

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 1

A regular meeting of the Carson City Planning Commission was scheduled for 5:00 p.m. on Wednesday, May 28, 2014 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson George Wendell
Vice Chairperson Paul Esswein
Commissioner Malkiat Dhami
Commissioner Mark Kimbrough
Commissioner Walt Owens
Commissioner Mark Sattler
Commissioner Kent Steele

STAFF: Lee Plemel, Community Development Department Director
Susan Dorr Pansky, Planning Manager
Danny Rotter, Engineering Manager
Joseph Ward, Senior Deputy District Attorney
Tamar Warren, Deputy Clerk / Recording Secretary

NOTE: A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary, during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (5:00:37) - Chairperson Wendell called the meeting to order at 5:00 p.m. Roll was called; a quorum was present. At Chairperson Wendell's request, Commissioner Kimbrough led the pledge of allegiance.

B. PUBLIC COMMENTS (5:02:03) - Chairperson Wendell entertained public comment. (5:03:30) Gary Porter, a resident of Morgan Mill Road, advised of having received a notice of the meeting relative to item F-5. At Chairperson Wendell's request, Mr. Porter agreed to reserve his comments until the commission addressed item F-5. Mr. Plemel provided an overview of the purpose of this item, and advised that public comment would be entertained for each agenda item.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES - April 30, 2014 (5:04:48) - Chairperson Wendell entertained a motion. **Commissioner Steele moved to approve the minutes, as presented. Vice Chairperson Esswein seconded the motion. Motion carried 7-0.**

D. MODIFICATION OF THE AGENDA (5:05:06) - Chairperson Wendell entertained requests to modify the agenda. At Mr. Plemel's request, Chairperson Wendell modified the agenda to address item F-4 prior to item F-1.

E. DISCLOSURES (5:05:41) - Chairperson Wendell entertained disclosures; however, none were forthcoming.

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 2

F. PUBLIC HEARING MATTERS:

F-1. VAR-14-016 - POSSIBLE ACTION TO CONSIDER A VARIANCE FROM SILVER OAK DEVELOPMENT (PROPERTY OWNER: SILVER OAK DEVELOPMENT) TO VARY THE SETBACKS PROPOSED FOR PHASE 20 OF THE SILVER OAK PLANNED UNIT DEVELOPMENT, ON PROPERTY ZONED SINGLE FAMILY 12,000-PLANNED UNIT DEVELOPMENT (SF12-P), LOCATED ON SILVER OAK DRIVE, APNs 007-552-29, -30, -32, -33 (5:07:41) - Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. Ms. Dorr Pansky advised of having received no comments in response to the public noticing process, and introduced Mark Turner, of Silver Oak Development.

Chairperson Wendell invited Mr. Turner to the podium. Mr. Turner acknowledged having heard Ms. Dorr Pansky's presentation and commended it's comprehensiveness. He further acknowledged having read the staff report, and advised of his agreement with the conditions of approval outlined therein. Chairperson Wendell entertained questions or comments of the commissioners. Mr. Turner acknowledged that the proposed variance coincides with phases 16, 17, and 18. Ms. Dorr Pansky responded to questions of clarification regarding maximum residential height.

Chairperson Wendell entertained public comment and, when none was forthcoming, a motion. **Commissioner Kimbrough moved to approve VAR-14-016, a variance to modify the setbacks on the front, sides, and rear, and to establish a maximum height of 36 feet to the ridgeline for Phase 20 of Silver Oak Development, located at Silver Oak Drive, APNs 007-552-29, -30, -32, and -33, in the Single-Family 12,000 Planned Unit Development zoning district, based on the findings and subject to the recommended conditions of approval in the staff report. Commissioner Sattler seconded the motion.**

RESULT:	Approved [7 - 0]
MOVER:	Commissioner Mark Kimbrough
SECOND:	Commissioner Mark Sattler
AYES:	Commissioners Kimbrough, Sattler, Dhami, Owens, Steele, Vice Chair Esswein, Chair Wendell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

F-2. VAR-14-018 - POSSIBLE ACTION TO CONSIDER A VARIANCE APPLICATION FROM RANDY PRUNEAU (PROPERTY OWNER: JRC III ONE, LLC) TO VARY THE SIDE YARD SETBACKS, ON PROPERTY ZONED SINGLE FAMILY 12,000-PLANNED UNIT DEVELOPMENT (SF12-P), LOCATED AT 1657 ROBB DRIVE, APN 007-541-03 (5:14:35) - Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. Chairperson Wendell entertained questions or comments of the commissioners; however, none were forthcoming.

