

Mt. Shasta Regular Planning Commission Meeting Minutes

City Park Upper Lodge 1315 Nixon Rd.
Mt. Shasta Tuesday, January 15, 2019; 6:00 p.m.

Item	STANDING AGENDA ITEMS
1. Call to Order and Flag Salute – Chair Higuera called to order at 6:06PM	
2. Roll call Present: Chair Higuera, Commissioners Saryon, Beck, Kirby, Acord, and Findling Absent: Commissioners Pardee	
3. Public Comment: a. Barbara Wagner: Comments regarding sharing personal information and school board meeting.	
4. Meeting Minutes Approval of Minutes: Planning Commission Regular Meeting Minutes for Tuesday, December 18, 2018 City Planner: Amendment to date at the top of the meeting minutes from November 20, 2018 to December 18, 2018 COMMISSION ACTION: Moved to approve minutes with the correction of date MOTION MADE BY: Commissioner Beck SECOND: Commissioner Saryon AYE: Chair Higuera and Commissioners Findling, Saryon, and Beck NOES: ABSTAIN: Commissioners Kirby and Acord ABSENT: Commissioner Pardee	
5. Amendments to Cannabis Ordinances Chapters 5.70, 5.80, & 18.91 City Planner, Juliana Lucchesi: Presentation of Staff Report Clarifying questions from commissioners Public Comment: Allen Klug: Against cannabis in the city. Eric Price: Against cannabis, city biased and predetermined agenda. Concerned over enforcement, public safety, and buffer zones. Support for moratorium Tom Hoskins: No problem with usage. Doesn't want to turn into a marijuana mecca. Against increase in licenses. Barry David: Mt. Shasta is a destination location but in a financial dilemma. City has the ability to change that. In support of cannabis. Steve Torry: Comments regarding enforcement, personal experience. Support for moratorium. Michael Huffman: Comments regarding oversaturation of marijuana. In favor of buffer zones and moratorium. Cheryl Ochoa: Comments about regulations, enforcement, personal story, and faith Will Diamond: Against cannabis for moratorium. Would like to see City Planner fired. Reny Townsend: Facility owner. Against moratorium. Industry is moving forward and regulators have to abide by that. Andy Fusso: The regulations are well thought out and considerate. Unregulated and unpermitted	

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cannabis is a problem in the county and this legalization helps alleviate that. In support of regulations and well-run operations.

Patrick Frank: Against cannabis nuisance

Mike Burns, Sr: Surprised at cannabis in community. Against cannabis. Opposed to any license, permitting, etc.

Ed Savolainen: Against pot effecting people.

Marni Wroth: Cannabis industry is already here, can work in industry, get revenue, helps people with medical benefit. More research into health benefits. Alcohol kills people. Better than crystal geyser.

Jon Lopey: Impose moratorium, abuse of regulations. Industry cannot properly regulate by current plan

Tom Scovill: Support moratorium, leaving boundaries, illegal grow concerns

Deleon Grabowski: Against. Concern with buffer distance

Aron Bruser: In favor of moratorium and buffer distances of 600 feet

Gina Munday: Dispensary owner. Has 3 of the licenses in support of regulations, moving forward. Licensed is safer.

Dee Spunsler: In favor of moratorium

Bruce Catlin: Business at soul connection is down due to people smelling like marijuana. Can see losing spiritual tourism.

Sandy Studer: Against increase in cannabis businesses

Tim Shannon: Against wants a moratorium longer than 12 months

Jan Distefano: For one-year moratorium on any changes

Brian Martin: Concern about environmental impact and transparency

Elizabeth Tabor: Fear is normal when change occurs. No desire to negatively impact kids. Education is key to prevent youth access

Claudia Frandson: Keep or increase buffer for all schools and for moratorium

Frances Mangels: Personal education. Concern about industry and buffer

Peggy Risch: In favor of moratorium. Make protective changes. Don't allow manufacturing in residential areas

John Baltar: Petition for moratorium. People did not know it was going on

Kelly Dickinson: Increase in theft at Noah's Ark since marijuana business in town. Concern about increase in crime. In favor of moratorium

Sheridan Stenberg: One year moratorium. Concern regarding losing businesses. Nuisance pot smokers outside

Dana Knight: Comments regarding value of marijuana don't want marijuana in town. Concern for children. Concern about cash business.

