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Council File No.: [14-0366-S4](#)

## OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

March 2, 2018

**Council File No.:** [14-0366-S4](#)

**Council Meeting Date:** February 28, 2018

**Agenda Item No.:** 23

**Agenda Description:** RULES, ELECTIONS, AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to amending the Los Angeles Municipal Code regarding the regulation of commercial cannabis activity to clarify open space and public park setbacks; the grandfathering of Existing Medical Marijuana Dispensaries; restrictions for private clubs, lounges, and temporary events; and, environmental and public impact mitigation.

**Council Action:** RULES, ELECTIONS, AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT

**Council Vote:**

YES	BOB BLUMENFIELD
YES	MIKE BONIN
YES	JOE BUSCAINO
ABSENT	GILBERT A. CEDILLO
YES	MITCHELL ENGLANDER
YES	MARQUEECE HARRIS-DAWSON
ABSENT	JOSE HUIZAR
ABSENT	PAUL KORETZ
YES	PAUL KREKORIAN
ABSENT	NURY MARTINEZ
YES	MITCH O'FARRELL
YES	CURREN D. PRICE
YES	MONICA RODRIGUEZ
YES	DAVID RYU
YES	HERB WESSON

HOLLY L. WOLCOTT  
CITY CLERK

RULES, ELECTIONS, AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) regarding the regulation of commercial cannabis activity to clarify open space and public park setbacks; the grandfathering of Existing Medical Marijuana Dispensaries (EMMD); restrictions for private clubs, lounges, and temporary events; and, environmental and public impact mitigation.

Recommendation for Council action, as initiated by Motions (Buscaino – Englander) and (Blumenfield – Bonin):

INSTRUCT the Department of City Planning (DCP), with the assistance of the Department of Cannabis Regulation (DCR) and the Chair of the Rules, Elections, and Intergovernmental Relations Committee, to initiate amendments for consideration by the Citywide Planning Commission that would make the following adjustments to Article V, Chapter X of the LAMC relative to regulating commercial cannabis activity, as follows:

- a. Amend LAMC Section 105.01 relative to the definition of a Public Park to include public parks that are not located in the City of Los Angeles and amend the definition of Open Space within Public Park to clarify that the public park definition does not include street medians or tributaries of the Los Angeles River that are considered flood channels or washes that are zoned Open Space.
- b. Amend LAMC Section 105.03(b) relative to grandfathering of uses from EMMD to state: After December 31, 2022 all EMMDs shall be required to cease conducting any commercial cannabis activities on the Business Premises that do not meet the zone requirements of Article 5 of Chapter X of this Code.
- c. Add provisions that allow for mixed-light cultivation in the same manufacturing zones where indoor cultivation is allowed under LAMC Section 105.02(a)(3) and provide mitigation measures and possible restrictions with respect to odors and any other identified impacts to the public.
- d. Add provisions that will provide for location and sensitive use restrictions for private clubs and lounges that may engage in providing social consumption to the public, subject to the rules and regulations of the DCR and the State of California.
- e. Add provisions for location and sensitive use restrictions for temporary cannabis events that would be provided for under a Temporary Cannabis Event License.
- f. Add provisions to allow for the Cannabis Regulation Commission to make exceptions to the 600-foot school restriction for non-retail cannabis activities subject to a California Environmental Quality Act of 1970 analysis of environmental impacts and conditions to address public health, safety and welfare considerations, as well as a public hearing.

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

Community Impact Statement: Yes



Against: Granada Hills South Neighborhood Council

SUMMARY

In a report to Council dated February 14, 2018, DCP discusses the possibility of allowing mixed-light cannabis cultivation businesses to receive commercial cannabis activity licenses to operate in industrial zones. The Department recommends permitting indoor cultivation in the MR1, M1, MR2, M2, and M3 zones. If the City Council wishes to allow mixed-light commercial cannabis cultivation in the City, the Department recommends that such activity be further analyzed in the MR1, M1, MR2, M2, and M3 zones and that the Department include this proposal as part of any forthcoming amendments to the commercial cannabis location regulations already in place.

At its meeting held February 16, 2018, the Rules, Elections, and Intergovernmental Relations Committee discussed this matter with representatives of the DCR, DCP, and the City Attorney. During the public comment period, speakers stated that street medians should not be considered open space for the purpose of the proposed regulations.

The Committee Chair proposed that the DCP report to the City Planning Commission with recommendations for amending the LAMC regarding the regulation of commercial cannabis as shown above. Committee approved the Chair's proposal and recommended that Council instruct the DCP to proceed with the recommended action.

Respectfully Submitted,

Rules, Elections, and Intergovernmental Relations Committee



<u>MEMBER</u>	<u>VOTE</u>
WESSON:	YES
HUIZAR:	YES
HARRIS-DAWSON:	YES

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**-NOT OFFICIAL UNTIL COUNCIL ACTS-**