



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

# AMENDED AGENDA

**CORRECTED ZOOM LINK**

OF A REGULAR MEETING  
OF THE  
CITY OF COACHELLA  
PLANNING COMMISSION

**October 06, 2021**  
6:00 PM

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This meeting will be conducted via Zoom Meeting.

Feel free to contact the Planning Department Staff with questions via phone or email at 760.398.3102, [gperez@coachella.org](mailto:gperez@coachella.org), [Rmontoya@coachella.org](mailto:Rmontoya@coachella.org), [Ngomez@coachella.org](mailto:Ngomez@coachella.org), [ybecerril@coachella.org](mailto:ybecerril@coachella.org).

Any correspondence received during or after the meeting will be distributed to the Planning Commission and retained for the official record.

If attending the meeting Via Zoom you may use the "raise hand" feature at any time during the meeting.

Please use the link below to join the meeting:

<https://us02web.zoom.us/j/89785377649?pwd=SzFJcmFvWHBqMXNsUCtJNHZZOENWdz09>

Meeting ID: 897 8537 7649

Passcode: 809812

Or you may call in with the following information to join the meeting:

One tap mobile

+16699006833,,89785377649#,,,,\*809812# US (San Jose)

+13462487799,,89785377649#,,,,\*809812# US (Houston)

**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:**

**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:**

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

1. Zoning Ordinance Amendment (ZOA 21-03) amending Sections 17.72.010 and 17.74.050 of Title 17 (ZONING) of the Coachella Municipal Code to regulate time extension requests for Architectural Review and Conditional Use Permits.
2. CSC Growers, LLC requests a Conditional Use Permit (CUP) to allow interim outdoor cannabis cultivation of 24 hoop houses on a vacant 5 acre site located at the southeast corner of Tyler Street and Vista del Sur (86099 Tyler Street).

**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



**STAFF REPORT  
10/6/2021**

**TO:** Planning Commission Chair and Commissioners  
**FROM:** Gabriel Perez, Development Services Director  
**SUBJECT:** Zoning Ordinance Amendment (ZOA 21-03) amending Sections 17.72.010 and 17.74.050 of Title 17 (ZONING) of the Coachella Municipal Code to regulate time extension requests for Architectural Review and Conditional Use Permits.

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**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission recommend to the City Council approval of the attached draft Zoning Ordinance Amendment (ZOA 21-03) amending Sections 17.72.010 and 17.74.050 of the Coachella Municipal Code to regulate time extensions for Architectural Review and Conditional Use Permits.

**BACKGROUND:**

The Planning Commission previously discussed this permissive Zoning Code provision that allows developers to delay construction activity for several years after a project is approved, only to come in with retroactive time extension requests for Conditional Use Permits (CUP) and Architectural Reviews (AR). On November 7, 2018, the Planning Commission considered Zoning Ordinance 18-01 and recommended to the City Council approval of the ordinance, which would eliminate retroactive extensions for CUPs and ARs. The ordinance also included more stringent regulation of M-H (Heavy Industrial) Zone uses for intensive industrial uses that are currently allowed by right and recommended require a conditional use permit. The ordinance was considered by the City Council on December 12, 2018 on first reading and the Council took no action due to concerns raised in a letter from Imperial Western Products, Inc. (IWP) based on concerns that the changes to the M-H zone would be discriminatory to IWP and that the amendments to retroactive extensions would give the ability of the Planning Director of Planning Commission to add new conditions of approval without a public hearing. Staff prepared a new ordinance (ZOA 21-03) for Planning Commission consideration to eliminate provisions for retroactive extension requests for CUPs and ARs, but not pursue amendments to the M-H zone.

**DISCUSSION/ANALYSIS:**

The City’s Zoning Code allows Architectural Reviews and Conditional Use Permits to be valid for 12 months, unless the owner obtains building permits and pursues construction of the project

diligently. A time extension may be approved by the Planning Commission for up to three 12-month increments if the owner submits a timely request with justification and a filing fee. The Code further states that a project proponent may request a time extension “after the expiration date” of the Architectural Review or Conditional Use Permit if the owner pays “double the fee amount” for the time extension. The Code also allows the Planning Director or the Planning Commission the ability to impose additional conditions with the action to renew the Architectural Review or Conditional Use Permit. The proposed ordinance would eliminate the retroactive extensions for an Architectural Review or Conditional Use Permit.

*Comparison to Surrounding Cities:*

Staff surveyed the Code provisions of nearby cities for the applicability of time extensions to CUPs and Design Review Permits and identified the following:

- **City of La Quinta:** CUPs and Development Review Permits expire after 2 years. Time extensions of up to two years are permitted. Retroactive extensions are not permitted.
- **City of Indio:** CUPs, Design Review and Site Plans expire after 2 years. Time extensions of up to 12 month are permitted. Retroactive extensions are not permitted. The number of time extensions are not limited.
- **City of Palm Desert:** CUPs and Precise Plan expire after 12 months. Time extensions of up to 12 months are permitted. Retroactive extensions are not permitted. The number of time extensions are not limited.
- **City of Coachella:** Architectural Review and CUPs expire after 12 months. Time extensions of up to 12 months are permitted. Retroactive extension are not permitted. The number of time extensions are limited to three, 12-month time extensions.

**GENERAL PLAN CONSISTENCY:**

The Planning Commission’s directives to encourage the timely construction of previously-approved projects is in keeping with the General Plan policies for economic development and jobs creation. As such, expired architectural approvals, and conditional use permits should be extended when there is documented justification, but “after the fact” time extensions for developers that fail to perform in a timely manner will no longer be allowed under the draft ordinance.

**ALTERNATIVES:**

1. Approve Resolution 2021-21 recommending that the City Council adopt the Ordinance amending Sections 17.72.010 and 17.74.050 of Title 17 (ZONING) of the Coachella Municipal Code to regulate time extension requests for Architectural Review and Conditional Use Permits
2. Approve Resolution 2021-21 with modifications.
3. Take no Action.

**RECOMMENDED ALTERNATIVE(S):**

The City of Coachella's permissive policies regarding expired projects, similarly is atypical of most cities which require expired projects to re-apply for a new application and be re-designed in keeping with current city policies.

Attachment:

1. Resolution 2021-21  
Exhibit A – Draft Ordinance Amending Title 17 for Conditional Use Permit and Architectural Review Expirations

**RESOLUTION NO. PC2021-21****A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION RECOMMENDING TO THE COACHELLA CITY COUNCIL APPROVAL OF ZONING ORDINANCE AMENDMENT 21-03, AMENDMENTS TO SECTIONS 17.72.010 AND 17.74.050 OF TITLE 17 (ZONING) OF THE COACHELLA MUNICIPAL CODE TO REGULATE TIME EXTENSION REQUESTS FOR ARCHITECTURAL REVIEW AND CONDITIONAL USE PERMITS.**

**WHEREAS**, the Coachella Zoning Code currently includes post-determination procedures for expired Conditional Use Permit (“CUP”) and Architectural Review (“AR”) reviews by the Planning Commission which procedure can be abused by applicants; and,

**WHEREAS**, the Planning Commission believes that the review of expiring CUP and AR actions merit additional scrutiny and consideration by the Planning Commission in order to impose reasonable land use conditions of approval upon these uses, the Planning Commission finds that this will provide the added scrutiny needed to address the negative impacts posed by these conditional uses; and,

**WHEREAS**, the City Council believes that the review of expiring CUP actions merit additional scrutiny and consideration by the Planning Commission in order to impose reasonable land use conditions of approval upon these uses, the City Council finds that this will provide the added scrutiny needed to address the negative impacts posed by these conditional uses; and,

**WHEREAS**, California Government Code, Section 65800 et seq. authorizes the City of San Coachella (“City”) to adopt and administer zoning laws, ordinances, rules, and regulations as a means of implementing the General Plan; and,

**WHEREAS**, on September 26, 2021, the City gave proper notice of the public hearing for the proposed ordinance by publishing in a newspaper of general circulation notice of a Planning Commission public hearing at which the ordinance would be considered; and,

**WHEREAS**, the Planning Commission conducted a properly noticed public hearing on October 6, 2021 at which members of the public were afforded an opportunity to comment upon this Ordinance, the recommendations of staff and public testimony; and,

**WHEREAS**, after such hearing, the Planning Commission recommended that the City Council approve this Ordinance; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Coachella, California hereby resolve as follows:

**Section 1.** Incorporation of Recitals

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

**Section 2.** CEQA Findings

This Ordinance has been assessed in accordance with the California Environmental Quality Act (CEQA), the State and local CEQA Guidelines, and the environmental regulations of the City. The proposed Ordinance qualifies as being exempt from CEQA pursuant to Section 15060(c)(2) of the CEQA Guidelines (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 15060(c)(3) of the CEQA Guidelines (the activity is not a “project” as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly).

**Section 3.** Zoning Ordinance Amendment Findings

With respect to ZOA 21-03, the Planning Commission finds as follows for the proposed storefront retail microbusiness:

1. The proposed amendments are consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035 as they would encourage timely development of public improvements and health community design related to Architectural Review and Conditional Use Permits as encouraged in Land Use Goal 3 for development patterns and design comprised of complete, walkable, attractive, family-friendly neighborhoods, districts and corridors that support healthy and active lifestyles.
2. The proposed amendments will not adversely affect the public health, safety, and welfare, in that the proposed amendments would encourage timely property development that may include on-site and off-site improvements that benefit the public and promote health community design encouraged in the Coachella General Plan 2035.

