



City of Placerville

Development Services Department

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MEMORANDUM

Date: November 6, 2018

To: Planning Commission

From: Pierre Rivas, Development Services Director

Re: Item 4.2: Zone Change (ZC) 18-01 - Cannabis Business Overlay Zone

Staff Recommendation:

Staff Recommends that the Planning Commission continue this item to the December 4, 2018 regular scheduled meeting.

Justification:

Due to a current vacancy on the Planning Commission, a scheduled vacation of a Commissioner, and a conflict of interest of a Commissioner pertaining to this item; the Commission will not have a quorum in order to consider the item. As such, staff is recommending that the Commission continue consideration of the Cannabis Business Overlay Zone to a date certain

Background:

On October 9, 2018, the City Council adopted Ordinance 1693 repealing Title 5 (Business Regulations), Chapter 25, and Title 10 (Zoning Ordinance), Chapter 10, Sections 1 through 5 of the Placerville Municipal Code; and added Title 5 (Business Regulations) Chapter 28.

The referenced repealed City Codes prohibited the cultivation, distribution and dispensing of medical marijuana in the City of Placerville and prohibited medical marijuana dispensaries from locating in the City of Placerville (Ord. 1677, 12-8-2015).

Title 5, Chapter 28 allows commercial cannabis business activities including the cultivation, manufacture, processing, laboratory testing, transportation, dispensing, distribution, or sale of cannabis or cannabis products with a valid commercial cannabis business permit and Business License from the City of Placerville and a valid State of California Seller's Permit.

Section 5.28.250 (Location and Design of Cannabis Businesses) requires that a permitted cannabis business be located in specified commercial zones and that minimum distances be maintained from specified “sensitive” uses as defined in the California Business & Professions Code (Section 26054(b)) and the California Health & Safety Code (Section 11362.768).

The City Council convened a committee (“Cannabis Regulating Committee”) that prepared a draft Cannabis Business Overlay Zone Map meeting zoning and required location distance from sensitive uses criteria for consideration by the Planning Commission for recommendation to the City Council.

Staff has prepared a draft “Cannabis Business Overlay Zone District” adding Section 10-5-25 CBO, Cannabis Business Overlay Zone to Chapter 5 Zone Regulations of the Zoning Ordinance, also to be considered by the Planning Commission for recommendation to the City Council.

Recommended Motion:

Staff is recommending that the Planning Commission make the following motion: “Move to continue Item 4.2 to the December 4, 2018 regular meeting.”