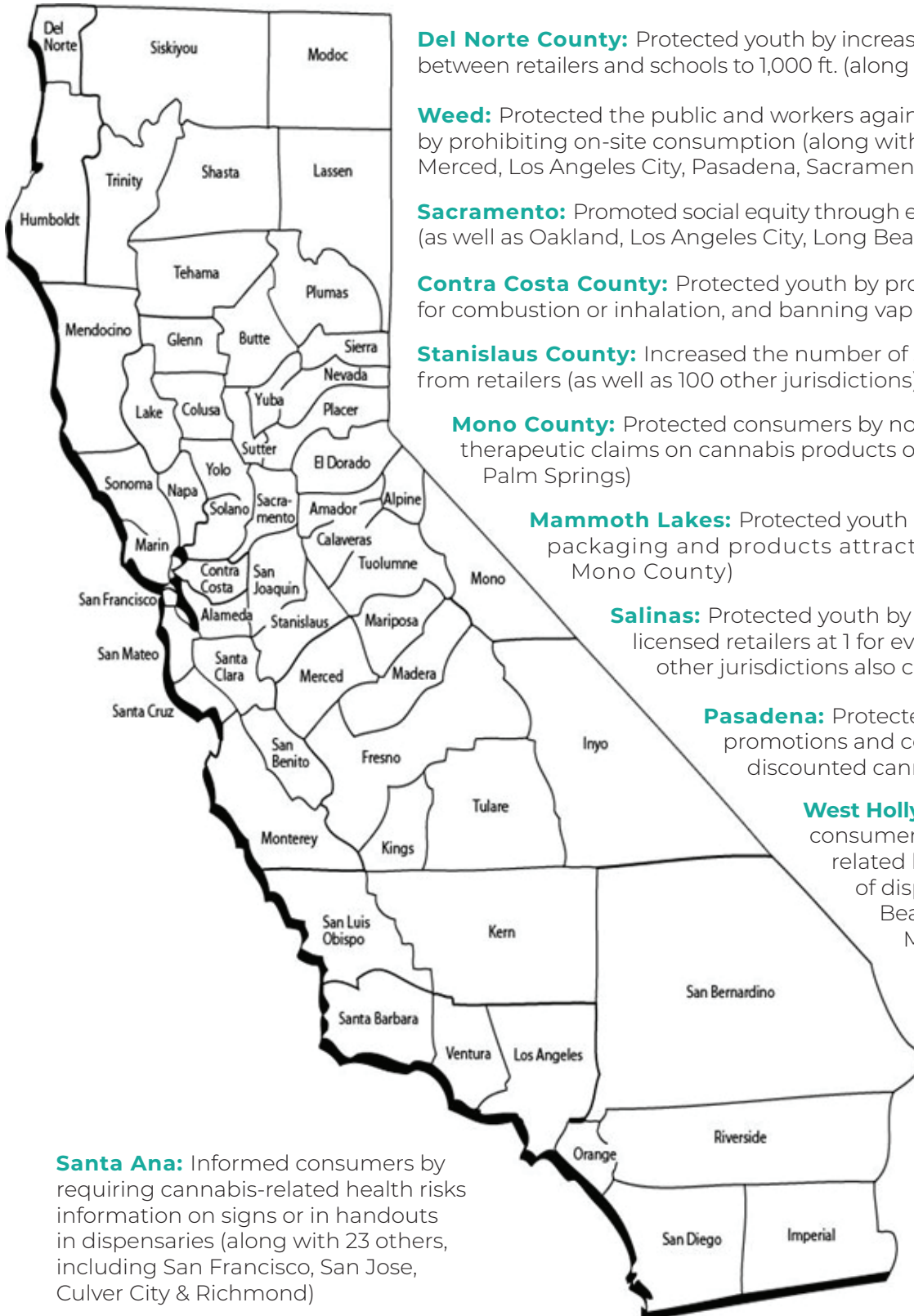
- **Priority in Licensing (3 points).** Prioritize equity applicants when issuing cannabis business licenses
- **Equity in Hiring (3 points).** Require retailers' staff include low-income, transitional or workers from communities disadvantaged by the war on drugs
- **Cost Reduction/Deferral (1 point).** Reduce/defer the costs of cannabis business licenses for equity applicants
- **Prescribers on Premise or in Ownership (1 point each).** Prohibit on-premise patient evaluations and prescriber ownership in retailers

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Advancing Public Health & Equity in Cannabis Policy

Examples of what your neighbors are doing to protect youth, public health and social equity



Del Norte County: Protected youth by increasing the required buffer between retailers and schools to 1,000 ft. (along with 36 other jurisdictions)

Weed: Protected the public and workers against secondhand smoke by prohibiting on-site consumption (along with 119 other places such as Merced, Los Angeles City, Pasadena, Sacramento and Mammoth Lakes)

