

## REPORT TO THE ARCHITECTURE AND LANDSCAPE REVIEW COMMITTEE



**DATE:** May 19, 2016

**TITLE:** Conditional Use Permit No. 9-16. A recommendation to the Planning Commission and City Council for approval of the design elements of a to establish a medical marijuana cultivation facility within a new five building, 102,000 square foot facility on a 7.02 acre parcel located on Little Morongo Road between 18th Avenue and Dillion Road within the General Plan Light Industrial Zone (I-L).  
Applicant: Cristiana Gonzales, GFarmaLabs.

**Prepared by:** Rich Malacoff, AICP, Senior Planner

**Reviewed by:** Nathan Bouvet, MPA, Community Development Director

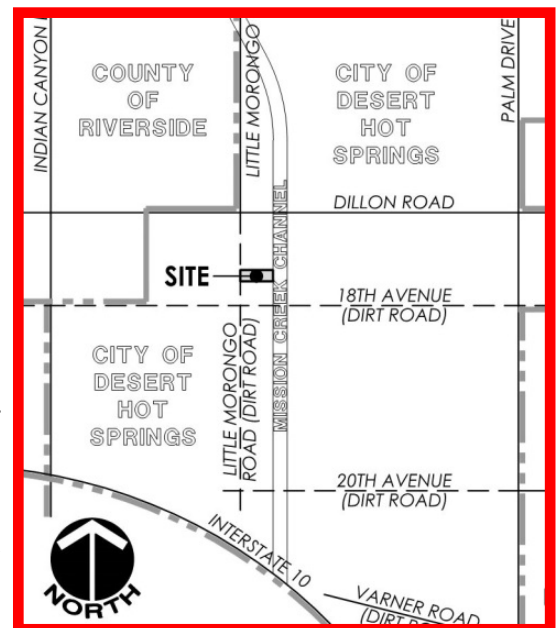
### RECOMMENDATION

Staff recommends that the Architectural and Landscape Review Committee (ALRC) recommend that the Planning Commission make a positive recommendation to the City Council

### BACKGROUND

Sections 5.50 and 17.180 of the Desert Hot Springs Municipal Code (DHSMC), allow medical marijuana cultivation facilities in Industrial Districts subject to a Conditional Use Permit (CUP) approved by the Planning Commission and a Regulatory Permit approved by the City Manager. The applicant, Christina Gonzales (GFarmaLabs), has filed an application to establish a facility for the indoor cultivation of medical marijuana with an interim cultivation component.

The site is located east of Little Morongo Road, between Dillon Road and 18<sup>th</sup> Avenue. The existing site consists of 7.02 acres of undisturbed vacant desert land. It is a rectangular and relatively flat parcel having a gentle downward slope from north to south. The site is zoned I-L (Light Industrial) District where the proposed use may be developed, subject to approval of a CUP. Public street improvements for Little Morongo Road will be required.



Immediately surrounding properties are developed as follows:

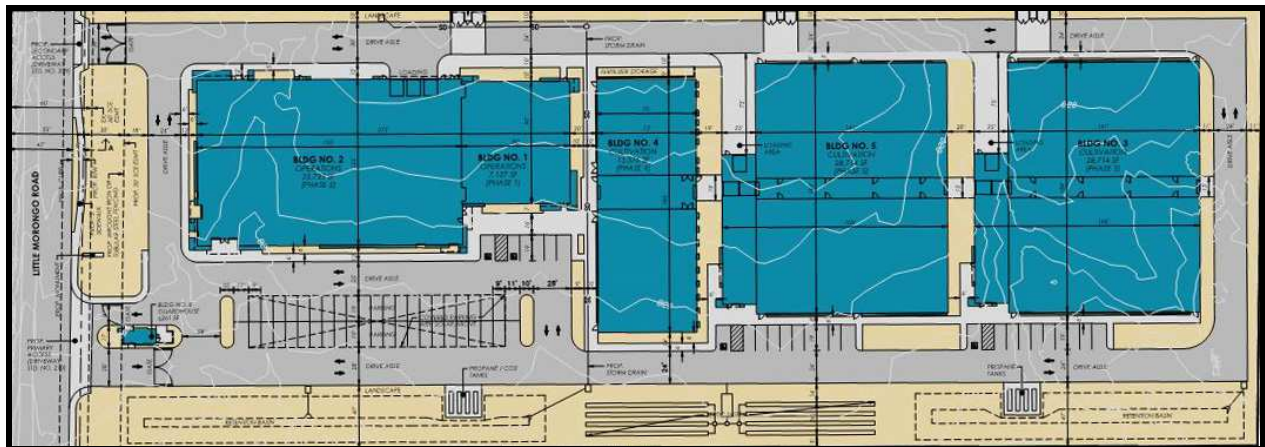
	<u>Zoning &amp; General Plan Designations</u>	<u>Current Land Use</u>
<b>North</b>	IL (Light Industrial) District	Vacant
<b>West</b>	IL (Light Industrial) District	Vacant
<b>South</b>	IL (Light Industrial) District	Vacant
<b>East</b>	OS-W (Open Space Water)	Vacant

