

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



ITEM: 21.1
(ID # 17405)

MEETING DATE:

Tuesday, November 16, 2021

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on Conditional Use Permit No. 200045, Development Agreement No. 2000023, and Ordinance No. 664.87 – CEQA EXEMPT – Applicant: Brook Duquesnel – Engineer/Representative: Sam Pakbaz – Second Supervisorial District – East Corona Zoning District – Temescal Canyon Area Plan: Community Development: Light Industrial: (CD-LI) (0.20 – 0.60 FAR) – Location: 13445 Estelle Street, Corona – 1.69 Acres – Zoning: Manufacturing - Service Commercial (M-SC) – REQUEST: Conditional Use Permit No. 200045 proposes to authorize commercial cannabis activity within 33,900 sq. ft. of a 36,450 sq. ft. industrial building to include Indoor Cannabis Cultivation, a Cannabis Retailer Storefront with deliveries and Cannabis Distribution Facilities with parking, landscaping and other improvements, and to demolish interior mezzanine area and an outdoor enclosure. Ordinance No. 664.87 approving Development Agreement No. 2000023 will impose a 10 year lifespan on the proposed cannabis project and grant the applicant vesting rights to develop the project in accordance with the terms of Development Agreement No. 2000023 and Conditional Use Permit No. 200045, and provide community benefits to the East Corona, Home Gardens area. APNs: 115-300-028, 115-300-029. District 2. [Applicant Funds 100%]

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 15301 (Existing Facilities) and Section 15061 (b)(3) (Common Sense Exemption) based on the findings and conclusions in the staff report;

Continued on page 2

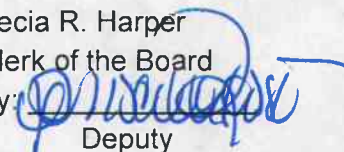
ACTION:Policy


John Hildebrand, Planning Director 10/14/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried, 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: Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: Jeffries
Date: November 16, 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. 200045**, subject to the attached Advisory Notification Document, Conditions of Approval, based upon the findings and conclusions provided in the staff report; and subject to adoption of Ordinance No. 664.87; and
3. **INTRODUCE, READ TITLE, WAIVE FURTHER READING OF, and ADOPT** on successive weeks **ORDINANCE No. 664.87**, an Ordinance of the County of Riverside approving Development Agreement No. 2000023, based upon the findings in the staff report.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant Funded 100%			Budget Adjustment: N/A	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

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

Project Details

Conditional Use Permit No. 200045 is a proposal to operate Commercial Cannabis Activity by Brook Duquesnel of Golden Hights within 33,900 square feet of an existing 36,450 square foot light industrial building, where an unpermitted 2,550 square foot mezzanine and an unpermitted 1,360 square foot outdoor enclosure are proposed to be removed. Golden Hights proposes a Medium Indoor Cannabis Cultivation up to 22,000 square foot in Canopy size area with 2,770 square feet of associated Cannabis Cultivation facility area, a 3,610 square foot Cannabis Retailer and Cannabis Distribution Facilities and related storage of 5,520 square feet in area for a total of 33,900 square feet maximum of Commercial Cannabis Activities. The project site is currently vacant and most recently occupied by a paper products business. Associated site work would include 55 off-street vehicle parking spaces, landscaping, and signage for the proposed new Commercial Cannabis Activities.

The proposed Cannabis Retailer would operate between the hours of 6:00 A.M. to 10:00 P.M. daily in compliance with the County of Riverside Ordinance No. 348 Section 19.505.K. The operator proposes to allow entrance to only customers 21 years of age and older with at least one licensed, certified protection professional security guard verifying valid proof of identification. Security is also proposed to be on site 24-hours a day and within the retail area

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during business hours. The storefront would be established first on the site along with the proposed façade, parking area and landscaping improvements.

The proposed Cannabis Distribution Facilities would be a later phase of the project, separate from the storefront and not open to the public. At least three (3) employees are anticipated with security personnel.

The applicant also proposes to implement the project phases to include Indoor Cannabis Cultivation operation to be licensed as Medium Indoor Cannabis Cultivation. The Medium Indoor Cannabis Cultivation would have a canopy size of no more than 22,000 square feet and 2,770 square feet of associated storage. At least eight (8) employees are anticipated with security personnel.

The parking ratio of 1 space/200 square feet of gross floor area equals 18 parking spaces as a requirement for the proposed Cannabis Retail Facility and a minimum of eight (8) spaces for the anticipated employees. A total of 26 spaces used for off-street vehicle parking and four bicycle parking spaces could be accommodated on site. The proposed number of 55 spaces exceeds the off-street vehicle parking space requirement. Three (3) accessible parking spaces and two (2) new electric vehicle (EV) parking and charging spaces would be included, meeting the standards set forth in Section 18.12.C of Ordinance No. 348.

As part of the approval process for a Commercial Cannabis Activities, a development agreement between the County of Riverside and the applicant was applied for under Development Agreement No. 2000023 ("DA2000023").

General Plan Consistency

The project site has a General Plan Foundation Component of Community Development (CD) and a Land Use Designation of Light Industrial (LI). The Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of lifestyles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the RCIP Vision, such as mobility, open space, and air quality goals.

The LI land use designation provides for a wide variety of industrial and related uses, including light manufacturing, warehousing and distribution, other service facilities and supporting retail uses. The project is consistent with the Community Development General Plan Foundation Component and Light Industrial Land Use Designation as it would provide community services and job opportunities within the surrounding community.

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Zoning Consistency

The project site is zoned for Manufacturing – Service Commercial (M-SC) uses. Pursuant to Ordinance No. 348, Article XIXh, Sections No. 19.511, 19.518 and 19.520, Medium Indoor Cannabis Cultivation, Cannabis Retailers and Cannabis Distribution Facilities are allowed in the M-SC Zone with an approved conditional use permit. Medium Indoor Cannabis Cultivation is permitted in the M-SC zone on lots one gross acre or more with an approved conditional use permit and this project site meets the requirement. Medium Indoor Cannabis Cultivation includes the following size limitations: the canopy size of a single lot for Medium Indoor Cannabis Cultivation shall not exceed 22,000 square feet and this project meets the requirement. The applicant has submitted this CUP application to ensure compliance with all applicable development standards and regulations. The project proposed to meet all the applicable development standards for the M-SC Zone and those set forth in Sections No. 19.511, 19.519, and 19.521 of Ordinance No. 348, including design, height, setbacks, and parking requirements.

Development Agreement

With the attached DA2000023, the applicant has proposed covenanting with the County for the Project. DA2000023 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 DA2000023 and will ensure that the Project is developed in a way that would not conflict with the public's health, safety or general welfare. DA2000023 proposes a term of 10 years (with the option for a 5-year extension subject to mutual approval) and would grant the applicant vesting rights to develop the Project in accordance with its terms. In exchange, DA2000023 would provide certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, which would be used for additional public safety services, infrastructure improvements or community enhancement programs.

DA2000023 requires the applicant to make the following payments:

- 1) Initial public benefit payments of \$492,775.00 in three separate installments.
- 2) A baseline Public Benefits payment of \$217,775.00, which will be increased 2% per year.
- 3) An annual Additional Public Benefit payment of \$275,000.00, with an annual increase of 5% for Development Agreement No. 2000023.

Per state law, a development agreement is a legislative act that must be approved by ordinance. The proposed Ordinance No. 664.87, an Ordinance of the County of Riverside

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STATE OF CALIFORNIA**

Approving Development Agreement No. 2000023, incorporates by reference DA2000023 consistent with Government Code section 65867.5.

The applications for Development Agreement No. 2000023 and Conditional Use Permit No. 200045 were submitted to the County of Riverside on November 9, 2020.

On October 6, 2021, the Planning Commission heard public testimony in support of the project and presentations from staff and the applicant. After deliberation the Planning Commission voted 5-0 in favor of recommending approval to the Board of Supervisors.

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**
- B. **PLANNING COMMISSION MEMOS AND PLANNING COMMISSION STAFF REPORT**
- C. **ORDINANCE NO. 664.87**
- D. **DEVELOPMENT AGREEMENT NO. 2000023**



Jason Farin, Principal Management Analyst 11/10/2021



Gregory V. Priamos, Director County Counsel 11/4/2021

ORDINANCE NO. 664.87

COPY

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
APPROVING DEVELOPMENT AGREEMENT NO. 2000023

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

Section 1. Pursuant to Government Code Section 65867.5, Development Agreement No. 2000023, 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. 2000023 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
November 2, 2021

By: 
Michelle Clack
Chief Deputy County Counsel



**PLANNING COMMISSION
MINUTE ORDER
OCTOBER 6, 2021**

I. AGENDA ITEM 3.1

CONDITIONAL USE PERMIT NO. 200032 and DEVELOPMENT AGREEMENT NO. 2000015 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – CEQ200070 – Applicant: Higher Point Cannabis – Second Supervisorial District – West Corona Zoning Area – Temescal Canyon Area Plan; Community Development: Commercial Retail (CD-CR) (0.20 – 0.35 FAR) – Location: Northerly of Frontage Road, southerly of W. 6th Street, and westerly of Paseo Grande – 0.28 Acres – Zoning: General Commercial (C-1/C-P).

II. PROJECT DESCRIPTION:

Conditional Use Permit No. 200032 proposes to use an existing 1,748 sq. ft. building as a cannabis retail storefront location and will include tenant improvements to the existing building and site. Development Agreement No. 2000015 would impose a lifespan on the proposed cannabis project and provide community benefit to the West Corona area. APN's: 102-250-057 and 102-250-059. Continued from August 18, 2021 and September 22, 2021.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Gabriel Villalobos at (951) 955-6184 or email at gvillalo@rivco.org.

Spoke in favor:

Stan Jacobowitz, Applicant's Representative

Spoke in opposition:

Efrain Meraz, Neighbor, 949-545-3278

Joe Cruz, Interested Party, 714-457-7465

No one spoke in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Leonard, 2nd by Commissioner Thornhill

By a vote of 5-0

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

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

TENTATIVELY Approve Development Agreement No. 2000015; and,

APPROVE Conditional Use Permit No. 200032, subject to the conditions of approval as modified at hearing.



**PLANNING COMMISSION
MINUTE ORDER
OCTOBER 6, 2021**

I. AGENDA ITEM 3.2

CONDITIONAL USE PERMIT NO. 190021 and APPROVE PUBLIC CONVENIENCE and NECESSITY FINDINGS

– **Intent to Adopt a Mitigated Negative Declaration** – CEQ190095 – Applicant: ADMG, Inc. c/o Ash Etemadian – Engineer/Representative: Adkan Engineers c/o Mitch Adkison – First Supervisorial District – Woodcrest Zoning District – Lake Mathews/Woodcrest Area Plan: Community Development: Commercial Retail (CD-CR) – Location: Northerly of Van Buren Boulevard, southerly of Iris Avenue, easterly of Chicago Avenue, and westerly of Little Court – 2.84 Acres – Zoning: Scenic Highway Commercial (C-P-S).

II. PROJECT DESCRIPTION:

Conditional Use Permit No. 190021 is a proposal for the development of a gas station on 1.5-acres of a 2.8-acre lot, with the residual 1.3 acres to remain vacant. The scope of the proposal includes a canopied fuel pumping station with 16 fueling positions for vehicles, a 3,800 sq. ft. convenience store, and a 1,692 sq. ft. detached drive-thru carwash. The convenience store would include the sale of beer and wine for off-site consumption and approve the Public Convenience and Necessity Findings. To provide sufficient on-site parking for customers and employees, the project site has provided 29 parking spaces including: two (2) ADA and two (2) electrical vehicle parking spaces, and nine (9) parking spaces with vacuum stations, in front of the drive-thru carwash. Landscaping will be included throughout the site, as well as a retention basin. APN: 266-020-001. Continued from September 22, 2021.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org.

Spoke in favor:

Ash Etemadian, Applicant's Representative
Maria Ruvalcaba, Applicant's Representative
John Thomason, Applicant's Representative
Fred Cohen, Applicant's Representative

Spoke in opposition:

Lisa Hernandez, Interested Party
Sonya Alemdar, Interested Party, 951-892-8897

No one spoke in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Shaffer, 2nd by Commissioner Thornhill

By a vote of 5-0

ADOPTED a Mitigated Negative Declaration for Environmental Assessment No. CEQ190095; and,

APPROVED the Determination of Public Convenience and Necessity; and,

APPROVED Conditional Use Permit No. 190021, subject to the conditions of approval as modified at hearing.



**PLANNING COMMISSION
MINUTE ORDER
OCTOBER 6, 2021**

I. AGENDA ITEM 3.3

CONDITIONAL USE PERMIT NO. 190014 and NOISE ORDINANCE EXCEPTION NO. 2100002 – Intent to Adopt a Mitigated Negative Declaration – CEQ190083 – Owner: Isaac Sloan – Applicant: Aaron Cooke – First Supervisorial District – Mead Valley Area Plan – Rural Mountainous (RM) – Rural Residential (RR) – General Plan Designations – Good Hope Zoning Area – Zoning: Rural Residential (R-R) – Location: Northerly of Ethinac Road, westerly of Highway 74, and southerly of Olive Avenue – 90.56 Acres.

II. PROJECT DESCRIPTION:

This Conditional Use Permit is to permit a Recreational Motocross park consisting of up to five (5) motocross tracks, a retail parts store, a snack bar, garage, an events hall, two (2) pro race shops, a viewing deck, administration building, motorcycle storage, associated parking, ticket booth, bioretention basin, bike wash, five (5) associated parking areas, an R.V. parking area for overnight dry-camping use, bathrooms, and shower area. The motocross project will host local racing events. The project will be built in three (3) phases based on available funds. The existing residence will remain onsite and used as a caretaker unit. The noise ordinance exception proposes to grant an exception to Ordinance No. 847 Section 4. The overall daytime operational noise level is below the daytime noise limit of 65 dBA Leq that is set by the General Plan Noise Element. APN's: 345-020-011 and 345-020-016. Continued from September 22, 2021.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Brett Dawson at (951) 955-0972 or email at bdawson@rivco.org.

Spoke in favor:

Aaron Cooke, Applicant's Representative, Temecula, 92591

No one spoke in opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Shaffer, 2nd by Commissioner Kroencke

By a vote of 5-0

ADOPTED a Mitigated Negative Declaration for Environmental Assessment No. CEQ190083; and,

APPROVED Noise Ordinance Exception No. 2100002; and,

APPROVED Conditional use Permit No. 190014, subject to the conditions of approval.



**PLANNING COMMISSION
MINUTE ORDER
OCTOBER 6, 2021**

I. AGENDA ITEM 3.4

CONDITIONAL USE PERMIT NO. 200045 and DEVELOPMENT AGREEMENT NO. 2000023 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301(l)(3) (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – Applicant: Brook Duquesnel – Location: Second Supervisorial District, East Corona.

II. PROJECT DESCRIPTION:

Approve Conditional Use Permit No. 200045 to authorize commercial cannabis activity within 33,900 sq. ft. of a 36,450 sq. ft. industrial building to include Cannabis Cultivation, a Cannabis Retailer and Cannabis Distribution Facilities with parking, landscaping and other improvements, and to demolish interior mezzanine area and an outdoor enclosure. Tentatively approve Development Agreement No. 2000023 to impose a 10 year lifespan on the proposed cannabis project and provide community benefits to the East Corona, Home Gardens area. APN's: 115-300-028, 115-300-029. Continued from September 22, 2021.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Steven Jones at (951) 955-0314 or email at sjones@rivco.org.

