



STAFF REPORT
1/19/2022

TO: Planning Commission

FROM: Nikki Gomez, Associate Planner

SUBJECT: Coachella Valley Growers LLC Interim Outdoor Cannabis Cultivation Conditional Use Permit 345 to allow interim outdoor cannabis cultivation on a 79.39 acre site located at 50501 Fillmore Street. (APN 763-070-012 & 763-070-010)

EXECUTIVE SUMMARY:

Coachella Valley Growers, LLC, the applicant, requests a Conditional Use Permit (CUP) to allow interim outdoor cannabis cultivation within 168 agricultural hoop houses on a vacant 79.39-acre site located at the southeast corner of Fillmore Street and Avenue 50 (50501 Fillmore Street).

BACKGROUND:

The above referenced application is proposed on two parcels, a 59 acre parcel (APN: 763-070-012) and a 29.39 acre parcel (APN: 763-070-010) totaling 79.39 acre vacant parcel (“Project Site”).



The project site is located at the southeast corner of Fillmore Street and Avenue 50. The 2021 aerial photograph below illustrates the project site was previously utilized for agricultural cultivation of table vegetables such as Brussel sprouts, peppers and artichokes prior to the cannabis cultivation.

The areial map also identifies the location of an exisiting outdoor cannabis cultivation that was approved adminstratively on May 5, 2021 under a Special Event Permit. The exisitng outdoor cultivation use occupies 20 acres of the 59 acre parcel (APN: 763-070-012).

On July 28, 2021, the City Council adopted Ordinance 1171, that allows interim outdoor cannabis cultivation in the city's agricultural sector, with property development standards subject to CUP and compliance with Zoning standards. The interim outdoor cannabis cultivation is not to exceed 48 months or the first phase of construction establishing new residential or commercial use. On December 8, 2021, the City Council adopted Ordinance 1188 amending provisions of the City code regarding the interim outdoor commercial cannabis cultivation, which lifted the maximum canopy size limitation of 2 acres, subject to the maximum canopy size authorized by the state license and allowance for low intensity lighting for cultivation purposes in winter months 2 hours before sunrise and 2 hours after sunset.



The existing facilities as shown above is within the 20 acre portion consists of hoop houses, water storage tanks, storage area, processing/harvesting area and common area to accommodate vehicular circulation located at the north west portion of the site. Within the existing outdoor cannabis cultivation area, there are a total of 30 hoop houses, of which 29 hoop houses each have a floor area of 14,784 square feet and 1 hoop house with a floor area of 66,000 square feet (not part of the agricultural square footage) where the harvest processing occurs. The total existing agricultural hoop house area is 428,736 square feet or 9.8 acres. The existing cannabis cultivation hoop house have provisional state permits due to expire on February 22, 2022. The project site is in a permitted area for interim cannabis cultivation subject to CUP approval and the development standards of the new interim outdoor cannabis cultivation ordinance.

