



# Venice Neighborhood Council

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November 17, 2009

Mr. Bill Rosendahl  
Councilmember, Council District 11  
City of Los Angeles, City Hall, Room 451  
200 North Spring Street  
Los Angeles, California 90012

Re: Medical Marijuana

Dear Councilman:

Please be advised that the Venice Neighborhood Council, at its regular Board of Officers meeting on November 17, 2009, passed the following resolution by a vote of: 14 in favor, 1 opposed and 2 abstaining:

## **Resolution of the Venice Neighborhood Council Concerning Medical Marijuana**

**WHEREAS** California voters approved the use of marijuana for medical purposes by initiative and the State of California has codified laws allowing “collectives” to grow and distribute marijuana to users who need it for medical purposes, but has not created a legal structure for implementing such collectives on a local level, **AND**

**WHEREAS** the City of Los Angeles has no effective ordinances currently in place for the purpose of regulating marijuana for medical use as approved by California voters, **AND**

**WHEREAS** the Venice Neighborhood Council held a Town Hall on November 5, 2009 to receive input from stakeholders in the Venice community about the regulation of medical marijuana in Los Angeles, **AND**

**WHEREAS** the following comments were made and proposals suggested (see Appendix 1 for contemporaneous notes of Town Hall testimony):

1. Over 100 Venice stakeholders expressed their overwhelming support for the legalization of marijuana in a poll of Town Hall attendees. At the same time, they recognized that the current legal use of marijuana is for treatment of certain medical conditions as recommended by a physician.
2. Venice stakeholders support limiting the proximity of medical marijuana dispensaries to schools. It was further suggested that the Los Angeles City Council use Municipal Code Section 12.70(c). (passed in 1983; see appendix 2) as a model for regulating the siting of dispensaries. This section of the code prohibits adult businesses (e.g., strip clubs, massage parlors, adult bookstores, etc.) from locating within 500 feet of religious

institutions, residential property, schools and parks, and from being located within 1,000 feet of another adult business.

3. Medical marijuana dispensaries should be entitled to share their costs with members of their collectives. Several stakeholders stated that market forces would determine their long term existence.
4. Venice stakeholders support certification / regulation of marijuana farmers.
5. Venice stakeholders support taxing marijuana, but the tax burden should not fall on sick people.
6. Venice stakeholders would like quality standards and a system of grading marijuana.
7. Medical marijuana dispensary owners and operators would welcome more specific regulation from the City.
8. Venice stakeholders do not support the overly-burdensome regulations proposed by the City Attorney in the ordinance that was recently submitted to the City Council (Council file No. 08-0923-link).

***THEREFORE, BE IT RESOLVED***, that the Venice Neighborhood Council recommends that the City Council of Los Angeles take the foregoing points into account when crafting new regulations for medical marijuana use and dispensing in Los Angeles, AND

***BE IT FURTHER RESOLVED***, that the Venice Neighborhood Council submit a Community Impact Statement to Council File 08-0923 that states:

"The Venice Neighborhood Council approves of the City' efforts to regulate the siting and operations of medical marijuana dispensaries in Los Angeles but disagrees with the overly-burdensome approach of the City Attorney's Office in its 10/22/2009 suggestions. While we understand the urgency of this matter, we further suggest that the City Council collect additional testimony and suggestions from Neighborhood Councils before agreeing to any ordinance regulating medical marijuana."

Sincerely,



Mike Newhouse  
President  
Venice Neighborhood Council

MRN/ms  
Encl.

Cc: [secretary@venicenc.org](mailto:secretary@venicenc.org)  
Los Angeles City Council  
Mayor Antonio Villaraigosa

# Appendix 1

## Contemporaneous Notes of Comments Made at Venice Neighborhood Council Town Hall on Medical Marijuana 11/05/2009

### **Topic: Medical Marijuana Dispensaries in Venice, California**

#### **Mike Newhouse**, VNC President:

Discussing tonight a proposed ordinance on Medical Marijuana dispensaries  
Your input will be forwarded to the City Council  
This issue will be discussed by the Venice Neighborhood Council on November 15, 2009; your input will be welcomed

#### **Arturo Piña**, Councilman Bill Rosendahl's office:

Tax the dispensaries, regulate them, plan

#### **Jane Usher**, Los Angeles City Attorney's Office:

Los Angeles has 800-1000 medical marijuana dispensaries in operation; San Francisco has 22 (one additional pending approval)

[Questions asked of Town Hall Attendees:]

- Limit the number of medical marijuana dispensaries?
- What process should be used to locate a dispensary? Conditional Use Permit, registration, etc?
- What operating conditions: limited hours, bookkeeping, distance from schools?

