

## REPORT TO THE PLANNING COMMISSION

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**Date:** February 12, 2019

**Title:** 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.

**Prepared by:** Jocelyn Torres, Contract Planner

**Reviewed by:** Rebecca Deming, Community Development Director

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### 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.

### PRIOR ACTIONS

On January 10, 2017, the Planning Commission made a recommendation to City Council to approve Conditional Use Permit No. 25-16, Development Agreement No. 16-16, and three (3) Mitigated Negative Declarations for the construction of a 29,193 square foot cultivation building.

On February 7, 2017, the City Council reviewed the Green Gate Bridge (formerly known as AGreenCulture) Medical Marijuana Cultivation Project and approved the adoption of a Mitigated Negative Declaration, approved Conditional Use Permit (CUP 25-16) for the construction of a 29,193 square foot cultivation building, and the First Reading of Development Agreement (DA 16-16).

On February 21, 2017, the City Council approved the Second Reading for Development Agreement No. 16-16 and adopted Ordinance No. 598.

On October 23, 2017, the Planning Commission approved an Amendment to Conditional Use Permit (CUP 25-16) for the implementation of an interim site plan consisting of four (4) ecopods and one (1) administration/security trailer.

### DISCUSSION

The applicant, Liht Cannabis Corp., is requesting a one-year (1) extension of time for Conditional Use Permit No. 25-16, from February 7<sup>th</sup>, 2019 to February 7<sup>th</sup>, 2020. 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 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 January 31, 2019 and was advertised in the Desert Star Weekly on February 1, 2019 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 February 7, 2017, the City Council approved the Green Gate Bridge Cultivation Project (formerly known as AGreenCulture) and in doing so certified the Mitigated Negative Declaration for the project. Pursuant to Section 15162(a) of the CEQA regulations, once an MND has been certified for a project, no subsequent environmental review needs to be completed unless there are substantial changes in the project that warrant additional review. The Planning Commission only needs to make a finding that the request for a 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 extension of time.

### **RECOMMENDATION**

Staff recommends that the Planning Commission grant a one (1) year extension from February 7<sup>th</sup>, 2019 to February 7<sup>th</sup>, 2020 for Conditional Use Permit No. 25-16, subject to the Conditions of Approval.

### **EXHIBIT(S)**

- 1) Draft Conditions of Approval
- 2) Staff Report (February 7, 2017)
- 3) Approved Site Plan (February 7, 2017)
- 4) Approved Colored Rendering (February 7, 2017)
- 5) Approved Elevations (February 7, 2017)