

2019039101

Grow Heights Cannabis Cultivation Facility Project

Mitigated Negative Declaration Summary



City of Needles
Planning Department
817 Third Street | Needles, California 92363

INITIAL STUDY AND DRAFT MITIGATED NEGATIVE DECLARATION

Project Title: Grow Heights Conditional Use Permit, Zoning Change, and General Plan Amendment

Assessor's Parcel Number: 185-111-084

Lead agency name and address: City of Needles Planning Department, 817 Third Street, Needles, California 92363

Contact person and phone number: Cindy Semione, Planner; phone: (760) 326-5740 x127; fax: (760) 326-6765; email: ndlscdda@citilink.net

Project Location: The project site is located in the City of Needles in San Bernardino County, California in Township 09 North, Range 23 East, Section 30. The site address is 109 L Street with assessor's parcel number (APN) 185-111-084, and the parcel is 1.25 acres in size. The project site also fronts K Street, and it is located approximately 1,400 feet south of the intersection of Needles Highway and Mohave Valley Highway.

Project sponsor's name and address: Mark Hannawi, phone: (702) 371-1824; email: magedhannawi@hotmail.com, address: 10420 South Harbor Drive, Mohave Valley, Arizona 86440

General plan description: Medium Density Residential. A general plan amendment to change the land use designation to General Commercial is required for project approval.

Zoning: The project site is currently zoned R-3 Multi-Family Residential. The project would require a zoning change to C-2 General Commercial. A zoning change request has been submitted by the applicant to the City of Needles.

Site history: The project site is located in an area of Needles north of the BNSF Railway right-of-way and north of Interstate 40. The site is two blocks north of Historic U.S. Route 66, which is located on the opposite side of the railway right-of-way from the project site. A site location map can be found in Appendix A.

The Grow Heights Project site is flat, cleared, and vacant. The southwest corner of the parcel has previously been developed, as evidenced by multiple water meters along L Street in that location. However, these structures have since been removed. The parcel has previously seen both residential and commercial uses, based on descriptions by the property owner, nearby residents, the Needles Museum, which is substantiated by aerial imagery. These uses included a metal building for storage, a nursery, and four cabins on the parcel at varying times. The project parcel was also once divided into 16 individual parcels.

An Environmental Data Resources (EDR) assessment of the site shows that previous developments were cleared sometime between 1994 and 2006. Aerial imagery from 1969 through 1994 shows five small structures, four of which are likely the cabins described by nearby residents. The 1969 aerials are remarkably clear and show a larger structure in the southwest corner of the parcel with four smaller structures along the southern edge. The EDR did not record any hazardous materials sites on the project parcel. No structures exist on the parcel today.

Project description: Grow Heights' is applying for a general plan amendment, zoning change, and Conditional Use Permit for proposed indoor cannabis cultivation facilities in accordance with the Medicinal and Adult Use Cannabis Regulation and Safety Act. The project proposes to operate cultivation activities within up to two separate metal buildings on the 1.25-acre parcel with up to 15,000 square feet of indoor cannabis cultivation.

The project proposes to develop the site in two distinct phases which are described as Phase 1 and Phase 2.

Phase 1

The first phase includes the construction of one 150-foot by 50-foot metal building with a maximum height of 15 feet. Within the building, cultivation is proposed in an approximately 125-foot by 50-foot area, yielding 6,250 square feet of cultivation in the Phase I building. The building will also include a 26-foot by 20-foot cloning room, a 12-foot by 8-foot dry room, a 12-foot by 12-foot supply room, an 8-foot by 8-foot American with Disabilities Act (ADA) accessible bathroom, and a 12-foot by 12-foot office in the remaining space. All construction will be completed to the standards of the California Code of Regulations for commercial structures, including the installation of smoke and fire detection alarms. The building will be thoroughly insulated in order to reduce the load on the proposed air conditioning (A/C) systems.

Eight industrial 4-ton mini-split A/C units are proposed. The exact model is not known, but a couple potential models have sound pressure levels of 76 decibels (dBA) at a standard AHRI measurement distance of 3 feet (Daikin 2018). The system will be designed so that units can be quickly swapped out if one fails. Up to eight A/C units will be running at any given time during summer months. The cultivation room will include 72 growing lights each rated at 1,000 watts on a mechanical system that allows them to be raised and lowered as needed. The total current draw of a single cultivation facility will be up to 750 Amps.

