

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 21.1  
(ID # 12382)

**MEETING DATE:**

Tuesday, May 19, 2020

**FROM:** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON THE PLANNING COMMISSION'S DECISION TO RECOMMEND APPROVAL OF CHANGE OF ZONE NO. 1900036, CONDITIONAL USE PERMIT NO. 190009, CHANGE OF ZONE NO. 1900021, DEVELOPMENT AGREEMENT NO. 1900005 and associated ordinances – Intent to Adopt a Negative Declaration – Applicant: Excel Riverside, Inc. – Engineer/Representative: Infrastructure Engineers c/o Charles Minyard - Second Supervisorial District – University Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) – Location: North of Palmer Street, South of Center Street, East of Iowa Avenue, and West of Pacific Avenue – 0.41 Net Acres - Zoning: Existing: Commercial Office (C-O); Proposed: Scenic Highway Commercial (C-P-S) - REQUEST: Ordinance Amendment - Change of Zone No. 1900036 proposes to amend Ordinance No. 348 Section 19.519 to reduce the minimum separation standard between Cannabis Retailers from 1,000 feet to 250 feet. Conditional Use Permit No. 190009 proposes a storefront retail cannabis business and delivery service that includes two parcels with one existing 3,952 square foot commercial building of two suites and accompanying parking lot. The first suite of the existing commercial building is 2,106 square feet and would contain the storefront retail cannabis business. The second suite, consisting of 1,846 square feet, is vacant and would not be permitted for any commercial cannabis activities of any kind.

**ACTION:** Policy



Charissa Leach, Assistant TLMA Director

5/7/2020

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is denied.

Ayes: Jeffries, Spiegel, Washington  
Nays: Perez, Hewitt  
Absent: None  
Date: May 19, 2020  
xc: PLANNING

Kecia R. Harper  
Clerk of the Board

By:   
Deputy

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Change of Zone No. 1900021, proposes to change the existing zoning for the project site from Commercial Office to Scenic Highway Commercial. Development Agreement No. 1900005. The associated development agreement (DA1900005) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA1900005 and CUP190009, and will provide community benefits to the Highgrove Area. District 2. [Applicant Fees 100%]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. **ADOPT** a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. CEQ190069**, based on the findings and conclusions incorporated into the staff report, the initial study, attached hereto, and the conclusion that the project will not have a significant effect on the environment;
2. **ADOPT Ordinance No. 348.4922**, attached hereto and associated with **Change of Zone No. 1900036**, changing the minimum separation distance between Cannabis Retailers from 1000 feet to 250 feet, based on the findings and conclusions incorporated into the staff report;
3. **APPROVE Change of Zone No. 1900021** changing the project site's zoning classification from Commercial Office (C-O) to Scenic Highway Commercial (C-P-S);
4. **ADOPT Ordinance No. 348.4921**, attached hereto, amending the zoning in the University District shown on the Map No. 5.027 Change of Zone No. 1900021;
5. **APPROVE Conditional Use Permit No. 1900009** subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in the staff report; and subject to adoption of Ordinance No. 348.4921, Ordinance No. 348.4922 and Ordinance No. 664.64; and

**INTRODUCE, READ TITLE AND WAIVE FURTHER READING OF, and ADOPT on** successive weeks **ORDINANCE NO. 664.64** an ordinance of the County of Riverside approving Development Agreement No. 1900005, based upon the findings in the staff report.

| <b>FINANCIAL DATA</b>                       | <b>Current Fiscal Year:</b> | <b>Next Fiscal Year:</b> | <b>Total Cost:</b>        | <b>Ongoing Cost</b> |
|---|-----------------------------|--------------------------|---------------------------|---------------------|
| <b>COST</b>                                 | \$ N/A                      | \$ N/A                   | \$ N/A                    | \$ N/A              |
| <b>NET COUNTY COST</b>                      | \$ N/A                      | \$ N/A                   | \$ N/A                    | \$ N/A              |
| <b>SOURCE OF FUNDS: Applicant Fees 100%</b> |                             |                          | <b>Budget Adjustment:</b> | No                  |
|   |                             |                          | <b>For Fiscal Year:</b>   | N/A                 |

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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On October 23, 2018, Agenda Item 19.1, the Board of Supervisors adopted Ordinance No. 348.4898 that established the permitting process and regulations for commercial cannabis activities.

Applicants requesting to establish commercial cannabis retail, microbusiness, and/or cultivation uses were required to submit a request for proposal "RFP" cannabis package. Applicants who ranked highest were allowed to proceed forward with the Conditional Use Permit process. On July 2, 2019, Agenda Item 2.12, the Board of Supervisors accepted the Cannabis RFP response package rankings list, which allowed the highest ranking applicants to begin the land use review process for their proposed project. In the first year of implementation, 50 cannabis cultivation applications and 19 cannabis retail applications are allowed.

The project was assigned RFP Cannabis File No. CAN190080 and subsequently ranked Number Two out of the Nineteen (19) applicants to be recommended to proceed forward with the conditional use permit application process for a cannabis retail store.

**Project Site History:**

The project will occupy approximately 2,106 square feet of an existing commercial retail building (total existing retail building square-footage is 3,952 sqft.). The commercial building was originally built and had repairs completed, due to fire damage, in the late 1960s (BZ147702). A previous entitlement for commercial uses, an auto repair and coin-operated carwash, was approved in the spring of 1981 by Plot Plan No. 5976. A series of various other minor plot plans (i.e. PP17464) and building permits (i.e. BT1040212) have been approved or permitted on the project site over the past 40 years. Expansions related to the commercial buildings, commercial uses, and façade improvement and signage related to the Economic Development Agency "EDA" projects in the area, have been approved within the last 20 years. The property was purchased by the applicant in March 2019 (Grant Deed DOC# 2019-0099473).

**Project Details:**

The business will operate between the hours of 8am to 10pm daily in accordance with the County of Riverside Ordinance No. 348 Section 19.505 (I). In addition, the project will employ a total of 33 employees across three shifts with approximately ten (10) employees on site per shift including security personnel. The parking ratio of: 1 space/200 square feet results in requiring 11 parking spaces would be required for the project. The existing commercial facility provides 20 parking spaces, meeting the requirement for off-street vehicle parking pursuant to Ordinance No. 348 Section 18.12 (A) (2). Electrical vehicle (EV) parking is not needed for this project because EV parking is required for development projects involving at least 25 parking spaces and this project is only required to provide 11.

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The project applicant anticipates to serve 30 customers/day during initial operations and 50 customers/day by the end of the first year.

**Ordinance No. 348 Amendment:**

The project site is located approximately 295 ft. away from another cannabis retailer to the north (CUP190008 – The Artist Tree), which was approved by the Board of Supervisors on December 10, 2019, and their accompanying Development Agreement adoption was on January 28, 2020. In addition to this project, the applicant is also requesting an amendment to Ordinance No. 348 (Land Use) to reduce the 1,000 ft. separation requirement to 250 ft. The Board of Supervisors authorized the establishment of 19 cannabis retailers for the first year's cycle. Through the RFP ranking process, staff recommended that 22 facilities have the opportunity to move forward through the conditional use permit process. Additional facilities beyond the 19 were recommended at that time, as several locations in the Second District, Highgrove area were in conflict with each other due to the 1,000 ft. separation and would ultimately not be allowed. If a reduction in the separation requirements is approved by the Board of Supervisors, the maximum number of retailers that would be allowed for this first cycle would be 22. Furthermore, each retailer is subject to the conditional use permit process, which is a discretionary approval process and is considered by the Board of Supervisors. Individual approvals are not guaranteed.

**General Plan Consistency:**

The project site has a General Plan Foundation Component and Land Use Designation of Community Development: Commercial Retail (CD: CR). The Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of life styles, living and working conditions, and accommodate diverse community settings.

The Commercial Retail General Plan land use designation provides for a variety of general uses such as grocery stores, drug stores, and other retail outlets. The project is consistent with the Community Development General Plan Foundation Component and Commercial Retail Land Use Designation, as it would provide community services and job opportunities within the surrounding community.

**Zoning Consistency:**

The project site is currently zoned Commercial Office (C-O). Pursuant to Ordinance No. 348, Section 19.518, commercial cannabis retailers are not allowed in the C-O zone. In addition to the Conditional Use Permit application, the applicant for this project also submitted a Change of Zone (CZ1900021) request, to change the existing Zoning Classification from Commercial Office (C-O) to Scenic Highway Commercial (C-P-S).

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Cannabis Retailers are allowed in the C-P-S zone, subject to conditional use permit approval. As described in the findings section, this project meets each of the applicable development standards and regulations for the C-P-S Zone, including those set forth in Section 19.519 of Ordinance No. 348, related to design, height, security, setbacks, and parking requirements.

**Airport Land Use Plan Consistency:**

The project site is not located within the Airport Influence Area (AIA) boundary and therefore is not subject to the Airport Land Use Commission (ALUC) review; however Ordinance No. 348.4922 is a countywide change and requires approval by ALUC. At the February 13, 2020, ALUC meeting the project was delegated to the authority of the Director of the Airport Land Use Commission to make a determination. The ALUC Director determined that the ordinance amendment to reduce the minimum distance standard to other Cannabis Retailers from 1,000 feet to 250 feet is consistent with all airport plans.

**Development Agreement:**

The applicant has proposed entering into the attached Development Agreement (DA) with the County for the Project. The DA is consistent with the General Plan and with Board Policy B-9. Additionally, the Advisory Notification Document, Conditions of Approval, and entitlement approvals are incorporated in the exhibits of the DA and will ensure that the Project is developed in a way that would not conflict with the public's health, safety or general welfare. The DA has a term of 10 years (with the option for a 5 year extension subject to mutual approval) and will grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. In exchange, the DA provides certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, which will be used for additional public safety services, infrastructure improvements or community enhancement programs.

Development Agreement No. 1900005 requires the applicant to make the following payments to TLMA:

- 1) An initial deposit-based fee of \$5,000 for annual inspections and the administration of the development agreement program.
- 2) A baseline Public Benefits payment of \$33,696.00, which will be increased 2% per year. The baseline payment amount shall be allocated 45% to the Code Enforcement Department, and the remaining 55% will be transferred to the Executive Office for deposit into the General Fund, to be allocated as part of the annual budget process and generally spent on cannabis regulatory activity performed by the District Attorney's Cannabis Regulation Task Force, the Sheriff's Office, Public Health, County Counsel, and the Agricultural Commissioner's office.

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The percentages above are based on the expected regulatory costs that were used to establish the baseline Public Benefits fee, as approved by the Board on January 29, 2019. The Code Enforcement Department will serve as the main regulatory arm of the County in monitoring that the businesses will comply with their conditions of approval and respond to public concerns.

- 3) An annual Additional Public Benefit payment of \$40,040.00, which will increase 4% per year for the first 5 years and then 5% per year for the remaining term of the development agreement. This payment shall be held by TLMA in an account specifically for the Highgrove area, to be allocated by the Board of Supervisors to projects and services that benefit the community.

Per state law, a development agreement is a legislative act that must be approved by ordinance. Proposed Ordinance No. 664.64, an Ordinance of the County of Riverside Approving Development Agreement No. 1900005, incorporates by reference DA No. 1900005 consistent with Government Code section 65867.5.

Change of Zone No. 1900021, Development Agreement No. 1900005, and Conditional Use Permit No. 190009 were submitted to the County of Riverside on July 2, 2019. The submittal to adopt an amendment to Ordinance No. 348 (CZ1900036) was submitted to the County of Riverside on October 17, 2019.

**Planning Commission Actions:**

On February 19, 2020, the Planning Commission voted 5-0 in favor of recommending approval to the Board of Supervisors. In addition to the actions recommended by the Planning Commission to the Board of Supervisors during the hearing, the Planning Commission also requested that the Board of Supervisors initiate a staff-level review to further analyze cannabis retailer separation requirements. Staff responded that the proposed action and recommendation is to reduce separation requirements from 1,000 ft. to 250 ft. Should the Board of Supervisors initiate staff to conduct additional analysis, staff would review the possibility of further reducing from 250 ft. or a removal of separation requirements altogether.

**Impact on Citizens and Businesses:**

The Projects have no direct impact on citizens or businesses, as these are private projects. All impacts have been studied through CEQA; as detailed in the Planning Commission Staff Report, which is attached hereto and incorporated for reference.

**SUPPLEMENTAL:**

**Additional Fiscal Information:**

All fees are paid by the applicant; there is no General Fund obligation.

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**ATTACHMENTS:**

- A. **PLANNING COMMISSION REPORT OF ACTIONS**
- B. **PLANNING COMMISSION STAFF REPORT**
- C. **ORDINANCE NO. 348.4921**
- D. **ORDINANCE NO. 348.4922**
- E. **DEVELOPMENT AGREEMENT NO. 1900005**
- F. **ORDINANCE NO. 664.64**



Jason Farin, Senior Management Analyst

5/13/2020



Gregory V. Priamos, Director County Counsel

5/7/2020

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ORDINANCE NO. 348.4921

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Section 4.1 of Ordinance No. 348, and University District Zoning Plan Map No. 5, as amended, are further amended by placing in effect in the zone or zones as shown on the map entitled "Change of Official Zoning Plan, University District, Map No. 5.027 Change of Zone Case No. 1900021," which map is made a part of this ordinance.

Section 2. This ordinance shall take effect 30 days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY  
OF RIVERSIDE, STATE OF CALIFORNIA

By: \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

Clerk of the Board

By: \_\_\_\_\_  
Deputy

(SEAL)

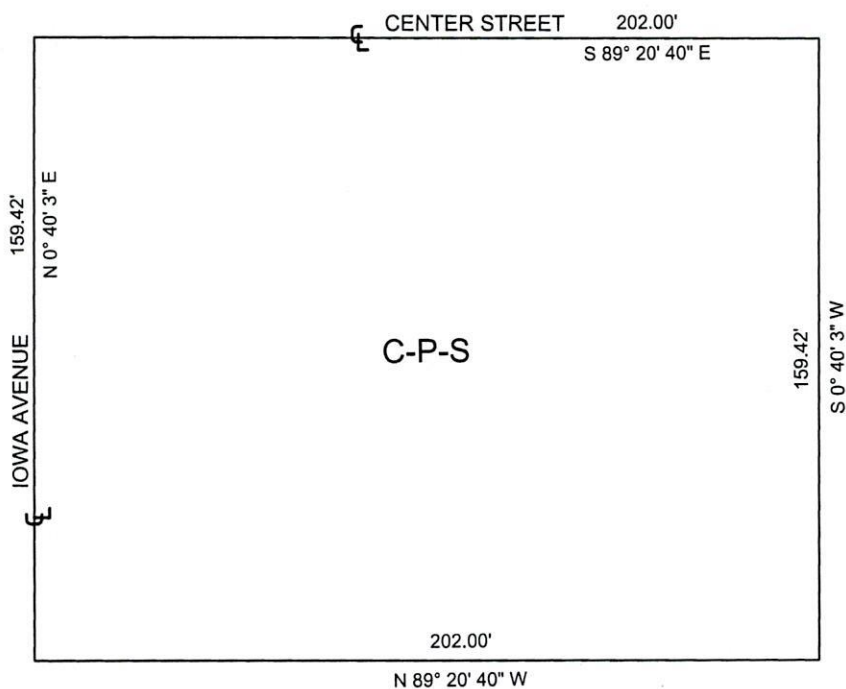
APPROVED AS TO FORM

February 24, 2020

By:  \_\_\_\_\_  
AARON C. GETTIS  
Supervising Deputy County Counsel



SECTION 7, T. 25, S., R. 4 W., S.B.M



**C-P-S** SCENIC HIGHWAY COMMERCIAL

MAP NO. 5.027

CHANGE OF OFFICIAL ZONING PLAN  
UNIVERSITY DISTRICT

CHANGE OF ZONE CASE NO. 1900021  
AMENDING ORDINANCE NO. 348  
ADOPTED BY ORDINANCE NO. 348.4921  
(DATE) \_\_\_\_\_



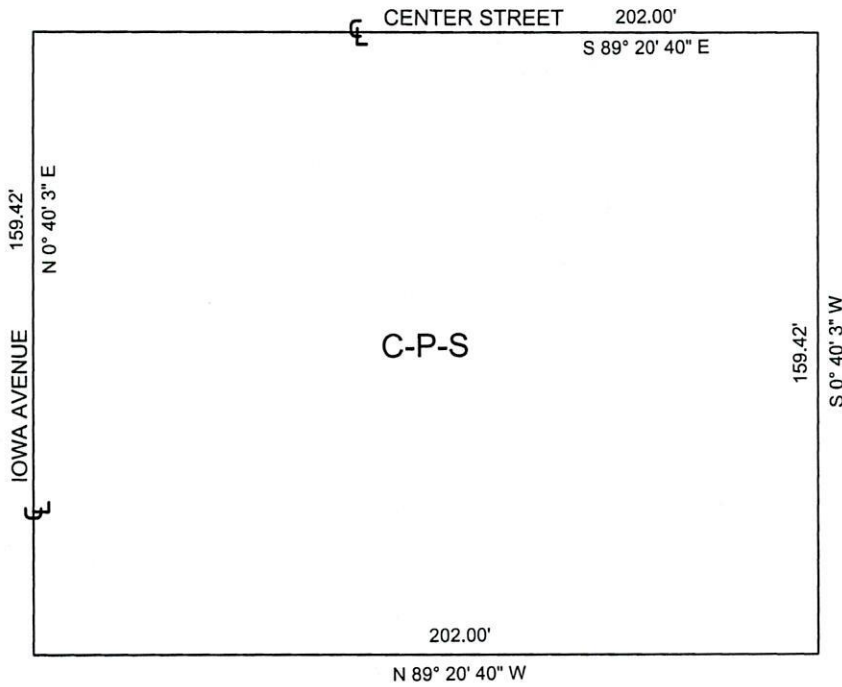
SCALE: 1:40

APN'S: 242-091-059  
247-091-062

RIVERSIDE COUNTY BOARD OF SUPERVISORS



SECTION 7, T. 25, S., R. 4 W., S.B.M



**C-P-S** SCENIC HIGHWAY COMMERCIAL

MAP NO. 5.027

CHANGE OF OFFICIAL ZONING PLAN  
UNIVERSITY DISTRICT

CHANGE OF ZONE CASE NO. 1900021  
AMENDING ORDINANCE NO. 348  
ADOPTED BY ORDINANCE NO. 348.4921  
(DATE) \_\_\_\_\_

APN'S: 242-091-059  
247-091-062

RIVERSIDE COUNTY BOARD OF SUPERVISORS



SCALE: 1:40



1 ORDINANCE NO. 348. 4922

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 348

4 RELATING TO ZONING

5  
6 The Board of Supervisors of the County of Riverside ordains as follows:

7 Section 1. Subsection A.2. of Section 19.519 of Article XIX of Ordinance No. 348 is  
8 amended to read as follows:

9 "A. GENERAL LOCATION.

10 2. Cannabis Retailers shall not be located within 250 feet of any other  
11 Cannabis Retailer."

12 Section 2. This ordinance shall take effect thirty (30) days after its adoption.

13  
14 BOARD OF SUPERVISORS OF THE COUNTY  
15 OF RIVERSIDE, STATE OF CALIFORNIA

16 By: \_\_\_\_\_  
17 Chairman, Board of Supervisors

18 ATTEST:  
19 CLERK OF THE BOARD

20 By: \_\_\_\_\_  
21 Deputy

22 (SEAL)

23 APPROVED AS TO FORM  
24 March 9, 2020

25 By: \_\_\_\_\_  
26 Aaron C. Gettis  
27 Deputy County Counsel  
28

ORDINANCE NO. 664.64

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

APPROVING DEVELOPMENT AGREEMENT NO. 1900005

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Pursuant to Government Code Section 65867.5, Development Agreement No. 1900005, a copy of which is on file with the Clerk of the Board of Supervisors and incorporated herein by reference, is hereby approved.

Section 2. The Chairman of the Board of Supervisors is hereby authorized to execute said Development Agreement on behalf of the County of Riverside within ten (10) days after the Effective Date of this ordinance, provided that all owners listed in Development Agreement No. 1900005 have executed said Development Agreement within thirty (30) days after adoption of this ordinance.

Section 3. Effective Date. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

By: \_\_\_\_\_  
Chairman

ATTEST:  
CLERK OF THE BOARD:

By: \_\_\_\_\_  
Deputy

(SEAL)

APPROVED AS TO FORM  
March 5, 2020

By:   
MICHELLE CLACK  
Chief Deputy County Counsel

Recorded at request of  
Clerk, Board of Supervisors  
County of Riverside

When recorded return to  
Assistant TLMA Director – Planning and Land Use  
4080 Lemon Street, 12th Floor  
Riverside, CA 92501

DEVELOPMENT AGREEMENT NO. 1900005

A DEVELOPMENT AGREEMENT BETWEEN

COUNTY OF RIVERSIDE

AND GREENTECH INVESTMENTS, L.L.C.

AND EXCEL RIVERSIDE, INC.

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DEVELOPMENT AGREEMENT NO. 190005

This Development Agreement (hereinafter "Agreement") is entered into effective on the date it is recorded with the Riverside County Recorder (hereinafter the "Effective Date") by and among the COUNTY OF RIVERSIDE (hereinafter "COUNTY"), and the persons and entities listed below (collectively hereinafter "OWNER"):

Greentech Investments, LLC and Excel Riverside, Inc.

RECITALS

WHEREAS, COUNTY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Article 11, Section 7 of the California Constitution and Section 65864, et seq. of the Government Code; and,

WHEREAS, COUNTY has adopted Procedures and Requirements of the County of Riverside for the Consideration of Development Agreements (hereinafter "Procedures and Requirements"), pursuant to Section 65865 of the Government Code; and,

WHEREAS, OWNER has requested COUNTY to enter into a development agreement and proceedings have been taken in accordance with the Procedures and Requirements of COUNTY; and,

WHEREAS, by electing to enter into this Agreement, COUNTY shall bind future Boards of Supervisors of COUNTY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of COUNTY; and,

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by COUNTY and the Board of Supervisors and have been found to be fair, just and reasonable; and,

WHEREAS, the best interests of the citizens of Riverside County and the public health, safety and welfare will be served by entering into this Agreement; and,

WHEREAS, all of the procedures of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) have been met with respect to the Project and the Agreement; and,

WHEREAS, this Agreement and the Project are consistent with the Riverside County General Plan and any specific plan applicable thereto; and,

WHEREAS, all actions taken and approvals given by COUNTY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and,

WHEREAS, this Agreement will confer substantial private benefits on OWNER by granting vested rights to develop the Property in accordance with the provisions of this Agreement; and,

WHEREAS, OWNER proposes to develop the Property to be used for the Commercial Cannabis Activity described in Exhibit E ("the Development Plan"); and,

WHEREAS, Riverside County Ordinance 348.4898 (hereafter "Ordinance 348.4898") establishes a regulatory permitting process for Commercial Cannabis Activities and prohibits all Commercial Cannabis Activities in all land use zones without the benefit of a land use permit issued by the COUNTY; and,

WHEREAS, Board of Supervisors Policy No. B-9 further sets forth provisions to be included in development agreements in order to implement applicable General Plan provisions, to ensure that the County does not disproportionately bear the burden of commercial cannabis activities throughout the County, to ensure the County receives public benefits for the commercial cannabis activities, to ensure there are adequate resources available for enforcement of permitted and unpermitted commercial cannabis activities, and to give cannabis owners and property owners certainty as to the County's requirements; and,

WHEREAS, this Agreement complies with the provisions of both Ordinance No. 348.4898 and Board Policy B-9; and,

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864, et seq. of the Government Code are intended; and,

WHEREAS, OWNER has incurred and will in the future incur substantial costs in order to assure development of the Property in accordance with this Agreement; and,

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement.

#### COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "Base Rate" means an amount equal to \$16.00 multiplied by the entire Cannabis Area, as shown on Exhibit "G", and which is payable to COUNTY annually pursuant to Subsections 4.2.1 and 4.2.2 of this Agreement and increased annually by 2% from and after the date of this agreement.

1.1.3 "Commercial Cannabis Activity" means the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of Cannabis and cannabis products as provided for in Ordinance No. 348, as amended through Ordinance No. 348.4898, and any other subsequently adopted zoning ordinance amendment or subsequently adopted zoning ordinance.

1.1.4 "Conditional Use Permit" means the land use permit required by COUNTY to conduct Commercial Cannabis Activities, and more specifically Conditional Use Permit No. 190009.

1.1.5 "COUNTY" means the County of Riverside, a political subdivision of the State of California.

1.1.6 "Development" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction or reconstruction of buildings and structures; the tenant improvements of structures, and the installation of landscaping. When authorized by a Subsequent Development Approval as provided by this Agreement, "development" includes the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.7 "Development Approvals" means all permits and other entitlements for use subject to approval or issuance by COUNTY in connection with use of the Property and for development of the Property for Commercial Cannabis Activities including, but not limited to:

- (a) Conditional use permits, and site plans;
- (b) Zoning Amendments;
- (c) General Plan Amendments
- (d) Tentative and final subdivision and parcel maps;
- (e) Grading and building permits;
- (f) Any permits or entitlements necessary from the COUNTY;

- (g) Any easements necessary from COUNTY or any other land owner;
- (h) Specific plans and specific plan amendments;
- (i) Right of Entry agreements

1.1.8 "Development Exaction" means any requirement of the COUNTY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.9 "Development Plan" means the Existing of Proposed Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.10 "Effective Date" means the date this Agreement is recorded with the County Recorder.

1.1.11 "Existing Development Approvals" means all Development Approvals approved or issued prior to the Effective Date. Existing Development Approvals includes the Development Approvals incorporated herein as Exhibit "C" and all other Development Approvals which are a matter of public record on the Effective Date.

1.1.12 "Existing Land Use Regulations" means all Land Use Regulations in effect on the Effective Date. Existing Land Use Regulations includes the Land Use Regulations incorporated herein as Exhibit "D" and all other Land Use Regulations which are a matter of public record on the Effective Date.

1.1.13 "Land Use Regulations" means all ordinances, resolutions, codes, rules, regulations and official policies of COUNTY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings and structures, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the property. "Land Use Regulations" does not include any COUNTY ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) The conduct of businesses, professions, and occupations;
- (b) Taxes and assessments;
- (c) The control and abatement of nuisances;
- (d) The granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property;
- (e) The exercise of the power of eminent domain.

1.1.14 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.15 "OWNER" means the owner of the PROPERTY and the persons and entities listed as OWNER on the first page of this Agreement. OWNER shall also include any of the following:

1. A person with an aggregate ownership interest of 20 percent or more in the Commercial Cannabis Activity for which a license or permit is being sought, unless the interest is solely a security, lien, or encumbrance.
2. The chief executive officer of a nonprofit or other entity for the Commercial Cannabis Activity.
3. A member of the board of directors of a nonprofit for the Commercial Cannabis Activity.
4. An individual who will be participating in the direction, control, or management of the person applying for a Commercial Cannabis Activity Conditional Use Permit or State license."

1.1.16 "Project" means the development of the Property contemplated by the Development Plan as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.17 "Property" means the real property described on Exhibit "A" and shown on Exhibit "B" to this Agreement.

1.1.18 "Reservations of Authority" means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to COUNTY under Section 3.5 of this Agreement.

1.1.19 "Subsequent Development Approvals" means all Development Approvals approved subsequent to the Effective Date in connection with development of the Property.

1.1.20 "Subsequent Land Use Regulations" means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.21 "Transfer" means sale, assignment, lease, sublease or any other transfer of a legal or equitable interest in the Property.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

- Exhibit "A" - Legal Description of the Property
- Exhibit "B" - Map Showing Property and Its Location
- Exhibit "C" - Existing Development Approvals
- Exhibit "D" - Existing Land Use Regulations
- Exhibit "E" - Commercial Cannabis Activity Site Plan & Description
- Exhibit "F" - Applicable Annual Public Benefits Base Payments
- Exhibit "G" - Commercial Cannabis Area calculation exhibit.



Exhibit "H" - Additional Public Benefits Exhibit

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in accordance with the terms of this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of a legal or equitable interest in the Property or a portion thereof.

2.3 Term. This Agreement shall commence on the Effective Date and shall continue for a period of ten years thereafter, unless this term is modified or extended for one additional five year term pursuant to the provisions of this Agreement and so long as the Project is in compliance with all applicable conditions of approval and County ordinances.

2.4 Transfer.

2.4.1 Right to Transfer. OWNER shall have the right to transfer the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq., or Riverside County Ordinance No. 460) to any person, partnership, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such transfer shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following conditions precedent:

(a) No transfer of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.

(b) Concurrent with any such transfer or within fifteen (15) business days thereafter, OWNER shall notify COUNTY, in writing, of such transfer and shall provide COUNTY with an executed agreement by the transferee, in a form reasonably acceptable to COUNTY, providing therein that the transferee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement.

Any transfer not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any transferee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such transferee, but the benefits of this Agreement shall not inure to such transferee until and unless such agreement is executed.

2.4.2 Release of Transferring Owner. Notwithstanding any transfer, a transferring OWNER shall continue to be obligated under this Agreement unless such transferring OWNER is given a release in writing by COUNTY, which release shall be provided by COUNTY upon the full satisfaction by such transferring OWNER of the

following conditions:

- (a) OWNER no longer has a legal or equitable interest in all or any part of the Property.
- (b) OWNER is not then in default under this Agreement.
- (c) OWNER has provided COUNTY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.
- (d) The transferee provides COUNTY with security equivalent to any security previously provided by OWNER to secure performance of its obligations hereunder.

