



Coachella Civic Center, Hearing Room  
53-462 Enterprise Way, Coachella, California  
(760) 398-3502 ♦ [www.coachella.org](http://www.coachella.org)

# AGENDA

OF A REGULAR MEETING  
OF THE  
CITY OF COACHELLA  
PLANNING COMMISSION

**June 16, 2021**  
6:00 PM

---

THIS MEETING WILL BE CONDUCTED BY TELECONFERENCE AND THERE WILL BE NO IN-PERSON PUBLIC ACCESS TO THE MEETING LOCATION.

YOU MAY SUBMIT YOUR PUBLIC COMMENTS TO THE PLANNING COMMISSION ELECTRONICALLY. MATERIAL MAY BE EMAILED TO [LLOPEZ@COACHELLA.ORG](mailto:LLOPEZ@COACHELLA.ORG), [GPerez@COACHELLA.ORG](mailto:GPerez@COACHELLA.ORG) AND [YBECERRIL@COACHELLA.ORG](mailto:YBECERRIL@COACHELLA.ORG).

TRANSMITTAL PRIOR TO THE START OF THE MEETING IS REQUIRED. ANY CORRESPONDENCE RECEIVED DURING OR AFTER THE MEETING WILL BE DISTRIBUTED TO THE PLANNING COMMISSION AND RETAINED FOR THE OFFICIAL RECORD.

YOU MAY PROVIDE TELEPHONIC COMMENTS BY CALLING THE PLANNING DEPARTMENT AT (760)-398-3102 **NO LATER THAN 4:00 P.M.** THE DAY OF THIS MEETING TO BE ADDED TO THE PUBLIC COMMENT QUEUE. AT THE APPROPRIATE TIME, YOU WILL BE CALLED SO THAT YOU MAY PROVIDE YOUR PUBLIC TESTIMONY TO THE PLANNING COMMISSION.

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

[HTTPS://US02WEB.ZOOM.US/J/88900660100?pwd=c1UwVjB0SVpkK3NtWWNqNEFAC214Zz09](https://us02web.zoom.us/j/88900660100?pwd=c1UwVjB0SVpkK3NtWWNqNEFAC214Zz09)

**PASSCODE: 674336**

**OR IPHONE ONE-TAP :**

**US: +16699006833,,88900660100#,,,,\*674336# OR +12532158782,,88900660100#,,,,\*674336#**

**WEBINAR ID: 889 0066 0100**

**PASSCODE: 674336**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

“At this time the Commission may announce any items being pulled from the agenda or continued to another date or request the moving of an item on the agenda.”

**APPROVAL OF THE MINUTES:**

1. Planning Commission Minutes 05.19.2021 Revised
2. 06.02.2021 Planning Commission Meeting Minutes.

**WRITTEN COMMUNICATIONS:**

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

“The public may address the Commission on any item of interest to the public that is not on the agenda, but is within the subject matter jurisdiction thereof. Please limit your comments to three (3) minutes.”

**REPORTS AND REQUESTS:**

**NON-HEARING ITEMS:**

3. Kismet Coachella Dispensary – A request for 12-month Time Extension for Conditional Use Permit No. 305 and Change of Zone No. 18-07 to convert an existing vacant commercial tenant space into a 3,050 square foot cannabis dispensary with 750 square feet for check-in and waiting area, 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging to be located in Building 1 located at 1639 and 1645 6<sup>th</sup> Street; and a 4,500 square foot coffee shop, art display and office/event space to be located in Building 2 located at 1657 and 1669 6<sup>th</sup> Street. Additionally, the applicant proposes to add the RC (Retail Cannabis) overlay zone to the existing C-G (General Commercial) zone on Building 1 located at 1639 and 1645 6<sup>th</sup> Street.
4. Paradise Liquor – Alcohol Sales Request

Adopt resolution to deny Conditional Use Permit No. 338 a request for liquor sales as part of a proposed 2,500 square foot convenience store (ABC Type 21, Off-Sale General) in an existing commercial building located at 50-223 Cesar Chavez Street, Suite “B” in the C-G (General Commercial) zone. Paradise Liquor, Inc. (Applicant)

**PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

5. Approval of an Addendum to the City of Coachella’s General Plan Update EIR and approval of General Plan Amendment No. 21-01 to change the land use designation of an existing 37.3-acre vacant property from “Open Space” to “Suburban Neighborhood” in order to develop 155 new single-family homes with public streets and common-area improvements, on vacant property located at the southeast corner of Avenue 50 and Calhoun Street. City-Initiated.
6. Conditional Use Permit No. 340 to allow a 1,200 square foot non-storefront retail cannabis dispensary for delivery only microbusiness within an existing commercial building; and Variance No. 21-03 to allow the

project within 100 feet of a residential structure within the C-G (General Commercial) zone located at 84-705 Avenue 50, Suite 4.

7. Review of Ordinance No. 1171 amending various provisions of the Coachella Municipal Code regarding Interim Outdoor Cannabis Cultivation. City-Initiated.

**INFORMATIONAL:**

**ADJOURNMENT:**

*Complete Agenda Packets are available for public inspection in the Planning Department at 53-990 Enterprise Way, Coachella, California, and on the City's website [www.coachella.org](http://www.coachella.org).*

THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES



Coachella Civic Center, Hearing Room  
53-462 Enterprise Way, Coachella, California  
(760) 398-3502 ♦ [www.coachella.org](http://www.coachella.org)

# MINUTES

OF A REGULAR MEETING  
OF THE  
CITY OF COACHELLA  
PLANNING COMMISSION

**May 19, 2021**  
6:00 PM

PURSUANT TO EXECUTIVE ORDER N-29-20, THIS MEETING WILL BE CONDUCTED BY TELECONFERENCE AND THERE WILL BE NO IN-PERSON PUBLIC ACCESS TO THE MEETING LOCATION.

YOU MAY SUBMIT YOUR PUBLIC COMMENTS TO THE PLANNING COMMISSION ELECTRONICALLY. MATERIAL MAY BE EMAILED TO [LLOPEZ@COACHELLA.ORG](mailto:LLOPEZ@COACHELLA.ORG) AND [YBECERRIL@COACHELLA.ORG](mailto:YBECERRIL@COACHELLA.ORG).

TRANSMITTAL PRIOR TO THE START OF THE MEETING IS REQUIRED. ANY CORRESPONDENCE RECEIVED DURING OR AFTER THE MEETING WILL BE DISTRIBUTED TO THE PLANNING COMMISSION AND RETAINED FOR THE OFFICIAL RECORD.

YOU MAY PROVIDE TELEPHONIC COMMENTS BY CALLING THE PLANNING DEPARTMENT AT (760)-398-3102 **NO LATER THAN 4:00 P.M.** THE DAY OF THIS MEETING TO BE ADDED TO THE PUBLIC COMMENT QUEUE. AT THE APPROPRIATE TIME, YOU WILL BE CALLED SO THAT YOU MAY PROVIDE YOUR PUBLIC TESTIMONY TO THE PLANNING COMMISSION.

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

[HTTPS://US02WEB.ZOOM.US/W/89785377649?TK=16B5HWG\\_6PP27WVN8\\_KE TLM2DMKT3I HDFI1Q1O ARYQS.DQIAAAAU56AJCRZFM0TPTFHYY1FVR1RHVXA5ZWRVUTUD3AAAAAAAAAAAAAAAAAAAAAAAAAAAA&PWD=SzFJcMfvWHBqMXNsUCtJNHZZOENWdz09](https://us02web.zoom.us/j/89785377649?tk=16b5HWG_6pp27wvn8_kETLM2DmkT3iHDFI1Q1oARyQs.DQIAAAAU56AjCRZFM0TPTFhYY1FvR1RHVXA5ZWRvTUd3AAAAAAAAAAAAAAAAAAAAAAAAAAAA&pwd=SzFJcMfvWHBqMXNsUCtJNHZZOENWdz09)

PASSCODE: 809812

**CALL TO ORDER:**

Meeting was called to order at 6:15 p.m. by Vice Chair Navarrete.

**PLEDGE OF ALLEGIANCE:**

Pledge of allegiance lead by Commissioner Figueroa.

**ROLL CALL:**

Present: Alternate Commissioner Leal, Commissioner Figueroa, Commissioner Gonzalez, Vice Chair Navarrete.

Absent: Commissioner Huazano, Chair Virgen.

**APPROVAL OF AGENDA:**

“At this time the Commission may announce any items being pulled from the agenda or continued to another date or request the moving of an item on the agenda.”

Motion to Approve Agenda for the Planning Commission Meeting of May 19<sup>th</sup>, 2021

Made by: Commissioner Figueroa.

Seconded by Commissioner Navarrete.

Approved by the following roll call vote:

AYES: Alternate Commissioner Leal, Commissioner Figueroa, Vice Chair Navarrete.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Huazano, Chair Virgen.

**APPROVAL OF THE MINUTES:**

1. Minutes for the City of Coachella Planning Commission Meeting of May 5th, 2021.

Motion to forego approval of the minutes so staff may revise the minutes to reflect recommendations that include roll call clarification and voting roll call.

Made by Commissioner Figueroa.

Seconded by: Vice Chair Navarrete.

Approved by the following roll call vote:

AYES: Alternate Commissioner Leal, Commissioner Figueroa, Vice Chair Navarrete.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Huazano, Chair Virgen.

**WRITTEN COMMUNICATIONS:**

None.

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

“The public may address the Commission on any item of interest to the public that is not on the agenda, but is within the subject matter jurisdiction thereof. Please limit your comments to three (3) minutes.”

**REPORTS AND REQUESTS:**

None.

**NON-HEARING ITEMS:**

2. Art in Public Places Program – Coachella Smoke Shop Art Mural Installation.

Motion to approve Non-Hearing Item 2. Art in Public Places Program – Coachella Smoke Shop Art Mural Installation.

Made by Commissioner Gonzalez.  
Seconded by: Commissioner Figueroa.

Approved by the following roll call vote:

AYES: Alternate Commissioner Leal, Commissioner Figueroa, Commissioner Gonzalez Vice Chair Navarrete.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Huazano, Chair Virgen.

3. Art in Public Places Program – Dateland Park Art Mural Installation.

Motion to approve Non-Hearing Item 3. Art in Public Places Program – Dateland Park Art Mural Installation. With the added recommendation of the utilization of NOVA or comparable quality paint be used to make/do/create this art installation.

Made by Commissioner Gonzalez.

Seconded by: Commissioner Navarrete.

Approved by the following roll call vote:

AYES: Alternate Commissioner Leal, Commissioner Figueroa, Commissioner Gonzalez, Vice Chair Navarrete.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Huazano, Chair Virgen.

\*\*\* Commissioner Leal recused himself as he lives in a nearby community. He left the virtual meeting.

**PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

4. Pulte Coachella Subdivision Project

Tentative Tract Map (TTM 38084) and Variance (VAR 21-04) to allow the subdivision of 26.81 acres of vacant land into 107 single-family residential lots (having less than the minimum 7,200 square feet) ranging in size from 6,017 square feet to 13,171 square feet, with an average lot size of approximately 7,500 square feet, with public streets and common-area lots accessed from Avenue 51, on property located on the north side of Avenue 51 between Van Buren Street and Chiapas Drive (APN #768-050-002).

Architectural Review (AR 21-03) to allow the construction of 107 single family homes using three production models, within Tentative Tract Map No. 38084 to include: 1) A one-story (3-Bedroom, 2-Bath) residence with 1,959 square feet of floor area; 2) A two-story (4-Bedroom, 2 ½-Bath) residence with 2,404 square feet of floor area; and 3) A two-story (5-Bedroom, 3-Bath) residence with 2,825 square feet of floor area, all with attached two-car garages and a variety of architectural themes (Spanish, Craftsman, and Prairie) and color palettes for the models' exterior finishes and roof tile. Pulte Home Company, LLC (Applicant)

Public Hearing Opened at 7:19pm.

1. Dan Wozniak- Applicant Representative.
2. Sergio Hernandez- Resident.
3. Christina Dejardin- Prado HOA Representative
4. James Vaughn- Pulte.
5. Jesus Garcia- Resident.

Public Hearing Closed at 7:35pm.

Motion to approve Item 4. Pulte Coachella Subdivision Project

Tentative Tract Map (TTM 38084) and Variance (VAR 21-04) to allow the subdivision of 26.81 acres of vacant land into 107 single-family residential lots (having less than the minimum 7,200 square feet) ranging in size from 6,017 square feet to 13,171 square feet, with an average lot size of approximately 7,500 square feet, with public streets and common-area lots accessed from Avenue 51, on property located on the north side of Avenue 51 between Van Buren Street and Chiapas Drive (APN #768-050-002).

AND

Architectural Review (AR 21-03) to allow the construction of 107 single family homes using three production models, within Tentative Tract Map No. 38084 to include: 1) A one-story (3-Bedroom, 2-Bath) residence with 1,959 square feet of floor area; 2) A two-story (4-Bedroom, 2 ½-Bath) residence with 2,404 square feet of floor area; and 3) A two-story (5-Bedroom, 3-Bath) residence with 2,825 square feet of floor area, all with attached two-car garages and a variety of architectural themes (Spanish, Craftsman, and Prairie) and color palettes for the models' exterior finishes and roof tile. Pulte Home Company, LLC (Applicant)

Made by Commissioner Gonzalez.

Seconded by: Commissioner Figueroa.

Approved by the following roll call vote:

AYES: Commissioner Figueroa, Commissioner Gonzalez, Vice Chair Navarrete.

NOES: None.

ABSTAIN: Commissioner Leal.

ABSENT: Commissioner Huazano, Chair Virgen.

\*\*\* Commissioner Leal was called via phone to log back into the meeting at 7:41pm and re-join the dais as he had recused himself earlier due to living in a nearby community.


**INFORMATIONAL:**

Assistant Director of Development Services starts 05/24/2021.

**ADJOURNMENT:**

Meeting was adjourned at 7:44pm by Vice Chair Navarrete.

Respectfully submitted,

  
\_\_\_\_\_

Yesenia Becerril, Planning Commission Secretary

*Complete Agenda Packets are available for public inspection in the  
Planning Department at 53-990 Enterprise Way, Coachella, California, and on the  
City's website [www.coachella.org](http://www.coachella.org).*

THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES





Coachella Civic Center, Hearing Room  
53-462 Enterprise Way, Coachella, California  
(760) 398-3502 ♦ [www.coachella.org](http://www.coachella.org)

**MINUTES**  
OF A REGULAR MEETING  
OF THE  
CITY OF COACHELLA  
PLANNING COMMISSION

**June 02, 2021**  
6:00 PM

PURSUANT TO EXECUTIVE ORDER N-29-20, THIS MEETING WILL BE CONDUCTED BY TELECONFERENCE AND THERE WILL BE NO IN-PERSON PUBLIC ACCESS TO THE MEETING LOCATION.

YOU MAY SUBMIT YOUR PUBLIC COMMENTS TO THE PLANNING COMMISSION ELECTRONICALLY. MATERIAL MAY BE EMAILED TO [LLOPEZ@COACHELLA.ORG](mailto:LLOPEZ@COACHELLA.ORG), [GPerez@COACHELLA.ORG](mailto:GPerez@COACHELLA.ORG) AND [YBECERRIL@COACHELLA.ORG](mailto:YBECERRIL@COACHELLA.ORG).

TRANSMITTAL PRIOR TO THE START OF THE MEETING IS REQUIRED. ANY CORRESPONDENCE RECEIVED DURING OR AFTER THE MEETING WILL BE DISTRIBUTED TO THE PLANNING COMMISSION AND RETAINED FOR THE OFFICIAL RECORD.

YOU MAY PROVIDE TELEPHONIC COMMENTS BY CALLING THE PLANNING DEPARTMENT AT (760)-398-3102 **NO LATER THAN 4:00 P.M.** THE DAY OF THIS MEETING TO BE ADDED TO THE PUBLIC COMMENT QUEUE. AT THE APPROPRIATE TIME, YOU WILL BE CALLED SO THAT YOU MAY PROVIDE YOUR PUBLIC TESTIMONY TO THE PLANNING COMMISSION.

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

[HTTPS://US02WEB.ZOOM.US/J/88900660100?pwd=c1UwVjB0SVpkK3NtWWNqNEFAC214Zz09](https://us02web.zoom.us/j/88900660100?pwd=c1UwVjB0SVpkK3NtWWNqNEFAC214Zz09)

**PASSCODE: 674336**

**OR IPHONE ONE-TAP :**

**US: +16699006833,,88900660100#,,,,\*674336# OR +12532158782,,88900660100#,,,,\*674336#**

**WEBINAR ID: 889 0066 0100**

**PASSCODE: 674336**

**CALL TO ORDER:**

Meeting was called to order at 6:03pm by Chair Virgen.

**PLEDGE OF ALLEGIANCE:**

Pledge of allegiance lead by Vice Chair Navarrete.

**ROLL CALL:**

Present: Alternate Commissioner Leal, Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

Absent: None.

**APPROVAL OF AGENDA:**

“At this time the Commission may announce any items being pulled from the agenda or continued to another date or request the moving of an item on the agenda.”

Motion to Approve Agenda for the Planning Commission Meeting of June 2nd, 2021

Made by: Commissioner Figueroa.

Seconded by: Commissioner Gonzalez.

Approved, by the following roll call vote:

AYES: Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**APPROVAL OF THE MINUTES:**

1. Planning Commission Meeting Minutes for May 5<sup>th</sup>, 2021.

Motion to Approve Minutes for the Planning Commission Meetings of May 5th, 2021.

Made by: Commissioner Huazano.

Seconded by: Commissioner Gonzalez.

Approved, by the following roll call vote:

AYES: Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Planning Commission Meeting Minutes for May 19<sup>th</sup>, 2021.

Motion to correct and bring back Minutes for the Planning Commission Meetings of May 19th, 2021.

Made by: Vice Chair Navarrete.

Seconded by: Commissioner Gonzalez.

Approved, by the following roll call vote:

AYES: Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

NOES: None.

**WRITTEN COMMUNICATIONS:**

None.

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

“The public may address the Commission on any item of interest to the public that is not on the agenda, but is within the subject matter jurisdiction thereof. Please limit your comments to three (3) minutes.”

None.

**REPORTS AND REQUESTS:**

Per Luis Lopez, new staff, Gabriel Perez to assume duties of Development Services Director. Rebecca Contreras, interim remote planner.

Per Luis Lopez, new City Manager takes his seat on Friday June 4<sup>th</sup>, 2021.

Last day upcoming for Luis Lopez.

**NON-HEARING ITEMS:**

None.

**PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

3. Conditional Use Permit No. 339 to allow an alcoholic beverage license (Beer and Wine- ABC License Type 41) as part of an existing 944 square foot restaurant located at 84-705 Avenue 50, Suite 1 (dba: Tacos Pericos), in the C-G (General Commercial) zone within an existing commercial center.

Public Hearing Opened at 6:21pm by Chair Virgen.

None.

Public Hearing Closed at 6:22 pm by Chair Virgen.

Motion: To Approve Item 3. Conditional Use Permit No. 339 to allow an alcoholic beverage license (Beer and Wine- ABC License Type 41) as part of an existing 944 square foot restaurant located at 84-705 Avenue 50, Suite 1 (dba: Tacos Pericos), in the C-G (General Commercial) zone within an existing commercial center.

Made by: Commissioner Gonzalez.  
Seconded by: Vice Chair Navarrete.

Approved by the following roll call vote:

AYES: Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

4. Paradise Liquor – Alcohol Sales Request

Conditional Use Permit No. 338 to allow liquor sales as part of a proposed 2,500 square foot convenience store (ABC Type 21, Off-Sale General) in an existing commercial building located at 50-223 Cesar Chavez Street, Suite “B” in the C-G (General Commercial) zone. Paradise Liquor, Inc. (Applicant).

Public Hearing Opened at 6:41pm by Chair Virgen.

Elyana Steih- applicant/with applicant.

Public Hearing Closed at 6:51pm by Chair Virgen .

Motion to approve Item 4. Conditional Use Permit No. 338 to allow liquor sales as part of a proposed 2,500 square foot convenience store (ABC Type 21, Off-Sale General) in an existing commercial building located at 50-223 Cesar Chavez Street, Suite “B” in the C-G (General Commercial) zone. Paradise Liquor, Inc. (Applicant).

\*\*\*With the added finding that there is a benefit to the community that outweighs zoning restrictions and the need for a zoning variance. AND that advertisements for said establishment limit the use of the word, “liquor.”

Made by: Commissioner Gonzalez.

Seconded by Commissioner Navarrete

Motion fails/does not pass by the following roll call vote:

AYES: Commissioner Gonzalez, Vice Chair Navarrete.

NOES: Commissioner Figueroa, Commissioner Huazano, Chair Virgen.

ABSTAIN: None.

ABSENT: None.

*\*\*\*Luis Lopez, Development Services Director advised applicant can appeal to the City Council within 15 days.*

**INFORMATIONAL:**

Gabriel Perez, introduction.

Luis Lopez advised new City Manager Appointment.

**ADJOURNMENT:**

Meeting Adjourned by Chair Virgen at 7:03 pm.

Respectfully Submitted by,



Yesenia Becerril

Planning Commission Secretary

*Complete Agenda Packets are available for public inspection in the  
Planning Department at 53-990 Enterprise Way, Coachella, California, and on the  
City's website [www.coachella.org](http://www.coachella.org).*

THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES



**STAFF REPORT  
6/16/2021**

**TO:** Planning Commission Chair and Commissioners

**FROM:** Gabriel Perez, Assistant Community Development Director

**SUBJECT:** Kismet Coachella Dispensary – A request for 12-month Time Extension for Conditional Use Permit No. 305 and Change of Zone No. 18-07 to convert an existing vacant commercial tenant space into a 3,050 square foot cannabis dispensary with 750 square feet for check-in and waiting area, 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging to be located in Building 1 located at 1639 and 1645 6<sup>th</sup> Street; and a 4,500 square foot coffee shop, art display and office/event space to be located in Building 2 located at 1657 and 1669 6<sup>th</sup> Street. Additionally, the applicant proposes to add the RC (Retail Cannabis) overlay zone to the existing C-G (General Commercial) zone on Building 1 located at 1639 and 1645 6<sup>th</sup> Street.

---

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission review the information contained in this staff report and deny the request for time extension.

**BACKGROUND:**

On February 26, 2020 the Planning Commission approved Conditional Use Permit (CUP 303) for the The Kismet Coachella Project which is proposing to convert four existing vacant tenant spaces on the north side of 6<sup>th</sup> Street into the following uses: a 3050 square foot cannabis dispensary that includes the following uses: a 750 square feet area for check-in and waiting area; 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging that would be located in Building No. 1. A 4500 square foot coffee shop, art display and office/event space is proposed to be located in Building No. 2.

Additionally, the Planning Commission approved Change of Zone No. pro 18-07, which purposes to add the RC (Retail Cannabis) overlay zone to the existing C-G (General Commercial) zone on Building 1 located at 1639 and 1645 6<sup>th</sup> Street.

The following exhibits illustrated the existing project site and proposed use of the site and building.



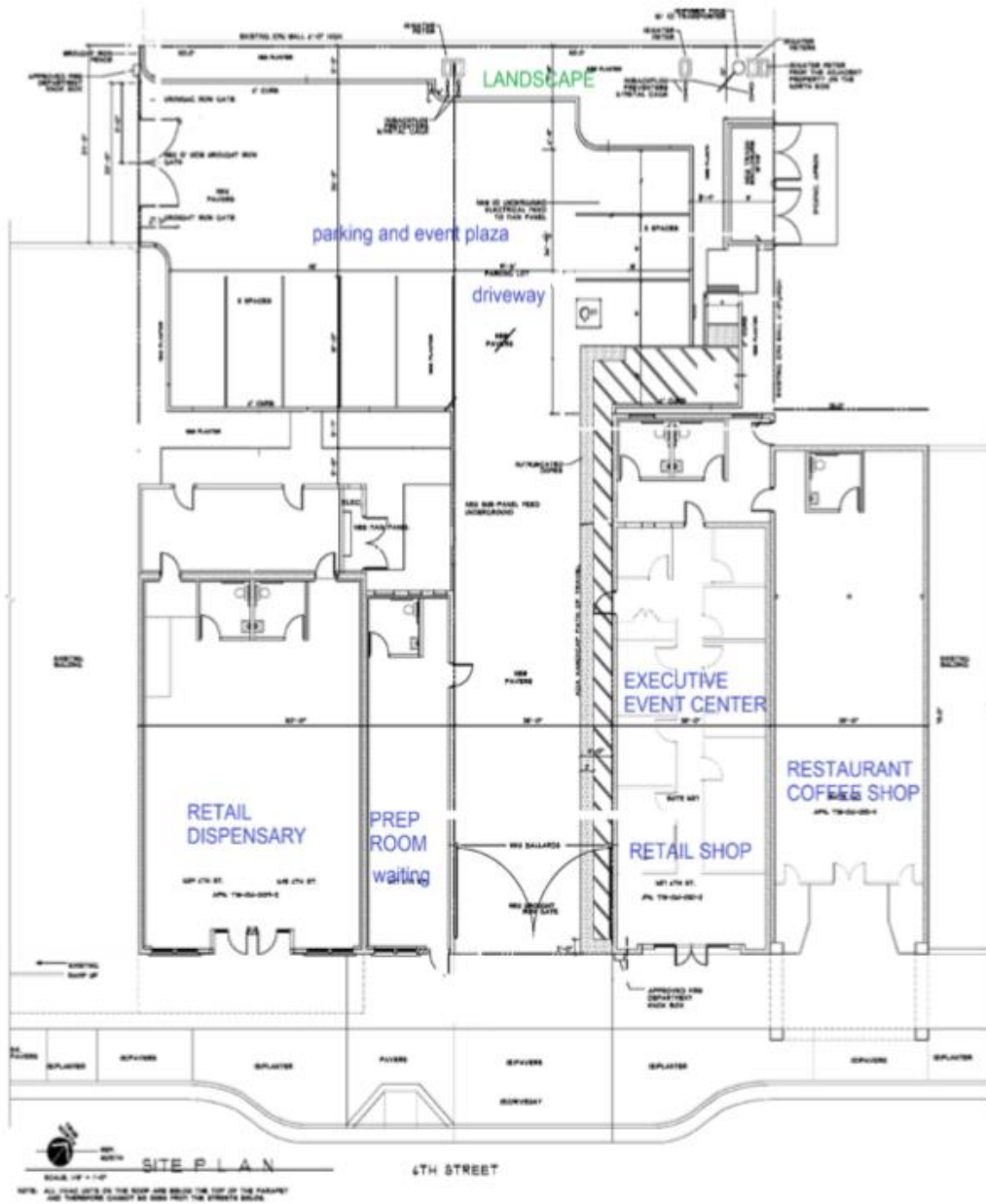
The photograph below is looking north at the existing buildings from Sixth Street. The retail cannabis business is proposed for this building.



The photograph below is looking at Building #2 that is proposed for the coffee shop, art display and office/event space.





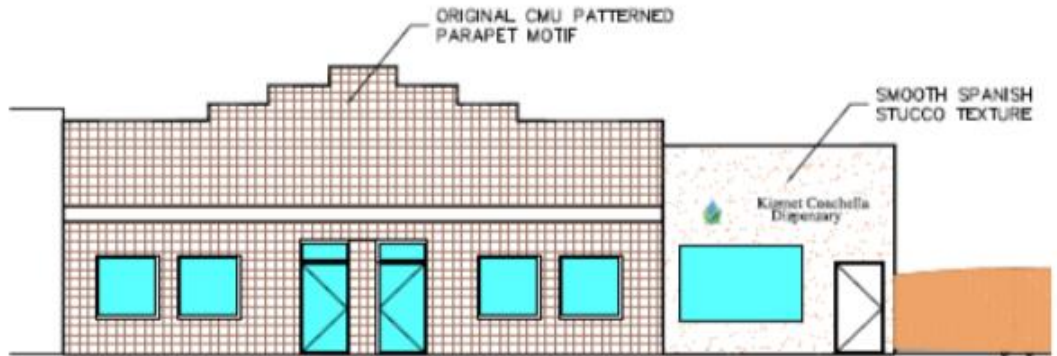


The overall project and streetscape including both buildings is illustrated below:



The dispensary is proposed for Building 1 as illustrated and described below:

**Building 1 (Dispensary)**

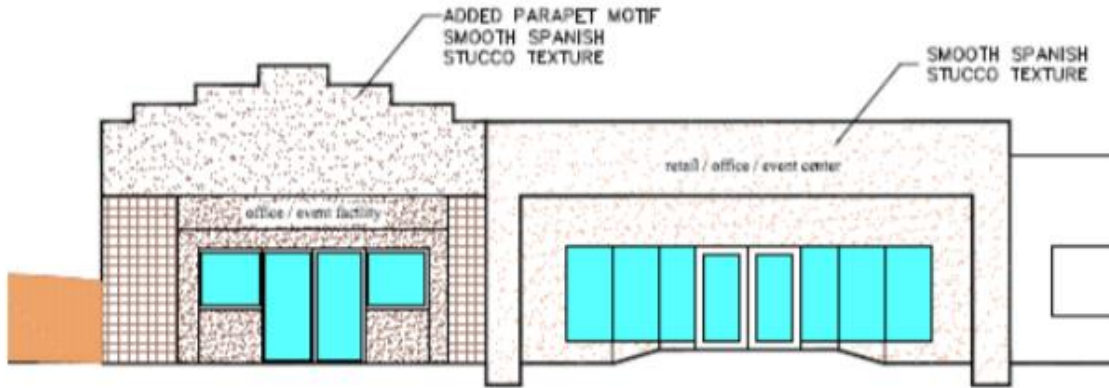


**Building 1 -- Dispensary**  
1639 6<sup>th</sup> Street – 2,300 SF  
1645 6<sup>th</sup> Street – 750 SF

These two addresses are adjoining and considered one building.  
Kismet has control of these two buildings in agreement with the property owner.

The proposed coffee shop, art displays and office/event space is illustrated and described below.

### Building 2 (Coffee & Art)



### Building 2 – Coffee Shop, Art Displays, & Office/Event Space

1657 6<sup>th</sup> Street – 2,200 SF

1669 6<sup>th</sup> Street – 2,300 SF

Artist renderings of the completed buildings are illustrated on the two exhibits below:





The exhibit below shows the view towards the rear of the building looking at the proposed parking lot.



The two exhibits below illustrate the interior of the cannabis dispensary.



The above exhibit illustrates the proposed coffee bar, check in reception and waiting area of the proposed cannabis dispensary.

**REQUEST FOR TIME EXTENSION:**

Pursuant to Zoning Ordinance Section 17.74.050, a conditional use that has been granted, but not exercised within one year may be renewed for three one-year time extension if an application stating reasons for renewal is filed prior to one year after the effective date of the conditional use approval. The applicant submitted a letter dated April 3, 2021 (attached) requesting a 12-month time extension for CUP 305 and Change of Zone No. 18-07, which approved the operation of Cannabis Dispensary facility. The applicants state that the time delay is in construction and correcting structural issues, lack of response from Imperial Irrigation District and have not been successful in finalizing any lease agreements.

The Planning Commission has discretion to approve time extension requests for approved CUP's and Change of Zone's where there is a justification for the delay in construction activity, and where the project continues to be in keeping with City policies and the public interest. Recently, the City Council directed staff to take hardline approach with the Retail Cannabis applicants that have not diligently pursued construction, or licensing of the approved dispensary. The compelling reason for this involves the City's loss of retail cannabis tax based due to the failure of the owners to execute the project.

**CONCLUSIONS AND RECOMMENDED ACTION:**

The applicants have had ample time to obtain permits and pursue construction diligently over the past 14 months. The justification for construction delays issues are not sufficient to allow a continued loss of taxation revenue. In fact retail cannabis businesses have been classified as "essential businesses" by the State of California in enforcing the temporary closures of public assembly and other businesses.

Based on the above discussion, staff recommends that the Planning Commission deny the request for time extension and allow the applicant to appeal that decision to the City Council. If the City Council upholds the denial, the retail cannabis business would no longer be allowed at this location.

Attachments: 1. Applicant Letter

Luis Lopez

April 3, 2021

Item 3.

Development Service Director

City of Coachella

53-990 Enterprise Way

Coachella, CA 92236



Re: Resolution No. 2020-09/CUP 305 and Resolution No. Ordinance 1146/CZ 18-07

Dear Luis,

This letter respectfully requests that the City of Coachella grant a 12-month time extension for the Approved Retail Cannabis Dispensary (Resolution No.2020-09, CUP 305) approved on February 26, 2020 contingent upon the approval of Ordinance 1146 for CZ 18-07 which occurred on March 11, 2020.

As the Planning Commission is aware, there are three buildings with addresses 1639/1645/1647, 1657 and 1667 Sixth St ('Project') which have been under renovation before and after the CUP 305 was approved in 2020. In addition to the seismic retrofitting, new roof diaphragms, roof materials and systems, foundation work, most recent extensive renovation includes new interior walls, all new electrical, plumbing, sewer, innovative insulation, wall surface preparation, waste receptacle preparation, painting, etc. By August 2020, an Imperial Irrigation District (IID) Application for Permanent Service was submitted to IID. More than six (6) months lapsed before IID responded and only after our inquiry in February 2021. We are working with IID and await their electric plan/design for the permanent electric service. Additionally, the general contractor Scott Mabe discovered what appears to be a structural issue in the lack of footing for the wall or walls of the building which houses El Trebol Bar and Billards situated at 1633 Sixth St and is adjacent to one of the three buildings which is part of the Project. The potential structural issue appears to need to be addressed preferably before pavers are installed in the parking lot to avoid future problems and potential damage and or added expense to the Project. As the pavers are to be laid with sufficient drainage incorporated, once damaged or should they have to be unearthed to rectify the apparent issue of the wall or walls lacking footing, additional expense to the Project would be generated to remove and to reinstate said pavers. Mr. Mabe is approaching the property owner about this issue.

Multiple versions of lease agreements have been submitted to the Kismet Organic (Kismet Organic Cultivation Collaborative, Kismet Organic Cannabis Cultivation)/Kismet Coachella Dispensary Project applicant and prospective tenant through representatives Ed Sapigao and Dan Kim. They have remained silent on offering any amendment of the terms and have failed to follow through on signing the latest lease agreement they received. They have not provided any tenant improvement (TI) plans for review by property owner representatives; after which they would submit such mutually agreed to plans to the City for review and City approval. They have not participated financially in renovation they requested and agreed to be with their financial input, and agreed to have done by the property owner's contractor, which enhances their design objective and business. In March 2021, it became understood from the City that Kismet Organic/ Kismet Organic Cultivation Collaborative applied for and received approval to operate a dispensary type business for cannabis from the location which they are developing under CUP 278 with APN 603-290-001, southwest corner of Avenue 48 and Harrison St and current address of 48-050 Harrison St. Kismet Organics made no effort to inform us that they intended to establish competition against the very location it submitted to gain first position approval for distribution of cannabis within the City of Coachella. It appears that Kismet Organics is performing in a deceptive manner with the City and with us.

In an effort to secure tenants in the various spaces in the three buildings, since approximately July 2020, we have spent time and funds negotiating with prospective tenants including aforementioned representatives. As of the writing of this letter, there is one business which desires to open in a portion of one of the buildings and represents that they are awaiting a date assignment for an inspection by a government agency which they represent could take up to three (3) months to secure said inspection date, and must occur prior to signing a lease agreement. We will be speaking with them this month. There are other businesses that desires to open in the balance of aforementioned building a cannabis related business and one of the other buildings a cannabis related restaurant style business to include cannabis edibles. There is another business which has original recipes for marinates for meats and poultry. They desire to rent office space in one of the buildings and operate their business with social distancing outside as a walk-up/drive-up service, initially on a portion of the pavers that are in place between two of the buildings. We ask to be given the opportunity to continue to realize businesses that are in harmony with the CUP and shall benefit the City.

Luis Lopez  
Development Service Director  
City of Coachella  
Resolution 2020-09 CUP 305  
April 3, 2021  
Pg 2

The status with IID, the discovery of the apparent structural issue with the adjacent building aforementioned, the lack of forward movement by Kismet Organic, the pandemic crisis slowing responses from business, equipment, supply entities and or government agencies has contributed to the delay on this Project. The onset of the pandemic crisis, entering its second year, has fueled the need for social distancing. We are seriously considering modification of the owner's plans possibly to include a trellis type structure located between the buildings and or behind the buildings and are researching various materials to determine what may be the product to use. If feasible, this trellis will be considered and will be designed to relate aesthetically. This could allow even for a certified open-air market.

Mr. Scott Mabe is agreeable to speak at the Planning Commission meeting.

Your approval of this request for an extension is immensely appreciated.

Sincerely,

  
Cheryl Thomas  
Executor



Genevieve Thomas Estate  
Cheryl Thomas Executor  
Coachella, CA 92236

Date April 05, 2021 **1054**  
90-203/1211

PAY TO THE  
ORDER OF

CITY OF COACHELLA

\$ 1125.00

ONE THOUSAND ONE HUNDRED TWENTY FIVE AND 00/100

Dollars

**Mechanics Bank**  
Where Relationships Matter  
PH: 305.577.8224

MEMO CALL 305 305 Reg Time Est  
163911645/12001, 16571, 1657 6/3  
Coachella  
*[Signature]*  
AUTHORIZED SIGNATURE

⑆ 12102036⑆ 1054 0495812794⑈



**STAFF REPORT**  
**6/2/2021**

**TO:** Planning Commission Chair and Commissioners

**FROM:** Luis Lopez, Development Services Director

**SUBJECT:** Paradise Liquor – Alcohol Sales Request

**SPECIFICS:** Conditional Use Permit No. 338 to allow liquor sales as part of a proposed 2,500 square foot convenience store (ABC Type 21, Off-Sale General) in an existing commercial building located at 50-223 Cesar Chavez Street, Suite “B” in the C-G (General Commercial) zone. Paradise Liquor, Inc. (Applicant)

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission adopt Resolution No. PC 2021-08 approving Conditional Use permit No. 338 and Variance No. 21-02 to allow a liquor sales license (Type 21, Off-Sale, General) at “Paradise Liquor” located at 50-223 Cesar Chavez Street, Suite “B” pursuant to the findings and conditions of approval contained in the staff report and attached resolution.

**BACKGROUND:**

The subject site is a vacant commercial tenant space located within a 1.08-acre neighborhood commercial center located at the southwest corner of Westerfield Way and Cesar Chavez Street. The tenant space was previously occupied by “Radio Shack” for many years, but has remained empty for several years. The parking lot serving this commercial center is located in the rear portion of the site which is adjacent to an existing multifamily residential apartments complex.

**DISCUSSION/ANALYSIS:**

The applicant, Paradise Liquor, Inc. has submitted a request for Conditional Use Permit to allow the off-sale of liquor (beer, wine and spirits) in conjunction with a new 2,500 square foot convenience grocery market. The owner has stated that this will allow local residents to have “grab and go” capabilities without having to go to the larger markets for their grocery items (i.e., Cardenas, 99 Cents Store, Smart & Final, etc.). As such, they envision that the store will serve the neighborhood commercial use of the immediate neighborhoods to the east and west of the property.

