

## REPORT TO THE PLANNING COMMISSION

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**DATE:** October 8, 2019

**TITLE:** Request for a one-year Extension of Time for Conditional Use Permit No. 30-17 for the Rx DHS Herbery II Project located at 65090 San Jacinto Lane.

**Prepared by:** Patricia M. Villagomez, Planning Technician  
**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) Staff Recommends the Planning Commission approve a one-year extension of time for Conditional Use Permit No. 30-17 subject to the proposed Conditions of Approval.

### PRIOR ACTIONS

On October 23, 2017, the Planning Commission reviewed the project and, following a public hearing, adopted staff's recommendation of approval.

### DISCUSSION

The applicant, Guy Edwards, is requesting a one-year (1) extension of time for Conditional Use Permit No. 30-17, from October 23, 2019 to October 23, 2020. The applicant is in the process of preparing to submit building plans.

### BACKGROUND

Pursuant to Section 17.76.090 Time extension, "The Planning Commission may, upon an application being filed 30 days prior to expiration and for good cause, grant a time extension not to exceed 12 months. Upon granting of an extension, the Planning Commission shall ensure that 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 September 25, 2019 and was advertised in the Desert Star Weekly on September 27, 2019 per state noticing requirements. No public comments have been received as of this writing.



**FISCAL IMPACTS**

Development of this project will generate revenues to the City in the form of building permit fees to defray plan check and inspection costs for each project phase. In addition, the City will receive on-going revenue from cannabis taxes based on the proposed cultivation and processing space of \$25.50 for the first 3,000 square feet and \$10.20 thereafter.

**ENVIRONMENTAL ANALYSIS**

On October 23, 2017, the Planning Commission approved the Rx DHS Herbery II cannabis 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 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 (1) 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.

**EXHIBIT(S)**

1. Draft Conditions of Approval
2. Good Cause Letter
3. Original Staff Report
4. Approved Site Plan
5. Approved Elevations