

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



**ITEM: 21.1
(ID # 14731)**

MEETING DATE:

Tuesday, March 30, 2021

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON CONDITIONAL USE PERMIT NO. 200024, ORDINANCE NO. 664.74 and DEVELOPMENT AGREEMENT NO. 2000006 – Exempt from CEQA – CEQ200045 – Applicant: Cannabis 21+ c/o Sean St. Peter – Engineer/Representative: Rad Architects Inc. c/o Caryn Bailey – Second Supervisorial District – North Riverside Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) – Location: North of W. La Cadena Drive, south of Stephens Avenue, east of Center Street, and west of Kluk Lane – 0.33 Net Acres – Zoning: General Commercial (C-1/C-P) – REQUEST: Conditional Use Permit No. 200024 is a proposal to use an existing two-story, 4,150 sqft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. The project would provide 19 vehicle parking spaces, including one accessible space for persons with disabilities, a secured bike rack area, and a loading area located at the rear of the building. Upgraded landscaping and a trash enclosure are also proposed. Development Agreement No. 2000006. The associated development agreement (DA No. 2000006) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA No. 2000006 and Conditional Use Permit No. 200024, and will provide community benefits to the Highgrove Area. District 2. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

Continued on Page 2


ACTION: Policy


John Hildebrand, Planning Director 3/22/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and Ordinance 664.74 is introduced as recommended with waiver of the reading.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: March 30, 2021
xc: Planning, COB

Kecia R. Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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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), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures), based on the findings and conclusions in the staff report;
2. **APPROVE CONDITIONAL USE PERMIT NO. 200024**, subject to the attached Advisory Notification Document and Conditions of Approval, based upon the findings and conclusions provided in the staff report, and subject to adoption of Ordinance No. 664.74; and
3. **INTRODUCE, READ TITLE and WAIVE FURTHER READING OF, and ADOPT** on successive weeks Ordinance No. 664.74, an ordinance of the County of Riverside approving **DEVELOPMENT AGREEMENT NO. 2000006**, based upon the findings in the staff report.

Continued on Page 3

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

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Cannabis Background:

The County of Riverside received the application for Conditional Use Permit No. 200024 and Development Agreement No. 2000006 on August 17, 2020 for the development of a retail cannabis storefront located at 203 La Cadena Drive, Highgrove. The subject site is located within the Highgrove Area Plan and is located adjacent to the 215 freeway. The site is surrounded by manufacturing, industrial, and commercial uses, with residential uses over 115 feet to the west of the proposed cannabis retailer. There is an existing building to be rehabbed and several existing structures on site to be removed.

Project Details:

The existing two-story building on site was built in 1946, prior to building permits being required by the County, and was used as a concrete product manufacturing and garden decoration store. The Project proposes to use the existing two-story 4,150 sqft. building as a storefront for the cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional off-street vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. Upgraded landscaping and a trash enclosure would also be installed.

A cannabis retailer can operate their cannabis facility between the hours of 6:00 a.m. to 10:00 p.m. The cannabis retailer project is proposing to operate between the hours of 8:00 a.m. to 10:00 p.m.; which is in accordance with the County of Riverside Ordinance No. 348 Section 19.505. In addition, the Project proposes to employ an estimated total of 10 plus employees across two shifts with five employees per shift, including security personnel. The applicant anticipates serving 200 customers per day during initial operations and 400 customers per day by the end of the first year. Delivery operations would be conducted between the hours of 8:00 a.m. to 9:00 p.m. daily, with no mobile deliveries scheduled after 9:00 p.m.

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The Project would consist of 19 off-street vehicle parking spaces, including one accessible off-street vehicle parking space for persons with disabilities, and a loading area located at the rear of the existing building. In addition to the standard off-street vehicle parking stalls, four Class II bicycle rack would be provided on site. The proposed Project qualifies for a bicycle parking facilities credit which allows for the reduction of one vehicle parking space per Ordinance No. 348 section 18.12 A.2.f.2) d).

Development Agreement:

The applicant has proposed entering into the attached draft Development Agreement No. 2000006 (DA) with the County for the Project. The proposed DA is consistent with the General Plan and 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. A term of 10 years is proposed to grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. In exchange, the proposed DA provides certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, intended for additional public safety services, infrastructure improvements or community enhancement programs.

Development Agreement No. 2000006 requires the applicant to make the following payments:

- 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 \$71,604.00, 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 \$89,505.00, which will increase 5% per year. 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. 664.74, and Ordinance of the County of Riverside

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Approving Development Agreement No. 2000006, incorporates by reference Development Agreement No. 2000006 consistent with Government Code section 65867.5.

On February 17, 2021 the Planning Commission voted 4-0 in favor of recommending approval to the Board of Supervisors.

Approval Requirements and Conclusion:

Based on the findings provided in the staff report and conditions of approval, the proposed Project is consistent with the General Plan and any applicable specific plan, complies with the development standards of the C-1/C-P zoning classification, complies with the permit requirements for all Commercial Cannabis Activities, complies with the minimum standard requirements and there is no anticipation that the use will be detrimental to the public health, safety, or general welfare. Additionally, the proposed Project complies with all applicable requirements of State law and ordinances of Riverside County.

Impact on Citizens and Businesses

The proposed Project is categorically exempt under CEQA pursuant to State CEQA Guidelines sections 15301 (Existing Facilities), Section 15061 (b)(3) (Common Sense Exemption), and Section 15303 (New Construction or Conversion of Small Structures) which means that it belongs to a class of projects that have been determined to not have a significant effect on the environment. As detailed in the Planning Commission Staff Report, which is attached hereto and incorporated by reference, no exceptions pursuant to State CEQA Guidelines section 15300.2 apply. Accordingly, there is no anticipation that there will be negative impacts on residents or businesses.

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. 664.74
- D. PROJECT EXHIBITS
- E. DEVELOPMENT AGREEMENT NO. 2000006

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STATE OF CALIFORNIA



Jason Farin, Principal Management Analyst 3/23/2021



Gregory H. Priarios, Director County Counsel 3/22/2021



Gregory H. Priarios, Director County Counsel 3/22/2021



Clerk's Original

RIVERSIDE COUNTY
PLANNING DEPARTMENT

John Hildebrand
Planning Director

Memorandum

Date: March 30, 2021

To: Riverside County Board of Supervisors

From: Steven Jones, Principle Planner
Tim Wheeler, Project Planner

RE: Item 21.1—Conditions of Approval in regarding to CUP200024/DA2000006 (Cannabis 21+)

Since completion of the report package for the Board of Supervisors meeting on March 30, 2021, Staff has revised a Condition of Approval (for up lighting within landscaped areas) and added a Condition of Approval (for a sign program). Below are the revised and added Conditions of Approval:

Revised Condition of Approval (Landscaping – Highlighted sections added):

Landscape Plot Plan/Permit Required

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall:

Prior to issuance of building permits, the developer/permit holder shall apply for a Plot Plan (Administrative/PPA) Landscape Permit (LSP) or Landscape Plot Plan (LPP) from TLMA Land Use along with applicable deposit (plan check and inspection are DBF fees).

Provide construction level landscape plans in PDF (all sheets compiled in 1 PDF file), along with an electronic transmittal memo in PDF (include Owner contact, Developer, if not the same as the owner, Project manager, person or persons most likely to inquire about the status of the plans, Landscape Architect, Principal or LA signing the plans, Landscape Architect, Project Manager, person responsible for making the corrections, if different from above), and a current set of grading plans in PDF, and submit all three PDF files on a CD (compact Disc) with application. The landscape plans shall be prepared in a professional manner by a California Licensed/Registered Landscape Architect and signed/stamped by such.

Drawings shall be completed on County standard Transportation Department title block, plan sheet format (24" x 36"), 1:20 scale, north arrow, limit of work lines, hardscape features, graphic scale, and street names, etc. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components (including up lighting within landscaping onsite):

- 1) Landscape and irrigation working drawings "stamped" by a California certified/registered landscape architect;
- 2) Weather-based controllers and necessary components to eliminate water waste;
- 3) A copy of the "stamped" approved grading plans; and,
- 4) Emphasis on native and drought tolerant species.

When applicable, plans shall include the following components:

- 1) Identification of all common/open space areas;
- 2) Natural open space areas and those regulated/conserved by the prevailing MSHCP and or ALUC;

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Palm Desert, California 92211
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03.30.21
21.1



**PLANNING COMMISSION HEARING
REPORT OF ACTIONS
FEBRUARY 17, 2021**

1.0 CONSENT CALENDAR

1.1 PLOT PLAN WIRELESS NO. 190008 – RECEIVE and FILE – RECEIVED and FILED.

Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures), Section 15304 (Minor Alterations to Land), and Section 15061(b)(3) (Common Sense Exemption) – Engineer/Representative: Casa Industries c/o Luis Cardona – Fourth Supervisorial District – Pass and Desert Zoning District – Western Coachella Valley Area Plan: Community Development: High Density Residential (CD-HDR) – Location: Southerly of Dillon Road, northerly of Aurora Road, westerly of Bennett Road, and easterly of Angel View Road, more specifically located at 70875 Dillon Road – 33.54 Gross Acres – Zoning: Controlled Development Areas (W-2) – **REQUEST:** Plot Plan proposes to construct a 70-foot mono-palm wireless communication facility, including nine (9) panel antennas, 27 Remote Radio Units (RRUs), two (2) microwave antennas, three (3) surge protectors, one (1) Global Positioning System (GPS) antenna, utility cabinets, one (1) A/C unit, and one (1) 30kW diesel generator within approximate 1,008 sq. ft. lease area, surrounded by a 6-foot high fence barrier. APN: 654-220-030. Project Planner: Jay Olivas at (760) 863-7050 or email at jolivas@rivco.org.

**2.0 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS
NONE**

**3.0 PUBLIC HEARINGS – CONTINUED ITEMS:
NONE**

4.0 PUBLIC HEARINGS – NEW ITEMS:

4.1 CONDITIONAL USE PERMIT NO. 200024 and DEVELOPMENT AGREEMENT NO. 2000006 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) – CEQ200045 – Applicant: Cannabis 21+ c/o Sean St. Peter – Engineer/Representative: Rad Architects Inc. c/o Caryn Bailey – Second Supervisorial District – North Riverside Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD-CR) – Location: Northerly of W. La Cadena Drive, southerly of Stephens Avenue, easterly of Center Street, and westerly of Kluk Lane – 0.33 Net Acres – Zoning: General Commercial (C-1/C-P) – **REQUEST:** Conditional Use Permit No. 200024 is a proposal to use an existing two-story, 4,150 sq. ft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sq. ft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. The project would provide 19 vehicle parking spaces, including one accessible space for persons with disabilities, a secured bike rack area, and a loading area located at the rear of the building. Upgraded landscaping and a trash enclosure are also proposed. Development Agreement No. 2000006. The associated development agreement (DA2000006) has a term of 10 years, will grant the applicant vesting rights to develop the project in

Planning Commission Action:

Public Comments: Closed
By a vote of 4-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve Development Agreement No. 2000006; and,

APPROVE Conditional Use Permit No. 200024, subject to the conditions of approval.



**PLANNING COMMISSION HEARING
REPORT OF ACTIONS
FEBRUARY 17, 2021**

accordance with the terms of DA2000006 and Conditional Use Permit No. 200024, and will provide community benefits to the Highgrove Area. APN: 246-123-018. Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org.

4.2 CHANGE OF ZONE NO. 2000023 – No New Environmental Document Required – EIR524 – Applicant: Marcelo Doffo – Engineer/Representative: MDS, LLC c/o Larry Markham – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Residential (R-RR) – Policy: Temecula Valley Wine Country Policy Area – Winery District – Location: Northerly of Summitville Street, easterly of Warren Road, southerly of Borel Road, and westerly of East Benton Road – 5.00 Gross Acres – Zoning: Existing: Residential Agricultural – 5 Acre Minimum (R-A-5) – Proposed: Wine Country – Winery (WC-W) – **REQUEST:** Change of Zone No. 2000023 (CZ2000023) is a proposal for consistency zoning to change the existing zone classification of Residential Agricultural – 5 Acre Minimum (R-A-5) to Wine Country – Winery (WC-W) for APN 915-690-003, which is comprised of approximately 4.77 acres. The proposed change of zone would bring the parcel into compliance with the Temecula Valley Wine Country Policy Area. APN: 915-690-003. Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org.

Planning Commission Action:

Public Comments: Closed

By a vote of 4-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND that No New Environmental Document is Required; and,

TENTATIVELY Approve Change of Zone No. 2000023.

4.3 CHANGE OF ZONE NO. 2000011 – No New Environmental Document Required – EIR524 – Applicant: Koll Development c/o Greg Koll – Engineer/Representative: Ventura Engineering Inland c/o Wilfredo Ventura – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Agriculture (AG) – Policy: Temecula Valley Wine Country Policy Area – Residential District – Location: Northerly and easterly of Santa Rita Road, southerly of Monte Verde Road, and westerly of Anza Road – 41.49 Gross Acres – Zoning: Existing: Light Agriculture (A-1-20) – Proposed: Wine Country – Residential (WC-R) – **REQUEST:** Change of Zone No. 2000011 (CZ2000011) is a proposal for consistency zoning to change the existing zone classification of Light Agriculture – 20 Acre Minimum (A-1-20) to Wine Country – Residential (WC-R) for two (2) parcels, APN's 966-380-014 and 966-380-015, which are comprised of approximately 38.39 acres. The proposed change of zone would bring the parcels into compliance with the Temecula Valley Wine Country Policy Area. APN: 966-380-014 and 015. Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org.

Planning Commission Action:

Public Comments: Closed

By a vote of 4-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND that No New Environmental Document is Required; and,

TENTATIVELY Approve Change of Zone No. 2000011.

5.0 WORKSHOP:

NONE

6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

7.0 DIRECTOR'S REPORT

8.0 COMMISSIONER'S COMMENTS



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

4 . 1

Planning Commission Hearing: February 17, 2021

PROPOSED PROJECT

Case Number(s):	CUP200024 and DA2000006	Applicant(s):	Cannabis 21+ c/o Sean St. Peter
Environmental:	Section 15061(b)(3), Section 15301 and Section 15303	Representative(s):	Rad Architects Inc. c/o Caryn Bailey
Area Plan:	Highgrove		
Zoning Area/District:	North Riverside District		
Supervisory District:	Second District		
Project Planner:	Tim Wheeler		
Project APN(s):	246-123-018		

John Hildebrand
 John Hildebrand
 Interim Planning Director

PROJECT DESCRIPTION AND LOCATION

Conditional Use Permit No. 200024 is a proposal to use an existing two-story, 4,150 sqft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. The project would provide 19 vehicle parking spaces, including one accessible space for persons with disabilities, a secured bike rack area, and a loading area located at the rear of the building. Upgraded landscaping and a trash enclosure are also proposed.

Development Agreement No. 2000006. The associated development agreement (DA2000006) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA2000006 and Conditional Use Permit No. 200024, and will provide community benefits to the Highgrove Area.

The above is hereinafter referred to as the "Project" or "project."

The Project site is located north of Center Street, east of Stephens Avenue, south of Kluk Lane, and west of W La Cadena Drive. The project site address is 203 La Cadena Drive.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

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

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures), based on the findings and conclusions in this staff report; and,

TENTATIVELY APPROVE DEVELOPMENT AGREEMENT NO. 2000006, based upon the findings in this staff report, pending final adoption of the Development Agreement ordinance by the Board of Supervisors; and,

APPROVE CONDITIONAL USE PERMIT NO. 200024, subject to the attached Advisory Notification Document and Conditions of Approval, based upon the findings and conclusions provided in this staff report, subject to final approval of the Development Agreement ordinance.

PROJECT DATA	
Land Use and Zoning:	
Specific Plan:	N/A
Existing General Plan Foundation Component:	Community Development (CD)
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Commercial Retail (CR)
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	N/A
Surrounding General Plan Land Uses	
North:	Light Industrial (LI)
East:	215 Freeway
South:	Commercial Retail (CR)
West:	Commercial Retail (CR), Medium Density Residential (MDR)
Existing Zoning Classification:	General Commercial (C-1/C-P)
Proposed Zoning Classification:	N/A
Surrounding Zoning Classifications	
North:	Manufacturing – Service Commercial (M-SC), General Commercial (C-1/C-P)
East:	215 Freeway
South:	General Commercial (C-1/C-P)
West:	General Commercial (C-1/C-P), One Family Dwellings (R-1)
Existing Use:	Unoccupied Commercial Buildings/Structures
Surrounding Uses	
North:	Truck Sales Facility with offices

East:	215 Freeway
South:	Automobile Dealership
West:	Unoccupied Commercial Building, Dwellings

Project Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	0.33 net acres	None
Existing Building Area (SQFT):	4,150 sqft. (to be altered)	None
Proposed Building Area (SQFT):	3,978 sqft.	None
Floor Area Ratio:	0.27 FAR	0.20 - 0.35 FAR
Building Height (FT):	20 feet	Maximum 50 feet

Parking:

<i>Type of Use</i>	<i>Building Area (in SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Retail Sales	3,978 sqft.	1 space/ 200 sqft.	20	19
Bicycle Parking Credit	N/A	Reduction of 1 vehicle space w/ Class II Bicycle Parking Facilities (Section 18.12.A.f.2d.)	N/A	4 secured Class II bicycle rack stalls
TOTAL:	3,978 sqft.	(including 1 accessible space for persons with disabilities)	20	19

Located Within:

City's Sphere of Influence:	Yes – Riverside
Community Service Area ("CSA"):	Yes – CSA 126, Highgrove Police and Landscaping
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	No
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	No
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	Yes – Inside SFR Fee Area
Airport Influence Area ("AIA"):	No

PROJECT LOCATION MAP

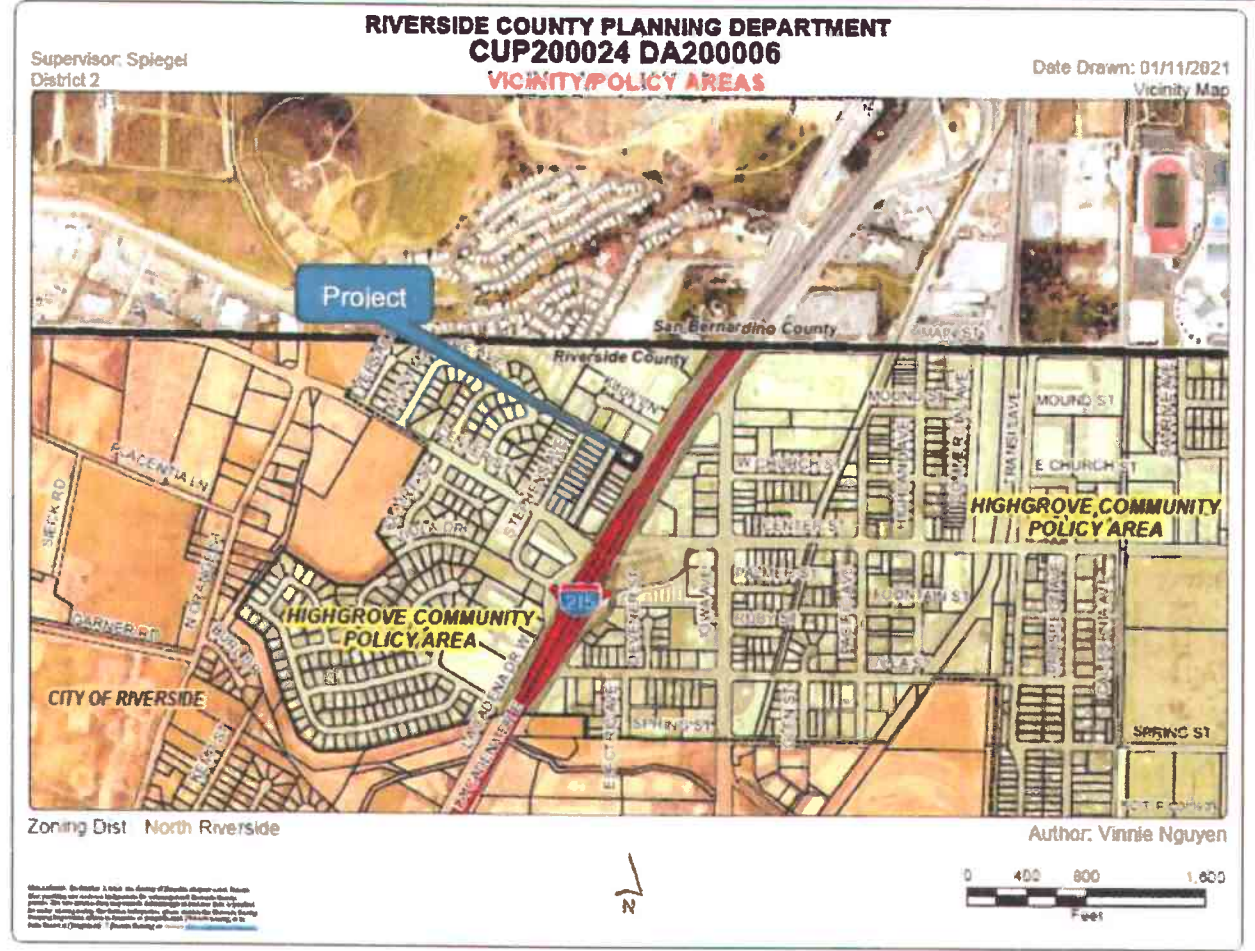


Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background

Cannabis Background:

The County of Riverside received the application for Conditional Use Permit No. 200024 on August 17, 2020 for the development of a retail cannabis storefront located at 203 La Cadena Drive, Highgrove. The subject site is located within the Highgrove Area Plan and is located adjacent to the 215 freeway. The site is surrounded by manufacturing, industrial, and commercial uses, with residential uses over 115 feet to the west of the cannabis retailer. There is an existing building to be rehabbed and several existing structures on site to be removed.

Project Details:

The existing two-story building on site was built in 1946, prior to building permits being required by the County, and was used as a concrete product manufacturing and garden decoration store. The Project proposes to use the existing two-story 4,150 sqft. building as a storefront for the cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. Upgraded landscaping and a trash enclosure would also be installed.

A cannabis project is allowed to operate their cannabis facility between the hours of 6 am to 10 pm. The proposed cannabis retailer project is proposing to operate between the hours of 8:00 a.m. to 10:00 p.m.; which is in accordance with the County of Riverside Ordinance No. 348 Section 19.505. In addition, the project will employ an estimated total of 10 plus employees across 2 shifts with 5 employees per shift, which would include security personnel. The applicant anticipates serving 200 customers per day during Initial operations and 400 customers per day by the end of the first year. Delivery operations would be conducted between the hours of 8:00 a.m. to 9:00 p.m. daily, with no mobile deliveries scheduled after 9:00 p.m.

