

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



**ITEM: 21.3  
(ID # 17225)**

**MEETING DATE:**

Tuesday, October 05, 2021

**FROM :** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on Conditional Use Permit No. 190033, Ordinance No. 664.82 and Development Agreement No. 1900021 – CEQA EXEMPT – Applicant: Catalyst Hemet, LLC – Third Supervisorial District – Ramona Area – San Jacinto Area Plan: Commercial Retail: (CR) (0.20 – 0.35 FAR) – Location: south of East Florida Avenue/SH-74 and east of Columbia Street – 0.67 Acres – Zoning: Scenic Highway Commercial (C-P-S) – REQUEST: Development Agreement No. 1900021 is associated with the proposed Conditional Use Permit and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 1900021 and Conditional Use Permit No. 190033. The Development Agreement will provide community benefits to the San Jacinto Valley Area and has a term of 10 years. Conditional Use Permit No. 190033 is a proposal to utilize an existing building to establish and operate a 4,080 square foot cannabis retail facility with delivery on an 0.67-acre lot with parking and landscaping. – APN: 438-230-042. District 3. [Applicant Funds 100%] (Continued from August 17, 2021, MT#15570 and September 14, 2021, MT#16981)

**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;

Continued on page 2

**ACTION:Policy**

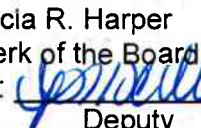
  
John Hildebrand, Planning Director 9/29/2021

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: October 5, 2021  
xc: Planning, COB

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

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

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

2. **APPROVE Conditional Use Permit No. 190033**, subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report, subject to adoption of Ordinance No. 664.82; and
3. **INTRODUCE, READ TITLE and WAIVE FURTHER READING OF, and ADOPT** on successive weeks **ORDINANCE NO. 664.82** an ordinance of the County of Riverside approving Development Agreement No. 1900021, based upon the findings in the staff report.

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

**C.E.O. RECOMMENDATION:** [CEO use]

**BACKGROUND:**

Project Details

The proposed project will occupy an approximately 4,080 square-foot tenant space to be used as a storefront for a retail cannabis business within an existing building on a 0.67 acre lot with parking and landscaping. The project includes thirty seven (37) off-street parking spaces which consists of thirty four (34) standard parking spaces, and three (3) accessible parking spaces, exceeding the off-street requirement for retail cannabis at 1 stall per 200 square-feet that requires a minimum of twenty one (21) parking spaces pursuant to Ordinance No. 348 Section 18.12. The site also includes a trash enclosure at the southeast corner of the property. Furthermore, landscaping and internal walkways are existing throughout the site. The property is accessed from Columbia Street and Florida Avenue/SH-74.

The existing structure is a single story 9,505 square foot commercial building with multiple tenant spaces in it. The structure has a flat roof with stucco siding, stone veneer finish and glass doors and windows.

The interior of the proposed suite area consists of areas for retail sales, reception and waiting area, and other spaces that include restrooms, break room, and storage area.

The business will operate between the hours of 6am to 10pm daily in accordance with the County of Riverside Ordinance No. 348 Section 19.505 (I). Deliveries will operate daily during normal business hours, seven days per week.

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

As part of the approval process for cannabis retail facilities, a development agreement between the County of Riverside and the applicant was applied for under Development Agreement No. 1900021 ("DA1900021").

General Plan Consistency

The project site has a General Plan Foundation Component of Community Development (CD) and Land Use Designation of Commercial Retail (CR). The Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this General Plan 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 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.

The Commercial Retail (CR) land use designation provides for the emphasis on general uses such as grocery stores, drug stores, and other retail outlets at a neighborhood, community, and regional level. 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 is currently zoned Scenic Highway Commercial (C-P-S). Pursuant to Ordinance No. 348, Article XIXh, Section 19.518, Cannabis Retailers are allowed in the C-P-S Zone with an approved conditional use permit. The applicant has submitted this CUP application to ensure compliance with all applicable development standards and regulations. As further described in the findings section, the project meets all the applicable development standards for the C-P-S Zone and those set forth in Section 19.519 of Ordinance No. 348, including design, height, setbacks, and parking requirements.

The project site includes a proposed landscape plan in accordance with the County of Riverside Ordinance No. 348 and Ordinance No. 859.

Development Agreement

The applicant has proposed entering into the attached Development Agreement No. 1900021 (DA) with the County for the Project. The DA is consistent with the General Plan and with Board Policy B-9. Additionally, the Advisory Notification Document, Conditions of Approval, and entitlement approvals are incorporated in the exhibits of the DA and will ensure that the Project is developed in a way that would not conflict with the public's health, safety, or general welfare. The DA has a term of 10 years (with the option for a 5-year extension subject to mutual approval) and will grant the applicant vesting rights to develop the Project in accordance with

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

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. 1900021 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 \$73,440.00, 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 \$165,000.00, which will increase 3% per year for the initial 5 years of the DA and then 4% for the remaining term of the DA. This payment shall be held by TLMA in an account specifically for the Winchester 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. 664.82, an Ordinance of the County of Riverside Approving Development Agreement No. 1900021, incorporates by reference DA No. 1900021 consistent with Government Code section 65867.5.

Development Agreement No. 1900021 and Conditional Use Permit No. 190033 were submitted to the County of Riverside on October 15, 2019.

Planning Commission

The Conditional Use Permit and Development Agreement went to public hearing for the Planning Commission on April 7, 2021. At that hearing, concerns were noted regarding the height of the wall along the southern boundary to deter people from climbing over the wall onto the adjacent property to the site. The Planning Commission directed the applicant and staff to include a condition of approval and update plans as appropriate for a minimum height of six

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

feet. The applicant has updated the project plans and a condition of approval is in the attachments that reflect this request from the Planning Commission.