(5:16:42) Chairperson Wendell invited Mark Turner, of Silver Oak Development, to the podium. Mr. Turner acknowledged having heard Ms. Dorr Pansky's presentation, and advised of his concurrence with the conditions of approval as outlined in the staff report. Chairperson Wendell entertained questions or comments of the commissioners; however, none were forthcoming.

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 3

Chairperson Wendell entertained public comment and, when none was forthcoming, a motion. **Commissioner Sattler moved to approve VAR-14-018, a variance to reduce the side yard setbacks from eight feet to five feet to allow construction of a single-family residence, located at 1657 Robb Drive, APN 007-541-03, in Single-Family 12,000-Planned Unit Development zoning, based on the findings and subject to the recommended conditions of approval in the staff report. Commissioner Owens seconded the motion.**

RESULT:	Approved [7 - 0]
MOVER:	Commissioner Mark Sattler
SECOND:	Commissioner Walt Owens
AYES:	Commissioners Sattler, Owens, Dhami, Kimbrough, Steele, Vice Chair Esswein, Chair Wendell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

F-3. SUP-14-021 POSSIBLE ACTION TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM STAN KOLBUS (PROPERTY OWNER: CBC, LTD.) TO ALLOW PERMANENT OUTDOOR SALES, EQUIPMENT RENTAL, AND SMALL TRACTOR SERVICE, ON PROPERTY ZONED GENERAL COMMERCIAL (“GC”), LOCATED AT 4880 EAST NYE LANE, APN 008-382-40 (5:18:46) - Chairperson Wendell introduced this item. Ms. Dorr Pansky reviewed the agenda materials, including materials distributed to the commissioners and staff prior to the start of the meeting, in conjunction with displayed slides. She provided additional clarification relative to the small tractor service proposed as part of the special use permit application, and reviewed the corresponding conditions of approval, as outlined in the staff report. She responded to questions of clarification regarding the proposed new display area. Chairperson Wendell entertained additional questions or comments of the commissioners.

Chairperson Wendell invited Mr. Kolbus to the podium. (5:26:11) Stan Kolbus introduced himself, for the record, and acknowledged having heard Ms. Dorr Pansky's presentation. He further acknowledged having reviewed the staff report and the conditions of approval outlined therein. Chairperson Wendell entertained questions or comments of the commissioners; however, none were forthcoming.

Chairperson Wendell entertained public comment and, when none was forthcoming, additional questions or comments of the commissioners. In response to a question, Ms. Dorr Pansky reviewed the additional condition of approval included in the late information which was distributed to the commissioners and staff prior to the start of the meeting. **Commissioner Dhami moved to approve SUP-14-021, a special use permit application from Stan Kolbus (property owner: CBC, Ltd.) to allow permanent outdoor sales, equipment, rental, and small tractor service, on property zoned General Commercial, located at 4880 East Nye Lane, APN 009-052-07, based on the findings and subject to the conditions of approval outlined in the staff report, including the revision to condition of approval #7, noted in the May 28, 2014 memo, which he read into the record. Vice Chairperson Esswein seconded the motion.**

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 4

RESULT: Approved [7 - 0]
MOVER: Commissioner Malkiat Dhami
SECOND: Vice Chair Paul Esswein
AYES: Commissioner Dhami, Vice Chair Esswein, Commissioners Kimbrough, Owens, Sattler, Steele, Chair Wendell
NAYS: None
ABSENT: None
ABSTAIN: None

F-4. TSM-14-022 POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING A TENTATIVE SUBDIVISION MAP APPLICATION FROM SCHULZ INVESTMENTS, LLC (PROPERTY OWNER: SCHULZ INVESTMENTS, LLC) TO CREATE SIX PARCELS, ON PROPERTY ZONED SINGLE FAMILY FIVE ACRE (SF5A), LOCATED ON CLEAR CREEK ROAD, APN 007-051-72 (5:05:59) - Chairperson Wendell introduced this item, and entertained a motion. **Vice Chairperson Esswein moved to continue TSM-14-022, a tentative subdivision map application for Schulz Investments, LLC, to a future Planning Commission meeting date, as requested by the applicant. Commissioner Sattler seconded the motion.**