The Project would consist of 19 vehicle parking spaces, including one accessible vehicle parking space for persons with disabilities, and a loading area located at the rear of the existing building. In addition to the standard parking stalls, four Class II bicycle rack would be provided on site. The Project qualifies for a bicycle parking facilities credit which allows for the reduction of 1 vehicle parking space per Ordinance No. 348 section 18.12 A.2.f.2) d).

General Plan Consistency:

The Project site has a General Plan Foundation Component of Community Development (CD) and a Land Use Designation of Commercial Retail (CR). The Community Development 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 land use designation allows for the development of commercial retail uses at a neighborhood, community and regional level, as well as for professional office and tourist-oriented commercial uses. The utilization of the Project site for purposes of developing a retail cannabis storefront is compliant with the standards set forth by the General Plan Foundation Component and Land Use Designation, as discussed in the Land Use Findings below. The project is consistent with the Community Development General Plan Foundation Component and Commercial Retail Land Use Designation as it would provide retail, community services and job opportunities within the surrounding community.

Zoning Consistency:

The Project site has a General Commercial (C-1/C-P) zoning classification. Section 19.518 of Ordinance No. 348 allows for a cannabis retail storefront in a C-1/C-P zone with the approval of a conditional use permit. The applicant has submitted this CUP application to ensure compliance with all applicable development standards and regulations. The Project, as proposed, would be developed to the standards of this zone as discussed in the development standards findings below.

ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

This proposed project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 5 - Preliminary Review of Projects and Conduct of Initial Study, Section 15061(b)(3), which states: Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA. The Project is deemed to be a "project" pursuant to CEQA. The Project is a retail business (cannabis retail) and will be occupying an existing permitted retail building or structure for the sole purpose of selling cannabis only. No cultivation, testing, microbusiness, distribution, or manufacturing is involved with the Project or project site. The Project is EXEMPT under State CEQA Guidelines Section 15061 because Section (b) (3) states: The activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Project will merely continue to operate as a retail establishment similar to prior ongoing activities at the Project site. The Project will not result in any additional impacts related to traffic, air quality, or public safety, beyond what already occurs at the existing commercial retail establishment. Given the site has already been developed for such uses and would only have minor rehabilitation and minimal façade improvements and upgrades would be required, no construction impacts would occur. As the land is already developed, there are no potential impacts related to aesthetics, biological and cultural resources, hydrology, or other similar potential impacts. Lastly, as the State has created various rules and regulations as they relate to cannabis waste, particularly for cannabis cultivators, there are no impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis (the State actually treats cannabis as an organic waste, versus a hazardous waste). Therefore, the project meets the requirements for CEQA exemption per Section 15061(b)(3) as there is no potential that the Project as proposed would have a significant physical impact on the environment.

Additionally, this project is also exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15301 (Existing Facilities), which states: Class I consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of an existing use. The existing site has already been utilized as retail and commercial uses. Interior or exterior alterations involving such things as interior partitions, floors, plumbing, electrical conveyance, and exterior stairs would be required, which would not significantly expand the capability of the site or substantively increase the proposed use of the site beyond what already occurs. In this case, the proposed project would not expand the existing structure and has not proposed any significant construction or improvements for the project site beyond a tenant occupancy. Therefore, the project as proposed, would not expand upon the existing permitted building, would not expand the use of the site beyond those uses that already occurred, and therefore the Project complies with the guidelines of the California Environmental Quality Act (CEQA), (Article 19, Section 15301 Class 1, Existing Facilities).

Furthermore, this project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15303 (New Construction or Conversion of Small Structures). This section specifically exempts construction and location of new, small facilities or structures; and the conversion of existing small structures for one use or another where only minor modifications are made in the exterior of the structure. The Project does not include the construction of any new structures and would only propose minor modifications such as demolition of interior partitions, floors, plumbing, electrical conveyance, and exterior stairs, as well as paint and signage, and would only change to commercial

tenant occupancy of the existing Commercial Retail Facility that was original built in 1946. The existing two-story building on site was built in 1946, prior to building permits being required by the County, and was used as a concrete product manufacturing and garden decoration store. Therefore, the project as proposed, complies with the guidelines of the California Environmental Quality Act (CEQA), (Article 19, Section 15303 (New Construction or Conversion of Small Structures)).

Finally, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Exception 15300.2 (a) prevents Categorical Exemptions Classes 3, 4, 5, 6, and 11 from applying in a particularly sensitive environment. The project is not within a particularly sensitive environment, and it also falls within Class I exemption; therefore, this exception does not apply. Exception 15300.2 (b) applies to all classes and would make the exemption inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The project would not lead to cumulative impacts that overtime is significant, as the project would not create a greater level of potential impacts beyond what was considered for the retail property at this location. All future projects that are similar to and are located in the same area will be evaluated pursuant to CEQA; therefore, this exception does not apply. Exception 15300.2 (c) states that an exemption shall not be used where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances associated with the cannabis facility. The building that will be leased to operate the project was built in 1946 and was intended to be utilized for retail uses. The building is located on a retail property that is consistent with the site's commercial land use designation and zoning classification; as well as all applicable sections of Ordinance No. 348. The project is considered a retail use that is also consistent with the site's commercial land use designation, zoning classification and all applicable sections of Ordinance No. 348. Also, similar to other development that requires a land use permit, the project is conditioned to comply with all applicable General Plan policies, County Ordinances and State law. Therefore, there are no reasonable possibility the project would not have a significant effect. Exception 15300.2 (d) states that an exemption shall not be used for project that may result in damage to scenic resources. The project is located westerly of Interstate 215. This segment of I-215 is not designated as a Scenic Highway. The project does not change the exterior architecture of the approved building and the on-site signage that will be affixed to building elevation meets the development standards of Ordinance No. 348 Section 19.4. The project is in area that is being built out with commercial and industrial uses. The building and project signage is consistent with the existing characteristics of the area and would not damage scenic resources; therefore, this exception does not apply. Exception 15300.2 (e) states that an exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of Government Code. The project site is not a hazardous waste site and is not on any list compiled pursuant to Section 65962.5; therefore, this exception does not apply. Exception 15300.2 (f) states that an exemption shall not be used for a project which may cause substantial adverse change in the significance of a historical resource. There were no historic resources on the project site; therefore, this exception does not apply. For the reasons described above none of the exceptions outlined in CEQA Guidelines Section 15300.2 applies to the project; and therefore, Article 19- Categorical Exemptions, Section 15301 and Section 15303 Exemptions may be used to exempt the project from CEQA.

FINDINGS AND CONCLUSIONS

In order for the County to approve the proposed project, the following findings are required to be made:

Land Use Findings

1. The project site has a General Plan Land Use Designation of Commercial Retail (CR). The Commercial Retail land use designation provides jobs for local residents, contributes to enhancing and balancing communities economically, and facilitates a tax base that aids in providing needed public facilities and services (i.e. general uses such as grocery stores, drug stores, and other retail outlets). The proposed project is consistent with this land use designation because the project will provide local and regional retail services, provide for an increase to the local tax base, and through the Development Agreement associated with this project, of a Commercial Cannabis Activity (cannabis retailer storefront), provide local public facilities and services that will benefit the community. Additionally, 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 lifestyles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the RCIP Vision, such as mobility, open space, and air quality goals.
2. The project site has a Zoning Classification of General Commercial (C-1/C-P), which is consistent with the Community Development General Plan Foundation Component and Commercial Retail Land Use Designation. The Commercial Retail land use designation in the Riverside County General Plan allows for the development of commercial retail uses at a neighborhood, community, and regional level, such as those that are conditionally permitted within the General Commercial zone. Typical floor area ratios (FAR) for Community Development: Commercial Retail (CD: CR) range from 0.20 to 0.35. Uses allowed in the C-1/C-P zone include a variety of typical retail establishments, with additional uses permitted subject to a conditional use permit. Section 19.518 of Ordinance No. 348 allows storefront cannabis retail uses in the C-1/C-P zone provided a conditional use permit is obtained. The project proposed, a cannabis retail storefront and delivery facility with a FAR of 0.27, is consistent with the Riverside County General Plan because the C-1/C-P Zone conditionally allows the specified retail use, which implements the CD: CR General Plan Land Use Designation that encourages local and regional retail and services.
3. The proposed use, a Cannabis Retail Store, is allowed in the C-1/C-P Zoning Classification with an approved Conditional Use Permit.
4. The uses surrounding the subject property in question are predominately retail businesses such as a truck sales facility with offices to the north, an automobile dealership to the south, an unoccupied commercial building to the west, and the 215 freeway to the east. To note to the west, beyond the unoccupied commercial building, are residential dwellings. Section 19.519.B1 of Ordinance No. 348 requires that a cannabis retailer shall be a minimum of 40 feet from the residentially zoned lot line when adjacent to a residential zone. The cannabis retail building is not adjacent to a residential zone property but is still 117 feet from the closest residential lot line. Therefore, the project's proposed use is compatible with the surrounding uses because the cannabis retail store is consistent with the commercial activity of the surrounding businesses.

Conditional Use Permit Findings

1. The proposed use conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. The project site has a General Plan Land Use Designation of Commercial Retail (CR). The Commercial Retail land use designation provides for the emphasis on general uses such as grocery stores, drug stores, and other retail outlets. The proposed project is consistent with this land use designation because the project will provide local

and regional retail and services. Additionally, 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 lifestyles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the RCIP Vision, such as mobility, open space, and air quality goals. In addition, the proposed use is consistent with the standards for the C-1/C-P zone of Ordinance No. 348, subject the approval of the Conditional Use Permit.

2. The overall development of the land shall be designed for the protection of the public health, safety and general welfare. The design of the project has been reviewed by all applicable Riverside County Departments and agencies, including, but not limited to: Riverside County Transportation, Environmental Health, Fire, Building and Safety, and Landscaping. The review and regulations adopted and applied in the Conditions of Approval ensure that the project would not have an adverse effect on the public's health, safety, and general welfare. These departments have included conditions of approval that the project will be required to meet for prior to issuance of grading permits, prior to issuance of building permits, and prior to final of building permits. Based on the findings included in this staff report, advisory notification document and conditions of approval, the proposed project will not be detrimental to the health, safety or general welfare of the community.
3. The proposed use conforms to the logical development of the land and to be compatible with the present and future logical development of the surrounding property, as the project site is surrounded by properties which are designated CD: CR which encourages suburban development and land uses that foster variety, choice and accommodate a balance of jobs, housing, and services within communities. The proposed use, a cannabis retail store front, would provide community services and job opportunities within the surrounding community. Additionally, the project complies with the development standards of the C-1/C-P Zone. Therefore, the proposed project conforms to the logical development of the land and will be compatible with the present and future logical development of the surrounding property.
4. That plan for the proposed use will occupy a retail space of an approved building. The project area includes site improvements such as road improvements, sidewalks, vehicle and bicycle parking ingress/egress points, and partial landscaping pursuant to the approved conditional use permit. Further site improvements, such as vehicle and bicycle parking spaces, trash enclosure, and landscaping will be constructed pursuant to the project exhibits and CUP200024 conditions of approval.
5. All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel. The proposed project proposes to demolish or remove all but one structure or building on site which was built in 1946. If another structure were to be built in the future; then a revision to this entitlement would be required and this requirement and a condition of approval would be installed. With no other structures proposed for this project property, there is not a need to condition the project for requiring a subdivision where only one structure is on a parcel.

Permit Requirements for All Commercial Cannabis Activities:

1. Section 19.505 of Ordinance No. 348 sets forth requirements that all Commercial Cannabis Activities, including commercial cannabis retailers, must comply with, including, among others, submitting an appropriate application, obtaining and maintaining a state license, being sited and operated in such a way that controls odors, being limited in hours of operation, and implementing sufficient security measures. All of these requirements have either already been met or are required in the attached project's Conditions of Approval (COA) or Advisory Notification Document (AND) which are incorporated herein by this reference. Specifically, Planning. 2 through 11, 15 through 18, and 24 through 26 of the Advisory Notification Document address odors, hours of operation, security, and similar concerns.
2. Section 19.506 of Ordinance No. 348 sets forth the public hearing and requirements of approval. A Planning Commission public hearing for CUP2000024 and DA2000006 is scheduled for February 17, 2021. Public notice was posted in the Press-Enterprise Newspaper on February 7, 2021 and mailed to owners of real property which were located within 600 feet from the project site. Section 19.506 requires notices to be delivered to real property which is located 300' from the exterior boundaries of the subject property. The noticing radius was expanded to 600 feet to yield at least 25 different property owners. The project has complied or is conditioned to comply with all of the requirements of Sections 18.28 (Conditional Use Permit Findings are described above), 19.505 (all requirements are noted on the project's Advisory Notification Document), 19.519 (compliance with Cannabis Retailer standards are described below), and 19.521 (compliance with Cannabis Distribution standards are described below). The project complies with the standards of the C-1/C-P Zone which is also described below.
3. Section 19.507 of Ordinance No. 348 sets forth Permit Expiration. This section requires all permittee to obtain a valid Cannabis license from the State of California within six (6) months of the conditional use permit's approval date. In the event the conditional of approval is not complied with, the conditional use permit will automatically become null and void on the six (6) month anniversary date of the conditional use permit's approval. The permit is also set to expire within ten (10) years of the effective date of the attached Development Agreement No. 2000006, unless the term is modified or extended for an additional five years. This condition is included as (AND - Planning. 27 - Permit Expiration).

Cannabis Retailer Minimum Standards:

1. The project is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or a variance has been approved allowing a shorter distance but not less than allowed by State law. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site.
2. The project is located within 1,000 feet of another existing or approved Cannabis Retailer. However, on November 17, 2020, the Board of Supervisors approved Ordinance No. 348.4933 associated with Change of Zone No. 2000013 which amended Section 19.519.A.2. of Ordinance No. 348 related to Commercial Cannabis Activities and establishes a 1,000 foot separation requirement between cannabis retailers unless they are located with one-half mile of certain freeways, including Interstate 215. In those circumstances, the 1,000 foot separation requirement

would not apply to the cannabis retailers. Since this subject project is located within one-half mile of Interstate 215, the 1,000 foot separation does not apply.

3. The project is not located within 500 feet of a smoke shop or similar facility because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any smoke shop or similar facility within 1,000 feet of the site.
4. The project is not located on a lot containing a residential dwelling unit because a property characteristic report as prepared by the Planning Department has not identified any residential dwelling units located at the subject site.
5. The development standards of the proposed C-1/C-P Zoning Classification are as follows:
 - A. There is no minimum lot area requirement, unless specifically required by zone classification for a particular area. Therefore, the project meets this standard.
 - B. There are no yard requirements for buildings which do not exceed 35 feet in height, except as required for specific plans. Any portion of a building which exceeds 35 feet in height shall be set back from the front, rear and side lot lines not less than two feet for each foot by which the height exceeds 35 feet. The front setback shall be measured from the existing street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The rear setback shall be measured from the existing rear lot line or from any recorded alley or easement; if the rear line adjoins a street, the rear setback requirement shall be the same as required for a front setback. Each side setback shall be measured from the side lot line or from an existing adjacent street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The project does not propose construction nor does the existing building/structure (20 feet high) exceed 35 feet in height. Therefore, the project meets this standard.
 - C. No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Ordinance No. 348 Section 18.34. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Ordinance No. 348 Section 18.27. The project does not propose any construction nor does any of the existing building/structure (20 feet high) exceed 50 feet in height. Therefore, the project meets this standard.
 - D. Automobile storage space shall be provided as required by Ordinance No. 348 Section 18.12. The project meets these requirements because the project requires 20 vehicle parking spaces and has proposed 19 vehicle parking spaces with the reduction of one vehicle parking space with a secured bicycle storage facility providing four (4) bike rack stalls, as permissible per Ordinance No. 348 Section 18.12.A.f.2)d).
 - E. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet. No roof mounted equipment is proposed for the cannabis retailer storefront.

6. The project complies with the operational requirements set forth in Ordinance No. 348 Section 19.519.C. because of the following:
 - A. Entrances into the retail location of the Cannabis Retailer shall be separate from the reception area and locked at all times with entry strictly controlled. An electronic or mechanical entry system shall be utilized to limit access and entry to the retail location. As provided by the floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 1)
 - B. Cannabis Retailers may include the sale of Medical Cannabis, requiring an M-License from the State. Cannabis Retailers selling only Medical Cannabis shall verify consumers who enter the Premises are at least 18 years of age and that they hold a valid Physician's Recommendation. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to very consumers are of appropriate age. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 2)
 - C. Cannabis Retailers may include the sale of Adult Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to very consumers are at least 21 years of age. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 3)
 - D. A Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to very consumers are of appropriate age. The project has been conditioned to meet this standard and will have retail sales of both Medical and Adult customers and must always have current A and M Licenses for their retail sales. (AND Planning-All - Cannabis Retail Operations – 4)
 - E. Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 5)
 - F. Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area. As provided by the project floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 6)
 - G. Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods. The project meets this standard because the provide floor plan, Exhibit

C shows the sales area to only contain cannabis products (Flower Display). It has been conditioned that not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 7)

- H. Restroom facilities shall be locked and under the control of the Cannabis Retailer. As provided by the floor plan of the project, Exhibit C, the restroom facilities have a locking door to the designated room. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 8)
- I. Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 9)
- J. Cannabis Retailers shall not distribute any Cannabis or Cannabis Product unless such products are labeled and, in a tamper-evident package, in compliance with the California Business and Professions Code and any additional rules promulgated by a licensing authority. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 10)
- K. Cannabis Retailers shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. It has been conditioned the Cannabis Retailer shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 11)
- L. Deliveries shall be conducted in accordance with California Business and Professions Code Section 26090 or as may be amended and all state regulations pertaining to delivery of Cannabis Products. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 12)
- M. Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 13)
- N. Cannabis Retailers shall not include a drive-in, drive-through or walk up window where retail sales of Cannabis or Cannabis Products are sold to persons or persons within or about a motor vehicle. The project has been conditioned to meet this standard. (AND Planning-All - Cannabis Retail Operations – 14)

Cannabis Retail Findings:

1. The project complies with all the requirements of the State and County for the selling of Cannabis. This is met because the project has been conditioned to meet these requirements.

2. The project is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or a variance has been approved allowing a shorter distance but not less than allowed by State law. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site. Therefore, the project meets this standard
3. The project includes adequate measures that address enforcement priorities for Commercial Cannabis Activities including restricting access to minors and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State. These are met through imposed conditions (Advisory Notification Document) on the project to be met (see AND Planning No. 1 thru 26, Generals A thru X).
4. For Cannabis Retailer lots with verified cannabis-related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violation on the lot and all applicable fees have been paid. This is met because no record of any cannabis-related violations within the last 12 months exist at the project site.

Other Findings:

1. The project site is not located within a Criteria Cell of the Multiple Species Habitat Conservation Plan.
2. The project site is located within the City of Riverside Sphere of Influence. This project was provided to City of Riverside for review and comment. No comments were received either in favor or opposition of the project.
3. 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.
4. The project site is not located within the Mount Palomar Observatory Lighting Zone boundary.
5. The project site is located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP). Per County Ordinance No. 663 and the SKRHCP, all applicants who submit for development permits, including maps, within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of \$500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of onsite mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen's Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP.

Fire Findings

The project site is not located within a Cal Fire State Responsibility Area and is not located within a fire hazard severity zone.

Development Agreement:

The applicant has proposed entering into the attached draft development (DA2000006) with the County for the Project. The DA is consistent with the General Plan and 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 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.

Approval Requirements and Conclusion:

Based on the findings provided in this staff report and conditions of approval, the project is consistent with the General Plan and any applicable specific plan, complies with the proposed development standards of the C-1/C-P zoning classification, complies with the permit requirements for all Commercial Cannabis Activities, complies with the minimum standard requirements and will not be detrimental to the public health, safety, or general welfare. Additionally, the project complies with all applicable requirements of State law and ordinances of Riverside County.

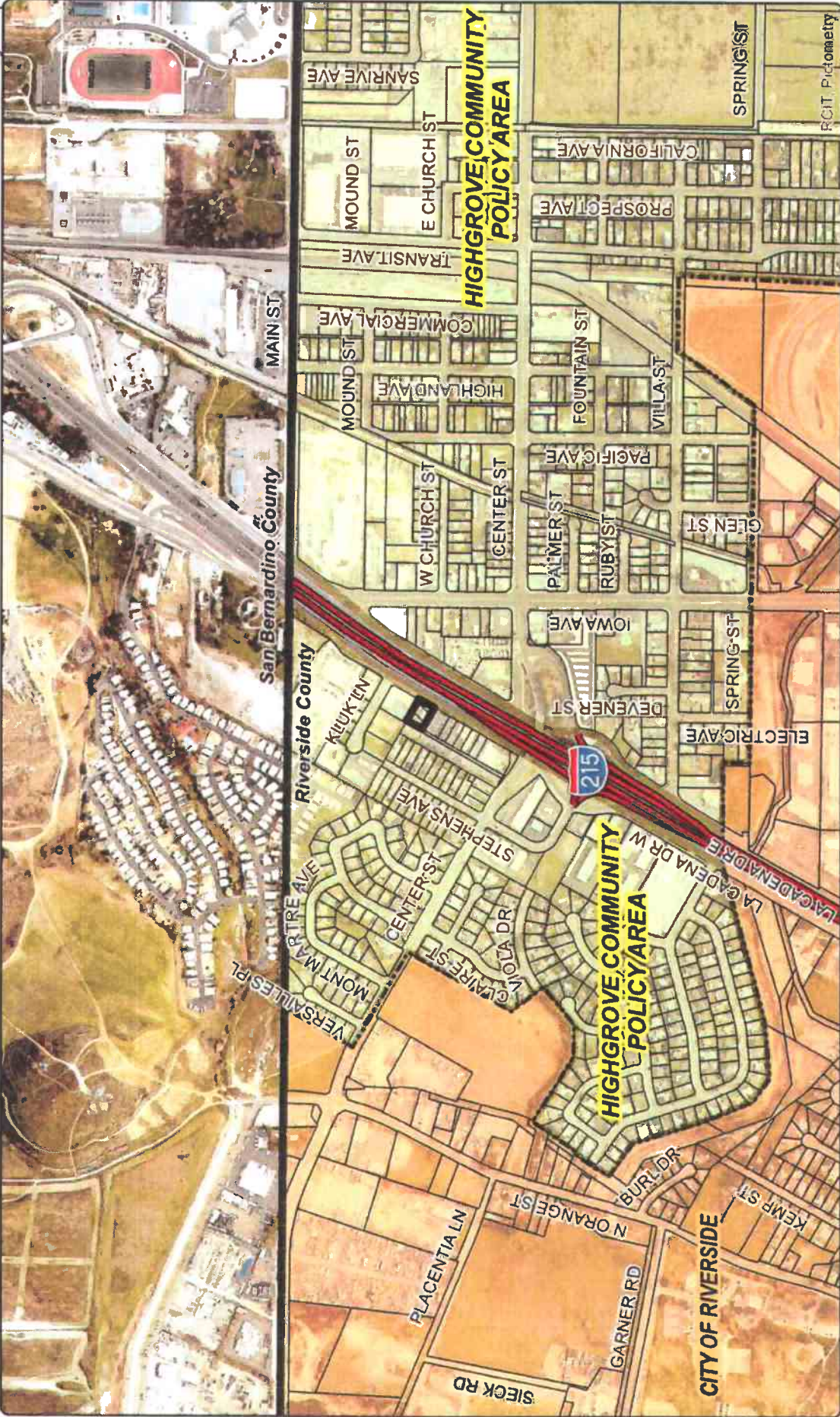
PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

This project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 600 feet of the project site. As of the writing of this report, Planning Staff has not received written communication/phone calls from the public indicating support or opposition to the proposed project.

