

## **EXHIBIT A**

### **CONDITIONS OF APPROVAL FOR COACHELLA HERB PLANTATION CAMPUS CONDITIONAL USE PERMIT NO. 293 (MODIFICATION), COACHELLA GREENERY CONDITIONAL USE PERMIT 334 AND ARCHITECTURAL REVIEW NO. 17-14**

#### **CONDITIONS OF APPROVAL FOR CUP NO. 293 (Modification):**

1. Conditional Use Permit No. 293 (Modification) is approved to allow a 67,240 cannabis cultivation facility on 3.2 acres of land. ~~including an interim use facility only.~~ and a cannabis dispensary/retail store within the first floor of the 5,360 square foot office/distribution/laboratory/dispensary building within phase 1 of the Conditional Use Permit.
2. The owner shall process a Lot Line Adjustment/Lot Merger to completion in order to create one 3.2-acre parcel prior to issuance of a building permit.
3. Prior to issuance of a building permit, the owner shall submit proof of a reciprocal access easement with the adjoining property owner to the east for shared access of parking areas and rear service driveways having emergency access over both lots.
4. Conditional Use Permit No. 293 shall be contingent upon Planning Commission approval of Architectural Review No. 17-14 for a 67,240 square foot multi-tenant industrial development on the subject site. The Conditional Use Permit shall be valid for 12 months from the effective date of said 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 Conditional Use Permit
5. Pursuant to the Zoning Code, Regulatory Permits for each individual user of the facility must be issued by the Coachella City Manager prior to the initiation of individual operations within the facility.
6. All proposed “nursery incubator” greenhouses as part of Phase 1 shall be equipped with adequate carbon filtration systems that can recycle the atmospheric air inside the cultivation areas at a minimum rate of 100% every 5 hours during all hours of operation. The use of swamp coolers or other air conditioning systems shall not be vented directly to the exterior of the building without the use of a carbon filtration system.
7. The owner or successor in interest shall provide to the City of Coachella, the name and telephone number of a designated “Dust Control Agent” having the authority and responsibility for odor control for the Phase 1 temporary greenhouse campus on a 24-hour basis. The name of this person shall be included in the temporary PM-10 sign that is to be posted on the property as part of the issuance of any grading permits for the project and shall be provided to all future cannabis cultivation licensees.

8. Prior to the issuance of a Cannabis Regulator Permit, the owner or successor in interest shall require all cannabis cultivation licensees to sign a disclosure certificate acknowledging and accepting to comply with all directives of the Dust Control Agent during the Phase 1 cultivation and processing activities on the site. Said disclosure shall be prepared to the satisfaction of the City Attorney, and an executed copy of the certificate shall be submitted to the City of Coachella prior to the issuance of any Cannabis Regulatory Permit for each licensee.
9. ~~The interim use facility shall be limited to a maximum of 46,084 square feet during the time that the project is under construction. All cannabis regulatory permittees for the Interim Use Facility shall obtain a building permit and final inspections for the temporary “nursery incubator” premises wherein they make application establishing a bona-fide place of business that can be permitted and licensed. All cannabis licensee premises shall be subject to review and approval by the Building Official and the City’s Fire Marshal and shall require permits and inspections prior to occupancy. All interim use structures shall be removed from the site no more than 12 months from the opening date of the first interim use facility operations.~~
10. Pursuant to the City’s General Plan, and because the project site is considered to be highly sensitive for containing prehistoric archaeological deposits in subsurface contexts, a qualified Archaeological and Native American monitor shall be present during all ground disturbing activities within the project site. The owner or successor in interest shall hire a tribal grading monitor in coordination with the 29 Palms Band of Mission Indians and shall submit proof of procurement of the tribal monitor prior to the issuance of a grading permit, unless an alternative agreement is reached between the owner and the tribal government staff.

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 334:**

1. Conditional Use Permit No. 334 is approved to allow an 1100 square foot retail cannabis dispensary within units 1 and 3 of the existing industrial building for an interim period of up to 48 months or prior to the construction of Phase 1 of CUP 293, whichever is sooner. Upon completion of Phase 1 of CUP 293, the dispensary will be relocated within the first floor of the office building as approved within CUP 293 (Modification) and AR 17-14. Hours of operation for the interim facility shall be from 9am to 10pm unless superseded by State Law.
2. All cannabis regulatory permittees for the Interim Use Facility shall obtain a building permit and final inspections for the interim facility wherein they make application establishing a bona-fide place of business that can be permitted and licensed. All cannabis licensee premises shall be subject to review and approval by the Building Official and the City’s Fire Marshal and shall require permits and inspections prior to occupancy. All interim use structures shall be removed from the site no more than 48 months from the opening date of the first interim use facility operations or prior to

construction of Phase 1 within CUP 293, whichever is sooner.

3. Architectural enhancements to the existing building and parking lot improvements including landscaping shall be completed prior to the issuance of occupancy permits for the interim use.
4. Detailed plumbing plans shall be submitted for water and sewer-upon availability, facility will be required to connect to sewer.
5. Until sewer availability, all wastewater will be contained within a sealed tank and hauled offsite as found in WDID No. 7\_33CC405783 for Herb Plantations Notice of Applicability.
6. Facility must present current manifest records from authorized waster hauler of waste.

