

ITEM: 21.1 (ID # 14906)

MEETING DATE:

Tuesday, May 18, 2021

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON CONDITIONAL USE PERMIT NO. 200027, DEVELOPMENT AGREEMENT NO. 2000012, and associated ORDINANCE NO. 664.79 - Exempt from CEQA - Applicant: I. E. Gardens 2, Inc. c/o Nader Awad and Joshua Naggar - Engineer/Representative: Joshua Naggar and Shade Awad -First Supervisorial District - South Elsinore Zoning Area - Elsinore Area Plan - Community Development: Commercial Retail (CD: CR) - Location: North of Grand Avenue, west of Corydon Road, south of Union Street, east of Gill Lane - 2.97 Acres - Zoning: General Commercial (C-1/C-P) - REQUEST: Conditional Use Permit No. 200027 is a proposal for a Cannabis Microbusiness Facility with Indoor Cultivation, Distribution, and storefront Retail Sales within an existing shopping center. The Cannabis Microbusiness would be located within Units B and G, totaling 9,875 sqft., within the existing 24,213 sqft. commercial building for the shopping center. Unit B would consist of 2,325 sqft for the cannabis retailer with a reception area, security room, offices, vaults, storage, a breakroom, and restrooms. Unit G would consist of the indoor cultivation at 7,300 sqft, with flower rooms, a hanging room, and a veg room and the distribution area at 250 sqft for packaging and deliveries; all totaling 7,550 sqft. The existing shopping center provides adequate parking spaces for the proposed facility and the remaining commercial units that are not a part of this project. The facility requires 14 of the existing 180 parking spaces. The project includes improvement to the site's landscaping, parking surface, signage, entrance monument and exterior building paint, Development Agreement No. 2000012. The associated development agreement (DA2000012) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA2000012 and CUP200027 and will provide community benefits to the Elsinore Area, District 1, [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

Continued on Page 2

ACTION: Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and that the above Ordinance 664.79 is approved as introduced with waiver of reading.

Ayes:

Jeffries, Spiegel, Washington, Perez and Hewitt

Nays:

None

Absent:

None

Date:

May 18, 2021

Planning, COB

Deputy

Kecia R. Harper

Clerk of the Board

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;
- 2. <u>APPROVE</u> CONDITIONAL USE PERMIT NO. 200027, 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. 664.79; and
- INTRODUCE, READ TITLE and WAIVE FURTHER READING OF, and ADOPT on successive weeks Ordinance No. 664.79, an ordinance of the County of Riverside approving DEVELOPMENT AGREEMENT NO. 2000012, based upon the findings in the staff report.

Continued on Page 3

Page 2 of 6 ID# 14906 21.1

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	S: Applicant Fees	Budget Adjust	ment: No	
			For Fiscal Year	r: N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Cannabis Background:

The County of Riverside received the application for Conditional Use Permit No. 200027 and Development Agreement No. 2000012 on August 27, 2020 for the development of a cannabis microbusiness located at 19980 Grand Avenue. The subject site is located within the Elsinore Area Plan and is located on the corner of Grand Avenue and Corydon Road. The site is an existing commercial shopping center that was approved under Plot Plan No. 9607 on August 4, 1987, approving a 24,400 square foot commercial multi-tenant building on 2.97 acres. The proposed cannabis microbusiness would occupy Units B and G of the multi-tenant building. The site is surrounded by commercial, retail, and residential uses.

Project Details:

The Project is a proposal for a Cannabis Microbusiness facility with Indoor Cultivation, Distribution, and Retail Sales. It will occupy approximately 9,875 square feet of the existing multi-tenant building. The indoor cultivation area totals 7,300 square feet; the distribution area totals 250 square feet; and the retail sales area totals 2,325 square feet. The remaining cannabis micro business facility would also consist of a flower rooms, hanging room, veg room, package/delivery room, reception area, security room, offices, vaults, storage, a breakroom, and restrooms. The project would update the existing commercial shopping center with landscaping, signage and paint the exterior of the entire commercial shopping center.

In addition, the project will employ a total of 20 employees, which includes retail associates, security, cultivation specialists, packaging and shipping workers, and managers. The Cannabis Microbusiness facility hours of operation would be from 7:00 am to 9:00 pm. For the cultivation component of the project, the applicant has proposed 2 shifts (7 am -2 pm & 2 pm -9 pm) per day, with 3 employees per shift. For the retail dispensary component of the project, the applicant has proposed 2 shifts (7 am -2 pm & 2 pm -9 pm) per day, with 7 employees per a shift. Delivery operations would be conducted between business hours,

with no mobile deliveries scheduled after 9 pm. For the distribution component of the project, the applicant would have employees on site during their shifts for either the retail or cultivation aspects perform these duties.

The Project requires 14 parking spaces within the overall 180 parking spaces for the commercial shopping center. The existing shopping center includes 4 handicap accessible parking spaces and the project applicant would create 2 EV parking spaces.

Development Agreement:

The applicant has proposed entering into the attached draft Development Agreement No. 2000012 (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. 2000012 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 \$74,450.00, 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 \$97,000.00, which will increase 6% per year. This payment shall be held by TLMA in an account specifically for the Elsinore

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. 664.79, and Ordinance of the County of Riverside Approving Development Agreement No. 2000012, incorporates by reference Development Agreement No. 2000012 consistent with Government Code section 65867.5.

Development Agreement No. 2000012 and Conditional Use Permit No. 200027 were submitted to the County of Riverside on August 27, 2020.

