

CITY OF LA PUENTE
PLANNING COMMISSION

MINUTES

February 02, 2010

A Regular Meeting of the Planning Commission of the City of La Puente was held in the Council Chambers of City Hall, 15900 East Main Street, La Puente, California, on 02/02/2010, at 7:00 p.m.

Per Robert's Rules of Order Newly Revised 10th Edition, minutes are a record of the actions taken by the body. These minutes do not include a summary of the discussion but only reflect the action taken by the body. A complete audio recording of this meeting is available on the City's website www.lapuate.org

CALL TO ORDER:

Chairman Klinakis called the meeting to order at 7:00 p.m.

City Planner Arreola announced that the new commissioners were sworn in prior to the start of the meeting and would be included in the roll call.

ROLL CALL: Dahlitz, Duarte, Landino, Lewis, and Klinakis

PRESENT: Dahlitz, Duarte, Klinakis, and Landino.

ABSENT: Lewis.

EX OFFICIO: City Planner Arreola, Deputy City Attorney Davtyan, Assistant Planner Chow, and Administrative Secretary Ramirez.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Chairman Klinakis.

INSTALLATION OF NEWLY APPOINTED PLANNING COMMISSIONERS

City Planner Arreola introduced newly appointed Commissioners, Karen Dahlitz and Gil Anthony Duarte.

Chairman Klinakis welcomed the new Planning Commissioners.

ANNUAL SELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON:

Commissioner Landino nominated Charlie Klinakis for Chairperson, seconded by Duarte, all in favor. Their being no other nominations, nominations were closed for Chairperson.

Chairman Klinakis nominated Commissioner Raul Landino for Vice Chairperson, seconded by Duarte, all in favor. Their being no other nominations, nominations were closed for Vice Chairperson.

ORAL COMMUNICATIONS:

Chairman Klinakis recognized two City Council members who were in the audience, Dan Holloway and John Solis.

Council Members Holloway and Solis welcomed the two new Planning Commissioners to the City, followed by some friendly advice.

Chairman Klinakis recognized former Planning Commissioners; Rojas, Hernandez, Aguirre and Escalera and former Mayor Perez.

MINUTES OF PREVIOUS MEETING:

1. Reading of the minutes of the regular meeting of January 5, 2010.

Commissioner Dahlitz moved and Vice Chairman Landino seconded to approve as presented. The motion carried with the following roll call vote:

AYES:	Dahlitz, Klinakis, and Landino.
NOES:	None.
ABSTAIN:	Duarte.
ABSENT:	Lewis.

PUBLIC HEARINGS:

2. MUNICIPAL CODE AMENDMENT NO. 129 - Consideration of Municipal Code Amendment ("Municipal Code Amendment-129") - Amending Title 10 (Zoning) of La Puente Municipal Code to establish Zoning and Land Use Regulations of Medical Marijuana Cooperatives and Collectives within the City.

City Planner Arreola presented the report.

Assistant Planner Chow presented the report on distancing requirements.

City Planner Arreola explained the "amortization period" and "sensitive uses"

City Attorney Davtyan gave an explanation on the "zoning code" and the "business regulatory ordinance."

Discussion ensued on 500, 600, 700 and 800 foot radii.

Chairman Klinakis opened the continued public hearing.

Former Mayor Lou Perez, stated "where was the protection for the children. Stating that La Puente is the pot capital of San Gabriel Valley, who is going to look out for the people of La Puente. They recently caught a seventh grader with a prescription bottle filled with marijuana at school. This was supposed to be a last resort for people who were dying, I only see young people at the collectives. 700 feet is a joke, El Monte required 1,000 feet. We should have a minimum of 1,000 feet. Why eleven pot houses? What is La Puente coming too? People will never forget this. This City was once known as Kid City USA."

Chairman Klinakis closed the public hearing.

Chairman Klinakis asked if you have a medical marijuana card are you allowed to smoke in a public place.

Deputy City Attorney responded that under the "compassionate use act" and the "medical marijuana program" marijuana cannot be consumed in a public place and/or within 1,000 feet of a school.

Deputy Vargas of the Industry Sheriff Station stated that you may only consume marijuana in a private area and not in a public place.

Discussion ensued on Medical Marijuana Cooperatives and Collectives (MMCC)'s that are trying to complete their applications before the deadline of February 12, 2010.

Chairman Klinakis asked how would a 1,000 foot radius affect the MMCC's.

Assistant Planner Chow responded that it would eliminate all the commercial zones available within the city.

Deputy City Attorney stated that it would raise some legal challenges when technically they would be zoned out.

Chairman Klinakis asked was someone able to open a MMCC from their home.

City Planner Arreola responded in the negative the MMCC's are only allowed in the C-1 and C-2 zones.

Discussion ensued regarding distancing of MMCC's between each other. If a MMCC opens and a sensitive use establishment opens within the allowed distance, does that MMCC now become non-conforming.

Deputy City Attorney Davtyan responded in the affirmative.

Chairman Klinakis asked what was the Federal Government and State doing in regards to this issue.

Deputy City Attorney Davtyan gave an explanation on the "Compassionate Use Act" and the "Medical Marijuana Program."

Discussion ensued on the "Regulated Control and Tax Cannabis Act of 2010." And what other cities have allowed.

Chairman Klinakis questioned were there that many sick people in La Puente and was there a need for so many dispensaries within the city.

Deputy City Attorney Davtyan stated that she would like to inform the public and the commission that Staff had been working with law enforcement to ensure that the MMCC's are operating within the city's regulations.

Chairman Klinakis asked would the city be able to bring legal action against a collective, if perhaps some illegal activity was found.

Deputy City Attorney responded that it would be very case specific and would be up to the District Attorney depending on the violation.

Chairman Klinakis moved and Commissioner Dahlitz seconded to adopt the attached Resolution recommending that the City Council approve MCA-129, adopt zoning regulations pertaining to Medical Marijuana Cooperatives and/or Collectives and adopt the Negative Declaration. The motion carried with the following roll call vote:

AYES:	Dahlitz, Duarte, Klinakis, and Landino.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Lewis.

NEW BUSINESS:

None.

UNFINISHED BUSINESS:

None.

ORAL COMMENTS FROM COMMISSION:

Chairman Klinakis and Vice Chairman Landino welcomed the new commissioners and wished them the best.

ORAL COMMENTS FROM STAFF:

City Planner Arreola also welcomed the new commissioners.

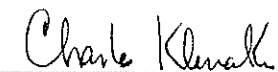
Deputy City Attorney Davtyan congratulated the new commissioners and stated that she was looking forward to working with them throughout the year.

ADJOURNMENT:

Chairman Klinakis adjourned the meeting at 8:05 p.m.



Secretary, Planning Commission



Chairman, Klinakis

