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**MOTION**


I MOVE that the matter of the "Amending Motions to amend the Los Angeles Municipal Code (LAMC) to establish regulations regarding medical marijuana collectives," item #10 on today's City Council Agenda (CF# 08-0923)

BE AMENDED as follows:

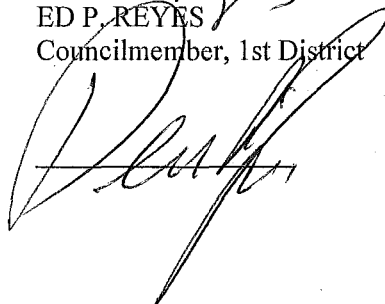
**Modify 10J(3)** to ensure the attachment detailing various land use and zoning aspects is recognized to be included in the Planning department report back. The attachment was inadvertently not reflected on the council agenda despite being attached with the original motion.

PRESENTED BY:

  
ED P. REYES  
Councilmember, 1st District

  
ERIC GARCETTI  
Councilmember, 13th District

SECONDED BY:



**ORIGINAL**

NOV 24 2009

Attachment to CD1 Motion & List of Recommendations  
Relative to Instruction to Planning for Follow-up on the Land Use / Zoning component  
11/18/2009, City Council Agenda item#18  
11/24/2009, Resubmitted for City Council Agenda item#10J3.

**Medical Marijuana Collective Ordinance – required changes to the Planning and Zoning Code.**

Definitions.

“Medical Marijuana Collective.” Xxxxx (Planning to define)

“Sensitive Uses.” Xxxx (Planning to revise or create new definition as needed)

Permitted Zoning Districts. Medical Marijuana Collectives may be permitted upon approval of a MMC Permit only within the following zones: C2, C4, C5, M1, M2, and M3.

Location Standards. The following location standards shall apply to Medical Marijuana Collectives and a building permit shall not be issued unless the MMC conforms to these standards:

A Medical Marijuana Collective shall not be established or located within 1000 feet of another permitted Medical Marijuana Collective, smoke shops which sell paraphernalia for consuming drug or tobacco products, any school, daycare, nursery, playground, park, library, or property zoned, planned, or otherwise designated for such use, or any Sensitive Use.

For 1 year after the effective date of this ordinance – A Medical Marijuana Collective shall not be established or located within 1000 feet of any establishment which was registered with the Los Angeles City Clerk’s office in accordance with the Interim Control Ordinance No. 179,027 before November 12, 2007.

Site/Building/Planning/Zoning Standards. The following standards shall apply to Medical Marijuana Collectives and a building permit shall not be issued unless the MMC conforms to these standards:

1. A Lobby/Waiting Area accessed from the street entrance of the establishment, of at least 250 square feet in size.
2. A Distribution Area, separated from the Lobby/Waiting Area and any Social Service Area by a lockable door and not accessible from the street entrance of the establishment, of at least 250 square feet in size. The Distributing Area shall be accessed by staff only.
3. If there is a Cultivation Area, it shall not be any greater than 25% of the gross floor area of the MMC. The Cultivation Area shall be within an enclosed building and any access points (doors or windows) shall be secured with locks or bars. The Cultivation area shall be served by the HVAC/Ventilation system for the MMC facility, not any HVAC/Ventilation system serving adjacent uses. Marijuana shall not be visible from the exterior of the building.

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4. Storage Area where Marijuana will be kept. This Storage Area shall be within an enclosed building and any access points (doors or windows) shall be secured with locks or bars. Marijuana shall not be visible from the exterior of the building.
5. If social services, including counseling, help with housing and meals, hospice and other care referrals, are provided on site, the Social Service Area shall be located adjacent to the Lobby/Waiting Area and separated from the Distribution Area.
6. Restrooms shall have operable locks. Consumption in restrooms shall be prohibited.
7. A HVAC/Ventilation system dedicated only to the MMC establishment and no other adjacent use. Controls for the HVAC/Ventilation system shall be located within the MMC establishment.
8. If on-site consumption is proposed, the Consumption Area shall be located adjacent to the Lobby/Waiting Area and separated from both the Distribution Area and any Social Service Area. The Consumption Area shall be served by the HVAC/Ventilation system for the MMC facility, not any HVAC/Ventilation system serving adjacent uses.
9. If the MMC dispenses consumable Medical Marijuana products (including, but not limited to, lollipops, brownies, cookies, ice cream, etc.), such products shall be pre-packaged. On-site preparation of consumable products is prohibited. Consumption of such products must be incidental to the distribution of medical marijuana and not a primary use.
10. Physician service shall not be provided on the premise. "Physician services" does not include social services, including counseling, help with housing and meals, hospice and other care referrals which may be provided on site.
11. Exterior signage shall consist of and be limited to site addressing, name of business, and emergency contact information including a name and phone number. Advertising of the goods and/or services shall be prohibited. Marijuana shall not be visible from the exterior of the building.
12. Interior signage in the Lobby/Waiting Area shall consist of the following:
  - a. If on-site consumption is not proposed, a sign stating "Smoking, ingesting or consuming marijuana within this building, in the parking area, or within 200 feet of this building or the parking area is prohibited at all times. Any violation of this can cause a revocation this dispensary's license to operate." Lettering on this sign shall be at least 0.5 inches in height.
  - b. If on-site consumption is proposed, a sign stating "Smoking, ingesting or consuming marijuana in any other part of this building than the Consumption Area, in the parking area, or within 200 feet of this building or the parking area is prohibited at all times. Any violation of this can cause a revocation of this collective's license to operate." Lettering on this sign shall be at least 0.5 inches in height.
  - c. A sign stating "The diversion of marijuana for non-medical purposes is a violation of State law. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery. Loitering at the location of a medical marijuana collective for an illegal purpose is

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- prohibited by California Penal Code Section 647(h).” Lettering on this sign shall be at least 0.5 inches in height.
- d. A posting of the written notice given to all registered members, upon registration, detailing the operational requirements of the Collective. The posting shall be enlarged so that lettering is at minimum 0.3 inches in height.
  - e. A posting of emergency contact information including a name and phone number.
  - f. A posting of all applicable permits, including the Medical Marijuana Collective Permit.
    - i. If the MMC distributes consumable Medical Marijuana products (including, but not limited to, lollipops, brownies, cookies, ice cream, etc.), a posting of Los Angeles County Department of Health Services permit and approval for handling food products.
13. A covenant requirement (Planning to define).
14. The Collective may only be open between the hours of 9:00 a.m. and 8:00 p.m., Monday through Sunday.
15. No MMC shall sell, store, or distribute alcoholic beverages. Consumption of alcoholic beverages on site is prohibited.
16. During hours of business, no more than 10% of exterior windows shall be covered with material of any type, except for any security bars which are required by this section.
17. During hours of business the public entrance of the MMC from the street into the lobby/waiting area, shall not be obstructed for any reason.
18. The MMC shall install a security system, including cameras which cover at minimum the Lobby/Waiting Area, the Distribution Area, the Social Service Area (if any), the Storage Area, any adjacent Parking Area and all doors and windows.

Parking Requirements. For the purposes of planning and zoning requirements, Medical Marijuana Dispensaries shall be considered a Retail Use and parking requirements for MMCs shall be equal to the Retail Use requirement.

Variances and Deviations. MMCs may not apply for or obtain any variances from this Code.