



Minutes

Lakewood City Council

Adjourned Regular Meeting held
July 22, 2014

MEETING WAS CALLED TO ORDER at 6:40 p.m. by Mayor Rogers in the Executive Board Room at the Civic Center, 5000 Clark Avenue, Lakewood, California.

ROLL CALL: PRESENT: Mayor Todd Rogers
Vice Mayor Jeff Wood
Council Member Steve Croft
Council Member Diane DuBois
Council Member Ron Piazza

PROPOSED REGULATIONS FOR MARIJUANA CULTIVATION

Community Development Director Sonia Southwell introduced members of her staff and Sheriff's Department Team Lakewood members in attendance. She displayed slides and made a presentation based on the memo in the agenda and summarized the current regulations and legal challenges regarding the regulation of marijuana, which remained illegal under Federal law. She explained that with the voter approval of the Compassionate Use Act, protection had been provided to seriously ill persons for medical marijuana under limited and specified circumstances with the distinction that such use was not prescribed but rather recommended by physicians. She indicated that an internet search revealed that medical marijuana dispensaries were available to make local deliveries in the City and noted the growing trend in dispensaries being targets of criminal activity.

City Attorney Steve Skolnik clarified that by adoption of Ordinance No. 2010-2, the urgency measure to establish a regulation banning the establishment of medical marijuana dispensaries, Council affirmed that they were never a permitted use in the City.

Sharon Guidry, Neighborhood Preservation Manager, provided an analysis regarding the potential regulation and possible ban of marijuana cultivation. She noted that the Municipal Code did not specifically address or regulate nor did it list marijuana cultivation as a permitted use in any zone in the City and that when a complaint had been received, the Health and Safety Code section setting a statewide cultivation guideline of six mature or twelve immature plants per qualified patient had been applied. She described the potential impacts associated with the cultivation of marijuana which included the creation of a neighborhood nuisance from odors, damage to buildings in which cultivation occurred, and increased risk of crimes. She added that the justification for regulation of marijuana cultivation revolved around the need to maintain neighborhoods and outlined the options available for consideration which included adopting no new regulations; restricting cultivation to outdoors only and establishing a maximum area and plant number; restricting cultivation to indoors only and establishing a maximum area that can be designated; or adopting a total ban of cultivation. She reviewed court decisions that affirmed local government's rights to ban cultivation as a land use control.

PROPOSED REGULATIONS FOR MARIJUANA CULTIVATION Continued

Ms. Southwell stated that it was staff's recommendation that the City Council review the draft ordinance and direct staff to prepare and present an ordinance to the Planning and Environment Commission to ban or otherwise regulate marijuana cultivation in the City.

It was the general consensus of the Council that while a total ban on marijuana cultivation would be supported, there were issues to be considered such as the substantial expense involved to defend any legal challenges and the difficulty in facilitating enforcement of such regulations.

Mayor Rogers directed that the proposed regulations of marijuana cultivation be considered by the City Council in the next thirty to sixty days. There being no objection, it was so ordered.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 7:37 p.m.

Respectfully submitted,

Jo Mayberry, CMC
Acting City Clerk