

RESOLUTION NO. 2019-02

A RESOLUTION OF THE CITY OF COACHELLA CITY COUNCIL APPROVING ARCHITECTURAL REVIEW (AR 17-04) MODIFICATION AND CONDITIONAL USE PERMIT (CUP 280) MODIFICATION NO. 1 TO ALLOW THE DEVELOPMENT OF A CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF A FIVE HUNDRED TWENTY THOUSAND, FIVE HUNDRED FIVE THOUSAND SQUARE FOOT COMMERCIAL CANNABIS CULTIVATION, MANUFACTURING AND DISTRIBUTION FACILITY, INCLUDING COMMON PARKING AND LANDSCAPING, ON A TOTAL OF 20 ACRES OF LAND IN THE MANUFACTURING WRECKING YARD (M-W) ZONE LOCATED AT 48-451 HARRISON STREET, DESERT ROCK DEVELOPMENT LLC APPLICANT.

WHEREAS, Desert Rock Development LLC filed applications for Architectural Review No. 17-04, modification, and attendant applications for Conditional Use Permit 280, Modification No. 1, Variance 18-05 and a Development Agreement to allow a 505,520 square foot commercial cannabis cultivation, manufacturing and distribution facility that proposes 2- three story buildings and 4 greenhouse structures that will be constructed on a total of 20 acres of land. Architectural Review 17-04 is proposed for the 4 greenhouse structures and 2, 3 story buildings located at 48-451 Harrison Street, Assessor's Parcel No. 603-110-001 ("Project"); and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on Architectural Review No. 17-04 modification, Conditional Use Permit 280, Modification No. 1, Variance 18-05 and the Development Agreement on November 28, 2018 in the Council Chambers, 1515 Sixth Street, Coachella, California; and,

WHEREAS, the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project; and,

WHEREAS, the Project is permitted pursuant to Chapter 17.38 of the Coachella Municipal Code, and the attendant applications for a Conditional Use Permit, Architectural Review, Variance and Development Agreement to allow the Project; and,

WHEREAS, the proposed use is necessary or desirable for the development of the community, is consistent with the objectives of the City's General Plan, and is not detrimental to the existing uses or the uses specifically permitted in the zone in which the proposed use is to be located; and,

WHEREAS, the proposed site is adequate in size and shape to accommodate the proposed development; and,

WHEREAS, the site for proposed use relates properly to streets which are designed to carry the type and quantity of traffic to be generated by the proposed use; and,

WHEREAS, the proposed uses will have no significant deleterious effect on the environment; and,

WHEREAS, an Addendum to the Mitigated Negative Declaration was prepared and considered for the proposal pursuant to the California Environmental Quality Act, as amended; and,

WHEREAS, the conditions as stipulated by the City are necessary to protect the public health, safety and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Coachella, California does hereby approve Architectural Review 17-04 modification and Conditional Use Permit No. 280, Modification No. 1, subject to the findings listed below and the attached Conditions of Approval for the Desert Rock 2 Commercial Cannabis Project (contained in “Exhibit A” and made a part herein).

Findings for Architectural Review #17-04 Modification and Conditional Use Permit #280, Modification No. 1:

1. The Project is consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035. The site has an Industrial District land use designation that allows for the proposed development. The proposed uses on the site are in keeping with the policies of the Industrial District land use classification and the Project is internally consistent with other General Plan policies for this type of development.

2. The Project is in compliance with the applicable land use regulations and development standards of the City’s Zoning Code. The Project complies with applicable M-W (Wrecking Yard) zoning standards as proposed.

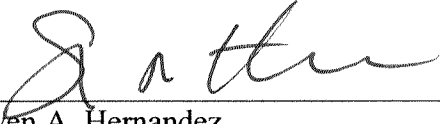
3. Every use, development of land and application of architectural guidelines and development standards shall be considered on the basis of the suitability of the site for a particular use or development intended, and the total development, including the prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and shall be in accord with all elements of the general plan. The Project site is within the Industrial District land use designation of the City’s General Plan. This category provides for a broad spectrum of industrial land uses. The proposed uses are compatible with existing adjacent uses that include similar industrial land uses.