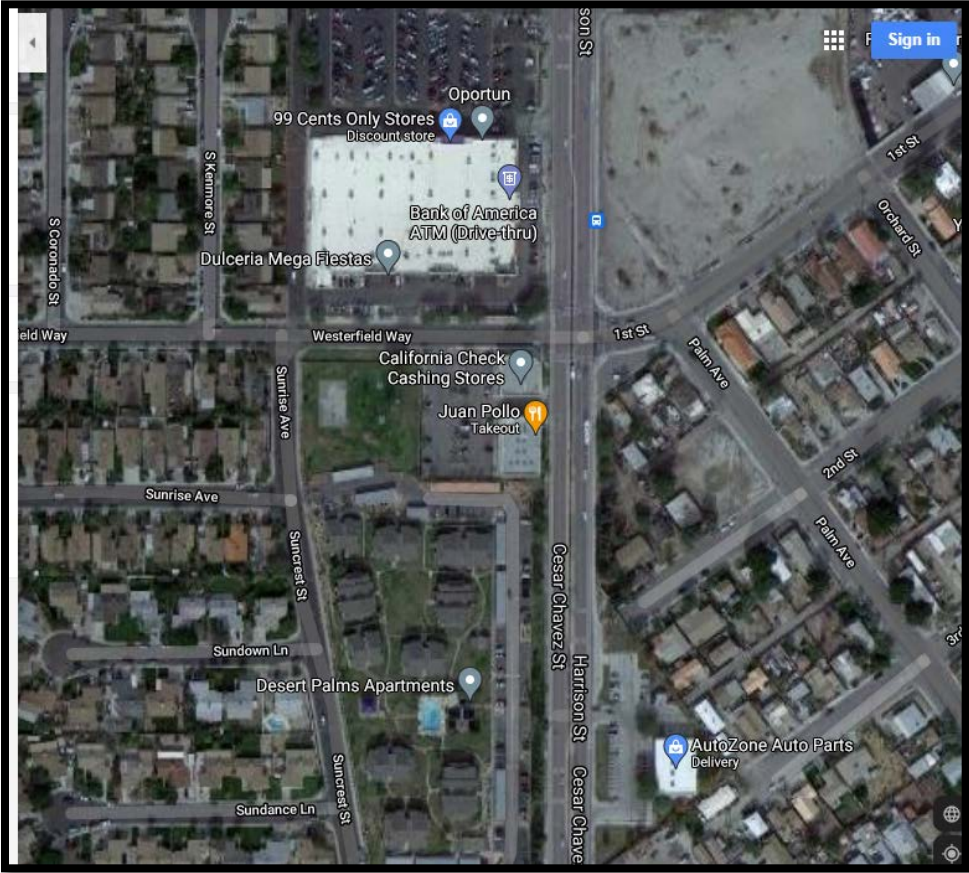
The zoning designation of the commercial center where the store is proposed is within the C-G (General Commercial) and allows retail sales and grocery stores by right. Several years ago the City adopted an ordinance requiring a conditional use permit for any off-sale alcohol sales

establishment, with additional land use regulations contained in Section 17.74.015 of the Zoning Code. The additional land use regulations state as follows:

*Section 17.74.015C-2*

- a. The establishment does not fall within seven hundred (700) feet, measured from property line to property line, of a use for religious worship, school (public or private), park, playground, residential or any similar sensitive use; and*
- b. The establishment does not fall within seven hundred (700) feet, measured from property line to property line, of an existing liquor, off-sale use.*

The proposed liquor sales store is located within 200 feet away from the playground located on the west side of the parking lot, and within 700 feet away from other residential uses on the east side of Cesar Chavez Street. The aerial photograph below shows the location of the commercial center at the southwest corner of Westerfield Way and Cesar Chavez Street. Currently there is one off-sale alcohol license within 700 feet located at the “99 Cent Store” at 50-249 Cesar Chavez Street, Suite J.



*Paradise Liquor (next to Juan Pollo and CA Check Cashing)*

Section 17.74.015C of the Zoning Code allows the City to allow off-sale liquor establishments (liquor stores) that are less than 700 feet from playgrounds, residential property, and other liquor stores, provided the following additional findings are made:

- i. *The planning commission may find that the public benefit outweighs the distance restrictions of subsections (a) and/or (b) above, upon additional findings that:*
  - (A) *The establishment provides a substantial benefit to the immediate neighborhood not provided by another existing establishment within the restricted distance; and*
  - (B) *Not greater than five percent of the sales floor area or one thousand (1,000) square feet, whichever is less, shall be used for the display or sale of alcoholic beverages;*
- c. *That the requested establishment at the proposed location will not adversely affect the economic welfare of the nearby community; and*
- d. *That the exterior appearance of the structure of the proposed establishment will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight or deterioration, or substantially diminish or impair the property values within the neighborhood.*

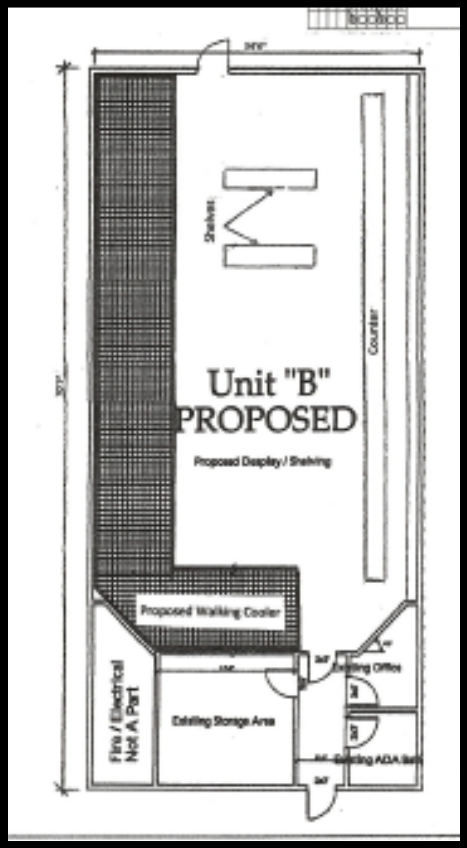
The floor plan for the Paradise Liquor business is shown to the right. The floor plan shows a large walk-in cooler along the long side of the tenant space. The owner has stated that a variety of non-alcoholic beverages and food items will be displayed for sale, in addition to alcoholic beverages, in the coolers. Additionally, there will be several gondolas in the open sales area of the store to display packaged foods, canned food items, dry goods, and similar convenience store items.

In order to allow the proposed liquor sales within 700 feet of the existing playground, residential uses, and 99-Cent Store off-sale alcohol establishment, the Planning Commission must make the above special findings, in addition to the normal CUP findings of fact.

Staff believes that this store will provide a convenient “grab and go” option for many residents in the vicinity that do not wish to travel and take extra time to go into the larger supermarkets in the larger vicinity. Accordingly, staff has prepared findings for approval of the CUP as proposed.

Hours of Operation:

The applicant has not indicated specific hours of operation for the convenience store. The City Municipal Code does not legislate any hour of operation restrictions, per se. However, staff is



concerned that the late evening hour sale of alcoholic beverages could have an adverse effect on the adjoining residential uses to the west. Accordingly, staff recommends that the hours of operation for the business be limited to 7:00 am to 10:00 pm Sunday through Wednesday, and 7:00 am to 11:00 pm Thursday through Saturday.

Environmental Setting:

The subject site is a small commercial center located at the southwest corner of Westerfield Way and Cesar Chavez Street and is substantially surrounded by urban uses, with adjoining zoning and land uses as follows:

North: Cardenas Shopping Center, multi-tenant uses / (C-G, General Commercial)

South: Multifamily Residential / (R-M, Residential Multifamily)

East: Single-family residential / (C-G, General Commercial)

West: Playground/ Single Family Residential / (R-M, Multifamily Residential)

Site Plan / Parking and Circulation:

The site is fully developed with one driveway access from Westerfield Way and an additional driveway along Cesar Chavez Street. The site provides ample parking spaces for all the existing uses at the commercial center.

**ENVIRONMENTAL REVIEW:**

Staff has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as “Existing Facilities” (CEQA Guidelines, Section 15301). The proposed project consists of the operation, licensing and minor alteration of an existing private commercial structure involving no expansion of existing or former commercial use on the property. The subject site has been used for commercial retail establishments and no expansions of floor area are proposed.

**CONCLUSIONS AND RECOMMENDATIONS**

Based on the analysis contained herein and the findings listed below, staff is recommending that the Planning Commission approve Conditional Use Permit No. 338 with the findings and conditions listed below, and in the attached resolution.

**FINDINGS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 338:**

1. The proposed use will not be in conflict with, but will be in harmony with and in accordance with the objectives of the general plan because the proposed restaurant use with alcohol sales is within the Neighborhood Center land use designation according to the General Plan 2035,

which allows the intended physical character to provide a comfortable, walkable environment for shoppers and diners and envisions neighborhood commercial uses mixed with high-density residential uses. The liquor sales establishment will be part of a convenience store that will provide for the sale of grocery items to serve adjoining residents.

2. The proposed use will be located, designed, constructed, operated and maintained so as to be compatible with the existing character of the general vicinity and shall not change the essential character of the same area because the proposed use is within a zoning designation of 'C-G' (General Commercial) which permits grocery stores subject to obtaining a conditional use permit to sell alcoholic beverages. The proposed use is on a major commercial thoroughfare street within a multi-tenant site that is compatible with the adjoining commercial uses and the conditional use permit can be revoked if any of the conditions of approval are violated.
3. Consideration has been given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities, to harmful effect, if any, upon desirable neighborhood character, to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of development, because the existing commercial tenant space is within an existing commercial center with all infrastructure available on-site for the proposed grocery convenience store. Additionally, there is adequate ingress and egress into and out of the existing center to maintain the adequacy of the traffic circulation system serving the proposed use.
4. Where the proposed use may be potentially hazardous or disturbing to existing or reasonably expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole. As conditioned, the proposed use will provide for the sale of alcoholic beverages in conjunction with a convenience grocery store with limitations on hours of operation. As such, there will be no hazardous or disturbing effects to the existing and neighboring uses.
5. The proposed use provides vehicular approaches to the property designed for reasonable minimal interference with traffic on surrounding public streets or roads, because all approaches are in full use for the patrons of the commercial center and no alterations are proposed as part of the request to sell and/or serve alcohol at the existing 944 square foot restaurant and no negative effects exists.
6. The City of Coachella has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an "Existing Facilities" project (CEQA Guidelines, Section 15301a). The project involves minor alterations to interior partition walls, and existing electrical, plumbing, and mechanical systems within an existing commercial building.

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 338:**

1. Conditional Use Permit No. 338 is an approval for the sale of alcohol in conjunction with a proposed 2,500 square foot convenience grocery store. This approval is based on the floor plan submitted for the proposed project. Violation of any of the conditions of approval shall be cause for revocation of the Conditional Use Permit.
2. Alcohol sales must be commenced within 12 months of the effective date of this Conditional Use Permit unless a request for an extension of time is reviewed by the Planning Commission. A request for time extension shall be filed in a timely manner with applicable fees.
3. Any break in service, meaning the closure of the convenience grocery store use for a period of 180 consecutive days, will result in the expiration of this CUP.

4. The applicant will agree to defend and indemnify the City of Coachella against all claims, actions, damages, and losses, including attorney fees and costs, in the event that anyone files legal challenges to the approval of this project on the basis of the California Environmental Quality Act (CEQA). Prior to the issuance of building permits, the applicant shall execute a standard indemnification agreement subject to review by the City Attorney.
5. All plan submittals for interior renovations of the proposed convenience grocery store shall be the responsibility of the applicant; this includes plan submittals to the City of Coachella Building Division, and the Riverside County Fire Marshall's Office.
6. The applicant shall be responsible for informing all subcontractors or other business entities providing services related to the project of their responsibility to comply with all pertinent requirements in the Coachella Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City.
7. The use shall meet the standards within the limits established by the Coachella Municipal Code as related to emissions of noise, odor, dust, vibration, wastes, fumes, or any public nuisances arising or occurring incidental to the establishment or operation.
8. The applicant shall pay all fees at the time fees are due and comply with all requirements of other outside agencies.
9. Any sign approval for the project is a separate process requiring the issuance of a sign permit and building permit and it is subject to review and approval by the Development Services Department and Building and Safety. The applicant shall not place any signs on west side of the building facing the playground adjacent to the parking lot serving the business, such that any brands of alcohol are visible from the playground.
10. The sale of alcoholic beverages is approved under this CUP is for a 2,500 square foot convenience store that provides a variety of grocery food items and dry goods. The operator shall work with the City's Police Department to deter theft of beer and wine items from the refrigerated display areas.
11. Hours of operation for the convenience store may be from 7:00 a.m. to 10:00 p.m. Sunday thru Wednesday and from 7:00 am to 11:00 pm Thursday through Saturday. The business shall offer the sale of prepared meals at all hours of operation. The last call for alcohol sales shall be 30 minutes before closing time.
12. The applicant shall comply with all requirements imposed by the State Department of Alcoholic Beverage Control and a review of this conditional use permit will be required if the business results in an increase in floor area.

Attachments: Resolution No. PC 2021-08  
Applicant Memo  
Correspondence



Coachella Civic Center, Hearing Room  
53-462 Enterprise Way, Coachella, California  
(760) 398-3502 ♦ [www.coachella.org](http://www.coachella.org)

**MINUTES**  
OF A REGULAR MEETING  
OF THE  
CITY OF COACHELLA  
PLANNING COMMISSION

**June 02, 2021**  
6:00 PM

PURSUANT TO EXECUTIVE ORDER N-29-20, THIS MEETING WILL BE CONDUCTED BY TELECONFERENCE AND THERE WILL BE NO IN-PERSON PUBLIC ACCESS TO THE MEETING LOCATION.

YOU MAY SUBMIT YOUR PUBLIC COMMENTS TO THE PLANNING COMMISSION ELECTRONICALLY. MATERIAL MAY BE EMAILED TO [LLOPEZ@COACHELLA.ORG](mailto:LLOPEZ@COACHELLA.ORG), [GPerez@COACHELLA.ORG](mailto:GPerez@COACHELLA.ORG) AND [YBECERRIL@COACHELLA.ORG](mailto:YBECERRIL@COACHELLA.ORG).

TRANSMITTAL PRIOR TO THE START OF THE MEETING IS REQUIRED. ANY CORRESPONDENCE RECEIVED DURING OR AFTER THE MEETING WILL BE DISTRIBUTED TO THE PLANNING COMMISSION AND RETAINED FOR THE OFFICIAL RECORD.

YOU MAY PROVIDE TELEPHONIC COMMENTS BY CALLING THE PLANNING DEPARTMENT AT (760)-398-3102 **NO LATER THAN 4:00 P.M.** THE DAY OF THIS MEETING TO BE ADDED TO THE PUBLIC COMMENT QUEUE. AT THE APPROPRIATE TIME, YOU WILL BE CALLED SO THAT YOU MAY PROVIDE YOUR PUBLIC TESTIMONY TO THE PLANNING COMMISSION.

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

[HTTPS://US02WEB.ZOOM.US/J/88900660100?pwd=c1UwVjB0SVpkK3NtWWNqNEFAC214Zz09](https://us02web.zoom.us/j/88900660100?pwd=c1UwVjB0SVpkK3NtWWNqNEFAC214Zz09)

**PASSCODE: 674336**

**OR IPHONE ONE-TAP :**

**US: +16699006833,,88900660100#,,,,\*674336# OR +12532158782,,88900660100#,,,,\*674336#**

**WEBINAR ID: 889 0066 0100**

**PASSCODE: 674336**

**CALL TO ORDER:**

Meeting was called to order at 6:03pm by Chair Virgen.



**PLEDGE OF ALLEGIANCE:**

Pledge of allegiance lead by Vice Chair Navarrete.

**ROLL CALL:**

Present: Alternate Commissioner Leal, Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

Absent: None.

**APPROVAL OF AGENDA:**

“At this time the Commission may announce any items being pulled from the agenda or continued to another date or request the moving of an item on the agenda.”

Motion to Approve Agenda for the Planning Commission Meeting of June 2nd, 2021

Made by: Commissioner Figueroa.

Seconded by: Commissioner Gonzalez.

Approved, by the following roll call vote:

AYES: Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**APPROVAL OF THE MINUTES:**

1. Planning Commission Meeting Minutes for May 5<sup>th</sup>, 2021.

Motion to Approve Minutes for the Planning Commission Meetings of May 5th, 2021.

Made by: Commissioner Huazano.

Seconded by: Commissioner Gonzalez.

Approved, by the following roll call vote:

AYES: Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Planning Commission Meeting Minutes for May 19<sup>th</sup>, 2021.

Motion to correct and bring back Minutes for the Planning Commission Meetings of May 19th, 2021.

Made by: Vice Chair Navarrete.

Seconded by: Commissioner Gonzalez.

Approved, by the following roll call vote:

AYES: Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

NOES: None.

**WRITTEN COMMUNICATIONS:**

None.

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

“The public may address the Commission on any item of interest to the public that is not on the agenda, but is within the subject matter jurisdiction thereof. Please limit your comments to three (3) minutes.”

None.

**REPORTS AND REQUESTS:**

Per Luis Lopez, new staff, Gabriel Perez to assume duties of Development Services Director. Rebecca Contreras, interim remote planner.

Per Luis Lopez, new City Manager takes his seat on Friday June 4<sup>th</sup>, 2021.

Last day upcoming for Luis Lopez.

**NON-HEARING ITEMS:**

None.

**PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

3. Conditional Use Permit No. 339 to allow an alcoholic beverage license (Beer and Wine- ABC License Type 41) as part of an existing 944 square foot restaurant located at 84-705 Avenue 50, Suite 1 (dba: Tacos Pericos), in the C-G (General Commercial) zone within an existing commercial center.

Public Hearing Opened at 6:21pm by Chair Virgen.

None.

Public Hearing Closed at 6:22 pm by Chair Virgen.

Motion: To Approve Item 3. Conditional Use Permit No. 339 to allow an alcoholic beverage license (Beer and Wine- ABC License Type 41) as part of an existing 944 square foot restaurant located at 84-705 Avenue 50, Suite 1 (dba: Tacos Pericos), in the C-G (General Commercial) zone within an existing commercial center.

Made by: Commissioner Gonzalez.  
Seconded by: Vice Chair Navarrete.

Approved by the following roll call vote:

AYES: Commissioner Figueroa, Commissioner Gonzalez, Commissioner Huazano, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

4. Paradise Liquor – Alcohol Sales Request

Conditional Use Permit No. 338 to allow liquor sales as part of a proposed 2,500 square foot convenience store (ABC Type 21, Off-Sale General) in an existing commercial building located at 50-223 Cesar Chavez Street, Suite “B” in the C-G (General Commercial) zone. Paradise Liquor, Inc. (Applicant).

Public Hearing Opened at 6:41pm by Chair Virgen.

Elyana Steih- applicant/with applicant.

Public Hearing Closed at 6:51pm by Chair Virgen .

Motion to approve Item 4. Conditional Use Permit No. 338 to allow liquor sales as part of a proposed 2,500 square foot convenience store (ABC Type 21, Off-Sale General) in an existing commercial building located at 50-223 Cesar Chavez Street, Suite “B” in the C-G (General Commercial) zone. Paradise Liquor, Inc. (Applicant).

\*\*\*With the added finding that there is a benefit to the community that outweighs zoning restrictions and the need for a zoning variance. AND that advertisements for said establishment limit the use of the word, “liquor.”

Made by: Commissioner Gonzalez.

Seconded by Commissioner Navarrete

Motion fails/does not pass by the following roll call vote:

AYES: Commissioner Gonzalez, Vice Chair Navarrete.

NOES: Commissioner Figueroa, Commissioner Huazano, Chair Virgen.

ABSTAIN: None.

ABSENT: None.

*\*\*\*Luis Lopez, Development Services Director advised applicant can appeal to the City Council within 15 days.*

**INFORMATIONAL:**

Gabriel Perez, introduction.

Luis Lopez advised new City Manager Appointment.

**ADJOURNMENT:**

Meeting Adjourned by Chair Virgen at 7:03 pm.

Respectfully Submitted by,

\_\_\_\_\_  
Yesenia Becerril

Planning Commission Secretary

*Complete Agenda Packets are available for public inspection in the  
Planning Department at 53-990 Enterprise Way, Coachella, California, and on the  
City's website [www.coachella.org](http://www.coachella.org).*

THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES



**STAFF REPORT**  
**6/16/2021**

**TO:** Planning Commission Chair and Commissioners

**FROM:** Gabriel Perez, Assistant Community Development Director

**SUBJECT:** Paradise Liquor – Alcohol Sales Request

**SPECIFICS:** Adopt resolution to deny Conditional Use Permit No. 338 a request for liquor sales as part of a proposed 2,500 square foot convenience store (ABC Type 21, Off-Sale General) in an existing commercial building located at 50-223 Cesar Chavez Street, Suite “B” in the C-G (General Commercial) zone. Paradise Liquor, Inc. (Applicant)

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission adopt Resolution No. PC 2021-12 denying Conditional Use permit No. 338, a request to allow a liquor sales license (Type 21, Off-Sale, General) at “Paradise Liquor” located at 50-223 Cesar Chavez Street, Suite “B” pursuant to the findings attached resolution.

**BACKGROUND:**

The applicant, Paradise Liquor, Inc. requests a Conditional Use Permit to allow the off-sale of liquor (beer, wine and spirits) in conjunction with a new 2,500 square foot convenience grocery market. The owner has stated that this will allow local residents to have “grab and go” capabilities without having to go to the larger markets for their grocery items (i.e., Cardenas, 99 Cents Store, Smart & Final, etc.). The proposed business would be located within 200 feet of an existing playground at Desert Palms Apartments. Pursuant to City of Coachella Zoning Ordinance Section 17.74.015C-2, Off-sale liquor sales are not permitted within the 700 foot of a playground, unless additional Conditional Use Permit findings can be made. At the regular Planning Commission meeting of June 2, 2021, the Commission voted to deny Conditions Use Permit 338. A resolution for denial has been prepared for consideration by the Planning Commission.

Attachments:

1. Resolution No. PC 2021-12
2. Planning Commission Staff Report June 2, 2021
3. Draft Planning Commission Minutes June 2, 2021

**RESOLUTION NO. PC 2021-012**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA DENYING CONDITIONAL USE PERMIT NO. 338, A REQUEST FOR A 2,500 SQUARE FOOT CONVENIENCE STORE WITH LIQUOR SALES (ABC LICENSE TYPE 21 – OFF-SALE GENERAL) WITHIN 700 FEET OF PROPERTY USED FOR RESIDENTIAL PURPOSES, (CMC SEC. 17.74.015(C)(2).) (TO THE SOUTH AND EAST OF THE PROPOSED CONVENIENCE STORE), IN AN EXISTING COMMERCIAL BUILDING LOCATED AT 50-223 CESAR CHAVEZ STREET, SUITE “B” (APN 768-050-003); PARADISE LIQUOR, INC., APPLICANT.**

**WHEREAS**, Paradise Liquor, Inc. filed an application for Conditional Use Permit No. 338 (CUP 339) to allow a 2,500 square foot convenience market/store with liquor sales (ABC License Type 21 – Off-Sale General) within 700 feet of property used for residential purposes (CMC Sec. 17.74.015(C)(2).) (to the east and south of the proposed convenience store) in an existing commercial building located at 50-223 Cesar Chavez Street, Suite “B”; Assessor’s Parcel No. 768-050-003 (“Project”); and,

**WHEREAS**, the proposed project is exempt from the California Environmental Quality Act, as amended; and,

**WHEREAS**, the Project is permitted pursuant to Chapter 17.26 of the Coachella Municipal Code, subject to additional findings for Conditional Use Permits for liquor, on-sale and off-sale; and,

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on CUP No. 338 on June 2, 2021 at the Coachella Permit Center, 53-990 Enterprise Way, Coachella, California regarding the proposed Project; and,

**WHEREAS**, at the Planning Commission hearing, the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Coachella, California does hereby deny Conditional Use Permit No. 338, subject to the findings listed below.

Section 1. The above recitals are hereby incorporated by reference.

Section 2. At its regular meeting on June 2, 2021, the Planning Commission conducted a public hearing on the application for a Conditional Use Permit for the operation of a 2,500 square foot convenience market/store with liquor sales within 700 feet of property used for residential purposes (CMC Sec. 17.74.015(C)(2).) in an existing building located at 50-223 Cesar Chavez Street, Suite “B”, Assessor’s Parcel No. 768-050-003.

Section 3. Based upon the administrative record which includes the conditional use permit application, maps, and diagrams of the property, the oral and written evidence presented at the hearing, and upon the independent discretion and criteria enumerated by Section 17.74.015(C)(2) of the Coachella Municipal Code, the Planning Commission finds as follows:

- A. The proposed off-sale use would not be located, operated and maintained so as to be compatible with the existing character of the general vicinity and would change the essential character of the same area because the proposed use would be located within 200 feet of a playground where the Municipal Code Section 17.74.015(C)(2)(a) requires that alcohol establishment not fall within 700 feet of a park or playground.
  
- B. Where the proposed use may be potentially hazardous or disturbing to existing or reasonably expected neighboring uses and finding for the common public interest as a benefit to the community as a whole cannot be made due to the proximity of the proposed use to an existing playground within 200 feet at the Desert Palms Apartments multi-family complex where the Municipal Code Section 17.74.015(C)(2)(a) requires that alcohol establishment not fall within 700 feet of a residential use.
  
- C. The public benefit for the proposed use does not outweigh the distance restrictions in that the benefit provided by the proposed establishment to the immediate neighborhood is already served by existing retail establishments that includes the “99 Cent Store” with an off-sale alcohol license at 50-249 Cesar Chavez Street, Suite J and “Cardenas Markets” with off-sale beer, wine and liquor at 50037 Cesar Chavez Street.

**PASSED APPROVED and ADOPTED** this 16<sup>nd</sup> day of June 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Stephanie Virgen  
 Planning Commission Chairperson

**ATTEST:**

---

Yesenia Becerril  
 Planning Commission Secretary

**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. PC2021-12 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 16<sup>th</sup> day of June 2021 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Yesenia Becerril  
Planning Commission Secretary



**STAFF REPORT**  
**6/9/2021**

**TO:** Planning Commission Chair and Commissioners

**FROM:** Luis Lopez, Development Services Director

**SUBJECT:** Approval of an Addendum to the City of Coachella’s General Plan Update EIR and approval of General Plan Amendment No. 21-01 to change the land use designation of an existing 37.3-acre vacant property from “Open Space” to “Suburban Neighborhood” in order to develop 155 new single-family homes with public streets and common-area improvements, on vacant property located at the southeast corner of Avenue 50 and Calhoun Street. City-Initiated.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission adopt the attached resolution recommending to City Council approval of an Addendum to the City’s General Plan Update EIR and approval of General Plan Amendment No. 21-02 for property located at the southeast corner of Avenue 50 and Calhoun Street.

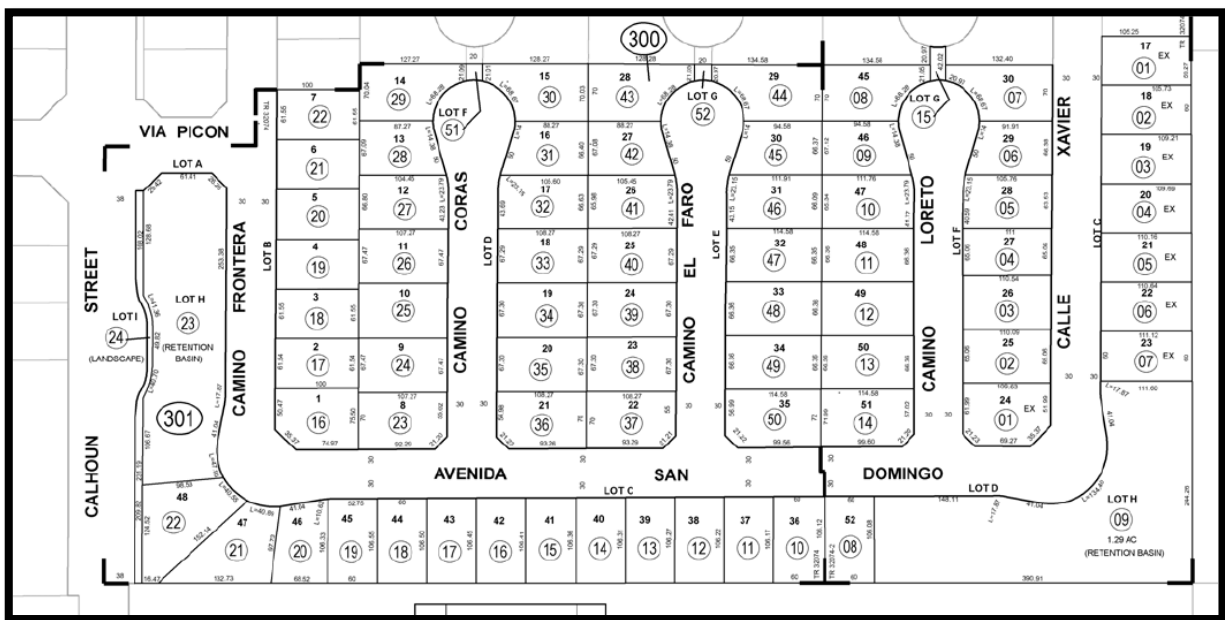
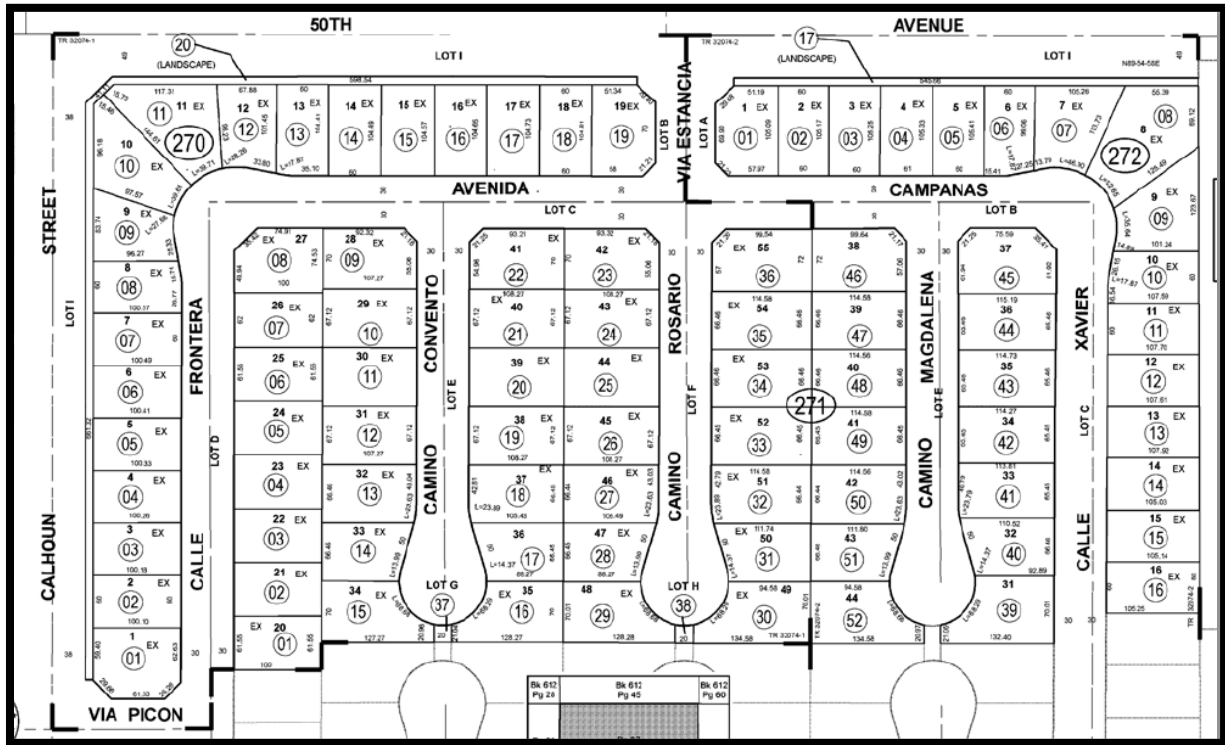
**BACKGROUND:**

In early 2006, a developer entitled a 155-lot subdivision known as “La Colonia II” located on 37.3 acres of vacant land at the southeast corner of Avenue 50 and Calhoun Street. This project was supposed to be a continuation of the production homes previously built at the “La Colonia” community at the southwest corner of Avenue 50 and Calhoun Street. However, the project merely obtained grading permits and began sewer line installations when the great recession of 2007 caused the project to become a distressed subdivision. Although the final tract map was recorded, there were no public streets or public improvements completed on the project and the builder defaulted on prior creditor commitments.

**DISCUSSION/ANALYSIS:**

In October 2011, the City of Coachella acquired approximately 20 vacant lots that were part of the “La Colonia II” community (Tract No. 32074) as part of a Bank Trustee Sale. Then, in June 2014 the City acquired all of the remaining lots (approximately 135 vacant lots) in the subdivision. The City used Quimby (parkland dedication – developer impact fees) because it was the City’s intention to build a City Park on this property. In April 2015, the City’s General Plan Update re-designated the subject property for “Open Space” uses because this was the prior intended use.

As previously stated, Tract No. 32074 was recorded with dedicated public streets (including street names) and common-area lots for perimeter landscaping and retention basins, ready for future development. This is evidenced by the Assessor Parcel Maps shown below.



As a result of the recent housing boom, on July 22, 2020 the City Council authorized staff to execute a standard Vacant Land Listing Agreement with Johnson Commercial to list the property for sale to potential home builders. However, staff was subject to new State laws that require public lands to be first advertised for sale to affordable housing builders (“Surplus Land Act”).

Accordingly, in September 9, 2020 the City published a Notice of Availability pursuant to the State’s Surplus Land Act, and received back interest from multiple parties. Staff reviewed all of the materials presented by the responding parties and later entered into a 90-day Exclusive Right to Negotiate Agreement with the highest bidder, D.R. Horton Los Angeles Holding Company, to sell the 37.3 acres for future development. One of the contract stipulations is that the City re-designate the subject site from “Open Space” to “Suburban Neighborhood” to make the current zoning consistent with the General Plan, and to allow the construction of a 155-lot single family residential development on the site.

The photographs below show the current conditions of the site, which has been previously graded, and sewer lines have been installed.



*View looking southeasterly at Avenue 50 and Calhoun Street*



*View looking west from the east property boundary at Avenue 50*



*View looking east along the southern property boundary at Calhoun Street*

**GENERAL PLAN AMENDMENT:**

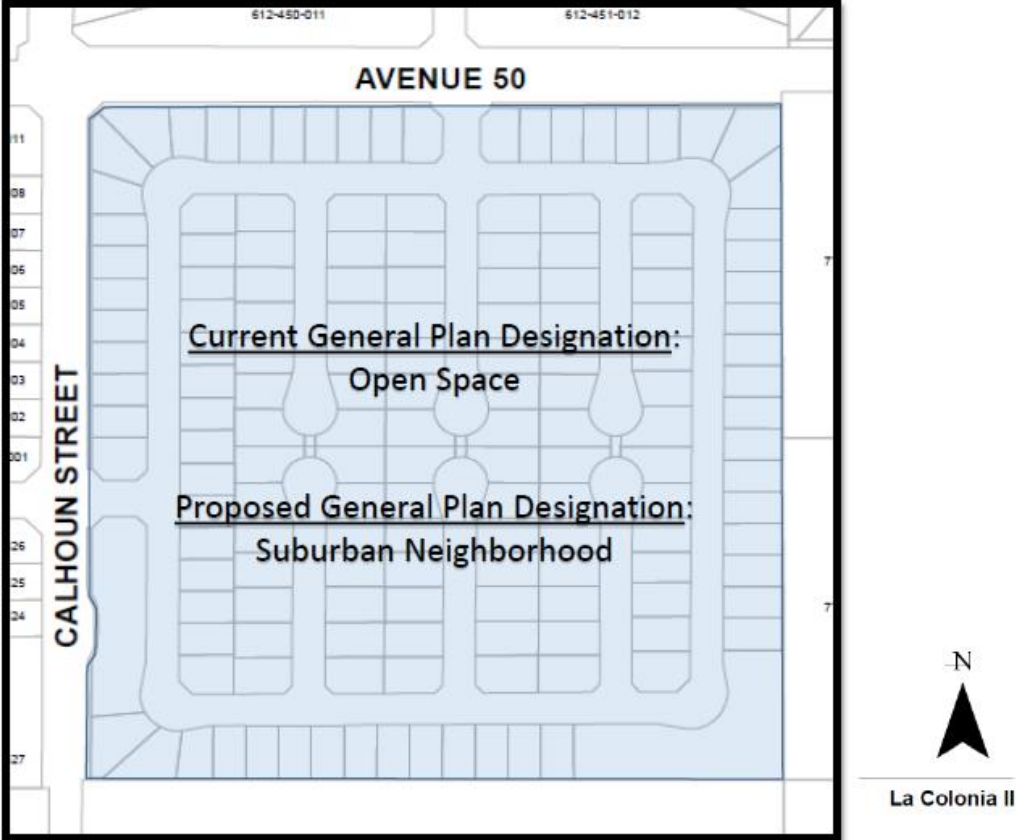
The subject site has a current zoning designation of R-S (Residential Single Family) which allows one dwelling per lot, and other incidental uses. However, due to the 2015 General Plan Update, the City changed the future land use designation of this site to “Open Space” in anticipation of building a City Park. Under State law, whenever there is a conflict between the Zoning Map and the General Plan land use designation, the General Plan takes precedence. Accordingly, any development on this site requires the R-S zone to be changed to a conforming zone that would allow a “public park” or other “open space” use.

The City Council has indicated that they are committed to building a new City Park in another location with the realized proceeds (once the property is sold) that were originally used for the purchase of this property (*approximately \$1.2 Million originally spent, with a reasonable interest rate since 2014*). However, the City Council believes the “highest and best use” of the subject site is for a single-family residential subdivision. The contract sales price of the property is \$3.87 Million which represents a substantial economic benefit to the City of Coachella.

The City has initiated General Plan Amendment No. 21-02 to change the Land Use and Community Character Element of the General Plan, to show the subject property as “Suburban Neighborhood” on the General Plan’s Land Use Map. This would allow a zoning district with up eight dwelling units per acre, but consisting of single-family residential lots. The General Plan Amendment is necessary in order to allow the residential community to be developed. And the buyer (D.R. Horton) is a National homebuilder that is currently building homes in the City of Coachella (i.e, “Escondida Pointe” and “Prado Pointe”). As such, staff is recommending that the Planning Commission recommend to the City Council, approval of this General Plan Amendment.

The exhibit below shows the subject property with its current General Plan designation, and the proposed General Plan designation.

GPA EXHIBIT – LA COLONIA II



**ENVIRONMENTAL REVIEW:**

Staff prepared an Addendum to the Coachella General Plan Update Environmental Impact Report (CGPU EIR - also identified as State Clearinghouse No. 2009021007) pursuant to the guidelines of the California Environmental Quality Act (CEQA), which is attached to this staff report. The Addendum concludes on the basis of substantial evidence that the proposed Project is not expected to result in impacts beyond those previously identified and mitigated in the CGPU EIR. No significant impacts would occur as a result of the Project, as it occurs in the western portions of the City where existing development is concentrated. The Project will adhere to applicable General Plan policies and zoning requirements.

