



CITY OF FOWLER
PLANNING COMMISSION MEETING
November 6, 2014
MINUTES

Chairman Mellon called the meeting to order at 6:30 p.m.

Commissioners Present Craig Mellon, Mark Rodriguez, Henry Fernandez,
Juan Mejia

Commissioners Absent: Gary Mukai

City Staff Present: City Attorney, George Vasquez, Police Chief
Michael Brand and Planning Secretary Corina
Burrola

Approval of Minutes:

Chairman Rodriguez moved to approve the minutes for October 2, 2014 this was second by Commissioner Mejia and passed by a roll call vote of 4-0-0-0.

Public Presentation:

There were no public presentations (Public Presentation closed at 6:31 p.m.)

Agenda Item No. 5:

Request for Consideration and Recommendation to the City Council Regarding an Ordinance of the City Council of the City of Fowler Amending Section 5-18.03 of Chapter 18 of Title 15 of the Fowler Municipal Code Pertaining to Medical Marijuana Cultivation Regulations

In 2005, the City Council approved Ordinance No. 2005-07, which added Chapter 5-18 to the Fowler Municipal Code to address medical marijuana cultivation, distribution, and consumption. Under the Medical Marijuana Ordinance, and only to the extent allowed under California Law, personal use cultivation is allowed subject to certain restrictions. Store front sales are not allowed. Cooperative and collective cultivation is also not allowed. Currently personal use cultivation of medical marijuana is allowed provided it occurs entirely within a secured and fully enclosed structure, including a ceiling. The intent of this provision is to avoid public knowledge of growing marijuana. Under the existing ordinance, there has been some confusion as to the requirements for a structure. In order to provide clarity and further avoid the problems from cultivation, the proposed ordinance requires that the cultivation must occur entirely within a private residence, an attached garage, or in an accessory building if the property is detached single family residential. Currently the maximum amount of personal use cultivation is based upon the number of plants, ranging between 6 and 2. Because of the changes in the law, and in order to ensure that marijuana cultivation does not change the residential character of properties, the number of plants limitation has been changed to a specific grow area limitation. Under the proposed ordinance, the medical marijuana cultivation area may not exceed thirty-two (32) square feet measured by the canopy and not to exceed ten (10) feet in height. Staff selected 32 square feet based upon public advertised marijuana grow kits and a review of what other cities have done. Thirty-two (32) square feet will more than accommodate most indoor grow kits.

There were no other public presentations pertaining to medical marijuana cultivation regulations.
(Public hearing closed at 6:49 p.m.)

Chairman Rodriguez make a motion to consider and recommend to the City Council Resolution No. 593 medical marijuana cultivation regulations this was second by Commissioner Fernandez and passed on a roll call vote of 4-0-0-0

Communications:

Chairman Mellon suggested that for all meetings a Planning Consultant should be in attendance.

No other business was discussed and the meeting was adjourned at 6:50 p.m.



Craig Mellon



Corina Powell