

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13482**

The Fresno City Planning Commission at its regular meeting on August 2, 2017, adopted the following resolution pursuant to Section 12-402 of the Municipal Code of the City of Fresno:

WHEREAS, the intent and purpose of Text Amendment Application No. TA-17-006 and the related environmental finding is to address recreational marijuana operations, dispensaries, sales, and public consumption by prohibiting them in all zone districts within the City; and,

WHEREAS, on June 22, 2017 the City Council adopted Resolution No. 2017-175 to initiate this text amendment; and

WHEREAS, Text Amendment Application No. TA-17-006 proposes amendments to Section 15-2739 of the Municipal Code which pertain to marijuana regulations; and,

WHEREAS, the amendment specifically proposes to a) define “Marijuana”, “Marijuana Dispensary”, a “Commercial Marijuana Operation” and “Consumption of Marijuana”, b) prohibit “consumption of marijuana” in public c) prohibit “marijuana dispensaries” in all zone districts in the City and d) prohibit “commercial marijuana operations” in all zone districts in the City, with the exception of laboratory testing in industrial districts; and,

WHEREAS, the Planning Commission’s scheduled August 2, 2017, hearing on Text Amendment Application No. TA-17-006 was duly noticed by publication in the Fresno Bee on July 21, 2017, the newspaper of greatest local circulation; and,

WHEREAS, on August 2, 2017, the Fresno Planning Commission conducted a public hearing to consider Text Amendment Application No. TA-17-006; and,

WHEREAS, on August 2, 2017 the Commission received a staff report and related information, environmental documents and considered testimony regarding the requested text amendment; and,

WHEREAS, three people provided testimony in which they generally recommended the Commission not approve the text amendment; and,

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission finds that a Finding of No Possibility that the project will have impacts on the environment pursuant to Section 15061 (b)(3) of the Environmental Quality Act Guidelines is appropriate for the proposed text amendment, given that the proposed text amendment will prohibit recreational marijuana operations, dispensaries, sales, and public consumption in all zone districts within the City of Fresno, and that these restrictions will not result in a change to the physical environment; and,

BE IT FURTHER RESOLVED THAT the Fresno City Planning Commission hereby recommends that the City Council adopt the environmental finding prepared for Environmental Assessment No. TA-17-006, prepared pursuant to California Environmental Quality Act Guidelines Section 15061 (b) (3); and,

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BE IT FURTHER RESOLVED THAT the Fresno City Planning Commission hereby recommends to the City Council that Text Amendment Application No. TA-17-006 be approved.

The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Torrosian, seconded by Commissioner Bray.

VOTING: Ayes - Torrosian, Bray, Sodhi-Layne, McKenzie
 Noes - Vasquez
 Not Voting - Garcia
 Absent - None

DATED: August 2, 2017



JENNIFER K. CLARK, Secretary
Fresno City Planning Commission

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Text Amendment Application No. TA-17-006
Filed by DARM Director on behalf of City Council
Action: Recommend Approval