4. The Project will be compatible with neighboring properties with respect to land development patterns and application of architectural treatments. The plans submitted for this Project proposes a total of two three-story buildings and four greenhouse structures that propose 505,520 square feet for commercial cannabis cultivation, manufacturing and distribution facilities. Surrounding properties to the north, east and west contain similar M-W zoning on which several commercial cannabis projects have been approved and are in various stages of construction. An industrial park development has been approved on property immediately south

of the subject site. As such, the Project will be in keeping with the scale, massing, and aesthetic appeal of the existing area and future development. The buildings will be set back from property lines and street frontages to mitigate the impacts upon loss of sunlight to neighboring lots.

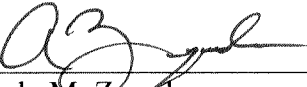
5. An Addendum to the Initial Environmental Study was prepared for this Project, pursuant to the California Environmental Quality Act Guidelines (CEQA Guidelines) and mitigation measures have been recommended in order to reduce the environmental effects of the project to a level of less than significant. The Project will not have any significant adverse effects on the environment.

PASSED, APPROVED and ADOPTED this 13th day of February, 2019.



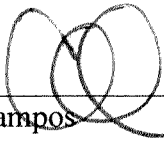
Steven A. Hernandez
Mayor

ATTEST:



Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:



Carlos Campos
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)


I HEREBY CERTIFY that the foregoing Resolution No. 2019-02 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 13th day of February, 2019 by the following vote of Council:

AYES: Councilmember Bautista, Councilmember Beaman Jacinto, Councilmember Gonzalez, Mayor Pro Tem Martinez, and Mayor Hernandez.

NOES: None.

ABSENT: None.

ABSTAIN: None.



Andrea J. Carranza, MMC
Deputy City Clerk

“EXHIBIT A”

**CONDITIONS OF APPROVAL FOR THE DESERT ROCK NO. 2
DEVELOPMENT INCLUDING CONDITIONAL USE PERMIT (CUP 280),
MODIFICATION NO. 1, ARCHITECTURAL REVIEW (AR 17-04)
MODIFICATION AND TENTATIVE PARCEL MAP NO. 37266**

General Conditions:

1. Conditional Use Permit No. 280, Modification No. 1 hereby approves the development of a commercial cannabis cultivation complex as shown on the submitted plans totaling 505,520 square feet and common parking and security fencing. Prior to the issuance of building permits, the applicant or successor in interest shall execute the Development Agreement with the City of Coachella that has been prepared for the Desert Rock 2 Project.
2. Architectural Review (AR 17-04) Modification and Conditional Use Permit (CUP 280), Modification No. 1, shall be valid for 12 months from the effective date of said City Council approvals unless an extension of time is requested by the applicant and granted by the Planning Commission. Issuance of building permits and pursuit of construction will vest the Architectural Review and Conditional Use Permit.
3. The construction of all new structures shall be in conformance with construction drawings and landscaping plans designed in accordance for the Desert Rock No. 2 Project as modified and conditions of approval imposed below:
 - a. All exterior building materials and colors shall substantially match the exhibits submitted with the Desert Rock No. 2 Development applications as modified.
 - b. Conditional Use Permit No. 280 hereby approves the development of a commercial cannabis cultivation complex as shown on the submitted plans totaling 505,520 square feet and common parking, landscaping and security fencing.
 - c. Pursuant to Ordinance 1109, a Regulatory Permit must be issued by the Coachella City Manager prior to the issuance of a business license.
 - d. All fencing or garden walls shall be subject to issuance of a separate building permit by the City Building Division.
 - e. All parking lot lighting for the Project shall be consistent with the architectural design exhibits of the Project, as approved by the Development Services Director.
 - f. All masonry perimeter walls and garden walls shall be decorative masonry with decorative cap subject to review by the Development Services Director, and subject to the City’s Building Codes.

