NOTE: PLEASE TURN CELL PHONES OFF OR PLACE THEM ON VIBRATE DURING THE PLANNING / PARKS AND RECREATION COMMISSION MEETING AS A COURTESY TO OTHERS. Thank you, Administrative Staff

The Planning / Parks and Recreation Commission packet may be reviewed by the public at the reception counter in City Hall. Any writings or documents pertaining to an open session item, provided to a majority of the Planning / Parks and Recreation Commissioners within 72 hours of a regular meeting, shall be made available for public inspection at the reception counter in City Hall at 11600 Air Expressway, Adelanto, CA 92301, during normal business hours. Members of the public can view the agenda or download any staff reports in advance by accessing the City website at www.ci.adelanto.ca.us on Thursday the week before the scheduled meeting.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department, (760) 246-2300 ext. 11142 no later than 72 hours prior to the meeting. (28 CFR 34.102.104 ADA TITLE II)

A. CALL TO ORDER

TIME: _______________

ROLL CALL: Commissioner Jeannette ______
Commissioner Jones ______
Commissioner Rubalcava ______
Chair Waggener ______

INVOCATION: _______________

FLAG SALUTE: _______________
REGULAR MEETING
PLANNING COMMISSION
PARK AND RECREATION COMMISSION
May 2, 2018

B. DELETIONS/ADDITIONS TO AGENDA

1. Director of Development Services to announce if there are any additions/removals of items from the agenda.

C. PRESENTATIONS

D. CONFLICT OF INTEREST

Planning Commissioners will announce any possible Conflicts of Interests for the Planning Commission Meeting.

E. PUBLIC COMMUNICATIONS

Opened at: ______________________  Closed at: ______________________

Members of the public wishing to address the Planning / Parks and Recreation Commission are required to fill out a speaker card and hand it to the Clerk of the meeting. This is the time and place for members of the public to comment on any matter within the jurisdiction of the Adelanto Planning Commission or Parks and Recreation Commission. After receiving recognition from the Chair, the speaker will walk to the podium and state their name for the record. There is a time limit of three (3) minutes when giving your presentation.

Members of the audience may address the Planning / Parks and Recreation Commission on non-agenda items; however, in accordance with Government Code Section 54954.2, the Planning Commission may not take action on an item not appearing on the posted agenda.

M__________________________S__________________________ACTION__________
F. CONSENT CALENDAR – PLANNING COMMISSION

Items on the Consent Calendar are considered routine in nature, require no further discussion by the Planning Commission, and may be acted on in one motion unless a member of the Planning Commission or staff requests a separate discussion on an item.

M__________________________S__________________________ACTION__________

G. PUBLIC HEARING – PLANNING COMMISSION

PUBLIC HEARING OPEN: _______  PUBLIC HEARING CLOSED: _______

1. PUBLIC HEARING – Conditional Use Permit 16-03 and Associated Agreement Amended: The applicant, Katherine Hall for HD Biotech, Inc., requests approval to add a medical cannabis distribution/transportation operation in a 1,936 sq. ft. unit, inside of an existing 34,000 square foot building on 4.69 acres of land. The subject building, also presently has a medical cannabis cultivation operation in a 9,240 sq. ft. unit and a medical cannabis manufacturing volatile and non-volatile operation in a 1,500 sq. ft. unit. The project site is located at 10042 Rancho Road, on the northwest corner of Raccoon Avenue and Rancho Road within the City of Adelanto, County of San Bernardino. Assessor’s Parcel Number 0549-681-03.

RECOMMENDATION: ADOPT Resolution P-17-58, ADOPT findings and APPROVE Amended Conditional Use Permit 16-03, finding the project exempt under Section 15162 (Subsequent EIR’s and Negative Declarations) of the California Environmental Quality Act.
RESOLUTION NO. P-18-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING (AMENDED) CONDITIONAL USE PERMIT 16-03 AND ASSOCIATED AGREEMENT, SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW INDOOR MEDICAL MARIJUANA CULTIVATION, MANUFACTURING (VOLATILE AND NON-VOLATILE) AND MEDICAL MARIJUANA DISTRIBUTION AND TRANSPORTATION OPERATIONS AT AN EXISTING 34,000 SQUARE-FOOT BUILDING ON APPROXIMATELY 4.69-ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF RANCHO ROAD AND RACCOON AVENUE, AT 10042 RANCHO ROAD. ASSESSOR’S PARCEL NUMBER 0459-681-03.

