

**MINUTES OF THE SPECIAL MEETING  
OF THE  
MONROVIA CITY COUNCIL  
HELD FRIDAY, AUGUST 11, 2006, 2:00 P.M.**

**CONVENE:** Mayor Rob Hammond convened the Special Meeting of the Monrovia City Council, August 11, 2006 at 2:04 P.M. in City Council Chambers, 415 South Ivy Avenue, Monrovia, California. Staff in attendance was City Manager Scott Ochoa, City Attorney Craig A. Steele and Deputy City Clerk Alice D Atkins.

**ROLL CALL:** In attendance were Councilmembers Tom Adams, Dan Kirby (arrived at 2:14 P.M.), Joe Garcia, Mayor Pro Tem Mary Ann Lutz, and Mayor Rob Hammond

**PUBLIC INPUT FOR MATTERS ON THE AGENDA:**

Those speaking:

1. Cyrus Kemp, Monrovia

**ORDINANCES:**

**1(a). Urgency Interim Zoning Ordinance of the City Of Monrovia, California, Prohibiting the Establishment of Marijuana Dispensaries in any Zoning District Within the City and Adopting Findings of Urgency, Introduction and Adoption of Ordinance No. 2006-11U**

**1(b). Interim Zoning Ordinance of the City Of Monrovia, California, Prohibiting the Establishment of Marijuana Dispensaries in any Zoning District Within the City and Adopting Findings of Urgency, Introduction and First Reading of Ordinance No. 2006-11**

City Attorney Craig Steele reviewed the Staff Report.

The City had received inquiries regarding the establishment of so-called medicinal marijuana dispensaries or co-ops in the City. Although State law, in conflict with federal law, made limited allowance for the personal possession and use of marijuana for medicinal purposes when prescribed by a doctor, it was not clear that the distribution of marijuana products to numerous individuals from an establishment such as this would be lawful. Medical marijuana dispensaries were not permitted uses under the Municipal Code, not specifically prohibited, and could be argued to follow under some catch-all classification. The increase in inquiries and the illegal opening of a dispensary prompted staff to request an interim moratorium on the establishment of medial marijuana dispensaries.

The proposed moratorium ordinance was a way to preserve the *status quo* for a brief period while the City studied ways to protect public health and safety. State law specifically allowed cities to adopt interim moratoria in situations exactly like this one. The purpose of a moratorium was to ensure that development projects that would be inconsistent with the actions and programs the City was considering did not occur before the City was able to complete its planning process. As prospective owners of these businesses became aware that the City was contemplating different ways of regulating or prohibiting marijuana dispensaries, they might decide to establish such businesses in the interim to avoid being subject to the new rules. A moratorium would prevent that potential conflict.

This moratorium would prevent the establishment of marijuana dispensaries in any district for a period of 45 days. During that 45-day period, the City Council would hold a public hearing to determine whether to extend the moratorium or allow it to expire. Ultimately, the moratorium would have a maximum life of 2 years after adoption. The proposed moratorium was presented both as an urgency ordinance, to take effect immediately upon adoption, and a traditional ordinance, to take effect after first and second reading.

Staff recommended that the City Council adopt the urgency interim moratorium ordinance, and introduce, read by title only and waive further reading of the non-urgency ordinance.

It was moved by Councilmember Adams, seconded by Mayor Pro Tem Lutz, to read by title only and adopt Urgency Ordinance No. 2006-11U. There were no objections. City Attorney Steele read as follows:

**AN URGENCY INTERIM ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, PROHIBITING THE ESTABLISHMENT OF MARIJUANA DISPENSARIES IN ANY ZONING DISTRICT WITHIN THE CITY, AND ADOPTING FINDINGS OF URGENCY.**

**ROLL CALL: Ayes: Councilmembers Adams, Garcia, Kirby, Mayor Pro Tem Lutz, Mayor Hammond  
Motion carried: 5-0**

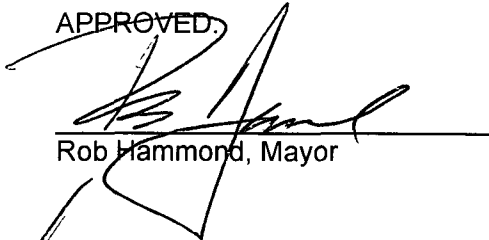
It was moved by Councilmember Adams, seconded by Councilmember Garcia, to introduce, waive further reading, and read by title only Ordinance No. 2006-11. City Attorney Steele read as follows:

**AN INTERIM ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, PROHIBITING THE ESTABLISHMENT OF MARIJUANA DISPENSARIES IN ANY ZONING DISTRICT WITHIN THE CITY**

**ROLL CALL: Ayes: Councilmembers Adams, Garcia, Kirby, Mayor Pro Tem Lutz, Mayor Hammond  
Motion carried: 5-0**

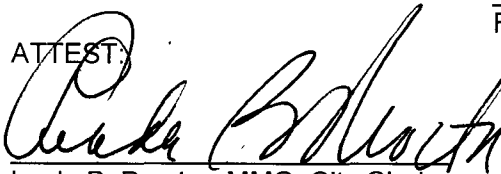
**ADJOURNMENT:** Mayor Hammond adjourned the Meeting at 2:26 P.M.

APPROVED.



Rob Hammond, Mayor

ATTEST:



Linda B. Proctor, MMC, City Clerk