**Section 4.** Planning Commission Approval

Based on the foregoing recitals and findings above, and the written and oral comments, facts and evidence presented, the City of Coachella Planning Commission recommends to the City Council approval of Zoning Ordinance Amendment (ZOA 21-03) as set forth in “Exhibit A”

**PASSED APPROVED and ADOPTED** this 6<sup>th</sup> day of October 2021.

\_\_\_\_\_  
Stephanie Virgen, Chairperson  
Coachella Planning Commission

**ATTEST:**

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

**APPROVED AS TO FORM:**

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Carlos Campos  
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC2021-21, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 6<sup>th</sup> day of October 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Yesenia Becerril  
Planning Commission Secretary

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, AMENDING SECTIONS 17.72.010 AND 17.74.050 OF TITLE 17 (ZONING) OF THE COACHELLA MUNICIPAL CODE TO REGULATE TIME EXTENSION REQUESTS FOR ARCHITECTURAL REVIEW AND CONDITIONAL USE PERMITS.**

WHEREAS, the Coachella Zoning Code currently includes post-determination procedures for expired Conditional Use Permit (“CUP”) reviews by the Planning Commission which procedure can be abused by applicants; and

WHEREAS, the City Council believes that the review of expiring CUP actions merit additional scrutiny and consideration by the Planning Commission in order to impose reasonable land use conditions of approval upon these uses, the City Council finds that this will provide the added scrutiny needed to address the negative impacts posed by these conditional uses; and,

WHEREAS, the Planning Commission conducted a properly noticed public hearing on October 6, 2021 at which members of the public were afforded an opportunity to comment upon this Ordinance, the recommendations of staff and public testimony; and,

WHEREAS, after such hearing, the Planning Commission recommended by a \_\_\_\_\_ vote that the City Council approve this Ordinance; 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 public testimony.

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

**SECTION 1.** Subsection J(2) of Section 17.72.050 of Chapter 17.72 of Title 17 of the Coachella Municipal Code is hereby amended to read as follows (deleted text in ~~strikethrough~~; added text in underlined text):

“17.74.050 - Post-determination procedures.

- A. Intent and Purpose. To provide flexibility in the placement and interrelationship of structures and uses subject to architectural review; to provide for the implementation of sound site plan design concepts while maintaining the overall intensity of land use and density of population; to review the site plan of those uses which are not intrinsically objectionable to the predominant use category of the district, but which have inherent characteristics which, if not properly handled, have potentials for becoming detrimental to the health, safety, or general welfare of the public, or to neighboring land uses; to determine whether or not a proposed development will properly comply with the architectural guidelines of the city and the provisions and development standards required by this chapter or as prescribed by the planning director, or other authorized agent; to improve the quality of development and to provide a mechanism whereby the city can insure well-designed development.

.....

J. Expiration of Architectural Approval.

1. Architectural approval shall expire three hundred sixty-five (365) days from approval unless the applicant has: obtained a building permit; paid all applicable fees; commenced construction; and is diligently pursuing completion. A cessation of construction for a period of more than thirty (30) consecutive days shall be presumed to be nondiligent.
2. The architectural review approval that has been granted, but not been exercised within one year, may be renewed for three one year time extensions only if an application stating reasons for renewal is filed with the planning director at least ten (10) days prior to one year after the effective date of the architectural review approval. The original approving authority for the architectural review (planning director or planning commission) shall render a decision regarding an extension. ~~If an applicant requests a time extension after the architectural review approval has expired, a retroactive time extension may be approved; however the application fees are double.~~ In the event that the planning director or planning commission acts to renew or grant a time extension for the architectural approval, the planning director or planning commission may impose any reasonable additional conditions on the architectural approval as a condition of its renewal. In the event that such additional conditions are not acceptable to the applicant and/or owner, the planning director or planning commission shall deny the ~~renewal.~~ time extension request.

**SECTION 3.** Subsection A(2) of Section 17.74.050 of Chapter 17.74 of Title 17 of the Coachella Municipal Code is hereby amended to read as follows (deleted text in ~~strikethrough~~; added text in underlined text):

“17.74.050 - Post-determination procedures.

A. Expiration of Conditional Use.

1. A conditional use shall expire and shall become void one year following the date on which the conditional use became effective, unless prior to the expiration of one year a building permit is issued and construction is commenced and diligently pursued toward completion, or a certificate of occupancy is issued.
2. A conditional use that has been granted, but not been exercised within one year may be renewed for three one-year time extensions only if an application stating reasons for renewal is filed prior to one year after the effective date of the conditional use approval by the planning commission. ~~If an applicant requests a time extension after the conditional use permit approval has expired, a retroactive time extension may be approved; however the application fees are double.~~ In the event that the planning commission acts to renew or approve a time extension for the conditional use permit, the planning commission may impose any reasonable additional conditions on the conditional use permit as a condition of the time extension, provided a modification to the conditional use permit is processed. ~~is renewal.~~ In the event that such additional

conditions are not acceptable to the applicant and/or owner, the planning commission shall deny the ~~renewal~~ time extension request.

**SECTION 4.** Effective Date. This ordinance shall take effect thirty (30) days after its adoption.

**SECTION 5.** 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 each 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 6.** 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.

**SECTION 7.** 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 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.

**ORDINANCE PASSED AND APPROVED** on 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 \_\_\_<sup>th</sup> of \_\_\_\_\_, 2021, and was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Angela M. Zepeda, City Clerk



**STAFF REPORT**  
**10/6/2021**

**TO:** Planning Commission

**FROM:** Gabriel Perez, Development Services Director

**SUBJECT:** CSC Growers LLC Interim Outdoor Cannabis Cultivation  
Conditional Use Permit 344 to allow interim outdoor cannabis cultivation on a 5 acre site located at 86099 Tyler Street. (APN 603-122-001)

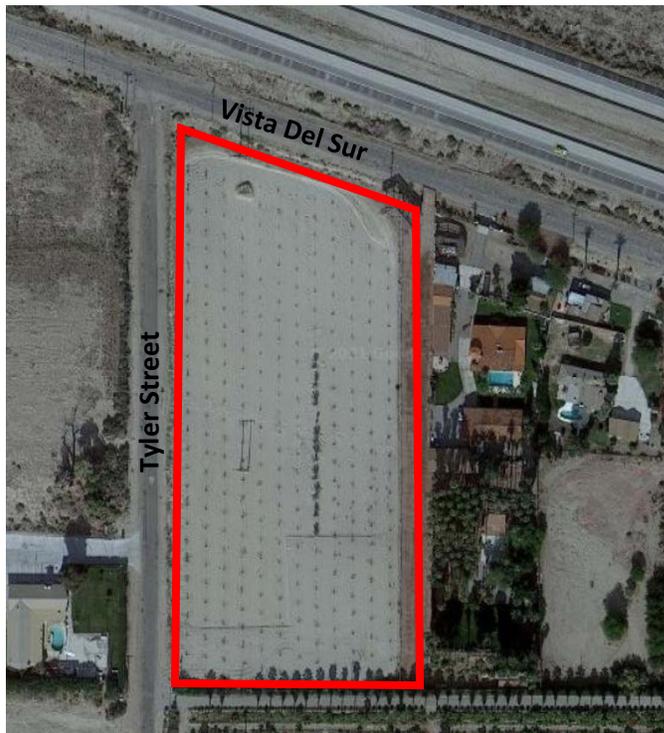
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**EXECUTIVE SUMMARY:**

CSC Growers, LLC requests a Conditional Use Permit (CUP) to allow interim outdoor cannabis cultivation of 24 hoop houses on a vacant 5 acre site located at the southeast corner of Tyler Street and Vista del Sur (86099 Tyler Street).

**BACKGROUND:**

The above referenced application is proposed on a 5 acre vacant parcel, located at the southeast corner of Tyler Street and Vista del Sur. The 2021 aerial photograph below illustrates the subject site was utilized most recently as a palm tree farm.



The photograph below was taken in September 2021 and shows the vacant subject parcel.



## DISCUSSION/ANALYSIS

### **ENVIRONMENTAL SETTING**

The site is a 5 acre vacant parcel zoned C-G (General Commercial). The property is surrounded by an approximately 6 foot tall chain link fence with barbed wire and newly planted vines along the length of the fence. The surrounded land uses and zoning classification include the following:

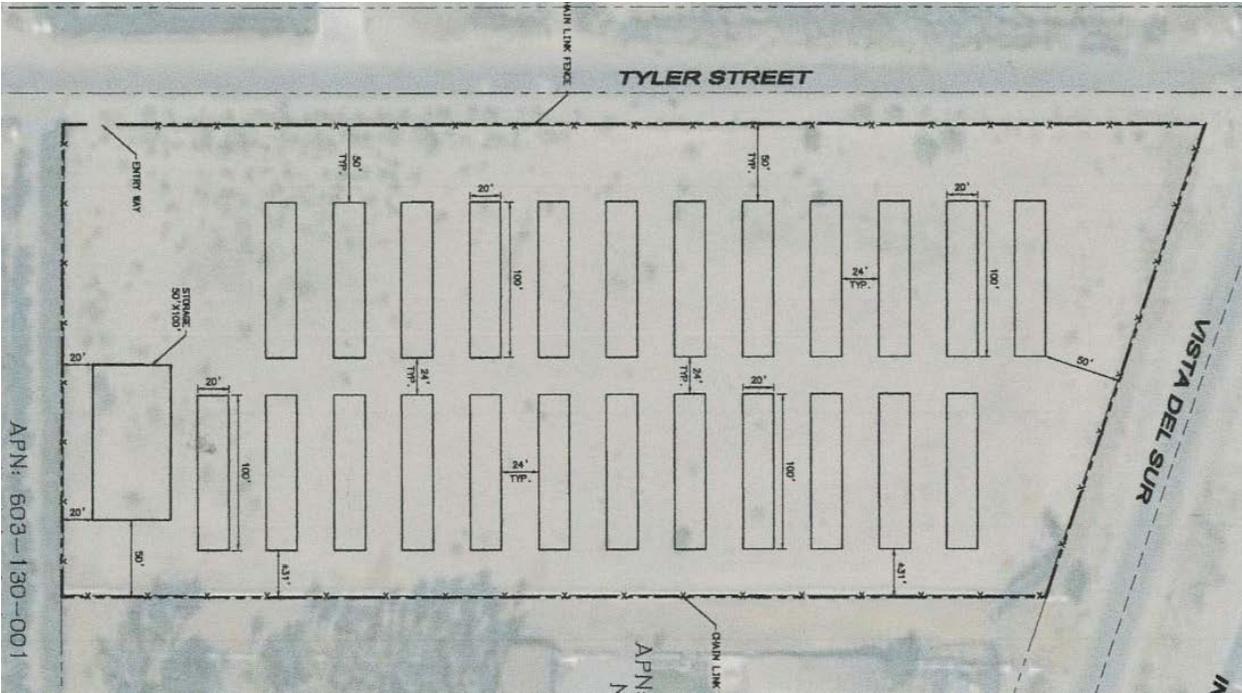
- North:** Vista del Sur and I-10 Freeway
- South:** Palm Tree Farm and Corona Yacht Club/ N-C (Neighborhood Commercial) and R-M (Multi-Family Residential) zones
- East:** Existing Residences/ C-G (General Commercial) Zone
- West:** Vacant Land and Eagles Lodge/ C-G (General Commercial) Zone