DISCUSSION/ANALYSIS

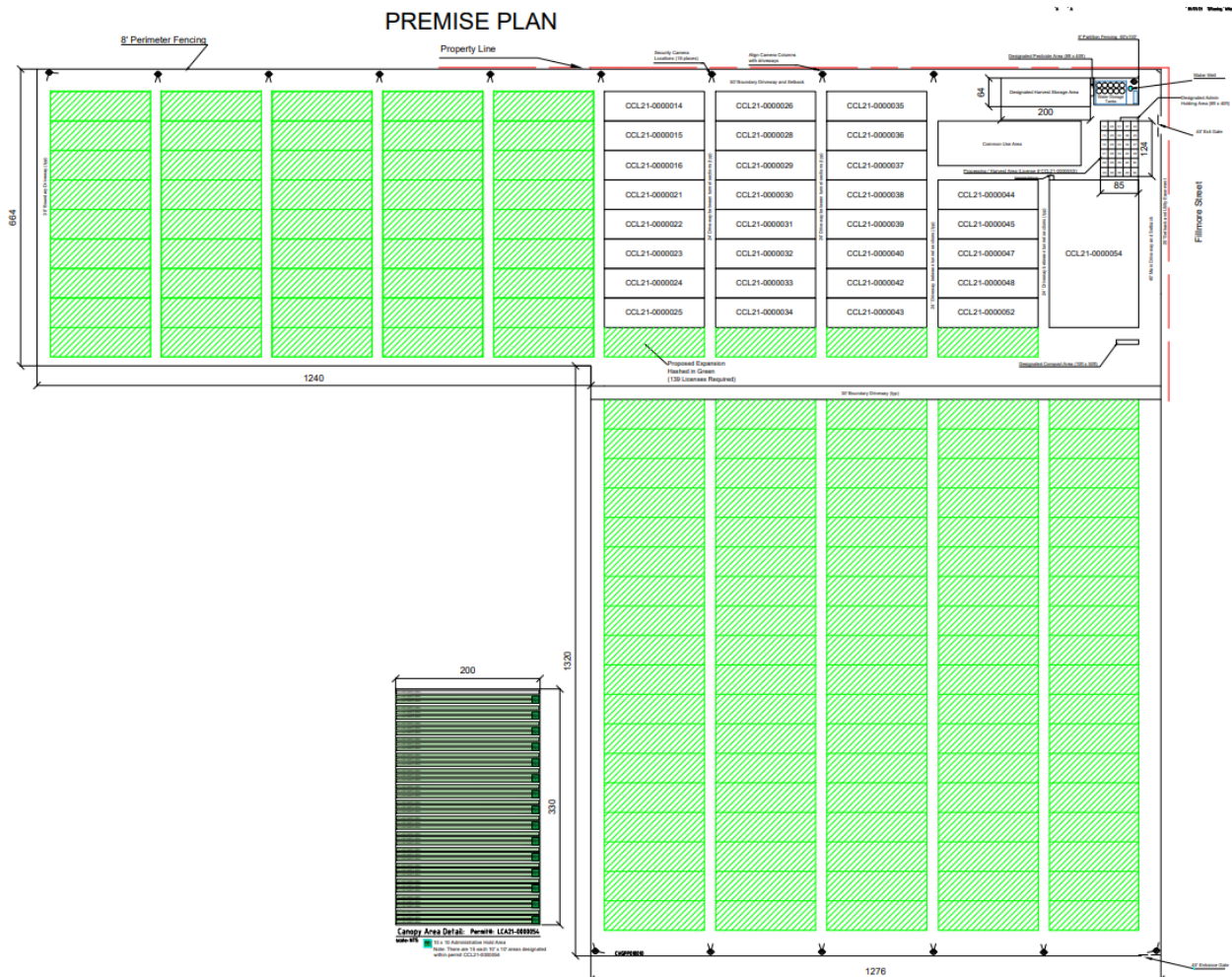
ENVIRONMENTAL SETTING

The site is a 79.39-acre vacant parcel zoned A-T (Agricultural Transition). The surrounded land uses and zoning classification include the following:

- North:** Agriculture – A-T (Agriculture Transition)
- South:** Mobile Homes – A-T (Agriculture Transition) & R-S (Residential Single Family)
- East:** Agriculture – A-T (Agriculture Transition)
- West:** Vacant Land – R-S (Residential Single Family)

Project Analysis

The Coachella Valley Growers, LLC proposes 168 agricultural hoop houses, consisting of 139 agricultural hoop houses added to the existing 29 hoop houses for the interim outdoor cannabis cultivation located on a 79.39-acre parcel at the Southeast corner of Fillmore Street and Avenue 50 (50501 Fillmore Street). Each hoop house consists of 14,784 sq. ft. of area (224-ft x 66-ft) for a total of 2,483,712 sq. ft. of hoop house area or 57 acres. Each hoop house is spaced with open



aisles a minimum of 24 feet in width. The applicant proposed a 50-foot buffer from the hoop house structures along the north, west and south borders of the project site. There is 40-foot buffer from the hoop houses, processing/harvest area, water tanks along Fillmore Street.

The applicant's farming method is growing under the tunnels (hoop houses) similar to how most beery and Chinese vegetables are grown. The tunnels protect the cannabis plant from wind, sand and sunlight. There have been three growing cycles to date; the first cycle (spring) was between March 2021 to June 2021, where the applicant planted 190,000 plants comprising of 21 different strains and harvested 130,000 pounds of fresh product after harvest.

The second harvest (summer) took place between July 2021 to November 2021 on 1.5 acre of cultivated land with 15 cannabis strains to test how the plants react to the summer desert climate. The applicant lost 50% of the crop and identified the strains that grow better in the intense sunlight and heat.

The third harvest (winter), November 2021 to February 2022, where the applicant planted 60,000 plants comprising of 30 different strains. During the winter months, the days are shorter, which prematurely trigger the plants to flower and impacted the plant yields. The plants grown in the summer and winter cycle are different variety from those grown in the spring cycle. Those plants grown in the summer and winter cycle are much bigger, therefore the applicant will be planting fewer plants these two growing periods.

The duration for harvesting typically takes 30 days requiring 60 workers, with time allocation from working from 7:00 p.m. to 7:00 a.m. The plants are removed from the soil and placed into refrigerated trucks to stay cool and maintain the quality/integrity of the cannabis flower while awaiting for processing. From the trucks, the plants go to bucker machines where the flower is removed from the stem. The flower goes to a Cryo tunnel, where it is flash frozen at -80 Degrees Fahrenheit. From there, the flower gets bagged and boxed into roughly 20 pound boxes. The boxes are then loaded into refrigerated containers, where they are stored until they are processed for oil. All activities associated with harvesting and storing of the plant is confined with the project site. The amount of plants planted/harvested is dependent on the harvest cycles and the demand in the market.