Spoke in favor:

Brook Duquesnel, Applicant, 714-887-7524

Sam Pakbaz, Applicant's Representative

Kendal Moran, Interested Party

Alma Hernandez, Interested Party

Sara Soles, Interested Party

No one spoke in opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Leonard, 2nd by Commissioner Thornhill

By a vote of 5-0

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

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

TENTATIVELY Approve Development Agreement No. 2000023; and,

APPROVE Conditional Use Permit No. 200045, subject to the conditions of approval.



**PLANNING COMMISSION
MINUTE ORDER
OCTOBER 6, 2021**

I. AGENDA ITEM 4.1

CONDITIONAL USE PERMIT NO. 210017 and APPROVE PUBLIC CONVENIENCE and NECESSITY FINDINGS
– **No New Environmental Docs Required** – Applicant: Steve Rawlings – Consultant – Third Supervisorial District
– Anza Area – Riverside Mountain Area Plan: Community Development: Commercial Retail (CD-CR) – Location:
Northerly of State Highway 371, easterly of Contreras Road, and westerly of Hill Street – 8.11 Acres – Zoning: C-
P-S.

II. PROJECT DESCRIPTION:

Conditional Use Permit No. 210017 is a proposal to allow for the sale of beer and wine for off-site consumption (ABC Type 20 license) at a new 9,100 sq. ft. grocery store and consumer goods store and to approve the Public Convenience and Necessity Finding. APN(s): 573-260-006 and 573-260-035.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Calora Boyd at (951) 955-6035 or email at cboyd@rivco.org.

Spoke in favor:

Steve Rawlings, Applicant's Representative, 951-551-5433

No one spoke in opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Thornhill, 2nd by Commissioner Sanchez

By a vote of 5-0

FOUND that No New Environmental Document is Required; and,

APPROVED the Determination of Public Convenience and Necessity; and,

APPROVED Conditional Use Permit No. 210017, subject to the conditions of approval.



**PLANNING COMMISSION HEARING
REPORT OF ACTIONS
OCTOBER 6, 2021**

1.0 CONSENT CALENDAR

NONE

2.0 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS

NONE

3.0 PUBLIC HEARINGS – CONTINUED ITEMS:

3.1 CONDITIONAL USE PERMIT NO. 200032 and DEVELOPMENT AGREEMENT NO. 2000015 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – CEQ200070 – Applicant: Higher Point Cannabis – Second Supervisorial District – West Corona Zoning Area – Temescal Canyon Area Plan: Community Development: Commercial Retail (CD-CR) (0.20 – 0.35 FAR) – Location: Northerly of Frontage Road, southerly of W. 6th Street, and westerly of Paseo Grande – 0.28 Acres – Zoning: General Commercial (C-1/C-P) – REQUEST: Conditional Use Permit No. 200032 proposes to use an existing 1,748 sq. ft. building as a cannabis retail storefront location and will include tenant improvements to the existing building and site. Development Agreement No. 2000015 would impose a lifespan on the proposed cannabis project and provide community benefit to the West Corona area. APN's: 102-250-057 and 102-250-059. Continued from August 18, 2021 and September 22, 2021. Project Planner: Gabriel Villalobos at (951) 955-6184 or email at gvillalo@rivco.org.

Planning Commission Action:

Public Comments: Closed

By a vote of 5-0

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

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

TENTATIVELY Approve Development Agreement No. 2000015; and,

APPROVE Conditional Use Permit No. 200032, subject to the conditions of approval as modified at hearing.

3.2 CONDITIONAL USE PERMIT NO. 190021 and APPROVE PUBLIC CONVENIENCE and NECESSITY FINDINGS – Intent to Adopt a Mitigated Negative Declaration – CEQ190095 – Applicant: ADMG, Inc. c/o Ash Etemadian – Engineer/Representative: Adkan Engineers c/o Mitch Adkison – First Supervisorial District – Woodcrest Zoning District – Lake Mathews/Woodcrest Area Plan: Community Development: Commercial Retail (CD-CR) – Location: Northerly of Van Buren Boulevard, southerly of Iris Avenue, easterly of Chicago Avenue, and westerly of Little Court – 2.84 Acres – Zoning: Scenic Highway Commercial (C-P-S) – REQUEST: Conditional Use Permit No. 190021 is a proposal for the development of a gas station on 1.5-acres of a 2.8-acre lot, with the residual 1.3 acres to remain vacant. The scope of the proposal includes a canopied fuel pumping station with 16 fueling positions for vehicles, a 3,800 sq. ft. convenience store, and a 1,692 sq. ft. detached drive-thru carwash. The convenience store would include the sale of beer and wine for off-site consumption and approve the Public Convenience and Necessity Findings. To provide sufficient on-site parking for customers and employees, the project site has provided 29 parking spaces including: two (2) ADA and two (2) electrical vehicle parking spaces, and nine (9) parking spaces with vacuum stations, in front of the drive-thru carwash. Landscaping will be included throughout the site, as well as a retention basin. APN: 266-020-001. Continued from September 22, 2021. Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org.

Planning Commission Action:

Public Comments: Closed

By a vote of 5-0

ADOPTED a Mitigated Negative Declaration for Environmental Assessment No. CEQ190095; and,

APPROVED the Determination of Public Convenience and Necessity; and,

APPROVED Conditional Use Permit No. 190021, subject to the conditions of approval as modified at hearing.

3.3 CONDITIONAL USE PERMIT NO. 190014 and NOISE ORDINANCE EXCEPTION NO. 2100002 – Intent to Adopt a Mitigated Negative Declaration – CEQ190083 – Owner: Isaac

Planning Commission Action:

Public Comments: Closed

By a vote of 5-0



**PLANNING COMMISSION HEARING
REPORT OF ACTIONS
OCTOBER 6, 2021**

Sloan – Applicant: Aaron Cooke – First Supervisorial District – Mead Valley Area Plan – Rural Mountainous (RM) – Rural Residential (RR) – General Plan Designations – Good Hope Zoning Area – Zoning: Rural Residential (R-R) – Location: Northerly of Ethinac Road, westerly of Highway 74, and southerly of Olive Avenue – 90.56 Acres – **REQUEST:** This Conditional Use Permit is to permit a Recreational Motocross park consisting of up to five (5) motocross tracks, a retail parts store, a snack bar, garage, an events hall, two (2) pro race shops, a viewing deck, administration building, motorcycle storage, associated parking, ticket booth, bioretention basin, bike wash, five (5) associated parking areas, an R.V. parking area for overnight dry-camping use, bathrooms, and shower area. The motocross project will host local racing events. The project will be built in three (3) phases based on available funds. The existing residence will remain onsite and used as a caretaker unit. The noise ordinance exception proposes to grant an exception to Ordinance No. 847 Section 4. The overall daytime operational noise level is below the daytime noise limit of 65 dBA Leq that is set by the General Plan Noise Element. APN's: 345-020-011 and 345-020-016. Continued from September 22, 2021. Project Planner: Brett Dawson at (951) 955-0972 or email at bdawson@rivco.org.

ADOPTED a Mitigated Negative Declaration for Environmental Assessment No. CEQ190083; and,

APPROVED Noise Ordinance Exception No. 2100002; and,

APPROVED Conditional use Permit No. 190014, subject to the conditions of approval.

- 3.4 **CONDITIONAL USE PERMIT NO. 200045 and DEVELOPMENT AGREEMENT NO. 2000023 – Exempt from the California Environmental Quality Act (CEQA),** pursuant to State CEQA Guidelines Section 15301(l)(3) (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – Applicant: Brook Duquesnel – Location: Second Supervisorial District, East Corona – **REQUEST:** Approve Conditional Use Permit No. 200045 to authorize commercial cannabis activity within 33,900 sq. ft. of a 36,450 sq. ft. industrial building to include Cannabis Cultivation, a Cannabis Retailer and Cannabis Distribution Facilities with parking, landscaping and other improvements, and to demolish interior mezzanine area and an outdoor enclosure. Tentatively approve Development Agreement No. 2000023 to impose a 10 year lifespan on the proposed cannabis project and provide community benefits to the East Corona, Home Gardens area. APN's: 115-300-028, 115-300-029. Continued from September 22, 2021. Project Planner: Steven Jones at (951) 955-0314 or email at sjones@rivco.org.

Planning Commission Action:

Public Comments: Closed

By a vote of 5-0

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

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

TENTATIVELY Approve Development Agreement No. 2000023; and,

APPROVE Conditional Use Permit No. 200045, subject to the conditions of approval.

4.0 PUBLIC HEARINGS – NEW ITEMS:

- 4.1 **CONDITIONAL USE PERMIT NO. 210017 and APPROVE PUBLIC CONVENIENCE and NECESSITY FINDINGS – No New Environmental Docs Required –** Applicant: Steve Rawlings – Consultant – Third Supervisorial District – Anza Area – Riverside Mountain Area Plan: Community Development: Commercial Retail (CD-CR) – Location: Northerly of State Highway 371, easterly of Contreras Road, and westerly of Hill Street – 8.11 Acres – Zoning: C-P-S – **REQUEST:** Conditional Use Permit No. 210017 is a proposal to allow for the sale of beer and wine for off-site consumption (ABC Type 20 license) at a new 9,100 sq. ft. grocery store and consumer goods store and to approve the Public Convenience and Necessity Finding. APN(s): 573-260-006 and 573-260-035. Project Planner: Calora Boyd at (951) 955-6035 or email at cboyd@rivco.org.

Planning Commission Action:

Public Comments: Closed

By a vote of 5-0

FOUND that No New Environmental Document is Required; and,

APPROVED the Determination of Public Convenience and Necessity; and,

APPROVED Conditional Use Permit No. 210017, subject to the conditions of approval.



**PLANNING COMMISSION HEARING
REPORT OF ACTIONS
OCTOBER 6, 2021**

5.0 WORKSHOP:

NONE

6.0 RIVERSIDE COUNTY ADVISORY REDISTRICTING COMMISSION

6.1 EXECUTIVE OFFICE TECHNICAL COMMITTEE: Receive and File, and Provide Comment on Draft Redistricting Maps and Receive and File the Public Testimony Package. All Districts [\$0]. **ITEM** Presented and opened for public comments. Public comments were received at hearing.

7.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

8.0 PLANNING DIRECTOR'S REPORT

9.0 PLANNING COMMISSIONERS' COMMENTS



**PLANNING COMMISSION
MINUTE ORDER
SEPTEMBER 22, 2021**

I. AGENDA ITEM 3.1

CONDITIONAL USE PERMIT NO. 200032 and DEVELOPMENT AGREEMENT NO. 2000015 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – CEQ200070 – Applicant: Higher Point Cannabis – Second Supervisorial District – West Corona Zoning Area – Temescal Canyon Area Plan: Community Development: Commercial Retail (CD-CR) (0.20 – 0.35 FAR) – Location: Northerly of Frontage Road, southerly of W. 6th Street, and westerly of Paseo Grande – 0.28 Acres – Zoning: General Commercial (C-1/C-P).

II. PROJECT DESCRIPTION:

Conditional Use Permit No. 200032 proposes to use an existing 1,748 sq. ft. building as a cannabis retail storefront location and will include tenant improvements to the existing building and site. Development Agreement No. 2000015 would impose a lifespan on the proposed cannabis project and provide community benefit to the West Corona area. APN's: 102-250-057 and 102-250-059. Continued from August 18, 2021.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Gabriel Villalobos at (951) 955-6184 or email at gvillalo@rivco.org.

No one spoke in favor, opposition, or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Thornhill, 2nd by Commissioner Leonard

By a vote of 5-0

CONTINUED to October 6, 2021.



**PLANNING COMMISSION
MINUTE ORDER
SEPTEMBER 22, 2021**

I. AGENDA ITEM 4.1

CONDITIONAL USE PERMIT NO. 190021 – Intent to Adopt a Mitigated Negative Declaration – CEQ190095 –
Applicant: ADMG, Inc. c/o Ash Etemadian – Engineer/Representative: Adkan Engineers c/o Mitch Adkison – First Supervisorial District – Woodcrest Zoning District – Lake Mathews/Woodcrest Area Plan: Community Development: Commercial Retail (CD-CR) – Location: Northerly of Van Buren Boulevard, southerly of Iris Avenue, easterly of Chicago Avenue, and westerly of Little Court – 2.84 Acres – Zoning: Scenic Highway Commercial (C-P-S).

II. PROJECT DESCRIPTION:

Conditional Use Permit No. 190021 is a proposal for the development of a gas station on 1.5-acres of a 2.8-acre lot, with the residual 1.3 acres to remain vacant. The scope of the proposal includes a canopied fuel pumping station with 16 fueling positions for vehicles, a 3,800 sq. ft. convenience store, and a 1,692 sq. ft. detached drive-thru carwash. The convenience store would include the sale of beer and wine for off-site consumption. To provide sufficient on-site parking for customers and employees, the project site has provided 29 parking spaces including: two (2) ADA and two (2) electrical vehicle parking spaces, and nine (9) parking spaces with vacuum stations, in front of the drive-thru carwash. Landscaping will be included throughout the site, as well as a retention basin. APN 266-020-001.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org.

No one spoke in favor, opposition, or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Shaffer, 2nd by Commissioner Thornhill

By a vote of 5-0

CONTINUED to October 6, 2021.



**PLANNING COMMISSION
MINUTE ORDER
SEPTEMBER 22, 2021**

I. AGENDA ITEM 4.2

CONDITIONAL USE PERMIT NO. 190014 and NOISE ORDINANCE EXCEPTION NO. 2100002 – Intent to Adopt a Mitigated Negative Declaration – CEQ190083 – Owner: Isaac Sloan – Applicant: Aaron Cooke – First Supervisorial District – Mead Valley Area Plan – Rural Mountainous (RM) – Rural Residential (RR) – General Plan Designations – Good Hope Zoning Area – Zoning: Rural Residential (R-R) – Location: Northerly of Ethinac Road, westerly of Highway 74, and southerly of Olive Avenue – 90.56 Acres.

II. PROJECT DESCRIPTION:

This Conditional Use Permit is to permit a Recreational Motocross park consisting of up to five (5) motocross tracks, a retail parts store, a snack bar, garage, an events hall, two (2) pro race shops, a viewing deck, administration building, motorcycle storage, associated parking, ticket booth, bioretention basin, bike wash, five (5) associated parking areas, an R.V. parking area for overnight dry-camping use, bathrooms, and shower area. The motocross project will host local racing events. The project will be built in three (3) phases based on available funds. The existing residence will remain onsite and used as a caretaker unit. The noise ordinance exception proposes to grant an exception to Ordinance No. 847 Section 4. The overall daytime operational noise level is below the daytime noise limit of 65 dBA Leq that is set by the General Plan Noise Element. APN's: 345-020-011 and 345-020-016.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Brett Dawson at (951) 955-0972 or email at bdawson@rivco.org.

Spoke in favor:

Aaron Cooke, Applicant's Representative, Temecula, 92591

No one spoke in opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Shaffer, 2nd by Commissioner Thornhill

By a vote of 5-0

CONTINUED to October 6, 2021.



**PLANNING COMMISSION
MINUTE ORDER
SEPTEMBER 22, 2021**

I. AGENDA ITEM 4.3

PLOT PLAN NO. 180032 (PPT180032) – Intent to Consider an Addendum to Environmental Impact Report No. 466 – EIR466 – Applicant: Majestic Realty – Representative: T&B Planning – First Supervisorial District – North Perris Zoning Area – Mead Valley Area Plan: Community Development: Light Industrial – Location: Westerly of Harvill Avenue, southerly of Old Oleander Avenue, easterly of Decker Road, and northerly of Markham Street – 19.41 Gross Acres – Zoning: Industrial Park (I-P) – Manufacturing–Service Commercial (M-SC).

