

**RESOLUTION NO. PC2021-23**

**A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION RECOMMENDING TO THE COACHELLA CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT (CUP 342), CHANGE OF ZONE (CZ 21-03), AND VARIANCE (VAR 21-04) TO CONVERT AN EXISTING 18,960 SQUARE FOOT MULTI-TENANT INDUSTRIAL BUILDING TO ALLOW CANNABIS MICROBUSINESSES AT 86695 AVENUE 54. CHANGE OF ZONE (CZ 21-03) PROPOSES TO CHANGE THE EXISTING ZONE FROM M-H (HEAVY INDUSTRIAL) TO M-S (MANUFACTURING SERVICE ZONE) AND ADD THE INDUSTRIAL PARK OVERLAY ZONE AT 86695 AVENUE 54. VARIANCE (VAR 21-04) IS REQUIRED TO ALLOW INDUSTRIAL PARK OVERLAY ZONE DEVELOPMENT WITHIN A PROJECT AREA LESS THAN 10 ACRES, ON AN INDIVIDUAL LOT SIZE LESS THAN 5 ACRES, AND A LOT DEPTH OF LESS THAN 220 FEET ON A 1.29 ACRE DEVELOPED PARCEL LOCATED AT THE 86695 AVENUE 54; AMERICAN DESERT LLC MULTI-TENANT MICROBUSINESS PROJECT, AL BARLAS REPRESENTING ARTEM ARTENYAN, APPLICANT.**

**WHEREAS** Al Barlas (on behalf of Artem Artenyan) filed an application for Conditional Use Permit (CUP 342), Change of Zone (CZ 21-03), and Variance (VAR 21-04) to allow the establishment of a multi-tenant cannabis microbusiness property located at 86695 Avenue 54 (Assessor's Parcel No. 764-280-011); and,

**WHEREAS** on October 20, 2021, the Planning Commission of the City of Coachella published a public hearing notice and conducted a duly noticed public hearing on Conditional Use Permit (CUP 342), Change of Zone (CZ 21-03), Variance (VAR 21-04) and considered the application as presented by the applicant, findings, conditions and staff recommendations; and

**WHEREAS** the Applicant and members of the public were present and were afforded an opportunity to testify regarding 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 proposed project is exempt from 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 Planning Commission of the City

of Coachella, California hereby resolve as follows:

**Section 1.** Incorporation of Recitals

The Planning Commission hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Planning Commission as fully set forth in this resolution.

**Section 2.** CEQA Findings

Based upon its review of the entire record, including the Staff Report, any public comments or testimony presented to the Planning Commission, and the facts outlined below, the Planning Commission hereby finds and determines that the proposed project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities). The Class 1 exemption specifically exempts from further CEQA review the operation, permitting, licensing, or minor alteration of existing facilities with negligible or no expansions of the existing use. Since the project consists only of the permitting and licensing of a business for full alcohol sales, the project qualifies for the Class 1 exemption.

Furthermore, none of the exceptions to the use of the Class 1 categorical exemption identified in State CEQA Guidelines section 15300.2 apply. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time. There are no unusual circumstances surrounding the project that result in a reasonable possibility of a significant effect on the environment. The project is not in a scenic corridor, will not alter or impact historic resources, and does not include any hazardous waste sites. The project consists of no physical modifications to the structure or the environment, except for interior modifications, and involves a zone change, variance and a conditional use permit to allow a storefront retail microbusiness. Thus, the Class 1 exemption applies, and no further environmental review is required.

**Section 3.** Conditional Use Permit Findings

With respect to Conditional Use Permit (CUP) 342, the Planning Commission finds as follows for the proposed cannabis microbusiness:

1. The Conditional Use Permit 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 a range of light and heavy commercial and industrial businesses. 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. The Project is in compliance with the applicable land use regulations and development standards of the City's Zoning Code with approval of the Change of Zone 21-03 and Variance 21-03.
2. Change of Zone No. 21-03 proposes to change the zoning of the 1.29 acre subject site at 86695 Avenue 54 from M-H (Heavy Industrial) to M-S (Manufacturing Service) and add the Industrial Park (IP) Overlay Zone. The Project complies with the applicable M-S (Manufacturing Service) zoning standards and IP Overlay Zone as proposed and with Chapter 17.85 and 17.46 of the Coachella Municipal Code regarding Cannabis Activity subject to

approval of Condition Use Permit 342.

