

# CITY OF DESERT HOT SPRINGS

## REGULAR MEETING OF THE PLANNING COMMISSION

### DRAFT ACTION MINUTES

DECEMBER 13, 2016  
6:00 PM

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

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### CALL TO ORDER

Vice-Chairman Voss called the meeting to order at 6:00 P.M.

### ROLL CALL

#### Present:

Commissioners: Andrew Cirner, Peter De la Torre, Paula Terifaj  
Vice Chairman: Dirk Voss

#### Absent:

Chairman: Cathy Romero

### SELECTION OF CHAIR AND VICE-CHAIR

*"Selection of Chair and Vice-Chair was considered following Item 6.*

Action: De la Torre moved to nominate Dirk Voss as Chairman, motion seconded by Cirner, motion carried 3/1 by the following vote:

Vote: AYES: 3 - Voss, Cirner, De la Torre  
Passed NOES: 1 - Terifaj  
ABSENT: 1 - Romero

Action: Voss moved to nominate Peter S. De la Torre as Vice-Chairman, motion seconded by Cirner, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Voss, Terifaj, Cirner, De la Torre  
Passed NOES: 0 - (None)  
ABSENT: 1 - Romero

### PLEDGE OF ALLEGIANCE

Commissioner Cirner led the Pledge of Allegiance.



## **APPROVAL OF THE AGENDA**

Action: Cirner moved to approve the December 13, 2016 Regular Meeting agenda and with consideration of Item 4 prior to Item 1, motion seconded by De la Torre, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Voss, Terifaj, Cirner, De la Torre  
Passed NOES: 0 - (None)  
ABSENT: 1 - Romero

## **MINUTES**

### **Planning Commission Regular Meeting Minutes: November 8, 2016** *City Clerk, Jerryl Soriano, CMC*

Action: Cirner moved to approve staff recommendation, motion seconded by Voss, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Voss, Terifaj, Cirner, De la Torre  
Passed NOES: 0 - (None)  
ABSENT: 1 - Romero

## **PUBLIC COMMENTS**

There were no comments.

## **PUBLIC HEARINGS**

*Item 4 was considered at this time.*

- 1. Tentative Parcel Map – TPM 37158 – Coachillin Holdings: Request to subdivide approximately 149.7 acres of vacant land into 40 smaller parcels in the I-L (Light Industrial) Zone / General Plan land use area east of Indian Avenue between 18th Avenue and 19th Avenue**

*Joseph M. Tanner, Administrative Services Director*

**Recommendation:** That the Planning Commission continue the Tentative Parcel Map subdivision request TTM 37158 to the January 10, 2016 meeting to consider environmental clearances, conditions of approval, and mitigation measures for the future development of the site as a whole.

Vice-Chairman Voss opened the Public Hearing.

There were no public comments.

Vice-Chairman Voss closed the Public Hearing.

Action: Voss moved to approve staff recommendation to continue the Public Hearing to



January 10, 2017, motion seconded by De la Torre, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Voss, Terifaj, Cirner, De la Torre  
Passed NOES: 0 - (None)  
ABSENT: 1 - Romero

**2. Consideration of a Tentative Parcel Map (TPM 37151) for condominium purposes on a 36.81 acre lot located at the north east corner of Dillon Rd and Little Morongo Road, in the Light Industrial (I-L) zone.**

*Joseph Tanner, Administrative Services Director*

**Recommendation:** To consider a motion to approve Tentative Parcel Map TPM 37151 for condominium purposes on a site that has an approved Conditional Use Permit (CUP 03-15) and a previously adopted Mitigated Negative Declaration, located in the I-L (Light Industrial) zone on the northeast corner of Little Morongo Road and Dillon Road.

Daniel Porras, Public Works Manager, presented the staff report.

Vice-Chairman Voss opened the Public Hearing.

Mark (Last name inaudible), applicant, responded to questions.

Vice-Chairman Voss closed the Public Hearing.

Action: Cirner moved to approve staff recommendation, motion seconded by De la Torre, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Voss, Terifaj, Cirner, De la Torre  
Passed NOES: 0 - (None)  
ABSENT: 1 - Romero

**3. Conditional Use Permit No. 23-16 and Development Agreement 15-16. A recommendation to the City Council for the approval of Conditional Use Permit No. 23-16 for the construction of a 57,907 square foot medical marijuana cultivation facility located on the Southwest corner of Two Bunch Palms Trail and Cabot Road in a Light Industrial (I-L) Zone. Applicant: Bunch Palms Trail, LLC (Medi Tehranchi).**

*Joseph M. Tanner, Administrative Services Director*

**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) Close the Public Hearing;
- 7) Opportunity for Applicant Rebuttal;
- 8) Close the Public Hearing;



- 9) Planning Commission discussion and questions to Staff; and
- 10) Consider a motion that the Planning Commission recommends approval of: (1) Conditional Use Permit No. 23-16; and (2) Development Agreement No. 15-16; for a medical marijuana cultivation facility to be constructed at the Southwest corner of Two Bunch Palms Trail and Cabot Road in the Light Industrial (I-L) Zone.

Daniel Porras, Public Works Manager, presented the staff report.

