



**STAFF REPORT**  
**12/8/2021**

**TO:** Honorable Mayor and City Council Members

**FROM:** Gabriel Perez, Development Services Director

**SUBJECT:** Adopt Ordinance No. 1188 (Zoning Ordinance Amendment 21-04) amending the Coachella Municipal Code regarding Interim Outdoor Cannabis Cultivation. City-Initiated (*2nd Reading*).

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**STAFF RECOMMENDATION:**

Staff recommends that the City Council adopt Ordinance No. 1188 amending the Interim Outdoor Cannabis Cultivation regulations of Sections 17.85.050, 5.68.130, and 17.85.040 of the Coachella Municipal Code

**BACKGROUND:**

On August 25, 2021, the City Council adopted Ordinance No. 1171 that removed previous distance restrictions of five hundred (500) feet from another interim outdoor commercial cannabis cultivation use and six hundred (600) feet from any residentially zoned lot. Outdoor cannabis cultivation is permitted with approval of a Conditional Use Permit (CUP) for a maximum term of 4 years in the area bounded by Vista del Sur on the north, Tyler Street and 86-S Expressway on the west, Avenue 52 on the south, and the All-American Canal on the east, subject to the following regulations:

- **Permitting:** A CUP or development agreement is required
- **Interim Use:** Allows the City to include a condition of approval that limits outdoor cultivation activities to a specified duration not to exceed the sooner of forty eight (48) months, or the first phase of construction establishing a new residential or commercial use.
- **Location and Zoning:** Requires an interim outdoor cultivation use to located within the agricultural reserve (A-R) zone, agricultural transition (A-T) zone, residential single-family (R-S) zone, multiple-family residential (R-M) zone, and general commercial (C-G) zone and is within the geographic area bounded by Avenue 48 on the north, the All-American Canal on the east, Avenue 52 on the south, and the 86 Expressway and Tyler Street on the west (See Figure 1).
- **Development Standards:** Requires the an interim outdoor cannabis cultivation site comply with:

- A site size of a minimum 1 acre.
- A maximum canopy size of 2 acres or the maximum size authorized by the State license for that business.
- 20 foot setback on all sides with an opaque fencing material to screen the outdoor grow area from view to public streets
- **Distance Restrictions:** Requires a minimum of 1,000 foot distance from a public or private school (K-12), day care center or youth center.
- **Water Service:** Interim outdoor cannabis cultivation may utilize a private well as a water source as an alternative to municipal water.

On November 10, 2021, the City Council introduced Ordinance No. 1188 to lift the existing 2 acre canopy size restriction per eligible site and permit limited, low intensity lighting for outdoor cultivation purposes.

**DISCUSSION/ANALYSIS:**

Staff prepared Ordinance No. 1188 to allow for outdoor cannabis cultivation sites that exceed 2 acres of canopy size to be considered under a single CUP. Under existing regulations, any grower interested in cultivating a canopy size larger than 2 acres on a site would be required to apply for multiple CUPs. The proposed amendments would streamline the process and reduce costs to applicants to pursue interim outdoor cannabis cultivation of more than 2 acres of canopy on an eligible site and would reduce the staff time and resources to process multiple CUPs.

The proposed ordinance would also allow the City to permit limited outdoor lighting for cultivation purposes in winter months (November – February). The intent of the ordinance modifications is to assist growers in the winter months that would experience reduced yields for cannabis plants due to the limited daylight hours available. The low intensity lighting that would be installed in agricultural hoop houses would be similar to the illumination of outdoor residential patio lighting.

**ALTERNATIVES:**

- 1) Adopt Ordinance No. 1188 (Second Reading)
- 3) Take no action.
- 4) Continue this item and provide staff with direction.

**RECOMMENDED ALTERNATIVE(S):**

Staff recommends Alternative #1

Attachments:

1. Ordinance No. 1188– amending Title 17 regarding Interim Outdoor Cannabis Cultivation