State-of-the-art Phresh Filter carbon filtration units will be utilized by the project to remove cannabis odor from air vented to the exterior. These units have been utilized successfully by other cannabis projects for odor elimination. Hyperfans, or another fan compatible with the filtration units, will be used and sized appropriately for required air circulation inside the facility. A locked dumpster will be located exterior to the building that will be located within the security perimeter. A parking lot will be installed appurtenant to the building with access from L Street (see site plan). One ADA parking spot will be designated based on the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design which requires one spot for every twenty-five. Ten parking spaces will be provided, as well as a loading bay for each building. There is sufficient area on the east side of the parcel for these spaces. Cannabis cultivation does not fit any of the listed uses in the Needles parking code, and the number of required spaces is based on peak employee shift (Ordinance 427-AC).

The parcel will be lined on the north and south sides with a 6-foot masonry block wall. The east and west sides, facing the streets, will be fenced with a 6-foot wall that is a combination of masonry block and wrought iron. Gates will be installed facing both streets. Landscaping is proposed along all edges of the parcel and around the buildings. All landscaping will require minimal maintenance and will include palm trees, native cacti, and other native desert plants in addition to other types of plants that can be sustained by water reclaimed on-site. The project will include a reverse osmosis pre-treatment system with wastewater plumbed to exterior hard tanks for on-site landscaping irrigation, among other uses.

Site plan figures can be found in Appendix B.

Phase 2

The second phase proposes the construction of an additional structure. The timeline proposed for beginning Phase 2 is within a year of installation of the first structure under Phase 1. The second structure will be of identical size (150-foot by 50-foot) and will have the same floor plan as the Phase 1 structure, for a total of 15,000 square feet of space. With both buildings in place, the total cultivation area will be 12,500 square feet.

Each of the buildings will have their own A/C units and carbon filtration units and will be able to be independently operated. Parking areas may be combined, but each will have sufficient capacity for employees and staff and a designated ADA parking space.

Construction and Operational Considerations

During all phases of short-term construction activities for the project, the following dust control measures are required and will be implemented in accordance with Air Quality Regulation IV, Rule 403–Fugitive Dust to reduce nuisance fugitive dust generation:

- All exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered twice daily for dust suppression when construction activities are occurring on-site.
- All trucks transporting soil, sand, or any other loose material off-site shall be covered.

- All standing soil, sand, or any other loose material left on-site shall be covered and secured.
- Adjacent public roads shall be kept clean of loose dirt tracked onto the roadways from the construction-site.
- All vehicle speeds shall be limited to 5 miles per hour on the project property.

Noise impacts are also a consideration of project construction and operation. The project proposes to limit construction hours to normal working hours during the week. Construction activities will be limited to the hours of 8:00 a.m. to 6:00 p.m. on weekdays and will not occur during evenings, on Saturdays or Sundays, or on Holidays. Equipment will be fitted with mufflers to help reduce noise impacts.

Operations Plan

Cannabis will be cultivated indoors in soil pots. The project will not include any hydroponic cultivation. Pots will be located in the grow room and will be between 1 gallon and 10 gallons in size. Cannabis plants will be hand-watered to prevent overwatering. The lighting for the plants will be raised or lowered as needed.

Cannabis plants will be grown on an approximately 8-week cycle. The exact cycle depends on the strain of cannabis being grown and the desires of the facility operator. The Phase 1 cultivation will likely be done as a single cycle in the grow room, but later operations will be staggered so that harvests occur every 1-2 weeks.

The interior of the facility will be kept neat and tidy. Employees will be responsible for watering and maintaining cannabis plants, adding nutrients, cutting, and tending clones. Harvest responsibilities will include cutting down and trimming plants, drying plants and processing the final cannabis products. There will be a first aid kit and list of emergency contacts in each building, and employees will be trained in proper safety protocols. The facility entrance and restroom will be constructed to ADA standards.

Honda generators will be utilized on-site in case of a power outage. An estimated twelve units will be required for each cultivation building, a total of 24 for the entire project. The manufacturer noise rating for a 7,000-watt Honda EU700iS generator is 60 dBA at 23 feet at rated load. To reduce the potential noise resulting from generator usage, the applicant has proposed housing them in enclosures adjacent to each building.

