



# CITY OF DESERT HOT SPRINGS

## REGULAR MEETING OF THE PLANNING COMMISSION

### ACTION MINUTES

FEBRUARY 12, 2019

6:00 PM

CITY COUNCIL CHAMBERS  
CARL MAY COMMUNITY CENTER  
11711 West Drive, Desert Hot Springs, California

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### CALL TO ORDER

Chair Buchanan called the Planning Commission to order at 6:02 P.M.

### ROLL CALL

Present:

Commissioners: James Nindel, Robert Griffith, Richard Duffle

Vice Chair: Scott De la Torre

Chair: Larry Buchanan

### PLEDGE OF ALLEGIANCE

Commissioner Duffle led the Pledge of Allegiance.

### APPROVAL OF THE AGENDA

Action: Griffith moved to approve the February 12, 2019 regular meeting agenda, motion seconded by De la Torre, motion carried 5/0 by the following vote:

Vote: AYES: 5 - De la Torre, Buchanan, Nindel, Griffith, Duffle  
Passed NOES: 0 - (None)

### Planning Commission Regular Meeting Minutes, January 8, 2019

**Recommendation:** Approve as submitted; or corrected.  
Recording Secretary, Ana Morales

Action: De la Torre moved to approve the January 8, 2019 Planning Commission minutes, motion seconded by Griffith, motion carried 4/0 by the following vote:

Vote: AYES: 4 - De la Torre, Buchanan, Nindel, Griffith  
Passed NOES: 0 - (None)  
ABSTAIN: 1- Duffle

## PUBLIC COMMENTS

Requita Grant spoke regarding a street renaming proposal.

## PUBLIC HEARINGS

1. [Request for a one-year Extension of Time for Conditional Use Permit No. 25-16: for the Green Gate Bridge Medical Marijuana Cultivation Project located on the northeast corner of Little Morongo Road and 15th Ave.](#)

*Community Development Director, Rebecca Deming*

**Recommendation:** 1) Staff Report;  
2) Entertain Questions of Staff from Planning Commission;  
3) Open the Public Hearing;  
4) Take Testimony from Applicant;  
5) Take Public Testimony;  
6) Opportunity for Applicant Rebuttal;  
7) Close the Public Hearing;  
8) Planning Commission discussion and questions to Staff;  
and  
9) Recommendation from staff that the Planning Commission approve a one-year extension of time for Conditional Use Permit No. 25-16 for the project located at the northeast corner of Little Morongo Road and 15th Avenue in the I-L (Light Industrial Zone). APN: 665-050-021, -027, -030.

Jocelyn Torres, Associate Planner, presented the staff report and responded to questions.

Chair Buchanan opened the Public Hearing.

Christopher Brizuela, applicant, provided testimony.

There was no public testimony.

Chair Buchanan closed the Public Hearing.

Action: De la Torre moved to approve staff recommendation, motion seconded by Duffle, motion carried 5/0 by the following vote:

Vote: AYES: 5 - De la Torre, Buchanan, Nindel, Griffith, Duffle

Passed

NOES: 0 - (None)

2. [Request for a one-year Extension of Time for Conditional Use Permit Nos. 09-15 & 18-16: for the East Rock Land Management Medical Marijuana Cultivation Project located east of Cabot Road and south of Two Bunch Palms Trail.](#)

*Community Development Director, Rebecca Deming*

**Recommendation:** 1) Staff Report;  
2) Entertain Questions of Staff from Planning Commission;  
3) Open the Public Hearing;  
4) Take Testimony from Applicant;  
5) Take Public Testimony;  
6) Opportunity for Applicant Rebuttal;  
7) Close the Public Hearing;  
8) Planning Commission discussion and questions to Staff;  
and  
9) Recommendation from staff that the Planning Commission take two actions for the East Rock Land Management Cultivation Project (1) approve a one-year extension of time for Conditional Use Permit No. 09-15 & (2) approve a one-year extension of time for Conditional Use Permit No. 18-16 for the project located on the east of Cabot Road and south of Two Bunch Palms Trail in the I-L (Light Industrial) District.  
APN: 665-030-066

Jocelyn Torres, Associate Planner, presented the staff report and responded to questions.

Chair Buchanan opened the Public Hearing.

Joanna Chien, owner of project, provided testimony.

There was no public testimony.

Chair Buchanan closed the Public Hearing.