II. PROJECT DESCRIPTION:

The Plot Plan is a proposal for the construction and operation of a 347,672 sq. ft. warehouse/distribution/manufacturing development on 19.41 gross acres, identified as Building 19. The building consists of 27,814 sq. ft. of office area with the remaining 319,858 sq. ft. as warehouse. APN: 314-051-015.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Russell Brady at (951) 955-3025 or email at rbrady@rivco.org.

Spoke in favor:

John Semcken, Applicant's Representative

Jose Garcia, Interested Party, 626-523-4304

Alphonso Sanchez, Interested Party, 619-540-3049

Noland Turnage, Interested Party, 951-750-2372

No one spoke in opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Shaffer, 2nd by Commissioner Kroencke

By a vote of 5-0

CONSIDER Addendum to Environmental Impact Report No. 466; and,

APPROVE Plot Plan No. 180032, subject to the conditions of approval.



**PLANNING COMMISSION
MINUTE ORDER
SEPTEMBER 22, 2021**

I. AGENDA ITEM 4.4

CONDITIONAL USE PERMIT NO. 200045 and DEVELOPMENT AGREEMENT NO. 2000023 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301(l)(3) (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – Applicant: Brook Duquesnel – Location: Second Supervisorial District, East Corona.

II. PROJECT DESCRIPTION:

To authorize commercial cannabis activity within a 36,450 sq. ft. industrial building to include Cannabis Cultivation, a Cannabis Retailer and Cannabis Distribution Facilities.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Steven Jones at (951) 955-0314 or email at sjones@rivco.org.

No one spoke in favor, opposition, or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Leonard, 2nd by Commissioner Sanchez

By a vote of 5-0

CONTINUED to October 6, 2021.

DRAFT



**PLANNING COMMISSION
MINUTE ORDER
SEPTEMBER 22, 2021**

I. AGENDA ITEM 4.5

APPEAL of the PLANNING DIRECTOR'S DECISION TO APPROVE PLOT PLAN NO. 190024 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) – Applicant: Gumaro J. Vasquez – Engineer/Representative: Adkan Engineers – First Supervisorial District – Lake Mathews/Woodcrest Area Plan – Woodcrest Zoning District – Rural Community: Very Low Density Residential (RC-VLDR) – Location: Northerly of Valle Vista Way, westerly of Kellen Court, southerly of Hermosa Drive and easterly of Cayuse Court – 1.29 Net Acres – Zoning: Light Agriculture – 1 Acre Minimum (A-1-1).

II. PROJECT DESCRIPTION:

Plot Plan No. 190024 is a proposal to convert an existing 3,050 sq. ft. two-story detached garage into a Class II Dog Kennel for up to 25 dogs in total, on 1.29 acres. Outside the detached kennel building the Class II Dog Kennel site includes a dog exercise and play area which is enclosed by an existing 6-foot-high vinyl fence. Food and water troughs provided inside the detached kennel building. The remainder of the project site contains a residential dwelling for the kennel owner and a 6-foot-high fenced in area for the residential pool. The project site perimeter is enclosed by either a 6-foot-high chain-link fence or vinyl fence. The proposed Class II kennel will not be open to the public. Customers purchase dogs online and delivery of the dogs are managed offsite. APN: 245-100-048.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org.

Spoke in favor:

Gumaro Vasquez, Applicant, 15111 Kellen Court, Riverside, 92506

Salvador Cerda, Applicant, 15111 Kellen Court, Riverside, 92506

Spoke in opposition:

Terra Lynn, Appellant, 17130 Van Buren Boulevard, Riverside, 92504

David Castle, Interested Party, 15230 Cayuse Court, Riverside, 92506

Spoke in a neutral position:

Jason Sanders, Department of Animal Services

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Shaffer, 2nd by Commissioner Thornhill

By a vote of 5-0

DENY the Appeal of the Planning Director's Decision; and,

UPHOLD the Planning Director's Finding that Plot Plan No. 190024 is exempt from the California Environmental Quality Act (CEQA); and,

UPHOLD the Planning Director's Approval of Plot Plan NO. 190024, subject to the conditions of approval.



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

(ID # 17132)
MEETING DATE:

Wednesday, September 22, 2021

SUBJECT: CONDITIONAL USE PERMIT NO. 200045 and DEVELOPMENT AGREEMENT NO. 2000023 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301(l)(3) (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) - Applicant: Brook Duquesnel – Engineer/Representative: Sam Pakbaz– Second Supervisorial District – Temescal Canyon Area Plan: Light Industrial (LI) – Location: 13445 Estelle Street, Corona, CA. – 1.73 Gross Acres – Zoning: Manufacturing-Service Commercial (M-SC) REQUEST: To authorize commercial cannabis activity within a 36,450 square foot industrial building to include Cannabis Cultivation, a Cannabis Retailer and Cannabis Distribution Facilities with parking, landscaping and other improvements, and to demolish interior mezzanine area and an outdoor enclosure. - APNs: 115-300-028, - 029

PROPOSED PROJECT

Case Number(s):	Conditional Use Permit No. 200045 Development Agreement No. 2000023
Environmental Type:	Exemption
Area Plan No.	Temescal Canyon
Zoning Area/District:	East Corona District
Supervisorial District:	Second District
Project Planner:	Steven Jones
Project APN(s):	115-300-028, -029
Continued From:	

John Hildebrand
John Hildebrand, Planning Director 9/13/2021

PROJECT RECOMMENDATION

STAFF RECOMMENDATION:

THAT THE PLANNING COMMISSION:

CONTINUE the project to the October 6, 2021 public hearing date.



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

(ID # 17282)

MEETING DATE:

Wednesday, October 06, 2021

SUBJECT: CONDITIONAL USE PERMIT NO. 200045 and DEVELOPMENT AGREEMENT NO. 2000023 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) - Applicant: Brook Duquesnel – Engineer/Representative: Sam Pakbaz – Second Supervisorial District – Temescal Canyon Area Plan: Community Development: Light Industrial (CD-LI) – Location: 13445 Estelle Street, Corona, CA. – 1.73 Gross Acres – Zoning: Manufacturing-Service Commercial (M-SC) - REQUEST: Approve Conditional Use Permit No. 200045 to authorize commercial cannabis activity within 33,900 sq. ft. of a 36,450 sq. ft. industrial building to include Cannabis Cultivation, a Cannabis Retailer and Cannabis Distribution Facilities with parking, landscaping and other improvements, and to demolish interior mezzanine area and an outdoor enclosure. Tentatively approve Development Agreement No. 2000023 to impose a 10 year lifespan on the proposed cannabis project and provide community benefits to the East Corona, Home Gardens area. APN's: 115-300-028, 115-300-029. Continued from September 22, 2021. Project Planner: Steven Jones at (951) 955-0314 or email at sjones@rivco.org.

PROPOSED PROJECT

Case Number(s):	Conditional Use Permit No. 200045 Development Agreement No. 2000023
Environmental Type:	Exemption
Area Plan No.	Temescal Canyon
Zoning Area/District:	East Corona District
Supervisorial District:	Second District
Project Planner:	Steven Jones
Project APN(s):	115-300-028, -029
Continued From:	9/22/2021

John Hildebrand
John Hildebrand, Planning Director 9/30/2021

PROJECT DESCRIPTION AND LOCATION

Conditional Use Permit No. 200045 is a request to authorize commercial cannabis activity within a 36,450 square foot industrial building to include Indoor Cannabis Cultivation, a Cannabis Retailer with deliveries, and Cannabis Distribution Facilities with parking, landscaping and other improvements, and to demolish interior mezzanine area and an outdoor enclosure ("Project").

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Development Agreement No. 2000023 proposes a term of 10 years and would grant the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 2000023 and Conditional Use Permit No. 200045 and would provide community benefits to the East Corona, Home Gardens area.

The proposed Project is located at 13445 Estelle Street, Corona, CA 92879, north of Magnolia Avenue, east of Promenade Avenue, south of the 91 freeway, and west of McKinley Street.

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

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

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

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

TENTATIVELY APPROVE **Development Agreement No. 2000023**, based upon the findings in this staff report, pending final adoption of the Development Agreement ordinance by the Board of Supervisors; and,

APPROVE **Conditional Use Permit No. 200045**, subject to the attached Advisory Notification Document and Conditions of Approval; and based upon the findings and conclusions provided in this staff report and subject to final approval of the Development Agreement ordinance by the Board of Supervisors.

PROJECT DATA

Land Use and Zoning:

Existing General Plan Foundation Component:	Community Development
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Light Industrial (LI)
Proposed General Plan Land Use Designation:	N/A

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Surrounding General Plan Land Uses	
North:	Open Space – Conservation (OS-C)
East:	Light Industrial (LI)
South:	High Density Residential (HDR)
West:	Light Industrial (LI)
Existing Zoning Classification:	
	Manufacturing – Service Commercial (M-SC)
Proposed Zoning Classification:	
	N/A
Surrounding Zoning Classifications	
North:	Rural Residential (R-R)
East:	Manufacturing – Service Commercial (M-SC)
South:	Mobilehome Subdivisions and Mobilehome Parks (R-T)
West:	Manufacturing – Service Commercial (M-SC)
Existing Use:	
	Vacant Industrial
Surrounding Uses	
North:	BNSF Rail
South:	Mobilehome Park
East:	Industrial
West:	Industrial

Project Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	1.69 Acres	7,000-10,000 SQFT
Building Area (SQFT):	36,450 SQFT	N/A
Enclosed Project Area (SQFT):	33,900 SQFT	N/A
Floor Area Ratio:	0.50 FAR	0.25 – 0.60 FAR
Building Height (FT):	31.5 FT	50' max height

Parking:

<i>Type of Use</i>	<i>Building Area (in SF)</i>	<i>Parking Ratio</i>	<i>Vehicle Spaces Required</i>	<i>Bicycle Spaces Required</i>	<i>Spaces Provided</i>

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Type of Use	Building Area (in SF)	Parking Ratio	Vehicle Spaces Required	Bicycle Spaces Required	Spaces Provided
Cannabis Retailer	3,610 SF	1 space / 200 SF of gross floor area	18	1	38 vehicle 1 bicycle
Indoor (Artificial Light) Cannabis Cultivation	24,770 SF	2 spaces / 3 employees	6	1	6 vehicle 1 bicycle
Cannabis Distribution Facilities	5520 SF	2 spaces / 3 employees / largest shift	2	2	5 vehicle 2 bicycle
TOTAL:	33,900 SF		26	4	55 vehicle 4 bicycle

Located Within:

City's Sphere of Influence:	Yes – City of Corona
Community Service Area (“CSA”):	Yes – 152
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	Yes – High
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	No
WRMOSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat (“SKR”) Fee Area:	No
Airport Influence Area (“AIA”):	No

PROJECT LOCATION MAP

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foot in Canopy size area with 2,770 square feet of associated Cannabis Cultivation facility area, a 3,610 square foot Cannabis Retailer and Cannabis Distribution Facilities and related storage 5,520 square feet in area for a total of 33,900 square feet maximum of Commercial Cannabis Activities. The project site is currently occupied by a paper products business. Associated site work would include 55 off-street vehicle parking spaces, landscaping, and signage for the proposed new Commercial Cannabis Activities.

The proposed Cannabis Retailer would operate as a storefront with mobile deliveries between the hours of 6:00 A.M. to 10:00 P.M. daily in compliance with the County of Riverside Ordinance No. 348 Section 19.505.K. The operator proposes to allow entrance to only customers 21 years of age and older with at least one licensed, certified protection professional security guard verifying valid proof of identification. Security is also proposed to be on site 24-hours a day and within the retail area during business hours. The storefront would be established first on the site along with the proposed façade, parking area and landscaping improvements.

The proposed Cannabis Distribution Facilities would be a later phase of the project, separate from the storefront and not open to the public. At least three (3) employees are anticipated with security personnel.

The applicant also proposes to implement the project phases to include Indoor Cannabis Cultivation operation to be licensed as Medium Indoor Cannabis Cultivation. The Medium Indoor Cannabis Cultivation would have a canopy size of no more than 22,000 square feet and 2,770 square feet of associated storage. At least eight (8) employees are anticipated with security personnel.

The parking ratio of 1 space/200 square feet of gross floor area equals 18 parking spaces as a requirement for the proposed Cannabis Retail Facility and a minimum of eight (8) spaces for the anticipated employees. 4,560 square feet of the existing building would be used for storage and a minimum of 10 spaces used for off-street vehicle parking would be required by the zoning. A total of 36 spaces used for off-street vehicle parking and four bicycle parking spaces could be accommodated on site. The proposed number of 55 spaces exceeds the off-street vehicle parking space requirement. Three (3) accessible parking spaces are included, meeting the standards set forth in Section 18.12.C of Ordinance No. 348.

As part of the approval process for a Commercial Cannabis Activities, a development agreement between the County of Riverside and the applicant was applied for under Development Agreement No. 2000023 ("DA2000023").

General Plan Consistency

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The project site has a General Plan Foundation Component of Community Development (CD) and a Land Use Designation of Light Industrial (LI). The Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of lifestyles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the Riverside County Integrated Plan (RCIP) Vision, such as mobility, open space, and air quality goals.

The Light Industrial (LI) land use designation provides for a wide variety of industrial and related uses, including light manufacturing, warehousing and distribution, other service facilities and supporting retail uses. The project is consistent with the Community Development General Plan Foundation Component and Light Industrial Land Use Designation as it would provide community services and job opportunities within the surrounding community. The Temescal Area Plan provides that the area is suitable for industrial and related uses including warehousing, distribution, light manufacturing and supporting retail uses. The proposed project would see distribution and retail, providing employment as well as a mix of uses intended to serve the population and promote efficient form of land development. The proposed use would also utilize existing infrastructure.

Zoning Consistency

The project site is zoned for Manufacturing – Service Commercial (M-SC) uses. Pursuant to Ordinance No. 348, Article XIXh, Sections No. 19.511, 19.518 and 19.520, Medium Indoor Cannabis Cultivation, Cannabis Retailers and Cannabis Distribution Facilities are allowed in the M-SC Zone with an approved conditional use permit. Medium Indoor Cannabis Cultivation is permitted in the M-SC zone on lots one gross acre or more with an approved conditional use permit. The project site is 1.69 acres, which meets the one gross acre standard for this type of use in the M-SC zone. In addition, Medium Indoor Cannabis Cultivation includes the following size limitations: the canopy size of a single lot for Medium Indoor Cannabis Cultivation shall not exceed 22,000 square feet. The proposed canopy size for the project is up to 22,000 square feet, which meets the size limitations. 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 M-SC Zone and those set forth in Sections No. 19.511, 19.519, and 19.521 of Ordinance No. 348, including design, height, setbacks, and parking requirements.

The applications for Development Agreement No. 2000023 and Conditional Use Permit No. 200045 were submitted to the County of Riverside on November 9, 2020.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
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ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

This project is exempt from the California Environmental Quality Act (CEQA) review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities), which is a Class 1 Categorical Exemption. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This exemption specifically states “a store, motel, office, restaurant, and similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use.” The proposal for CUP200045 shall include the demolition of an existing 1,360-square foot outdoor enclosure and demolition of 2,550 square feet of unpermitted interior mezzanine space. This class exemption also consists of the maintenance and leasing of private structures involving negligible or no expansion of former uses. The request for a Medium Indoor Cannabis Cultivation up to 22,000 square foot in Canopy size area with 2,770 square feet of associated storage, a 3,610 square foot Cannabis Retailer and Cannabis Distribution Facilities and storage 5,520 square feet in area for a total of 33,900 square feet maximum of Commercial Cannabis Activities under this categorical exemption is appropriate as the project is located within an urbanized area and would include no new construction.