### Project Analysis

The CSC Growers, LLC proposes placement of 24 agricultural hoop houses for the interim outdoor cultivation of cannabis located on a 5 acre parcel at the Southeast corner of Tyler Street and Vista Del Sur (86099 Tyler Street). Each hoop house consists of 2,000 sq. ft. of area (20-ft x 100-ft) for a total of 480,000 sq. ft. of hoop house area or 1.1 acres. Each hoop house is spaced with open aisles a minimum of 24 feet in width. The applicant proposed a 50-foot buffer from the hoop house structures to the property line along Tyler Street and Vista del Sur. The applicant is in a permitted

area for interim cannabis cultivation with approval of a Conditional Use Permit and subject to the development standards of the new interim outdoor cannabis cultivation ordinance. The applicant also proposes a 6,000 square foot storage building at a height of 24-ft that was approved through an administrative Architectural Review on February 10, 2021, with project specific conditions of approval. The storage building is setback 20 feet from the southerly property line and has not been constructed to date.

Entry to the site will occur to an existing driveway from Tyler Street. No on-site paving improvements are proposed for the use, which is consistent with surrounding agricultural use conditions and is appropriate for an interim agricultural use that is limited to a term of 48 months pursuant to the Coachella Municipal Code. The on-site existing perimeter fencing is planted approximately every 4 feet with landscape vines to serve as screening of the outdoor grow areas from public streets.



**CONSISTENCY WITH THE GENERAL PLAN**

The proposed project is within the Suburban Retail land use designation of the General Plan 2035 Land Use and Community Character Element. The project does not propose suburban retail related land uses, but would continue agricultural production activities on an interim basis on the subject site subject to a Conditional Use Permit.

**CONSISTENCY WITH ZONING**

The subject site is zoned C-G (General Commercial) zone. The City Council adopted Ordinance 1171 to allow the interim outdoor cannabis cultivation subject to approval of a conditional use permit subject and subject to the development and operational standards. Table 1 provides an

analysis of the project's consistency with the Interim Outdoor Cannabis Cultivation development and operational standards.

**Table 1 – Development/Operational Standards**

	<b>Zoning Ordinance</b>	<b>Proposed</b>	<b>Complies with Code</b>
Location	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 Vista del Sur 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.	C-G Zone	Yes
Lot size	Site is a minimum of one (1) acre in size	5 acres	Yes
Setbacks	Provide a minimum twenty-foot (20 ft.) setback on all sides of the outdoor cannabis grow areas	31-50'	Yes
Screening	Provide perimeter fencing 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.	Landscape vines have been planted along perimeter fencing.	Yes
Distance requirement	1,000 feet of any public or private school (K-12), day care center or youth center	No youth facilities nearby	Yes
Canopy	Maximum canopy size equal to the lesser of 2 acres or the maximum size authorized by the State	Canopy is 1.1 acres	Yes

Operational requirements of Chapter 5.68 *Commercial Cannabis Activity Regulatory Permit* for interim outdoor cannabis cultivation includes a detailed security plan, water management plan, security cameras, licensed security guard and odor control plan.

## **ENVIRONMENTAL IMPACT CONSIDERATION**

City Staff has determined that the proposed project is exempt under the Guidelines to the California Environmental Quality Act (CEQA) because the project entails the operation, maintenance, leasing,

and licensing of an existing private agricultural farming facility involving negligible expansion of use beyond that existing at the time of the lead agency's determination. The subject site has been used for farming operations and has existing irrigation water infrastructure. State CEQA Guidelines Section 15301.

### **CORRESPONDENCE**

Please see attachments for correspondence received on this project.

### **ALTERNATIVES:**

- 1) Adopt Resolution No. PC 2021-22 approving Conditional Use Permit No. 344 with the findings and conditions as recommended by Staff.
- 2) Deny Conditional Use Permit No. 344.
- 3) Continue this item and provide staff and the applicant with direction.

### **RECOMMENDED ALTERNATIVE(S):**

Staff recommends alternative #1.

### **Attachments:**

1. PC Resolution No. 2021-22 for CUP No. 344  
Exhibit A - Conditions of Approval for CUP No. 344
2. Existing Conditions Photos
3. Vicinity Map
4. Site Plan
5. Storage Building Exhibit
6. Correspondence from IID and Riverside County Fire

**RESOLUTION NO. PC 2021-22**

**A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT 344 TO ALLOW INTERIM OUTDOOR CANNABIS CULTIVATION ON A 5 ACRE SITE LOCATED AT 86099 TYLER STREET, COACHELLA, CA 92236 (APN 603-122-001; APPLICANT: CSC GROWERS LLC, NICOLAS MEZA**

**WHEREAS**, Nicolas Meza filed an application for Conditional Use Permit No. 344 (CUP 344) to allow interim outdoor cannabis cultivation of 24 hoop houses on a vacant 5 acre site located at the southeast corner of Tyler Street and Vista del Sur, 86099 Tyler Street; Assessor’s Parcel No. 603-122-001 (“Project”); and,

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on CUP No. 344 on October 6, 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; and,

**WHEREAS**, the Project is permitted pursuant to Chapter 17.74 of the Coachella Municipal Code.

**WHEREAS**, the proposed use 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 interim outdoor cannabis cultivation farm; and,

**WHEREAS**, the Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and recommends that the planning Commission determine that the proposed project is exempt from the CEQA pursuant to State CEQA Guidelines Section 15301. This is recommended because the project entails the operation, maintenance, leasing, and licensing of an existing private agricultural farming facility involving negligible expansion of use beyond that existing at the time of the lead agency’s determination; 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 resolve as follows:

Section 1. Incorporation of Recitals.

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

### Section 2. CEQA Findings.

Based upon its review of the entire record, including the Staff Report, any public comments or testimony presented to the Planning Commission, and the facts outlined below, the Planning Commission hereby finds and determines that the proposed project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301. This is recommended because the project entails the operation, maintenance, leasing, and licensing of an existing private agricultural farming facility involving negligible expansion of use beyond that existing at the time of the lead agency's determination.

### Section 3. Conditional Use Permit Findings

- A. With respect to Conditional Use Permit (CUP) 344, the Planning Commission finds as follows for the proposed interim outdoor cultivation use:
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 use would continue agricultural uses that is consistent with Land Use Policy 4.1 for agricultural land preservation recognizing agricultural land as a major industry for Coachella. The use is a method of preserving land in sizes that are viable economic units for continuing agricultural activities. The proposed use also supports Land Use Policy 11.4 for a diversified economy by transforming the Coachella economy into a mature mix of economic activity and job opportunities. The proposed use expands and diversifies local agricultural activity as it allows for outdoor cannabis cultivation, which has not been a part of the City's agricultural tradition.
  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 proposed agricultural uses which is generally an existing use that occurs in the vicinity. The proposed use complies with Municipal Code standards with respect to size, location, screening, and buffering of outdoor cannabis cultivation. 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 interim outdoor cannabis cultivation use continues agricultural production on a site which farming has occurred and continue to utilize available facilities for agricultural activates. The buffer between perimeter property line and hoop houses of 30'-50' help to screen and reduce the perceived bulk of the hoops houses.

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 outdoor agricultural production and is required to comply with specific operational standards of the Coachella Municipal Code, which include providing a security plan and odor control measures. As such, there will be no hazardous or disturbing effects to the existing and neighboring uses.
5. The proposed use provides unimproved vehicular approaches to the property designed for reasonable minimal interference with traffic on surrounding public streets or roads and appropriate for agricultural activities.
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 Guidelines Section 15301. This is recommended because the project entails the operation, maintenance, leasing, and licensing of an existing private agricultural farming facility involving negligible expansion of use beyond that existing at the time of the lead agency's determination.

Section 4. Planning Commission Approval.

Based on the foregoing recitals and findings above, and the written and oral comments, facts, and evidence presented, the City of Coachella Planning Commission approves Conditional Use Permit (CUP) 344, subject to the Conditions of Approval set forth in Exhibit A.

