



BENICIA PLANNING COMMISSION REGULAR MEETING MINUTES

**City Hall Council Chambers
Thursday, December 10, 2015
7:00 P.M.**

I. OPENING OF MEETING

A. Pledge of Allegiance

B. Roll Call of Commissioners

Present: Commissioners Birdseye, Cohen-Grossman, Radtke,
Sherry, Young and Chair Dean

Absent: Commissioner Oakes (unexcused)

Staff Present: Amy Million, Principal Planner/Recording Secretary
Suzanne Thorsen, Senior Planner
Kat Wellman, Contract Attorney

C. Reference to Fundamental Rights of Public

II. ADOPTION OF AGENDA

On motion of Commissioner Sherry, seconded by Commissioner Cohen-Grossman, the agenda was adopted by the following vote:

Ayes: Commissioners Birdseye, Cohen-Grossman, Sherry, Radtke, Young
and Chair Dean

Noes: None

Absent: Commissioner Oakes

Abstain: None

III. OPPORTUNITY FOR PUBLIC COMMENT

A. WRITTEN – None.

B. PUBLIC COMMENT- None.

IV. CONSENT CALENDAR

Commissioner Cohen-Grossman requested a discussion of the November 12, 2015

minutes. This item was moved to Item A on the regular agenda.

V. REGULAR AGENDA ITEMS

A. APPROVAL OF MINUTES OF NOVEMBER 12, 2015 REGULAR MEETING

On motion of Commissioner Radtke, seconded by Commissioner Young, the minutes were approved with changes identified by Commissioner Cohen-Grossman by the following vote:

Ayes: Commissioners Birdseye, Cohen-Grossman, Radtke, Sherry,
Young and Chair Dean
Noes: None
Absent: Commissioner Oakes
Abstain: None

B. TEXT AMENDMENTS TO THE BENICIA MUNICIPAL CODE TO REGULATE THE CULTIVATION, DELIVERY AND USE OF MARIJUANA, AFTER A DETERMINATION THAT THE PROJECT IS EXEMPT FROM CEQA

Ms. Wellman provided a brief overview of the project.

Commission requested clarification on the fines and the proposed changes.

Commissioner Young recommended that the staff report to the City Council acknowledge that banning medical marijuana dispensaries in the City results in a lack of tax revenue.

Public comment was opened. No comment.

Public comment was closed.

The Commission discussed the definition of cultivation, the allowance of indoor cultivation of up to 6 mature plants or 12 immature plants and the proposed banning of deliveries to qualified patients.

The Commission discussed providing their general intent of the changes to the draft ordinance. They recommended allowing the delivery of medical marijuana and clarifying that the state allows limited cultivation of medical marijuana.

RESOLUTION NO. 15-11 OF THE PLANNING COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL APPROVAL OF AMENDMENTS TO THE ZONING CODE REGARDING MEDICAL MARIJUANMA DISPENSARIES AND DELIVERY, USE, AND CULTIVATION OF MEDICAL MARIJUANA

On a motion of Commissioner Young, seconded by Commissioner Birdseye,

the above resolution was adopted with the following changes to the draft ordinance:

1. Allow for the delivery of medical marijuana from a licensed dispensary to a licensed patient; and
2. Clarify that the indoor cultivation of up to 6 plants as allowed by the State is expressly permitted.

by the following vote:

Ayes: Commissioners Birdseye, Cohen-Grossman, Radtke, Sherry, Young, Chair Dean
Noes: None
Absent: Commissioner Oakes
Abstain: None

C. GENERAL PLAN AMENDMENT FOR THE TRAVIS AIR FORCE BASE LAND USE COMPATIBILITY PLAN, AFTER DETERMINING THAT THE PROJECT IS EXEMPT FROM CEQA

Ms. Thorsen provided a brief presentation.

Commission asked various questions about the process for the Travis Air Force Base Land Use Commission (ALUC) review of Benicia General Plan amendments and draft ordinances, the triggers for ALUC review, and the process for development of the Travis Air Force Base Land Use Compatibility Plan (ALUCP).

Public comment was opened. No comment.

Public comment was closed.

RESOLUTION NO. 15-12 OF THE PLANNING COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE GENERAL PLAN FOR CONSISTENCY WITH THE TRAVIS AIR FORCE BASE AIRPORT LAND USE COMPATIBILITY PLAN

On a motion of Commissioner Young, seconded by Commissioner Cohen-Grossman, the above resolution was adopted by the following vote:

Ayes: Commissioners Birdseye, Cohen-Grossman, Radtke, Sherry, Young, Chair Dean
Noes: None
Absent: Commissioner Oakes
Abstain: None

D. CITY OF BENICIA ADOPTION OF A COMPLETE STREETS POLICY

Ms. Thorsen provided a brief presentation.

Commission asked various questions regarding the impact that adopting this policy would have on private landowners and the reference to Exhibit A.

Public comment was opened. No comment.

Public comment was closed.

RESOLUTION NO. 15-13 OF THE PLANNING COMMISSION OF THE CITY OF BENICIA RECOMMENDING THAT THE CITY COUNCIL ADOPT A COMPLETE STREETS POLICY

On a motion of Commissioner Cohen-Grossman, seconded by Commissioner Young, the above resolution was adopted by the following vote:

Ayes:	Commissioners Birdseye, Cohen-Grossman, Radtke, Sherry, Young, Chair Dean
Noes:	None
Absent:	Commissioner Oakes
Abstain:	None

VI. COMMUNICATIONS FROM STAFF

Staff updated the Commission on the timing of the Valero Crude by Rail project Final EIR stating it is anticipated to be released around January 1, 2016.

VII. COMMUNICATIONS FROM COMMISSIONERS

None.

VIII. ADJOURNMENT

Chair Dean adjourned the meeting at 8:45 p.m.