## **PROJECT SUMMARY**

The applicant, Cristina Gonzales / GFarmaLabs, has filed a CUP application to construct an indoor medical marijuana cultivation facility consisting of five (5) buildings located on Assessor Parcel Number (APN) 665-190-017. The 7.02 acre site is vacant, relatively flat, and generally undisturbed. The proposed facility will have a total area of 102,000 square feet of building space. Uses within the facility will consist of approximately 4,500 square feet of office space, 26,500 square feet for processing, and 71,000 square feet of cultivation area. An interim cultivation component is also proposed, which would temporarily allow up to 80,000 square feet of cultivation space inside high quality pre-fabricated greenhouse structures until construction of permanent buildings is completed. As a condition of project approval at the Planning Commission review stage, the temporary use shall be limited to a term not to exceed six (6) months with no more than one (1) six-month extension, subject to the review and approval of the Community Development Director.

Paved vehicular circulation is proposed to surround the perimeter of the project site with parking for 72 vehicles, including 2 for disabled access. The southerly (rear) 50 feet of the property will be reserved for the septic system retention basins, and CO2/propane tanks for use in the permanent facilities. Three (3) trash enclosures are proposed on the northerly part of the property.

The site has street access off Little Morongo Road, a dirt road, with +/-325 feet of frontage along the west property line boundary. Since no dedication exists, a 55 feet right-of-way dedication will be required along the west property line. Little Morongo road would require completion of half street improvements including paving for additional lanes, curb and gutter along the property frontage.



Landscaping around the perimeter of the site will include a variety of low- and moderate-water use plants, including Palo Verde trees, Mexican palm trees (hybrid), ocotillo, lantana, desert broom and indigo bush. The plantings are distributed around the site, with the largest plantings along the street frontage and southern property line. The entire site will be secured with six (6) foot high wrought Iron or tubular steel fencing. As proposed, six (6) foot high gated entries will provide controlled access to the site, building entry and secured parking / loading areas.

## **SITE FEATURES**

**Guardhouse:** A 260 square feet central guardhouse is proposed at the main project entry. Vehicles will be cleared before entering and exiting the site from this building. The guardhouse will have a front setback of 30' from the ultimate right-of-way.

CSD Line Filler: A Carbonated Soft Drink (CSD) filler system is proposed for installation with the addition of a 7,200 square foot building during Phase 2. The CSD filler system will allow for the production of carbonated soft drinks.

Greenhouses: Three (3) permanent greenhouse buildings totaling approximately 71,000 square feet are proposed. Natural light will be used throughout the greenhouses supplemented by artificial light sources during specific periods of the growing cycle. Each greenhouse interior will be divided into solar exposure zones to optimize plant growth and promote flowering at the appropriate stage of development. An automated blackout shading system would also be incorporated inside the building to control lighting for plant growth including periods of complete darkness. Plant irrigation inside the greenhouse structure will incorporate a climate controller with moisture sensors using drip or micro-spray applicators for efficient water use. The greenhouses would have peaked roofs with a maximum height of 23-feet tapering to 14-feet at the gutter.

Operations and Processing Building: A 23,700 square foot building is proposed to house the plant processing including trimming, refining, and packaging. Building will also include a kitchen and a chocolate room for the processing of medical marijuana goods and edibles. Other uses will include extracting oils and butters from the Cannabis plants using Fire Department approved CO<sub>2</sub> equipment, processing these raw products into various edible forms (chocolate, carbonated drinks, etc.), then packaging and preparing them for shipment.

