

Planning Commission Minutes

April 02, 2019

1. Call to Order

Chair Nuck called the regular meeting of the Planning Commission of the City of King to order at 6:03 p.m.

2. Pledge of Allegiance

Chair Nuck led the Commission and audience in the Pledge of Allegiance.

3. Roll Call

Chairperson David Nuck X Oscar Avalos X

David Mendez X Domingo Uribe X

Staff present: Community Development Director, Doreen Liberto; Principal Planner, Scott Bruce; Admin. Asst./Deputy City Clerk, Erica Sonne.

4. Public Comments

None

5. Presentations

6. Consent Calendar

All matters listed on the Consent Calendar are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.

A. Approval of Minutes: January 15, 2019

Action: Motion made by Commissioner Mendez to approve minutes of January 15, 2019. Seconded by Commissioner Avalos. Motion carried 4-0.

7. PUBLIC HEARINGS

- A. Project: Condominium Conversion and Construction of New Condominium Ordinance
- Applicant: City of King
- Location: The regulatory ordinance would be applicable citywide.
- Consideration: Regulations applicable to residential, commercial and mixed residential and commercial condominium conversion and creation.
- Recommendation: Staff recommends the Planning Commission approve the attached Resolution which recommends the City Council establish and regulate condominium conversions and construction of new condominiums.
- Environmental Determination: In accordance with the California Environmental Quality Act ("CEQA"), and pursuant to CEQA Guideline Sections 15378 and 15061 (b) (3), this activity is not a "project" subject to CEQA as it can be seen with certainty that there is no possibility that an activity may have a significant effect on the environment.

Community Development Liberto introduced this item.

Chair Nuck opened the public hearing, seeing no one come forward,

Chair Nuck closed the public hearing.

Commissioner Avalos made a motion to adopt the attached Resolution 2019-250 which recommends the City Council establish and regulate condominium conversions and construction of new condominiums. Commissioner Mendez seconded. Motion carried 4-0.

- B. Project:** Amendment of the City's Zoning Ordinance Pertaining to Commercial Cannabis Activities and Associated CEQA Determination
- Applicant:** City of King
- Location:** The regulatory ordinance would apply to all M-1 and M-2 zone districts along with the East Ranch Business Park Specific Plan (ERBP-SP). As uses authorized in M-1 and M-2 zoned districts are also currently allowable in the M-3 zoned district, the ordinance would also have a similar effect for uses in the M-3 zoned district. The area affected (ERBP SP and M- Districts) are located in the northeast portion of the City, near the airport and bordered by Metz Road, Bitterwater Road, and the eastern boundary of the City.
- Consideration:** A regulatory ordinance that regulates commercial cannabis activities in the City of King, including the increasing the number of manufacturing permits authorized within the City of King, limiting the amount of zoned land which can be utilized for commercial cannabis activities, and removing the prohibition on cannabis deliveries within the City of King as required by the Bureau of Cannabis Control 2019 regulations. These amendments clarify and refines Chapter 17.03, Sections 020, 040, 060, 070, 210, 230, 260, and 270, and Chapter 17.30, Section 020 and Chapter 17.31, Section 020, Of Title 17 Of the King City Municipal Code. Personal cannabis activity, both recreational and medical, remains governed by the requirements of Chapter 7.55 of Title 7 of the King City Municipal Code.
- Recommendation:** Staff recommends the Planning Commission 1) adopt the Resolution recommending the adoption of the Ordinance Amending Chapter 17.03, Sections 020, 040, 060, 070, 210, 230, 260, and 270, and Chapter 17.30, Section 020 and Chapter 17.31, Section 020, Of Title 17 Of The King City Municipal Code Pertaining to Commercial Cannabis Activity Including Manufacturing Permits, Cannabis Activity Limitations, and Cannabis Deliveries within the City of King.
- Environmental Determination:** The Ordinances are exempt from the California Environmental Quality Act ("CEQA") because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines 15061(b)(3).) It is also exempt because it consists of regulations and restrictions on activities to assure the maintenance, restoration, or enhancement of natural resources and the environment by prohibiting environmentally destructive components of unregulated cannabis cultivation. (CEQA Guidelines 15307, 15308.)

Principal Planner Bruce introduced this item.

Commissioner Uribe is concerned about King City being a Cannabis City. He is concerned that the Council will change the number to let more cannabis in. He feels that the % is too high. He wants King City to be known for something else.

Chair Nuck opened the public hearing, seeing no one come forward

Chair Nuck closed the public hearing.

Commissioner Avalos made a motion to 1) adopt the Resolution recommending the adoption of the Ordinance Amending Chapter 17.03, Sections 020, 040, 060, 070, 210, 230, 260, and 270, and Chapter 17.30, Section 020 and Chapter 17.31, Section 020, Of Title 17 Of The King City Municipal Code Pertaining to Commercial Cannabis Activity Including Manufacturing Permits, Cannabis Activity Limitations, and Cannabis Deliveries within the City of King. Commissioner Mendez seconded. Motion failed 2-2.

Commissioner Avalos made a motion to reconsider this item for discussion and Commissioner Mendez seconded the motion. Motion carried 4-0.

Chair Nuck opened the public hearing and seeing no one come forward closed the public hearing.

Commissioner Uribe would like to see the % 45% and he is ok with 25 permits.

Chair Nuck is looking at it from the stand point of being out there in the business park from 1992 and seeing no growth. He asked Commissioner Uribe if he would consider 50%. Commissioner Uribe reluctantly agreed to the 50%.

Commissioner Avalos made a motion to change the % from 60% to 50% and to recommend to council. Seconded by Commissioner Uribe. Motion carried 4-0.

8. NON- PUBLIC HEARINGS –

A. None

9. Regular Business- None

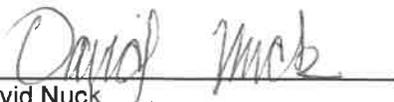
10. Planning Commission Report – None

11. Director Reports- None

12. Written Correspondence– None

13. Adjournment

There being no further business, the Planning Commission meeting was adjourned at 7:22p.m.



David Nuck
Planning Commission Chairperson
City of King



Erica Sonne
Planning Commission Secretary
City of King