The EIR impacts associated with future development, which were previously determined to be significant and unavoidable, would be less with the proposed Project, because the 155 single-family homes would not change the character of the area in which the site is located. Project impacts associated with the various environmental factors would not exceed those expected under the current Open Space designation, and thus would be comparable to, or less than those identified in the CGPU EIR. As such, no new environmental review documents are required for this General Plan Amendment, and for future construction of the single family homes.

**ALTERNATIVES:**

1. Adopt the attached resolution recommending to the City Council adoption of an Addendum to the Coachella General Plan Update EIR, and Approval of GPA 21-01.
2. Continue this matter and provide staff direction.
3. Take no action.

**RECOMMENDED ALTERNATIVE(S):**

Staff recommends Alternative #1 as shown above.

Attachments:       Resolution No. PC 2021-09  
                          Addendum to General Plan Update EIR  
                          GPA 21-01 Exhibit

**RESOLUTION NO. PC2021-09**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA RECOMMENDING TO THE CITY COUNCIL ADOPTION OF AN ADDENDUM TO ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF COACHELLA GENERAL PLAN UPDATE (SCH # 2009021007) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVAL OF GENERAL PLAN AMENDMENT NO. 21-01 TO CHANGE THE LAND USE DESIGNATION FROM OPEN SPACE TO SUBURBAN NEIGHBORHOOD ON 37.3 ACRES (LA COLONIA II) OF LAND LOCATED AT THE SOUTHEAST CORNER OF AVENUE 50 AND CALHOUN STREET. CITY-INITIATED.**

**WHEREAS**, in 2015, the City of Coachella (“City”) adopted a General Plan Update to guide development and provide a basis for decision-making for the City through 2035; and

**WHEREAS**, pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 *et seq.*) (“CEQA”) and the State CEQA Guidelines (Cal. Code of Regs., tit. 14, § 15000 *et seq.*), in 2015 the City certified the Final Environmental Impact Report (“CGPU EIR”) (SCH # 2009021007), in connection with the General Plan Update; and

**WHEREAS**, the CGPU EIR considered buildout conditions of the Proposed Land Use Plan, which included the maximum buildout potential of a 37.3-acre site located at the southeast corner of Avenue 50 and Calhoun Street (“Project Site”) under the “Open Space” land use designation; and

**WHEREAS**, the City acquired the Project Site in 2011 and intended to build a recreational center for public use, including ball fields, playground, a community/activity center and other equipment/facilities for active recreation; and

**WHEREAS**, prior to acquisition of the Project Site by the City and the certification of the CGPU EIR, a tentative tract map (TTM No. 32074) was submitted to subdivide the Project Site into 155 single family lots, as well as lettered lots for open space, stormwater retention, and streets; and

**WHEREAS**, TTM No. 32074 was recorded and rough grading and sewer line installation was completed on site prior to the City’s acquisition of the Project Site; and

**WHEREAS**, the City has now identified other more desirable park sites and has offered the Project Site for sale as surplus land pursuant to California law; and

**WHEREAS**, a buyer has been selected proposing to develop the Project Site into the 155 single family residential homes and associated streets and common areas recorded under TTM No. 32074 (“La Colonia II”); and



**WHEREAS**, to facilitate the development of La Colonia II , the City proposes a General Plan Amendment to change the land use designation of the 37.3-acre site from “Open Space” to “Suburban Neighborhood” (2-8 DU/AC) (“Project”); and

**WHEREAS**, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an Environmental Impact Report (“EIR”) has been certified or a Mitigated Negative Declaration (“MND”) has been adopted, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and State CEQA Guidelines section 15162 require additional environmental review; and

**WHEREAS**, by way of preparation of an Addendum, attached hereto as Exhibit “A” and incorporated herein, the City has evaluated the Project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and State CEQA Guidelines section 15162; and

**WHEREAS**, based on that analysis, the Planning Commission has concluded that approval of the Project does not require preparation of a subsequent or supplemental EIR because there is no possibility for new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects; and

**WHEREAS**, the City, as lead agency, determined an Addendum to the certified CGPU EIR should therefore be prepared for the Project’s proposed minor technical changes; and

**WHEREAS**, the Addendum, attached hereto as Exhibit “A” and incorporated herein, to the certified CGPU EIR was prepared pursuant to CEQA, the State CEQA Guidelines, and the City’s Local CEQA Guidelines; and

**WHEREAS**, pursuant to State CEQA Guidelines section 15164, subdivision (c), the Addendum is not required to be circulated for public review, but can be attached to the certified CGPU EIR; and

**WHEREAS**, on June 16, 2021 the Planning Commission held a duly noticed public hearing via teleconference to review the project, as modified and the related environmental documents, at which time during the hearing members of the public were given an opportunity to testify regarding the Project; and

**WHEREAS**, the Planning Commission carefully considered all information pertaining to the Project, including the staff report, the Addendum together with the CGPU EIR, and all of the information, evidence, and testimony presented at its public hearing; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COACHELLA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

**SECTION 1. Recitals.** The above recitals are true and correct and incorporated herein as findings of fact.

**SECTION 2. Compliance with the California Environmental Quality Act.** As the advisory body for the Project, the Planning Commission has reviewed and considered the information contained in the Addendum to the CGPU EIR, comments received, and other documents contained in the administrative record for the Project. The Planning Commission finds adequacy in the CEQA documents and recommends that the City Council find that the Addendum to the CGPU EIR and administrative record contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the Planning Commission. The Planning Commission further recommends that the City Council find that the Addendum to the CGPU EIR, as shown in “Exhibit A” attached and made a part hereto, has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Coachella’s Local CEQA Guidelines.

**SECTION 3. Findings on the Necessity for a Subsequent or Supplemental Environmental Impact Report.** Based on substantial evidence set forth in the record, including but not limited to, the CGPU EIR, the Addendum, and all related information presented to the Planning Commission, the Planning Commission recommends the City Council find that, based on the whole record before it, none of the conditions under State CEQA Guidelines section 15162 requiring subsequent environmental review have occurred because the Project:

- (a) will not result in substantial changes that will require major revisions of the CGPU EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- (b) will not result in substantial changes with respect to the circumstances under which the Project is developed that would require major revisions of the CGPU EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- (c) does not present new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the CGPU EIR documents were adopted, as applicable, showing any of the following: (i) that the modifications would have one or more significant effects not discussed in the earlier environmental documentation; (ii) that significant effects previously examined would be substantially more severe than shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different

from those analyzed previously would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

**SECTION 4. Findings on Environmental Impacts.** Based on the Addendum, the administrative record, and having considered the CGPU EIR and all written and oral evidence presented to the Planning Commission, the Planning Commission recommends the City Council finds that all environmental impacts of the Project have been addressed within the certified CGPU EIR. The Planning Commission recommends the City Council finds that no new or additional mitigation measures or alternatives are required. The Planning Commission further recommends the City Council finds that there is no substantial evidence in the administrative record supporting a fair argument that the Project may result in any significant environmental impacts beyond those analyzed in the certified CGPU EIR. The Planning Commission recommends the City Council finds that the Addendum contains a complete, objective, and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the City Council.

**SECTION 5. Recommendation Regarding Adoption of the Addendum to the CGPU Environmental Impact Report.** The Planning Commission hereby recommends that the City Council approves and adopts the Addendum prepared for the Project.

**SECTION 6. General Plan Amendment No. 21-01.** The Planning Commission hereby recommends that the City Council approve a change to Figure 4-23 of the General Plan 2035 Land Use and Community Character Element, entitled “General Plan Designation Map” to change the designation from “Open Space” to “Suburban Neighborhood” as shown in “Exhibit B” attached and made a part hereto.

**SECTION 7. Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings are based are located at Coachella City Hall. The Development Services Director is the custodian of the record of proceedings.

**SECTION 8. Execution of Resolution.** The Chair of the Planning Commission shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

**PASSED, APPROVED, AND ADOPTED** this 16th day of June, 2021.

---

Stephanie Virgen, Chairperson  
Coachella Planning Commission

**ATTEST:**

---

Yesenia Becerril  
Planning Commission Secretary

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. \_\_\_\_\_ was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 16<sup>th</sup> day of June by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Yesenia Becerril  
Planning Commission Secretary

**EXHIBIT "A"**  
**EIR Addendum**

**La Colonia II**

**ADDENDUM TO THE CITY OF COACHELLA**

**GENERAL PLAN UPDATE**

**ENVIRONMENTAL IMPACT REPORT**  
**(SCH No. 2009021007)**

**Prepared for:**

City of Coachella  
53990 Enterprise Way  
Coachella, CA 92236

**Prepared by:**



Terra Nova Planning & Research, Inc.®  
42635 Melanie Place, Suite #101  
Palm Desert, California 92211

**May 2021**



# Table of Contents

- 1. [Introduction and Project Background](#)..... 3**
  - [1.1. Summary](#)..... 3
  - [1.2. Project Location](#) ..... 3
  - [1.3. Existing Conditions and Current Proposal](#) ..... 4
  - [1.4. Purpose of an EIR Addendum](#) ..... 9
- 2. [Proposed Amendments](#) ..... 10**
- 3. [Impact Analysis](#) ..... 12**
  - [3.1. Aesthetics](#)..... 12
  - [3.2. Agriculture and Forestry Resources](#)..... 14
  - [3.3. Air Quality](#) ..... 15
  - [3.4. Biological Resources](#) ..... 23
  - [3.5. Cultural/Tribal Cultural Resources](#)..... 26
  - [3.6. Geology/Soils](#) ..... 29
  - [3.7. Greenhouse Gas Emissions](#)..... 32
  - [3.8. Hazards & Hazardous Materials](#)..... 36
  - [3.9. Hydrology/Water Quality](#)..... 39
  - [3.10. Land Use and Planning](#)..... 43
  - [3.11. Mineral Resources](#) ..... 46
  - [3.12. Noise](#) ..... 47
  - [3.13. Population, Employment, and Housing](#) ..... 49
  - [3.14. Public Services](#)..... 51
  - [3.15. Recreation](#)..... 54
  - [3.16. Transportation](#) ..... 55
  - [3.17. Utilities and Energy](#)..... 58
  - [3.18. Water Supply and Wastewater](#)..... 62
  - [3.19. Wildfire](#) ..... 66

## List of Tables

- [Table 1 Buildout Land Use Summary Comparison Existing vs Proposed Amendment](#) ..... 10
- [Table 2 CalEEMod Buildout Assumptions](#)..... 19
- [Table 3 Construction Criteria Pollutant Emissions Comparison](#)..... 19
- [Table 4 Operational Criteria Pollutant Emissions Comparison \(lbs./day\)](#) ..... 20

[Table 5 Localized Significance Thresholds Emissions \(lbs./day\)](#)..... 21

[Table 6 Greenhouse Gas Emissions – General Plan Update Operations \(MT/yr\)](#)..... 32

[Table 7 2040 Operational GHG Emission Comparison](#)..... 34

[Table 8 SCAQMD GHG Tiered Test Analysis](#)..... 36

[Table 9 Trip General Comparisons](#)..... 57

[Table 10 Annual Electricity and Natural Gas Use Projections](#)..... 59

[Table 11 Estimated Solid Waste Disposal at the Project Buildout](#)..... 62

**List of Exhibits**

[Exhibit 1 Regional Location Map](#) ..... 6

[Exhibit 2 Vicinity Map](#) ..... 7

[Exhibit 3 Project Location Map](#)..... 8

[Exhibit 4 General Plan Designation Map Amendment](#)..... 11

# La Colonia II

---

## ADDENDUM TO THE CITY OF COACHELLA GENERAL PLAN UPDATE ENVIRONMENTAL IMPACT REPORT (SCH No. 2009021007)

### 1. INTRODUCTION AND PROJECT BACKGROUND

#### SUMMARY

This document is an Addendum to the City of Coachella General Plan Update Environmental Impact Report (CGPU EIR, SCH No. 2009021007). The purpose of this Addendum is to evaluate the potential environmental impacts of amending the land use designation of a 37.3-acre site from Open Space to Suburban Neighborhood, to allow for a single-family residential development of up to 155 units proposed in the La Colonia II Project, referred to herein as the "Project." In accordance with the California Environmental Quality Act (CEQA), this Addendum analyzes the proposed General Plan Amendment (GPA) and buildout of the Project and demonstrates that all potential environmental impacts associated with the proposed Project at buildout would be equivalent to, or less than the impacts already evaluated in the approved CGPU EIR.

Section 1 of this Addendum provides a detailed description of the City of Coachella's planning procedures and environmental review process under the California Environmental Quality Act (CEQA). Section 2 describes the proposed General Plan Amendment and La Colonia II Project. Section 3 describes the potential environmental impacts of the proposed Project in the context of the 2014 CGPU EIR.

#### PROJECT LOCATION

The Project site consists of 155 residential lots in 37.3 acres located at the southeast corner of Avenue 50 and Calhoun Street in the City of Coachella, Riverside County, California. The site is generally bounded by single-family residential developments to the north and west across the streets, single-family homes and vacant land to the south, and agricultural/vacant lands to the east. The Project site is located in the northern half of the northeast quarter of Section 1,

Township 6 South, Range 7 East, San Bernardino Meridian and consists of 162 Assessor's Parcels: 767-720-001 through -019, 767-721-001 through -036 and -039 through -052, 767-722-001 through -017, 767-730-001 through -052, and 767-731-001 through -024. These include 155 single-family lots, as well as lettered lots designated for landscaping, open space, retention basins and internal streets. Regional location and Project vicinity maps are provided in Exhibits 1 through 3.

### **EXISTING CONDITIONS AND CURRENT PROPOSAL**

In 2015, the City of Coachella adopted a General Plan Update to guide development and provide a basis for decision-making for the City through 2035. The CGPU EIR, prepared in 2014, analyzed the change between existing conditions at the time and those associated with land use designations in the CGPU. The EIR analysis considered buildout conditions of the Proposed Land Use Plan, which included the maximum buildout potential of the 37.3-acre Project site under the "Open Space" land use designation. The "Open Space" designation allows different types of parks, recreational areas and surrounding open areas. Since the Project site was acquired by the City about a decade ago, the site has been envisioned to be developed as a recreational center with ball fields, playground, a community/activity center and other equipment/facilities for active recreation. Over the years, the City has identified other more desirable park sites and instead offered the Project site for sale as surplus land, as allowed by California law. A buyer has been selected, who proposes to develop the site into the 155 residential homes and associated streets and common areas recorded under Tract Map No. 32074. To facilitate future residential development on the site, a General Plan Amendment (GPA) is proposed to change the land use designation to "Suburban Neighborhood," which allows densities of 2 to 8 units per acre. The Project intends to develop 155 single family units at 4.2 units per acre, consistent with the Suburban Neighborhood designation and zoning designation of R-S (Residential Single-Family Zone).

The 37.3-acre site is currently vacant, contains minor vegetation growth, and is surrounded by a mix of one- to two-story single-family residential developments and agricultural/vacant lands. The residential developments to the north and west of the Project site are currently designated "Suburban Neighborhood," and the mostly vacant lands on the east and south are designated "General Neighborhood."

The models and plans for the proposed La Colonial II Project were not yet available at the time this Addendum was written. However, it is expected that the Project will consist of 155 single-family units that are consistent with the Suburban Neighborhood General Plan designation and R-S zoning designation (Exhibit 4). The proposed single-family units will be one- to two-story, with generous setbacks, side yards and backyard space. Green space and open areas will be provided throughout the site including on the retention basins.

Prior to the acquisition by the City, the Project site was proposed for residential development around 2004. This previous project submitted a tentative tract map (TTM) to subdivide the site into 155 single family lots, as well as lettered lots for open space, stormwater retention, and streets. The TTM was recorded, and the developer completed rough grading and sewer line

installation on the site. The City acquired the land in 2011 and intended to build a recreational center for public use; therefore, the site was designated 'Open Space' in the General Plan Update 2035. The City now intends to sell the land to allow the 155-lot division under TTM No. 32074 for a single-family residential development. Such development will be completed by the buyer, upon approval of the General Plan Amendment. This Addendum was prepared to analyze potential impacts of the proposed La Colonia II Project as compared to those previously identified for the Project site in the CGPU EIR. This Addendum meets CEQA requirements for the Project to assess potential environmental impacts and set forth mitigation as necessary, on the basis that the homes to be built on the site will conform to the City's zoning standards.

**Exhibit 1**  
**Regional Location Map**

**Exhibit 2  
Vicinity Map**

**Exhibit 3**  
**Project Location Map**



## PURPOSE OF AN EIR ADDENDUM

In accordance with CEQA Guidelines Section 15164, a Lead Agency is required to prepare an EIR Addendum to a previously certified EIR if some changes or additions to a project are necessary, but the proposed project modifications do not require preparation of a subsequent EIR, as provided in Guidelines Section 15162. In addition, the proposed modifications cannot result in new or substantially more significant environmental impacts compared with the impacts disclosed in the previously certified EIR.

CEQA Guidelines Section 15162 states that a subsequent EIR would be required for a project if any of the following conditions exist:

1. Substantial changes to the project require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. The availability of new information of substantial importance, which was not known or could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, shows that i) the project will have one or more significant effects not discussed in the previous EIR, ii) significant effects previously examined will be substantially more severe than shown in the previous EIR, or iii) mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the previously certified EIR, which would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

Based on the evaluation of information provided in this EIR Addendum, no new significant impacts would occur as a result of the proposed Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts. Therefore, none of the conditions described in Section 15162 of the CEQA Guidelines would apply. As such, an EIR addendum is the appropriate document to comply with CEQA requirements for the proposed Project.

## 2. PROPOSED AMENDMENTS

To facilitate the development of the La Colonia II Project, the City proposes an amendment to the General Plan Designation Map that will change the 37.3-acre site’s land use designation from “Open Space” to “Suburban Neighborhood” (2-8 DU/AC). The Project will result in the development of 155 single-family homes for a density of 4.2 DU/AC. Under the amended “Suburban Neighborhood” land use designation, the site has the potential to develop 8 DU/AC for a maximum buildout potential of 298 dwelling units. Compared to the recreational use under the current designation, the Project site’s maximum buildout potential will result in 298 residential units up to two stories in height.

Exhibit 6 shows a comparison of the land use designations in the Project area under the adopted General Plan Designation Map and proposed GPA. As shown on the Designation Map, lands immediately north and west of the site are designated “Suburban Neighborhood” and are currently developed with one- or two-story single-family residences. Lands immediately east and south of the site are designated “General Neighborhood” and will consist of single-family or small-scale multi-family developments not exceeding three stories. Therefore, the proposed GPA for the Project site is consistent with surrounding land use designations, and the Project will result in a residential development comparable to current/planned neighboring developments in density and height.

The following table provides a summary comparison of existing conditions analyzed in the EIR and the proposed GPA. The amendment is limited to the 37.3-acre site and no other General Plan amendments or changes are proposed.

**Table 1  
Buildout Land Use Summary Comparison  
Existing vs Proposed Amendment**

	Existing GP Land Use Designation	Proposed GP Land Use Amendments
Subject Site	37.3 acres	37.3 acres
Land Use Designation	Open Space	Suburban Neighborhood
Allowed Land Uses	Parks, passive/active recreational areas, and open space	Residential (predominantly single-family)
Density	N/A	2-8 DU/AC Commercial FAR: N/A
Max./Proposed Buildout Potential	N/A	298/155 DU
Max./Proposed Residential Population	N/A	1,386/721
Max. Building Height	N/A	2 stories

Based on an average of 4.65 persons per household in Coachella. E-5 City/County Population and Housing Estimates, California Department of Finance, January 1, 2020.

**Exhibit 4**  
**General Plan Designation Map Amendment**

### 3. IMPACT ANALYSIS

In accordance with CEQA Guidelines §15162, the following analysis addresses each of the environmental issues analyzed in the certified EIR as compared to the potential changes in environmental impacts due to the proposed Project. The analyses below are based on buildout scenarios that would generate the greatest impacts for each particular issue area. Please note that the CGPU EIR analyzed a “Planning Area” which included lands both within City corporate limits, and within the City’s Sphere of Influence (SOI). The analysis below uses Planning Area when referring to the context of the EIR analysis, and City and/or SOI when appropriate.

#### AESTHETICS

##### Summary of Findings in the EIR

###### Scenic Vistas and Resources

The City of Coachella is located in the eastern Coachella Valley, which is a low desert basin flanked by the Santa Rosa and San Jacinto Mountains to the southwest and west, and the Little San Bernardino Mountains to the north and northeast. Scenic resources in the City mainly consist of mountain views of the Santa Rosa Mountains (up to 8,715 feet at Toro Peak) and Little San Bernardino Mountains (up to 5,267 feet), as well as the open spaces at the base of Mecca Hills. Views from the valley floor also include several rock outcroppings in the hillside areas to the east.

The Project site lies on the valley floor and is generally flat. There are no state-designated scenic highways in the City, and the site is not located along any locally recognized scenic corridors including sections of Dillon Road (old Highway 99), Harrison Street (old Highway 86), and Grapefruit Boulevard (old Highway 111). The General Plan Update contains policies to limit development and their density/scale in the eastern City which is near scenic resources including open spaces and scenic roadways.

###### Visual Character

The City of Coachella has a unique visual characteristic from its geographic setting, agricultural and rancho history, and the quality architecture of historic buildings. Urban uses currently consist of mostly one- and two-story residential developments with limited massing. Buildout of the General Plan Update will increase development and density primarily in the western City where there is existing development. The General Plan specifies appropriate building types in each of the seventeen designated subareas to ensure continuance of the existing small town character and cultural diversity in the City and prevent development that is not compatible with the existing character. The General Plan policies call for preservation of open space and natural resources and high-quality and long-lasting building materials and quality architecture.

The Project site lies in Subarea 1 – West Coachella Neighborhoods. The General Plan envisions that new development in Subarea 1 will occur as infill development which completes and repairs the neighborhood fabric of West Coachella and fulfills the City’s housing needs for single-family homes and multi-family buildings. As development occurs, the street network should be

retrofitted to be more pedestrian friendly and provide better connections between neighborhoods and commercial districts.

### Light and Glare

In the western portion of the City, nighttime glare exists in dense neighborhoods with nighttime lights. The eastern portions are comprised of primarily agricultural open spaces, natural desert terrain and hillside areas that have little light pollution and minimal nighttime glare, if any. The City's Zoning Code regulates lighting for all new development in Chapter 16.28.150(L) Improvements and Grading, Chapter 17.56.010(J)(2)(e) Signs, and Chapter 17.54.010 (K) Off-Street Parking and Loading.

### Summary of Impacts

The CGPU EIR concluded that development under the CGPU would have no impact on scenic resources, and less than significant impacts on scenic vistas and light and glare due to CGPU policies, land use program and Municipal Code requirements. However, the population is expected to more than double, which would change the visual makeup of the City by 2035. The overall scale of growth under the CGPU would have the potential to significantly impact the visual character of the City. The CGPU contains extensive policies, design guidelines and development strategies to reduce impacts to aesthetics, although impacts on visual character would be significant and unavoidable.

### **Analysis of the Proposed Project**

The Project proposes low-density residential development on 37.3 acres of vacant land in the western end of Coachella. On the Project site, distant views of the upper Santa Rosa, San Jacinto, and San Bernardino mountains are available to the southwest, west, north and east, while middle and foreground views are generally obstructed by existing development, which include low- to medium-density residential and commercial development, paved roads, urban trees, and vacant land.

The Project site is not located near any locally identified scenic roadway. On the west and north, the Project site is surrounded by residential developments under the same "Suburban Neighborhood" designation as the proposed GPA for the site. These developments consist of one- and two-story single-family residences as allowed under the "Suburban Neighborhood" designation. On the east and south, the vacant lands are designated "General Neighborhood", which is the next density up from "Suburban Neighborhood" that allows single-family and small-scale multi-family residences up to three stories. The proposed Project will consist of up to two-story single-family homes, consistent with the proposed "Suburban Neighborhood" designation and existing and future surrounding developments. The Project would be subject to the same development standards as those analyzed in the EIR.

Compared to the recreational center originally intended for the site by the City, the proposed residential development would result in a more uniform and consistent residential character in the Project area, with essentially the same land use, pattern of development and building heights,

as well as architectural and landscaping features. While the proposed Project will increase light and glare on the site from single family development, the landscape, architectural, and street lighting will be subject to General Plan policies and Municipal Code requirements, which reduce potential impacts to less than significant levels. The level of lighting would be consistent with existing developments to the north and west. Compared to the intended recreational center under the current Open Space designation, lighting can be expected from lower heights and intensities in a residential development than would occur on ball or sports fields.

Because the proposed Project will result in similar development to that in the Project area in all aesthetic aspects analyzed above, it is not expected to result in impacts beyond those identified in the CGPU EIR. No significant impacts would occur as a result of the Project, as it occurs in the western City where existing development is concentrated. The Project will adhere to applicable General Plan policies and zoning requirements. Impacts associated with visual character, which were determined to be significant and unavoidable, would be less with the proposed Project, because the single family homes proposed would not change the character of the area in which it is located. Project impacts associated with scenic vistas and resources, visual character, and light and glare would not exceed those expected under the current land use designation, and thus would be comparable to, or less than those identified in the EIR.

## **AGRICULTURE AND FORESTRY RESOURCES**

### **Summary of Findings in the EIR**

Agriculture is integral to the City's economy, and agricultural land accounts for approximately 29 percent of the General Plan Planning Area. More than half of the agricultural land is located in the Sphere of Influence (SOI). More than half of the agricultural land within the City limits are classified as important farmland by the by the California Department of Conservation, including Prime Farmland, Unique Farmland, and Farmland of Local Importance. While the CGPU includes a comprehensive agricultural conservation program with multiple avenues to protect agricultural resources and agricultural operations, buildout of the General Plan would still result in conversion of 5,662 acres of Prime Farmland, 587 acres of Unique Farmland, and 3,613 acres of Farmland of Local Importance to urban uses. The CGPU EIR determined that build out of the General Plan would result in significant and unavoidable impacts on the loss and conversion of farmland to non-agricultural uses.

The CGPU Planning Area contains approximately 994 acres of Williamson Act contracted lands, and an additional 1,480 acres under Williamson Act contracts that are set to expire. These expiring contracted lands are designated with urban uses in the CGPU, as part of the City's strategy to manage the transition from agricultural to urban uses. The temporary conflict before the expiration of Williamson Act contracts on these lands represent significant and unavoidable impacts.

Future urban development under the CGPU may result in indirect impacts to adjacent farmland in the central portion of the City. However, the CGPU sets forth goals and policies to address such impacts, including right to farm and buffer requirements between agriculture and urban uses.

The EIR concluded these CGPU policies will reduce indirect impacts from other changes on the conversion of farmland to less than significant levels.

There is open space in the eastern Coachella and SOI; however, native vegetation consists primarily of Creosote Bush Scrub and Saltbush Scrub. The arid desert climate does not support forest growth above the native shrubs, and there is no forestland or timberland in the City and SOI. No impact would occur regarding loss of forest land or conversion to non-forest uses.

### **Analysis of the Proposed Project**

The site has been previously graded and is currently vacant with minor native vegetation. According to the Farmland Mapping and Monitoring Program (FMMP) by the California Department of Conservation, the Project site is classified as Farmland of Local Importance. The Project site is not under a Williamson Act contract, and has not been in agricultural production nor designated for such uses for at least a decade. The Project site was approved for residential development in 2004, when the grading occurred and sewer lines were installed, prior to the project being abandoned. The City acquired the property and intended to develop a recreational center under the current Open Space designation under the CGPU; therefore, the loss of the subject property as Farmland of Local Importance is considered to have already occurred. Regardless of a recreational center or residential development occurs on the site, the same amount of important farmland will be lost and developed as non-agricultural uses. The proposed Project and General Plan Designation Map amendment would not create any new impacts associated with agricultural resources, and impacts would be consistent with those identified in the EIR. No impacts to forestry resources would occur under the proposed Project, consistent with those identified in the EIR.

### **AIR QUALITY**

#### **Summary of Findings in the EIR**

Coachella is located in the Salton Sea Air Basin (SSAB) under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is the air pollution control agency principally responsible for comprehensive air pollution control in the South Coast Air Basin (SCAB) and Riverside County portion of the SSAB. Local development and population growth, traffic, construction activities, and various site disturbances in the City contribute to air quality emissions. The Coachella Valley portion of the SSAB is classified as a “non-attainment” area for PM<sub>10</sub> and ozone. The SSAB, including the City of Coachella, are in attainment with state and federal standards for carbon monoxide, nitrogen oxides, sulfur dioxide, and lead.

#### Air Quality Management Plan Compliance

During the preparation of the CGPU EIR, lands within the SCAQMD were subject to the 2012 Air Quality Management Plan (2012 AQMP) while the draft 2016 AQMP was being prepared. The AQMP is a comprehensive plan that establishes control strategies and guidance on regional emission reductions for air pollutants. The 2012 AQMP included specific measures to further implement the ozone strategy in the 2007 AQMP to assist attaining the 8-hour ozone standard

by 2023. While the following measures apply specifically to SCAB, they would also advance attainment for ozone standards in the Coachella Valley as much of the ozone level in the valley can be attributed to the SCAB due to the air pollution pathway through the San Gorgonio Pass:

- 8-hour Ozone Measures. Measures that provide for necessary actions to maintain progress towards meeting the 2023 8-hour ozone NAAQS, including regulatory measures, technology assessments, key investments, and incentives.
- Transportation Control Measures. Measures generally designed to reduce vehicle miles travelled (VMT) as included in SCAG's Regional Transportation Plan (RTP), which at the time of the CGPU EIR preparation was the 2012 RTP.

The AQMP is based, in part, on the land use plans of the jurisdictions in the region. To be consistent with the AQMP, the General Plan update must not exceed the population, housing or employment growth forecasts used in the development of the AQMP. According to Southern California Association of Governments (SCAG) growth forecasts in their 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), Coachella would have a resident population of 128,700 in 2035. Development facilitated by the CGPU would increase the City's population to a maximum of 135,000 by 2035, which is 4.9% (6,300 residents) more than SCAG's 2035 population forecast. However, the maximum theoretical buildout of the General Plan Designation Map would likely overstate the amount of growth, and the SCAG forecast was considered a reasonable estimate of future growth through 2035. Therefore, the EIR determined that the General Plan update would be roughly in line with SCAG projections, and thus generally consistent with the AQMP.

#### Final 2002 Coachella Valley PM<sub>10</sub> State Implementation Plan

The 2002 Coachella Valley PM<sub>10</sub> State Implementation Plan (SIP) plan includes control measures for the abatement of large particulates in the Coachella Valley. These dust control measures target construction and earth movement activities, disturbed vacant lands, unpaved roads and lots, paved road dust, and agriculture. The 2002 SIP was revised in 2003 to incorporate the latest approved mobile source emissions estimates, planning assumptions, and fugitive dust source emission estimates. The control measures from the 2002 SIP remain in effect, although a request for redesignation by SCAQMD's that the Coachella Valley be redesignated as in attainment of federal PM<sub>10</sub> standards is pending.

The CGPU Sustainability + Natural Environment Element contains policies consistent with the control measures set forth in the 2002 SIP, including Policy 11.8 requiring emission and dust control for construction activities; Policy 11.1 for minimizing creation of new air pollutant sources; and Policy 5.8 requiring a protective buffer between new developments and adjacent agricultural uses to reduce exposure to dust emissions from farm activities.

#### Air Quality and Land Use Handbook (Air Resources Board, 2005)

The California Air Resources Board (CARB) gave recommendations on the siting of sensitive land uses in relation to major sources of air pollutants in the Air Quality and Land Use Handbook. The CGPU Land Use + Community Character Element would lead to zoning changes to prevent



locating schools and other sensitive receptors within 500 feet of major sources of pollution. Other CGPU policies that promote environmentally friendly dry cleaning processes, regulate siting of new polluting sources, and call for thresholds of significance and mitigation for sensitive receptors near state highways are also consistent with CARB's handbook.

#### Construction Emissions

Construction activity facilitated by the CGPU would cause temporary emissions of various air pollutants, and may create a significant effect if substantial emissions occur near sensitive receptors. The CGPU EIR provides a qualitative approach on construction related emissions, while individual development proposed in the future would be subject to independent environmental review under CEQA for quantitative project-level air quality analysis. Future construction within the City would be subject to CGPU policies that prohibit siting of land uses that adversely impact existing sensitive receptors and require a minimum separation distance of 500 feet, as well as the control of emissions and dust control during construction. Future development will also be subject to SCAQMD rules 402 and 403 that seek to reduce fugitive dust and overall air pollutant emissions. A fugitive dust control plan would be required for any project larger than 5,000 square feet under SCAQMD Rule 403.1 to implement dust control. Individual projects under the CGPU would be required to implement additional mitigation if site-specific analysis identifies the potential to exceed pollutant thresholds. The EIR concluded that adherence to applicable CGPU policies and SCAQMD rules would reduce potential construction-related impacts to a less than significant level. No mitigation measures were required.

#### Long-Term Emissions

Future development in accordance with the CGPU would generate long-term emissions from mobile (vehicle trips) and stationary (electricity and natural gas) sources. Similar to construction emissions, operational emissions will be quantified at individual project-level CEQA review, and mitigation will be required if any pollutant threshold is exceeded. The CGPU would facilitate growth in the City that is largely consistent with regional forecasts, and implement policies and design standards consistent with SCAQMD measures and CARB recommendations.

Future emissions at buildout of CGPU in 2035 were compared to the SCAQMD region, the results of which showed the City's emissions of each criteria pollutant constituted less than one percent of total regional emissions. Furthermore, the CGPU contains multiple policies to promote multi-modal transportation networks, which will further reduce local emissions. The EIR concluded that impacts on long-term emissions would be less than significant under the CGPU, and no mitigation measures were required.

#### Carbon Monoxide Hot Spots

Elevated carbon monoxide levels can occur at or near intersections with severe traffic congestion, resulting in a carbon monoxide (CO) hot spot. A project would have a significant localized air quality impact if it creates a hot spot where the state standards for CO are exceeded. According to the EIR, a hot spot analysis should be conducted for congested intersections operating at levels of service (LOS) E or F. Based on the traffic impact analysis prepared for the CGPU, thirteen intersections were projected to experience LOS E or F during any peak hour period. None of these

intersections are located in the Project vicinity. The CGPU policies and mitigation measures in the EIR would reduce potential LOS impacts at these intersections to less than significant levels. Therefore, the EIR concluded that additional traffic after mitigation and implementation of CGPU policies would not degrade conditions at intersections to the extent that mobile-source emissions exceed the state standards and create CO hot spots. No additional mitigation measures were required.

#### Cumulative Impacts

Implementation of the CGPU would generate emissions of criteria air pollutants from construction and operation of projects, which would contribute to regional emissions within SCAQMD's jurisdiction. However, adherence to policies in the Land Use + Community Character, Mobility, and Sustainability + Natural Environment Elements, and compliance with existing SCAQMD rules, would reduce the generation of ozone precursors and particulates for which the Coachella Valley is in nonattainment. Furthermore, the City's contribution to regional emissions is projected to be minimal at CGPU buildout; attainment of ozone standards in the Coachella Valley depends predominantly on the application of control measures in the South Coast Air Basin. Because the City's air pollutant emissions will not be cumulatively considerable in the SCAQMD region, the EIR determined that the CGPU will not have a significant cumulative impact, and no mitigation was required.

#### **Analysis of the Proposed Project**

The Project will result in development of the proposed La Colonia II Project and is therefore subject to project-level CEQA review. The CGPU EIR provided programmatic analysis on CGPU policies and SCAQMD rules on future projects in the City, but deferred quantitative maximum daily emissions analysis for individual projects during the buildout of the General Plan. Project-level emissions were quantified for maximum buildout potential under both the existing land use designation and the proposed land use designation to provide a comparison of the maximum buildout scenario.

#### Construction Emissions

For the purpose of this analysis, criteria pollutant emissions were estimated using CalEEMod Version 2016.3.2, which bases emission projections on land use factors for energy use, mobile trips, water use, solid waste generation, and wastewater generation. The proposed Project would result in 37.3± acres of development. The site has been graded previously, and sewer lines were installed onsite. It is assumed that earthwork materials will be balanced onsite with no import/export.

Although the Project proposes 155 single-family homes, emission projections were modeled for the site's maximum buildout potential of 298 dwelling units, representing the buildout scenario that would generate the greatest impacts to air quality. For analysis purposes, it was assumed that all units would be single-family homes, which is representative of the residential development types allowed under the proposed "Suburban Neighborhood" designation.

For the existing conditions scenario, it was assumed the site would be developed with a multi-purposed recreational community center, including ten soccer fields and an 50,000 square foot indoor center with ball courts and other facilities. The assumptions are based on the City's original intent for the site. Based on the land use types, the recreational center would take up 29 acres of area in total, and the remaining 8.3 acres would be an open parking lot, driveways and landscaping areas.

Buildout assumptions used for the CalEEMod Version 2016.3.2 software are provided below.

**Table 2**  
**CalEEMod Buildout Assumptions**

	Existing Conditions	Proposed Project
General Plan Designation	Open Space	Suburban Neighborhood
Site Acreage	37.3± acres	37.3± acres
Allowed Land Uses	Parks, passive/active recreational areas, and open space	Residential (predominantly single-family)
CalEEMod Land Use Assumptions	10 soccer fields and a 50,000 square foot indoor recreational center	298 single-family homes (1-2 levels) (8 DU/AC)
Density	N/A	2-8 DU/AC
Residential Population	N/A	1,386
Duration	2-year construction	3-year construction

Based on an average of 4.65 persons per household in Coachella. E-5 City/County Population and Housing Estimates, California Department of Finance, January 1, 2020.

The following table describes construction-related pollutant emissions for maximum buildout of the site.

**Table 3**  
**Construction Criteria Pollutant Emissions Comparison**  
**(lbs./day)**

Max. Daily Emissions	CO	NO <sub>x</sub>	ROG	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Existing Conditions	57.4	44.0	17.7	0.2	8.8	5.4
SCAQMD Threshold*	550.00	100.00	75.00	150.00	150.00	55.00
<b>Exceeds Threshold</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Proposed Amendment	35.0	38.9	71.2	0.1	8.8	5.4
SCAQMD Threshold*	550.00	100.00	75.00	150.00	150.00	55.00
<b>Exceeds Threshold</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod Version 2016.3.2. See Appendix A for detailed tables. Value shown represents the average mitigated emissions of summer and winter outputs.

\*Source: "SCAQMD Air Quality Significance Thresholds" prepared by SCAQMD.

Note: Mitigation measures under SCAQMD Rules 403.1 and 1113 are applied, which are standard requirements imposed by the City and SCAQMD.

As shown in the table above, SCAQMD daily thresholds for CO, NO<sub>x</sub>, ROG, SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> will not be exceeded under either buildout scenario. Buildout of the site under the proposed Project would result in fewer emissions when compared to buildout of the site under the existing land use for most criteria pollutants except for ROG, because the proposed Project would result in fewer units and thus overall lower emissions than the proposed GPA full buildout. Similar to findings in the EIR, impacts related to criteria pollutant emissions would be less than significant with adoption and implementation of the CGPU policies and programs and enforcement of current SCAQMD rules and regulations. Impacts during construction would be generally lower than that analyzed in the EIR, and remain below SCAQMD thresholds, and no mitigation measures are required.