M__________________________S_________________________ACTION__________

H. PARKS AND RECREATION COMMISSION ITEMS

M__________________________S_________________________ACTION__________

I. PLANNING MANAGER/COMMISSIONER’S ANNOUNCEMENTS AND/OR REPORTS

1. Director Development Services Comments.

2. Planning / Parks and Recreation Commissioner Comments.

J. ADJOURNMENT

TIME OUT: ____________
K. DECLARATION OF POSTING

I, NYEKA ALLEN, SECRETARY OF PLANNING COMMISSION AND PARKS AND RECREATION COMMISSION, HEREBY CERTIFY THAT A TRUE, ACCURATE COPY OF THE FOREGOING AGENDA WAS POSTED ON APRIL 26, 2018 SEVENTY TWO (72) HOURS PRIOR TO THE MEETING PER GOVERNMENT CODE 54954.2 IN THE GOVERNMENTAL CENTER’S DISPLAY CASE, 11600 AIR EXPRESSWAY, ADELANTO, CALIFORNIA.

Nyeka Allen
Nyeka Allen
Secretary of Planning Commission
DATE: May 2, 2018

TO: Honorable Chairman and Members of the Planning Commission

FROM: Charles Rangel, Director of Development Services

BY: Shelby Williams, Project Planner

SUBJECT: Conditional Use Permit 16-03 and Associated Agreement Amended: The applicant, Katherine Hall for HD Biotech, Inc., requests approval to add a medical cannabis distribution/transportation operation in a 1,936 sq. ft. unit, inside of an existing 34,000 square foot building on 4.69 acres of land. The subject building, also presently has a medical cannabis cultivation operation in a 9,240 sq. ft. unit and a medical cannabis manufacturing volatile and non-volatile operation in a 1,500 sq. ft. unit. The project site is located at 10042 Rancho Road, on the northwest corner of Raccoon Avenue and Rancho Road within the City of Adelanto, County of San Bernardino. Assessor’s Parcel Number 0549-681-03.

BACKGROUND:

This item has been brought back to the Planning Commission, by the Planning Division, so proper action may be taken to allow the applicant to amend her previously approved Conditional Use Permit (CUP 16-03). The subject application was originally approved during a regular Planning Commission meeting held on July 5, 2016 and it was previously amended during a regular meeting of the Planning Commission held on November 1, 2017. The applicant now wishes to include distribution/transportation of medical cannabis in addition to the medical cannabis cultivation and medical cannabis manufacturing operations presently located in the subject building. The Planning Division approved Medical Marijuana Distribution and Transportation Permit (MCDT 17-09) on September 25, 2017.

The Planning Commission is being asked to review a new Resolution No. P-18-12 and conditions of approval attached herein as Attachment A for Amended Conditional Use Permit 16-03 and Associated Agreement, the required findings for the entitlement and the supporting facts are provided in Resolution No. P-18-12.

STAFF RECOMMENDATION:

ADOPT Resolution P-17-58, ADOPT findings and APPROVE Amended Conditional Use Permit 16-03, finding the project exempt under Section 15162 (Subsequent EIR’s and Negative Declarations) of the California
Environmental Quality Act.

ATTACHMENTS:

Resolution P-18-12
Conditions of Approval
Notice of Exemption
Project Plans
Resolution P-17-56 (Previous)
Resolution P-16-11 (Original)
RESOLUTION NO. P-18-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING (AMENDED) CONDITIONAL USE PERMIT 16-03 AND ASSOCIATED AGREEMENT, SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW INDOOR MEDICAL MARIJUANA CULTIVATION, MANUFACTURING (VOLATILE AND NON-VOLATILE) AND MEDICAL MARIJUANA DISTRIBUTION AND TRANSPORTATION OPERATIONS AT AN EXISTING 34,000 SQUARE-FOOT BUILDING ON APPROXIMATELY 4.69 ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF RANCHO ROAD AND RACCOON AVENUE, AT 10042 RANCHO ROAD. ASSESSOR’S PARCEL NUMBER 0459-681-03.