RESULT: Approved [7 - 0]
MOVER: Vice Chair Paul Esswein
SECOND: Commissioner Mark Sattler
AYES: Vice Chair Esswein, Commissioners Sattler, Dhami, Kimbrough, Owens, Steele, Chair Wendell
NAYS: None
ABSENT: None
ABSTAIN: None

F-5. ZCA-14-025 POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING TITLE 18, ZONING; CHAPTER 18.03, DEFINITIONS; CHAPTER 18.04, USE DISTRICTS; AND CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, TO ADOPT REGULATIONS TO ALLOW MEDICAL MARIJUANA ESTABLISHMENTS (“MMEs”) INCLUDING DISPENSARIES, CULTIVATION FACILITIES, PRODUCTION FACILITIES, AND TESTING LABS IN CERTAIN ZONING DISTRICTS AND ESTABLISH DEVELOPMENT STANDARDS FOR SUCH FACILITIES (5:30:15) - Chairperson Wendell introduced this item. Mr. Plemel provided an overview of this item, and reviewed the agenda materials in conjunction with displayed slides. Chairperson Wendell entertained questions or comments of the commissioners. Mr. Plemel and Ms. Dorr Pansky responded to questions of clarification regarding the proposed 300-foot buffer between a dispensary and residential property, the commission's recommendation to the Board of Supervisors, proposed dispensary size, a security plan, special use permit and business license fees. In response to a question, Mr. Ward provided background information on Senate Bill 374, and reviewed the opt-out provision for local governments. In response to a question, Ms. Dorr Pansky advised that since the sale of marijuana is illegal, on a federal level, pharmacies are not allowed to stock and distribute it. She responded to corresponding questions of clarification. In response to a question, Mr. Plemel advised that Planning Division staff is working with the District Attorney's office to determine the appropriate permit and business license fees. He further advised that Sheriff's Office and Health and Human Services Department

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 5

personnel have also been involved in discussions with the Board of Supervisors. Extensive discussion followed between the commissioners and staff.

Chairperson Wendell entertained additional questions or comments of the commissioners; however, none were forthcoming. Chairperson Wendell provided direction with regard to public comment, and opened this item. (6:19:34) In reference to the public notice provided by the Planning Division, Bill Bell inquired as to the possibility of a map “with better street names on it.” Mr. Plemel agreed to add street names to the map and repost it.

(6:21:10) Kathy Lee advised that her property abuts commercial property, and expressed concern over increased crime rates and decreasing property values if medical marijuana dispensaries are allowed within 300 feet of residential property. In response to a question, she suggested only allowing dispensaries “way out on [Highway] 50 where there's just nothing but empty land.”

(6:22:46) Colleen Schiller, a resident on Colorado Street, advised of having been informed that she is “just outside the 300-foot radius.” She expressed the belief that Clark County established “a 660-foot radius in some of their specifications.” She expressed the opinion that “this is a colossal waste of time and money; that the Board of Supervisors should have ascertained whether the citizens of Carson City wanted this before they came to you and asked for an ordinance to be written.” She expressed the further opinion that the City should opt-out, concern that property values will be decreased, and the further opinion that any medical marijuana facility should be “way out of town away from everybody else, and the Board of Supervisors needs to ascertain whether we want this in our county or not.”

(6:24:35) Rebecca Gasca advised that she has been working with “business owners and patients who'd like to see medical marijuana establishments move forward in Carson City.” She offered to answer questions regarding property values, the 660-foot “issue in Clark County,” crime, the number of patients, the 300 versus 1,000-foot extension of location, the “pharmacy issue.” She read a prepared statement into the record addressing “some of the misconceptions and fears that relate to having businesses like this established in the community ...”

(6:30:02) Laura Burns expressed the opinion that the subject hearing amounts to “putting the cart before the horse.” She expressed concern over a lack of sufficient information being available prior to any decision being made.