- g The applicant shall add a row of shade trees along the southern and western property boundaries to screen the buildings from view to the surrounding streets.
4. All plans, as shown, are considered “conceptual,” subject to revisions as called out by the conditions of this resolution. The plans shall not be stamp-approved until all conditions requesting revisions have been satisfied during the building plan check process. Any substantial changes to the plans, including changes shown on future building permit plans deemed by Staff to not be within substantial conformance with this approval, will require an amendment to the approval of Architectural Review No. 17-04, including architectural features, materials, and site layout.
 5. The project shall comply with all applicable codes, laws and regulations, regardless of whether they are listed in these conditions. This includes conformance with the requirements of the adopted U.B.C., U.P.C., U.M.C., N.E.C., including all requirements of the South Coast Air Quality Management District, the Riverside County Fire Department and any requirements by any other agency having jurisdiction on the project.
 6. The applicant shall defend, indemnify and hold harmless the City of Coachella, its officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its officials, officers, employees or agents to attack, set aside, void or annul any project approval or condition of approval of the city concerning this project, including but not limited to any approval or condition of approval or mitigation measure imposed by the City Council or Planning Commission. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officials, officers, employees and agents in the defense of the matter. The applicant shall execute an indemnification agreement, in a form acceptable to the City Attorney, within five days of the effective date of this approval.
 7. All plan submittals are the responsibility of the developer; this includes plan submittals to the City of Coachella, the Riverside County Fire Department or to other agencies for whom plan review and approval is required.

Mitigation Measures – Air Quality:

8. As required by SCAQMD for all development projects in the Salton Sea Air Basin that would disturb one-acre or greater, Best Available Control Measures will be incorporated into a PM-10 Dust Control Plan prepared for the project prior to commencement of site grading or other construction activity where soil disturbance or other fugitive dust may be generated. BACMs are listed at the end of the MMRP.

Mitigation Measures – Hazards and Hazardous Materials:

9. Prior to any land disturbance, including grading or construction, the following mitigation measures shall be implemented:

- a) Prior to demolition, an asbestos inspection of onsite structures shall be conducted by a qualified professional in accordance with currently accepted methods and protocols. The inspection shall include, but not be limited to visual inspection, sampling, and laboratory analysis for the presence of asbestos products, including asbestos-containing material (ACM) and asbestos-containing construction material (ACCM). Polarized Light Microscopy and other methods consistent with the US EOA 600 method shall be applied to this investigation. A comprehensive report that documents methods, findings, and appropriate mitigation measures and/or recommendations shall be provided to the City.
- b) Prior to demolition, a lead-based paint inspection of onsite structures shall be conducted by a qualified professional in accordance with currently accepted methods and protocols. Inspections shall be carried out in accordance with US Department of Housing and Urban Development (HUD) guidelines, as well as OSHA Lead Exposure in Construction, Code of Federal Regulations, Title 29, Section 1926. The inspection shall include, but not be limited to visual inspection, sampling, and analysis of materials suspected of containing lead paint or other lead-based materials and coatings. A comprehensive report that documents methods, findings, and appropriate mitigation measures and/or recommendations shall be provided to the City.
- c) Prior to the start of any activity that might disturb materials potentially containing asbestos, lead, and/or other hazardous or potentially hazardous materials, a qualified and licensed contractor shall be hired to complete necessary abatement procedures. All demolition and other project related actions that might potentially disturb hazardous materials shall be performed by properly trained and qualified personnel. Remediation actions are expected to include but will not be limited to the following:
 - 1. *Each part of the building from which asbestos is being removed shall, as appropriate, be sealed off in order to prevent contamination of the other area. Methods of area containment may include polyethylene film, duct tape, negative air pressure machines and other appropriate means depending on the type of asbestos materials encountered.*
 - 2. *Specially designed vacuum cleaners that are designed for asbestos containment (class H) can be safely used when cleaning up during and after asbestos removal.*
 - 3. *Removed asbestos and materials with embedded or coated with asbestos shall, as appropriate, be double wrapped in plastic and driven to a landfill.*
- d) If surficial or buried materials within the project site are found to contain potentially hazardous materials (such as: asbestos-containing material, lead-based paint, and mercury or PCB-containing material) such materials shall be removed properly prior to any further site disturbance in the affected area, and disposed of at appropriate landfills or recycled, in accordance with the regulatory guidance provided in California Code of Regulation (CCR) and following the requirements of the Universal Waste Rule (40 CFR part 9).

