

REPORT TO THE PLANNING COMMISSION



DATE: November 13, 2018

TITLE: Conditional Use Permit No. 13-16 Time Extension : A request for a one-year time extension, for the Oceans Springs Tech Cannabis Cultivation Facility located at 65145 Two Bunch Palms Trail: in the I-L (Light Industrial Zone) APN 665-030-068.

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Reviewed by: Daniel Porras, Director of Public Works

RECOMMENDATION

- 1) Staff Report;
- 2) Questions of Staff from Planning Commission;
- 3) Open the Public Hearing;
- 4) Invite Applicant to speak;
- 5) Questions for the Applicant;
- 6) Take Public Testimony;
- 7) Opportunity for Applicant Rebuttal;
- 8) Close the Public Hearing;
- 9) Planning Commission discussion and questions to Staff; and
- 10) Recommendation from staff that the Planning Commission approve a one-year extension of time for Conditional Use Permit No. 13-16 for the Oceans Springs Tech Cannabis Cultivation Facility located 65145 Two Bunch Palms Trail in the I-L (Light Industrial Zone). APN: 665-030-053

PRIOR ACTIONS

On October 11, 2016, the Planning Commission approved Conditional Use Permit No. 13-16, for the development of 6,600 square foot Cannabis Cultivation Facility on a 1.07-acre parcel.

DISCUSSION

The applicant, Armando Rodriguez is requesting a one-year (1) extension of time for Conditional Use Permit No. 13-16, from October 11, 2018 to October 11, 2019. The developer is in the process of obtaining building permits but to help manage their potential risks and to make sure their project does not lose any entitlements; the applicant is requesting the extension of time.

BACKGROUND

Pursuant to Section 17.76.090 Time extension, *"The Planning Commission for good cause, grant a time extension not to exceed 12 months. Upon granting of an extension, the Commission shall ensure the Conditional Use Permit complies with all current Zoning Ordinance provisions."*

NOTICING REQUIREMENT

The project was noticed to neighboring owners within a 300-foot radius of the project site on November 1, 2018, and was advertised in the Desert Star Weekly on November 2, 2018 per state noticing requirements. No public comments have been received as of this writing.

FISCAL IMPACTS

The proposed cultivation facility has paid all required fees for processing and will contribute \$25 per square foot for the first 3,000 square feet, and then \$10 per square foot for the remaining space once it opens.

ENVIRONMENTAL ANALYSIS

On October 11, 2016 the Planning Commission approved the Ocean Springs Tech Cannabis Cultivation Project and in doing so certified the CEQA Exemption for the project as a Class 1 Exemption, under Section 15301(a)(d)(e)(f) Existing Facilities. Pursuant to Section 15162(a) of the CEQA regulations, no further review is required once an environmental determination (it was an Exemption in 2016) has been certified for a project, and there are no substantial changes to the project or new impacts that would warrant additional review. The Planning Commission only needs to make a finding that the request for the One-Year Time Extension is consistent with the original project and the CEQA Exemption, and that no substantial changes are being proposed, no additional impacts are being introduced, and no new mitigation measures are required.

RECOMMENDATION

Staff recommends that the Planning Commission grant a one (1) year extension from October 11, 2018 to October 11, 2019 for Conditional Use Permit No. 13-16, subject to the Conditions of Approval.

EXHIBITS

- 1) - Draft Conditions of Approval
- 2) - Staff Report October 11, 2016
- 3) - Approved Site Plan (October 11, 2016)
- 4) - Building Elevations (October 11, 2016)