Interim Cultivation: The project proposes to operate an interim, natural light, cultivation facility while designing and constructing its permanent processing and greenhouse buildings. The interim facility will temporarily allow up to 80,000 square feet of cultivation space inside high quality, pre-fabricated, polycarbonate greenhouse structures. These would be fully secured within a temporary eight (8) foot chain link fence and visually screened by translucent greenhouse panels to obscure views from outside the structure. Interim cultivation will comply with City standards, conditions, and ordinances. In addition, natural light greenhouses will use minimal electric power (approximately 0-10% of a permanent greenhouse that uses supplemental lighting to extend daylight hours during winter months), thus allowing cultivation to occur while electrical infrastructure is being upgraded in the City's cultivation zone. Additionally, a small modular security building (similar to a construction trailer), six (6) 8' x 20' locking storage bins and portable toilets would be situated adjacent to the greenhouses inside the security fence. Overall, the appearance would be one of a clean, well maintained rural nursery operation.

Interim greenhouses would be replaced by permanent processing buildings and cultivation greenhouses as they are constructed. The interim greenhouses would be operated by the applicant for up to 12 months (6 months plus one 6 month extension) while permanent buildings are constructed as a condition of project approval. Following this, interim structures would be retired, dismantled and transported offsite. The most westerly permanent buildings would be owned and operated by the applicant while the two (2) easterly permanent greenhouses would be sold or leased to other cultivators.

## **CUP ANALYSIS**

General Plan and Zoning Consistency: The project proposes to establish a Medical Marijuana Cultivation Facility in accordance with Section 17.180 of the DHSMC, which allows this use with approval of a CUP and Regulatory Permit.

Site Coverage: The project site consists of one lot totaling 7.02 gross acres (approximately 305,790 square feet) in size. Under the Industrial Zoning District standards, the maximum

allowable coverage is 75%. The total square footage on the proposed permanent site is 102,000 square or 33% of the site. The project conforms to this standard.

**Building Height:** The highest point on all proposed buildings will be about 26 feet from adjacent grade. This is below the maximum height of 50 feet allowed in the I-L District and therefore meets DHSMC.

**Building Setbacks:** The minimum setbacks in the City's Light Industrial (I-L) Zone are 20 feet in front, 10 feet in the rear, and 10 feet on the side. All buildings will have minimum setbacks of at least 46' from the rear property line, 39' from the sides, and 80' from the front property line. The interim greenhouses are setback at least 365 feet from any property line. Therefore, the project meets minimum setback standards.

**Circulation and Parking:** Circulation and Parking shall be consistent with City parking standards as determined by City Staff. In total, the project provides 72 parking spaces. The site has street access off Little Morongo Road, a dirt road, with +/-325 feet of frontage along the west property line boundary. The site has been designed with two gated entries off Little Morongo Road and a private access drive around the project perimeter within the security fence. Loading zones are situated between head house units to allow vehicles to move in and out for loading and unloading. Parking stalls are proposed adjacent to the office portion of each headhouse during each phase of the project. Covered parking stalls with solar panels are also proposed. These parking stalls will be located adjacent to the guardhouse on the southeasterly part of the property.

Based on the proposed floor plan and a parking standard of 1 space for every 2500 square feet of cultivation / storage areas and 1 space for 250 feet of office and administrative uses, staff provides the following parking calculation:

Parking Calculation			
Proposed Uses	Zoning Requirements	Number of Spaces Required	Number of Spaces Provided
Total Cultivation / Storage: +/- 96,963 square feet	1 spaces/ 2500 square feet	39	<b>72</b> (including two for disabled access)
Total Administration: +/- 4,500 square feet	1 spaces/ 250 square feet	<u>18</u>	

Based on the above analysis, the project would require 57 spaces and 72 are proposed. Thus the project provides sufficient parking for the proposed use and meets DHSMC.

Additionally, there has been some recent discussion that "trim rooms" may be more employee intensive than previously thought. This is still being explored. However, this project is sufficiently over parked (with 15 additional spaces) to meet its parking needs even with some added employees.