On March 24, 2021, during a regularly scheduled public hearing, the Planning Commission voted 5-0 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 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 Residents 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. 664.79
- D. PROJECT EXHIBITS
- E. DEVELOPMENT AGREEMENT NO. 2000012

Jason Farin Principal Management Analyst 5/11/2021



Planning Director

PLANNING DEPARTMENT

Memorandum

RIVERSIDE COUNTY

Date: May 18, 2021

To: Riverside County Board of Supervisors

From: Phayvanh Nanthavongdouangsy, Principal Planner

Tim Wheeler, Project Planner

RE: Item 21.1 - Comment Letter from the City of Lake Elsinore regarding CUP200027 and DA2000012 (I.E. Gardens)

Since completion of the report package for the Board of Supervisors meeting, Staff has received a comment letter from the City of Lake Elsinore regarding the proposed Commercial Cannabis Microbusiness facility under Conditional Use Permit No. 200027 and Development Agreement No. 2000012.

Attached is the letter received from the City on May 17, 2021. Staff has replied to comments made by the City of Lake Elsinore. The proposed project has been designed to meet odor and noise requirements, per the County of Riverside Ordinance No. 348. The proposed project was noticed via a 1000 feet buffer, as requested by the City of Wildomar, for Planning Commission and the project applicants made a presentation before the Lakeland Village Community Advisory Council (CAC) on November 18, 2020. Planning staff has not received any letters of opposition from surrounding residents. Additionally, attached is a Vehicle Miles Travel (VMT) analysis provided by the applicant regarding traffic.



May 17, 2021

Riverside County Board of Supervisors C/O Kecia Harper, Clerk of the Board Riverside County Administrative Center 4080 Lemon Street Riverside, CA 92501

RE: Conditional Use Permit No. 200027 and Development Agreement No. 2000012 A Cannabis Micro Business Facility, Northwest corner of Grand Ave & Corydon Rd Assessor Parcel Number 370-310-007

Honorable Chair and Board of Supervisors:

The City of Lake Elsinore (City) received a notice of public hearing for a Cannabis Micro Business for consideration by the Board of Supervisors on May 18, 2021. The proposed project is approximately 1,000 feet from residences in the City of Lake Elsinore and near another cannabis business recently approved by the County. City staff has reviewed the May 18, 2021, agenda item, including Form 11 and several attachments, and reiterates concerns previously expressed in letters dated September 28, 2020 and March 30, 2021 regarding potentially significant impacts of cannabis businesses on surrounding residential areas related to traffic, odor, and noise.

The City Council of the City of Lake Elsinore was sensitive to these potential negative impacts in adopting cannabis regulations in the City and, for that reason, limited cannabis businesses to manufacturing zones away from residential and other sensitive uses. In addition, the City Council has adopted a moratorium on new cannabis business applications for the City to evaluate the impacts arising from cannabis businesses. Cannabis land use regulation merit this kind of comprehensive and thoughtful approach to safeguard the community and avoid potential negative impacts. The City and the County must work together in evaluating the compatibility of land uses along our shared borders.

Based on the review of the hearing materials related to the proposed project, City staff still has concerns regarding this specific facility due to its location and potential impacts on the surrounding residential neighborhoods, places of worship, schools and proximity to other cannabis businesses. While the County has addressed the City's concern regarding odor, it has not fully addressed the City's prior comments, specifically as they relate to the potential traffic related impacts to the surrounding road network and noise and requests these concerns be addressed prior to action. The County of Riverside Ordinance Section 19.500 "Purpose and Intent," states "The purpose of this Article is to protect the public health, safety and welfare, enact strong and effective regulatory and enforcement controls in compliance with State Law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment" Based on the information provided in the hearing materials, it has not been demonstrated that this provision has been satisfied in protecting the City of Lake Elsinore's residents from intrusive land uses, as the potential impacts to the neighborhood identified by the City have not been resolved.

Thank you for your consideration and if you have any questions or concerns, you may contact me by phone at 951-674-3124, Ext. 284 or by email at ikirk@lake-elsinore.org. Respectfully,

Justin Kirk,

Assistant Community Development Director

CC:

Jason Simpson, City Manager Karen Brindley, Director of Community Development.

Attachments:

- 1. City Comment Letter September 28, 2020
- 2. City Comment Letter March 30, 2021



September 28, 2020

Tim Wheeler, Project Planner Riverside County Planning Department P.O. Box 1409 Riverside, CA 92502-1409

RE: Conditional Use Permit No. 200027 and Development Agreement No. 2000012
A Cannabis Micro Business Facility, Northwest corner of Grand Ave & Corydon Rd
Assessor Parcel Number 370-310-007

Dear Mr. Wheeler:

Thank you for the opportunity to review and provide comments on the above-mentioned project, which proposes to develop a Cannabis Micro Business Facility with 5,408 sq. ft. of indoor cultivation, 520 sq. ft. distribution area, and 2,325 sq. ft. of retail sales with 26 parking spaces on 2.97-acre property. The subject property is located near the City of Lake Elsinore (City) limits close to the Serenity Homes subdivision and within the Lakeland Village Sphere of influence in the City's General Plan.

Although the City of Lake Elsinore does not oppose cannabis facilities in general, the City is strongly opposed to this specific facility due to its location and the potential adverse impacts to the surrounding residential neighborhoods. The cannabis ordinance adopted by the City was very careful to ensure that cannabis businesses are only allowed in industrial zoned properties away from residential uses and sensitive receptors. The ordinance ensured residential communities would not be impacted by traffic, noise, light, odors or any other potentially significant impacts associated with cannabis operations.