(6:31:29) Robert Bledsaw, a resident on Lompa Lane, expressed opposition to any medical marijuana establishment in the community and concern regarding increased crime. He expressed sympathy for former military servicemen and women suffering from post-traumatic stress disorder, but reiterated opposition.

(6:32:40) Nancy Acuros expressed familiarity with “the permits and laws in California regarding these types of facilities,” advised that she has a “complex here in Carson City,” and expressed opposition to any medical marijuana facility “next to where [she] live[s].” She discussed her experience with medical marijuana facilities in California, expressed concern over a corresponding increase in crime, and reiterated her opposition.

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 6

(6:34:36) Tom Grundy, a resident of Arizona Circle, expressed the opinion that the limited industrial and airport industrial park zoning districts are inappropriate for marijuana cultivation and processing facilities. He advised that general industrial zoning is intended for manufacture of products from raw materials, and uses which involve storage and manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. He further advised that the odor associated with marijuana production is “pretty pungent,” and that “flammable solvents are also used frequently to extract compounds from marijuana.” He reviewed additional prohibited activities in the limited industrial and airport industrial park zoning districts, and expressed the opinion that “we need to look at what the zoning code is now and see what the intention is of that.”

(6:37:01) Chris Freeman expressed opposition to “any zoning to propose the sale and production of marijuana in Carson City.”

(6:37:19) Ron Bardarson, a resident of Carson City, referred to the March 28, 2014 letter from Scott Cooley, of Cooley Commercial, included in the agenda materials expressing concern over decreasing property values associated with medical marijuana facilities. He inquired as to whether Carson City could accept property and sales tax revenues from a medical marijuana facility in consideration of federal regulations. He expressed concern over the financial soundness associated with allowing medical marijuana facilities in the community.

(6:40:16) Silver State Charter Schools Superintendent Steve Knight expressed the opinion that medical marijuana establishments have “no place in our small community.” He expressed concern over “access or increased access to drugs anywhere in our town.” He expressed the opinion that 1,000 feet is not far enough and that “300 feet is certainly not far enough ...” He expressed the further opinion that the Board of Supervisors should “reconsider opting out.” In response to a question, he suggested that “a couple thousand feet, at least,” would be a more appropriate distance from “both schools and parks.”

(6:42:03) Gary Porter, a resident on Morgan Mill Road, advised of having been “born and raised in this State ...” and requested the commissioners “to protect our City and our residents of this City and put these places somewhere other than next to a residence.” He suggested “somewhere where there is no residences that can be affected by this,” and expressed agreement that property values will decrease and that crime will increase. He expressed vehement opposition to allowing medical marijuana establishments in the community, and requested the commission to “protect us.”

(6:43:52) Ed Kirschner, a resident of Carson City, advised of having recently sold a company and of having been recently informed that “they have planned to invest a considerable amount to expand the facility and bring more employees.” He expressed concern over the medical marijuana establishment issue changing their mind, and expressed strong opposition. He expressed agreement with an earlier comment that we may “have the cart before the horse,” and suggested first listening to the citizens to “see what they wish.” He suggested that “Carson City has been struggling ... for years to bring good businesses, good jobs to the City,” and expressed the opinion that medical marijuana establishments will “deter people from coming here.” He expressed surprise over the various drug problems in Carson City, and the opinion that 300-foot from a house “is not going to create the big, solid buffer.” He expressed concern over how medical marijuana establishments will impact the industrial community, and the opinion that Lyon County made the right decision.

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 7

(6:47:42) Charles Looman, a resident on Kansas Street, discussed his thirty-year residence in Carson City and expressed opposition to allowing medical marijuana establishments in the community.

(6:49:23) Cary Richardson, a Douglas County resident and Carson City business owner, advised of having visited multiple medical marijuana facilities in several states “to really get an education on the medical marijuana industry.” He expressed the opinion that many of the concerns are “based primarily on a lack of knowledge.” He discussed the education he's received regarding the issue of medical marijuana establishments.

(6:51:36) Mark Turner expressed agreement with Mr. Richardson's comments and, in consideration of the state law, the opinion that depriving people “who are ill” of the medical benefits of cannabis is neither ethical or moral. He advised of having received “a great deal of education with regards to medical marijuana business on the west coast and in Colorado.” He expressed the opinion that “Nevada is poised to be able to probably make the best decisions about medical cannabis of any state in the nation.” He expressed the further opinion that the commission should “have faith in the law, how it was written.” He commended Planning Division staff on the time invested in educating themselves on the issue.

