

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 19th DAY OF JULY 2017

On the 19th day of July 2017 at 6:30 p.m., the Planning Commission of the City of Yreka met in the City Council Chamber in said City in regular session. The meeting was called to order by Chair McCoy and present were:

Commissioners: Steve Leal, Paul McCoy, Craig Mommer, Barry Ohlund, Matt Osborn and Richard Rolzinski. Absent: Diane Knitter.

Conflict of Interest Declaration – N/A

PUBLIC COMMENTS – N/A

Consent Calendar: Chair McCoy announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Planning Commission wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval of Minutes of the regular meeting held on May 17, 2017.

Following Commission discussion, Commissioner Ohlund moved to approve the minutes of the regular meeting held May 17, 2017.

Commissioner Rolzinski seconded the motion, and upon roll call, the following voted YEA: Leal, McCoy, Mommer, Ohlund and Rolzinski.

Chair McCoy thereupon declared the motion carried.

Consideration of Ordinance regulating the indoor cultivation of Non-Medical Marijuana, and prohibiting Non-Medical Marijuana outdoor cultivation, testing, manufacturing, dispensaries, business, distribution and delivery within all zoning districts in the City of Yreka - A City Council initiated Ordinance adding Chapter 9.27 to Title 9, *Public Peace, Safety and Morals*, of the Yreka Municipal Code entitled “Non-Medical Marijuana Cultivation Regulation and the Prohibition of Commercial Cannabis Activity, Manufacture, Testing, Dispensing, Sales, Distribution and Delivery within all Zoning Districts in the City of Yreka”.

- Staff Report
- Public Hearing
- Discussion/Possible Action – Adopt Resolution recommending that the City Council determine that the proposed action is Exempt from further review under the California Environmental Quality Act (CEQA) Pursuant to Section 15061(B)(3); and recommend that the City Council adopt following proposed Ordinance:

An Ordinance of the City Council of the City of Yreka enacting Chapter 9.27 entitled “Non-Medical Marijuana Cultivation Regulation and the Prohibition of Commercial Cannabis Activity, Manufacture, Testing, Dispensing, Sales, Distribution and Delivery with all Zoning Districts in the City of Yreka” and finding the adoption of this ordinance to be exempt from CEQA.

City Manager Steve Baker reported to the Planning Commission that in November of 2016, California voters approved the legalization of recreational marijuana use. In accordance with the new law, Cities can no longer ban indoor cultivation for personal use and must allow such cultivation of up to six plants per residence. However, Cities can regulate indoor cultivation for personal use. In addition, the law allows Cities to retain the authority to regulate and ban all other cultivation and all recreational marijuana businesses including dispensaries and delivery within the City of Yreka.

The City Council desires to retain local control over non-medical marijuana, and directed the City Attorney to prepare an Ordinance to regulate indoor cultivation and prohibit non-medical Marijuana outdoor cultivation, dispensaries, business distribution, and deliveries (Attachment B). The City must act immediately if it wishes to retain authority to regulate or prohibit non-medical marijuana. Specifically, the state will become the sole licensing authority for non-medical marijuana unless the City has an ordinance prohibiting or regulating non-medical marijuana in effect by January 1, 2018.

City Staff is requesting the Planning Commission to adopt a Resolution recommending the adoption of an Ordinance to add Chapter 9.27 to the Yreka Municipal Code entitled “Non-Medical Marijuana Cultivation Regulation and the Prohibition of Commercial Cannabis Activity, Manufacture, Testing, Dispensing, Sales, Distribution and Delivery within all Zoning Districts in the City of Yreka” regulating non-medical marijuana indoor cultivation and prohibiting non-medical outdoor cultivation, testing, manufacturing, dispensaries, business distribution and delivery within all zoning districts in the City of Yreka, and finding the adoption of the ordinance to be consistent with the Yreka General Plan and the standards of the Yreka Municipal Code, and to be exempt from CEQA.

CEQA - Staff recommends that the proposed Ordinance be determined exempt from environmental review pursuant to Section 15061(b) (3) of the California Guidelines for Implementation of the California Environmental Quality Act (CEQA), commonly described as the “general rule” exemption. Section 15061(b) (3) states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Public Hearing – This being the time and date set for the public hearing. Chair McCoy opened the hearing to the audience.

Yreka Residents Louise Gliatto and Nita Still addressed the Planning Commission to let them know they support the proposed Resolution recommending the City Council adopt an Ordinance to prohibit all commercial marijuana.

There being no further statements or comments received, Chair McCoy closed the public hearing and discussion was opened to the Commission.

CEQA

Following Commission discussion, Commissioner Leal moved to make the finding that the proposed Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines.

Commissioner Osborn seconded the motion, and upon roll call, the following voted YEA: Leal, McCoy, Mommer, Ohlund, Osborn, and Rolzinski.

Chair McCoy thereupon declared the motion carried.

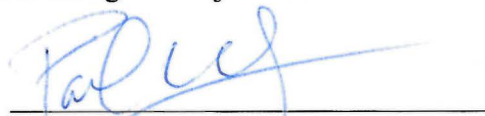
Resolution No. 2017-4

Following Commission discussion, Commissioner Leal moved to adopt Resolution No. 2017-4 recommending the City Council adopt an Ordinance enacting Chapter 9.27 entitled "Non-Medical Marijuana Cultivation Regulation and the Prohibition of Commercial Cannabis Activity, Manufacture, Testing, Dispensing, Sales, Distribution and Delivery within all Zoning Districts in the City of Yreka".

Commissioner Osborn seconded the motion, and upon roll call, the following voted YEA: Leal, McCoy, Mommer, Ohlund, Osborn, and Rolzinski.

Chair McCoy thereupon declared the motion carried.

There being no further business before the Commission, the meeting was adjourned.



Paul McCoy, Chair
Approved by motion of the Planning
Commission on September 20, 2017