On April 7, 2021, the Planning Commission voted 4-0 (Commissioner Leonard recused himself) in favor of recommending approval to the Board of Supervisors.

*City of Hemet Comments*

Following the Planning Commission hearing on the project, staff received comments from the City of Hemet as attached. As a follow up to the comment letter, County staff discussed the comments with City of Hemet staff and what their concerns and request would be. Although their overall position is opposed to the project, their request would be to provide clarity on the project implementing certain operational requirements for cannabis retail facilities based on the City of Hemet's recently adopted requirements for cannabis retail facilities. Additionally, the City requested clarification of what would occur with the Conditional Use Permit and Development Agreement if the property is annexed to the City.

In the event the subject site is annexed into the City of Hemet, Development Agreement No. 1900021 (DA) shall survive and be binding on the City of Hemet as provided in Section 7.1 of the DA. The holders of the development agreement and the City of Hemet would have the same rights and obligations with respect to each other as if the property had remained in the unincorporated area of Riverside County. Additionally, the validity and effect of the DA is governed by Government Code section 65865.3, which allows a city to modify or suspend provisions of a development agreement if it finds that failure to do so would place residents in a condition dangerous to their health or safety, or both. Such an action by the City to modify or suspend provisions of a development agreement could potentially include application of City requirements for operation of a cannabis retail facility.

To support this direction and understanding for the purposes of the City of Hemet and the project applicant, the below text is proposed for consideration by the Board of Supervisors within the Advisory Notification Document.

In the event the subject site is annexed into the City of Hemet, Development Agreement No. 1900021 (DA) shall survive and be binding on the City of Hemet as provided in Section 7.1 of the DA. Additionally, the validity and effect of the DA shall be governed by Government Code section 65865.3, as may be amended.

**Impact on Residents and Businesses**

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and at the Planning Commission Hearing.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

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

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

**ATTACHMENTS:**

- A. **PLANNING COMMISSION MINUTES**
- B. **PLANNING COMMISSION MEMO**
- C. **PLANNING COMMISSION STAFF REPORT**
- D. **CONDITIONAL USE PERMIT NO. 190033 EXHIBITS**
- E. **ORDINANCE NO. 664.82**
- F. **DEVELOPMENT AGREEMENT NO. 1900021**
- G. **CITY OF HEMET LETTER**

  
\_\_\_\_\_  
Jason Farin, Principal Management Analyst 9/29/2021

  
\_\_\_\_\_  
Gregory V. Priaplos, Director County Counsel 9/24/2021

COPY

ORDINANCE NO. 664.82

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

APPROVING DEVELOPMENT AGREEMENT NO. 1900021

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

Section 1. Pursuant to Government Code Section 65867.5, Development Agreement No. 1900021, 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. 1900021 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  
August 3, 2021

By:   
Aaron C. Gettis  
Supervising Deputy County Counsel

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



**21.2**  
(MT 15570)

10:00 a.m. being the time set for public hearing on the recommendation from Transportation and Land Management Agency/Planning regarding the Public Hearing on Conditional Use Permit No. 190033, Adopt Ordinance No. 664.82 and Development Agreement No. 1900021 – CEQA EXEMPT – Applicant: Catalyst Hemet, LLC – Third Supervisorial District – Ramona Area – San Jacinto Area Plan: Commercial Retail: (CR) (0.20 – 0.35 FAR) – Location: south of East Florida Avenue/SH-74 and east of Columbia Street – 0.67 Acres – Zoning: Scenic Highway Commercial (C-P-S) – REQUEST: Development Agreement No. 1900021 is associated with the proposed Conditional Use Permit and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 1900021 and Conditional Use Permit No. 190033. The Development Agreement will provide community benefits to the San Jacinto Valley Area and has a term of 10 years. Conditional Use Permit No. 190033 is a proposal to utilize an existing building to establish and operate a 4,080 square foot cannabis retail facility with delivery on an 0.67-acre lot with parking and landscaping. – APN: 438-230-042, District 3.

On motion of Supervisor Washington, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, August 24, 2021, at 10:00 a.m. or as soon as possible thereafter.

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on August 17, 2021 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: August 17, 2021  
Kecia R. Harper, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: [Signature] Deputy

AGENDA NO.  
21.2

xc: Planning, COB



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



**ITEM: 21.2  
(ID # 15570)**

**MEETING DATE:**  
Tuesday, August 17, 2021

**FROM :** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on Conditional Use Permit No. 190033, Adopt Ordinance No. 664.82 and Development Agreement No. 1900021 – CEQA EXEMPT – Applicant: Catalyst Hemet, LLC – Third Supervisorial District – Ramona Area – San Jacinto Area Plan: Commercial Retail: (CR) (0.20 – 0.35 FAR) – Location: south of East Florida Avenue/SH-74 and east of Columbia Street – 0.67 Acres – Zoning: Scenic Highway Commercial (C-P-S) – REQUEST: Development Agreement No. 1900021 is associated with the proposed Conditional Use Permit and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 1900021 and Conditional Use Permit No. 190033. The Development Agreement will provide community benefits to the San Jacinto Valley Area and has a term of 10 years.. Conditional Use Permit No. 190033 is a proposal to utilize an existing building to establish and operate a 4,080 square foot cannabis retail facility with delivery on an 0.67-acre lot with parking and landscaping. – APN: 438-230-042. District 3. [Applicant Funds 100%] (Item is requested to continue to the August 24, 2021 BOS Meeting)

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

1. **CONTINUE** to **August 24, 2021** to provide additional time to finalize signatures on the Development Agreement.