3. The subject site has been improved with on-site improvements and construction of an industrial building consistent with considerations for harmony in scale, bulk, coverage and density, availability of public facilities and utilities, and the generation of traffic and capacity of surrounding streets as required by the City of Coachella Zoning Ordinance. The Zoning Ordinance requires cannabis uses in the IP Overlay Zone to comply with minimum distance requirements from residential uses and from Avenue 52 and the proposed cannabis use complies as the distance from the site to residential uses and Avenue 52 is beyond 4,000 feet where a minimum distance is 1,000 feet is required from residential zoned lots and 800 feet from Avenue 52.
4. The Project will be compatible with neighboring properties with respect to land development patterns. The proposed cannabis business would operate in an existing industrial building and the scale, massing, and aesthetic appeal of existing development is in keeping with development of neighboring properties.
5. The City has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301-(Class 1) Existing Facilities of the CEQA guidelines that provides an exemption for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use including interior or exterior alterations involving such things as interior partitions, plumbing and electrical conveyances. CUP 342 meets the criteria for a Section 15301-Class 1 CEQA exemption.
6. The proposed multi-tenant use will operate within a an existing multi-tenant industrial building on a parcel developed with vehicular approaches previously reviewed and approved by the City of Coachella and designed for reasonable minimal interference with traffic on surrounding public street or road.

#### **Section 4.** Variance and Change of Zone Findings

With respect to Variance No. 21-04 and Change of Zone No, 21-03, the Planning Commission finds as follows for the proposed storefront retail microbusiness:

1. That the strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the chapter as the subject site is located in Subarea #7 (South Employment District) and consistent with zoning requirements of the Industrial Overlay Zone, except for the minimum project area of 10 acres, minimum individual 5 acre lot size, and minimum lot depth of 220 feet. The subject site is within a project area defined by a previous subdivision under parcel map 26716 consisting of 7.91 acres, has an individual lot size of 1.29 acres, and a lot depth of approximately 120 feet. The proposed change of zone from M-H to M-S would be consistent with the intent and purpose of the Industrial Park Overlay Zone as the subject site is within a project area that is well-planned with orderly development of industrial multi-tenant buildings with existing on-site improvements. The proposed cannabis use is consistent with the distance requirements of microbusinesses in the IP Overlay Zone from

residential zones uses and Avenue 52. The existing building on the subject parcel is approximately 5,400 feet from the nearest building on a residentially zoned lot and therefore consistent with the minimum 1,000 foot distance of the use from any residentially zoned lot. Retail cannabis microbusinesses are not permitted within 800 feet of Avenue 52. The proposed business is more than 4,000 feet away from Avenue 52. Due to the subject site location significantly beyond the IP Overlay Zone and Retail Cannabis Business distance requirements for cannabis uses from residential uses and other sensitive uses, the proposed use would not present an adverse impact to the community. In fact, the change of zone from M-H to M-S would permit less intensive industrial uses permitted in the M-S zone and IP Overlay District.

2. That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings, that do not apply generally to other property in the same zone and vicinity, in that the subject parcel is within Parcel Map 26716 and the gross area of the project area consists of 9.61 acres, inclusive of dedicated lots for Enterprise Way and Avenue 54, or .4 acres below the minimum required 10 acre project area. The site is located in boundary area designated by the City Council, Subarea #7 as appropriate for cannabis uses.
3. That such variance and change of zone is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity, but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question in that the subject parcel is in a project area developed in a well-planned and orderly development as intended by the Industrial Park Overlay Zone and is within a boundary that the overlay zone is applicable to with the exception of the corresponding M-S zoning and minimum 10 acre project area. The gross project area for Parcel Map 26716, in which the subject parcel is a part, is 9.61 acres and therefore substantially consistent with the minimum required project area.
4. That the granting of such variance and approval of the change of zone will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located in that the proposed zone change of the subject site from M-H to M-S and the application of the IP Overlay Zone would reduce to intensity of industrial uses that could be permitted on-site. Furthermore, cannabis related businesses are subject to findings and conditions of a conditional use permit. If a cannabis related business operating on the subject site was determined to be operating in violation of conditions of approval of the conditional use permit then the City of Coachella Planning Commission may revoke the conditional use permit.
5. That the granting of the variance and approval of the change of zone will not adversely effect any element of the general plan. In fact, the Subarea #7 (South Employment District) identifies a vision for an employment district that contain a diversity of job-producing uses. Furthermore, policy direction for Subarea #7 allows support retail and services that support employment uses.

