



**PLANNING COMMISSION MEETING  
OF THE  
CITY OF CALIFORNIA CITY**

**TUESDAY, SEPTEMBER 21, 2021  
6:00 PM  
VIDEO CONFERENCE/IN PERSON  
21000 Hacienda Blvd., California City, CA 93505**

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If you need special assistance to participate in this meeting, please contact the city clerk office at (760) 373-7140. Notification of 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II).

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**Zoom**

1. Public may join Planning Commission Meeting live via Zoom:
  - Link: <https://us06web.zoom.us/j/87512262822>
  - Meeting ID: 875 1226 2822
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1. Agenda can be viewed on city website
2. Recording of this meeting can be viewed on the city website the following business day

**LATE COMMUNICATIONS:** Following the posting of the agenda any emails, writings or documents that the public would like to submit to the Commission must be received by the Recording Secretary no later than 3:00 p.m. the day prior of the scheduled meeting.

Public is urged to listen to the meeting in a quiet place, to avoid background noise. We also request public to **MUTE** your audio devise when not commenting to avoid disruption during meeting.

**\*\*At this time, please take a moment to turn off your cell phones\*\***

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE/INVOCATION**

**ROLL CALL**

Commissioner	Cantrell
Commissioner	Dunham
Commissioner	Welling
Vice Chair	Conry
Chair	Fleming

**ADOPT AGENDA**

Adopt Agenda: September 7, 2021

**PLANNING SECRETARY REPORTS/LATE COMMUNICATIONS**

**PUBLIC BUSINESS FROM THE FLOOR**

Members of the public are welcome to address the Planning Commission only on items **NOT** on the agenda. Each member of the public will be given **(3) three minutes** to speak.

**PRESENTATIONS**

- **INTERWEST**-Consultant group introduction and presentation

**CONSENT CALENDAR**

All items on the consent calendar are considered routine, non-controversial and will be approved by (1) one motion if no member of the Commission, staff, or public wishes to comment or ask questions. Public comments to be limited to (3) three minutes. Roll call vote required.

**CC 1:** adopt **Meeting Minutes** dated: **August 3, 2021, July 20, 2021, July 6, 2021, June 15, 2021, February 2, 2021, January 05, 2021**

**STAFF ITEMS AND COMMENTS**

**COMMISSIONER ITEMS AND COMMENTS**

This portion of the meeting is reserved for Planning Commissioners to present information, announcements and items that have come to their attention. Short staff responses may be appropriate. The Planning Commission will take no formal action. A Planning Commissioner may request to calendar an item for consideration at a future meeting or refer an item to staff

Chair	Fleming
Vice Chair	Conry
Commissioner	Cantrell
Commissioner	Dunham
Commissioner	Welling

**ADJOURNMENT**

**AFFIDAVIT OF POSTING:** This agenda was posted on all official City bulletin boards, the City’s website and agenda packets were completely accessible to the public at City Hall at least 72 hours, special meetings 24 hours, prior to the Planning Commission Meeting. *Planning Staff*

**CITY OF CALIFORNIA CITY  
PLANNING COMMISSION MEETING  
MEETING MINUTES**  
TUESDAY, JANUARY 05, 2021@ 6:00 P.M.  
21000 Hacienda Blvd., California City, CA 93505

**Meeting was cancelled.**

**CITY OF CALIFORNIA CITY  
PLANNING COMMISSION MEETING  
MEETING MINUTES  
TUESDAY, FEBRUARY 02, 2021@ 6:00 P.M.  
21000 Hacienda Blvd., California City, CA 93505**

**CALL TO ORDER**

Chair Fleming called the meeting to order at 6:00 P.M.

**PLEDGE OF ALLEGIANCE/INVOCATION**

Pledge of Allegiance by: Commissioner Dunham

Invocation by: Pastor Rob

**ROLL CALL**

**Present:** Commissioner Conry, Vice Chair Dodson, Commissioner Dunham, Commissioner Fleming, Commissioner Welling.

**Absent:** None

**ADOPTION OF AGENDA**

**Motion by: Commissioner Conry 2<sup>nd</sup> by: Commissioner Welling**

VOTE:	5	Yes	0	Nays	0	Abstain	0	Absent	Motion Carried
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**PLANNING SECRETARY REPORTS/LATE COMMUNICATIONS:**

NONE

**CONSENT ITEMS:**

**CC 1:** Minutes meeting January 19, 2021

Commissioner Dunham mentioned that Vice Chair Dodson's name was repeated twice. Needs to be corrected.