- e) During project construction and implementation, the handling, storage, transport, and disposal of all chemicals, including herbicides and pesticides, runoff, hazardous materials and waste used on, or at, the project site, shall be in accordance with applicable local, state, and federal regulations.
- f) Vapor Encroachment Screening shall be conducted in accordance with the ASTM Standard E2600-10 Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions to identify the likelihood of migrating vapors to encroach on the subject property, thereby creating a Vapor Encroachment Condition (VEC). A complete report of findings and recommended mitigation measures, if any, shall be provided to the City prior to the issuance of building permits.
- g) A vapor intrusion risk evaluation shall be conducted in accordance with most recent version of the CalEPA Department of Toxic Substances Control's "Final Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air" to identify the likelihood of vapor intrusion into future buildings and potential impacts on indoor air quality. A complete report of findings and recommended mitigation measures, if any, shall be provided to the City prior to the issuance of grading and building permits.
- h) Butane extraction in both the interim and the permanent facilities shall be subject to the following requirements:
 - i. The City shall engage, at the applicant's expense, a qualified engineer or certified industrial hygienist to review and certify the plans for all components of the butane extraction process, including storage areas and quantities of butane to be stored, electrical systems, extraction machinery, gas monitoring equipment, extraction room ventilation, fire suppression systems and fireproofing of equipment and structures, consistent with current building, fire and electrical codes specific to this process. No building permits shall be issued, and no occupancy of the interim buildings permitted prior to written certification by the engineer.
 - ii. The applicant shall provide the City with copies of permits required by the South Coast Air Quality Management District, or a written confirmation that no permits are necessary.
 - iii. The applicant shall satisfy all requirements of the Fire Department relating to construction, operation, and emergency response. No building permits shall be issued, and no occupancy of the interim buildings shall be permitted prior to written approval by the Fire Department.

Mitigation Measures – Cultural Resources:

10. Approved Native American monitor(s) from the Agua Caliente Band of Cahuilla Indians and Twenty-Nine Palms Band of Mission Indian shall be present during any ground disturbing activities. Should human remains be uncovered, the Riverside County Coroner's Office shall be immediately contacted and all work halted until final disposition by the Coroner. Health Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98. Shall the remains be determined to be of Native American descent, the Native American Heritage Commission shall be consulted to determine the appropriate disposition of said remains.
11. If the coroner determines that the remains are not recent and may be Native American, in accordance with Public Resource Code 5097.94, the coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of the find. The NAHC will then determine the Most Likely Descendant (MLD). The City will work with the designated MLD to determine the final disposition of the human remains.

Mitigation Measures – Traffic and Transportation:

12. The applicant shall pay applicable City of Coachella Development Impact Fees (DIF) and County of Riverside Transportation Uniform Mitigation Fees (TUMF) in effect at that time.
13. Five (5) sets of copies of check prints. The applicant shall pay all necessary plan check, permit, and inspection fees. Fees will be determined when plans are submitted to the City Engineering Department for plan check.
14. The applicant shall pay plan check fees of \$750.00 per sheet of improvement plans, and \$350.00 for PM 10 plan.

