

**PLANNING COMMISSION
TEMPLE CITY, CALIFORNIA**

**REGULAR MEETING
DECEMBER 22, 2015 – 7:30 P.M.
COUNCIL CHAMBERS – 5938 KAUFFMAN AVENUE**

PROCEDURE TO ADDRESS PLANNING COMMISSION: If you wish to address the Planning Commission, please complete a Speaker Request Form, indicating the agenda item number and submit it to the Planning Secretary. There will be a maximum 20-minute period for comments on any subject with a 3-minute time limit on each speaker, unless waived by the Commission. You have the opportunity to address the Planning Commission at the following times:

- **AGENDA ITEM:** at the time the Commission considers the agenda item;
- **NON-AGENDA ITEM:** at the time for PUBLIC COMMENTS. Please note that while the Planning Commission values your comments, pursuant to the Brown Act, the Commission cannot take action on any item not listed on the agenda; and
- **PUBLIC HEARING:** at the time for public hearings under PUBLIC HEARING.

The listing of any item on the agenda includes the authority of the Commission to take action on such item and to approve, disapprove, or give direction on any item.

1. **CALL TO ORDER** – Chairman O’Leary
2. **ROLL CALL** – Commissioner Cordes, Leung, Marston, Haddad, O’Leary
3. **PLEDGE OF ALLEGIANCE**
4. **PRESENTATIONS**
5. **PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA**

The Planning Commission will now hear public comments regarding items **not listed** on the agenda. The procedure to address the Planning Commission is highlighted on the first page of this agenda. This section is limited to 30 minutes total.

6. **CONSENT CALENDAR**

All Consent Calendar items may be approved in a single motion as recommended unless removed for further discussion. If members of the Planning Commission or persons in the audience wish to discuss any matters listed on the Consent Calendar, please address them at this time.

Recommendation: Approve Item A per recommendations.

A. APPROVAL OF MINUTES

The Planning Commission is requested to review and approve:

- 1) [Minutes of the Planning Commission Meeting of December 8, 2015.](#)

7. PUBLIC HEARING

- A. [A proposed ordinance to amend the Temple City Municipal Code to revise location and operational requirements for massage establishment, medical offices, and related uses.](#)

In 2008, Senate Bill (SB) 731 was adopted by the Legislature and signed into law by the Governor. SB 731 preempted many local controls relating to massage therapy including prohibiting cities from regulating massage establishments differently from other professional businesses. The City Council consequentially adopted Ordinance No. 14-992 in April 2014 to amend the Zoning Code allowing massage establishments to be treated the in the same manner as medical uses requiring a conditional use permit. The proposed Zoning Code amendment would allow medical uses by right citywide and conditionally allow massage in certain areas of the City.

Location: Citywide

File Number: 15-477

Project Planner: Michael Forbes

Recommendation:

- 1) Open the Public Hearing item;
- 2) Accept any public testimony; and
- 3) Recommend that the City Council adopt the ordinance.

- B. [A proposed amendment to the Zoning Code to prohibit medical marijuana cultivation facilities, commercial cannabis activities, and medical marijuana delivery.](#)

In 2011, the City Council adopted Ordinance No. 11-942, which established Temple City Municipal Code (TCMC) Section 9-1T-7 to prohibit fixed and mobile medical marijuana dispensaries throughout the City. On October 9, 2015

Governor Brown signed three bills; AB 243, AB 266, and SB 643 preserving local control over marijuana facilities and land uses, however two provisions in the new legislation (AB 243 and AB 266) require consideration by cities. AB 243 provides that if a city does not have a land use ordinance or regulation that regulates or prohibits medical marijuana cultivation, then the Department of Food and Agriculture shall become the sole licensing authority of cultivation and AB 266 states that medical marijuana deliveries can only be made by a state-licensed dispensary in a city that does not explicitly prohibit it by local ordinance. The proposed Zoning Code amendment would prohibit medical marijuana cultivation facilities throughout all zones of the City.

Location: Citywide
File Number: 15-467
Project Planner: Michael Forbes

Recommendation:

- 1) Open the item for public comment;
- 2) Accept any public testimony; and
- 3) Recommend that the City Council adopt the ordinance.

8. UNFINISHED BUSINESS – None

9. NEW BUSINESS – None

10. COMMUNICATIONS – None

11. UPDATE FROM THE COMMUNITY DEVELOPMENT DIRECTOR

12. COMMISSION ITEMS SEPARATE FROM THE COMMUNITY DEVELOPMENT DIRECTORS REGULAR AGENDA

- A. COMMISSIONER CORDES
- B. COMMISSIONER LEUNG
- C. COMMISSIONER MARSTON
- D. VICE-CHAIRMAN HADDAD

E. CHAIRMAN O'LEARY

13. ADDITIONAL PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

The Planning Commission will now hear additional public comments regarding items **not listed** on the agenda. The procedure to address the Planning Commission is highlighted on the first page of this agenda.

14. ADJOURNMENT

NEXT REGULAR MEETING OF:

CITY COUNCIL	7:30 P.M.	JANUARY 5, 2015
PLANNING COMMISSION	7:30 P.M.	JANUARY 12, 2015
PARKS & RECREATION COMMISSION	7:30 P.M.	JANUARY 20, 2015
PUBLIC ARTS COMMISSION	7:00 P.M.	JANUARY 11, 2015
TRANSPORTATION & PUBLIC SAFETY COMMISSION	7:30 P.M.	DECEMBER 23, 2015

Notice: Staff reports or other written documentation relating to each item of business of this Agenda are available for viewing on the City's website at www.templecity.us and are on file in the Office of the Planning Division located at City Hall, 9701 Las Tunas Drive, Temple City, California, and available for review during regular office hours. Written documentation submitted to the Planning Commission after distribution of the agenda packet can be obtained at the Planning Division Office during regular office hours.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE PLANNING SECRETARY AT (626) 285-2171. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the Civic Center bulletin board not less than 72 hours prior to the meeting.

Jennifer Venters, Planning Secretary
Signed and Posted: December 18, 2015 (3:00 p.m.)