None of the exceptions to the Categorical Exemptions pursuant to State CEQA Guidelines section 15300.2 would occur. There is no anticipation that the Project would have a significant effect on the environment due to unusual circumstances; would result in no cumulative impact; would impact no historic resources; and is not located on a hazardous site or location. The proposed cannabis related uses present no unusual circumstances since they carry similar environmental impacts compared to any other light industrial, retail and distribution uses that would be permitted to occupy the project site. Since all impacts of the proposed use would be like other uses that would occupy the space, all potential cumulative impacts of this use were also previously addressed in the prior approvals. No historic resources are known to exist on the site that could be impacted since the site is currently developed. No hazardous material has been known to be deposited at the location based on available data. The State has created various rules and regulations as they relate to cannabis waste for cannabis cultivators. There are no known impacts related to proposed cannabis cultivation as a hazardous waste or to the commercial selling of cannabis (the State treats cannabis as an organic waste, versus a hazardous waste). Accordingly, there are no exceptions to the above categorical exemptions that would prevent a request for the proposed entitlements.

This proposed project is also exempt from CEQA review pursuant to Article 5 - Preliminary Review of Projects and Conduct of Initial Study, Section 15061 (b)(3), which states: Once a lead

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agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA. The Project is deemed to be a "project" pursuant to CEQA. The Project is Commercial Cannabis Activity is proposed to be operated by Brook Duquesnel of Golden Hights within 33,900 square feet of an existing 36,450 square foot light industrial building where an unpermitted 2,550 square feet mezzanine and an unpermitted 1,360 square foot outdoor enclosure are proposed to be removed. Golden Hights proposes a Medium Indoor Cannabis Cultivation up to 22,000 square foot in Canopy size area with 2,770 square feet of associated storage, a 3,610 square foot Cannabis Retailer and Cannabis Distribution Facilities 5,220 square feet in area for a total of 33,900 square feet maximum of Commercial Cannabis Activities. The Project is EXEMPT under State CEQA Guidelines Section 15061 because Section (b) (3) states: The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Project will continue to utilize the site as light industrial and commercial land uses and there is no anticipation that the uses will not result in additional impacts related to traffic, air quality, or public safety, beyond what already occurs in the area. As the land is already developed, there are no potential impacts related to aesthetics, biological and cultural resources, hydrology, or other similar potential impacts. Lastly, as the State has created various rules and regulations as they relate to cannabis waste, particularly for cannabis cultivators, there are no impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis (the State actually treats cannabis as an organic waste, versus a hazardous waste). Therefore, the project meets the requirements for CEQA exemption per Section 15061(b)(3) as there is no anticipation of a significant physical impact on the environment.

FINDINGS AND CONCLUSIONS

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

Land Use Findings:

1. The project site has a General Plan Land Use Designation of Light Industrial (LI). The proposed project is consistent with the land use designation as the project addresses General Plan policy LU29.1 which states "accommodate the development of commercial uses in areas appropriately designated by the General Plan and area plan land use maps" as the use is in the appropriately designated area since the area has a mix of commercial, service, and industrial uses within existing infrastructure. In addition, the project also meets policy LU 29.6, which states "require that commercial projects abutting residential properties protect the residential use from the impacts of noise, light, fumes, odors, vehicular traffic, parking, and operational hazards." The project has proposed to perform the necessary steps

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to protect the nearby residential properties implementation of an air filtration system to mitigate any possible nuisance odors from being detected offsite, shielding/directing any lighting fixtures from spilling light onto adjacent properties, and providing 24/7 security personnel to deter possible criminal activity and loitering.

The Light Industrial land use designation provides for the emphasis on general uses such as warehousing/distribution, assembly and light manufacturing, repair facilities, and supporting retail uses. The proposed project is consistent with this land use designation because the project will provide local and regional retail and services along with cultivation in a warehouse setting with distribution. Additionally, the Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of lifestyles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the RCIP Vision, such as mobility, open space, and air quality goals.

The project is consistent with the Community Development General Plan Foundation Component and Light Industrial Land Use Designation as the project would provide community services and job opportunities within the surrounding community, fulfilling the goals of the Vision Statement of the General Plan, particularly by helping expand emerging markets and associated employment, which includes the cannabis industry. This economic diversity also helps the County reach its stated economic development principles as discussed in the General Plan, by furthering local job opportunities; providing a unique mix of uses and a continued and expanded market for retail products; and stimulating growth of small businesses.

The project is consistent with the Temescal Canyon Area Plan and Light Industrial Land Use Designation since the project is proposed to be located within an existing building meeting the appropriate floor area ratio ("FAR") and using existing water and sewer services. The Home Gardens Town Center area focuses on the "strategic locations" where development can promote new commercial uses and variety. The project would be a new commercial use.

2. The project site has a Zoning Classification of Manufacturing - Service Commercial (M-SC), which is consistent with the Riverside County General Plan, including the applicable Foundation Component and Land Use Designation identified above and the zoning implements the Plan's description of the area's need for warehousing, distribution and supporting retail. The proposed uses of a Cannabis Retail - Storefront, Medium Indoor Cannabis Cultivation, and Cannabis Distribution Facilities are allowed within the zoning classification per Sections 19.518.A.2, 19.509.A.4 and 19.520 of Ordinance No. 348 with an approved conditional use permit. Medium Indoor Cannabis Cultivation is permitted in the M-

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SC zone on lots one gross acre or more with an approved conditional use permit. The project site is 1.69 acres, which meets the one gross acre standard for this type of use in the M-SC zone. In addition, Medium Indoor Cannabis Cultivation includes the following size limitations: the canopy size of a single lot for Medium Indoor Cannabis Cultivation shall not exceed 22,000 square feet. The proposed canopy size for the project is up to 22,000 square feet, which meets the size limitations.

1. The proposed uses, a Cannabis Retailer, Medium Indoor Cannabis Cultivation, and Cannabis Distribution Facility, is consistent with Ordinance No. 348 (Land Use) and is allowed within the Manufacturing - Service Commercial (M-SC) Zoning Classification, subject to Conditional Use Permit approval. Pursuant to various sections of Ordinance No. 348, as described in greater detail below in this staff report, the proposed project meets all of the conditional use permit findings, the development standards of the M-SC Zoning Classification, permit requirements for all commercial cannabis activities, cannabis retailer minimum standards, cannabis cultivation standards, and cannabis distribution facilities standards.
2. The uses surrounding the project site include a variety of light industrial and retails uses including an engineering firm and tank supply store to the west along with mobilehome park residences to the south, which are part of the Mobilehome Subdivisions and Mobilehome Parks (R-T) zoning classification. In addition, the project is bounded by the Burlington North and Santa Fe Pacific Corporation railway (BNSF) to the north. The parcels surrounding the project site on the east and west are zoned Manufacturing - Service Commercial (M-SC), Manufacturing – Service Commercial (M-SC). As such, the project use is compatible with the surrounding uses as it proposes to utilize an existing, currently vacant structure and meets the minimum development standards as defined through Ordinance No. 348. The existing building for the project is setback at least 88 feet from the parcel to the south zoned Mobilehome subdivisions and Mobilehome parks (R-T), which exceeds the 25-foot minimum setback required for a project located in the M-SC zone.

Conditional Use Permit Findings:

1. The proposed use will not be detrimental to the health, safety, or general welfare of the community since the project has been reviewed by County departments specifically for these concerns and has received departmental clearances and has been designed and conditioned to protect the health, safety, and general welfare of the community. Based on the findings included in this staff report and with compliance with the conditions set forth in the advisory notification document and conditions of approval, the proposed project will not be detrimental to the health, safety or general welfare of the community and is subject to those conditions necessary to protect the health, safety, and general welfare of the community.
2. The proposed project conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property, as the project site is located on a parcel that supports the proposed development while being consistent with both the General Plan and zoning ordinance. The site is located adjacent to other properties

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with the LI Land Use designation to the east and west which encourage land uses that foster variety, choice and accommodate a balance of jobs, housing, and services within communities. The lands to the north and south have been fenced and screened off to prevent any direct exposure to the proposed uses and have land use designations of Open Space - Conservation (O-SC) and Medium Density Residential (MDR). The proposed use is compatible with the surrounding zoning classifications since an existing railroad and open space are located adjacent and north of the project site. The proposed Commercial Cannabis Activities would provide community benefits and retail services for the surrounding community. Therefore, the proposed project conforms to the logical development of the land and is designed to be compatible with the present and future logical development of the surrounding property.

3. All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel. There are no additional structures being proposed for the current project. As such, if the project is approved, no condition is required.

Permit Requirements for All Commercial Cannabis Activities:

1. Section 19.505 of Ordinance No. 348 sets forth requirements that all Commercial Cannabis Activities must comply with, including, among others, submitting an appropriate application, obtaining, and maintaining a state license, being sited, and operated in such a way that controls odors, being limited in hours of operation, and implementing sufficient security measures. All these requirements have either already been proposed to be met or are required in the attached project's Conditions of Approval or Advisory Notification Document which are incorporated herein by this reference. Specifically, Planning. 6, Planning. 9, Planning. 14 and 15 of the Advisory Notification Document address odors, hours of operation and security.
2. While security has been raised as a concern relating to cannabis-related activities, a standard condition of approval or requirement of the Advisory Notification Document (Planning. 14 and 15) requires sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, to deter and prevent theft of Cannabis or Cannabis Produces, and to ensure emergency access in accordance with applicable Fire Code standards. These requirements include the following:
 - a) A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity indoors.

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- b) 24-hour emergency contact information for the owner or an on-site employee which shall be provided to the County.
- c) A professionally installed, maintained, and monitored alarm system.
- d) Except for Live Cannabis Plants being cultivated at a Cannabis Cultivation facility and limited amounts of Cannabis for display purposes, all Cannabis and Cannabis Products shall be stored in a secured and locked structure and in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss.
- e) 24-hour security surveillance cameras to monitor all entrances and exits to a Commercial Cannabis Activity, all interior spaces within the Commercial Cannabis Activity that are open and accessible to the public, and all interior spaces where Cannabis, cash or currency is being stored for any period on a regular basis. The permittee for a Commercial Cannabis Activity shall be responsible for ensuring that the security surveillance camera's footage is accessible. Video recordings shall be maintained for a minimum of 90 days and shall be made available to the County upon request. The project applicant is providing 24-hour on-site security.
- f) Sensors shall be installed to detect entry and exit from all secure areas.
- g) Panic buttons shall be installed in all Commercial Cannabis Activities.
- h) Any bars installed on the windows or the doors of a Commercial Cannabis Activity shall be installed only on the interior of the building.
- i) Security personnel must be licensed by the State of California Bureau of Security and Investigative Services.
- j) A Commercial Cannabis Activity shall have the capability to remain secure during a power outage and all access doors shall not be solely controlled by an electronic access panel to ensure locks are not released during a power outage.
- k) A Commercial Cannabis shall cooperate with the County and, upon reasonable notice to the Commercial Cannabis Activity, allow the County to inspect or audit the effectiveness of the security plan for the Commercial Cannabis Activity.
- l) The permittee for a Commercial Cannabis Activity shall notify the Riverside County Sherriff's Department immediately after discovering any of the following:
 - a. Significant discrepancies identified during inventory.
 - b. Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Activity or any agent or employee of the Commercial Cannabis Activity.

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- c. The loss or unauthorized alteration of records related to Cannabis, registering qualifying patients, primary caregivers, or employees or agents of the Commercial Cannabis Activity.
- d. Any other breach of security.
- m) Firearms shall not be permitted at a Commercial Cannabis Activity by an owner, manager, employee, volunteer, or vendor other than those individuals authorized as a State Licensed Security personnel.
- n) Cannabis or Cannabis Products shall not be stored outside at any time.

With implementation of these required measures, security concerns relating to the Commercial Cannabis Activity would be fully addressed.

Cannabis Cultivation Minimum Standards:

Location Requirements

1. *Cannabis Cultivation shall not be located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of Ordinance No. 348. In no case shall the distance be less than allowed by State law. This standard is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and no Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site were identified. A copy of the 1,000-foot distance exhibit is included with this staff report.*
2. *Indoor and Mixed Light Cannabis Cultivation are not allowed in an established agricultural preserve or on a lot under a land conservation contract pursuant to the Williamson Act. Indoor and Mixed Light Cannabis Cultivation shall not be considered agriculture for the purposes of Ordinance no. 625 the County's Right-to-Farm Ordinance. No Williamson Act or land conservation contract exists on the subject parcels.*
3. *All Cannabis Cultivation is prohibited on natural slopes 25% or greater. No slopes of this type have been identified on the property.*

Minimum Lot Size

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4. *The minimum lot size for Indoor Cannabis Cultivation is the minimum lot size per the zone. In the M-SC Zone, the minimum lot size is 10,000 square feet with a minimum average width of 75 feet, except that a lot size not less than 7,000 square feet and an average width of not less than 65 feet may be permitted when sewers are available and will be utilized for the development. The minimum lot size requirement is met since the project area is 1.73 gross acres in size and width of approximately 202 feet, which far exceeds the 10,000 square foot total and 75-foot average width requirement.*

Minimum Lot Dimensions

5. *The minimum average lot width for Mixed Light Cannabis Cultivation lots shall be 150 feet. This requirement is not applicable because the Project is Indoor Cannabis Cultivation*

Setbacks

6. *Indoor Cannabis Cultivation shall be within a fully enclosed building or buildings and setback from the lot lines and public right-of-way in accordance with the development standards for the zone classification in which it is located. When an Indoor Cannabis Cultivation facility is located adjacent to a residentially zoned lot the minimum setback shall be 25 feet. The proposed Commercial Cannabis Activities for the Project would be located within a fully enclosed building that meets current development standard for the M-SC Zone. The project meets the setback requirements for the M-SC Zone as further discussed later in the Development Standards section of the staff report.*

Screening and Fencing

7. *All Mixed Light Cannabis Cultivation shall occur within a secure fence at least 6 feet in height that fully encloses the Cannabis Cultivation Premises or Cannabis Cultivation area and prevents easy access to the Cannabis Cultivation Area. The fence must be solid, durable and include a lockable gate(s) that is locked at all times, except for during times of active ingress and egress. Fences shall be separated by a minimum of six feet from all cultivation structures, providing a clear six-foot path. The fence shall comply with all other applicable County ordinances, policies, and design standards related to height, location, materials, or other fencing restrictions. Cannabis Cultivation Areas shall not be secured by fences with barbed wire or screened with plastic sheeting on chain link. Chain link with slats is allowed. This requirement is not applicable because the Project is Indoor Cannabis Cultivation.*

Enclosures

8. *Cannabis Cultivation operations shall occur within a fully enclosed permitted building, greenhouse, hoop structure, or other similar structure. Mixed light supplemental lighting shall not exceed 25 watts per square foot to be used up to one hour before sunrise or after sunset unless the building or structure is equipped with light-blocking measures to ensure that no light escapes. All greenhouses, hoop structures, or other similar structures shall*

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comply with Section 19.505.W. of this article. The proposed Indoor Cannabis Cultivation area is located inside a fully enclosed permitted building.

