

**CITY OF WILDOMAR
PLANNING COMMISSION
REGULAR MEETING MINUTES
July 21, 2010**

1.0 CALL TO ORDER

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Vice Chairman Harv Dykstra at 7:00 P.M. at Wildomar City Hall, Council Chambers.

1.1 ROLL CALL OF PLANNING COMMISSION

Present: Harv Dykstra, Vice-Chairman
Gary Andre, Commissioner
Ben Benoit, Commissioner
Michael Kazmier, Commissioner

Absent: Robert Devine, Chairman

Staff Present: David Hogan, Planning Director
Thomas D. Jex, Assistant City Attorney
Jon Crawford, Supervising Engineer
Alfredo Garcia, Planner

1.2 PLEDGE OF ALLEGIANCE:

Commissioner Kazmier led the flag salute.

1.3 APPROVAL OF THE AGENDA:

Planning Director Dave Hogan asked the Planning Commission to request shift Items 6.1 and 6.2 ahead of the scheduled public hearing.

Assistant City attorney Thomas Jex commented to Vice Chairman Dykstra to motion for the reordering of the agenda.

Motion: Commissioner Benoit motioned to reorder the July 21, 2010 Planning Commission agenda to consider 6.1 and 6.2 ahead of 5.1. Motion was seconded by Commissioner Andre. Motion carried, the following vote resulted:

AYES: Dykstra, Andre, Benoit, Kazmier
NOES: -
ABSENT: Devine
ABSTAIN: -

2.0 COMMUNICATIONS FROM THE PUBLIC:

None.

3.0 CONSENT ITEMS:

None.

4.0 CONTINUED PUBLIC HEARING ITEMS:

None

6.0 GENERAL BUSINESS ITEMS:

6.1 REVIEW OF 2010 – 2015 CAPITAL IMPROVEMENT PROGRAM

RECOMMENDATION: Adopt a Resolution entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR DETERMINING THAT THE 2010-2015 CAPITAL IMPROVEMENT PROGRAM IS IN CONFORMANCE WITH THE CITY GENERAL PLAN

Director Hogan made the staff presentation

Commissioner Andre raised a question concerning congestion for Central Street.

Director Hogan replied his understanding of the Commissioners concerns, but tonight's meeting is to approve the consistency of the project with the General plan

Commissioner Andre asked if the CIP project will keep Grand Avenue the way it is and make a complete thoroughfare.

City Engineer Crawford responded he understands Commissioner Andre's concerns and will take the information and forward it to City Council, but tonight's meeting is only discuss the consistency with the General Plan.

Vice Chairman Dykstra opened the public hearing.

There were no public comments or testimony.

Vice Chairman Dykstra closed the public hearing.

Motion: Commissioner Kazmier motioned to approve the resolution in determining that the 2010-2015 capital improvement programs is in conformance with the City General Plan. Motioned was seconded by Commissioner Benoit. Motion carried, the following vote resulted:

AYES:	Dykstra, Benoit, Kazmier, Andre
NOES:	-
ABSENT:	Chairman Devine
ABSTAIN:	-

6.2 GENERAL PLAN CONSISTENCY – CLINTON KEITH ROAD WIDENING PROPERTY ACQUISITION

RECOMMENDATION: Adopt a Resolution entitled:

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF WILDOMAR MAKING CERTAIN FINDINGS THAT THE ACQUISITION AND DISPOSITION OF CERTAIN PROPERTY FOR IMPROVING AND WIDENING THE INTERSTATE-15/CLINTON KEITH ROAD AND INTERCHANGE IS IN CONFORMANCE WITH THE CITY OF WILDOMAR GENERAL PLAN PURSUANT TO THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 65402

Director Hogan made the staff presentation.

Commissioner Benoit asked if the parcel owners have been notified or is the City enforcing eminent domain.

City Engineer Crawford summarized the process of eminent domain and stated that the City is acquiring the properties by working with the parcel owners.

Commissioner Andre commented that he was pleased with the progress of the project.

Vice Chairman Dykstra opened the public hearing.

There were no public comments or testimony.

Vice Chairman Dykstra closed the public hearing.

