

CITY OF LOS ANGELES  
CALIFORNIA

**JUNE LAGMAY**  
City Clerk

**HOLLY L. WOLCOTT**  
Executive Officer

When making inquiries relative to  
this matter, please refer to the  
Council File No.



**ANTONIO R. VILLARAIGOSA**  
MAYOR

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

**SHANNON HOPPE**  
**Council and Public Services**  
Division

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

August 3, 2012

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 11-1737-S1, at its meeting held July 24, 2012.

City Clerk  
vm

TIME LIMIT FILES  
ORDINANCES

OFFICE OF THE MAYOR  
Mayor's Time Stamp  
RECEIVED  
2012 JUL 25 PM 2:30  
CITY OF LOS ANGELES

CITY CLERK'S OFFICE  
City Clerk's Time Stamp  
2012 JUL 25 PM 2:27  
CITY CLERK  
BY \_\_\_\_\_  
DEPUTY

FORTHWITH

COUNCIL FILE NUMBER 11-1737-S1 COUNCIL DISTRICT \_\_\_\_\_  
COUNCIL APPROVAL DATE JULY 24, 2012 LAST DAY FOR MAYOR TO ACT AUG 06 2012  
ORDINANCE TYPE:  Ord of Intent  Zoning  Personnel  General  
 Improvement  LAMC  LAAC  CU or Var Appeals - CPC No. \_\_\_\_\_

SUBJECT MATTER: AMENDING THE LOS ANGELES MUNICIPAL CODE IN RESPONSE TO RECENT APPELLATE COURT DECISIONS CONCERNING MEDICAL MARIJUANA

	APPROVED	DISAPPROVED	BY
PLANNING COMMISSION	_____	_____	CITY CLERK DEPUTY
DIRECTOR OF PLANNING	<u>X</u>	_____	
CITY ATTORNEY	<u>X</u>	_____	
CITY ADMINISTRATIVE OFFICER	_____	_____	
OTHER	_____	_____	

RECEIVED  
CITY CLERK'S OFFICE  
2012 AUG - 1 PM 1:41

DATE OF MAYOR APPROVAL AUG 01 2012 DEEMED APPROVED OR \*VETO \_\_\_\_\_  
(\*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

**(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)**

DATE RECEIVED FROM MAYOR AUG - 1 2012 ORDINANCE NO. 182190  
DATE PUBLISHED AUG - 6 2012 DATE POSTED \_\_\_\_\_ EFFECTIVE DATE SEP - 6 2012  
ORD OF INTENT: HEARING DATE \_\_\_\_\_ ASSESSMENT CONFIRMATION \_\_\_\_\_  
ORDINANCE FOR DISTRIBUTION: YES  NO

6/12/12

5

TO THE COUNCIL OF THE  
CITY OF LOS ANGELES

FILE NO. 11-1737  
11-1737-S1

Your **PLANNING AND LAND USE MANAGEMENT COMMITTEE**  
**and**  
**PUBLIC SAFETY COMMITTEE**

reports as follows:

CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT and PUBLIC SAFETY COMMITTEES' REPORT AND ORDINANCE relative to amending the Los Angeles Municipal Code (LAMC) in response to recent appellate court decisions concerning medical marijuana.

Recommendations for Council action, as initiated by Motions (Huizar - Englander) and (Parks - Perry), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this action is categorically exempt from California Environmental Quality Act (CEQA) under State CEQA Guidelines sections 15301, 15305, 15308, 15321, 15060(c)(2) and (3), and the corresponding City CEQA Guidelines, because it will not result in a direct, or reasonably foreseeable indirect physical change in the environment, for the reasons set forth in the CEQA Narrative prepared by the Planning Department. (Exhibit Two of the City Attorney report dated May 25, 2012 and attached to the Council file). [ENV-2012-1273-CE]
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the Findings of the Council.
3. ADOPT the City Attorney report "Proposed Ordinance Repealing and Replacing Article 5.1 of Chapter IV of the Los Angeles Municipal Code in Response to Recent Appellate Court Decisions Concerning Medical Marijuana" dated May 25, 2012.
4. PRESENT and ADOPT the accompanying ORDINANCE repealing and replacing Article 5.1 of Chapter IV of the LAMC in response to recent appellate court decisions, by prohibiting medical marijuana businesses, while preserving the limited state law medical marijuana criminal immunities, until such time as the California Supreme Court rules regarding what cities can and cannot regulate and the City enacts new medical marijuana legislation consistent with that judicial guidance, transmitted by the Office of the City Attorney on May 25, 2012.
5. NOT PRESENT and ORDER FILED the Ordinances transmitted by the Office of the City Attorney on January 6, 2012 and by the LACPC on May 15, 2012.
6. DIRECT the Department of City Planning to file a "Notice of Exemption" with the County Clerk immediately after the proposed Ordinance is approved and passed in final by the City Council.

Fiscal Impact Statement: None submitted by the City Attorney and the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes

For proposal: Sunland Tujunga Neighborhood Council  
East Hollywood Neighborhood Council  
Eagle Rock Neighborhood Council  
Greater Griffith Park Neighborhood Council

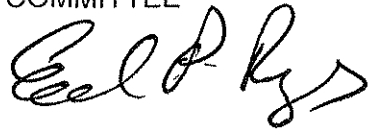
Summary:

At the public hearing held on May 29, 2012, the Planning and Land Use Management (PLUM) Committee considered a proposed ordinance initiated by the Director of Planning, in response to Motions (Huizar - Englander) and (Parks - Perry), and reports and ordinances from City Attorney relative to amending the Los Angeles Municipal Code in response to recent appellate court decisions concerning medical marijuana. Department staff gave the Committee background information on the matter. After an opportunity for public comment, the PLUM Committee recommended that Council approve the LACPC recommendations and adopt the ordinance transmitted by the City Attorney on May 25, 2012.

At a regular meeting held on June 8, 2012, the Public Safety Committee concurred with the recommendations of the PLUM Committee. This matter is now forwarded to Council for its consideration.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT  
COMMITTEE



PUBLIC SAFETY COMMITTEE



JUN 22 2012 - CONTINUED TO July 24, 2012

**ADOPTED**  
*AS Amended*  
JUL 24 2012  
*see Attached Motion*  
**LOS ANGELES CITY COUNCIL**

<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
HUIZAR:	YES
ENGLANDER:	YES

<u>MEMBER</u>	<u>VOTE</u>
ENGLANDER	YES
PERRY	ABSENT
BUSCAINO	YES
KREKORIAN	YES
ZINE	NO

SG  
11-1737\_rpt\_plum\_6-14-12

- Not Official Until Council Acts -

**VERBAL MOTION**

I HEREBY MOVE that Council AMEND the Planning and Land Use Management and Public safety Committees' report (Item #5, Council file 11-1737 and 11-1737-S1) relative to amending the Los Angeles Municipal Code in response to recent appellate court decisions concerning medical marijuana:

INSTRUCT the Chief Legislative Analyst, City Administrative Officer, City Attorney, Los Angeles Police Department, Department of Building and Safety, and Planning Department to report back in three weeks with a mechanism to fund dedicated enforcement unit such that it allows the city to expeditiously enforce the City adopted Ordinance relative to medical marijuana.

PRESENTED BY \_\_\_\_\_  
ED P. REYES  
Councilmember, 1st District

SECONDED BY \_\_\_\_\_  
JOSE HUIZAR  
Councilmember, 14th District

**ADOPTED**

JUL 24 2012

**LOS ANGELES CITY COUNCIL**

July 24, 2012

CF 11-1737; 11-1737-s1