Sacramento: Promoted social equity through equity in licensing provisions (as well as Oakland, Los Angeles City, Long Beach and San Francisco)

Contra Costa County: Protected youth by prohibiting flavored products for combustion or inhalation, and banning vaping products

Stanislaus County: Increased the number of sites with a required buffer from retailers (as well as 100 other jurisdictions)

Mono County: Protected consumers by not allowing health or therapeutic claims on cannabis products or their marketing (as did Palm Springs)

Mammoth Lakes: Protected youth by prohibiting advertising, packaging and products attractive to youth (along with Mono County)

Salinas: Protected youth by capping the number of licensed retailers at 1 for every ~32,000 people (93 other jurisdictions also capped dispensaries)

Pasadena: Protected youth by prohibiting promotions and coupons offering discounted cannabis (along with 4 others)

West Hollywood: Protected consumers by requiring cannabis-related health and safety training of dispensary staff (Long Beach, Pasadena, Mt. Shasta, Mammoth Lakes and Mono County did, too)

Santa Ana: Informed consumers by requiring cannabis-related health risks information on signs or in handouts in dispensaries (along with 23 others, including San Francisco, San Jose, Culver City & Richmond)

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REGIONAL SCORE SUMMARY

BAY AREA

JURISDICTION	TOTAL SCORE
Alameda County	28
– Alameda	33
– Berkeley	26
– Emeryville	7
– Hayward	12
– Oakland	25
– San Leandro	31
– Union City	17
Contra Costa County	50
– Antioch	8
– El Cerrito	15
– Martinez	12
– Richmond	31
Marin Co. – Fairfax	12
Napa Co. – Napa	16
San Francisco Co. & City	22
San Mateo Co. – Pacifica	27
Santa Clara Co. – San Jose	36
Santa Cruz County	18
– Capitola	23
– Santa Cruz	28
Solano County – Benicia	23
– Dixon	14
– Rio Vista	15
– Suisun City	22
– Vallejo	15
Sonoma County	36
– Cloverdale	15
– Cotati	19
– Santa Rosa	15
– Sebastopol	7
– Sonoma	30

NORTHERN CALIFORNIA

JURISDICTION	TOTAL SCORE
Butte Co. – Biggs	3
– Gridley	6
Del Norte County	16
Glenn Co. – Willows	12
Humboldt County	12
– Arcata	0
– Eureka	3
– Rio Dell	13
Lake County	9
– Clearlake	6
– Lakeport	14
Lassen County	17
Mendocino County	14
– Fort Bragg	6
– Point Arena	7
– Ukiah	12
– Willits	15
– Ukiah	12
– Willits	15
Modoc Co. – Alturas	23
Nevada Co. – Nevada City	25
Plumas County	3
Shasta Co. – Redding	28
– Shasta Lake	18
Siskiyou Co. – Dunsmuir	13
– Mt. Shasta	7
– Weed	16

NOTE: The highest total score possible is 100 points.

Not all counties and cities have permitted sales or implemented policies. If a city and county are on the same line of this chart, the score refers only to the city listed, not the county, and the county did not allow storefront sales prior to 1/1/2020. If a county score is listed it refers to laws for the unincorporated area of that county.

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REGIONAL SCORE SUMMARY

LOS ANGELES AREA

JURISDICTION	TOTAL SCORE
L.A. County – Bellflower	15
– Culver City	27
– Huntington Park	15
– Long Beach	41
– Los Angeles	34
– Malibu	21
– Maywood	19
– Pasadena	45
– Pomona	49
– Santa Monica	19
– West Hollywood	6
Orange County – Santa Ana	27
– Stanton	9
Riverside County	44
– Banning	19
– Blythe	24
– Cathedral City	16
– Coachella	4
– Desert Hot Springs	13
– Jurupa Valley	22
– Lake Elsinore	12
– Moreno Valley	17
– Norco	3
– Palm Desert	24
– Palm Springs	18
– Perris	21
– San Jacinto	11
San Bernardino Co. – Adelanto	13
– Needles	12
– San Bernardino	32

CENTRAL COAST

JURISDICTION	TOTAL SCORE
Monterey County	18
– Del Rey Oaks	22
– Greenfield	17
– Marina	15
– Salinas	30
– Seaside	16
San Benito Co. – Hollister	28
– San Juan Bautista	17
S.L.O Co. – Grover Beach	13
– Morro Bay	23
– San Luis Obispo	52
Santa Barbara County	25
– Goleta	20
– Lompoc	6
– Santa Barbara	28
– Solvang	25
Ventura Co. – Ojai	6
Port Hueneme	13
Thousand Oaks	32