Engineering-Final Map

15. The Final Map shall comply with the Subdivision Map Act and City of Coachella Subdivision Ordinance.
16. All public streets shall be dedicated to The City of Coachella.
17. Prior to submittal of the final map to the City Council for approval, the applicant shall post securities (Bonds) to guarantee the installation of required improvements and a Subdivision Improvement Agreement shall be submitted to Engineering Division for City Engineer and City Attorney approval.
18. Prior to approval of the Final Map, the applicant shall resolve CVWD issues related to existing tile drains or irrigation mains located within the tract boundary or along the streets adjacent to the tract. If necessary, tile drains and irrigation lines shall be relocated and

easement documents prepared for the new location of any such lines. The easement shall be shown on the final map. Plans for the tile drain or irrigation relocation shall be submitted to CVWD for approval and a copy of the plans shall be submitted to the City for evaluation regarding possible conflict with City facilities. The applicant shall submit to the City approved copies of any such relocation plans.

Engineering – Grading and Drainage:

19. A precise grading/improvement plan, prepared by a California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. A final soils report, compaction report and rough grading certificate shall be submitted and approved prior to issuance of any building permits.
20. A Drainage Report, prepared by California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. The report shall contain a Hydrology Map showing on-site and off-site tributary drainage areas and shall be prepared in accordance with the requirements of the Riverside County Flood Control District. Adequate provisions shall be made to accept and conduct the existing tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. If the design of the project includes a retention basin, it shall be sized to contain the runoff resulting from a 10-year storm event and the runoff from a 100-year storm event shall be contained within basin with shallow ponding (3.5' max.). The basin shall be designed to evacuate a 10-year storm event within 72 hours. The size of the retention basin(s) shall be determined by the hydrology report and be approved by the City Engineer. Retention basin shall be provided with a minimum of 2.00 feet sandy soil if determined to contain silt or clay materials. Maximum allowable percolation rate for design shall be 10 gal./s.f./day unless otherwise approved by the City Engineer. A percolation test for this site is required to be submitted. A combination drywell vertical drain field shall be constructed at all points where runoff enters the retention basin. Drywell & vertical drain field design shall be based on soils borings made at the proposed drywell locations after the retention basins have been rough graded. Minimum depth shall be 45-feet. A log that includes sieve analysis for each strata of the borings shall be submitted to the City Engineer for confirmation of depth of the vertical drain fields. Underground retention under the proposed parking area will be considered as an alternative to surface retention subject to the approval of the City Engineer.
21. Site access improvements shall be in conformance with the requirements of Title 24 of the California Administrative Code. This shall include access ramps for off-site and on-site streets as required.
22. Applicant shall obtain approval of site access and circulation from Fire Marshall.
23. If applicant is planning to build a wall, separate permits shall be required for wall construction. The maximum height of any wall shall be limited to nine (9) feet as measured from an average of the ground elevations on either side.

Engineering – Street Improvements:

24. Street improvement plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check prior to issuance of encroachment permits. All street improvements including streetlights shall be designed and constructed in conformance with City Standards and Specifications. Street flow line grade shall have a minimum slope of 0.35 percent.
25. Applicant shall construct all off-site and on-site improvements including street pavement, curb, gutter, sidewalk, street trees, perimeter walls, perimeter landscaping and irrigation, storm drain, street lights, and any other incidental works necessary to complete the improvements. Driveways shall conform to City of Coachella standard for commercial driveways with a minimum width of 24.00 feet and curbed radius entrances.
26. Harrison Street is classified as a local industrial street with a right-of-way of 74 feet per the City of Coachella General Plan 2035. Applicant shall verify and dedicate land if necessary to comply with this requirement.
27. Water and Sewer connection and capacity fees must be paid in the Building Division prior to construction.
28. Applicant shall obtain an encroachment permit for any improvements constructed within public right-of-way including alleys.

