

REPORT TO THE PLANNING COMMISSION



DATE: June 9, 2020

TITLE: Request for a One-Year Extension of Time for the following:
- Conditional Use Permit No. 27-16
(Applicant: Frank Farag)
- Conditional Use Permit No. 37-17
(Applicant: Alexander Guzman)

Prepared by: Patricia Villagomez, Assistant Planner

Reviewed by: Rebecca Deming, Community Development Director

RECOMMENDATION

- 1) Staff Report
- 2) Entertain questions of Staff from the Planning Commission;
- 3) Open Public Hearing;
- 4) Take testimony from Applicant;
- 5) Take public testimony for those in favor;
- 6) Take public testimony from those opposed;
- 7) Take public testimony from those in a neutral position;
- 8) Opportunity for Applicant rebuttal;
- 9) Close the Public Hearing
- 10) Planning Commission discussion and questions to Staff; and
- 11) Approve a one-year extension of time, subject to the proposed Conditions of Approval for:
 - Conditional Use Permit No. 27-16 (APN: 665-030-036)
 - Conditional Use Permit No. 37-17 (APN: 665-040-016)

PRIOR ACTIONS

On December 12, 2017, the Planning Commission held a public hearing and approved:

- Conditional Use Permit No. 27-16

On April 10, 2018, the Planning Commission held a public hearing and approved:

- Conditional Use Permit No. 37-17

DISCUSSION

The applicants are requesting a one-year (1) extension of time to extend the entitlements to help manage their potential risks and to make sure their project does not lose any entitlements.

(Applicant: Frank Farag) Conditional Use Permit No. 27-16 is for the development of one-story building totaling approximately 20,492 sq. ft. on a 1.26-acres located on the south side of San Jacinto Lane approximately 1,300 feet east of Little Morongo Road within the Light Industrial Zone (I-L).

(Applicant: Alexander Guzman) Conditional Use Permit No. 37-17 is for the development of two (2) buildings totaling approximately 15,542 square feet on a 1.26-acre parcel located on the north side of Palomar Lane approximately 500 feet east of Little Morongo Road in the Light Industrial (I-L) Zone.

BACKGROUND

Pursuant to Section 17.76.090 Conditional Use Permit Time extension, *“The 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 Commission shall ensure that the Conditional Use Permit complies with all current Zoning Ordinance.”*

NOTICING REQUIREMENT

The project was noticed to neighboring owners within a 300-foot radius of the project site on May 28, 2020 and was advertised in the Desert Star Weekly on May 29, 2020 per state noticing requirements. No public comments have been received as of this writing.

FISCAL IMPACTS

Each cultivation facility has paid all required fees for processing of entitlements and will contribute \$25.50 per square foot for the first 3,000 square feet, and \$10.20 per square foot for the remaining space once the business becomes operational.

ENVIRONMENTAL ANALYSIS

On December 12, 2017, the Planning Commission approved CUP No. 27-16, and on April 10, 2018, the Planning Commission approved CUP No. 37-17 and in doing so adopted the Mitigated Negative Declarations for each 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 in the project that warrant additional review. The Planning Commission only needs to make a finding that the request(s) for the One-Year Extension of Time is consistent with the original MND, and no further analysis is required. No significant changes are proposed as a part of the proposed extension(s) of time.

RECOMMENDATION

Staff recommends that the Planning Commission grant a one (1) year extension for:

- Conditional Use Permit No. 27-16 (APN: 665-030-036) from December 12, 2019 to December 12, 2020
- Conditional Use Permit No. 37-17 (APN: 665-040-016) from April 10, 2020 to April 10, 2021

EXHIBITS

- 1) Draft Conditions of Approval CUP 27-16
- 2) Draft Conditions of Approval CUP 37-17
- 3) Good Cause Letter CUP 27-16
- 4) Good Cause Letter CUP 37-17
- 5) Original Staff Report CUP 27-16 (December 12, 2017)
- 6) Original Staff Report CUP 37-17 (April 10, 2018)
- 7) Approved Site Plan CUP 27-16
- 8) Approved Site Plan CUP 37-17