**Long-Term Emissions**

Operational emissions are those released over the long-term life of the proposed Project. They include emissions generated by area, energy, and mobile sources. Area sources include consumable products, such as building maintenance and cleaning supplies, kitchen and restroom supplies, pavement off-gassing, and periodic reapplication of architectural coatings. Energy sources include the direct and indirect use of fossil fuels for energy, including natural gas and electricity use in buildings, parking lot lighting, ventilation equipment, and elevators. Mobile emissions are generated by motor vehicle trips.

CalEEMod Version 2016.3.2 was used to estimate daily operational emissions of site buildout using the multi-purpose recreational center land use assumption described above, and maximum potential buildout scenario of 8 DU/AC, or 298 units total, respectively. Trip generation rates were sourced from the Institute of Transportation Engineers (ITE) trip Generation (9<sup>th</sup> edition). The following table identifies the unmitigated pollutant emissions during operation of the two land uses at buildout. Data represent maximum daily emissions.

**Table 4  
Operational Criteria Pollutant Emissions Comparison  
(lbs./day)**

	CO	NO <sub>x</sub>	ROG	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Existing Conditions</b>						
Max. Daily Emissions	41.9	32.9	5.9	0.2	9.9	2.7
SCAQMD Threshold*	550.00	100.00	75.00	150.00	150.00	55.00
<b>Exceeds Threshold</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Proposed Amendment</b>						
Max. Daily Emissions	81.4	45.9	19.3	0.3	14.8	4.4
SCAQMD Threshold*	550.00	100.00	75.00	150.00	150.00	55.00
<b>Exceeds Threshold</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Table 4**  
**Operational Criteria Pollutant Emissions Comparison**  
**(lbs./day)**

CO	NO <sub>x</sub>	ROG	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
----	-----------------	-----	-----------------	------------------	-------------------

Source: CalEEMod Version 2016.3.2. See Appendix A for detailed tables. Value shown represents the average emissions of summer and winter outputs.

\*Source: "SCAQMD Air Quality Significance Thresholds" prepared by SCAQMD.

As shown in the table above, SCAQMD daily thresholds for CO, NO<sub>x</sub>, ROG, SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> will not be exceeded under either buildout scenario. During operation, the maximum buildout of the GPA (298 units) results in higher emissions than the recreational center across all criteria pollutants. Since the Project (155 units) will reduce the intensity of development by 48% when compared to GPA build out, the Project will result in lower emissions than the GPA buildout and may result in similar emission levels to those projected for the recreational center. In either case, however, emissions would be below SCAQMD thresholds. Similar to findings in the EIR, impacts related to criteria pollutant emissions would be less than significant with adoption and implementation of the CGPU policies and programs and enforcement of current SCAQMD rules and regulations. No mitigation measures are required.

#### Impacts on Nearby Sensitive Receptors

The nearest sensitive receptors are residents in the single-family homes located to the west of the Project site. To determine if maximum buildout of the proposed GPA has the potential to generate significant adverse localized air quality impacts, the mass rate Localized Significance Threshold (LST) Look-Up Table was used.

Based on the Project's size and proximity to existing housing, the 5-acre site tables at a distance of 25 meters were used to provide a conservative air quality analysis. Table 5 shows on-site emission concentrations during construction will not exceed LST thresholds. Because the proposed General Plan designation does not include major stationary polluters (such as a landfill, chemical plant, oil field, refineries etc.), LST analysis was not required or conducted for GPA buildout operation. Overall, the impacts to nearby sensitive receptors will be less than significant.

**Table 5**  
**Localized Significance Thresholds Emissions**  
**(lbs./day)**

Construction	CO	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Maximum Emissions <sup>1</sup>	35.0	38.9	8.8	5.4
LST Threshold*	2,292	304	14	8
<b>Exceeds Threshold</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod model, version 2016.3.2.

\*Source: LST Threshold Source: LST Mass Rate Look-up Table, revised October 21, 2009, SCAQMD.

<sup>1</sup> Operational emissions that affect sensitive receptors are limited to on-site area emissions. Energy and mobile emissions occur off-site.

### Air Quality Plan Compliance

At the time the CGPU EIR was prepared, the relevant air quality management and land use plans were the SCAQMD 2012 AQMP, CV PM<sub>10</sub> SIP and 2012-2035 RTP/SCS. Since then, the 2016 AQMP and 2020-2045 RTP/SCS have been adopted and supersede the 2012 documents. The CV PM<sub>10</sub> SIP remains current.

According to SCAG growth forecasts in their 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), Coachella will have a resident population of 129,300 in 2045, which is a 600 population increase from the previous 2035 forecast. Development facilitated by the CGPU would bring the City's total population to 135,000, which is 5,700 more residents, or 4.4% more growth than the 2045 forecast. This exceedance is smaller than analyzed in the EIR (6,300 more residents, or 4.8% more growth than the 2035 forecast). As analyzed in the EIR, the GPU buildout population is calculated at the maximum capacity (highest density), and the SCAG forecast represents a more reasonable growth projection for the City and region. Therefore, the CGPU is roughly consistent with SCAG projections, and therefore generally consistent with the AQMP.

Under the proposed Project, residential density for the site is reduced from a maximum of 8 DU/AC to 4.2 DU/AC. Under current conditions, buildout of the site as a recreational center will not increase population onsite. Under the proposed land use designation, maximum buildout of the site would increase the population by 1,386, which would bring the City's previous population total from 135,000 to 136,386, which is 7,086 more residents, or 5.5% more growth than the 2045 forecast. As discussed above, similar to the existing conditions, the proposed GPA would be roughly consistent with the AQMP because the increase in population is not significantly greater than that projected by SCAG, and the actual Project proposed would result in a population of 721 persons, half of the GPA buildout. Similar to the CGPU EIR, build out of the GPA would not result in any significant impacts regarding the AQMP. The proposed GPA will be generally consistent with the AQMP.

### Carbon Monoxide Hot Spots

As discussed in detail in Section 3.16, Transportation, at buildout, the proposed Project will result in substantial decreases in PM peak hour and daily trips (and a negligible increase in AM peak hour trips) as compared to the existing conditions. Therefore, the proposed Project is expected to generally reduce intersection volume assumptions analyzed in the EIR, thereby reducing the risk of CO hot spots. Impacts will remain less than significant under proposed Project conditions.

### Nuisance Odors

The Project does not propose land uses that typically have odor issues, such as fast-food restaurants, photographic studios, laundry facilities, and other commercial or industrial uses. While the EIR did not specifically discuss odors, it focused on potential impacts to sensitive receptors and using land use planning and other strategies to minimize such impacts including those associated with odors. The proposed GPA and Project would not locate sensitive receptors near potential polluting sources, nor do they propose any new potential polluting sources. The proposed GPA and Project are consistent with CGPU policies to minimize impacts on sensitive receptors. Impacts related to nuisance odors would be less than significant with adoption and

implementation of the CGPU policies and programs and enforcement of current SCAQMD rules and regulations. No mitigation measures are required.

### Summary of Impacts

Implementation of the General Plan Amendment and proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as analyzed in the EIR. Overall impacts are expected to be similar to, if not less than, those previously identified in the EIR. Therefore, implementation of the proposed Project and General Plan Designation Map amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the CGPU EIR.

## **BIOLOGICAL RESOURCES**

### **Summary of Findings in the EIR**

The CGPU EIR analyzed sensitive plant, wildlife and habitat resources within the Planning Area, including the Project site. The EIR consulted resources such as the Final Recirculated Coachella Valley Multiple Species Conservation Plan (MSHCP) EIR (2007), the City of Coachella General Plan 2020 EIR (1997), the California Department of Fish and Game (CDFG) California Natural Diversity Database (CNDDDB) (2011), and publicly available documents for projects within or adjacent to the Planning Area.

Elevations in the CGPU Planning Area range from 1,000 feet in the Mecca Hills to approximately 160 feet below sea level north of Thermal. The City of Coachella is located in the eastern Coachella Valley in the Sonoran Desert subunit of the Colorado Desert. The valley floor experiences extreme heat and aridity, and hosts limited vegetation communities compared to the higher plant diversity and density in hillsides, alluvial fans, and mountainous areas. The City of Coachella is bisected by the Whitewater River and Coachella Canal, both of which traverse generally northwest to southeast.

### Riparian or Other Sensitive Habitat

The CGPU Planning Area consists of the urban core area in the City, primarily agricultural land, and a few stands of undisturbed and disturbed Sonoran Creosote Bush Scrub and Colorado Saltbush Scrub. Sonoran Creosote Bush Scrub is the most common vegetation community in the Colorado Desert and dominant community in the Planning Area. The Colorado Saltbush Scrub occurs in low-lying basins and areas of periodic flooding within the Coachella Valley. In the CGPU Planning Area, this community dominates much of the vacant land along the old Whitewater River floodplain and areas near the Coachella Valley Stormwater Channel, and has some intermixing with Sonoran Creosote Bush Scrub. Remnants of the Desert Sand Fields habitat occur in the few undeveloped areas in the core Planning Area and on its eastern edge.

Within the Planning Area, there are limited areas of riparian habitat along the Whitewater River. However, these habitats are too limited and dispersed to support any sensitive species. There are no other sensitive habitats within the Planning Area. Therefore, the EIR determined that

buildout of the CGPU would result in less than significant impacts on riparian habitat or other sensitive habitats.

The Planning Area contains wetlands and waterways in the Whitewater River and its tributary washes, and channels east of the Coachella Canal. Implementation of the CGPU will result in increased density and development near these areas. However, the Sustainability + Natural Environment Element in the CGPU provides many strategies to protect water quality in the Planning Area including stormwater management, low impact development and conservation targets. In addition, future development that may impact waterways and wetlands will be subject to the Clean Water Act Sections 404 and 401 implemented by federal and state agencies and will be required to provide mitigation, where necessary.

#### Sensitive Species

The EIR identified ten special status plants and 31 wildlife species with potential to occur in the vicinity of the Planning Area. Of these, two sensitive plant species have low potential to occur: Creamy blazing star (*Mentzelia tridentata*) and Mecca-aster (*Xylorhiza cognata*). Both species are not federally or state listed as endangered or threatened, but are included in the California Native Plant Society (CNPS) List 1B. Neither has been observed in the Planning Area. The EIR determined potential impacts to these two species would be less than significant.

Eighteen of the 31 wildlife species were identified as having varying potential to occur in the Planning Area vicinity, including one insect, three reptiles, ten birds, and four mammals. The majority of these sensitive wildlife species are known or expected to occur in the undeveloped areas that will remain undeveloped under the CGPU. The Sustainability + Natural Environment Element also addresses protection of these species and habitats via ecological buffers, agriculture buffers, and preservation land. The EIR identified some potential for impacts to occur on sensitive species with CGPU implementation, and required a new policy to be added to the CGPU as mitigation. Policy 9.8 was added to the Sustainability + Natural Environment Element, requiring surveys for projects proposed in three subareas in the City to determine occurrence of sensitive species and mitigation where necessary during the City permitting process. The EIR concluded that impacts on sensitive species will be less than significant with mitigation.

#### Native Species Migration

The EIR identified two migratory species that reside seasonally within the Planning Area: Golden Eagle (*Aquila chrysaetoes*) and Swainson's Hawk (*Buteo swainsoni*). Both species migrate through undeveloped areas, grasslands, and agriculture lands in the Planning Area. Because the CGPU will preserve a significant portion of open space for habitat protection and low impact creation and promote land use efficiency within the developed areas, impacts on native species migration are expected to be less than significant.

#### Local Policies or Ordinances Protecting Biological Resources

The City of Coachella and SOI are within the boundary of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Approved in 2008, the CVMSHCP is a comprehensive framework for species and ecosystem conservation, and short- and long-term land use planning in the Coachella Valley. The Plan covers 27 special-status plant and wildlife species and 27 natural



communities and establishes a network of Conservation Areas, generally outside of urbanized areas in the Valley, to maximize conservation values on protected lands. Each participating jurisdiction, including the City of Coachella, can authorize development outside of Conservation Areas without additional mitigation for covered species.

The Desert Tortoise and Linkage Conservation Area overlaps a small portion of the northeast City. This area is designated as Open Space under the CGPU. The Project site is located within the CVMSHCP boundary, but not within or near any Conservation Area. The City is required to assess development impact fees on new development to mitigate potential impacts to covered species. With the collection of these fees, impacts associated with local policies were determined to be less than significant.

### Summary

The EIR determined that the CGPU would result in less than significant impacts to biological resources with implementation of CGPU policies, CVMSHCP provisions and requirements, and mitigation measures set forth in the EIR. The mitigation measures call for a new policy in the General Plan to require surveys in certain areas to determine occurrence of sensitive species and necessary mitigation, which is realized and reflected in Policy 9.8 of the Sustainability + Natural Environment Element.

### **Analysis of the Proposed Project**

The implementation of the GPA would not significantly change impacts to biological resources, because the 37.3 acres would be expected to be fully disturbed and developed under either the current or the proposed General Plan land use designation. Under the existing "Open Space" designation, the City intended to develop a multi-purpose recreational community center consisting of soccer fields, ball courts, gymnasium and other indoor facilities. The proposed "Suburban Neighborhood" designation would result in single-family residential development of up to 8 units per acre. Both types of developments would result in the loss of native habitat, and provide some open space for common species such as birds to forage or nest. Therefore, implementation of either land use designation would result in similar, less than significant impacts on biological resources, consistent with those identified in the EIR.

The proposed Project site is located in a largely developed area of the City surrounded by a mix of residential uses, roadways, and vacant/agricultural land. The site is currently vacant, has been previously graded, and contains minor amounts of native vegetation which has regrown since site grading. The site soils were disturbed during installation of sewer lines, and a special event during a one-month period in 2017 that involved the use of temporary tents, parking lots, fencing, and clearing and grubbing activities onsite. The site is not located in or near a Conservation Area as defined by the CVMSHCP. No special status plants or wildlife have been observed within the Project site vicinity (Figure 4.3-2, CGPU EIR). Development of the Project site is subject to the payment of mitigation fees under the CVMSHCP, regardless of the land use designation, as identified in the General Plan EIR.

The Project site contains minor growth of shrubs which may provide limited nesting and foraging habitats for migratory birds protected under the Migratory Bird Treaty Act (MBTA). While not specifically listed in the EIR, the Project will be required to avoid any ground disturbance during nesting season or conduct pre-construction surveys for bird species prior to the issuance of grading permits to comply with the MBTA. This mitigation measure would be applied to any development on the site, whether under the current or the proposed land use designation. Compliance with the MBTA will also afford protection to any special-status bird species should they occur on the Project site. The MBTA surveys would determine whether nesting birds are present onsite immediately prior to site disturbance and, if present, prohibit Project-related work within avoidance buffers until the young have fledged.

The Project site does not contain wetlands or riparian areas, and is not suitable as a migratory corridor because of its primarily urban setting and distance from the mountains and wilderness. Given the previous site disturbance and current conditions, it does not have the potential to serve as a wildlife nursery site. This would be true under either the existing or proposed land use designation.

Overall, the proposed Project will not result in any new significant impacts or increase the severity of impacts identified in the CGPU EIR. Development consistent with the General Plan guidelines and in adherence to existing federal, state, and City regulations will ensure potential impacts remain less than significant.

### **CULTURAL/TRIBAL CULTURAL RESOURCES**

#### **Summary of Findings in the EIR**

##### Historical Resources

According to a 2008 records search at the Eastern Information Center (EIC), there are 176 recorded cultural resources within the Planning Area, which include 68 historic-period sites or structures, 96 prehistoric sites, 10 that are both prehistoric and historic, and two of unknown age. The only registered historical resource is the Coachella Valley Water District Building along Highway 111 and Grapefruit Boulevard, which is designated as a California Point of Historical Interest and a Riverside County Historical Landmark. Many other sites are considered eligible for formal designation. The City's historic core is considered highly sensitive for historic resources, generally between Harrison Street and State Route 111 (EIR Figure 4.4-2).

The City has an existing ordinance (Municipal Code Chapter 15.48) to prevent destruction or impact on Class 1 historical resources. Federal and state codes also prevent the removal or destruction of any historic resources within the Planning Area. The CGPU Sustainability + Natural Environment Element addresses preservation of historical resources. Future development under the CGPU is required to comply with the existing regulations and CGPU policies that protect historic resources. The EIR determined that impacts to historic resources would be less than significant.

##### Unique Archaeological Resources

Based on the 2008 EIC records search, there are over 159 archaeological resources throughout the Planning Area, none of which are designated by any state or national register but may be considered eligible. Given the long history of Coachella as Native American land, the Planning Area contains significant archaeological resources. The Mecca Hills, Thermal Canyon, and washes north of Thermal Canyon host archaeologically significant trails, mining sites, and other artifacts from previous settlements. There are also possible sites along the west side of the Whitewater River, and in the downtown area.

The exact location of archaeological resources on Tribal Lands can only be known through a Sacred Lands Search by the Native American Heritage Commission. For safety reasons, the exact locations are kept confidential and thus not used for the EIR analysis. State regulations and CGPU policies protect against impacts to unique archaeological resources, through requirements that any findings of archaeological sites or objects should be reported immediately, a pre-grading site survey, and proper preservation and mitigation of archaeological resources. The CGPU requires new development to implement strategies to protect or reduce impacts on archaeological resources. Based on the existing regulations and CGPU policies, the EIR determined that impacts on unique archaeological resources would be less than significant.

#### Paleontological Resources

The Planning Area is comprised of the following rock types with their associated paleontological sensitivity:

Ocotillo Conglomerate – Low Sensitivity: present north of the Mecca Hills. No fossil site is recorded within the Planning Area.

Palm Springs Formation – High Sensitivity: Sandstones and siltstones present primarily in the Mecca Hills.

Lake Cahuilla Sediments – High and Undetermined Sensitivity: Silts and sands of Pleistocene and early Holocene Lake Cahuilla contain fossil birds, pond turtles, large and small fish, and bivalves and snails. These sediments underlie a majority of the Planning Area, on the floor of the Coachella Valley. High potential is assigned to the area expressed at or below the high stand of the Lake Cahuilla shoreline. Underdetermined potential is assigned to areas which are underlain by Lake Cahuilla sediments, but then overlain by recent sediments from the Whitewater Delta or that have been disturbed by agriculture.

Recent (Holocene) Alluvium – Low Sensitivity: The recent alluvium and dune sand does not contain fossils in a meaningful context. Recent alluvium can be found as alluvial fans deposited at the base of the hills on the eastern side of the Planning Area.

In general, the western and southern portion of the Planning Area have a low sensitivity, or probability, for having paleontological resources. The eastern portion of the Planning Area has high sensitivity for occurrence of paleontological resources, but much of this area is designated as Open Space under the CGPU, which limits or prevents development.

State law prevents the removal or destruction of any resource without presenting the findings and restricting and preserving the resources, or determination of resources not being worthy of reporting (Public Resources Code Section 5097.5). The CGPU Sustainability + Natural Environment Element also requires reporting of any paleontological artifacts found within the City or SOI and subsequent procedures. Future development would be required to comply with the existing regulations and CGPU policies in order to obtain development permits. Based on the regulatory framework protecting paleontological resources and the eastern portion of the Planning Area being designated as Open Space under the CGPU, the EIR determined that potential impacts are considered less than significant.

### Human Remains

Within the Planning Area, there is potential for human remains to occur on Tribal Lands. The exact location of human remains on Tribal Lands would require a Sacred Lands Search through the Native American Heritage Commission (NAHC). However, information from the NAHC would indicate potential only for confidentiality, and is thus not used in the EIR analysis. The CGPU's Policy 12.5 supports the requirement of law regarding discovery of human remains: "Require that any human remains discovered during implementation of public and private projects within the City be treated with respect and dignity and fully comply with the California Native American Graves Protection and Repatriation Act and other appropriate laws." As a mitigation measure, Policy 12.8, Disturbance of human remains, was added to the CGPU Sustainability + Natural Environment Element, which requires surveys to establish occurrence of human remains in areas with a high chance of presence of human remains. The EIR determined that potential impacts to human remains are considered less than significant with mitigation.

### **Analysis of the Proposed Project**

The proposed Project site is currently vacant and contains sparse native vegetation. As noted, the site was graded around 2004, and sewer lines were installed onsite to accommodate a 155-unit single-family residential development. According to the EIR, the site is classified as "sensitivity not listed" for historic resources (Figure 4.4-2). The site is not located within or near Tribal Lands, and is not near any identified archaeological resources (Figure 4.4-1). The site is also identified as "undetermined sensitivity" for paleontological resources. Development under either the current or proposed land use designation would result in disturbance of the entire site, and equivalent earth moving activities. Given the previous site disturbance, including deep excavation for sewer lines, it is unlikely that historic, archaeological, and/or paleontological resources, and/or human remains would be uncovered onsite during development.

The City has initiated the tribal consultation process pursuant to SB 18. On April 14, 2021, the City submitted a written request to the NAHC for a tribal consultation list for the proposed General Plan Amendment. Any responses and requests received during the process will be incorporated as conditions of approval, if required.

Overall, the proposed Project will not result in any new significant impacts or increase the severity of impacts already identified in the EIR. Development conducted pursuant to the General Plan, and in adherence to existing federal, state, and City regulations will ensure potential impacts are reduced to less than significant levels.

## **GEOLOGY/SOILS**

### **Summary of Findings in the EIR**

The City of Coachella is located in the eastern Coachella Valley, which forms the northerly part of the Salton Trough, a structural and topographic depression related to complex interactions with the San Andreas Fault system. The Coachella Valley is underlain by a thick sequence of sedimentary deposits from erosion of mountains including the Indio and Mecca hills along with deposition from the Gulf of California and Colorado River. Soils of different ages and compositions have developed on these sedimentary units, and on the younger alluvial units filling the valley floor. Mountains surrounding the valley include the Little San Bernardino Mountains to the northeast, the foothills of the San Bernardino Mountains to the northwest, and the San Jacinto and Santa Rosa Mountains to the southwest of the Planning Area.

#### Fault Rupture (Primary Seismic Hazard)

Three Alquist-Priolo Earthquake fault zones traverse the Planning Area in a northwest to southeast direction in the eastern City and SOI. The Alquist-Priolo Earthquake Fault Zoning Act requires a geologic investigation to demonstrate that no structure for human occupancy is placed over active fault traces and must be set back from the fault (generally 50 feet). The EIR found that implementation of the Alquist-Priolo Act, California Building Code, and CGPU policies will ensure that future development not be sited within the vicinity of a fault trace and be constructed with appropriate seismic upgrades if likely subject to fault rupture threat. The EIR determined that impacts would be less than significant.

#### Seismic Groundshaking

The San Andreas, San Jacinto, and Whittier-Elsinore fault zones are seismically active and are capable of generating strong groundshaking up to magnitude 7.9 within the Coachella area. Probabilistic seismic hazard maps indicate that peak ground acceleration in the Planning Area could reach or exceed 0.67g (gravity, 9.8 meters per second squared) which can cause considerable damage in structures not designed to withstand such groundshaking.

In addition to construction regulations and guidelines, including the California Building Code (CBC), the CGPU provides policies on more stringent requirements than the CBC for new development to adhere to and mitigation to protect people in buildings identified as most susceptible to earthquake damage. During the development application review, the City will evaluate proposed projects against CGPU policies for consistency based on project vulnerability to seismic groundshaking and grant approval only upon adequate consistency. The EIR concluded that impacts regarding groundshaking would be less than significant.

#### Ground Failure and Liquefaction

According to the EIR (Figure 4.5-5), the western portion of the Planning Area is generally identified with high potential for liquefaction, and most of the eastern portion has a moderate potential for liquefaction, with small areas of low potential. The City, state and federal agencies impose restrictions and requirements for development design and location that reduce impacts from seismic-related ground failure. Through the development review process of proposed structures in the Planning Area, a site-specific analysis is required to determine if structures are allowable and to assess building design against existing regulations and applicable codes. The CGPU also provides policies that require special studies for new construction and significant redevelopment during the development permit review process, as well as implementation of the engineering recommendations for mitigation. The EIR determined that compliance with existing regulations and CGPU policies will reduce impacts to less than significant.

#### Landslides & Other Hazards

Slope instability would pose a potential hazard as development encroaches into the hills in the northeastern portion of the Planning Area. Overall, the probability for landslide, rock fall and debris flow is considered low in the Planning Area. Development in the Planning Area is subject to regulations that require special studies to assess development risks from geological hazards including landslides prior to obtaining development permits. The CGPU Land Use + Community Character and Safety Elements contain multiple policies that address landslide related hazards, including limits on development in areas with steep slopes, slope failure mitigation, and field inspections. Existing regulations and CGPU policies would limit the siting of buildings in hazardous areas and enact additional safety precautions for construction and design. The EIR concluded that impacts would be less than significant.

#### Subsidence

Subsidence and associated ground fissuring have been attributed to groundwater withdrawal in the Coachella Valley. While subsidence has been documented in other parts of the valley (Palm Desert, Indian Wells and La Quinta), the potential for regional subsidence in the Planning Area is unclear. The CGPU includes policies to limit development in high risk areas and require site-specific studies to determine individual risk and develop appropriate design strategies. The CGPU also calls for groundwater resources protection to prevent over-drafting and regional subsidence due to excessive extraction. The EIR determined that implementation of the CGPU policies will ensure responsible development with minimal impact from unstable soil within the Planning Area. Potential impacts will be less than significant.

#### Expansive Soils

A small portion of the southeastern Planning Area is subject to potential expansive soil hazards in the vicinity of Thermal Airport and along the Southern Pacific Railroad tracks. Development in the Planning Area will be subject to the California Building Code to ensure structures are sound and engineered to reduce impacts from expansive soils. The CGPU also includes policies that require site-specific geotechnical investigations to determine if the development site is subject to expansive soils and other geological hazards and recommend measures to reduce potential

impacts, such as structural mitigation or ground improvements. The EIR determined that existing regulatory requirements and CGPU policies would ensure that impacts are less than significant.

### Erosion

The CGPU Planning Area is subject to slight to moderate soil erosion hazard based on soil types present. Areas underlain by unconsolidated sediments throughout the Planning Area are subject to water and wind erosion, which can be accelerated by activities such as vegetation removal, drainage modification and slope construction. Geologic orientation of the hills and mountain ranges throughout the community provides little resistance to strong winds through the Coachella Valley, resulting in increased rates of erosion. The City requires temporary and permanent erosion control plans for new development (see Section 3.9 for measures to control erosion by water and Section 3.3 for dust control measures). CGPU policies that provide careful land management in hillside areas also help prevent downstream erosion. Based on the framework of stormwater control regulations, air quality regulations, and CGPU policies which all limit the erosion potential of development under the CGPU, the EIR concluded that impacts would be less than significant.

### **Analysis of the Proposed Project**

The Project site is located in a semi-developed urban area and far from mountainous and hillside areas. The Project site is flat and surrounded by flat topography, and not subject to landslide risk. The site is not located within or near an Alquist-Priolo fault zone, but subject to strong ground shaking in the event of earthquakes generated by regional faults. According to the EIR, the entire site has high liquefaction susceptibility, and the top middle portion of the site has high erosion potential.

The Project will result in development of the proposed La Colonia II Project and is therefore subject to project-level CEQA review and site-specific analysis. The site would be fully developed, regardless of the existing land use designation or the proposed Suburban Neighborhood designation. It can be argued that the proposed residential designation and development have the potential to increase risk exposure to soil and geological hazards onsite compared to a recreational center under the existing designation, because homes will be occupied on a 24-hour basis, whereas fields and community center facilities will only be occupied for parts of the day. However, structures within the Project site will be required to adhere to the existing regulations and CGPU policies to reduce and mitigate potential impacts, including the preparation of site-specific geotechnical analysis prior to obtaining development permits. The Project will also be subject to standards in the California Building Code's seismic standards, which are designed specifically for seismic hazard areas, to ensure integrity and resistance to potential hazards. The Project, consisting of single-story homes, will not require extensive excavation or other special building techniques. As discussed in Section 3.9. Hydrology/Water Quality, the Project will be required to implement Best Management Practices and erosion control under the MS4 permit enforced by the City. During construction, the Project will be required to implement dust control per SCAQMD rules, as detailed in Section 3.3. Air Quality.

The Project would not generate new significant impacts or a substantial increase in previously identified impacts associated with geology and soils. Any project on the site will be subject to Uniform Building Code requirements in seismic zones. There is no new information of substantial importance which was not known and could not have been known when the EIR was certified. Implementation of CGPU policies and applicable standard requirements would ensure that impacts remain less than significant. Therefore, implementation of the proposed Project and General Plan Designation Map amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

**GREENHOUSE GAS EMISSIONS**

**Summary of Findings in the EIR**

The CGPU EIR greenhouse gas emissions analysis was based on the Coachella Climate Action Plan (May 2014), thresholds proposed by the South Coast Air Quality Management District (SCAQMD), and other publicly available resources. The analysis provided an overview of GHG emissions, California GHG inventory, Coachella GHG inventory, and potential emission reductions.

The California Air Resource Board (CARB) updates the statewide GHG emission inventory annually. The 2009 inventory was current at the time the EIR was prepared, which was 453 million metric tons of CO<sub>2</sub>e (MMT CO<sub>2</sub>e). In 2008, CARB also approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO<sub>2</sub>e. Signed into law in 2006, AB 32 called for emission reduction to 1990 levels by 2020. Based on statewide GHG inventory and the emission reduction goals of AB 32, SCAQMD proposed a 2020 service population metric of 6.6 MT CO<sub>2</sub>e per capita per year and a similar metric for 2035 of 4.1 MT CO<sub>2</sub>e per capita per year.

The City of Coachella prepared a citywide GHG inventory and determined that 2005 emissions totaled 312,628 metric tons CO<sub>2</sub>e (MT CO<sub>2</sub>e), which grew to 382,787 MT CO<sub>2</sub>e (8.2 MT CO<sub>2</sub>e per service population) in 2010. Factoring in population and employment growth, increased per capita energy use, and a rebounding economy, the citywide emissions are expected to increase to 923,091 MT CO<sub>2</sub>e in 2020, or 9.8 MT CO<sub>2</sub>e per service population. The Coachella Climate Action Plan (CAP) set a 49% reduction target from the 2010 per service population emission level by 2035, or 4.2 MT CO<sub>2</sub>e per capita per year.

The CGPU EIR did not quantify total emissions associated with the CGPU Buildout, but instead provided a per capita analysis with potential GHG emission reductions to compare to thresholds appropriate for a General-Plan-level project. The table below illustrates the per capita GHG emissions anticipated to occur as a result of CGPU buildout. The EIR used the proposed SCAQMD general plan threshold of 6.6 MT CO<sub>2</sub>e per capita per year for 2020, and the 4.2 MT CO<sub>2</sub>e per capita per year by 2035 set by the City to determine impact significance (thresholds shown in bold).

**Table 6  
Greenhouse Gas Emissions – General Plan Update Operations  
(MT/yr)**

---



	2010 Conditions	2020 Reduction Potential	2035 Reduction Potential
Total Emissions	382,787	-	-
1) Reductions from CGPU policies	-	126,306	231,707
2) Combined federal, state, and CGPU policies	-	338,046	639,630
3) Combined all policies in 2) + CAP measures	-	-	838,494
<b>Emissions Per Service Pop. with 2)</b>	-	6.2	5.4
<b>Emissions Per Service Pop. with 3)</b>	-	-	4.2
<b>SCAQMD Threshold</b>	-	<b>6.6</b>	4.1
<b>Coachella CAP Threshold</b>	-	-	<b>4.2</b>

Data sourced from Tables 4.12-1, 4.12-3, and 4.12-4 and Section 4.12 of the CGPU EIR.

According to the EIR, implementation of federal, state, and CGPU policies would reduce City GHG emissions by 338,046 MT CO<sub>2</sub>e per year, resulting in a per service population emissions level of 6.2 MT CO<sub>2</sub>e in 2020, which is below the SCAQMD recommended threshold of 6.6 MT CO<sub>2</sub>e per capita per year. Continuation of these policies would reduce emissions by 639,630 MT CO<sub>2</sub>e, resulting in a per service population emissions level of 5.4 MT CO<sub>2</sub>e in 2035, which exceeds the City’s target of 4.2 MT CO<sub>2</sub>e per capita per year.

The City’s CAP included an analysis of more aggressive implementation programs and additional measures not included in the General Plan, such as increased recycling, recycled and grey water use, and installation of solar systems on existing commercial buildings. The EIR determined that implementation of the CAP measures is estimated to reduce GHG emissions by 838,494 MT CO<sub>2</sub>e, resulting in a per service population emissions level of 4.2 MT CO<sub>2</sub>e in 2035 that meets the City’s target. The implementation of CAP measures is incorporated as mitigation measures in the EIR. The EIR concluded that impacts on GHG emissions from the CGPU buildout would be significant but mitigable.

Conflict with Greenhouse Gas Reduction Plans

As discussed in Section 3.16 Transportation, the Coachella General Plan Update contains policies that are consistent with the SCAG Regional Transportation Plan/Sustainable Communities Strategy. The 2012-2035 RTP/SCS set forth per capita GHG reduction goals of 8% by 2020 and 13% by 2035. As discussed above, the implementation of CGPU and statewide policies would result in a reduction in annual per service population emissions from 8.2 MT CO<sub>2</sub>e in 2010 to 6.2 MT CO<sub>2</sub>e in 2020 and 5.4 MT CO<sub>2</sub>e in 2035, which represent approximately 25% and 34% reduction by 2020 and 2035, respectively. While per service population and per capita measures of GHG emissions are not identical, the projected reductions are generally consistent with the reduction goals set forth in the RTP/SCS. Because the CGPU contains policies, programs, and measures to reduce emissions from all sectors that are consistent with CARB’s Scoping Plan to achieve AB 32 goals, the EIR concluded impacts regarding conflict with GHG reduction plans are less than significant under the CGPU.

**Analysis of the Proposed Project**

At the time of the EIR analysis, the SCAQMD's GHG emissions plan-level threshold was 6.6 metric tons of CO<sub>2</sub>e per service population (residents plus employees) per year by the year 2020 and 4.1 metric tons of CO<sub>2</sub>e per service population per year by the year 2035, consistent with California legislation (AB 32).

The Project will result in development of the proposed La Colonia II Project and is therefore subject to project-level CEQA review. The program EIR did not quantify GHG emissions specific to buildout of the subject site. Instead, the EIR assessed the per capita emissions from CGPU buildout of the Planning Area as a whole compared to the City's per capita reduction target for 2035. While the EIR determined that CGPU buildout would result in significant impacts that are mitigable by implementation of City's Climate Action Plan measures, individual developments are still required to undergo project-level environmental review, and mitigation measures will be identified to reduce any significant impacts.

Project-level emissions were quantified using CalEEMod Version 2016.3.2, for intended buildout under the existing land use designation and maximum buildout potential under the proposed land use designation. The following GHG estimates compare 2035 buildout conditions under the existing conditions and proposed GPA.

**Table 7**  
**2040 Operational GHG Emission Comparison**  
**(Metric Tons CO<sub>2</sub>e/Year)**

Source	Existing Conditions	Proposed Amendment
Area Emissions	0.00071	10
Energy Emissions	73	1,990
Mobile Emissions	2,787	3,577
Waste Emissions	1	286
Water Emissions	222	242
<b>Total w/out Construction GHG</b>	<b>3,083</b>	<b>6,105</b>
<b>Total w/out Construction w/ ZNE GHG<sup>1</sup></b>	<b>-</b>	<b>4,115</b>
<b>Construction Amortized<sup>2</sup></b>	<b>43</b>	<b>18</b>
<b>Project Population</b>	<b>-</b>	<b>1,386</b>
<b>Per Capita Emissions</b>	<b>-</b>	<b>2.98</b>

Source: CalEEMod Version 2016.3.2. See Appendix A for detailed output tables. Values shown represent the total unmitigated GHG emission projections for 2035 under existing conditions vs proposed conditions. Numbers have been rounded up to the nearest whole number except area emissions for existing conditions and per capita emissions for accuracy.

1. Zero Net Energy (ZNE) is required for residential construction after 2020 per California Building Code Title 24.

2. GHG emissions from construction are amortized over a 30-year period and added to the annual operation emissions. Total construction GHGs for existing conditions is 1,283 MTCO<sub>2</sub>e over a 5-year buildout period (43 MTCO<sub>2</sub>e amortized), and 552 MTCO<sub>2</sub>e over a 3-year buildout period (18 MTCO<sub>2</sub>e amortized).

As shown in the table above, the proposed GPA will result in an increase in GHG emissions of 1,007 MTCO<sub>2</sub>e when compared to existing conditions analyzed in the EIR. However, the per capita emissions at maximum buildout of the proposed GPA is projected at 2.98 MT CO<sub>2</sub>e, which would give a lower per service population emission level as employees are added to the Project population. The annual per service population emission level would be below 2.98 MT CO<sub>2</sub>e, and lower than the City target of 4.2 MT CO<sub>2</sub>e per service population per year. Therefore, the proposed GPA would not result in new or increased severity of impacts compared to those analyzed in the EIR.

On December 5, 2008, SCAQMD formally adopted a greenhouse gas significance threshold of 10,000 MT CO<sub>2</sub>e/year that applies to stationary sources (industrial uses) only where SCAQMD is the lead agency (SCAQMD Resolution No. 08-35). This threshold was adopted based upon an October 2008 staff report and draft interim guidance document<sup>1</sup> that also recommended a threshold for all projects using a tiered approach.

It was recommended by SCAQMD staff that a project's greenhouse gas emissions would be considered significant if it could not comply with at least one of the following "tiered" tests:

- **Tier 1:** Is there an applicable exemption?
- **Tier 2:** Is the project compliant with a greenhouse gas reduction plan that is, at a minimum, consistent with the goals of AB 32?
- **Tier 3:** Is the project below an absolute threshold (10,000 MT CO<sub>2</sub>e/yr for industrial projects and 3,000 MT CO<sub>2</sub>e/yr for non-industrial projects)? A project's construction emissions are averaged over 30 years and are added to the project's operational emissions.
- **Tier 4:** Is the project below a (yet to be set) performance threshold?
- **Tier 5:** Would the project achieve a screening level with off-site mitigation?

Two of the above tiered tests can be used to assess the GPA buildout scenarios: Tier Test 2 and Tier Test 3. The Tier 2 test would evaluate the project's compliance with the reduction targets of AB 32. To achieve the state's revised AB 32 targets per the CARB 2017 Climate Change Scoping Plan, per capita emissions would need to be reduced to 6 MTCO<sub>2</sub>e by 2030 and 2 MTCO<sub>2</sub>e by 2050. The Tier 3 test is an absolute threshold of 3,000 MTCO<sub>2</sub>e for a non-industrial project.

As shown in the table below, neither buildout scenario complies with the Tier 3 test and the 2050 target in the Tier 2 test. The proposed GPA complies with the 2030 AB 32 per capita target in the Tier 2 test. Buildout of the site under the current land use designation may or may not comply with the 2030 AB 32 per capita target under the Tier 2 test, because the intended recreational center would not generate population and the Citywide per service population levels are projected at 6.2 MTCO<sub>2</sub>e in 2020, and 5.4 MTCO<sub>2</sub>e or 4.2 MTCO<sub>2</sub>e (with mitigation) in 2035. Since

<sup>1</sup> Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold, prepared by SCAQMD, October 2008.

the Project would result in 155 units, rather than the 298 units analyzed for full buildout of the GPA, Project GHG emissions will be lower than the GPA maximum buildout. While the full buildout of the proposed GPA would result in 4,115 MT CO<sub>2</sub>e as compared to 3,083 MT CO<sub>2</sub>e at buildout under the existing designation, the Project will result in 48% fewer units and thus generate lower GHG emissions than the proposed GPA. Similar to the findings for air pollutant emissions, the proposed Project would result in GHG emissions similar to buildout of a recreational center under the current designation. Note that these projections did not take into account potential reductions due to implementation of CAP measures, which are predominantly City or community-level efforts, including a Residential/Commercial Energy Conservation Ordinance, Transportation Demand Management, and Intelligent Transportation Systems. These CAP measures, once implemented by the City, can further reduce projected total and per capita emissions for both existing and proposed designations.