Energy Conservation Measures

9. *All Cannabis Cultivation operations shall include adequate measures to address the projected energy demand for Cannabis cultivation at the lot. On-site renewable energy generation shall be required for all Indoor Cannabis Cultivation operations. Renewable energy systems shall be designed to have a generation potential equal to or greater than 20-percent of the anticipated energy demand.* The project has been conditioned to meet this standard and requires the renewable energy standard to be met prior to occupancy. (Advisory Notification Document, Planning-All. 28 Renewable Energy - Installed)

Water Conservation Measures

10. *All Cannabis Cultivation operations shall include adequate measures that minimize use of water for cultivation on the lot. Water conservation measures, water capture systems, or grey water systems shall be incorporated into the operations in order to minimize use of water where feasible.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 18 Cultivation Operations -2)

Cannabis Cultivation Operational Requirements

1. The project complies with the operational requirements set forth in Ordinance No. 348 Section 19.511.I. because of the following:
 - A. *All Cannabis Cultivation lighting shall be fully shielded, downward casting and not spill over onto structures, other properties, or the night sky. All Indoor and Mixed Light Cannabis Cultivation operations shall be fully contained so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.* As provided by the floor plan, Exhibit C, the project is proposed with in a fully enclosed building. The cultivation operations would be conducted in an area with no windows so no light would escape the building from the identified areas on the floor plan. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 19 Cultivation Operations -3)
 - B. *All Cannabis Cultivation operations shall accumulate or store garbage and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on the site shall not be accumulated or stored for more than seven calendar days and shall be properly disposed of before the end of the seventh day. All waste, including but not limited to refuse, garbage, green waste, and recyclables, must be disposed of in accordance with County and State laws and regulations. All waste generated from Cannabis Cultivation operations must be properly stored and secured to prevent access from the public.* The

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project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 20 Cultivation Operations - 4)

C. *Onsite generators are prohibited, except as a source of energy in an emergency. Onsite generators for emergency use shall be included in the conditional use permit.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All 21 Cultivation Operations - 5.)

D. *Cannabis Cultivation within the A-1, A-P, A-2, and A-D Zones shall not include the retail sales of Cannabis or Cannabis Products.* This requirement does not apply because the project site is located within the M-SC Zone.

Cannabis Cultivation Findings:

1. The project complies with all the requirements of the State and County for Cannabis Cultivation. This finding is met because the project has been conditioned to meet these requirements. (Advisory Notification Document Planning.3 - General - B. State License Required)
2. No Child Day Care Center, K-12 school, public park, or Youth Center was identified within 1,000 feet of the project. This finding is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the project site. Therefore, the project meets this standard.
3. The proposed Indoor Cannabis Cultivation has been conditioned to include adequate measures that minimize use of water for cultivation on the lot. (Advisory Notification Document Planning-All. 18 Cultivation Operations - 2)
4. The proposed Indoor Cannabis Cultivation includes adequate quality control measures to ensure cultivation on the lot meets State and County regulatory standards because onsite consumption would be prohibited; inventory tracking is a part of the business plan and 24-hour on-site security is proposed. (Advisory Notification Document Planning. 13 - General - M. Restriction on Consumption)
5. The proposed Indoor Cannabis Cultivation includes adequate measures that address enforcement priorities for cultivation including restricting access to minors and ensuring that Cannabis is not supplied to unlicensed or unpermitted persons since the area is depicted to prevent unauthorized access. This standard has been met because the cultivation area provides no public access, and the retail area requires security personnel to verify age with valid ID. (Advisory Notification Document Planning. 18 - General - Q. Records)
6. The proposed Indoor Cannabis Cultivation lots have no verified Cannabis related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the proposed use will not contribute to repeat violations on the lot, and all applicable fees have been paid. This standard has been met because there have been no verified cannabis

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related violations in the last 12 months and there is no indication that problems should be anticipated since 24-hour on-site security is proposed. All applicable fees have been paid because there were no outstanding related fees

7. The proposed Indoor Cannabis Cultivation would operate in a manner that prevents Cannabis nuisance odors from being detected offsite since filtration units are depicted as a part of the improvements required for the project. (Advisory Notification Document Planning.6 - General - F. Nuisance Odors)

Cannabis Retailer Minimum Standards:

General Location

1. *Cannabis Retailers shall not be located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of Ordinance No. 348. In no case shall the distance be less than allowed by State law. The project is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. No variance has been approved allowing a shorter distance but not less than allowed by State law. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and no Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site was identified. A copy of the 1,000-foot distance exhibit is included with this staff report.*
2. *Cannabis Retailers shall not be located within 1,000 feet of any other Cannabis Retailer. Per Section 19.519.A.2 of Ordinance No. 348, Cannabis Retailers shall not be located within 1,000 feet of any other Cannabis Retailer. No approved Commercial Cannabis Activities conditional use permit has been identified within 1,000 feet of the proposed project. As of the writing of this staff report, Conditional Use Permit No. 200019 is currently under review but located outside of the 1,000-foot area for the project's proposed Commercial Cannabis Activities.*
3. *Cannabis Retailers shall not be located within 500 feet of a smoke shop or similar facility. As of the writing of this staff report, the project is not located within 500 feet of a smoke shop or similar facility because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and does not any smoke shop or similar facility within 500 feet of the site.*
4. *Cannabis Retailers shall not be located on a lot containing a residential dwelling unit. The project is not located on a lot containing a residential dwelling unit because a property characteristic report as prepared by the Planning Department has identified no residential dwelling units located at the subject site.*

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Setbacks

5. *All Cannabis Retailers shall comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 40 feet.* The project is located within the M-SC Zone which states that where the site adjoins the R-R Zone, a minimum 25-foot setback is required. The minimum requirement is met since the parking area to the north of the existing building serves as a buffer between the R-R Zone and the structure that the use would occupy. Where the location adjoins the street, the minimum setback for any use or structure on the site is at least 25 feet from the property line.

The project meets the setback requirements for the M-SC zone as further discussed later in the Development Standards section of the staff report. The project site is in the vicinity of a site within the R-T Zone, known as the Mobilehome Subdivision and Mobilehome Park Zone. The R-T Zone parcel to the south is 88 feet away from the lot line of the project site, which meets the 25-foot setback requirement.

6. *Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case, shall a setback be less than setbacks required by the State of California Bureau of Cannabis Control, California Building Code or Ordinance No. 457.* No modifications are required for this project, as such, this requirement is not applicable.

Mobile Deliveries

7. *Cannabis Retailers with an approved conditional use permit may provide deliveries of Cannabis Products consistent with State law.* The proposed project shall include deliveries and shall operate between the normal hours of operation between 6 AM and 10 PM.

Cannabis Retail Operational Requirements

1. The project complies with the operational requirements set forth in Ordinance No. 348 Section 19.519.C. because of the following:
 - A. *Entrances into the retail location of the Cannabis Retailer shall be separate from the reception area and locked at all times with entry strictly controlled. An electronic or mechanical entry system shall be utilized to limit access and entry to the retail location.* As provided by the floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 1 – Cannabis Retail Operations – 1)

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- B. *Cannabis Retailers may include the sale of Medical Cannabis, requiring an M-License from the State. Cannabis Retailers selling only Medical Cannabis shall verify consumers who enter the Premises are at least 18 years of age and that they hold a valid Physician's Recommendation. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to verify consumers are of appropriate age and hold a valid Physician's recommendation. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 7 – Cannabis Retail Operations – 2)*
- C. *Cannabis Retailers may include the sale of Adult Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to verify consumers are at least 21 years of age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 8 – Cannabis Retail Operations – 3)*
- D. *A Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to verify consumers are of appropriate age and that they hold a valid Physician's Recommendation or are at least 21 years of age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 9 – Cannabis Retail Operations – 4)*
- E. *Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 10 – Cannabis Retail Operations – 5)*
- F. *Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area. As provided by the project floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 11 – Cannabis Retail Operations – 6)*
- G. *Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods. It has been conditioned that not more than 10% of the Cannabis Retailer floor area, up to a maximum of 361 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis*

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goods. (Advisory Notification Document Planning-All. 12 – Cannabis Retail Operations – 7)

- H. *Restroom facilities shall be locked and under the control of the Cannabis Retailer. As provided by the floor plan of the project, Exhibit C, the restroom facilities have a locking door to the designated room. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 13 – Cannabis Retail Operations – 8)*
- I. *Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 14 – Cannabis Retail Operations – 9)*
- J. *Cannabis Retailers shall not distribute any Cannabis or Cannabis Product unless such products are labeled and in a tamper-evident package in compliance with the California Business and Professions Code and any additional rules promulgated by a licensing authority. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 2 – Cannabis Retail Operations – 10)*
- K. *Cannabis Retailers shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. It has been conditioned that the Cannabis Retailer shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. (Advisory Notification Document Planning-All. 3 – Cannabis Retail Operations – 11)*
- L. *Deliveries shall be conducted in accordance with California Business and Professions Code Section 26090 or as may be amended and all state regulations pertaining to delivery of Cannabis Products. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 4 – Cannabis Retail Operations – 12)*
- M. *Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 5 – Cannabis Retail Operations – 13)*
- N. *Cannabis Retailers shall not include a drive-in, drive-through or walk-up window where retail sales of Cannabis or Cannabis Products are sold to persons or persons within or about a motor vehicle. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 6 – Cannabis Retail Operations – 14)*

Cannabis Retail Findings:

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1. The project complies with all the requirements of the State and County for the selling of Cannabis. This finding is met because the project has been conditioned to meet these requirements. (Advisory Notification Document Planning.7 - General - B. State License Required)
2. No Child Day Care Center, K-12 school, public park, or Youth Center was identified within 1,000 feet of the project. A radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and did not identify any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the project site. Therefore, the project meets this standard.
3. The project includes adequate measures that address enforcement priorities for Commercial Cannabis Activities including restricting access to minors and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State. This finding is met because the project has been conditioned to meet this requirement. (Advisory Notification Document Planning.16 - General - O. Permit and License Posting, and Planning.16 - General - K Monitoring Program)
4. The proposed Cannabis Retailer has no verified Cannabis related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the proposed use will not contribute to repeat violations on the lot because there is no indication that problems should be anticipated since 24-hour on-site security is proposed, and all applicable fees have been paid.
5. The Cannabis Retailer complies with all applicable Riverside County Board of Supervisors policies. This finding has been met because the project proposes to operate in compliance with the requirements of all local ordinances and regulations, state law and such other terms and conditions that will protect and promote the public health, safety and welfare and a development agreement, once effective, will allow the project to proceed. (Advisory Notification Document Planning. 5 General - E. Development Agreement)

Cannabis Distribution Minimum Standards:

General Location

1. *Cannabis Distribution Facilities shall not be located within 600 feet from any child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations.* This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and no Child Day Care Center, K-12 school, public park, or Youth

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Centers within 1,000 feet of the site was identified, which means the 600-foot requirement was met.

Setbacks

2. *All Cannabis Distributions Facilities shall comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet. The proposed Commercial Cannabis Activities would be located within a fully enclosed building that meets current development standards for the M-SC Zone. The project meets the setback requirements for the M-SC zone as further discussed later in the Development Standards section of the staff report.*
3. *Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of Ordinance No. 348. In no case shall a setback be less than setbacks required by the State of California Bureau of Cannabis Control, the California Building Code or Ordinance No. 457. There is no setback adjustment required for this project, as such, this requirement does not apply to the proposed project.*

Cannabis Distribution Operational Requirements:

1. *Cannabis and Cannabis Products shall only be transported between permitted and licensed commercial Cannabis Activities. The project has been conditioned to meet this standard. (Planning – All. 21 – Cannabis Distribution Operations – 1)*
2. *In addition to the requirements of Section 19.505.Q. the following record keeping measures are required to be implemented for all Cannabis Distribution Facilities:*
 - a. *Prior to transporting Cannabis or Cannabis Products, a shipping manifest shall be completed as required by state law and regulations. The project has been conditioned to meet this standard. (Planning - All. 22 – Cannabis Distribution Operations – 2)*
 - b. *A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement, or any agents of the State or County charged with enforcement. The project has been conditioned to meet this standard. (Planning - All. 22 – Cannabis Distribution Operations – 2)*
 - c. *Cannabis Distribution Facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting Cannabis and Cannabis Products to maintain a clear chain of custody. The project has been conditioned to meet this standard. (Planning - All. 22 – Cannabis Distribution Operations – 2)*
3. *Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution*

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and shall maintain a copy of the test results in its files. The project has been conditioned to meet this standard. (Planning - All. 23 – Cannabis Distribution Operations – 3)

4. *Cannabis Distribution Facilities shall not be open to the public.* The Distribution component of the project is located on the second floor of the building and is not readily accessible to any public areas of the retail component of the project. A wall and door are depicted on the floor plan exhibit that would prevent unauthorized access to the Distribution Facilities. The project has been conditioned to meet this standard. (Planning - All. 24 – Cannabis Distribution Operations – 4)
5. *Cannabis Distribution Facilities shall not transport or store non-cannabis goods.* The project has been conditioned to meet this standard. (Planning - All. 25 – Cannabis Distribution Operations – 5)

Cannabis Distribution Findings:

1. *The Cannabis Distribution Facility complies with all the requirements of the State and County for the distribution of Cannabis.* This is met because the project has been designed and conditioned to meet these requirements.
2. *The Cannabis Distribution Facility's operating plan demonstrates proper protocols and procedures that address enforcement priorities for Cannabis related activities including restricting access to minors, and ensuring that Commercial Cannabis Activities and Cannabis Products are obtained from and supplied only to other permitted and licensed sources and not distributed out of State.* The Project's Business Plan addressing Safety and Security Protocols notes that minors will not be allowed on the premises. (Planning. 18 General – Q. Records)
3. *The Cannabis Distribution Facility is not within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center.* No Child Day Care Center, K-12 school, public park, or Youth Center has been identified within 1,000 feet of the subject property. A radius map buffering 600 feet from the subject site was prepared by Riverside County Geographic Information Systems and did not identify any Child Day Care Center, K-12 school, public park, or Youth Centers within 600 feet of the project site. Therefore, the project meets this standard.
4. *The Cannabis Distribution Facility is not open to the public.* The Distribution component of the project will not be readily accessible to any public areas of the retail component of the project. A wall and door are depicted on the floor plan exhibit that would prevent unauthorized access. The project has been designed and conditioned to meet this standard. (Planning - All. 24 – Cannabis Distribution Operations – 4)
5. *For Cannabis Distribution Facility lots with verified cannabis-related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violations on the lot and that all applicable fees have been paid.* This is met

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because no record of any cannabis-related violations within the last 12 months exists at the project site and, thus, there are no applicable fees to pay.

Development Standard Findings:

The following development standards are required for projects within the M-SC Zone, pursuant to Article XI M-SC Zone (Manufacturing- Service Commercial), Section 11.4 of Ordinance No. 348. Staff has reviewed the proposed project and determined that the project meets the development standards of the underlying zone. Conditions of approval have been included to ensure compliance with required development standards.

