

**MINUTES
CITY OF IMPERIAL
PLANNING COMMISSION
AND
TRAFFIC COMMISSION
NOVEMBER 22, 2017**

**A.
ROLL CALL**

COMMISSIONERS PRESENT: HOLBROOK, LUCAS, AND MCDADE

COMMISSIONERS ABSENT: ROSS (VACATION) AND HONSE

**OTHERS PRESENT: COMMUNITY DEVELOPMENT DIRECTOR MORA,
CITY PLANNER TYLEND A, CITY CLERK JACKSON,
AND CITY ATTORNEY MORITA**

VICE CHAIRMAN LUCAS called the meeting to order at 6:30 PM and led those present in the Pledge of Allegiance.

**B.
PUBLIC APPEARANCES:**

None.

**C.
CONSENT CALENDAR:**

C-1. Approve Planning Commission Meeting Minutes for October 25, 2017 and November 8, 2017.

Motion by HOLBROOK, seconded by MCDADE to approve the Consent Agenda as presented.

AYES: HOLBROOK, MCDADE, AND LUCAS

NOES: NONE

ABSTAIN: NONE

ABSENT: HONSE AND ROSS MOTION CARRIED 3-0

**D.
NEW BUSINESS:**

**D-1. PUBLIC HEARING: REVIEW OF DRAFT MEDICAL CANNABIS DISPENSARIES
ORDINANCE.**

The Public Hearing was opened at 6:35 PM.

PLANNER TYLEND A presented the staff report. Tylanda outlined the state of California's allowance of usage of marijuana for medicinal purposes and the subsequent passage of various bills and proposition approved by the voters allowing the personal use of marijuana. Currently City Code prohibits the operation of commercial and industrial cannabis activities. Outdoor personal cultivation is prohibited but is allowed for indoor growth with regulations in place.

A review of state law was provided outlining licensing requirements on the state level. This legislation protects local control via dual licensing: all marijuana businesses must have both a state license and a local license or permit to operate legally in California. Jurisdictions that regulate or ban medical marijuana will be able to retain their regulations or ban. Local governments may enforce state law in addition to local ordinances. Types of permits allowed include commercial cultivation, dispensaries, manufacturing, testing laboratories, transporters, and distributors. Delivery services may be permitted by the local agency and must be associated with a dispensary.

Areas to be addressed in the ordinance includes: Definitions for uses, activities, etc.; permissive zoning vs. explicit bans; permitted zones; public hearing and noticing requirements; separation requirements from sensitive uses such as parks, schools, day cares and other marijuana related uses; parking requirements; hours of operation, and signage and on-site advertisements.

COMMUNITY DEVELOPMENT DIRECTOR MORA informed the commission that under consideration at this time is allowance of dispensaries in the C-2 zone.

Members of the audience speaking in favor of allowing the medical dispensary was CARLA DANIEL, HELEN PALOMINO, MELISSA LIZARRAGA; TAMMIE THOMAS and others.

Commission discussion was held and questions asked about the number of permits to be issued; requirement for a Conditional Use Permit being granted; conflicts with federal laws in regards to marijuana possession and usage; on-site consumption of cannabis in dispensary; other zones in addition to C-2 to locate dispensary; the length of time that a valid permit would be good for; distances between dispensaries if multiple allowed.

The Public Hearing was closed at 7:30 PM

Motion by HOLBROOK, seconded by MCDADE to approve the draft ordinance with limiting dispensaries in C-2 zone only; one permit issued per year and to remove section banning the smoking of product indoors of the of the dispensary.

AYES: HOLBROOK, MCDADE, AND LUCAS

NOES: NONE

ABSTAIN: NONE

ABSENT: HONSE AND ROSS MOTION CARRIED 3-0

D-2. DISCUSSION/ACTION: SIMILAR LAND USE DETERMINATION FOR THE USAGE OF A GYM AT 612 S. "J" STREET, IMPERIAL.

Item was pulled from the agenda at the request of the applicant.

E-1 CHAIRMAN AND COMMISSIONERS' REPORTS

None.

E-2. DIRECTOR'S REPORT

MORA updated the Commission on various projects underway in the city.