Engineering-Sewer and Water Improvements

29. Sewer & Water Improvement Plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check and City Engineer approval.

Engineering – General:

30. Prior to approval, the applicant shall resolve CVWD issues related to existing tile drains or irrigation mains located within the project boundary or along the streets adjacent to the property. If necessary tile drains and irrigation lines shall be relocated, and easement document prepared for the new location of any such lines. Plans for the tile drain or irrigation relocation shall be submitted to the City for evaluation regarding possible conflict with City facilities. The applicant shall submit to the City approved copies of any relocation plans. If the above referenced CVWD facilities do not need to be relocated as part of the project, they can remain as easements provided approved by CVWD.
31. The developer shall submit a Fugitive Dust Control and Erosion Control plan in accordance with Guidelines set forth by CMC and SCAQMD to maintain wind and drainage erosion and dust control for all areas disturbed by grading. Exact method(s) of such control shall be subject to review and approval by the City Engineer. No sediment is

to leave the site. Additional securities in amount of \$2,000 per acre of gross area, and a one-time cash deposit of \$2,000.00 are required to insure compliance with this requirement. No work may be started on or off site unless the PM-10 plan has been approved and the original plans are in the engineering department at the City of Coachella.

32. The applicant shall provide necessary utility easements for IID and underground overhead distribution lines. Applicant shall submit to the City a letter from IID that satisfies this requirement.
33. The applicant shall pay all necessary plan check, permit and inspection fees. Fees will be determined when plans are submitted to the City Engineering Department for plan check.
34. Applicant shall comply with the valley wide NPDES permit requirements including but not limited to submittal of a preliminary WQMP for plan review accompanied by a \$3,000 plan check deposit and a Final WQMP for final approval including executed maintenance agreement. All unused plan check fees will be refunded to the applicant upon approval of the Final WQMP.

Completion

35. "As-built" plans shall be submitted to and approved by the City Engineer. Prior to acceptance of the improvements by the City, such plans, once approved, shall be given to the city on compact disk in AutoCAD format. All off-site and on-site improvements shall be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.
36. Prior to the issuance of a certificate of occupancy, all public improvements, including landscaping and lighting of retention basins, and landscaped areas along the exterior streets, shall be completed to the satisfaction of the City Engineer. An engineering final inspection is required.

Development Services – Landscaping:

37. Final landscaping and irrigation plans shall be submitted to the Development Services Department for review and approval. Said plans shall conform to the landscaping plan submitted as part of the subject Architectural Review, and as conditioned herein.
38. Prior to the issuance of building permits, the applicant shall submit detailed landscaping and irrigation plans for review and approval by the City's Engineering Department and Development Services Department.
39. Landscaping and irrigation shall be provided in accordance with Section 17.54.010(J) of the Municipal Code and in accordance with the State Model Water Efficient Landscape Ordinance (AB 1881). Water budget calculations, including the Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU) shall be provided as part of the landscaping and irrigation plan.

40. The landscape plan shall provide for a minimum 5-gallon groundcover plants, 5-gallon shrubs, and 24-inch box trees. The plants and trees shall be irrigated with an automatic and durable drip irrigation system.
41. Landscaped areas shall be dressed with a minimum 2-inch layer of compacted and/or glue- bonded decomposed granite that cannot be wind driven. A weed barrier underlayment shall be placed under the decomposed granite.
42. Plant materials selection should be represented by symbols that show the plants at 75% of their mature size.
43. The applicant shall obtain written clearance from the County Agricultural Commissioner's Office regarding the type of landscaping to be planted. The clearance letter shall be included as a note on the landscape plans. The applicant shall utilize only plants that were listed on the landscape plan submitted to the Commissioner's office. Any substitutions must be approved by both the Commissioner's office as well as the City's Development Services Department.
44. Six-inch concrete bands shall be used as mow strip borders for planting areas where separating turf areas or synthetic turf areas.
45. All landscape planter beds in interior parking areas shall be not less than five (5) feet in width and bordered by a concrete curb not less than six (6) inches nor more than eight (8) inches in height adjacent to the parking surface.
46. All non-landscaped and undeveloped areas of the site shall be kept free of weeds and debris and shall be treated with a dust-preventative ground coating.