2.4.3 Subsequent Transfer. Any subsequent transfer after an initial transfer shall be made only in accordance with and subject to the terms and conditions of this Section.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled in whole or in part only by written consent of all parties in the manner provided for in Government Code Section 65868. This provision shall not limit any remedy of COUNTY or OWNER as provided by this Agreement.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

- (a) Expiration of the stated term of this Agreement as set forth in Section 2.3.
- (b) Entry of a final judgment by a court of competent jurisdiction setting aside, voiding or annulling the adoption of the ordinance approving this Agreement. For purposes of clarity this termination section excludes entry of a final judgment by a court of competent jurisdiction setting aside, voiding or annulling the adoption of Board of Supervisors' Policy No. B-9.
- (c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.
- (d) OWNER's election to terminate this Agreement. If OWNER elects not to develop all or a portion of the Property as a Commercial Cannabis Activity, OWNER shall provide notice of such election to the COUNTY, such notice by OWNER shall (i) seek to terminate this Agreement as to the portion of the Property that is the subject of such notice of termination; and (ii) shall acknowledge that the Conditional Use Permit (CUP No. 1900005) shall be null and void as to the Property that is the subject of such notice of termination. Following receipt of OWNER's notice of election to terminate this Agreement, OWNER and COUNTY shall execute an appropriate instrument in recordable form evidencing such

termination, and shall cause such instrument to be an amendment to this Agreement to be processed in accordance with COUNTY's "Procedures and Requirements for the Consideration of Development Agreements (Commercial Cannabis Activities)" set forth in Resolution No. 2019-037.

(e) When OWNER no longer has a legal or equitable interest in the Property or has ceased operations on the Property for a period of thirty (30) consecutive days.

(f) Federal Enforcement of the Federal Controlled Substances Act against OWNER or the COUNTY. The parties understand that cannabis is still classified as a Schedule I Drug under the Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq. In the event there is federal enforcement of the Federal Controlled Substances Act against the COUNTY for the COUNTY's enactment of a comprehensive, regulatory framework for commercial cannabis activities or against OWNER for OWNER's own commercial cannabis activities, this Agreement shall be deemed terminated and of no further effect.

(g) Revocation of a Commercial Cannabis Activity Conditional Use Permit or State License.

Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement.

## 2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either:  
(i) when delivered in person to the recipient named below; (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below; (iii) on the next business day when delivered by overnight United States mail or courier service; or (iv) on the date of delivery shown in the facsimile records of the party sending the facsimile after transmission by facsimile to the recipient named below. All notices shall be addressed as follows:

If to COUNTY:

Clerk of the Board of Supervisors  
Riverside County Administrative Center

4080 Lemon Street, First Floor  
Riverside, CA 92502  
Fax No. (951) 955-1071

with copies to:

County Executive Officer  
Riverside County Administrative Center  
4080 Lemon Street, 4th Floor  
Riverside, CA 92501  
Fax No. (951) 955-1105

and

Assistant TLMA Director — Planning and Land Use  
Transportation and Land Management Agency  
Riverside County Administrative Center,  
4080 Lemon Street, 12th Floor  
Riverside, CA 92501  
Fax No. (951) 955-1817

and

County Counsel  
County of Riverside  
3960 Orange Street, Suite 500  
Riverside, CA 92501  
Fax No. (951) 955-6363

If to OWNER:  
Property Owner  
Mr. Chandresh Ravaliya  
Greentech Investments, Inc.  
987 Foothill Blvd.  
Claremont, CA 91711

Operator  
Mr. Chandresh Ravaliya  
Excel Riverside, Inc.  
2640 Camino Del Sol  
Fullerton, CA 92833

With a copy to:  
Lesla Slaughter, Esq.  
Slaughter Law Group  
4881 Topanga Canyon Blvd., Suite 238

Woodland Hills, CA 91364  
Fax No. 866-941-5622

(c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by any such change.

### 3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Existing Development Approvals shall not expire and shall remain valid for the Term of this Agreement so long as the Project remains in compliance with all conditions of approval for the Existing Development Approvals and in compliance with this Agreement. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings and structures, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings and structures, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, COUNTY shall exercise its discretion in accordance with the Development Plan, and as provided by this Agreement including, but not limited to, the Reservations of Authority. COUNTY shall accept for processing, review and action all applications for Subsequent Development Approvals, and such applications shall be processed in the normal manner for processing such matters.

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Cal.3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

3.4 Changes and Amendments. The parties acknowledge that refinement and further

development of the Project will require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Development Approvals. In the event OWNER finds that a change in the Existing Development Approvals is necessary or appropriate, OWNER shall apply for a Subsequent Development Approval to effectuate such change and COUNTY shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. If approved, any such change in the Existing Development Approvals shall be incorporated herein as an addendum to Exhibit "C", and may be further changed from time to time as provided in this Section. Unless otherwise required by law, as determined in COUNTY's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

- (a) Alter the permitted uses of the Property as a whole; or,
- (b) Increase the density or intensity of use of the Property as a whole;

or,

- (c) Increase the maximum height and size of permitted buildings or structures;

or,

- (d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or,

- (e) Constitute a project requiring a subsequent or supplemental environmental impact report pursuant to Section 21166 of the Public Resources Code.

### 3.5 Reservations of Authority.

3.5.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the following Subsequent Land Use Regulations shall apply to the development of the Property.

- (a) Processing fees and charges of every kind and nature imposed by COUNTY to cover the estimated actual costs to COUNTY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

- (b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

- (c) Regulations governing construction standards and specifications including, without limitation, the Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and Grading Code applicable in the County.

(d) Regulations imposing Development Exactions. Development Exactions shall be applicable to development of the Property if such Development Exaction is applied uniformly to development, either throughout the COUNTY or within a defined area of benefit which includes the Property. No such subsequently adopted Development Exaction shall apply if its application to the Property would physically prevent development of the Property for the uses and to the density or intensity of development set forth in the Development Plan.

(e) Regulations which may be in conflict with the Development Plan but which are reasonably necessary to protect the public health and safety. To the extent possible, any such regulations shall be applied and construed so as to provide OWNER with the rights and assurances provided under this Agreement.

(f) Regulations which are not in conflict with the Development Plan. Any regulation, whether adopted by initiative or otherwise, limiting the rate or timing of development of the Property shall be deemed to conflict with the Development Plan and shall therefore not be applicable to the development of the Property.

(g) Regulations which are in conflict with the Development Plan provided OWNER has given written consent to the application of such regulations to development of the Property.

3.5.2 Subsequent Development Approvals. This Agreement shall not prevent COUNTY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations which do not conflict with the Development Plan, nor shall this Agreement prevent COUNTY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan.

3.5.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement or require changes in plans, maps or permits approved by the COUNTY, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

3.5.4 Intent. The parties acknowledge and agree that COUNTY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to COUNTY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to COUNTY all such power and authority which cannot be restricted by contract.

3.5.5. Application of State and Local Regulatory Laws Governing Commercial Cannabis Activities. The operation of Commercial Cannabis Activities is a highly regulated business activity, and it is subject to various state and local laws and regulations. This Agreement does not, and the County cannot and does not intend to, give OWNER the right to continue its operations without complying with applicable state and local laws governing its operations. OWNER shall be responsible for obtaining, and maintaining throughout the entire term of this Agreement, all applicable state licenses, permits, approvals, and consents, even if the applicable state laws and regulations are altered following the Effective Date.

3.6. Public Works. If OWNER is required by this Agreement to construct any public works facilities which will be dedicated to COUNTY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to COUNTY or such other public agency if it would have undertaken such construction.

3.7 Provision of Real Property Interests by COUNTY. In any instance where OWNER is required to construct any public improvement on land not owned by OWNER, OWNER shall at its sole cost and expense provide or cause to be provided, the real property interests necessary for the construction of such public improvements. In the event OWNER is unable, after exercising reasonable efforts to acquire the real property interests necessary for the construction of such public improvements, and if so instructed by OWNER and upon OWNER'S provision of adequate security for costs COUNTY may reasonably incur, COUNTY shall negotiate the purchase of the necessary real property interests to allow OWNER to construct the public improvements as required by this Agreement and, if necessary, in accordance with the procedures established by law, use its power of eminent domain to acquire such required real property interests. OWNER shall pay all costs associated with such acquisition or condemnation proceedings. This Section 3.7 is not intended by the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the COUNTY upon the development of the Project under the Subdivision Map Act, Government Code Section 66410 et seq., or other legal authority.

3.8 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of COUNTY possess authority to regulate aspects of the development of the Property separately from or jointly with COUNTY and this Agreement does not limit the authority of such other public agencies. For example, pursuant to Government Code Section 66477 and Section 10.35 of Riverside County Ordinance No. 460, another local public agency may provide local park and recreation services and facilities and in that event, it is permitted, and therefore shall be permitted by the parties, to participate jointly with COUNTY to determine the location of land to be dedicated or in lieu fees to be paid for local park purposes, provided that COUNTY shall exercise its authority subject to the terms of this Agreement.

3.9 Tentative Tract Map Extension. Notwithstanding the provisions of Section 66452.6 of the Government Code, no tentative subdivision map or tentative parcel map, heretofore



or hereafter approved in connection with development of the Property, shall be granted an extension of time except in accordance with the Existing Land Use Regulations.

3.10 Vesting Tentative Maps. If any tentative or final subdivision map, or tentative or final parcel map, heretofore or hereafter approved in connection with development of the Property, is a vesting map under the Subdivision Map Act (Government Code Section 66410, et seq.) and Riverside County Ordinance No. 460 and if this Agreement is determined by a final judgment to be invalid or unenforceable insofar as it grants a vested right to develop to OWNER, then and to that extent the rights and protections afforded OWNER under the laws and ordinances applicable to vesting maps shall supersede the provisions of this Agreement. Except as set forth immediately above, development of the Property shall occur only as provided in this Agreement, and the provisions in this Agreement shall be controlling over any conflicting provision of law or ordinance concerning vesting maps.

3.11 Request for Proposal Responses. Unless superseded by the terms of this Agreement, development of the Property shall be consistent with the Request for Proposal Responses submitted to the COUNTY and associated with CAN 190080, incorporated herein by this reference.

#### 4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will detrimentally affect public interests which will not be fully addressed by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER which should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of public interests.

#### 4.2 Public Benefits for Commercial Cannabis Activities.

4.2.1 Annual Public Benefit Base Payments. Prior to the issuance of the first grading permit or the first building permit, whichever occurs first, for any part of the Commercial Cannabis Activity, OWNER shall pay to COUNTY an amount equal to the base payment calculated per Section 1.1.2 of this Agreement ("Base Payment"); provided, however, that such initial annual base payment shall be prorated based on the number of whole months remaining between the date of payment and the first following June 30th.

4.2.2 Subsequent Annual Base Payments. The Annual Base Payment shall be subject to annual increases in an amount of 2%. Prior to the first July 1<sup>st</sup> following the initial Base Payment and each July 1<sup>st</sup> thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Base Payment plus the 2% annual increase.

4.3 Annual Additional Public Benefits. OWNER shall perform Additional Public Benefits identified in Exhibit "H" that will benefit the community in which the Commercial Cannabis Activity is located. Prior to the issuance of the first grading permit or the first

building permit, whichever occurs first, for any part of the Commercial Cannabis Activity, OWNER shall pay to COUNTY an amount equal to the additional annual public benefit set forth in Exhibit "H" of this Agreement ("Additional Public Benefit"); provided, however, that such initial annual payment shall be prorated based on the number of whole months remaining between the date of payment and the first following June 30th.

4.3.1 Subsequent Annual Additional Public Benefits. The Additional Public Benefit provided in Exhibit "H" shall be subject to the following annual increases: a 4% annual increase for the initial 5 years of the Agreement's term and a 5% annual increase for the remaining term of the Agreement. Prior to the first July 1<sup>st</sup> following the initial Additional Public Benefit payment and each July 1<sup>st</sup> thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Additional Public Benefit plus the 5% annual increase.

4.4 Taxes. Subject to Section 4.6 herein, nothing herein shall be construed to relieve OWNER from paying and remitting all applicable federal, state and local taxes applicable to the Project, including but not limited to, income taxes, property taxes, local sales and use taxes, and any taxes imposed on cannabis activities and cannabis products pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act.

4.5 Assessments. Nothing herein shall be construed to relieve the Property from assessments levied against it by the County pursuant to any statutory procedure for the assessment of property to pay for infrastructure and/or services which benefit the Property.

4.6 New Taxes. Any subsequently enacted County taxes, including but not limited to any taxes on commercial cannabis activities, shall apply to the Project. In the event that County taxes are enacted for commercial cannabis activities and cannabis products, the parties agree that this Agreement may be modified in accordance with Section 2.5 allowing the OWNER's total public benefit payment, Base Rate plus Additional Public Benefit, to be reduced in an amount equal to the amount of the tax imposed on the OWNER for commercial cannabis activities and cannabis products.

4.7 Vote on Future Assessments and Fees. In the event that any assessment, fee or charge which is applicable to the Property is subject to Article XIID of the California Constitution and OWNER does not return its ballot, OWNER agrees, on behalf of itself and its successors that the County may count OWNER's ballot as affirmatively voting in favor of such assessment, fee or charge.

5. FINANCING OF PUBLIC IMPROVEMENTS. If deemed appropriate, COUNTY and OWNER will cooperate in the formation of any special assessment district, community facilities district or alternate financing mechanism to pay for the construction and/or maintenance and operation of public infrastructure facilities required as part of the Development Plan. OWNER also agrees that it will not initiate and/or cooperate in the formation of any such special assessment district, community facilities district or alternate financing mechanism involving any other public agency without the prior written consent of the COUNTY.

Should the Property be included within such a special assessment district, community facilities district or other financing entity, the following provisions shall be applicable:

(a) In the event OWNER conveys any portion of the Property and/or public facilities constructed on any portion of the Property to COUNTY or any other public entity and said Property is subject to payment of taxes and/or assessments, such taxes and/or assessments shall be paid in full by OWNER prior to completion of any such conveyance.

(b) If OWNER is in default in the payment of any taxes and/or assessments, OWNER shall be considered to be in default of this Agreement and COUNTY may, in its sole discretion, initiate proceedings pursuant to Section 8.4 of this Agreement.

Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring COUNTY or the COUNTY Board of Supervisors to form any such district or to issue and sell bonds.

## 6. REVIEW FOR COMPLIANCE.

6.1 Annual Review. The TLMA Director, in consultation with the County Executive Officer and County Counsel, shall review this Agreement annually, on or before the Effective Date, in order to ascertain the good faith compliance by OWNER with the terms of the Agreement. In order to facilitate this review, OWNER shall submit an annual monitoring report, in a form specified by the TLMA Director providing all information necessary to evaluate such good faith compliance as determined by the TLMA Director. OWNER shall pay the annual review and administration fee set forth in Ordinance No. 671 prior to submission of each annual monitoring report. Prior to the issuance of any grading permit or building permit for any part of the Project, OWNER shall prepay a fee deposit and administration fee as set forth in Ordinance No. 671 (the "Monitoring Fee Prepayment"). The Monitoring Fee Prepayment shall be retained by the COUNTY until termination of this Agreement, may be used by the COUNTY at any time if there is a failure to pay any part of the annual monitoring and administration fees required under Ordinance No. 671, and shall be promptly replenished by OWNER up to the original required amount after notice by COUNTY to OWNER. Failure by OWNER to submit an annual monitoring report, on or before the Effective Date of each year in the form specified by the TLMA Director, to pay any part of the annual monitoring and administration fee required under Ordinance No. 671, to make the Monitoring Fee Prepayment or to replenish the Monitoring Fee Prepayment shall constitute a default by OWNER under this Agreement.

6.2 Special Review. The Board of Supervisors may order a special review of compliance with this Agreement at any time. The TLMA Director, in consultation with the County Executive Officer and County Counsel, shall conduct such special reviews.

6.3 Property Inspection. In accordance with applicable regulations set forth in the Medicinal and Adult Use Cannabis Regulation and Safety Act and upon twenty-four (24) hour notice, OWNER shall allow COUNTY representatives access to the Property and all buildings and structures located on the Property to determine compliance with CUP No. 190009 and this Agreement.

6.4 Records Inspection. Upon written request by the COUNTY, OWNER shall

provide records to the COUNTY demonstrating compliance with this Agreement, CUP No. 190009 and consistency with the Request for Proposal Responses associated with CAN 190080 including, but not limited to, ownership of Property, local hiring and local ownership programs.

**6.5 Procedure.**

(a) During either an annual review or a special review, OWNER shall be required to demonstrate good faith compliance with the terms of the Agreement. The burden of proof on this issue shall be on OWNER.

(b) Upon completion of an annual review or a special review, the TLMA Director shall submit a report to the Board of Supervisors setting forth the evidence concerning good faith compliance by OWNER with the terms of this Agreement and his recommended finding on that issue.

(c) If the Board finds on the basis of substantial evidence that OWNER has complied in good faith with the terms and conditions of this Agreement, the review shall be concluded.

(d) If the Board makes a preliminary finding that OWNER has not complied in good faith with the terms and conditions of this Agreement, the Board may modify or terminate this Agreement as provided in Section 6.4 and Section 6.5. Notice of default as provided under Section 8.4 of this Agreement shall be given to OWNER prior to or concurrent with, proceedings under Section 6.4 and Section 6.5.

**6.6 Proceedings Upon Modification or Termination.** If, upon a preliminary finding under Section 6.3, COUNTY determines to proceed with modification or termination of this Agreement, COUNTY shall give written notice to OWNER of its intention so to do. The notice shall be given at least ten calendar days prior to the scheduled hearing and shall contain:

(a) The time and place of the hearing;

(b) A statement as to whether or not COUNTY proposes to terminate or to modify the Agreement; and,

(c) Such other information as is reasonably necessary to inform OWNER of the nature of the proceeding.

**6.7 Hearing on Modification or Termination.** At the time and place set for the hearing on modification or termination, OWNER shall be given an opportunity to be heard and shall be entitled to present written and oral evidence. OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on OWNER. If the Board of Supervisors finds, based upon substantial evidence, that OWNER has not complied in good faith with the terms or conditions of the Agreement, the Board may terminate this Agreement or modify this Agreement and impose such conditions as are reasonably necessary to protect the interests of the County. The decision of the Board of Supervisors shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

6.8 Certificate of Agreement Compliance. If, at the conclusion of an annual or special review, OWNER is found to be in compliance with this Agreement, COUNTY shall, upon request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent annual or special review and based upon the information known or made known to the TLMA Director and Board of Supervisors that (1) this Agreement remains in effect and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after an annual or a special review and shall state the anticipated date of commencement of the next annual review. OWNER may record the Certificate with the County Recorder. Whether or not the Certificate is relied upon by transferees or OWNER, COUNTY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the TLMA Director or Board of Supervisors.

## 7. INCORPORATION AND ANNEXATION.

7.1 Intent. If all or any portion of the Property is annexed to or otherwise becomes a part of a city or another county, it is the intent of the parties that this Agreement shall survive and be binding upon such other jurisdiction.

7.2 Incorporation. If at any time during the term of this Agreement, a city is incorporated comprising all or any portion of the Property, the validity and effect of this Agreement shall be governed by Section 65865.3 of the Government Code.

7.3 Annexation. OWNER and COUNTY shall oppose, in accordance with the procedures provided by law, the annexation to any city of all or any portion of the Property unless both OWNER and COUNTY give written consent to such annexation.

## 8. DEFAULT AND REMEDIES.

8.1 Remedies in General. It is acknowledged by the parties that COUNTY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof.

In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that COUNTY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

(a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or

(b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or

(c) Arising out of or connected with any dispute, controversy or issue regarding the application, validity, interpretation or effect of the provisions of this Agreement.

Notwithstanding anything in this Article 8 to the contrary, OWNER's liability to COUNTY in connection with this Agreement shall be limited to direct damages and shall exclude any other liability, including without limitation liability for special, indirect, punitive or consequential damages in contract, tort, warranty, strict liability or otherwise.

8.2 Specific Performance. The parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

(a) Money damages are unavailable against COUNTY as provided in Section 8.1 above.

(b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

8.3 General Release. Except for non-damage remedies, including the remedy of specific performance and judicial review as provided for in Section 8, OWNER, for itself, its successors and assignees, hereby releases the COUNTY, its officers, agents, employees, and independent contractors from any and all claims, demands, actions, or suits of any kind or nature whatsoever arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other monetary liability or damages, whatsoever, upon the COUNTY because it entered into this Agreement or because of the terms of this Agreement. OWNER hereby waives the provisions of Section 1542 of the Civil Code which provides:  
A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

  
OWNER Initials

  
OWNER Initials

8.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 2.5 herein, COUNTY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, COUNTY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.5 Termination of Agreement for Default of COUNTY. OWNER may terminate this Agreement only in the event of a default by COUNTY in the performance of a material term of this Agreement and only after providing written notice to COUNTY of default setting forth the nature of the default and the actions, if any, required by COUNTY to cure such default and, where the default can be cured, COUNTY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.6 Attorneys' Fees. In any action at law or in equity to enforce or interpret this Agreement, or otherwise arising out of this Agreement, including without limitation any action for declaratory relief or petition for writ of mandate, the parties shall bear their own attorneys' fees.

## 9. THIRD PARTY LITIGATION.

9.1 General Plan Litigation. COUNTY has determined that this Agreement is consistent with its General Plan, and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with COUNTY's determination. The parties acknowledge that:

(a) Litigation may be filed challenging the legality, validity and adequacy of the General Plan; and,

(b) If successful, such challenges could delay or prevent the performance of this Agreement and the development of the Property.

COUNTY shall have no liability in damages under this Agreement for any failure of COUNTY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

9.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless COUNTY, its officers, agents, employees and independent contractors from any claim, action or proceeding against COUNTY, its officers, agents, employees or independent contractors to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement. COUNTY shall promptly notify OWNER of any such claim, action or proceeding, and COUNTY shall cooperate in the defense. If COUNTY fails to promptly notify OWNER of any such claim, action or proceeding, or if COUNTY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless COUNTY. COUNTY may in its discretion participate in the defense of any such claim, action or proceeding.

9.3 Indemnity. In addition to the provisions of 9.2 above, OWNER shall indemnify and hold COUNTY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of COUNTY. OWNER shall defend, at its expense, including attorneys' fees, COUNTY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. COUNTY may in its discretion participate in the defense of any such legal action.

9.4 Environment Assurances. OWNER shall indemnify and hold COUNTY, its officers, agents, employees and independent contractors free and harmless from any liability, based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including attorneys' fees, COUNTY, its officers, agents, employees and independent contractors in any action based or asserted upon any such alleged act or omission. COUNTY may in its discretion participate in the defense of any such action.

9.5 Reservation of Rights. With respect to Sections 9.2, 9.3 and 9.4 herein, COUNTY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend COUNTY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse COUNTY forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

9.6 Survival. The provisions of Sections 8.1 through 8.3, inclusive, Section 8.6 and Sections 9.1 through 9.6, inclusive, shall survive the termination of this Agreement.

10. MORTGAGEE PROTECTION.



The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. COUNTY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. COUNTY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the COUNTY in the manner specified herein for giving notices, shall be entitled to receive written notification from COUNTY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If COUNTY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, COUNTY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. No Mortgagee (including one who acquires title or possession to the Property, or any portion thereof, by foreclosure, trustee's sale, deed in lieu of foreclosure, lease termination, eviction or otherwise) shall have any obligation to construct or complete construction of improvements, or to guarantee such construction or completion; provided, however, that a Mortgagee shall not be entitled to devote the Property to solar power plant use except in full compliance with this Agreement. A Mortgagee in possession shall not have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by COUNTY, the performance thereof shall continue to be a condition precedent to COUNTY's performance hereunder. All payments called for under Section 4 of this Agreement shall be a condition precedent to COUNTY's performance under this Agreement. Any transfer by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

## 11. MISCELLANEOUS PROVISIONS.

11.1 Recordation of Agreement. This Agreement and any amendment, modification,

termination or cancellation thereof shall be recorded with the County Recorder by the Clerk of the Board of Supervisors within the period required by Section 65868.5 of the Government Code.

11.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

11.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Sections 4.2 and 4.3 of this Agreement, including the payments set forth therein, are essential elements of this Agreement and COUNTY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

11.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

11.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

11.6 Gender and Number. As used herein, the neuter gender includes the masculine and feminine, the feminine gender includes the masculine, and the masculine gender includes the feminine. As used herein, the singular of any word includes the plural.

11.7 Joint and Several Obligations. If this Agreement is signed by more than one OWNER, all obligations of such OWNERS under this Agreement shall be joint and several, and the default of any such OWNER shall be the default of all such OWNERS.

11.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

11.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party; shall not constitute a waiver of such party's right to insist and demand

strict compliance by the other party with the terms of this Agreement thereafter.

11.10 No Third Party Beneficiaries. Unless expressly stated herein, this Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

11.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force). If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

11.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

11.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

11.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

11.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Riverside Historic Courthouse of the Superior Court of the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

11.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between COUNTY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

11.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgement or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

11.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by COUNTY of its power of eminent domain. As used herein, "Material Condemnation" means a condemnation of all or a portion of the Property that will have the effect of preventing development of the Project in accordance with this Agreement. In the event of a Material Condemnation, OWNER may (i) request the COUNTY to amend this Agreement and/or to amend the Development Plan, which amendment shall not be unreasonably withheld, (ii) decide, in its sole discretion, to challenge the condemnation, or (iii) request that COUNTY agree to terminate this Agreement by mutual agreement, which agreement shall not be unreasonably withheld, by giving a written request for termination to the COUNTY.

11.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the TLMA Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto. OWNER for itself, assigns and successors hereby waives the provisions of the Hague Convention (Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters, 20 U.S.T. 361, T.I.A.S. No. 6638).

11.20 Designation of COUNTY Officials. Except for functions to be performed by the Board of Supervisors, COUNTY may, at any time and in its sole discretion, substitute any COUNTY official to perform any function identified in this Agreement as the designated responsibility of any other official. COUNTY shall provide notice of such substitution pursuant to Section 2.7; provided, however, the failure to give such notice shall not affect the authority of the substitute official in any way.

11.21 Authority to Execute. The person executing this Agreement on behalf of OWNER warrants and represents that he has the authority to execute this Agreement on behalf of his corporation, partnership or business entity and warrants and represents that he has the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

COUNTY OF RIVERSIDE, a political subdivision of the State of California

Dated: \_\_\_\_\_

By \_\_\_\_\_

V. Manuel Perez  
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER  
Clerk of the Board

By \_\_\_\_\_  
Deputy  
(SEAL)

FORM APPROVED COUNTY COUNSEL

BY:  \_\_\_\_\_ 3/9/2020  
MICHELLE CLACK DATE

Dated: 3/4/2020

OWNER:  
**GREENTECH INVESTMENTS, LLC,**  
a California limited liability company

By:   
Chandresh Ravaliya  
Its: Managing Member

Dated: 3/4/2020

OWNER:  
**EXCEL RIVERSIDE, INC.,**  
a California corporation

By:   
Chandresh Ravaliya  
Its: Chief Executive Officer

**SEE ATTACHED  
NOTARY**

(ALL SIGNATURES SHALL BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.  
EXECUTION ON BEHALF OF ANY CORPORATION SHALL BE BY TWO  
CORPORATE OFFICERS.)

**ACKNOWLEDGMENT**

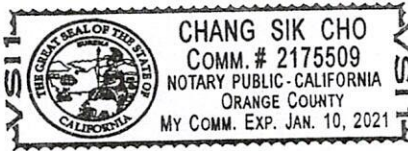
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of ORANGE ) s.s.

On March 04, 2020, before me, CHANG SIK CHO, a notary public, personally appeared CHANDRESH RAVALIYA

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he she they executed the same in his her their authorized capacity(ies), and that by his her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

Signature [Handwritten Signature]  
Signature of Notary Public

EXHIBIT "A"

Development Agreement No. 1900005

LEGAL DESCRIPTION OF PROPERTY

Parcel 1:

Lot 7 of Palmer Subdivision, in the County of Riverside, State of California, as shown by Maps on file in Book 22 Page 89 of Maps, Records of Riverside County, California. Excepting therefrom that portion granted to the County of Riverside recorded August 22, 1980 as Instrument No. 152857, Official Record.

Parcel 2:

Lots 8 and 9 of Palmer Subdivision, in the County of Riverside, State of California, as shown by Map on file in Book 22, Page 89 of Maps, Riverside County Records. Excepting therefrom that portion granted to the County of Riverside recorded June 17, 1981 as Instrument No. 112975, of Official Records.