WHEREAS, the applicant, HD Biotech, Inc., has proposed (Amended) Conditional Use Permit 16-03 and Associated Agreement, to allow for indoor medical cultivation, manufacturing (volatile and non-volatile) and medical marijuana distribution and transportation operations at an existing 34,000 square foot building located on the northwest corner of Rancho Road and Raccoon Avenue, at 10042 Rancho Road, within the City of Adelanto, County of San Bernardino; and

WHEREAS, a duly noticed public hearing was held by the Adelanto Planning Commission on the 5th day of July, 2016 to hear and consider testimony for or against the issue; and

WHEREAS, a duly noticed public hearing was held by the Adelanto Planning Commission on the 1st day of November, 2017, to hear and consider testimony for or against the proposed project; and

WHEREAS, a duly noticed public hearing was held by the Adelanto Planning Commission on the 2nd day of May, 2018 to hear and consider testimony for or against the proposed project; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the information included in the staff report prior to taking action on the proposed amended Conditional Use Permit 16-03. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds the proposed project is exempt from the California Environmental Quality Act under sections 15162 (subsequent EIR’s and Negative Declarations) as this project is covered under the EIR for Industrial Park 2.

SECTION 4. The Planning Commission hereby finds and determines:

(a) That the proposed Conditional Use is consistent with the General Plan;

The proposed project’s Land Use/Zoning designation is Manufacturing/Industrial (MI), which allows for the indoor medical marijuana cultivation, manufacturing
(volatile and non-volatile) and medical marijuana distribution and transportation operations in the industrial park with the approval of an Amended Conditional Use Permit;

(b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

There are similar uses currently existing in the vicinity of the proposed project.

(c) That the site for the proposed Conditional Use is of adequate size and shape to accommodate the use and buildings proposed;

The site is approximately 4.69 acres in size, which exceeds the minimum 20,000 square feet required in this zoning district and has sufficient width and depth to meet all required setbacks.

(d) That the proposed Conditional Use complies with all applicable development standards of the zoning district; and

The proposed project has been conditioned to meet all applicable City zoning and development standards.

(e) That the proposed Conditional Use observes the spirit and intent of this Zoning Code;

The proposed indoor medical marijuana cultivation, manufacturing (volatile and non-volatile) and medical marijuana distribution and transportation operations in an existing building and is an appropriate use in the Manufacturing/Industrial Zone in the Industrial Park 2 with the approval of an Amended Conditional Use Permit.

SECTION 5. The requested Amended Conditional Use Permit 16-03 and Associated Agreement are hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 2nd day of May, 2018.

___________________________________
Chris Waggener
Chairman for the Planning Commission

Nyeka Allen
Secretary to the Planning Commission

Attachments: Conditions of Approval
I, Nyeka Allen, Planning Secretary to the Planning Commission for the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-18-12 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 2nd day of May, 2018, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 1st day of November, 2017.

___________________________________
Nyeka Allen
Secretary to the Planning Commission
PROJECT: A proposal to allow the indoor cultivation and manufacturing of medical cannabis and medical cannabis distribution/transportation operations at an existing 34,000 square foot building on a 4.69-acre property. The project site is located on the northwest corner of Rancho Road and Raccoon Avenue, at 10042 Rancho Road within the City of Adelanto, County of San Bernardino. Assessor’s Parcel Number 0459-681-03.

Applicant: Katherine Hall for HD Biotech, Inc.

PLANNING DEPARTMENT

General Conditions:

1. Approval Period. Approval of this project will become valid only after a signed copy of the City’s approval letter is received by the Planning Department acknowledging acceptance of all conditions of approval. If not received within 10 working days after approval action, this approval will be null and void.

   This approval shall be used within two (2) years of the approval date of this project; by May 2, 2020, otherwise, it shall become null and void and of no effect whatsoever. Use means the beginning of the substantial use under this approval within the two (2) year period which is thereafter diligently pursued to completion and in the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

2. Modification to Plans. Subsequent modifications of this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Community Development Director, unless the Director requires a Substantial Conformance or Revised Permit application in accordance with the City’s Development Code.

3. Phasing. This Amended Conditional Use Permit is for the indoor cultivation area of 9,240 sq. ft., manufacturing (volatile and non-volatile) of medical marijuana area of 1,500 sq. ft., and medical marijuana distribution/transportation area of 1,936 sq. ft. at an existing 34,000 square foot building on a 4.69-acre parcel. Phasing is not indicated on this Site Plan. The Conditions of Approval shall apply to the entire development within the 4.69-acre site as shown on the Site Plan, unless otherwise indicated.

4. Indemnity. The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Adelanto, its agents, officers, and employees from any
claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit 16-03. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

5. **Outstanding Costs.** Any fees due to the City of Adelanto for processing this project shall be paid to the City within 30 calendar days of final action. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this entitlement shall be permitted, authorized or commenced until all outstanding fees are paid to the City.