(6:53:47) Gary Leist, a retired law enforcement officer and current pastor in the community, expressed the opinion that “the cart is well before the horse.” He suggested “the evidence of the people that are here tonight [is] that this is not an issue that is settled in the hearts and the minds of the citizens of Carson City.” He acknowledged the concerns generated by the issue and suggested weighing the “pros and cons of that which is good as far as the drug is concerned for those that are in need ..., how it increases crime when it's misused.” He encouraged the commission to “opt out of any type of recommendation, making a plan or a change that is far premature of what the citizens of this county and ... this City want.”

(6:55:39) Nora McGinley advised that she was representing her mother and the residents of the Frontier Mobile Home Park. She further advised that her mother is legally blind from glaucoma, and of having conducted research relative to the benefits of medical marijuana. “The research indicates that it would only help her two percent ...” Ms. McGinley discussed the average response time of Carson City law enforcement and fire personnel, and expressed the opinion that “we cannot afford ... to have our limited resources going to police or fire these facilities in any way, shape, or form.” She requested the commissioners to “please opt out.”

(6:57:25) In reference to earlier comments, Carrie Richardson advised that Nevada residents have been allowed, with a physician's recommendation, to grow medical marijuana in their homes for several years now. She further advised that SB 374 limits home marijuana growth, and “places cultivation and dispensation in qualified regulated and authoritative hands.” She further advised of having had several friends who have been victims of cancer, who “have suffered invasive surgeries, chemotherapy, heavy narcotics in order to reduce pain.” She further advised of having “witnessed the benefits of medical marijuana and how it has affected their lives.” She expressed the belief that “medical marijuana is a civil liberty that should not be denied ...”

(6:59:26) Joy Trushenski, a resident on Stampede Drive, expressed concern that the Board of Supervisors “have determined that these marijuana facilities would be a viable thing here in Carson City.” She requested “anyone who opposes these facilities ... make sure you contact the Board of Supervisors and tell them why you don't agree with the ordinance plan.”

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 8

(7:00:23) Steve Waclo expressed concern that there may be an issue of unintentional discrimination against the proposed zoning ordinances. He inquired as to whether existing liquor establishments “stand up to the same rigorous zoning regulations ... currently proposed for MMEs.” Mr. Plemel advised that liquor sales are allowed in all commercial zoning districts, with no separation requirement. Mr. Waclo “second[ed] Mr. Richardson's intelligent and well-thought-out comments ...”

(7:02:17) Elizabeth Leist expressed opposition to allowing medical marijuana establishments in the community, and the opinion that “it will cause more young adults to use.” She advised of having witnessed friends become addicted to marijuana “and end up in probation, end up in jail, end up in juvenile hall.” She expressed the opinion that “it's a terrible idea” in consideration of young nieces and nephews.

(7:04:53) Scott Silva, a resident of Carson City, expressed support for allowing medical marijuana establishments “because it is harder for the medical patients to get their supplies because they're not allowed to get it out of the State ...” He expressed agreement that there is a general lack of knowledge in the public, and the opinion that “there are very positive effects ... to the medical patients who have their cards.” Mr. Silva acknowledged having listened to the zoning requirements reviewed by Mr. Plemel and, in response to a further question, expressed the opinion that “they need to be further away from the home and the schools.” In response to a further question, he suggested allowing medical marijuana establishments “in the areas where there's already businesses, like industrial areas.” In response to a further question, he suggested that no MME should be allowed within 1,000 feet of a school.

(7:08:01) Stephanie Leist advised of having lived in Carson City for 17 years, and suggested that “the point is not ... whether this is going to be allowed or not by the ... Board. Your job tonight ... is to see if this is okay to be implemented for the possibilities of the different facilities.” Ms. Leist expressed a preference “that you completely opt out and that Carson City does not become a location where any of the MMEs are allowed.” She expressed the opinion that 300 feet from a residence “is way too close. If you do decide to agree to it,” she suggested “something much further ...” She expressed opposition to allowing zoning for MMEs and requested the commission “to do the responsible thing and opt out and allow Carson City to become and to stay a good community.”