Development Services – Project Design:

47. Prior to the issuance of building permits, all exterior architectural features and treatments shall be consistent with the submitted Architectural Review No. 17-05 construction plans and elevations, subject to review and approval.
48. All exposed metal flashing, downspouts, or utility cabinets shall be painted to match the building prior to final inspection.
49. Trash enclosures installed for the project shall be compatible architecturally with the building and include storage areas for recycling containers. The enclosure shall be constructed to Burrtec Waste Management Standards. Both Burrtec Waste Management and the City Engineer shall approve the location of the trash enclosure.
50. All roof mounted mechanical equipment, except solar panels, shall be view obscured by a parapet wall greater in height than the equipment installed. Ground mounted mechanical equipment shall be view obscured by landscaping or enclosure.

51. Outdoor storage areas shall be obscured from public view and specifically shall not be visible from Avenue 48 and Harrison Street.

Riverside County Fire Department:

52. The Fire Department requires the listed fire protection measures be provided in accordance with the City of Coachella Municipal Code and/or the Riverside County Fire Department Fire Protection Standards. Submittal to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required. Final conditions will be addressed when complete building plans are reviewed.

Access

53. Fire department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, City of Coachella Municipal Code, Riverside County Ordinance 787, and Riverside County Fire Department Standards.. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

Water

54. The Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

Imperial Irrigation District:

55. Any construction or operation on IID property or within its existing and proposed right-of-way or easements will require an encroachment permit, including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities (e.g. power lines).
56. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

Utilities:

57. Water and sewer plans outside the buildings and interior plumbing or mechanical plans (i.e. floor drains and sinks, equipment which discharges to the sewer system, chemical storage and spill containment measures) shall be provided to the City Utilities Department for review and approval.
58. A Source Control "Short Form" (and the Source Control application if required) shall be completed and turned into Source Control (Utilities Department) by the applicant.
59. Based on findings of the Source Control application, all modifications shall be completed prior to issuance of a certificate of occupancy.

60. Adequate fire protection shall be included and the public water supply shall be protected with a DCDA or greater on all fire water lines to commercial/industrial facilities.
61. An RP shall be correctly installed within 12" of all water meters servicing domestic usage, landscape, commercial and/or industrial facilities.
62. All landscaping shall be on a separate water meter with an RP ensuring the establishment is not assessed sewer fees for water used on landscape.
63. All mechanical and plumbing plans shall be submitted to the Utilities Department for review to determine if pretreatment and/or a sample location is required.
64. All facilities and landscape plumbing which have water or wastewater (sewer) services shall obtain approval from the Environmental Compliance (Source Control), Water and Sanitary Sewer Divisions prior to receipt of the Certificate of Occupancy.
65. Fire hydrants must be at the end of each dead end for flushing.
66. RPZ Style Backflow devices shall be installed on commercial and landscape meters.
67. Above ground DCDA backflows must be installed for all fire line services.
68. Master-metered, radio-read water meters shall be utilized for the project.
69. Domestic and fire service backflow meter devices must be in utility right of way.

ENVIRONMENTAL COMPLIANCE

70. The applicant shall submit water and sewer plans for approval from Utilities General Manager. The project shall be required to connect to City public sewer and water system by extending service mains as needed.
71. The project will require a Water Quality Management Plan (WQMP) >100,000 sq/ft.
72. The proposed facility will be required to submit a source control survey, and submit detailed plumbing and mechanical plans.
75. The applicant shall install an above ground "Double Check Detector Assembly" DCDA for fire system to protect water supply from contamination or pollution.
76. Backflow devices; will require Reduced Pressure Principle Device (RP) within 12 inches of water service installed to protect water supply from contamination or pollution.
77. The applicant shall install separate AMI metering system for each building, and install separate AMI metering system for the irrigation system.
79. The project shall implement the State's drought mandate which prohibits irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or micro-spray systems.