**Motion to Approve MM January 19, 2021, by: Commissioner Conry 2<sup>nd</sup> by: Commissioner Dunham**

VOTE:	5	Yes	0	Nays	0	Abstain	0	Absent	Motion Carried
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**PUBLIC BUSINESS FROM THE FLOOR:**

None

**DISCUSSION ITEMS:**

**DI 1: Advanced Planning Item (California City Boulevard Corridor Study) and adding Mixed Use to Code**

**Staff Presentation**

**Shawn** – Study is from direction from previous commission, starts from Hacienda where City Hall is and the study area will be from Hacienda to Isabella. Originally it was Neuralia, however previous planning commissioner request that it goes to Isabella. Presented map of study area. Build on existing infrastructure. Presented photos of room to work with. Presented photos of Lancaster Blvd as an example. Previous Commission liked the look and feel of it. Photos included Plaza and Public spaces, crossing, signage, diverse pavement types, easy maintenance, nice trash and recycle bins, public art, parking, visioning, online project webpage and location for memorials. Explained and presented photos of the purpose of mixed use, vertical use, horizontal mixed use.

**Commissioner Discussion**

**Commissioner Dunham:** Asked Shawn for recommendations of questions that commissioners should ask. Funding realities, time lime and theme/identity of the city.

**Shawn** – The developer will design as built. Also, he would like to get the layout and design. He has spoke with city engineers. There is money to redo some intersections, including reductions and

pedestrian space to distance to get across. First given us direction staff for need to work with attorney to bring this into existence as a draft resolution, that will be the first step and that is my recommendation for tonight. The design aspect, I would like to get more submission from the public. Once we get the plan on paper, we can start looking at grants. Example there is a lot of pedestrians grants that can be utilized for this. Mentioned 88 funding. Funding sources and grants require plans to be adopted.

**Commissioner Welling:** Is the planning commissioner the originators? Per Shawn, yes this is a planning commission project.

**Chair Fleming:** Loves presentation. Before we move and do anything is to sure up and to give a face lift to the existing centers that we have so they blend. Mentioned cactus; loves lights around it, can do something like that at the Aspen mall. In between Aspen mall and back of east kern health care it can be there is a corridor that can be developed. Concerns about picture that has parking diagonal, and traffic, does that include frontage road? Per Shawn yes, this will be the right of way. Asked if the 11 thousand dollars for the students coming down; does that include transportation or is that on them? Per Shawn, it would cover it, that's exactly what is for. The interactive map to encourage community input it's a fantastic idea. Mr. Haul mentioned that he is bringing Gloria's down behind Dr. Glen and wants to put another hotel and a grocery store. How does that fit into the steam of this mix land use? Agreed about the banners for our veterans but not just our veterans, also our community leaders as well. Mentioned that this commission might be that springboard, that could propel us to see some vision. Cal City Blvd needs to be cleaned and abstracted because that the first thing people see when coming from 14 and 58. Shawn answered regarding Glorias restaurant, of putting the restaurant and having living space on top.

**Vice Chair Dodson:** incredible opportunity for the city.

**Commissioner Dunham:** What type of level of effort from subcommittees in what kind of people, what is a good approach to go? Who's on this sub committees so you don't have a modish? Shawn mentioned this was one of the directions they got last time. Marie: In the past it's been mentioned that because there are five commissioners, we can break committees down and each commissioner can take a head they can have a subcommittee under them, once a month can make a report. It's a great idea.

**Commissioner Conry:** would like to include students at this schools, their artwork. Reach out to schools. They can put some input as well, and if there looking for community service hours to graduate. City Manager: it's a great idea.

**Chair Fleming:** asked if the purpose of the presentation is to adopt a resolution for mix use? Shawn said no because there is no resolution yet. First will be to get direction to work with city attorney to bring it forward.

**Commissioner Welling:** Asked if the buildings in Aspen Mall are individually owned? Marie answered yes, they are private.

**Chair Fleming:** Invite to share vision and get input what they would like to see, Aspen Mall is in the center of town.

