

Thursday, March 5, 2020
6:00 p.m.
City of Turlock Yosemite Room
156 S. Broadway, Turlock, California

MINUTES
Regular Meeting
Turlock Planning Commission

A. 1. CALL TO ORDER – Chairman Jim Reape called the meeting to order at 6:01 p.m.

PRESENT: Commissioners Jim Reape, Constance Anderson, Matthew Davis, Elvis Dias
Anokeen Varani, Geoff Powers and Ray Souza

ABSENT: None

2. SALUTE TO THE FLAG

B. ANNOUNCEMENTS

Deputy Director Katie Quintero stated there were none.

C. PUBLIC PARTICIPATION

Chairman Reape opened the floor for public participation. No one spoke. Chairman Reape closed the floor for public participation.

D. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

Chairman Reape asked the Planning Commission if there were any conflicts of interest or disclosure of ex parte communications. There were none.

E. CONSENT CALENDAR

Chairman Reape noted there were no consent calendar items.

F. PUBLIC HEARINGS

***CONSENT ITEMS**

Chairman Reape noted there were no public hearing consent items.

3. This item was continued from the February 6, 2020 Planning Commission meeting:
CONDITIONAL USE PERMIT 2019-07 PERFECT UNION TURLOCK: Deputy Director Katie Quintero presented her staff report explaining the applicant, Perfect Union, is applying for a

conditional use permit to operate a cannabis retail dispensary in the existing building located at 2500 N. Golden State Boulevard. Deputy Director Quintero stated all back ground checks were completed and explained conditions for the use permits with hours of operation from 9 a.m. to 10 p.m., access to site off of Golden State Blvd, floor plan and elevations showing a secured entrance and lobby, odor control and 15 parking spaces as required.

Additional conditions were also added requiring landscaping the median island along Golden State Blvd, removal of the barbed wire fence at the rear of the proposed site, removal of the existing pole sign.

Commissioner Powers asked if they have met these conditions?

Deputy Director Quintero answered yes, all retail cannabis requires these conditions as part of the Conditional Use Permit.

Commissioner Anderson stated the language in Police section #10 of conditions were omitted and needed to be added back in.

Captain Williams agreed stating the condition needed to be added back in is #10 "Cameras should record at all times both during and after business hours and will not rely on motion detection to record, although motion tagging by the software is acceptable and encouraged."

Commissioner Anderson asked about the building elevations requirement on existing buildings.

Deputy Director Quintero stated unless major renovations are done, or it is a new building, this usually does not apply.

Commissioner Souza inquired about the condition for a grease interceptor.

Deputy Director Quintero stated this will not be required, the Municipal Services has this as a standard condition on all permits.

Commissioner Dias asked what notices were sent out.

Deputy Director Quintero stated letters within a 500 foot radius were sent and a sign noticing the project was placed on site. No responses were received.

Public Hearing: Chairman Reape opened the public hearing.

Tom Sheridan, attorney for Perfect Union made himself available for questions.

Commissioner Anderson asked about the design of the building and the color scheme.

Mr. Sheridan stated the elevations will be as shown on the plans.

Caity Maple, representative of Perfect Union, expressed wanting to paint a mural on the right side of the building.

Hearing no one else, Chairman Reape closed the public hearing.

Commissioner Powers asked staff what the sign ordinance says about murals.

Deputy Director Quintero stated murals are exempt as long as there is no message on it.

MOTION: Commissioner Powers moved, seconded by Commissioner Davis to grant Conditional Use Permit No. 2019-07 (Perfect Union Dispensary) having determined that the project is "Categorically Exempt" from the provisions of CEQA, and that all of the appropriate findings can be made, subject to the conditions of approval contained in draft Planning Commission Resolution No. 2020-07 with a change in Police Conditions #31. Motion passed unanimously.

AYES: Commissioners Davis, Reape, Anderson, Powers, Souza, Varani and Dias
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: None

H. OTHER MATTERS

1. INFORMATION ITEM ON SIGN REGULATIONS FOR COMMERCIAL CANNABIS BUSINESSES:

City Attorney Nubia Goldstein provided information to the Commission to discuss regulations related to commercial cannabis signs as the current commercial and retail sign restrictions in the Turlock Municipal Code do not address commercial cannabis operations. City Attorney Goldstein explained that studies of tobacco show advertising is associated the product use and can expose minors to marijuana.

The Planning Commission discussed amendments needed in the sign ordinance with the key items as following:

- Specific amendment in the sign ordinance regarding cannabis businesses.
- No off-site signage be allowed.
- Prohibit signs around sensitive locations; 600 feet from Turlock schools, libraries, daycares.
- Color and graphic content related to cannabis need to be addressed.
- Cross reference with State guidelines standards but needs to be more restrictive.
- No billboards with display of cannabis.
- One sign on the location of business.
- No false advertisement including medical benefit.
- Agreed on a model blending of Los Angeles and San Diego's ordinances.

Public Hearing: Chairman Reape opened the public hearing.

Milt Triewailer, commented there should be no cannabis signs allowed on the buses.

Interim Development Services Nathan Bray stated the bus advertisement is funded through a Federal grant so unlikely it will be allowed.

Be more conservative do not be so strict as this is a DA and are in a financial problem. Don't want to kill program, keep in line with other businesses.

Hearing no one else, Chairman Reape closed the public comment.

Chairman Powers asked what the next step, need to get the City Council to see a draft ordinance change.

City Attorney Goldstein stated they would need to put together a draft amendment and agenize it to go to City Council for approval.

Deputy Director Quintero stated they can stay consistent with current standards and incorporate what we want to use.

No action was taken on this item.

I. COMMISSIONER'S CONSIDERATION

Chairman Reape noted there were none.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

Chairman Reape noted there were none.

K. COMMISSIONERS COMMENTS

Commissioner Dias asked Captain Williams what action is being taken for illegal grows. Captain Steve Williams answered reports can be made to the Turlock tip line, Turlock dispatch at 668-1200 or to crime stoppers.

Commissioner Dias asked Director Quintero about the complaint regarding the pole sign on W. Main not being in compliance.

Deputy Director Quintero stated staff has started the complaint process with the property owner.

L. STAFF UPDATES

Interim Director Nathan Bray informed the Commission that the City Council agenda packet released today included an action item to appointment the next City Manager.

M. ADJOURNMENT

Chairman Reape asked for a motion to adjourn the meeting. Motion by Commissioner Powers and carried unanimously. The meeting was adjourned at 7:37 p.m.

RESPECTFULLY SUBMITTED

Jim Reape
Chairman

Katie Quintero
Deputy Director of Development Services