**ACTION:Policy**

  
John Hildebrand, Planning Director 8/9/2021

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

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

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

**BACKGROUND:**

Project Details

The proposed project will occupy an approximately 4,080 square-foot tenant space to be used as a storefront for a retail cannabis business within an existing building on a 0.67 acre lot with parking and landscaping. The project includes thirty seven (37) off-street parking spaces which consists of thirty four (34) standard parking spaces, and three (3) accessible parking spaces, exceeding the off-street requirement for retail cannabis at 1 stall per 200 square-feet that requires a minimum of twenty one (21) parking spaces pursuant to Ordinance No. 348 Section 18.12. The site also includes a trash enclosure at the southeast corner of the property. Furthermore, landscaping and internal walkways are existing throughout the site. The property is accessed from Columbia Street and Florida Avenue/SH-74.

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As part of the approval process for cannabis retail facilities, a development agreement between the County of Riverside and the applicant was applied for under Development Agreement No. 1900021 ("DA1900021").

General Plan Consistency

The project site has a General Plan Foundation Component of Community Development (CD) and Land Use Designation of Commercial Retail (CR). The Community Development General

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

Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this General Plan 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 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.

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Zoning Consistency

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The project site includes a proposed landscape plan in accordance with the County of Riverside Ordinance No. 348 and Ordinance No. 859.

Development Agreement

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Development Agreement No. 1900021 requires the applicant to make the following payments:

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

- 1) An initial deposit-based fee of \$5,000 for annual inspections and the administration of the development agreement program.
- 2) A baseline Public Benefits payment of \$73,440.00, 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 \$165,000.00, which will increase 3% per year for the initial 5 years of the DA and then 4% for the remaining term of the DA. This payment shall be held by TLMA in an account specifically for the Winchester 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. 664.82, an Ordinance of the County of Riverside Approving Development Agreement No. 1900021, incorporates by reference DA No. 1900021 consistent with Government Code section 65867.5.

Development Agreement No. 1900021 and Conditional Use Permit No. 190033 were submitted to the County of Riverside on October 15, 2019.

*Planning Commission*

The Conditional Use Permit and Development Agreement went to public hearing for the Planning Commission on April 7, 2021. At that hearing, concerns were noted regarding the height of the wall along the southern boundary to deter people from climbing over the wall onto the adjacent property to the site. The Planning Commission directed the applicant and staff to include a condition of approval and update plans as appropriate for a minimum height of six feet. The applicant has updated the project plans and a condition of approval is in the attachments that reflect this request from the Planning Commission.

On April 7, 2021, the Planning Commission voted 4-0 (Commissioner Leonard recused himself) in favor of recommending approval to the Board of Supervisors.

*City of Hemet Comments*

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

Following the Planning Commission hearing on the project, staff received comments from the City of Hemet as attached. As a follow up to the comment letter, County staff discussed the comments with City of Hemet staff and what their concerns and request would be. Although their overall position is opposed to the project, their request would be to provide clarity on the project implementing certain operational requirements for cannabis retail facilities based on the City of Hemet's recently adopted requirements for cannabis retail facilities. Additionally, the City requested clarification of what would occur with the Conditional Use Permit and Development Agreement if the property is annexed to the City.

In the event the subject site is annexed into the City of Hemet, Development Agreement No. 1900021 (DA) shall survive and be binding on the City of Hemet as provided in Section 7.1 of the DA. The holders of the development agreement and the City of Hemet would have the same rights and obligations with respect to each other as if the property had remained in the unincorporated area of Riverside County. Additionally, the validity and effect of the DA is governed by Government Code section 65865.3, which allows a city to modify or suspend provisions of a development agreement if it finds that failure to do so would place residents in a condition dangerous to their health or safety, or both. Such an action by the City to modify or suspend provisions of a development agreement could potentially include application of City requirements for operation of a cannabis retail facility.

To support this direction and understanding for the purposes of the City of Hemet and the project applicant, the below text is proposed for consideration by the Board of Supervisors within the Advisory Notification Document.

In the event the subject site is annexed into the City of Hemet, Development Agreement No. 1900021 (DA) shall survive and be binding on the City of Hemet as provided in Section 7.1 of the DA. Additionally, the validity and effect of the DA shall be governed by Government Code section 65865.3, as may be amended.

**Impact on Residents and Businesses**

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and at the Planning Commission Hearing.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

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

**ATTACHMENTS:**

**A. PLANNING COMMISSION MINUTES**

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

- B. PLANNING COMMISSION MEMO**
- C. PLANNING COMMISSION STAFF REPORT**
- D. CONDITIONAL USE PERMIT NO. 190033 EXHIBITS**



Jason Farin, Principal Management Analyst 8/10/2021



Gregory V. Priamos, Director County Counsel 8/5/2021

Steven P. Graham  
sgraham@colehuber.com

REPLY TO:  
 ROSEVILLE  ONTARIO

June 29, 2021

VIA E-MAIL AND U.S. MAIL  
cob@rivco.org

Clerk of the Board  
4080 Lemon Street  
Riverside, California 92501

Re: CONDITIONAL USE PERMIT NO. 190033 and DEVELOPMENT  
AGREEMENT NO. 1900021

Members of the Board of Supervisors:

My office serves as the City Attorney for the City of Hemet. I am writing at the direction of the Hemet City Council to request that the Riverside County Board of Supervisors delay approval of the above-referenced project and remand the project back to the Riverside County Planning Commission for further consideration. The above-referenced project is located at the south-east corner of Florida Ave. and Columbia Ave., directly on the border with the City of Hemet in two directions, is within the City's Sphere of Influence (SOI), and is within a Disadvantaged Unincorporated Community (identified as DUC-5) within that SOI.