In stark contrast to the City's considerations in siting cannabis-related uses, the subject property is located within the Lakeland Village Sphere of Influence in the Lake Elsinore General Plan in close proximity to residential neighborhoods where cannabis facilities are not envisioned.

The City is deeply concerned that the proposed project would have potentially significant negative impacts on the surrounding residential area related to traffic, odor, noise and public safety. At this time, the City does not have information on whether a Traffic Impact Analysis has been performed for the proposed project. In addition, no information has been provided regarding the project's noise and odor impacts to the surrounding residential area and sensitive receptors. Because of the lack of information at this time, the potential impacts to the residential character and quality of life of neighborhoods in the City of Lake Elsinore and the surrounding vicinity are unknown and of considerable concern. In addition to potentially significant adverse environmental impacts, the 951.674 patential degradation of property values in the vicinity of the proposed project are also of concern.

The City requests to be included in your distribution list(s) for public notices, circulation of all documents, including environmental review documents, and all other applicable documents pertaining to this project.

Thank you for your consideration and if you have any questions or concerns, you may contact me by phone at 951-674-3124; Ext. 284 or by email at ikirk@lake-elsinore.org.

Luctio Wiele

Assistant Community Development Director

cc: Grant Yates, City Manager

Mayor and City Council

Charissa Leach, Assistant TLMA Director



March 23, 2020

Riverside County Planning Commission C/O Tim Wheeler, Project Planner Riverside County Planning Department P.O. Box 1409 Riverside, CA 92502-1409

RE: Conditional Use Permit No. 200027 and Development Agreement No. 2000012 A Cannabis Micro Business Facility, Northwest corner of Grand Ave & Corydon Rd Assessor Parcel Number 370-310-007

Honorable Chair and Members of the Riverside County Planning Commission:

The City of Lake Elsinore (City) received a notice of public hearing for a Cannabis Micro Business for consideration by the Planning Commission on March 24, 2021. The proposed project is approximately 1,000 feet from residences in the City of Lake Elsinore and near another cannabis business recently approved by the County. City staff has reviewed the March 24, 2021 agenda item, including Form 11 and several attachments, and strongly reiterates concerns previously expressed regarding potentially significant impacts of cannabis businesses on surrounding residential areas related to traffic, odor, and noise.

The City Council of the City of Lake Elsinore was very sensitive to these potential negative impacts in adopting cannabis regulations in the City and, for that reason, limited cannabis businesses to manufacturing zones away from residential and other sensitive uses. In addition, the City Council recently adopted a moratorium on any new cannabis business applications to allow the City to evaluate the impacts arising from cannabis businesses generally and from the concentration of these businesses, in particular, and to propose appropriate modifications to our zoning regulations, if any. We believe that cannabis land use regulation and entitlements merit this kind of comprehensive and thoughtful approach to safeguard our communities and avoid negative impacts. We believe that the City and the County must work together in evaluating the compatibility of land uses along our shared borders.

The City of Lake Elsinore received the notice of public hearing today, March 22, 2021 with insufficient time to present the proposed project to the City Council or Planning Commission and allowing only preliminary review by staff. Therefore, the City staff respectively requests that the item be continued for thirty (30) days to allow for a more thorough review and comment by the City. Although the City does not oppose all cannabis facilities, based on our initial review of the proposed project, City staff opposes this specific facility due to its location and potential impacts on the surrounding residential neighborhoods and proximity to other cannabis businesses.

Thank you for your consideration and if you have any questions or concerns, you may contact me by phone at 951-674-3124, Ext. 284 or by email at ikirk@lake-elsinore.org.

Respectfully,

Justin Kirk,

Assistant Community Development Director

CC:

Jason Simpson, City Manager Mayor and City Council Karen Brindley, Director of Community Development.



November 10, 2020

I.E. Gardens 2, Inc. c/o. Muna Rahman 12199 Heacock Street, Units 2 & 3 Moreno Valley, CA 92557

Re: VMT Screening Assessment – Proposed Cannabis Facilities 19980 Grand Ave, Units B & G, Lake Elsinore

Dear Muna,

Per your request, I have conducted a traffic review for the proposed improvements. This letter presents my findings and recommendations.

PROJECT UNDERSTANDING

The existing shopping center of 35,900 square feet located at 19980 Grand Ave, Lake Elsinore is within the jurisdiction of Riverside County. Site plan is shown in **Exhibit 1**.

The project consists of two major elements: 1) a proposed cannabis dispensary at Unit B (2,325 square feet) and, 2) a proposed cannabis cultivation facility at Unit G (7,550 square feet). Floor plans for the dispensary and cultivation facilities are shown in **Exhibits 2 and 3**, respectively. The former use for Unit B was a smoke shop and Unit H was a gym.

VEHICLE MILES TRAVELED (VMT) SCREENING

CEQA analysis requires an evaluation of project impacts related to VMT impacts for various land use projects. In accordance with the project screening methodologies listed in the County of Riverside Transportation Analysis Guidelines for Level of Service Vehicle Miles Travelled dated September 2020, the following series of analytical steps for SB-743 compliance should be conducted for land use projects as deemed necessary by the Transportation Department.