- a. **Lot Size.** *The minimum lot size shall be 10,000 square feet with a minimum average width of 75 feet.*
The project is compliant with this provision. The project is proposed on a 1.73-acre lot with a width of 202 feet.
- b. **Setbacks.** *Where the front, side, or rear adjoins a street, the minimum setback shall be 25 feet from the property line.*
The project is compliant with this provision. The frontage of the site adjoins Estelle Street, and the proposed office building is setback more than the required 25 feet. The existing building is setback 80 feet from Estelle Street. Additionally, the side yards adjoin lots with the same zoning. The rear yard adjoins the R-R Zone and is buffered by a parking area greater than 25 feet in depth from the rear property line.
- c. **Height Requirements.** *No building or structure shall exceed fifty (50') feet in height unless a greater height is approved pursuant to Section 18.34.*
The project is compliant with this provision. The existing light industrial building, which will be used for the Commercial Cannabis Activities, is depicted with a height of 31 feet 6 inches.
- d. **Masonry Wall.** *Prior to occupancy of any industrial use permitted in this article, a six-foot-high solid masonry wall or combination landscaped earthen berm and masonry wall shall be constructed on each property line that adjoins any parcel specifically zoned for residential use, unless otherwise approved by the hearing officer or body.*
The project site has no property lines that adjoin any parcel specifically zoned for residential use since the property lines adjoin the street and a railroad.
- e. **Landscaping.** *A minimum ten-foot strip adjacent to street right-of-way lines shall be appropriately landscaped and maintained, except for designated pedestrian and vehicular access ways. Said landscaped strip shall not include landscaping located within the street right-of-way.*
The project is compliant with this provision as the proposed project includes a conceptual landscaping plan is depicted to meet the stated requirements and existing landscaping that exceeds the requirement.
- f. **Parking Areas.** *Parking areas shall be provided as required by Section 18.12. Ordinance No. 348.*
The project is compliant with this provision. The project provides 55 parking locations with three (3) accessible parking spaces.
- g. **Trash Collection Areas.** *Trash collection areas shall be screened by landscaping or architectural features in such a manner as not to be visible from a public street or from any adjacent residential area.*

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The project is compliant with this provision. The existing trash collection area is screened by an enclosure as depicted on the exhibit.

- h. **Outside Storage and Service Areas.** *Outside storage and service areas shall be screened by structures or landscaping.*

The project is compliant with this provision. Outside storage is neither depicted nor proposed for this project.

- i. **Utilities.** *Utilities shall be installed underground except electrical lines rated at 33kV or greater.*

The proposed project is compliant with this provision. Existing utilities are installed underground at the project site.

- j. **Mechanical Equipment.** *Mechanical equipment used in the manufacturing process shall be required to be enclosed in a building, and roof-mounted accessory equipment may be required to be screened from view.*

The project is compliant with this provision. Additional mechanical equipment would be required to be screened. (Advisory Notification. 6 AND Federal, State & Local Regulation Compliance)

- k. **Lighting.** *All lighting fixtures, including spot lights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.*

The project is compliant with this provision. Conditions have been placed on the project requiring all lighting to be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property. (Advisory Notification. 6 AND Federal, State & Local Regulation Compliance)

Other Findings

1. This project site is not located within a Criteria Area of the Multi-Species Habitat Conservation Plan or Conservation Area.
2. The Project site is not located in a Fire Hazard Zone. However, fire protection and suppression services will be available to the Project site through the Riverside County Fire Department. In addition, conditions of approval to ensure safety to people and structures should a fire emergency occur have been added such as, adequate access for emergency vehicles, fire hydrants type and location, installation of interior fire sprinkler system, fire lane painting, signage, an alarm system, and rapid entry storage key cabinets at the building, prior to building permits for tenant improvement requests.
3. This project is within the City of Corona Sphere of Influence. As such, it is required to conform to the County's Memorandum of Understanding (MOU) with that city. This project conforms to the MOU. The City of Corona was notified of the proposed project on August 27, 2021. No response was received.
4. The project site is not located within an Airport Influence Area (AIA) boundary and is therefore not subject to the Airport Land Use Commission (ALUC) review.
5. The project is exempt from CEQA and therefore is not subject to AB 52 tribal consultation.
6. The project site is not located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP).

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7. The project site is not located within an Airport Influence Area (AIA) boundary and is therefore not subject to the Airport Land Use Commission (ALUC) review.
8. The project is located outside of the Mount Palomar Observatory Lighting Zone boundary.
9. Based on the above, the proposed use conforms to all the requirements of the General Plan, and with all applicable requirements of State law and the ordinances of Riverside County. In addition, there is no anticipation that the overall development of the land will be detrimental to the public health, safety, and general welfare of the community.

Development Agreement:

The applicant has proposed entering into the attached draft Development Agreement No. 2000023(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.

Approval Requirements and Conclusion:

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

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

Public hearing notices were mailed to property owners within 600 feet of the proposed project site. As of the writing of this report Planning Staff has not received written communication/phone calls from anyone who indicated support/opposition to the proposed project.

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PROJECT DESCRIPTION AND LOCATION

Conditional Use Permit No. 200045 is a request to authorize commercial cannabis activity within a 36,450 square foot industrial building to include Cannabis Cultivation, a Cannabis Retailer and Cannabis Distribution Facilities with parking, landscaping and other improvements, and to demolish interior mezzanine area and an outdoor enclosure ("Project").

Development Agreement No. 2000023 proposes a term of 10 years and would grant the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 2000023 and Conditional Use Permit No. 200045 and would provide community benefits to the East Corona, Home Gardens area.

The proposed Project is located at 13445 Estelle Street, Corona, CA 92879, north of Magnolia Avenue, east of Promenade Avenue, south of the 91 freeway, and west of McKinley Street.

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

PROJECT BACKGROUND AND ANALYSIS

Background:

On October 23, 2018, the Board of Supervisors adopted Ordinance No. 348.4898, which established the permitting process and regulations for Commercial Cannabis Activities.

Project Details

Commercial Cannabis Activity is proposed to be operated by Brook Duquesnel of Golden Hights within existing 36,450 square foot light industrial building, in which an unpermitted 2,550 square feet mezzanine and an unpermitted 1,360 square foot outdoor enclosure are proposed to be removed. Golden Hights proposes a Medium Indoor Cannabis Cultivation up to 22,000 square foot in Canopy size area with 2,770 square feet of associated Cannabis Cultivation facility area, a 3,610 square foot Cannabis Retailer and Cannabis Distribution Facilities and related storage 5,520 square feet in area for a total of 33,900 square feet maximum of Commercial Cannabis Activities. The project site is currently occupied by a paper products business. Associated site work would include 55 off-street vehicle parking spaces, landscaping, and signage for the proposed new Commercial Cannabis Activities.

The proposed Cannabis Retailer would operate as a storefront with mobile deliveries between the hours of 6:00 A.M. to 10:00 P.M. daily in compliance with the County of Riverside Ordinance No. 348 Section 19.505.K. The operator proposes to allow entrance to only customers 21 years

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of age and older with at least one licensed, certified protection professional security guard verifying valid proof of identification. Security is also proposed to be on site 24-hours a day and within the retail area during business hours. The storefront would be established first on the site along with the proposed façade, parking area and landscaping improvements.

The proposed Cannabis Distribution Facilities would be a later phase of the project, separate from the storefront and not open to the public. At least three (3) employees are anticipated with security personnel.

The applicant also proposes to implement the project phases to include Indoor Cannabis Cultivation operation to be licensed as Medium Indoor Cannabis Cultivation. The Medium Indoor Cannabis Cultivation would have a canopy size of no more than 22,000 square feet and 2,770 square feet of associated storage. At least eight (8) employees are anticipated with security personnel.

The parking ratio of 1 space/200 square feet of gross floor area equals 18 parking spaces as a requirement for the proposed Cannabis Retail Facility and a minimum of eight (8) spaces for the anticipated employees. 4,560 square feet of the existing building would be used for storage and a minimum of 10 spaces used for off-street vehicle parking would be required by the zoning. A total of 36 spaces used for off-street vehicle parking and four bicycle parking spaces could be accommodated on site. The proposed number of 55 spaces exceeds the off-street vehicle parking space requirement. Three (3) accessible parking spaces are included, meeting the standards set forth in Section 18.12.C of Ordinance No. 348.

As part of the approval process for a Commercial Cannabis Activities, a development agreement between the County of Riverside and the applicant was applied for under Development Agreement No. 2000023 ("DA2000023").

General Plan Consistency

The project site has a General Plan Foundation Component of Community Development (CD) and a Land Use Designation of Light Industrial (LI). The Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of lifestyles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the Riverside County Integrated Plan (RCIP) Vision, such as mobility, open space, and air quality goals.

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The Light Industrial (LI) land use designation provides for a wide variety of industrial and related uses, including light manufacturing, warehousing and distribution, other service facilities and supporting retail uses. The project is consistent with the Community Development General Plan Foundation Component and Light Industrial Land Use Designation as it would provide community services and job opportunities within the surrounding community. The Temescal Area Plan provides that the area is suitable for industrial and related uses including warehousing, distribution, light manufacturing and supporting retail uses. The proposed project would see distribution and retail, providing employment as well as a mix of uses intended to serve the population and promote efficient form of land development. The proposed use would also utilize existing infrastructure.

Zoning Consistency

The project site is zoned for Manufacturing – Service Commercial (M-SC) uses. Pursuant to Ordinance No. 348, Article XIXh, Sections No. 19.511, 19.518 and 19.520, Medium Indoor Cannabis Cultivation, Cannabis Retailers and Cannabis Distribution Facilities are allowed in the M-SC Zone with an approved conditional use permit. Medium Indoor Cannabis Cultivation is permitted in the M-SC zone on lots one gross acre or more with an approved conditional use permit. The project site is 1.69 acres, which meets the one gross acre standard for this type of use in the M-SC zone. In addition, Medium Indoor Cannabis Cultivation includes the following size limitations: the canopy size of a single lot for Medium Indoor Cannabis Cultivation shall not exceed 22,000 square feet. The proposed canopy size for the project is up to 22,000 square feet, which meets the size limitations. 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 M-SC Zone and those set forth in Sections No. 19.511, 19.519, and 19.521 of Ordinance No. 348, including design, height, setbacks, and parking requirements.

The applications for Development Agreement No. 2000023 and Conditional Use Permit No. 200045 were submitted to the County of Riverside on November 9, 2020.

ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

This project is exempt from the California Environmental Quality Act (CEQA) review pursuant to State CEQA Guidelines Section 15301(I)(3) (Existing Facilities), which is a Class 1 Categorical Exemption. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This exemption specifically states “a store, motel, office, restaurant, and similar small commercial structure if designed for an occupant load of 30 persons or less.

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In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use." The proposal for CUP200045 shall include the demolition of an existing 1,360-square foot outdoor enclosure and demolition of 2,550 square feet of unpermitted interior mezzanine space. This class exemption also consists of the maintenance and leasing of private structures involving negligible or no expansion of former uses. The request for a Medium Indoor Cannabis Cultivation up to 22,000 square foot in Canopy size area with 2,770 square feet of associated storage, a 3,610 square foot Cannabis Retailer and Cannabis Distribution Facilities and storage 5,520 square feet in area for a total of 33,900 square feet maximum of Commercial Cannabis Activities under this categorical exemption is appropriate as the project is located within an urbanized area and would include no new construction.

None of the exceptions to the Categorical Exemptions pursuant to State CEQA Guidelines section 15300.2 would occur. There is no anticipation that the Project would have a significant effect on the environment due to unusual circumstances; would result in no cumulative impact; would impact no historic resources; and is not located on a hazardous site or location. The proposed cannabis related uses present no unusual circumstances since they carry similar environmental impacts compared to any other light industrial, retail and distribution uses that would be permitted to occupy the project site. Since all impacts of the proposed use would be like other uses that would occupy the space, all potential cumulative impacts of this use were also previously addressed in the prior approvals. No historic resources are known to exist on the site that could be impacted since the site is currently developed. No hazardous material has been known to be deposited at the location based on available data. The State has created various rules and regulations as they relate to cannabis waste for cannabis cultivators. There are no known impacts related to proposed cannabis cultivation as a hazardous waste or to the commercial selling of cannabis (the State treats cannabis as an organic waste, versus a hazardous waste). Accordingly, there are no exceptions to the above categorical exemptions that would prevent a request for the proposed entitlements.

This proposed project is also exempt from CEQA review pursuant to Article 5 - Preliminary Review of Projects and Conduct of Initial Study, Section 15061 (b)(3), which states: Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA. The Project is deemed to be a "project" pursuant to CEQA. The Project is Commercial Cannabis Activity is proposed to be operated by Brook Duquesnel of Golden Hights within 33,900 square feet of an existing 36,450 square foot light industrial building where an unpermitted 2,550 square feet mezzanine and an unpermitted 1,360 square foot outdoor enclosure are proposed to be removed. Golden Hights proposes a Medium Indoor Cannabis Cultivation up to 22,000 square foot in Canopy size area with 2,770 square feet of associated storage, a 3,610 square foot Cannabis Retailer and Cannabis Distribution Facilities 5,220 square feet in area for a total of 33,900 square feet maximum of

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Commercial Cannabis Activities. The Project is EXEMPT under State CEQA Guidelines Section 15061 because Section (b) (3) states: The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Project will continue to utilize the site as light industrial and commercial land uses and there is no anticipation that the uses will not result in additional impacts related to traffic, air quality, or public safety, beyond what already occurs in the area. As the land is already developed, there are no potential impacts related to aesthetics, biological and cultural resources, hydrology, or other similar potential impacts. Lastly, as the State has created various rules and regulations as they relate to cannabis waste, particularly for cannabis cultivators, there are no impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis (the State actually treats cannabis as an organic waste, versus a hazardous waste). Therefore, the project meets the requirements for CEQA exemption per Section 15061(b)(3) as there is no anticipation of a significant physical impact on the environment.

FINDINGS AND CONCLUSIONS

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

Land Use Findings:

1. The project site has a General Plan Land Use Designation of Light Industrial (LI). The proposed project is consistent with the land use designation as the project addresses General Plan policy LU29.1 which states "accommodate the development of commercial uses in areas appropriately designated by the General Plan and area plan land use maps" as the use is in the appropriately designated area since the area has a mix of commercial, service, and industrial uses within existing infrastructure. In addition, the project also meets policy LU 29.6, which states "require that commercial projects abutting residential properties protect the residential use from the impacts of noise, light, fumes, odors, vehicular traffic, parking, and operational hazards." The project has proposed to perform the necessary steps to protect the nearby residential properties implementation of an air filtration system to mitigate any possible nuisance odors from being detected offsite, shielding/directing any lighting fixtures from spilling light onto adjacent properties, and providing 24/7 security personnel to deter possible criminal activity and loitering.

The Light Industrial land use designation provides for the emphasis on general uses such as warehousing/distribution, assembly and light manufacturing, repair facilities, and supporting retail uses. The proposed project is consistent with this land use designation because the project will provide local and regional retail and services along with cultivation in a warehouse setting with distribution. Additionally, the Community Development General Plan

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Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of lifestyles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the RCIP Vision, such as mobility, open space, and air quality goals.

The project is consistent with the Community Development General Plan Foundation Component and Light Industrial Land Use Designation as the project would provide community services and job opportunities within the surrounding community, fulfilling the goals of the Vision Statement of the General Plan, particularly by helping expand emerging markets and associated employment, which includes the cannabis industry. This economic diversity also helps the County reach its stated economic development principles as discussed in the General Plan, by furthering local job opportunities; providing a unique mix of uses and a continued and expanded market for retail products; and stimulating growth of small businesses.

The project is consistent with the Temescal Canyon Area Plan and Light Industrial Land Use Designation since the project is proposed to be located within an existing building meeting the appropriate floor area ratio ("FAR") and using existing water and sewer services. The Home Gardens Town Center area focuses on the "strategic locations" where development can promote new commercial uses and variety. The project would be a new commercial use.

