

Contact Information

Neighborhood Council: Downtown Los Angeles Neighborhood Council

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The Board approved this CIS by a vote of: Yea(17) Nay(0) Abstain(0) Ineligible(2) Recusal(0)

Date of NC Board Action: 11/09/2016

Type of NC Board Action: For

Impact Information

Date: 11/28/2016

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 14-0366-S5

Agenda Date: 11/29/2016

Item Number:

Summary: The Downtown Los Angeles Neighborhood Council provides general comments regarding Council File 14-0366-S5 to the effect that any new regulations should (i) prohibit recreational or medical marijuana businesses from operating in Central City East/Skid Row, (ii) include strict restrictions on the public use of recreation or medical marijuana in highly-congested public spaces like Downtown Los Angeles, (iii) issue licenses for recreational or medical marijuana businesses pursuant to a scoring system rather than lottery or first-come-first-serve system, and (iv) require any ultimate conditional use approval for recreational or medical marijuana businesses to be preliminarily processed by the Neighborhood Council with jurisdiction over the proposed business, as described in the attached letter.



November 9, 2016

Council File 14-0366-S5

Herb J. Wesson, Jr.
President, Los Angeles City Council
c/o Office of the City Clerk
Los Angeles City Hall
200 North Spring Street, Room 430
Los Angeles, CA 90012

Rules, Election, Intergovernmental Relations, and Neighborhoods Committee
Honorable City Council
c/o Office of the City Clerk
Los Angeles City Hall
200 North Spring Street, Room 395
Los Angeles, CA 90012

Dear Mr. Wesson and Honorable Committee Members,

The Downtown Los Angeles Neighborhood Council (“DLANC”) requests that the following Community Impact Statement be added to Council File 14-0366-S5 for consideration by the Rules, Elections, Intergovernmental Relations, and Neighborhoods Committee in response to the October 4, 2016 letter from Mr. Wesson regarding marijuana (cannabis) regulations in Los Angeles. DLANC provides these general comments as an initial contribution to the growing conversation on the City’s future cannabis regulatory framework. DLANC appreciates the opportunity to further participate in this conversation at upcoming Committee meetings addressing these critical issues.

First, and most importantly, DLANC strongly recommends any regulatory framework implemented by the City should directly incorporate oversight by Neighborhood Councils, similar to the conditional use approval process for the distribution and sale of alcoholic beverages. As with conditional use approvals issued for the sale of alcohol, the applicant for a recreation or medical marijuana business (“RMMB”)¹ permit should be required to secure prior approval of their application by the Neighborhood Council governing the jurisdiction where the RMMB use is proposed before the City may issue final approval. In this way, Neighborhood Councils will be able to provide the case-by-case input necessary to effectively implement whatever regulations the City ultimately adopts.

¹ This letter employs the term “medical marijuana business” or “MMB” as the term is used in the August 18, 2016 Report prepared by the Chief Administrative Officer and Chief Legislative Analyst (hereafter “Report”), but includes “recreational” or “RMMB” to acknowledge the passage of Proposition 64.

Second, DLANC requests that the City prohibit any RMMB from operating in the boundaries of Central City East/Skid Row district of DLANC. As the City is well-aware, the Central City East/Skid Row district is populated by some of our most vulnerable citizens, many of whom are struggling with recovery from drug abuse and addiction. Our Central City East/Skid Row stakeholders have consistently maintained that RMMBs are inappropriate in such a community. As the body elected to protect the interests of these stakeholders, DLANC supports this position and opposing allowing RMMBs within the immediate vicinity of Central City East/Skid Row.

Third, DLANC recommends that the City take this opportunity to enact basic provisions governing the public use and consumption of cannabis, especially in high-density areas like Downtown Los Angeles. DLANC is concerned that the open public use of cannabis has negative effects on businesses, residents and visitors Downtown. In particular, DLANC believes the City should implement common sense prohibitions on the use of cannabis in public spaces within a reasonable distance of businesses and public spaces with a high number of visitors, such as retail, restaurants and parks.

Finally, DLANC generally believes the City should implement as robust a regulatory framework as possible for RMMBs. DLANC understands that cannabis use and related businesses have become an unavoidable part of life in the City. By refusing to properly permit RMMBs, the City risks intruding on the constitutional rights of its citizens to medical cannabis and losing out on millions in tax revenue when state regulations become effective on or around January 1, 2018. Moreover, the imposition of Proposition D in lieu of robust permitting requirements has led to a veritable free-for-all for RMMBs in the City, where enforcement almost invariably falls on the over-burdened shoulders of the Los Angeles Police Department.

To that end, DLANC believes the City should implement a comprehensive regulatory framework that complements state law rather than an express or implied ban, such as Proposition D. The City should utilize a “Scoring System” approach to processing applications for RMMBs in the City, as described by the August 16 Report. In this way, only the best RMMBs will be permitted, instead of the first one to the permit office or the one that won the regulatory lottery. DLANC recommends the City expand the existing tax to cover all RMMBs, rather than just dispensaries, so that it can collect the maximum financial benefits from its new regulations. DLANC further advises that at least three City agencies should be responsible for conducting regular inspections of permitted RMMBs—in particular, the Los Angeles Police Department, the Department of Building and Safety, and the Office of Finance—as described in Action B8 of the August 16 Report.

This Community Impact Statement is based on the recommendation of the Government Liaison Committee on October 10, 2016, and action taken at the special Board of Directors meeting on November 9, 2016, when DLANC adopted the following motion and directed that a Community Impact Statement be filed reflecting its position.

Motion: “Downtown Los Angeles Neighborhood Council (“DLANC”) should submit a Community Impact Statement providing general comments regarding Council File 14-0366-S5 that any new regulations (i) prohibit recreational or medical marijuana businesses from operating in Central City East/Skid Row, (ii) include strict restrictions on the public use of recreation or medical marijuana in highly-congested public spaces like Downtown Los Angeles, (iii) issue licenses for recreational or medical marijuana businesses pursuant to a scoring system rather than lottery or first-come-first-serve system, and (iv) require any ultimate conditional use approval for recreational or medical marijuana businesses to be preliminarily processed by the Neighborhood Council with jurisdiction over the proposed business.”

Sincerely,



Patricia Berman
DLANC President

Sincerely,



Nate Johnson
DLANC Government Liaison Committee Chair