#### **Public Comment**

Mr. Twohig

Patricia

Mr. Vasquez

**Planning Commission direction:** Direct staff to bring forth a zone change and a taskforce.

#### **DI 2: Zoning Text Amendment Creation of New Zone (M3 – Industrial without Cannabis)**

##### **Staff Presentation**

**Shawn:** The solution would be to create another industrial zone, recommendation from staff is to bring back a mix use. Deleting the cannabis ability for this industrial zone. Showed print of M1 zoning. Staff recommends that planning commission discuss and give direction to bring back resolution for future meeting.

##### **Commission Questions**

**Chair Fleming:** asked why it read "Cannabis was not part of this" "But cannabis could be part of this" didn't understand why the double talk. First paragraph after repair shop.

**Shawn:** Explained that if a Machine shop wanted a zone change for a machine repair or a metal finishing it can be done and if they wanted to build a cannabis it will be okay since it an M1 and M2.

**Chair Fleming:** Read second paragraph and suggested “is” needs to be taken off the paragraph.

**Commissioner Welling:** If I owned a property and change it from M1 to M3, can we do that? Shawn: needs to be approved by city council.

**Commissioner Conry:** Mentioned she though that it will be built on South Loop and South CCB.

**Commissioner Dunham:** Page 6 has information. And build a micro version of Lancaster. But lets be careful. Lets start off with good businesses. Shawn. This is a new zone not the same as previous discussion.

#### **Public Comment**

Mr. Twohig

**Planning Commission direction:** Commission directs staff to go forward.

### **DI 3: Amending the Zoning Code to reflect State Law on Accessory Dwelling Units**

#### **Staff Presentation**

**Shawn:** Presented staff report for this item. Draft resolution for your review. We just need to have direction to bring this forward as a public hearing for next meeting.

#### **Commission Discussion**

**Commissioner Conry:** Staff report from planning commission on February 13<sup>th</sup>, 2020, are we still going to use the same wording that was on that original document? Shawn: The resolution on attachment is what you will be approving.

**Planning Commission direction:** Direct staff bring this forward as a public hearing.

### **STAFF ITEMS AND COMMENTS**

- League of California Cities Planning Commission Academy List of Classes

**Marie:** We want direction from the commission, list of classes that were suggested. Did the commission want to read then on their own and ask questions to staff outside the dais or would you like to bring that back as a discussion between all commissioners as a discussion item?

**Chair Fleming:** Bring back as a discussion item.

**Shawn:** Presented the League of California website.

**Dunham:** Can he ask planning staff and ask questions? Yes, he can.

**Welling:** if Dunham asks a question and sends to all. Is that a no no? Staff will make sure all commissioners will receive response. Shawn will double check with attorney.

- How does the Commission feel about coming back to chambers? All commissioners voted Zoom.

### **COMMISSIONER ITEMS AND COMMENTS:**

**Chair Fleming:** Each commissioner can bring a though for mission statement. Is it permittable? Shawn responded yes. And include goal that you have.

**Vice Chair Dodson:** Establishing a mission statement, start a strong foundation, set tone for commissioners. Work together to come up with a mission statement for our planning commission. Individual goals. Can we place that on agenda?

**Commissioner Conry:** Asked Marie she has 2 ending term dates. Asked for a mailing address for the 700 forms. Marie responded she will email the information.

**Commissioner Dunham:** Does not know what 700 form is about. Marie will send information about it.

**Commissioner Welling:** Asked if Marie can send 700 form information to all commissioners. Asked about the hearing coming up Thursday. Shawn explained public hearing.

### **ADJOURNMENT:**

**Motion by:** Commissioner Welling **2<sup>nd</sup> by:** Commissioner Conry

VOTE: 5 Yes 0 Nays 0 Abstain 0 Absent Motion Carried

Respectfully submitted by

Marie Stowers

**CITY OF CALIFORNIA CITY  
PLANNING COMMISSION MEETING  
MEETING MINUTES**

TUESDAY, JUNE 15, 2021 @ 6:00 P.M.  
21000 Hacienda Blvd., California City, CA 93505

**MEETING WAS CANCELLED**

**CITY OF CALIFORNIA CITY  
PLANNING COMMISSION MEETING  
MEETING MINUTES**

TUESDAY, JULY 6, 2021 @ 6:00 P.M.  
21000 Hacienda Blvd., California City, CA 93505

**MEETING WAS CANCELLED**

**CITY OF CALIFORNIA CITY  
PLANNING COMMISSION MEETING  
MEETING MINUTES  
TUESDAY, JULY 20, 2021@ 6:00 P.M.  
21000 Hacienda Blvd., California City, CA 93505**

**CALL TO ORDER**

Chair Fleming called the meeting to order.

