



**MINUTES OF THE SPECIAL MEETING OF THE
MONROVIA PLANNING COMMISSION
HELD TUESDAY, SEPTEMBER 12, 2017, 7:30 P.M.**

CONVENE:

Chair Parry convened the Special Meeting of the Monrovia Planning Commission of Tuesday, September 12, 2017, at 7:30 p.m. in the City Council Chambers. In attendance were Community Development Director Craig Jimenez, Management Analyst Diane Delmatoff, and Assistant City Attorney Maricela Marroquin.

PLEDGE OF ALLEGIANCE: Commissioner Rose led the pledge of allegiance.

ROLL CALL: In attendance were Commissioners McClellan, Rose, Schaeffler, Winn, and Chair Parry. Commissioners Austin and Beebe were excused.

APPROVAL OF MINUTES: Commissioner Winn moved to approve the minutes of the August 9, 2017, meeting, seconded by Commissioner Rose. The motion carried on a voice vote with Chair Parry abstaining.

PUBLIC INPUT: Phil Cannon, 1024 Royal Oaks, noted that the minutes of the August Planning Commission meeting stated that there was a question about the odor from beer manufacturing and that the Commission decided it would not be a problem.

PUBLIC HEARINGS:

**PH-1 Ordinance No. 2017-05; Planning Commission Resolution No. PCR2017-02,
Applicant, City of Monrovia**

Assistant City Attorney Maricela Marroquin gave the staff report. The Commission had questions about enforcement and the reasoning behind not allowing plants to be grown outdoors.

City regulations will follow the same rules as tobacco with the added regulation of no smoking in public places. Permits will not be required and enforcement will be complaint driven. Police will be able to differentiate between commercial and personal use by quantity. An adult is allowed to have up to one ounce in their possession. Distributors are required to have a State license and the product is tracked from seed to sale.

The City's position at this time is to start with a strict Ordinance that could be dialed back later if it is deemed the correct response. Other cities in the area are not allowing retail sales and there was concern that if Monrovia allowed retail sales it would draw an inordinate amount of business.

In regards to not allowing growing outdoors, State mandates that you cannot prohibit the growing of cannabis, but you can regulate it. There is an odor associated with the plant that may bother neighbors. Most Code Enforcement cases involving growing cannabis come from complaints about odor.

Commissioner Winn had concerns about health and safety stemming from grow lights and felt that it would be dangerous to require indoor growing. He noted that many of the older homes may have inadequate wiring for this type of lighting. Commissioner Schaeffler asked if there would be any State funding for regulation. Since the City is not allowing commercial enterprises there would not be any tax revenue generated.

Chair Parry opened the Public Hearing. No one spoke in favor of the Ordinance. Phil Cannon had concerns. He said that he has been a resident for 16 years and a cannabis proponent for 50 years. He felt the item should not go forward based on the following concerns:

- There was an error in the Legal Notice in regards to the Ordinance No. and he felt that the language was misleading
- The fact that an Environmental Impact Report is not required
- It bans everything it possibly can
- The statement that it is consistent with the General Plan
- The definitions were contradictory
- It is fiscally unwise for the city to prohibit commercial businesses because it is then prohibited from receiving any grants
- The Staff Report stated that other cities have reported negative effects, but failed to mention that some cities have reported positive effects
- Beer manufacturing creates a strong odor and that is allowed
- The study in Long Beach that found an increase in crime was within the statistical margin of error
- The dangers of indoor cultivation which contradicts the statement that this Ordinance furthers the objectives of the Safety Element
- The allowed manufacturing of cannabis could involve volatile solvents
- In the Resolution all the sub-headings of Goal 14 were either ignored or minimized

No one else spoke with concerns. Craig Jimenez said that although the notice did have a typo in the Resolution No, this did not affect the substance of the notice. He explained that the difference between manufacturing and commercial operations is that commercial has retail sales with customers. The very prestigious Beckman Institute Research Center is coming to Monrovia and the City did not want to preclude their medical possibilities. Any company that uses volatile chemicals has to adhere to strict rules. He also noted that the Chief of Police had reservations about crime if we were the only City around that allowed commercial operations.

The Commission discussed the item further. Commissioner Winn state that he believed there were problems with the document. He feels that it would be dangerous to force people to grow cannabis indoors for personal use. He said that as an architect he is obligated to uphold safety. Commissioner Rose was concerned about the odor being a nuisance to neighbors. Chair Parry said that safety issues outweigh nuisance issues.

The Commission agreed to amend the Resolution to remove the prohibition on outdoor cultivation with the requirement that plants be limited to the back yard and not be visible to the public and that the area is secured by locked gates.

Commissioner Schaeffler moved to close the Public Hearing and adopt PCR2017-02 as amended, seconded by Commissioner Rose. The motion carried on the following vote:

AYES: Parry, Rose, Schaeffler, Winn
NOES: McClellan
ABSTAIN: None
ABSENT: Austin, Beebe

ADMINISTRATIVE REPORTS: None

REPORTS FROM STAFF:

City Manager Oliver Chi gave an update on the water supply challenges the City is facing and the CalPers Pension funding issues

COMMUNITY DEVELOPMENT DIRECTOR REPORT: None

REPORTS/ANNOUNCEMENTS FROM COMMISSIONERS: None

ADJOURNMENT: 10:20 PM