**Table 8  
SCAQMD GHG Tiered Test Analysis**

Threshold Test	Existing Conditions Scenario	Proposed Amendment Scenario
<b>Tier 2: AB 32 Per Capita</b> 2030 Target: 6 MTCO <sub>2</sub> e 2050 Target: 2 MTCO <sub>2</sub> e	- Undetermined Does Not Comply	<b>3.0 MTCO<sub>2</sub>e</b> Complies Does Not Comply
<b>Tier 3: Non-Industrial Project</b> 3,000 MTCO <sub>2</sub> e	<b>3,126 MTCO<sub>2</sub>e</b> Does Not Comply	<b>4,133 MTCO<sub>2</sub>e</b> Does Not Comply

Note that per capita emissions are anticipated to decrease over the next 20 years due to future technology improvements, increased use of alternative modes of transportation, improved building efficiency, and increased use of renewable energy sources. However, the elective use of alternative modes of transportation and future efficiency potentials cannot be confidently quantified and applied as a mitigation measure. Therefore, operational impacts of the existing and proposed condition buildout scenario as they currently stand are not in compliance with the 2050 AB 32 per capita targets, and impacts would remain significant for the near future.

Neither the existing nor proposed General Plan designation is projected to comply with SCAQMD thresholds for GHG emissions using the Tier 3 test. However, the proposed Project will result in almost 50% fewer units compared to the proposed GPA maximum buildout, and the GHG emissions would be similar to or less than the existing General Plan designation. The Project per service population emission level, without mitigation, would be lower than the Citywide level including the mitigated level with CAP measures. No new or increased impacts are expected as a result of the Project compared to those identified in the EIR.

**HAZARDS & HAZARDOUS MATERIALS**

**Summary of Findings in the EIR**

Coachella Fire Services, as part of the Riverside County Fire Department supports the Riverside County Health Department in maintaining a permit program that cover anyone operating a hazardous occupancy or using, storing, or transporting hazardous materials.

#### Transportation of Hazardous Materials

Transportation of hazardous materials may occur on State Routes 86 and 111, and Interstate 10, which all run through the Planning Area. The CGPU will facilitate industrial and commercial development that may involve temporary or continuous transportation of hazardous materials. In addition to the federal and state regulations on transportation of hazardous materials, the CGPU Safety Element calls for enforcement actions, identification of hazardous materials transport routes, effective response, and proper siting of hazardous materials facilities and sensitive uses.

#### Hazardous Materials and Emissions

Development under the CGPU would have the potential to cause release of hazardous materials mostly likely on industrial land in the City. The use, storage, disposal, and cleanup of hazardous waste is regulated by an extensive framework of state and federal laws, such as those implemented by the US and California EPA, Occupational Safety and Health Administration, and regional agencies including the Colorado River Regional Water Quality Control Board.

Both the Coachella Valley and Desert Sands Unified School Districts oversee existing and future schools in the CGPU Planning Area. The CGPU Safety Element set forth development constraints for land uses that could release hazardous emissions near schools, including buffer zones between schools and agricultural land, avoiding siting of hazardous materials facilities near schools or utilizing building techniques to mitigate indoor air quality. The CGPU policies would ensure that any project emitting or handling hazardous materials would occur beyond the one-quarter mile buffer around schools.

#### Hazardous Materials Sites

The State Water Resource Control Board (SWRCB) maintains the GeoTracker database which includes sites with reported releases of fuels (Leaking Underground Fuel Tanks or LUFT) or non-fuels. As of September 2008, the GeoTracker database includes 34 sites within the City, primarily located along Grapefruit Boulevard and Harrison Street. Many of these sites have been closed, indicating that the reported release has been remediated to levels that require no further action based on existing land use. Ten sites remain open for monitoring, assessment, or remediation.

Government Code Section 65962.5 requires the California Department of Toxic Substances Control (DTSC) to compile and regularly update a list of hazardous waste sites, known as the Cortese List. The Planning Area has one registered site containing hazardous materials as of 2008, the Foster-Gardner Inc. pesticide and fertilizer parcel located on 1577 First Street. Given the existing and historical uses on the site, future development of any hospital, school, day-care centers, agriculture, and groundwater use is prohibited on the site via a deed restriction filed with Riverside County.

### Airports/Airstrips

There are no private airstrips within the Planning Area and its vicinity. The Jacqueline Cochran Regional Airport is located two miles south of the City of Coachella. The southern portion of the Planning Area is located within airport compatibility zones (Class B through E). The CGPU will facilitate primarily industrial land use and suburban retail uses in the area within compatibility zone Class B through D. The CGPU Land Use + Community Character Element contains policies that require new development to conform to the airport land use and safety plans, facilitates regional coordination and Riverside County Airport Land Use Commission review of planning documents and regulations.

### Emergency Response Plan

The City Fire and Emergency Medical Services Master Plan (2007) and City of Coachella Emergency Operations Plan (2007) were referenced in the CGPU EIR. The CGPU Safety Element policies prevent interference with existing and future emergency response plans, including the Local Hazard Mitigation Plan mandated by FEMA, plans for sensitive and critical facilities, public preparedness and educational programs, regional hospital, mutual aid and other cooperation agreements.

### Wildland Fires

The CGPU generally continues the development pattern of urban land uses concentrated in the western Planning Area, and agricultural and open space in the east. Under the CGPU, residential and other urban development could grow near natural landscapes and increase wildfire risks at the wildland-urban interface (WUI). The CGPU Sustainability + Natural Environment Element requires buffers between agriculture and urban uses, when new development of either type is proposed. The Safety Element seeks to reduce fire threat to structures and open space through a multitude of measures such as vegetation control, fire-resistant building materials, sprinkler retrofits, fire inspections, and climate/weather tracking.

### Summary of Impacts

The Coachella General Plan Update would facilitate new development of various land use types, which would result in increased transport, use, storage, and disposal of hazardous materials in the Planning Area. In addition to the federal, state and regional regulations on hazardous materials use, handling, and transportation, the CGPU includes policies to reduce potential impacts from hazardous materials through proper siting of hazardous materials facilities and sensitive receptors, setting up buffer zones, and establishing an effective response system through local planning and regional collaboration. The EIR determined that implementation of existing federal, state, and local laws and regulations, as well as CGPU policies concerning the handling, transport, and disposal of hazardous materials, would reduce potential impacts to less than significant levels regarding hazardous materials sites, emissions, and transportation, potential impacts on schools and airports, wildfire risks, and emergency plans.

### **Analysis of the Proposed Project**

The proposed Project site is located in the western end of the City and surrounded by local streets, vacant/agricultural land, and urban development. Hazardous materials monitoring and emergency response within the Project area will be covered by the Riverside County Department of Environmental Health Hazardous Materials Branch, Riverside County Fire Department and Environmental Health HazMat Program staff and CalFire.

Currently there are no hazardous waste sites listed on the Cortese List nor any LUFT sites listed in proximity to the Project site per the SWRCB GeoTracker. According to the GeoTracker, there is one permitted underground storage tank (UST) located at the Tower Market at the southwest corner of Avenue 50 & Calhoun Street. The UST is under the jurisdiction of the Riverside County Department of Environmental Health, and no issues have been reported with this UST.

The GPA proposed for the Project site has the potential to result in 298 residential units. The residents of the proposed Project would use chemicals and potentially hazardous materials for daily activities, including indoor and outdoor cleaning, pool disinfection, and landscaping, but well below the amount threshold to constitute potential threat or hazards. The proposed Project will result in 155 single family homes, which would be expected to use, store and transport lesser amounts of household materials. The use, storage, and transportation of such materials would be subject to existing regulations, under either the GPA or the smaller proposed Project. The park and community center envisioned under the current designation would likely store larger quantities of fertilizers, pool cleaners or chlorine, and similar products, but would also be subject to these regulations. Therefore, the proposed Project would not create any new impacts associated with hazardous and toxic materials, nor increase the severity of any such impacts identified in the EIR.

The proposed Project will result in the development of 155 single-family homes. The Project construction will necessitate the storage and use of hazardous materials on site, such as paints, solvents, and fuels, which are potential sources of pollutants, as would construction of a park and recreation facility on the site. However, the Project and its contractor will be subject to existing laws and regulations which require hazardous materials and wastes are used, stored, transported, and disposed of appropriately.

The nearest school is Imagine Schools – Riverside County, located approximately 0.15 miles south of the Project site. Given the implementation of the regulatory framework as described in the CGPU, the Project will have equivalent, and less than significant impacts associated with release/emission of hazardous materials on nearby schools as would a park and recreation center.

Overall, neither the existing or the proposed conditions would result in a hazardous materials facility, and buildout under either designation would be subject to the same regulations as those discussed in the EIR. Therefore, implementation of the proposed Project and General Plan Designation Map amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the EIR.

#### **HYDROLOGY/WATER QUALITY**

## Summary of Findings in the EIR

The dominant drainage in the Coachella Valley is the Whitewater River. The Whitewater River watershed is under the jurisdiction of the Colorado River Basin Regional Water Quality Control Board (RWQCB). The Whitewater River has perennial flow in the mountains, but becomes dry further downstream due to diversions and percolation into the groundwater basin. The Whitewater River is channelized downstream from La Quinta, known as the Coachella Valley Stormwater Channel (CVSC) and serves as drainage for irrigation return flows, treated community wastewater, and storm runoff.

### Water Quality Standards

The CGPU will expand the Planning Area from a small town to a mid-sized city with development and supporting infrastructure that may impact existing waterways. Development under the CGPU will be monitored and allowed only upon demonstrated compliance with current federal, state, and local regulations and standards, including the Clean Water Act, Porter-Cologne Water Quality Control Act, Regional Water Quality Control Plans, Safe Drinking Water Act (1976) and recycled water regulations. Permits for development activity are issued upon compliance with these regulations, and violation would result in activity being stopped. The CGPU contains policies to ensure compliance with these regulations by limiting the pollutants that can be discharged to water bodies and regularly monitoring standards for water quality. The EIR concluded that impacts on violations of state or federal regulations or standards from development under the CGPU are considered less than significant.

### Groundwater Supplies (Also see Section 3.18.)

The CGPU Planning Area is underlain by the Whitewater River Basin. The Lower Whitewater River Basin water is extracted by the Coachella Valley Water District and other water agencies including the Coachella Water Agency (CWA). CWA is the water supplier for the entire City and SOI under the CGPU. Water demand in the City is met through groundwater extracted from wells.

The CGPU Planning Area had a water demand of 8,709.5 acre feet (AF) in 2010, which is projected to increase to 27,276 AF in 2035. The Coachella Valley Water Management Plan Update (2010) outlined several strategies to increase and diversify water supply to meet future needs, including increasing water supply from the Colorado River Watershed Basin and the State Water Project, water conservation, water recycling programs, and groundwater recharge. According to the water supply analysis conducted for the CGPU, the 2035 water demand would be met by groundwater in the Lower Whitewater River Basin with a current capacity of 28.8 million acre feet and a current level of 25 million acre feet. The CGPU contains policies to address impacts with high water demand, including grey water use, groundwater recharge, and designing water conscious buildings and landscapes. These policies, together with the City's and CVWD's Urban Water Management Plans, will facilitate multi-organization coordination to reduce impacts from the increased demand and water extraction needed to supply new development. The EIR determined that under the CGPU, water supply is adequate to meet future demands, and impacts on groundwater supplies would be less than significant because of the efforts and programs in place to conserve water and recharge groundwater basins.



### Flooding

Waterways within the CGPU Planning Area include the Coachella Canal and the partially channelized Whitewater River. While there is no planned waterway relocation or path alteration, development under the CGPU has the potential to change drainage patterns and result in water runoff or flooding impacts on the Whitewater River. The CGPU Sustainability + Natural Environment and Infrastructure + Public Services Elements include policies to preserve natural land features and require drainage studies for new development to prevent on- or off-site flooding. The EIR concluded that the regulatory framework and CGPU policies will ensure that potential impacts of drainage and runoff remain less than significant.

### Erosion, Polluted Runoff, and Water Quality

Development under the CGPU will have the potential to result in erosion from local changes in run off or construction activities that disturb soils. The Clean Water Act and its Streambed Alteration Agreements prohibit development that would alter waterways from erosion or runoff. Projects seeking permits for development or activity within the Planning Area will be required to comply with these provisions. The CGPU Sustainability + Natural Environment Element contains policies that require erosion control during construction and other soil disturbing activities. The EIR determined that implementation of the existing regulatory framework will ensure impacts on erosion or sedimentation remain less than significant.

Development under the CGPU has the potential to cause harm from polluted runoff. Under the Clean Water Act, the Colorado River Basin Regional Water Quality Control Board (RWQCB) is responsible for regulating water quality in the Planning Area and implementing the National Pollution Discharge Elimination System (NPDES) program. The City of Coachella operates under a municipal separate storm sewer system (MS4) permit, which requires implementation of best management practices (BMPs) to reduce pollutants in urban storm water discharge and monitoring of ambient water quality to determine effectiveness of BMPs. All future development under the CGPU will be subject to the MS4 permit requirements including implementation of BMPs, as well as policies in the Land Use, Infrastructure + Public Facilities, and Sustainability + Natural Environment Elements that address development impacts of runoff. The EIR concluded that CGPU policies supporting the current regulatory framework will ensure new development is built with adequate infrastructure to reduce runoff impacts on the existing environment by limiting volumes of stormwater discharge and treating stormwater runoff prior to discharge. Impacts were determined to be less than significant.

Water quality within the Planning Area is controlled by the Coachella Valley Water district in conjunction with State Water Resources Control Board (SWRCD) and the Colorado River Basin RWQCB. The Clean Water Act, including Section 401, also requires that any activity which may result in a discharge to waters of the U.S. must obtain State Water Quality Certification demonstrating that the proposed activity will comply with state water quality standards. The EIR concluded that under existing regulations and CGPU policies that address water quality in both the Sustainability + Natural Environment and Safety Elements, new development will be required

to integrate design features to limit water pollution, and impacts on water quality will be less than significant.

#### Housing and Structures in 100-Year Flood Areas

Areas designated as a 100-year flood hazard zone within the Planning Area occur within the banks of the Whitewater River. There are residential land uses west of the river. Channelization along the Whitewater River allows the river to handle 82,000 cubic feet squared (cfs) which is considered the largest flood that can occur within the area and twice the 42,000 cfs water volume of 100-year floods within the Planning Area. A large portion of the Planning Area west of the Coachella Canal is located within FEMA Zone X, a 500-year flood zone or 100-year flood zone with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas that are protected by levees from 100-year flood. This flood zone area covers primarily existing urban and agriculture development and proposed new development areas under the CGPU. Most flooding in this area is from the occurrence of summer monsoons.

Existing regulations and ordinances regarding development in a 100-year flood plain would ensure development under the CGPU would not place structures or people at risk of severe damage from a 100-year flood. The Floodplain Management Section of the Coachella Valley Water District implements Riverside County Ordinance 458 for projects located within floodplains, which require approval of a Floodplain Permit. These projects are required to adhere to the ordinance requirements. This permitting process helps prevent harm or damage to structures and people from flooding.

Additionally, under the CGPU, new development is proposed within Zone X, which is considered a low and moderate risk area with low occurrence. The severity of flooding was determined to be manageable through site specific design and engineering. The CGPU calls for open space and natural trails development in floodplains to reduce the numbers of structures exposed to flood risks, and requires retrofitting existing development that is subject to frequent flooding. The EIR concluded that considering the existing infrastructure within the Planning Area, existing regulations and CGPU policies, impacts from flooding would be less than significant.

#### Levee and Dam Failure

Infrastructure protecting the Planning Area from flooding includes channelization and levees of the Whitewater River and the East Side Dike. The City of Coachella Engineering Department manages levees, channels, and dikes within the Planning Area. The Riverside County Flood Control District (RCFCD) manages levees, channels, and dikes in unincorporated areas of the Planning Area.

The existing regulatory framework, including the Riverside County Ordinance 458 implemented by CVWD, provides an impact reduction strategy from levee or dam failure for housing located within floodplains that are most susceptible to flooding from levee failure. In addition, the CGPU policies require the City to carefully monitor and mitigate development in areas that are prone to flooding risks from possible infrastructure failure and create disaster response plans to protect

users of critical facilities. The EIR concluded that the implementation of strict development and land use standards will ensure impacts from levee or dam failure remain less than significant.

#### Seiche, Tsunami, or Mudflow

The Planning Area is over 100 miles away from the coast, which eliminates any potential impact from tsunamis. The Planning Area is located over 10 miles away from Salton Sea, the closest large water body, and is thus outside the area that could be affected by seiches. Minor seiches may occur within the Planning Area in smaller ponds or lakes, however the water level rise is unlikely to exceed 1.6 feet. There is potential for mudflows in the areas below Mecca Hills. The CGPU contains policies to address mudflow and landslide issues and require geotechnical investigations prior to permitting and developing on a site, including engineering structural changes to reduce mudflow impacts. With the open space land use designations and safety measures required in the CGPU, the EIR concluded that potential impacts from mudflow or seiche would be less than significant.

#### **Analysis of the Proposed Project**

Development of the site could result in a multi-purpose recreational center under the existing designation, or a maximum of 298 residential units under the proposed GPA. Please see Section 3.17 for a discussion of water demand.

Implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR. Development of the site would increase the amount of impervious surfaces in the City under both existing and proposed buildout scenarios. The Project site is located within the FEMA Zone X and outside a 100-year flood zone. The Project will be required to comply with all City regulations under the MS4 permit, including the implementation of Best Management Practices and erosion control to prevent surface and ground water pollution. Buildout of the site is required to comply with applicable regulations, and policies set forth in the CGPU on protection of local hydrology and water quality, regardless of the type of development that occurs there. Implementation of the same regulatory framework and policies as analyzed in the EIR will ensure that overall impacts are similar to those previously identified in the EIR. Therefore, implementation of the proposed Project and GPA would not result in any new adverse impacts or increase the severity of previously identified significant impacts identified in the EIR.

#### **LAND USE AND PLANNING**

##### **Summary of Findings in the EIR**

The City and SOI largely consist of urban settlement (residential, industrial, and commercial land uses), agricultural land, open space, and undeveloped land. Buildout of the CGPU would transform the City from a small town to a mid-sized city, with a population growth from 40,704 (2010) to 135,000 by 2035.

The majority of urban and residential development is within the western portion of the Planning Area, roughly west of the Whitewater River between Avenue 52 and Avenue 62. This area holds Coachella's downtown, civic buildings, commercial corridors, and a majority of residential development. Specifically, the area west of State Route 111 has the highest population density within the Planning Area.

The eastern portion of the Planning Area consists mostly of open space, agriculture, and tribal land. The majority of agricultural land is located between the Whitewater River and Coachella Canal, and east of the canal is planned to remain open space.

The CGPU Land Use, Mobility, and Community Health + Wellness Elements aim to maintain and strengthen the established communities in the Planning Area with connectivity, social programs, and community character enhancements. The relevant CGPU policies call for a family-friendly community, neighborhood transitions and subdivision gateways, equitable distribution of facilities and services, as well as connectivity at project, subarea, and Citywide levels. The EIR determined that the CGPU would contribute to community engagement, strength, and connectivity through the aforementioned policies and would not lead to division of existing established communities. Impacts would be less than significant regarding physically dividing established communities.

The EIR determined that the proposed land use plan and policies under the CGPU are consistent with local and regional plans, including the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), the Jacqueline Cochran Airport Master Plan, and SCAG's Regional Transportation Plan (RTP). The adoption of the CGPU would prompt update of the Zoning Code to ensure consistency with the CGPU Designation Map under state law. The EIR concluded that the CGPU would not create any inconsistencies or conflicts with these regional plans and policies, and impacts would be less than significant.

The EIR determined that adoption and implementation of the General Plan update would increase the number of housing units, nonresidential square footage, and the population in Coachella. Development facilitated by the CGPU would increase the City's population to a maximum of 135,000 by 2035, which is 4.9% (6,300 residents) more than SCAG's 2035 population forecast. However, the maximum theoretical buildout of the General Plan Designation Map would likely overstate the amount of growth, and the SCAG forecast was considered a reasonable estimate of future growth through 2035. Therefore, the EIR determined that the CGPU would be consistent with existing local and regional planning documents. Overall, the EIR determined that the General Plan update would have a less than significant impact to land use or land use planning.

### **Analysis of the Proposed Project**

The proposed General Plan Amendment will change the current Open Space designation to the Suburban Neighborhood designation for the 37.3-acre site and limit the allowable land use to low-density residential (2-8 du/ac). Under the current designation, the City intended to build a

multi-purpose recreational center. While the General Plan Amendment results in a different use, the residential development would result in environmental impacts generally similar to the previously approved designation, or lower depending on the actual density, as described throughout this document. Either the existing or the proposed designation are compatible with the surrounding area, which includes residential developments under the Suburban Neighborhood designation and vacant lands to be built out under the General Neighborhood designation. The proposed GPA will blend into the existing and future neighboring residential developments in density and in character. The proposed GPA is consistent with the following CGPU policies:

5.23 Neighborhood preservation. Preserve and enhance the character of existing residential neighborhoods.

5.24 Infill neighborhoods. In existing developed areas of the City, encourage repair oriented development that creates complete neighborhoods (as defined above). Such activities include:

- Enhancing connectivity and reducing block size, including reasonable and related improvements in off-site locations.
- Completing abandoned subdivisions with building types identified in this General Plan.
- Making pedestrian-oriented blocks out of large scale superblocks through the addition of new streets.

5.17 Neighborhood transitions. Require that new neighborhoods provide appropriate transitions in scale, building type and density between different General Plan designations.

As analyzed under Section 3.3, the proposed GPA would result in a maximum buildout population of 1,386 onsite, which would increase the City's buildout population from 135,000 to 136,386. The total population with GPA would exceed SCAG's 2045 forecast by 7,086 residents (5.5%). As discussed above, similar to the existing conditions, the proposed GPA would be in line with regional forecasts given the limited increase and that the Project density would be almost 50% lower.

Development of the proposed Project will be in accordance with the General Plan guidelines, Municipal Code, and other applicable regulations, including payment of the CVMSHCP development impact fee. The Project will install street improvements to meet the City standards and provide internal pedestrian connections to provide neighborhood connectivity, consistent with zoning requirements.

The residential developments to the north and west of the Project site are independent of each other. The Project site is surrounded by vacant/agricultural land and sparse single-family homes on the south and east. Under either the existing or the proposed designation, buildout of the Project site will not physically divide an established community.

Implementation of the proposed Project would not result in any new significant impacts or increase the severity of a previously identified significant impact as previously analyzed in the

EIR. Overall impacts are expected to be similar to those previously identified in the EIR. Therefore, implementation of the proposed Project and General Plan Designation Map amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the EIR.

## **MINERAL RESOURCES**

### **Summary of Findings in the EIR**

The California Mineral Land Classification System, developed by the State Geologist, identifies Mineral Resources Zones (MRZs) for mapping and reporting purposes under the Surface Mining and Reclamation Act (SMARA). The western portion of the CGPU Planning Area is located in MRZ-1, where available geological information indicates that little likelihood exists for presence of significant mineral resources. The majority of the eastern Planning Area is located in MRZ-3, which indicates the area has known mineral deposits that may qualify as mineral resources (MRZ-3a), or the area may have inferred deposits which may qualify as mineral resources (MRZ-3b).

Some areas in the southeastern SOI are classified as MRZ-1 and MRZ-2, where geologic data indicate that significant measured or assumed mineral resources are present. Two permitted mining operations occur in the MRZ-2 area, the Coronet Concrete – Palm Desert Rock Sand Mine, and Coachella Valley Aggregates – Fargo Canyon Mine. The MRZ-2 area is designated as Open Space under the CGPU, where mining activity is a permitted use. No loss of mineral availability is expected.

Current state regulation prohibits the removal of mineral resources in California. The CGPU Sustainability + Natural Environment Element includes policies to encourage resource recycling and proper land use compatibility planning to protect mineral resources. The CGPU EIR determined that given minerals being located in Open Space lands under the CGPU and the current regulatory framework and supportive policies, any potential impacts on mineral resources will be reduced to a level of less than significant.

### **Analysis of the Proposed Project**

The Project site and surrounding area are located in MRZ-1, where available geological information indicates that little likelihood exists for presence of significant mineral resources. The western City, including the Project site, are mostly developed with urban uses. There are no mining land uses or activities in the Project vicinity. Under either the existing or proposed land use designation, the site will be developed as an urban use and no mining activity is allowed. Given the Project site location in the MRZ-1 and existing CGPU policies and state laws to protect mineral resources elsewhere, no impact on mineral resources would occur on the Project site regardless of the land use designation.

Implementation of proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR. Overall impacts are expected to be the same as those previously identified in the EIR. Therefore, implementation of the proposed Project and General Plan Designation Map Amendment would not result in any new

adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

## **NOISE**

### **Summary of Findings in the EIR**

#### Ambient Noise Levels and Noise Standards

Automobile traffic is the most significant source of noise in Coachella, according to the CGPU EIR. Based on the noise modeling results, by the year 2035, peak noise levels along I-10, SR-86S, Dillon Road, as well as certain segments of Grapefruit Boulevard and Avenue 52, are expected to exceed 75 dBA CNEL. Peak noise levels along all modeled segments are expected to exceed 70 dBA CNEL, with the 65 dBA CNEL contour expected to extend over 100 feet from the centerline of all modeled roadways, including Avenue 50 in the Project area. Sensitive uses near these roads, including residences and parks, are expected to be exposed to noise levels exceeding the City's 65 dBA CNEL exterior noise standard for residential uses.

Under the CGPU, development activities including construction would expose noise-sensitive receptors to substantial temporary or periodic ambient noise increases. The CGPU Noise Element Policy 2.2 requires the City to "Minimize stationary noise impacts on sensitive receptors and noise emanating from construction activities, private development/residences, landscaping activities, night clubs and bars and special events." Implementation of the CGPU policies and enforcement of the City's Noise Ordinance, would ensure that construction noise impacts do not create a significant adverse effect on sensitive receptors.

The CGPU Noise Element contains policies that require noise analysis and mitigation for new development/redevelopment, and traffic calming measures where roadway noise exceeds the normally compatible range established in the CGPU. Stationary noise sources will be subject to the Municipal Code provisions (Title 7 Noise Control). The EIR determined that while future development may increase ambient noise levels, implementation of the CGPU policies and Municipal Code will ensure the noise levels would not exceed the City's adopted noise standards, and impacts would be less than significant.

#### Groundborne Noise and Vibration

Development under the CGPU would involve construction activities at discrete locations in the City, and vibration from such activity may impact existing buildings and their occupants if they are located close enough to the construction sites. The Coachella Municipal Code Section 7.04.030 forbids any person to "make, continue, or cause to be made or continued, within the city limits, any disturbing, excessive, or offensive noise or vibration which causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area or that is plainly audible at a distance greater than fifty (50) feet from the source's point for any purpose." While daytime construction noise is exempt from the City standards, construction vibration impacts are subject to City review during the building permit process. The EIR determined that the CGPU policies that reduce impacts from auto traffic-related noise would also reduce impacts from auto traffic-related vibration. Vibration levels from trains would continue to be intermittent, and

would not increase significantly as a result of the CGPU. Overall, the EIR concluded that development under the CGPU would be subject to the City's standards and review process, which will ensure that such development would not expose persons to or generate excessive groundborne vibration or groundborne noise levels. Impacts would be less than significant.

#### Airport Noise

The Jacqueline Cochran Regional Airport is the only public or private airport within two miles of Coachella. The current and future (2025) noise contours from Jacqueline Cochran Regional Airport barely fall within the City limits. The land use designation for areas within the airport's land use plan will be comprised of 70 to 90 percent industrial and up to 20 percent Suburban Retail District, consistent with land uses allowed for each airport compatibility zone. Neither of these designations allow residential uses or other noise-sensitive receptors, and development of these areas would therefore not expose noise-sensitive receptors to excessive noise levels from the airport. The EIR concluded that impacts would be less than significant given the land use distribution under the CGPU and implementation of relevant CGPU policies.

#### **Analysis of the Proposed Project**

Under the existing Open Space designation, the City would develop a multi-purpose recreational center including soccer fields, indoor and outdoor courts, a community center and other amenities. The proposed GPA would result in a residential development with up to 298 units on the site, and a Project planned for 155 single family homes. As discussed in Section 3.16, maximum buildout of the proposed GPA would increase daily and AM peak hour trips compared to the existing designation by about 18% and 96%, respectively. The increased traffic may lead to increase in long-term noise levels on the surrounding streets. However, comparing the residential use to a recreational center, the proposed GPA may generate lower noise levels than buildout under the existing designation which would involve high noise generators such as sports games on soccer fields and indoor/outdoor sports facilities. Impacts associated with long term noise would be further reduced with implementation of the Project, which results in fewer units, and lowers daily and PM peak hour trips by about 61% and 49%, respectively, when compared with the existing conditions.

Construction noise would be expected to be similar under both the current and proposed land use designations, insofar as both will result in construction of the entire site. Because of the intensity of development associated with the current land use designation, construction activities would likely continue for a longer period, however.

The proposed Project will result in the development of the La Colonia II Project and will therefore be required to conduct a project-level noise analysis in conjunction with the preparation of building plans. Construction activities associated with build out of the proposed Project would be required to comply with the City's allowable construction hours (Municipal Code Section 7.04.070), and would also be temporary in nature. Therefore, the construction noise impacts are considered to be less than significant given their occurrence during less sensitive daytime hours and short duration, consistent with the conclusions of the CPGU EIR. The Project will be subject



to the same CGPU policy on minimizing stationary noise impacts and the City's review on potential vibration impacts during the building permit process. Therefore, construction-related noise and vibration due to the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact previously analyzed in the EIR.

Operational activities would be limited to residential activities that are not expected to generate excessive long-term noise or vibration. Operational noise under the proposed Project is subject to the City's noise ordinance requirements and is expected to be less than significant and less than that of buildout of the site under existing conditions, which consist of soccer fields and indoor/outdoor sports facilities, which would generate higher levels of noise for specific time periods when sports games were being played. Long-term operation of residential uses, either at maximum buildout or the La Colonia II density, would not result in any new impacts or increase the severity of a previously identified significant impacts as previously analyzed in the EIR.

The site is currently surrounded by residential developments and agricultural/vacant lands. The site is not located in proximity to a private air strip and is well outside of Jacqueline Cochran Regional Airport's noise contours. There are no sources of excessive noise in the immediate Project vicinity that would impact future residents. Given the distance of 1.17 miles to the railroad, noise and vibration impacts are considered less than significant. The primary noise sources in the Project area are traffic noise from Avenue 50 and Calhoun Street. According to the EIR Table 4.10-5 Coachella Land Use/Noise Compatibility Matrix, normally compatible exterior noise levels for single-family residential land uses is up to 70 dBA CNEL. The EIR determined that noise levels (unmitigated) on Avenue 50 along the Project frontage would be 70 dBA CNEL at 61 feet from centerline (EIR Table 4.10-4; Calhoun Street was not included in the model). The proposed Project is expected to provide at least 61 feet between the residences and centerline of Avenue 50 through setbacks, and also buffers including landscaping and walls. Therefore, noise levels in private yards will be kept below the City's standard.

Overall, build out of the proposed Project will result in impacts that are generally lower than what was analyzed for the CGPU EIR, and with the implementation of CGPU policies and Municipal Code, will remain less than significant.

## **POPULATION, EMPLOYMENT, AND HOUSING**

### **Summary of Findings in the EIR**

#### Population Growth

Between 2005 and 2010, Coachella's population increased by nearly one-third from 30,879 to 40,704. The City population is projected to grow to 135,000 by 2035. In 2010, there were 9,903 housing units, of which 8,998 were occupied. On average, 4.51 persons were living within each occupied housing unit, which is higher than the statewide (2.96) and countywide averages (3.2) and indicates an overcrowding issue. At the time of preparation of the EIR, the City had five vulnerable communities as defined by SB 244, including Vista Santa Rosa south of the Project site.

The City had approximately 5,831 jobs, with the largest job sector in agriculture (29.7%). In 2012, the City had a higher unemployment rate (20.0%) than neighboring communities (7.6% for Palm Desert, 13.8% for Indio), county (12.7%) and state (11.0%) averages. The City has aligned its goals with the conservation of agriculture lands to ensure a stable agricultural economy.

Southern California Association of Governments' (SCAG) 2012 RTP/SCS forecasts that the City will have a population of 128,700 in 2035, which is approximately 4.9 percent less than the CGPU population projections but considered reasonably similar. As projected by SCAG, population growth in the City is imminent and will result in a substantial change of size of the City. The CGPU was prepared in response to such trends to guide development to accommodate the population increase. While the CGPU would induce growth relative to economic expansion, population growth, and encroachment into open space, it also presents a comprehensive program for managing growth in Coachella so as to minimize inappropriate development patterns and environmental impacts. Due to the general consistency of the City's long term population with regional forecasts, and the comprehensive program of policies meant to manage this growth, the EIR determined that impacts related to population growth would be less than significant.

#### Displacement of Housing

The CGPU does not propose displacing housing or people. However, the vulnerable communities might be subject to displacement because their uses are generally unpermitted and may offer greater economic returns to landowners as the City grows. The EIR projected that near 45,000 new housing units will be developed, which can absorb any displaced population and offset the impacts. The CGPU will facilitate proper construction of housing and adequate infrastructure, which many of the vulnerable communities are lacking, and their residents would benefit from improved living conditions.

The City's existing Housing Element includes comprehensive policies to accommodate population growth while also protecting affordable housing needs for vulnerable populations such as farmworkers and low-income residents. The upcoming Housing Element updates are expected to expand existing housing options and provide further support for affordable housing. The EIR determined that impacts would be less than significant regarding displacement of housing or people, due to existing protections under law, and the CGPU's policies and programs.

#### **Analysis of the Proposed Project**

Under the existing Open Space designation, buildout of the site would not generate new population or housing. The proposed GPA would allow a maximum residential density of 8 DU/AC and a buildout potential of 298 units for the site, but the proposed Project would result in 4.2 DU/AC and 155 units. According to 2020 California Department of Finance data, the City of Coachella has an average of 4.65 persons per household.<sup>2</sup> Maximum buildout of the site would increase the population by 1,386 persons under the proposed land use designation. The proposed Project would result in 721 new residents. The proposed GPA would increase the City's

<sup>2</sup> E-5 City/County Population and Housing Estimates, California Department of Finance, January 1, 2020.

previous buildout population from 135,000 to 136,386, which is 7,086 more residents, or 5.5% more growth than SCAG's most recent forecast (129,300 by 2045). According to the EIR, the SCAG forecast represents a more reasonable projection, while the CGPU buildout is based on the maximum capacity; therefore both population projections are considered generally similar and consistent with each other. The difference would be even smaller under the proposed Project, which is an example of the difference described in the EIR between maximum capacity and realistic capacity.

Implementation of the proposed Project would not result in any new significant impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR. The proposed General Plan Amendment would expand the City's housing stock compared to existing conditions. The site is vacant and will not displace any existing population or cause a need for additional housing elsewhere. The site is located near the Vista Santa Rosa area, which is designated a Disadvantaged Unincorporated Community per SB 244 and in need of stormwater/drainage facilities. The development of the site and any required street improvements would not negatively impact the Vista Santa Rosa area. Therefore, implementation of the proposed Project and General Plan Designation Map amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the EIR.

## **PUBLIC SERVICES**

### **Summary of Findings in the EIR**

#### Fire Protection

The City of Coachella contracts with Riverside County Fire Department (RCFD) for fire and emergency services. The RCFD is administered and operated by the California Department of Forestry and Fire Prevention under an agreement with the County of Riverside. The Coachella Fire Service is a "Full Service" agency, providing fire protection, emergency medical, emergency management, and public assistance services to citizens within its jurisdiction. At the time of the EIR, the CGPU Planning Area was served by two fire stations, Battalion 6 Coachella Fire Station #79 that serves the incorporated City and the City of Indio Fire Station that serves in unincorporated areas of the Planning Area. The existing fire stations have current response times longer than five minutes, and a service population ratio of 0.4 firefighter people per 1,000 residents. The requirement for level of service times is less than five minutes, and a ratio of 1.0 firefighter people per 1,000 residents as outlined in the City of Coachella Fire and Emergency Master Plan (2007). Therefore, the City is currently under-serving its residents.

The CGPU would facilitate development and population growth that generates a higher demand for increased fire stations throughout the Planning Area. The City of Coachella Fire and Emergency Medical Services Master Plan (2007) identified a need for at least three additional fire stations to be added in the southern and western portion of the Planning Area, where the majority of urban development is anticipated.

The CGPU calls for increased level of service and fire protection facilities along with conscious development and adequate land use allocation to reduce adverse impacts on fire protection facilities. The CGPU also contains policies in multiple elements to address potential impacts from public service buildings, including fire stations, through sustainable site design, energy conservation efforts, noise compatibility, and development impact review. The EIR determined that impacts regarding fire protection facilities would be less than significant.

### Law Enforcement

At the time of the EIR, the City of Coachella Police Department operated a substation from the Riverside County Sheriff's Department located at 82-695 Dr Carreon Boulevard. The City's Police Department operated out of a single facility with response times of about three minutes for emergency calls. The Riverside County Sheriff's Department served the unincorporated portion of the Planning Area.

In 2012, the City's Department had 36 sworn officers and two non-sworn personnel for a total of 38 positions. 24 officers were dedicated to the patrol division with the remaining deputies dedicated to special assignments such as the Community Action Team (C.A.T.), a School Resource Officer, along with Gang and Narcotics Enforcement. The Coachella Police Department divides the City into three geographical patrol districts (beats).

Coachella was operating at a service ratio of 0.64 sworn officers per 1,000 residents, under the recommendation of 1.3 staff per 1,000 residents in the Riverside County Department of Fire and Emergency Service Master Plan. The CGPU would facilitate population growth and generate additional demand for law enforcement services. The CGPU included a well-connected street pattern which would help resolve potential issues with slow response times. The Infrastructure + Public Services Element contains policies that require new police service is added concurrently with development to ensure new growth does not impact service level. According to the EIR, development of additional law enforcement facilities should undergo a development review to assess and mitigate potential negative impacts from any project. The EIR determined that impacts regarding police facilities and service levels would be less than significant.

### Schools

The Planning Area is served by Desert Sands Unified School District (DSUSD) and the Coachella Valley Unified School District (CVUSD). DSUSD covers the north and northwest portions of the Planning Area, which is served by one elementary, middle, and high school. The majority of the Planning Area is located within the CVUSD boundaries. CVUSD operated 14 elementary (K-6) schools, 3 middle schools (7-8) and 3 high schools (9-12), with three other schools in the planning stages at the time of the CGPU EIR.