The City of Hemet has recently enacted a local ordinance concerning the permitting and regulation of cannabis businesses that has locational and zoning requirements, operational requirements, and community benefit obligations of cannabis businesses within the City's jurisdiction. The City Council believes it would be prudent to ensure the above-referenced project and any future projects concerning cannabis business activities within the City's SOI are reviewed for consistency with the recently enacted City regulations, especially considering the County's existing regulations authorize the issuance of land-use entitlements that may continue in force following potential future annexation of the project area into the City of Hemet's jurisdiction.

Sincerely,



Steven P. Graham  
COLE HUBER LLP

cc: Christopher Lopez, City Manager

8/17/21 21.2

Russell Brady

**Boydd, April**

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**From:** Steven Graham <sgraham@colehuber.com>  
**Sent:** Tuesday, June 29, 2021 12:17 PM  
**To:** COB  
**Cc:** Christopher Lopez  
**Subject:** CONDITIONAL USE PERMIT NO. 190033 and DEVELOPMENT AGREEMENT NO. 1900021  
**Attachments:** CUP 190033 DA 1900021.pdf

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

Please include this letter as part of the comments on this upcoming project before the Board of Supervisors.

Steven P. Graham, Partner



3401 Centrelake Drive, Suite 670  
Ontario, California 91761  
(909) 230-4209  
Website: [www.colehuber.com](http://www.colehuber.com)  
Email: [sgraham@colehuber.com](mailto:sgraham@colehuber.com)

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RIVERSIDE COUNTY  
PLANNING DEPARTMENT

John Hildebrand  
Planning Director

CUP190033  
(renoticed)  
46

RECEIVED RIVERSIDE COUNTY  
CLERK/BOARD OF SUPERVISORS  
2021 SEP 21 PM 4:14

Hearing Date: October 5, 2021

To: Clerk of the Board of Supervisors

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

MinuteTraq #: 17225

Project Description:

TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on Conditional Use Permit No. 190033, Adopt Ordinance No. 664.82 and Development Agreement No. 1900021 – CEQA EXEMPT – Applicant: Catalyst Hemet, LLC – Third Supervisorial District – Ramona Area – San Jacinto Area Plan: Commercial Retail: (CR) (0.20 – 0.35 FAR) – Location: south of East Florida Avenue/SH-74 and east of Columbia Street – 0.67 Acres – Zoning: Scenic Highway Commercial (C-P-S) – REQUEST: Development Agreement No. 1900021 is associated with the proposed Conditional Use Permit and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 1900021 and Conditional Use Permit No. 190033. The Development Agreement will provide community benefits to the San Jacinto Valley Area and has a term of 10 years.. Conditional Use Permit No. 190033 is a proposal to utilize an existing building to establish and operate a 4,080 square foot cannabis retail facility with delivery on an 0.67-acre lot with parking and landscaping. – APN: 438-230-042. District 3

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

- Place on Administrative Action
  - Receive & File
  - EOT
- Labels provided If Set For Hearing
  - 10 Day  20 Day  30 day
- Place on Consent Calendar
- Place on Policy Calendar (Resolutions; Ordinances; PNC)
- Place on Section Initiation Proceeding (GPIP)
- Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
- Publish in Newspaper: (3rd 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:  
(3rd Dist) Press Enterprise

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

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

10/5/21  
1km 21.3

"Planning Our Future... Preserving Our Past"

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



**ITEM:**  
(ID # 17225)

**MEETING DATE:**  
Tuesday, October 05, 2021

**FROM :** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on Conditional Use Permit No. 190033, Adopt Ordinance No. 664.82 and Development Agreement No. 1900021 – CEQA EXEMPT – Applicant: Catalyst Hemet, LLC – Third Supervisorial District – Ramona Area – San Jacinto Area Plan: Commercial Retail: (CR) (0.20 – 0.35 FAR) – Location: south of East Florida Avenue/SH-74 and east of Columbia Street – 0.67 Acres – Zoning: Scenic Highway Commercial (C-P-S) – REQUEST: Development Agreement No. 1900021 is associated with the proposed Conditional Use Permit and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 1900021 and Conditional Use Permit No. 190033. The Development Agreement will provide community benefits to the San Jacinto Valley Area and has a term of 10 years.. Conditional Use Permit No. 190033 is a proposal to utilize an existing building to establish and operate a 4,080 square foot cannabis retail facility with delivery on an 0.67-acre lot with parking and landscaping. – APN: 438-230-042. District 3 [100% Applicant Funds] (Continued from August 17, 2021, MT#15570 and September 14, 2021, MT#16981)

**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. 190033**, subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report, subject to adoption of Ordinance No. 664.82; and
3. **INTRODUCE, READ TITLE and WAIVE FURTHER READING OF, and ADOPT** on successive weeks **ORDINANCE NO. 664.82** an ordinance of the County of Riverside approving Development Agreement No. 1900021, based upon the findings in the staff report.

**ACTION:Policy**

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

**MINUTES OF THE BOARD OF SUPERVISORS**

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

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

**C.E.O. RECOMMENDATION:** [CEO use]

**BACKGROUND:**

Project Details

The proposed project will occupy an approximately 4,080 square-foot tenant space to be used as a storefront for a retail cannabis business within an existing building on a 0.67 acre lot with parking and landscaping. The project includes thirty seven (37) off-street parking spaces which consists of thirty four (34) standard parking spaces, and three (3) accessible parking spaces, exceeding the off-street requirement for retail cannabis at 1 stall per 200 square-feet that requires a minimum of twenty one (21) parking spaces pursuant to Ordinance No. 348 Section 18.12. The site also includes a trash enclosure at the southeast corner of the property. Furthermore, landscaping and internal walkways are existing throughout the site. The property is accessed from Columbia Street and Florida Avenue/SH-74.