EXHIBIT "B"

Development Agreement No. 1900005

MAP OF PROPERTY AND ITS LOCATION

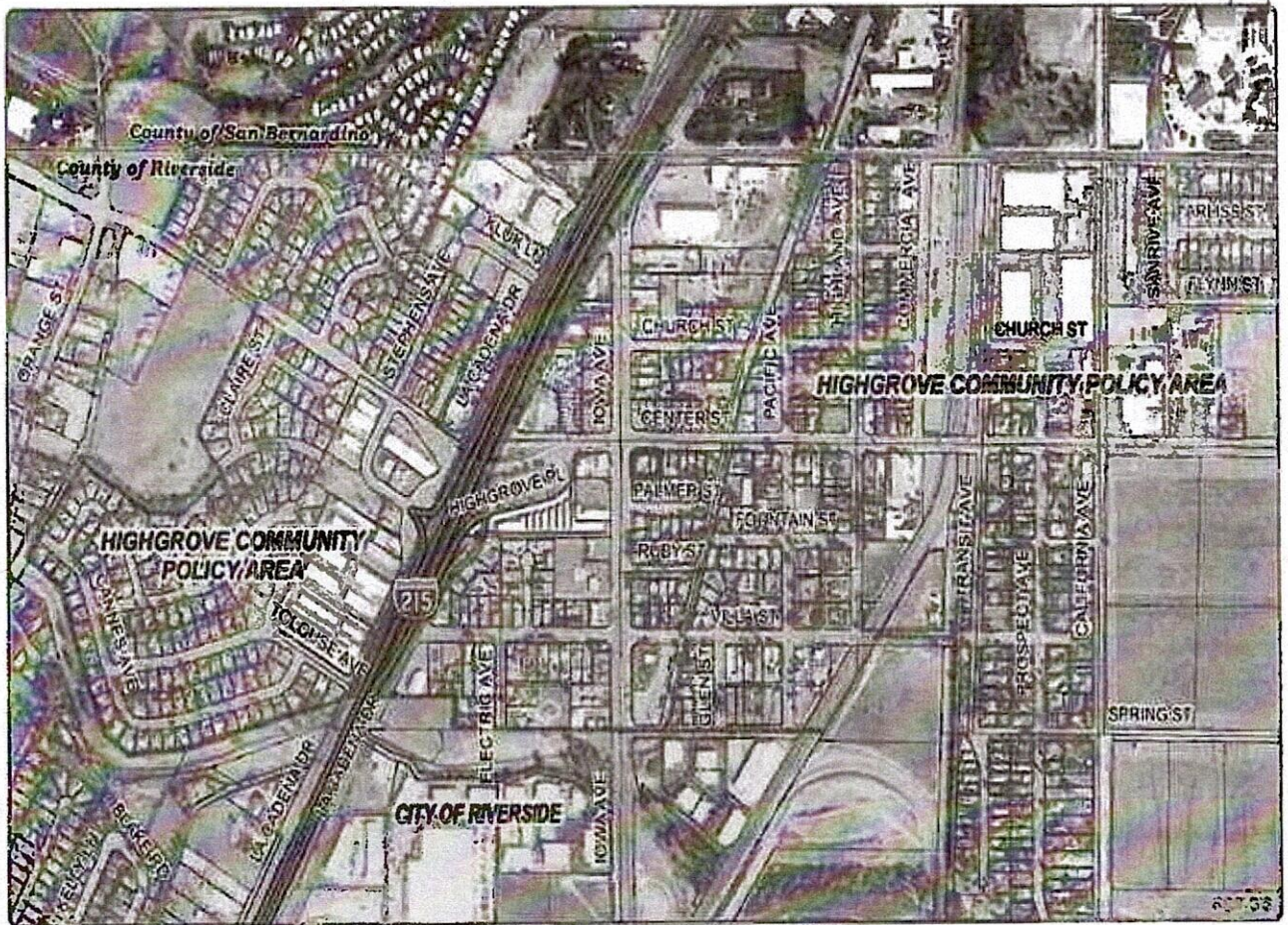


EXHIBIT "C"

Development Agreement No. 1900005

EXISTING DEVELOPMENT APPROVALS

ZONING:

Change of Zone No. 1900021

OTHER DEVELOPMENT APPROVALS:

Plot Plan No. 5976

Plot Plan No. 17464

Conditional Use Permit No. 190009

COPIES OF THE EXISTING DEVELOPMENT APPROVALS LISTED ABOVE ARE ON  
FILE IN THE RIVERSIDE COUNTY PLANNING DEPARTMENT AND ARE  
INCORPORATED HEREIN BY REFERENCE.

EXHIBIT "D"

Development Agreement No. 1900005

EXISTING LAND USE REGULATIONS

1. Riverside County Comprehensive General Plan as amended through Resolution No. 2019-050
2. Ordinance No. 348 as amended through Ordinance No. 348.4922\*
3. Ordinance No. 448 as amended through Ordinance No. 448.A
4. Ordinance No. 457 as amended through Ordinance No. 457.104
5. Ordinance No. 458 as amended through Ordinance No. 458.16
6. Ordinance No. 460 as amended through Ordinance No. 460.154
7. Ordinance No. 461 as amended through Ordinance No. 461.10
8. Ordinance No. 509 as amended through Ordinance No. 509.2
9. Ordinance No. 547 as amended through Ordinance No. 547.7
10. Ordinance No. 555 as amended through Ordinance No. 555.19
11. Ordinance No. 617 as amended through Ordinance No. 617.4
12. Ordinance No. 650 as amended through Ordinance No. 650.6
13. Ordinance No. 659 as amended through Ordinance No. 659.13
14. Ordinance No. 663 as amended through Ordinance No. 663.10
15. Ordinance No. 671 as amended through Ordinance No. 671.21
16. Ordinance No. 673 as amended through Ordinance No. 673.4
17. Ordinance No. 679 as amended through Ordinance No. 679.4
18. Ordinance No. 682 as amended through Ordinance No. 682.4
19. Ordinance No. 726 as amended through Ordinance No. 726
20. Ordinance No. 743 as amended through Ordinance No. 743.3

21. Ordinance No. 748 as amended through Ordinance No. 748.1
22. Ordinance No. 749 as amended through Ordinance No. 749.1
23. Ordinance No. 752 as amended through Ordinance No. 752.2
24. Ordinance No. 754 as amended through Ordinance No. 754.3
25. Ordinance No. 787 as amended through Ordinance No. 787.9
26. Ordinance No. 806 as amended through Ordinance No. 806
27. Ordinance No. 810 as amended through Ordinance No. 810.2
28. Ordinance No. 817 as amended through Ordinance No. 817.1
29. Ordinance No. 824 as amended through Ordinance No. 824.15
30. Ordinance No. 847 as amended through Ordinance No. 847.1
31. Ordinance No. 859 as amended through Ordinance No. 859.3
32. Ordinance No. 875 as amended through Ordinance No. 875.1
33. Ordinance No. 915 as amended through Ordinance No. 915
34. Ordinance No. 925 as amended through Ordinance No. 925.1
35. Ordinance No. 926 as amended through Ordinance No. 926
36. Ordinance No. 927 as amended through Ordinance No. 927
37. Ordinance No. 931 as amended through Ordinance No. 931
38. Resolution No. 2019-037 Establishing Procedures and Requirements of the County of Riverside for the Consideration of Development Agreements (Commercial Cannabis Activities)
39. Board of Supervisors Policy No. B-9 Commercial Cannabis Activities

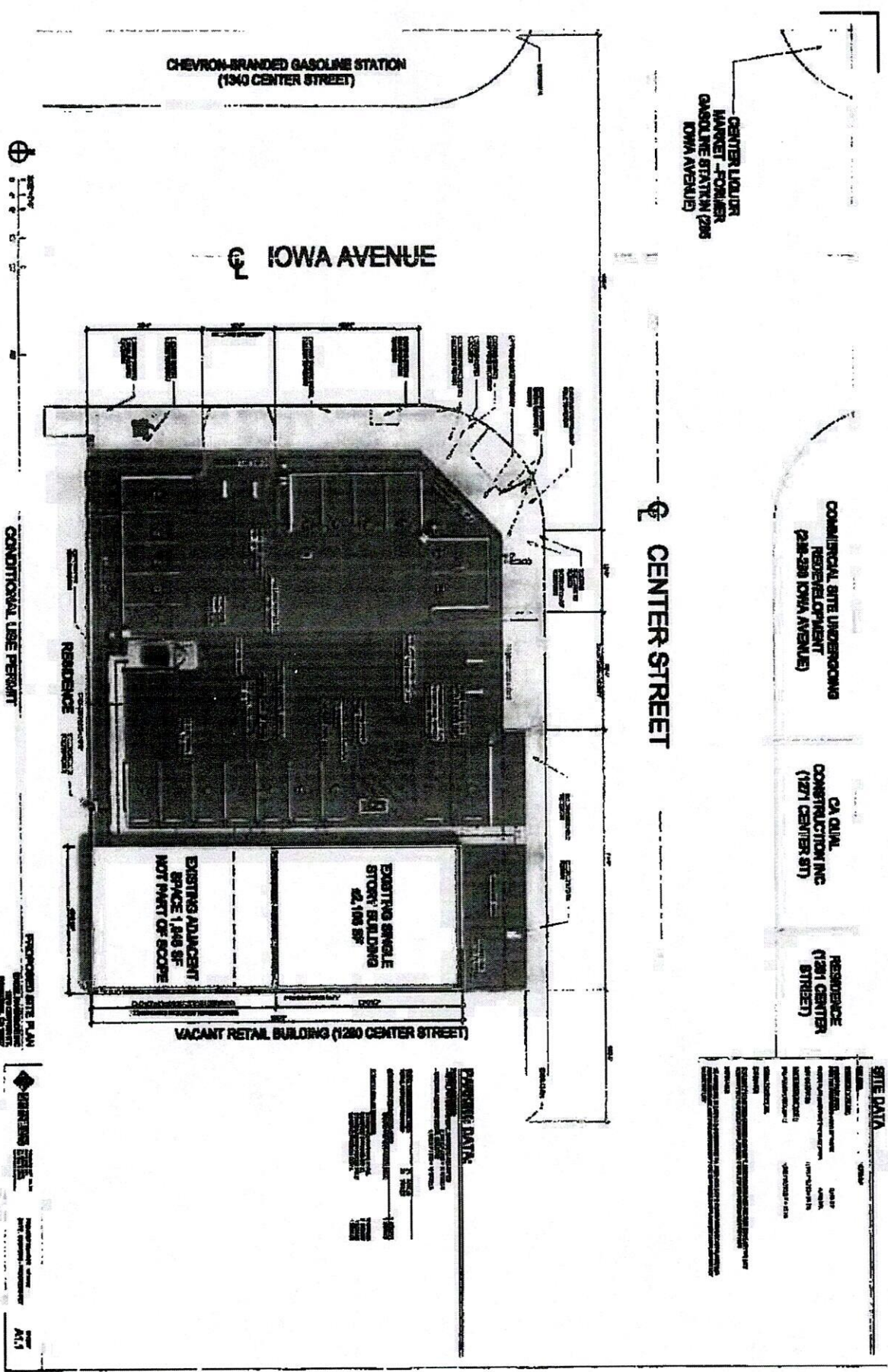
COPIES OF THE EXISTING LAND USE REGULATIONS LISTED ABOVE ARE ON FILE IN THE RIVERSIDE COUNTY PLANNING DEPARTMENT AND ARE INCORPORATED HEREIN BY REFERENCE. \*Ordinance No. 348.4922 is associated with this Agreement, and will become effective subsequent to approval of the associated land use project and Agreement.

EXHIBIT "E"

Development Agreement No. 1900005

COMMERCIAL CANNABIS ACTIVITY SITE PLAN & DESCRIPTION

As shown on the attached site plan, CUP No. 190009 permits a storefront retail cannabis business and delivery service to operate from the 2,106 square foot retail suite existing within the 3,952 square foot commercial building. No cannabis related activities are allowed in the 1,846 square foot suite of the commercial building.



**SITE DATA**

|              |                    |
|--------------|--------------------|
| PROJECT NAME | 1281 CENTER STREET |
| OWNER        | 1281 CENTER STREET |
| DATE         | 10/12/2011         |
| SCALE        | AS SHOWN           |
| PROJECT NO.  | 1011-1281-01       |
| DRAWN BY     | 1011-1281-01       |
| CHECKED BY   | 1011-1281-01       |
| DATE         | 10/12/2011         |
| PROJECT NO.  | 1011-1281-01       |
| DRAWN BY     | 1011-1281-01       |
| CHECKED BY   | 1011-1281-01       |
| DATE         | 10/12/2011         |

**PERMITS DATA**

|             |              |
|-------------|--------------|
| PERMIT NO.  | 1011-1281-01 |
| ISSUE DATE  | 10/12/2011   |
| EXPIRES     | 10/12/2012   |
| PROJECT NO. | 1011-1281-01 |
| DRAWN BY    | 1011-1281-01 |
| CHECKED BY  | 1011-1281-01 |
| DATE        | 10/12/2011   |

CONDITIONAL USE PERMIT

PROPOSED SITE PLAN

1281 CENTER STREET

ACT 1

## EXHIBIT "F"

Development Agreement No. 1900005

### APPLICABLE PUBLIC BASE BENEFITS PAYMENTS

The Cannabis Retailer operating at the Property pursuant to CUP No. 190009 includes one retail suite totaling 2,106 square feet within an existing 3,952 square foot commercial building as shown on Exhibit "G". Only the 2,106 suite will be used for the Cannabis Retailer. In accordance with Board Policy B-9, the base public benefit is \$16.00 per square foot. Therefore, the public base benefit payment will be \$33,696.00 and will increase annually at a rate of 2%.

**EXHIBIT "G"**

**Development Agreement No. 1900005**

**CANNABIS AREA CALCULATION EXHIBIT**

**The Cannabis Area calculation includes the 2,106 square foot suite that will be used for the Cannabis Retailer operations as shown in this Exhibit "G".**



CHEVRON-BRANDED GASOLINE STATION  
(1340 CENTER STREET)

CENTER LIQUOR  
MARKET - FORMER  
GASOLINE STATION (286  
IOWA AVENUE)

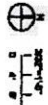
IOWA AVENUE

COMMERCIAL SITE UNDERGOING  
REDEVELOPMENT  
(288-290 IOWA AVENUE)

CENTER STREET

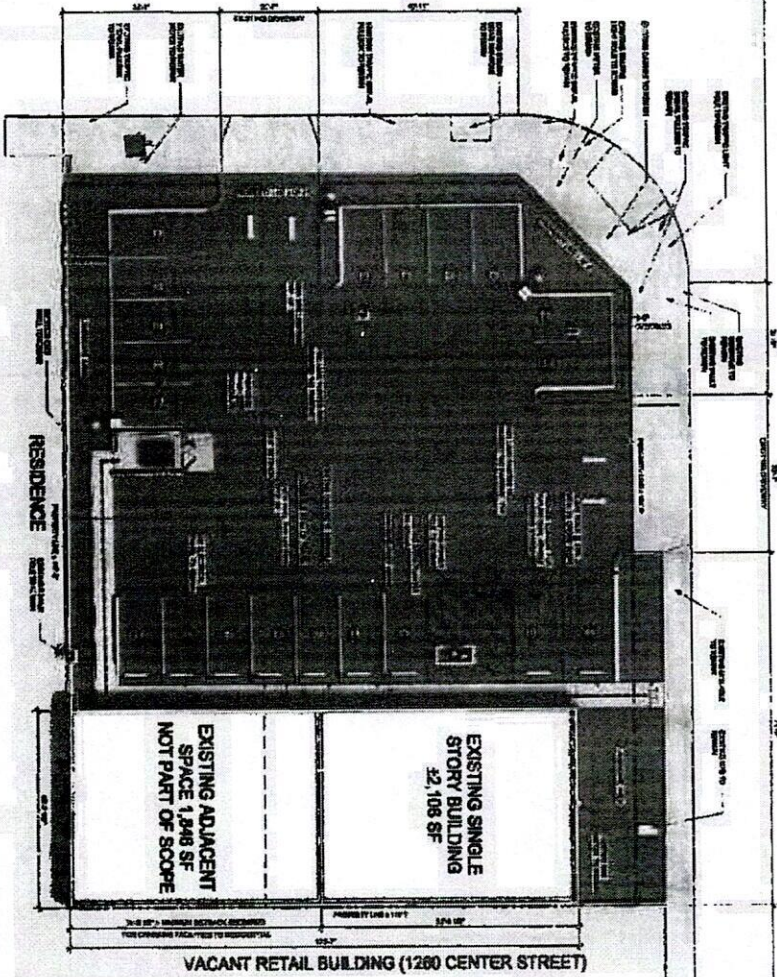
CA QUAL  
CONSTRUCTION INC  
(1271 CENTER ST)

RESIDENCE  
(1261 CENTER  
STREET)



CONDITIONAL USE PERMIT

PROPOSED SITE PLAN  
1261 CENTER STREET  
MANTENO, CA 95259



VACANT RETAIL BUILDING (1260 CENTER STREET)

**SITE DATA**

| GENERAL INFORMATION |                                       |
|---------------------|---------------------------------------|
| PROJECT NAME        | 1261 CENTER STREET                    |
| CLIENT              | CA QUAL CONSTRUCTION INC              |
| DATE                | 10/15/2014                            |
| SCALE               | AS SHOWN                              |
| PROJECT ADDRESS     | 1261 CENTER STREET, MANTENO, CA 95259 |
| PROJECT NUMBER      | 1014-001                              |
| DATE OF ISSUE       | 10/15/2014                            |

**PARKING DATA:**

| TYPE      | NUMBER | REMARKS                  |
|-----------|--------|--------------------------|
| TOTAL     | 1      | EXISTING                 |
| REQUIRED  | 1      | AS PER CITY REQUIREMENTS |
| AVAILABLE | 1      | EXISTING                 |

**ENGINEERING**  
1261 CENTER STREET  
MANTENO, CA 95259  
PROJECT NUMBER: 1014-001  
DATE: 10/15/2014

EXHIBIT "H"

Development Agreement No. 1900005

COMMERCIAL CANNABIS ACTIVITY PUBLIC BENEFIT

The additional annual public benefit provided by the OWNER shall be \$40,040.00 with an annual increase of 4% for the initial 5 years of the term for Development Agreement No. 1900005 and then an annual increase of 5% for the remaining term of Development Agreement No. 1900005. The COUNTY will utilize this additional annual public benefit within the surrounding community for additional public benefits including, but not limited to, code enforcement, public safety services, infrastructure improvements, community enhancement programs and other similar public benefits as solely determined by the COUNTY's Board of Supervisors. Additionally, consistent with CAN 190080, OWNER will participate in community events, career opportunity events, as well as educational and wellness seminars within the surrounding community.

217

# Riverside County Board of Supervisors Request to Speak

~~★ Applicant~~

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Chand Ravaliya

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # ~~21~~ 21.1

PLEASE STATE YOUR POSITION BELOW: Applicant

Position on "Regular" (non-appealed) Agenda Item:

Support       Oppose       Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support      Oppose      Neutral

I give my 3 minutes to: \_\_\_\_\_

2:20

# Riverside County Board of Supervisors Request to Speak

*A Presenting*

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Lisa Slaughter

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support       Oppose       Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support       Oppose       Neutral

I give my 3 minutes to: \_\_\_\_\_

# Riverside County Board of Supervisors Request to Speak

*\* Architect, avail to speak only*

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Sia Shirazi

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

## PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support       Oppose       Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support       Oppose       Neutral

I give my 3 minutes to: \_\_\_\_\_

2:30

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Alberto Montio

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_

2:31

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Dean Poirier

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support       Oppose       Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

           Support                 Oppose                 Neutral

I give my 3 minutes to: \_\_\_\_\_

2:34

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Savannah Ali

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support       Oppose       Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support       Oppose       Neutral

I give my 3 minutes to: \_\_\_\_\_



2:35

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Cassidy Boyd

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support       Oppose       Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support       Oppose       Neutral

I give my 3 minutes to: \_\_\_\_\_

2:37

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Sherrrie Olson

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support       Oppose       Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

           Support                 Oppose                 Neutral

I give my 3 minutes to: \_\_\_\_\_

2:39



# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Debbie Walsh

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

1 Support       Oppose      \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_

*Did not respond to call* ~~EO~~

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Gary Warber

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

\_\_\_\_\_ Support     \_\_\_\_\_ Oppose    \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support    \_\_\_\_\_ Oppose    \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_

2:42

~~John~~

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: R.A. Barney Barnett

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

\_\_\_\_\_ Support       \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_

Left Mtg

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Diane Franks

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

       Support              Oppose             Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

       Support             Oppose             Neutral

I give my 3 minutes to: Barney Barnett

Left Mtg

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Karen Rich

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # \_\_\_\_\_

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

\_\_\_\_\_ Support     \_\_\_\_\_ Oppose    \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support    \_\_\_\_\_ Oppose    \_\_\_\_\_ Neutral

I give my 3 minutes to: Barney Barnett

2:45

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: David Ambahl

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

\_\_\_\_\_ Support     Oppose    \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support    \_\_\_\_\_ Oppose    \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_



2:47

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Nick Nick Power

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

\_\_\_\_\_ Support     \_\_\_\_\_ Oppose    \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support    \_\_\_\_\_ Oppose    \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_

2:49

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium). Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Art Bernal

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

\_\_\_\_\_ Support  \_\_\_\_\_ Oppose \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support \_\_\_\_\_ Oppose \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_

Son is quinsker 2 mins.

4 mins

# Riverside County Board of Supervisors Request to Speak

2:51

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Sonya Alnadar

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

       Support            Oppose           Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

       Support           Oppose           Neutral

I give my 3 minutes to: \_\_\_\_\_

2:55

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Debbie Youm

Address: 16895 Evening Star Rd

City: Riverside Ca Zip: 92506

Phone #: 951 818 5914

Date: 5-19-20 Agenda # 21-1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

           Support        X   Oppose                 Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

           Support                 Oppose                 Neutral

I give my 3 minutes to: \_\_\_\_\_

online

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Alexandra Boab

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 21.1

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_



Charissa Leach, P.E.  
Assistant TLMA Director

*Clerk's Original*

**RIVERSIDE COUNTY**  
**PLANNING DEPARTMENT**

## Memorandum

**DATE:** May 19, 2020

**TO:** County of Riverside - Board of Supervisors

**FROM:** John Hildebrand, TLMA Deputy Director of Planning  
Tim Wheeler, Urban Regional Planner (Project Planner)

**RE:** Item 21.1 – Comments Received

Since the approval of the proposed project (CZ1900036, CUP190009, CZ1900021, and DA1900005) at Planning Commission on February 19, 2020; Planning Department Staff has inserted a condition of approval for physical security onsite 24 hours, 7 days a week and has received the attached letters or emails from the following the public or applicant:

- 1) **Planning. 15 – General N. Security Part 2: 13. Firearms shall not be permitted at a Commercial Cannabis Activity by an owner, manager, employee, volunteer or vendor other than those individuals authorized as a State Licensed Security Personnel. Physical security will be onsite 24 hours, 7 days a week.**
- 2) Received an email on March 9, 2020 from the applicant/representative of 25 letters in support of the Project and Ordinance Amendment. Letters are from: *Eduardo Serrato, Elvia Aleman, Luis Enrique Flores, Maggie Flores, Michelle Rascon, Brittany Morrison, Donny Adame, Ernesto Ruedon, Alberto Montiel, Casandre Rivera, Francisco Delacruz, Bliss Saber, Jalrsco Jimenez, Jorge De Jesus, M. Ayala, Chris Jeffcoat, Yadira Lopez, Edwin Salcedo, M. Macintosh, Francisco Garcia, Rogelio Ortega, Gabriel Naranjo, Brett Perony, Candice Arroyo, and Erica Torres.*
- 3) Email forwarded from the Clerk of the Board from a John Minnella for a Gary Worobec dated March 16, 2020 in opposition to the Ordinance Amendment 348.4922 (CZ190036).
- 4) Email from Staff informing Debbie Walsh of the continued Project and Ordinance Amendment to May 19, 2020 Board hearing. Email dated May 12, 2020 from Staff.
- 5) Email from Staff informing John Minnella of the continued Project and Ordinance Amendment to May 19, 2020 Board hearing. Email dated May 12, 2020 from Staff.
- 6) Email from Staff informing Mr. Barnett of the continued Project and Ordinance Amendment to May 19, 2020 Board hearing. Email dated May 12, 2020 from Staff.
- 7) Email from Staff informing Gary Worobec of the continued Project and Ordinance Amendment to May 19, 2020 Board hearing. Email dated May 12, 2020 from Staff with reply received.
- 8) Email from Project Applicant to the Greater Lake Matthews Residents Association regarding the Project and Ordinance Amendment for May 19, 2020. Email dated May 14, 2020 by applicant.
- 9) Email from Project Applicant to the Rural Association of Mead Valley regarding the Project and Ordinance Amendment for May 19, 2020. Email dated May 14, 2020 by applicant.
- 10) Email from Project Applicant to the Mr. Gary Worobec regarding the Project and Ordinance Amendment for May 19, 2020. Email dated May 14, 2020 by applicant.

Riverside Office · 4080 Lemon Street, 12th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77588 El Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7040

## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### Planning. 15

#### General - N. Security - Part 2 (cont.)

Commercial Cannabis Activity, allow the County to inspect or audit the effectiveness of the security plan for the Commercial Cannabis Activity.

12. The permittee for a Commercial Cannabis Activity shall notify the Riverside County Sheriff's Department immediately after discovering any of the following:

- a. Significant discrepancies identified during inventory.
- b. Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Activity or any agent or employee of the Commercial Cannabis Activity.
- c. The loss or unauthorized alteration of records related to Cannabis, registering qualifying patients, primary caregivers, or employees or agents of the Commercial Cannabis Activity.
- d. Any other breach of security.

13. Firearms shall not be permitted at a Commercial Cannabis Activity by an owner, manager, employee, volunteer or vendor other than those individuals authorized as a State Licensed Security Personnel. Physical security will be onsite 24 hours, 7 days a week.

14. Cannabis or Cannabis Products shall not be stored outside at any time. Ord. 348 Article XIXh

#### Planning. 16

#### General - O. Permit and License Posting

The permittee shall post or cause to be posted at the Commercial Cannabis Activity all required County and State permits and licenses to operate. Such posting shall be in a central location, visible to the patrons, and in all vehicles that deliver or transport Cannabis. Ord. 348 Article XIXh

#### Planning. 17

#### General - P. Signage

Signage for a Commercial Cannabis Activity shall comply with the following: 1. In addition to the requirements set forth in this section and California Business and Professions Code section 26152 as may be amended, business identification signage for a Commercial Cannabis Activity shall comply with Section 19.4 of this ordinance. 2. No Commercial Cannabis Activity shall advertise by having a person or device holding a sign or an air dancer sign advertising the activity to passersby, whether such person, device or air dancer is on the lot of the Commercial Cannabis Activity or elsewhere including, but not limited to, the public right-of-way. 3. No Commercial Cannabis Activity shall publish or distribute advertising or marketing that is attractive to children. 4. No Commercial Cannabis shall advertise or market Cannabis or Cannabis Products on motor vehicles. 5. Except for advertising signs inside a licensed Premises and provided that such advertising signs do not advertise or market Cannabis or Cannabis Products in a manner intended to encourage persons under 21 years of age to consume Cannabis or Cannabis Products, no Commercial Cannabis Activity shall advertise or market Cannabis or Cannabis Products on an advertising sign within 1,000 feet of a Child Day Care Center, a K-12 school, a public park or a Youth Center.

## Wheeler, Timothy

---

**From:** Ivy Bader <[ibader@globalgo.consulting](mailto:ibader@globalgo.consulting)>  
**Sent:** Monday, March 9, 2020 11:40 AM  
**To:** Wheeler, Timothy; Hildebrand, John  
**Cc:** Simone Sandoval; Ryan Fingerhut; Lesa Slaughter; Chandresh Ravaliya  
**Subject:** Letters of Support  
**Attachments:** 20200309ChandSignedNeighborhoodLetters.pdf

Hello Tim and John,

Hope you're well. I have attached 25 signed letters of support. Please include this in your report package for the Board of Supervisors. I look forward to seeing you at the meeting next week.

Sincerely,

**Ivy Bader, MLS**

Legal Analyst,

Global Go, LLC

14201 Palm Drive, Ste 105, Desert Hot Springs, CA, 92240, USA

Direct: +1 (760) 904-4972

[ibader@globalgo.consulting](mailto:ibader@globalgo.consulting) | [globalgo.consulting](http://globalgo.consulting)



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Name: *Eduardo Serrato*

Highgrove Neighborhood

Riverside, CA 92507

Dear Riverside County Board of Supervisors:

I write to you today to express my support for Excel Riverside, LLC (Excel) and ask each Supervisor to vote in favor of Excel's Conditional Use Permit, ordinance amendment, and zone change. As a potential neighbor and business owner in our community, Mr. Chandresh Ravaliya gave me the opportunity to voice my concerns about his proposed cannabis facility in our neighborhood.

My biggest concern was safety. Mr. Ravaliya explained the security measures he plans to utilize, which made me feel much more confident that Excel's opening will not lead to more crime in the area. I was told the following would be required by Excel's Development Agreement and local and State law:

- A security guard will be on duty at all times, 24/7, and Mr. Ravaliya asked that I call him or the security guard if I witness cannabis use or loitering in the neighborhood.
- Security cameras will be installed on the inside and outside of the building and will record 24/7, which helps to detect and deter crime since criminals don't want to be recorded looking for victims.
- Motion lights will cover the entrance and parking lot. This way, if someone enters through parking lot at night after hours, he or she will be clearly visible from the street. Good lighting also helps to deter crime.

I'm also thrilled that Mr. Ravaliya plans to start a crime reporting hotline and community neighborhood watch to ensure Highgrove is a safe neighborhood.

I am impressed that Mr. Ravaliya took the time to reach out to me. He gave me his personal contact information, including email and direct line, so that I can reach him with any issues or concerns 24/7.

Thank you and I ask each Supervisor to vote in favor of Excel's conditional use permit, ordinance amendment, and zone change.