**Elevations, Colors and Materials:** The project consists of a series of tilt-up concrete and plaster processing buildings intermixed with greenhouse buildings. The architecture is in a desert contemporary style with rich three dimensional forms and deep recessed windows. These low slung buildings include a color palette of desert shades along with accents of green. This variety of hue further enhances the composition of forms and architectural features. The strong horizontal edge of the covered parking element and the sculpted guard house add even more

layers to the desert contemporary motif. The greenhouse structures (interim and permanent) will consist of a translucent, polycarbonate material, which are designed to withstand the harsh heat and wind conditions of the desert environment. This material is visually pleasing and allows light penetration while also obscuring direct views of the interior spaces. Automated blackout shades will allow light control into the greenhouse during daylight hours and out of the greenhouse at night. The overall architectural character will be that of attractive, well-maintained industrial buildings and greenhouse structures.



**Landscaping:** Landscaping has been designed to balance aesthetic, water use and security objectives. Along Little Morongo Road, landscaping will consist of low level plantings and wrought iron fencing to visually enhance, protect and blend the cultivation facility into its surroundings while also promoting visibility by law enforcement vehicles from the street. The balance of the cultivation facility will be landscaped with drought-tolerant ground covering plants. Landscaping will also include large drought-tolerant flowering trees such as Blue Palo Verde and Hybrid Palm and shrubs such as Feathery Cassia, Lantana, and Ocotillo. Plant irrigation will use drip or micro-spray applicators to avoid overwatering and promote water efficiency. The entire site will be secured within a 6' high wrought-iron or tubular steel perimeter fence. Staff recommends the following modifications to the landscape plan:

- Use Desert Museum Palo Verde with Blue Palo Verde
- Fifty percent of the Palo Verde trees shall be 36-inch box and the remaining fifty percent be 48-inch box.
- The Lantana used on site should be both purple and yellow varieties.
- The crushed rock shall be brimstone or dark brown.

**Lighting:** Proposed exterior lighting is provided; however, staff as a Condition of Planning Commission approval, prior to issuance of building permits, the applicant shall demonstrate that the photometric lighting plan submitted for the site meets the standards of the Municipal Code. The plan shall also be reviewed by the Community Development Director and Chief of Police and implemented in accordance with their conditions of approval and the provisions of the Municipal Code. Lighting shall also conform to the security plan that will be submitted as part of the required Regulatory Permit.

**Phasing:** Interim greenhouses will be constructed immediately upon approval for the 2016 grow season. The proposed permanent structures will be developed in five (5) phases as illustrated in the Proposed Site Plan. Phase 1 of the project will see the construction of the first processing building (7,000 square feet) along with the development of full security fencing, site grading, and retention basin for all phases. Phase 2 proposes the construction of the first permanent greenhouse structure totaling 13,000 square feet of cultivation space. Phases 3 and 4 propose



to construct the remaining permanent greenhouse structures totaling approximately 57,400 square feet in grow space. The final phase of the project will include the main administration and processing building which will contain a kitchen, packaging space, a chocolate room, storage area, and office space. Proposed solar covered parking stalls, entry gate guard house, and any remaining site developments will also be part of the final phase.

**Security:** Security measures have been thoroughly incorporated into the project (interim and permanent). The site is entirely enclosed within perimeter security fencing. Gated entry/exit drives will control vehicular access onto and off the property. Security cameras are mounted on all exterior doors, perimeter fencing and entry gates. A more detailed, comprehensive security plan will be reviewed by the City Manager during the Regulatory Permit phase. This will include specific locations and areas of coverage by: security cameras, location of audible interior and exterior alarms, location of exterior lighting; fencing, background checks, name and contact information of Security Company monitoring the site and any additional information required by the City.

**Odor Control:** The project will implement best practices to reduce the effects of plant odors during flowering which include the use of odor masking agents and neutralizers. Carbon filters will also be installed as a part of the evaporative cooling system.

**Hours of Operation:** Hours will be consistent with chapter 5.50.100 of the DHSMC. Medical Marijuana Cultivation Facilities may operate between the hours of 8:00 am and 10:00 pm up to seven days per week. This facility is developed for the cultivation of marijuana and may require staff and security services to be present on premises 24 hours per day.

## **RECOMMENDATION:**

The Architectural and Landscape Review Committee recommends that the Planning Commission recommend approval the architectural and landscape design of Conditional Use Permit No. 09-16 to the City Council.

## **EXHIBITS:**

- Exhibit No. 1 –Site Plan
- Exhibit No. 2 – Elevations and Material board
- Exhibit No. 3 – Landscape Plan
- Exhibit No. 5 – Photographs
- Exhibit No. 6 – Interim Site Plan
- Exhibit No. 7 – Concept Phasing Plan