Buildout of the CGPU would create demand for additional schools serving all ages. The CGPU Community Health + Wellness Element encourages increased level of service for schools, and the Land Use + Community Character, Sustainability + Natural, and Infrastructure + Public Services Elements include siting, design, and operation principles to avoid and mitigate potential

environmental impacts associated with new school facilities. The EIR concluded that impacts on schools would be less than significant with the implementation of CGPU policies.

### Parks

The CGPU Planning Area has 60.2 acres of developed parks and 109 acres of parkland and open space. At the time of the EIR, the Planning Area was deficient in parkland by 61.91 acres and did not meet the ratio of three acres of parkland per 1,000 people. Buildout of the CGPU would require an additional 333.8 acres of parkland to serve the 135,000 population at the 3 acres/1,000 people ratio.

The CGPU Sustainability + Natural Environment calls for the provision of new parkland concurrent with new development and ensures adequate levels of park service. Park development and maintenance may cause environmental impacts. Multiple CGPU elements contain policies to reduce these potential impacts, including desert friendly landscaping, energy efficient lighting, joint facilities with school play yards, and reclaimed water use for maintenance. The CGPU also calls for parks and open space to be designed to preserve sensitive habitat communities, be built in flood zones to reduce structure impacts from flooding, and offer a trail system to use alternative modes of transportation. The EIR determined that impacts from new or expanded park or open space facilities would be less than significant.

### Medical Core

There are seven medical facilities in the region that provide routine health services to the Planning Area, including Desert Hospital in Palm Springs and John F. Kennedy Memorial Hospital in Indio. The CGPU would facilitate population growth and could require additional hospital and medical facilities to maintain existing levels of service. Multiple elements in the CGPU contain policies that call for the increase of medical services, as well as sustainable development practices to reduce impacts from medical facilities. The EIR determined that based on the scaled development of medical facilities and implementation of the CGPU policies, impacts from construction and maintenance of additional medical facilities would be less than significant.

### **Analysis of the Proposed Project**

Under the existing Open Space designation, the site would be built out as a multi-purpose recreational center. The proposed GPA would result in a single-family residential development with up to 298 units. While the GPA would change the type of development and generate new population onsite, the proposed Suburban Neighborhood designation is an existing CGPU land use analyzed in the EIR. Under either designation, development of the Project site would be subject to CGPU policies and review by fire and police departments to ensure adequate safety design. The maximum buildout of the GPA would result in 1,386 more residents, which is equivalent to approximately 1% of the CGPU buildout population. The proposed Project would be required to pay development impact fees to contribute its fair share toward public facilities. Specifically, the Project will be required to pay a one-time fee (\$3,541 per dwelling unit) toward park improvement under the City's Quimby Ordinance 868.

The proposed GPA will reduce the inventory of undeveloped parkland in the City, but because the City will use the proceeds of the surplus land sale to acquire additional parkland elsewhere within the City, the loss of parkland will be temporary, and parks will be constructed in the future consistent with the CGPU policies.

The proposed GPA would result in an increase in population, and associated increases in school-aged children within the Planning Area. The Project will be assessed a \$3.79 per square foot school facility fee for new residential construction by the CVUSD.

Payment of these fees and compliance with CGPU policies and other regulations would ensure potential impacts on public facilities remain less than significant as a result of the GPA and proposed Project. Overall, implementation of the proposed Project and General Plan Designation Map amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the EIR.

## **RECREATION**

### **Summary of Findings in the EIR**

The CGPU EIR included a brief discussion of recreation in Section 4.15 Public Services. At the time of the EIR, the City of Coachella was experiencing a deficiency in community trails and recreational facilities. The CGPU Planning Area had no recreational trails or bike trails. Regional parks near the City of Coachella include Coral Mountain Regional Park and Lake Cahuilla County Park, a regional park containing approximately 710 acres of open space and campgrounds, hiking trails, swimming pools, showers, restrooms, picnic facilities, and access to Lake Cahuilla.

The Coachella Valley Community Trails Alliance, with funding from the County of Riverside Department of Health, envisioned a regional trail system and was developing an Urban Trails and Bikeways map for the entire Coachella Valley. Recreational facilities in the Planning Area includes the Coachella Valley Boxing Club, Jack Delgado Karate Club, and Eleanor Shadowen Senior Citizen Center. Non-governmental organizations offering recreational programs and services in the Planning Area include the Boys and Girls Club of Coachella, the Esperanza Youth and Family Center, churches, and Parent-led Sports Programs.

As discussed for parks, development under the CGPU would demand additional recreational facilities. The CGPU Community Health and Wellness Element calls for joint use with schools, and co-location of parks and schools to encourage efficient use of recreational facilities. The CGPU Sustainability + Natural Environment Element encourages new recreation centers and diverse recreation programs, and establishment of a multi-use trail along the Coachella Canal and Whitewater River as well as other active recreational areas. The policies requiring sustainable design and siting principles for parks also apply to future recreational facilities. According to the CGPU EIR, recreation was analyzed under parks and similar to overall park facilities, impacts from new or expanded recreational facilities would be less than significant.

### **Analysis of the Proposed Project**

The Project site was graded around 2004 with sewer lines installed for a 155-unit residential development. In 2010, the City acquired the Project site and intended to develop the site as a multi-purpose recreational community center, including soccer fields, indoor and outdoor ball courts, community center and other amenities. However, the City has identified other sites more suitable for the intended recreational center and similar uses, and decided to sell the site. The intended buyer will complete the 155-unit residential development, and the City will replenish its Quimby Fund with interest and put the remaining capital gains into the General Fund. Given the financial benefits which contribute toward future recreational resources and the availability of more suitable sites elsewhere in the City, the proposed GPA and the Project would not negatively impact recreational resources.

The maximum buildout of the GPA would result in 1,386 more residents, which is equivalent to approximately 1% of the CGPU buildout population. The required one-time fee (\$3,541 per dwelling unit) for the Project will go toward park and recreation services community-wide under the City's Quimby Ordinance 868. The Project will provide open areas or tot lots associated with drainage retention on the site. The Project impacts on recreation services are expected to be less than significant. Overall, implementation of the proposed Project and General Plan Designation Map amendment would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

## **TRANSPORTATION**

### **Summary of Findings in the EIR**

Coachella's existing transportation network consists of the regional highway system, the local street system, local and regional transit routes, and bicycle/pedestrian facilities. Interstate 10 provides regional access, while State Route 86, 86S, and 111 also connect to neighboring cities.

#### Roadway Congestion

The General Plan Mobility Element identifies thirteen street types in the City that are classified based on their functional capacity and other characteristics, such as cross-section, bicycle and pedestrian facilities, and parking facilities. Street typologies include Country Road, Major Arterial, Primary Arterial, and Collector, Suburban Residential With Parking, Urban Residential With Parking, Local Industrial Street, Industrial Collector, and Urban Street 2-Lane or 4-Lane.

Level of Service (LOS) are letter grades from A (minimal delay) to F (excessive congestion) that describe the performance of a roadway or intersection. The City considers an allowable threshold of LOS D for intersections and roadway segments in Coachella.

At the time the EIR was drafted, the segment of Avenue 50 adjacent to the Project site (west of Van Buren Street) was carrying a volume of 10,000 vehicles per day and operating at a LOS C or better. The intersection of Van Buren Street at Avenue 50 east of the Project site was operating at LOS F during PM peak hour.

### Level of Service Standards

In the City of Coachella, Interstate 10 (I-10) and State Route 86 South (SR 86S) are within the jurisdiction of the Riverside County Congestion Management Program (CMP). According to the EIR, eight intersections were projected to operate at a level worse than LOS D at CGPU buildout, the closest one to the Project site being Van Buren Street & Avenue 48. Ten roadway segments were projected to operate at a level worse than LOS D at CGPU buildout, and the nearest segment to the Project site is Harrison Street (north of Avenue 52). Mitigation measures in the EIR require physical improvements at intersections including Van Buren Street & Avenue 48 and expansion of Avenue 50. Implementation of the mitigation measures, supplemented by multiple policies in the Land Use and Mobility Elements, would ensure all intersections and roadway segments operate at LOS D or better at CGPU buildout, except several segments of SR 86S. The EIR projected that development under the CGPU and in areas out of the City will result in LOS E during peak hours for I-10 and LOS F for SR 86S. While the CGPU Mobility Element provides policies to encourage multi-modal transportation for regional travel, these regional impacts cannot be fully mitigated and would be significant and unavoidable. Full mitigation would require widening of I-10 and SR 86S, which are not provided in the Long Range Transportation Plan by Southern California Association of Governments or other planning documents.

### Air Traffic Patterns

The General Plan will have no direct or indirect impacts upon any existing air facilities. The Jacqueline Cochran Regional Airport Land Use Plan is fully incorporated in the CGPU. Therefore, the EIR determined impacts on air transportation will be less than significant.

### Traffic Hazards

The CGPU Mobility Element and Health Element provide policies on design of transportation facilities to limit hazardous conditions, including policies for pedestrian and cyclist safety, traffic calming and the pedestrian network. Given the EIR provides mitigation measures to limit congestion during peak hours, and the roadway network will be expanded to serve all areas of City, the EIR determined that implementation of the CGPU would not impede access by emergency vehicles. Impacts would be less than significant.

### Non-Motorized Transportation

The SunLine Transit Agency provides transit service in Coachella, including Routes 1, 6, 8, and paratransit with pickup and drop-off within  $\frac{3}{4}$  miles of a bus route. The nearest bus stop to the Project site is at the northeast corner of Calhoun Street & Avenue 50, served by Route 8.

At the time of General Plan Update, the City had a limited bicycle network mainly in shared on-road facilities. There is one bike lane on Calhoun Street between Avenue 50 and Avenue 48, which continues north into City of Indio. Sidewalks are generally well-connected in the residential and commercial areas, but are uncommon in industrial and agricultural areas. There is currently sidewalk along the west side of Calhoun Street and the north side of Avenue 50 in the Project area.

### Summary of Impacts



Implementation of the CGPU will increase Citywide population and housing, thereby creating additional vehicular trips. The EIR traffic analysis studied roadway segments and intersections of streets classified as arterials. Under 2035 conditions (CGPU buildout), eight intersections and ten roadway segments were projected to operate at deficient LOS (LOS E or F). None of these impacted facilities are located in the Project vicinity.

To mitigate for deficient LOS, the City would update the Development Impact Fee program to provide funding for physical improvements at various intersections and on Avenue 50 east of Highway 111. However, several segments of State Route 86 South would continue to operate at LOS E or F near Airport Boulevard. Because these facilities serve both local and regional traffic and are impacted by growth in and out of Coachella, full mitigation is beyond the scope of the CGPU EIR and impacts remain significant and unavoidable.

The CGPU Mobility Element provides policies to encourage development of transit, bicycle, and pedestrian facilities. The proposed roadway network would provide nearly 200 miles of in-street bicycle lanes and over 50 miles of off-street facilities. Sidewalks will be required according to proposed cross-sections in the Mobility Element. These City facilities complement the Coachella Valley Association of Governments’ Regional Non-Motorized Plan. The EIR determined impacts on alternative transportation would be less than significant.

**Analysis of the Proposed Project**

The La Colonia II Project proposes 155 residential units, however the GPA would allow a buildout potential of up to 298 units on the 37.3-acre site. Using the ITE Trip Generation Manual, 9<sup>th</sup> Edition daily rate of 9.52 trips per single-family unit, the GPA and proposed Project would generate 2,837 and 1,476 daily trips, respectively.

The City intended to develop a multi-purpose recreational center at the site, including soccer fields, indoor/outdoor ball courts, gymnasium, as well as meeting space and classrooms. For analysis purposes, it is assumed the site would be developed with ten soccer fields onsite and a recreational community center of 50,000 square feet. Using the Manual’s daily rates of 71.33 trips per field and 33.82 trips per thousand square feet, the site buildout under existing conditions would generate a total of 2,404 daily trips.

**Table 9  
Trip General Comparisons**

Buildout Scenario	Land Use	Trip Rate per Unit	Unit	AM Peak Total	PM Peak Total	Daily
Existing GP LU	Soccer Complex	71.33	10 (Fields)	11	177	713
	Recreational Community Center	33.82	50 (KSF)	103	137	1,691
	Total	-	-	114	314	2,404
GPA Buildout	Single Family Homes	9.52	298 (DU)	224	298	2,837
Proposed Project	Single Family Homes	9.52	155 (DU)	116	155	1,476

<b>GPA Variance from Existing</b>	<b>110</b>	<b>-16</b>	<b>433</b>
<b>Proposed Project Variance from Existing</b>	<b>2</b>	<b>-159</b>	<b>-928</b>

As shown in the table above, the GPA would increase daily trips and AM peak hour trips, but decrease PM peak hour trips when compared to existing conditions. The nearest intersection to be impacted by buildout of the CGPU is Van Buren Street & Avenue 48 (LOS E at buildout), located approximately 1.1 miles northeast of the Project site. Due to the site’s distance from this intersection and the relatively small change in trip generation, the proposed GPA is not expected to significantly deteriorate LOS previously projected for the roadways and intersections near the Project site as compared to the existing conditions analyzed in the EIR. In addition, the proposed Project will result in substantial decreases in PM peak hour and daily trips (and a minimal increase in AM peak hour trip) as compared to the existing conditions. As such, the GPA and proposed Project would not result in any new significant impact nor significant increase in the severity of impacts disclosed in the EIR, and would not require any new mitigation measures.

At buildout, future Project residents will have access to bus service directly across Avenue 50. Avenue 50 is designated as a major arterial with bicycle facility, and Calhoun Street is designated as a collector with bicycle facility in the Project area. Regardless of the designation for the Project site, future development will be required to improve Project frontages to meet City standards including sidewalks and bicycle facilities. The proposed GPA and Project will not result in any new impact as compared to the existing conditions analyzed in the EIR.

Neither the existing or proposed designation would result in land uses that could cause substantial safety risks for or from air operations. The proposed GPA and Project would allow single-family residential developments with a two-story height limit. No impact would occur on air traffic patterns. Regardless of the designation, future development on the Project site is subject to current state and federal regulations and standards applicable to roadway design, police protection and fire department access. The proposed GPA and Project would not result in any new impact on emergency access compared to those identified in the EIR. Impacts would be less than significant.

**UTILITIES AND ENERGY**

**Summary of Findings in the EIR**

At the time of preparation of the CGPU EIR, Energy was not a standalone topic required by the CEQA guidelines. The EIR analyzed energy consumption and efficiency under the Public Utilities section. Water, wastewater, and storm drain facilities and capacities are discussed in Section 3.17.

Natural Gas and Electricity Consumption

The City of Coachella is served by the Imperial Irrigation District (IID) for electricity. In 2010, the Citywide electricity usage was 220,782,340 kWh including residential, commercial, industrial, public, agricultural, and outdoor/street lighting sectors, and was expected to increase to 1,099,608,548 kWh in 2035.

The Southern California Gas Company (SoCalGas) provides natural gas to the City. Citywide natural gas usage in 2010 for residential, commercial, industrial, and public sectors was 3,823,723 therms, and was expected to increase to 17,009,166 therms by 2035.

Energy Efficiency

The CGPU would increase energy demand, as the Planning Area population is projected to triple from 40,000 to 135,000 at buildout. The CGPU contains multiple planning strategies and policies to address energy efficiency, including street layout in the Land Use Element, building types and various construction, energy performance and design policies in the Sustainability + Natural Environment Element. The City’s Climate Action Plan provides additional measures on energy efficiency and conservation through multiple approaches including water conservation.

According to the EIR, implementation of CGPU policies and CAP measures will achieve energy savings of 174,028,014 kWh for electricity and 1,921,802 therms for natural gas in 2035, which represent a per capita decrease of 1,289 kWh and 14 therms per year, respectively. The EIR concluded that the City will be able to increase energy efficiency and avoid wasteful use of energy. Impacts would be less than significant.

**Table 10  
Annual Electricity and Natural Gas Use Projections**

	2010	2035
<b>Electricity (kWh)</b>	220,782,340	1,099,608,548
Potential reduction	-	174,028,014
<b>Natural Gas (Therms)</b>	3,823,723	17,009,166
Potential reduction	-	1,921,802

Source: Table 4.14-3 and Section 4.14 of the CGPU EIR.

Natural Gas, Electricity, and Telecommunication Infrastructure

Buildout of the Coachella General Plan Update through 2035 will demand expansion of natural gas, electricity, and telecommunication infrastructure to meet increasing needs from population growth in currently expanding and undeveloped areas. Expansion of utility infrastructure may result in impacts related to disruption to wildlife migration patterns and birds’ flight path, aesthetic views of visual resources, reductions in level of service from disasters, and leaks or damages in infrastructure from earthquakes or other natural disasters. However, the CGPU Infrastructure + Public Services Element provides planning strategies to reduce these impacts, including utility line undergrounding, utility siting standards, co-location of facilities and transmission corridors. The EIR concluded that impacts related to infrastructure would be less than significant with the incorporation of CHPU policies on utility standards maintenance.

Landfills and Solid Waste Regulations

The City of Coachella contracts with Burrtec to provide regular trash, recycling, and green waste pickup. Municipal solid waste generated in the City of Coachella is taken to the Coachella Valley Transfer Station, located on Landfill Road east of Dillon Road and north of Interstate 10.

The CGPU will facilitate population growth and result in solid waste generation of up to 131,800 tons per year by 2035. The CGPU Infrastructure + Public Services Element contains policies and strategies on waste management, including greener waste management practices, public education and zero waste policies. The CGPU policies will not conflict with the regulatory framework for solid waste, and future projects under the CGPU will be required to comply with the applicable regulations on solid waste. The EIR determined that based on the landfill capacities and projected growth and policies under the CGPU, impacts on landfills and solid waste regulations would be less than significant at CGPU buildout.

### **Analysis of the Proposed Project**

#### Electricity and Natural Gas Consumption and Efficiency

Under both existing and proposed buildout scenarios, there will be electricity demand during construction, which would vary during the different construction phases. Electricity demand comes from outdoor security and worksite lighting, operation and charging of electronic equipment, and powering a temporary worksite office or trailer. Such electricity demand would be temporary, nominal, and would cease upon the completion of construction under both the existing land use designation and the proposed Project.

Development of the Project site under any buildout scenario typically would not involve the consumption of natural gas during construction. Construction would, however, involve installation of new natural gas connections to serve the Project site, and would be required under both buildout scenarios. The use of natural gas during construction would not be wasteful, inefficient, or unnecessary.

During operation of either the recreational center or residential development, electricity will be used for multiple purposes, including but not limited to air conditioning, lighting, electronics, refrigeration and other kitchen appliances. Demand for natural gas would come from heating and cooking. According to the CalEEMod outputs prepared for both buildout scenarios, operation of the existing land use designation at buildout will consume 126,542 kWh of electricity for parking lot only, because the CalEEMod city park land use assumption does not include indoor energy uses. This calculation does not include any of the community buildings' use of electricity for lighting, heating and air conditioning, or cooking.

The maximum buildout of the site under the proposed land use designation would consume 2,597,510 kWh of electricity and approximately 91,198 therms of natural gas per year. However, new residential buildings are required to be constructed zero net energy (ZNE) after 2020 under the 2019 California Building Code, while nonresidential buildings are required to be constructed ZNE after 2030. Therefore, buildout of the proposed GPA would likely result in lower net energy consumption than under the existing conditions. The Project will not exceed, and will most likely

reduce the severity of impacts previously analyzed in the EIR, and therefore impacts are less than significant.

#### Transportation Energy

During construction, gasoline and diesel fuels would be the primary energy source consumed by construction equipment, material hauling vehicles, and worker commutes. It is assumed that construction equipment would consume primarily diesel fuel, while worker commutes would consume primarily gasoline traveling to and from the Project area in their private vehicles. It is expected that most construction workers will live locally, which would minimize the need for long commutes and limit fuel consumption. Overall, petroleum and diesel use during construction would be temporary and minimal and would not be wasteful or inefficient.

During operation, the Project would generate vehicle trips to and from the Project site that demand petroleum-based fuels. According to the CalEEMod outputs prepared for both buildout scenarios, and using trip generation rates for each buildout scenario as shown in Section 3.16, maximum buildout of the site under the proposed land use designation has the potential to generate 6,297,489 vehicle miles traveled (VMT), which is 1,713,834 miles higher compared to operation of the site under existing conditions (4,583,655). However, the proposed Project would result in 143 (near 50%) fewer residential units than assumed for maximum site buildout (298 units), which would substantially reduce VMTs. Future technology advancements and more stringent regulations on vehicle fuel efficiency will decrease the energy intensity per VMT, which will help reduce transportation energy consumption. The Project is not expected to result in new impacts or increase the severity of impacts previously analyzed in the EIR, and would have less than significant impacts on transportation energy.

#### Natural Gas, Electricity, and Telecommunication Infrastructure

According to the Appraisal Report (2019) for the Project site, public utilities are available to the site and meet market standards for the area. There is no overhead utility line along the Project boundary, but the lands across from Avenue 50 and Calhoun Street are developed as residential communities. It is expected there are underground facilities within the public right-of-way surrounding the Project site, and local connections will be provided during Project development. As discussed, the Project will be constructed to be zero-net-energy (ZNE) in accordance with 2019 California Green Building Code. The Project is not expected to demand new or expansion of utility infrastructure other than onsite connections. Impacts will be less than significant and consistent with those identified in the EIR.

#### Landfills and Solid Waste Regulations

The CGPU EIR compared buildout waste generation to the permitted capacity of Lamb Canyon Landfill and Badlands Landfill. Both landfills are owned by the Riverside County, and had a

combined remaining capacity of 34,991,749 cubic yards as of 2015.<sup>3</sup> The maximum buildout of the Project site under the proposed land use designation would generate 665 tons of solid waste per year, which is equivalent to 14,003 cubic yards per year and approximately 0.04% of the remaining capacity of the two landfills serving the City.<sup>4</sup> This has not taken into account the mandatory 50% diversion mandated by the California Integrated Waste Management Act of 1989. Commingled recyclable materials (e.g., paper, plastic, glass, cardboard, aluminum) will be transported to Burrtec’s material recovery facilities for recycling and reuse. Although buildout of the proposed GPA would result in higher solid waste generation compared to the existing designation, it constitutes a marginal increase compared to the remaining capacity of regional landfills, and will be reduced by mandatory recycling. The proposed Project would result in 155 units, almost 50% less than the maximum GPA buildout. Therefore, impacts on solid waste generation will be less than significant, similar to those identified in the EIR.

**Table 11  
Estimated Solid Waste Disposal at the Project Buildout**

Land Use	Estimated Solid Waste Generation Rates*	Proposed	Solid Waste Disposal (pounds per day)	Solid Waste Disposal (tons per year)
Residential (proposed designation)	12.23 lb/unit /day	298 units	3,644.5	665
Recreational Center (existing designation)	0.007 lb/sq ft/day	50,000 sq ft	350	64

\*Estimated Solid Waste Generation Rates by CalRecycle, <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>, accessed April 2021.

Burrtec is responsible for maintaining standards that assure that all waste is handled in a manner that meets local, state and federal standards. These requirements will assure that impacts associated with solid waste disposal remain less than significant and the Project will not conflict with any regulation on solid waste. No new significant impact or increased severity of impacts would occur as a result of the Project compared to those analyzed in the EIR.

**WATER SUPPLY AND WASTEWATER**

**Summary of Findings in the EIR**

Water Supplies and Facilities

The Coachella Water Agency (CWA), a department of the City of Coachella, and the Coachella Valley Water District (CVWD) provide domestic water services to the City. The Coachella General Plan Update EIR conducted water supply and demand analysis based on the most recent water supply planning documents at the time of preparation, including the City of Coachella 2010 Urban

<sup>3</sup> CalRecycle SWIS Facility/Site Activity Details. <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2246?siteID=2368>, accessed April 2021.  
<sup>4</sup> Assumes that 1 CY of residential solid waste is equivalent to 95 lbs. “Volume to Weight Conversion Factors,” US EPA Office of Resource Conversion and Recovery. April 2016.

Water Management Plan (UWMP), CVWD's 2010 Urban Water Management Plan, CVWD's 2010 Coachella Valley Water Management Plan Update (CVWMP) and its 2011 Subsequent Programmatic Environmental Impact Report for the 2010 CVWMP (SPEIR).

The City's 2010 UWMP was prepared during the economic recession, and thus contained very conservative demand projections. However, the water demands associated with the Coachella General Plan Update were analyzed in CVWD's 2010 CVWMP and its 2011 SPEIR. The 2010 CVWMP identifies programs and projects to ensure sufficient and sustainable water supply by CVWD and other water agencies to meet the needs of projected growth throughout the Coachella Valley, including the CGPU Planning Area, for the next 30 years and beyond.

According to the CGPU EIR analysis of the aforementioned documents, the Coachella Valley Groundwater Basin contains approximately 25 million acre feet of groundwater, and also additional storage space that will continue to be utilized for storage of millions acre feet of supplemental supplies that occur in normal and above-normal years. Therefore, based on the 2010 CVWMP and 2011 SPEIR, the EIR determined that the total projected water supplies available to the Lower Whitewater River Subbasin area during normal, single-dry and multiple-dry periods through 2045 are sufficient to meet current and projected water needs, specifically including the future water needs within the CGPU Planning Area. The CGPU incorporated elements of both the City and CVWD UWMP, including policies on indoor and outdoor water conservation and other sustainable design features. Pursuant to SB 610 and SB 221, future development projects under the CGPU above certain sizes will be required to prepare a Water Supply Assessment, and any future approval of a development agreement or tentative tract map within the City of Coachella and SOI that includes a subdivision must be conditioned on obtaining a Written Verification from the Coachella Water Authority. The CGPU EIR concluded that the CGPU would not substantially deplete groundwater such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, and potential impacts on groundwater levels and sufficient water supplies and entitlements would be less than significant.

The City of Coachella's Coachella Water Authority (CWA) is the water supplier for the entire City and SOI under the CGPU. The CWA maintains a close cooperation with CVWD on water supply planning and water conservation programs. The CGPU EIR analyzed potential impacts on water infrastructure from the demand-supply aspect. The CWA fully participates in the 2010 CVWMP and CVWD replenishment assessment programs, which established a comprehensive and managed effort to eliminate the overuse of local groundwater supplies. The CGPU EIR showed that the total projected water supplies available to the CWA will be sufficient to meet the water demand of CGPU buildout including from agricultural and manufacturing uses during a normal year, single-dry year, and multiple-dry year from 2010 to 2035. In light of the City's participation in the regional water planning and implementation of water conservation programs in public parks and the community, the EIR concluded that the CGPU will have less significant impacts on water supply and additional water facilities.

#### Wastewater Treatment Requirements

The Colorado River Basin Regional Water Quality Control Board (RWQCB) provides regulations on wastewater treatment within its jurisdiction, including the City of Coachella. The Valley

Sanitary District and Coachella Sanitary District manage wastewater treatment facilities and implement regulations imposed by the Colorado River Basin RWQCB. The Coachella Sanitary District is required to conduct annual reporting to the RWQCB to monitor its treatment practices and ensure compliance with the regulations. The CGPU also contains policies to require adequate wastewater treatment capacity for new development before granting building permits, if necessary, through upgrades of additional facilities or construction of new facilities. These policies will ensure development under CGPU will not result in overuse of wastewater treatment facilities in a manner that exceeds requirements outlined by the applicable RWQCB regulations. The EIR concluded that this regulatory framework will ensure impacts on wastewater treatment are less than significant.

#### Wastewater Treatment Facilities

The majority of the CGPU Planning Area is served by the City's Sanitary District, and Valley Sanitary District (VSD) provides wastewater treatment to the remaining SOI area. According to the EIR, VSD had a treatment capacity of 11.0 million gallons per day (mgd) and a current treatment amount of 6.5 mgd. The Coachella Sanitary District's sole Wastewater Treatment Plant (WWTP) is located in the southern City on Avenue 54, with a current capacity of approximately 2 mgd. The Coachella Sanitary District (CSD) also operates a 12-acre Agricultural Wash Water Treatment Facility primarily to manage the flows from several agricultural processing facilities. According to the EIR, buildout of the CGPU will require a wastewater treatment capacity of 18 mgd. Assuming CSD will serve the entire Planning Area, the buildout demand will necessitate construction of a new WWTP or expansion of the existing WWTP. While the new or expanded WWTP can have high potential to impact local waterways from new sludge and water discharge, the site development impacts of the WWTP would be similar to other development under the CGPU and were analyzed in the EIR. The CGPU contains policies to reduce potential impacts including service standards, sewer master plan, facility design, and fair-share costs. The City will assess the potential environmental impacts of new wastewater facilities on a project by project basis and develop necessary mitigation measures. Impacts on wastewater treatment facilities are generally covered in the programmatic analysis of the EIR, and are considered less than significant.

#### Storm Drain Facilities

Coachella Valley Water District (CVWD) provides regional flood protection by intercepting and conveying regional flood flows through the Coachella Valley to the Salton Sea, including the City of Coachella. This regional stormwater conveyance system consists of the 50-mile Whitewater River/Coachella Valley Stormwater Channel (CVSC) and related tributary stormwater facilities. Portions of the CVSC has been channelized to handle flood flows of up to 80,000 cubic feet per second and the channel drains into the Salton Sea. As discussed in Section 3.9, the Whitewater River/CVSC is constructed to hold more than the 100-year flood volume within the City of Coachella, and is expected to adequately support stormwater drainage for development under the CGPU. However, site-specific and City-wide stormwater drainage facilities would be needed as development occurs. The Infrastructure + Public Utilities and Sustainability + Natural Environment Elements of the CGPU provide explicit direction to reduce impacts associated with local stormwater flows by requiring continual monitoring, maintenance, and concurrent



upgrades to system capacity. Given the existing regional facility capacity and City policies including fair-share costs, development impacts fees, and monitoring that help prevent impacts related to inadequate capacity of stormwater drainage facilities, impacts of new or expanded stormwater drainage facilities under the CGPU are considered less than significant.

## **Analysis of the Proposed Project**

### Water Supplies and Facilities

According to the EIR, the CGPU Planning Area had a water demand of 8,709.5 acre feet (AF) in 2010, which is projected to increase to 27,276 AF in 2035. Based on the CalEEMod results for the existing and proposed buildout of the Project site, there will be a total (indoor and outdoor) water demand of approximately 31.66 million gallons, or 97 acre-feet per year (AFY) for the maximum buildout of the proposed General Plan Amendment (GPA), which is 8.4% less than that of the existing conditions (approximately 106 AFY). The maximum GPA buildout would represent less than 0.4% of the 2035 projected total water demand at CGPU buildout.

As noted above, the EIR determined that the Coachella Water Authority will have sufficient water supplies to meet projected water demand in the Planning Area through 2035 in a normal, single dry, and multiple dry year. In addition, the proposed Project will result in 155 residential units, almost 50% fewer than the maximum GPA buildout (298 units), thus further reducing the water demand. The Project site is well served by utilities that meet market standards in the area. The Project is expected to connect to existing water lines in the site vicinity and will not otherwise demand new or expanded water facilities. Project impacts will be less than significant and similar to those identified in the EIR. No new or increase severity of impacts would occur.

### Wastewater Treatment Requirements and Facilities

The City of Coachella 2015 Sewer System Master Plan evaluated the existing system capacity of Coachella Sanitary District (CSD), identified existing and future deficiencies as a result of future development through 2040, and recommended phased improvements.<sup>5</sup> The plan modeled sewer flows for various land uses in the City, including Medium Density Residential (0-10 du/ac) at 1,800 gallons per day per acre (gpd/acre) and Public Use at 1,600 gpd/acre. The proposed General Plan Amendment would allow up to 8 du/ac on the site, which would have a wastewater flow close to 1,800 gpd/acre. The Public Use category included schools, city parks, and government buildings, and the intended multi-purpose recreational community center under the existing General Plan designation would fit in this category. As the land use assumption for the existing condition included ten soccer fields and 9 acres of parking, the Project site may have an overall wastewater flow rate somewhat lower than 1,600 gpd/acre. Therefore, under the existing or proposed conditions, full buildout of the site will result in largely similar wastewater generation. To provide a conservative analysis of the proposed GPA buildout, it is assumed the site will generate wastewater at 1,800 gpd/acre, resulting in 67,140 gallons per day. According to the 2015 Sewer System Master Plan, the CSD WWTP on Avenue 54 had an existing capacity of 4.5 million gallons per day (MGD) in 2012 after completion of the Phase 2 expansion. The Plan modeled three

<sup>5</sup> City of Coachella 2015 Sewer System Master Plan, June 2015.

scenarios: Existing, Intermediate, and 2040 to assess sewer system capacity. The Intermediate scenario represented at least 50% sewer connections in the central and southwestern City, including full service for the Project site. The 2040 scenario represented at least 50% sewer connections throughout the Sanitary District boundary, which is less than full service level at CGPU buildout. The Existing flow was modeled at approximately 2.54 MGD, the Intermediate flow at 8.72 MGD, and 2040 flow at 12.80 MGD. Because the Intermediate scenario exceeds the current WWTP capacity (4.5 MGD), CSD would need to plan for expansion to accommodate future development including the Project site buildout included in the Intermediate scenario. The plan recommended that the City perform a future evaluation of the WWTP capacity and consider its expansion depending on the growth rate of future development to accommodate future flows. Wastewater generated at maximum GPA buildout would constitute less than 1.5% of the current WWTP capacity. Because the proposed Project would result in 155 units, almost 50% fewer than the maximum GPA buildout, wastewater generation will be further reduced. Regardless of the type of development on the site, the site would receive sewer service under the Intermediate scenario per the 2015 plan, and CSD would need to expand the WWTP capacity to meet service needs under the Intermediate scenario. Therefore, Project impacts on wastewater facilities are considered less than significant, and no new or increased severity of impacts would occur compared to those identified in the CGPU EIR.

#### Storm Drain Facilities

Under either the existing or proposed General Plan designation, development of the site will be subject to the same regulatory framework discussed in the EIR on drainage control and storm drain facilities. The City of Coachella Municipal Code Section 13.16.047 requires compliance with best management practices (BMPs) consistent with the California Stormwater Best Management Practice Handbooks or the Riverside County Stormwater Program's "Report of Waste Discharge". The Project will be required to submit a water quality management plan (WQMP) to the City engineer for approval prior to obtaining a grading or building permit (Municipal Code Section 13.16.340). These standard requirements will ensure that the Project will have less than significant impacts on the storm drain facilities. No new or increased severity of impacts would occur compared to those identified in the EIR.

### **WILDFIRE**

#### **Summary of Findings in the EIR**

At the time the CGPU EIR was prepared, wildfire was not a standalone topic required by the CEQA Guidelines. The EIR included brief discussions of wildland fires under Section 4.6 Hazardous Materials and Section 4.15 Public Services. While the CGPU would facilitate new development that may increase community exposure to wildland fires, the EIR determined that careful planning under the CGPU and compliance with federal, state, and local agencies including the California Wildland Fire Coordinating Group, supplemented by CGPU policies that require fire suppression techniques and fire-resistant materials to reduce vulnerability of new structures to fire, impacts relating to wildland fires would be less than significant.

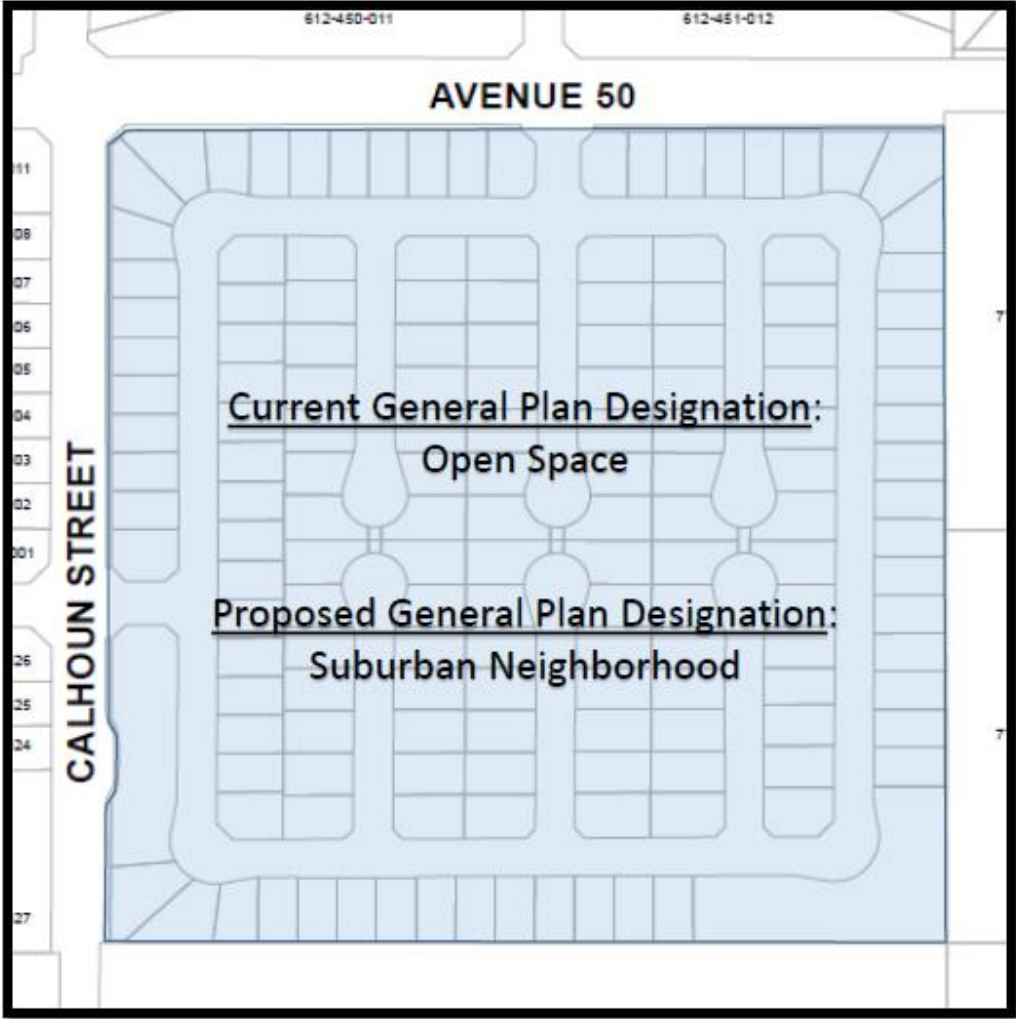
#### **Analysis of the Proposed Project**

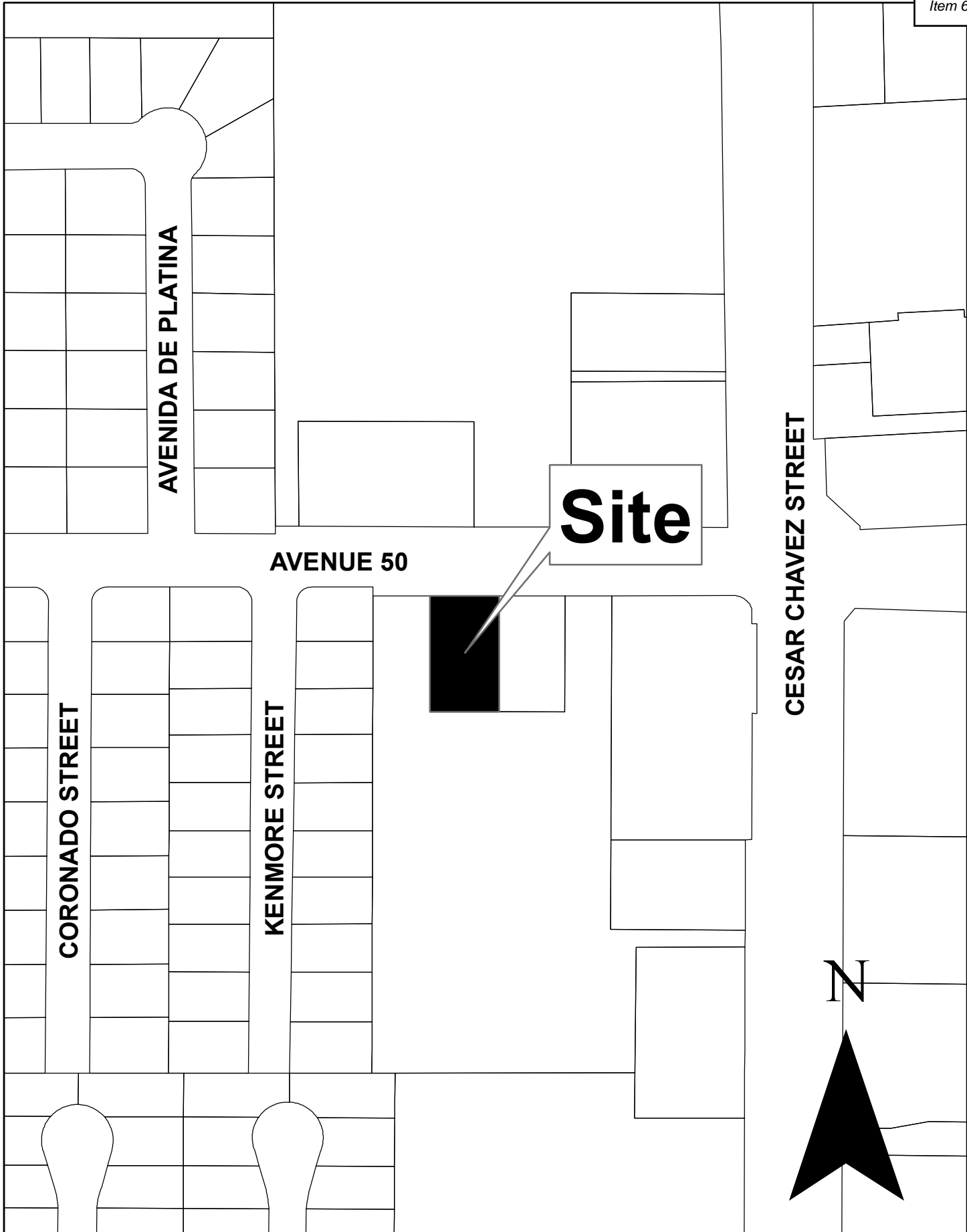
The California Department of Forestry and Fire Protection (CalFire) has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program (FRAP).