6. **Fish and Game.** The applicant/owner shall pay a fee of $50.00 for the Department of Fish and Game determination. This fee shall be submitted to the Planning Division within two (2) days after the date of conditional approval. **Payments shall be made with a Check for $50.00 made payable to the "Clerk of the Board of Supervisors".** The Planning Division shall then file the Notice of Determination within five (5) days after the effective date of conditional approval. The applicant should be aware that Section 21089(b) of the Public Resources Code provides that any project approved under CEQA is not operative, vested or final until the required fee is paid. Proof of fee payment will be required prior to issuance of any permits.

7. **City Codes.** The project shall comply with all disabled access requirements of the Americans with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Adelanto Municipal Code, including Title 17 (Zoning Code), especially the Special Use Standards, Section 17.80.080 regarding the cultivation of medical marijuana; Section 17.80.090 manufacturing of medical cannabis; Section 17.80.100 medical cannabis distribution and Section 17.80.101 medical cannabis transportation.

8. **Compliance with Environmental Mitigation.** The project has been found exempt under section 15162 (subsequent EIR’s and Negative Declarations) of the California Environmental Quality Act as the project is covered under the scope of the EIR for Industrial Park 2.

9. **Approved Uses.** All new uses within the property boundaries shall be reviewed and approved by the Planning Department. Should the developer propose a more intensive use requiring additional parking spaces, additional employees, more restroom facilities, significant change from original conceptual landscaping plans, etc., and the proposed use shall be presented for review by the Planning Department for compliance with the original approval. The new proposed use may be subject, but not limited to: a Modification to Location and Development Plan application, a new Location and Development Plan Application, and/or a Utility Feasibility Study application.

10. **Required Approvals.** The developer shall obtain the following clearances or approvals:

   a. Verification from the Planning Department that all pertinent conditions of approval have been met, including any administrative development plan review approvals, as mandated by the Adelanto Municipal Code.

   b. Building and Safety Department approval.
c. Any other required approval from an outside agency.

11. **Signage.** Proposed signs for this development shall require a separate application approval by the Planning Department prior to installation. Furthermore, all signs proposed for this development shall be consistent with the signage requirements identified in section 17.80.080 of the Adelanto Municipal Code. The project shall remain in full compliance with all City sign regulations at all times.

12. **Signed Approval Letter.** A signed copy of the City’s approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval or issuance of grading permits, a new copy of the City approval letter shall be signed by the current development parties.


14. “Saving by Design” Southern California Edison Energy Efficiency – Contact Maya Aubrey maya.aubrey@sce.com for electrical efficiency information.

15. For water conservation, use hydroponics or other low water use irrigation systems. Water should be recycled as much as possible.

**ENGINEERING DEPARTMENT**

**General Conditions:**

16. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.

17. The City of Adelanto shall be “added insured” on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.

18. All monuments (new or replaced) shall be referenced or reset in accordance with the Business and Professions Code.

19. All improvements as required by the City Engineer shall be constructed. All infrastructure improvements required by these conditions of approval, must comply with the City’s standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer’s expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.

20. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
21. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.

22. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer’s authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.

23. Final road sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.

24. Pavement structural section shall be designed based on soils tests (R-Value Tests) conducted by an acceptable soils testing laboratory and Traffic Index as approved by the City Engineer.

25. The following site specific improvements shall be completed:
   a. Onsite improvements are as follows:
      i. All onsite parking must be on an impervious surface (Asphalt/ Concrete), additional asphalt or concrete shall be provided for any vehicles to be parked in the rear of the building.
   b. Offsite improvements are as follows:
      i. Roadway adjacent to the project (the half-width on the project side of the road) shall be capped. City Staff recommends that this project consider joining with other local projects to complete AC capping of the existing roadway. This work can also be individually completed. All such improvements must be completed within 180 calendar days of approval. OR The developer shall pay a fee equivalent to the cost of capping the street adjacent to the development within 60 calendar days of approval or as agreed upon by the City Engineer.

26. Permitted water consumption. Maximum water consumption per 1,000 square feet of canopy space shall be limited to 100 gallons per day.

27. Water Utility Feasibility Study. The Developer shall apply for a water feasibility study within 30 calendar days of CUP approval.