**CONDITIONS OF APPROVAL FOR ARCHITECTURAL REVIEW NO. 17-14:**

1. Architectural Review No. 17-14 shall be valid for 12 months from the effective date of said Planning Commission 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.
2. The construction of all new structures shall be in conformance with construction drawings and landscaping plans designed in accordance with plans submitted with this application and condition of approval imposed below:
  - a) ~~Except for the “Interim Use Facility”~~, Greenhouse structures shall not be allowed and exterior building walls shall include continuous parapet walls that screen the roof structures from view to the street. All exterior building materials and colors shall substantially match the colors of the front 2-story office building.
  - b) All fencing or garden walls shall be subject to issuance of a separate building permit by the City Building Division. The existing masonry walls shall be painted to complement the building colors as part of Phase 1.
  - c) All parking lot lighting for the Project shall match the lighting fixture standards of the adjoining “Coachella Brands” site, as approved by the Development Services Director.
  - d) 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.
3. 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. 17-14, including architectural features, materials, and site layout.

4. A preliminary geological and soils engineering investigation shall be conducted by a registered soils engineer, and a report submitted for review with the precise grading plan and shall include pavement recommendations. The report recommendations shall be incorporated into the precise grading plan design prior to plan approval. The soils engineer and/or the engineering geologist shall certify to the adequacy of the grading plan.
5. 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
6. 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. 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.
7. The applicant shall obtain approval of site access and circulation from the Riverside County Fire Marshall.

8. 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 street lights 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.
9. The 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 standards for commercial driveways with a minimum width of 24.00 feet and curbed radius entrances.
10. The applicant shall obtain an encroachment permit for any improvements constructed within public right-of-way including alleys.
11. The owner or successor in interest shall connect all new buildings to the City's water and sewer main lines with new meters and shall pay all applicable water and sewer impact fees. Sewer and Water Improvement Plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check and City Engineer approval.
12. The applicant shall construct all off-site and on-site water improvements and any other incidental works necessary to complete the improvements. Size and location of sewer and water improvements shall be approved by the City Engineer.
13. Prior to issuance of any encroachment permits by the City of Coachella, 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 documents prepared for the new location of any such lines. 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.
14. The applicant shall provide necessary utility easement for IID and underground overhead distribution lines. Applicant shall submit to the City a letter from IID that satisfy this requirement.
15. 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 bond form, in amount of

\$2,000.00 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, the original plans, and executed dust control agreement, are filed in the engineering department at the City of Coachella.

16. 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.
17. 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.
18. "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.
19. Prior to issuance to of certificate of occupancy, all public improvements, including landscaping and lighting of the retention basins, and landscaped areas along the exterior streets, shall be completed to the satisfaction of the City Engineer. An engineering final inspection will be required.
20. Fire Department emergency vehicle apparatus access road location san design shall be in accordance with the CA Fire Code, and related standards. All portions of structures shall be within 150 feet of the approved 24-foot wide fire lane or municipal street.
21. Fire Department water systems for fire protection shall be in accordance with the CA Fire Code and related standards. Plans must be submitted to the Fire Marshal's Office for review and approval prior to building permit issuance.
22. The proposed project must show a water system capable of delivering a fire flow of at least 1750 gallons per minute for a 3-hour duration at 20 psi residual operating pressure.
23. The required water system, including fire hydrants, shall be installed and accepted by the Coachella Water Authority prior to any combustible building material being placed on the site. Two sets of water plans must be submitted to the Fire Marshal's office for review and approval, showing compliance with fire hydrant locations per Coachella Municipal Codes and related Fire Codes. Hydrants shall be located on the site and at the street spaced 350 to 500 feet apart, depending on City standards.
24. The applicant shall submit water and sewer plans for approval from Utilities General Manager for review and approval and shall connect to City public sewer and water

systems.

25. The project will require a Water Quality Management Plan (WQMP) meets Priority Project criteria of greater than 25 parking spaces. The facility will be required to submit a source control survey; may require grease interceptor if edibles are proposed. The applicant shall submit detailed plumbing and mechanical plans.
26. The applicant shall install an Above Ground “Double Check Detector Assembly” DCDA for fire system to protect water supply from contamination or pollution.
27. Backflow devices will be required to have Reduced Pressure Principle Device (RP) within 12 inches of water service installed to protect water supply from contamination or pollution.
28. The applicant shall install separate AMI metering system for each building, and shall install separate AMI metering system for irrigation system.
29. The project must 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.
30. All wall signs shall consist of channel lettering. The applicant shall submit a sign program for the industrial center prior to the issuance of any sign permits.
31. The applicant shall submit landscaping and irrigation plans for review by the Development Services Director. The use of 36-inch box Acacia tress shall be used in the parking lot, and for the Ficus hedge planter areas.
32. A sign program shall be submitted for review by the Planning Commission as a non-hearing item.