M I N U T E S

REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE

COUNCIL CHAMBERS 275 MAIN STREET, 4th FLOOR, WATSONVILLE, CALIFORNIA

January 14, 2020 6:02 PM

In accordance with City policy, all Planning Commission meetings are recorded on audio and video in their entirety, and are available for review in the Community Development Department (CDD). These minutes are a brief summary of action taken.

1. ROLL CALL

Chair Jenni Veitch-Olson, Vice-Chair Matthew H. Jones, and Commissioners Ed Acosta, Anna Kammer, Jenna Rodriguez, Jenny T. Sarmiento, and Phillip F. Tavarez were present.

Staff members present were City Attorney Alan Smith, Community Development Director Suzi Merriam, Principal Planner Justin Meek, Assistant Planner Sarah Wikle, Assistant Police Chief Thomas Sims, Recording Secretary Deborah Muniz, Administrative Assistant II Maria Elena Ortiz, and City Interpreter Carlos Landaverry.

2. PLEDGE OF ALLEGIANCE

Chair Veitch-Olson led the Pledge of Allegiance.

3. PRESENTATIONS & ORAL COMMUNICATIONS

Commissioner Kammer asked if staff could give an update at a future meeting for the Downtown Complete Streets Plan and Vision Zero.

Chair Veitch-Olson encouraged the public to vote during the Presidential Primary Election on March 3, 2020.

4. CONSENT AGENDA

A. MOTION APPROVING MINUTES FOR DECEMBER 3, 2019 MEETING

MOTION: It was moved by Commissioner Kammer, seconded by Commissioner Sarmiento, and carried by the following vote to approve the Consent Agenda:

AYES:	COMMISSIONERS:	Acosta, Kammer, Rodriguez, Sarmiento, Tavarez, Jones, Veitch-Olson
NOES:	COMMISSIONERS:	None

ABSENT: COMMISSIONERS: None

5. PUBLIC HEARING

A. AN APPLICATION FOR A SPECIAL USE PERMIT WITH ENVIRONMENTAL REVIEW (PP2019-346) TO ALLOW THE ESTABLISHMENT OF AN OFF-SALE BEER AND WINE LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING GAS STATION WITH A 1,061 SQUARE-FOOT CONVENIENCE STORE (32 ENTERPRISES INC) LOCATED AT 1180 MAIN STREET

1) Staff Report

Staff Report was given by Assistant Planner Sarah Wikle.

2) Planning Commission Clarifying & Technical Questions

None

3) Applicant Presentation

Rahil Hussain, 32 Enterprises Inc. president, expressed gratitude for being able to work in the City of Watsonville.

4) Planning Commission Clarifying & Technical Questions

Addressing Commissioner Sarmiento's questions, Mr. Hussain stated that he has met with the previous business owner and gone over the requirements set forth by the City.

In answering Commissioner Tavarez' inquiry, Mr. Hussain spoke about his experience through the City's alcohol application process.

Commissioner Kammer commended the applicant for his business model and efforts to keep the neighborhood safe.

In answering Commissioner Kammer's inquiry, Assistant Police Chief Sims gave an overview of the crime statistics for the area.

Addressing Vice-Chair Jones' question, Mr. Hussain stated that he owns other businesses in the City and spends three days out of the week in Watsonville.

5) Public Hearing

Chair Veitch-Olson opened the public hearing.

Hearing no comment, Chair Veitch-Olson closed the public hearing.

6) Appropriate Motion(s)

MAIN MOTION: It was moved by Commissioner Kammer, seconded by Chair Veitch-Olson to accept the following resolution:

RESOLUTION NO. 1-20 (PC):
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT WITH ENVIRONMENTAL REVIEW (PP2019-346) TO ALLOW THE ESTABLISHMENT OF AN OFF-SALE BEER AND WINE LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING GAS STATION WITH A 1,061 SQUARE-FOOT CONVENIENCE STORE (32 ENTERPRISES INC.) LOCATED AT 1180 MAIN STREET, WATSONVILLE, CALIFORNIA (APN: 016-172-19)

7) Deliberation

Chair Veitch-Olson expressed her support for the item as she sees that the applicant has met all of the requirements set forth by the City.

8) Chair Calls for a Vote on Motion(s)

MAIN MOTION: The above motion carried by the following vote:

AYES:	COMMISSIONERS:	Acosta, Kammer, Rodriguez, Sarmiento, Tavarez, Jones, Veitch-Olson
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None

B. AN APPLICATION FOR A SPECIAL USE PERMIT WITH ENVIRONMENTAL REVIEW (PP2019-347) TO ALLOW THE ESTABLISHMENT OF AN OFF-SALE BEER AND WINE LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING GAS STATION WITH A 1,040 SQUARE-FOOT CONVENIENCE STORE (32 ENTERPRISES INC.) LOCATED AT 1597 FREEDOM BOULEVARD

1) Staff Report

Staff Report was given by Assistant Planner Sarah Wikle.