The project site plan also depicts the proposed orientation of noisy equipment that will allow the greatest amount of shielding possible from nearby residences. Both the generators and A/C units will be oriented away from the closest property line on each building. The construction of the additional structure, as well as the block wall and landscaping along the edge of the parcel, will also help mask the noise produced on-site by providing a line-of-sight break between the noise source and nearby receivers.

A minimal amount of soil, nutrients and other materials will be temporarily stored in barrels inside the facility. Deliveries will be timed so that all materials delivered will be utilized after only two to three days so that there is no long-term storage required. These will be delivered directly to the project site by a cultivation supplier. Spent soil will be sent to a licensed disposal facility.

Cannabis harvested at the project site will be transferred to a licensed distribution service who will deliver it to a licensed dispensary or manufacturing facility. The product will be sorted, appropriately labeled, and packaged in bulk in barrels. No on-site retail sales or manufacturing will be performed; cannabis will be sold to a distributor. The project will implement a track and trace system as required by the City of Needles and by the State of California.

Utilities

The project will be served by city water. The cultivation operation's requested water needs are 5 to 7 acre-feet per year for the full buildout of all phases of the project. The actual water usage may vary based on the operator, strains, and/or cultivation methods employed; it is projected to be more likely between 2 and 3 acre-feet per year. The City of Needles will provide a "will serve" letter to Grow Heights for the amount of water requested by the operation as part of the local permitting process. Per conversations with City staff, the groundwater well that the City currently utilizes as their municipal water source has sufficient capacity to meet the project's needs.

The project will utilize city sewer for wastewater needs, and all bathrooms and sinks will be plumbed to the city sewer lines. Cleanouts will be installed, which will allow cultivation effluent testing: one for effluent that is sent to city sewers and one for any water diverted to landscaping on-site. Each facility will include a reverse osmosis water treatment system that does not employ salt. The system is high capacity and produces treated water at a 1:2 ratio with mineralized wastewater. All cultivation wastewater from the project will be reclaimed on the project site. Wastewater from the reverse osmosis system will be sent to external hard tanks prior to being used for irrigating landscaping or washing vehicles or equipment. No cultivation wastewater will be sent to the City sewer. The cultivation water system for the project will be modeled after the system currently used by the Green Acres Group within the City of Needles, which has been designed as a "zero waste" system.

The project will utilize grid power provided by the Needles Public Utility Authority. The primary use of power will be for A/C and cultivation lighting. The estimated power draw per structure is 85 kilowatts (kW). At full buildout, the total power draw is estimated at 170 kW. Backup generators will be used to power critical processes in the event of a power outage.

Hours and Days of Operation and Employees

Phase I cultivation operations will require a maximum of four employees as well as the facility operator. The operating hours of the cultivation operation will be four to six hours per day during daylight business hours. Proposed hours are between 8:00 a.m. and 2:00 p.m. or 10:00 a.m. to 2:00 p.m. each day. At full operation after Phase 2 completion, a maximum of 10 people will be on-site each day, including eight employees and two operators.

Access and Security

The facility will be secured by locked gates where only employees and the facility operator have access codes. There will be security cameras on each exterior corner of each building. Some cameras will be motion-activated and will turn on exterior lights if movement is detected. There will be interior security cameras in each of the main spaces. All exterior lighting will comply with the City of Needles lighting standards as outlined in Ordinance 594-AC and amended Chapter 12 of the Needles Municipal Code.

Access to the project site will be exclusively from L Street. Emergency responders will have access to the K Street side via a gate code. The K Street access will be exclusively for emergencies. No public access to the facility will be allowed, and no cannabis products will be sold on-site. Deliveries will be on an as-needed basis, and employees will be responsible for permitting delivery vehicles to access the project site.

Surrounding Land Uses and Setting

The parcels surrounding the project site to the north, east, and south contain single-story residences, generally 15 to 20 feet in height. Some of them are vacant and in disrepair, with boarded up windows. The lot to the west of the project site, across L street, is vacant.

BNSF Railroad right-of-way is located to the south of the project. An underpass beneath the railroad is located 300 feet south of the project parcel on K street. The project parcel is within 550 feet of Ed Parry Park, which is located to the southeast of the Project. The project site is more than 600 feet from all schools, churches, and other recreational facilities.

Other zones around the project site include a section of M-1 Light Manufacturing directly southeast of the project parcel. Across the BNSF Railroad right-of-way is the City of Needles' general commercial center where C-2 General Commercial zoning dominates.

Other Public Agencies Whose Approval is Required

California Department of Food and Agriculture, Cultivation License