**PLEDGE OF ALLEGIANCE/INVOCATION**

**Pledge of Allegiance by:** Commissioner Dunham

**Invocation by:** Pastor Rob

**ROLL CALL**

**Present:** Commissioner Cantrell, Commissioner Dunham, Vice Chair Conry, Commissioner Fleming

**Absent:** Commissioner Welling

**ADOPTION OF AGENDA**

Adopt Agenda: July 20, 2021

**Motion to approve agenda and move PH2 above PH1 by: Vice Chair Conry 2nd by: Commissioner Cantrell**

<b>VOTE:</b>	4	Yes	0	Nays	0	Abstain	1	Absent	Motion Carried
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**PLANNING SECRETARY REPORTS/LATE COMMUNICATIONS**

None

**PUBLIC BUSINESS FROM THE FLOOR**

None

**CONSENT ITEMS**

**CI 1:** adopt Meeting Minutes dated: June 15, 2021, July 6, 2021

**Motion by:** Vice Chair Conry 2<sup>nd</sup> by: Commissioner Dunham

<b>VOTE:</b>	4	Yes	0	Nays	0	Abstain	1	Absent	Motion Carried
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**PUBLIC HEARING**

**PH 2: Development Agreement by and between the City of California City and Community Health Services, LLC. /APNs 227-010-05, 205-320-24, and 208-080-34.-by City Attorney**

**Staff Report**

Report by City Attorney Russell Hildebrand. 1. This agreement is premature. City Attorney recommends bringing back and not sure date.

**Commissioner Cantrell:** How did this get before the planning commission?

**City Attorney:** Unable to answer. Our applicant has been contacting a lot of politicians and generated a lot of excitement. Possibly that excitement has generated this.

**Motion to continue item: Motion by: Vice Chair Conry 2<sup>nd</sup> by: Commissioner Cantrell**

<b>VOTE:</b>	4	Yes	0	Nays	0	Abstain	1	Absent	Motion Carried
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**CONTINUED DISCUSSION ITEM**

**CDI 1: Continued discussion of the planning mission and vision statement-** by Commissioner Dunham

Presentation by Commissioner Dunham.

**Commissioner Dunham:** This is an important subject. There is information he provided. A vision statement for us would be what do we in vision for California City to be and to capitalize on people, land and culture. We want to move the city forward. Have the vision that will be motivating. He gave explanation and introduction. PC may not finalize tonight. In addition to what is on the agenda he also has additional information. Want citizen input. In long-term would like to update to the general plan. Offer this an interim language. Only looking at this at our level. Presented example of a vision statement from the city of Cupertino and gave fundamental key attributes. Suggested a townhall meeting. He can work with people on his own. We do need to do our job first, but this is important and believe in now rush we set a vision and do not stay stuck. Let's polish and grow this. In the meanwhile, I want to interact with citizens. If we get the word out to citizens and talk about the future of the city. I would like to continue the process and I can bring it up at the future meeting.

**Vice Chair Conry:** Does not think anyone is interested in this. This is taking up a lot of time. Still 5 years away from the general plan is up. Do not call Cal City "her" and Cal City should be written out. wants to hold off on the mission statement. We need to concentrate on zone changes and land lot mergers, how to read an environmental impact report. We already have a mission statement on the community development site. We can bring this back when there is more planning staff. We should spend time learning what planning commissioners should be doing for city.

**Commissioner Cantrell:** Thank you Dunham for work. Does not see this as a bad thing. Things change over time and not unreasonable to look at what guides the commission. It would not take a great deal of time and effort of primary business. Not in final form but presented in a way to update that is already published but not really looked at since originally approved. Suggested that we embrace the work that Commissioner Dunham has done with the understanding that we can work on this as a group of professionals to refine it and once we do, we can decide if its ready to present to city council. Or the proper approval inclusion to the general plan or a change to the general plan.

**Chair Fleming:** She is interested in mission and vision and does not see a problem. Not going to discourage bringing something to council but we need to work together.