EXHIBIT 1. SITE PLAN

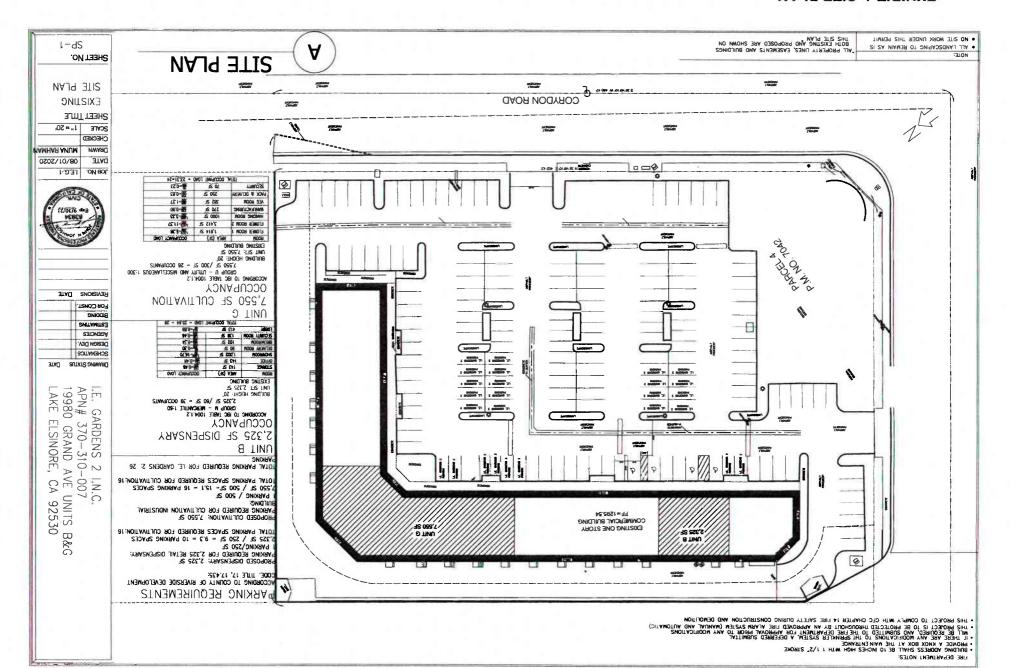


EXHIBIT 2. FLOOR PLAN - UNIT B

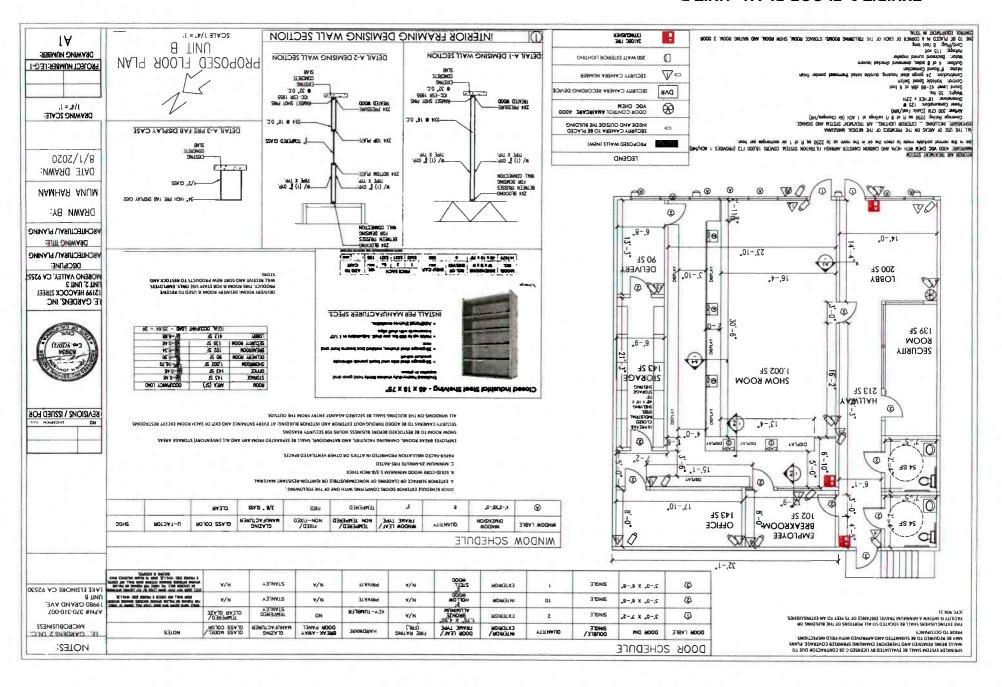
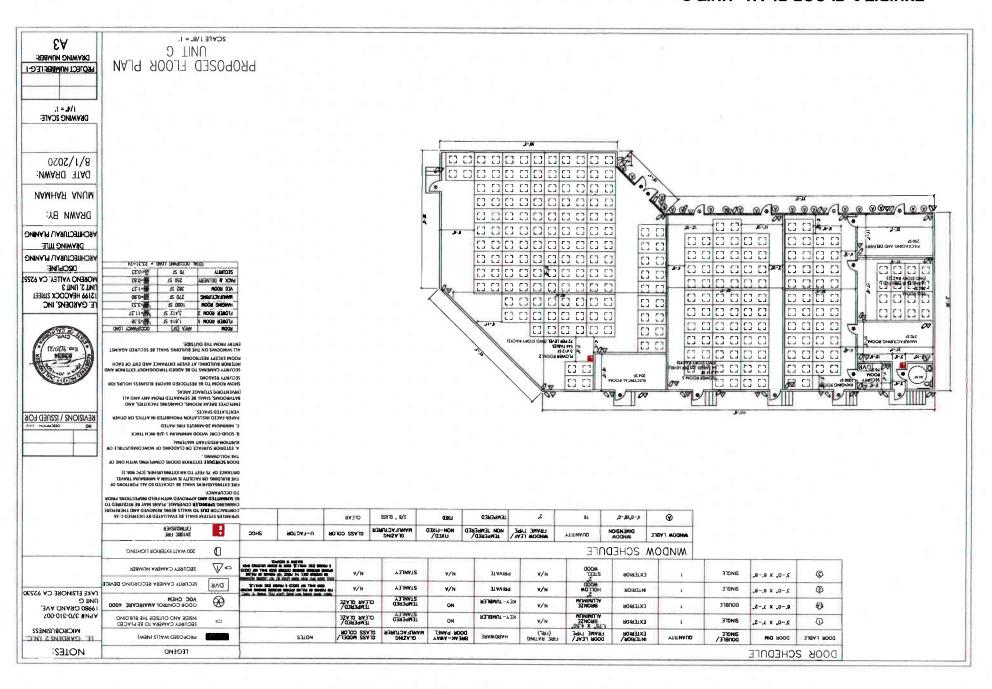