Thomas Colman: Request moratorium and supports 600 foot buffer around schools

Violet Schmelb: Keep buffer at 600 feet. Concern about youth. Encourage moratorium

Rob Womberg: Safe here. Against reducing buffer. Supports moratorium

Steve Goldman: Opposition to buffer changes on behalf of I AM School. Protect children. Religious beliefs. Opposed to use of drugs

Recess from 8:24PM to 8:29PM

Dori Freeman: Mom with four degrees and cannabis user. Feels we need other business. Personal story. Opposed to opioids and alcohol. We have educated responsible cannabis industry in Mt. Shasta

Nicholas Hendricks: Employed in cannabis industry. State and city voiced support in Prop 64 vote.

Support for cannabis. Children cancer patients benefit from cannabis

Justin Blomberg: Oppose change in buffer because that would be too close to the school

Jim McCullough: Opposed to reduction in buffer zone. Concern for children.

Tom Tindle: Opposed to changes and support for I AM School.

Ian Halbright: Marijuana never killed anyone. Other countries have no issue with cannabis. Nuisance

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laws and zoning exists to control concerns.

Carol Kim: Concern around youth places of gathering. Supports increasing buffer zones and one year moratorium.

Larry Stock: City has an ordinance in place and that should be followed. No increase in permits or lowering limits. Supports moratorium.

Andrew Strach: Cultivation facility owner. Water use clarification. Has a degree in engineering and smoke cannabis. Use doesn't impact motivation.

Shelley Blomberg: Comments regarding buffer zones and concern for odor impacting I AM school. No increase in license and support for moratorium.

Public Comment Closed

Clarifying questions from Planning Commission to City Staff regarding enforcement.

Chair Higuera: Clarification that the planning item is not about smokers on the street but about a legally existing business.

Commissioner Saryon: Comments regarding public comment, outreach process and informational community situation. Counted all the letters and found 118 against, 3 neutral, and 27 in favor of cannabis industries. Discussion on opposition, review of reasonings for concern, there is limited area where businesses can operate, and wants to balance the issue. Comments regarding available properties, prudent to investigate odor comments and ensure no impact. Prefers businesses to locate north of Spring Hill. Comments regarding licenses in other states and support for slow growth to ensure minimization of possible negative impacts.

Commissioner Findling: Questions regarding effects of increasing licenses, business size, and home occupation licenses. Discussion on need to diversify the economy with livable wages and environmentally responsible. Discussion on how support for lower buffer zone is not mutually exclusive from protecting youth. Discussion on unfortunately location of school and feels 300 foot buffer can be viable if odor is managed. Discussion on legalization and change in perception is not easy.

Commissioner Acord: Thank industry for tours. Comments regarding legal and illegal grows being different. Support for waiting to issue more licensing. Support for thoughtful and conscientious moving forward.

Commissioner Kirby: Discussion regarding buffers and support to stay consistent for all locations. In favor of more education and not raising licenses.

Chair Higuera: Discussion on buffer distance not being just 300 or 600 feet.

Commissioner Beck: Discussion regarding mailer and incorrect information represented on mailer and mtshastacare website. Discussion on importance of discord and discussing matters from a place of truth. Discussion on comparing Mt. Shasta to other large cities and that can misinform people.

Comments regarding legalization, voting process, and will of the people. Discussion importance of being educated on both sides. Not in favor of more retail licenses. In favor of intelligent expansion, looking at under utilized areas of town, and encouraging people to understand facilities.

Chair Higuera: In favor of holding licenses to current number. Ream Avenue presents an issue. Does not see an issue with wholesale impacting school.

