
**PLUMAS COUNTY
PLANNING COMMISSION**
Minutes of the Meeting of June 20, 2019

PLANNING COMMISSION MEMBERS:

Dr. Robert Abbott, Chair (District 1)
Moorea Hoffman Stout, Commissioner (District 2)
Jeff Greening, Commissioner (District 3)
Larry Williams, Commissioner (District 4)
John Olofson, Vice-Chair (District 5)

I. CALL TO ORDER

Vice- Chair John Olofson calls the meeting to order at 10:00 am.

II. SALUTE TO THE FLAG

III. ROLL CALL

Commissioners Present: Jeff Greening, Larry Williams, John Olofson, Moorea Hoffman Stout

Commissioners Absent: Dr. Robert Abbott

Also in attendance (Supervisors and staff)

Randy Wilson, Planning Director
Rebecca Herrin, Assistant Planning Director
Tim Evans, Assistant Planner
Gretchen Stuhr, Deputy County Counsel III
Supervisor Jeff Engel
Supervisor Sherrie Thrall

IV. CONSENT ITEMS

A. Items to be continued or withdrawn from the agenda: *None.*

B. M/S/C: *Williams/Greening/4-0 to approve the minutes of the meeting of May 16, 2019.*

V. PLANNING COMMISSIONERS' REPORTS/COMMENTS:

There are no Planning Commissioners' reports or comments.

VI. PUBLIC COMMENT OPPORTUNITY

There are no public comments.

VII. PRESENTATION OF 2018 GENERAL PLAN ANNUAL PROGRESS REPORT

Assistant Planning Director Rebecca Herrin presents the report. Discussion takes place among the Commissioners and the decision to approve the report and send it on to the Board of Supervisors will be taken up at the next meeting to be held on July 11, 2019.

VIII. **PUBLIC HEARING ITEM: PROPOSED ORDINANCE AMENDING PLUMAS COUNTY CODE TITLE 9 (PLANNING AND ZONING) TO IMPLEMENT PROCEDURES TO PERMIT COMMERCIAL CANNABIS RETAILER/DISPENSARY AND DISTRIBUTOR AND TO ESTABLISH STANDARDS FOR PERSONAL CULTIVATION OF CANNABIS:** Public hearing and recommendation to the Board of Supervisors by adoption of resolution.

Commissioner Williams asks to hear from Sheriff Greg Hagwood. Planning Director Wilson explains that there is no time limit on the comments from Sheriff Hagwood as the public hearing has not been opened.

Hagwood commends the Commission and staff for the time and effort involved in development of the ordinance. He explains that he can't support or endorse retail outlets for either medical or recreational cannabis sales. Due to the lack of population in the county, he can't see that there would be economic viability for a successful business, particularly as there is no local source due to the cultivation ban. All products would have to come from outside the county.

He feels that there is an abundance of available home delivery services already in the county. Retail would not be of benefit to the communities in the county and the level of bureaucracy necessary to administer, manage and license these retail operations would offset any financial benefit to the county.

In response to questions from the Commissioners, Hagwood states that there have been 40 to 50 illegal grows that needed enforcement actions in the last year and that he imagines the number will be just as high this year. He adds that adding a staff member solely to address licensing of retail cannabis operations would be an expense to the county.

The public hearing is opened. An audience member mentions the value of hemp. Herrin explains that industrial hemp is considered an agricultural crop and as such is exempt and has not been considered in this ordinance.

Joseph Munoz states that the vote to defeat Measure B last November showed clearly the intent of voters to ban all commercial cannabis activity.

Bill Stivers reiterates Munoz's comments. There were a great many people totally against allowing cannabis and their names were published in the local newspaper. He encourages the Commission to vote no on the proposed ordinance.

Susan Christensen is an East Quincy resident and a member of the citizens group against commercial cannabis. She dispute evidence that cannabis legalization and use reduces the dependence on opioids and cites medical studies.

Bill Martin is also a member of the cannabis citizens group and expresses his opposition to the proposed ordinance. He states that there are already supply chains for medical users and therefore there is no justification for any retail outlets.

David Baker speaks to mental health problems associated with cannabis usage. He is stunned that the Board of Supervisors would consider such a thing (the proposed ordinance). He feels

that the environmental impacts associated with allowing growing of cannabis in Chester will cause dumping in Lake Almanor and algae blooms.

He does not believe that voters in Plumas County voted in favor of Proposition 64 to legalize recreational marijuana (a majority voted in favor of Proposition 64).

Joe Hagwood has been a resident of Plumas County for 44 years. He was active in the Plumas Unified School District as a teacher, administrator and superintendent. He has personal knowledge of homes across the county damaged from drug use. He feels that there has been an erosion of laws, ordinances and discipline. It is ludicrous that kids won't find the storefront retailers. Vaping is also dangerous. He encourages the Commissioners to vote against the proposed ordinance.

Mark Mihevc states that the rules within the ordinance regarding personal cultivation of cannabis are fair and protect children. Measure B was mostly about commercial cultivation. The proposed ordinance would establish setbacks from schools and keep storefront operations out of the way. There would be security measures to preclude children from buying pot. Mihevc questions Sheriff Hagwood's opinions on economic viability and where he is getting his data on cost effectiveness. The decision to open a retail operation is a business decision and should not be a concern to anyone except the retailer.

Beverly Herman is a Chester resident and feels that allowing retail operations would have the power to change the fabric of our communities. Her new husband wants to move out of the area if there is a dispensary in Chester. She feels that there are many reasons not to allow retail cannabis sales in the county.