Sincerely, *Eduardo Serrato*

Address: *1181 Fountain st Riverside CA 92507*

Name: Elvia Aleman

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely, Elvia Aleman

Address: 1202 Fountain St Apt B  
Riverside CA 92507

Name:

Luis Enrique Flores

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely,



Address:

1162 FOUNTAIN S.T RIVERSIDE C.A 92507

Name: Maggie Flores  
Highgrove Neighborhood  
Riverside, CA 92507

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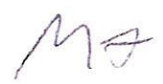
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Sincerely,

Address: 403 Pacific Ave, Riverside, CA 92507

Name: Michelle Rascon

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely,



Address: 409 Pacific Ave, Riverside, CA 92507

Name: *Brittany Morrison*

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely,

*Brittany Morrison*

Address: *411 Pacific Ave. Riverside, CA 92507*

Name:

Highgrove Neighborhood

Riverside, CA 92507

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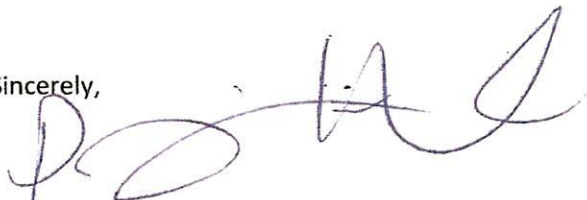
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Sincerely,



Address: 419 Pacific Ave. Riverside, CA 92507

Name: Ernesto Rueda

Highgrove Neighborhood

Riverside, CA 92507

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Thank you and I ask each Supervisor to vote in favor of Excel's conditional use permit, ordinance amendment, and zone change.

Sincerely,



Address:

435 Pacific Ave, Riverside, CA 92507



Name:

Highgrove Neighborhood

Riverside, CA 92507

Dear Riverside County Board of Supervisors:

I write to you today to express my support for Excel Riverside, LLC(Excel) and ask each Supervisor to vote in favor of Excel's proposal for a change of ordinance and property zone change. As a potential neighbor and business owner in our community, Mr. Ravaliya took the time to reach out to me personally to talk with him about any concerns about having dispensaries in the neighborhood, and what reducing the distance between dispensaries could do to the neighborhood.

My biggest concern was if there was no distance between pot shops, Highgrove would be full of them and create crime, odor, trash and graffiti, which is what the illegal pot dealers have brought to Highgrove. Mr. Ravaliya explained that even if there was no distance between pot shops, the County is only allowing 19. As long as these cannabis retailers are away from schools and the number of shops is limited, I support what Mr. Ravaliya is asking the County to change. I think he is a responsible business owner who has already shown he is a good neighbor by cleaning up the building he purchased, which had a parking lot being used for metal storage.

I believe Excel Riverside will be a good neighbor. He explained the following:

- The hours of operation are reasonable. Traffic and noise due to business activities shall occur will happen between the hours of 8:00 a.m. and 10:00 p.m.
- No cannabis can be used on site, and a trained security guard will keep people from publicly using near the store.
- All goods are delivered to the facility in pre-packed form, which reduces odors.
- Mr. Ravaliya plans for professional installation of HVAC system with carbon filters before venting air outside to reduce any possibilities of odors being detected throughout the neighborhood.
- The parking lot will be repaved to cure the site of cracked and crumbling pavement.
- Trash will be stored in a locked area.
- Security and staff will make sure the property is clean at all times.
- Mr. Ravaliya has already ensured the cleanup of materials that used to be on the property.
- He will paint the building and put in new landscaping.

Mr. Ravaliya also gave me his personal contact information, including email and direct line, so that I can reach him with any issues or concerns 24/7. Should any unexpected issues arise, I am confident that I will be able to address them directly with Mr. Ravaliya.

Please consider my support for Excel Riverside, LLC when you vote.

Sincerely,

*Alberto Montiel*  
*Mayor*

Address:

*334 Iowa Av.*  
*Riverside CA 92507*

Name: *Cassandra Rivera*

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely,



Address:

*1232 Center St*

Name: *Francisco Delacruz*

Highgrove Neighborhood

Riverside, CA 92507

Dear Riverside County Board of Supervisors:

I live in the Highgrove area and write in support for Excel Riverside, LLC's request to reduce the distance between cannabis stores. Excel's owner, Chandresh Ravaliya reached out to me personally, along with other Highgrove residents explaining the change of distance, zone change and asking for our feedback and giving me the opportunity to raise any questions about those requests as well as how his dispensary would operate.

Mr. Ravaliya explained that reducing the distance between dispensaries would not increase the number of licenses above the 19 that the County is allowing, which was my main concern. He also brought to my attention the extra security measures dispensaries are required to have, which I believe will have a positive impact on neighborhood safety. Further, I was informed a security guard will provide 24/7 security and Mr. Ravaliya asked that I reach out to management and the security guard if I see any loitering in the neighborhood.

Security cameras will be installed on the inside and outside of the building and will record 24/7, which helps to detect and deter crime. Motion lights will cover the entrance and parking lot. This way, if someone enters the parking lot at night after hours, he or she will be clearly visible from the street.

What impressed me was that not only did Mr. Ravaliya take the time to reach out to me, he also gave me his personal contact information, including his email and direct line, so that I can reach him with any issues or concerns 24/7. The building where Excel would be located has been a neighborhood eyesore until Mr. Ravaliya purchased the building and cleaned up the parking lot where the tenants had been storing shelving. This makes me believe Mr. Ravaliya will be a responsible business owner, generating taxes and jobs the County needs.

Thank you and I ask each Supervisor to vote in favor of Excel's change of ordinance and zone change.

Sincerely, *F. Delacruz*

Address: *421 Transit Ave, Riverside, CA 92507*

Name: BLISS SABER  
Highgrove Neighborhood

Riverside, CA 92507

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Sincerely,



Address: 1243 Villa St, Riverside, CA 92507

Nombre de impresión: I.C. Jaisco Jimenez  
Highgrove Vecindario  
Riverside, CA 92507

Estimada Junta de Supervisores del Condado de Riverside:

Vivo en el área de Highgrove y escribo en apoyo de la solicitud de Excel Riverside, LLC para reducir la distancia entre las tiendas de marihuana. El propietario de Excel, Chandresh Ravaliya se puso en contacto conmigo personalmente, junto con otros residentes de Highgrove explicando el cambio de distancia, cambio de zona y pidiendo nuestros comentarios y dándome la oportunidad de plantear cualquier pregunta sobre esas solicitudes, así como cómo funcionaría su dispensario.

El Sr. Ravaliya explicó que reducir la distancia entre dispensarios no aumentaría el número de licencias de los 19 que el Condado está permitiendo, que era mi preocupación principal. También trajo a mi atención las medidas de seguridad adicionales que los dispensarios deben tener, lo que creo que tendrá un impacto positivo en la seguridad de los vecindarios. Además, me informaron que un guardia de seguridad estará en la propiedad las 24/7 y el Sr. Ravaliya me pidió que me comuniqué con la gerencia y el guardia de seguridad del dispensario si veo algún merodeando en el vecindario.

Las cámaras de seguridad se instalarán en el interior y exterior del edificio y grabarán 24/7, lo que ayuda a detectar y disuadir la delincuencia. Las luces de movimiento cubrirán la entrada y el estacionamiento. De esta manera, si alguien entra el estacionamiento en la noche después de horas, él o ella será claramente visible desde la calle.

Lo que me impresionó fue que no sólo el Sr. Ravaliya se tomó el tiempo para llegar a mí, también me dio su información de contacto personal, incluyendo su correo electrónico y línea directa, para que pueda llegar a él con cualquier problema o preocupación 24/7. El edificio donde se ubicaría Excel ha sido un vecindario monstruoso hasta que el Sr. Ravaliya compró el edificio. El Sr. Ravaliya limpió la propiedad y el estacionamiento donde los inquilinos previos habían estado almacenando estanterías de metal. El Sr. Ravaliya será un empresario responsable, generando impuestos y empleos que el Condado necesita.

Gracias y le pido a cada Superviso que vote a favor del cambio de ordenanza y cambio de zona de Excel.

Sinceramente,



Dirección:  
1245 Villa St, Riverside, CA 92507

Nombre de impresión:

Highgrove Vecindario

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Sinceramente,

JORGE DE JESUS CARDENAS HOLMEDO.

Dirección:

342 IOWA HAVENUE HIGH GROVE CALIFORNIA

Nombre de impresión:

M. J. A. 2020  
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Riverside, CA 92507

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Vivo en el área de Highgrove y escribo en apoyo de la solicitud de Excel Riverside, LLC para reducir la distancia entre las tiendas de marihuana. El propietario de Excel, Chandresh Ravaliya se puso en contacto conmigo personalmente, junto con otros residentes de Highgrove explicando el cambio de distancia, cambio de zona y pidiendo nuestros comentarios y dándome la oportunidad de plantear cualquier pregunta sobre esas solicitudes, así como cómo funcionaría su dispensario.

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Las cámaras de seguridad se instalarán en el interior y exterior del edificio y grabarán 24/7, lo que ayuda a detectar y disuadir la delincuencia. Las luces de movimiento cubrirán la entrada y el estacionamiento. De esta manera, si alguien entra el estacionamiento en la noche después de horas, él o ella será claramente visible desde la calle.

Lo que me impresionó fue que no sólo el Sr. Ravaliya se tomó el tiempo para llegar a mí, también me dio su información de contacto personal, incluyendo su correo electrónico y línea directa, para que pueda llegar a él con cualquier problema o preocupación 24/7. El edificio donde se ubicaría Excel ha sido un vecindario monstruoso hasta que el Sr. Ravaliya compró el edificio. El Sr. Ravaliya limpió la propiedad y el estacionamiento donde los inquilinos previos habían estado almacenando estanterías de metal. El Sr. Ravaliya será un empresario responsable, generando impuestos y empleos que el Condado necesita.

Gracias y le pido a cada Superviso que vote a favor del cambio de ordenanza y cambio de zona de Excel.

Sinceramente,



Dirección:

1170 Villa St. #C, Riverside, CA 92507

Name: *Chris Jeffcoat*

Highgrove Neighborhood

Riverside, CA 92507

Dear Riverside County Board of Supervisors:

I write to you today to express my support for Excel Riverside, LLC(Excel) and ask each Supervisor to vote in favor of Excel's proposal for a change of ordinance and property zone change. As a potential neighbor and business owner in our community, Mr. Ravaliya took the time to reach out to me personally to talk with him about any concerns about having dispensaries in the neighborhood, and what reducing the distance between dispensaries could do to the neighborhood.

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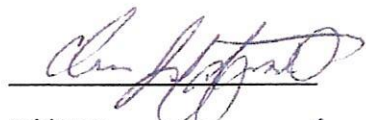
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- The parking lot will be repaved to cure the site of cracked and crumbling pavement.
- Trash will be stored in a locked area.
- Security and staff will make sure the property is clean at all times.
- Mr. Ravaliya has already ensured the cleanup of materials that used to be on the property.
- He will paint the building and put in new landscaping.

Mr. Ravaliya also gave me his personal contact information, including email and direct line, so that I can reach him with any issues or concerns 24/7. Should any unexpected issues arise, I am confident that I will be able to address them directly with Mr. Ravaliya.

Please consider my support for Excel Riverside, LLC when you vote.

Sincerely,



Address: *1222 Center St, Riverside, CA 92507*



Name:

Yadira Lopez

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely,

Yadira Lopez

Address: 429 Pacific Ave, Riverside, CA 92507

Name: Edwin Salcedo

Highgrove Neighborhood

Riverside, CA 92507

Dear Riverside County Board of Supervisors:

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Please consider my support for Excel-Riverside, LLC when you vote.

Sincerely,

Edwin Salcedo

Address: 1161 Villa St, Riverside, CA 92507

Name: *Nyles McIntosh*

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely, *Nyles McIntosh*

*389 Highway Ave, Riverside, CA 92507*  
#C

Address:

Name: *Francisco Garcia*

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely,

*Francisco Garcia*

Address: *1180 Villa St apt B  
Riverside Ca 92507*

Name: Rogelio Ortega  
Highgrove Neighborhood  
Riverside, CA 92507

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Sincerely, 

1190 Villa St, #2, Riverside, CA 92507

Address:

Name:

Highgrove Neighborhood

Riverside, CA 92507

Gabriel Naranjo

Dear Riverside County Board of Supervisors:

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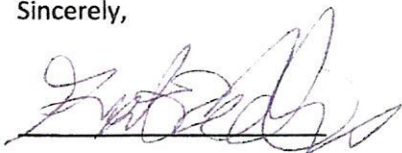
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Sincerely,



Address: 1190 Vista St, Riverside CA 92507

Name: Brett Persony 951 321 0436

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely,



Address: 1190 Villa St Apt. 5

Name: CANDICE Arroyo  
Highgrove Neighborhood  
Riverside, CA 92507

Dear Riverside County Board of Supervisors:

I write to you today to express my support for Excel Riverside, LLC (Excel) and ask each Supervisor to vote in favor of Excel's Conditional Use Permit, ordinance amendment, and zone change. As a potential neighbor and business owner in our community, Mr. Chandresh Ravaliya gave me the opportunity to voice my concerns about his proposed cannabis facility in our neighborhood.

My biggest concern was safety. Mr. Ravaliya explained the security measures he plans to utilize, which made me feel much more confident that Excel's opening will not lead to more crime in the area. I was told the following would be required by Excel's Development Agreement and local and State law:

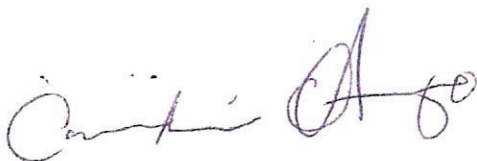
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- Security cameras will be installed on the inside and outside of the building and will record 24/7, which helps to detect and deter crime since criminals don't want to be recorded looking for victims.
- Motion lights will cover the entrance and parking lot. This way, if someone enters through parking lot at night after hours, he or she will be clearly visible from the street. Good lighting also helps to deter crime.

I'm also thrilled that Mr. Ravaliya plans to start a crime reporting hotline and community neighborhood watch to ensure Highgrove is a safe neighborhood.

I am impressed that Mr. Ravaliya took the time to reach out to me. He gave me his personal contact information, including email and direct line, so that I can reach him with any issues or concerns 24/7.

Thank you and I ask each Supervisor to vote in favor of Excel's conditional use permit, ordinance amendment, and zone change.

Sincerely,



Address:

339 Pacific Ave. Riverside, CA 92507



Name: Erica Torres

Highgrove Neighborhood

Riverside, CA 92507

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Sincerely,



Address:

347 Pacific Ave

Riverside CA 92507

## Wheeler, Timothy

---

**From:** Maxwell, Sue  
**Sent:** Tuesday, March 17, 2020 11:32 AM  
**To:** Rector, Kimberly; Harper, Kecia; Barton, Karen; Lewis, Tammymae  
**Cc:** Hildebrand, John; Wheeler, Timothy; COB-Agenda; Johnson, George; Leach, Charissa; Perez, Juan; Young, Alisa; District 4 Supervisor V. Manuel Perez; District2; District3; District5; Supervisor Jeffries - 1st District  
**Subject:** March 17, 2020 Item No 21.1 Public Comment - Highgrove COZ 1900021 and Cannabis Retailer (Continued to May 19, 2020) - Dr. John Minnella-Romano

The email below received via COB has been printed and placed with Agenda Back-up for March 17, 2020 Board Meeting Item No 21.1 (continued to May 19, 2020); MinuteTraQ No 12035.

Thank you kindly,

*Sue Maxwell*

Board Assistant  
Riverside County Clerk of the Board of Supervisors  
(951) 955-1069 Fax (951) 955-1071

[cob@rivco.org](mailto:cob@rivco.org)

website: <http://rivcocob.org/>

<https://www.facebook.com/RivCoCOB/>



TOGETHER, Everybody Counts!



IECounts.org

**From:** Rector, Kimberly <KRECTOR@RIVCO.ORG>  
**Sent:** Monday, March 16, 2020 7:50 AM  
**To:** Harper, Kecia <KHarper@rivco.org>; Barton, Karen <KLBARTON@RIVCO.ORG>; Maxwell, Sue <smaxwell@RIVCO.ORG>; Lewis, Tammymae <TMLewis@RIVCO.ORG>  
**Subject:** FW: Tuesday morning BOS meeting

FYI~

*Kimberly Rector*

Assistant Clerk of the Board  
Clerk of the Board of Supervisors  
4080 Lemon Street, 1<sup>st</sup> Floor, Room 127  
Riverside, CA 92501  
Phone: (951) 955-1098  
Fax: (951) 955-1071  
Mail Stop #1010

[krector@rivco.org](mailto:krector@rivco.org)

Website: <http://rivcocob.org/>

<https://www.facebook.com/RivCoCOB/>

"We are what we repeatedly do. Excellence, therefore, is not an act but a habit." – Aristotle



TOGETHER, *Everybody Counts!*



NOTICE: This communication is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email or by telephone and immediately delete this communication and all its attachments.

**From:** Dr. John L. MINNELLA-Romano <[drjminnella@yahoo.com](mailto:drjminnella@yahoo.com)>

**Sent:** Monday, March 16, 2020 6:45 AM

**To:** Rector, Kimberly <[KRECTOR@RIVCO.ORG](mailto:KRECTOR@RIVCO.ORG)>

**Cc:** Leach, Charissa <[cleach@rivco.org](mailto:cleach@rivco.org)>; Jeffries, Kevin <[KJeffries@RIVCO.ORG](mailto:KJeffries@RIVCO.ORG)>; Supervisor Jeffries - 1st District <[district1@RIVCO.ORG](mailto:district1@RIVCO.ORG)>; Ketcham, Thomas <[TKetcham@RIVCO.ORG](mailto:TKetcham@RIVCO.ORG)>; Worobec, Gary <[gtw5@earthlink.net](mailto:gtw5@earthlink.net)>; Gary Worobec <[garytwmw@gmail.com](mailto:garytwmw@gmail.com)>; Donahue, Bill <[sagetownhall@gmail.com](mailto:sagetownhall@gmail.com)>; Bill Donahue <[donahueelectric@sbcglobal.net](mailto:donahueelectric@sbcglobal.net)>; Adel Salem <[deputydude552@gmail.com](mailto:deputydude552@gmail.com)>; Debbie Salem <[debbiesalem71@gmail.com](mailto:debbiesalem71@gmail.com)>; Sandy Rytch <[rknrrnch@aol.com](mailto:rknrrnch@aol.com)>; ElaineEW <[ElaineEW@aol.com](mailto:ElaineEW@aol.com)>; Jake Somers <[jakes222@verizon.net](mailto:jakes222@verizon.net)>

**Subject:** Fw: Tuesday morning BOS meeting

Dear Kimberly:

The Residents Association of Greater Lake Mathews, Inc. ("RAGLM") joins in expressing serious concern over BOS consideration of item 21.1 of its Agenda for March 17, 2020.

Our organization intends to attend en masse any such consideration by the BOS to express vocally our strong opposition. At the same time, we want to abide by recommendations against large gatherings. Continuing with this Agenda item only forces us to attend.

Sincerely,

**RAGLM**

[signed] John L. Minnella

President

Direct, personal address: 1820 East 17th Street, Santa Ana, California 92705-8604. Telephone: 714/543-9005; Facsimile: 714/542-2495. Email: [drjminnella@yahoo.com](mailto:drjminnella@yahoo.com) or [minnellalaw@sbcglobal.net](mailto:minnellalaw@sbcglobal.net).

----- Forwarded Message -----

**From:** Gary Worobec <[gtw5@earthlink.net](mailto:gtw5@earthlink.net)>

**To:** colleen huffman <[colhuff2@gmail.com](mailto:colhuff2@gmail.com)>; Linda Caldwell <[goforthvillage2@yahoo.com](mailto:goforthvillage2@yahoo.com)>; [ghostcreeks@hotmail.com](mailto:ghostcreeks@hotmail.com) <[ghostcreeks@hotmail.com](mailto:ghostcreeks@hotmail.com)>; Iris Grosse <[dirtroadduo@gmail.com](mailto:dirtroadduo@gmail.com)>; Laura Stillwell <[curtsbookshemet@gmail.com](mailto:curtsbookshemet@gmail.com)>; John Minnella <[drjminnella@yahoo.com](mailto:drjminnella@yahoo.com)>; Brianne Hopkins <[happyanza@aol.com](mailto:happyanza@aol.com)>; Allison Renck <[ali9591@aol.com](mailto:ali9591@aol.com)>; David Shulberg <[aabacusltd@aol.com](mailto:aabacusltd@aol.com)>; Audrey Turpin <[upacreekbranch1@gmail.com](mailto:upacreekbranch1@gmail.com)>; chris walters <[rench@pacbell.net](mailto:rench@pacbell.net)>; Tim Ivetun <[tivetun@gmail.com](mailto:tivetun@gmail.com)>; Linda Bush <[msmaddog0001@gmail.com](mailto:msmaddog0001@gmail.com)>; Maryann Puett <[puett.maryann@gmail.com](mailto:puett.maryann@gmail.com)>; Bill Donahue <[sagetownhall@gmail.com](mailto:sagetownhall@gmail.com)>; [oneranchocostaplenty@gmail.com](mailto:oneranchocostaplenty@gmail.com) <[oneranchocostaplenty@gmail.com](mailto:oneranchocostaplenty@gmail.com)>; SHaron Evans <[anzarealestate@gmail.com](mailto:anzarealestate@gmail.com)>; Diane Sieker <[motorhead-x@hotmail.com](mailto:motorhead-x@hotmail.com)>; Phil Canaday <[phil@anzawireless.net](mailto:phil@anzawireless.net)>; Debbie Walsh <[abilene149@gmail.com](mailto:abilene149@gmail.com)>; Arlene Miller

<tenajacsd@gmail.com>; rex huffman <rex.huffman@abheonline.com>; Bud Elmore <2budzracing@gmail.com>; tracy bassett <rdhtred@aol.com>; Jackie Hare <jackie@jlhare.com>  
Cc: Kimberly Rector <krector@rivco.org>; charissa Leach <cleach@rivco.org>; John Minnella <drjminnella@yahoo.com>; Debbie Walsh <abilene149@gmail.com>; Bill Donahue <sagetownhall@gmail.com>  
Sent: Sunday, March 15, 2020, 2:56:33 PM PDT  
Subject: Tuesday morning BOS meeting

Hi Kimberly, Is the BOS meeting still on for Tuesday. Many of us would like to speak regarding Item 21.1 regarding the reduction of distance for marijuana dispensaries from 1000ft to 250ft county wide. We do not want to get down there and be denied admittance because of the COVID-19 issue.

Thank you,  
Gary Worobec  
[www.takebackanza.org](http://www.takebackanza.org)

**TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON ORDINANCE NO. 348.4922, CHANGE OF ZONE NO. 1900036, CHANGE OF ZONE NO. 1900021, ORDINANCE NO. 348.4921, CONDITIONAL USE PERMIT NO. 190009, DEVELOPMENT AGREEMENT NO. 1900005 and ORDINANCE NO. 664.64 – Intent to Adopt a Negative Declaration – Applicant: Excel Riverside, Inc. – Engineer/Representative: Infrastructure Engineers c/o Charles Minyard - Second Supervisorial District – University Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) – Location: North of Palmer Street, south of Center Street, east of Iowa Avenue, and west of Pacific Avenue – 0.41 Net Acres - Zoning: Existing: Commercial Office (C-O); Proposed: Scenic Highway Commercial (C-P-S) - REQUEST: Ordinance Amendment - **Change of Zone No. 1900036 proposes to amend Ordinance No. 348 Section 19.519 to reduce the minimum separation standard between Cannabis Retailers from 1,000 feet to 250 feet.** Conditional Use Permit No. 190009 proposes a storefront retail cannabis business and delivery service that includes two parcels with one existing 3,952 square foot commercial building of two suites and accompanying parking lot. The first suite of the existing commercial building is 2,106 square feet and would contain the storefront retail cannabis business. The second suite, consisting of 1,846 square feet, is vacant and would not be permitted for any commercial cannabis activities of any kind. Change of Zone No. 1900021, proposes to change the existing zoning for the project site from Commercial Office to Scenic Highway Commercial. Development Agreement No. 1900005 and Ordinance No. 664.64 is a proposal for a development agreement with the County consistent with Board Policy B-9 and would impose a lifespan on the proposed cannabis project and provide community benefit to the surrounding community.  
District 2. [Applicant fees 100%]**

## Wheeler, Timothy

---

**From:** Wheeler, Timothy  
**Sent:** Tuesday, May 12, 2020 2:45 PM  
**To:** Debbie Walsh  
**Cc:** Hildebrand, John  
**Subject:** RE: CHANGE OF ZONE NO. 1900036, CUP NO. 190009.

Good Afternoon Debbie,

I wanted to provide you with a reminder that Change of Zone No. 190036, Change of Zone No. 190021, and Conditional Use Permit No. 190009 will be on the Board of Supervisors agenda next week May 19, 2020. Please see the Clerk of the Boards website <https://www.rivcocob.org/> for means of public participation (viewing, teleconferencing, etc.) on the Board meeting.

Kind Regards,

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

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**How are we doing? [Click the Link and tell us](#)**

**From:** Wheeler, Timothy  
**Sent:** Tuesday, February 18, 2020 9:21 AM  
**To:** Debbie Walsh <abilene149@gmail.com>; Sarabia, Elizabeth <ESarabia@RIVCO.ORG>  
**Subject:** RE: CHANGE OF ZONE NO. 1900036, CUP NO. 190009.

Good Morning Ms. Walsh,

Thank you for your emailed letter in regards to Agenda Item 4.3 for Planning Commission. Ms. Sarabia and I will make sure it is provided to the Planning Commissioners for tomorrow's February 19, 2020 Planning Commission hearing.

Kind Regards,

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

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**How are we doing? [Click the Link and tell us](#)**

**From:** Debbie Walsh [<mailto:abilene149@gmail.com>]

**Sent:** Monday, February 17, 2020 10:19 PM

**To:** Wheeler, Timothy <[TWHEELER@RIVCO.ORG](mailto:TWHEELER@RIVCO.ORG)>; Sarabia, Elizabeth <[ESarabia@RIVCO.ORG](mailto:ESarabia@RIVCO.ORG)>

**Subject:** CHANGE OF ZONE NO. 1900036, CUP NO. 190009.

Timothy and Elizabeth,

Please find the attached letter in opposition to Item 4.3 on the Planning Commission Agenda February 19, 2019.

Proposal for a CUP and change to Cannabis Ordinance No 348 Section 19.519 A.2.

Thanks.

Debbie Walsh

## Wheeler, Timothy

---

**From:** Wheeler, Timothy  
**Sent:** Tuesday, May 12, 2020 3:05 PM  
**To:** Dr. John L. MINNELLA-Romano  
**Cc:** Adel Salem; Debbie Salem; Jake Somers; Sandy Rytych; ElaineEW; elaineew73@gmail.com; Hildebrand, John  
**Subject:** CUP190009 on next week's Board agenda May 19, 2020

Good Afternoon Dr. Minnella,

I wanted to provide you with a reminder that Change of Zone No. 190036, Change of Zone No. 190021, and Conditional Use Permit No. 190009 will be on the Board of Supervisors agenda next week May 19, 2020. Please see the Clerk of the Boards website <https://www.rivcocob.org/> for means of public participation (viewing, teleconferencing, etc.) on the Board meeting.

Kind Regards,

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

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**How are we doing? [Click the Link and tell us](#)**

**From:** Wheeler, Timothy  
**Sent:** Tuesday, February 18, 2020 9:19 AM  
**To:** Dr. John L. MINNELLA-Romano <drjminnella@yahoo.com>; Sarabia, Elizabeth <ESarabia@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org>; Russell Brady <russellb@migcom.com>  
**Cc:** Jeffries, Kevin <KJeffries@RIVCO.ORG>; Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; Supervisor Kevin Jeffries <rivcodistrict1@public.govdelivery.com>; Adel Salem <deputydude552@gmail.com>; Debbie Salem <debbiesalem71@gmail.com>; Jake Somers <jakes222@verizon.net>; Sandy Rytych <rknrrnch@aol.com>; ElaineEW <ElaineEW@aol.com>; elaineew73@gmail.com  
**Subject:** RE: Planning Commission Agenda Items 4.2 & 4.3, 2-19-20 Agenda

Good Morning Dr. John Minnella,

Thank you for your emailed letter in regards to Agenda Item 4.3 for Planning Commission. Ms. Sarabia and I will make sure it is provided to the Planning Commissioners for tomorrow's February 19, 2020 Planning Commission hearing.

Kind Regards,

Tim Wheeler  
Urban Regional Planner III

4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

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**How are we doing? [Click the Link and tell us](#)**

**From:** Dr. John L. MINNELLA-Romano [<mailto:drjminnella@yahoo.com>]

**Sent:** Sunday, February 16, 2020 5:37 PM

**To:** Sarabia, Elizabeth <[ESarabia@RIVCO.ORG](mailto:ESarabia@RIVCO.ORG)>; Wheeler, Timothy <[TWHEELER@RIVCO.ORG](mailto:TWHEELER@RIVCO.ORG)>; Leach, Charissa <[cleach@rivco.org](mailto:cleach@rivco.org)>; Russell Brady <[russellb@migcom.com](mailto:russellb@migcom.com)>

**Cc:** Jeffries, Kevin <[KJeffries@RIVCO.ORG](mailto:KJeffries@RIVCO.ORG)>; Supervisor Jeffries - 1st District <[district1@RIVCO.ORG](mailto:district1@RIVCO.ORG)>; Supervisor Kevin Jeffries <[rivcodistrict1@public.govdelivery.com](mailto:rivcodistrict1@public.govdelivery.com)>; Adel Salem <[deputydude552@gmail.com](mailto:deputydude552@gmail.com)>; Debbie Salem <[debbiesalem71@gmail.com](mailto:debbiesalem71@gmail.com)>; Jake Somers <[jakes222@verizon.net](mailto:jakes222@verizon.net)>; Sandy Rytych <[rknrrnch@aol.com](mailto:rknrrnch@aol.com)>; ElaineEW <[ElaineEW@aol.com](mailto:ElaineEW@aol.com)>; [elaineew73@gmail.com](mailto:elaineew73@gmail.com)

**Subject:** Planning Commission Agenda Items 4.2 & 4.3, 2-19-20 Agenda

Dear Ms. Sarabia:

Please present the attached to the Planning Commission for their February 19, 2020 deliberations.

