



City of Stockton

Stockton Planning
Commission

Meeting Agenda - Final Planning Commission

Waqar Rizvi, Chair (District 2)
Anne N. Mallett, Vice Chair (District 4)
Gerardo Garcia, Commissioner (District 1)
Jeff Sanguinetti, Commissioner (District 3)
Xavier Mountain, Commissioner (District 5)
Kimberly A. Warmsley (District 6)
D'Adrea Davie, Commissioner (At-Large)

Thursday, September 24, 2020

5:30 PM

Council Chamber, City Hall, 425 N. El Dorado
Street, Stockton CA

During this time of local health concerns, City Hall has limited socially-distanced seating available to the public. Due to these concerns, you are strongly encouraged to watch the meeting online and you can submit your public comments electronically.

1. You can view the live meeting at <http://www.stocktongov.com/government/Meetings/councilMeetings.html>
2. eComment - click <https://stockton.granicusideas.com/meetings> to submit an eComment(s). Only one comment per agenda item, per person will be read into the record.
3. Email – City.Clerk@stocktonca.gov if you prefer to email your comments in. Only one comment per agenda item, per person will be read into the record.
4. Public comment voicemail - (209) 937-8459 if you wish to leave your public comment in the form of a voicemail, it will be transcribed and emailed to the City Clerk. Only one comment per agenda item, per person will be read into the record.

1. CALL TO ORDER/ROLL CALL

2. PLEDGE TO FLAG

3. ADOPTION OF CONSENT CALENDAR

- 3.1 [20-7102](#) COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS, ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS, AND A WAIVER OF CANNABIS BUSINESS LOCATION REQUIREMENTS - ALL CONCERNING A 2,280 SQUARE FOOT COMMERCIAL SPACE IN THE COMMERCIAL GENERAL (CG) ZONE AT 3008 E. HAMMER LANE, SUITE 108 (APPLICATION NO. P20-0038)**

Recommended Action: RECOMMENDATION

Approve a resolution:

1. Denying a Commission Use Permit to allow the establishment of a proposed retail storefront cannabis business, in accordance with the findings in the attached Resolution; and
2. Denying an Administrative Use Permit to allow a retail non-storefront (delivery only) cannabis business, in accordance with the findings in the attached Resolution; and
3. Denying a Waiver to reduce the location requirement to separate commercial cannabis businesses from at least 300 feet to approximately 250 feet of a residential zone.

Department: Community Development

Attachments: [Attachment A - Staff Report 8-27-20](#)
[Attachment B - Correspondence dated 9-8-20](#)
[Proposed Resolution - Recommending Denial](#)
[Exhibit 1](#)

4. PUBLIC COMMENT*

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

- 5.1 [20-7031](#) REQUEST TO AMEND A COMMISSION USE PERMIT FOR ALCOHOLIC BEVERAGE SALES, OFF-SALE BEER AND WINE, TO REMOVE A CONDITION OF APPROVAL REQUIRING ON-SITE SECURITY GUARD AT 6009 NORTH EL DORADO STREET (P20-0291)**

Recommended Action: RECOMMENDATION

Staff recommends that the Planning Commission approve an amendment to Commission Use Permit P16-0342 to remove a condition requiring a uniformed licensed security officer to patrol the site, based on the findings and subject to conditions in the attached resolution.

Department: Community Development

Attachments: [Attachment A – Planning Commission Resolution No. 2017-01-260-0301](#)
[Attachment B - Location Map and Aerial Photograph](#)
[Proposed Resolution - Use Permit Amendment P19-0291](#)
[Exhibit 1 - Original Use Permit No. P16-0342](#)

6. NEW BUSINESS*

7. UNFINISHED BUSINESS

8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

9. COMMISSIONERS COMMENTS

10. ADJOURNMENT

CERTIFICATE OF POSTING

I declare, under penalty of perjury, that I am employed by the City of Stockton and that I caused this agenda to be posted in the City Hall notice case on September 18, 2020 in compliance with the Brown Act.

**Eliza R. Garza, CMC
City Clerk**

By: _____

Deputy

A. *The meeting will be conducted in accordance with Rosenberg's Rules of Order.*

B. *Each person wishing to address the Planning Commission is encouraged to fill out a speaker card located at the podium. Each speaker will then be called forward to the podium to speak in the order in which their speaker card was received. Speakers are encouraged but not required to provide their name and address when speaking before the Commission.*

C. *All questions from members of the audience to the Planning Commission and/or city staff members shall be directed to the Chairperson of the Planning Commission.*

All questions from Planning Commission members to staff shall be addressed directly to staff from the member asking the question.

No personal comments and/or exchanges will be permitted between members of the audience and individual staff or Commission members. Rather, direction shall be given to staff to follow-up on any issues brought before the Commission. This rule applies to communications outside of the public hearing process.

D. *Information presented to the Commission shall only pertain directly to the item under consideration. Character assassinations, personal feuds, irrelevant data or repetitions of matters already presented shall not be permitted.*

E. *All rules of Decorum pursuant to Council Policy 100-3- Rules for Conduct of City Council Meetings apply equally to this Commission.*

Agendas, staff reports and minutes can be viewed on the City of Stockton web

site <http://www.stockton.gov/government/Meetings/boardComMeetings.html>

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS:

State legislation requires disclosure of campaign contributions of \$250 or more, made to any Planning Commissioner, by any person who actively supports or opposes any application pending before the Planning Commission, and such person has a financial interest in the decision. Active support or opposition includes lobbying a Commissioner and/or testifying for or against such an application. Any person having made a \$250 or larger contribution within the preceding 12 months must disclose that fact during the public hearing or on said application.

The official City Planning Commission policy is that applications pending before this Commission should not be discussed with the Commission members outside of a public hearing. If any representations are made privately, they must be identified and placed in the public record at the time of the hearing.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

NOTE: All proceedings before this meeting body are conducted in English. The City of Stockton does not furnish language interpreters and, if one is needed, it shall be the responsibility of the person needing one.

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Stockton to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the Office of the City Clerk located at 425 North El Dorado Street, Stockton, California 95202 during normal business hours or by calling (209) 937-8459, at least 5 days in advance of the hearing/meeting. Advance notification within this guideline will enable the City/Agency to make reasonable arrangements to ensure accessibility.

CONSENT ITEMS: Information concerning the consent items has been forwarded to the Planning Commission prior to the meeting. Unless a Commissioner or member of the audience has questions concerning a particular item and asks that it be removed from the Consent Calendar, the items are approved at one time by a roll call vote. Anyone wishing to speak on a consent item or public hearing item, please complete a "Request to Speak Card" and submit it to the Recording Secretary prior to the meeting.

** For any person wishing to address the Planning Commission on any matter not on the printed agenda. Chairperson may set time limit for individual speakers/groups.*