15,000 liquor stores in Los Angeles regulated by CUP

For-profit sale of marijuana: state model authorizes a cooperative effort

**Straw Poll conducted by Newhouse:** Legalize Marijuana in California? – the overwhelming majority is in favor of legalization

#### **Comments from Stakeholders:**

Recommend rejection of the current 4<sup>th</sup> draft, and review 2008 recommendation, cited cases people vs. Urziceanu, and people vs. Mensch

What pharmaceutical company does not make a profit? Dispensaries should remain mom&pop operations, technology for testing, decriminalize marijuana, regulation and control is necessary, respect marijuana farmers.

Regulation should have occurred already; support for Councilman Rosendahl's suggestions.

Safe access to medication in California, TRO against City Attorney and District Attorney being filed next week, lack of communication from City Attorney's Office.

What should the ordinance look like? How many medical marijuana dispensaries in Venice? How far should they be apart? How far should dispensaries from schools, etc? Let market forces determine distance.

Ordinance 1270, which regulates porn shops: must be 500 feet away from religious facilities, schools and parks, and from other similar businesses

Deregulation of laws against marijuana.

Recovery of costs to produce marijuana

Market forces will determine long-term existence of Medical Marijuana Dispensaries

Blue laws imposed by the City of Los Angeles when Venice was annexed; exclude Venice from any ordinance. Patients are the primary market for medical marijuana and should be the focus of any decision being made.

An agricultural product is being sold that should fall under jurisdiction of the Department of Agriculture. Smaller producers should not be regulated.

End black market. Certify farmers.

Cooperative/collective is unrealistic. West Hollywood standard: 1000 foot distance, no signage, let market forces prevail.

Performance specifications should prevail.

Marijuana is not life-threatening, and should not be compared with substances that are.

Venice's reputation for tolerance should be upheld.

What effect do Medical Marijuana Dispensaries have on the community?

A system of checks and balances has been requested by the dispensaries themselves.

No limit on the number of dispensaries. Let business owners decide appropriate distance.

Grading system on product?

Prescribing physicians should determine dosage.

Should a physician be present at a dispensary?

No limit on numbers; market forces should prevail. Dispensaries should be located at a distance from schools. Product should be graded. GLACA (Greater Los Angeles Caregivers) have standards/guidelines in place.

Observance of the law is a necessity. Marijuana should be legalized; 1000 foot perimeter should be observed. An existing Land Use/Planning mechanism should be used to facilitate discussion of changes.

Ban on use of edibles/concentrates should be relaxed. Alternative dosage forms should be allowed. Dietary Health and Education Act.

No limit on distance from schools.

Legalize marijuana. Market forces should determine location. Porn shop distance can be used as a model.

A more appropriate use of City resources is to prosecute violent crime. Tax revenue generation is a desired goal for California.

Legalize marijuana. Careful consideration is needed. Tax revenue generation is a desired goal.

Basic 1000 foot rule, allow market forces to prevail.

Grading products is a good thing. Appropriate education of children regarding marijuana use should be a goal.

Weedtracker.com, grading system already exists. ID system is inappropriate. Taxing sick people is inappropriate.

Is the requirement that medical marijuana is cultivated on-site to be upheld by the City Attorney's office?

One dispensary provides detailed information to its clients. City officials should tour legal dispensaries.

Growing and holding marijuana stock on premises is dangerous and unsafe.

Current state law defines circumstances under which the City Attorney and Planning operate. It will be necessary to change the laws.

Violation of laws regarding marijuana use has resulted in three-strike imprisonment.

Medical Cannabis Safety Council is a resource that should be consulted; any regulation should be patient-based and community-based.

Spectrography can provide grading solution;

On-site cultivation of marijuana is unrealistic. Regulation of growers should be done. On-site consumption should be allowed.

Limit of dispensary hours was questioned. Limit on amount of product allowed on-site was questioned.

LAPD recommendations were driving force behind restrictions proposed.

What will happen to existing dispensaries if distance limitations are imposed?

Crime should be the focus of grass-roots political action, not businesses that are operating legally.

Regulation and taxation of dispensaries are okay.

Farmers market model will work well.

Grading of product is possible. Medical marijuana is banned from hospitals.

Self regulation should be done during the moratorium period.

Regulation of dispensaries will not allow free market forces to prevail. Allow a dollar transaction tax to be imposed.

Tax dollars are better spent on crime.

Americans for Safe Access, Law Enforcement Officers website should be consulted. Dosage limits are determine by physiological factors. Secret shopper mechanism should be put into place as well as City-certified kitchens.

1000 feet is unrealistic limit; 250 is better.

Successful, effective cultivation of marijuana is difficult; it should be done professionally.