(7:10:10) David Ruf advised of having had an extremely ill child for the last several years and that he has looked into the possibility of medical marijuana for him. He further advised that he owns five commercial parcels in a general commercial / light industrial area. He advised that medical marijuana dispensaries in California “have made a mess out of the surrounding neighborhoods ...” In consideration of his business, he expressed the opinion that 45 to 60 feet “is not far enough ... where [he has] young children, ... adults.” He expressed a preference for “more say in being able to say no, I don't want this in my neighborhood because I am in the required licensing or jurisdiction for this potential building to be put in ...” He requested to have the same type of setbacks as churches or parks. In response to a question, he discussed problems experienced by a nursery owner-friend of his in California whose business is near a MME dispensary.

(7:15:38) Katherine Leist expressed the opinion that “this is kind of ridiculous to have in our little city.”

Mr. Plemel expressed appreciation for the public testimony, noting this as the purpose of the subject item. He advised that the matter will be presented to the Board of Supervisors at their June 19th meeting.

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 9

(7:18:19) Chris Freeman expressed the opinion that lot depth should be considered rather than the proposed 300-foot buffer for residential property.

(7:19:16) Frank Stanfield suggested reconsidering that any medical marijuana establishment be required to be 1,000 feet from any residential area. He advised of having met with Sheriff Ken Furlong last week with regard to the subject matter, and that “he is gravely concerned about this issue because he sees it as a four-alarm fire. There's going to be problems. No one, including him or any of his deputies can guarantee that any of this product, once it leaves this dispensary, is not going to get into the hands of our children ...” Mr. Stanfield expressed concerns over illegal distribution of marijuana, and suggested the possibility that City water which has any affiliation with federal funding or requirements could not be used for marijuana growth or distribution.

Chairperson Wendell entertained additional public comment and, when none was forthcoming, entertained commissioner discussion. Extensive discussion took place between the commissioners and staff regarding the recommended setbacks, the possibility of limiting all MMEs to a certain zoning district, and the commission's options relative to a recommendation. Discussion took place with regard to the recommended motion, and Chairperson Wendell entertained a motion. **Commissioner Sattler moved to recommend to the Board of Supervisors approval of ZCA-14-025, an ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow medical marijuana establishments, including dispensaries, cultivation facilities, production facilities, and testing labs, as a conditional use in certain zoning districts, and establish development standards for such facilities, based on the findings contained in the staff report, as recommended by staff, with the modification of 300 feet from all residential properties. Commissioner Steele seconded the motion.** Chairperson Wendell entertained discussion on the motion, and discussion took place regarding the proposed setbacks. Commissioner Esswein proposed an amendment to the motion to restrict medical marijuana establishments to the general industrial zoning districts and located no less than 1,000 feet from any residential property, any school, or any community facility. Extensive discussion followed, and Commissioner Esswein revised his proposed amendment to indicate a restriction to the limited and general industrial areas no less than 1,000 feet from a residential, school, park, church, or community facility. Additional discussion followed regarding whether to allow dispensaries in the general commercial zoning district. Commissioner Esswein withdrew his proposed amendment, and discussion took place regarding the provisions of the original motion. **Commissioner Sattler amended his motion to indicate a 1,000-foot restriction from any public facility, including churches, parks, schools; 300 feet from any residential property line if the City opts in. Commissioner Steele continued his second.** Following a request for clarification, Commissioner Sattler withdrew his original motion. **Commissioner Sattler moved that, if the City opts in, to recommend to the Board of Supervisors approval of ZCA-14-025, an ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow medical marijuana establishments, including dispensaries, cultivation facilities, production facilities, and testing labs as a conditional use in certain zoning districts, and to establish development standards for such facilities based on the findings contained in the staff report, as recommended by staff, including 1,000 feet from any schools, churches, public and community facilities, and 300 feet from any residential property line. Commissioner Steele seconded the motion.**

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 10

RESULT:	Approved [5 - 2]
MOVER:	Commissioner Mark Sattler
SECOND:	Commissioner Kent Steele
AYES:	Commissioners Sattler, Steele, Dhami, Vice Chair Esswein, Chair Wendell
NAYS:	Commissioners Kimbrough and Owens
ABSENT:	None
ABSTAIN:	None

RECESS PLANNING COMMISSION (8:08:10) - Chairperson Wendell recessed the meeting at 8:08 p.m.