The existing structure is a single story 9,505 square foot commercial building with multiple tenant spaces in it. The structure has a flat roof with stucco siding, stone veneer finish and glass doors and windows.

The interior of the proposed suite area consists of areas for retail sales, reception and waiting area, and other spaces that include restrooms, break room, and storage area.

The business will operate between the hours of 6am to 10pm daily in accordance with the County of Riverside Ordinance No. 348 Section 19.505 (I). Deliveries will operate daily during normal business hours, seven days per week.

As part of the approval process for cannabis retail facilities, a development agreement between the County of Riverside and the applicant was applied for under Development Agreement No. 1900021 ("DA1900021").

General Plan Consistency

The project site has a General Plan Foundation Component of Community Development (CD) and Land Use Designation of Commercial Retail (CR). The Community Development General

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

Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this General Plan 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 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.

The Commercial Retail (CR) land use designation provides for the emphasis on general uses such as grocery stores, drug stores, and other retail outlets at a neighborhood, community, and regional level. 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 is currently zoned Scenic Highway Commercial (C-P-S). Pursuant to Ordinance No. 348, Article XIXh, Section 19.518, Cannabis Retailers are allowed in the C-P-S Zone with an approved conditional use permit. The applicant has submitted this CUP application to ensure compliance with all applicable development standards and regulations. As further described in the findings section, the project meets all the applicable development standards for the C-P-S Zone and those set forth in Section 19.519 of Ordinance No. 348, including design, height, setbacks, and parking requirements.

The project site includes a proposed landscape plan in accordance with the County of Riverside Ordinance No. 348 and Ordinance No. 859.

Development Agreement

The applicant has proposed entering into the attached Development Agreement No. 1900021 (DA) with the County for the Project. The DA is consistent with the General Plan and with Board Policy B-9. Additionally, the Advisory Notification Document, Conditions of Approval, and entitlement approvals are incorporated in the exhibits of the DA and will ensure that the Project is developed in a way that would not conflict with the public's health, safety, or general welfare. The DA has a term of 10 years (with the option for a 5-year extension subject to mutual approval) and will grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. In exchange, the DA provides certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, which will be used for additional public safety services, infrastructure improvements or community enhancement programs.

Development Agreement No. 1900021 requires the applicant to make the following payments:

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

- 1) An initial deposit-based fee of \$5,000 for annual inspections and the administration of the development agreement program.
- 2) A baseline Public Benefits payment of \$73,440.00, 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 \$165,000.00, which will increase 3% per year for the initial 5 years of the DA and then 4% for the remaining term of the DA. This payment shall be held by TLMA in an account specifically for the Winchester 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. 664.82, an Ordinance of the County of Riverside Approving Development Agreement No. 1900021, incorporates by reference DA No. 1900021 consistent with Government Code section 65867.5.

Development Agreement No. 1900021 and Conditional Use Permit No. 190033 were submitted to the County of Riverside on October 15, 2019.

Planning Commission

The Conditional Use Permit and Development Agreement went to public hearing for the Planning Commission on April 7, 2021. At that hearing, concerns were noted regarding the height of the wall along the southern boundary to deter people from climbing over the wall onto the adjacent property to the site. The Planning Commission directed the applicant and staff to include a condition of approval and update plans as appropriate for a minimum height of six feet. The applicant has updated the project plans and a condition of approval is in the attachments that reflect this request from the Planning Commission.

On April 7, 2021, the Planning Commission voted 4-0 (Commissioner Leonard recused himself) in favor of recommending approval to the Board of Supervisors.

City of Hemet Comments

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

Following the Planning Commission hearing on the project, staff received comments from the City of Hemet as attached. As a follow up to the comment letter, County staff discussed the comments with City of Hemet staff and what their concerns and request would be. Although their overall position is opposed to the project, their request would be to provide clarity on the project implementing certain operational requirements for cannabis retail facilities based on the City of Hemet's recently adopted requirements for cannabis retail facilities. Additionally, the City requested clarification of what would occur with the Conditional Use Permit and Development Agreement if the property is annexed to the City.

In the event the subject site is annexed into the City of Hemet, Development Agreement No. 1900021 (DA) shall survive and be binding on the City of Hemet as provided in Section 7.1 of the DA. The holders of the development agreement and the City of Hemet would have the same rights and obligations with respect to each other as if the property had remained in the unincorporated area of Riverside County. Additionally, the validity and effect of the DA is governed by Government Code section 65865.3, which allows a city to modify or suspend provisions of a development agreement if it finds that failure to do so would place residents in a condition dangerous to their health or safety, or both. Such an action by the City to modify or suspend provisions of a development agreement could potentially include application of City requirements for operation of a cannabis retail facility.

To support this direction and understanding for the purposes of the City of Hemet and the project applicant, the below text is proposed for consideration by the Board of Supervisors within the Advisory Notification Document.

In the event the subject site is annexed into the City of Hemet, Development Agreement No. 1900021 (DA) shall survive and be binding on the City of Hemet as provided in Section 7.1 of the DA. Additionally, the validity and effect of the DA shall be governed by Government Code section 65865.3, as may be amended.