RIVERSIDE COUNTY PLANNING DEPARTMENT
CUP200024 DA200006
VICINITY/POLICY AREAS

Supervisor: Spiegel
 District 2

Date Drawn: 01/11/2021
 Vicinity Map



Zoning Dist: North Riverside

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2009, the County of Riverside adopted a new General Plan. The new General Plan may contain different uses of land than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department at (951) 940-2277. Riverside County is a member of the Metropolitan Planning Council of the Inland Empire.

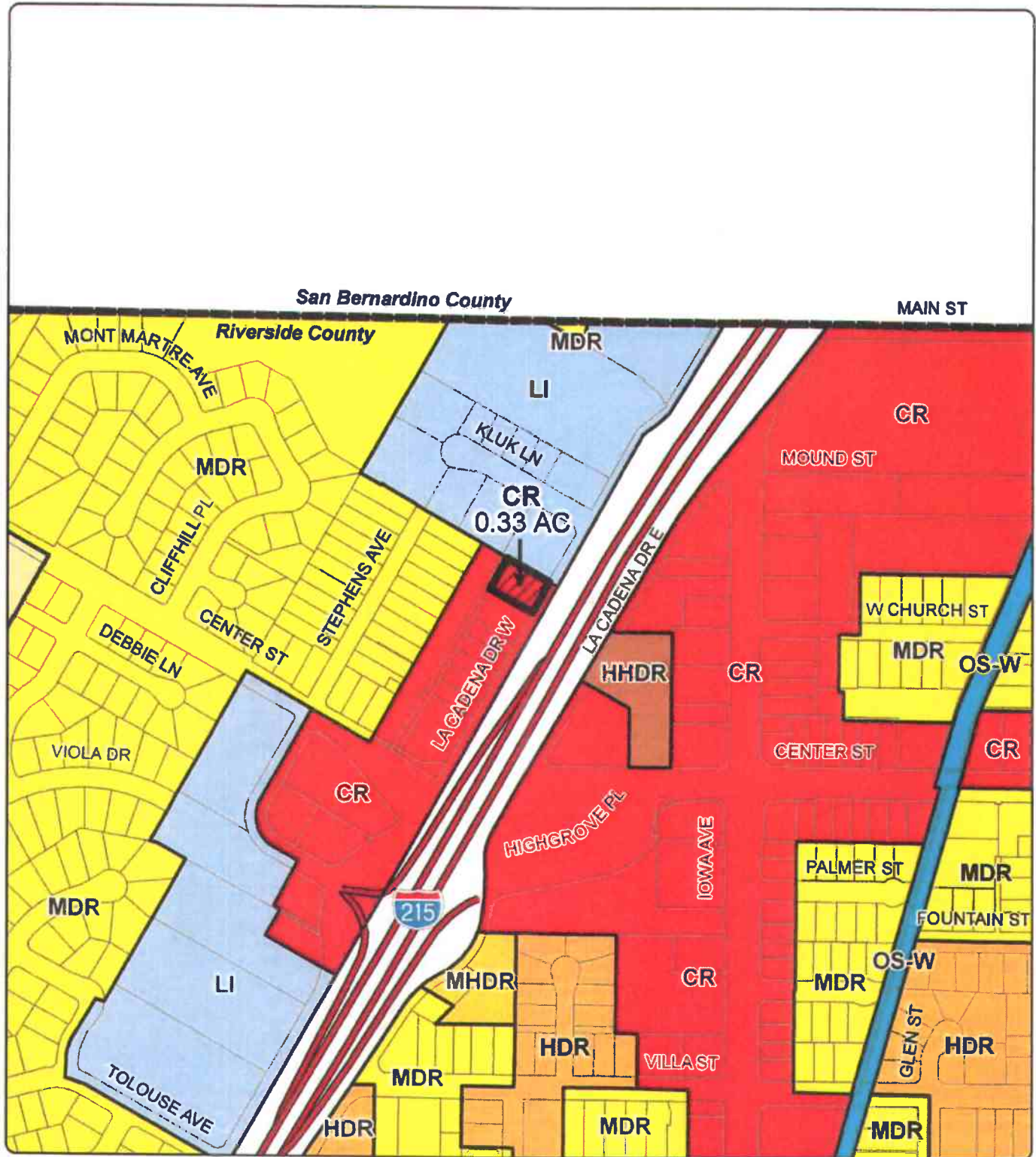
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP200024 DA200006

EXISTING GENERAL PLAN

Supervisor: Spiegel
District 2

Date Drawn: 01/11/2021
Exhibit 5



Zoning Dist: North Riverside

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website: <http://www.riversidecounty.net>

RIVERSIDE COUNTY PLANNING DEPARTMENT

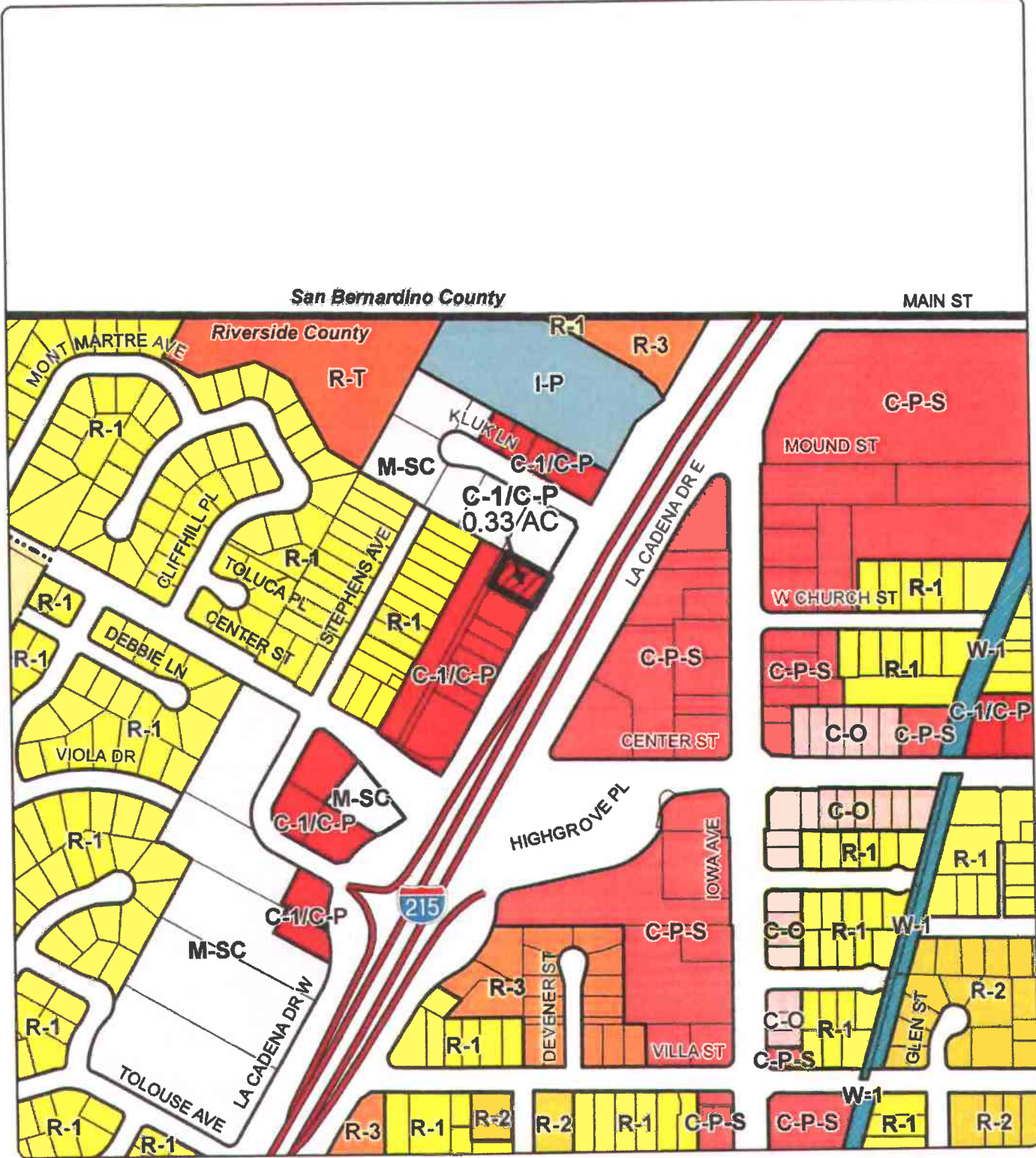
CUP20024 DA200006

Date Drawn: 01/11/2021

Supervisor: Spiegel
District 2

EXISTING ZONING

Exhibit 2



Zoning Dist: North Riverside

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2005, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://www.riversidecounty.net>

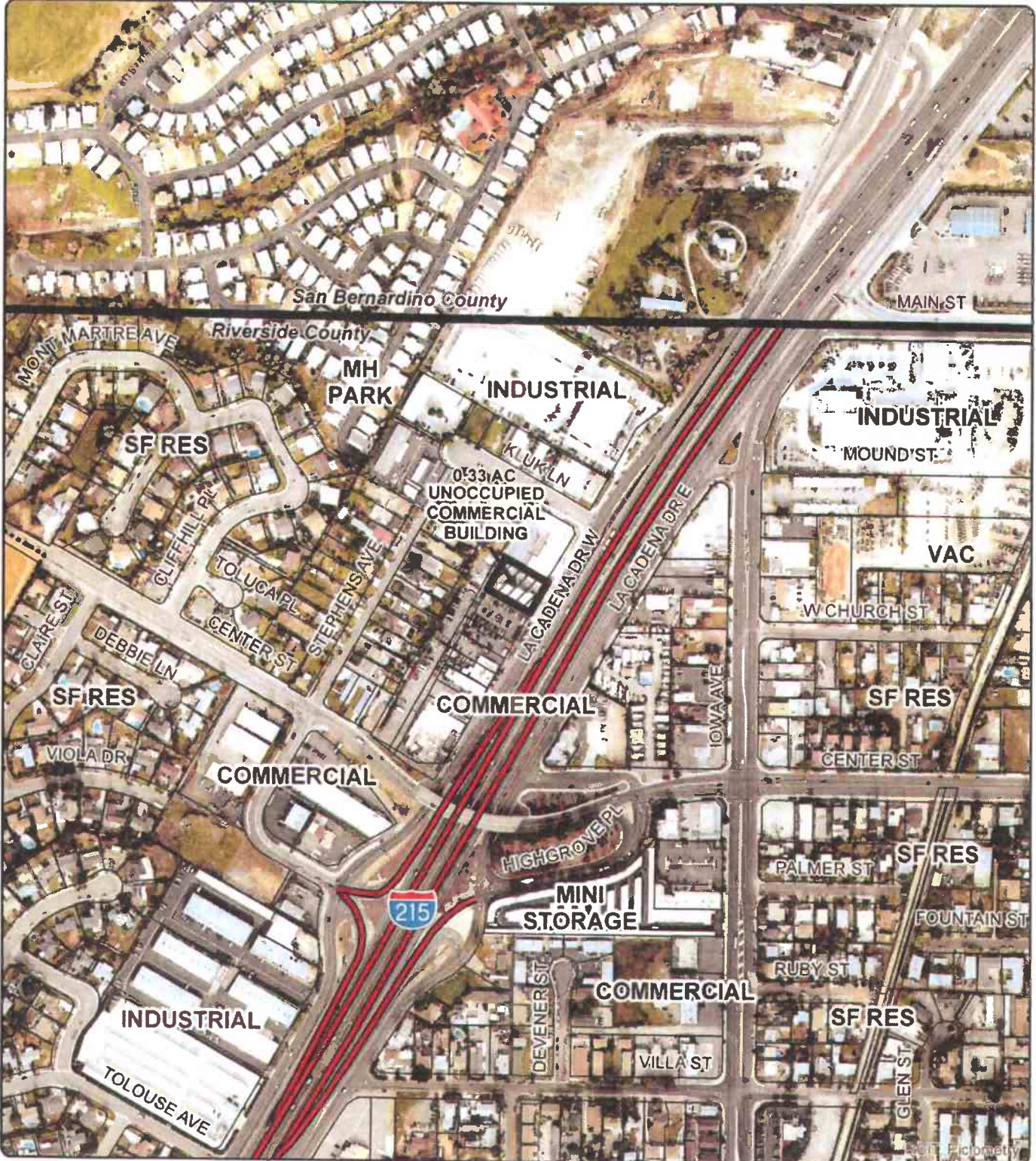
RIVERSIDE COUNTY PLANNING DEPARTMENT
CUP200024 DA200006

Supervisor: Spiegel
 District 2

Date Drawn: 01/11/2021

LAND USE

Exhibit 1



Zoning Dist: North Riverside

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2009, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-9200 (Western County) or in Palm Desert at (760)869-8277 (Eastern County) or Website <http://www.riversideca.gov>



**COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY**



Charissa Leach
Interim Agency Director

02/08/21, 11:55 am

CUP200024

ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for CUP200024. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of this Plan (CUP200024) and is intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

Advisory Notification. 2 AND - Project Description & Operational Limits

Conditional Use Permit No. 200024 is a proposal to use an existing two-story, 4,150 sqft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. The project would provide 19 vehicle parking spaces, including one accessible space for persons with disabilities, a secured bike rack area, and a loading area located at the rear of the building. Upgraded landscaping and a trash enclosure are also proposed.

Development Agreement No. 2000006. The associated development agreement (DA2000006) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA2000006 and Conditional Use Permit No.200024, and will provide community benefits to the Highgrove Area.

The project would involve the applicant moving into an existing commercial building. The business owner/applicant would provide minor improvements to the existing site, which would include, but not be limited to, exterior/interior alterations, paint, carpet, furnishings, and landscaping.

The project site is located north of Center Street, east of Stephens Avenue, south of Kluk Lane, and west of W La Cadena Drive. The project site address is 203 La Cadena Drive within the Highgrove community, near the City of Riverside.

ADVISORY NOTIFICATION DOCUMENT**Advisory Notification****Advisory Notification. 3 AND - Design Guidelines**

Compliance with applicable Design Guidelines:

1. 2nd District Design Guidelines
2. County Wide Design Guidelines and Standards

Advisory Notification. 4 AND - Exhibits

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT(S)

Exhibit A (Site Plan), dated October 8, 2020.

Exhibit B (Elevations), dated October 8, 2020.

Exhibit C (Floor Plans), dated October 8, 2020.

Exhibit L (Conceptual Landscaping and Irrigation Plans), dated October 8, 2020.

Advisory Notification. 5 AND - Federal, State & Local Regulation Compliance

1. Compliance with applicable Federal Regulations, including, but not limited to:
 - National Pollutant Discharge Elimination System (NPDES)
 - Clean Water Act
 - Migratory Bird Treaty Act (MBTA)
2. Compliance with applicable State Regulations, including, but not limited to:
 - The current Water Quality Management Plan (WQMP) Permit issued by the applicable Regional Water Quality Control Board (RWQCB.)
 - Government Code Section 66020 (90 Days to Protest)
 - Government Code Section 66499.37 (Hold Harmless)
 - Native American Cultural Resources, and Human Remains (Inadvertent Find)
 - School District Impact Compliance
 - Current California Building Code requirements
 - California State Cannabis laws and regulations
3. Compliance with applicable County Regulations, including, but not limited to:
 - Ord. No. 348 (Land Use Planning and Zoning Regulations)
 - Ord. No. 413 (Regulating Vehicle Parking)
 - Ord. No. 457 (Building Requirements)
 - Ord. No. 460 (Division of Land)
 - Ord. No. 461 (Road Improvement Standards)
 - Ord. No. 655 (Regulating Light Pollution)
 - Ord. No. 671 (Consolidated Fees)
 - Ord. No. 787 (Fire Code)
 - Ord. No. 847 (Regulating Noise)
 - Ord. No. 857 (Business Licensing)
 - Ord. No. 859 (Water Efficient Landscape Requirements)
 - Ord. No. 915 (Regulating Outdoor Lighting)
 - Ord. No. 925 (Prohibiting Marijuana Cultivating)
 - Ord. No. 928 (Clarifying County Prohibition on Mobile Marijuana Dispensaries and Deliveries)

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 5 AND - Federal, State & Local Regulation Compliance (cont.)

4. Mitigation Fee Ordinances:

- Ord. No. 659 Development Impact Fees (DIF)
- Ord. No. 663 Stephens Kangaroo Rat Habitat Conservation Plan (SKR)
- Ord. No. 810 Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP)
- Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)

General

General. 1 General – Business Licensing

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office.

General. 2 General – Causes for Revocation

In the event the use hereby permitted under this permit is found:

- (a) to be in violation of the terms and conditions of this permit; and/or,
- (b) to have been obtained by fraud or perjured testimony; and/or,
- (c) to be detrimental to the public health, safety or general welfare, or is a public nuisance,

then this permit shall be subject to revocation procedures.

General. 3 General – Ceased Operations

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this Conditional Use Permit and accompanying Development Agreement approval shall become null and void.

General. 4 General – Hold Harmless

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees ("COUNTY") from the following:

- (a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the project or its associated environmental documentation; and,
- (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the project, including, but not limited to, decisions made in response to California Public Records Act requests; and

ADVISORY NOTIFICATION DOCUMENT**General****General. 4****General – Hold Harmless (cont.)**

(a) and (b) above are hereinafter collectively referred to as "LITIGATION."

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such LITIGATION, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project, applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, applicant/permittee shall make such additional deposits.

General. 5**General – Human Remains**

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with State Health and Safety Code Section 7050.5.

General. 6**General – Review Fees**

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan, or mitigation and monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

ADVISORY NOTIFICATION DOCUMENT

General

General. 7

General – Unanticipated Resources

The developer/permit holder or any successor in interest shall comply with the following for the life of this permit. If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis. Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other.

** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the significance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

Planning

Planning. 1

15 - PLANNING - Landscape Requirement

Landscape Requirement

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall: 1) Ensure all landscape and irrigation plans are in conformance with the APPROVED EXHIBITS; 2) Ensure all landscaping is provided with California Friendly landscaping and a weather-based irrigation controller(s) as defined by County Ordinance No. 859; 3) Ensure that irrigation plans which may use reclaimed water conform with the requirements of the local water purveyor; and, 4) Be responsible for maintenance, viability and upkeep of all slopes, landscaped areas, and irrigation systems until the successful completion of the twelve (12) month inspection or those operations become the responsibility of the individual property owner(s), a property owner's association, or any other successor-in-interest, whichever occurs later.

To ensure ongoing maintenance, the developer/ permit holder or any successor-in-interest shall: 1) Connect to a reclaimed water supply for landscape irrigation purposes when reclaimed water is made available. 2) Ensure that landscaping, irrigation and maintenance systems comply with the Riverside County Guide to California Friendly Landscaping, and Ordinance No. 859. 3) Ensure that all landscaping is healthy, free of weeds, disease and pests.

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 2 General - A. Application Requirements

At the time of filing the application for a Commercial Cannabis Activity on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the land use permit application. All entitlement fees shall be paid in full, prior to operating the cannabis business. Ord. 348 Article XIXh

Planning. 3 General - B. State License Required

Obtain and maintain during the life of the Commercial Cannabis Activity the applicable California license issued pursuant to California Business and Professions Code Sections 19300.7 or 26050(a) as may be amended from time to time. Ord. 348 Article XIXh

Planning. 4 General - C. Suspension, Revocation, or Termination of State License

Suspension of a license issued by the State of California, or by any State licensing authority, shall immediately suspend the ability of a Commercial Cannabis Activity to operate within the County until the State, or its respective State licensing authority, reinstates or reissues the State license. Revocation or termination of a license by the State of California, or by any State licensing authority, will also be grounds to revoke or terminate any conditional use permit granted to a Commercial Cannabis Activity pursuant to this Article. Ord. 348 Article XIXh

Planning. 5 General - D. Health and Safety

Commercial Cannabis Activities shall at all times be operated in such a way as to ensure the health, safety, and welfare of the public. Commercial Cannabis Activities shall not create a public nuisance or adversely affect the health or safety of the nearby residents, businesses or employees working at the Commercial Cannabis Activity by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, unsafe conditions or other impacts, or be hazardous due to the use or storage of materials, processes, products, and runoff of water, pesticides or wastes. Ord. 348 Article XIXh

Planning. 6 General - E. Development Agreement

No approval required by this ordinance shall be given for any permit for a Commercial Cannabis Activity unless the Board of Supervisors prior to or concurrently with approves a development agreement, pursuant to Section 18.26b of this ordinance, setting forth the terms and conditions under which the Commercial Cannabis Activity will operate in addition to the requirements of this ordinance, all other local ordinances and regulations, state law and such other terms and conditions that will protect and promote the public health, safety and welfare. No use or operation under any permit for a Commercial Cannabis Activity shall be allowed to begin until the development agreement is effective.

ADVISORY NOTIFICATION DOCUMENT**Planning****Planning. 7****General - F. Nuisance Odors**

All Commercial Cannabis Activities shall be sited and operated in a manner that prevents Cannabis nuisance odors from being detected offsite. All Commercial Cannabis Activities shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the Commercial Cannabis Activity that is distinctive to its operation is not detected outside of the operation's facility, anywhere on adjacent lots or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the Commercial Cannabis Activity. In order to control nuisances such as odors, humidity and mold, Commercial Cannabis Activities shall install and maintain at the minimum, the following equipment, or any other equipment that can be proven to be an equally or more effective method or technology to control these nuisances: Ord. 348 Article XIXh

1. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;
2. An air system that creates negative air pressure between the Commercial Cannabis Activities' interior and exterior, so that the odors generated by the Commercial Cannabis Activity are not detectable on the outside of the Commercial Cannabis Activity.