Entry to the site will occur at an existing driveway from Fillmore Street. There are roughly 10 vehicles access the site on a daily basis. No on-site paving improvements are proposed for the use, which is consistent with surrounding agricultural use conditions and is appropriate for an interim agricultural use that is limited to a term of 48 months pursuant to the Coachella Municipal Code. The on-site existing perimeter fencing around the 20 acres is composed of mesh on covering over the chain-link fence at 6 feet high. As the operation will expand to the rest of the 59.39 acres, the same fencing will be utilized to enclose the project site.

The applicant also proposes low intensity lighting within the hoop houses to assist in cultivation during winter months when the daylight hours are reduced. The incorporation of the low intensity lighting will only be applicable during the winter cycle.



CONSISTENCY WITH THE GENERAL PLAN

The proposed project is within the Suburban Retail land use designation of the General Plan 2035 Land Use and Community Character Element. The project does not propose suburban retail related land uses, but would continue agricultural production activities on an interim basis on the subject site subject to a Conditional Use Permit. The proposed use will not be in conflict with, but will be in harmony with and in accordance with the objectives of the general plan because the proposed use would continue agricultural uses that is consistent with Land Use Policy 4.1 for agricultural land preservation recognizing agricultural land as a major industry for Coachella. The use is a method of preserving land in sizes that are viable economic units for continuing agricultural activities. The proposed use also supports Land Use Policy 11.4 for a diversified economy by transforming the Coachella economy into a mature mix of economic activity and job opportunities.

CONSISTENCY WITH ZONING

The subject site is zoned A-T (Agricultural Transition) zone. The City Council adopted Ordinance 1171 to allow the interim outdoor cannabis cultivation subject to approval of a conditional use

permit subject and subject to the development and operational standards. Recently, the City Council adopted Ordinance 1188 amending the provisions of the Municipal Code lifting the interim cannabis cultivation acreage cap and allowing low intensity lighting as added to the table below.

Table 1 provides an analysis of the project’s consistency with the Interim Outdoor Cannabis Cultivation development and operational standards.

Table 1 – Development/Operational Standards

	Zoning Ordinance	Proposed	Complies with Code
Location	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 Vista del Sur 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.	A-T Zone	Yes
Lot size	Site is a minimum of one (1) acre in size	79.39 acres	Yes
Setbacks	Provide a minimum twenty-foot (20 ft.) setback on all sides of the outdoor cannabis grow areas	40’-50’	Yes
Screening	Provide perimeter fencing with an opaque fencing material, subject to review and approval by the Planning Director to screen the outdoor grow areas from view to public streets.	Landscape vines have been planted along perimeter fencing.	Yes
Distance Restriction	1,000 feet of any public or private school (K-12), day care center or youth center	No youth facilities nearby	Yes
Canopy (Revised under Ordinance 1188)	Maximum canopy size equal to the maximum size authorized by the State	Canopy is 58.5 acres	Yes
Lighting (Revised under Ordinance 1188)	Low intensity may be permitted in the canopy area, use for photosynthesis, mixed-light processes, other purposes intended to manipulate cannabis plant growth during the months of November through February for two hours before sunrise and two hours after sunset.	Will include low intensity lighting	Yes

Operational requirements of Chapter 5.68 *Commercial Cannabis Activity Regulatory Permit* for interim outdoor cannabis cultivation includes a detailed security plan, water management plan, security cameras, licensed security guard and odor control plan.

ENVIRONMENTAL IMPACT CONSIDERATION

City Staff has determined that the proposed project is exempt under the Guidelines to the California Environmental Quality Act (CEQA), Class 1 - State CEQA Guidelines Section 15301, because the project entails the operation, maintenance, leasing, and licensing of an existing private agricultural farming facility involving negligible expansion of use beyond that existing at the time of the lead agency's determination. The subject site was previously graded and has been used for farming operations and has existing irrigation water infrastructure. The farming operation would use agricultural hoop houses consistent with hoop house operations normally permitted for any farming operation within the City that would not require a discretionary permit or subject to an environmental determination by the City of Coachella.

CORRESPONDENCE

Please see attachments for correspondence received on this project.

ALTERNATIVES:

- 1) Adopt Resolution No. PC 2021-27 approving Conditional Use Permit No. 345 with the findings and conditions as recommended by Staff.
- 2) Deny Conditional Use Permit No. 345.
- 3) Continue this item and provide staff and the applicant with direction.

RECOMMENDED ALTERNATIVE(S):

Staff recommends alternative #1.

Attachments:

1. PC Resolution No. 2021-27 for CUP No. 345
Exhibit A - Conditions of Approval for CUP No. 345
2. Existing Conditions Photos
3. Vicinity Map
4. Site Plan