

REPORT TO THE PLANNING COMMISSION



DATE: December 11, 2018

TITLE: Conditional Use Permit No. 03-15 Time Extension: A request for a one-year time extension, for the Oxford Properties Cultivation Project

Location: Northeast corner of Little Morongo Road and Dillon Road.

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& Rebecca Deming, Community Development 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) Recommendation from staff that the Planning Commission approve a one-year extension of time for Conditional Use Permit No. 03-15 for the Oxford Properties Cultivation Project located at the northeast corner of Little Morongo Road and Dillon Road in the I-L (Light Industrial Zone). APN: 665-110-004-3

PRIOR ACTIONS

- On December 15, 2015, the City Council approved Conditional Use Permit No. 03-15 and Development Agreement 04-15, for the development of 1,001,000 square foot medical marijuana cultivation center.
- On December 13, 2016, the Planning Commission approved Tentative Parcel Map 37151, a Parcel Map (for condominium purposes) for the Oxford Properties Development Project.
- On October 10, 2017, the Planning Commission approved an amendment to Conditional Use Permit No. 03-15 for the addition of testing, manufacturing, distribution, transportation, and research & development activities within the previously approved medical marijuana cultivation building complex. The Planning Commission also approved on October 10, 2017 a revised Tentative Parcel Map 37151 to amend the project's phasing plan and revise conditions for bonding of future improvements for each phase.

DISCUSSION

The applicant, Oxford Properties is requesting a one-year (1) extension of time for Conditional Use Permit No. 03-15, from December 12, 2018 to December 12, 2019. The developer is in the process of obtaining permits but to help manage their potential risks and to make sure their project does not lose any entitlements; the applicant is requesting an 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 29, 2018 and was advertised in the Desert Star Weekly on November 30, 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 December 15, 2015 the City Council approved the Oxford Properties Cultivation Project and in doing so adopted the Mitigated Negative Declaration for the Project. Pursuant to Section 15162(a) of the CEQA regulations, once an MND has been adopted for a project, no subsequent environmental review needs to be completed unless there are substantial changes or new impacts in the project that 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 MND, and no further analysis is required. No significant changes are proposed as a part of the proposed extension of time.

RECOMMENDATION

Staff recommends that the Planning Commission grant a one (1) year extension from December 12, 2018 to December 12, 2019 for Conditional use Permit No 03-15, subject to the Conditions of Approval.

EXHIBITS

- 1) Draft Conditions of Approval
- 2) Staff Report (December 15, 2015)
- 3) Approved Site Plan (December 15, 2015)
- 4) Approved Building Elevations (December 15, 2015)