Planning. 8**General - G. Commercial Cannabis Activity Operator Qualifications**

1. All operators and all employees of a Commercial Cannabis Activity must be 21 years of age or older.
2. Operators shall be subject to background checks.
3. Permits for Commercial Cannabis Activities shall not be granted for operators with felony convictions, as specified in subdivision (c) of Section 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal Code.
4. Applicants providing false or misleading information in the permitting process will result in rejection of the application or nullification or revocation of any permit granted pursuant to this Article. Ord. 348 Article XIXh

Planning. 9**General - H. Relocation of a Permitted Commercial Cannabis Activity**

In the event the permittee or successor in interest vacates and relocates the Commercial Cannabis Activity to a new location, a new conditional use permit will need to be granted by the County in accordance with this ordinance prior to commencing operations at the new location.

Planning. 10**General - I. Hours of Operation**

A Commercial Cannabis Activity operating as a Cannabis Retailer may be open to the public seven days a week only between the hours of 6:00 A.M. and 10:00 P.M. All other Commercial Cannabis Activities may operate only during the hours specified in the conditional use permit granted by the County. Ord. 348 Article XIXh

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 11 General - J. Inspections

A Commercial Cannabis Activity shall be subject to inspections by appropriate local and State agencies, including, but not limited to, the Riverside County Departments of Code Enforcement, Planning, Fire, Public Health, Environmental Health, the Agricultural Commissioner's Office and the Sheriff's Department. Ord. 348 Article XIXh

Planning. 12 General - K. Monitoring Program

Permittees of a Commercial Cannabis Activity shall participate in the County's monitoring program to verify permit requirements such as, but not limited to, security measures, water use and State track-and-trace requirements. Ord. 348 Article XIXh

Planning. 13 General - L. Restriction on Alcohol and Tobacco Sales or

Commercial Cannabis Activities shall not allow the sale, dispensing, or consumption of alcoholic beverages or tobacco on the site of the Commercial Cannabis Activity. Ord. 348 Article XIXh

Planning. 14 General - M. Restriction on Consumption

Cannabis shall not be consumed or used on the lot of any Commercial Cannabis Activity. Ord. 348 Article XIXh

Planning. 15 General - N. Security - Part 1

A Commercial Cannabis Activity shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, to deter and prevent the theft of Cannabis or Cannabis Products at the Commercial Cannabis Activity and to ensure emergency access in accordance with applicable Fire Code standards. Guard dogs shall not be used at the Commercial Cannabis Activity as a security measure. Security measures shall include, but not be limited to, the following:

1. A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity.
2. 24 hour emergency contact information for the owner or an on-site employee which shall be provided to the County.
3. A professionally installed, maintained, and monitored alarm system.
4. Except for Live Cannabis Plants being cultivated at a cultivation facility and limited amounts of Cannabis for display purposes, all Cannabis and Cannabis Products shall be stored in a secured and locked structure and in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss.
5. 24 hour security surveillance cameras to monitor all entrances and exits to a Commercial Cannabis Activity, all interior spaces within the Commercial Cannabis Activity that are open and accessible to the public, and all interior spaces where Cannabis, cash or currency is being stored for any period of time on a

ADVISORY NOTIFICATION DOCUMENT**Planning****Planning. 15****General - N. Security - Part 1 (cont.)**

regular basis. The permittee for a Commercial Cannabis Activity shall be responsible for ensuring that the security surveillance camera's footage is accessible. Video recordings shall be maintained for a minimum of 90 days, and shall be made available to the County upon request. Ord. 348 Article XIXh

Planning. 16**General - N. Security - Part 2**

6. Sensors shall be installed to detect entry and exit from all secure areas.
7. Panic buttons shall be installed in all Commercial Cannabis Activities.
8. Any bars installed on the windows or the doors of a Commercial Cannabis Activity shall be installed only on the interior of the building.
9. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services.
10. A Commercial Cannabis Activity shall have the capability to remain secure during a power outage and all access doors shall not be solely controlled by an electronic access panel to ensure locks are not released during a power outage.
11. A Commercial Cannabis Activity shall cooperate with the County and, upon reasonable notice to the 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.
14. Cannabis or Cannabis Products shall not be stored outside at any time. Ord. 348 Article XIXh

ADVISORY NOTIFICATION DOCUMENT**Planning****Planning. 17****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. 18**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. 6. No signs placed on the lot of a Commercial Cannabis Activity shall obstruct any entrance or exit to the building or any window. 7. Each entrance to a Commercial Cannabis Activity shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming Cannabis on the lot of the Commercial Cannabis Activity is prohibited. 8. Signage shall not be directly illuminated, internally or externally. 9. No banners, flags, billboards, or other prohibited signs may be used at any time. Ord. 348 Article XIXh

Planning. 19**General - Q. Records**

1. Each owner and permittee of a Commercial Cannabis Activity shall maintain clear and adequate records and documentation demonstrating that all Cannabis or Cannabis Products have been obtained from and are provided to other permitted and licensed Cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon written request.

2. Each owner and permittee of a Commercial Cannabis Activity shall maintain a current register of the names and contact information, including name, address, and telephone number, of anyone owning or holding an ownership interest in the Commercial Cannabis Activity, and of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the Commercial Cannabis Activity. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.

ADVISORY NOTIFICATION DOCUMENT**Planning****Planning. 19****General - Q. Records (cont.)**

3. All Commercial Cannabis Activities shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all Cannabis and Cannabis Products for all stages of the growing and production or manufacturing, laboratory testing and distribution processes until purchase by or distribution to a qualified patient, primary caregiver for medical purpose or an adult 21 years of age or older who qualifies to purchase adult-use Cannabis. Ord. 348 Article XIXh

Planning. 20**General - R. Water**

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the Commercial Cannabis Activity. The letter shall include the activity proposed and any improvements required for service. For Commercial Cannabis Activities where water service is not available, conditions from the Department of Environmental Health for a permitted onsite, in-ground well will be required for the conditional use permit. Irrigation and domestic water supplies shall not include water transported by vehicle from off-site sources.

Ord. 348 Article XIXh

Planning. 21**General - S. Waste Water**

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable sanitary sewer purveyor, indicating agreement to supply sewer for the Commercial Cannabis Activity. The letter shall include the activity proposed and any improvements required for service. For Commercial Cannabis Activities where sewer service is not available, conditions from the Department of Environmental Health will be required for the conditional use permit. Where sanitary sewer is not available, the applicant shall obtain clearance from the appropriate regional water quality control board.

Planning. 22**General - T. Parking**

Parking shall be provided in accordance with Section 18.12 of this ordinance. Ord. 348 Article XIXh

Planning. 23**General - U. Visibility**

In no case shall Live Cannabis Plants be visible from a public or private road, sidewalk, park or common public viewing area. Ord. 348 Article XIXh

Planning. 24**General - V. Hazardous Materials**

All Commercial Cannabis Activities that utilize hazardous materials shall comply with applicable hazardous waste generator, Riverside County Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance No. 651, requirements and maintain any applicable permits for these programs from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources and the Agricultural Commissioner. Ord. 348 Article XIXh

ADVISORY NOTIFICATION DOCUMENT**Planning****Planning. 25****General - W. Compliance with Local and State Laws and Regulations**

1. All Commercial Cannabis Activities shall comply with all applicable local and State laws, ordinances and regulations related to, but not limited to, the following: the California Environmental Quality Act, California Building Code, California Fire Code, Riverside County Ordinance No. 787, Riverside County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside County Ordinance No. 745, Airport Land Use Compatibility Plans, weights and measures regulations, track and trace requirements, pesticide use, water quality, storm water discharge and the grading of land.

2. All buildings and structures, including greenhouse, hoop structures, or other similar structures shall comply with all applicable Building, Fire, and Safety laws and regulations. All buildings and structures shall be reviewed by the Riverside County Building and Safety Department in accordance with the California Building Code and Riverside County Ordinance No. 457 and by the Riverside County Fire Department in accordance with Riverside County Ordinance No. 787 and the California Fire Code.

Planning. 26**General - X. Material Alterations to Premises**

No physical change, alteration, or modification shall be made to a Premises without first obtaining the appropriate approvals from the County, including but not limited a substantial conformance or revised permit and all other necessary permits. Alterations or modifications requiring approval include, without limitation: (i) the removal, creation, or relocation of a common entryway, doorway, passage, or a means of public entry or exit, when such common entryway, doorway, or passage alters or changes limited-access areas within the Premises; (ii) the removal, creation, addition, or relocation of a Cultivation Area; (iii) or the addition or alteration of a water supply. The requirement of this Section is in addition to compliance with any other applicable State or local law or regulation pertaining to approval of building modifications, zoning, and land use requirements. In the event that the proposed modification requires a new or modified conditional use permit such permit must be obtained prior to issuance of building permits. Ord. 348 Article XIXh

Planning. 27**Permit Expiration**

Pursuant to Ord. 348 Section 19.507 Permit Expiration:

A. All conditional use permits granted for a Commercial Cannabis Activity shall be conditioned for the permittee to obtain a valid Cannabis license from the State of California within six (6) months of the conditional use permit's approval date. In the event the condition of approval is not complied with, the conditional use permit will automatically become null and void on the six (6) month anniversary date of the conditional use permit's approval.

B. All conditional use permits issued for a Commercial Cannabis Activity shall expire as provided in each permit's conditions of approval and development agreement. No less than six (6) months from the expiration date, the permittee may request the conditional use permit to be renewed as provided in the development agreement. Any request for renewal shall be in writing to the Planning Department and in conjunction with a revised permit application. The renewal request and revised permit application shall

ADVISORY NOTIFICATION DOCUMENT**Planning-All****Planning-All. 8 Cannabis Retail Operations - 3**

Cannabis Retailers may include the sale of Adult Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age.

Planning-All. 9 Cannabis Retail Operations - 4

A Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age.

Planning-All. 10 Cannabis Retail Operations - 5

Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours.

Planning-All. 11 Cannabis Retail Operations - 6

Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area.

Planning-All. 12 Cannabis Retail Operations - 7

Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods.

Planning-All. 13 Cannabis Retail Operations - 8

Restroom facilities shall be locked and under the control of the Cannabis Retailer.

Planning-All. 14 Cannabis Retail Operations - 9

Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations.

Planning-All. 15 Development Agreement Funding - 45 Days

The project developer has 45 days from the date of approval of the Commercial Cannabis project and Adoption of the Development Agreement to Fund the Development Agreement No. 2000006 (DA2000006). Per the Development Agreement, funds for over site review, including the yearly reviews of the Commercial Cannabis activities and DA milestones, need to be funded. Please contact the Planning Department for further details.

Refer to DA2000006 for further details and the amount required to be paid.

ADVISORY NOTIFICATION DOCUMENT**Transportation****Transportation. 1 RCTD - GENERAL**

1. With respect to the conditions of approval for the referenced tentative exhibit, it is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. The County of Riverside applicable ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.
2. The Project shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.
3. A signing and striping plan is required for this project. The Project shall be responsible for any additional paving and/or striping removal caused by the striping plan or as approved by the Director of Transportation.
4. Alternations to natural drainage patterns shall require protecting downstream properties by means approved by the Transportation Department.
5. If the Transportation Department allows the use of streets for drainage purposes, the 10-year discharge shall be contained in the top of curb or asphalt concrete dikes, and the 100-year discharge shall be contained in the street right-of-way.
6. All centerline intersections of driveways and street shall be at 90 degrees, plus or minus 5 degrees.
7. The Project shall obtain approval of street improvement plans from the Transportation Department. Street Improvement Plans shall comply with Ordinance 460, 461, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.
8. Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: <http://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955 6527.

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60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 60 - BS GRADE - Provide 12" wide concrete maintenance Not Satisfied

Project proponent shall provide 12" wide concrete maintenance walkway on planter islands adjacent to parking spaces. Concrete maintenance walkway shall be shown on landscape and grading plans, typical.

Planning

060 - Planning. 1 DA Funding - Prior to Grading Issuance Not Satisfied

Prior to grading permit issuance, for all Development Agreements regarding Commercial Cannabis, funds must be paid in accordance to the DA adopted for the project. This condition of approval cannot be deferred.

Planning-PAL

060 - Planning-PAL. 1 PRIMP Not Satisfied

This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

PRIOR TO ISSUANCE OF GRADING PERMITS: 1. The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist). 2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows: 1. A corresponding and active County Grading Permit (BGR) Number must be included in the title of the report. PRIMP reports submitted without a BGR number in the title will not be reviewed. 2. PRIMP must be accompanied by the final grading plan for the subject project. 3. Description of the proposed site and planned grading operations. 4. Description of the level of monitoring required for all earth-moving activities in the project area. 5. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring. 6. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens. 7. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery. 8. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays. 9. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. 10. Procedures and protocol for collecting and processing of samples and specimens. 11. Fossil identification and curation procedures to be employed. 12. Identification of the permanent repository to receive any recovered fossil material. *Pursuant the County "SABER Policy", paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property

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60. Prior To Grading Permit Issuance

Planning-PAL

060 - Planning-PAL. 1 PRIMP (cont.) Not Satisfied

owner/developer and the repository must be in place prior to site grading. 13. All pertinent exhibits, maps and references. 14. Procedures for reporting of findings. 15. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution. 16. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One signed digital copy of the report(s) shall be submitted by email to the County Geologist (dwalsh@rivco.org) along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, Plan Check staff, Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.

Safeguard Artifacts Being Excavated in Riverside County (SABER)

Transportation

060 - Transportation. 1 RCTD - FILE L&LMD APPLICATION Not Satisfied

File an application with the Transportation Department, L&LMD Section, 8th Floor, 4080 Lemon Street, Riverside, CA, for required annexation.

If you have any questions or for the processing fee amount, please call the L&LMD Section at (951) 955-6748.

060 - Transportation. 2 RCTD - SUBMIT GRADING PLANS Not Satisfied

The project proponent shall submit two sets of grading plans (24x36 inches) to the Transportation Department for review and approval. If road right-of-way improvements are required, the project proponent shall submit street improvement plans for review and approval, open an IP account, and pay for all associated fees in order to clear this condition. The Standard plan check turnaround time is 10 working days. Approval is required prior to issuance of a grading permit.

80. Prior To Building Permit Issuance

E Health

080 - E Health. 1 Gen - Custom Not Satisfied

This project proposes the use of an OWTS for sewage. A C-42 certification from dependable septic dated 9/15/2020 shows a 750 gallon tank and 90 feet of rock and pipe leach line along the east side of the building. As shown on the exhibits, there will be paving and parking in that area of the property as well as paving in all other areas of the lot. The use of leach lines in paved or unpaved driveways cannot be approved. Prior to building permit issuance, proof of water service and OWTS plans in compliance with Riverside County's LAMP must be submitted and approved by Environmental Health. These plans must be prepared by a Professional of Record registered with our Department and include a septic

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80. Prior To Building Permit Issuance

E Health

080 - E Health. 1 **Gen - Custom (cont.)** **Not Satisfied**
tank and seepage pits with traffic rated lids. If this is not possible, connection to sewer will be necessary. However, at this time sewer is not available to this area.

Fire

080 - Fire. 1 **Prior to permit** **Not Satisfied**

Prior to building permit issuance, please provide a business plan with a complete scope of work. Indicate any storage, hazardous materials or manufacturing that may be conducted on this site. In addition, please note proposed business hours, the use of any delayed egress/ingress systems (limited access passages) and if open flame devices will be on site.

080 - Fire. 2 **Prior to permit** **Not Satisfied**

1. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C. and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 1/2" x 2 1/2") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3.) 2. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3)

080 - Fire. 3 **Prior to permit** **Not Satisfied**

1. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 75,000 lbs. GVW. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Office of the Fire Marshal. (CFC 501.4) 2. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Office of the Fire Marshal. (CFC 501.4) 3. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) as approved by the Office of the Fire Marshal and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1)

080 - Fire. 4 **Prior to permit** **Not Satisfied**

Final fire and life safety conditions will be addressed when the Office of the Fire Marshal reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.

The Office of the Fire Marshal is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 to 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)

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80. Prior To Building Permit Issuance

Planning

080 - Planning. 1 0080-Planning-USE - CONFORM TO ELEVATIONS Not Satisfied

Elevations of all buildings and structures submitted for building plan check approval shall be in substantial conformance with the elevations shown on APPROVED EXHIBIT(s)

080 - Planning. 2 0080-Planning-USE - CONFORM TO FLOOR PLANS Not Satisfied

Floor plans shall be in substantial conformance with that shown on APPROVED EXHIBIT(s)

080 - Planning. 3 DA Funding - Prior to Building Issuance Not Satisfied

Prior to building permit issuance, for all Development Agreements regarding Commercial Cannabis, funds must be paid in accordance to the DA adopted for the project. This condition of approval cannot be deferred.

Survey

080 - Survey. 1 RCTD - SURVEY MONUMENT/VACATION Not Satisfied

1. Prior to construction, if survey monuments including centerline monuments, tie points, property corners and benchmarks found it shall be located and tied out and corner records filed with the County Surveyor pursuant to Section 8771 of the Business & Professions Code. Survey points destroyed during construction shall be reset, and a second corner record filed for those points prior to completion and acceptance of the improvements.

2. Sufficient public street right-of-way along La Cadena Drive (West) shall be dedicated for public use to provide a 58 foot full-width FRONTAGE COLLECTOR ROAD (33 feet project side and 25 feet on the other side of the centerline, minimum) right-of-way per modified County Standard No. 107A, Ordinance 461. (Modified for reduced half-width right-of-way from 37 feet to 33 feet (project side).

Transportation

080 - Transportation. 1 80 - TRANSPORTATION - Landscape Inspection Deposit Not Satisfied

Landscape Inspection Deposit Required

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall: Prior to building permit issuance, the developer/permit holder shall verify all plan check fees have been paid and deposit sufficient funds to cover the costs of the required landscape inspections associated with the approved landscape plans. The deposit required for landscape inspections shall be determined by the Transportation Department, Landscape Section. The Transportation Department, Landscape Section shall clear this condition upon determination of compliance.

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80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 2 80 - TRANSPORTATION - Landscape Plot Plan/Permit Not Satisfied

Landscape Plot Plan/Permit Required This condition applies to both onsite and offsite (ROW) landscaping: The developer/ permit holder shall: Prior to issuance of building permits, the developer/permit holder shall apply for a Plot Plan (Administrative/PPA) Landscape Permit (LSP) or Landscape Plot Plan (LPP) from TLMA Land Use along with applicable deposit (plan check and inspection are DBF fees).

Provide construction level landscape plans in PDF (all sheets compiled in 1 PDF file), along with an electronic transmittal memo in PDF (include Owner contact, Developer, if not the same as the owner, Project manager, person or persons most likely to inquire about the status of the plans, Landscape Architect, Principal or LA signing the plans, Landscape Architect, Project Manager, person responsible for making the corrections, if different from above), and a current set of grading plans in PDF, and submit all three PDF files on a CD (compact Disc) with application. The landscape plans shall be prepared in a professional manner by a California Licensed/Registered Landscape Architect and signed/stamped by such.

Drawings shall be completed on County standard Transportation Department title block, plan sheet format (24" x 36"), 1:20 scale, north arrow, limit of work lines, hardscape features, graphic scale, and street names, etc. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components:

1) Landscape and irrigation working drawings "stamped" by a California certified/registered landscape architect; 2) Weather-based controllers and necessary components to eliminate water waste; 3) A copy of the "stamped" approved grading plans; and, 4) Emphasis on native and drought tolerant species.

When applicable, plans shall include the following components:

1) Identification of all common/open space areas; 2) Natural open space areas and those regulated/conserved by the prevailing MSHCP and or ALUC; 3) Shading plans for projects that include parking lots/areas; 4) The use of canopy trees (24" box or greater) within the parking areas; 5) Landscaping plans for slopes exceeding 3 feet in height; 6) Landscaping and irrigation plans associated with entry monuments. All monument locations shall be located outside of the ROW and dimensions shall be provided on the plan; and/or, 7) If this is a phased development, then a copy of the approved phasing plan shall be submitted for reference.

Please reference Landscape Plan Checklists available online at RCTLMA.org.

NOTE: When the Landscaping Plot Plan is located within a special district such as LMD/CSA/CFD or Valleywide, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Transportation Department, Landscape Section that the subject district has approved said plans. Water Districts such as CVWD, TVWD, and EMWD may be required to approve plans prior to County approval. Upon verification of compliance with this condition and the APPROVED EXHIBITS, the Transportation Department, Landscape Section shall clear this condition.

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80. Prior To Building Permit Issuance Transportation

080 - Transportation. 3 80 - TRANSPORTATION - Landscape Project Specific Not Satisfied

Landscape Project Specific Requirements

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall: In addition to the requirements of the Landscape and Irrigation Plan submittal, the following project specific conditions shall be imposed:

- Project shall comply with the latest version of Ord. 859 ETo of .45, for commercial applications, or .70 ETo for recycled water uses. Project shall comply with the latest State Model Water Efficient Landscape Ordinance. Project shall comply with the local servicing water purveyor/district/company landscape requirements including those related to recycled water.
- Project proponent shall design overhead irrigation with a minimum 24" offset from non-permeable surfaces, even if that surface drains into a permeable area.
- Landscaping plans shall incorporate the use of specimen (24" box or greater) canopy trees. All trees and shrubs shall be drawn to reflect the average specimen size at 15 years of age. All trees shall be double or triple staked and secured with non-wire ties.
- Project shall prepare water use calculations as outlined in Ord 859.3.
- Trees shall be hydrozoned separately.
- Irrigation shall be designed using hydrozones by plant water type, irrigation type, and flat/sloped areas.
- The developer/ permit holder/landowner shall use the County of Riverside's California Friendly Plant List when making plant selections. Use of plant material with a "low" or "very low" water use designation is strongly encouraged.
- All plant materials within landscaped areas shall be maintained in a viable growth condition throughout the useful plant life, and replaced with an equal or lessor water use plant.
- Project shall use County standard details for which the application is available in County Standard Detail Format.
- Monuments, boulders, and fan palms shall be located outside the County Maintained Road Right-of-Way (ROW).
- Restricted plant species noted in MSHCP documents shall not be used if MSHCP areas are adjacent to the project.
- Plant species shall meet ALUC requirements, if applicable.
- Hydroseeding is not permitted in stormwater BMP slope areas, container stock will be required on slopes. Trees must be located to avoid drainage swales and drain, utility, leach, etc. lines and structures
- Landscape and irrigation plans must meet erosion control requirements of Ordinance 457.
- Project shall use 50% point source irrigation type regardless of meeting the water budget with alternative irrigation methods, except as needed within stormwater BMP areas as noted in an approved WQMP document. Point source is defined as one emitter (or two) located at each plant. In-line emitter tubing is not defined as point source for the purpose of this requirement.
- The project proponent or current property owner shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site.
- Project shall install purple/reclaimed/recycled components as deemed necessary and as determined by the County and/or water district.
- Project proponent shall provide 12" wide concrete maintenance walkway on planter islands adjacent to parking spaces. Concrete maintenance walkway shall be shown on landscape and grading plans, typical.