EXHIBIT 3. FLOOR PLAN - UNIT G



STEP 1. EVALUATE LAND USE TYPE

For the purpose of analysis, the Institute of Transportation Engineer (ITE) land use codes serve as the basis of land use definitions. The proposed cannabis dispensary at Unit B is categorized in the Retail section as Marijuana Dispensary (Land Use Code 882) per Trip Generation Manual, Tenth Edition published by ITE. The proposed cannabis cultivation facility at Unit G, however, is not applicable for any available definition of land use in ITE's Trip Generation Manual.

STEP 2. SCREEN FOR NON-SIGNIFICANT TRANSPORTATION IMPACT

The purpose of this step is to determine if a presumption of a non-significant transportation impact can be made on the facts of the project. The guidance in this section is primarily intended to avoid unnecessary analysis and findings that would be inconsistent with the intent of SB-743. A detailed CEQA assessment will not be required for land use elements of a project that meet the screening criteria outlined in the guidelines.

The proposed cannabis dispensary at Unit B meets the project type criteria of "Local-Serving Retail" and "Local Essential Service", and can be presumed to cause a less-than-significant VMT impact.

The proposed cannabis cultivation facility is for private use only and not opens to the public. It will have six (6) employees split into two shifts per day generating an average of three (3) trips per employee. The estimated project trip generation for the proposed cultivation facility is 18 trips per day. The proposed cannabis cultivation facility at Unit G is (1) within a retail building with area less than 60,000 square feet, and (2) Project generation is less than 110 trips per day. The cultivation facility at Unit G meets the project type criteria of "Small Projects" and can be presumed to cause a less-than-significant VMT impact.

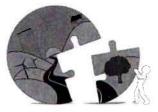
CONCLUSION

It is reasonable to conclude that the proposed cannabis dispensary at Unit B and the proposed cannabis cultivation facility at Unit G should both be considered not to lead to a significant VMT impact. Therefore, further project-level VMT analysis is not required.

Regards,

K2 Traffic Engineering, Inc.

Jende Kay Hsu, T.E. California License TR2285



John Hildebrand Planning Director

PLANNING DEPARTMENT

Memorandum

Date: May 18, 2021

To: Riverside County Board of Supervisors

From: Phayvanh Nanthavongdouangsy, Principal Planner Tim Wheeler, Project Planner