Thank you.

John Minnella  
President, RAGLM



## Wheeler, Timothy

---

**From:** Wheeler, Timothy  
**Sent:** Tuesday, May 12, 2020 3:13 PM  
**To:** 'highgrovenews@roadrunner.com'  
**Cc:** Hildebrand, John  
**Subject:** RE: CZ1900036, CUP190009, CZ1900021, DA1900005 - Excel Riverside (Cannabis Retailer)

Good Afternoon Mr. Barnett,

I wanted to provide you with a reminder that Change of Zone No. 190036, Change of Zone No. 190021, and Conditional Use Permit No. 190009 will be on the Board of Supervisors agenda next week May 19, 2020. Please see the Clerk of the Boards website <https://www.rivcocob.org/> for means of public participation (viewing, teleconferencing, etc.) on the Board meeting.

Kind Regards,

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

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**How are we doing? [Click the Link and tell us](#)**

**From:** Wheeler, Timothy  
**Sent:** Monday, February 24, 2020 4:00 PM  
**To:** highgrovenews@roadrunner.com  
**Cc:** Hildebrand, John <JHildebr@RIVCO.ORG>  
**Subject:** CZ1900036, CUP190009, CZ1900021, DA1900005 - Excel Riverside (Cannabis Retailer)

Good Afternoon Mr. Barnett,

As you had requested, below is the action taken by the Planning Commission on Item 4.3 from February 19, 2020 meeting and additionally their request to the Board of Supervisors regarding the separation requirement for Cannabis Retailers:

THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

RECOMMEND-ADOPTION of Ordinance No. 348.4922 associated with Change of Zone No. 1900036, based on the findings and conclusions incorporated into this staff report, in the initial study, attached hereto, and the conclusion that the project will not have a significant effect on the environment; and,

RECOMMEND-ADOPTION of a NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. CEQ190069, based on the findings and conclusions incorporated into this staff report, in the initial study, attached hereto, and the conclusion that the project will not have a significant effect on the environment; and,  
RECOMMEND-TENTATIVE APPROVAL of Change of Zone No. 1900021, that modifies the project site zoned Commercial Office (C-O) to Scenic Highway Commercial (C-P-S), subject to adoption of the zoning ordinance by the Board of Supervisors; and  
RECOMMEND-TENTATIVE APPROVAL of Development Agreement No. 1900005, based upon the findings in this staff report, pending final adoption of the Development Agreement ordinance by the Board of Supervisors; and,  
RECOMMEND-APPROVAL of Conditional Use Permit No. 1900009, subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report and subject to final approval of Change of Zone No. 1900021.

In addition with the above recommendations, the Planning Commission requested that the Board of Supervisors initiate a staff-level review of separation requirements between cannabis retailers. During the discussion by the Planning Commissioners, Staff responded to the Commission during the hearing, stating that staff had conducted an environmental analysis and made the appropriate findings, resulting in a recommendation to reduce the existing 1,000ft separation requirement to 250ft. The Planning Commission understood that further analysis could be conducted, but it would look at the possibility of reducing this separation even more or possibly removing a separation requirement altogether.

I hope this helps with the information you were looking for.

The project will proceed to the Board of Supervisors on the March 17, 2020 meeting agenda.

Kind Regards,

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

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## Wheeler, Timothy

---

**From:** Gary Worobec <garytwmw@gmail.com>  
**Sent:** Tuesday, May 12, 2020 3:49 PM  
**To:** Wheeler, Timothy  
**Subject:** Re: CUP190009 on next week's Board agenda May 19, 2020

Thank you Mr. Wheeler, we will all be there.

Thank you  
Gary Worobec  
[www.takebackanza.org](http://www.takebackanza.org).

On May 12, 2020, at 3:06 PM, Wheeler, Timothy <[TWHEELER@RIVCO.ORG](mailto:TWHEELER@RIVCO.ORG)> wrote:

Good Afternoon Mr. Worobec,

I wanted to provide you with a reminder that Change of Zone No. 190036, Change of Zone No. 190021, and Conditional Use Permit No. 190009 will be on the Board of Supervisors agenda next week May 19, 2020. Please see the Clerk of the Boards website <https://www.rivcocob.org/> for means of public participation (viewing, teleconferencing, etc.) on the Board meeting.

Kind Regards,

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

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**From:** Wheeler, Timothy  
**Sent:** Tuesday, February 18, 2020 9:20 AM  
**To:** Gary Worobec <[garytwmw@gmail.com](mailto:garytwmw@gmail.com)>; Sarabia, Elizabeth <[ESarabia@RIVCO.ORG](mailto:ESarabia@RIVCO.ORG)>; Leach, Charissa <[cleach@rivco.org](mailto:cleach@rivco.org)>  
**Cc:** Brady, Russell <[rbrady@RIVCO.ORG](mailto:rbrady@RIVCO.ORG)>; John Minnella <[driminnella@yahoo.com](mailto:driminnella@yahoo.com)>; Donahue, Bill <[sagetownhall@gmail.com](mailto:sagetownhall@gmail.com)>  
**Subject:** RE: Planning Commission agenda item 4.3

Good Morning Mr. Worobec,

Thank you for your email in regards to Agenda Item 4.3 for Planning Commission. Ms. Sarabia and I will make sure it is provided to the Planning Commissioners for tomorrow's February 19, 2020 Planning Commission hearing.

Kind Regards,

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

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**How are we doing? [Click the Link and tell us](#)**

**From:** Gary Worobec [<mailto:garytwmw@gmail.com>]  
**Sent:** Monday, February 17, 2020 1:27 PM  
**To:** Sarabia, Elizabeth <[ESarabia@RIVCO.ORG](mailto:ESarabia@RIVCO.ORG)>; Leach, Charissa <[cleach@rivco.org](mailto:cleach@rivco.org)>  
**Cc:** Wheeler, Timothy <[TWHEELER@RIVCO.ORG](mailto:TWHEELER@RIVCO.ORG)>; Brady, Russell <[rbrady@RIVCO.ORG](mailto:rbrady@RIVCO.ORG)>; John Minnella <[drjminnella@yahoo.com](mailto:drjminnella@yahoo.com)>; Donahue, Bill <[sagetownhall@gmail.com](mailto:sagetownhall@gmail.com)>  
**Subject:** Planning Commission agenda item 4.3

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Ms, Sarabia,

Could you please forward this email to the Riverside County Planning Commissioners.

Please be advised that the principals and supporters of [www.takebackkanza.org](http://www.takebackkanza.org) are in opposition to any change in Ordinance 348 regarding minimum distances between cannabis retailers. Any change would make no sense for communities and would infringe on the quality of life that we all strive for in Riverside County. What is next? Do we then change the ordinance for a retailer to open a business within 250 feet of a school or public park. Our Planning Department did their due diligence and spent hundreds of man hours and hundreds of thousands of dollars in development of our Cannabis ordinance. Our supporters and many other citizens groups supported the Ordinance as it was written and approved by the BOS. Any changes would be a complete violation of the public trust

2) 4.3. CHANGE OF ZONE NO. 1900036, CONDITTIONAL USE PERMIT NO. 190009, CHANGE OF ZONE NO. 1900021, and DEVELOPMENT AGREEMENT NO. 1900005 - Intent to Adopt a Negative Declaration - CEQ190069. It proposes to amend Ordinance No. 348 Section 19.519 for a Cannabis Retailer and reduce the minimum distance standard to other Cannabis Retailers from 1000 feet to 250 feet.

Thank you for your consideration  
Gary Worobec  
[www.takebackkanza.org](http://www.takebackkanza.org)  
951-763-0518

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**County of Riverside California**

## Wheeler, Timothy

---

**From:** Chandresh Ravaliya <cravaliya@gmail.com>  
**Sent:** Thursday, May 14, 2020 10:28 AM  
**To:** drjminnella@yahoo.com  
**Cc:** Wheeler, Timothy; Hildebrand, John  
**Subject:** Greater Lake Mathews Residents Association  
**Attachments:** Excel Riverside Inc to Greater Lake Mathews Residents Association\_5.14.2020.pdf

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Dear Dr. Minnella,

Attached please find a letter addressed to the Greater Lake Mathews Residents Association from Excel Riverside Inc.

Thank you in advance for your consideration and please don't hesitate to reach out with any questions.

Sincerely,

Chandresh Ravaliya

President

Excel Riverside Inc

[cravaliya@gmail.com](mailto:cravaliya@gmail.com)

(909) 562 6388

# EXCEL RIVERSIDE, INC.

*Via e-mail only to Drjminnella@yahoo.com*

May 10, 2020

Dr. John Minnella  
President  
Residents Association of Greater Lake Matthews

Dear Dr. Minnella,

I hope this finds you well in these very trying times. The County of Riverside, Department of Planning (the County) forwarded me copy of your e-mail written on behalf of the Residents Association of Greater Lake Matthews (the Association) voicing the Association's concerns regarding the proposed ordinance change reducing the distance between cannabis retailers to 250 feet. I understand the Association's apprehension concerning the change and wanted to reach out regarding the proposed distance and provide you with some information and a perspective that you may not be aware of to share with the Association.

Please know that we are not seeking to amend, change or expand the 3 significant restrictions that Riverside County Ordinance 348.4896, places on cannabis retailers which are: (1) allowing only 19 retail licenses County wide, (2) any change in zoning that would allow cannabis in residentially zoned areas or (3) to reduce the distance between dispensaries and schools, parks and day care centers. We believe these 3 requirements have and will continue to operate as a check and balance the Ordinance was designed to carry out

First, on the Association's concern that reducing the distance between only cannabis businesses will result in more dispensaries, that is incorrect. Only 19 retail cannabis businesses are allowed County wide. In other words, within the 7303 square miles contained in County, stretching from Corona to Blythe, only 19 cannabis businesses will be permitted to operate. Please see the County's website referencing only 19 licenses will be issued at <https://planning.rctlma.org/Cannabis/FAQ>.

Second, Ordinance 348.4896 further requires that the distance between a cannabis retail business and any child day care center, K-12 school, public park, or youth center be a minimum of 1000 feet away. We are not seeking to change this distance.

Third, the County also limits the location of cannabis retailers by zone. Cannabis retail may only be located in very specific types of Commercial, Industrial and Manufacturing Zones. The availability of Commercial, Industrial and Manufacturing zoned space that also meets the distance requirement of being located 1000 feet from a school, park or daycare center is extremely limited, which creates an additional barrier to any increase in dispensaries.

1270 Center Street  
Riverside, CA 92507

# EXCEL RIVERSIDE, INC.

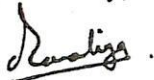
Page 2

Just as there is no distance limitation between those selling off site liquor (e.g. gas stations selling beer and wine) or restaurants who serve liquor, we believe that cannabis retail businesses with the Ordinance limitations mentioned above, should not be further required to be 1000 feet from a competitor. Reducing the distance between retailers will not have the impact of increasing the number of dispensaries, and certainly not allow dispensaries to locate in residential areas.

Lastly, I enclose a map showing the location of Excel Riverside in the Highgrove area verses the area covering the Association to give you a perspective regarding proximity. As you see, the distance between the two is considerable.

Thank you in advance for your time for considering and concern for the community. Please feel free to reach out to me via e-mail, [cravaliya@gmail.com](mailto:cravaliya@gmail.com) or by phone at 909-562-6388 should you have questions or wish to discuss the proposed project further.

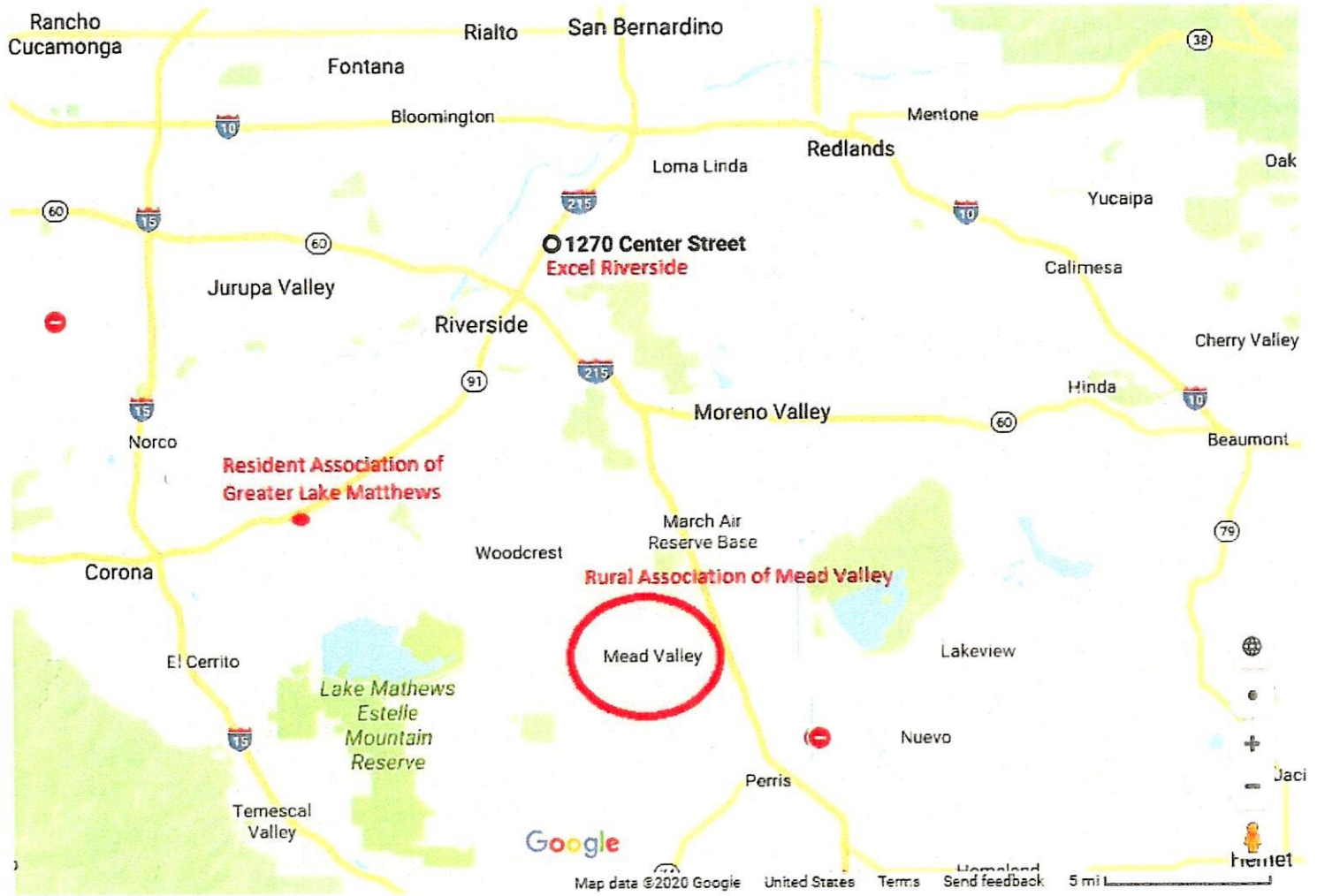
Sincerely,



Chandresh Ravaliya  
President, Excel Riverside

CR/las  
encls.





## Wheeler, Timothy

---

**From:** Chandresh Ravaliya <cravaliya@gmail.com>  
**Sent:** Thursday, May 14, 2020 3:52 PM  
**To:** abilene149@gmail.com; Wheeler, Timothy; Hildebrand, John  
**Subject:** Rural Association of Mead Valley, Inc.  
**Attachments:** Excel Riverside Inc to Rural Association Mead Valley 5.14.20.pdf

**CAUTION:** This email originated externally from the **Riverside County** email system.  
**DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Walsh,

Attached please find a letter addressed to the Rural Association of Mead Valley, Inc. from Excel Riverside Inc.

Thank you in advance for your consideration and please don't hesitate to reach out should you have any questions.

Chandresh Ravaliya

Excel Riverside, Inc

909 562 6388

# EXCEL RIVERSIDE, INC.

VIA E-MAIL ONLY TO: Debbie Walsh (abilene149@gmail.com)

May 14, 2020

Ms. Debbie Walsh  
President of the Rural Association of Mead Valley

Dear Ms. Walsh

I hope this finds you well in these very trying times. The County of Riverside, Department of Planning (the County) forwarded me copy of your e-mail written on behalf of the Rural Association of Mead Valley (the Association) voicing the Association's concerns regarding the proposed ordinance change reducing the distance between cannabis retailers to 250 feet. I understand the Association's apprehension concerning the change and wanted to reach out regarding the proposed distance and provide you with some information and a perspective that you may not be aware of to share with the Association.

Please know that we are a cannabis retail business and are not engaged in cultivation of any sort nor is our amendment seeking to allow any legal cannabis activity in any designated agricultural or residential zone in Riverside County. We believe as does the Association that those areas are inappropriate for permitted cannabis activity. Further, we congratulate the Association on its efforts to prohibit licensed activity in the area

We are not seeking to amend, change or expand the 3 significant restrictions that Riverside County Ordinance 348.4896, places on cannabis retailers which are: (1) allowing only 19 retail licenses County wide, (2) any change in zoning that would allow cannabis in residentially zoned areas or (3) to reduce the distance between dispensaries and schools, parks and day care centers. We believe these 3 requirements have and will continue to operate as a check and balance the Ordinance was designed to carry out

First, on the Association's concern that reducing the distance between only cannabis businesses will result in more dispensaries, that is incorrect. Only 19 retail cannabis businesses are allowed County wide. In other words, within the 7303 square miles contained in County, stretching from Corona to Blythe, only 19 cannabis businesses will be permitted to operate. Please see the County's website referencing only 19 licenses will be issued at <https://planning.rctlma.org/Cannabis/FAQ>.

1270 Center Street  
Riverside, CA 92507

# EXCEL RIVERSIDE, INC.

Page 2

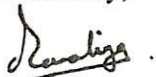
Second, Ordinance 348.4896 further requires that the distance between a cannabis retail business and any child day care center, K-12 school, public park, or youth center be a minimum of 1000 feet away. We are not seeking to change this distance and believe children should be protected.

Third, the County also limits the location of cannabis retailers by zone. Cannabis retail may only be located in very specific types of Commercial, Industrial and Manufacturing Zones. The availability of Commercial, Industrial and Manufacturing zoned space that also meets the distance requirement of being located 1000 feet from a school, park or daycare center is extremely limited, which creates an additional barrier to any increase in dispensaries.

Just as there is no distance limitation between those selling off site liquor (e.g. gas stations selling beer and wine) or restaurants who serve liquor, we believe that cannabis retail businesses with the Ordinance limitations mentioned above, should not be further required to be 1000 feet from a competitor. Reducing the distance between retailers will not have the impact of increasing the number of dispensaries in unincorporated areas of Riverside County and certainly not allow dispensaries to locate in residential areas.

Thank you in advance for your time for considering and concern for the community. Please feel free to reach out to me via e-mail, [cravaliya@gmail.com](mailto:cravaliya@gmail.com) or by phone at 909-562-6388 should you have questions or wish to discuss the proposed project further.

Sincerely,



Chandresh Ravaliya  
President, Excel Riverside

CR/las

## Wheeler, Timothy

---

**From:** Chandresh Ravaliya <cravaliya@gmail.com>  
**Sent:** Thursday, May 14, 2020 3:56 PM  
**To:** District3 Information  
**Cc:** Hildebrand, John; Wheeler, Timothy; Lesa Slaughter  
**Subject:** Take Back Anza  
**Attachments:** Excel Riverside to Take Back Anza 5.14.20.pdf

Dear Mr. Worobec

Attached please find a letter to Take Back Anza from Excel Riverside.

Thank you in advance for your consideration and please don't hesitate to reach out should you have any questions.

Chandresh Ravaliya

Excel Riverside Inc

(909) 562 6388

## EXCEL RIVERSIDE, INC.

VIA E-MAIL ONLY TO: Gary Worobec ([gtw5@earthlink.net](mailto:gtw5@earthlink.net)) with a copy to the Honorable Chuck Washington, Supervisor 3<sup>rd</sup> District, Riverside County ([D3email@rivco.org](mailto:D3email@rivco.org))

May 14, 2020

Mr. Gary Worobec  
Take Back Anza Citizens Coalition

Dear Mr. Worobec,

I hope this finds you well in these very trying times. The County of Riverside, Department of Planning (the County) forwarded me copy of your e-mail written on behalf of the citizen's coalition, Take Back Anza (the Coalition) voicing the Coalition's concerns regarding the proposed ordinance change reducing the distance between cannabis retailers to 250 feet. I understand the Coalition's apprehension concerning the change and wanted to reach out regarding the proposed distance and provide you with some information and a perspective that you may not be aware of to share with the Coalition.

Please know that we are a cannabis retail business and are not engaged in cultivation of any sort nor is our amendment seeking to allow any legal cannabis activity in any designated agricultural or residential zone in Riverside County. We believe as does the Coalition that those areas are inappropriate for permitted cannabis activity. Further, we congratulate the Coalition on its efforts to prohibit licensed activity in the area and the success the Coalition is having on eradicating illegal cannabis activity, such as the April 29 seizure of 3 tons of illegally grown cannabis in the communities of Anza and Aguanga.

Additionally, we are not seeking to amend, change or expand the 3 significant restrictions that Riverside County Ordinance 348.4896, places on cannabis retailers which are: (1) allowing only 19 retail licenses County wide, (2) any change in zoning that would allow cannabis in residentially zoned areas or (3) to reduce the distance between dispensaries and schools, parks and day care centers. We believe these 3 requirements have and will continue to operate as a check and balance the Ordinance was designed to carry out

First, on the Coalition's concern that reducing the distance between only cannabis businesses will result in more dispensaries, that is incorrect. Only 19 retail cannabis businesses are allowed County wide. In other words, within the 7303 square miles contained in County, stretching from Corona to Blythe, only 19 cannabis businesses will be permitted to operate. Please see the County's website referencing only 19 licenses will be issued at <https://planning.rctlma.org/Cannabis/FAQ>.

1270 Center Street  
Riverside, CA 92507

# EXCEL RIVERSIDE, INC.

Page 2

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Thank you in advance for your time for considering and concern for the community. Please feel free to reach out to me via e-mail, [cravaliya@gmail.com](mailto:cravaliya@gmail.com) or by phone at 909-562-6388 should you have questions or wish to discuss the proposed project further.

Sincerely,

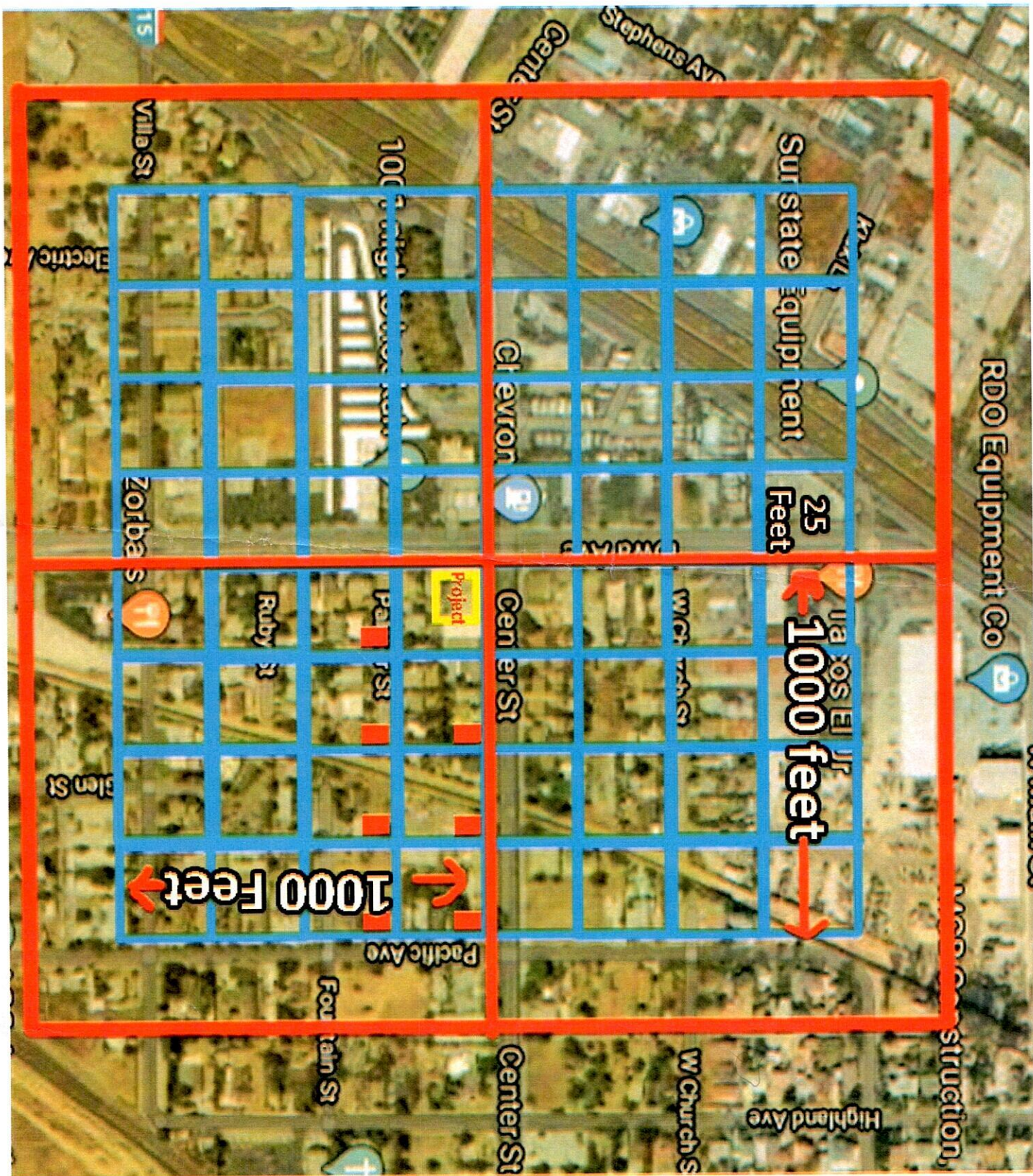


Chandresh Ravaliya  
President, Excel Riverside

CR/las

cc: Honorable Chuck Washington, Supervisor Third District, Riverside County

Debbie Watson  
5/19/2020 21.1





# THE PRESS-ENTERPRISE

| DATE  | ORDER NUMBER | PONumber | PRODUCT      | SIZE      | Amount             |
|---|--------------|----------|--------------|-----------|--------------------|
| 5/23/20   | 0011385818   |          | PE Riverside | 4 x 85 Li | 442.00             |
| <b>Invoice text:</b> Notice of Public Hearing - GPA 01194 |              |          |              |           |                    |
|   |              |          |              |           | <b>BALANCE DUE</b> |
|   |              |          |              |           | 442.00             |

*TLMA - Planning Department  
Item 21.1 of 6/2/20*

Placed by: Hannah Lumanauw

**Legal Advertising Memo Invoice**

| SALES/CONTACT INFORMATION  | ADVERTISER INFORMATION |                       |                          |                        |
|----------------------------|------------------------|-----------------------|--------------------------|------------------------|
| Nick Eller<br>951-368-9229 | BILLING DATE           | BILLED ACCOUNT NUMBER | ADVERTISER/CLIENT NUMBER | ADVERTISER/CLIENT NAME |
|                            | 05/23/2020             | 5209148               | 5209148                  | BOARD OF SUPERVISORS   |



**THE PRESS-ENTERPRISE**  
**Legal Advertising Memo Invoice**

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

| ADVERTISER/CLIENT NAME |                       |                          |
|------------------------|-----------------------|--------------------------|
| BOARD OF SUPERVISORS   |                       |                          |
| BILLING DATE           | BILLED ACCOUNT NUMBER | ADVERTISER/CLIENT NUMBER |
| 05/23/2020             | 5209148               | 5209148                  |
| BALANCE DUE            | ORDER NUMBER          | TERMS OF PAYMENT         |
| 442.00                 | 0011385818            | DUE UPON RECEIPT         |

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE  
 'PO BOX 1147'  
 RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPER PARTNERSHIP  
 dba The Press-Enterprise  
 PO Box 65210  
 Colorado Springs, CO 80962-5210

# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

**PROOF OF PUBLICATION  
(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Notice of Public Hearing - GPA 01194 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

**05/23/2020**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: May 23, 2020  
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
PO BOX 1147  
RIVERSIDE, CA 92502

Ad Number: 0011385818-01

P.O. Number:

## Ad Copy:

### NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON GENERAL PLAN AMENDMENT THE SOUTHWEST AREA PLAN, THIRD SUPERVISORIAL DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, June 02, 2020 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Department's recommended approval on **General Plan Amendment No. 1194 (GPA01194)**, which proposes to change the Land Use designation of a portion of APN 918-140-012 from Rural: Rural Mountainous (R:RM) to Community Development: Light Industrial (CD: LI) as a Technical General Plan Amendment. APN: 918-140-012. This project is located east of Interstate-15 and Rainbow Canyon Road and just south of the City of Temecula in the Southwest Area Plan of Third Supervisorial District.

The Planning Department recommends that the Board of Supervisors tentatively approve the project and find that the Project is **Exempt** from the California Environmental Quality Act (CEQA).