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**80. Prior To Building Permit Issuance
Transportation**

080 - Transportation. 4 RCTD - ANNEXATION INTO L&LMD OR OTHER DISTRICT Not Satisfied

Prior to the issuance of a building permit, the project proponent shall comply with County requirements within public road rights-of-way, in accordance with Ordinance 461. Assurance of maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated by contacting the Transportation Department at (951) 955-6767, and/or any other maintenance district approved by the Transportation Department or by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division. Said annexation should include the following:

- (1) Landscaping. (2) Streetlights. (3) Graffiti abatement of walls and other permanent structure. (4) Street sweeping.

For street lighting, the project proponent shall contact the Transportation Department L&LMD 89-1-C Administrator and submit the following:

- (1) Completed Transportation Department application. (2) Appropriate fees for annexation. (3) Two (2) sets of street lighting plans approved by Transportation Department. (4) Streetlight Authorization form from SCE or other electric provider.

080 - Transportation. 5 RCTD - COORDINATION WITH OTHERS Not Satisfied

Approval of the Street Improvement plans by the Transportation Department will clear this condition.

- 1. Prior to issuance of a building permit, the Project shall coordinate with the approved PP25505.

080 - Transportation. 6 RCTD - LANDSCAPING DESIGN PLANS Not Satisfied

Landscaping within public road right of-way shall comply with Transportation Department standards, Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859 and shall require approval by the Transportation Department.

Landscaping plans shall be designed within streets associated with the development and submitted to the Transportation Department. Landscaping Plans shall be submitted on standard County format (24x36 inches). Landscaping plans shall with the street improvement plans.

080 - Transportation. 7 RCTD - LIGHTING PLAN Not Satisfied

A separate street light plan shall be approved by the Transportation Department. Street lighting shall be designed in accordance with County Ordinance 460 and Streetlight Specification Chart found in Specification Section 22 of Ordinance 461. For projects within SCE boundaries use County of Riverside Ordinance 461, Standard No. 1000 or No. 1001.

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80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 8 RCTD - UTILITY PLAN Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A disposition note describing the above shall be reflected on design improvement plans whenever those plans are required. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes.

Waste Resources

080 - Waste Resources. 1 Gen - Waste Recycling Plan Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

90. Prior to Building Final Inspection

Fire

090 - Fire. 1 Prior to final Not Satisfied

Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches and remote actuating devices, for access by emergency personnel. (CFC 506.1) Any limited access devices shall be reviewed and accepted by the fire department, prior to final approval.

Planning

090 - Planning. 1 0090-Planning-USE - ACCESSIBLE PARKING Not Satisfied

A minimum of one (1) accessible parking space for persons with disabilities shall be provided as shown on APPROVED EXHIBIT A. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade, or centered at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk.

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90. Prior to Building Final Inspection

Planning

090 - Planning. 2 0090-Planning-USE - ROOF EQUIPMENT SHIELDING Not Satisfied

Roof-mounted equipment shall be shielded from ground view as shown on APPROVED EXHIBIT B. Screening material shall be subject to Planning Department approval.

090 - Planning. 3 0090-Planning-USE - TRASH ENCLOSURES Not Satisfied

One (1) trash enclosure which is adequate to enclose a minimum of 2 bins shall be located as shown on the APPROVED EXHIBIT A and shall be constructed prior to the issuance of occupancy permits. The enclosure(s) shall be a minimum of six (6) feet in height and shall be made with masonry block and landscaping screening and a solid gate which screens the bins from external view. Additional enclosed area for collection of recyclable materials shall be located within, near or adjacent to each trash and rubbish disposal area. The recycling collection area shall be a minimum of fifty percent (50%) of the area provided for the trash/rubbish enclosure(s) or as approved by the Riverside County Waste Management Department. All recycling bins shall be labeled with the universal recycling symbol and with signage indicating to the users the type of material to be deposited in each bin. Any previous location of a trash enclosure shall be completely demolished.

090 - Planning. 4 0090-Planning-USE - WALL & FENCE LOCATIONS Not Satisfied

Wall locations shall be in conformance with APPROVED EXHIBIT A.

090 - Planning. 5 090 - Obtain State License Not Satisfied

Prior to final of the building permit or certificate of occupancy, whichever occurs first; obtain the California State License for Commercial Cannabis Activity. The applicable California license issued is pursuant to California Business and Professions Code Sections 19300.7 or 26050(a), or equivalent and as may be amended from time to time.

Provide a copy of the State License for Commercial Cannabis Activity to the Riverside County Planning Department.

090 - Planning. 6 090 - Sheriff's Signage for No Loitering Not Satisfied

Prior to final of the building permit or certificate of occupancy, whichever occurs first; acquire a "no loitering" signs from the Riverside County Sheriff's Department. Said signage provides additional authorization for the Riverside County Sheriff's Department to assist, as needed on site.

090 - Planning. 7 Use - Parking Paving Materials Not Satisfied

A minimum of nineteen (19) parking spaces shall be provided as shown on the APPROVED EXHIBIT A, including a secured bike rack facility with four (4) bike rack stalls located at the front of the cannabis retailer storefront; unless otherwise approved by the Planning Department. The parking area shall be surfaced with asphaltic concrete or concrete to current standards as approved by the Department of Building and Safety.

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90. Prior to Building Final Inspection

Transportation

090 - Transportation. 1 90 - TRANSPORTATION - Landscape Inspection and Not Satisfied
Landscape Inspection and Drought Compliance. This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall:

The developer/permit holder shall coordinate with their designated landscape representative and the Transportation Department landscape inspector to ensure all landscape planting and irrigation systems have been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. The Transportation Department will ensure that all landscaping is healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order. The developer/permit holder's designated landscape representative and the Transportation Department landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. All landscape inspection deposits and plan check fees shall be paid.

Upon determination of compliance, the Transportation Department, Landscape Section shall clear this condition.

090 - Transportation. 2 RCTD - COMPLETE ANNEXATION INTO L&LMD OR OTHER Not Satisfied

Prior to issuance of an occupancy permit, the project proponent shall complete annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, and/or any other maintenance district approved by the Transportation Department or by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division for continuous maintenance within public road rights-of-way, in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859.

A Streetlight Authorization form from SCE, or other electric provider required in order to complete the annexation process.

090 - Transportation. 3 RCTD - EXISTING MAINTAINED Not Satisfied

Approval of the Street Improvement plans by the Transportation Department will clear this condition. The Project shall provide the following improvements:

La Cadena Drive (West) along project boundary is a paved County maintained road designated as FRONTAGE COLLECTOR ROAD and shall be improved with 36 foot full width AC pavement (22 feet project side and 14 feet minimum on the other side of the centerline), concrete curb, gutter, and sidewalk (project side), and MUST much up asphalt concrete paving; reconstruction or resurfacing of existing paving within the 58 foot modified full-width dedicated right-of-way in accordance with County Standard No. 107A, Ordinance 461 and as directed by the Director of Transportation.

NOTE: 1. A 6 foot concrete sidewalk (project side) shall be constructed adjacent to the curb-line within the parkway as Directed by the Director of Transportation.

2. A transition AC pavement tapering lane shall be improved along the south project boundary per 40 m/h design speed limit.

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90. Prior to Building Final Inspection

Transportation

090 - Transportation. 3 RCTD - EXISTING MAINTAINED (cont.) Not Satisfied

3. The driveway shall be constructed per County Standard No. 207A, Ordinance 461.
4. Existing shared drive aisle gate shall be relocated 35 feet radial from the curb-face (flowline).
5. The project proponent shall provide a reciprocal access easement from the adjacent property owner(s) of APN: 246-123-016 and 246-123-017.
6. Join curb, gutter, and concrete sidewalks to existing as directed by the Director of Transportation.
7. Stop signs shall be installed at the drive-aisle intersections as directed by the Director of Transportation.

090 - Transportation. 4 RCTD - LANDSCAPING INSTALLATION COMPLETION Not Satisfied

Landscaping within public road right-of-way shall comply with Transportation Department standards and Ordinance 461 and shall require approval by the Transportation Department. Landscaping shall be improved along the streets associated with this development.

090 - Transportation. 5 RCTD - PAYMENT OF TRANSPORTATION FEES Not Satisfied

Prior to the time of issuance of a Certificate of Occupancy or upon final inspection, whichever occurs first, the Project shall pay fees in accordance with the fee schedule in effect at the time of payment:

1. Transportation Uniform Mitigation Fees (TUMF) in accordance with Ordinance No. 824.
2. All Fees for Zone "D" of the Southwest Road and Bridge Benefit District.

090 - Transportation. 6 RCTD - STREETLIGHTS INSTALL Not Satisfied

Install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards of County Ordinances 461.

Streetlight annexation into L&LMD or similar mechanism as approved by the Transportation Department shall be completed.

It shall be the responsibility of the developer to ensure that streetlights are energized along the streets associated with this development where the developer is seeking Building Final Inspection (Occupancy).

090 - Transportation. 7 RCTD - UTILITY INSTALL Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be installed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. This also applies to all overhead lines below 34 kilovolts along the project frontage and all offsite overhead lines in each direction of the project site to the nearest offsite pole. A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion for clearance.

In addition, the Project shall ensure that streetlights are energized and operational along the streets where the Project is seeking Building Final Inspection (Occupancy).

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90. Prior to Building Final Inspection

Waste Resources

090 - Waste Resources. 1 Gen - Custom

Not Satisfied

Form D – Mandatory Commercial Recycling and Organics Recycling Prior to final building inspection, applicants shall complete a Mandatory Commercial Recycling and Organics Recycling Compliance form (Form D). Form D requires applicants to identify programs or plans that address commercial and organics recycling, in compliance with State legislation/regulation. Once completed, Form D shall be submitted to the Recycling Section of the Department of Waste Resources for approval. To obtain Form D, please contact the Recycling Section at 951-486-3200, or email to: Waste-CompostingRecycling@rivco.org

090 - Waste Resources. 2 Gen - Waste Reporting Form and Receipts

Not Satisfied

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.



Charissa Leach, P.E.
Assistant TLMA Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

General Application Form

Submit this completed General Application Form, along with a signed Applicant-Property Owner Signature Form, and an applicable Supplemental Information Form. The Forms are located on the Planning Dept. website's Development Application page (<https://planning.rctlma.org/Development-Process/Applications>) or by clicking on the applicable link above or below. Filing Instructions documents are also available on that webpage.

Select the applicable Application Type(s):

Legislative Actions	
<input type="checkbox"/> Change of Zone	<input checked="" type="checkbox"/> Development Agreement
<input type="checkbox"/> General Plan Amendment – Land Use	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> General Plan Amendment – Circulation Section	<input type="checkbox"/> Specific Plan Amendment
Subdivisions	
<input type="checkbox"/> Tentative Tract Map	<input type="checkbox"/> Minor Change
<input type="checkbox"/> Tentative Parcel Map	<input type="checkbox"/> Revised Map
<input type="checkbox"/> Vesting Map	<input type="checkbox"/> Land Division Phasing Map
<input type="checkbox"/> Amendment to Final Map	<input type="checkbox"/> Extension of Time (Ord. No. 460)
<input type="checkbox"/> Reversion to Acreage	
Use Permits	
<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Commercial Hog Ranch Permit/Amended Permit
<input type="checkbox"/> Plot Plan	<input type="checkbox"/> Revised Use Permit or Plot Plan
<input type="checkbox"/> Plot Plan – Administrative (Minor Plot Plan)	<input type="checkbox"/> Surface Mining Permit
<input type="checkbox"/> Public Use Permit	<input type="checkbox"/> Reclamation Plan/Interim Management Plan
<input type="checkbox"/> Wind Energy Conversion System Permit	<input type="checkbox"/> Revised Surface Mining Permit/Reclamation Plan
<input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> Extension of Time (Ord. No. 348)
<input type="checkbox"/> Variance	<input type="checkbox"/> Solar Power Plant
Ministerial Actions	
<input type="checkbox"/> Crowing Fowl Permit	<input type="checkbox"/> Determination of Non-Conforming Use Status
<input type="checkbox"/> FFA or 4-H Project	<input type="checkbox"/> Extension of Non-Conforming Use Status
<input type="checkbox"/> Exception to Notice Ordinance (No. 847)	<input type="checkbox"/> Outdoor Advertising Display Permit (Billboard)
<input type="checkbox"/> Food Truck	<input type="checkbox"/> Public Convenience and Necessity Determination
<input type="checkbox"/> Grading Permit Initial Study	<input type="checkbox"/> Setback Adjustment
<input type="checkbox"/> Historic District Alteration Permit	<input type="checkbox"/> Substantial Conformance to Minor Plot Plan
<input type="checkbox"/> Large Family Day Care Permit	<input type="checkbox"/> Substantial Conformance to Plot Plan or Use Permit
<input type="checkbox"/> Living Native Tree Removal Permit	<input type="checkbox"/> Substantial Conformance to Surface Mining Permit/Reclamation Plan
<input type="checkbox"/> Minor Temporary Event Permit	<input type="checkbox"/> Substantial Conformance with a Specific Plan
Miscellaneous Actions	
<input type="checkbox"/> Agricultural Preserve Disestablishment-Diminishment	<input type="checkbox"/> Request for Deposit for Planning Research
<input type="checkbox"/> Agricultural Preserve Establishment-Enlargement	<input type="checkbox"/> Geology Report Review
<input type="checkbox"/> Entry into Land Contract within Agricultural Preserve	<input type="checkbox"/> Request for Pre-Application Review
<input type="checkbox"/> Agricultural Preserve Notice of Non-Renewal	<input type="checkbox"/> MSHCP Habitat Acquisition and Negotiation Strategy (HANS)
<input type="checkbox"/> Request for Zoning Affidavit or Rebuild Letter	<input type="checkbox"/> MSHCP Habitat Acquisition and Negotiation Strategy (HANS Lite)
<input type="checkbox"/> MSHCP Expedited Review Process (ERP)	

GENERAL APPLICATION FORM

Note: The Applicant represents that he/she has the express authority to submit this application on behalf of the Property Owner(s) and understands that the "Applicant" is not assignable without written consent by the County of Riverside, who will not consent to reassignment unless any outstanding costs have been paid by Applicant, and that all deposit statements, requests for deposits or refunds shall be directed to the Applicant.

Applicant Contact (BILLING CONTACT):			
Contact Person:	Sean <small>First Name</small>	Anthony <small>Middle Name</small>	St.Peter <small>Last Name</small>
E-mail Address:	sean_stpeter@yahoo.com		
Mailing Address:	4231 <small>Street Number</small>	Baloba Ave <small>Street Name</small>	162 <small>Unit or Suite</small>
	San Diego <small>City</small>	CA <small>State</small>	92117 <small>Zip Code</small>
Daytime Phone No.:	619-618-8139		Mobile Phone No.: 619-618-8139

Engineer/Representative Contact, if any:			
Contact Person:	Caryn <small>First Name</small>	Bailey <small>Middle Name</small>	Bailey <small>Last Name</small>
E-mail Address:	cbailey@radarchitects.com		
Mailing Address:	1286 <small>Street Number</small>	University Ave <small>Street Name</small>	137 <small>Unit or Suite</small>
	San Diego <small>City</small>	CA <small>State</small>	92103 <small>Zip Code</small>
Daytime Phone No.:	619-795-6522		Mobile Phone No.: 619-991-8194

Property Owner Contact:			
Contact Person:	Anna <small>First Name</small>	Allen <small>Middle Name</small>	Allen <small>Last Name</small>
E-mail Address:	arnner@gmail.com		
Mailing Address:	213 <small>Street Number</small>	W La Cadena <small>Street Name</small>	 <small>Unit or Suite</small>
	Riverside <small>City</small>	CA <small>State</small>	92501 <small>Zip Code</small>
Daytime Phone No.:	246-123-018		Mobile Phone No.:

Check this box if there are additional persons or entities who have an ownership interest in the subject property or properties that comprise this Application and complete one or more [Additional Property Owner Sheets](#).

GENERAL APPLICATION FORM

PROPERTY INFORMATION:

Assessor's Parcel Number(s):

246-123-018

Approximate Gross Acreage: **0.33**

I/We, the applicant, certify that the following responses are true and correct. Yes No

Generally, Ministerial Actions and Miscellaneous Actions, will not require the completion of the following Sections: "Hazardous Site Review Statement," "Hazardous Materials Disclosure Statement," "Airport Influence Area/ Federal Aviation Regulation Part 77," "Military Land Use Compatibility," or "Water Quality Management Plan Information." as part of this Application Form.

HAZARDOUS SITE REVIEW STATEMENT

Government Code Section 65962.5.(f) requires the applicant for any development project to consult specified state-prepared lists and submit a signed statement to the local agency indicating whether the project is located on an identified site. Under the statute, no application shall be accepted as complete without this signed statement.

I (we) certify that I (we) have investigated this development project with respect to the Cal EPA's Cortese List Data Resources webpage and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:

- The project is NOT located on any of the lists compiled pursuant to Section 65962.(e) of the Government Code.
- The project IS located on one of the lists compiled pursuant to Section 65962.(e) of the Government Code. Please specify the list, the date of list, and the property's regulatory identification number:

HAZARDOUS MATERIALS DISCLOSURE STATEMENT

Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:

1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County.
Yes No
2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions.
Yes No

GENERAL APPLICATION FORM

AIRPORT INFLUENCE AREA/ FEDERAL AVIATION REGULATION PART 77

Is the project located within an Airport Influence Area?

Yes No

If yes, review of projects, excluding Ministerial and Miscellaneous Actions, by the Riverside County Airport Land Use Commission will be required.

Please refer to Riverside County's Map My County website to determine if the Plan is located within an Airport Influence Area (using the Planning Layer – Airport Layers)
(https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public)

Generally, applications, excluding Ministerial and Miscellaneous Actions, within 8 miles of March Air Reserve Base or within 4 miles of other airports may require a Federal Aviation Administration (FAA) Obstruction Evaluation/Airport Airspace Analysis.

MILITARY LAND USE COMPATIBILITY

Using the California Military Land Use Compatibility Analyst website, the owner or authorized agent has determined whether the project is located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944.

Yes No

WATER QUALITY MANAGEMENT PLAN INFORMATION

Is the project located within any of the following Watersheds? Check the appropriate box if applicable.

- Santa Ana/San Jacinto Valley Region
- Santa Margarita Region
- Santa Margarita Region-Other Development Project
- Whitewater Region

Please refer to Riverside County's Map My County website to determine if the Plan is located within any of these watersheds (using the Geographic Layer – Watershed)
(https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public)

If any of these checkboxes are checked, go to the Planning Department website's Development Application page's Miscellaneous Exhibits/Materials subsection (Project Specific Water Quality Management Plan (WQMP) Checklists to complete the applicable Checklist Form, or click on the adjacent link to open the applicable Checklist Form. Complete the form and attach a copy of the completed form as part of the Development Application package.

If the completed Checklist Form concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a Plan shall be prepared and included along with the completed Checklist as part of the submittal of the Development Application package.

STEP 2: This completes the required information on this General Application form. Open the following link to access and complete the Applicant-Property Owner Signature Form. Completion of an applicable Supplemental Information Form for a particular application may also be required. Please refer to the

GENERAL APPLICATION FORM

Planning Department website's Development Application page's Filing Instruction subsection to review the specific filing instructions and documentation requirements for the application type selected.

FOR COUNTY OF RIVERSIDE USE ONLY	
Plan No:	
Set ID No., if applicable	Application Filing Date:
Print staff name and title:	

Y:\Planning Master Forms\Application Forms_General_Application_Form.docx
Revised: 03/18/2020



RIVERSIDE COUNTY PLANNING DEPARTMENT

*Charissa Leach, P.E.
Assistant TLMA Director*

Applicant-Property Owner Signature Form

This Form is to be completed and signed (print name, signature and date signed) by the Applicant and the Property Owner(s) of the property(ies) underlying most Planning Department Applications. This signed Form is to be included as part of an Application package.

Note: The Planning Department will primarily direct communications regarding this application to the person identified as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

AGREEMENT FOR PAYMENT OF PROCESSING FEES

The Applicant agrees to make an initial deposit in the amount as indicated by County ordinance, at the time this Form is signed and submitted as part of a complete application to the County of Riverside. The Applicant acknowledges that this is an initial deposit and additional funds may be needed to complete their case. The County of Riverside will not pay interest on deposits. The Applicant understands that any delays in making a subsequent deposit from the date of written notice requesting such additional deposit by County of Riverside, may result in the stoppage of work.

Within 15 days of the service by mail of the County of Riverside's written notice that the application permit deposit has been reduced to a balance of less than 20% of the initial deposit or that the deposit is otherwise insufficient to cover the expected costs to completion, the Applicant agrees to make an additional payment of an amount as determined by the County of Riverside to replenish the deposit. Please note that the processing of the application or permit may stop if the amount on deposit has been expended. The Applicant agrees to continue making such payments until the County of Riverside is reimbursed for all costs related to this application or permit. The County of Riverside is entitled to recover its costs, including attorney's fees, in collecting unpaid accounts that would have been drawn on the deposit were it not depleted. The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary.

This application shall only be signed by an authorized representative of the Applicant and the Property Owner. The person(s) signing this Form represents that he/she has the express authority to submit this application on behalf of the Applicant and/or Property Owner. This application is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this application until all outstanding costs have been paid by Applicant. Deposit statements, requests for deposits or refunds shall be directed to Applicant.

To ensure quality service, the Applicant is responsible to provide one-week written notice to the County of Riverside Transportation and Land Management Agency (TLMA) Permit Assistance Centers if any of the Applicant or Property Owner information changes.

Sean St.Peter

Printed Name of Applicant

Signature of Applicant

6-25-20

Date Signed

Applicant-Property Owner Signature Form

Note: Property owner(s)'s signatures are NOT required for the following applications or requests:

Geological Report Review	Request for Appeal
Request for Application Withdrawal or Rights Transfer	Request for Deposit for Planning Research
Request for Pre-Application Review	Request for Rough Grading Permit Planning Clearance
Request for Planning Condition Clearance	Request for Zoning Affidavit or Rebuild Letter

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, County personnel, or its agents, may enter the subject property and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

AGREEMENT FOR PAYMENT OF PROCESSING FEES

The Property Owner acknowledges that the Applicant is authorized to submit this application and related application(s) for land use review or permit on this property. The Property Owner also acknowledges that should the Applicant not reimburse the County of Riverside for all costs related to this application or permit, the Property Owner shall become immediately liable for these costs which shall be paid within 15 days of the service by mail of notice to said property Owner by the County. This application shall only be submitted by an authorized representative of the Applicant and the Property Owner. The person(s) submitting this application represents that he/she has the express authority to submit this application on behalf of the Applicant and/or Property Owner. This application is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this application until all outstanding costs have been paid by Applicant. Deposit statements, requests for deposits or refunds shall be directed to Applicant at the address identified in Applicant Contact section above.