GROWTH MANAGEMENT COMMISSION

CALL TO ORDER AND DETERMINATION OF A QUORUM (8:18:47) - Chairperson Wendell called the Growth Management Commission to order at 8:18 p.m. All members of the commission were present, constituting a quorum.

F-6. GM-14-023 FOR POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS A RESOLUTION ESTABLISHING THE MAXIMUM NUMBER OF RESIDENTIAL BUILDING PERMIT ALLOCATIONS UNDER THE GROWTH MANAGEMENT ORDINANCE FOR THE YEARS 2015 AND 2016, AND ESTIMATING THE MAXIMUM NUMBER OF RESIDENTIAL BUILDING PERMITS FOR THE YEARS 2017 AND 2018; ESTABLISHING THE NUMBER OF BUILDING PERMIT ALLOCATIONS WITHIN THE DEVELOPMENT AND GENERAL PROPERTY OWNER CATEGORIES; AND ESTABLISHING A MAXIMUM AVERAGE DAILY WATER USAGE FOR COMMERCIAL AND INDUSTRIAL BUILDING PERMITS AS A THRESHOLD FOR GROWTH MANAGEMENT COMMISSION REVIEW (8:18:53) - Mr. Plemel introduced this item, and reviewed the agenda materials in conjunction with displayed slides. Engineering Manager Danny Rotter narrated a SlideShow presentation of the City's water system, and responded to questions of clarification regarding the possibility of improving surface water retention, effluent water, and watering restrictions.

Following discussion, Chairperson Wendell entertained a motion. **Vice Chairperson Esswein moved to recommend to the Board of Supervisors approval of a maximum total of 647 residential building permit entitlements for 2015, with an allocation of 278 entitlements for the general property owner category and 369 entitlements for the development category, and to retain the existing commercial and industrial development water usage threshold of 7,500 gallons per day annual average for Growth Management Commission review, and distribution and allocations for future years, as provided in the draft Board of Supervisors resolution. Commissioner Dhami seconded the motion.**

CARSON CITY PLANNING COMMISSION

Minutes of the May 28, 2014 Meeting

Page 11

RESULT:	Approved [7 - 0]
MOVER:	Vice Chairperson Paul Esswein
SECOND:	Commissioner Malkiat Dhami
AYES:	Vice Chair Esswein, Commissioners Dhami, Kimbrough, Owens, Sattler, Steele, Chair Wendell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

ACTION TO ADJOURN GROWTH MANAGEMENT COMMISSION (8:42:19) - Vice Chairperson Esswein moved to adjourn the Growth Management Commission at 8:42 p.m. Commissioner Sattler seconded the motion. Motion carried 7-0.

RECONVENE PLANNING COMMISSION (8:42:42) - Chairperson Wendell reconvened the Planning Commission at 8:42 p.m.

G. STAFF REPORTS

G-1. DIRECTOR'S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS (8:42:48) - Mr. Plemel announced that the new City Manager, Nick Marano, would start on Monday, June 2nd. He reported that no recommendations were forwarded from the commission to the Board of Supervisors since the April commission meeting. He reviewed the tentative agenda for the June commission meeting, and commended the commissioners on their interaction with the citizens during the public hearing of item F-5. In response to a question, he advised that the Parks and Recreation Department had received special use permit approval for signage at Fuji Park. Discussion regarding funding for the sign will be agendized for a future Board of Supervisors meeting.

G-2. COMMISSIONER REPORTS / COMMENTS (8:45:57) - Chairperson Wendell entertained commissioner reports or comments; however, none were forthcoming.

H. PUBLIC COMMENT (8:46:03) - Chairperson Wendell entertained public comment; however, none was forthcoming.

I. ACTION TO ADJOURN (8:46:26) - Vice Chairperson Esswein moved to adjourn the meeting at 8:46 p.m. Commissioner Sattler seconded the motion. Motion carried 7-0.

The Minutes of the May 28, 2014 Carson City Planning Commission meeting are so approved this 25th day of June, 2014.

GEORGE D. WENDELL, Chair