



CITY OF MENDOTA

"Cantaloupe Center Of The World"

JUAN LUNA
Chair

CARLOS QUINTANAR
Vice-Chair

ALBERT ESCOBEDO

MARTIN GAMEZ

JOSHUA GARCIA

RAMIRO ESPINOZA
Alternate Commissioner

CITY OF MENDOTA PLANNING COMMISSION AGENDA

City Council Chambers
Mendota, CA 93640

REGULAR MEETING

April 19, 2016

6:30 P.M.

VINCE DiMAGGIO
City Manager

CRISTIAN GONZALEZ
Public Works/Planning Director

JEFF O'NEAL
City Planner

The Mendota City Planning Commission welcomes you to its meetings, which are scheduled for the 3rd Tuesday every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Planning Commissioners may discuss and/or take action on any or all of the items listed on this agenda. **Please turn your cell phone off. Thank you for your respect and consideration.**

Any public writings distributed by the City of Mendota to at least a majority of the Planning Commission regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours.

CALL TO ORDER

ROLL CALL

FLAG SALUTE

FINALIZE THE AGENDA

1. Adoption of final Agenda.

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the minutes of the regular meeting of March 15, 2016.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

PUBLIC HEARING

1. Consideration and proposed action on a resolution recommending that the City Council of the City of Mendota Adopt an Amendment to the City of Mendota General Plan, Modify the Land Use Designation and City Zoning Map Relating to the Properties Identified as Fresno County Assessor's Parcel Nos. 013-141-02S and 013-152-27S.
 - a. *Receive report from City Attorney Kinsey*
 - b. *Inquiries from Planning Commissioners to staff*
 - c. *Commission continue item to June 21, 2016, Regular Planning Commission Meeting*

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

The public is invited to speak to the Planning Commission at this time about any item that is not on the Agenda. Please limit your comments to five (5) minutes. Please note that the Planning Commission cannot take action on any item not listed on the agenda.

PLANNING DIRECTOR UPDATE

PLANNING COMMISSIONERS' REPORTS

ADJOURNMENT

CERTIFICATION OF POSTING

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota Planning Commission Regular Meeting of Tuesday, April 19, 2016 was posted on the outside bulletin board of City Hall, 643 Quince Street on Friday, April 15, 2016 at 11:15 a.m.


Celeste Cabrera, Deputy City Clerk



CITY OF MENDOTA PLANNING COMMISSION MINUTES

Special Meeting

Monday, March 15, 2016

6:30 p.m.

Meeting called to order by Chairperson Luna at 6:30 PM.

Roll Call

Commissioners Present:

Chairperson Juan Luna, Vice-Chairperson Carlos Quintanar, Commissioners Albert Escobedo, Ramiro Espinoza (at 6:37 p.m.), and Martin Gamez.

Commissioners Absent:

Commissioner Joshua Garcia.

Staff Present:

John Kinsey, City Attorney; Matt Flood, Economic Development Manager; and Celeste Cabrera, Deputy City Clerk.

Flag Salute led by resident John Flores.

FINALIZE THE AGENDA

1. Adoption of final Agenda.

A motion was made by Commissioner Escobedo to adopt the agenda, seconded by Vice-Chairperson Quintanar; unanimously approved (4 ayes, absent: Garcia).

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the minutes of the regular meeting of February 16, 2016.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

A motion to approve items 1 and 2 was made by Commissioner Escobedo, seconded by Vice-Chairperson Quintanar; unanimously approved (4 ayes, absent: Garcia).

PUBLIC HEARING

1. Proposed Adoption of **Resolution No. PC 16-02**: Recommending that the City Council of the City of Mendota Adopt an Ordinance Amending Chapter 8.36 of the Mendota Municipal Code Relating to the Establishment and Operation of Medical Marijuana Dispensaries, the Indoor and Outdoor Cultivation of Medical Marijuana, and the Delivery of Medical Marijuana.

Chairperson Luna introduced the item and City Attorney Kinsey introduced himself to the Planning Commission and summarized the report including that the Medical Marijuana Regulation and Safety Act provides a statewide program for the licensing and regulation of commercial cannabis activity; the extended deadline for local governments to either issue regulations in regards to medical marijuana businesses or to prohibit such operations; the resolution of intent that Council adopted which aims towards the prohibition of the establishment and operation of medical marijuana businesses within the City (6:37 p.m. Commissioner Espinoza entered the Council Chambers); and the proposed ordinance that staff created regarding the prohibition of the establishment and operation of medical marijuana businesses within the City.