Jennifer Mizrahi, City Attorney, responded to funding and time extension concern.

Joanna Chien addressed the concerns of the funding and time of the project.

Rebecca Deming, Community Development Director, responded to questions.

Action: Buchanan moved to approve staff recommendation, motion seconded by De la Torre, motion carried 5/0 by the following vote:

Vote: AYES: 5 - De la Torre, Buchanan, Nindel, Griffith, Duffle  
Passed NOES: 0 - (None)

3. [Conditional Use Permit No. 08-18 and Mitigated Negative Declaration. A recommendation to the Planning Commission for approval of a Conditional Use Permit and Mitigated Negative Declaration to establish a cannabis cultivation facility with ancillary operations totaling 168,532 square feet of building area located on a 9.27-acre site at the northeast corner of Little Morongo Road and Hacienda Avenue in the Light Industrial \(I-L\) land use district.](#)

*Community Development Director, Rebecca Deming*

**Recommendation:** 1) Staff Report;  
2) Entertain Questions of Staff from Planning Commission;  
3) Open the Public Hearing;  
4) Take Testimony from Applicant;  
5) Take Public Testimony;  
6) Opportunity for Applicant Rebuttal;  
7) Close the Public Hearing;  
8) Planning Commission discussion and questions to Staff;  
and  
9) Recommendation from staff for approval of Conditional Use Permit No. 08-18 and Mitigated Negative Declaration (including Mitigation Monitoring Program) to establish a cannabis cultivation facility with ancillary operations on a vacant 9.27-acre site located on the northeast corner of Little Morongo Road and Hacienda Avenue in the Light Industrial (I-L) land use district.

Patricia Villagomez, Planning Technician, presented the staff report and responded to questions.

Chair Buchanan opened the Public Hearing.

John Cotten, applicant of project, provided testimony.

Chair Buchanan acknowledged that there were two emails received a couple of hours before the meeting.

Chair Buchanan closed the Public Hearing.

Action: Duffle moved to approve staff recommendation, motion seconded by Griffith, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Buchanan, Nindel, Griffith, Duffle  
Passed NOES: 1 - De la Torre

4. [An Ordinance of the City Council of the City of Desert Hot Springs, amending chapter 17.180 allowing and setting parameters for marijuana non-storefront](#)

retail as a use and harmonizing certain definitions and uses with state law.

*At the direction of the City Council*

- Recommendation:**
- 1) Staff Report;
  - 2) Entertain Questions of Staff from Planning Commission;
  - 3) Open the Public Hearing;
  - 4) Take Testimony from Applicant;
  - 5) Take Public Testimony;
  - 6) Opportunity for Applicant Rebuttal;
  - 7) Close the Public Hearing;
  - 8) Planning Commission discussion and questions to Staff;  
and
  - 9) Recommendation that the Planning Commission recommends to the City Council to adopt the Ordinance.

Jennifer Mizrahi, City Attorney, presented the staff report and responded to questions.

Chair Buchanan opened the Public Hearing.

Nicole Sallsbury, owner of Green Pearl, spoke opposed.

Mark McKinney representative of Green Pearl, spoke opposed

Andrew Milks, representative of Brown Dogs, spoke opposed.

Larry Lauren, representative of Brown Dogs, spoke opposed.

Chair Buchanan closed the Public Hearing.

Rebecca Deming, Community Development Director, clarified the Ordinance.

Jennifer Mizrahi, City Attorney, responded to concerns on micro businesses.

Action: Duffle moved to continue this item to next Planning Commission meeting on March 12, 2019, motion seconded by De la Torre, motion failed 2/3 by the following vote:

Vote: AYES: 2 - De la Torre, Duffle  
Failed NOES: 3 - Buchanan, Nindel, Griffith

Action: Buchanan moved to recommend adoption of the Ordinance as written and for City Council to review the 99 plant limit and incorporate regulations by reference and document shall be made available to the city at any time upon request, motion seconded by Griffith, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Buchanan, Nindel, Griffith, Duffle  
Passed NOES: 0 - (None)

ABSTAIN: 1 - De la Torre

## **COMMUNITY DEVELOPMENT DIRECTOR REPORT**

Rebecca Deming, Community Development Director, presented the report.

## **PUBLIC COMMENTS**

There were no Public Comments.

## **ADJOURN REGULAR MEETING**

Chair Buchanan adjourned the meeting at 7:40 P.M.