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



November 10, 2020

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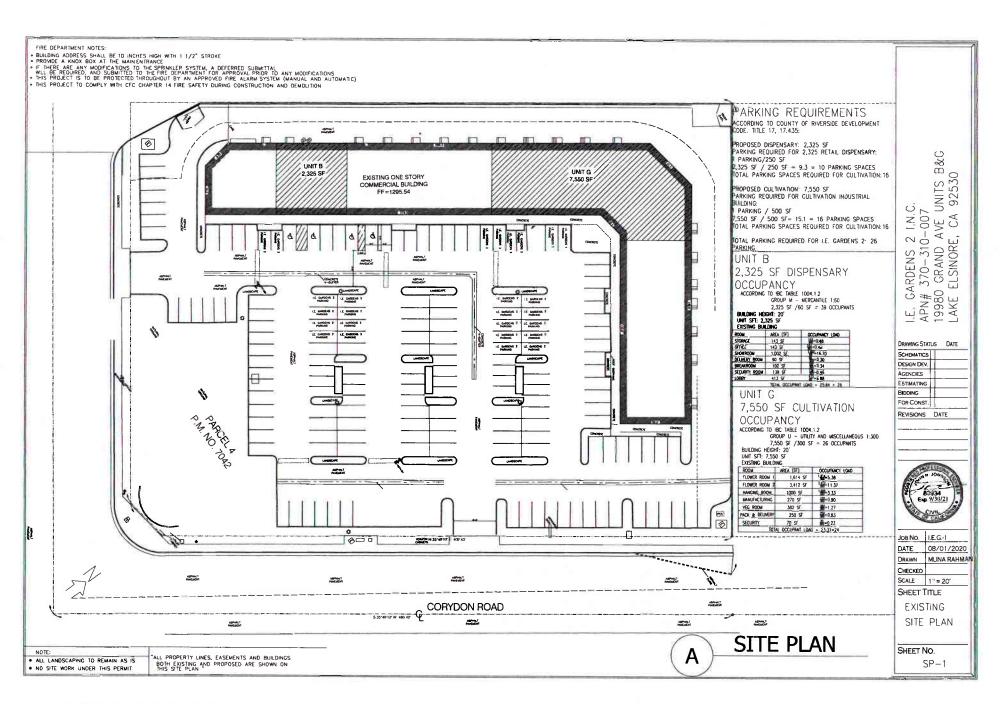
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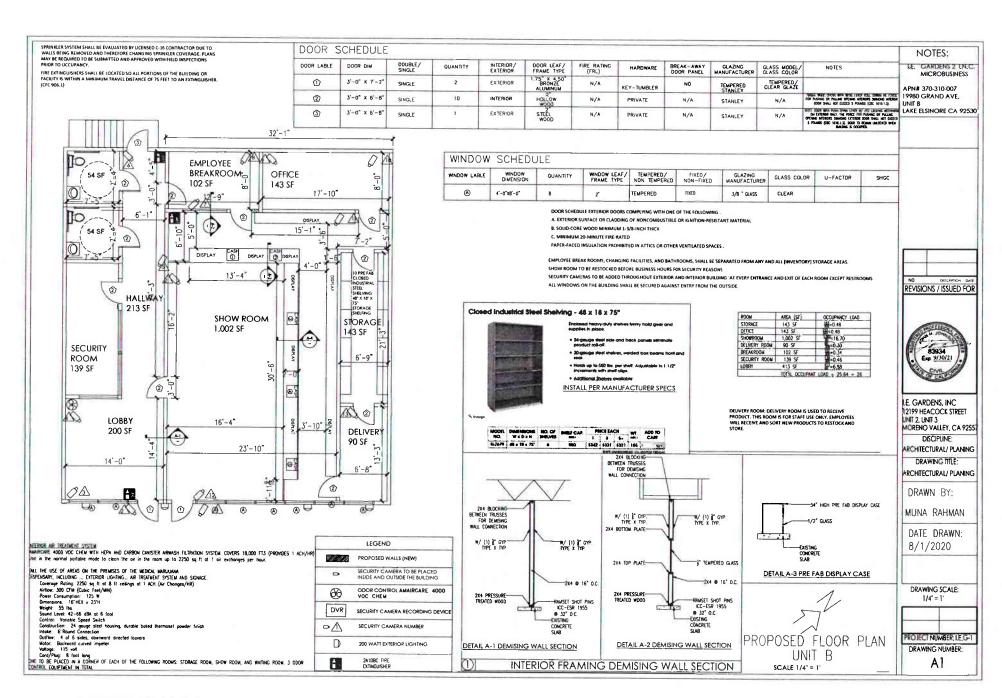
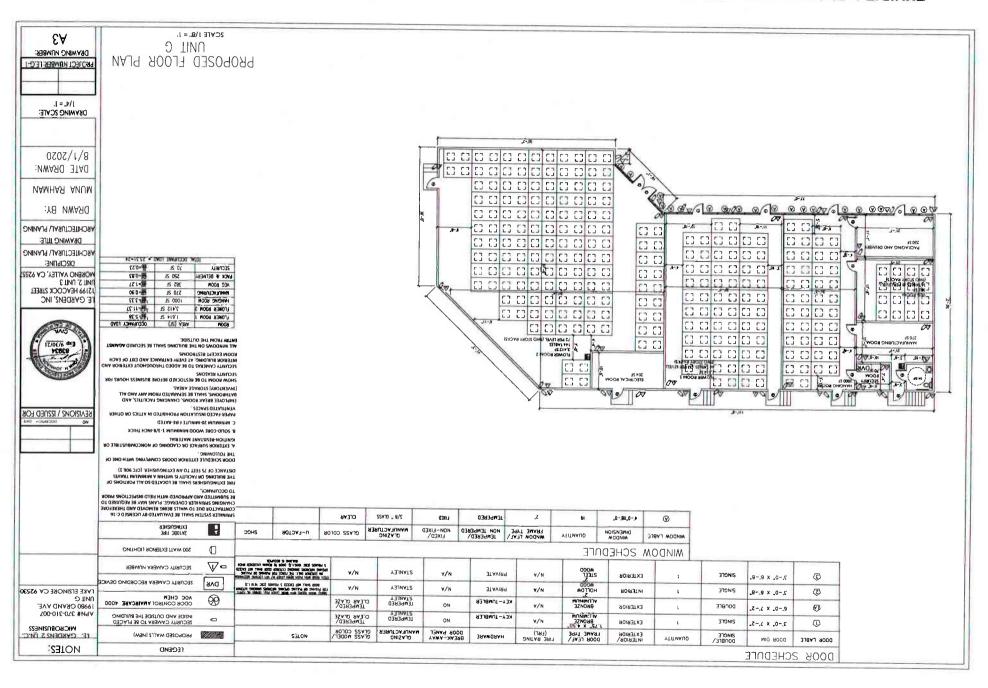


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The purpose of this step is to determine if a presumption of a non-significant transportation impact can be made on the facts of the project. The guidance in this section is primarily intended to avoid unnecessary analysis and findings that would be inconsistent with the intent of SB-743. A detailed CEQA assessment will not be required for land use elements of a project that meet the screening criteria outlined in the guidelines.

The proposed cannabis dispensary at Unit B meets the project type criteria of "Local-Serving Retail" and "Local Essential Service", and can be presumed to cause a less-than-significant VMT impact.

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CONCLUSION

It is reasonable to conclude that the proposed cannabis dispensary at Unit B and the proposed cannabis cultivation facility at Unit G should both be considered not to lead to a significant VMT impact. Therefore, further project-level VMT analysis is not required.