2) Planning Commission Clarifying & Technical Questions

None

3) Applicant Presentation

None

4) Planning Commission Clarifying & Technical Questions

None

5) Public Hearing

Chair Veitch-Olson opened the public hearing.

Hearing no further comment, Chair Veitch-Olson closed the public hearing.

6) Appropriate Motion(s)

MAIN MOTION: It was moved by Vice-Chair Jones, seconded by Commissioner Rodriguez to approve the following resolution:

RESOLUTION NO. 2-20 (PC):
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT WITH ENVIRONMENTAL REVIEW (PP2019-347) TO ALLOW THE ESTABLISHMENT OF AN OFF-SALE BEER AND WINE LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING GAS STATION WITH A 1,040 SQUARE-FOOT CONVENIENCE STORE (32 ENTERPRISES INC.) LOCATED AT 1597 FREEDOM BOULEVARD, WATSONVILLE, CALIFORNIA (APN: 016-501-18)

7) Deliberation

None

8) Chair Calls for a Vote on Motion(s)

MAIN MOTION: The above motion carried by the following vote:

AYES:	COMMISSIONERS:	Acosta, Kammer, Rodriguez, Sarmiento, Tavarez, Jones, Veitch-Olson
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None

C. RECOMMENDATION TO CITY COUNCIL ON AMENDMENTS TO CHAPTER 14-16 (DISTRICT REGULATIONS) AND 14-53 (CANNABIS FACILITIES) OF THE WATSONVILLE MUNICIPAL CODE REGARDING CANNABIS FACILITIES

1) Staff Report

Staff Report was given by Community Development Director Suzi Merriam.

2) Planning Commission Clarifying & Technical Questions

Director Merriam answered Commissioner Kammer's questions regarding residential zoning versus legal residential use, potential cannabis sites for cultivation, manufacturing, retail, and distribution in the City of Watsonville, and separation requirements from parks and schools.

In answering Vice-Chair Jones' question regarding the Type 13 non-storefront retail license, Director Merriam clarified that existing businesses would still have to go through the application process.

Director Merriam addressed Chair Veitch Olson's inquiry regarding additional points on the grading rubric for existing local businesses, minority owned businesses, women-owned businesses and those in the equity program.

Commissioner Sarmiento suggested the idea of giving additional points for businesses that purchase supplies from other local businesses in Watsonville.

Commissioner Tavarez thanked Director Merriam and City staff for all of their efforts and work on the Cannabis Ordinance. Additionally, he inquired about the reasoning for allowing more manufacturing licenses, but restricting the cultivation licenses to six.

Director Merriam explained the reasons why, among them the fact that the City of Watsonville does not have the expansive area to accommodate large cultivation facilities, as opposed to manufacturing facilities.

Director Merriam answered Commissioner Tavarez' questions regarding the current application process and forthcoming changes to both the requirements and the application itself.

In answering Commissioner Sarmiento and Acosta's questions, Director Merriam clarified that there can be multiple license holders per parcel, and provided some scenarios.

Commissioner Kammer inquired about the number of cannabis retail establishments for the neighboring cities.

Director Merriam provided her with some of those numbers.

In answering Vice-Chair Jones' question, Director Merriam stated that the flavored tobacco ordinance will apply to cannabis, therefore, regardless of what is being vaped, it cannot be flavored.

3) Public Hearing

Chair Veitch-Olson opened the public hearing.

Seth Smith, Santa Cruz Veterans Alliance, spoke in support of the item and listed his reasons. Additionally, he addressed Commissioner Sarmiento's question regarding procedure for verification of age for those doing store pick-ups.

Laura del Castillo, Eden Infusions, voiced her support of the item and the expansion of retail zones.

Wesley Clark, Marina Trading Company, spoke in support of the item and feels that three retail businesses is a good number for the size of the City. Additionally, he listed a number of reasons for his support.

Colin Disheroon, Santa Cruz Naturals owner, spoke in support of the item and is happy to hear the City is removing the real estate condition, which puts an undue burden on the businesses during the lengthy application process. Additionally, he spoke about the possibility of bringing his business to Watsonville one day.

Rebecca Garcia, City of Watsonville Mayor, spoke about the lack of information regarding the safety and health implications of the growing cannabis business. She asked that the Planning Commission postpone making a decision and inform themselves first.

Patricia Mata, Community Prevention Partner (CPP), listed a number of health and safety practices they are concerned with, and praised City staff for incorporating some of these in the ordinance.

McKenna, Pajaro Valley Prevention and Student Assistance, asked that the Planning Commission consider adopting the CPP recommendations and not allow cannabis facilities in thoroughfare zones.

