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Office of the  
CITY CLERK

Council and Public Services  
Room 395, City Hall  
Los Angeles, CA 90012  
General Information - (213) 978-1133  
Fax: (213) 978-1040

Konrad Carter, Acting Division Chief  
Council and Public Services Division

[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

When making inquiries relative to  
this matter, please refer to the  
Council File No. **08-0923**

October 1, 2009

Councilmember Greig Smith, Chair  
Public Safety Committee  
Attn: John White, Legislative Assistant

At the public hearing held on September 29, 2009, the Planning and Land Use Management (PLUM) Committee considered the Second and Third Revised Draft Ordinance establishing regulations for medical marijuana collectives, and amending the Los Angeles Municipal Code to implement the Compassionate Use Act and the Medical Marijuana Program Act. The PLUM Committee recommended that Council:

1. Adopt Motion (Zine - Hahn - Reyes, et. al) requesting the City Attorney to provide a written report which would analyze the application of the California Health and Safety Code, recent court cases and related matters. The PLUM Committee requested that this motion be scheduled in Council on the same day as the final draft of the Ordinance. (The September 28, 2009 City Attorney's report in response to this Motion was considered at the September 29, 2009, PLUM Committee hearing.)
2. Approve the City Attorney's Third Revised Draft Ordinance, as amended, to include the attached revisions, as submitted by the Chair of the PLUM Committee, Councilmember Ed P. Reyes.
3. Instruct the City Attorney to prepare the final draft of the Ordinance for Council consideration.
4. Received and File amendments to the proposed regulations as submitted in the communication from the Chair, PLUM Committee at the June 29, 2009, public hearing.
5. Instruct the Planning Department to work with the Chief Legislative Analyst, and the City Attorney to prepare and process expeditiously the land use/planning ordinance for City Planning Commission and City Council consideration with the goal to adopt before or by mid December 2009.
6. Instruct the Planning Department in consultation with the City Attorney and Chief Legislative Analyst (CLA) to initiate proceedings on the land use and zoning aspects (including addressing the request to add more discretionary review process into the permitting process); Planning to include analysis and recommendations when considering factors for discretionary review of on-site consumption and up to maximum 20% deviation from the distance requirements; the Planning Department is to bring back the radius

500 feet and 1000 feet from sensitive uses and certain zones along with analysis and recommendations that renders reasonable amount of acreage for locating of the medical marijuana collectives/cooperatives.

7. Instruct City Administrative Officer (CAO) working in conjunction with the CLA and relevant City departments to develop a fee study with regards to administration, implementation, and enforcement of the revised Ordinance.
8. Instruct CAO working in conjunction with the CLA and relevant City departments to investigate the ability to implement a taxing scheme related to the revised Ordinance.

In addition, the PLUM Committee requested several reports back to the PLUM Committee prior to the matter being scheduled in Council. The reports were requested of the Department of Building and Safety regarding inspections and enforcement issues; of the Los Angeles Police Department regarding arrests; and of the City Attorney, in closed session as necessary, regarding issues related to prosecutions, patients privacy issues, and over the counter sales. In addition, the Committee sought advice regarding the impact the new Ordinance would have on existing hardship application requests.

This matter is now being transmitted to the Public Safety Committee for consideration.

Sincerely,



Barbara Greaves, Legislative Assistant  
Planning and Land Use Management Committee  
(213) 978-1068

cc: Carmen A. Trutanich, City Attorney/Attn: Jeri Burge and Heather Aubry  
S. Gail Goldberg, Director of Planning, Attn: Iris Fagar Awakuni and Helene Bibas  
William J. Bratton, Chief of Police/Attn: Harry Eddo  
Gerry F. Miller, Chief Legislative Analyst/Attn: Roberto Mejia and Hanh D. Dao  
Miguel A. Santana, City Administrative Officer/Attn: Aurora Abracia and Madeleine Rackley  
Raymond S. Chan, Interim General Manager, Department of Building and Safety  
Attn: Frank Bush

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