2. The project site has a Zoning Classification of Manufacturing - Service Commercial (M-SC), which is consistent with the Riverside County General Plan, including the applicable Foundation Component and Land Use Designation identified above and the zoning implements the Plan's description of the area's need for warehousing, distribution and supporting retail. The proposed uses of a Cannabis Retail - Storefront, Medium Indoor Cannabis Cultivation, and Cannabis Distribution Facilities are allowed within the zoning classification per Sections 19.518.A.2, 19.509.A.4 and 19.520 of Ordinance No. 348 with an approved conditional use permit. Medium Indoor Cannabis Cultivation is permitted in the M-SC zone on lots one gross acre or more with an approved conditional use permit. The project site is 1.69 acres, which meets the one gross acre standard for this type of use in the M-SC zone. In addition, Medium Indoor Cannabis Cultivation includes the following size limitations: the canopy size of a single lot for Medium Indoor Cannabis Cultivation shall not exceed 22,000 square feet. The proposed canopy size for the project is up to 22,000 square feet, which meets the size limitations.
1. The proposed uses, a Cannabis Retailer, Medium Indoor Cannabis Cultivation, and Cannabis Distribution Facility, is consistent with Ordinance No. 348 (Land Use) and is allowed within the Manufacturing - Service Commercial (M-SC) Zoning Classification, subject to Conditional Use Permit approval. Pursuant to various sections of Ordinance No.

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348, as described in greater detail below in this staff report, the proposed project meets all of the conditional use permit findings, the development standards of the M-SC Zoning Classification, permit requirements for all commercial cannabis activities, cannabis retailer minimum standards, cannabis cultivation standards, and cannabis distribution facilities standards.

2. The uses surrounding the project site include a variety of light industrial and retail uses including an engineering firm and tank supply store to the west along with mobilehome park residences to the south, which are part of the Mobilehome Subdivisions and Mobilehome Parks (R-T) zoning classification. In addition, the project is bounded by the Burlington North and Santa Fe Pacific Corporation railway (BNSF) to the north. The parcels surrounding the project site on the east and west are zoned Manufacturing - Service Commercial (M-SC), Manufacturing - Service Commercial (M-SC). As such, the project use is compatible with the surrounding uses as it proposes to utilize an existing, currently vacant structure and meets the minimum development standards as defined through Ordinance No. 348. The existing building for the project is setback at least 88 feet from the parcel to the south zoned Mobilehome subdivisions and Mobilehome parks (R-T), which exceeds the 25-foot minimum setback required for a project located in the M-SC zone.

Conditional Use Permit Findings:

1. The proposed use will not be detrimental to the health, safety, or general welfare of the community since the project has been reviewed by County departments specifically for these concerns and has received departmental clearances and has been designed and conditioned to protect the health, safety, and general welfare of the community. Based on the findings included in this staff report and with compliance with the conditions set forth in the advisory notification document and conditions of approval, the proposed project will not be detrimental to the health, safety or general welfare of the community and is subject to those conditions necessary to protect the health, safety, and general welfare of the community.
2. The proposed project conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property, as the project site is located on a parcel that supports the proposed development while being consistent with both the General Plan and zoning ordinance. The site is located adjacent to other properties with the LI Land Use designation to the east and west which encourage land uses that foster variety, choice and accommodate a balance of jobs, housing, and services within communities. The lands to the north and south have been fenced and screened off to prevent any direct exposure to the proposed uses and have land use designations of Open Space - Conservation (O-SC) and Medium Density Residential (MDR). The proposed use is compatible with the surrounding zoning classifications since an existing railroad and open space are located adjacent and north of the project site. The proposed Commercial Cannabis Activities would provide community benefits and retail services for the surrounding community. Therefore, the proposed project conforms to the logical development of the land and is designed to be compatible with the present and future logical development of the surrounding property.

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3. All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel. There are no additional structures being proposed for the current project. As such, if the project is approved, no condition is required.

Permit Requirements for All Commercial Cannabis Activities:

1. Section 19.505 of Ordinance No. 348 sets forth requirements that all Commercial Cannabis Activities must comply with, including, among others, submitting an appropriate application, obtaining, and maintaining a state license, being sited, and operated in such a way that controls odors, being limited in hours of operation, and implementing sufficient security measures. All these requirements have either already been proposed to be met or are required in the attached project's Conditions of Approval or Advisory Notification Document which are incorporated herein by this reference. Specifically, Planning. 6, Planning. 9, Planning. 14 and 15 of the Advisory Notification Document address odors, hours of operation and security.
2. While security has been raised as a concern relating to cannabis-related activities, a standard condition of approval or requirement of the Advisory Notification Document (Planning. 14 and 15) requires sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, to deter and prevent theft of Cannabis or Cannabis Produces, and to ensure emergency access in accordance with applicable Fire Code standards. These requirements include the following:
 - a) A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity indoors.
 - b) 24-hour emergency contact information for the owner or an on-site employee which shall be provided to the County.
 - c) A professionally installed, maintained, and monitored alarm system.
 - d) Except for Live Cannabis Plants being cultivated at a Cannabis Cultivation facility and limited amounts of Cannabis for display purposes, all Cannabis and Cannabis Products shall be stored in a secured and locked structure and in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss.

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- e) 24-hour security surveillance cameras to monitor all entrances and exits to a Commercial Cannabis Activity, all interior spaces within the Commercial Cannabis Activity that are open and accessible to the public, and all interior spaces where Cannabis, cash or currency is being stored for any period on a regular basis. The permittee for a Commercial Cannabis Activity shall be responsible for ensuring that the security surveillance camera's footage is accessible. Video recordings shall be maintained for a minimum of 90 days and shall be made available to the County upon request. The project applicant is providing 24-hour on-site security.
- f) Sensors shall be installed to detect entry and exit from all secure areas.
- g) Panic buttons shall be installed in all Commercial Cannabis Activities.
- h) Any bars installed on the windows or the doors of a Commercial Cannabis Activity shall be installed only on the interior of the building.
- i) Security personnel must be licensed by the State of California Bureau of Security and Investigative Services.
- j) A Commercial Cannabis Activity shall have the capability to remain secure during a power outage and all access doors shall not be solely controlled by an electronic access panel to ensure locks are not released during a power outage.
- k) A Commercial Cannabis shall cooperate with the County and, upon reasonable notice to the Commercial Cannabis Activity, allow the County to inspect or audit the effectiveness of the security plan for the Commercial Cannabis Activity.
- l) The permittee for a Commercial Cannabis Activity shall notify the Riverside County Sherriff's Department immediately after discovering any of the following:
 - a. Significant discrepancies identified during inventory.
 - b. Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Activity or any agent or employee of the Commercial Cannabis Activity.
 - c. The loss or unauthorized alteration of records related to Cannabis, registering qualifying patients, primary caregivers, or employees or agents of the Commercial Cannabis Activity.
 - d. Any other breach of security.
- m) Firearms shall not be permitted at a Commercial Cannabis Activity by an owner, manager, employee, volunteer, or vendor other than those individuals authorized as a State Licensed Security personnel.

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- n) Cannabis or Cannabis Products shall not be stored outside at any time.

With implementation of these required measures, security concerns relating to the Commercial Cannabis Activity would be fully addressed.

Cannabis Cultivation Minimum Standards:

Location Requirements

1. *Cannabis Cultivation shall not be located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of Ordinance No. 348. In no case shall the distance be less than allowed by State law. This standard is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and no Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site were identified. A copy of the 1,000-foot distance exhibit is included with this staff report.*
2. *Indoor and Mixed Light Cannabis Cultivation are not allowed in an established agricultural preserve or on a lot under a land conservation contract pursuant to the Williamson Act. Indoor and Mixed Light Cannabis Cultivation shall not be considered agriculture for the purposes of Ordinance no. 625 the County's Right-to-Farm Ordinance. No Williamson Act or land conservation contract exists on the subject parcels.*
3. *All Cannabis Cultivation is prohibited on natural slopes 25% or greater. No slopes of this type have been identified on the property.*

Minimum Lot Size

4. *The minimum lot size for Indoor Cannabis Cultivation is the minimum lot size per the zone. In the M-SC Zone, the minimum lot size is 10,000 square feet with a minimum average width of 75 feet, except that a lot size not less than 7,000 square feet and an average width of not less than 65 feet may be permitted when sewers are available and will be utilized for the development. The minimum lot size requirement is met since the project area is 1.73 gross acres in size and width of approximately 202 feet, which far exceeds the 10,000 square foot total and 75-foot average width requirement.*

Minimum Lot Dimensions

5. *The minimum average lot width for Mixed Light Cannabis Cultivation lots shall be 150 feet. This requirement is not applicable because the Project is Indoor Cannabis Cultivation*

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Setbacks

6. *Indoor Cannabis Cultivation shall be within a fully enclosed building or buildings and setback from the lot lines and public right-of-way in accordance with the development standards for the zone classification in which it is located. When an Indoor Cannabis Cultivation facility is located adjacent to a residentially zoned lot the minimum setback shall be 25 feet. The proposed Commercial Cannabis Activities for the Project would be located within a fully enclosed building that meets current development standard for the M-SC Zone. The project meets the setback requirements for the M-SC Zone as further discussed later in the Development Standards section of the staff report.*

Screening and Fencing

7. *All Mixed Light Cannabis Cultivation shall occur within a secure fence at least 6 feet in height that fully encloses the Cannabis Cultivation Premises or Cannabis Cultivation area and prevents easy access to the Cannabis Cultivation Area. The fence must be solid, durable and include a lockable gate(s) that is locked at all times, except for during times of active ingress and egress. Fences shall be separated by a minimum of six feet from all cultivation structures, providing a clear six-foot path. The fence shall comply with all other applicable County ordinances, policies, and design standards related to height, location, materials, or other fencing restrictions. Cannabis Cultivation Areas shall not be secured by fences with barbed wire or screened with plastic sheeting on chain link. Chain link with slats is allowed. This requirement is not applicable because the Project is Indoor Cannabis Cultivation.*

Enclosures

8. *Cannabis Cultivation operations shall occur within a fully enclosed permitted building, greenhouse, hoop structure, or other similar structure. Mixed light supplemental lighting shall not exceed 25 watts per square foot to be used up to one hour before sunrise or after sunset unless the building or structure is equipped with light-blocking measures to ensure that no light escapes. All greenhouses, hoop structures, or other similar structures shall comply with Section 19.505.W. of this article. The proposed Indoor Cannabis Cultivation area is located inside a fully enclosed permitted building.*

Energy Conservation Measures

9. *All Cannabis Cultivation operations shall include adequate measures to address the projected energy demand for Cannabis cultivation at the lot. On-site renewable energy generation shall be required for all Indoor Cannabis Cultivation operations. Renewable energy systems shall be designed to have a generation potential equal to or greater than 20-percent of the anticipated energy demand. The project has been conditioned to meet this standard and requires the renewable energy standard to be met prior to occupancy. (Advisory Notification Document, Planning-All. 28 Renewable Energy - Installed)*

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Water Conservation Measures

10. *All Cannabis Cultivation operations shall include adequate measures that minimize use of water for cultivation on the lot. Water conservation measures, water capture systems, or grey water systems shall be incorporated into the operations in order to minimize use of water where feasible. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 18 Cultivation Operations -2)*

Cannabis Cultivation Operational Requirements

1. The project complies with the operational requirements set forth in Ordinance No. 348 Section 19.511.I. because of the following:
 - A. *All Cannabis Cultivation lighting shall be fully shielded, downward casting and not spill over onto structures, other properties, or the night sky. All Indoor and Mixed Light Cannabis Cultivation operations shall be fully contained so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. As provided by the floor plan, Exhibit C, the project is proposed with in a fully enclosed building. The cultivation operations would be conducted in an area with no windows so no light would escape the building from the identified areas on the floor plan. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 19 Cultivation Operations -3)*
 - B. *All Cannabis Cultivation operations shall accumulate or store garbage and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on the site shall not be accumulated or stored for more than seven calendar days and shall be properly disposed of before the end of the seventh day. All waste, including but not limited to refuse, garbage, green waste, and recyclables, must be disposed of in accordance with County and State laws and regulations. All waste generated from Cannabis Cultivation operations must be properly stored and secured to prevent access from the public. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 20 Cultivation Operations - 4)*
 - C. *Onsite generators are prohibited, except as a source of energy in an emergency. Onsite generators for emergency use shall be included in the conditional use permit. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All 21 Cultivation Operations - 5.)*
 - D. *Cannabis Cultivation within the A-1, A-P, A-2, and A-D Zones shall not include the retail sales of Cannabis or Cannabis Products. This requirement does not apply because the project site is located within the M-SC Zone.*

Cannabis Cultivation Findings:

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1. The project complies with all the requirements of the State and County for Cannabis Cultivation. This finding is met because the project has been conditioned to meet these requirements. (Advisory Notification Document Planning.3 - General - B. State License Required)
2. No Child Day Care Center, K-12 school, public park, or Youth Center was identified within 1,000 feet of the project. This finding is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the project site. Therefore, the project meets this standard.
3. The proposed Indoor Cannabis Cultivation has been conditioned to include adequate measures that minimize use of water for cultivation on the lot. (Advisory Notification Document Planning-All. 18 Cultivation Operations - 2)
4. The proposed Indoor Cannabis Cultivation includes adequate quality control measures to ensure cultivation on the lot meets State and County regulatory standards because onsite consumption would be prohibited; inventory tracking is a part of the business plan and 24-hour on-site security is proposed. (Advisory Notification Document Planning. 13 - General - M. Restriction on Consumption)
5. The proposed Indoor Cannabis Cultivation includes adequate measures that address enforcement priorities for cultivation including restricting access to minors and ensuring that Cannabis is not supplied to unlicensed or unpermitted persons since the area is depicted to prevent unauthorized access. This standard has been met because the cultivation area provides no public access, and the retail area requires security personnel to verify age with valid ID. (Advisory Notification Document Planning. 18 - General - Q. Records)
6. The proposed Indoor Cannabis Cultivation lots have no verified Cannabis related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the proposed use will not contribute to repeat violations on the lot, and all applicable fees have been paid. This standard has been met because there have been no verified cannabis related violations in the last 12 months and there is no indication that problems should be anticipated since 24-hour on-site security is proposed. All applicable fees have been paid because there were no outstanding related fees
7. The proposed Indoor Cannabis Cultivation would operate in a manner that prevents Cannabis nuisance odors from being detected offsite since filtration units are depicted as a part of the improvements required for the project. (Advisory Notification Document Planning.6 - General - F. Nuisance Odors)

Cannabis Retailer Minimum Standards:

General Location

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1. *Cannabis Retailers shall not be located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of Ordinance No. 348. In no case shall the distance be less than allowed by State law. The project is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. No variance has been approved allowing a shorter distance but not less than allowed by State law. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and no Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site was identified. A copy of the 1,000-foot distance exhibit is included with this staff report.*
2. *Cannabis Retailers shall not be located within 1,000 feet of any other Cannabis Retailer. Per Section 19.519.A.2 of Ordinance No. 348, Cannabis Retailers shall not be located within 1,000 feet of any other Cannabis Retailer. No approved Commercial Cannabis Activities conditional use permit has been identified within 1,000 feet of the proposed project. As of the writing of this staff report, Conditional Use Permit No. 200019 is currently under review but located outside of the 1,000-foot area for the project's proposed Commercial Cannabis Activities.*
3. *Cannabis Retailers shall not be located within 500 feet of a smoke shop or similar facility. As of the writing of this staff report, the project is not located within 500 feet of a smoke shop or similar facility because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and does not any smoke shop or similar facility within 500 feet of the site.*
4. *Cannabis Retailers shall not be located on a lot containing a residential dwelling unit. The project is not located on a lot containing a residential dwelling unit because a property characteristic report as prepared by the Planning Department has identified no residential dwelling units located at the subject site.*

Setbacks

5. *All Cannabis Retailers shall comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 40 feet. The project is located within the M-SC Zone which states that where the site adjoins the R-R Zone, a minimum 25-foot setback is required. The minimum requirement is met since the parking area to the north of the existing building serves as a buffer between the R-R Zone and the structure that the use would occupy. Where the location adjoins the street, the minimum setback for any use or structure on the site is at least 25 feet from the property line.*

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The project meets the setback requirements for the M-SC zone as further discussed later in the Development Standards section of the staff report. The project site is in the vicinity of a site within the R-T Zone, known as the Mobilehome Subdivision and Mobilehome Park Zone. The R-T Zone parcel to the south is 88 feet away from the lot line of the project site, which meets the 25-foot setback requirement.