**Impact on Residents and Businesses**

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and at the Planning Commission Hearing.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

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

**ATTACHMENTS:**

**A. PLANNING COMMISSION MINUTES**

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

- B. PLANNING COMMISSION MEMO**
- C. PLANNING COMMISSION STAFF REPORT**
- D. CONDITIONAL USE PERMIT NO. 190033 EXHIBITS**
- E. ORDINANCE NO. 664.82**
- F. DEVELOPMENT AGREEMENT NO. 1900021**



**PROPERTY OWNERS CERTIFICATION FORM**

I,           VINNIE NGUYEN           certify that on           February 25, 2021          

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

APN (s) or case numbers           CUP190033           for

Company or Individual's Name           RCIT - GIS          ,

Distance buffered           600'          

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

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

TITLE:           GIS Analyst          

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

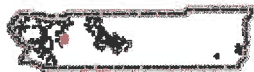
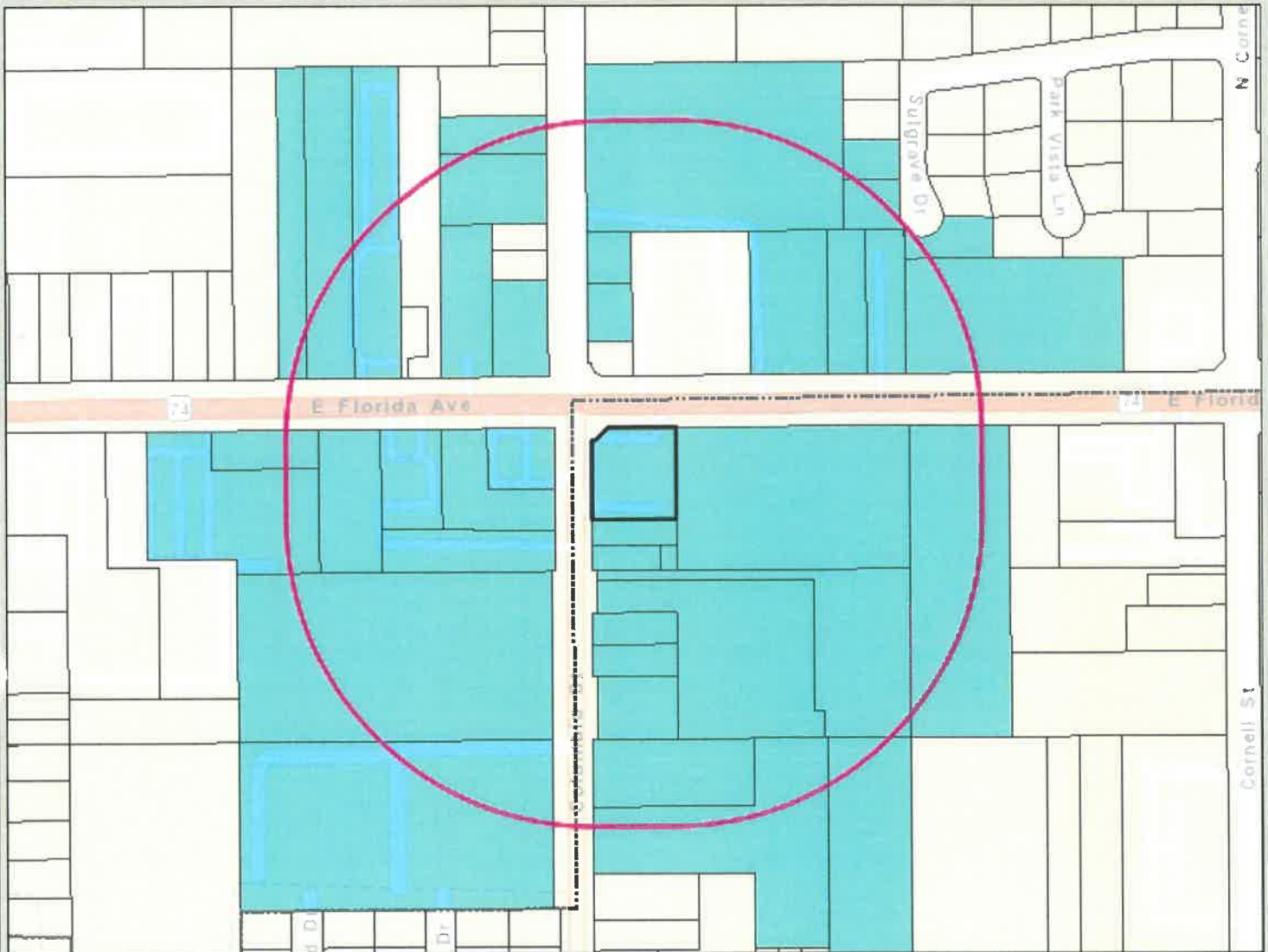
          Riverside, Ca. 92502          

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

*planning 10/5/21 item 21-3*

# Riverside County GIS Mailing Labels

CUP190033 (600 feet buffer )



### 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... 2/24/2021 10:51:23 AM

© Riverside County RCIT

Dianning 10/5/21 Item 21-3

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

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, October 5, 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. 190033 (CUP190033) and Development Agreement No. 1900021.** Conditional Use Permit No. 190033 is a proposal to utilize an existing building to establish and operate a 4,080 square foot cannabis retail facility with delivery on an 0.67-acre lot with parking and landscaping. Development Agreement No. 1900021 is associated with the proposed Conditional Use Permit and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 1900021 and Conditional Use Permit No. 190033. The Development Agreement will provide community benefits to the San Jacinto Valley Area and has a term of 10 years. The project is located south of East Florida Avenue/SH-74 and east of Columbia Street in the Third 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 **Conditional Use Permit No. 190033**; introduce, read title, and waive further reading of, and adopt on successive weeks **Ordinance No. 664.82** approving **Development Agreement No. 1900021.**

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

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RUSSELL BRADY, PRICIPAL PLANNER, AT (951) 955-3025 OR EMAIL [RBRADY@RIVCO.ORG](mailto:RBRADY@RIVCO.ORG).