**PASSED APPROVED and ADOPTED** this 6<sup>th</sup> day of October 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. PC2021-22 was duly adopted by the Planning Commission of the City of Coachella at a regular meeting thereof, held on this 6<sup>th</sup> day of October 2021 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Yesenia Becerril  
Planning Commission Secretary

**CONDITIONS OF APPROVAL FOR CUP 344  
CSC GROWERS, LLC INTERIM CANNABIS CULTIVATION FARM**

**General Conditions**

1. This Conditional Use Permit 344 shall be valid for 12 months from the effective date of the Planning Commission approvals for an interim agricultural use and temporary outdoor cannabis cultivation farm unless the applicant requests an extension of time and granted by the Planning Commission. The outdoor cannabis cultivation at the subject site shall not exceed 48 months from the approval date of Conditional Use Permit 344.
2. All temporary structures shall be removed upon completion of the interim use, and all cannabis cultivation uses shall terminate after the expiration date of 48 months from Conditional Use Permit 344 approval unless a new conditional use permit, or comparable land use entitlement, is obtained from the City of Coachella.
3. 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.
4. The applicant shall comply with the provisions of Chapter 17.85 Commercial Cannabis Activity, including setbacks, fencing materials, and maximum canopy size.
5. The applicant shall comply with operating standards of interim outdoor cultivation in Chapter 5.68 Commercial Cannabis Activity Regulatory Permit including security, water management plan, and odor control provisions.
6. The shall provide a minimum twenty-foot (20 ft.) setback on all sides with an opaque fencing material, subject to review and approval by the Development Services Director, to screen the outdoor grow areas from view to public streets.
7. The applicant shall procure the services of a certified private security guard system to provide security guards on the premises on a 24-hour basis. The security guards shall monitor the public streets in the vicinity during the evenings.
8. Adequate security lighting shall be provided on the premises during evening hours, to allow public safety personnel to patrol the site along all public streets.

9. The applicant or successor in interest shall obtain a plumbing permit from the City of Coachella to connect to City potable water for the temporary cannabis drip irrigation system, and shall pay applicable water connection impact fees.
10. The applicant shall obtain a City Cannabis Regulatory Permit, City business license, and any State of California required approvals for the proposed cannabis cultivation farm.
11. The applicant shall timely file quarterly cannabis tax returns and remit required cannabis tax payments.
12. The applicant shall meet and confer with the Riverside County Fire Marshal's office for review of the proposed interim agricultural and temporary cannabis farming uses.
13. The applicant shall comply with all requirements of Riverside County Fire Department.
14. The applicant shall conduct a site inspection with the City of Coachella Development Services Director, Cannabis Liaison, and Code Enforcement Manager prior to commencement of cultivation activities to ensure compliance with CUP 344 conditions of approval and the Coachella Municipal Code.
15. The applicant shall allow for on-site inspections by the City Manager or designee within 24-hour notification to ensure compliance with the Municipal Code and Conditional Use Permit 344.

**Environmental Compliance:**

16. Verify permit from Water Boards Cannabis Cultivation program.
17. Verify required backflow device is installed.
18. Provide details for wastewater disposal; may need to install an Onsite Wastewater Treatment Systems (OWTS).
19. Submit detailed plumbing and mechanical plans for nutrient dosing;
20. Submit a Pollution Prevention Management Plan for nutrient storage area; SDS sheets required for all chemicals used onsite.

**PRIOR TO APPROVAL OF ENGINEERING PLANS or ISSUANCE OF ENGINEERING PERMITS:**

**GENERAL:**

21. Prepare and record necessary drainage easements to implement the project in accordance with drainage law.
22. Applicant shall obtain approval of site access and circulation from Fire Marshall.

23. The applicant shall pay all necessary plan check, permit and inspection fees. Fees will be determined when plans are submitted to the City Engineering Department for plan check.

**STREET IMPROVEMENTS:**

24. Street improvement plans prepared by a California Registered Civil Engineer shall be submitted for review and approval by the City Engineer. All street improvements including street lights shall be designed and constructed in conformance with City Municipal Code, General Plan, and Standards and Specifications. Street flow line grade shall have a minimum slope of 0.35 %.
25. Applicant shall dedicate the following streets and street improvements to conform to the General Plan and/or requirements of Traffic Study.
- 1) Tyler Street- Public Roadway as shown on the RAC and per these comments shall include the following:
    - a. Dedication of land along northbound lane within project limits is required. This street is classified as Collector with Bicycle lanes with 90 feet of right-of-way as per City of Coachella General Plan.
    - b. Street measured at Center line to Easterly curb shall have a width of 35-foot
    - c. Applicant shall widen street along Meza Interim Outdoor Cannabis Cultivation frontage to the Satisfaction of the City Engineer prior to the issuance of the first COO.
  - 2) Vista Del Sur - Public Roadway as shown on the RAC and per these comments shall include the following:
    - a. 25 feet dedication of land along eastbound lane within project limits is required.
    - b. Street measured at Center line to southerly curb shall have a width of 32-foot
    - c. Applicant shall full reconstruct half of the street from centerline along Meza Interim Outdoor Cannabis Cultivation frontage to the Satisfaction of the City Engineer prior to the issuance of the first COO.
    - d. Street Improvements and R/W dedication shall match property on the west side of Meza Interim Outdoor Cannabis Cultivation project (Parcel Map 28452)

**PRIOR TO RELEASE OF OCCUPANCY PERMITS/ACCEPTANCE OF PUBLIC IMPROVEMENTS:**

26. Prior to issuance of certificate of occupancy, all public improvements, including shall be completed to the satisfaction of the City Engineer. An engineering final inspection is required. "As-built" plans shall be submitted to and approved by the City Engineer. Prior to acceptance of the improvements by the City, such plans, once approved, shall be given to the city on compact disk in AutoCad format. All off-site and on-site improvements shall

be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.

