



MINUTES

**Planning Commission Regular Meeting
Council Chambers, 380 Civic Drive, Galt, California
Thursday, June 11, 2009, 6:30 p.m.**

The meeting was called to order at 6:30 p.m. by Chairperson Powers. Commissioners present: Powers, McFaddin, Yates, Davenport and Pellandini. Daley was absent.

Staff members present: Principal Planner Kiriu, City Attorney Hollender, Chief Cattolico and PC Secretary Kulm.

PUBLIC COMMENTS – **None.**

INFORMATION/CONSENT CALENDAR

1. **SUBJECT:** Minutes of the April 9, 2009 meeting.

ACTION: McFaddin moved to approve the consent calendar, noting a typographical error on page 3. The minutes should read as follows: *(the PC approved this recommendation with the condition that the applicant resubmit a new ARC package with homes ranging in size from 1,400 square feet to 600 1,600 square feet rather than the proposed 1,295 square feet to 1,400 square feet and that all roofing material be tile)*; second by Powers. Motion was unanimously carried by those Commissioners present. (Powers, McFaddin, Yates, Davenport, Pellandini)

PUBLIC HEARING

1. **SUBJECT:** Galt Zoning Ordinance amendments to prohibit the establishment and operation of medical marijuana dispensaries in all Galt zoning districts and Northeast Area Specific Plan amendments to delete zoning ordinance text that is duplicated in the Plan and replace it with text references to the same applicable zoning ordinance sections.

RECOMMENDATION: That the Planning Commission recommends that City Council:

1. Adopt Resolution 2009- _____ approving the CEQA Exemptions for the Project; and
2. Adopt Resolution 2009-_____, approving the NEASP amendments to remove redundant zoning code excerpts and replace them with references to the applicable zoning code sections; and
3. Introduce Ordinance No. 2009-____ amending Galt Municipal Code Section 18.16.030, Table 18.16-1, and Sections 18.92.030 and 18.92.040 to prohibit the establishment and operation of Medical Marijuana Dispensaries (MMD) in all zoning districts and to list and define the term MMD.

Kiriu gave staff report and noted a change to the ordinance was necessary after discussions with the city attorney. The change is in Section 1 Findings, Subsection D which reads:

“As fully outlined in Ordinance No. 2009-06, incorporated by reference herein, there have been significant recent changes in the enforcement of federal laws prohibiting possession and distribution of medical marijuana. Significantly, in March 2009, the United States Attorney General stated that the federal policy shift away from enforcement of the Controlled Substances Act has lead to increased concerns among members of the community that there will be renewed interest in the establishment and operation of medical marijuana dispensaries within the City.”

The city attorney felt it necessary to list the findings in the new ordinance rather than refer to them as noted above. Kiriu gave the commissioners a list of those findings to be incorporated into the new ordinance.

Chairperson Powers opened the public hearing.

Davenport asked why this action was coming before the Planning Commission. Kiriu explained that the Planning

Commission must make a recommendation regarding zoning law. Discussion ensued.

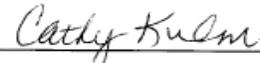
Chairperson Powers closed the public hearing.

ACTION: McFaddin made a motion to approved staffs recommendation with the amendment to the ordinance as noted by Kiriu; second by Powers. The motion was carried as follows: Ayes – McFaddin, Powers, Pellandini, Noes – Yates and Davenport abstained.

DEPARTMENT REPORT: - None.

Meeting adjourned at 7:00 p.m.

Respectfully submitted by



Cathy Kufm, Secretary
Galt Planning Commission

Minutes approved 1-14-10.