## **Public Comment**

Mr. Twohig

**Commission Direction: Our intent is to work with staff for direction and let the staff determine when a townhall meeting can be held.**

## **CONTINUED PUBLIC HEARING ITEM**

**CPH 1: Zone Change from R4 Estate Residential to M1 Light Industrial 21-06/APN 308-130-04/Mr. Ellison-by Staff Shawn Monk**

### **Staff Presentation by Shawn Monk**

**Shawn:** Continued public hearing. Change zone and amend the general plan. The MND attached to the staff report is wrong. Staff suggested for item to be continued for next planning commission meeting for August 3, 2021.

### **Commissioners Questions:**

**Vice Chair Conry:** Agreed item should be continued to August 3, 2021, until we get all proper documents.

**Commissioner Dunham:** No comments at this time.

**Chair Fleming:** Concerned that this item has been continued twice now.

**Commissioner Cantrell:** Commented.

**Applicant (Ellison) and Consultant (Rush):** Spoke. The correct CEQA document will be included in meeting minutes.

**Commissioner Conry:** Asked the applicant what staff promised? Applicant responded: Said it would be put on the planning commission agenda.

**Motion to Continue Item to August 3, 2021: Motion by: Vice Chair Conry 2nd by: Commissioner Dunham**

Commissioner Cantrell  
Commissioner Dunham  
Vice Chair Conry  
Chair Fleming

**CONTINUED PUBLIC HEARING ITEM**

**PH 1: Zone Change from C2 Community Commercial to M1 Light Industrial 21-05/APN 299-173-02, 299-173-03, and 299-173-04/Mr. Arias-by Shawn Monk**

**Staff Presentation by Shawn Monk**

Per Shawn the request is to have a Commercial Cannabis cultivation on this property. Staff recommends denying this project because of location. Code states no cannabis business shall operate within 200 feet of residential zone lot. Also, the industrial use would not fit with the current zone. This could also be considered "spot zoning." Staff recommends to deny.

**Commissioners Questions:**

**Commissioner Cantrell:** I agree with assessment. If this is clear violation of ordinance, do it have to come before planning commission. Shawn said staff informed applicant, but applicant still wanted to proceed.

**Commissioner Dunham:** asked about spot zoning. We need to set a standard. Applicant is basing his information on past decisions. He asked about indoor vs outdoor. Shawn stated indoor vs. outdoor is addressed in MND.

**Vice Chair Conry:** Near residential, apartments, restaurants and not okay for a marijuana place. Also noticed several code violations. She agrees not to do this. All the zone changes were done prior to the anyone present staff, commissioners were here. The 3 that Conry was a part of she denied. It is really the location.

**Chair Fleming:** Message and look need to taken into consideration. We are not saying the project is not ill advised. It is the location.

**Applicant**

Mr. Arias stated he meet with Shawn and Anna Linn and they did state that it would be close. Shawn state that the commercial lot was changed to from commercial. Letters were sent and there was no response. He stated that Ellison has a lot on Moss and there is no smell because it is indoor. He also provided a map of zone change. Huge difference between indoor grown and greenhouse. He wants to bring econ development. People need power and water and his building can provide this. He also said Shawn said he would help him push it through.

**Motion to Deny Resolution: Motion by: Vice Chair Conry Second by: Commissioner Dunham**

Commissioner Dunham  
Commissioner Cantrell  
Vice Chair Conry  
Chair Fleming

**STAFF ITEMS AND COMMENTS**

**Marie:** Reviewed the project list. Fleming asked questions. Also noted there are a lot of projects handed off to building. There is 1 project that needs a zone change. SPR M 21-17. That one is a zone change because they are in the incorrect zone. Conry asked about LM was approved. The lot merger did not come to commission. This lot merger has been approved and staff will have to look at it and provide response to Conry. Also received a message from Adam Rush and resent at 8:29pm and Marie will email to commissioners and be put in meeting minutes.

**COMMISSIONER ITEMS AND COMMENTS**

**Chair Fleming:** 700 form lts due every April of the next year. Next one due is April 20<sup>th</sup>, 2022.

**Vice Chair Conry:** Mentioned that after last meeting she received several phone calls. Over the weekend she was interrupted in regards of the things that are going in the community and what was happening in other departments. Not playing by the rules and projects are not going through procedures. She wants people to know that it is not the planning commission and other departments. Asked about Tiny Homes. Marie responded. Tiny Homes approved by council. There has not been 1 application for Tiny Homes.