**Section 5.** Planning Commission Approval

Based on the foregoing recitals and findings above, and the written and oral comments, facts and evidence presented, the City of Coachella Planning Commission recommends to the City Council approval of Conditional Use Permit (CUP 342), Change of Zone (CZ 21-03) as set forth in “Exhibit B”, and Variance (VAR 21-04) for the American Desert LLC Multi-tenant Microbusiness Project and subject to the Conditions of Approval for the (CUP 342) set forth in “Exhibit A”

**PASSED APPROVED and ADOPTED** this 20<sup>th</sup> day of October 2021.

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Stephanie Virgen, Chairperson  
Coachella Planning Commission

**ATTEST:**

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Gabriel Perez  
Planning Commission Secretary

**APPROVED AS TO FORM:**

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Carlos Campos  
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC2021-23, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 20<sup>th</sup> day of October 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Gabriel Perez  
Planning Commission Secretary

**CONDITIONS OF APPROVAL  
CONDITIONAL USE PERMIT NO. 337, ; AMERICAN DESERT LLC MULTI-  
TENANT MICROBUSINESS PROJECT**

**General Conditions**

1. Conditional Use Permit No. 342 is contingent upon City Council approval and adoption of the attendant Change of Zone 21-03 and Variance 21-03 application. Conditional Use Permit No. 342 hereby allows for operation of cannabis microbusiness, including cultivation, manufacturing and distribution only, within the existing multi-tenant industrial building at 86695 Avenue 54.
2. The Applicant shall secure building permits for all tenant improvements for the businesses through the City's Building Division and the Riverside County Fire Marshal's office prior to the commencement of business activities. Hours of operation for the cannabis business (CUP 342) shall be from 9:00 am to 10:00 pm daily, unless otherwise restricted by the State of California. The owner shall procure a City Cannabis Regulatory Permit and a State License prior to commencement of business activities.
3. Conditional Use Permit No. 342 shall be valid for 12 months from the effective date of said City Council approvals unless the applicant requests an extension of time and granted by the Planning Commission. The conditional use permit shall expire and shall become void one year following the date on which the conditional use became effective, unless prior to the expiration of one year a building permit for a commercial cannabis is issued and construction is commenced and diligently pursued toward completion, or a certificate of occupancy is issued.
4. Conditional Use Permit No. 342 permits commercial cannabis activity allowed as a conditional use in the Industrial Park Overlay Zone subject to adoption of Change of Zone 21-03, except storefront retail microbusinesses. A storefront retail microbusiness is subject to a separate discretionary approval process authorized by the Coachella City Council.
5. Construction plans for tenant improvements for each unit proposed to be occupied as a microbusiness shall be submitted and require approval by the Development Services Department prior to the commencement of business activities.
6. The cannabis use shall not result in the creation of any odors detectable from anywhere off the property boundaries. The use of carbon filtration systems and other mitigation measures shall be used on all cannabis activities that cause such odors in compliance with an odor control plan. The City Manager or designee may impose additional or modified odor control plan restrictions.
7. 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 the conditional use permit.

8. 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.
9. 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 City Attorney, within five days of the effective date of this approval.
10. 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.
11. Cannabis operators shall timely file quarterly cannabis tax returns and remit required cannabis tax payments.

**Environmental Compliance:**

12. The applicant shall comply with the following items prior to issuance of building permits:
  - a) Submit detailed plumbing and mechanical plans;
  - b) Facility will be required to submit a fixture count worksheet to determine additional loading to sewer
  - c) Submit a Source Control survey to determine impacts to sewer;
  - d) Submit a Pollution Prevention Plan for nutrient storage room; SDS sheets required for all chemicals used onsite;
  - e) To prevent debris from entering sewer, project must install strainers on all floor drains of at least 3/8" opening.
  - f) Provide permit from Water Boards Cannabis Cultivation program

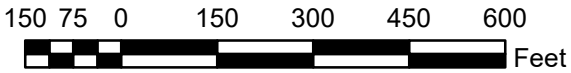
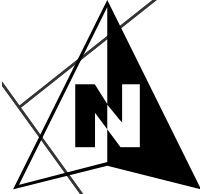




ENTERPRISE WAY

**Existing M-H (Heavy Industrial) Zone  
to  
Proposed M-S (Manufacturing Service) Zone,  
Industrial Park Overlay Zone**