Planning Commission meeting adjourned at 7:37 PM until the next regular meeting on December 13, 2017 at 6:30 PM.

**MINUTES
CITY OF IMPERIAL
PLANNING COMMISSION
AND
TRAFFIC COMMISSION
DECEMBER 13, 2017**

**A.
ROLL CALL**

COMMISSIONERS PRESENT: HOLBROOK, HONSE, MCDADE, AND ROSS

COMMISSIONERS ABSENT: LUCAS

**OTHERS PRESENT: COMMUNITY DEVELOPMENT DIRECTOR MORA,
CITY PLANNER TYLENDIA, AND ADMINISTRATIVE
ANALYST ALVAREZ**

CHAIRMAN ROSS called the meeting to order at 6:34 PM and led those present in the Pledge of Allegiance.

**B.
PUBLIC APPEARANCES:**

LINDA SANCHEZ, IMPERIAL UNIFIED SCHOOL BOARD TRUSTEE addressed the Commission in regards to the letter the board submitted to the City Council opposing the allowance of cannabis dispensaries in the city.

**C.
CONSENT CALENDAR:**

C-1. Approve Planning Commission Meeting Minutes for November 22, 2017.

Staff requested the approval of minutes be tabled at this time.

**D.
NEW BUSINESS:**

**D-1. PUBLIC HEARING: REVIEW OF DRAFT ZONING TEXT AMENDMENT FOR C-2
ZONES**

1. REVIEW AND RECOMMEND OR AMEND DRAFT ZONING TEXT AMENDMENT FOR “MEDICAL CANNABIS DISPENSARIES” AND USES IN C-2 ZONES.

The Public Hearing was opened at 6:38 PM

Staff report was provided by PLANNER TYLENDIA. As per City Council direction, staff initiated a zone text amendment regarding the potential locations for Medical Cannabis Dispensaries. The desired zone

for such businesses is in the C-2 zone and would be subject to a Conditional Use Permit and other requirements set forth in Chapter 15 of the Municipal Code.

Speaking in opposition to allowing Medical Cannabis Dispensaries was LARRY COWNE, Imperial resident.

LINDA SANCHEZ, IUSD BOARD MEMBER requested clarification on location of C-2 zones in the city. (see also Public Appearances)

MARK GRAN, Imperial resident requested clarification on number of permits to be granted if allowed by city.

A correspondence provided via e-mail was submitted by BOBBY GRAN owner of Motor-Vu property. He expressed support in allowance of Medical Cannabis Dispensaries.

The Public Hearing was closed at 6:55 pm and the following action taken:

Motion by HONSE, seconded by HOLBROOK to approve Resolution No. PC 2017-20, recommending language to include Medical Cannabis Dispensaries in C-2 Zone to the City Council.

AYES: HOLBROOK, HONSE, AND MCDADE
NOES: ROSS
ABSTAIN: NONE
ABSENT: LUCAS MOTION CARRIED 3-1

D-2. DISCUSSION/ACTION: SIMILAR LAND USE DETERMINATION FOR THE USAGE OF A GYM AT 612 S. "J" STREET, IMPERIAL.

PLANNER TYLEND A provided the staff report to commission. The applicant is requesting a Similar Land Use Determination to relocate his gym business to 612 S. "J" Street. This area is zoned I-1 General Industrial Zone which allows businesses, professional services and research offices. The current zoning description does not reference gyms. It is being requested that the commission determine whether or not the proposed use is similar to, or not more detrimental than uses already permitted.

Motion by HOLBROOK, seconded by MCDADE to determine that the requested use is similar to existing uses.

AYES: HOLBROOK, HONSE, MCDADE, AND ROSS
NOES: NONE
ABSTAIN: NONE
ABSENT: LUCAS MOTION CARRIED 4-0

E-1 CHAIRMAN AND COMMISSIONERS' REPORTS

None.

E-2. DIRECTOR'S REPORT

TYLEND A provided an update of Traffic Commission recommendations for four projects that has been approved by them since September 2017.

Planning Commission meeting adjourned at 7:09 PM until the next regular meeting on December 27, 2017 at 6:30 PM.