



DATE: OCTOBER 11, 2017

TO: PLANNING COMMISSION

FROM: Brendan Vieg, Deputy Director
Community Development Department

RE: Amendments to Title 19 Land Use and Development Regulations of the Chico
Municipal Code Regarding Cannabis Regulations

REPORT IN BRIEF

At its October 5, 2017 meeting, the Planning Commission considered a draft ordinance to streamline all marijuana and cannabis related City laws into one City ordinance, provided a recommendation to Council on portions of the proposed ordinance, and directed staff to return to its October 19, 2017 meeting to further discuss: 1) permitting requirements found in Section 19.75.040 (Indoor Personal Cannabis Cultivation), 2) comments raised regarding the CEQA determination, and 3) public safety/quality of life impacts resulting from outdoor cannabis cultivation.

Recommendation:

The Community Development Director recommends that the Planning Commission receive an update from staff regarding Council's consideration of the Planning Commission's recommendation, as well as Council's action at its October 17, 2017 meeting, and determine if additional discussion or action by the Planning Commission is warranted.

BACKGROUND

After review and consideration, and hearing public comment, on October 5, 2017, the Planning Commission made a motion recommending Council approval of the proposed Ordinance in modified form. Specifically, the Planning Commission's motion that carried is as follows:

1. Adopt Resolution No. 17-17, recommending that the City Council **approve in modified form** the proposed Ordinance as amended by the Planning Commission;
2. Add Chapter 19.75 (Cannabis Regulations) to Title 19 of the Chico Municipal Code, but without Section 19.75.040 (Indoor Personal Cannabis Cultivation) of the proposed Ordinance;
3. That Section 2 of the proposed Ordinance regarding the repeal of existing Chapter 19.77 (Cultivation of Medical Marijuana) be eliminated so that the existing Chapter 19.77 to the Chico Municipal Code be left intact;

4. That Section 3 of the proposed Ordinance regarding the amendment to the Table of Contents of Division V of Title 19 of the Chico Municipal Code be amended to not strikethrough "19.77 Cultivation of Medical Marijuana" but to include the text change of adding "19.75 Cannabis Regulations";
5. Delete Section 19.75.040 (Indoor Personal Cannabis Cultivation) from the proposed Ordinance (as also discussed in #2 above);
6. Direct staff to bring back Section 19.75.040 to the Planning Commission to further discuss comments raised as to the California Environmental Quality Act (CEQA), 72-hr. notice to inspect a subject property, and the Police Department's basis for recommending indoor grows.

DISTRIBUTION

PC Distribution