APN# 764-280-011 (1.29 acres)



## Existing Conditions Photos



View of Existing Building and Parking lot looking West



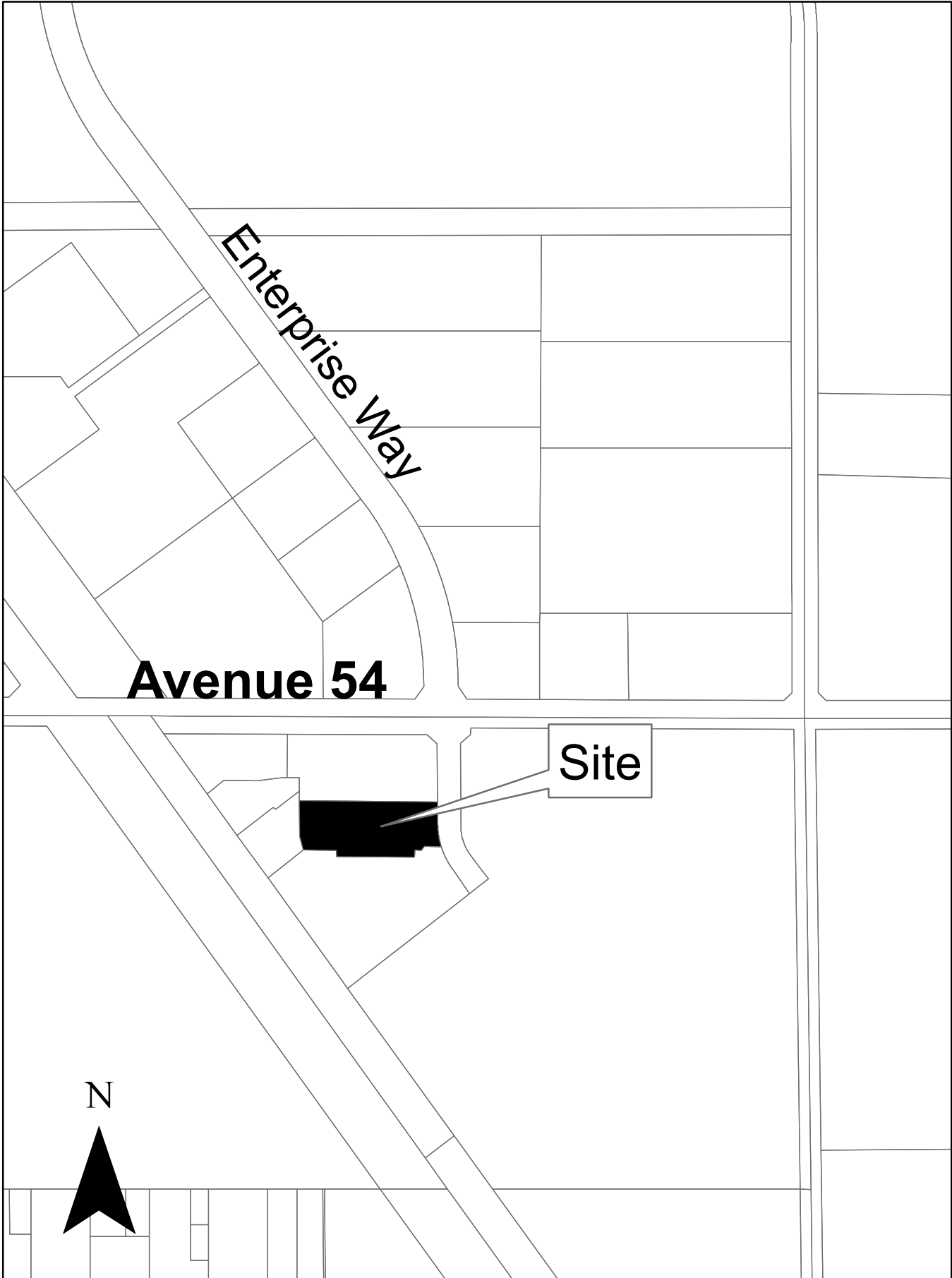
West Building Elevation



Rear Service Driveway



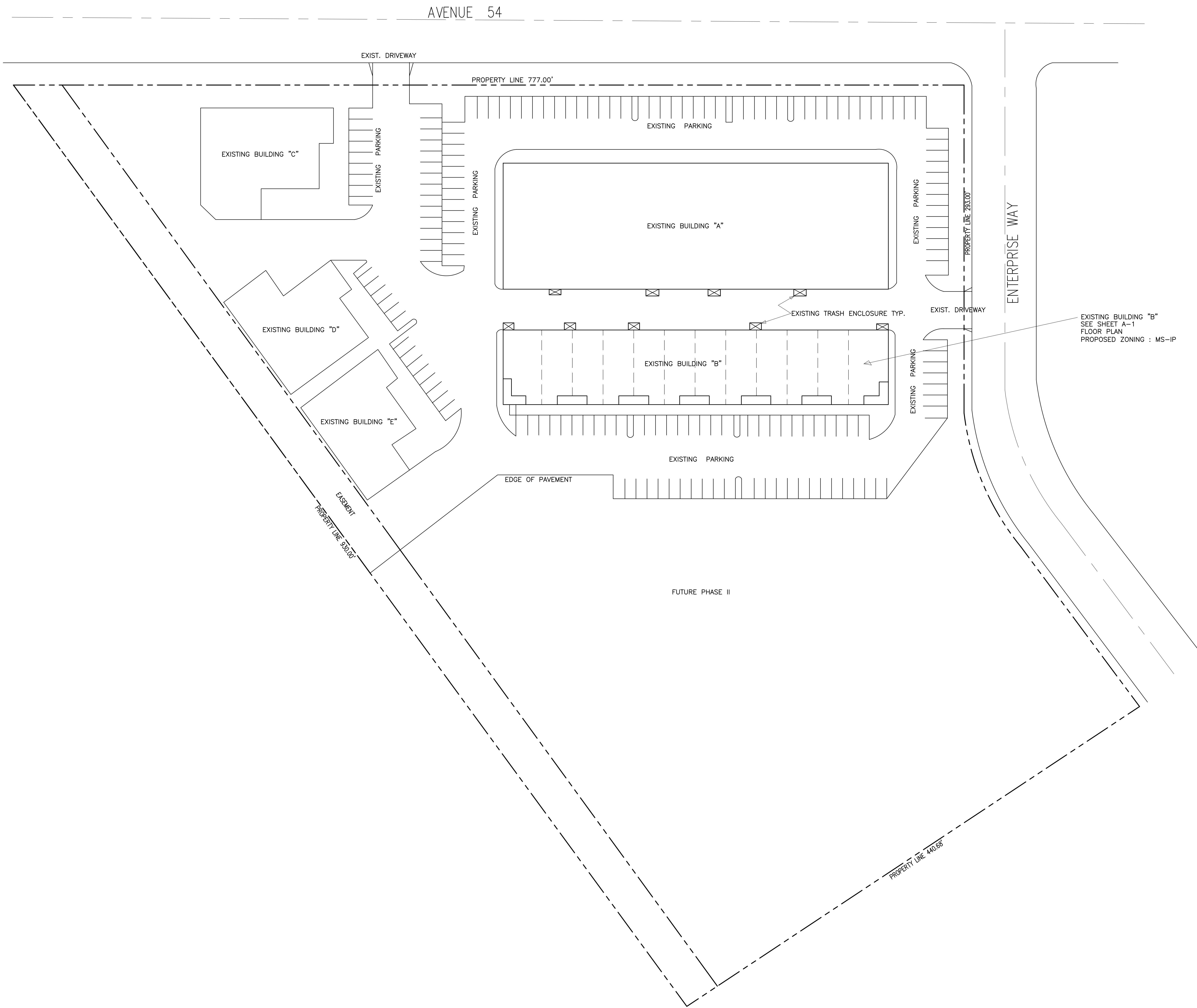
Industrial Building to the East of subject site



Vicinity Map

# Attachment 4

**GEORGE SPURGEON DESIGNS**  
 2306 LARK CT, THERMAL, CA. 92274  
 OFFICE (909) 319-4074 EMAIL: gwsdesign@att.net



## SCOPE OF WORK

1. PROPOSED ZONING CHANGE FROM MH-IP TO MS-IP.

## PROJECT TEAM

DESIGNER: GEORGE SPURGEON DESIGNS  
 2306 LARK CT.  
 OFFICE (909) 319-4074  
 GWSDESIGN@ATT.NET

## PROJECT INFORMATION

LOT SIZE	5.1 ACRES.
CONSTRUCTION TYPE	TYPE V-B
SPRINKLERED:	NO
ZONING	MH-IP
NUMBER OF STORIES	ONE
EXISTING BLDG. DATA	18,960 SQ.FT. BUILDING "B"
CODES/REGULATIONS	2019 CBC, CMC, CPC, CEC, CRC & CAC TITLE 24 2019 ENERGY STANDARDS

