



CITY OF HANFORD PLANNING COMMISSION

MEETING DATE: June 13, 2017

MUNICIPAL CODE AMENDMENT No. 2017-02, is a request by the City of Hanford to amend the Hanford Zoning Ordinance Title 17, specifically Chapter 17.08 amending Table 17.08.030 adding commercial medical cannabis uses as conditional uses in the I-H (Heavy Industrial) zone and add Chapter 17.69 Cannabis Related Uses and Activity to further regulate cannabis land uses.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission hold a public hearing, receive a staff presentation and public testimony and consider recommending to the City Council approval of Municipal Code Amendment No. 2017-02 by adopting Resolution 2017-11.

RECOMMENDED MOTION

1. I move the approve Resolution 2017-11 recommending approval of Municipal Code Amendment 2017-02 to the City Council.

PROJECT DESCRIPTION

The project includes the amendment to Title 17, the Zoning Ordinance, to identify where commercial cannabis business will be allowed. An amendment to Title 5, Business Licenses and Regulations will also be considered by the City Council after the Planning Commission has made a recommendation on the zoning ordinance amendments.

Commercial cannabis businesses are identified as the following: cultivation, manufacturing, distribution, transportation, laboratory testing and dispensaries. The first section to be amendment is Table 17.08.030 in Chapter 17.08, commonly referred to as the zoning table. The proposed amendments to the table are found in Exhibit A of the resolution, new text in bold and deleted text in strikethrough. The table identifies that commercial cannabis uses will be allowed in the heavy industrial zone. Line l23, shows that dispensaries are not permitted in any zone within the City.

The proposed project also include the addition of Chapter 17.69, attached as Exhibit B in the resolution. The proposed language includes limitations on proximity to residential zoned property as well as schools, daycares and other youth facility. Any proposed commercial cannabis facility will be required to be at least 200 feet from any residential zoned property, Section 17.69.040(b)(1) and 600 feet from schools, daycares and youth facilities, Section 17.69.040(b)(2).

The proposed language is consistent to the language reviewed during the Joint City Council and Planning Commission meeting held on May 10th.

BACKGROUND INFORMATION

In October of 2016 an interested party approached the City of Hanford about allowing the cultivation of medical cannabis in the City. In November of 2016 the City Council directed staff to begin the process to draft an ordinance to allow cannabis businesses in the heavy industrial zone and prohibit all dispensaries in the City of Hanford. In April of 2017, the City Council authorized a contract with HdL Companies to assist in the drafting of the proposed ordinances, tax measure and regulatory documents.

On May 10, 2017, the City Council and the City Planning Commission held a joint study session to review the first draft of a set of ordinances to regulate medical cannabis. The City has currently entered into two cost reimbursement agreement with two potential medical cannabis businesses.

On October 9, 2015 Governor Brown signed Assembly Bills (AB) 243 and 266 and Senate Bill (B) 643 implementing the Medical Marijuana Regulation and Safety Act.

On November 9, 2016 California voters legalized recreational marijuana.

The Bureau of Medical Cannabis Regulation will not begin issuing permits until January 1, 2018. The BMCR is currently in the rulemaking process. Any commercial facility in the City of Hanford will also be required to comply with the State rules and obtain a State permit.

ENVIRONMENTAL DOCUMENT

Staff recommend that the project be determined to be exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA). 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. No significant environmental impacts would occur as a result of the proposed ordinance.