INDEMNIFICATION AGREEMENT

The owner(s) of the property, at their own expense, agree to defend, indemnify and hold harmless the County of Riverside and its agents, officers, and employees from and against any lawsuit, claim, action, or proceeding (collectively referred to as "proceeding") brought against the County of Riverside, its agents, officers, attorneys and employees to attack, set aside, void, or annul the County's decision to approve any Tentative Tract Map, Tentative Parcel Map, Revised Map, Map Minor Change, Reversion to Acreage, Conditional Use Permit, Public Use Permit, Surface Mining Permit and/or Reclamation Plan, Wind Energy Conversion System Permit, Hazardous Waste Siting Permit, Minor Temporary Event Permit, Plot Plan, Substantial Conformance (to any Permit or Plot Plan), Revised Permit, (to any Permit or Plot Plan), Variance, Setback Adjustment; General Plan Amendment, Specific Plan, Specific Plan Amendment, Specific Plan Substantial Conformance, Zoning Amendment; and, any associated Environmental Documents. This defense and indemnification obligation shall include, but not limited to, damages, fees and/or costs awarded against the County, if any, and cost of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, property owner, the County, and/or the parties initiating or bringing such proceeding.

Applicant-Property Owner Signature Form

Michael Allen
Printed Name of Property Owner

[Signature]
Signature of Property Owner

6-27-2020
Date Signed

Anna Allen
Printed Name of Property Owner

[Signature]
Signature of Property Owner

6-27-2020
Date Signed

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach additional completed and signed Additional Property Owner Signature Form(s) for those persons or entities having an interest in the real property(ies) involved in this application and acknowledge the Authority Given, the Agreement for Payment, and Indemnification Agreement Sections above.

If the property owner is a corporate entity, Limited Liability Company, partnership or trust, the following documentation must also be submitted with this application:

- If the property owner is a limited partnership, provide a copy of the LP-1, LP-2 (if an amendment) filed with the California Secretary of State.
- If the property owner is a general partnership, provide a copy of the partnership agreement documenting who has authority to bind the general partnership and to sign on its behalf.
- If the property owner is a corporation, provide a copy of the Articles of Incorporation and/or a corporate resolution documenting which officers have authority to bind the corporation and to sign on its behalf. The corporation must also be in good standing with the California Secretary of State.
- If the property owner is a trust, provide a copy of the trust certificate.
- If the property owner is a Limited Liability Corporation, provide a copy of the operating agreement for the LLC documenting who has authority to bind the LLC and to sign on its behalf.

If the signing entity is also a corporate entity, Limited Liability Company, partnership or trust, the above documentation must also be submitted with this application. For any out of State legal entities, provide documentation showing registration with the California Secretary of State.

If the application is for a Plot Plan for a Wireless Communication Facility, the property owner(s) and the cellular service provider must sign the Indemnification paragraph above. If the application is for a Plot Plan for a wireless communication facility co-location, only the co-locating service provider needs to sign the indemnification paragraph above.

PROPERTY INFORMATION:	
Assessor's Parcel Number(s):	246-123-018
Approximate Gross Acreage:	0.33

Applicant-Property Owner Signature Form

FOR COUNTY OF RIVERSIDE USE ONLY	
Plan No:	
Set ID No., if applicable	Application Filing Date:
Print staff name and title:	

Y:\Planning Master Forms\Application Forms\Applicant_Property_Owner_Signature_Form.docx
Revised: 04/08/2020

NOTICE OF PUBLIC HEARING

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider a proposed project in the vicinity of your property, as described below:

CONDITIONAL USE PERMIT NO. 200024 and DEVELOPMENT AGREEMENT NO. 2000006 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) – CEQ200045 – Applicant: Cannabis 21+ c/o Sean St. Peter – Engineer/Representative: Rad Architects Inc. c/o Caryn Bailey – Second Supervisorial District – North Riverside Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD-CR) – Location: Northerly of W. La Cadena Drive, southerly of Stephens Avenue, easterly of Center Street, and westerly of Kluk Lane – 0.33 Net Acres – Zoning: General Commercial (C-1/C-P) – **REQUEST:** Conditional Use Permit No. 200024 is a proposal to use an existing two-story, 4,150 sq. ft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sq. ft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. The project would provide 19 vehicle parking spaces, including one accessible space for persons with disabilities, a secured bike rack area, and a loading area located at the rear of the building. Upgraded landscaping and a trash enclosure are also proposed. Development Agreement No. 2000006. The associated development agreement (DA2000006) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA2000006 and Conditional Use Permit No. 200024, and will provide community benefits to the Highgrove Area. APN: 246-123-018.

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING: **FEBRUARY 17, 2021**
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET, RIVERSIDE, CA 92501

Pursuant to Executive Order N-25-20, this meeting will be conducted by teleconference and at the place of hearing, as listed above. Public access to the meeting location will be allowed but limited to comply with the Executive Order. Information on how to participate in the hearing will be available on the Planning Department website at: <https://planning.rctlma.org/>. For further information regarding this project please contact the Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org, or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed application at the public hearing. The case file for the proposed project is available for review via email by contacting the project planner. Please contact the project planner regarding additional viewing methods.

Any person wishing to comment on the proposed project may submit their comments in writing by mail or email, or by phone between the date of this notice and the public hearing; or, you may appear and be heard at the time and place noted above. You may participate remotely by registering with the Planning Department. All comments received prior to the public hearing will be submitted to the Planning Commission for consideration, in addition to any oral testimony, before making a decision on the proposed project. All correspondence received before and during the meeting will be distributed to the Planning Commission and retained for the official record.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to: RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Tim Wheeler, P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on January 13, 2021

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

APN (s) or case numbers CUP200024 / DA200006 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 9TH Floor

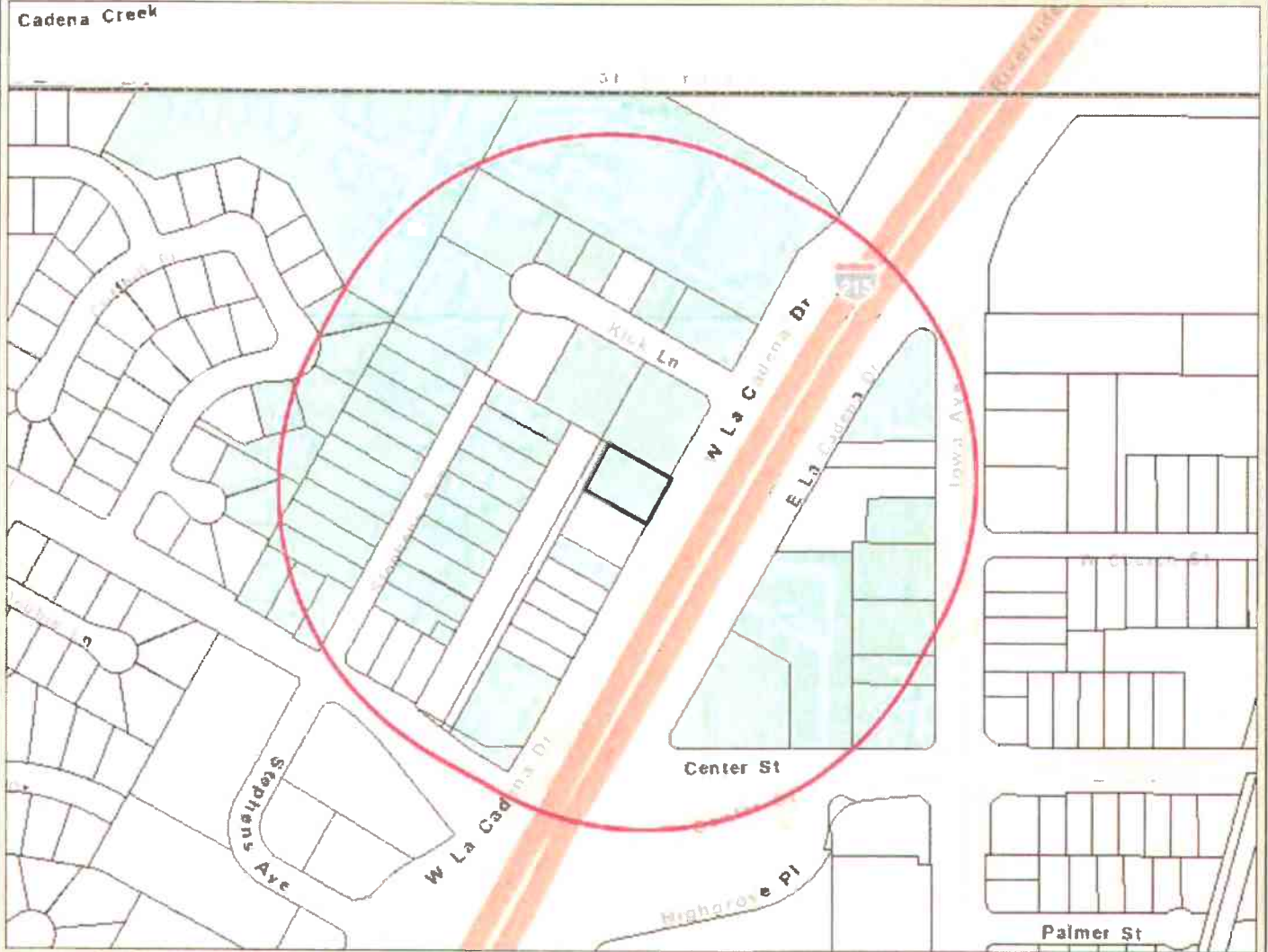
Riverside, Ca. 92502

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

Riverside County GIS Mailing Labels

CUP200024 / DA200006 (600 feet buffer)

Cadena Creek



Legend

-  County Boundary
-  Cities
-  Parcels
-  World Street Map

Notes



0 376 752 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... 1/13/2021 9:15:54 AM

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246123011
JOSEPH PITRUZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

246123012
MARGARET PITRUZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

247020001
FLORENCE AVENUE
12502 MARTHA ANN DR
LOS ALAMITOS CA 90720

247020007
EDMUND MENG HONG LIM
2404 FALLING OAK DR
RIVERSIDE CA 92506

247020004
MARKWARDT HOWARD JOHN
707 FOREST PARK DR
RIVERSIDE CA 92501

247020005
MICHAEL L. MURPHY
970 W C ST
COLTON CA 92324

246110025
MAHMOUD ALL YASIN
183 W LA CADENA DR
RIVERSIDE CA 92501

247020006
24 APARTMENT COMPLEX SERVICES INC
455 W LA CADENA AVE NO 7
RIVERSIDE CA 92501

247020009
HORIZON CA PROPERTIES
PO BOX 230579
ENCINITAS CA 92023

246122033
TONYA SAULSBERRY
205 STEPHENS AVE
RIVERSIDE CA 92501

246123003
BLAISE M. BYBEE
220 STEPHENS AVE
RIVERSIDE CA 92501

246123006
DAVID GARCIA
250 STEPHENS AVE
RIVERSIDE CA 92501

246110016
RJB HOLDINGS
3226 KLUK LN
RIVERSIDE CA 92501

246110019
MICHAEL WAYNE JOHNSON
40473 ROCK MOUNTAIN DR
FALLBROOK CA 92028

246110023
M E W CORP
31878 DEL OBISPO ST 118
SAN JUAN CAPO CA 92675

246122026
ANTONIO BARRUECOS CURIEL
265 STEPHENS AVE
RIVERSIDE CA 92501

246122010
JOSE ANTONIO ZAMORA
260 CLIFFHILL PL
RIVERSIDE CA 92501

246122030
ARACELY MORALES
225 STEPHENS AVE
RIVERSIDE CA 92501

246123007
SBD DEVELOPMENT
P O BOX 2424
SAN BERNARDINO CA 92406

246123018
MICHAEL ALLEN
2600 E SELTICE # 416
POST FALLS ID 83854

246123020
PITRUZZELLO JOSEPH
6381 PERCIVAL DR
RIVERSIDE CA 92506

247020013
CENTER STREET GROUP
300 S HARBOR BLV STE 1020
ANAHEIM CA 92805

246122007
PETER L. GARCIA
17637 STREAMSIDE LN
RIVERSIDE CA 92503

246122008
ANTONINO FERNANDEZ
250 CLIFFHILL PL
RIVERSIDE CA 92501

246122009
MIGUEL A. LUNA
254 CLIFFHILL PL
RIVERSIDE CA 92501

246122020
ROSA EMMA PALOMINO
3225 CENTER ST
RIVERSIDE CA 92501

246110001
LAKE CADENA INV LTD
10877 WILSHIRE BLV 1520
LOS ANGELES CA 90024

246110021
DAVID JOHN MAIORANO
19725 MARIPOSA AVE
RIVERSIDE CA 92508

246110017
KALISH DAVID & MARIAN 2019 TRUST DATED
PO BOX 15127
NEWPORT BEACH CA 92659

246122023
SHAWN R. HOOD
3885 EL HIJO
RIVERSIDE CA 92504

246122027
REX ALLEN TUCKER
18635 HERMOSA ST
RIVERSIDE CA 92508

246122028
ENRIQUE RAMIREZ
245 STEPHENS AVE
RIVERSIDE CA 92501

246122029
SANTIAGO H. TORRES
235 STEPHENS AVE
RIVERSIDE CA 92501

246122012
2018 1 IH BORROWER
1717 MAIN ST STE 2000
DALLAS TX 75201

246122025
JEAN M. WATT
3885 EL HIJO ST
RIVERSIDE CA 92504

246123002
LAURA ELENA RIVERA
210 STEPHENS AVE
RIVERSIDE CA 92501

246123008
BLANDI A. LOPEZ
270 STEPHENS AVE
RIVERSIDE CA 92501

246123010
ANGELICA GOMEZ
280 STEPHENS AVE
RIVERSIDE CA 92501

246123026
ILENE PITRUZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

246110003
PEOPLES PROPERTIES
419 W 30TH ST UNIT A
NEWPORT BEACH CA 92663

246110022
IGLESIA DE CRISTO ELIM RIVERSIDE INC
115 W LA CADENA DR
RIVERSIDE CA 92501

246122019
MARK ANTHONY CASTRO
3241 CENTER ST
RIVERSIDE CA 92501

246122024
DIMAS JOYA
285 STEPHENS AVE
RIVERSIDE CA 92501

246122031
ELIDIA LEON FLORES
215 STEPHENS AVE
RIVERSIDE CA 92501

246123001
LAZARO ESTRELLA
200 STEPHENS AVE
RIVERSIDE CA 92501

246123009
PATRICK W. BRESLIN
P O BOX 23486
LOS ANGELES CA 90023

247020008
MI SUK KIM
9860 GARDEN GROVE BLV
GARDEN GROVE CA 92844

246110018
MEW CORP
31878 DEL OBISPO ST 118
SAN JUAN CAPO CA 92675

246122014
C DENEEN MUIRHEAD
3262 TOLUCA PL
RIVERSIDE CA 92501

246122015
EDUARDO ROCHA
13705 BASSWOOD DR
CORONA CA 92883

246122022
GARY W. ARNOLD
20907 VIA VERDE
COVINA CA 91724

246123004
ANDRES HUIPE MANCERA
230 STEPHENS AVE
RIVERSIDE CA 92501

246123005
FELIPE MORALES SAAVEDRA
240 STEPHENS AVE
RIVERSIDE CA 92501

246123025
JOSEPH PITURZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

Cannabis 21+
4231 Balboa Avenue #162
San Diego, CA 92117
Attn: Sean St. Peter

Rad Architects Inc.
1286 University Avenue #137
San Diego, CA 92103
Attn: Caryn Bailey

City of Colton
650 N La Cadena Drive
Colton, Ca 92324
Attn: Planning Dept.

San Bernardino County
385 N. Arrowhead Avenue
San Bernardino, CA 92415
Attn: Planning Dept.

Kirkland West
Habitat Defense Council
PO Box 7821
Laguna Niguel, Ca, 92607-7821

City of Riverside - Planning Dept.
3900 Main St.
Riverside, CA 92501

Richard Drury
Komalpreet Toor
Lozeau Drury, LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612



RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach
Assistant TLMA Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR) P.O. Box 3044 Sacramento, CA 95812
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor P.O. Box 1409 Riverside, CA 92502
 38686 El Cerrito Road Palm Desert, CA 92201

Project Title/Case No.: CUP200024 / DA2000006 / CEQ200045

Project Location: The Project site is located north of Center Street, east of Stephens Avenue, south of Kluk Lane, and west of W La Cadena Drive. The project site address is 203 La Cadena Drive.

Project Description: Conditional Use Permit No. 200024 is a proposal to use an existing two-story, 4,150 sqft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. The project would provide 19 vehicle parking spaces, including one accessible space for persons with disabilities, a secured bike rack area, and a loading area located at the rear of the building. Upgraded landscaping and a trash enclosure are also proposed. Development Agreement No. 2000006. The associated development agreement (DA2000006) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA2000006 and Conditional Use Permit No. 200024, and will provide community benefits to the Highgrove Area.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Cannabis 21+ c/o Sean St. Peter, 4231 Balboa Avenue #162, San Diego, CA 92117

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption Section 15061(b)(3), Section 15301, and Section 15303
- Statutory Exemption (_____)
- Other: _____

NOTICE OF EXEMPTION

Reasons why project is exempt: This proposed project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 5 - Preliminary Review of Projects and Conduct of Initial Study, Section 15061(b)(3), which states: Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA. The Project is deemed to be a "project" pursuant to CEQA. The Project is a retail business (cannabis retail) and will be occupying an existing permitted retail building or structure for the sole purpose of selling cannabis only. No cultivation, testing, microbusiness, distribution, or manufacturing is involved with the Project or project site. The Project is EXEMPT under State CEQA Guidelines Section 15061 because Section (b) (3) states: The activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Project will merely continue to operate as a retail establishment similar to prior ongoing activities at the Project site. The Project will not result in any additional impacts related to traffic, air quality, or public safety, beyond what already occurs at the existing commercial retail establishment. Given the site has already been developed for such uses and would only have minor rehabilitation and minimal façade improvements and upgrades would be required, no construction impacts would occur. As the land is already developed, there are no potential impacts related to aesthetics, biological and cultural resources, hydrology, or other similar potential impacts. Lastly, as the State has created various rules and regulations as they relate to cannabis waste, particularly for cannabis cultivators, there are no impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis (the State actually treats cannabis as an organic waste, versus a hazardous waste). Therefore, the project meets the requirements for CEQA exemption per Section 15061(b)(3) as there is no potential that the Project as proposed would have a significant physical impact on the environment. Additionally, this project is also exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15301 (Existing Facilities), which states: Class I consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of an existing use. The existing site has already been utilized as retail and commercial uses. Interior or exterior alterations involving such things as interior partitions, floors, plumbing, electrical conveyance, and exterior stairs would be required, which would not significantly expand the capability of the site or substantively increase the proposed use of the site beyond what already occurs. In this case, the proposed project would not expand the existing structure and has not proposed any significant construction or improvements for the project site beyond a tenant occupancy. Therefore, the project as proposed, would not expand upon the existing permitted building, would not expand the use of the site beyond those uses that already occurred, and therefore the Project complies with the guidelines of the California Environmental Quality Act (CEQA), (Article 19, Section 15301 Class 1, Existing Facilities). Furthermore, this project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15303 (New Construction or Conversion of Small Structures). This section specifically exempts construction and location of new, small facilities or structures; and the conversion of existing small structures for one use or another where only minor modifications are made in the exterior of the structure. The Project does not include the construction of any new structures and would only propose minor modifications such as demolition of interior partitions, floors, plumbing, electrical conveyance, and exterior stairs, as well as paint and signage, and would only change to commercial tenant occupancy of the existing Commercial Retail Facility that was original built in 1946. The existing two-story building on site was built in 1946, prior to building permits being required by the County, and was used as a concrete product manufacturing and garden decoration store. Therefore, the project as proposed, complies with the guidelines of the California Environmental Quality Act (CEQA), (Article 19, Section 15303 (New Construction or Conversion of Small Structures). Finally, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies, Exception 15300.2 (a) prevents Categorical Exemptions Classes 3, 4, 5, 6, and 11 from applying in a particularly sensitive environment. The project is not within a particularly sensitive environment, and it also falls within Class I exemption; therefore, this exception does not apply. Exception 15300.2 (b) applies to all classes and would make the exemption inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The project would not lead to cumulative impacts that overtime is significant, as the project would not create a greater level of potential impacts beyond what was considered for the retail property at this location. All future projects that are similar to and are located in the same area will be evaluated pursuant to CEQA; therefore, this exception does not apply. Exception 15300.2 (c) states that an exemption shall not be used where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances associated with the cannabis facility. The building that will be leased to operate the project was built in 1946 and was intended to be utilized for retail uses. The building is located on a retail property that is consistent with the site's commercial land use designation and zoning classification; as well as all applicable sections of Ordinance No. 348. The project is considered a retail use that is also consistent with the site's commercial land use designation, zoning classification and all applicable sections of Ordinance No. 348. Also, similar to other development that requires a land use permit, the project is conditioned to comply with all applicable General Plan policies, County Ordinances and State law. Therefore, there are no reasonable possibility the project would not have a significant effect. Exception 15300.2 (d) states that an exemption shall not be used for project that may result in damage to scenic resources. The project is located westerly of Interstate 215. This segment of I-215 is not designated as a Scenic Highway. The project does not change the exterior architecture of the approved building and the on-site signage that will be affixed to building elevation meets the development standards of Ordinance No. 348 Section 19.4. The project is in area that is being built out with commercial and industrial uses. The building and project signage is consistent with the existing characteristics of the area and would not damage scenic resources; therefore, this exception does not apply. Exception 15300.2 (e) states that an exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of Government Code. The project site is not a hazardous waste site and is not on any list compiled pursuant to Section 65962.5; therefore, this exception does not apply. Exception 15300.2 (f) states that an exemption shall not be used for a project which may cause substantial adverse change in the significance of a historical resource. There were no historic resources on the project site; therefore, this exception does not apply. For the reasons described above none of the exceptions outlined in CEQA Guidelines Section 15300.2 applies to the project; and therefore, Article 19- Categorical Exemptions, Section 15301 and Section 15303 Exemptions may be used to exempt the project from CEQA.