**Commissioner Cantrell-N/A**

**Commissioner Dunham:** Asked Conry for clarification. She is explained that some people are saying that things were approved in planning, but she wants to make clear that Planning is not involved. It should not reflect badly on departments when other departments make bad decisions. Dunham said that some developers are treated and given favors by the city official system and a guilt by association and maybe planning commission is involved. If there is a real issue, he is concerned. If there is really a problem, then it will need to be addressed.

**ADJOURNMENT**

**Motion by: Vice Chair Conry Second by: Commissioner Dunham**

<b>VOTE:</b>	<b>4</b>	<b>Yes</b>	<b>0</b>	<b>Nays</b>	<b>0</b>	<b>Abstain</b>	<b>1</b>	<b>Absent</b>	<b>Motion Carried</b>
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Respectfully submitted by

Marie Stowers

↑ WEST

40 ACER GROW

MAVERICK ST

Home

RIS ZONE

21080 APN#

225-394-02

RS FAMILY

GREEN HOUSE GROW

21175

BARON →

CCB

75'

North

6001

RIS

75'

RIS

APN# 218-241-06

RS FAM

Jac's FATHER HOUSE

GROW!  
KEVIN  
COURTIS > Zhang

Mitchel Blvd

GUN STORE  
DISPENSARY

CCB

MARGERY AVE

Virginia  
Empty lot

RS FAM

LOT 15

LOT 10

CACTUS LIQUOR  
Gloams RES

Empty lot

Empty lot

C-2 lot

Parking

XAVIER

→ EAST

VICTOR WAY

**CITY OF CALIFORNIA CITY  
PLANNING COMMISSION MEETING  
MEETING MINUTES  
TUESDAY, AUGUST 3, 2021@ 6:00 P.M.  
21000 Hacienda Blvd., California City, CA 93505**

**CALL TO ORDER**

**Chair Fleming** called the meeting to order at 6:00PM.

**PLEDGE OF ALLEGIANCE/INVOCATION**

**Pledge of Allegiance by:** Mr. Flemming

**Invocation by:** Pastor Rob

**ROLL CALL**

**Present:** Chair Fleming, Vice -chair Conry, Commissioner Cantrell, Commissioner Dunham, Commissioner Welling

**Absent:** None

**ADOPTION OF AGENDA**

**Motion by: Commissioner Cantrell Second by: Commissioner Welling**

<b>VOTE:</b>	<b>4</b>	<b>Yes</b>	<b>1</b>	<b>Nays</b>	<b>0</b>	<b>Abstain</b>	<b>0</b>	<b>Absent</b>	<b>Motion Carried</b>
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**PLANNING SECRETARY REPORTS/LATE COMMUNICATIONS**

E-Comment – See Attached

**PUBLIC BUSINESS FROM THE FLOOR**

None

**CONSENT ITEMS**

**CI 1: adopt Meeting Minutes dated: June 1, 2021, and July 20, 2021**

Chair Flemming mentioned typos made on Tuesday June 1<sup>st</sup> meeting corrections need to be done. Item 4 should read, “We are working hard with enforcement to identify the absentee with landowner and fine them and force them to come clean up their property.” Second page under Commissioner items and comments should read, “Noted that applicants are fulfilling their dream. It is the commission responsibility to facilitate the zone changes, but the documents need to add up and match intent.”

Commissioner Dunham commented about minutes for July 20<sup>th</sup>, 2021, meeting, suggested not to adopt to current, due to corrections that need to be made and a lot of discussion.

Chair Flemming asked staff to go back and revised/complete minutes with data that was discussed in recording.