Alan Flores, District 3 resident/cannabis business owner, requested that the Planning Commission recommend to City Council a special equity license type, and listed his reasons.

James Cunningham, cannabis cultivator at 1000 West Beach Street, spoke in support of the item.

Crystal Gonzalez, Community Prevention Partners, provided information regarding the number of dispensaries for neighboring cities, and asked the Planning Commission adopt CPP's recommendation.

Erika Vazquez, PVPSA tobacco prevention specialist, expressed concern over the number of businesses proposed and asked that the Planning Commission adopt CPP's recommendation.

Hearing no further comment, Chair Veitch-Olson closed the public hearing.

4) Appropriate Motion(s)

MAIN MOTION: It was moved by Chair Veitch-Olson, seconded by Commissioner Sarmiento to approve the following resolution as proposed by staff:

RESOLUTION NO. 3-20 (PC):
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL ADOPTION OF TEXT AMENDMENTS TO TITLE 14 (ZONING) OF THE WATSONVILLE MUNICIPAL CODE, AMENDING CHAPTER 14-16 (DISTRICT REGULATIONS) AND CHAPTER 14-53 (CANNABIS FACILITIES) FOR THE REGULATION OF CANNABIS BUSINESSES LOCATED WITHIN THE CITY

Chair Veitch-Olson stated she would like to pursue an equity program to help disadvantaged residents increase their probability of receiving a cannabis permit.

5) Deliberation

In answering Commissioner Tavarez, Chair Veitch-Olson explained who would benefit from a potential equity program.

Seth Smith, Santa Cruz Veterans Alliance, explained what the State Equity Program funds and mentioned that the City of Watsonville currently has no equity program, but was looking toward implementing something in the future.

MOTION TO AMEND MAIN MOTION 1: It was moved by Commissioner Tavarez, seconded by Chair Veitch-Olson, to amend the Main Motion to include criteria that grants disadvantaged applicants more points on the rating scale in the application process.

In answering Commissioner Sarmiento, Director Merriam clarified that the Planning Commission can make a recommendation to City Council, whom will ultimately decide if they will adopt an equity program.

In answering Commissioner Acosta, Director Merriam explained the cannabis permitting process once applicants are graded.

MOTION TO AMEND MAIN MOTION 1: The above motion carried by the following vote:

AYES:	COMMISSIONERS:	Acosta, Kammer, Rodriguez, Sarmiento, Tavarez, Jones, Veitch-Olson
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None

MOTION TO AMEND MAIN MOTION 2: It was moved by Commissioner Sarmiento, seconded by Vice-Chair Jones, to amend the Main Motion to include requirements for vendors to ensure purchasers, and those who would consume delivered cannabis products, are over 21 years old.

Both Director Merriam and Sharon, Aptos dispensary manager, answered Commissioner Kammer's question regarding the cannabis delivery procedure.

MOTION TO AMEND MAIN MOTION 2: The above motion failed by the following vote:

AYES:	COMMISSIONERS:	Sarmiento
NOES:	COMMISSIONERS:	Acosta, Kammer, Rodriguez, Tavarez, Jones, Veitch-Olson
ABSENT:	COMMISSIONERS:	None

MOTION TO AMEND MAIN MOTION 3: It was moved by Commissioner Kammer, seconded by Vice-Chair Jones, to amend the Main Motion to prohibit any cannabis retail establishments in the CT-Thoroughfare Commercial zones.

MOTION TO AMEND MAIN MOTION 3: The above motion failed by the following vote:

AYES:	COMMISSIONERS:	Acosta, Kammer, Jones
NOES:	COMMISSIONERS:	Rodriguez, Sarmiento, Tavarez, Veitch-Olson
ABSENT:	COMMISSIONERS:	None

Assistant Police Chief Sims answered Vice-Chair Jones' questions regarding police enforcement on cannabis retail establishments, and mentioned that there is very limited information regarding cannabis related hospital visits or DUI's, as it is all relatively new.

Chair Veitch-Olson thanked city staff and Community Prevention Partners for their research and work on the ordinance.

6) Chair Calls for a Vote on Motion(s)

MAIN MOTION: The above motion carried by the following vote as amended:

AYES:	COMMISSIONERS:	Acosta, Kammer, Rodriguez, Sarmiento, Tavarez, Jones, Veitch-Olson
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None

6. REPORT OF THE SECRETARY

Director Merriam shared that the City was awarded two State grants to fully fund the Downtown Specific Plan.

7. ADJOURNMENT

Chair Veitch-Olson adjourned the meeting at 8:31 PM. The next Planning Commission meeting is scheduled for Tuesday, February 4, 2020, at 6:00 PM in the City Council Chambers.

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Suzi Merriam, Secretary Planning Commission	Jenni Veitch-Olson, Chair Planning Commission