



direct conflict between Federal law, which classifies marijuana as a controlled substance in the same category as heroin, and State law, which allows the use for medicinal purposes. Legal cases have been heard all the way to the United States Supreme Court, which has upheld the Federal government's position. Prohibiting medical marijuana dispensaries is consistent with Federal Law and Supreme Court decisions.

The exhibits give a listing of the cities in California that allow and disallow dispensaries, but this information changes frequently as some cities adopt ordinances. Local examples include the Cities of Ontario and Upland which prohibit dispensaries within their boundaries, but in contrast Los Angeles County allows them in unincorporated areas zoned for commercial and manufacturing, such as those located on the border with San Dimas. In researching the topic of medical marijuana dispensaries, staff kept coming back to two factors: The Federal government insists medical marijuana is illegal in the United States, and the secondary crime impacts that occur near or in the dispensaries.

Staff is recommending the adoption of option one in the staff report which would be a permanent ban on dispensaries. The second option is to allow dispensaries with some form of regulation, similar to Los Angeles County. He outlined various crimes that have occurred in association with the dispensaries.

**Commissioner Rahi** asked about the current status of the business license application.

**Director Coleman** stated the City rejected the application.

Chairman Schoonover opened the meeting for public hearing. There being no response the public hearing was closed.

**Commissioner Bratt** thought the report was very thorough and was in support of staff's recommendation.

**Commissioner Rahi** concurred.

#### RESOLUTION PC-1358

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 07-01 AMENDING TITLE 18 OF THE SAN DIMAS MUNICIPAL CODE TO PROHIBIT THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES AND OTHER SIMILAR USES

**MOTION:** Moved by Bratt, seconded by Schoonover to adopt Resolution PC-1358. Motion carried unanimously, 3-0-1 (Ensborg absent).

- 3. CONSIDERATION OF CONDITIONAL USE PERMIT 06-06** – A request to revise the existing Master Plan (CUP 89-10) for the Sycamore Canyon Equestrian Center. The request includes: increase number of horses boarded to 237 horses; and add arena lighting, tack store, office and caretaker unit, located in the AL-Light Agricultural Zone. (Portions of APN's 8665-007-903, 905 & 906) **(CONTINUED FROM MAY 2, 2007)**

**(THIS ITEM WILL NOT BE DISCUSSED AT THIS MEETING. THE COMMISSION HAS DIRECTED THIS ITEM BE RE-ADVERTISED AND THE PUBLIC HEARING WILL BE HELD ON WEDNESDAY, JUNE 6, 2007)**

**ORAL COMMUNICATION**

**4. Planning Manager**

*Planning Manager Craig Hensley* reported the City Council has selected John Davis as the new Planning Commissioner.

*Manager Hensley* stated SCAG has awarded a Regional Planning Award to William Fox Homes and the City of San Dimas for the Grove Station Project which is being presented next week. The project has started grading today.

**5. Members of the Audience**

No communications were made.

**6. Planning Commission**

Chairman Schoonover asked about the recent City Council retreat.

*Director Coleman* stated there was a lengthy discussion regarding the Review of Development Services Department document which they received copies of recently. One of the directions given was to proceed with a "clean-up" amendment to the zoning code, such as unifying language, eliminating outdated references between sections, adding policies that were directed to be codified, etc. The Commission should expect to see the amendment sometime in the summer.

**ADJOURNMENT**

**MOTION:** Moved by Bratt, seconded by Rahi to adjourn. Motion carried unanimously, 3-0-1 (Ensberg absent). The meeting adjourned at 7:24 p.m. to the regular Planning Commission meeting scheduled for June 6, 2007 at 7:00 p.m.

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James Schoonover, Chairman  
San Dimas Planning Commission

ATTEST:

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Craig Hensley  
Planning Manager

Approved: June 6, 2007