Discussion was held on whether individuals who currently possess medical marijuana cards will be in violation of the ordinance; Council's ability to limit the use of medical marijuana within City limits; ways to enforce the ordinance; and the prohibition of cultivation of medical marijuana within the City.

At 6:40 p.m. Chairperson Luna opened the hearing to the public.

John Flores (615 J Street) – explained that he supports the proposed ordinance; concerns regarding Coalinga's position on the issue; and the importance of not relying on medical marijuana to bring better economic opportunities to the City.

Discussion was held on the different positions that cities are taking in regards to the issue; the benefits of allowing medical marijuana dispensaries in the City; the negative impact that drugs has on the community; medical marijuana being illegal under federal law; and safety concerns that arise regarding medical marijuana businesses.

At 6:56 p.m. Chairperson Luna closed the hearing to the public.

A motion was made to adopt Resolution No. PC 16-02 by Vice-Chairperson Quintanar, seconded by Commissioner Escobedo; unanimously approved (5 ayes, absent: Garcia).

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

None offered.

PLANNING DIRECTOR UPDATE

Economic Development Manager Flood reported on the status of the construction of McDonald's and Autozone.

PLANNING COMMISSIONERS' REPORTS

Vice-Chairperson Quintanar reported on the upcoming youth football camp.

Commissioner Gamez inquired as to the possibility of the police department to acquire a helicopter and reported on a neighborhood watch program that the police department wants to establish.

ADJOURNMENT

At the hour of 7:08 p.m. with no more business to be brought before the Planning Commission, a motion for adjournment was made by Vice-Chairperson Quintanar, seconded by Commissioner Escobedo; unanimously approved (5 ayes, absent: Garcia).

Juan Luna, Chairperson

ATTEST:

Matt Flood, City Clerk

A G E N D A I T E M - S T A F F R E P O R T

DATE: April 15, 2016

TO: Honorable Members of the Planning Commission of the City of Mendota

FROM: Vince DiMaggio, City Manager
John P. Kinsey, City Attorney

SUBJECT: Consideration and proposed action on a resolution recommending that the City Council of the City of Mendota Adopt an Amendment to the City of Mendota General Plan, Modify the Land Use Designation and City Zoning Map Relating to the Properties Identified as Fresno County Assessor's Parcel Nos. 013-141-02S and 013-152-27S.

RECOMMENDATION:

Continue the hearing on the Planning Commission's proposed recommendation that the City Council of the City of Mendota Adopt an Amendment to the City of Mendota General Plan, Modify the Land Use Designation and City Zoning Map Relating to the Properties Identified as Fresno County Assessor's Parcel Nos. 013-141-02S and 013-152-27S, to the June 21, 2016, regular Planning Commission meeting.

BACKGROUND:

In February 2016, the City entered into a settlement agreement, which contains provisions contemplating the re-zoning of two properties identified as Assessor's Parcel Numbers 013-141-02S and 013-152-27S (collectively, the "Subject Properties") from M-1 (Light Manufacturing) to M-2 (Heavy Manufacturing).

To effectuate the rezoning, the City would need to consider an amendment to the City's existing General Plan, as well as other approvals.

At its March 22, 2016, meeting, the City Council adopted a resolution declaring its intention (the "Resolution of Intention") to, *inter alia*, propose amendments to the City's General Plan to accommodate the rezoning and other approvals, and requesting that the Secretary schedule a public hearing before the Planning Commission on those issues.

DISCUSSION:

The City's Municipal Code requires the Planning Commission to conduct a public hearing on the General Plan Amendment and rezoning of the property no less than ten (10) days nor more than forty (40) days after the City Council's adoption of the Resolution of Intention. However, in order for the Planning Commission to meet its obligations under the California Environmental Quality Act, Pub. Resources Code, § 21000, *et seq.* ("CEQA"), the City must first consider the potential environmental effects of the proposed approvals.

City staff anticipates that it will complete the environmental review process under CEQA for the proposed approvals within approximately 45 days. As such, City staff requests that the Planning Commission continue the hearing on the rezoning, the General Plan Amendment, and the related approvals to the Planning Commission's June 21, 2016, meeting.