**Motion Not to Adopt Minutes by: Commissioner Dunham Second by: Commissioner Welling**

<b>VOTE:</b>	<b>5</b>	<b>Yes</b>	<b>0</b>	<b>Nays</b>	<b>0</b>	<b>Abstain</b>	<b>0</b>	<b>Absent</b>	<b>Motion Carried</b>
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**CONTINUED PUBLIC HEARING ITEM**

**CPH 1: Zone Change from R4 Estate Residential to M1 Light industrial 21-06/APN 308-130-04/Mr. Ellison-by Staff Shawn Monk**

**Staff Presentation by Shawn Monk**

**Shawn Monk-** mentioned that a draft initial mitigated declaration has been prepared and attached to the staff report. Applicant request is to go from R4 Estate Residential to M1 Light Industrial to foster a cannabis development that has different plan uses. Developer needs to work with Southern California Edison to secure power to the site. Applicant would be required to construct a new road through property per California City

standards. This plan has 100 rooms for people to come out stay and utilize cannabis, educational center with 6 classrooms to teach about cannabis cultivation and manufacturing. Cannabis launch for onsite safe and secure atmosphere for use of cannabis and to learn about the different qualifications of strands details cannabis product and plant. Retail store will also be onsite, cultivation farm, indoor/outdoor green houses. Per city code they will only be allowed for indoor.

### **Commission Questions:**

**Commissioner Welling** – Is this OR? Is it our responsibility as commissioners to look into every detail and approve the detail at this level? Or is this about the zone change? Per Shawn this is only for the Zone Change.

**Vice Chair Conry** – APN 308-130-04, April 26, 2021 -Why are we seeing the modular, cannabis cultivation on this report? This is incomplete agenda again. Why are we having these many mistakes for one public hearing?

**Adam Rush (applicant consultant)** – Previous agenda item, the previous copies of agendas were the wrong report. It had errors in that report, has continually been recycle back into staff reports. Mr. Rush mentioned he had the right report in front of him and will be happy to go through it.

**Vice Chair Conry** comments that Ellison Project report has not been received at all, since the beginning of this public hearing. I want the proper paperwork in front of me.

**Adam Rush** (applicant consultant) – mentioned that multiple copies have been send out.

**Vice Chair Conry** – information never received. If right information not received, right decision can't be made. Were the property owners contacted because they are 300 feet from this project area?

**Shawn** – Responds; Marie sends out letters.

**Chair Fleming** – Would these issues be considered administrative, and would that change whether the Zone Change should go forward and that the corrected portion of the omitted item or typos, before they go to council it will be corrected at that point, can we noted on this report, and put it to a vote with commission in terms of Zone Change?

**Shawn** – Answers yes it can be mentioned in the notes, to be corrected and changed.

**Commissioner Dunham** – Is there proper coverage? If we send our fire team, Is the city properly ready?

**Chair Fleming** – our tasks is to approve or deny the zone change, everything else in terms of the project; goes to the next level, if it passes this commission then it goes to city council. The body of the project, the body of the work, that is not our decision to make. Tonight, our job is to approve or not to approve the zone change. Advise the commissioners to take a copy and make notations of errors, highlight, and return to staff. And staff consider comments, concerns get with Shawn, the applicant and whoever else is at the table to make a complete packet before it gets to council. Zone Change from R4 to M1 that is our task, the rest is administrative. Staff and Mr. Rush to create a clean document before it gets to council.

**Marie** – Clarification; you can approve zone change and then make the noted corrections to the resolution that's included in the agenda, and we will make corrections, and chair will sign. Council for review and approval. Don't need to bring it back to commission. Review what you have in the agenda package and as body as commissioners make the changes that you want to make and then we will make those changes a take it to council.

**Shawn** – We are only approving Zone Change.

**Commissioner Cantrell** – Asked what is staff recommendation?

**Shawn**- can't make a straight recommendation on this project because it's fairly unclear.

**Commissioner Cantrell**- Why wouldn't you and staff recommend approval of zone change? Why present the details and why even bother with a proposal of Zone Change?

**Shawn** - Didn't get a chance to put up the agenda before this meeting. This is a Zone change, not approving project.

**Interim City Manager Anne** – Introduce herself. Mentioned she will talk to staff

**Commissioner Dunham** – Why was CEQA part of training as planning commissioners? Why do we need 109 pages to review? It's not the job of this commission to fix such poorly prepared project documentation.

**Commissioner Cantrell** – If you ask us to review it, give us something complete.

**Chair Fleming – Read;** CPH 1: This is a Public Hearing to consider an approval of Zone Change application, so staff has been given us their recommendation.

**Shawn –** Mentions there only approving attachment F and the resolution. Changing general plan and the zoning to allow this use on this property. Chair is recommending forwarding to city council if you vote to approve this resolution.