**Existing Conditions Photos 86099 Tyler Street. (APN 603-122-001)**



Figure 1: Looking South from Vista del Sur

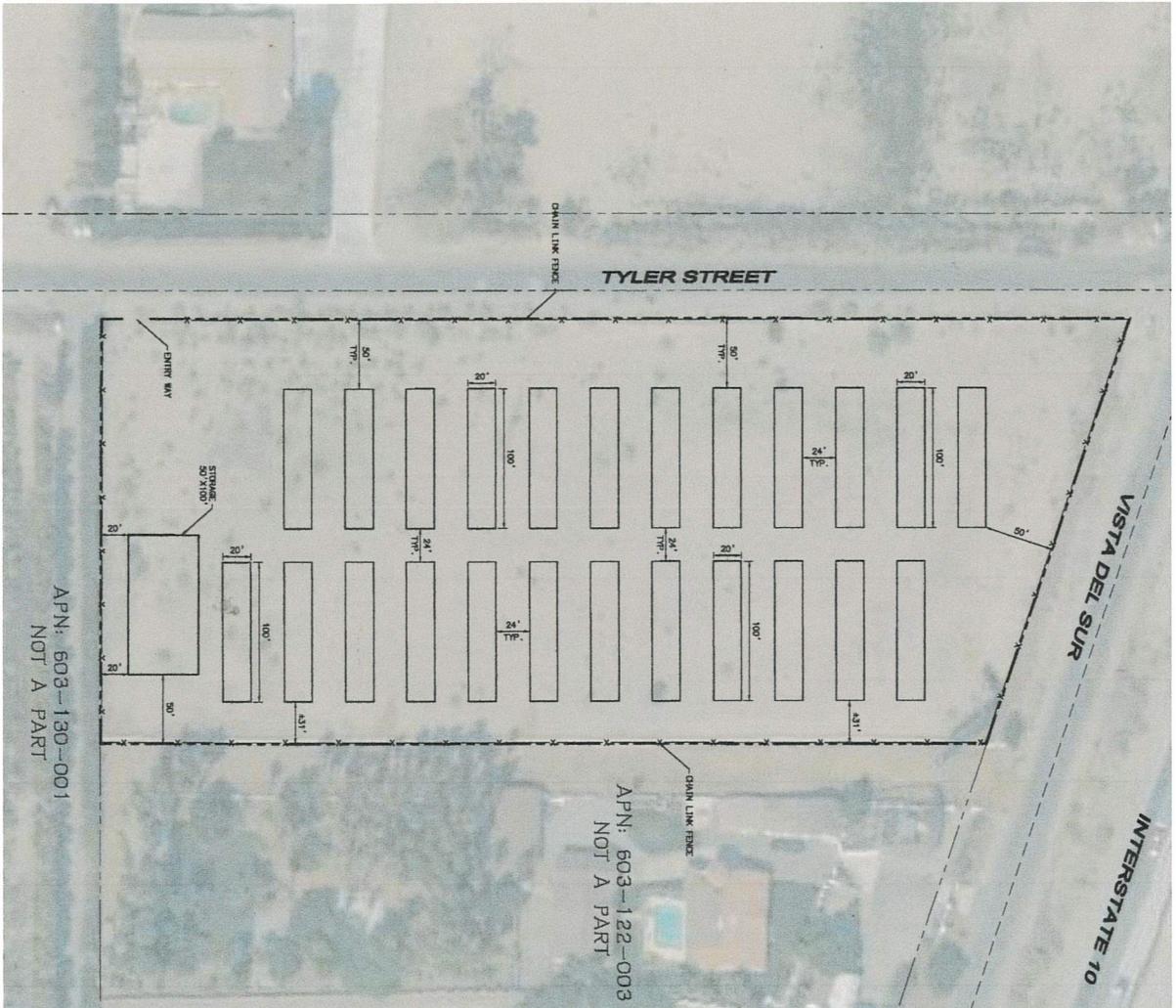


Figure 2: Looking East along Vista del Sur



Figure 3: Looking South Along Tyler Street



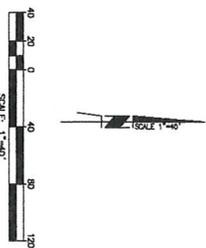


**LEGEND**

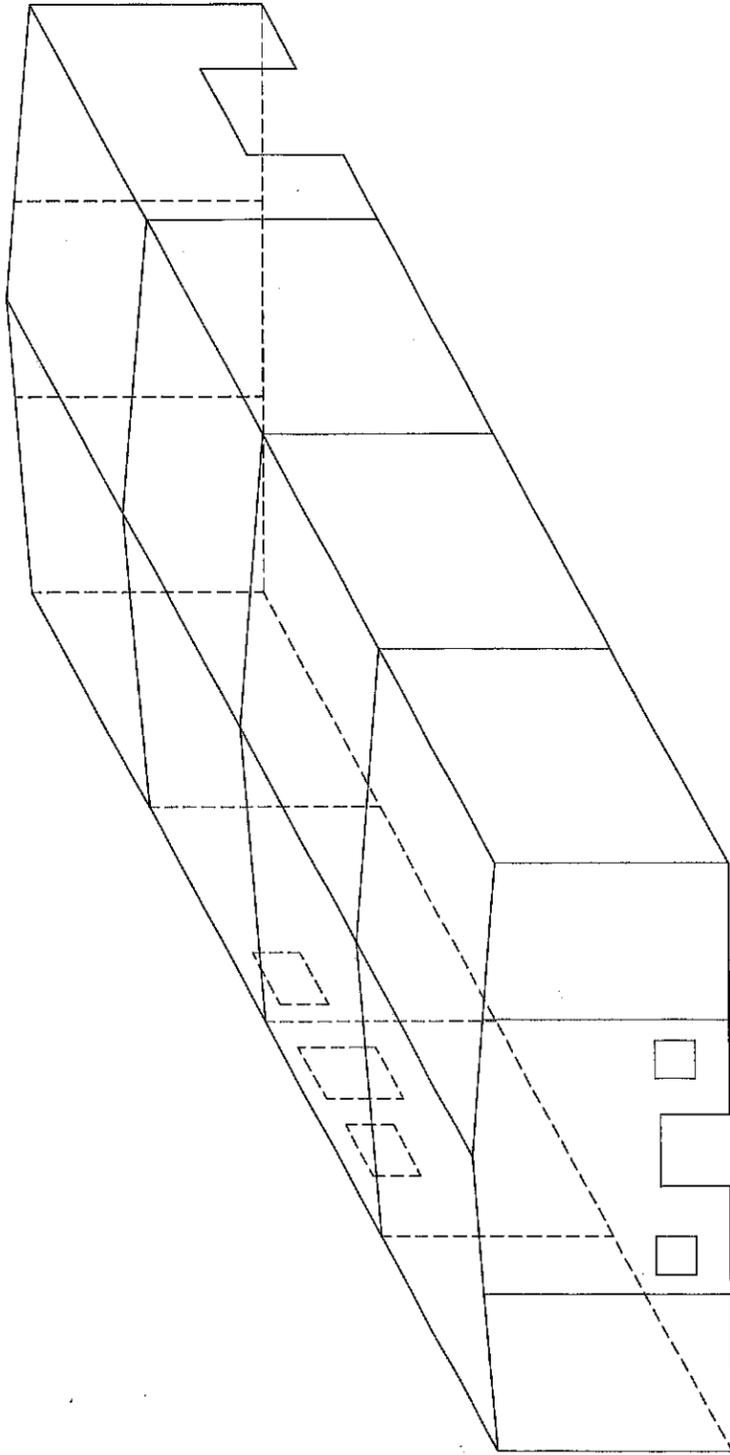
PROPERTY LINE ————  
 CHAIN LINK FENCE - - - - -

