

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

<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

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**- Not Official Until Council Acts -**