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RUSSELL BRADY, CONTRACT PLANNER, AT (951)-955-3025 OR EMAIL RBrady@rivco.org

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1063, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: May 20, 2020      Kecia R. Harper, Clerk of the Board  
By: Hannah Lumanauw, Board Assistant

5/23



OFFICE OF THE  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060 FAX: (951) 955-1071

**KECIA R. HARPER**  
Clerk of the Board of Supervisors

**KIMBERLY A. RECTOR**  
Assistant Clerk of the Board

May 20, 2020

THE PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

PH : (951) 368-9229  
E-MAIL: [legals@pe.com](mailto:legals@pe.com)

RE: NOTICE OF PUBLIC HEARING: General Plan Amendment No. 1194 (GPA01194)

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Saturday, May 23, 2020.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Hannah Lumanauw*

Board Assistant to:  
KECIA R. HARPER, CLERK OF THE BOARD

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON GENERAL PLAN AMENDMENT THE SOUTHWEST AREA PLAN, THIRD SUPERVISORIAL DISTRICT**

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Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email [cob@rivco.org](mailto:cob@rivco.org)

Dated: May 20, 2020

Kecia R. Harper, Clerk of the Board  
By: Hannah Lumanauw, Board Assistant

# CERTIFICATE OF POSTING

(Original copy, duly executed, must be attached to  
the original document at the time of filing)

I, Hannah Lumanauw, Board Assistant to Kecia R. Harper, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on May 20, 2020, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

## NOTICE OF PUBLIC HEARING

General Plan Amendment No. 1194 (GPA01194)

to be posted in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507. Upon completion of posting, the County Clerk will provide the required certification of posting.

**Board Agenda Date:** June 02, 2020 @ 10:00 a.m.

SIGNATURE: Hannah Lumanauw DATE: May 20, 2020  
Hannah Lumanauw

# CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to  
the original document at the time of filing)

I, Hannah Lumanauw, Board Assistant, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on May 20, 2020, I mailed a copy of the following document:

## NOTICE OF PUBLIC HEARING

General Plan Amendment No. 1194 (GPA01194)

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

**Board Agenda Date:** June 02, 2020 @ 10:00 a.m.

SIGNATURE: Hannah Lumanauw      DATE: May 20, 2020  
Hannah Lumanauw



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, P.E.  
Assistant TLMA Director

**Hearing Date: June 2, 2020**

**To:** Clerk of the Board of Supervisors

**From:** Planning Department – Riverside (Planner: Russell Brady)

**MinuteTraq #: 12570**

**Project Description:**

TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on GENERAL PLAN AMENDMENT NO. 1194 (GPA01194) – CEQA EXEMPT Sections 15061(b)(3) and 15301 – Applicant: Schober Family Trust – Representative: Larry Markham – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (R:RM) – Location: east of Interstate-15 and Rainbow Canyon Road and just south of the City of Temecula – Zoning: Manufacturing – Service Commercial (M-SC), Rural Residential (R-R) – 30.1 acres - REQUEST: The GENERAL PLAN AMENDMENT is a proposal to change the Land Use designation of a portion of APN 918-140-012 from Rural: Rural Mountainous (R:RM) to Community Development: Light Industrial (CD: LI) as a Technical General Plan Amendment. APN: 918-140-012.

**The attached item(s) require the following action(s) by the Board of Supervisors:**

- |   |  |
|---|--|
| <input type="checkbox"/> Place on Administrative Action   | <input checked="" type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)        |
| <input type="checkbox"/> Receive & File   |  |
| <input type="checkbox"/> EOT  |  |
| <input type="checkbox"/> Labels provided If Set For Hearing                                     | <input checked="" type="checkbox"/> Publish in Newspaper:  |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | (3rd Dist) Press Enterprise  |
| <input type="checkbox"/> Place on Consent Calendar  | <input checked="" type="checkbox"/> Addendum to earlier Environmental Document                             |
| <input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC)                | <input checked="" type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP)                          | <input checked="" type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided)   |

**Designate Newspaper used by Planning Department for Notice of Hearing:**

(3rd Dist) Press Enterprise

Riverside Office · 4080 Lemon Street, 12th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7040

*"Planning Our Future... Preserving Our Past"*

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM:**

(ID # 12570)

**MEETING DATE:**

Tuesday, June 02, 2020

**FROM :** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on GENERAL PLAN AMENDMENT NO. 1194 (GPA01194) – CEQA EXEMPT Sections 15061(b)(3) and 15301 – Applicant: Schober Family Trust – Representative: Larry Markham – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (R:RM) – Location: east of Interstate-15 and Rainbow Canyon Road and just south of the City of Temecula – Zoning: Manufacturing – Service Commercial (M-SC), Rural Residential (R-R) – 30.1 acres - REQUEST: The GENERAL PLAN AMENDMENT is a proposal to change the Land Use designation of a portion of APN 918-140-012 from Rural: Rural Mountainous (R:RM) to Community Development: Light Industrial (CD: LI) as a Technical General Plan Amendment. APN: 918-140-012.

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. **FIND** that the Project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b) (3) (Common Sense Exemption) and Section 15301 (Existing Facilities) and based on the findings and conclusions in the staff report; and,
2. **TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 1194**, which changes the General Plan land use designation on a portion of parcel 918-140-012 from Rural: Rural Mountainous (R:RM) to Community Development: Light Industrial (CD: LI) on Figure 3 of the Southwest Area Plan and other related tables and figures, in accordance with Exhibit #6, based on the findings and conclusions incorporated in the staff report, pending final adoption of the General Plan Cycle Resolution by the Board of Supervisors.

**ACTION:**

---

**MINUTES OF THE BOARD OF SUPERVISORS**



**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

| <b>FINANCIAL DATA</b>                       | <b>Current Fiscal Year:</b> | <b>Next Fiscal Year:</b> | <b>Total Cost:</b>        | <b>Ongoing Cost</b> |
|---|-----------------------------|--------------------------|---------------------------|---------------------|
| <b>COST</b>                                 | \$ N/A                      | \$ N/A                   | \$ N/A                    | \$ N/A              |
| <b>NET COUNTY COST</b>                      | \$ N/A                      | \$ N/A                   | \$ N/A                    | \$ N/A              |
| <b>SOURCE OF FUNDS: Applicant Fees 100%</b> |                             |                          | <b>Budget Adjustment:</b> | No                  |
|   |                             |                          | <b>For Fiscal Year:</b>   | N/A                 |

**C.E.O. RECOMMENDATION:**

**BACKGROUND:**

**Summary**

*General Plan Initiation Process*

General Plan Amendment No. 1194 was applied for on June 2, 2016 as a Regular Foundation Component Amendment. This Amendment proceeded through the General Plan Initiation Process (GPIP) being discussed by the General Plan Advisory Committee (GPAC) on August 25, 2016, Planning Commission on November 2, 2016, and Board of Supervisors on March 21, 2017. The Board of Supervisors decided to initiate the General Plan Amendment.

*Technical Amendment Basis*

Since the completion of the initiation, further discussions have occurred with the applicant's representative and staff that focused on the basis for the change in the land use designation. The proposed change in land use designations has not been altered since the initiation, but the basis or justification for the change has. The Rural Mountainous (RM) land use designation is intended to apply to "areas of at least 10 acres where a minimum 70% of the area has slopes of 25% or greater." A slope analysis was prepared by the applicant and provided to the County for review (and is attached with this staff report) that shows out of the whole parcel, which is approximately 30.1 acres, that only 19.6 acres (65% of the site) contains slopes that are 25% or greater. Additionally, the limited approximately 12.8 acre area proposed to change from Rural Mountainous to Light Industrial contains 4.4 acres or 34% of the area to change that contains slopes that are 25% or greater. While this area does contain some slopes, it is noticeably more flat relative to the remaining areas of the parcel. The remaining 17.3 acre area of the parcel that would remain Rural Mountainous would contain 15.2 acres that contain slopes that are 25% or greater which would be 87% of the area, which is more consistent with the definition of the Rural Mountainous land use designation compared to the current land use designation that is applied to the site. The findings necessary for the General Plan Amendment as a Technical Amendment are included in detail in the Findings section of this staff report.

**CEQA**

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

The Project is exempt pursuant to State CEQA Guidelines Section 15061 (b)(3), as this Project is subject to the general rule that CEQA applies only to those projects that have the potential for causing a significant effect on the environment. The proposed Project is also exempt from CEQA review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) since the subject property contains an existing industrial use and the current General Plan Amendment will not expand the use of the site beyond existing operations.

**Impact on Residents and Businesses**

The impacts of this Project have been evaluated through the environmental review and public hearing process. Approval of the Project will not result in impacts to residents or businesses.

**Additional Fiscal Information**

All fees are paid by the applicant, there is no General Fund obligation.

**ATTACHMENTS:**

- A. Planning Commission Minutes**
- B. Planning Commission Staff Report Package**

## PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on March 11, 2020,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers GPA01194 for

Company or Individual's Name RCIT - GIS,

Distance buffered 2400'

Pursuant to application requirements furnished by the Riverside County Planning Department. Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

TITLE: GIS Analyst

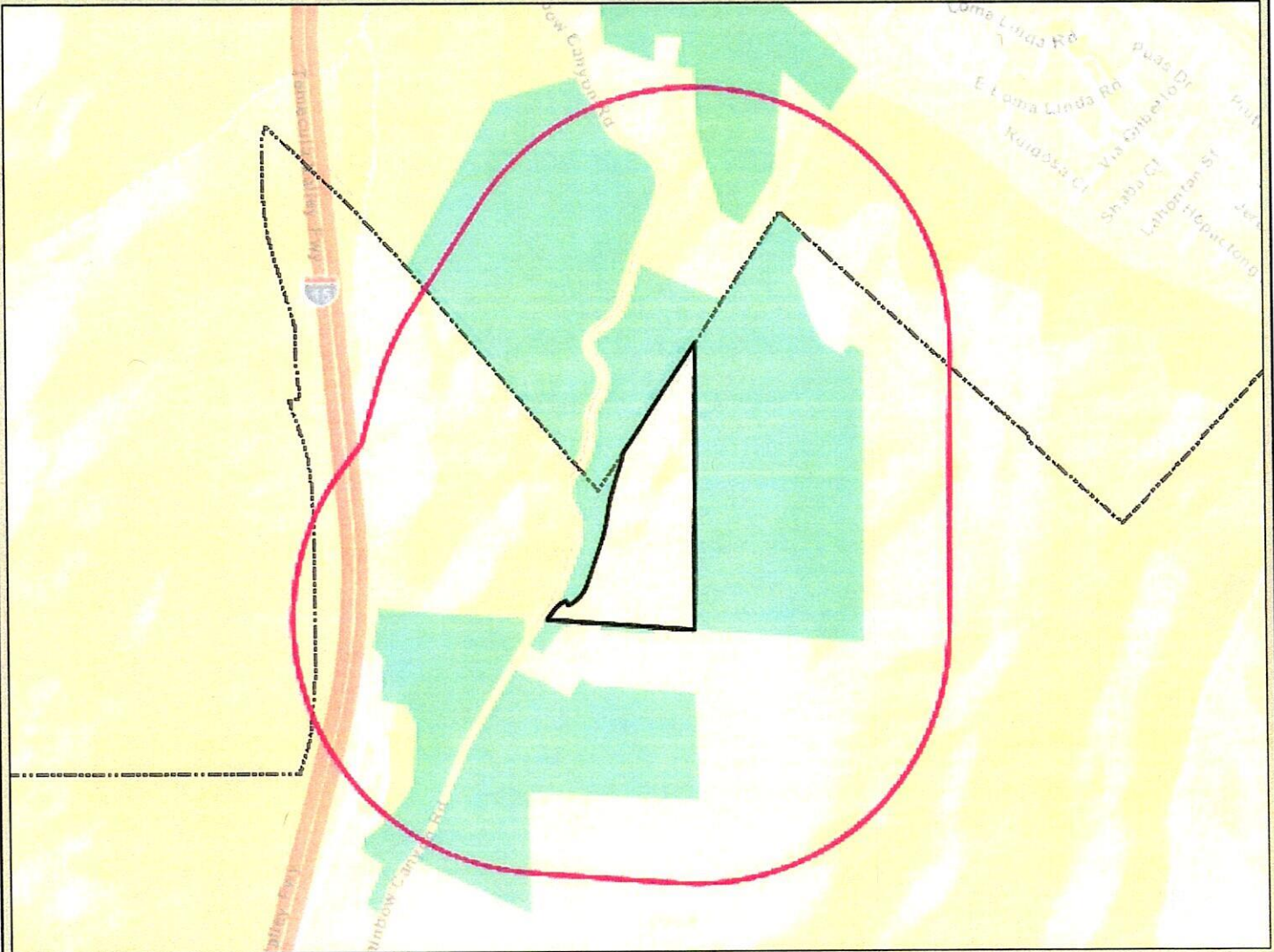
ADDRESS: 4080 Lemon Street 9<sup>TH</sup> Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

# Riverside County GIS Mailing Labels

GPA01194 ( 2400 feet buffer )



### Legend

- County Boundary
- Cities
- World Street Map

### Notes



0 1,505 3,009 Feet

**\*IMPORTANT\*** Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...3/11/2020 3:49:34 PM

© Riverside County RCIT

918140010  
NATURE CONSERVANCY  
201 MISSION ST 4TH FL  
SAN FRANCISCO CA 94105

918140011  
KENNETH D. SCHOBBER  
P O BOX 919  
PAUMA VALLEY CA 92061

918150002  
PECHANGA BAND OF LUISENO MISSION  
P O BOX 1477  
TEMECULA CA 92593

918150005  
USA PECHANGA BAND LUISENO MISSION  
2800 COTTAGE WAY  
SACRAMENTO CA 95825

918160004  
MEG ELLEN BERRY  
46870 RAINBOW CANYON RD  
TEMECULA CA 92592

918160005  
HIJINX  
333 WASHINGTON BLV NO 321  
MARINA DEL REY CA 90292

918160011  
JACK GETTMAN  
46970 RAINBOW CANYON RD  
TEMECULA CA 92592

918160012  
WORTHY REVOCABLE FAMILY TRUST DATED  
46960 RAINBOW CANYON RD  
TEMECULA CA 92592

918160016  
BRODY THOMAS F TRUST DATED 04/24/2019  
46950 RAINBOW CANYON RD  
TEMECULA CA 92592

918160018  
PAUL JONES  
46920 RAINBOW CANYON RD  
TEMECULA CA 92592

918160019  
MWD  
P O BOX 54153  
LOS ANGELES CA 90054

918160021  
SAN DIEGO COUNTY WATER AUTHORITY  
4677 OVERLAND AVE  
SAN DIEGO CA 92123

918160022  
SOUTHWEST CONST CO INC  
2909 RAINBOW VALLEY BL  
FALLBROOK CA 92028

918170002  
PAULSON MANUFACTURING CORP  
46752 RAINBOW CANYON RD  
TEMECULA CA 92592



5162

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918170004  
THOMAS V. PAULSON  
46752 RAINBOW CANYON RD  
TEMECULA CA 92592

918170007  
WESTERN RIVERSIDE COUNTY REG CON  
3403 10TH ST STE 500  
RIVERSIDE CA 92502

918190006  
GEOFFREY T. MOORE  
17117 S BROADWAY ST  
GARDENA CA 90248

918190008  
GORDON THOMAS EUGENE  
16776 BERNARDO CTR DR 203  
SAN DIEGO CA 92128

918190009  
DENNIS E. ROBERTS  
47100 RAINBOW CANYON RD  
TEMECULA CA 92592

922230002  
PECHANGA RESORTS INC  
44501 RAINBOW CANYON RD  
TEMECULA CA 92592

922230024  
TEMECULA BAND OF LUISENO INDIANS  
P O BOX 1477  
TEMECULA CA 92593

922230025  
RUPINDER UPPAL  
1007 N LOS ALISOS  
FALLBROOK CA 92028

922230026  
SUDEEP DHILLON  
1007 N LOS ALISOS  
FALLBROOK CA 92028

**Owner:**

Park West Industrial Center  
213 21<sup>st</sup> Street  
Huntington Beach, CA 92648

**Representative:**

Markham Development Strategies LLC  
41593 Winchester Road, #200  
Temecula, CA 92590

**Owner:**

Park West Industrial Center  
213 21<sup>st</sup> Street  
Huntington Beach, CA 92648

**Representative:**

Markham Development Strategies LLC  
41593 Winchester Road, #200  
Temecula, CA 92590

City of Temecula  
4100 Main Street  
Temecula, CA 92590

Pechanga  
P.O. Box 2183  
Temecula, CA 92593

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**21.1**  
(MT 12035)

On motion of Supervisor Spiegel, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Planning Department regarding the public hearing on Ordinance No. 348.4922, Change of Zone No. 1900036, Change of Zone No. 1900021, Ordinance No. 348.4921, Conditional Use Permit No. 190009, Development Agreement No. 1900005 and Ordinance No. 664.64, is continued to Tuesday, May 19, 2020 at 10:00 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on March 17, 2020 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: March 17, 2020  
Kecia R. Harper, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.  
21.1

xc: CØB



SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 21.1  
(ID # 12035)

MEETING DATE:  
Tuesday, March 17, 2020

FROM : TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON ORDINANCE NO. 348.4922, CHANGE OF ZONE NO. 1900036, CHANGE OF ZONE NO. 1900021, ORDINANCE NO. 348.4921, CONDITIONAL USE PERMIT NO. 190009, DEVELOPMENT AGREEMENT NO. 1900005 and ORDINANCE NO. 664.64 – Intent to Adopt a Negative Declaration – Applicant: Excel Riverside, Inc. – Engineer/Representative: Infrastructure Engineers c/o Charles Minyard - Second Supervisorial District – University Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) – Location: North of Palmer Street, south of Center Street, east of Iowa Avenue, and west of Pacific Avenue – 0.41 Net Acres - Zoning: Existing: Commercial Office (C-O); Proposed: Scenic Highway Commercial (C-P-S) - REQUEST: Ordinance Amendment - Change of Zone No. 1900036 proposes to amend Ordinance No. 348 Section 19.519 to reduce the minimum separation standard between Cannabis Retailers from 1,000 feet to 250 feet. Conditional Use Permit No. 190009 proposes a storefront retail cannabis business and delivery service that includes two parcels with one existing 3,952 square foot commercial building of two suites and accompanying parking lot. The first suite of the existing commercial building is 2,106 square feet and would contain the storefront retail cannabis business. The second suite, consisting of 1,846 square feet, is vacant and would not be permitted for any commercial cannabis activities of any kind. Change of Zone No. 1900021, proposes to change the existing zoning for the project site from Commercial Office to Scenic Highway Commercial. Development Agreement No. 1900005 and Ordinance No. 664.64 is a proposal for a development agreement with the County consistent with Board Policy B-9 and would impose a lifespan on the proposed cannabis project and provide community benefit to the surrounding community. District 2. [Applicant fees 100%]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. **ADOPT** a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. CEQ190069**, based on the findings and conclusions incorporated into the staff report, the initial study, attached hereto, and the conclusion that the project will not have a significant effect on the environment;
2. **ADOPT Ordinance No. 348.4922**, attached hereto and associated with **Change of Zone No. 1900036**, changing the minimum separation distance between Cannabis

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

Retailers from 1000 feet to 250 feet, based on the findings and conclusions incorporated into the staff report;

3. **APPROVE Change of Zone No. 1900021** changing the project site's zoning classification from Commercial Office (C-O) to Scenic Highway Commercial (C-P-S);
4. **ADOPT Ordinance No. 348.4921**, attached hereto, amending the zoning in the University District shown on the Map No. 5.027 Change of Zone No. 1900021;
5. **APPROVE Conditional Use Permit No. 1900009** subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in the staff report; and subject to adoption of Ordinance No. 348.4921, Ordinance No. 348.4922 and Ordinance No. 664.64; and
6. **INTRODUCE, READ TITLE AND WAIVE FURTHER READING OF, and ADOPT on successive weeks ORDINANCE NO. 664.64** an ordinance of the County of Riverside approving Development Agreement No. 1900005, based upon the findings in the staff report.

**ACTION:Policy**



Charissa Leach, Assistant TLMA Director

3/9/2020

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**MINUTES OF THE BOARD OF SUPERVISORS**

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

| <b>FINANCIAL DATA</b>                       | <b>Current Fiscal Year:</b> | <b>Next Fiscal Year:</b> | <b>Total Cost:</b>        | <b>Ongoing Cost</b> |
|---|-----------------------------|--------------------------|---------------------------|---------------------|
| <b>COST</b>                                 | \$ N/A                      | \$ N/A                   | \$ N/A                    | \$ N/A              |
| <b>NET COUNTY COST</b>                      | \$ N/A                      | \$ N/A                   | \$ N/A                    | \$ N/A              |
| <b>SOURCE OF FUNDS:</b> Applicant Fees 100% |                             |                          | <b>Budget Adjustment:</b> | No                  |
|   |                             |                          | <b>For Fiscal Year:</b>   | N/A                 |

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Cannabis Background:**

On October 23, 2018, Agenda Item 19.1, the Board of Supervisors adopted Ordinance No. 348.4898 that established the permitting process and regulations for commercial cannabis activities.

Applicants requesting to establish commercial cannabis retail, microbusiness, and/or cultivation uses were required to submit a request for proposal “RFP” cannabis package. Applicants who ranked highest were allowed to proceed forward with the Conditional Use Permit process. On July 2, 2019, Agenda Item 2.12, the Board of Supervisors accepted the Cannabis RFP response package rankings list, which allowed the highest ranking applicants to begin the land use review process for their proposed project. In the first year of implementation, 50 cannabis cultivation applications and 19 cannabis retail applications are allowed.

The project was assigned RFP Cannabis File No. CAN190080 and subsequently ranked Number Two out of the Nineteen (19) applicants to be recommended to proceed forward with the conditional use permit application process for a cannabis retail store.

**Project Site History:**

The project will occupy approximately 2,106 square feet of an existing commercial retail building (total existing retail building square-footage is 3,952 sqft.). The commercial building was originally built and had repairs completed, due to fire damage, in the late 1960s (BZ147702). A previous entitlement for commercial uses, an auto repair and coin-operated carwash, was approved in the spring of 1981 by Plot Plan No. 5976. A series of various other minor plot plans (i.e. PP17464) and building permits (i.e. BT1040212) have been approved or permitted on the project site over the past 40 years. Expansions related to the commercial buildings, commercial uses, and façade improvement and signage related to the Economic Development Agency “EDA” projects in the area, have been approved within the last 20 years. The property was purchased by the applicant in March 2019 (Grant Deed DOC# 2019-0099473).

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

**Project Details:**

The business will operate between the hours of 8am to 10pm daily in accordance with the County of Riverside Ordinance No. 348 Section 19.505 (I). In addition, the project will employ a total of 33 employees across three shifts with approximately ten (10) employees on site per shift including security personnel. The parking ratio of: 1 space/200 square feet results in requiring 11 parking spaces would be required for the project. The existing commercial facility provides 20 parking spaces, meeting the requirement for off-street vehicle parking pursuant to Ordinance No. 348 Section 18.12 (A) (2). Electrical vehicle (EV) parking is not needed for this project because EV parking is required for development projects involving at least 25 parking spaces and this project is only required to provide 11. The project applicant anticipates to serve 30 customers/day during initial operations and 50 customers/day by the end of the first year.

**Ordinance No. 348 Amendment:**

The project site is located approximately 295 ft. away from another cannabis retailer to the north (CUP190008 – The Artist Tree), which was approved by the Board of Supervisors on December 10, 2019, and their accompanying Development Agreement adoption was on January 28, 2020. In addition to this project, the applicant is also requesting an amendment to Ordinance No. 348 (Land Use) to reduce the 1,000 ft. separation requirement to 250 ft. The Board of Supervisors authorized the establishment of 19 cannabis retailers for the first year's cycle. Through the RFP ranking process, staff recommended that 22 facilities have the opportunity to move forward through the conditional use permit process. Additional facilities beyond the 19 were recommended at that time, as several locations in the Second District, Highgrove area were in conflict with each other due to the 1,000 ft. separation and would ultimately not be allowed. If a reduction in the separation requirements is approved by the Board of Supervisors, the maximum number of retailers that would be allowed for this first cycle would be 22. Furthermore, each retailer is subject to the conditional use permit process, which is a discretionary approval process and is considered by the Board of Supervisors. Individual approvals are not guaranteed.

**General Plan Consistency:**

The project site has a General Plan Foundation Component and Land Use Designation of Community Development: Commercial Retail (CD: CR). The Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of life styles, living and working conditions, and accommodate diverse community settings.

The Commercial Retail General Plan land use designation provides for a variety of general uses such as grocery stores, drug stores, and other retail outlets. The project is consistent

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

with the Community Development General Plan Foundation Component and Commercial Retail Land Use Designation, as it would provide community services and job opportunities within the surrounding community.

**Zoning Consistency:**

The project site is currently zoned Commercial Office (C-O). Pursuant to Ordinance No. 348, Section 19.518, commercial cannabis retailers are not allowed in the C-O zone. In addition to the Conditional Use Permit application, the applicant for this project also submitted a Change of Zone (CZ1900021) request, to change the existing Zoning Classification from Commercial Office (C-O) to Scenic Highway Commercial (C-P-S). Cannabis Retailers are allowed in the C-P-S zone, subject to conditional use permit approval. As described in the findings section, this project meets each of the applicable development standards and regulations for the C-P-S Zone, including those set forth in Section 19.519 of Ordinance No. 348, related to design, height, security, setbacks, and parking requirements.

**Airport Land Use Plan Consistency:**

The project site is not located within the Airport Influence Area (AIA) boundary and therefore is not subject to the Airport Land Use Commission (ALUC) review; however Ordinance No. 348.4922 is a countywide change and requires approval by ALUC. At the February 13, 2020, ALUC meeting the project was delegated to the authority of the Director of the Airport Land Use Commission to make a determination. The ALUC Director determined that the ordinance amendment to reduce the minimum distance standard to other Cannabis Retailers from 1,000 feet to 250 feet is consistent with all airport plans.

**Development Agreement:**

The applicant has proposed entering into the attached Development Agreement (DA) with the County for the Project. The DA is consistent with the General Plan and with Board Policy B-9. Additionally, the Advisory Notification Document, Conditions of Approval, and entitlement approvals are incorporated in the exhibits of the DA and will ensure that the Project is developed in a way that would not conflict with the public's health, safety or general welfare. The DA has a term of 10 years (with the option for a 5 year extension subject to mutual approval) and will grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. In exchange, the DA provides certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, which will be used for additional public safety services, infrastructure improvements or community enhancement programs.

Development Agreement No. 1900005 requires the applicant to make the following payments to TLMA:

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

- 1) An initial deposit-based fee of \$5,000 for annual inspections and the administration of the development agreement program.
- 2) A baseline Public Benefits payment of \$33,696.00, which will be increased 2% per year. The baseline payment amount shall be allocated 45% to the Code Enforcement Department, and the remaining 55% will be transferred to the Executive Office for deposit into the General Fund, to be allocated as part of the annual budget process and generally spent on cannabis regulatory activity performed by the District Attorney's Cannabis Regulation Task Force, the Sheriff's Office, Public Health, County Counsel, and the Agricultural Commissioner's office. The percentages above are based on the expected regulatory costs that were used to establish the baseline Public Benefits fee, as approved by the Board on January 29, 2019. The Code Enforcement Department will serve as the main regulatory arm of the County in monitoring that the businesses will comply with their conditions of approval and respond to public concerns.
- 3) An annual Additional Public Benefit payment of \$40,040.00, which will increase 4% per year for the first 5 years and then 5% per year for the remaining term of the development agreement. This payment shall be held by TLMA in an account specifically for the Highgrove area, to be allocated by the Board of Supervisors to projects and services that benefit the community.

Per state law, a development agreement is a legislative act that must be approved by ordinance. Proposed Ordinance No. 664.64, an Ordinance of the County of Riverside Approving Development Agreement No. 1900005, incorporates by reference DA No. 1900005 consistent with Government Code section 65867.5.

Change of Zone No. 1900021, Development Agreement No. 1900005, and Conditional Use Permit No. 190009 were submitted to the County of Riverside on July 2, 2019. The submittal to adopt an amendment to Ordinance No. 348 (CZ1900036) was submitted to the County of Riverside on October 17, 2019.

**Planning Commission Actions:**

On February 19, 2020, the Planning Commission voted 5-0 in favor of recommending approval to the Board of Supervisors. In addition to the actions recommended by the Planning Commission to the Board of Supervisors during the hearing, the Planning Commission also requested that the Board of Supervisors initiate a staff-level review to further analyze cannabis retailer separation requirements. Staff responded that the proposed action and recommendation is to reduce separation requirements from 1,000 ft. to 250 ft. Should the Board of Supervisors initiate staff to conduct additional analysis, staff

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

would review the possibility of further reducing from 250 ft. or a removal of separation requirements altogether.

**Impact on Citizens and Businesses:**

The Projects have no direct impact on citizens or businesses, as these are private projects. All impacts have been studied through CEQA; as detailed in the Planning Commission Staff Report, which is attached hereto and incorporated for reference.

**SUPPLEMENTAL:**

**Additional Fiscal Information:**

All fees are paid by the applicant; there is no General Fund obligation.