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

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: September 21, 2021

Kecia Harper, Clerk of the Board  
By: Zuly Martinez, Board Assistant

# THE PRESS-ENTERPRISE

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

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

Publication(s): The Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: NOTICE OF PUBLIC HEARING: CUP190033, DA1900021

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:

09/25/2021

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

Date: September 25, 2021  
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

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

Ad Number: 0011490280-01

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 SAN JACINTO AREA PLAN, THIRD SUPERVISORIAL DISTRICT

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

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RUSSELL BRADY, PRINCIPAL PLANNER, AT (951) 955-3025 OR EMAIL RBRADY@RIVCO.ORG.

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

Dated: September 21, 2021

Kecia Harper, Clerk of the Board  
By: Zuly Martinez, Board Assistant  
Press-Enterprise: 9/25

TUMA - Planning

Item 21-3

October 5, 2021

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

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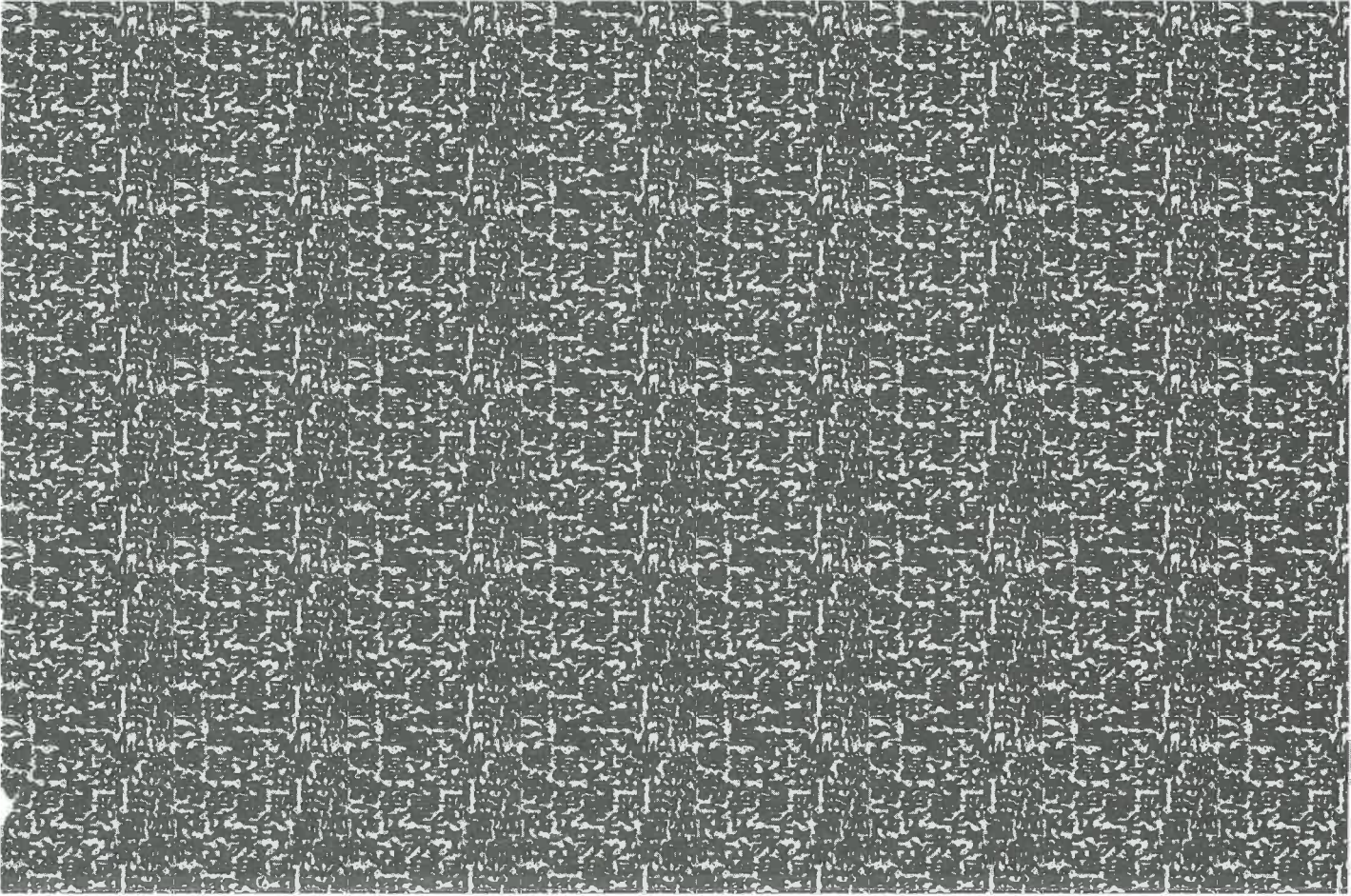
Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147.