**QUANTITIES**

HEEP HOUSES (50' X 100') ..... 24  
 STORAGE (50' X 100') ..... 1



<b>SITE PLAN EXHIBIT</b>	
APN: 603-122-001	
CITY OF COACHELLA	<b>SHEET</b> <b>1</b>
	07/14/2021



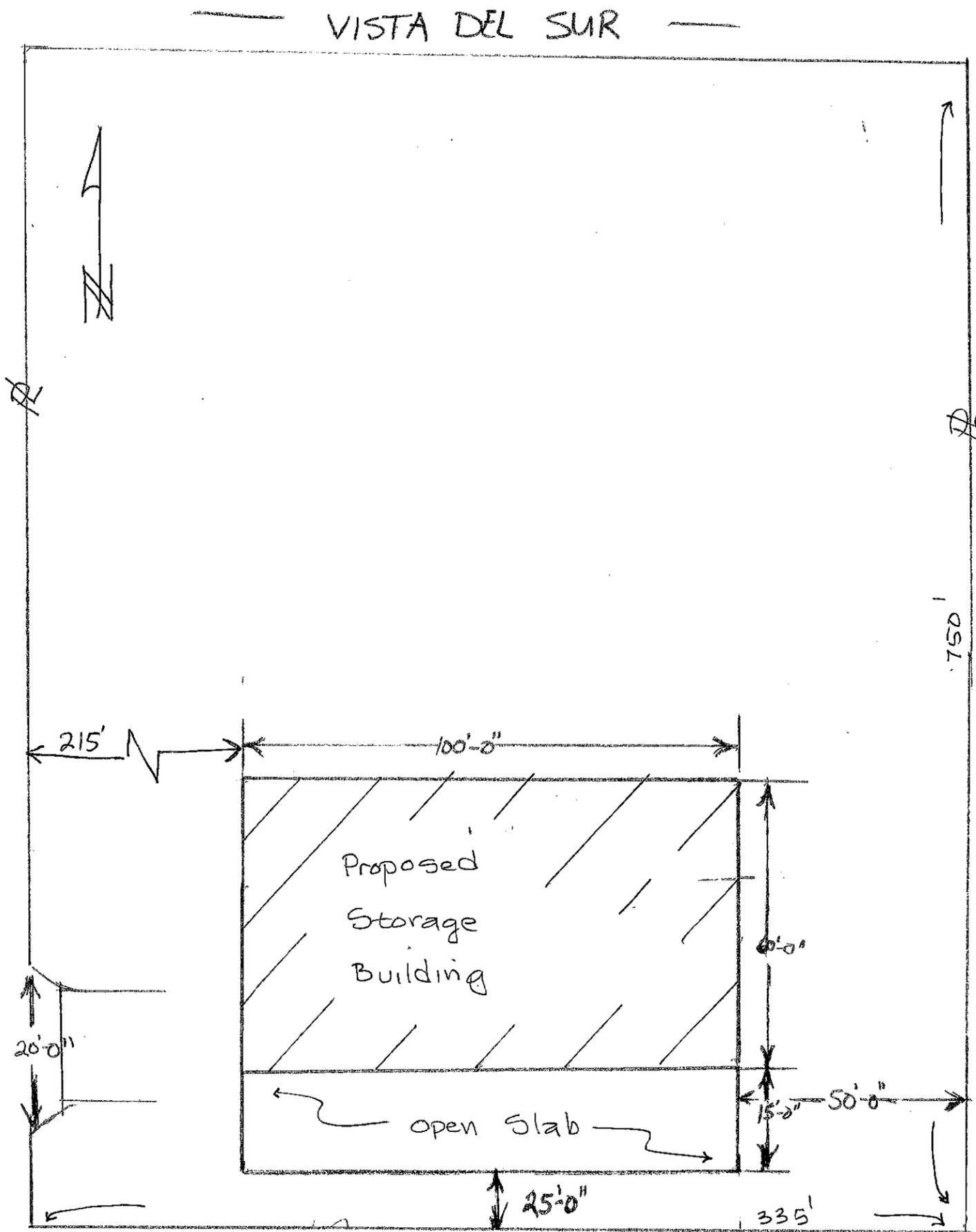
NOT FOR CONSTRUCTION

10/2/20

Building Layout

243101881

TYLER RD



VISTA DEL SUR

SITE PLAN

PROJECT MANAGER:  
 CALACON INC  
 59-800 AVENIDA LACUMBRE  
 MOUNTAIN CENTER CA 92566  
 Scott Meade (760) 275-4995

OWNER:  
 NICOLAS MEZA  
 TYLER # VISTA DEL SUR  
 COACHELLA CA

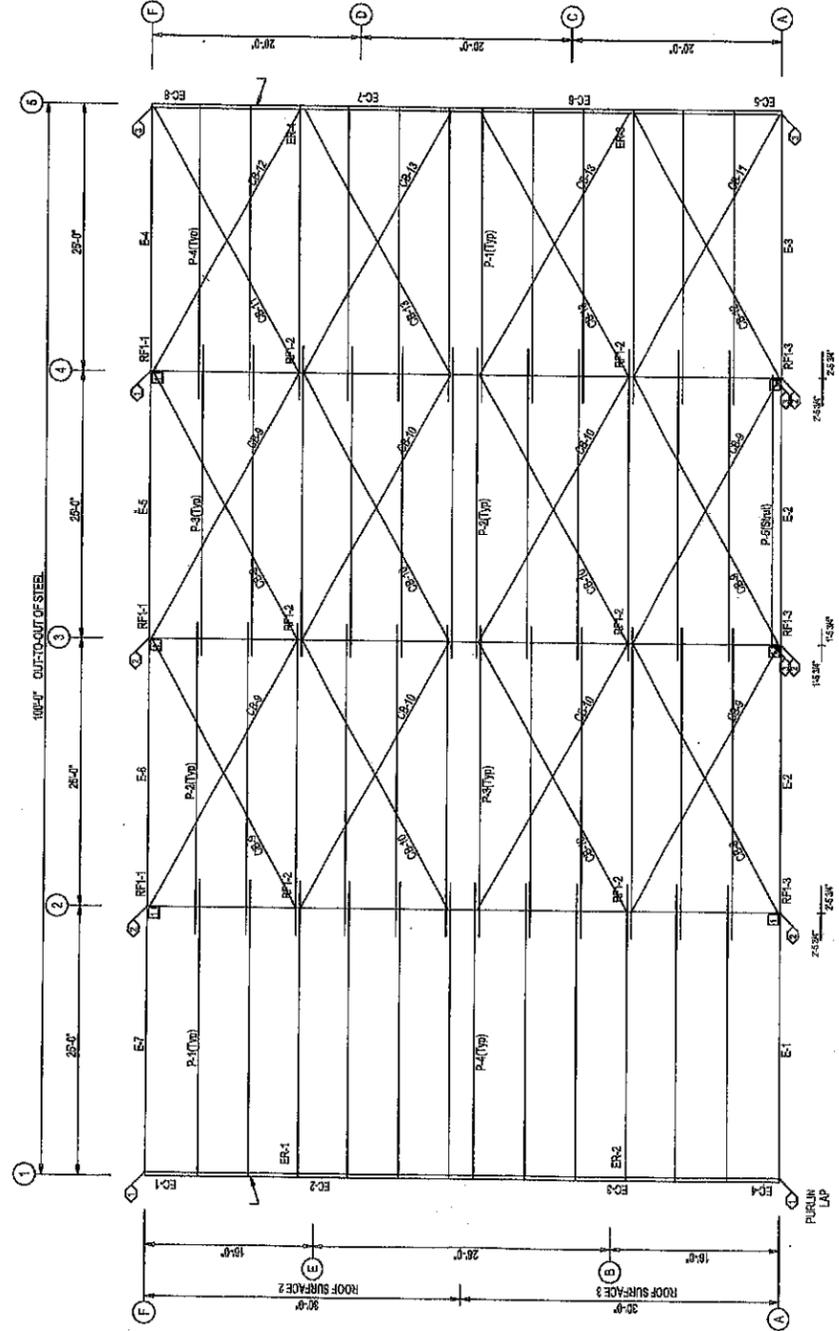
STORAGE BUILDING  
 SITE PLAN  
 BASIC BUILDING  
 - NOT TO SCALE -

A-1

SHEET BOLTS			
QTY	DIAM	LEN	WASH
2	1/2"	1 1/2"	2
2	3/8"	1 1/2"	2

CONNECTION PLATES			
QTY	SIZE	LEN	WASH
1	1/2"	1 1/2"	2



ROOF FRAMING PLAN

NOT FOR CONSTRUCTION

ROOF SHEETING  
PANELS: 28 Gauge PBR  
Cableluma

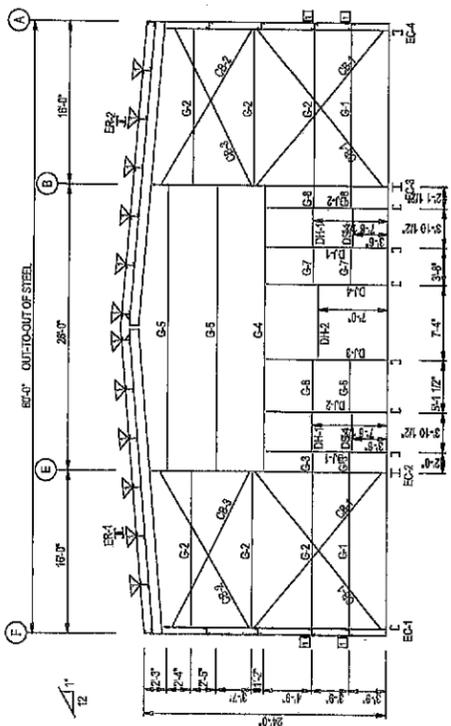
BOLT TABLE			
QTY	TYPE	DIAM	LENGTH
4	A325	1/2"	1 1/2"

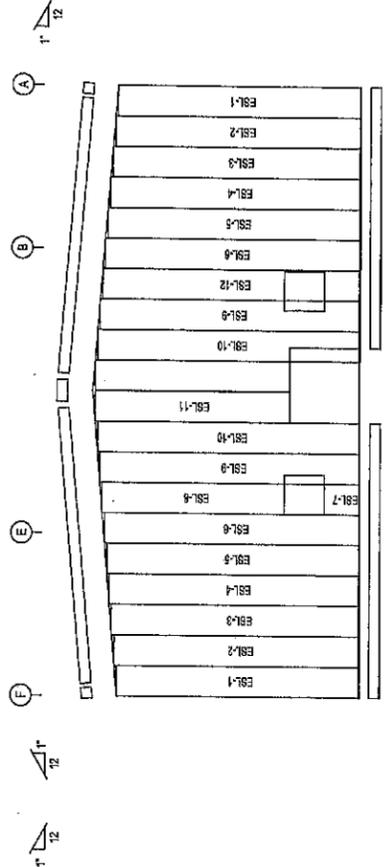
PLATE TABLE			
QTY	TYPE	LENGTH	WIDTH
1	PLATE	1 1/2"	1 1/2"

CONNECTION PLATES			
QTY	TYPE	LENGTH	WIDTH
1	PLATE	1 1/2"	1 1/2"



ENDWALL FRAMING: FRAME LINE 1



ENDWALL SHEETING & TRIM: FRAME LINE 1

PANELS: 28 Gauge PBR - Polar White

NOT FOR CONSTRUCTION

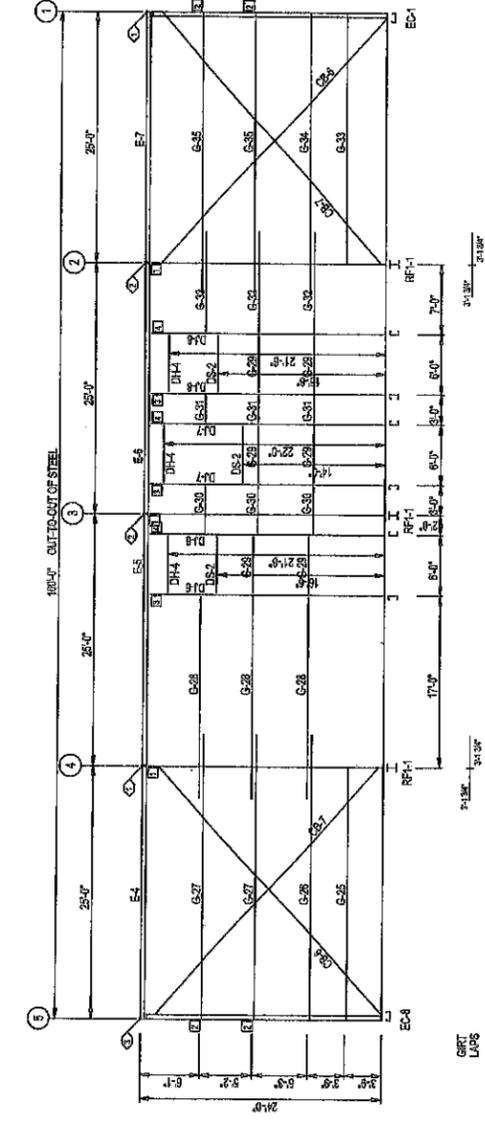
STORAGE BUILDING  
SIDEWALL DETAILS

OWNER:

NICOLAS MEZA  
TYLER & VISTA DEL SUR  
COACHELLA CA

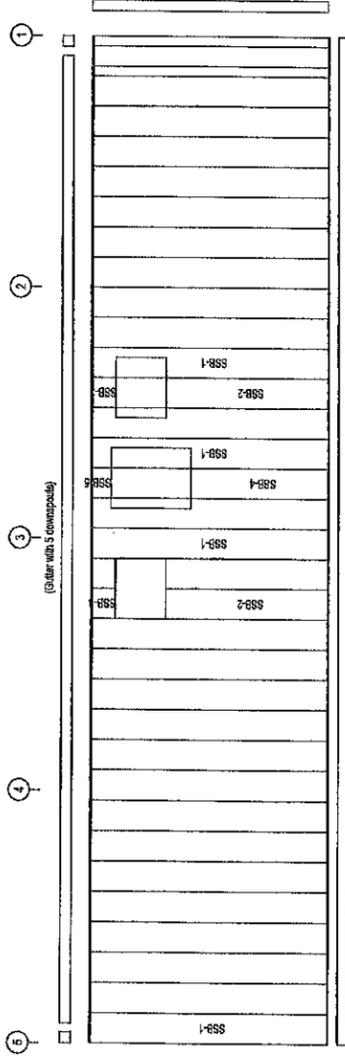
PROJECT MANAGER:  
CALACON INC  
59-800 AVENIDA LACUMBRE  
MOUNTAIN CENTER CA 92561  
Scott Meade (760) 275-4995