**ATTACHMENTS:**

- A. **PLANNING COMMISSION REPORT OF ACTIONS**
- B. **PLANNING COMMISSION STAFF REPORT**
- C. **ORDINANCE NO. 348.4921**
- D. **ORDINANCE NO. 348.4922**
- E. **DEVELOPMENT AGREEMENT NO. 1900005**
- F. **ORDINANCE NO. 664.64**



Jason Farin, Senior Management Analyst

3/10/2020



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EMAIL legals@pe.com

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| 2/26/20 | 0011367091   |          | PE Riverside | 4 x 102 Li | 530.40 |

Invoice text: CZ 1900036

*Planning  
3/17/2020 21.1*

Placed by: Karen Lynn Barton

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**BALANCE DUE**

530.40

| SALESCONTACT INFORMATION |              | ADVERTISER INFORMATION |                          |                        |
|--------------------------|--------------|------------------------|--------------------------|------------------------|
| Nick Eller               | BILLING DATE | BILLED ACCOUNT NUMBER  | ADVERTISER/CLIENT NUMBER | ADVERTISER/CLIENT NAME |
| 951-368-9229             | 02/26/2020   | 5209148                | 5209148                  | BOARD OF SUPERVISORS   |



## THE PRESS-ENTERPRISE

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| BILLING DATE           | BILLED ACCOUNT NUMBER | ADVERTISER/CLIENT NUMBER |
| 02/26/2020             | 5209148               | 5209148                  |
| <b>BALANCE DUE</b>     | ORDER NUMBER          | TERMS OF PAYMENT         |
| 530.40                 | 0011367091            | DUE UPON RECEIPT         |

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

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COUNTY OF RIVERSIDE  
'PO BOX 1147'  
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CALIFORNIA NEWSPAPER PARTNERSHIP  
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Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: CZ 1900036 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

**02/26/2020**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: February 26, 2020  
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
PO BOX 1147  
RIVERSIDE, CA 92502

Ad Number: 0011367091-01

P.O. Number:

Ad Copy:

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON CHANGE OF ZONES, A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE HIGHGROVE AREA, SECOND SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, March 17, 2020 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommended approval on **Change of Zone No. 1900036**, which proposes to amend Ordinance No. 348 section 19.519 for a Cannabis Retailer and reduce the minimum distance standard to other Cannabis Retailers from 1,000 feet to 250 feet. This reduction to the standard minimum distance to other Cannabis Retailers may increase the number of Cannabis Retailers countywide. **Conditional Use Permit No. 190009**, which proposes a storefront retail cannabis business and delivery service that includes two parcels with one existing 3,952 square foot commercial building of two suites and accompanying parking lot. The first suite of the existing commercial building is 2,106 square feet and would contain the storefront retail cannabis business. The second suite, consisting of 1,846 square feet, is vacant and would not be permitted for any future commercial cannabis activities of any kind. **Change of Zone No. 1900021**, proposes to change the existing zoning for the project site from Commercial Office to Scenic Highway Commercial. **Development Agreement No. 1900005** has a term of 10 years and will grant the applicant vesting rights to develop the project in accordance with the terms in the agreement and CUP190009. This project is located North of Palmer Street, South of Center Street, East of Iowa Avenue, and West of Pacific Avenue in the University Zoning Area of the Second Supervisorial District.

The Planning Commission recommends that the Board of Supervisors approve the project and adopt a Negative Declaration

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT TIM WHEELER, PROJECT PLANNER, AT (951) 955-6060 OR EMAIL [twheel@rivco.org](mailto:twheel@rivco.org)

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1063, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email [cob@rivco.org](mailto:cob@rivco.org)

Dated: February 24, 2020 Kecia R. Harper, Clerk of the Board  
By: Karen Barton, Deputy Clerk of the Board  
2/26



PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST

RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

02/26/2020

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.. Executed on this 26th of February 2020 in Green Bay, WI, County of Brown.

[Handwritten signature: Jana Karitz]
DECLARANT

Ad#:0004077793
P O : CZ 1900036, CUP 190009, CZ 1900021

This is not an invoice
# of Affidavits: 1

Planning
3/17/2020 21.1

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON CHANGE OF ZONES, A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE HIGHGROVE AREA, SECOND SUPERVISORIAL DISTRICT

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The Planning Commission recommends that the Board of Supervisors approve the project and adopt a Negative Declaration

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FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT TIM WHEELER, PROJECT PLANNER, AT (951) 955-6060 OR EMAIL twheeler@rivco.org

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

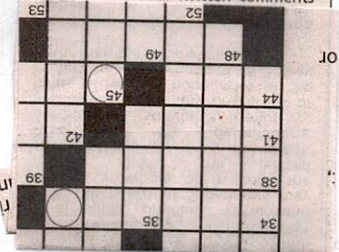
Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1063, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: February 24, 2020
Kecia R. Harper, Clerk of the Board

By: Karen Barton, Deputy Clerk of the Board
Pub: 2/26/2020

2020 MAR -6 AM 11:14
RECEIVED RIVERSIDE COUNTY CLERK / BOARD OF SUPERVISORS



**NOTICE OF PUBLIC HEARING BEFORE  
THE BOARD OF SUPERVISORS OF  
RIVERSIDE COUNTY ON CHANGE OF  
ZONES, A CONDITIONAL USE PERMIT  
AND DEVELOPMENT AGREEMENT IN  
THE HIGHGROVE AREA, SECOND  
SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, March 17, 2020 at 10:00 A.M. or as soon as possible thereafter, to consider the Planning Commission's recommended approval on Change of Zone No. 1900036, which proposes to amend Ordinance No. 348 section 19.519 for a Cannabis Retailer and reduce the minimum distance standard to other Cannabis Retailers from 1,000 feet to 250 feet. This reduction to the standard minimum distance to other Cannabis Retailers may increase the number of Cannabis Retailers countywide. Conditional Use Permit No. 190009, which proposes a storefront retail cannabis business and delivery service that includes two parcels with one existing 3,952 square foot commercial building of two suites and accompanying parking lot. The first suite of the existing commercial building is 2,106 square feet and would contain the storefront retail cannabis business. The second suite, consisting of 1,846 square feet, is vacant and would not be permitted for any future commercial cannabis activities of any kind. Change of Zone No. 1900021, proposes to change the existing zoning for the project site from Commercial Office to Scenic Highway Commercial. Development Agreement No. 1900005 has a term of 10 years and will grant the applicant vesting rights to develop the project in accordance with the terms in the agreement and CUP190009. This project is located North of Palmer Street, South of Center Street, East of Iowa Avenue, and West of Pacific Avenue in the University Zoning Area of the Second Supervisorial District.

The Planning Commission recommends that the Board of Supervisors approve the project and adopt a Negative Declaration

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT TIM WHEELER, PROJECT PLANNER, AT (951) 955-6060 OR EMAIL [twheeler@rivco.org](mailto:twheeler@rivco.org)

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1063, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email [cob@rivco.org](mailto:cob@rivco.org)

Dated: February 24, 2020  
Kecia R. Harper, Clerk of the Board

By: Karen Barton, Deputy Clerk of the Board  
Pub: 2/26/2020



OFFICE OF THE  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA R. HARPER  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

February 24, 2020

THE PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

PH : (951) 368-9229  
E-MAIL: [legals@pe.com](mailto:legals@pe.com)

RE: NOTICE OF PUBLIC HEARING: CZ 1900036, CUP 190009, CZ 1900021

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Wednesday, February 26, 2020.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Karen Barton*

Deputy Clerk of the Board to:  
KECIA R. HARPER, CLERK OF THE BOARD



OFFICE OF THE  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060 FAX: (951) 955-1071

**KECIA R. HARPER**  
Clerk of the Board of Supervisors

**KIMBERLY A. RECTOR**  
Assistant Clerk of the Board

February 24, 2020

THE DESERT SUN  
ATTN: LEGALS  
P.O. BOX 2734  
PALM SPRINGS, CA 92263

TEL : (760) 778-4578  
E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)

RE: NOTICE OF PUBLIC HEARING: CZ 1900036, CUP 190009, CZ 1900021

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Wednesday, February 26, 2020.**

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Thank you in advance for your assistance and expertise.

Sincerely,

*Karen Barton*

Deputy Clerk of the Board to:  
KECIA R. HARPER, CLERK OF THE BOARD

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON CHANGE OF ZONES, A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE HIGHGROVE AREA, SECOND SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, March 17, 2020 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommended approval on **Change of Zone No. 1900036**, which proposes to amend Ordinance No. 348 section 19.519 for a Cannabis Retailer and reduce the minimum distance standard to other Cannabis Retailers from 1,000 feet to 250 feet. This reduction to the standard minimum distance to other Cannabis Retailers may increase the number of Cannabis Retailers countywide. **Conditional Use Permit No. 190009**, which proposes a storefront retail cannabis business and delivery service that includes two parcels with one existing 3,952 square foot commercial building of two suites and accompanying parking lot. The first suite of the existing commercial building is 2,106 square feet and would contain the storefront retail cannabis business. The second suite, consisting of 1,846 square feet, is vacant and would not be permitted for any future commercial cannabis activities of any kind. **Change of Zone No. 1900021**, proposes to change the existing zoning for the project site from Commercial Office to Scenic Highway Commercial. **Development Agreement No. 1900005** has a term of 10 years and will grant the applicant vesting rights to develop the project in accordance with the terms in the agreement and CUP190009. This project is located North of Palmer Street, South of Center Street, East of Iowa Avenue, and West of Pacific Avenue in the University Zoning Area of the Second Supervisorial District.

The Planning Commission recommends that the Board of Supervisors approve the project and adopt a Negative Declaration

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

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Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email [cob@rivco.org](mailto:cob@rivco.org)

Dated: February 24, 2020

Kecia R. Harper, Clerk of the Board  
By: Karen Barton, Deputy Clerk of the Board

# CERTIFICATE OF POSTING

(Original copy, duly executed, must be attached to  
the original document at the time of filing)

I, Karen Barton, Deputy Clerk of the Board to Kecia R. Harper, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on February 24, 2020, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

## NOTICE OF PUBLIC HEARING

CZ 1900036, CUP 190009, CZ 1900021

to be posted in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507. Upon completion of posting, the County Clerk will provide the required certification of posting.

**Board Agenda Date:** March 17, 2020 @ 10:00 a.m.

SIGNATURE: Karen Barton DATE: February 24, 2020  
Karen Barton



# CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to  
the original document at the time of filing)

I, Karen Barton, Deputy Clerk of the Board, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on February 24, 2020, I mailed a copy of the following document:

## NOTICE OF PUBLIC HEARING

CZ 1900036, CUP 190009, CZ 1900021

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

**Board Agenda Date:** March 17, 2020 @ 10:00 a.m.

SIGNATURE: *Karen Barton*  
Karen Barton

DATE: February 24, 2020



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, P.E.  
Assistant TLMA Director

DATE: February 24, 2020

24

TO: Clerk of the Board of Supervisors – March 17, 2020 BOS meeting

FROM: Planning Department – Riverside – Tim Wheeler, Urban Regional Planner III (5-6060)

SUBJECT: CZ1900036, CUP190009, CZ1900021, DA1900005

(Charge your time to these case numbers)

**TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON THE PLANNING COMMISSION'S DECISION TO RECOMMEND APPROVAL OF CHANGE OF ZONE NO. 1900036, CONDITIONAL USE PERMIT NO. 190009, CHANGE OF ZONE NO. 1900021, and DEVELOPMENT AGREEMENT NO. 1900005 – Intent to Adopt a Negative Declaration –**

Applicant: Excel Riverside, Inc. – Engineer/Representative: Infrastructure Engineers c/o Charles Minyard - Second Supervisorial District – University Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) – Location: North of Palmer Street, South of Center Street, East of Iowa Avenue, and West of Pacific Avenue – 0.41 Net Acres - Zoning: Existing: Commercial Office (C-O); Proposed: Scenic Highway Commercial (C-P-S) - REQUEST: Ordinance Amendment - Change of Zone No. 1900036 proposes to amend Ordinance No. 348 Section 19.519 for a Cannabis Retailer and reduce the minimum distance standard to other Cannabis Retailers from 1000 feet to 250 feet. This reduction to the standard minimum distance to other Cannabis Retailers may increase the number of Cannabis Retailers countywide. Conditional Use Permit No 190009 proposes a storefront retail cannabis business and delivery service that includes two parcels with one existing 3,952 square foot commercial building of two suites and accompanying parking lot. The first suite of the existing commercial building is 2,106 square feet and would contain the storefront retail cannabis business. The first retail suite will be used for office space and storage related to the retail cannabis business. The hours of operation for the retail cannabis business will be from Monday through Sunday 8 am to 10 pm; with no deliveries scheduled after 9pm. The retail cannabis business will have three shifts daily; open, midday, and close with 6 to 10 employees each shift and a total staff of 33 employees. The second suite, consisting of 1,846 square feet, is vacant and would not be permitted for any future commercial cannabis activities of any kind. Change of Zone No. 1900021 proposes to change the existing zone for the project site from Commercial Office (C-O) to Scenic Highway Commercial (C-P-S). Development Agreement No. 1900005. The associated development agreement (DA1900005) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA1900005 and CUP190009, and will provide community benefits to the Highgrove Area. The project would involve the applicant moving into a portion of an existing commercial building. The business owner/applicant would provide minor improvements to the existing site, which would include, but not be limited to, interior alterations, paint, carpet, furnishings, and landscaping. Applicant Fees 100%.

**The attached item(s) require the following action(s) by the Board of Supervisors:**

- Place on Administrative Action
- Set for Hearing (Legislative Action Required: CZ, GPA, SP, SPA)
- Receive & File
- EOT
- Labels provided If Set For Hearing
- Publish in Newspaper:

Riverside Office · 4080 Lemon Street, 12th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7040

*"Planning Our Future... Preserving Our Past"*

10 Day  20 Day  30 day

- Place on Consent Calendar
- Place on Policy Calendar (Resolutions; Ordinances; PNC)
- Place on Section Initiation Proceeding (GPIP)

COUNTY WIDE - Press Enterprise and Desert Sun

- Negative Declaration
  - 10 Day  20 Day  30 day
- Notify Property Owners (app/agencies/property owner labels provided)

**Designate Newspaper used by Planning Department for Notice of Hearing:**

COUNTY WIDE - Press Enterprise and Desert Sun

## PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on September 05, 2019,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CZ1900021 / CUP190009 / DA1900005 for

Company or Individual's Name RCIT - GIS,

Distance buffered 600'

Pursuant to application requirements furnished by the Riverside County Planning Department. Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

TITLE: GIS Analyst

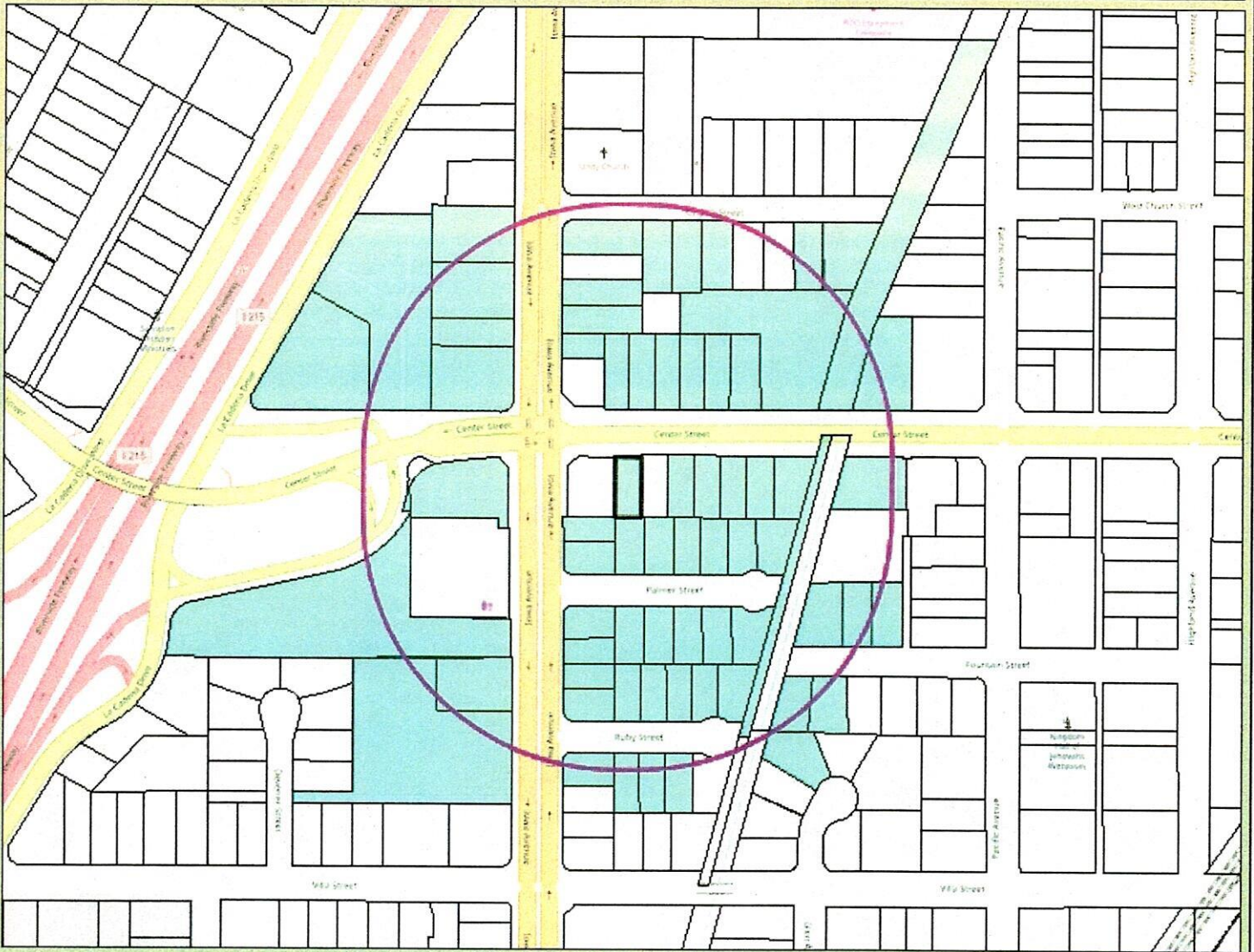
ADDRESS: 4080 Lemon Street 9<sup>TH</sup> Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

# Riverside County GIS Mailing Labels

CZ1900021 / CUP190009 / DA1900005 ( 600 feet buffer )



### Legend

-  County Boundary
-  Cities
-  Parcels

### Notes



**\*IMPORTANT\*** Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON... 9/5/2019 9:12:14 AM

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247042018  
DNRE HOLDINGS  
105 PRESERVE  
IRVINE CA 92618

247042014  
MARIO F ROSTRO  
CHONG KUK ROSTRO  
111 SYCMORE ST  
GEORGE TOWN TX 78633

247091025  
JAMES CHARIZIA  
1146 DEVONSHIRE DR  
ENCINITAS CA 92024

247102004  
MOHAMMAD R MOJABE  
ELIZABETH MOJABE  
116 VIA MIMOSA  
SAN CLEMENTE CA 90210

247091039  
ALICIA AVALOS  
1187 FOUNTAIN ST  
RIVERSIDE CA. 92507

247042008  
CLEMENTE AHUMADA  
MARIA D AHUMADA  
1194 CHURCH ST  
RIVERSIDE CA. 92507

247091038  
LAWRENCE KUNARSKI  
1195 FOUNTAIN ST  
RIVERSIDE CA. 92507

247091010  
AULAKH HOMES INC  
12005 WELLER PL  
MORENO VALLEY CA 92557

247042007  
SANDRA AHUMADA  
1202 CHURCH ST  
RIVERSIDE CA. 92507

247042009  
BARBARA J FOSTER  
1213 CENTER ST  
RIVERSIDE CA. 92507

247091017  
JOEL MORENO  
ANGELINA SEPULVEDA  
1213 PALMER ST  
RIVERSIDE CA. 92507

247042010  
CARMAN PEREZ  
JOSE MARTINEZ  
1225 CENTER ST  
RIVERSIDE CA. 92507

247091016  
ANGEL MCDONNELL  
BEVERLY TATE  
1225 PALMER ST  
RIVERSIDE CA. 92507

247091018  
ROBERTO GOMEZ JIMENEZ  
MARIA R JIMENEZ  
1228 PALMER ST  
RIVERSIDE CA. 92507

247091031  
JESSE BUGARIN  
PATRICIA MEJIA  
1229 RUBY ST  
RIVERSIDE CA. 92507

247042011  
TERESA ANGELA MISFIELD  
1233 CENTER ST  
RIVERSIDE CA. 92507

247091015  
RAUL GUTIERREZ ZARAGOZA  
1233 PALMER ST  
RIVERSIDE CA. 92507

247091030  
ROBERTO MARTINEZ  
MARIA DELCARMEN MARTINEZ  
1241 RUBY ST  
RIVERSIDE CA. 92507

247091004  
ELIZABETH BARBOZA  
1242 CENTER ST  
RIVERSIDE CA. 92507

247091014  
KERRY L CALZARETTA  
PATRICIA CALZARETTA  
1243 PALMER ST  
RIVERSIDE CA. 92507

247042003  
RAMONA C LEDESMA  
1244 CHURCH ST  
RIVERSIDE CA. 92507

247091029  
LUIS OCHOA TORRES  
VERONICA OCHOA CONTRERAS  
1245 RUBY ST  
RIVERSIDE CA. 92507

247101007  
MARINO ESTRADA RAMOS  
1250 RUBY ST  
RIVERSIDE CA. 92507

247042013  
ANITA R HERNANDEZ  
1251 CENTER ST  
RIVERSIDE CA. 92507

247042002  
INDYNICA ENTERPRISE  
1254 CHURCH ST  
RIVERSIDE CA. 92507

247091013  
JOSE LIBORIO G LOPEZ  
FELIPE JESUS G JAIME  
1255 PALMER ST  
RIVERSIDE CA. 92507

247091028  
PAULA TELLES  
1255 RUBY ST  
RIVERSIDE CA. 92507

247091027  
ANTONIO SANCHEZ  
1265 RUBY ST  
RIVERSIDE CA. 92507

247101005  
BLANCA E OROZCO MILLER  
1270 RUBY ST  
RIVERSIDE CA. 92507

247020009  
ERNEST FANKHAUSER  
HERTA FANKHAUSER  
12932 HICKORY BRANCH  
SANTA ANA CA 92705

247091020  
WARREN J HUNCOVSKY  
REBA S HUNCOVSKY  
1336 S LELAND AVE  
WEST COVINA CA 91790

247081021  
ATTALLAH ABUGHERIR  
HAYTHAM ABDELKARIM  
1340 CENTER ST  
RIVERSIDE CA 92507

247081030  
MUSTAFA ABDELKARIM  
ATTALLAH ABUGHERIR  
1340 CENTER ST  
RIVERSIDE CA 92507

247081033  
MUSTAFA ABDELKARIM  
ATTALLAH ABDELKARIM  
1340 CENTER ST  
RIVERSIDE CA. 92507

247091046  
JOHN DOUGHERTY  
MEICHUN KUO  
13691 GAVINA AVE NO 366  
SYLMAR CA 91342

247091005  
JAMES O WILSON  
DREW F WILSON  
15703 WASHINGTON CT  
RIVERSIDE CA 92504

247042001  
ADAM ORNELAS  
MARTHA A ORNELAS  
16 HIGHLAND AVE  
HIGHGROVE CA 92507

247091011  
MARIA MORENO  
1621 W CYPRESS AVE  
ONTARIO CA 91762

247091012  
CESAR FLORES  
ALMA FLORES  
16961 TAVA LN  
RIVERSIDE CA 92504

247091055  
LAURA LEE EMERY  
17105 GAMBLE AVE  
RIVERSIDE CA 92504

247081020  
CHRIS ARTIKIS  
20214 WESTPOINT DR  
RIVERSIDE CA 92507





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LOLA R GONZALES  
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PERRIS CA 92570

247081024  
NSA PROP HOLDINGS  
2082 MICHELSON STE 212B  
IRVINE CA 92612

247091002  
DENIS W KIDD  
22874 PICO ST  
GRAND TERRACE CA 92324

247020007  
EDMUND MENG HONG LIM  
JACKIE K H LIM  
2404 FALLING OAK DR  
RIVERSIDE CA 92506

247042004  
RAVINDRA SHARMA  
NIRMALA SHARMA  
26371 IRONWOOD  
MORENO VALLEY CA 92555

247042020  
4 EG SERVICES  
2781 RUBIDOUX BLV  
RIVERSIDE CA 92509

247020013  
CENTER STREET GROUP  
300 S HARBOR BLV STE 1020  
ANAHEIM CA 92805

247042017  
ABOU B AHMED  
FATMA AHMED  
3341 CELEST DR  
RIVERSIDE CA 92507

247091023  
ERNESTO RAMIREZ  
ROSALVA V RAMIREZ  
364 IOWA AVE  
RIVERSIDE CA. 92507

247091026  
CARLOS DIAZ  
MONICA GARCIA  
388 IOWA AVE  
RIVERSIDE CA. 92507

247041013  
CITY OF RIVERSIDE  
3900 MAIN ST  
RIVERSIDE CA 92522

247101001  
DALE GEIGER  
SUSAN L GEIGER  
414 IOWA AVE  
RIVERSIDE CA. 92507

247020006  
24 APARTMENT COMPLEX SERVICES INC  
455 W LA CADENA AVE NO 7  
RIVERSIDE CA 92501

247101006  
CONNIE HOUNG  
JANY HUANG  
4758 EAGLE RIDGE CT  
RIVERSIDE CA 92509

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MARLENE M RITZ  
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247091003  
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4900 SANTA ANITA AV NO 2C  
EL MONTE CA 91731

247043007  
GEORGE DELVALLE  
UTANA DELVALLE  
58893 OLEANDER DR  
YUCCA VALLEY CA 92284

247091045  
JOSEPH GUZZETTA  
KATHLEEN M JACOBSMEYER GUZZETT  
JOSEPHINE M GUZZETTA

6256 RIVERSIDE AVE  
RIVERSIDE CA 92506

247042015  
PCE MARTIN  
6343 MYKONOS LN  
RIVERSIDE CA 92506

247091024  
STEPHEN A SKIBBS  
GAIL P SKIBBS  
6815 CASCADE AVE  
GIG HARBOR WA 98335

247091022  
ROBERT SANTOS HERNANDEZ  
SILVIA ELIZABETH SANTOS  
6920 PARK DR  
BELL GARDENS CA 90201

247042012  
RONALD MONTOYA  
8372 TURTLE CREEK CIR  
LAS VEGAS NV 89113

247020005  
MICHAEL L MURPHY  
MARIAN P MURPHY  
970 W C ST  
COLTON CA 92324

247020008  
MI SUK KIM  
9860 GARDEN GROVE BLV  
GARDEN GROVE CA 92844

247091040  
FENG LING OU  
P O BOX 2086  
CHINO HILLS CA 91709

247091019  
RICHARD BARNES  
RICHARD W OBRYANT  
JANICE J OBRYANT

P O BOX 5198  
VENTURA CA 93005

247091044  
SOUTHERN CALIFORNIA EDISON CO  
P O BOX 800  
ROSEMEAD CA 91770

Kirkland West  
Habitat Defense Council  
P.O. Box 7821  
Laguna Niguel, CA 92607-7821

Excel Riverside  
2640 Camino Del Sol  
Fullerton, CA 92833  
Attn: Chandresh Ravaliya

Richard Drury  
Komalpreet Toor  
Lozeau Drury, LLP  
1393 Harrison Street, Suite 150  
Oakland, CA 94612

Greentech Investments LLC.  
987 West Foothill Blvd., Suite C  
Claremont, CA 91711  
Attn: Chandresh Ravaliya

Slaughter Law Group  
4881 Topanga Canyon Blvd., Suite 238  
Woodland Hills, CA 91364  
Attn: Lesa Slaughter

Infrastructure Architects  
222 S. Harbor Blvd. Suite 705  
Anaheim, CA 92805  
Attn: Richard Bostwick

Highroad Consulting Group  
P.O. Box 806  
Desert Hot Springs, CA 92240  
Attn: Simone Sandoval & Ivy Bader

City of Riverside - Planning Dept.  
3900 Main St. - 3rd Floor  
Riverside, CA 92522

STATE OF CALIFORNIA - THE RESOURCES AGENCY  
DEPARTMENT OF FISH AND GAME  
**ENVIRONMENTAL FILING FEE CASH RECEIPT**

2020 APR 23 AM 11:16

Receipt #: 20-63260

State Clearinghouse # (if applicable): \_\_\_\_\_

Lead Agency: CLERK OF THE BOARD Date: 02/24/2020

County Agency of Filing: RIVERSIDE Document No: E-202000189

Project Title: CZ NO. 1900036, CONDITIONAL USE PERMIT NO. 190009, CZ NO. 1900021, DEV AGREEMENT NO.

Project Applicant Name: CLERK OF THE BOARD Phone Number: (951) 955-1047

Project Applicant Address: 4080 LEMON STREET 1ST FLOOR, RIVERSIDE, CA 92501

Project Applicant: LOCAL PUBLIC AGENCY

CHECK APPLICABLE FEES:

- Environmental Impact Report \_\_\_\_\_
- Negative Declaration \_\_\_\_\_
- Application Fee Water Diversion (State Water Resources Control Board Only) \_\_\_\_\_
- Project Subject to Certified Regulatory Programs \_\_\_\_\_
- County Administration Fee \_\_\_\_\_ \$0.00
- Project that is exempt from fees (DFG No Effect Determination (Form Attached))
- Project that is exempt from fees (Notice of Exemption)

**Total Received** \_\_\_\_\_ **\$0.00**

Signature and title of person receiving payment: U. Sandral Deputy

Notes:

3/17/20 21.1  
2020-4-146497

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON CHANGE OF ZONES, A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE HIGHGROVE AREA, SECOND SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, March 17, 2020 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommended approval on **Change of Zone No. 1900036**, which proposes to amend Ordinance No. 348 section 19.519 for a Cannabis Retailer and reduce the minimum distance standard to other Cannabis Retailers from 1,000 feet to 250 feet. This reduction to the standard minimum distance to other Cannabis Retailers may increase the number of Cannabis Retailers countywide. **Conditional Use Permit No. 190009**, which proposes a storefront retail cannabis business and delivery service that includes two parcels with one existing 3,952 square foot commercial building of two suites and accompanying parking lot. The first suite of the existing commercial building is 2,106 square feet and would contain the storefront retail cannabis business. The second suite, consisting of 1,846 square feet, is vacant and would not be permitted for any future commercial cannabis activities of any kind. **Change of Zone No. 1900021**, proposes to change the existing zoning for the project site from Commercial Office to Scenic Highway Commercial. **Development Agreement No. 1900005** has a term of 10 years and will grant the applicant vesting rights to develop the project in accordance with the terms in the agreement and CUP190009. This project is located North of Palmer Street, South of Center Street, East of Iowa Avenue, and West of Pacific Avenue in the University Zoning Area of the Second Supervisorial District.