Dated: September 21, 2021

Kecia Harper, Clerk of the Board

By: Zuly Martinez, Board Assistant

Planning 10/5/21 item 21.3



Riverside County Clerk of the Board  
County Administrative Center  
4080 Lemon Street, 1<sup>st</sup> Floor Annex  
P. O. Box 1147  
Riverside, CA 92502-1147

PRESORTED  
FIRST CLASS



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**PUBLIC HEARING NOTICE**  
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2021 OCT -4 AM 11:13

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RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

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BC: 92502114747 \*0508-07762-24-0

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE SAN JACINTO AREA PLAN, THIRD SUPERVISORIAL DISTRICT.**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, August 17, 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. 190033 (CUP190033) and Development Agreement No. 1900021**. The Conditional Use Permit proposes to utilize an existing building to establish and operate a 4,080 square foot cannabis retail facility with delivery on an 0.67-acre lot with parking and landscaping. Development Agreement No. 1900021 is associated with the proposed Conditional Use Permit and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 1900021 and Conditional Use Permit No. 190033. The Development Agreement will provide community benefits to the San Jacinto Valley Area and has a term of 10 years. The project is located south of East Florida Avenue/SH-74 and east of Columbia Street in the Third 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 **Conditional Use Permit No. 190033**; introduce, read title, and waive further reading of, and adopt on successive weeks **Ordinance No. 664.82** approving **DA1900021**.

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

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RUSSELL BRADY, PRICIPAL PLANNER, AT (951) 955-3025 OR EMAIL [RBRADY@RIVCO.ORG](mailto:RBRADY@RIVCO.ORG).

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

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: August 7, 2021

Kecia Harper, Clerk of the Board  
By: Zuly Martinez, Board Assistant

planning 10/5/21 item 21.3

REGISTERED MAIL  
FIRST CLASS PERMIT NO. 10000  
RIVERSIDE CA 92502



Riverside County Clerk of the Board  
County Administrative Center  
4080 Lemon Street, 1<sup>st</sup> Floor Annex  
P. O. Box 1147  
Riverside, CA 92502-1147

PRESORTED  
FIRST CLASS



U.S. POSTAGE PITNEY BOWES

ZIP 92504 \$ 000.4  
02 4W  
0000348272 AUG 05 2021

**PUBLIC HEARING NOTICE**  
*This may affect your property*

445290005  
DGVM V34 INC  
40931 E FLORIDA AVE  
HEMET CA 92544

RECEIVED RIVERSIDE COUNTY  
CLERK / BOARD OF SUPERVISORS  
2021 AUG 13 AM 9:38

NIXIE 911 DE 1 0008/11/21

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

PO BOX 1147 RIVERSIDE CA 92502



RIVERSIDE COUNTY  
CLERK / BOARD OF SUPERVISORS

2021 OCT 14 AM 10:40

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

Receipt #: 21-456410

State Clearinghouse # (if applicable): \_\_\_\_\_

Lead Agency: CLERK OF THE BOARD OF SUPERVISORS Date: 09/22/2021

County Agency of Filing: RIVERSIDE Document No: E-202101002

Project Title: NOTICE OF PUBLIC HEARING CUP 190033 AND DEV. AGREEMENT 1900021

Project Applicant Name: CLERK OF THE BOARD OF SUPERVISORS Phone Number: 951 955-1069 ZULY

Project Applicant Address: 4080 LEMON STREET 1ST FLOOR, 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 \_\_\_\_\_ \$0.00
  - Project that is exempt from fees (DFG No Effect Determination (Form Attached))
  - Project that is exempt from fees (Notice of Exemption)
- Total Received** \_\_\_\_\_ **\$0.00**

Signature and title of person receiving payment: *U. Sandral* Deputy

Notes:

10/5/21 21.3  
2021-2-151569



Lead Agency: CLERK OF THE BOARD OF SUPERVISORS  
ATTN: ZULY MARTINEZ  
Address: 4080 LEMON STEET, 1ST FL  
RIVERSIDE, CA. 92502

**FILED / POSTED**

County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder

E-202101002  
09/22/2021 11:46 AM Fee: \$ 0 00  
Page 1 of 2

Removed 10/2/21 By: *Lizbeth Saury* Deputy



(SPACE FOR CLERK'S USE)

### Project Title

NOTICE OF PUBLIC HEARING - CONDITIONAL USE PERMIT 190033 AND  
DEVELOPMENT AGREEMENT NO. 1900021

### 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 SAN JACINTO AREA PLAN, THIRD SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, October 5, 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. 190033 (CUP190033) and Development Agreement No. 1900021.** Conditional Use Permit No. 190033 is a proposal to utilize an existing building to establish and operate a 4,080 square foot cannabis retail facility with delivery on an 0.67-acre lot with parking and landscaping. Development Agreement No. 1900021 is associated with the proposed Conditional Use Permit and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 1900021 and Conditional Use Permit No. 190033. The Development Agreement will provide community benefits to the San Jacinto Valley Area and has a term of 10 years. The project is located south of East Florida Avenue/SH-74 and east of Columbia Street in the Third 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 **Conditional Use Permit No. 190033**; introduce, read title, and waive further reading of, and adopt on successive weeks **Ordinance No. 664.82** approving **Development Agreement No. 1900021.**

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

**FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RUSSELL BRADY, PRICIPAL PLANNER, AT (951) 955-3025 OR EMAIL [RBRADY@RIVCO.ORG](mailto:RBRADY@RIVCO.ORG).**

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If you challenge the above item in court, you may be limited to raising ~~only those issues~~ <sup>only those issues</sup> ~~or someone else~~ <sup>or someone else</sup> raised at the public hearing described in this notice, or in written ~~correspondence to the Board of Supervisors~~ <sup>correspondence to the Board of Supervisors</sup> at ~~or prior to~~ <sup>or prior to</sup> the public hearing. ~~We~~ <sup>We</sup> advised that as a result of the public hearing and the ~~consideration~~ <sup>consideration</sup> 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.

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

Dated: September 21, 2021

Kecia Harper, Clerk of the Board  
By: Zuly Martinez, Board Assistant