Greg Kinne is a resident of Quincy. He thanks the Commissioners for their service. He has supported cultivation and thinks that the county needs one dispensary. The Calaveras County sheriff has stated that dispensaries are not a problem. There is a special use permit process in the proposed ordinance that would address potential issues. Kinne states that the people that buy products at dispensaries in Reno are good people. He urges the Commission to send the proposed ordinance to the Board of Supervisors without changes.

Sharon Covington thanks the Commissioners for serving. She wants to clarify that she appreciates the democratic process and does not want overregulation. She agrees with the Sheriff's comments. Her background is as a counselor. She feels that the culture has been transformed by the large scale public use of drugs. Covington urges the Commission to keep the regulations on personal use but to say no to county-based dispensaries.

Norma Maciel thanks the Commission for listening. She feels that the citizens voted no on commercial by defeating Measure B. She wants to see no delivery or distribution as well.

Amber Marshall of Plumas Bank explains that those in business will be unable to receive banking services, due to Federal law restrictions. She feels that there are facts that show the crime rate increases. Dispensaries in Nevada are available. She states that the only way commercial cannabis business can handle revenues is if the funds are funneled illegally.

Jane Roberti is a thirty-four year resident of Plumas County. As a wife and a mother, she has a hard time accepting storefront operations. She feels that there should be no dispensaries

allowed. Customers can either go out of the county or have the product delivered through existing delivery services. She urges the Commissioners to vote no on the proposed ordinance.

Rick Whitsell agrees with what has been said. He notes the problems that Colorado has had with legalization, including increases in arrests, traffic fatalities, usage by youth. Many jurisdictions have banned medical and recreational commercial activities.

Tracy DuBord is a resident of Chester. She reads a statement from Sheriff Hagwood. She feels that the county residents defeated Measure B and therefore voted down commercial cannabis activities. The setback from schools of 1200 feet is inadequate. She also agrees with everything said.

Karen Barker is a resident of Chester. She also was under the impression that a vote against Measure B would eliminate all commercial cannabis activities. There has been a drop in population in Chester and shops are empty. She read in the proposed ordinance about complaints being a nuisance but did not see anything about fines. She feels that commercial cannabis operations are socially incompatible.

Pat Wormington feels that revenues collected should go to road maintenance and snow removal.

Joe Hagwood adds that there are positive movements in the county to develop recreational trails and other related businesses which are not conducive to cannabis sales.

Sharon Covington adds that the state has defined commercial activity and that some voters did not like the language in Measure B.

Vice-Chair Olofson closes the public hearing at 11:25 am.

Planning Director Randy Wilson explains that the proposed ordinance contains measures regarding retail/dispensaries and distribution, but also contains measures regulating the personal cultivation of cannabis. He adds that, regardless of the Planning Commission vote, the proposed ordinance will be scheduled before the Board of Supervisors. Wilson proposes that staff could make changes and bring the ordinance back to the Commission, continuing the public hearing.

Vice-Chair Olofson addresses the public and explains that the Commission is operating on direction from the Board of Supervisors. Two or three workshops were held on this proposed ordinance and there was very little public input. Staff presented the ordinance at the workshops and then scheduled today's public hearing. Olofson states that he is embarrassed with the proposed ordinance.

Wilson reiterates that the county is precluding from regulating deliveries within the county.

Commissioner Moorea Stout states that, given the public comment presented today, she is not comfortable with the proposed ordinance as written. She is comfortable, however, with the regulations regarding personal cultivation of cannabis. Should the Commission consider a redraft?

Commissioner Larry Williams responds that the Commission is not the approving authority. The Commission is charged with giving a list of possible tools and definitions to the Board of Supervisors so that they can make the final decision.

Commissioner Jeff Greening feels that the personal cultivation of cannabis should be separated from the rest of the proposed ordinance.

M/S/C: Stout/Greening/4-0 to separate personal cultivation of cannabis from the rest of the proposed ordinance.

M/S/C: Greening/Stout/3-1 to eliminate retailer/dispensary and distributor from the proposed ordinance. Commissioner Williams is opposed.

The Commission will schedule a special meeting for July 11, 2019 as the Independence Day holiday conflicts with the regular meeting schedule. The public hearing is continued until July 11, 2019 at 10:00 am.

IX. WORKSHOP/DISCUSSION: INITIATION OF PLUMAS COUNTY GENERAL PLAN HOUSING ELEMENT UPDATE

Randy Wilson gives the presentation. Since the county did not choose to complete the "5th cycle" Housing Element, the state has given permission for the county to complete the 5th cycle and the 6th cycle Housing Elements in order to be up to date with legal requirements. The California Department of Housing and Community Development (HCD) has contracted with a consultant, Placeworks, who will be assisting with this process.

In conjunction with the completion and submittal of the Housing Element, there is a grant opportunity under Senate Bill 2. Smaller counties, such as Plumas, are eligible for amounts up to \$160,000. The grant is for planning issues related to affordable housing. Staff will have more materials available at the next meeting.

Technical assistance with the grant application will also be provided by Placeworks. The consultant, working with Planning staff, has developed a timeline for providing data needs, writing and circulating the document, and conducting public outreach. The next meeting of July 11, 2019, will provide another public outreach opportunity.

Vice-Chair Olofson opens the public comment period. No comments are received.

Commissioner Williams gives a heartfelt thanks to Randy Wilson for his time as Planning Director. Wilson will be retiring as of July 6th. Williams adds that it will be hard to replace him (Wilson).

X. ADJOURNMENT:

M/S/C: Williams/Stout/4-0 to adjourn the meeting in order to attend a celebratory lunch for Randy Wilson. The meeting is adjourned at 11:53 am. The next meeting of the Commission will be a special meeting to be held on July 11, 2019.



John Olofson, Vice-Chair
Plumas County Planning Commission



Rebecca Herrin, Assistant Planning Director