SAN DIEGO AREA

JURISDICTION	TOTAL SCORE
Imperial County	9
– Calexico	9
– Imperial	19
San Diego County	28
– Chula Vista	41
– Imperial Beach	44
– La Mesa	23
– Lemon Grove	20
– San Diego	38
– Vista	23

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REGIONAL SCORE SUMMARY

CENTRAL VALLEY

JURISDICTION	TOTAL SCORE
Fresno Co. – Coalinga	29
– Firebaugh	22
– Fresno	46
– Mendota	23
Kern Co. – California City	28
Kings Co. – Avenal	3
– Corcoran	3
– Hanford	26
– Lemoore	10
Merced Co. – Atwater	12
– Gustine	3
– Merced	32
San Joaquin – Stockton	40
– Tracy	17
Stanislaus County	21
– Ceres	9
– Modesto	22
– Oakdale	15
– Patterson	14
– Riverbank	16
– Turlock	11
– Waterford	2
Tulare Co. – Farmersville	20
– Lindsay	9
– Porterville	13
– Tulare	13
– Woodlake	15

GOLD COUNTRY

JURISDICTION	TOTAL SCORE
Amador Co. – Amador	3
Calaveras County	22
El Dorado County	33
– Placerville	14
– South Lake Tahoe	17
Inyo County	9
Mono County	31
– Mammoth Lakes	16
Tuolumne Co. – Sonora	12

SACRAMENTO AREA

JURISDICTION	TOTAL SCORE
Placer Co. – Colfax	22
Sacramento Co. – Isleton	9
– Sacramento	25
Yolo Co. – Davis	19
– Marysville	28

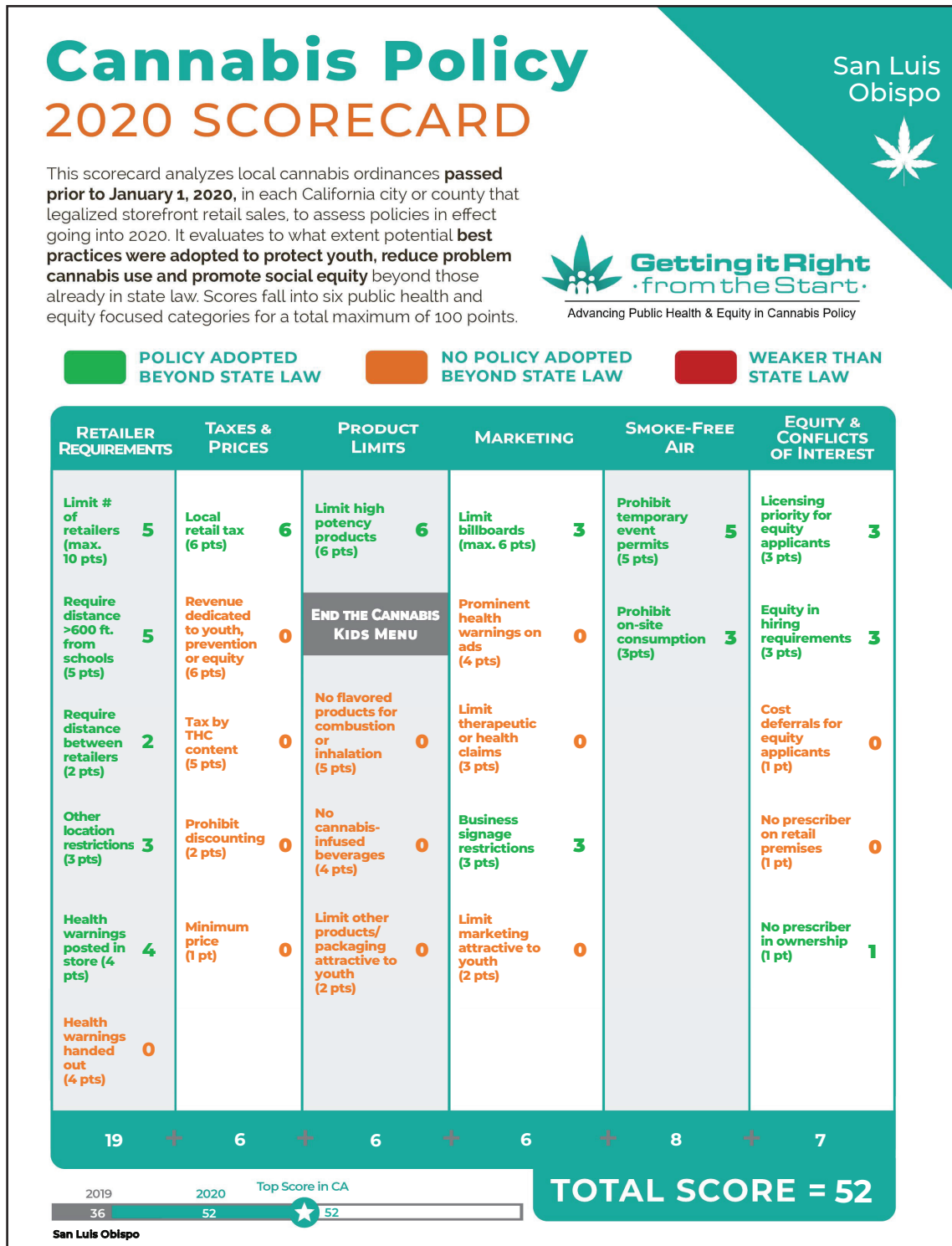
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EXAMPLE SCORECARD:

SAN LUIS OBISPO - HIGHEST SCORING JURISDICTION



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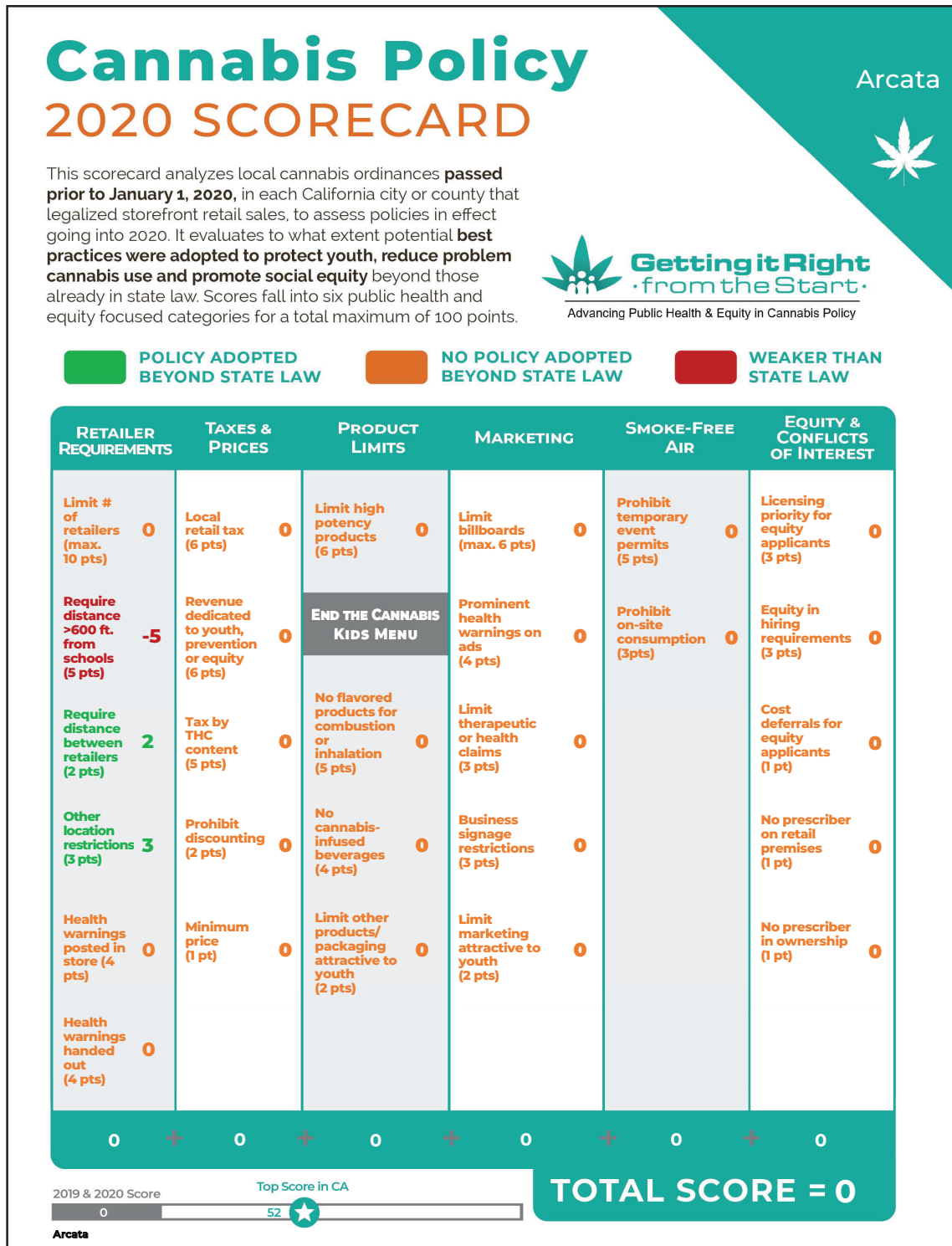
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EXAMPLE SCORECARD:

ARCATA - LOWEST SCORING JURISDICTION



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