Regards,

K2 Traffic Engineering, Inc.

Jende Kay Hsu, T.E. California License TR2285



May 17, 2021

Riverside County Board of Supervisors C/O Kecia Harper, Clerk of the Board Riverside County Administrative Center 4080 Lemon Street Riverside, CA 92501

RE: Conditional Use Permit No. 200027 and Development Agreement No. 2000012 A Cannabis Micro Business Facility, Northwest corner of Grand Ave & Corydon Rd Assessor Parcel Number 370-310-007

Honorable Chair and Board of Supervisors:

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Justin Kirk,

Assistant Community Development Director

CC:

Jason Simpson, City Manager Karen Brindley, Director of Community Development.

Attachments:

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- 2. City Comment Letter March 30, 2021



September 28, 2020

Tim Wheeler, Project Planner Riverside County Planning Department P.O. Box 1409 Riverside, CA 92502-1409

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Assessor Parcel Number 370-310-007

Dear Mr. Wheeler:

Thank you for the opportunity to review and provide comments on the above-mentioned project, which proposes to develop a Cannabis Micro Business Facility with 5,408 sq. ft. of indoor cultivation, 520 sq. ft. distribution area, and 2,325 sq. ft. of retail sales with 26 parking spaces on 2.97-acre property. The subject property is located near the City of Lake Elsinore (City) limits close to the Serenity Homes subdivision and within the Lakeland Village Sphere of influence in the City's General Plan.

Although the City of Lake Elsinore does not oppose cannabis facilities in general, the City is strongly opposed to this specific facility due to its location and the potential adverse impacts to the surrounding residential neighborhoods. The cannabis ordinance adopted by the City was very careful to ensure that cannabis businesses are only allowed in industrial zoned properties away from residential uses and sensitive receptors. The ordinance ensured residential communities would not be impacted by traffic, noise, light, odors or any other potentially significant impacts associated with cannabis operations.

In stark contrast to the City's considerations in siting cannabis-related uses, the subject property is located within the Lakeland Village Sphere of Influence in the Lake Elsinore General Plan in close proximity to residential neighborhoods where cannabis facilities are not envisioned.

The City is deeply concerned that the proposed project would have potentially significant negative impacts on the surrounding residential area related to traffic, odor, noise and public safety. At this time, the City does not have information on whether a Traffic Impact Analysis has been performed for the proposed project. In addition, no information has been provided regarding the project's noise and odor impacts to the surrounding residential area and sensitive receptors. Because of the lack of information at this time, the potential impacts to the residential character and quality of life of neighborhoods in the City of Lake Elsinore and the surrounding vicinity are unknown and of considerable concern. In addition to potentially significant adverse environmental impacts, the 951.674 preprintial degradation of property values in the vicinity of the proposed project are also of concern.

The City requests to be included in your distribution list(s) for public notices, circulation of all documents, including environmental review documents, and all other applicable documents pertaining to this project.

Thank you for your consideration and if you have any questions or concerns, you may contact me by phone at 951-674-3124, Ext. 284 or by email at ikirk@lake-elsinore.org.

Justin Kirk,

Assistant Community Development Director

cc: Grant Yates, City Manager

Mayor and City Council

Charissa Leach, Assistant TLMA Director



March 23, 2020

Riverside County Planning Commission C/O Tim Wheeler, Project Planner Riverside County Planning Department P.O. Box 1409 Riverside, CA 92502-1409

RE: Conditional Use Permit No. 200027 and Development Agreement No. 2000012 A Cannabis Micro Business Facility, Northwest corner of Grand Ave & Corydon Rd Assessor Parcel Number 370-310-007

Honorable Chair and Members of the Riverside County Planning Commission:

The City of Lake Elsinore (City) received a notice of public hearing for a Cannabis Micro Business for consideration by the Planning Commission on March 24, 2021. The proposed project is approximately 1,000 feet from residences in the City of Lake Elsinore and near another cannabis business recently approved by the County. City staff has reviewed the March 24, 2021 agenda item, including Form 11 and several attachments, and strongly reiterates concerns previously expressed regarding potentially significant impacts of cannabis businesses on surrounding residential areas related to traffic, odor, and noise.

The City Council of the City of Lake Elsinore was very sensitive to these potential negative impacts in adopting cannabis regulations in the City and, for that reason, limited cannabis businesses to manufacturing zones away from residential and other sensitive uses. In addition, the City Council recently adopted a moratorium on any new cannabis business applications to allow the City to evaluate the impacts arising from cannabis businesses generally and from the concentration of these businesses, in particular, and to propose appropriate modifications to our zoning regulations, if any. We believe that cannabis land use regulation and entitlements merit this kind of comprehensive and thoughtful approach to safeguard our communities and avoid negative impacts. We believe that the City and the County must work together in evaluating the compatibility of land uses along our shared borders.

The City of Lake Elsinore received the notice of public hearing today, March 22, 2021 with insufficient time to present the proposed project to the City Council or Planning Commission and allowing only preliminary review by staff. Therefore, the City staff respectively requests that the item be continued for thirty (30) days to allow for a more thorough review and comment by the City. Although the City does not oppose all cannabis facilities, based on our initial review of the proposed project, City staff opposes this specific facility due to its location and potential impacts on the surrounding residential neighborhoods and proximity to other cannabis businesses.

Thank you for your consideration and if you have any questions or concerns, you may contact me by phone at 951-674-3124, Ext. 284 or by email at ikirk@lake-elsinore.org.