The Planning Commission recommends that the Board of Supervisors approve the project and adopt a Negative Declaration

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT TIM WHEELER, PROJECT PLANNER, AT (951) 955-6060 OR EMAIL [twheeler@rivco.org](mailto:twheeler@rivco.org)

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

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Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email [cob@rivco.org](mailto:cob@rivco.org)


Dated: February 24, 2020

Kecia R. Harper, Clerk of the Board  
By: Karen Barton, Deputy Clerk of

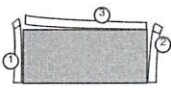
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County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder

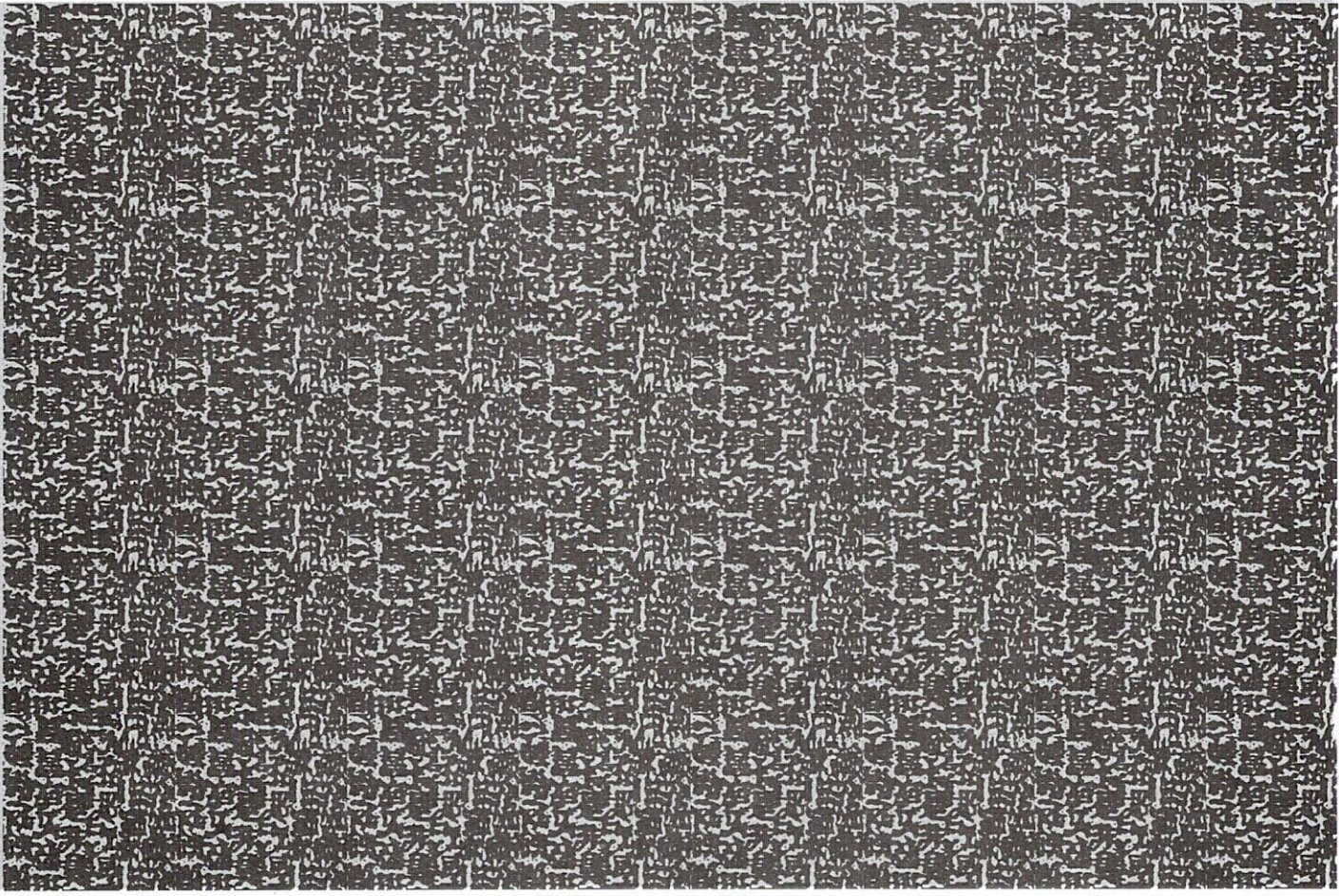
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Page 1 of 1

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Riverside County Clerk of the Board  
County Administrative Center  
4080 Lemon Street, 1<sup>st</sup> Floor Annex  
P. O. Box 1147  
Riverside, CA 92502-1147

RECEIVED RIVERSIDE COUNTY  
CLERK / BOARD OF SUPERVISORS

**PUBLIC HEARING NOTICE**  
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2020 MAY 26 PM 4:30

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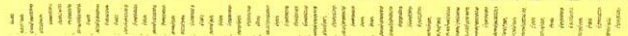
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WORTHY REVOCABLE FAMILY TRUST DATED  
46960 RAINBOW CANYON RD  
TEMECULA CA 92592

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**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON GENERAL PLAN AMENDMENT THE SOUTHWEST AREA PLAN, THIRD SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, June 02, 2020 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Department's recommended approval on **General Plan Amendment No. 1194 (GPA01194)**, which proposes to change the Land Use designation of a portion of APN 918-140-012 from Rural: Rural Mountainous (R:RM) to Community Development: Light Industrial (CD: LI) as a Technical General Plan Amendment. APN: 918-140-012. This project is located east of Interstate-15 and Rainbow Canyon Road and just south of the City of Temecula in the Southwest Area Plan of Third Supervisorial District.

The Planning Department recommends that the Board of Supervisors tentatively approve the project and find that the Project is **Exempt** from the California Environmental Quality Act (CEQA).

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RUSSELL BRADY, CONTRACT PLANNER, AT (951)-955-3025 OR EMAIL [RBrady@rivco.org](mailto:RBrady@rivco.org)

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

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Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email [cob@rivco.org](mailto:cob@rivco.org)

Dated: May 20, 2020

Kecia R. Harper, Clerk of the Board  
By: Hannah Lumanauw, Board Assistant



Riverside County Clerk of the Board  
County Administrative Center  
4080 Lemon Street, 1<sup>st</sup> Floor Annex  
P. O. Box 1147  
Riverside, CA 92502-1147

### PUBLIC HEARING NOTICE

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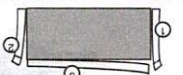
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**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON GENERAL PLAN AMENDMENT THE SOUTHWEST AREA PLAN, THIRD SUPERVISORIAL DISTRICT**

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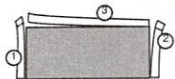
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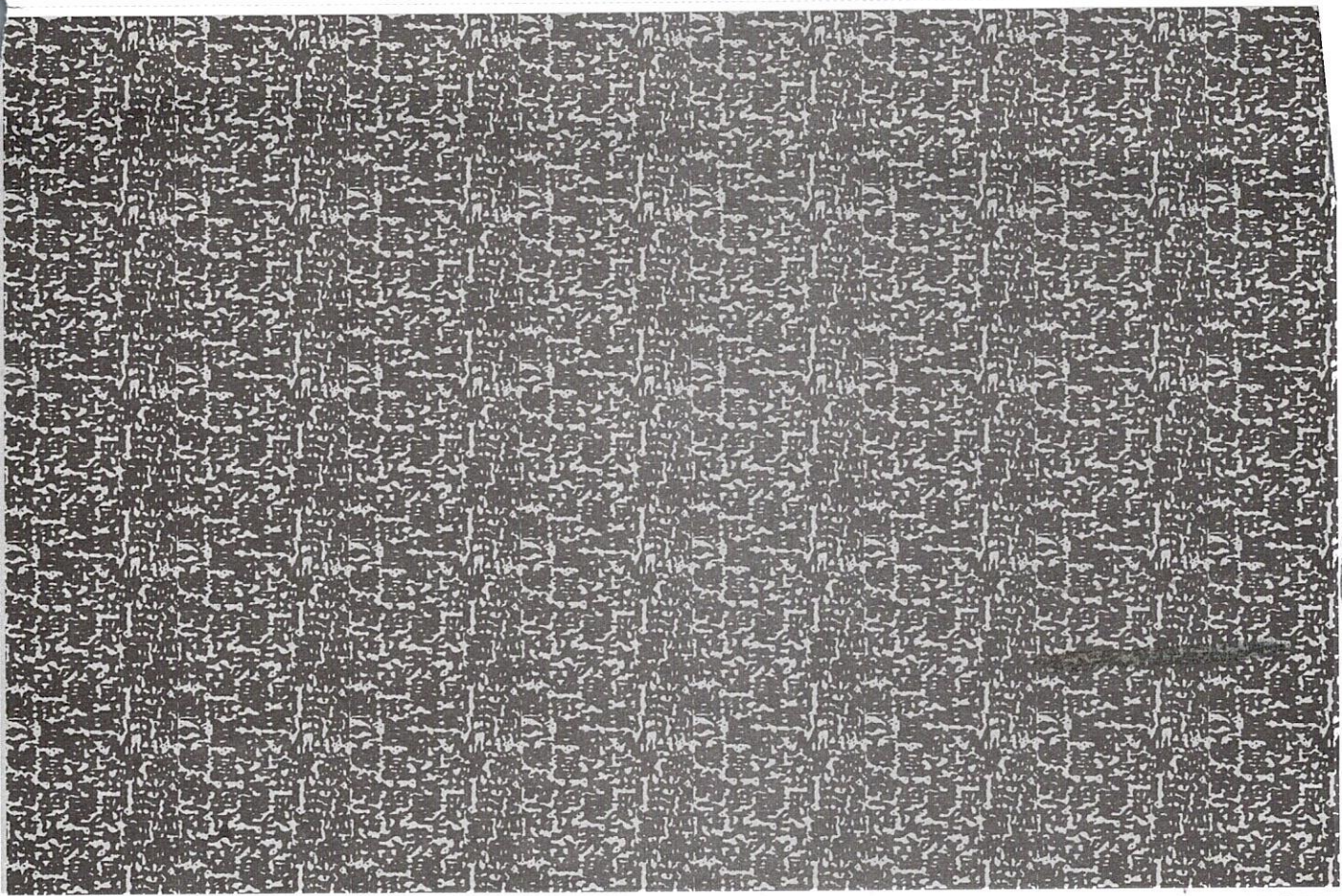
Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email [cob@rivco.org](mailto:cob@rivco.org)

Dated: May 20, 2020

Kecia R. Harper, Clerk of the Board  
By: Hannah Lumanauw, Board Assistant



REMOVE SIDE EDGES FIRST  
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Riverside County Clerk of the Board  
County Administrative Center  
4080 Lemon Street, 1<sup>st</sup> Floor Annex  
P. O. Box 1147  
Riverside, CA 92502-1147

**PUBLIC HEARING NOTICE**  
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R & D REAL ESTATE  
1000 GREENWOOD DR  
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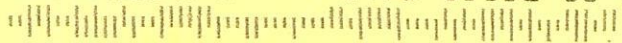
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**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY  
ON CHANGE OF ZONES, A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN  
THE HIGHGROVE AREA, SECOND SUPERVISORIAL DISTRICT**

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The Planning Commission recommends that the Board of Supervisors approve the project and adopt a Negative Declaration

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Dated: February 24, 2020

Kecia R. Harper, Clerk of the Board  
By: Karen Barton, Deputy Clerk of the Board

**From:** COB  
**Sent:** Tuesday, May 19, 2020 7:52 AM  
**To:** Debbie Walsh <abilene149@gmail.com>  
**Cc:** Harper, Kecia <KHarper@rivco.org>  
**Subject:** May 19 2020 Item 21.1. Request to amend Ordinance No 348 Section 19.519 A.2 (Debbie Walsh)

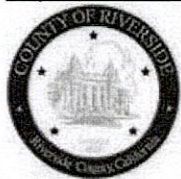
Good morning Debbie,

The Clerk of the Board of Supervisors is in receipt of your email and attached letter to all District Supervisors and will include it in the records for May 19, 2020.

Thank you kindly, and please stay safe and well,

***Sue Maxwell***

Board Assistant  
Clerk of the Board of Supervisors  
4080 Lemon Street, 1<sup>st</sup> Floor, Room 127  
Riverside, CA 92501  
(951) 955-1069 Fax (951) 955-1071  
Mail Stop #1010  
[cob@rivco.org](mailto:cob@rivco.org)  
website: <http://rivcocob.org/>  
<https://www.facebook.com/RivCoCOB/>



**TOGETHER, Everybody Counts!**



NOTICE: This communication is intended for the use of the individual or entity to which it is addressed and may contain **information that is privileged, confidential and exempt from disclosure** under applicable law. If the reader of this communication is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email or by telephone and immediately delete this communication and all its attachments.

**From:** Debbie Walsh <[abilene149@gmail.com](mailto:abilene149@gmail.com)>  
**Sent:** Monday, May 18, 2020 10:29 AM  
**To:** Supervisor Jeffries - 1st District <[district1@RIVCO.ORG](mailto:district1@RIVCO.ORG)>; COB <[COB@RIVCO.ORG](mailto:COB@RIVCO.ORG)>; District2 <[District2@Rivco.org](mailto:District2@Rivco.org)>; District3 <[District3@Rivco.org](mailto:District3@Rivco.org)>; District 4 Supervisor V. Manuel Perez <[District4@RIVCO.ORG](mailto:District4@RIVCO.ORG)>; District5 <[District5@Rivco.org](mailto:District5@Rivco.org)>  
**Subject:** RE: Item 21.1. Request to amend Ordinance No 348 Section 19.519 A.2.

Kecia,

Please submit the following letter (see attached) in opposition to Item 21.1 to the Board of Supervisors for the May 19. Please make this a part of the public record.

**RAMV is opposed to:**

**Request to amend Ordinance No 348 Section 19.519 A.2. to reduce the distance from 1000 feet to 250 feet between Cannabis Retail Stores. CHANGE OF ZONE NO. 1900036, CONDITTIONAL USE PERMIT NO. 190009, CHANGE OF ZONE NO. 1900021, and DEVELOPMENT AGREEMENT NO. 1900005 -Intent to Adopt a Negative Declaration - CEQ190069**

Thanks.

Debbie Walsh

5/19/20 21.1

May 18, 2020

RAMV  
PO Box 2244  
Perris, CA 92572

Riverside County Board of Supervisors  
4080 Lemon Street  
Riverside, CA 92501

**RE: Item 21.1. Request to amend Ordinance No 348 Section 19.519 A.2. to reduce the distance from 1000 feet to 250 feet between Cannabis Retail Stores. CHANGE OF ZONE NO. 1900036, CONDTTIONAL USE PERMIT NO. 190009, CHANGE OF ZONE NO. 1900021, and DEVELOPMENT AGREEMENT NO. 1900005 -Intent to Adopt a Negative Declaration - CEQ190069.**

Honorable Supervisors:

The Rural Association of Mead Valley (RAMV) strongly opposes the request to amend Ordinance No 348 Section 19.519 A.2. to reduce the distance from 1000 feet to 250 feet between Cannabis Retail Stores. The City of Riverside also strongly opposes changes to Ordinance No. 348 Section 19.519.

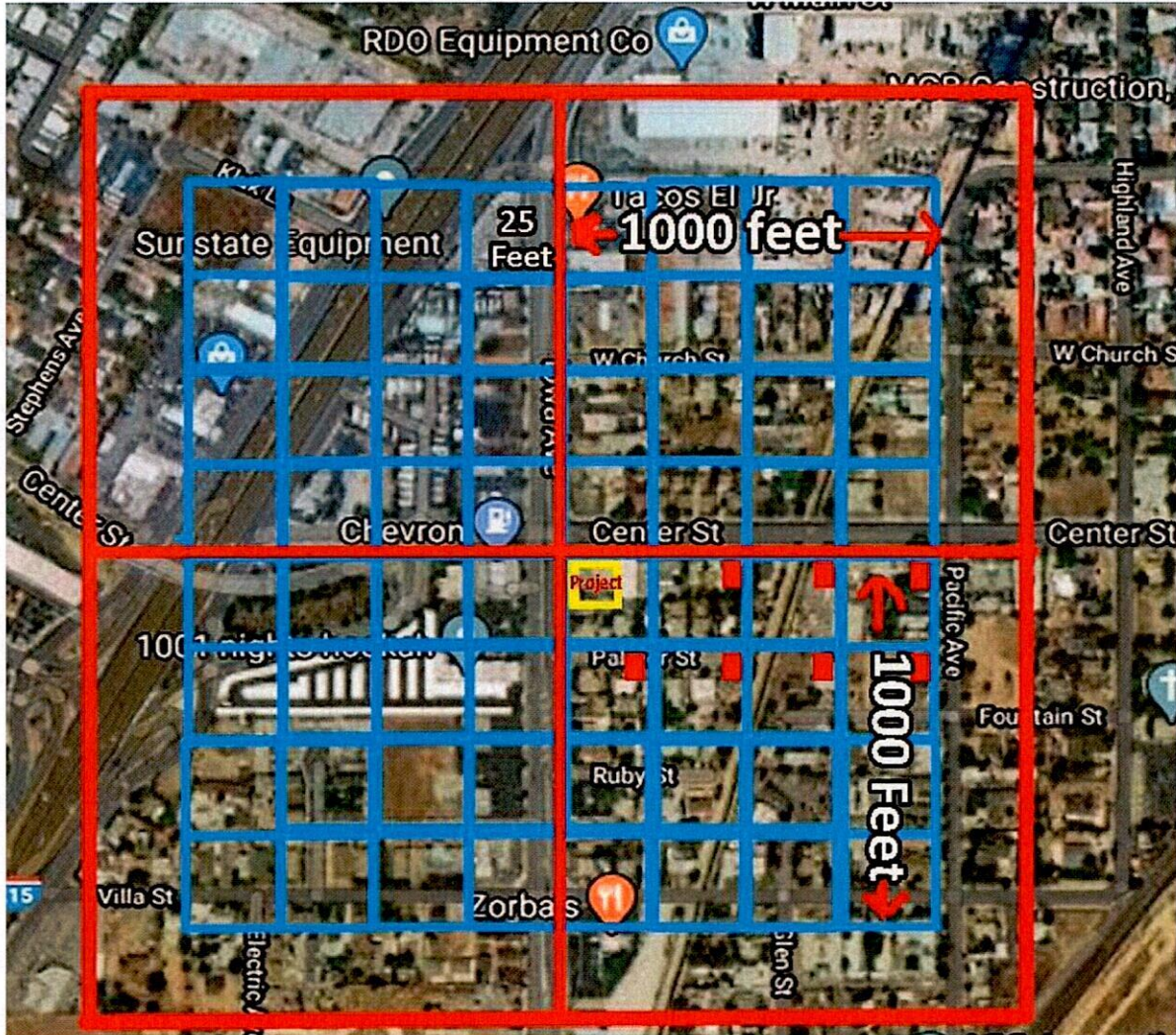
There are two issues of concern:

1. Countywide ordinance change without proper notice to the millions of residents living within Riverside County. Notice was given to property owners within 600 feet of the proposed project. This does not follow legal requirements by California State Law. (ARTICLE 7. Ordinances [25120 - 25132]. See Attached Exhibit 2 Section 25124).
2. Allowing the County to "bend the rules". Should we allow the County to ignore state law? Change the ordinance, any ordinance, by placing those changes inside a simple land use proposal? Will the County Supervisors open up this can of worms simply to satisfy the needs and wants of one person who wants to operate a cannabis store just 250 feet from a current store?

The real issue is an improper and illegal countywide ordinance amendment to change the required distance from 1000 feet to 250 feet between Cannabis Retail Stores. Only residents and property owners next to the proposed project were notified. That notice includes a request to amend ordinance 348.4898 to reduce the distance between dispensaries from 1000 to 250 feet within the project description. The millions of people living in Riverside County who will be adversely affected by this countywide ordinance were not notified. This ordinance change was not properly agendized on the Planning Commission and Board of Supervisors agendas.

The proposed ordinance change would allow four times the number of cannabis dispensaries currently allowed in a geographic area. ¼ of a mile is 1320. One city block. Exhibit 1 shows just how much of an impact reducing the distance between cannabis stores from 1000 feet to 250 feet would be to the residents of Riverside County. Each red square is a quarter of a mile.

Exhibit 1



The yellow square is the proposed project. Hundreds of homes surround and are adjacent to this project. The 1000-foot distance would allow four cannabis stores per red square. The 250-foot distance would allow 16 cannabis stores in that same area. One for each blue square. Four versus sixteen.

Countywide Ordinance changes require the ordinance be noticed as a separate item on the Board of Supervisors or Planning Commission agendas and not "hidden" within a proposed CUP, zone change or any other project brought before the Planning

Commission or Board of Supervisors.

1. This Countywide change (Ordinance Amendment) needs to be brought before the Planning Commission and Board of Supervisor as a separate agenda item and noticed to the public according to State law.

The request is for this CUP proposes to amend Ordinance No. 348 Section 19.519. The reasoning is that this one developer for a cannabis store has spent a considerable amount of money on this project. So the Planning staff has justified "bending the rules" by reducing the minimum distance from 1000 feet to 250 feet between Cannabis retail establishments. The proposal states, "**This reduction to the standard minimum distance to other Cannabis Retailers may increase the number of Cannabis retailers Countywide.**"

Amending Ordinance No 348 Section 19.519 A.2 in this manner sets a dangerous precedent for not only this ordinance change, but all other future ordinance changes.

Placing an ordinance amendment within a request for a CUP lacks transparency, as the public is not aware that a **countywide** ordinance amendment is about to take place.

RAMV is opposed to a change of this magnitude that would quadruple the number of cannabis stores in any given block within the entire unincorporated communities of the County. Is the County willing to open up huge changes to the Cannabis Ordinance after years of negotiation, hard work and substantial expense? If so, it needs to be open and above board not hidden behind closed doors.

I remember the outcry in Lakeland Village as thirteen cannabis stores sprouted up overnight along Grand Ave in a two-block area. The City of Riverside is also very concerned and opposed to this project that would increase four times the number of cannabis stores in a commercial area. The owner has already gone through much of the process. The County could work out a solution by reducing project fees for another location more suited to the community and project proponent that would retain the current 1000-foot distance between cannabis stores.

**I urge the Board of Supervisors to DENY**, Change of Zone Number 1900036, Conditional Use Permit 190009, Change of Zone number 1900021, Development Agreement Number 1900005 -Intent to Adopt a Negative Declaration - CEQ190069 and amendment to Ordinance No. 348 Section 19.519. See Attached California Law regarding County Ordinances.

Sincerely,

Debbie Walsh, President RAMV

## Exhibit 2

### CALIFORNIA LAW

[HTTPS://LEGINFO.LEGISLATURE.CA.GOV/FACES/CODES\\_DISPLAYTEXT.XHTML?  
LAWCODE=GOV&DIVISION=2.&TITLE=3.&PART=2.&CHAPTER=1.&ARTICLE=7](https://leginfo.ca.gov/faces/codes_displaytext.xhtml?lawcode=GOV&division=2.&title=3.&part=2.&chapter=1.&article=7).GO  
VERNMENT CODE – GOV

*TITLE 3. GOVERNMENT OF COUNTIES [23000 - 33205]  
( Title 3 added by Stats. 1947, Ch. 424. )*

*DIVISION 2. OFFICERS [24000 - 28085]  
( Division 2 added by Stats. 1947, Ch. 424. )*

*PART 2. BOARD OF SUPERVISORS [25000 - 26490]  
( Part 2 added by Stats. 1947, Ch. 424. )*

*CHAPTER 1. Organization [25000 - 25176]  
( Chapter 1 added by Stats. 1947, Ch. 424. )*

*ARTICLE 7. Ordinances [25120 - 25132]  
( Article 7 added by Stats. 1947, Ch. 424. )*

### 25124.

(a) Except as provided in subdivision (c), within 15 days after the passage of an ordinance it shall be published once, with the names of the members voting for and against the ordinance, in a newspaper published in the county if there is one, and if there is no newspaper published in the county, the ordinance shall be posted in a prominent location at the board of supervisors' chambers within the 15-day period and remain posted thereafter for at least one week. The local agency, at its option, may include in an ordinance reclassifying land either a brief description accompanied by a map of the boundaries of the property, as recited in the notice of hearing, or a complete metes and bounds description accompanied by a map depicting the reclassified property and adjacent properties. Except for maps, any exhibit attached to and incorporated by reference in an ordinance need not be published in its entirety if the publication lists all those exhibits by title or description and includes a notation that a complete copy of each exhibit is on file with the clerk of the board of supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act, Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1. A certificate of the clerk of the board of supervisors or order entered in the minutes of the board that the ordinance has been duly published or posted is prima facie proof of the publication or posting.



(b) The publication or posting of ordinances, as required by subdivision (a), may be satisfied by either of the following actions:

**(1) The county board of supervisors may publish a summary of a proposed ordinance or proposed amendment to an existing ordinance. The summary shall be prepared by an official designated by the board of supervisors. A summary shall be published and a certified copy of the full text of the proposed ordinance or proposed amendment shall be made available to the public upon request by the clerk of the legislative body at least five days prior to the board of supervisors meeting at which the proposed ordinance or amendment or alteration thereto is to be adopted. The clerk also shall either post a copy of the full text of the ordinance or amendment on the county's Internet Web site or post a certified copy of the full text in the office of the clerk five days prior to the board of supervisors meeting at which the proposed ordinance, amendment, or alteration is to be adopted. Within 15 days after adoption of the ordinance or amendment, the board of supervisors shall publish a summary of the ordinance or amendment with the names of those supervisors voting for and against the matter and the clerk shall make available to the public, upon request, a certified copy of the full text of the adopted ordinance or amendment along with the names of those supervisors voting for and against the ordinance or amendment. The clerk of the board of supervisors shall also either post a copy of the full text of the ordinance or amendment and the names of those supervisors voting for and against the ordinance or amendment on the county's Internet Web site or shall post in the office of the clerk of the board of supervisors a certified copy of the full text of the ordinance or amendment along with the vote information specified in this paragraph.**

**(2) If the county official designated by the board of supervisors determines that it is not feasible to prepare a fair and adequate summary of the proposed or adopted ordinance or amendment, and if the board of supervisors so orders, a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the county shall be published at least five days prior to the board of supervisors meeting at which the proposed ordinance or amendment or alteration thereto is to be adopted. Within 15 days after adoption of the ordinance or amendment, a display advertisement of at least one-quarter of a page shall be published. The advertisement shall indicate the general nature of, and provide information about, the proposed or adopted ordinance or amendment, including information sufficient to enable the public to obtain copies of the complete text of such ordinance or amendment, and the names of those supervisors voting for and against the ordinance or amendment.**

(c) If the clerk of the board of supervisors fails to publish an ordinance within 15 days after the date of adoption, the ordinance shall not take effect until 30 days after the date of publication.

*(Amended by Stats. 2015, Ch. 39, Sec. 1. (AB 823) Effective January 1, 2016.)*

25125.

No county ordinance passed prior to September 13, 1941, is void solely by reason of the fact that it was not published for a full week within 15 days after its passage, if the first actual publication of the ordinance was within the 15-day period, and thereafter actual publication was made for a full week.

*(Added by Stats. 1947, Ch. 424.)*

#### 25126.

Any or all ordinances of any county which have been enacted and published in accordance with the provisions of its charter or this article, and which have not been repealed, may be compiled, consolidated, revised, indexed, including such restatement and substantive change as is necessary in the interest of clarity, and arranged as a comprehensive ordinance code.

*(Added by Stats. 1947, Ch. 424.)*

#### 25127.

The ordinance code may be adopted by reference by the passage of an ordinance for the purpose, which shall be adopted and approved in the manner provided by charter or this article for the passage of ordinances for the county.

*(Added by Stats. 1947, Ch. 424.)*

#### 25128.

The ordinance code itself need not be published in the manner required for other ordinances, but not less than three copies of the code shall be filed for use and examination by the public in the office of the clerk of the county prior to the adoption thereof.

*(Added by Stats. 1947, Ch. 424.)*

#### 25129.

**After the code has been adopted all ordinances thereafter adopted pertaining to the subjects in the code shall be amendatory or revisory of the code. No section or subsection of the code shall be revised or amended by reference. The ordinance section or subsection revised or amended shall be adopted and published in the manner prescribed in Section 25124. Nothing in this section shall preclude repealing or rendering inoperative by reference any section or subsection if language in the ordinance fairly identifies the subject matter of the sections or subsections which would be repealed or rendered inoperative by the ordinance.**

*(Amended by Stats. 1986, Ch. 320, Sec. 1.)*