COMMISSION ACTION: Motion to investigate language to allow existing facilities to continue to apply for permits while freezing new facilities

MOTION MADE BY: Commissioner Findling

SECOND: Chair Higuera

AYE: Chair Higuera, Commissioners Findling, and Beck

NOES: Commissioners Kirby, Acord, and Saryon

ABSTAIN:

ABSENT: Commissioners Pardee

Motion fails due to tie

COMMISSION ACTION: Motion to not raise license number and continue with five licenses in each category

MOTION MADE BY: Commissioner Acord

SECOND: Commissioner Kirby

AYE: Commissioners Kirby, Acord, and Saryon

NOES: Chair Higuera and Commissioner Findling

ABSTAIN: Commissioner Beck

ABSENT: Commissioners Pardee

Motion passes

COMMISSION ACTION: Motion to review license number in one year

MOTION MADE BY: Commissioner Findling

SECOND: Commissioner Kirby

AYE: Chair Higuera and Commissioners Kirby, Acord, and Saryon

NOES:

ABSTAIN: Commissioner Beck

ABSENT: Commissioners Pardee

Motion to review license number in one year – Melanie Findling, Josh Kirby second

Motion passes

COMMISSION ACTION: Motion to maintain 600 foot buffer around all schools, daycares, and youth centers

MOTION MADE BY: Commissioner Saryon

SECOND: Commissioner Acord

AYE: Commissioners Kirby, Acord, and Saryon

NOES: Chair Higuera and Commissioner Findling

ABSTAIN: Commissioner Beck

ABSENT: Commissioners Pardee

Motion passes

COMMISSION ACTION: Motion to approve administrative amendments to Chapters 5.70, 5.80, and 18.91; except those pertaining to buffers and license numbers

MOTION MADE BY: Commissioner Acord

SECOND: Commissioner Beck

AYE: Chair Higuera and Commissioners Kirby, Beck, Findling, Acord, and Saryon

NOES:

ABSTAIN:

ABSENT: Commissioners Pardee

Motion passes

6. Chair and Vice-Chair 2019 Appointments

Juliana Lucchesi, City Planner: Discussion on chair appointments and timeline for appointment of new Planning Commission member.

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General questions and discussion on next steps.

Public Comment: None

Planning Commission took no action

7. Commission and Staff Comments

Chair Higuera: Discussion on enforcement and police services

Commissioner Beck: Discussion on performing arts center proposal

Commissioner Acord: Thank you to Commissioners and announcement of not renewing seat

City Planner: Discussion on new restaurants downtown set to open in April/May

8. Future Agenda Items – Future items are topics brought to the Planning Commission from a public petition, city staff, Planning Commission member(s), and City Council for review and action. All dates refer to first introductions to the Planning Commission and can be altered due to time and priority level. **Items that are bolded correlate with the General Plan Revision Process**

- a. Planning Commission Training Workshop – 2/19/2019
- b. **General Plan: Urban Design Open House – 2/19/2019**
- c. Off-Street Parking Requirements – 3/19/2019
- d. Golden Eagle School Development CUP, Parcel Map, and CEQA Public Hearing –3/19/2019 (Tentative)
- e. Water Efficient Landscaping Ordinance – 4/16/2019
- f. Freeze Mini-Storage and Car Wash Project CUP and CEQA – TBD

Discussion on adding Short-term rental agenda item in response to Carla Showalter Letter. Planning Commission advised Staff to communicate rezoning options that have been previously communicated.

10. Adjourn – Adjourned at 10:30 PM

Availability of Public Records: All public records related to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at City Hall located at 305 North Mt. Shasta Blvd., Mt. Shasta, CA at the same time the public records are distributed or made available to the members of the legislative body. Agenda related writings or documents provided to a majority of the legislative body after distribution of the Agenda packet will be available for public review within a separate binder at City Hall at the same time as they are made available to the members of the legislative body.

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Any writings or documents provided to a majority of the Planning Commission after distribution of the meeting Agenda Packet regarding any open session item on this agenda will be made available for public inspection during normal business hours within the binder entitled “Agenda Packet for Front Counter” located at City Hall at the desk on the right-hand side inside the front door.

Projects heard at this Planning Commission meeting may be subject to appeal. Please contact the Planning Department for information. Appeals must be submitted to the City Clerk’s office together with the appeal fee. If you challenge the environmental review of the project proposal in court, you may be limited to raising only those issues raised at the public hearing or in written correspondence

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delivered to the Planning Department on, or prior to, closing of the public comment period.