Tim Wheeler
County Contact Person

951-955-6060
Phone Number

Signature

Project Planner
Title

2/17/21
Date

COPY

ORDINANCE NO. 664.74

COPY

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
APPROVING DEVELOPMENT AGREEMENT NO. 2000006

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

Section 1. Pursuant to Government Code Section 65867.5, Development Agreement No. 2000006, 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 Chair 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. 2000006 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: _____
Chair

ATTEST:
CLERK OF THE BOARD:

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM
March 18, 2021

By: Aaron Gettis
Aaron Gettis
Supervising Deputy County Counsel

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CASE: CUP200024

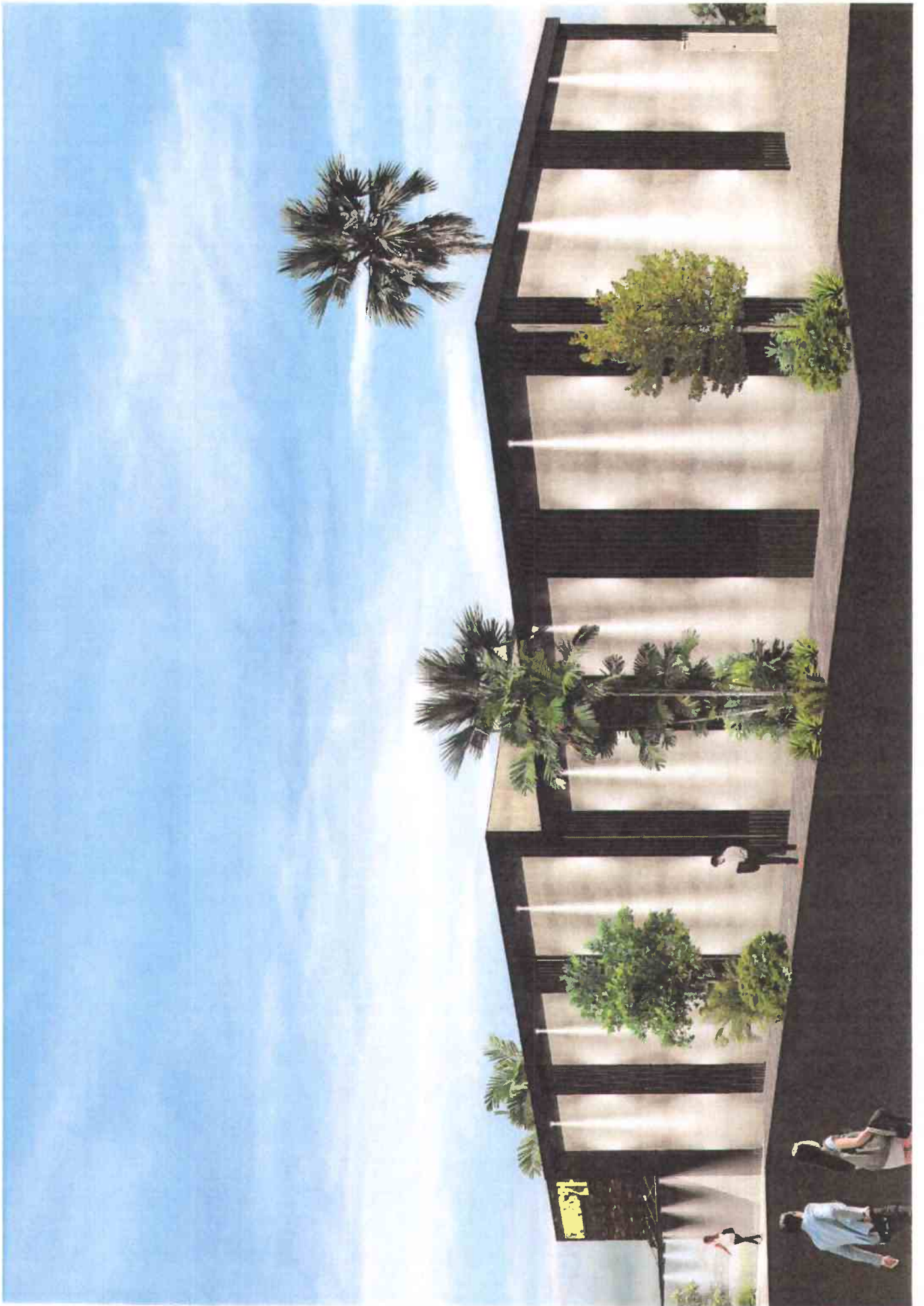
EXHIBIT B: Rendering & Elevation Plans

PLANNER: T. Wheeler

DATE: February 17, 2021







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

COPY

DEVELOPMENT AGREEMENT NO. 2000006

A DEVELOPMENT AGREEMENT BETWEEN

COUNTY OF RIVERSIDE

AND

SEAN ST. PETER

TARA ST. PETER

MICHAEL ALLEN

ANNA ALLEN

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DEVELOPMENT AGREEMENT NO. 2000006

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 (hereinafter "OWNER"):

Sean St. Peter
Tara St. Peter
Michael Allen
Anna Allen

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 \$18.00 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.

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 or 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. 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. 200024) 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 ninety (90) consecutive days and no evidence demonstrating continuing and ongoing use of the Property consistent with the approved Conditional Use Permit No. 200024.

(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:

Sean and Tara St. Peter
4321 Balboa Ave. #162
San Diego, CA 92117

and

Michael and Anna Allen
26200A E. Seltice Way #416
Post Falls, ID 83854

(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(a)(1) of the Government Code, regarding extensions of time for approved tentative maps subject to a development agreement, 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 Subdivision Map Act and 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.

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 1st following the initial Base Payment and each July 1st 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 annual increases in an amount of 5%. Prior to the first July 1st following the initial Additional Public Benefit payment and each July 1st 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. 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 specifically for commercial cannabis activities and cannabis products, the parties agree that this Agreement may be modified in accordance with Section 2.5 to reduce the OWNER's total public benefit payment (the sum total of the Base Rate plus the Additional Public Benefit) by an amount equal to the amount of the tax imposed on the OWNER for commercial cannabis activities and cannabis products. The parties acknowledge that the intent of being able to modify the Agreement in the event County taxes are enacted on the commercial cannabis activities and cannabis products is to enable the authority to adjust the total public benefit amount due and payable under this Agreement by the OWNER.

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 XIIIID 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 written 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. 200024 and this Agreement.

6.4 Records Inspection. Upon written request by the COUNTY, OWNER shall provide records to the COUNTY demonstrating local hiring efforts, and compliance with this Agreement and CUP No. 200024.

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


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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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: _____

Karen Spiegel
Chair, Board of Supervisors

ATTEST:


KECIA HARPER
Clerk of the Board

By: _____

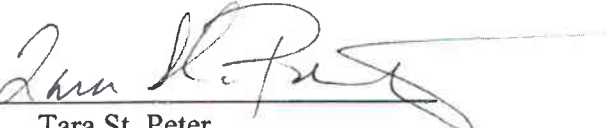
Deputy
(SEAL)

OWNERS:

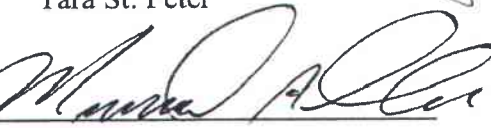
Dated: 3.16.01

By: 
Sean St. Peter


Dated: 3.16.01

By: 
Tara St. Peter

Dated: 3.18.01

By: 
Michael Allen

Dated: 3.18.01

By: 
Anna Allen

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

EXHIBIT "A"

Development Agreement No. 2000006

LEGAL DESCRIPTION OF PROPERTY

Parcel 1:

All that portion of Lot 146 of land of the Southern California Colony Association, as shown by Map on file in Book 7 Page 3 of Maps, Records of San Bernardino County, California, particularly described as follows:

Beginning at the Northeasterly corner of said Lot 146; Thence Northwesterly on the Northeasterly line of said Lot, 165 feet; Thence Southwesterly and parallel with Southwesterly line of said Lot, 100 feet; Thence Southeasterly and parallel with the Northeasterly line of said Lot, 165 feet to a point in the said Southeasterly line that is 100 feet Southwesterly from the Northeasterly corner of said Lot; Thence Northeasterly along the said Southeasterly line, 100 feet to the point of beginning.

Excepting therefrom that portion thereof included in Colton Avenue (Now La Cadena Drive) on the East for highway purposes.

Parcel 2:

A non-exclusive easement for driveway purposes over a strip of land 20 feet in width, particularly described as follows:

Beginning at the Northwesterly corner of the land herein conveyed; Thence Southwesterly and parallel with Southeasterly line of said Lot 146, 635 feet, more or less, to the Northeasterly line of Center Street; Thence Northwesterly on said Northeasterly line of Center Street, 20 feet; Thence Northeasterly and parallel with the said Southeasterly line of Lot 146, 635 more or less, to the Northeasterly line of said Lot 147; Thence Southeasterly on said Northeasterly line, 20 feet to the point of beginning.

APN: 246-123-018

EXHIBIT "B"

Development Agreement No. 2000006

MAP OF PROPERTY AND ITS LOCATION

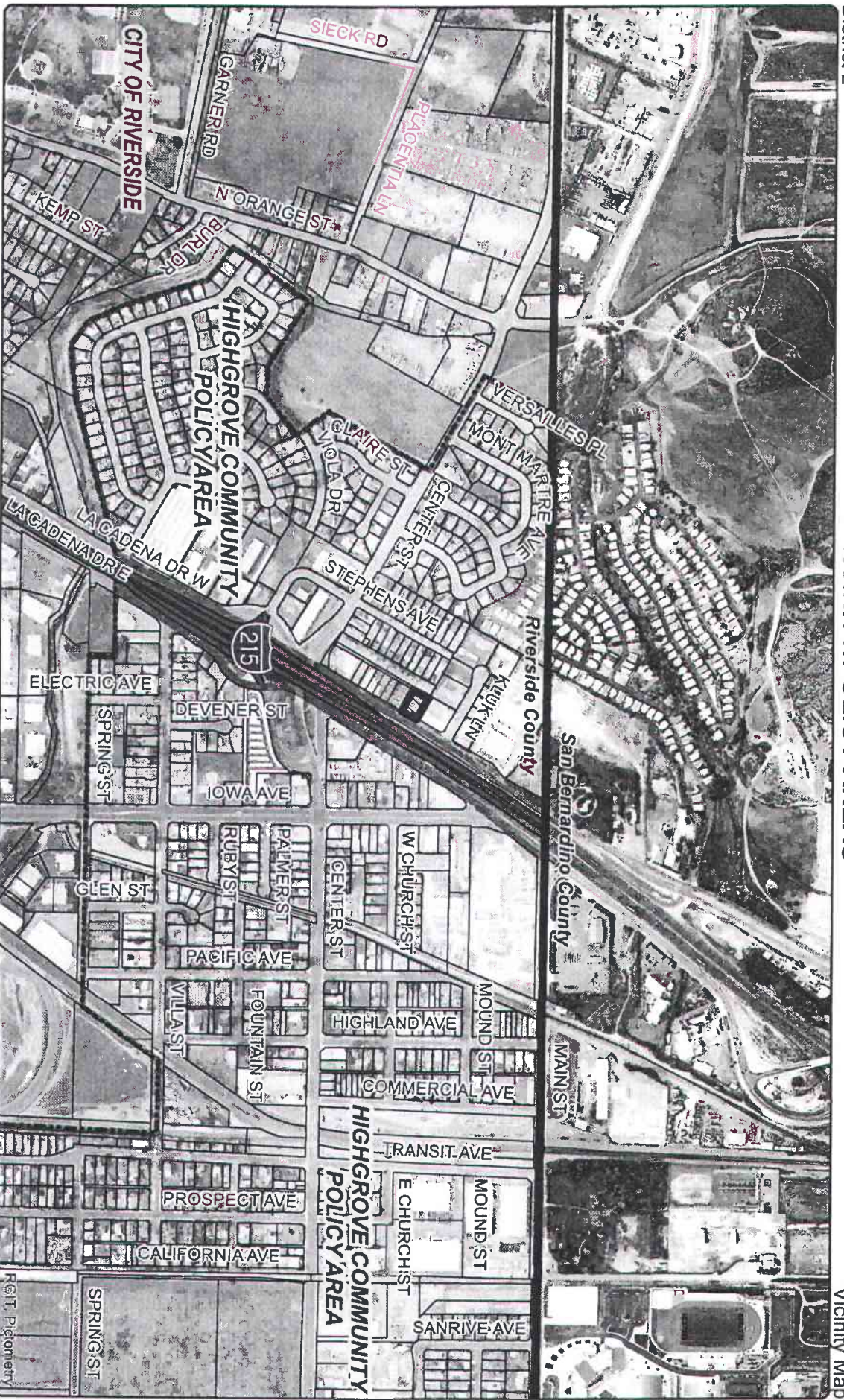
Supervisor: Spiegel
District 2

RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP200024 DA20006

VICINITY/POLICY AREAS

Date Drawn: 01/11/2021
Vicinity Map



Zoning Dist: North Riverside

Author: Vinnie Nguyen

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided herein. The user of this map should consult the current General Plan for the most current information. Planning Department offices in Riverside at (951)955-3300 (riverside.ca.gov) or San Bernardino at (909)854-4277 (bernco.com) or Website: <http://www.riverside.ca.gov>

EXHIBIT "C"

Development Agreement No. 2000006

EXISTING DEVELOPMENT APPROVALS

OTHER DEVELOPMENT APPROVALS

Conditional Use Permit No. 200024

The development approvals listed above include the approved maps and all conditions of approval.

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. 2000006

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. 348.4947
3. Ordinance No. 448 as amended through Ordinance No. 448.A
4. Ordinance No. 457 as amended through Ordinance No. 457.105
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. 555.20
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. 2020-124 Amending Procedures and Requirements of the
County of Riverside for the Consideration of Development Agreements
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.

EXHIBIT "E"

Development Agreement No. 2000006

COMMERCIAL CANNABIS ACTIVITY SITE PLAN & DESCRIPTION

As shown on the attached site plan, CUP No. 2000024 permits a storefront retail cannabis business within the existing 3,978 square foot building.

EXHIBIT "F"

Development Agreement No. 2000006

APPLICABLE PUBLIC BASE BENEFITS PAYMENTS

The Cannabis Retailer operating at the Property pursuant to CUP No. 2000024 includes an existing building totaling 3,978 square feet as shown on Exhibit "G". In accordance with Board Policy B-9, the base public benefit is \$18.00 per square foot. Therefore, the public base benefit payment will be \$71,604.00 and will increase annually at a rate of 2%.

EXHIBIT "G"

Development Agreement No. 2000006

CANNABIS AREA CALCULATION EXHIBIT

The Cannabis Area calculation includes the 3,978 square foot existing building that will be used for the Cannabis Retailer operations as shown in this Exhibit "G".

EXHIBIT "H"

Development Agreement No. 2000006

COMMERCIAL CANNABIS ACTIVITY PUBLIC BENEFIT

The additional annual public benefit provided by the OWNER shall be \$89,505.00 with an annual increase of 5%. 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, OWNER will make efforts to hire locally and participate in community events, career opportunity events, as well as educational and wellness seminars within the surrounding community.

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 San Diego

On March 16, 2021 before me, Bridget G. Kotz (notary public)
(insert name and title of the officer)

personally appeared Sean St. Peter
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 Bridget G. Kotz (Seal)

County of Riverside
APN # 246-123-018
213 W. LA Cadena Drive
Riverside, ca 92501
Development Agreement # 2000006
Sean & Tara St. Peter

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 San Diego

On March 16, 2021 before me, Bridget G. Kotz (notary public)
(insert name and title of the officer)

personally appeared Tara St. Peter
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 *Bridget G. Kotz* (Seal)



County of Riverside
APN # 246-123-018
213 W. LA Cadena Drive
Riverside, ca 92501
Development Agreement # 200006
Sean & Tara St. Peter

NOTARIZATION OF DEVELOPMENT

AGREEMENT NO. ZP44446

BY MICHAEL AND ANNA ALLEN.

County of KOOTENAI

Subscribed and sworn before me by MICHAEL AND ANNA ALLEN
on this 18 day of MARCH, 2021



[Signature]
Notary Public
My Commission expires 4-8-25
Residing at UPSCALE MAIL

[Signature]

3.18.01

MICHAEL ALLEN

[Signature]

3.18.01.

ANNA ALLEN

10:46

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: SEAN ST. PIER

Address: _____

City: _____ Zip: _____

Phone #: 619-618-8139

Date: 3.30.21 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: _____

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.: NOH - CUP200024, DA2000006 /

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:

03/20/2021

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

Date: March 20, 2021
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

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

Ad Number: 0011449734-01

P.O. Number:

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE HIGHGROVE AREA PLAN, 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 30, 2021 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Department's recommended approval of **Conditional Use Permit No. 200024 (CUP200024)**, which proposes to use an existing two-story, 4,150 sqft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. Upgraded landscaping and a trash enclosure are also proposed. **Development Agreement No. 2000006 (DA2000006)** has a term of 10 years, which will grant the applicant vesting rights to develop the project in accordance with the terms of DA No. 2000006 and Conditional Use Permit No. 200024. The project is located north of W. La Cadena Drive, south of Stephens Avenue, east of Center Street, and west of Kluk Lane in the Second Supervisorial District.

The Planning Commission recommends that the Board of Supervisors find that the project is exempt from the California Environmental Quality Act (CEQA); approve **CUP200024**; introduce, read title, and waive further reading of, and adopt **Ordinance No. 664.74** approving **DA2000006**.

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, URBAN REGIONAL PLANNER IV, 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 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 the Clerk of the Board at (951) 955-1069, 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.

Dated: March 16, 2021

Kecia Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant
Press-Enterprise: 3/20

TLMA/Planning
Item 21.1
03/30/2021

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE HIGHGROVE AREA PLAN, 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 30, 2021 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Department's recommended approval of **Conditional Use Permit No. 200024 (CUP200024)**, which proposes to use an existing two-story, 4,150 sqft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. Upgraded landscaping and a trash enclosure are also proposed. **Development Agreement No. 2000006 (DA2000006)** has a term of 10 years, which will grant the applicant vesting rights to develop the project in accordance with the terms of DA No. 2000006 and Conditional Use Permit No. 200024. The project is located north of W. La Cadena Drive, south of Stephens Avenue, east of Center Street, and west of Kluk Lane in the Second Supervisorial District.

The Planning Commission recommends that the Board of Supervisors find that the project is exempt from the California Environmental Quality Act (CEQA); approve **CUP200024**; introduce, read title, and waive further reading of, and adopt **Ordinance No. 664.74** approving **DA2000006**.

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, URBAN REGIONAL PLANNER IV, 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 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 the Clerk of the Board at (951) 955-1069, 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.

Dated: March 16, 2021

Kecia Harper, Clerk of the Board

By: Hannah Lumanauw, Board Assistant



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 HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

March 17, 2021

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

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

RE: NOTICE OF PUBLIC HEARING: CUP200024, DA2000006

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Saturday, March 20, 2021.**

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 HARPER, CLERK OF THE BOARD

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 March 19, 2021, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

NOTICE OF PUBLIC HEARING

CUP200024, DA2000006

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 30, 2021 @ 10:00 a.m.

SIGNATURE: Hannah Lumanauw DATE: March 19, 2021
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 March 19, 2021 I mailed a copy of the following document:

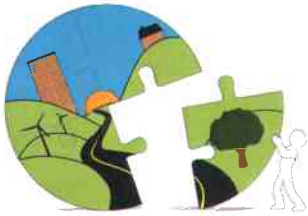
NOTICE OF PUBLIC HEARING

CUP200024, DA2000006

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 30, 2021 @ 10:00 a.m.

SIGNATURE: *Hannah Lumanauw* DATE: March 19, 2021
Hannah Lumanauw



RIVERSIDE COUNTY PLANNING DEPARTMENT

*John Hildebrand
Planning Director*

DATE: March 11, 2021

TO: Clerk of the Board of Supervisors

FROM: Planning Department – Riverside – **Tim Wheeler, Project Planner 5-6060 (BOS date 3.30.21)**

SUBJECT: CUP200024 / DA2000006

(Charge your time to these case numbers)

TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON CONDITIONAL USE PERMIT NO. 200024, ORDINANCE NO. 664.74 and DEVELOPMENT AGREEMENT NO. 2000006 – Exempt from CEQA – CEQ200045 – Applicant: Cannabis 21+ c/o Sean St. Peter – Engineer/Representative: Rad Architects Inc. c/o Caryn Bailey – Second Supervisorial District – North Riverside Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) – Location: North of W. La Cadena Drive, south of Stephens Avenue, east of Center Street, and west of Kluk Lane – 0.33 Net Acres – Zoning: General Commercial (C-1/C-P) – REQUEST: Conditional Use Permit No. 200024 is a proposal to use an existing two-story, 4,150 sqft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. The project would provide 19 vehicle parking spaces, including one accessible space for persons with disabilities, a secured bike rack area, and a loading area located at the rear of the building. Upgraded landscaping and a trash enclosure are also proposed. Development Agreement No. 2000006. The associated development agreement (DA No. 2000006) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA No. 2000006 and Conditional Use Permit No. 200024, and will provide community benefits to the Highgrove Area. [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)
- Labels provided If Set For Hearing
 - 10 Day 20 Day 30 day
- Publish in Newspaper: (2nd Dist) Press Enterprise
 - CEQA Exempt
 - 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:
(2nd 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"

2021 MAR 15 AM 10:47
CLERK BOARD OF SUPERVISORS

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



FROM: TLMA – Planning Department

SUBMITTAL DATE:
Click here to enter text.

TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON CONDITIONAL USE PERMIT NO. 200024, ORDINANCE NO. 664.74 and DEVELOPMENT AGREEMENT NO. 2000006 – Exempt from CEQA – CEQ200045 – Applicant: Cannabis 21+ c/o Sean St. Peter – Engineer/Representative: Rad Architects Inc. c/o Caryn Bailey – Second Supervisorial District – North Riverside Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) – Location: North of W. La Cadena Drive, south of Stephens Avenue, east of Center Street, and west of Kluk Lane – 0.33 Net Acres – Zoning: General Commercial (C-1/C-P) – REQUEST: Conditional Use Permit No. 200024 is a proposal to use an existing two-story, 4,150 sqft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. The project would provide 19 vehicle parking spaces, including one accessible space for persons with disabilities, a secured bike rack area, and a loading area located at the rear of the building. Upgraded landscaping and a trash enclosure are also proposed. Development Agreement No. 2000006. The associated development agreement (DA No. 2000006) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA No. 2000006 and Conditional Use Permit No. 200024, and will provide community benefits to the Highgrove Area. [Applicant Fees 100%]

Departmental Concurrence

John Hildebrand
Planning Director

(Continued on next page)

Charissa Leach
TLMA Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: Applicant Fees 100%				Budget Adjustment: No	
				For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Click here to enter text.

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Positions Added

Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11:**

DATE: [Click here to enter text.](#)

PAGE: Page 2 of 4

A-30
4/5 Vote

Prev. Agn. Ref.: | **District:** | **Agenda Number:**

RECOMMENDED MOTION: That the Board of Supervisors:

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures), based on the findings and conclusions in the staff report; and,

APPROVE CONDITIONAL USE PERMIT NO. 200024, subject to the attached Advisory Notification Document and Conditions of Approval, based upon the findings and conclusions provided in the staff report, and subject to adoption of Ordinance No. 664.74; and,

INTRODUCE, READ TITLE and WAIVE FURTHER READING OF, and ADOPT on successive weeks Ordinance No. 664.74, an ordinance of the County of Riverside approving **DEVELOPMENT AGREEMENT NO. 2000006**, based upon the findings in the staff report.