A-2

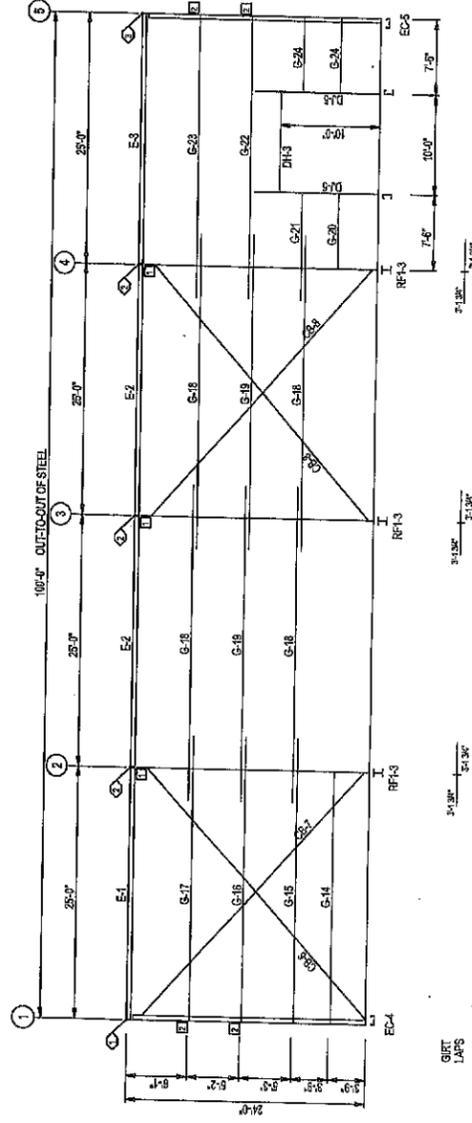


GIRT LAPS

SIDEWALL FRAMING: FRAME LINE F

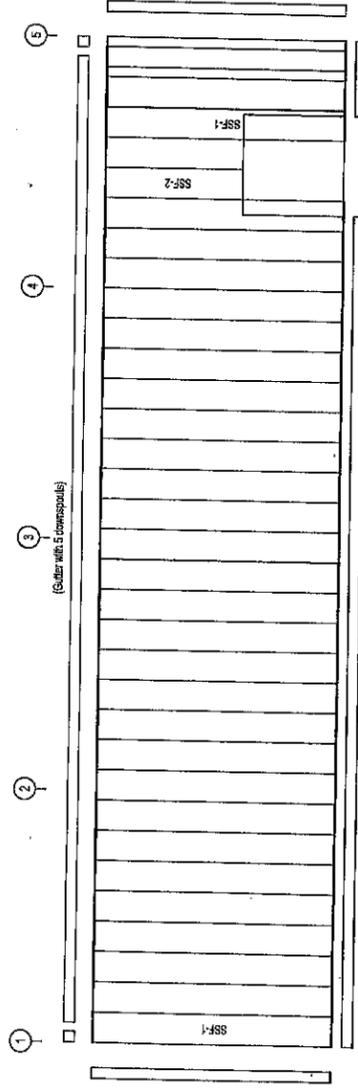


SIDEWALL SHEETING & TRIM: FRAME LINE F  
PANELS: 28 Gauge PBR - Polar White



GIRT LAPS

SIDEWALL FRAMING: FRAME LINE A



SIDEWALL SHEETING & TRIM: FRAME LINE A  
PANELS: 28 Gauge PBR - Polar White

SPECIAL BOLTS	QTY	TYPE	SIZE	LENGTH	WASH
1	4	A325	1/2"	1 1/4"	2
2	4	A325	1/2"	1 1/4"	2

CONNECTION PLATES	QTY	TYPE	SIZE
1	1	SS-10	1 1/2" x 10"
2	1	SS-10	1 1/2" x 10"
3	1	SS-10	1 1/2" x 10"
4	1	SS-10	1 1/2" x 10"

SPECIAL BOLTS	QTY	TYPE	SIZE	LENGTH	WASH
1	4	A325	1/2"	1 1/4"	2
2	4	A325	1/2"	1 1/4"	2

CONNECTION PLATES	QTY	TYPE	SIZE
1	1	SS-10	1 1/2" x 10"
2	1	SS-10	1 1/2" x 10"
3	1	SS-10	1 1/2" x 10"

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

STORAGE BUILDING  
SIDEWALL DETAILS

OWNER:

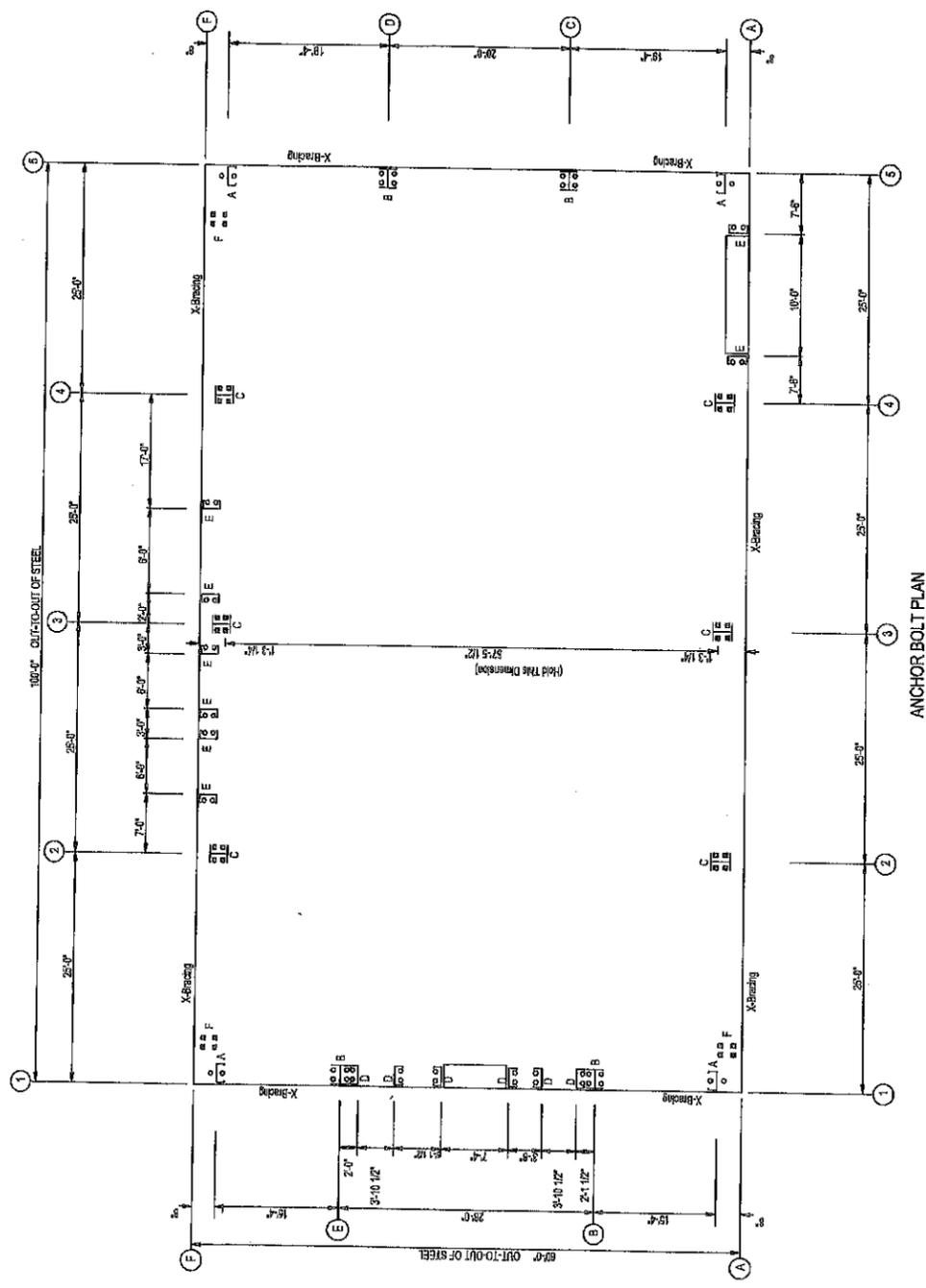
NICOLAS MEZA  
TYLER & VISTA DEL SUR  
COACHELLA CA

PROJECT MANAGER:

CALACON INC  
59-800 AVENIDA LA CUMBRE  
MOUNTAIN CENTER, CA 92561  
Scott Mabe (760) 275-4995

A W

○ 1/4" = 8'-0"  
 □ 1/8" = 3'-0"



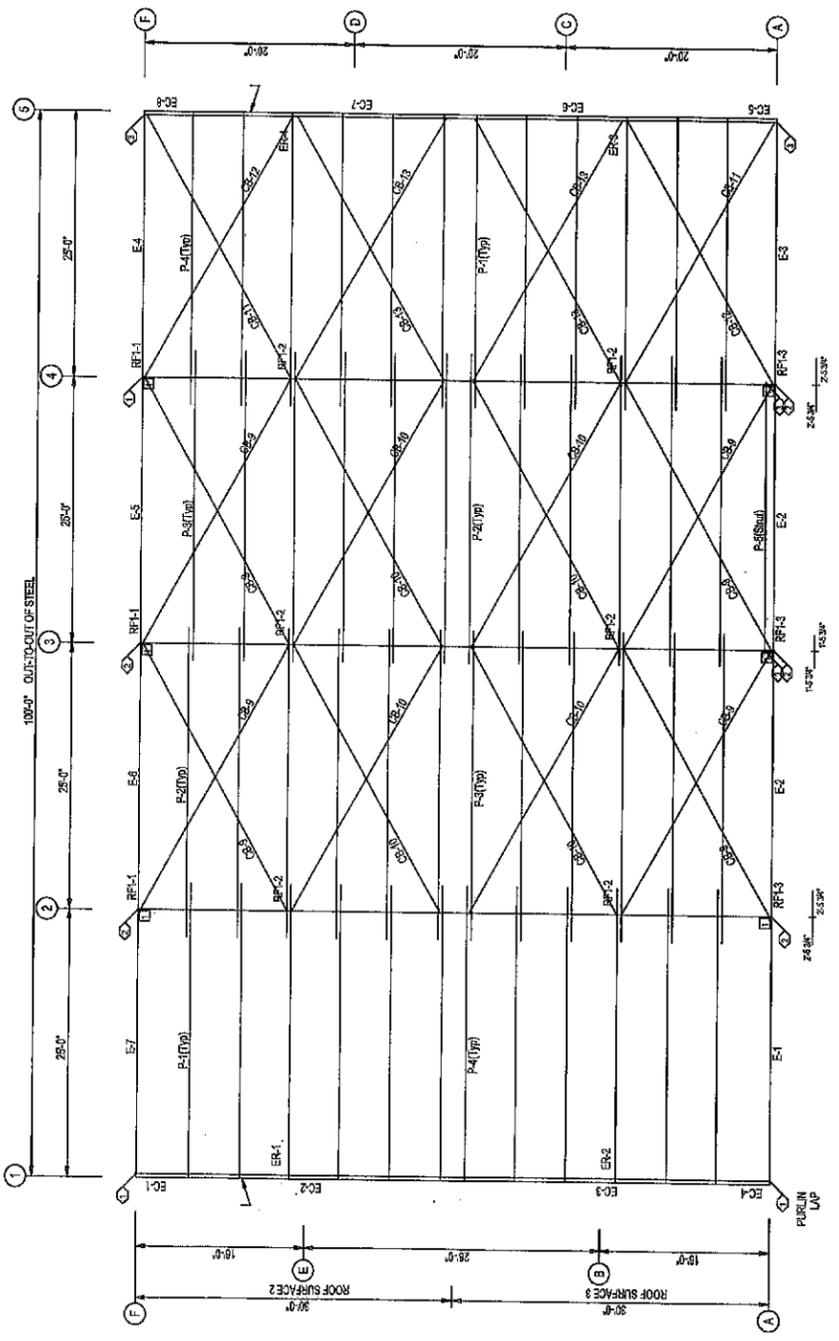
ANCHOR BOLT PLAN

NOT FOR CONSTRUCTION

ROOF STEEL	QTY	TYPE	SIZE	LENGTH	WASH.
ROOF PLAN	4	ANGLE	3" x 3"	1'-0"	2
	4	ANGLE	3" x 3"	1'-0"	2
	4	ANGLE	3" x 3"	1'-0"	2
	4	ANGLE	3" x 3"	1'-0"	2