## EXISTING SITE PLAN

SCALE: 1" = 40'-0"



**CHANGE OF ZONING BUILDING - "B"**  
 86695 AVE 54  
 COACHELLA, CA. 92236

ISSUE	ISSUE DESCRIPTION	DATE

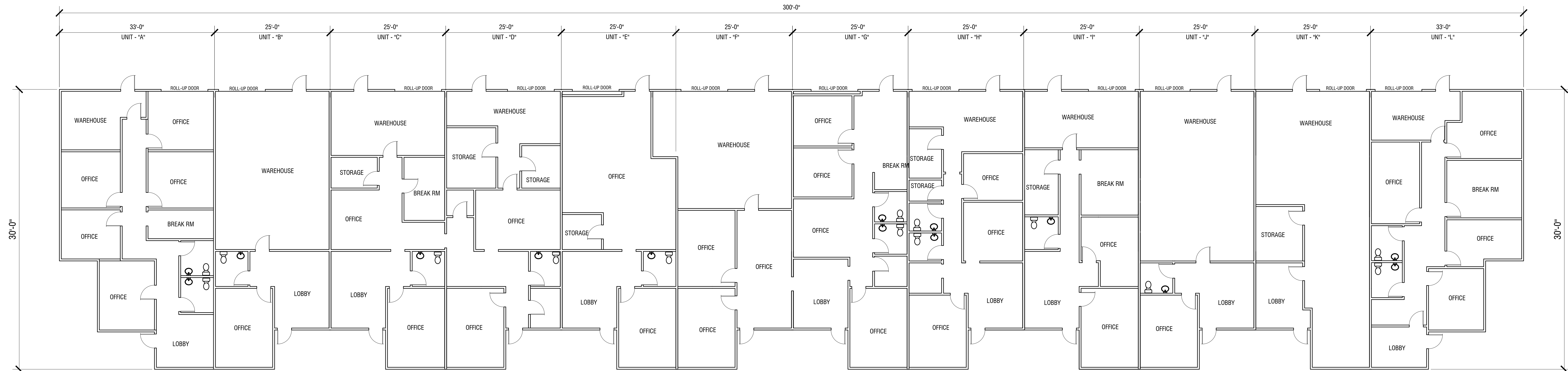
STAMP

DRAWN BY:	GWS
SHEET:	
SCALE:	AS NOTED

**SP-1**

# Attachment 5

**GEORGE SPURGEON DESIGNS**  
 2306 LARK CT. THERMAL, CA. 92274  
 OFFICE/CELL (909) 319-4074 EMAIL: gvsdesign@gmail.net



EXISTING FLOOR PLAN BUILDING "B"

SCALE: 1/8"=1'-0"

**CHANGE OF ZONING BUILDING - "B"**  
 86695 AVE 54  
 COACHELLA, CA. 92236

ISSUE	ISSUE DESCRIPTION	DATE

STAMP

DRAWN BY: GWS  
 SHEET:                        
 SCALE: AS NOTED

A-1

08-25-2012

City of Coachella Planning Division

1515 South Street, Coachella CA 92236

Applicant: American Desert LLC- 15303 Arrow Blvd, Fontana CA 92335+

Project Name: American Desert LLC

86695 Ave 54, Coachella CA 92336

APN 763 280 011

Staff:

This letter will confirm that the applicant AL Barlas (On behalf of American Desert LLC) filed an application for Conditional Use Permit (July 12 2021), Change of zone (CZ 21-01), and Variance (VAR 21-91)

The proposed variance request is necessary for the continue development of the community, it consistent with the objectives of the city General Plan, and is not detrimental to the existing uses specifically permitted in the zone which the proposal use is to be located.

The proposed project will operate in suite withing an existing multi-tenant industrial building on a parcel developed with Vehicular approaches previously reviewed and approved by the City of Coachella and designed for reasonable minimal interference with traffic on surrounding public street or road.

The proposed project site (763280011) is adjacent to project site (763280010) which summitted similar variance request and approval (CUP 337) via publish public hearing and resolution PC2021-16 and adopted on Aug 4<sup>th</sup>.