Vice-Chairman Voss opened the Public Hearing.

Paul DePalatis, representing the Applicant, addressed the Commission.

There were no public comments.

Vice-Chairman Voss closed the Public Hearing.

Jennifer Mizrahi, City Attorney, advised that the Development Agreement would be revised prior to City Council consideration.

Action: Cirner moved to approve staff recommendation, motion seconded by De la Torre, motion carried 4/0 by the following vote:

<u>Vote:</u>	AYES: 4 - Voss, Terifaj, Cirner, De la Torre
Passed	NOES: 0 - (None)
	ABSENT: 1 - Romero

4. **Conditional Use Permit (CUP 24-16) for development of a Taco Bell drive-thru restaurant located at 12975 Palm Drive. The project includes construction of a 2,449 square foot building as well as associated parking and other improvements on a vacant lot (APN: 614-092-049). The project is located at 12975 Palm Drive and is consistent with the general plan in the commercial general zone. Applicant: PSTB, LLC on Behalf of Taco Bell Corp.**

*Joseph M. Tanner, Administrative Services Director*

- 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) Consider a motion that the Planning Commission recommends approval of Conditional Use Permit No. 24-16 to allow construction of a Taco Bell drive-thru restaurant located at 12975 Palm Drive in a newly constructed 2,449 square foot building within the General*



Item 4 was discussed before Item 1.

Daniel McVey, Assistant Planner, presented the staff report, and responded to questions.

Vice-Chairman Voss opened the Public Hearing.

There were no public comments.

Gabriela Marks, architect, addressed the Commission.

Vice-Chair Voss closed the Public Hearing.

Action: De la Torre moved to approve staff recommendation with a condition(s) concerning parking lamps, motion seconded by Cirner, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Voss, Terifaj, Cirner, De la Torre  
Passed NOES: 0 - (None)  
ABSENT: 1 - Romero

## **ADMINISTRATIVE CALENDAR**

### **5. Adoption of the 2016 California Fire Code with Amendments**

*Joseph M. Tanner, Administrative Services Director*

**Recommendation:** That the Planning Commission:

1. Receive public input on the proposed Ordinance.
2. Recommend that the City Council adopt an Ordinance amending Title 15, of the City of Desert Hot Springs Municipal Code by repealing and replacing Chapters 15.08, 15.24, and 15.56 and adopting, as modified, the California Building Standards Code, California Code of Regulations, Title 24; the 2016 California Fire Code; and adopting other regulations relating to Building and Fire Prevention requirements.

James Frater, Riverside County Fire Marshall, presented an overview of the proposed 2016 Fire Code with amendments.

Kevin Reinertson, Riverside County Deputy Fire Marshal, distributed and discussed a handout and responded to questions.

Vice-Chairman Voss opened the Public Hearing

There were no comments

Vice-Chairman Voss closed the Public Hearing



Action: Cirner moved to approve staff recommendation, motion seconded by Voss, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Voss, Terifaj, Cirner, De la Torre  
Passed NOES: 0 - (None)  
ABSENT: 1 - Romero

6. **An Ordinance of the City Council of the City of Desert Hot Springs amending Section 17.180.060 "Medical Marijuana Manufacturing Facilities" of Chapter 17.180 "Medical Marijuana Facilities Operation and Location" of Title 17 "Zoning" of the Desert Hot Springs Municipal Code to allow certain medical marijuana manufacturing facilities to request a minor modification to a Conditional Use Permit to allow manufacturing of medical marijuana.**

*Joseph M. Tanner, Administrative Services Director*

**Recommendation:** That the Planning Commission recommend that the City Council adopt and approve an Ordinance titled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS AMENDING SECTION 17.180.060 "MEDICAL MARIJUANA MANUFACTURING FACILITIES" OF CHAPTER 17.180 "MEDICAL MARIJUANA FACILITIES OPERATION AND LOCATION" OF TITLE 17 "ZONING" OF THE DESERT HOT SPRINGS MUNICIPAL CODE TO ALLOW CERTAIN MEDICAL MARIJUANA MANUFACTURING FACILITIES TO REQUEST A MINOR MODIFICATION TO A CONDITIONAL USE PERMIT TO ALLOW MANUFACTURING OF MEDICAL MARIJUANA."

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

Vice-Chair Voss opened the Public Hearing.

Ted Mayerhofen inquired about extraction.

Vice-Chair Voss closed the Public Hearing.

A discussion ensued.

Action: Cirner moved to approve staff recommendation, motion seconded by Voss, motion carried 3/1 by the following vote:

Vote: AYES: 3 - Voss, Cirner, De la Torre  
Passed NOES: 1 - Terifaj  
ABSENT: 1 - Romero

*"Selection of Chair and Vice-Chair was considered at this time.*

#### **CHAIR AND PLANNING COMMISSION MEMBER REPORTS**

None.



## **COMMUNITY DEVELOPMENT DIRECTOR REPORT**

Joe Tanner, Administrative Services Director, announced that the City had hired an Interim Community Development Director.

## **ADJOURN REGULAR MEETING**

Vice-Chairman Voss adjourn meeting at 6:51 P.M.

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Jerryl Soriano, CMC  
City Clerk

DRAFT