



**MEETING MINUTES
PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
WEDNESDAY, APRIL 12, 2017**

CALL TO ORDER 6:30 p.m.

FLAG SALUTE Vice Chair Blum.

ROLL CALL: Commissioners Alex, McLaughlin, Rodman, Vice Chair Blum and Chair Laferriere were present.

City Staff: Community Development Director Buckingham, City Attorney Hale, and Planner Il Reese.

AGENDA REVIEW:

Action: It was m/s by Vice Chair Blum/Commissioner Alex to accept the agenda as presented, and the motion passed unanimously.

PUBLIC COMMENTS: There was no one present that wished to speak.

PUBLIC HEARING ITEMS:

1. Development Application 16-35

Applicant – City of Grover Beach

The Planning Commission will consider making a recommendation to the City Council for a Municipal Code and Local Coastal Program Amendment to allow the establishment of Commercial Medical Marijuana Uses in the Industrial (I), Coastal Industrial (CI), and Coastal Industrial Commercial (CIC) Zones. A draft Initial Study and Negative Declaration has been prepared for this project.

Director Buckingham provided a staff report.

Chair Laferriere opened the public hearing.

Christopher Maccarone, Grover Beach resident, requested information regarding how revenue from marijuana uses would be handled due to legality under federal law, how the uses would affect the City, staff and which department.

Christine Cooper, Arroyo Grande resident, considering investment in one of these related businesses. She requested clarification where a medical aromatherapy business versus medical marijuana dispensary business could be located, and stated that she and other patients would not want to go to the industrial areas to obtain their product. She also inquired whether a business feasibility study has been conducted for the areas that the City is steering them to.

Gary Axelsen, representing S & S Homes, a Grover Beach business, stated that the Grover Business Park, located on Huston Street, was originally designed for high tech businesses,

but there had not been interest in the parcels until the area was identified for commercial medical marijuana uses.

Ramon M. Aleman, Bakersfield resident, requested that the hours of operation be expanded beyond 9 p.m. based on the increased level of activity at his current business occurring between 4 p.m. and 11 p.m.

Joe Agrusa, Grover Beach resident, what difference does it make if medical marijuana cardholders buy here in the future or where they buy now?

The following individuals spoke against the matter:

James Prange, Grover Beach resident, citing concerns related to increased traffic.

Rodney Greenelsh, representing California Fine Wire, a Grover Beach business, citing current issues of locating drug-free employees.

Kathy Greenelsh, representing California Fine Wire, a Grover Beach business, Arroyo Grande resident, stated she did not want these uses in the vicinity of her employees.

Kathy Schultz, representing Coastal Dance and Music Academy, a Grover Beach business, stated that rents are quadrupling and forcing businesses to relocate or close. She requested that commercial areas also be considered for dispensaries.

Chair Laferriere closed the public hearing. Chair Laferriere, City Attorney Hale, and Director Buckingham addressed questions from the public.

Director Buckingham clarified that the Negative Declaration did not have any substantive changes other than expanding to include the two additional industrial zoned areas.

Chair Laferriere questioned why the Planning Commission should review the Use Permit prior to the City Council, as it appears it would just be an extra step for the applicant, assuming the proposals would comply with all adopted regulations. He also questioned if the 100 foot setback for dispensaries from residential zones does not apply along Farroll Road because the street was deemed enough of a buffer, why would it not apply on Atlantic City Avenue and South 4th Street for the new areas as well.

Commissioner Rodman stated he doesn't have an objection given the regulations and each application would be reviewed to evaluate potential issues.

Commissioner Alex stated that this matter has resulted in rent and sales prices to increase and is affecting existing businesses negatively. Therefore, he is not supportive of the ordinance, especially in the areas north of Farroll Road.

Vice Chair Blum stated that the Use Permit should be considered by the Planning Commission as a safeguard for the community and that they are acting under State law, and is not terribly concerned with Federal law. He inquired what would prevent the proposed businesses to turn into lounges like the existing vape retail stores that have turned into smoking lounges.

City Attorney Hale stated that the regulatory regulations, as drafted, require off-site usage or consumption of the products only.

Chair Laferriere stated that additional areas may disperse the unintended consequences of land grabbing.

Director Buckingham stated the City Council did not rule out the commercial areas in the future, but considerations of commercial zones would need to go through the public hearing process.

Commissioner Rodman stated that he didn't see a need to go to the commercial areas, as the current areas appears to be ample area and the appropriateness of the activity at the proposed location can be evaluated when the Use Permit is reviewed.

Commissioner McLaughlin inquired if business will have signage stating no on-site usage or consumption.

Director Buckingham stated that the business would be risking their state license if they are in violation of the regulatory regulations. He also added that the Council will discuss staff resources to ensure compliance with the regulations.

Action: It was m/s by Commissioner Rodman/Commissioner McLaughlin to recommend the City Council approve Development Application 16-35 to amend Article IX of the Municipal Code and a Local Coastal Program Amendment to allow the establishment of commercial medical marijuana uses in the Industrial (I), Coastal Industrial (CI), and Coastal Industrial Commercial (CIC) Zones and adopt the Negative Declaration. The motion carried on the following voice vote:

- AYES: Commissioners McLaughlin and Rodman, Chair Laferriere, and Vice Chair Blum.
- NOES: Commissioner Alex.

Director Buckingham stated it is currently anticipated that both the land use and regulatory ordinances will be considered by the City Council at its May 1 meeting, which commences at 6:00 p.m.

COMMISSIONERS' COMMENTS

Commissioner Rodman stated he was glad to see construction related to 950 El Camino Real underway.

Chair Laferriere stated that he attended the Diablo Canyon facility tour. He also stated that at the last City Council meeting, they wondered if the length of the terms for commissioners was negatively affecting the number of applicants. It was the consensus of the Commission that current four year term seemed appropriate.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Buckingham requested that the Commission review their summer schedule and inform staff of potential conflicts with the regularly scheduled meeting dates.

ADJOURNMENT 8:09 p.m.

/s/
CHAIR LAFERRIERE

/s/
SECRETARY TO THE PLANNING COMMISSION
BRUCE BUCKINGHAM, COMMUNITY DEVELOPMENT DIRECTOR

(approved at PC meeting 7/12/2017)