

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

CITY OF LAKE FOREST,

Plaintiff and Respondent,

v.

EVERGREEN HOLISTIC COLLECTIVE,

Defendant and Appellant.

G043909

(Super. Ct. No. 30-2009-00298887)

ORDER MODIFYING OPINION;
NO CHANGE IN JUDGMENT

It is ordered that the opinion filed herein on February 29, 2012, be modified as follows:

1. On page 23, the last sentence of the first partial paragraph, the word “and” is changed to “or” so the sentence reads:

“Accordingly, we conclude a dispensary may be located at the site where its members collectively or cooperatively cultivate their marijuana.”

2. On page 29, change “voter’s” to “voters” in the second sentence of footnote 7.

3. On page 38, second sentence of subpart 8., delete the word “now” so that the sentence reads:

“Section 11362.768 provides that in zoning districts where a local government requires a local business license, no medical marijuana project with a storefront or mobile retail outlet may be located within 600 feet of a school.”

4. On page 39, first sentence of the first full paragraph, delete the words and comma “As amended,” so that the sentence reads:

“Section 11362.768 also provides: ‘Nothing in this section shall prohibit’”

5. On page 39, second sentence of the first full paragraph, the words “The amendment” are changed to “Section 11362.768” so that the sentence reads:

“Section 11362.768 further provides: ‘Nothing in this section shall preempt’”

These modifications do not change the judgment.

ARONSON, J.

WE CONCUR:

RYLAARSDAM, ACTING P. J.

FYBEL, J.