

# **RESOLUTION 019P-009**

## **A RESOLUTION OF THE CITY OF COALINGA PLANNING COMMISSION RECOMMENDING APPROVAL OF A ZONING TEXT AMENDMENT TO AMEND THE PLANNING AND ZONING CODE AMENDING THE 24-HOUR SECURITY REQUIREMENT FOR COMMERCIAL CANNABIS FACILITIES**

WHEREAS, Article 1 of Chapter 5 of the Coalinga Planning and Zoning code establishes local regulations applicable to commercial cannabis operations as may be permitted under the California Medicinal and Adult-Use Cannabis Regulation and Safety Act (SB 94), approved by the Governor on June 27, 2017 or subsequently enacted State law pertaining to the same; and

WHEREAS, section 9-5.128(d)(18)(j) requires all commercial cultivation, manufacturing, testing, and distribution facilities to have twenty-four-hour (24) security patrols by a recognized security company licensed by the California Department of Consumer Affairs or otherwise acceptable to the Police Chief; and

WHEREAS, the City desires to amend section 9-5.128(d)(18)(j) of the planning and zoning code to amend the requirement for 24-hour security patrols to patrols during business hours in an effort to reduce costs associated with operating a cannabis facility in the City of Coalinga; and

WHEREAS, the Police Chief has identified that there is no need for the additional security after business hours as the Police Department has full access to the security camera feeds in and around the cannabis facilities and if an alarm is received by dispatch they will have the ability to pull up the camera's and see what is happening and respond accordingly, and;

WHEREAS, the State of California does not require 24-hour security patrol at licensed cannabis facilities within its regulations and statutes; and

WHEREAS, a Notice of Public Hearing was provided to the Coalinga Press, posted at City Hall, Police Department bulletin board, Fire Department Bulletin Board, Coalinga District Library, and Chamber of Commerce on August 29, 2019, and;

WHEREAS, the Planning Commission held the noticed Public Hearing on August 27, 2019 to take testimony with regard to the proposed Zoning Text Amendment; and

WHEREAS, the Planning Commission completed its review of the proposed Zoning Text Amendment and details in the Staff Report and has considered the testimony received during the public hearing process, and;

WHEREAS, the Planning Commission has made the following findings based on the Zoning Text Amendment proposal:

- The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

- The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
- The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission recommends approval to the City Council adoption of a draft ordinance (Exhibit "A") to amend the planning and zoning code related to amending the 24-hour security patrol requirements for cannabis facilities.

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regular meeting held on the 10<sup>th</sup> day of September 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

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Planning Commission Chairman/Vice Chairman

ATTEST:

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City Clerk/Deputy City Clerk

## Exhibit "A"

### Draft Ordinance