CONNECTION PLATES	QTY	TYPE	SIZE
ROOF PLAN	1	PLATE	1/2" x 12" x 12"
WALL PART	1	PLATE	1/2" x 12" x 12"



ROOF FRAMING PLAN

NOT FOR CONSTRUCTION

ROOF SHEETING  
 PANELS 26 Gauge  
 GYPSUM

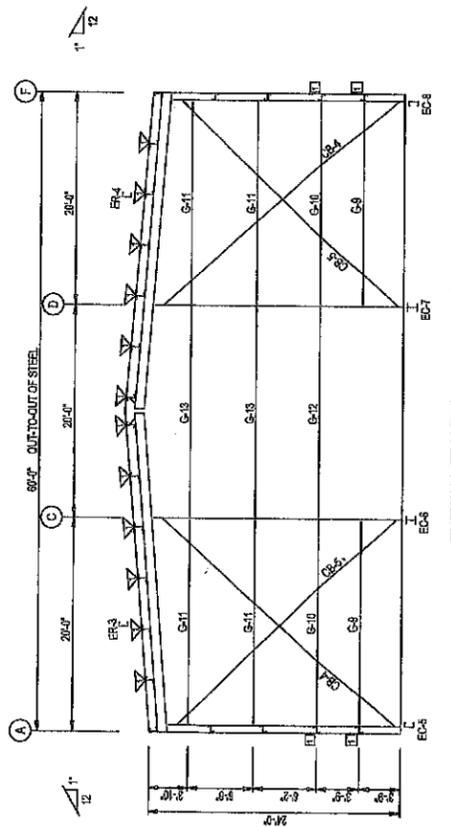
STORAGE BUILDING  
 BOLT & BEAM LAYOUTS

OWNER:  
 NICOLAS MEZA  
 TYLER & VISTA DEL SUR  
 COACHELLA CA

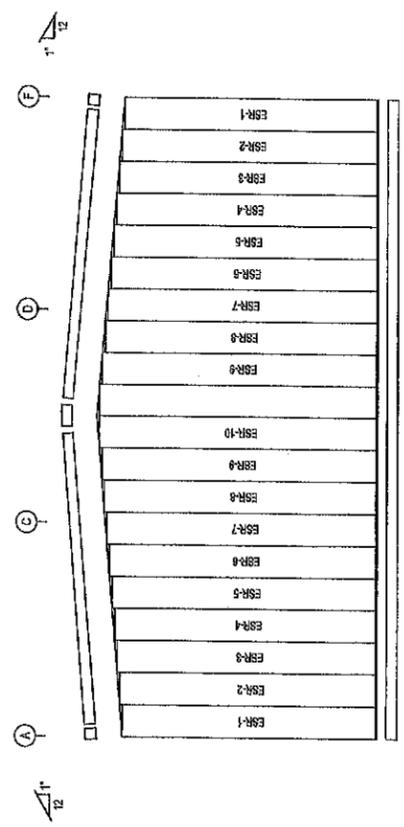
PROJECT MANAGER:  
 CALACON INC  
 59-800 AVENIDA LACUMBRE  
 MOUNTAIN CENTER CA 92561  
 Scott Meade (760) 275-4995

A-4

ITEM	QTY	UNIT	TYPE	SIZE	LENGTH
ESR-1	4	ASB	5"	13'	
ESR-2	4	ASB	5"	13'	
ESR-3	4	ASB	5"	13'	
ESR-4	4	ASB	5"	13'	
ESR-5	4	ASB	5"	13'	
ESR-6	4	ASB	5"	13'	
ESR-7	4	ASB	5"	13'	
ESR-8	4	ASB	5"	13'	
ESR-9	4	ASB	5"	13'	
ESR-10	4	ASB	5"	13'	



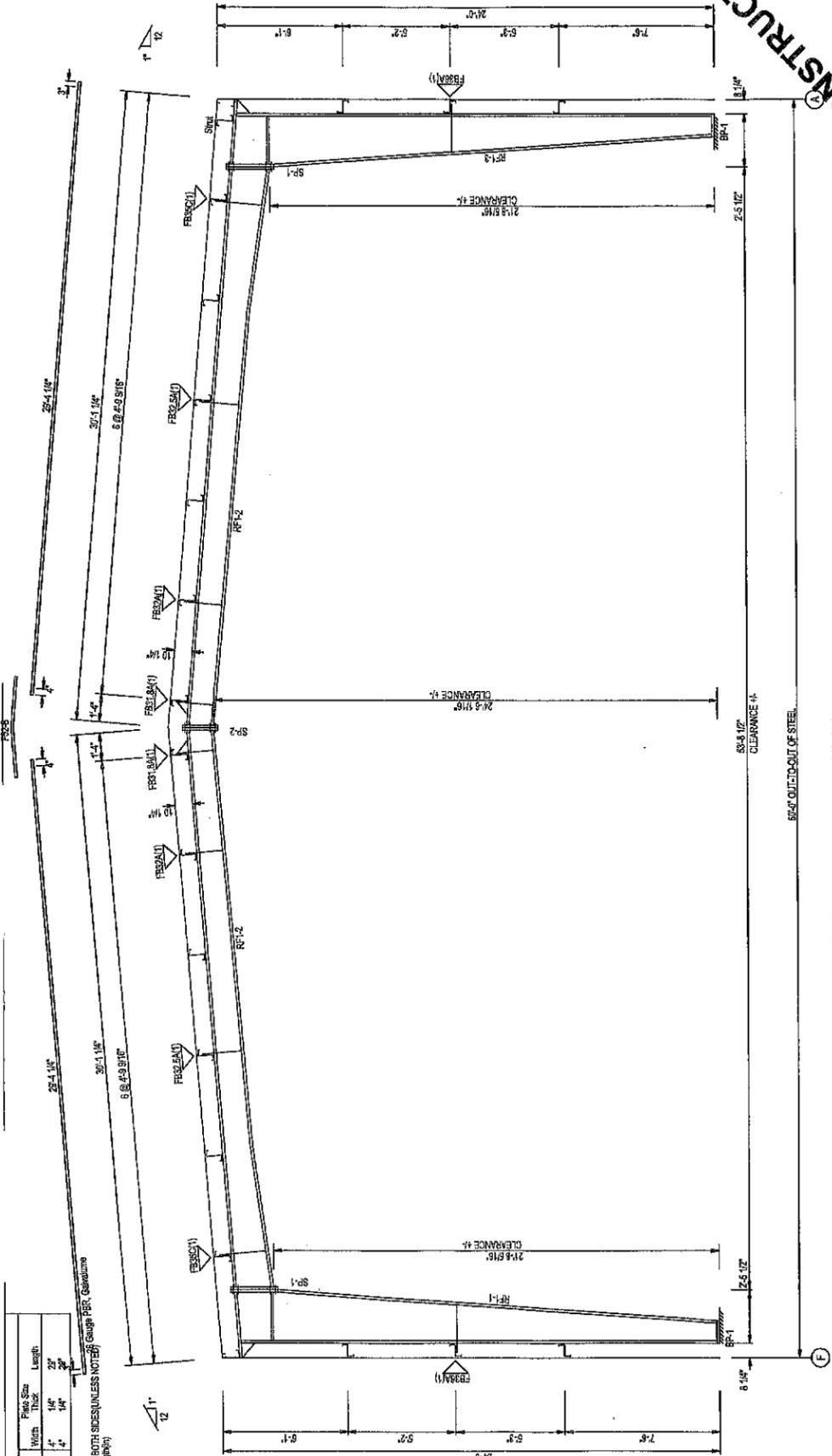
ENDWALL FRAMING: FRAME LINE 5



ENDWALL SHEETING & TRIM: FRAME LINE 5  
PANELS: 36 Gauge PRR - Polar White

NOT FOR CONSTRUCTION

MARK	SIZE	FRAMING	LENGTH
RF-1	4"	1/4"	20'
RF-2	4"	1/4"	20'
RF-3	4"	1/4"	20'



FRAME CROSS SECTION: FRAME LINE 2 3 4

NOT FOR CONSTRUCTION

A-15

STORAGE BUILDING  
END WALL DETAILS

OWNER:  
NICOLAS MEZA  
TYLER & VISTA DEL SUR  
COACHELLA CA

PROJECT MANAGER:  
CALACON INC  
59-800 AVENIDA LACUMBRE  
MOUNTAIN CENTER CA 92561  
Scott Mabe (760) 275-4995