The granting such variance and approval of the change of zone will allow the development of new cannabis business. Such variances are necessary for the preservation and enjoyment of a substantial property right and use generally possessed by other property in the same zone and vicinity. But which because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question in that that the subject parcel is in an industrial park overlay zone and withing the boundary that the overlay zone is applicable to with the exception of the corresponding M-S zoning and minimum 10 acres project area. The gross project area for parcel map 267816, in which the subject parcel is apart, is 9.61 acres and therefore substantially consistent with the minimum required project area.

Thank you for your consideration.

Al Barlas





# CAL FIRE – RIVERSIDE UNIT RIVERSIDE COUNTY FIRE DEPARTMENT

**BILL WEISER - FIRE CHIEF**

77-933 Las Montañas Rd., Ste. #201, Palm Desert, CA 92211-4131 • Phone (760) 863-8886

• Fax (760) 863-7072

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MORENO VALLEY

NORCO

PALM DESERT

PERRIS

RANCHO MIRAGE

RUBIDOUX CSD

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WILDOMAR

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SUPERVISORS:**

KEVIN JEFFRIES  
DISTRICT 1

KAREN SPIEGEL  
DISTRICT 2

CHARLES WASHINGTON  
DISTRICT 3

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DISTRICT 4

JEFF HEWITT  
DISTRICT 5

## Planning Case Conditions

**Date:** 8/24/21

**City Case Number:** CUP342

**Project Name:** Multi Tenant Building for Cannabis Business

**Reviewed By:** Chris Cox, Assistant Fire Marshal

**Fire Department Permit Number:** FPCUP2100121

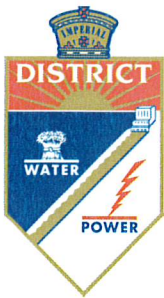
East Office of the Fire Marshal Responsibility

With respect to the conditions of approval for the referenced project, the Fire Department requires the following fire protection measures in accordance with Riverside County Ordinances and/or recognized fire protection standards:

1. Cannabis Facilities: Construction plans for carbon dioxide enrichment systems, gas detection systems, plant processing and extraction systems shall be reviewed and approved by the Office of the Fire Marshal prior to the issuance of construction permits. Refer to the Riverside County Office of the Fire Marshal Technical Policies #TP16-004 and #TP16-005.
2. Prior to building permit issuance, a hazardous materials inventory statement shall be provided to the Office of the Fire Marshal. An occupancy with quantities exceeding the maximum allowable quantity per control area as indicated in Tables 5003.1.1(1) through 5003.1.1(4) of the California Fire Code shall be classified as a Group H occupancy. The construction of control areas and the maximum number of control areas within a building shall be in accordance with the California Building Code. The chemical inventories of multi-tenant spaces within a building shall be accumulated to determine the quantity limitations within a control area and a building.
3. Addressing: All commercial buildings shall display street numbers and suite numbers or letters in a prominent location on the street side of the premises and additional locations as required. Ref. CFC 505.1

If you have any questions or comments, then please contact me at 760-393-3386 or [chris.cox@fire.ca.gov](mailto:chris.cox@fire.ca.gov).





# IID

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August 26, 2021

Mr. Gabriel Perez  
Assistant Community Development Director  
Development Services Department  
City of Coachella  
1515 6th Street  
Coachella, CA 92236

SUBJECT: American Desert Multi-tenant Microbusinesses Project in Coachella, CA;  
CZ 21-03, VAR 21-04 & CUP 342

Dear Mr. Perez:

On August 13, 2021 the Imperial Irrigation District received from the City of Coachella Development Services Department, a request for agency comments on the American Desert, LLC cannabis project; Change of Zone no. 21-03, Variance no. 21-04 & Conditional Use Permit no. 342. The applicant, Al Barlas representing Artem Artenyan, proposes to occupy an existing 18,960 sq. ft. multi-tenant industrial building and rent to possible tenants that will use the space to cultivate/grow, manufacture and distribute cannabis, non-retail. The potential tenants may occupy single or multiple units and will do their own improvements based on applicable city codes & requirements. The building is located at 86695 Avenue 54 in Coachella, CA (APN 763-280-011).

The IID has reviewed the project information and has the following comments:

1. IID will not begin any studies, engineering or estimate costs to provide electrical service to the project until the applicant submits a customer project application (available at <http://www.iid.com/home/showdocument?id=12923> and detailed loading information, panel sizes, project schedule and estimated in-service date. Applicant shall bear all costs associated with providing electrical service to the project, including but not limited to the construction of an additional feeder breaker, distribution line extensions and underground conduit systems, in addition to the re-configuration of distribution lines and upgrades as well as applicable permits, zoning changes, landscaping (if required by the City) and rights-of-way and easements.

