

**MINUTES**  
**REGULAR MEETING OF THE**  
**AGOURA HILLS PLANNING COMMISSION**  
Civic Center – Council Chambers  
30001 Ladyface Court, Agoura Hills, California 91301  
**Thursday, July 6, 2017**  
**6:30 P.M.**

The Planning Commission meeting was called to order at 6:30 p.m. by Chair Zacuto.

The Pledge of Allegiance was led by Commissioner O'Meara.

Present were: Chair Curtis Zacuto, Vice Chair John Asuncion and Commissioners Kate Anderson, Michael Justice, and John O'Meara.

Also Present were: Planning Director Doug Hooper, Assistant City Attorney Maricela Marroquin, LASD Deputy Rick Baldi, and City Clerk/Recording Secretary Kimberly M. Rodrigues.

**APPROVAL OF AGENDA**

ACTION: Commissioner O'Meara moved to approve the Agenda, as presented. Commissioner Justice seconded. The motion carried 5-0, by the following voice vote:

AYES: Chair Zacuto, Vice Chair Asuncion, and Commissioners Anderson, Justice, and O'Meara.

NOES: None.

ABSENT: None.

**PUBLIC COMMENTS**

There were no public speakers.

**APPROVAL OF MINUTES**

1. Minutes – April 20, 2017 Planning Commission Meeting

ACTION: Vice Chair Asuncion moved to approve Item No. 1, as presented. Commissioner Anderson seconded. The motion carried 3-0-2 with Commissioners Justice and O'Meara abstaining by the following voice vote:

AYES: Chair Zacuto, Vice Chair Asuncion, and Commissioner Anderson.

NOES: None.  
ABSENT: None.  
ABSTAIN: Commissioners Justice and O'Meara.

2. Minutes – May 4, 2017 Planning Commission Meeting

ACTION: Commissioner O'Meara moved to approve Item No. 2, as amended, to reflect excused absences for Commissioners Anderson and Justice. Vice Chair Asuncion seconded. The motion carried 3-0-2 with Commissioners Anderson and Justice abstaining by the following voice vote:

AYES: Chair Zacuto, Vice Chair Asuncion, and Commissioner O'Meara.  
NOES: None.  
ABSENT: None.  
ABSTAIN: Commissioners Anderson and Justice.

**NEW PUBLIC HEARING**

3. REQUEST: Request for the Planning Commission to recommend the City Council adopt an ordinance to: 1) amend Municipal Code Sections 9660-9660.4 to clarify that all commercial marijuana activity, both medical and non-medical, is prohibited in all zones of the City, and to allow limited indoor marijuana cultivation consistent with state law; 2) delete Municipal Code Section 4125 ("Compensation for medical marijuana"); and 3) make a finding of exemption under the California Environmental Quality Act.

APPLICANT: City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301

CASE NO.: ZOA-01326-2017

LOCATION: Citywide

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines.

**RECOMMENDATION:** Staff recommended the Planning Commission adopt the draft Resolution, recommending that the City Council approve Zoning Ordinance Amendment Case No. ZOA-01326-2017.

Following presentation of the staff report, Chair Zacuto opened the Public Hearing at 6:23 p.m.

There being no public speakers, Chair Zacuto closed the Public Hearing at 6:24 p.m.

**ACTION:** Commissioner Anderson moved to approve Zoning Ordinance Amendment Case No. ZOA-01326-2017, and adopt **Resolution No. 17-1195**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE, AMENDING DIVISION 10 (MEDICAL MARIJUANA DISPENSARIES PROHIBITED) OF PART 2 (SPECIAL REGULATIONS) OF CHAPTER 6 (REGULATORY PROVISIONS) ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE TO CLARIFY THAT ALL COMMERCIAL MARIJUANA ACTIVITY IS PROHIBITED IN ALL ZONES IN THE CITY, AND TO ALLOW LIMITED INDOOR MARIJUANA CULTIVATION CONSISTENT WITH STATE LAW, AND DELETING SECTION 4126 (COMPENSATION FOR MEDICAL MARIJUANA) OF THE AGOURA HILLS MUNICIPAL CODE, AND MAKING A FINDING OF EXEMPTION FROM CEQA UNDER SECTION 15061(b)(3) OF THE CEQA GUIDELINES (CASE NO. ZOA-01326-2017), including the ordinance revisions, as submitted by Assistant City Attorney Marroquin, and the following amendments to the proposed Ordinance: 1) under Section 9660(3)(B), replace the word "allow" with the word "permit", and 2) throughout the draft Ordinance, anywhere that a specific statutory code is mentioned, add the phrase "as the same may be amended time to time" where it is not otherwise in the proposed Ordinance. Commissioner O'Meara seconded. The motion carried 5-0, by the following voice vote:

**AYES:** Chair Zacuto, Vice Chair Asuncion, and Commissioners Anderson, Justice, and O'Meara.

**NOES:** None.

**ABSENT:** None.

### **PLANNING COMMISSION/STAFF COMMENTS**

Commissioner Anderson noted that state law restricts marijuana smoking in child care centers and schools, but not in private residences, and expressed her concern with smoking of marijuana in licensed family child care centers. Assistant City Attorney Marroquin noted that marijuana smoking is prohibited anywhere that tobacco smoking is prohibited, including all enclosed places of employment.

## **ADJOURNMENT**

Chair Zacuto announced the next Regular Meeting of the Planning Commission would be held at 6:30 p.m., Thursday, July 20, 2017, in the Council Chambers of the Civic Center. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California.

**ACTION:** At 7:23 p.m., Commissioner Justice moved to adjourn the meeting. Vice Chair Asuncion seconded. The motion carried 5-0, by the following voice vote:

**AYES:** Chair Zacuto, Vice Chair Asuncion, and Commissioners Anderson, Justice, and O'Meara.

**NOES:** None.

**ABSENT:** None.

Kimberly M. Rodrigues, MPPA, MMC  
City Clerk/Recording Secretary