There are no state responsibility areas or very high fire hazard severity zones in the City of Coachella and the surrounding areas. The nearest fire hazard severity zones are located miles away to the southwest, near the Santa Rosa Mountains and foothills. Under either the existing or proposed designation, buildout of the site would be subject to the same CGPU policies and fire department requirements on fire safety and emergency access. There would be no impact as a result of the proposed General Plan Amendment or proposed Project relating to wildfires. No new or increased severity of impacts would occur compared to those identified in the EIR

EXHIBIT "B"

General Plan Amendment 21-01 – Map Exhibit





Vicinity Map

**RESOLUTION NO. PC2021-13**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA APPROVING CONDITIONAL USE PERMIT NO. 340 TO ALLOW A 1,200 SQUARE FOOT NON-STOREFRONT RETAIL CANNABIS DISPENSARY FOR DELIVERY ONLY; AND VARIANCE NO. 21-03 TO ALLOW THE PROJECT WITHIN 100 FEET OF RESIDENTIAL STRUCTURE LOCATED AT 84-705 AVENUE 50, SUITE 4 IN THE C-G (GENERAL COMMERCIAL) ZONE; CRAIG GUGGOLZ APPLICANT.**

**WHEREAS**, Craig Guggolz filed an application for Conditional Use Permit No. 340 (CUP 340) to allow a 1,200 square foot non-storefront retail cannabis dispensary for delivery only Variance No. 21-03 (VAR 21-03) to allow project within 100 feet of a residential structure located at 84-705 Avenue 50, Suite 4; Assessor's Parcel No's. 768-163-016 ("Project"); and,

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on CUP No. 340 and VAR No. 21-03 on June 16, 2021 at the Coachella Permit Center, 53-990 Enterprise Way, Coachella, California regarding CUP 340 and VAR No. 21-03; and,

**WHEREAS**, at the Planning Commission hearing, 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, subject to obtaining a conditional use permit, pursuant to Chapter 17.74 and 17.75 of the Coachella Municipal Code and subject to certain required findings; 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 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 does hereby approve Conditional Use Permit No. 340 and Variance No. 21-03, subject to the findings and conditions of approval listed below.

**FINDINGS FOR APPROVAL OF CONDITIONAL USE PERMIT NO. 340:**

1. The proposed use will not be in conflict with but will be in harmony with and in accordance with the objectives of the general plan because the proposed within the Neighborhood Center land use designation according to the General Plan 2035, which allows the intended physical character to provide delivery only services with limited traffic. The proposed business is consistent with General Plan Policy 11.4 (Diversified Economy) in so far that the business allows the City to move beyond reliance on its two main industries – agriculture and resort services to transform the City to a mature mix of economic activity and job opportunities.
2. The proposed use will be located, designed, constructed, operated and maintained so as to be compatible with the existing character of the general vicinity and shall not change the essential character of the same area because the proposed use is within a zoning designation of 'C-G' (General Commercial) which permits the proposed project with the approval of a conditional use permit to have a non-storefront cannabis retail for delivery only. The proposed use is on a multi-tenant site that is compatible with the adjoining commercial uses and the conditional use permit can be revoked if any of the conditions of approval are violated.
3. Consideration has been given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities, to harmful effect, if any, upon desirable neighborhood character, to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of development, because the site an existing retail center but the project will only offer delivery only, therefore, will not generate the traffic of a typical retail use. Additionally, there is adequate ingress and egress into and out of the existing commercial center to maintain the adequacy of the traffic circulation system serving the proposed use.
4. Where the proposed use may be potentially hazardous or disturbing to existing or reasonably expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole. As such, there will be no hazardous or disturbing effects to the existing and neighboring uses.
5. The proposed use provides vehicular approaches to the property designed for reasonable minimal interference with traffic on surrounding public streets or roads, because all approaches are in full use for the patrons of the commercial center and no alterations are proposed as part of the operate a non-storefront retail delivery only and no negative effects exists.

6. The City of Coachella has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an “Existing Facilities” project (CEQA Guidelines, Section 15301a). The project involves minor alterations to interior partition walls, and existing electrical, plumbing, and mechanical systems within an existing commercial building.

**FINDINGS FOR APPROVAL OF VARIANCE NO. 21-03:**

1. The proposed non-storefront retail cannabis dispensary for delivery only is consistent with a typical retail use while only offering delivery services. That the strict application of the provisions of this chapter for minimum distance from residential structures would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the chapter as the business exists on commercial corridor along Cesar Chavez Street, which is immediately adjacent to single family residential uses. The proposed business would be separated from the nearest residential structures by rear yard fencing and the commercial center driveway.
2. The project site is located with a commercial center within the C-G (General Commercial) zone and has General Plan Designation of Neighborhood Commercial which allows retail uses. The tenant space is located adjacent to west property line which only divided the commercial driveway and rear property lines of a residential structure, whereas other units and structures maybe be meeting the 100-foot setback requirement. Therefore, 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.
3. The proposed non-storefront, delivery only, retail dispensary of otherwise be permitted and 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. The strict application of the provisions of this chapter for minimum distance from residential structures would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the chapter as the business exists on commercial corridor along Cesar Chavez Street, which is immediately adjacent to single family residential uses. The proposed business would be separated from the nearest residential structures by rear yard fencing and the commercial center driveway.
4. The granting of such variance 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. The non-storefront cannabis delivery business and customers are unable to purchase cannabis products in-person at the facility.
5. The granting of the variance will not adversely effect any element of the general plan. The proposed business is consistent with General Plan Policy 11.4 (Diversified Economy) in so far that the business allows the City to move beyond reliance on its two main



industries – agriculture and resort services to transform the City to a mature mix of economic activity and job opportunities.

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 340:**

1. Conditional Use Permit No. 340 shall be valid for 12 months from the effective date of said Planning Commission approvals unless the applicant requests an extension of time and granted by the Planning Commission. Issuance of building permits and pursuit of construction will vest the Conditional Use Permit.
2. The applicant shall secure building permits for the new cannabis business 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 non-storefront retail cannabis delivery business may be from 7:00 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. 340 hereby approves the establishment of a 1,200 square foot non-storefront retail cannabis dispensary for delivery only within 100 feet of a residential structure.
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 the conditional use permits, 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 C.B.C., C.P.C., C.M.C., N.E.C., including all requirements of the South Coast Air Quality Management District, the Riverside County Fire Marshal's Office.
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 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 Marshal’s Office or to other agencies for who plan review and approval is required.

**PASSED APPROVED and ADOPTED** this 16<sup>th</sup> day of June 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Stephanie Virgen  
Planning Commission Chairperson

**ATTEST:**

---

Yesenia Becerril  
Planning Commission Secretary

**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. PC2021-13 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 16<sup>th</sup> day of June 2021 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Yesenia Becerril  
Planning Commission Secretary



## STAFF REPORT 6/16/2021

**TO:** Planning Commission Chair and Commissioners

**FROM:** Gabriel Perez, Assistant Community Development Director

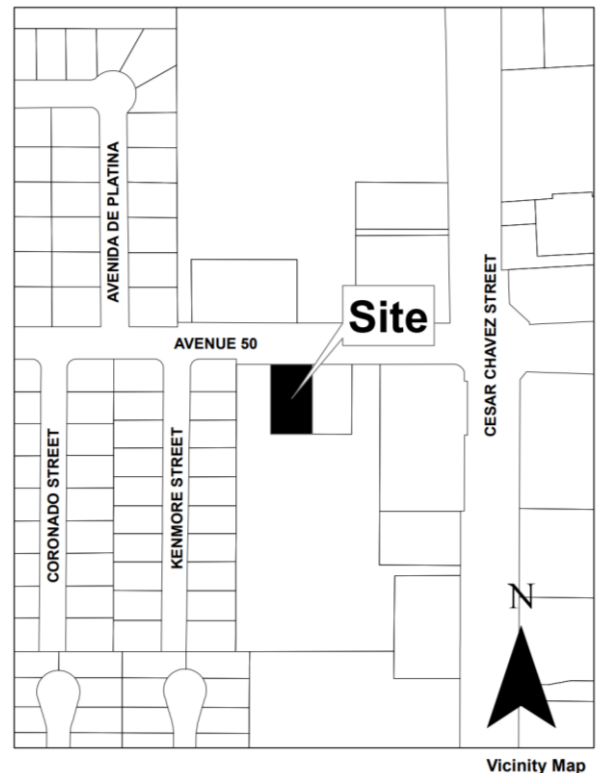
**SUBJECT:** Conditional Use Permit No. 340 to allow a 1,200 square foot non-storefront retail cannabis dispensary for delivery only microbusiness within an existing commercial building; and Variance No. 21-03 to allow the project within 100 feet of a residential structure within the C-G (General Commercial) zone located at 84-705 Avenue 50, Suite 4.

### **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission adopt Resolution No. PC 2021-13 approving Conditional Use Permit No. 340 and Variance No. 21-03 to allow a 1,200 square foot non-storefront, delivery only retail cannabis dispensary for delivery only microbusiness (Best Friends Farms) in an existing commercial building, within 100 feet of a residential structure located at 84-705 Avenue 50, Suite 4, pursuant to the findings and conditions of approval contained in the staff report and attached resolution.

### **BACKGROUND:**

The project is proposed within an existing shopping center located at intersection of Avenue 50 and Cesar Chavez Street. The site is part of a large shopping center where “Cardenas Market” and other large retailers are located. However, the building where the proposed business would operate is oriented towards Avenue 50 and is adjacent to the “Jiffy Lube” auto repair facility, and on the back side of the Cardenas Market building as shown in the map and aerial exhibits in this staff report.

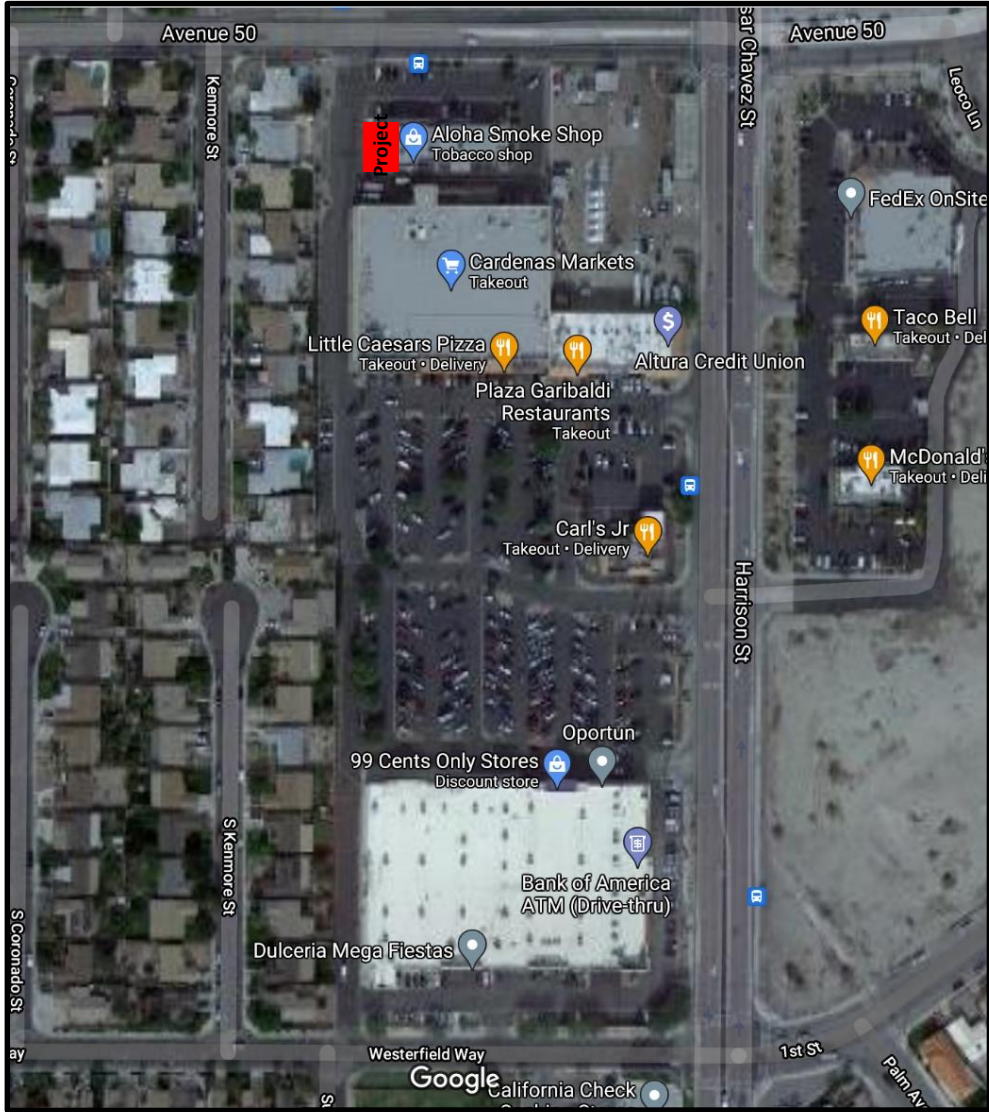


Vicinity Map

### **DISCUSSION/ANALYSIS:**

The applicant, Mr. Craig Guggolz has submitted a request for Conditional Use Permit and a Variance to allow a 1,200 square foot non-storefront retail cannabis dispensary for delivery only within 100 feet of a residential structure. The proposed dispensary is compliance the Coachella Municipal (CMC) pursuant to Chapter 17.84 Retail Cannabis Businesses Definitions as follows: “Non-storefront retailer” means a cannabis retailer that provides cannabis exclusively through delivery.

Best Friends Farms and Cardenas Market location



The photograph below is looking south at existing suite from parking lot. The non-store retail cannabis business is proposed for this building.



### **Best Friends Farms Dispensary (CUP 340)**

The project proposes occupy an existing 1,200 square foot tenant space (as see below) within an existing multi-tenant retail center. The applicant does not propose any exterior improvements but will make the appropriate tenant improvements with no structural changes as seen in the following Floor Plan. The Floor Plan and Exhibits also illustrate how the proposed cannabis delivery dispensary will operate. As seen in the Floor Plan, there is designated spaces for the following:

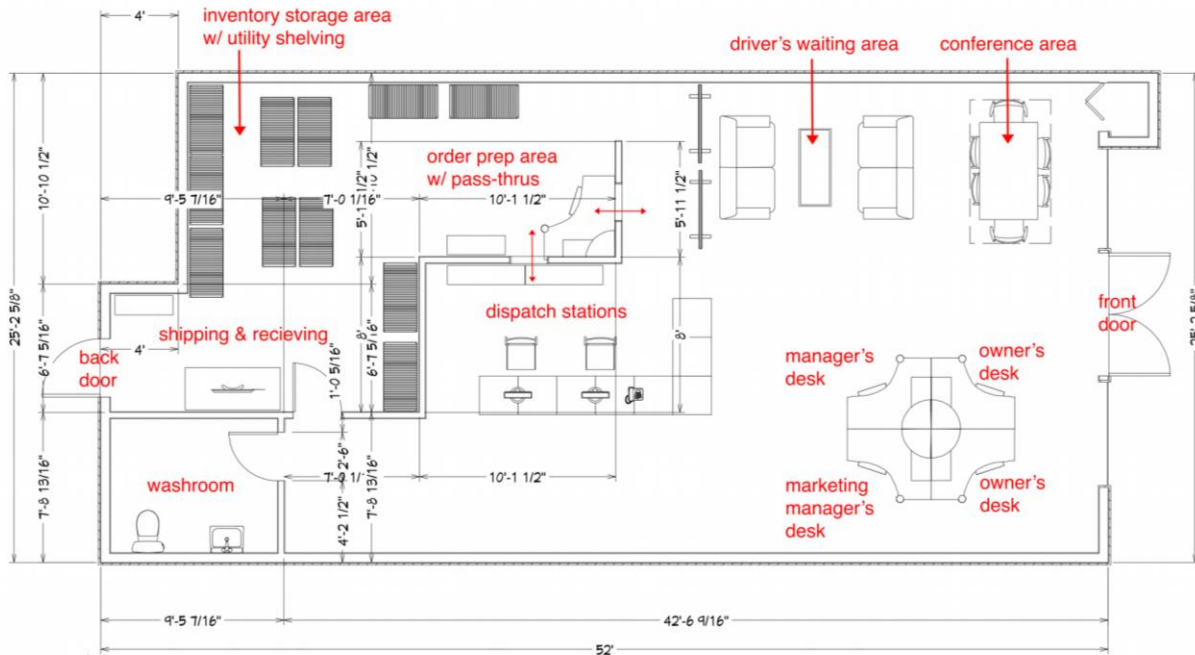
- Office Space which will service business owner, manager and other employees.
- Waiting area for delivery drives will be provide.
- A dispatch office with two (2) dispatch spaces will be provide to facilitate the ordering and processing of deliveries and;
- An area dedicated to shipping and receiving which includes storage, preparation of cannabis packaging and dispensing windows to handle off to driver waiting.

### Existing Tenant Space, Suite 4



Current condition of the unit

### Propose Floor Plans/Improvements



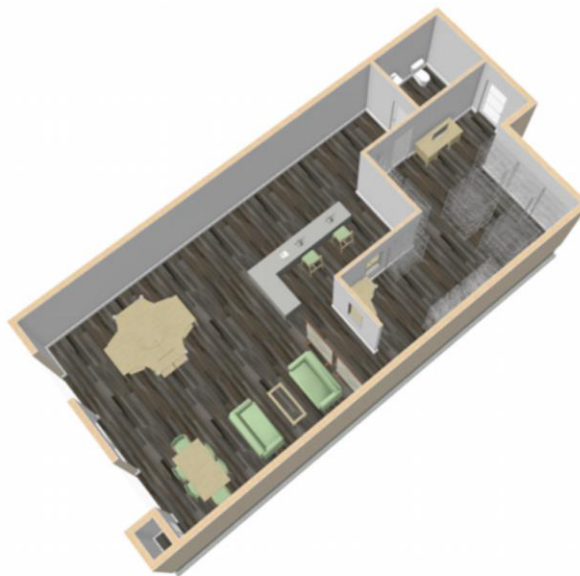
Best Friend's Farm Delivery Service  
Proposed Office Space  
Non-Storefront, Delivery only Cannabis Dispensary

Unit #4  
84-705 Avenue 50  
Coachella, CA 92236



Best Friend's Farm Delivery Service  
Proposed Office Space  
Non-Storefront, Delivery only Cannabis Dispensary

Unit #4  
84-705 Avenue 50  
Coachella, CA 92236



Best Friend's Farm Delivery Service  
Proposed Office Space  
Non-Storefront, Delivery only Cannabis Dispensary

Unit #4  
84-705 Avenue 50  
Coachella, CA 92236



### Consistency with the (C-G) General Commercial Zones

As proposed, the non-storefront cannabis retail for delivery only is consistent with Chapter 17.26-General Commercial Zone and 17.84-Cannabis Retail Businesses of the CMC and is permitted subject to obtaining a Conditional Use Permit pursuant to Chapter 17.84 the CMC.

### Environmental Setting:

The subject site is the back portion of a site fully developed with other stores, including Cardenas Market and 99 Cents Store and retail stores. The site is located at the south side of Avenue 50 and east of Cesar Chavez Street. The subject site is substantially flat, and is substantially surrounded by urban uses, with adjoining zoning and land uses as follows:

North: Existing one-story commercial building, multi-tenant uses / (C-G, General Commercial)

South: Existing one-story commercial building, multi-tenant uses/ (C-G, General Commercial)

East: Existing multi-tenant commercial uses, / (C-G, General Commercial)

West: Existing Single Family Residential / (R-S, Residential Single-Family)

### Site Plan / Parking and Circulation:

The site is fully developed with two points of access from Avenue 50 and an additional driveway through adjacent shopping center that connects to Cesar Chavez Street. The site provides ample parking spaces for all the existing uses at the shopping center, additional parking is provided behind the main building (Cardenas). There are 28 parking spaces located directly in front of project site. Future street widening as part of the Avenue 50 capital improvement project will not result in the loss of existing parking spaces.

### **ENVIRONMENTAL REVIEW:**

The City has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (C) that exempts the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

### **CONCLUSIONS AND RECOMMENDATIONS**

Based on the analysis contained herein and the findings listed below, staff is recommending that the Planning Commission approve Conditional Use Permit No. 340 and Variance No. 21-03 with the findings and conditions listed below, and in the attached resolution.

**FINDINGS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 340:**

1. The proposed use will not be in conflict with but will be in harmony with and in accordance with the objectives of the general plan because the proposed within the Neighborhood Center land use designation according to the General Plan 2035, which allows the intended physical character to provide delivery only services with limited traffic. The proposed business is consistent with General Plan Policy 11.4 (Diversified Economy) in so far that the business allows the City to move beyond reliance on its two main industries – agriculture and resort services to transform the City to a mature mix of economic activity and job opportunities.
2. The proposed use will be located, designed, constructed, operated and maintained so as to be compatible with the existing character of the general vicinity and shall not change the essential character of the same area because the proposed use is within a zoning designation of ‘C-G’ (General Commercial) which permits the proposed project with the approval of a conditional use permit to have a non-storefront cannabis retail for delivery only. The proposed use is on a multi-tenant site that is compatible with the adjoining commercial uses and the conditional use permit can be revoked if any of the conditions of approval are violated.
3. Consideration has been given to harmony in scale, bulk, coverage and density, to the availability of public facilities and utilities, to harmful effect, if any, upon desirable neighborhood character, to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of development, because the site an existing retail center but the project will only offer delivery only, therefore, will not generate the traffic of a typical retail use. Additionally, there is adequate ingress and egress into and out of the existing commercial center to maintain the adequacy of the traffic circulation system serving the proposed use.
4. Where the proposed use may be potentially hazardous or disturbing to existing or reasonably expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole. As such, there will be no hazardous or disturbing effects to the existing and neighboring uses.
5. The proposed use provides vehicular approaches to the property designed for reasonable minimal interference with traffic on surrounding public streets or roads, because all approaches are in full use for the patrons of the commercial center and no alterations are proposed as part of the operate a non-storefront retail delivery only and no negative effects exists.
6. The City of Coachella has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as an “Existing Facilities” project (CEQA Guidelines, Section 15301a). The project involves minor alterations to interior partition walls, and existing electrical, plumbing, and mechanical systems within an existing commercial building.

**FINDINGS OF APPROVAL FOR VARIANCE NO. 21-03:**

1. The proposed non-storefront retail cannabis dispensary for delivery only is consistent with a typical retail use while only offering delivery services. That the strict application of the provisions of this chapter for minimum distance from residential structures would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the chapter as the business exists on commercial corridor along Cesar Chavez Street, which is immediately adjacent to single family residential uses. The proposed business would be separated from the nearest residential structures by rear yard fencing and the commercial center driveway.
2. The project site is located with a commercial center within the C-G (General Commercial) zone and has General Plan Designation of Neighborhood Commercial which allows retail uses. The tenant space is located adjacent to west property line which only divided the commercial driveway and rear property lines of a residential structure, whereas other units and structures maybe be meeting the 100-foot setback requirement. Therefore, 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.
3. The proposed non-storefront, delivery only, retail dispensary of otherwise be permitted and 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. The strict application of the provisions of this chapter for minimum distance from residential structures would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the chapter as the business exists on commercial corridor along Cesar Chavez Street, which is immediately adjacent to single family residential uses. The proposed business would be separated from the nearest residential structures by rear yard fencing and the commercial center driveway.
4. The granting of such variance 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. The non-storefront cannabis delivery business and customers are unable to purchase cannabis products in-person at the facility.
5. The granting of the variance will not adversely effect any element of the general plan. The proposed business is consistent with General Plan Policy 11.4 (Diversified Economy) in so far that the business allows the City to move beyond reliance on its two main industries – agriculture and resort services to transform the City to a mature mix of economic activity and job opportunities.

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 340:**

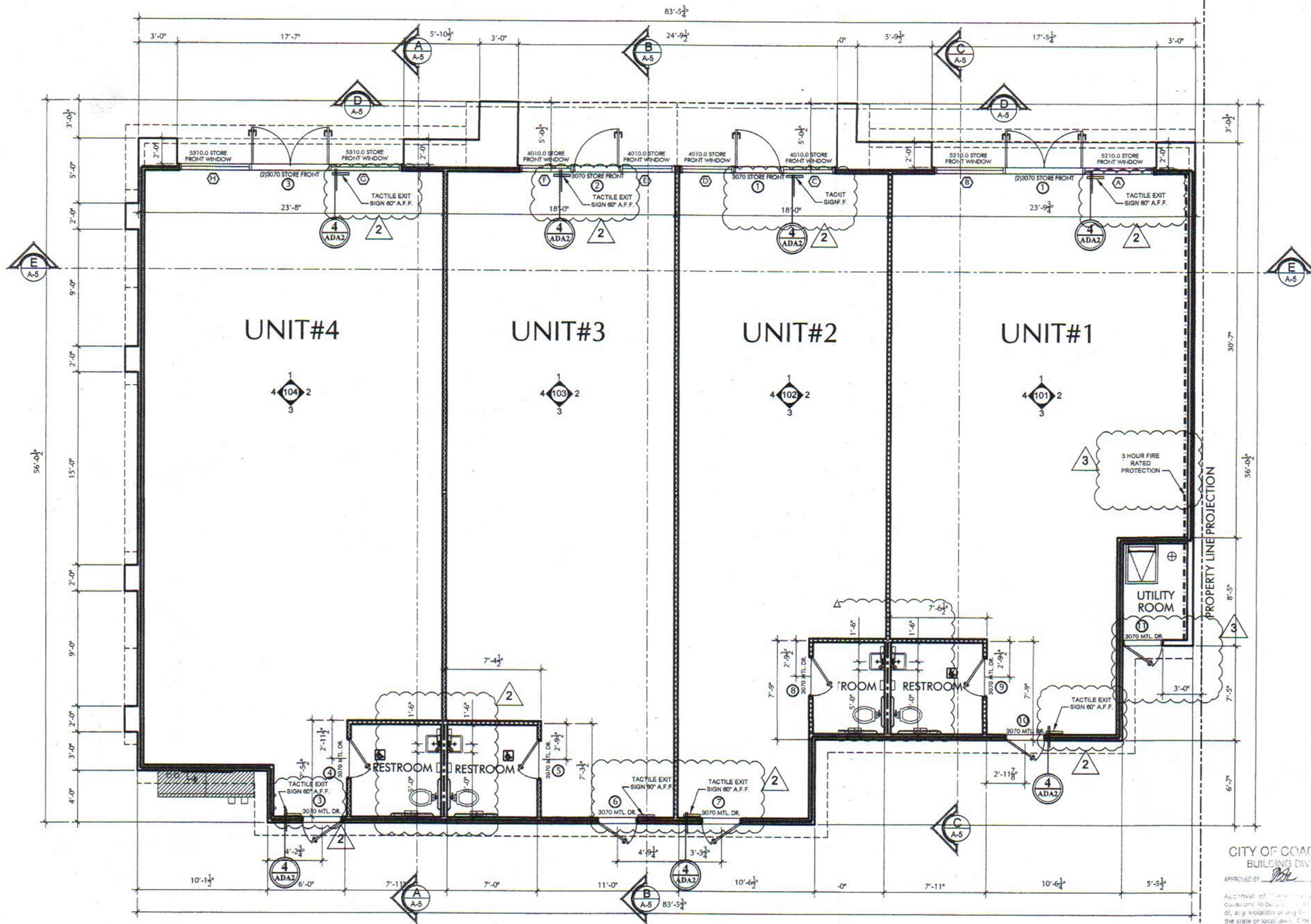
1. Conditional Use Permit No. 340 shall be valid for 12 months from the effective date of said Planning Commission approvals unless the applicant requests an extension of time and granted

by the Planning Commission. Issuance of building permits and pursuit of construction will vest the Conditional Use Permit.

2. The applicant shall secure building permits for the new cannabis business 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 non-storefront retail cannabis delivery business may be from 7:00 am to 8:30 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. 340 hereby approves the establishment of a 1,200 square foot non-storefront, delivery only retail cannabis dispensary within 100 feet of a residential structure.
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 the conditional use permits, 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 C.B.C., C.P.C., C.M.C., N.E.C., including all requirements of the South Coast Air Quality Management District, the Riverside County Fire Marshal's Office.
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 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 Marshal's Office or to other agencies for who plan review and approval is required.

Attachments:

- 1.Resolution No. 2021-13 for CUP 340
- 2.Vicinity Map
- 3.Site Plan
- 4.Floor Plan



**NOTES:**

SEPARATE APPLICATION (S) AND PERMIT (S) ARE REQUIRED FOR:

A. ELECTRICAL WORK  
 B. MECHANICAL WORK  
 C. PLUMBING WORK

**WALL LEGEND**

	2x4 WALL STUDS @ 16" O.C (INTERIOR WALLS)
	2x8 WALL STUDS PLUMBING WALL
	2x8 WALL STUDS @ 16" O.C (EXTERIOR WALLS)
	2x8 WALL STUDS @ 16" O.C W/ R-19 INSULATION (EXTERIOR WALLS)
	2x8 WALL STUDS @ 16" O.C W/ R-19 INSULATION w/ 3 HOUR FIRE SEPARATION PER CBC 2013 705.4

**SQUARE FOOTAGE**

UNIT#1 =	1,010 SQ.FT.
UNIT#2 =	870 SQ.FT.
UNIT#3 =	918 SQ.FT.
UNIT#4 =	1,173 SQ.FT.
UTILITY ROOM =	45 SQ.FT.
<b>TOTAL BUILDING =</b>	<b>3,973 SQ.FT.</b>

CITY OF COACHELLA  
 BUILDING DIVISION  
 APPROVED BY: *[Signature]* 8/3/17  
 Approval of these plans shall be void unless the applicant has obtained all necessary permits from the City of Coachella, California, and the applicant has obtained all necessary permits from the City of Coachella, California, and the applicant has obtained all necessary permits from the City of Coachella, California.

**Floor Plan**  
 1/4" = 1'-0"



Item 6  
 ASSOCIATE MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS  
**AIA**  
**CABEC**  
 CERTIFIED ENERGY ANALYST  
 49-950 Jefferson St., Suite#130-219  
 Indio, Ca. 92201  
 Off. (760)880-6796  
 Email: sgdesigns676@gmail.com

**REVISIONS**

NO.	DATE	BY
1	02-06-2017	SG
2	04-26-2017	SG
3	07-17-2017	SG

**A New Commercial Shell Building for:**  
**Mr. Juan Hernandez**  
 84-705 Avenue 50, Coachella, Ca. 92236

**SHEET TITLE:**  
 Dim/ Floor Plan

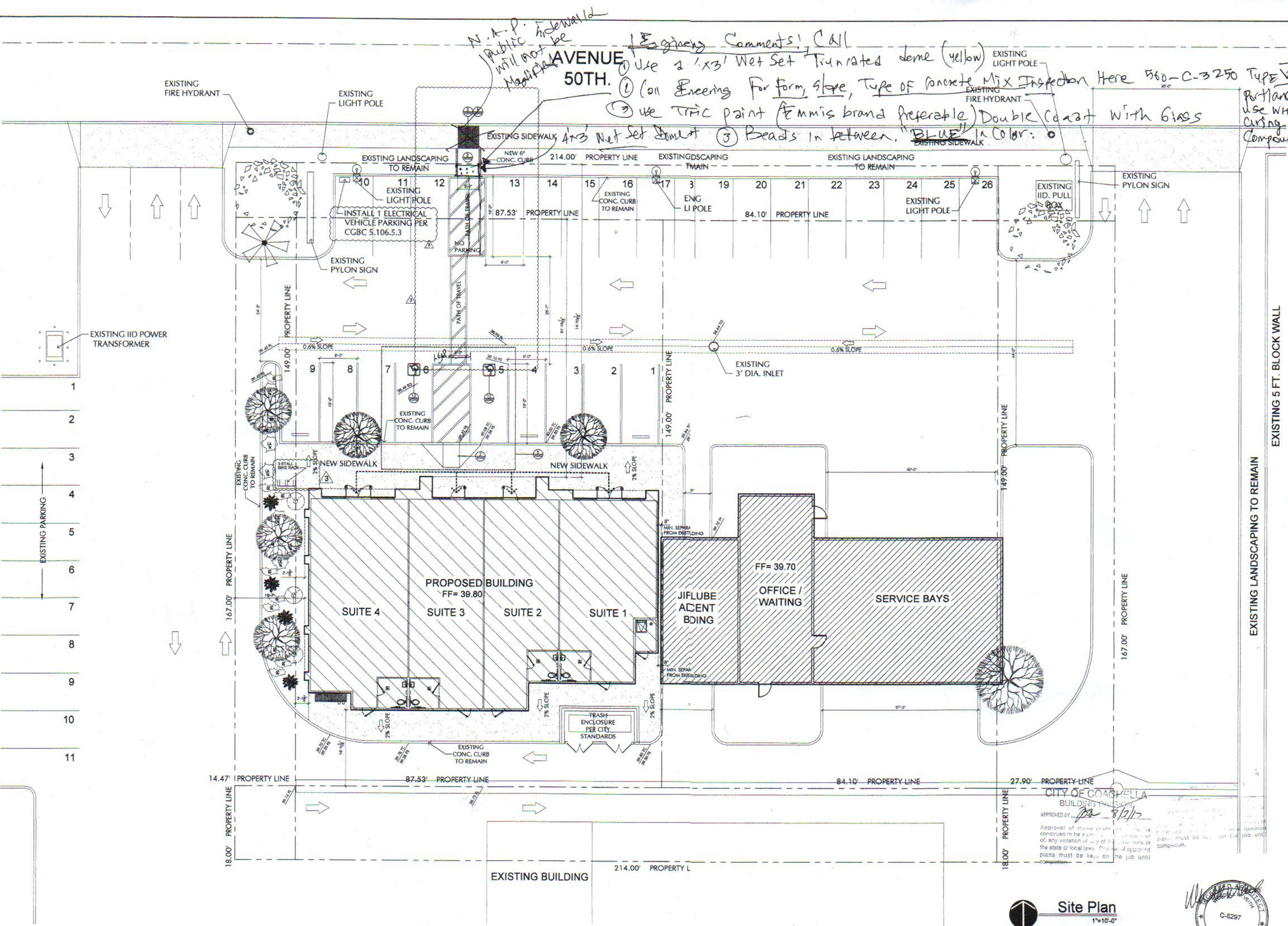
**DRAWN:** SG  
**CHECKED:** SG  
**DATE:** July 2017  
**SCALE:** AS NOTED  
**JOB NO:** 37-2016  
**SH:** 141

REVISIONS	BY
1.	02-08-2017 SG
2.	04-26-2017 SG
3.	07-17-2017 SG

**A New Commercial Shell Building for:**  
**Mr. Juan Hernandez**  
**84-705 Avenue 50, Coachella, Ca. 92236**

SHEET TITLE:  
 Site Plan

DRAWN	SG
CHECKED	SG
DATE	July 2017
SCALE	AS NOTED
JOB NO.	37-2016



*Engineering Comments!* Call  
 1 Use 2 1x3' Wet Set Truncated Dome (yellow)  
 2 Call Engineering For form, slope, type of concrete Mix Inspection Here 560-C-3250 TYPE V  
 3 use TRIC paint (Emmis brand preferable) Double Coat with Glass  
 Beads in between. **BLUE** in color.  
 N.A.P. sidewalk  
 public will not be  
 Modified

Site Plan  
 1"=10'-0"



**RESOLUTION NO. PC2021-14**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF DRAFT ORDINANCE NO. 1171 PERTAINING TO REGULATIONS FOR INTERIM OUTDOOR CANNABIS CULTIVATION. CITY-INITIATED.**

**WHEREAS**, pursuant to the authority granted to the City of Coachella (“City”) by Article XI, Section 7 of the California Constitution, the City has the police power to regulate the use of land and property within the City in a manner designed to promote public convenience and general prosperity, as well as public health, welfare, and safety; and,

**WHEREAS**, adoption and enforcement of comprehensive zoning regulations and business license regulations lies within the City’s police power; and,

**WHEREAS**, on November 8, 2016, California voters passed Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (“AUMA”), legalizing the use and possession of cannabis and cannabis products by adults aged 21 years and older; and,

**WHEREAS**, on June 27, 2017, Governor Brown signed into law Senate Bill 94, which created a single regulatory scheme for both medicinal and non-medicinal cannabis known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”); and,

**WHEREAS**, MAUCRSA allows local jurisdictions to allow or prohibit the various commercial cannabis activities which are allowed by the State, including outdoor cannabis cultivation; and,

**WHEREAS**, the proposed Ordinance would amend Title 5 (Business Licenses and Regulations), Chapter 5.68 to (i) allow outdoor commercial cultivation; (ii) provide additional application and operational requirements for outdoor commercial cultivation; and (iii) comply with current City policies and State law; and,

**WHEREAS**, the proposed Ordinance would also amend Title 17 (Zoning), Chapters 17.10, 17.12, 17.14, and 17.85 to (i) allow outdoor commercial cultivation in certain City zones and subject to certain property development standards, and (ii) comply with current City policies and State law; and,

**WHEREAS**, the subject Municipal Code Amendment is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3). The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; the activity is not a project as defined in Section 15378 of the California Public Resources Code, and the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant impact on the environment. Where it can

be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA; and,

**WHEREAS**, on February 26, 2020 the City Council of the City of Coachella (“City Council”) conducted a study session which included a discussion item on the possibility of allowing outdoor cannabis cultivation uses in the City’s remote agricultural areas bounded by Avenue 48 on the north, Tyler Street on the west, the All-American Canal on the east, and Avenue 52 on the south; and,

**WHEREAS**, at the February 26, 2020 the City Council provided staff direction to work on a draft ordinance that would allow for “interim agricultural uses” for outdoor cannabis cultivation on properties that are: 1) remotely located and removed from sensitive odor receptors; 2) have land use entitlements for future development but wish to include an interim agricultural use to cultivate cannabis for three to five years prior to construction of the first phase of urban development; and,

**WHEREAS**, the Planning Commission of the City of Coachella (“Planning Commission”) conducted a properly noticed public hearing on June 16, 2020 at which members of the public were afforded an opportunity to comment upon this Ordinance, the recommendations of staff, and other public testimony; and,

**WHEREAS**, after said public hearing, the Planning Commission recommended that the City Council approve this Ordinance.

**NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals.** The Planning Commission of the City of Coachella, California, hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

**SECTION 2. Recommendation to City Council.** Based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings made in the staff report and this Resolution, the Planning Commission of the City of Coachella hereby recommends that the City Council adopt Ordinance No. 1171 entitled: “An Ordinance of the City Council of the City of Coachella, California, Amending Various Provisions of the Coachella Municipal Code Regarding Interim Outdoor Commercial Cannabis Cultivation” which is attached hereto as Attachment “A” and incorporated herein by reference.

**SECTION 3. Findings.** The Planning Commission finds that the amendments to the Coachella Municipal Code proposed by the above referenced ordinance are consistent with the goals and policies of all elements of the General Plan and exercise the City’s land use powers to protect the health, safety, and welfare of the public which would be put at risk if commercial cannabis activity is allowed to move forward in the City without local regulation and enforcement abilities.



The Planning Commission also finds that the proposed amendments to the Coachella Municipal Code would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that they will regulate interim outdoor commercial cannabis cultivation as a land use, by allowing the use with a conditional use permit in selected zoning districts and under certain restrictions.

The Planning Commission also finds that the proposed amendments to the Coachella Municipal Code are internally consistent with other applicable provisions of this Zoning Code, in that interim outdoor commercial cannabis cultivation uses would be subject to specified zoning districts and to findings necessary to grant a conditional use permit.

**SECTION 4. CEQA.** The Planning Commission finds that this Resolution is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 5. Certification.** The Secretary shall certify to the adoption of this Resolution.

**APPROVED AND ADOPTED** by the members of the City of Coachella Planning Commission on this 16th day of June, 2021.

\_\_\_\_\_  
Stephanie Virgen,  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Yesenia Becerril, Planning Commission Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Carlos Campos, City Attorney

I, Yesenia Becerril, Planning Secretary, City of Coachella, California, certify that the foregoing Resolution was adopted by the Planning Commission at a regular meeting of the Planning Commission held on the 16<sup>th</sup> day of June, 2021, and was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Yesenia Becerril  
Planning Commission Secretary

**ATTACHMENT “A”**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, AMENDING VARIOUS PROVISIONS OF THE COACHELLA MUNICIPAL CODE REGARDING INTERIM OUTDOOR COMMERCIAL CANNABIS CULTIVATION.

**ORDINANCE NO. 1171**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, AMENDING VARIOUS PROVISIONS OF THE COACHELLA MUNICIPAL CODE REGARDING INTERIM OUTDOOR COMMERCIAL CANNABIS CULTIVATION IN THE CITY'S AGRICULTURAL SECTOR. CITY-INITIATED.**

**WHEREAS**, pursuant to the authority granted to the City of Coachella ("City") by Article XI, Section 7 of the California Constitution, the City has the police power to regulate the use of land and property within the City in a manner designed to promote public convenience and general prosperity, as well as public health, welfare, and safety; and,

**WHEREAS**, adoption and enforcement of comprehensive zoning regulations and business license regulations lies within the City's police power; and,

**WHEREAS**, on November 8, 2016, California voters passed Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act ("AUMA"), legalizing the use and possession of cannabis and cannabis products by adults aged 21 years and older; and,

**WHEREAS**, on June 27, 2017, Governor Brown signed into law Senate Bill 94, which created a single regulatory scheme for both medicinal and non-medicinal cannabis known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"); and,

**WHEREAS**, MAUCRSA allows local jurisdictions to allow or prohibit the various commercial cannabis activities which are allowed by the State, including outdoor cannabis cultivation; and,

**WHEREAS**, the proposed Ordinance would amend Title 5 (Business Licenses and Regulations), Chapter 5.68 to (i) allow outdoor commercial cultivation; (ii) provide additional application and operational requirements for outdoor commercial cultivation; and (iii) comply with current City policies and State law; and,

**WHEREAS**, the proposed Ordinance would also amend Title 17 (Zoning), Chapters 17.10, 17.12, 17.14, and 17.85 to (i) allow outdoor commercial cultivation in certain City zones and subject to certain property development standards, and (ii) comply with current City policies and State law; and,

**WHEREAS**, the subject Municipal Code Amendment is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3). The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; the activity is not a project as defined in Section 15378 of the California Public Resources Code, and the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant impact on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA; and,

**WHEREAS**, on February 26, 2020 the City Council of the City of Coachella (“City Council”) conducted a study session which included a discussion item on the possibility of allowing outdoor cannabis cultivation uses in the City’s remote agricultural areas bounded by Vista del Sur on the north, Tyler Street on the west, the All-American Canal on the east, and Avenue 52 on the south; and,

**WHEREAS**, at the February 26, 2020 the City Council provided staff direction to work on a draft ordinance that would allow for “interim agricultural uses” for outdoor cannabis cultivation on properties that are: 1) remotely located and removed from sensitive odor receptors; 2) have land use entitlements for future development but wish to include an interim agricultural use to cultivate cannabis for three to five years prior to construction of the first phase of urban development; and,

**WHEREAS**, the Planning Commission of the City of Coachella (“Planning Commission”) conducted a properly noticed public hearing on December 16, 2020 at which members of the public were afforded an opportunity to comment upon this Ordinance, the recommendations of staff, and other public testimony; and,

**WHEREAS**, after said public hearing, the Planning Commission recommended that the City Council approve this Ordinance with modifications; and,

**WHEREAS**, the City Council conducted a properly noticed public hearing on \_\_\_\_\_, 2021 at which members of the public were afforded an opportunity to comment on this Ordinance, the recommendations of staff, and other public testimony.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals.** The City Council of the City of Coachella, California, hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Ordinance.

**SECTION 2. Amendment to Coachella Municipal Code.** Section 5.68.030 *Regulatory permit required* of Chapter 5.68 *Commercial Cannabis Activity Regulatory Permit* of the Coachella Municipal Code is hereby amended to add underlined text as follows:

**“5.68.030 - Regulatory permit required.**

Commercial cannabis activity permitted under this chapter includes indoor and interim outdoor cultivation, manufacture (including shared-use facilities), distribution, testing, and non-retail microbusinesses (including possession, processing, storing, and labeling incidental to such activity). Prior to initiating operations and as a continuing requisite to operating a commercial cannabis activity, the legal representative of the persons wishing to operate and/or lease out a facility for commercial cannabis activity shall obtain both a conditional use permit and a regulatory permit from the city manager and shall pay an application fee as established by resolution adopted by the city council as amended from time to time. Regulatory permit requirements for retail cannabis businesses can be found in Chapter 5.69.”

**SECTION 3. Amendment to Municipal Code.** Section 5.68.040 *Regulatory permit application* of Chapter 5.68 *Commercial Cannabis Activity Regulatory Permit* is hereby amended to include underlined text and delete stricken text as follows:

**“5.68.040 - Regulatory permit application.**

...

M. A complete and detailed diagram of the proposed premises showing the boundaries of the property and the proposed premises to be permitted, showing all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, doorways, and common or shared entryways, storage areas and exterior lighting. The diagram must show the areas in which all commercial cannabis activity will take place, including but not limited to, limited-access areas. All construction, including but not limited to, buildings, fences, security systems, light blocking apparatuses, signs and outdoor lighting fixtures, shall be designed to blend in with the character of the surrounding area.

N. For cultivation applicants, a detailed water management plan including the proposed water supply, proposed conservation measures, and any water offset requirements; information regarding stormwater control and wastewater discharge; a list of all pesticides, fertilizers, and any other hazardous materials that are expected to be used in the cultivation process; a storage and hazard response plan for all pesticides, fertilizers, and any other hazardous materials kept on the cultivator’s site; all power sources proposed to be used.

~~NO.~~ A detailed security plan outlining the measures that will be taken to ensure the safety of persons and property on the premises. As part of the security plan, a lighting plan is required that shows existing and proposed exterior and interior lighting that will provide adequate security lighting for the commercial cannabis activity and premises. The security plan must be prepared by a qualified professional and include provisions in compliance with the following:

1. Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least two hundred forty (240) concurrent hours of digitally recorded documentation in a format approved by the city manager. The cameras shall be in use twenty-four (24) hours per day, seven days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the city manager.

2. The premises shall be alarmed with an audible interior and exterior alarm system, unless waived for extenuating circumstances by the city manager that is operated and monitored by a recognized security company, deemed acceptable by the city manager. Any change in the security company shall be subject to the approval of the city manager. All current contact information regarding the security company shall be provided to the city manager.

3. Entrance to the cultivation, manufacturing, and testing areas and any storage areas shall be locked at all times, and under the control of cannabis facility staff.

4. All cannabis shall be securely stored, and a reliable, commercial alarm system shall be installed and maintained where the cannabis is secured.

5. A licensed security guard, licensed by the California Department of Consumer Affairs, shall be present at the premises during all hours of operation. If the security guard is to be armed, then the security guard shall possess at all times a valid security guard card and firearms permit issued by the California Department of Consumer Affairs.

6. A heavy-gauge chain-link (or other material as approved by the ~~city manager~~ planning commission) fence a minimum of eight-feet in height (or as otherwise approved by the city manager) shall be constructed around the perimeter of the premises to prevent public access and obscure the cannabis cultivation facility from public view. Screening can include landscaping or vinyl slats, as permitted by law enforcement.

Ø P. An odor control plan that describes the air treatment system or other methods that will be implemented to prevent odors generated by the commercial cannabis activity from being detected outside the building(s) on the premises. This section is not intended to prohibit the use of Polyethylene Plastic Film, Polycarbonate Sheeting, and Shade Cloth Fabrics for use in temporary greenhouses and temporary hoop houses as part of an approved “interim outdoor cannabis cultivation uses” allowed under Title 17.

P Q. A comprehensive business operations plan that includes the following:

1. Business plan. A plan describing how the commercial cannabis activity business will operate in accordance with this code, state law, and other applicable regulations. The business plan must include plans for handling cash and transporting cannabis and cannabis products to and from the premises, if applicable.

2. Community relations plan. A plan describing who is designated as being responsible for outreach and communication with the surrounding community, including the neighborhood and businesses, and how the designee can be contacted.

3. Neighborhood responsibility plan. A plan addressing any adverse impacts of the proposed commercial cannabis activity on the surrounding area.

4. Insurance. The applicant's certificate of commercial general liability insurance and endorsements and certificates of all other insurance related to the operation of the commercial cannabis activity.

5. Budget. A copy of the applicant's most recent annual budget for operations.

Q R. The name and address of the owner and lessor of the real property upon which the commercial cannabis activity is to be operated. In the event the applicant is not the legal owner of the property, the application must be accompanied with a notarized acknowledgement from the owner of the property that a commercial cannabis activity will be operated on his or her property.

R S. Authorization for the city manager to seek verification of the information contained within the application.

S T. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.

¶ U. A full and complete copy of the applicant's most current application submitted to and approved by the applicable state licensing authority.

¶ V. Any such additional and further information as is deemed necessary by the city manager to administer this chapter.”

**SECTION 4. Amendment to Coachella Municipal Code.** Section 5.68.130 *Operating standards* of Chapter 5.68 *Commercial Cannabis Activity Regulatory Permit* of the Coachella Municipal Code is hereby amended to add underlined text and delete stricken text as follows:

**“5.68.130 - Operating standards.**

A. Indoor cultivation~~only~~. An indoor cultivation permittee shall only cultivate cannabis in a fully enclosed and secure building. An indoor cultivation permittee shall not allow cannabis or cannabis products on the premises to be visible from the public right of way, the unsecured areas surrounding the buildings on the premises, or the premises’ main entrance and lobby.

B. Interim Outdoor Cultivation. Cannabis plants shall not be easily visible from offsite. All interim outdoor commercial cultivation sites should have a minimum twenty-foot (20 ft.) setback with an opaque fencing material to screen the outdoor cannabis grow areas from view to the public streets. All interim outdoor commercial cultivation activities shall occur within a secure fence at least six (6) feet in height that fully encloses the cultivation area(s) and prevents access to the cultivation area(s). The fence must include a lockable gate(s) that is locked at all times, except for during times of active ingress and egress. Outdoor lighting shall be used for the purpose of illumination only. Outdoor lighting shall not be located within the canopy area, used for photosynthesis, mixed-light processes, other purposes intended to manipulate cannabis plant growth. Temporary lighting, whether powered by a portable generator or permitted electrical service, is prohibited.

~~B C.~~ Odor control. A permittee shall comply with the odor control plan that is submitted during the application process and approved by the city manager. Commercial cannabis activity premises shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the building(s) that is distinctive to its operation is not detected outside the premises, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the commercial cannabis activity. As such, applicants must install and maintain the following equipment or any other equipment which the city manager or designee determines has the same or better effectiveness:

1. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
2. An air system that creates negative air pressure between the cannabis facility's interior and exterior so that the odors generated inside the cannabis facility are not detectable outside the cannabis facility.



3. Should compliance with the odor control plan fail to properly control odor, the city manager may impose additional or modified plan restrictions.

C.D. ‘Track and trace’. Commercial cannabis activity businesses shall have an electronic ‘track and trace’ system that produces historical transactional data for review by the city manager for auditing purposes.

D.E. Records. A commercial cannabis activity business shall maintain the following records in printed format for at least three years on the premises and shall produce them to the city within twenty-four (24) hours after receipt of the city's request:

1. The name, address, and telephone numbers of the owner and landlord of the property.

2. The name, date of birth, address, and telephone number of each manager and staff of the commercial cannabis activity business; the date each was hired; and the nature of each manager’s and staff’s participation in the business.

3. A written accounting of all income and expenditures of the commercial cannabis activity business, including, but not limited to, cash and in-kind transactions.

4. A copy of the commercial cannabis activity business’ commercial general liability insurance policy and all other insurance policies related to the operation of the business.

5. A copy of the commercial cannabis activity business’ most recent year’s financial statement and tax return.

6. An inventory record documenting the dates and amounts of cannabis received at the premises, the daily amounts of cannabis on the premises, and the daily amounts of cannabis transported from the premises.

A commercial cannabis activity business shall report any loss, damage, or destruction of these records to the city manager within twenty-four (24) hours of the loss, damage, or destruction.

E.F. Security. A permittee shall comply with the security plan that is submitted during the application process as approved by the city manager. A permittee shall report to the Coachella Police Department all criminal activity occurring on the premises. Should compliance with the security plan fail to properly secure the commercial cannabis activity premises, the city manager may impose additional or modified plan restrictions.

F.G. Retail sales prohibited. No person shall conduct any retail sales of any good or services on or from a permitted commercial cannabis activity premises that is regulated under this chapter.

~~G.H.~~ Cannabis consumption prohibited. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty (20) feet of, a commercial cannabis activity premises regulated under this chapter.

~~H.I.~~ Alcohol prohibited. No person shall possess, consume, or store any alcoholic beverage on any commercial cannabis activity premises.

~~I.J.~~ Juveniles prohibited. No one under the age of eighteen (18) shall be on the commercial cannabis activity premises or operate a commercial cannabis activity in any capacity, including, but not limited to, as a manager, staff, employee, contractor, or volunteer.”

**SECTION 5. Amendment to Municipal Code.** Section 17.10.020 *Permitted uses* of Chapter 17.10 *A-R Agricultural Reserve Zone* is hereby amended to include underlined text and delete stricken text as follows:

**“17.10.020 - Permitted uses.**

The following uses are permitted in the A-R zone subject to all provisions of this chapter:  
...

C. Conditional Uses. The following may be permitted in the A-R zone, subject to obtaining a conditional use permit as specified in Section 17.74.010.

- 1. Public parks;
- 2. One temporary stand, of temporary construction, for the display and sale of agricultural products produced on the premises, and placed not less than twenty-five (25) feet from any street or highway upon which such property fronts. When granting approval for such a temporary stand, the planning commission shall set a maximum time limit not to exceed one year on each such stand. Said time limit may be renewed at the option of the commission;
- 3. Cemeteries, crematories, columbariums, and mausoleums;
- 4. Reserved;
- 5. Reserved;
- 6. Farms or establishments for the selective or experimental breeding of cattle or horses, or the raising and training of horses or show cattle;
- 7. Dairy farms;
- 8. Kennels;
- 9. Animal raising, commercial; small animals, such as poultry, birds, fish, fowl, rabbits, chinchilla, mice, frogs, earthworms, bees, and others of similar nature, form and size, including hatching and fattening, and involving eggs or similar products derived therefrom;

10. Reserved;
11. Fruit and vegetable packing houses; ~~and~~
12. Farm labor camps; and
13. Interim outdoor commercial cannabis cultivation, pursuant to Chapter 17.85.”

**SECTION 6. Amendment to Municipal Code.** Section 17.12.020 *Permitted uses* of Chapter 17.12 *A-T Agricultural Transition Zone* is hereby amended to include underlined text and delete stricken text as follows:

**“17.12.020 - Permitted uses.**

The following uses are permitted in the A-T zone subject to all provisions of this chapter:

...

C. Conditional Uses. The following may be permitted in the A-T zone, subject to obtaining a conditional use permit as specified in Section 17.74.010.

1. Public and private parks; golf courses; swimming, polo and country clubs;
2. One temporary stand, of temporary construction, for the display and sale of agricultural products produced on the premises, and placed not less than twenty-five (25) feet from any street or highway upon which such property fronts. When granting approval for such a temporary stand, the planning commission shall set a maximum time limit not to exceed one year on each such stand. Said time limit may be renewed at the option of the commission;
3. Cemeteries, crematories, columbariums, and mausoleums;
4. Equestrian establishments, provided that in no case shall permanent maintenance or stabling of horses, storage of feed, riding arenas, or storage or maintenance of equipment be permitted within three hundred feet of the boundary of any R-S or RM;
5. Borrow pits, gravel pits, and other recovery of natural mineral resources;
6. Farms or establishments for the selective or experimental breeding of cattle or horses, or the raising and training of horses or show cattle;
7. Dairy farms;
8. Kennels;

- 9. Animal Raising, Commercial. Small animals, such as, poultry, birds, fish, fowl, rabbits, chinchilla, mice, frogs, earthworms, bees, and others of similar nature, form and size, including hatching and fattening, and involving eggs or similar products derived therefrom;
- 10. Campgrounds, private, containing picnic areas, overnight camping facilities and temporary parking for travel trailers and camper trucks;
- 11. Fruit and vegetable packing houses; ~~and~~
- 12. Farm labor camps; and,
- 13. Interim outdoor commercial cannabis cultivation, pursuant to Chapter 17.85.”

**SECTION 7. Amendment to Municipal Code.** Section 17.14.020 *Permitted uses* of Chapter 17.14 *R-E Residential Estate Zone* is hereby amended to include underlined text and delete stricken text as follows:

**“17.14.020 - Permitted uses.**

The following uses are permitted in the R-E zone subject to all provisions of this chapter.

...

C. Conditional Uses. The following uses may be permitted in the RE zone, subject to obtaining a conditional use permit as specified in Section 17.74.010.

- 1. Clubs and lodges, private, nonprofit when site fronting on an arterial street;
- 2. Public and private golf courses; ~~and~~
- 3. School, private, nonprofit; and,
- 4. Interim outdoor commercial cannabis cultivation, pursuant to Chapter 17.85.”

**SECTION 8. Amendment to the Coachella Municipal Code.** Section 17.85.030 *Commercial cannabis activity permitted* of Chapter 17.85 *Commercial Cannabis Activity* is hereby amended to include the underlined text and delete the stricken text as follows:

**“17.85.030 - Commercial cannabis activity permitted.**

Commercial cannabis activity permitted under this chapter includes indoor cultivation, interim outdoor cultivation, manufacture (including shared-use facilities), distribution, ~~and~~ testing, and non-retail microbusinesses (including possession, processing, storing, and labeling incidental to such activity). Prior to engaging in any such commercial cannabis activity in the city, one must obtain either a development agreement or conditional use permit (CUP), and a regulatory permit as required by this code, subject to the provisions of the CUA, MMP, MAUCRSA, and any other state laws pertaining to cannabis.”

**SECTION 9. Amendment to the Coachella Municipal Code.** Section 17.85.040 *Conditional use permit or development agreement required* of Chapter 17.85 *Commercial Cannabis Activity* is hereby amended to include the underlined text as follows:

**“17.85.040 - Conditional use permit or development agreement required.**

Prior to initiating operations and as a continuing requisite to operating a commercial cannabis activity, the applicant shall obtain a validly issued CUP as provided in Chapter 17.74 entitled “Conditional Uses” of this municipal code or enter into a fully executed development agreement agreed to by the city council. If any provision of this chapter conflicts with any provision of Chapter 17.74 of this code, the provision in this chapter shall control. An applicant must obtain a separate CUP for each commercial cannabis activity the applicant wishes to operate. Separate CUPs may be issued for indoor cannabis cultivation versus interim outdoor cannabis cultivation. Each CUP will include a condition of approval requiring that the permittee also obtain and maintain an indoor cultivation, interim outdoor cultivation, manufacture, distribution, non-retail microbusiness, or testing laboratory regulatory permit required by this code. Each CUP for interim outdoor cultivation may include a condition of approval that limits outdoor cultivation activities to a specified duration not to exceed the sooner of forty eight (48) months, or the first phase of construction establishing a new residential or commercial use. If the condition is accepted by the applicant, the City may thereafter record a covenant memorializing this restriction against the property, which shall include a reference to the approved CUP.”

**SECTION 10. Amendment to the Coachella Municipal Code.** Section 17.85.050 *Commercial cannabis activity—Permitted locations and standards* of Chapter 17.85 *Commercial Cannabis Activity* is hereby deleted in its entirety and amended to include the underlined text as follows:

**17.85.050 - Commercial cannabis activity—Permitted locations and standards.**

A. Indoor commercial cultivation, manufacturing, testing laboratory, and distribution activities.

1. Location. Permitted uses be located in any wrecking yard zone (M-W) or manufacturing service - industrial park overlay zone (IP) in the city, upon issuance of a CUP and a regulatory permit.

2. Property development standards.

(a) In M-W zone – Permitted uses should be restricted to a site having a minimum of five (5) acres in size, with a minimum paved street frontage of two hundred fifty (250) feet. Permitted uses may not be established in the M-W zone on a multi-tenant industrial park or business park site existing on the effective date of this ordinance. A CUP to develop a new stand-alone commercial cannabis activity facility or a multi-tenant facility within a minimum site area of five acres may be pursued.

(b) In MS-IP Overlay zone – Permitted uses should be restricted to sites having a minimum project area of ten (10) acres and a minimum lot size or grouping of lots of at least five (5) acres.

3. Indoor only. All uses shall be conducted only in the interior of enclosed structures, facilities, and buildings. All indoor cultivation operations, including all cannabis plants, at any stage of growth, shall not be visible from the exterior of any structure, facility or building containing cultivation. All indoor cultivation, manufacturing, testing and processing must take place indoors, within a permanent structure that is enclosed on all sides. Outdoor manufacturing, testing, and processing are prohibited. Portable greenhouses and/or non-permanent enclosures shall not be used for cultivation unless they are placed inside of a permanent structure that is enclosed on all sides.

4. Odor control. Uses 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 commercial cannabis activities that cause such odors.

B. Interim outdoor commercial cannabis cultivation.

1. Location. Interim outdoor commercial cannabis cultivation be located in any agricultural reserve (A-R) zone, agricultural transition (A-T) zone, residential single-family (R-S) zone, multiple-family residential (R-M) zone, and general commercial (C-G) zone that is located within the geographic area bounded by Vista Del Sure on the north, the All-American Canal on the east, Avenue 52 on the south, and the 86 Expressway on the west, upon issuance of a CUP and a regulatory permit.

2. Property development standards. All interim outdoor commercial cannabis cultivation sites:

(a) shall be located on a site having a minimum of one (1) acre in size.

b) shall have a maximum canopy size equal to the lesser of two (2) acres or the maximum size authorized by the State license for that business.

(c) shall provide a minimum twenty-foot (20 ft.) setback on all sides with an opaque fencing material, subject to review and approval by the Planning Director, to screen the outdoor grow areas from view to public streets.

3. Distance Restrictions. No interim outdoor commercial cannabis cultivation shall be located within:

(a) five hundred (500) feet of another interim outdoor commercial cannabis cultivation use.

(b) one thousand (1,000) feet of any public or private school (K-12), day care center or youth center. The distance shall be measured from the nearest point between the property line containing the interim outdoor commercial cannabis cultivation use to any lot line of the other use. "Day care center" means any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities and school age child care centers. "Youth center" means any public or private facility that is primarily used to house recreational or social activities for minors, including, but not limited to,

private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

C. Indoor commercial cannabis activity must be served by municipal water and sewer services. Interim outdoor cannabis cultivation uses need only be served by a private water well or municipal water.

D. Commercial cannabis activity shall be located a minimum distance of six hundred (600) feet away from any residentially-zoned lot. The distance shall be measured at the nearest point between property lines containing the commercial cannabis use and any lot line of the residential use.

E. Testing laboratories may be located in the general commercial (C-G) zone in addition to the M-W zone and IP overlay zone with a CUP, but are not required to meet the two hundred fifty-foot paved street frontage requirement in subsections (A)(2)(a) and (A)(2)(b) of this section.”

**SECTION 11. Amendment to the Coachella Municipal Code.** Section 17.85.090 *Commercial cannabis cultivation, manufacturing, testing, processing—Interior only* of Chapter 17.85 *Commercial Cannabis Activity* is hereby removed and reserved. The text from this Section has been added to Section 17.85.050. The Municipal Code text shall read as follows:

**“17.85.090 – [RESERVED] ~~Commercial cannabis cultivation, manufacturing, testing, processing—Interior only.~~”**

**SECTION 12. CEQA.** The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 13. Effective Date.** This Ordinance shall take effect thirty (30) days after its adoption.

**SECTION 14. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

**SECTION 15. Certification.** The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof,

cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

**ORDINANCE PASSED AND APPROVED** at a regular meeting of the City Council of the City of Coachella this \_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Steven Hernandez, Mayor

ATTEST:

\_\_\_\_\_  
Angela M. Zepeda, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carlos Campos, City Attorney



I, Angela M. Zepeda, City Clerk, City of Coachella, California, certify that the foregoing Ordinance was adopted by the City Council at a regular meeting of the City Council held on the \_\_\_ day of \_\_\_\_\_ 2021 and was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Angela M. Zepeda, City Clerk



**STAFF REPORT**  
**6/16/2021**

**TO:** Planning Commission Chair and Commissioners

**FROM:** Luis Lopez, Development Services Director

**SUBJECT:** Review of Ordinance No. 1171 amending various provisions of the Coachella Municipal Code regarding Interim Outdoor Cannabis Cultivation. City-Initiated.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission review and recommend that the City Council approve the following Ordinance:

ORDINANCE NO. 1171 An Ordinance of the City Council of the City of Coachella, California, Amending Various Provisions of the Coachella Municipal Code Regarding Interim Outdoor Commercial Cannabis Cultivation.

**BACKGROUND:**

In November 2016, voters approved Proposition 64, otherwise known as the Control, Regulate, Tax Adult Use of Marijuana Act (“AUMA”) which legalized the adult use of cannabis and created a statutory framework for the state to regulate adult use of cannabis. Senate Bill 94, adopted on June 27, 2017, reconciled standards for medical and adult use cannabis activity under a single law, entitled Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”).

The City of Coachella adopted Chapter 17.85 “Medical Cannabis Cultivation Facilities,” in January 2016, to allow commercial cannabis cultivation, manufacturing, testing, distribution, and transportation activities in the wrecking yard (M-W) zone with a development agreement or conditional use permit (“CUP”) the M-W zone and IP Industrial Park Overlay Zone, and general commercial C-G for testing laboratories only with a CUP. All such businesses also require a regulatory permit to operate. The commercial cannabis regulations have been amended over the past four years to now allow for medical and non-medical commercial cannabis businesses, in addition to retail stores.

On February 26, 2020 the City Council conducted a study session which included a discussion item on the possibility of allowing outdoor cannabis cultivation uses in the City’s remote agricultural areas bounded by Avenue 48 on the north, Tyler Street on the west, the All-American Canal on the east, and Avenue 52 on the south. The City Council provided staff direction to work on a draft ordinance that would allow for “interim agricultural uses” for outdoor cannabis

cultivation on properties that are: 1) remotely located and removed from sensitive odor receptors; 2) have land use entitlements for future development but wish to include an interim agricultural use to cultivate cannabis for three to five years prior to construction of the first phase of urban development, or 3) are owned or leased by an applicant that voluntarily agrees to limit the term of any conditional use permit for outdoor cannabis cultivation.

On February 10, 2021, the City Council considered the ordinance and remanded the ordinance back to the Planning Commission for consideration. The Economic Development and Planning Subcommittee reviewed the ordinance on March 4, 2021 to expand the geographic boundaries for outdoor cannabis cultivation further north to Vista Del Sur. The proposed Ordinance has been amended to encompass discussion and comments from the Subcommittee.

## **DISCUSSION/ANALYSIS:**

### **I. SUMMARY**

The proposed Ordinance would allow interim outdoor commercial cannabis cultivation in agricultural and remote areas of the City with a conditional use permit and subject to certain property development standards.

### **II. OUTDOOR COMMERCIAL CANNABIS CULTIVATION**

#### **A. References to Interim Outdoor Cultivation**

The proposed Ordinance includes new references to “interim outdoor cultivation” to distinguish this new use from the indoor commercial cannabis cultivation, which has been allowed in certain areas of the City since 2016.

#### **B. Interim Nature of Outdoor Cultivation Use**

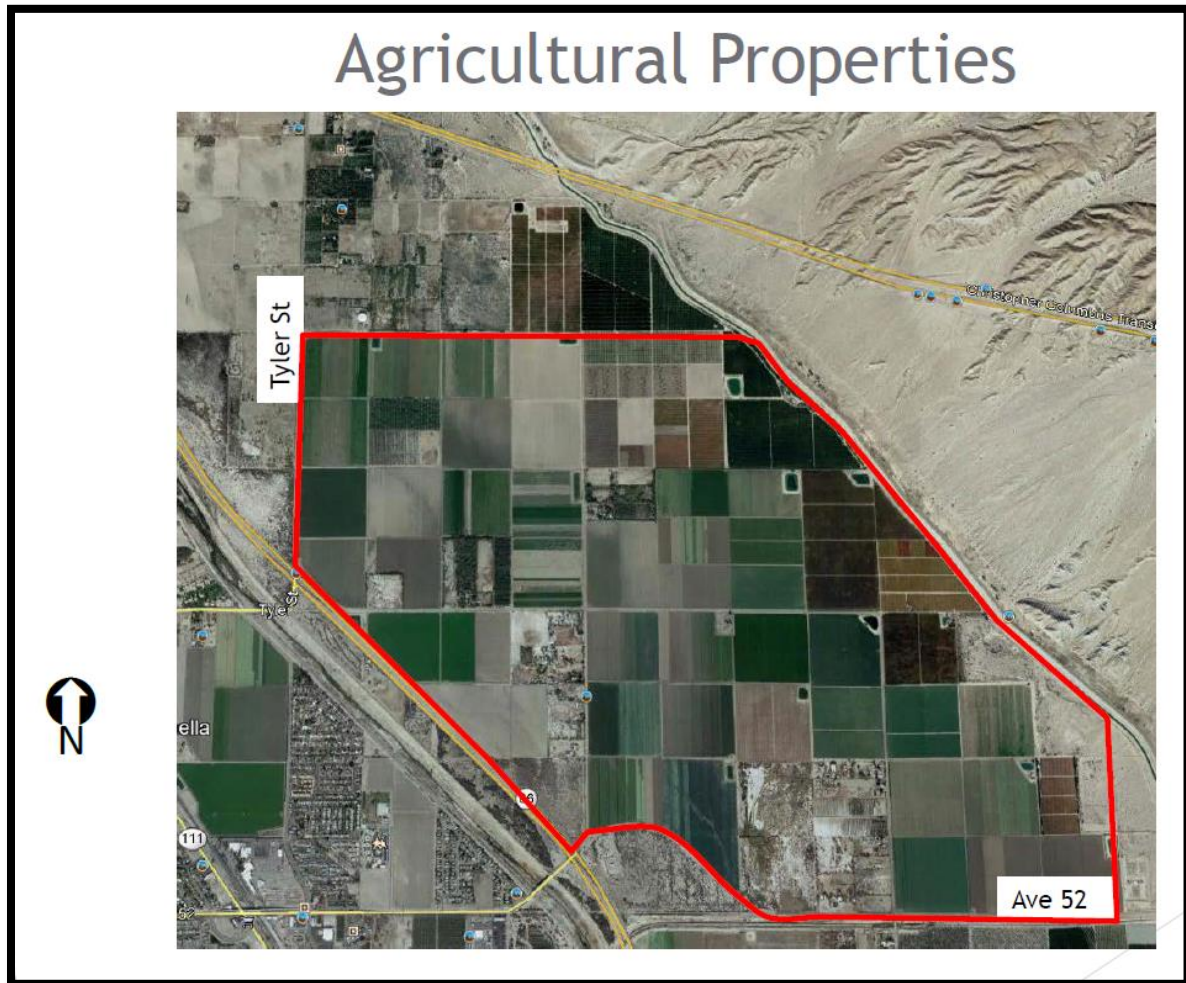
The City’s existing Ordinance requires that commercial cannabis businesses obtain a conditional use permit (“CUP”) or development agreement prior to operation.

The proposed Ordinance makes clear that a CUP issued for indoor cultivation will not automatically give the applicant permission to operate outdoor cultivation as well. Instead, separate CUPs may be issued for indoor versus outdoor cannabis cultivation. Each CUP for interim outdoor cultivation may include a condition of approval that limits outdoor cultivation activities to a specified duration not to exceed the sooner of forty eight (48) months, or the first phase of construction establishing a new residential or commercial use. If the condition is accepted by the applicant, the City may thereafter record a covenant memorializing this restriction against the property, which will include a reference to the approved CUP.

#### **C. Zones Where Interim Outdoor Commercial Cultivation is Allowed**

Interim outdoor commercial cannabis cultivation may be proposed on any agricultural property, subject to obtaining a conditional use permit, if the property is located within the agricultural reserve (A-R) zone, agricultural transition (A-T) zone, residential single-family (R-S) zone, multiple-family residential (R-M) zone, and general commercial (C-G) zone and is within

the geographic area bounded by Avenue 48 on the north, the All-American Canal on the east, Avenue 52 on the south, and the 86 Expressway and Tyler Street on the west, as shown on the map exhibit below.



**D. Property Development Standards for Outdoor Commercial Cultivation**

All interim outdoor commercial cannabis cultivation sites must:

- be located on a site having a minimum of five (5) acres in size.
- have a maximum canopy size equal to the lesser of two (2) acres or the maximum

size authorized by the State license for that business. It should be noted that the State limits outdoor cultivation to 1 acre until 2023. As such, this Ordinance would allow outdoor cannabis up to 1 acre through the end of 2022 and up to 2 acres thereafter, unless further modified.

- provide a minimum fifty-foot (50 ft.) landscaped or agriculturally-planted buffer from adjoining properties and abutting streets.
- provide perimeter fencing with dwarf Oleander hedge along all public streets.

As for distance limitations, no interim outdoor commercial cannabis cultivation shall be located within:

- 500 feet of another interim outdoor commercial cannabis cultivation use;
  - 1,000 feet of any public or private school (K-12), day care center or youth center;
- or
- 600 feet of any residentially-zoned lot.

#### **E. Operating Standards for Outdoor Commercial Cultivation**

The proposed Ordinance includes new operating standards for outdoor commercial cultivation, including the following:

- **Visibility.** Cannabis plants shall not be easily visible from offsite. All interim outdoor commercial cultivation sites should have a minimum fifty-foot (50 ft.) landscaped or agriculturally-planted buffer from adjoining properties and abutting streets.
- **Security.** All interim outdoor commercial cultivation activities shall occur within a secure fence at least six (6) feet in height that fully encloses the cultivation area(s) and prevents access to the cultivation area(s). The fence must include a lockable gate(s) that is locked at all times, except for during times of active ingress and egress.
- **Outdoor lighting.** Outdoor lighting shall be used for the purpose of illumination only. Outdoor lighting shall not be located within the canopy area, used for photosynthesis, mixed-light processes, other purposes intended to manipulate cannabis plant growth. Temporary lighting, whether powered by a portable generator or permitted electrical service, is prohibited.

#### **F. Regulatory Permit Application Information**

The proposed Ordinance requires cultivation applicants to provide a detailed water management plan including the proposed water supply, proposed conservation measures, and any water offset requirements; information regarding stormwater control and wastewater discharge; a list of all pesticides, fertilizers, and any other hazardous materials that are expected to be used in

the cultivation process; a storage and hazard response plan for all pesticides, fertilizers, and any other hazardous materials kept on the cultivator's site; all power sources proposed to be used.

With regards to the required security plan, the proposed Ordinance includes wrought iron or decorative masonry fencing as an option, with Planning Commission approval.

And, Polyethylene Plastic Film, Polycarbonate Sheeting, and Shade Cloth Fabrics may be used in temporary greenhouses and temporary hoop houses as part of an approved interim outdoor cannabis cultivation use to assist in odor suppression.

**FISCAL IMPACT:**

None.

**ALTERNATIVES:**

- 1) Adopt Resolution No. PC2021-14 recommending approval of Ordinance No. 1171 as presented.
- 2) Adopt Resolution No. PC 2021-14 recommending approval of Ordinance No. 1171 with amendments.
- 3) Recommend denial of Ordinance No. 1171.
- 4) Continue this item and provide staff with direction.

**RECOMMENDED ALTERNATIVE(S):**

Staff recommends Alternative #1 or Alternative #2 above.

Attachments: Resolution No. PC2021-14  
Draft Ordinance No. 1171