2. However, based on the preliminary information provided to the IID, the district can accommodate the power requirements of the project by adding a new distribution feeder breaker at the existing bank #1 of the Avenue 52 Substation. In addition, a new feeder/backbone line extension (conduit, cable) will be required from Avenue 52 breaker to the project including a circuit reconfiguration. The district's ability to provide service from existing infrastructure is based on currently available capacity, which may be impacted by future development in the area. It is important to note that a detailed and final study will be developed once a customer project application and loading calculations are received. This detailed information will allow IID to perform an accurate assessment and provide a full report of any potential impacts and mitigation measures. The conditions of service could change as a result of the additional studies.
3. Underground infrastructure that includes trenching, conduits, pull boxes, switch boxes, transformers, commercial meter panels, residential meter concentrations and pads should be installed following IID approved plans. Physical field installation of underground infrastructure should be verified and approved by an IID inspector prior to cable installation as per IID Developer's Guide (available at the district website <https://www.iid.com/home/showdocument?id=14229>).
4. IID Regulations governing line extensions can be found at:  
No. 2           (<http://www.iid.com/home/showdocument?id=2540>),  
No. 13         (<http://www.iid.com/home/showdocument?id=2553>),  
No. 15         (<http://www.iid.com/home/showdocument?id=2555>),  
No. 20         (<http://www.iid.com/home/showdocument?id=2560>) and  
No. 23         (<https://www.iid.com/home/showdocument?id=17897>).
5. For additional information regarding electrical service for the project, the applicant should be advised to contact the IID Energy - La Quinta Division Customer Operations, 81-600 Avenue 58 La Quinta, CA 92253, at (760) 398-5841 and speak with the project development planner assigned to the area.
6. It is important to note that IID's policy is to extend its electrical facilities only to those developments that have obtained the approval of a city or county planning commission and such other governmental authority or decision-making body having jurisdiction over said developments.
7. The applicant will be required to provide rights-of-way and easements for any power line extensions and overhead or underground infrastructure needed to serve the project.
8. Any construction or operation on IID property or within its existing and proposed right of way or easements 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; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/departments-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.

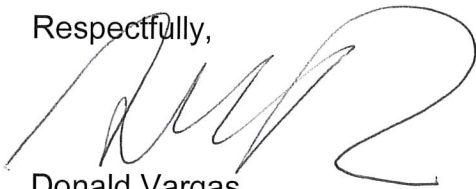
9. Relocation of existing IID facilities to accommodate the project and/or to accommodate street widening improvements imposed by the City will be deemed project-driven and all costs, as well as securing of rights of way and easements for relocated facilities, shall be borne by the applicant.
10. Public utility easements over all private public roads and additional ten (10) feet in width on both side of the private and public roads shall be dedicated to IID for the construction, operation, and maintenance of its electrical infrastructure.
11. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**
12. Dividing a project into two or more pieces and evaluating each piece in a separate environmental document (Piecemealing or Segmenting), rather than evaluating the whole of the project in one environmental document, is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. In general, if an activity or facility is necessary for the operation of a project, or necessary to achieve the project objectives, or a reasonably foreseeable consequence of approving the project, then it should be considered an integral project component that should be analyzed within the environmental analysis. The project description should include all project components, including those that will have to be approved by responsible agencies. The State CEQA Guidelines define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment. This broad definition is intended to provide the maximum protection of the environment. CEQA case law has

established general principles on project segmentation for different project types. For a project requiring construction of offsite infrastructure, the offsite infrastructure must be included in the project description. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App. 4th 713.

13. Applicant should be advised that landscaping can be dangerous if items are planted too close to IID's electrical equipment. In the event of an outage, or equipment failure, it is vital that IID personnel have immediate and safe access to its equipment to make the needed repairs. For public safety, and that of the electrical workers, it is important to adhere to standards that limit landscaping around electrical facilities. IID landscaping guidelines are available at <https://www.iid.com/energy/vegetation-management>.

Should you have any questions, please do not hesitate to contact me at (760) 482-3609 or at [dvargas@iid.com](mailto:dvargas@iid.com). Thank you for the opportunity to comment on this matter.

Respectfully,



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