

Minutes
KERMAN PLANNING COMMISSION

REGULAR MEETING

Kerman City Hall 850 S. Madera Avenue

Monday, January 25, 2016 6:30 p.m.

Chairman Robert Epperson, Vice-Chairman Kevin Nehring
Commissioners Robert Bandy, Charlie Jones, Leopoldo Espino, Mario Nunez, Katie Wettlaufer

Call to Order – Chairman, Robert D. Epperson called meeting to order at 6:30p.m.

Roll Call – Secretary, Olivia Pimentel

Commissioner Present: Bandy, Nehring, Wettlaufer, Espino, Nunez, Jones, Epperson

Commissioners Absent: None

Pledge of Allegiance: Performed

AGENDA APPROVAL/ADDITIONS/DELETIONS: Agenda unanimously approved as presented

1. PRESENTATIONS - None offered

REQUEST TO ADDRESS THE COMMISSION - None offered

2. APPROVAL OF MINUTES: Commissioner Nehring made a motion to approve as Minutes of January 11, 2016 and January 12, 2016, as presented, second Commissioner Jones, unanimously approved as presented

3. PUBLIC HEARING

- A.** Resolution of the Planning Commission of the City of Kerman Recommending Approval of Zone Ordinance Amendment to Add Chapter 17.96 to Title 17 of the Kerman Municipal Code to Prohibit Marijuana Cultivation and Dispensaries in All Zone Districts in the City.

In accordance with Section 17.26.020 subsection D of the Municipal Code, A Petition of Amendment was filed by a city planner with the Planning Commission at a special meeting on January 12, 2015 and a public hearing date was scheduled for January 25, 2016. The Petition requested that the Planning Commission consider amendment to Recommend that City Council Adopt Ordinance that would Prohibit Marijuana Cultivation and Dispensaries in All Zone Districts in the City. The Commission set public hearing for this evening

The proposed Zone Ordinance Amendment is Recommending that City Council Adopt Amendment to Add Chapter 17.96 to Title 17 of the Kerman Municipal Code to Prohibit Marijuana Cultivation and Dispensaries in All Zone Districts in the City.

The proposed ordinance addresses the MMRSA legislation which includes a provision that impacts local governments by pre-empting them from enacting cultivation regulations if they do not have such regulations in effect as of March 1, 2016.

The provisions states:

If a city, county, or city and county does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under principles of permissive zoning, or chooses not to administer a conditional permit program pursuant to this section, then commencing March 1, 2016, the division shall be the sole licensing authority for medical marijuana cultivation applicants in that city, county, or city and county.

Because of the limited time to conduct detailed studies, the proposed ordinance ban cultivation and dispensaries in all jurisdictions.

Staff gave a brief review of staff report and noted that Lutene Golden of the Kerman Police Department was available to address any questions from the Commission.

Opened Public Hearing at 6:37 p.m.

No comments received

Closed Public Hearing at 6:38 p.m.

Commission had several questions for Lt. Goldwin regarding the proposed ordinance.

C/Jones made a motion to approve Resolution Recommending that the City Council Adopt Ordinance Adding Chapter 17.96 to Title 17 of the Kerman Municipal Code Prohibiting Marijuana Cultivation and Dispensaries in All Zone Districts in the City, second by C/Nehring, the Commission unanimously approved as presented by the following vote:

Ayes: Bandy, Nehring, Epperson, Wettlaufer, Nunez, Jones, Espino

Noes: None

Absent: None

Abstain: None

4. PETITIONS/RESOLUTIONS - None offered

5. ADMINISTRATIVE REPORTS - None offered

COMMUNICATIONS

- A.** Informational: Public Hearings scheduled for February 8, 2016 for 2015-2023 Multi-Jurisdictional Housing Element, Initial Study and Mitigated Negative Declaration

ADJOURNMENT Meeting adjourned at 6:50 p.m.



/s/ Olivia G. Pimentel

Secretary to the Planning Commission