Motion: Commissioner Andre motioned to approve the resolution in finding consistency with the General Plan and the City of Wildomar in acquiring certain property for improving and widening the Interstate-15/Clinton Keith Road and interchange. Motion seconded by Commissioner Andre. Motion carried, the following vote resulted:

AYES:	Dykstra, Andre, Benoit, Kazmier
NOES:	-
ABSENT:	Devine
ABSTAIN:	-

5.0 PUBLIC HEARING ITEMS:

5.1 ZONING CODE AMENDMENT 10-05 – MEDICAL MARIJUANA DISPENSARIES

RECOMMENDATION: Select one of the following actions:

- A. Adopt a resolution recommending that the City Council adopt an ordinance allowing the establishment and operation of medical marijuana dispensaries.
- B. Adopt a resolution recommending that the City Council not adopt an ordinance allowing the establishment and operation of medical marijuana dispensaries.

Director Hogan made the staff presentation and handed the Commission a preliminary version of the 1,000 setback exhibit.

Commissioner Andre commented there were missing public and youth areas that are not reflected on the location map.

Director Hogan replied the map is not in a final form and was created by staff to give the Commission an idea of where these sensitive uses are and what the map will look like.

Commissioner Andre commented on the illegal dispensaries that surfaced in the City of Los Angeles when they allowed legal dispensaries to operate. How will the City address this issue if it were to happen?

Planning Director Hogan replied that the City of Wildomar is small enough for staff to keep a strong control.

Vice Chairman Dykstra opened the public hearing

Kristan Lloyd suggested additional information be added to the City's staff report. One is allowing outside sources to operate in the city. Second, that dispensaries should be excluded from the RDA zone. Third, is to consider revising the hours of operation for dispensaries and fourth, to designate bathrooms for employees of dispensaries and not for public use.

Gina Castanon, is in favor of the zoning code amendment, but has concerns. She referred to the Assembly Bill AB 2650 which allows dispensaries 600 feet near schools and parks which can be applicable for the City ordinance. She also expressed her agreement with Kristan Lloyd regarding the hours of operation and urged the Planning Commission to pass the decision onto the City Council.

Steven Chang, suffered a motorcycle accident and expressed his first hand experience with the medicine and how it aided him. He also mentioned people that sell the medicine should be given background checks.

Gil Rasmussen, commented on the need to revise the ordinance to say collective and not dispensaries because they are two different subjects.

Garin Heslop, expressed his concerns with zoning. He would like to open a wellness center to aid the elderly in the community and feels that the industrial zone for this use is not creating a sense of community. He also commented that the hours of operation are difficult to work with and suggested a revision of hours.

Norman Smith feels that by allowing people to open dispensaries it will create a large problem for the City.

Echo Benoit asked about crime rates relating to this use. She feels that if dispensaries are allowed it should have tight controls. Also, asked what surrounding Cities are doing regarding this subject.

Gerald Hall, asked Planning Commission not to approve the zoning code amendment.

Burt Goulding, recommended not approving the zoning code amendment.

Tom Barral sees the City as a great place to live and is against the zoning code amendment.

Carlos Stahl commented on creating a safe place for people to purchase their product.

Ryan Rochoa, representing Robert Rees, commented on providing a safe environment for people to acquire their medicine.

Steven A. Figueroa commented on the pain a family member suffers and how they depend on medical marijuana to survive.

Kelly Rene commented on the negative image perceived on people who use medical marijuana.

Commissioner Andre commented on the various medical surgeries he has gone through and the pain he has endured from the outcome and understands the need to seek pain relief. He is all for helping people deal with pain, but see's the problem other Cities are dealing with illegal businesses rising from the approval of legal businesses and the expense placed upon the Cities to monitor these establishments. In addition, feels it is unfair to vote without the presence of Chairman Devine and proposes a continuance.

Commissioner Benoit agreed with a continuance and would like to see more information.

Commissioner Kazmier agreed with Commissioner Benoit's comment.

Director Hogan commented the Commission may choose to continue the matter to a later date, but it is up to the Commission to decide.

Motion: Vice Chairman Dykstra made a motion to continue the public hearing to the August 4, 2010 Planning Commission meeting. The motioned was seconded by Commissioner Kazmier. Motion carried, the following vote resulted:

AYES:	Dykstra, Andre, Benoit, Kazmier
NOES:	-
ABSENT:	Devine
ABSTAIN:	-

7.0 PLANNING DIRECTOR'S REPORT:

None

8.0 PLANNING COMMISSION COMMENTS:

None

9.0 ADJOURNMENT.

The July 21, 2010 regular meeting of the Wildomar Planning Commission adjourned at 8:28 P.M.

Respectfully submitted:
David Hogan
Commission Secretary