28. Industrial Pretreatment and Industrial Wastewater Discharge Permit Application. The Developer shall complete the discharge permit application within 60 calendar days of CUP approval.
BUILDING AND SAFETY

29. See attached Building and Safety Department Conditions.

FIRE DEPARTMENT

30. Contact the San Bernardino County Fire Department for Conditions.
BC1. An engineered grading report including soils report shall submitted to and approved by the Building Official prior to recordation of the final map or issuance of permits for grading in excess of 1000 cubic yards.

BC2. Grading and drainage plans including a soils report must be submitted to and approved by the Building Department and Engineering Department prior to grading permit issuance.

BC3. Submit plans, engineering and obtain permits for all structures, retaining walls, signs

BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard native plant protection and desert tortoise habitat.

BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.

BC6. All utilities shall be placed underground in compliance with City Ordinance No.

BC7. All cross lot drainage requires easements and may require improvements at the time of development.

BC8. Comply with State of California Disability Access requirements

BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as Biologist, Paleontologist.

BC10. A dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)

BC11. Page two of the submitted building plans will be the conditions of approval

BC12. Construction must comply with 2013 California Building Codes including the California Green Building Code

BC13. Best Managements Practices (BMP’s) are required for the site during construction

BC14. Cover sheet to include deferred submittals, Construction Type and material quantities for determination of occupancy.
RESOLUTION NO. P-16-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING CONDITIONAL USE PERMIT 16-03 SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW THE INDOOR CULTIVATION OF MEDICAL MARIJUANS AT AN EXISTING 34,000 SQUARE FOOT FACILITY ON APPROXIMATELY 4.69-ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF RANCHO ROAD AND RACCOON AVENUE, AT 10042 RANCHO ROAD. ASSESSOR’S PARCEL NUMBER 0459-681-03.

WHEREAS, the applicant, HD Biotech, Inc., has proposed Conditional Use Permit 16-03 to allow for the indoor cultivation of medical marijuana at an existing 34,000 square foot facility located on the northwest corner of Rancho Road and Raccoon Avenue, at 10042 Rancho Road, within the City of Adelanto, County of San Bernardino; and

WHEREAS, a duly noticed public hearing was held on the 5th day of July, 2016 to hear and consider testimony for or against the issue; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the information included in the staff report prior to taking action on the proposed Conditional Use Permit 16-03. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds the proposed project is exempt from the California Environmental Quality Act under sections 15162 (subsequent EIR’s and Negative Declarations) as this project is covered under the EIR for Industrial Park 2.

SECTION 4. The Planning Commission hereby finds and determines:

(a) That the proposed Conditional Use is consistent with the General Plan;

The proposed Land Use/Zoning designation is Manufacturing/Industrial (MI), which allows for the indoor cultivation of medical marijuana in the industrial park with the approval of a Conditional Use Permit;

(b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

There are similar uses currently existing in the vicinity of the proposed project.

(c) That the site for the proposed Conditional Use is of adequate size and shape to accommodate the use and buildings proposed;

The site is approximately 4.69 acres in size, which exceeds the minimum 20,000 square feet required in this zoning district and has sufficient width and depth to meet all required setbacks.
(d) That the proposed Conditional Use complies with all applicable development standards of the zoning district; and

The proposed project has been conditioned to meet all applicable City zoning and development standards.

(e) That the proposed Conditional Use observes the spirit and intent of this Zoning Code;

The proposed, indoor cultivation of medical marijuana is in an existing Facility and is an appropriate use in the Manufacturing/Industrial Zone in an Industrial Park with the approval of a Conditional Use Permit.

SECTION 5. The requested Conditional Use Permit 16-03 is hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 5th day of July 2016.

Chris Waggener
Chairman for the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

Attachments: Conditions of Approval
I, Virginia Cervantes, Planning Secretary to the Planning Commission for the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-11 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 5th day of July 2016, by the following vote, to-wit:

AYES: Commissioner Jeannette Jones, Flores, Vice-Chair Ferretiz and Chairman Waggener

NOES: None

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 5th day of July 2016.

\[Signature\]

Virginia Cervantes
Secretary to the Planning Commission
RESOLUTION NO. P-17-58

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING (AMENDED) CONDITIONAL USE PERMIT 16-03 AND ASSOCIATED AGREEMENT, SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW THE INDOOR CULTIVATION AND MANUFACTURING OF MEDICAL MARIJUANA AT AN EXISTING 34,000 SQUARE-FOOT FACILITY ON APPROXIMATELY 4.69 ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF RANCHO ROAD AND RACCOON AVENUE, AT 10042 RANCHO ROAD. ASSESSOR’S PARCEL NUMBER 0459-681-03.