Fees:

80. Prior to the issuance of a building permit, the applicant shall pay all Development Fees to the City; this also includes school fees and outside agency fees such as sewer water and utilities. Copies of receipts shall be provided to the Development Services Department prior to permit issuance.
81. The applicant shall be responsible for paying all applicable development and processing (plan check, inspection, etc.) fees associated with this project.
82. The applicant shall pay all applicable school impact fees to the Coachella Valley Unified School District prior to the issuance of a building permit.
83. The applicant shall pay all required water connection fees.
84. The applicant shall be required to pay the Multiple Species Habitat Conservation (MSHCP) fees for industrial development prior to issuance of building permits.
85. The applicant shall comply with the City's Art in Public Places Ordinance. If the applicant elects to pay in-lieu art fees, then the fees shall be deposited into the Public Arts Fund at an amount of (1) One-half (1/2) of one percent (1%) for new commercial and industrial construction.
86. The project is subject to payment of all industrial development impact fees whether or not explicitly stated in other conditions of approval or the environmental mitigation measures for the subject project.

Coachella Valley Unified School District

87. The Coachella Valley Unified School District is authorized by the State Legislature to levy a developer fee on commercial/industrial development. The fee has been established at \$.56 per square foot for all commercial/industrial construction. The fees collected will be used to assist in the housing of students within the Coachella Valley Unified School District. The fee will be required to be paid prior to the issuance of the building permit.

Miscellaneous:

88. Installation of sidewalks along Harrison Street may be satisfied by an improvement agreement subject to review and approval by the City Engineer.
89. Final design plans for proposed landscaping and fencing along the project street frontages shall be presented as an administrative item before the Planning Commission for final review and approval.
90. Tentative Parcel Map No. 37266 shall expire two years after the original City Council approval date, unless recorded or granted a time extension pursuant to Title 16 of the Coachella Municipal Code. The two-year time period shall be tolled during the pendency of any lawsuit that may be filed, challenging this Tentative Tract Map and/or the City's CEQA compliance.

91. The applicant or successor in interest shall provide a minimum of 25 feet from face of curb to any perimeter fencing or structure along Harrison Street for the purposes of accommodating a public utilities easement.
92. The subdivider or successor in interest shall submit Covenants, Conditions, and Restrictions (CC & R's) in a form acceptable to the City Attorney, for the proposed subdivision, prior to the recordation of any CC & R's on the subject property. The CC & R's shall be submitted for review by the Planning Director and City Engineering prior to the recordation of the final map. The applicant or successor in interest shall submit a deposit of \$1,000 to cover legal costs incurred by the City in its review of CC & R's and related documents prior to their recordation. The CC & R's shall include provisions to form a Property Owner Association for the maintenance of the following:
 - All interior and exterior common areas including driveways, gates, retention basins, perimeter walls, landscaping and irrigation.
 - Exterior landscape at gated entries and along the perimeter of the site's frontage along Harrison Street.
 - Graffiti abatement for the interior and exterior of the premises.
 - Maintenance and operations of the streetlights.
 - Maintenance of all perimeter walls and fencing.
93. The Property Owners Association created by the CC&R's shall comply with the City of Coachella Insurance requirements.
94. A minimum of two points of access on the north and south sides of the property, shall be provided during all phases of construction and during operation of the interim use facility. An all-weather surface road, installed to the satisfaction of the Riverside County Fire Marshal's office, shall be installed as part of the 1st phase of development connection to the northern entry drive into the project site.
95. The subdivider shall dedicate to the City of Coachella a public utilities easement along the southern boundary of TPM 37266, for the benefit of parcels to the west, as approved by the City Engineer.
96. Prior to issuance of building permits, the applicant shall submit mechanical engineering plans for the odor control mechanisms for review by a qualified third-party consultant, and to be presented as a non-hearing item to the Planning Commission.
97. Approval of Conditional Use Permit No. 280, Modification No. 1, shall be contingent upon the approval of Conditional Use Permit No. 265 (Modification) to establish reciprocal access and utility easements between the subject site and the property located at 84-811 Avenue 48.
98. The applicant shall agree to work with the City's Building Official to classify and pay appropriate development impact fees for the proposed greenhouse structures using a "warehouse" building occupancy under the City's adopted building codes.