

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

June 29, 2010

In 2006 the Board of Supervisors amended the County's Zoning Ordinance to require a Conditional Use Permit (CUP) for Medical Marijuana Dispensaries (MMD's). The ordinance prohibits the opening of an MMD within 1,000 feet of churches, day-care centers, libraries, playgrounds, schools, and other sensitive uses.

Several dispensaries have opened in County unincorporated areas without securing the necessary CUP and County business license. County staff from multiple departments—Business License Commission, County Counsel, District Attorney, Public Works, Regional Planning, and Treasurer/Tax Collector—have expended tremendous resources enforcing against these uses. County attorneys have also gone to court to close MMD's, including, in one particular instance, a dispensary that was located two doors down from a County library.

According to media reports, more than 100 cities and 9 counties have banned medical marijuana dispensaries. Nearly equal numbers of cities and counties have moratoriums in place. The issue is of particular concern as it relates to the impact that MMD's may have upon the County unincorporated communities. Unincorporated communities which are adjacent to cities that have banned MMD's will become the obvious "locale of choice" for dispensary operators. For example, the existing MMD bans in the cities of Arcadia, Monrovia, and Pasadena make it likely that dispensary operators will apply for CUP's in several adjacent unincorporated communities. It is entirely unfair for our County unincorporated residents and business-owners to shoulder the burdens and impacts of MMD's when surrounding cities have taken steps to ban the use within their borders.

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RIDLEY-THOMAS _____

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I, THEREFORE MOVE, that the Department of Regional Planning, in consultation with County Counsel, prepare proposed ordinance revisions to Title 22 of the County Code that would provide for a complete ban of all medical marijuana dispensaries in the unincorporated areas of the County, and that the Regional Planning Commission conduct a public hearing and forward its recommendations on the proposed ordinance revisions to the Board for its consideration.

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