WHEREAS, the applicant, HD Biotech, Inc., has proposed (Amended) Conditional Use Permit 16-03 and Associated Agreement, to allow for the indoor cultivation and manufacturing of medical marijuana at an existing 34,000 square foot facility located on the northwest corner of Rancho Road and Raccoon Avenue, at 10042 Rancho Road, within the City of Adelanto, County of San Bernardino; and

WHEREAS, a duly noticed public hearing was held by the Adelanto Planning Commission on the 8th day of July, 2016 to hear and consider testimony for or against the issue; and

WHEREAS, a duly noticed public hearing was held by the Adelanto Planning Commission on the 1st day of November, 2017, to hear and consider testimony for or against the proposed project; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the information included in the staff report prior to taking action on the proposed Conditional Use Permit 16-03. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds the proposed project is exempt from the California Environmental Quality Act under sections 15162 (subsequent EIR’s and Negative Declarations) as this project is covered under the EIR for Industrial Park 2.

SECTION 4. The Planning Commission hereby finds and determines:

(a) That the proposed Conditional Use is consistent with the General Plan;

The proposed Land Use/Zoning designation is Manufacturing/Industrial (MI), which allows for the indoor cultivation and manufacturing of medical marijuana in the industrial park with the approval of a Conditional Use Permit;

(b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

There are similar uses currently existing in the vicinity of the proposed project.
(c) That the site for the proposed Conditional Use is of adequate size and shape to accommodate the use and buildings proposed;

The site is approximately 4.69 acres in size, which exceeds the minimum 20,000 square feet required in this zoning district and has sufficient width and depth to meet all required setbacks.

(d) That the proposed Conditional Use complies with all applicable development standards of the zoning district; and

The proposed project has been conditioned to meet all applicable City zoning and development standards.

(e) That the proposed Conditional Use observes the spirit and intent of this Zoning Code;

The proposed indoor cultivation and manufacturing of medical marijuana in an existing facility and is an appropriate use in the Manufacturing/Industrial Zone in the Industrial Park 2 with the approval of a Conditional Use Permit.

SECTION 5. The requested Conditional Use Permit 16-03 is hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 1st day of November, 2017.

Chris Waggener
Chairman for the Planning Commission

Nyeeka Allen
Secretary to the Planning Commission

Attachments: Conditions of Approval
I, Nyeka Allen, Planning Secretary to the Planning Commission for the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-17-58 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 1st day of November, 2017, by the following vote, to-wit:

AYES: Commissioners Jeanette, Jones, Rubalcava, Vice-Chair Piehe, Chair Waggener

NOES: None

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 1st day of November, 2017.

Nyeka Allen
Secretary to the Planning Commission
CITY OF ADELANTO
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Exemption

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway/P.O. Box 10
Adelanto, CA 92301

Project Title: Conditional Use Permit 16-03 (Amended)

Description of Project: A proposal by Katherine Hall for HD Biotech, Inc., for the indoor medical marijuana cultivation, manufacturing (volatile and non-volatile) and medical marijuana distribution/transportation at an existing 34,000 square-foot building.

Project Location: 10042 Rancho Road, Adelanto, County of San Bernardino

Project Proponent: HD Biotech, Inc.
Attn: Katherine Hall
19123 Outer HWY 18
Apple Valley, CA 92307

Reasons why project is exempt:
The project is exempt under section’s 15162 (Subsequent EIR’s and Negative Declarations) of the California Environmental Quality Act as the proposed project is covered under the scope of the EIR for Industrial Park 2.

Exempt Status: (check one)

___ Ministerial (Section 21080 (b)(1); Section 15268);
___ Declared Emergency (Section 21080 (b) (3); Section 15269(a));
___ Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
___ Statutory Exemption (Section Number: ___________);
___ Categorical Exemption: Class ___(Section Number ____________)
___ The activity is not subject to CEQA (Section 15061(b) (3))
___ Other: Section 15162 (Subsequent EIR’s and Negative Declarations).

Contact Person/Title: Shelby Williams, Project Planner Phone Number: 760-246-2300 Ext. 11187

Signature: ___________________________ Date: May 2, 2018

Received for Filing: (To be completed by the County)