

# **RESOLUTION 021P-002**

## **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 DISTANCE THAT COMMERCIAL CANNABIS FACILITIES MAY OPERATE FROM SCHOOLS FROM 1,800 FEET TO 930 FEET**

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)(12) states that all commercial cultivation, manufacturing, testing, and distribution facilities shall not be located within 1,800 feet from any existing school or proposed school site as identified in the General Plan.; and

WHEREAS, the City desires to amend section 9-5.128(d)(12) of the planning and zoning code to amend the distance requirement from 1,800 feet to 930 feet from any existing school or proposed school site as identified in the General Plan; and

WHEREAS, the State of California only requires licensed cannabis facilities to operate outside 600 feet from schools as identified in their statutes and regulations; 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 February 11, 2021, and;

WHEREAS, the Planning Commission held the noticed Public Hearing on February 23, 2021 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 an Ordinance (Exhibit "A") to amend the planning and zoning code related to distance requirements for cannabis facilities from schools.

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regular meeting held on the 23<sup>rd</sup> day of February 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Planning Commission Chairman/Vice Chairman

ATTEST:

---

City Clerk/Deputy City Clerk

## Exhibit "A"

### Draft Ordinance