BACKGROUND:

Cannabis Background:

The County of Riverside received the application for Conditional Use Permit No. 200024 and Development Agreement No. 2000006 on August 17, 2020 for the development of a retail cannabis storefront located at 203 La Cadena Drive, Highgrove. The subject site is located within the Highgrove Area Plan and is located adjacent to the 215 freeway. The site is surrounded by manufacturing, industrial, and commercial uses, with residential uses over 115 feet to the west of the cannabis retailer. There is an existing building to be rehabbed and several existing structures on site to be removed.

Project Details:

The existing two-story building on site was built in 1946, prior to building permits being required by the County, and was used as a concrete product manufacturing and garden decoration store. The Project proposes to use the existing two-story 4,150 sqft. building as a storefront for the cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. Upgraded landscaping and a trash enclosure would also be installed.

A cannabis retailer is allowed to operate their cannabis facility between the hours of 6 a.m. to 10 p.m. The proposed cannabis retailer project is proposing to operate between the hours of 8:00 a.m. to 10:00 p.m.; which is in accordance with the County of Riverside Ordinance No. 348 Section 19.505. In addition, the project will employ an estimated total of 10 plus employees across 2 shifts with 5 employees per shift, which would include security personnel. The applicant anticipates serving 200 customers per day during initial operations and 400 customers per day by the end of the first year. Delivery operations would be conducted between the hours of 8:00 a.m. to 9:00 p.m. daily, with no mobile deliveries scheduled after 9:00 p.m.

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11:**

DATE: Click here to enter text.

PAGE: Page 3 of 4

The Project would consist of 19 vehicle parking spaces, including one accessible vehicle parking space for persons with disabilities, and a loading area located at the rear of the existing building. In addition to the standard parking stalls, four Class II bicycle rack would be provided on site. The Project qualifies for a bicycle parking facilities credit which allows for the reduction of 1 vehicle parking space per Ordinance No. 348 section 18.12 A.2.f.2) d).

Development Agreement:

The applicant has proposed entering into the attached draft Development Agreement No. 2000006 (DA) with the County for the Project. The DA is consistent with the General Plan and 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 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. 2000006 requires the applicant to make the following payments:

- 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 \$71,604.00, 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 \$89,505.00, which will increase 5% per year. 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. 664.74, and Ordinance of the County of Riverside Approving Development Agreement No. 2000006, incorporates by reference Development Agreement No. 2000006 consistent with Government Code section 65867.5.

Development Agreement No. 2000006 and Conditional Use Permit No. 200024 were submitted to the County of Riverside on August 17, 2020.

On February 17, 2021 the Planning Commission voted 4-0 in favor of recommending approval to the Board of Supervisors.

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11:**

DATE: [Click here to enter text.](#)

PAGE: Page 4 of 4

Approval Requirements and Conclusion:

Based on the findings provided in the staff report and conditions of approval, the project is consistent with the General Plan and any applicable specific plan, complies with the proposed development standards of the C-1/C-P zoning classification, complies with the permit requirements for all Commercial Cannabis Activities, complies with the minimum standard requirements and will not be detrimental to the public health, safety, or general welfare. Additionally, the project complies with all applicable requirements of State law and ordinances of Riverside County.

Impact on Citizens and Businesses

The proposed project is categorically exempt under CEQA pursuant to State CEQA Guidelines sections 15301 (Existing Facilities), Section 15061 (b)(3) (Common Sense Exemption), and Section 15303 (New Construction or Conversion of Small Structures) which means that it belongs to a class of projects that have been determined to not have a significant effect on the environment. As detailed in the Planning Commission Staff Report, which is attached hereto and incorporated by reference, no exceptions pursuant to State CEQA Guidelines section 15300.2 apply. Accordingly, there will be no impacts on residents or businesses.

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. 664.74**
- D. PROJECT EXHIBITS**
- E. DEVELOPMENT AGREEMENT NO. 2000006**

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on January 13, 2021

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

APN (s) or case numbers CUP200024 / DA200006 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 9TH Floor

Riverside, Ca. 92502

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

Riverside County GIS Mailing Labels

CUP200024 / DA200006 (600 feet buffer)

Cadena Creek



Legend

-  County Boundary
-  Cities
-  Parcels
-  World Street Map

Notes



0 376 752 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... 1/13/2021 9:15:54 AM

© Riverside County RCIT

City of Riverside - Planning Dept.
3900 Main St.
Riverside, CA 92501

Cannabis 21+
4231 Balboa Avenue #162
San Diego, CA 92117
Attn: Sean St. Peter

Kirkland West
Habitat Defense Council
PO Box 7821
Laguna Niguel, CA 92607-7821

Rad Architects Inc.
1286 University Avenue #137
San Diego, CA 92103
Attn: Caryn Bailey

Lozeau Drury, LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
Attn: Richard Drury & Komalpreet Toor

City of Colton
650 N La Cadena Drive
Colton, Ca 92324
Attn: Planning Dept.

San Bernardino County
385 N. Arrowhead Avenue
San Bernardino, CA 92415
Attn: Planning Dept.

246123011
JOSEPH PITRUZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

246123012
MARGARET PITRUZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

247020001
FLORENCE AVENUE
12502 MARTHA ANN DR
LOS ALAMITOS CA 90720

247020007
EDMUND MENG HONG LIM
2404 FALLING OAK DR
RIVERSIDE CA 92506

247020004
MARKWARDT HOWARD JOHN
707 FOREST PARK DR
RIVERSIDE CA 92501

247020005
MICHAEL L. MURPHY
970 W C ST
COLTON CA 92324

246110025
MAHMOUD ALL YASIN
183 W LA CADENA DR
RIVERSIDE CA 92501

247020006
24 APARTMENT COMPLEX SERVICES INC
455 W LA CADENA AVE NO 7
RIVERSIDE CA 92501

247020009
HORIZON CA PROPERTIES
PO BOX 230579
ENCINITAS CA 92023

246122033
TONYA SAULSBERRY
205 STEPHENS AVE
RIVERSIDE CA 92501

246123003
BLAISE M. BYBEE
220 STEPHENS AVE
RIVERSIDE CA 92501

246123006
DAVID GARCIA
250 STEPHENS AVE
RIVERSIDE CA 92501

246110016
RJB HOLDINGS
3226 KLUK LN
RIVERSIDE CA 92501

246110019
MICHAEL WAYNE JOHNSON
40473 ROCK MOUNTAIN DR
FALLBROOK CA 92028

246110023
M E W CORP
31878 DEL OBISPO ST 118
SAN JUAN CAPO CA 92675

246122026
ANTONIO BARRUECOS CURIEL
265 STEPHENS AVE
RIVERSIDE CA 92501

246122010
JOSE ANTONIO ZAMORA
260 CLIFFHILL PL
RIVERSIDE CA 92501

246122030
ARACELY MORALES
225 STEPHENS AVE
RIVERSIDE CA 92501

246123007
SBD DEVELOPMENT
P O BOX 2424
SAN BERNARDINO CA 92406

246123018
MICHAEL ALLEN
2600 E SELTICE # 416
POST FALLS ID 83854

246123020
PITRUZZELLO JOSEPH
6381 PERCIVAL DR
RIVERSIDE CA 92506

247020013
CENTER STREET GROUP
300 S HARBOR BLV STE 1020
ANAHEIM CA 92805

246122007
PETER L. GARCIA
17637 STREAMSIDE LN
RIVERSIDE CA 92503

246122008
ANTONINO FERNANDEZ
250 CLIFFHILL PL
RIVERSIDE CA 92501

246122009
MIGUEL A. LUNA
254 CLIFFHILL PL
RIVERSIDE CA 92501

246122020
ROSA EMMA PALOMINO
3225 CENTER ST
RIVERSIDE CA 92501

246110001
LAKE CADENA INV LTD
10877 WILSHIRE BLV 1520
LOS ANGELES CA 90024

246110021
DAVID JOHN MAIORANO
19725 MARIPOSA AVE
RIVERSIDE CA 92508

246110017
KALISH DAVID & MARIAN 2019 TRUST DATED
PO BOX 15127
NEWPORT BEACH CA 92659

246122023
SHAWN R. HOOD
3885 EL HIJO
RIVERSIDE CA 92504

246122027
REX ALLEN TUCKER
18635 HERMOSA ST
RIVERSIDE CA 92508

246122028
ENRIQUE RAMIREZ
245 STEPHENS AVE
RIVERSIDE CA 92501

246122029
SANTIAGO H. TORRES
235 STEPHENS AVE
RIVERSIDE CA 92501

246122012
2018 1 IH BORROWER
1717 MAIN ST STE 2000
DALLAS TX 75201

246122025
JEAN M. WATT
3885 EL HIJO ST
RIVERSIDE CA 92504

246123002
LAURA ELENA RIVERA
210 STEPHENS AVE
RIVERSIDE CA 92501

246123008
BLANDI A. LOPEZ
270 STEPHENS AVE
RIVERSIDE CA 92501

246123010
ANGELICA GOMEZ
280 STEPHENS AVE
RIVERSIDE CA 92501

246123026
ILENE PITRUZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

246110003
PEOPLES PROPERTIES
419 W 30TH ST UNIT A
NEWPORT BEACH CA 92663

246110022
IGLESIA DE CRISTO ELIM RIVERSIDE INC
115 W LA CADENA DR
RIVERSIDE CA 92501

246122019
MARK ANTHONY CASTRO
3241 CENTER ST
RIVERSIDE CA 92501

246122024
DIMAS JOYA
285 STEPHENS AVE
RIVERSIDE CA 92501

246122031
ELIDIA LEON FLORES
215 STEPHENS AVE
RIVERSIDE CA 92501

246123001
LAZARO ESTRELLA
200 STEPHENS AVE
RIVERSIDE CA 92501

246123009
PATRICK W. BRESLIN
P O BOX 23486
LOS ANGELES CA 90023

247020008
MI SUK KIM
9860 GARDEN GROVE BLV
GARDEN GROVE CA 92844

246110018
MEW CORP
31878 DEL OBISPO ST 118
SAN JUAN CAPO CA 92675

246122014
C DENEEN MUIRHEAD
3262 TOLUCA PL
RIVERSIDE CA 92501

246122015
EDUARDO ROCHA
13705 BASSWOOD DR
CORONA CA 92883

246122022
GARY W. ARNOLD
20907 VIA VERDE
COVINA CA 91724

246123004
ANDRES HUIPE MANCERA
230 STEPHENS AVE
RIVERSIDE CA 92501

246123005
FELIPE MORALES SAAVEDRA
240 STEPHENS AVE
RIVERSIDE CA 92501

246123025
JOSEPH PITURZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

246123011
JOSEPH PITRUZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

246123012
MARGARET PITRUZZELLO
6381 PERCIVAL DR
RIVERSIDE CA 92506

247020001
FLORENCE AVENUE
12502 MARTHA ANN DR
LOS ALAMITOS CA 90720

247020007
EDMUND MENG HONG LIM
2404 FALLING OAK DR
RIVERSIDE CA 92506

247020004
MARKWARDT HOWARD JOHN
707 FOREST PARK DR
RIVERSIDE CA 92501

247020005
MICHAEL L. MURPHY
970 W C ST
COLTON CA 92324

246110025
MAHMOUD ALL YASIN
183 W LA CADENA DR
RIVERSIDE CA 92501

247020006
24 APARTMENT COMPLEX SERVICES INC
455 W LA CADENA AVE NO 7
RIVERSIDE CA 92501

247020009
HORIZON CA PROPERTIES
PO BOX 230579
ENCINITAS CA 92023

246122033
TONYA SAULSBERRY
205 STEPHENS AVE
RIVERSIDE CA 92501

246123003
BLAISE M. BYBEE
220 STEPHENS AVE
RIVERSIDE CA 92501

246123006
DAVID GARCIA
250 STEPHENS AVE
RIVERSIDE CA 92501

246110016
RJB HOLDINGS
3226 KLUK LN
RIVERSIDE CA 92501

246110019
MICHAEL WAYNE JOHNSON
40473 ROCK MOUNTAIN DR
FALLBROOK CA 92028

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2 Design using the template number for this product.	2 Créez en utilisant le numéro de gabarit pour ce produit.	2 Diseña la plantilla utilizando el código del producto.
3 Test print on plain paper.	3 Faites un test d'impression sur du papier ordinaire.	3 Prueba la impresión en un papel normal.
4 Change printer settings to "Labels" and print.	4 Modifier le réglage de l'imprimante à "Étiquettes" et imprimez.	4 Cambia la configuración de la impresora a "Labels" o etiquetas e imprime.

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NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE HIGHGROVE AREA PLAN, 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 30, 2021 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Department's recommended approval of **Conditional Use Permit No. 200024 (CUP200024)**, which proposes to use an existing two-story, 4,150 sqft. building as a storefront cannabis retailer and delivery service. The alterations to the existing building would include the demolition of the interior second floor and the removal of exterior stairs for the second floor of the building. Existing structures and Quonset hut on site would be removed to make space for additional vehicle parking. Now after the demolition work to the building, the proposed cannabis retailer would now be 3,978 sqft. and would consist of floor areas including: a secured check-in, cannabis sales, offices, receiving, inventory, vault, clone room, breakroom, and restrooms. Upgraded landscaping and a trash enclosure are also proposed. **Development Agreement No. 2000006 (DA2000006)** has a term of 10 years, which will grant the applicant vesting rights to develop the project in accordance with the terms of DA No. 2000006 and Conditional Use Permit No. 200024. The project is located north of W. La Cadena Drive, south of Stephens Avenue, east of Center Street, and west of Kluk Lane in the Second Supervisorial District.

The Planning Commission recommends that the Board of Supervisors find that the project is exempt from the California Environmental Quality Act (CEQA); approve **CUP200024**; introduce, read title, and waive further reading of, and adopt **Ordinance No. 664.74** approving **DA2000006**.

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, URBAN REGIONAL PLANNER IV, AT 951-955-6060 OR EMAIL TWHEELER@RIVCO.ORG.

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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 the Clerk of the Board at (951) 955-1069, 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.

Dated: March 16, 2021

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

PSEMPV

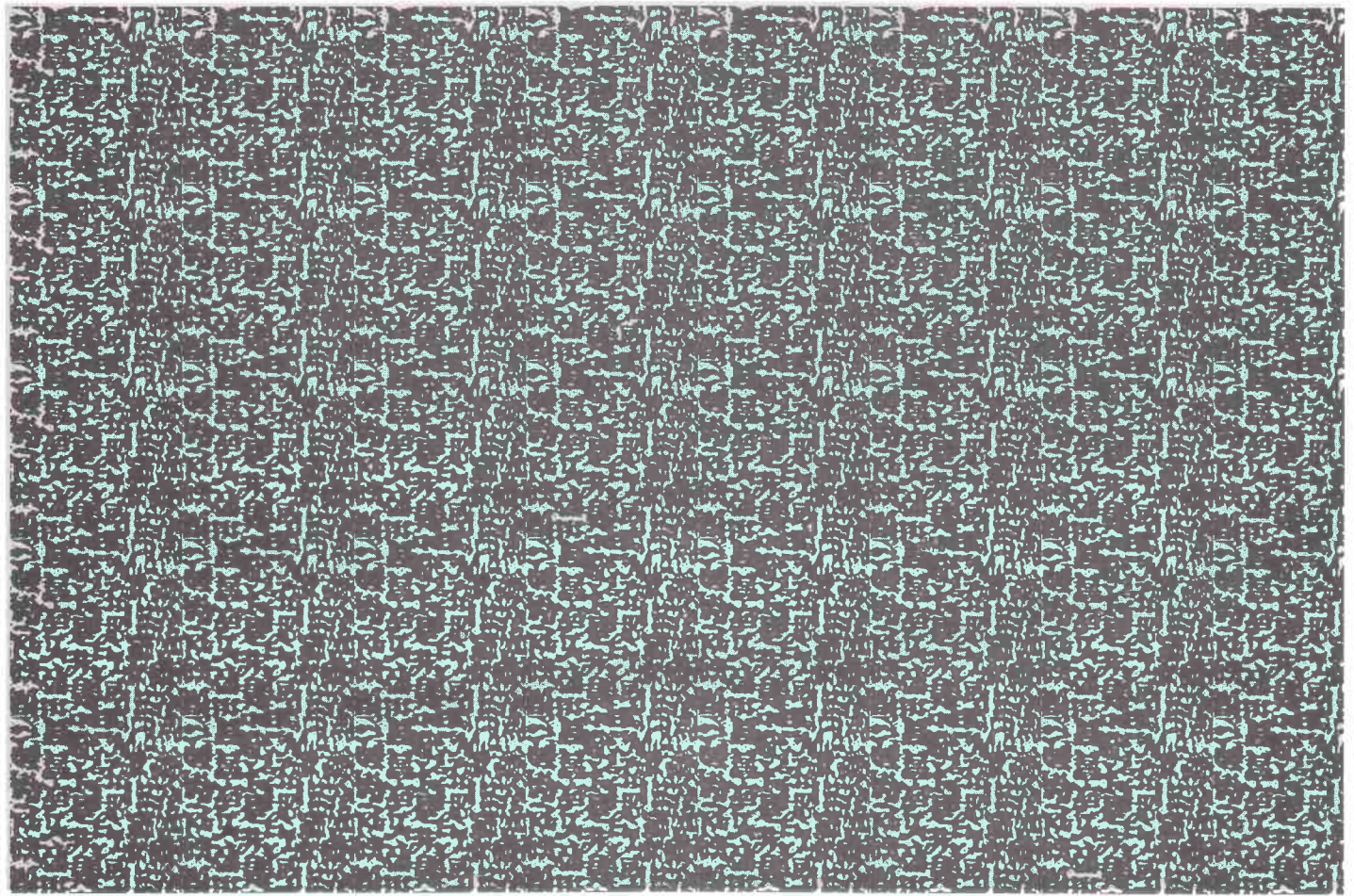
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County Administrative Center
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NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE HIGHGROVE AREA PLAN, SECOND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

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Dated: March 16, 2021

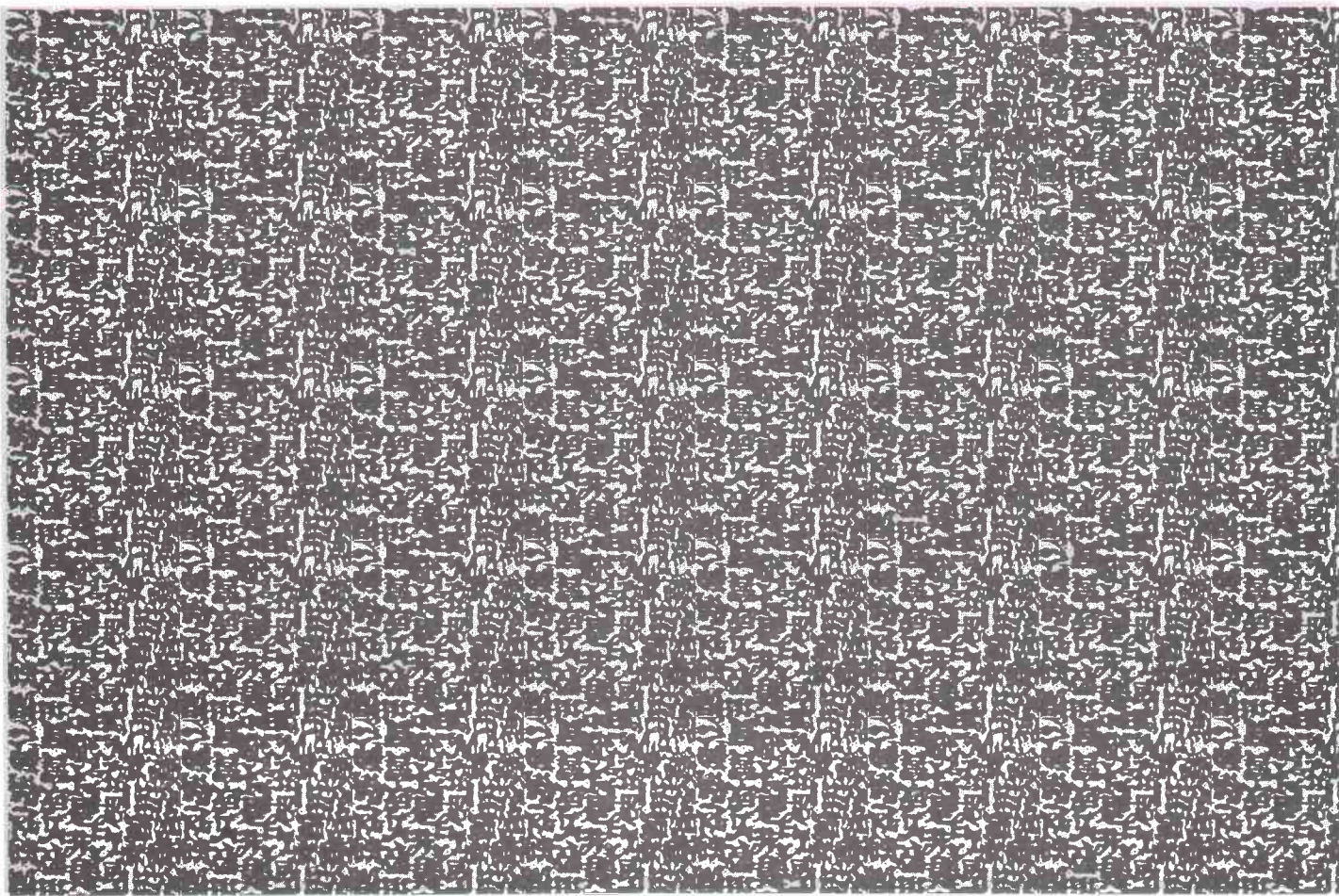
Kecia Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

PSEM/v
* 5/7/79

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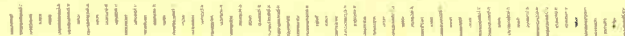
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STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

2021 APR 30 AM 9:59

Receipt #: 21-132683

State Clearinghouse # (if applicable): _____

Lead Agency: CLERK OF THE BOARD OF SUPERVISORS Date: 03/19/2021

County/Agency of Filing: RIVERSIDE Document No: E-202100269

Project Title: NOTICE OF PUBLIC HEARING - CUP200024, DA2000006

Project Applicant Name: CLERK OF THE BOARD OF SUPERVISORS Phone Number: (951) 955-1060

Project Applicant Address: 4080 LEMON STREET 1ST FLOOR, ROOM 127, RIVERSIDE, CA 92502

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 _____
- 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:

James D. Zimmerman Deputy

Notes:

3/30/21 21.1
2021-5-149833

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

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Dated: March 16, 2021

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

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County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

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