Respectfully,

Justin Kirk,

Assistant Community Development Director

CC:

Jason Simpson, City Manager Mayor and City Council Karen Brindley, Director of Community Development.

1 ORDINANCE NO. 664.79 2 3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE 4 APPROVING DEVELOPMENT AGREEMENT NO. 2000012 5 6 The Board of Supervisors of the County of Riverside ordains as follows: 7 Section 1. Pursuant to Government Code Section 65867.5, Development Agreement 8 No. 2000012, a copy of which is on file with the Clerk of the Board of Supervisors and incorporated herein 9 by reference, is hereby approved. 10 Section 2. The Chair of the Board of Supervisors is hereby authorized to execute said 11 Development Agreement on behalf of the County of Riverside within ten (10) days after the Effective Date 12 of this ordinance, provided that all owners listed in Development Agreement No. 2000012 have executed 13 said Development Agreement within thirty (30) days after adoption of this ordinance. 14 Section 3. Effective Date. This ordinance shall take effect thirty (30) days after its 15 adoption. BOARD OF SUPERVISORS OF THE COUNTY 16 OF RIVERSIDE, STATE OF CALIFORNIA 17 By:_ 18 Chair ATTEST: 19 CLERK OF THE BOARD: 20 By: 21 Deputy 22 (SEAL) 23 24 APPROVED AS TO FORM

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Michelle Clack

May 6, 2021

Chief Deputy County Counsel

STATE OF CALIFORNIA - THE RESOURCES AGENCY DEPARTMENT OF FISH AND GAME

2021 JUN - 1 AM 10: 56

ENVIRONMENTAL FILING FEE CASH RECEIPT

	Receipt	:#: 21-217926
State Clearinghouse	e# (if applicabl	e):
Lead Agency: CLERK OF THE BOARD OF SUPERVISORS	Date:	05/05/2021
County Agency of Filing: RIVERSIDE	Document No:	E-202100433
Project Title: NOTICE OF PUBLIC HEARING CONDITIONAL USE PERMIT N	O. 200027, DE\	/ELOPMENT
Project Applicant Name: CLERK OF THE BOARD OF SUPERVISORS	Phone Number:	(951) 955-6060
Project Applicant Address: 4080 LEMON STREET, 1ST FLOOR ROOM 127, RIVE	RSIDE, CA 925	01
Project Applicant: LOCAL PUBLIC AGENCY		
CHECK APPLICABLE FEES:		
Environmental Impact Report		
☐ Negative Declaration		
☐ Application Fee Water Diversion (State Water Resources Control Board Only)	S)	
Project Subject to Certified Regulatory Programs	-	
County Administration Fee	-	\$0.00
		φυ.υυ_
Project that is exempt from fees (DFG No Effect Determination (Form Attack	iea))	
Project that is exempt from fees (Notice of Exemption)	165	
Total	Received	\$0.00
	22	
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Signature and title of person receiving payment.	mmy Deput	у

Notes:



Lead Agency: Clerk of the Board of Supervisors

ATTN: Tim Wheeler

Address: 4080 Lemon Street, 1st Floor Room 127

Riverside, CA. 92501

FILED/POSTED

County of Riverside Peter Aldana Assessor-County Clerk-Recorder

E-202100433 05/05/2021 05:00 PM Fee: \$ 0.00 Page 1 of 3

Removed: 5\3\6\8\ By: 9000

(SPACE FOR CLERK'S USE)

Project Title

NOTICE OF PUBLIC HEARING CONDITIONAL USE PERMIT NO. 200027, DEVELOPMENT AGREEMENT NO. 2000012

Filing Type

Environmental	Impact Report
---------------	---------------

Mitigated/Negative Declaration

■ Notice of Exemption

✓ Other: NOTICE OF PUBLIC HEARING

Notes

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE ELSINORE AREA PLAN, FIRST 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, May 18, 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. 200027, which proposes for a Cannabis Microbusiness Facility with Indoor Cultivation, Distribution, and storefront Retail Sales within an existing shopping center. The Cannabis Microbusiness would be located within Units B and G, totaling 9,875 sqft., within the existing 24,213 sqft. commercial building for the shopping center. Unit B would consist of 2,325 sqft for the cannabis retailer with a reception area, security room, offices, vaults, storage, a breakroom, and restrooms. Unit G would consist of the indoor cultivation at 7,300 sqft. with flower rooms, a hanging room, and a veg room and the distribution area at 250 sqft for packaging and deliveries; all totaling 7,550 sqft. The existing shopping center provides adequate parking spaces for the proposed facility and the remaining commercial units that are not a part of this project. The facility requires 14 of the existing 180 parking spaces. The project includes improvement to the site's landscaping, parking surface, signage, entrance monument, and exterior building paint. Development Agreement No. 2000012. The associated development agreement (DA2000012) has a term of 10 years, will grant the applicant vesting rights to develop the project in accordance with the terms of DA2000012 and CUP200027, and will provide community benefits to the Elsinore Area. The project is located north of Grand Avenue, west of Corydon Area, south of Union Street, east of Gill Lane in the First Supervisorial District.

The Planning Department recommends that the Board of Supervisors find that the project is exempt from the California Environmental Quality Act (CEQA); approve CUP200027; introduce, read title, and waive further reading of, and adopt Ordinance No. 664.79 approving DA2000012.

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 office 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: May 03, 2021

Kecia Harper, Clerk of the Board

By: Hannah Lumanauw, Board Assistant