### Public Comment

PC - Mr. Twohig  
PC- Mr. Vasquez

### Motion to Closed Public Hearing by Commissioner Conry 2<sup>nd</sup> by: Commissioner Cantrell

VOTE:	5	Yes	0	Nays	0	Abstain	0	Absent	Motion Carried
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### Applicant Comment

**PH1: Applicant Ellison –** We cannot move forward with out fixing the problem. Most people do not think you are going to read this. I have investor coming in tomorrow. Frustrating for me as applicant. I lost and spent a lot of money and done a lot for city. I am doing whatever I can now. I am favor cannabis. I am only here for money. I do not like cannabis only doing it for money. My money stays for city. I live here stay here spend money here. Thank you all for doing it right.

**Mr. Rush –** Shocked about criticism, he wants to rebut. He gave an insight from his background

**Interim City Manager Anne –** Advise to stop, didn't want a continuation of infighting with staff, not appropriate. Commit to the planning commission to have a discussion with staff to figure out. Will fix moving forward in a way that is professional. Will meet with staff to discuss the concerns by the planning commission.

### Commissioner Discussion

**Chair Fleming –** Page 44 of 73 Item #34

**Shawn –** Recommendation is to take this back again and continue it when staff, applicant feel is in a correct form.

**Commissioner Dunham-** asked if able to create a motion to reopen public hearing.

**Shawn –** Mentioned the applicant is not a member of the public, he can go up and explain if you have questions.

**Vice Chair Conry –** We are criticizing this document because there are not correct, there are mistakes after mistakes.

**Commissioner Cantrell-** makes motion to bring back and when it comes back then the staff be given the time to review before they bring back to us. No 2<sup>nd</sup>.

**Commissioner Dunham-** makes motion that to take Cantrell motion and city staff to make the determination based on other projects that will come to commission to do the proper sequence and vetting. Continue PH and for staff to bring back not at the next meeting but determine a date when appropriate.

### Motion to Continue Public Item: Commissioner Dunham 2<sup>nd</sup> by: Commissioner Welling

VOTE:	3	Yes	2	Nays	0	Abstain	0	Absent	Motion Carried
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### STAFF ITEMS AND COMMENTS

None

### COMMISSIONER ITEMS AND COMMENTS

**Commissioner Welling –** Mentioned that on August 2, 2021, Vice Chair Conry picked up Tract maps from the planning department and placed them in her car. Commissioner Welling was confused of what she was witnessing. Commissioner

Welling would like Vice Chair Conry to explain her actions. Chair Fleming asked Interim City Manager if Vice Chair Conry is allowed to speak to the statement. Per Interim City Manager Anne Ambrose, it will be an item that will need to be on the agenda for further discussion. On the record. Nothing towards Vice Chair Conry but this was the only time that I could find out what was going on. What did I just witness and did not want people to make a judgement? Honestly Monk made it clear. All it needed to know is why it was happening. That is why I did. I am sorry and I meant no harm.

**Vice Chair Conry** – Responded that the reason she had this tract maps is because they are part of history, they are photographed and archived. Every old tract maps the big books, and the smaller books. This is how I volunteer in our city, free of charge. Everybody know I am a history nerd, and that I have the only paper maps from 1938 till 2016 for the city, for the whole east kern area. Shawn Monk commented that it was approved by the City Manager to have Vice Chair Conry scan them and return them back to city hall to be placed on the safe. Chair Fleming said to Vice Chair Conry that Commissioner Welling was only asking a question because she saw something that has never seen before. Chair told Vice that she didn't want her to leave upset, needed to calm down and gave herself a moment to compose herself before getting in her car, because things happen when one is upset. Vice Conry upset and walked out. Per Commissioner Conry she does not know Vice Chair Conry, and she just asked a reasonable question and meant no harm.

**Commissioner Dunham** – We all want to do best work based on good facts. Feels it is important to say this for the health of our city. He can understand both sides of commissioners. There was a lack of communication in the moment. A lesson learned. Want the best for the city.

**Commissioner Cantrell** – Said to the public that every commissioner read the guides and take them seriously. We are all dedicated to this city.

**Chair Fleming** – We are a new commission and could have been given a memo. Had no communication. I am sad a concerned of her action. We wish no ill will and want to move the city forward.

## **ADJOURNMENT**

**Motion by: Commissioner Cantrell 2<sup>nd</sup> by: Commissioner Welling**

Respectfully submitted by

Marie Stowers