6. *Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case, shall a setback be less than setbacks required by the State of California Bureau of Cannabis Control, California Building Code or Ordinance No. 457. No modifications are required for this project, as such, this requirement is not applicable.*

Mobile Deliveries

7. *Cannabis Retailers with an approved conditional use permit may provide deliveries of Cannabis Products consistent with State law. The proposed project shall include deliveries and shall operate between the normal hours of operation between 6 AM and 10 PM.*

Cannabis Retail Operational Requirements

1. The project complies with the operational requirements set forth in Ordinance No. 348 Section 19.519.C. because of the following:
 - A. *Entrances into the retail location of the Cannabis Retailer shall be separate from the reception area and locked at all times with entry strictly controlled. An electronic or mechanical entry system shall be utilized to limit access and entry to the retail location. As provided by the floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 1 – Cannabis Retail Operations – 1)*
 - B. *Cannabis Retailers may include the sale of Medical Cannabis, requiring an M-License from the State. Cannabis Retailers selling only Medical Cannabis shall verify consumers who enter the Premises are at least 18 years of age and that they hold a valid Physician's Recommendation. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to verify consumers are of appropriate age and hold a valid Physician's recommendation. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 7 – Cannabis Retail Operations – 2)*
 - C. *Cannabis Retailers may include the sale of Adult Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age. The project owner and*

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management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to verify consumers are at least 21 years of age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 8 – Cannabis Retail Operations – 3)

- D. *A Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to verify consumers are of appropriate age and that they hold a valid Physician's Recommendation or are at least 21 years of age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 9 – Cannabis Retail Operations – 4)*
- E. *Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 10 – Cannabis Retail Operations – 5)*
- F. *Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area. As provided by the project floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 11 – Cannabis Retail Operations – 6)*
- G. *Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods. It has been conditioned that not more than 10% of the Cannabis Retailer floor area, up to a maximum of 361 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods. (Advisory Notification Document Planning-All. 12 – Cannabis Retail Operations – 7)*
- H. *Restroom facilities shall be locked and under the control of the Cannabis Retailer. As provided by the floor plan of the project, Exhibit C, the restroom facilities have a locking door to the designated room. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 13 – Cannabis Retail Operations – 8)*
- I. *Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 14 – Cannabis Retail Operations – 9)*

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- J. *Cannabis Retailers shall not distribute any Cannabis or Cannabis Product unless such products are labeled and in a tamper-evident package in compliance with the California Business and Professions Code and any additional rules promulgated by a licensing authority.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 2 – Cannabis Retail Operations – 10)
- K. *Cannabis Retailers shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot.* It has been conditioned that the Cannabis Retailer shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. (Advisory Notification Document Planning-All. 3 – Cannabis Retail Operations – 11)
- L. *Deliveries shall be conducted in accordance with California Business and Professions Code Section 26090 or as may be amended and all state regulations pertaining to delivery of Cannabis Products.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 4 – Cannabis Retail Operations – 12)
- M. *Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 5 – Cannabis Retail Operations – 13)
- N. *Cannabis Retailers shall not include a drive-in, drive-through or walk-up window where retail sales of Cannabis or Cannabis Products are sold to persons or persons within or about a motor vehicle.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 6 – Cannabis Retail Operations – 14)

Cannabis Retail Findings:

1. The project complies with all the requirements of the State and County for the selling of Cannabis. This finding is met because the project has been conditioned to meet these requirements. (Advisory Notification Document Planning.7 - General - B. State License Required)
2. No Child Day Care Center, K-12 school, public park, or Youth Center was identified within 1,000 feet of the project. A radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and did not identify any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the project site. Therefore, the project meets this standard.
3. The project includes adequate measures that address enforcement priorities for Commercial Cannabis Activities including restricting access to minors and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State. This finding is met because the project has

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been conditioned to meet this requirement. (Advisory Notification Document Planning.16 - General - O. Permit and License Posting, and Planning.16 – General – K Monitoring Program)

4. The proposed Cannabis Retailer has no verified Cannabis related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the proposed use will not contribute to repeat violations on the lot because there is no indication that problems should be anticipated since 24-hour on-site security is proposed, and all applicable fees have been paid.
5. The Cannabis Retailer complies with all applicable Riverside County Board of Supervisors policies. This finding has been met because the project proposes to operate in compliance with the requirements of all local ordinances and regulations, state law and such other terms and conditions that will protect and promote the public health, safety and welfare and a development agreement, once effective, will allow the project to proceed. (Advisory Notification Document Planning. 5 General – E. Development Agreement)

Cannabis Distribution Minimum Standards:

General Location

1. *Cannabis Distribution Facilities shall not be located within 600 feet from any child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and no Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site was identified, which means the 600-foot requirement was met.*

Setbacks

2. *All Cannabis Distributions Facilities shall comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet. The proposed Commercial Cannabis Activities would be located within a fully enclosed building that meets current development standards for the M-SC Zone. The project meets the setback requirements for the M-SC zone as further discussed later in the Development Standards section of the staff report.*
3. *Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of Ordinance No. 348. In no case shall a setback be less than setbacks required by*

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the State of California Bureau of Cannabis Control, the California Building Code or Ordinance No. 457. There is no setback adjustment required for this project, as such, this requirement does not apply to the proposed project.

Cannabis Distribution Operational Requirements:

1. *Cannabis and Cannabis Products shall only be transported between permitted and licensed commercial Cannabis Activities. The project has been conditioned to meet this standard. (Planning – All. 21 – Cannabis Distribution Operations – 1)*
2. *In addition to the requirements of Section 19.505.Q. the following record keeping measures are required to be implemented for all Cannabis Distribution Facilities:*
 - a. *Prior to transporting Cannabis or Cannabis Products, a shipping manifest shall be completed as required by state law and regulations. The project has been conditioned to meet this standard. (Planning - All. 22 – Cannabis Distribution Operations – 2)*
 - b. *A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement, or any agents of the State or County charged with enforcement. The project has been conditioned to meet this standard. (Planning - All. 22 – Cannabis Distribution Operations – 2)*
 - c. *Cannabis Distribution Facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting Cannabis and Cannabis Products to maintain a clear chain of custody. The project has been conditioned to meet this standard. (Planning - All. 22 – Cannabis Distribution Operations – 2)*
3. *Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files. The project has been conditioned to meet this standard. (Planning - All. 23 – Cannabis Distribution Operations – 3)*
4. *Cannabis Distribution Facilities shall not be open to the public. The Distribution component of the project is located on the second floor of the building and is not readily accessible to any public areas of the retail component of the project. A wall and door are depicted on the floor plan exhibit that would prevent unauthorized access to the Distribution Facilities. The project has been conditioned to meet this standard. (Planning - All. 24 – Cannabis Distribution Operations – 4)*
5. *Cannabis Distribution Facilities shall not transport or store non-cannabis goods. The project has been conditioned to meet this standard. (Planning - All. 25 – Cannabis Distribution Operations – 5)*

Cannabis Distribution Findings:

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1. *The Cannabis Distribution Facility complies with all the requirements of the State and County for the distribution of Cannabis.* This is met because the project has been designed and conditioned to meet these requirements.
2. *The Cannabis Distribution Facility's operating plan demonstrates proper protocols and procedures that address enforcement priorities for Cannabis related activities including restricting access to minors, and ensuring that Commercial Cannabis Activities and Cannabis Products are obtained from and supplied only to other permitted and licensed sources and not distributed out of State.* The Project's Business Plan addressing Safety and Security Protocols notes that minors will not be allowed on the premises. (Planning. 18 General – Q. Records)
3. *The Cannabis Distribution Facility is not within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center.* No Child Day Care Center, K-12 school, public park, or Youth Center has been identified within 1,000 feet of the subject property. A radius map buffering 600 feet from the subject site was prepared by Riverside County Geographic Information Systems and did not identify any Child Day Care Center, K-12 school, public park, or Youth Centers within 600 feet of the project site. Therefore, the project meets this standard.
4. *The Cannabis Distribution Facility is not open to the public.* The Distribution component of the project will not be readily accessible to any public areas of the retail component of the project. A wall and door are depicted on the floor plan exhibit that would prevent unauthorized access. The project has been designed and conditioned to meet this standard. (Planning - All. 24 – Cannabis Distribution Operations – 4)
5. *For Cannabis Distribution Facility lots with verified cannabis-related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violations on the lot and that all applicable fees have been paid.* This is met because no record of any cannabis-related violations within the last 12 months exists at the project site and, thus, there are no applicable fees to pay.

Development Standard Findings:

The following development standards are required for projects within the M-SC Zone, pursuant to Article XI M-SC Zone (Manufacturing- Service Commercial), Section 11.4 of Ordinance No. 348. Staff has reviewed the proposed project and determined that the project meets the development standards of the underlying zone. Conditions of approval have been included to ensure compliance with required development standards.

- a. **Lot Size.** *The minimum lot size shall be 10,000 square feet with a minimum average width of 75 feet.*
The project is compliant with this provision. The project is proposed on a 1.73-acre lot with a width of 202 feet.
- b. **Setbacks.** *Where the front, side, or rear adjoins a street, the minimum setback shall be 25 feet from the property line.*

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The project is compliant with this provision. The frontage of the site adjoins Estelle Street, and the proposed office building is setback more than the required 25 feet. The existing building is setback 80 feet from Estelle Street. Additionally, the side yards adjoin lots with the same zoning. The rear yard adjoins the R-R Zone and is buffered by a parking area greater than 25 feet in depth from the rear property line.

- c. **Height Requirements.** *No building or structure shall exceed fifty (50') feet in height unless a greater height is approved pursuant to Section 18.34.*

The project is compliant with this provision. The existing light industrial building, which will be used for the Commercial Cannabis Activities, is depicted with a height of 31 feet 6 inches.

- d. **Masonry Wall.** *Prior to occupancy of any industrial use permitted in this article, a six-foot-high solid masonry wall or combination landscaped earthen berm and masonry wall shall be constructed on each property line that adjoins any parcel specifically zoned for residential use, unless otherwise approved by the hearing officer or body.*

The project site has no property lines that adjoin any parcel specifically zoned for residential use since the property lines adjoin the street and a railroad.

- e. **Landscaping.** *A minimum ten-foot strip adjacent to street right-of-way lines shall be appropriately landscaped and maintained, except for designated pedestrian and vehicular access ways. Said landscaped strip shall not include landscaping located within the street right-of-way.*

The project is compliant with this provision as the proposed project includes a conceptual landscaping plan is depicted to meet the stated requirements and existing landscaping that exceeds the requirement.

- f. **Parking Areas.** *Parking areas shall be provided as required by Section 18.12. Ordinance No. 348.*

The project is compliant with this provision. The project provides 55 parking locations with three (3) accessible parking spaces.

- g. **Trash Collection Areas.** *Trash collection areas shall be screened by landscaping or architectural features in such a manner as not to be visible from a public street or from any adjacent residential area.*

The project is compliant with this provision. The existing trash collection area is screened by an enclosure as depicted on the exhibit.

- h. **Outside Storage and Service Areas.** *Outside storage and service areas shall be screened by structures or landscaping.*

The project is compliant with this provision. Outside storage is neither depicted nor proposed for this project.

- i. **Utilities.** *Utilities shall be installed underground except electrical lines rated at 33kV or greater.*

The proposed project is compliant with this provision. Existing utilities are installed underground at the project site.

- j. **Mechanical Equipment.** *Mechanical equipment used in the manufacturing process shall be required to be enclosed in a building, and roof-mounted accessory equipment may be required to be screened from view.*

The project is compliant with this provision. Additional mechanical equipment would be required to be screened. (Advisory Notification. 6 AND Federal, State & Local Regulation Compliance)

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- k. **Lighting.** *All lighting fixtures, including spot lights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.*

The project is compliant with this provision. Conditions have been placed on the project requiring all lighting to be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property. (Advisory Notification. 6 AND Federal, State & Local Regulation Compliance)

Other Findings

1. This project site is not located within a Criteria Area of the Multi-Species Habitat Conservation Plan or Conservation Area.
2. The Project site is not located in a Fire Hazard Zone. However, fire protection and suppression services will be available to the Project site through the Riverside County Fire Department. In addition, conditions of approval to ensure safety to people and structures should a fire emergency occur have been added such as, adequate access for emergency vehicles, fire hydrants type and location, installation of interior fire sprinkler system, fire lane painting, signage, an alarm system, and rapid entry storage key cabinets at the building, prior to building permits for tenant improvement requests.
3. This project is within the City of Corona Sphere of Influence. As such, it is required to conform to the County's Memorandum of Understanding (MOU) with that city. This project conforms to the MOU. The City of Corona was notified of the proposed project on August 27, 2021. No response was received.
4. The project site is not located within an Airport Influence Area (AIA) boundary and is therefore not subject to the Airport Land Use Commission (ALUC) review.
5. The project is exempt from CEQA and therefore is not subject to AB 52 tribal consultation.
6. The project site is not located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP).
7. The project site is not located within an Airport Influence Area (AIA) boundary and is therefore not subject to the Airport Land Use Commission (ALUC) review.
8. The project is located outside of the Mount Palomar Observatory Lighting Zone boundary.
9. Based on the above, the proposed use conforms to all the requirements of the General Plan, and with all applicable requirements of State law and the ordinances of Riverside County. In addition, there is no anticipation that the overall development of the land will be detrimental to the public health, safety, and general welfare of the community.

Development Agreement:

The applicant has proposed entering into the attached draft Development Agreement No. 2000023(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.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

The DA has a term of 10 years and will grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. In exchange, the DA provides certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, which will be used for additional public safety services, infrastructure improvements or community enhancement programs.

Approval Requirements and Conclusion:

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

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

Public hearing notices were mailed to property owners within 600 feet of the proposed project site. As of the writing of this report Planning Staff has not received written communication/phone calls from anyone who indicated support/opposition to the proposed project.

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

COPY

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

DEVELOPMENT AGREEMENT NO. 2000023

A DEVELOPMENT AGREEMENT BETWEEN

COUNTY OF RIVERSIDE

AND

GOLDEN HIGHTS

BROOK DUQUESNEL

AILALOCO, LLC

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DEVELOPMENT AGREEMENT NO. 2000023

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

Ailaloco, LLC
Golden Hights
Brook Duquesnel

RECITALS

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

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

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

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

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

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

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

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

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

votes, and other procedural matters; and,

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

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

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

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

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

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

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

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

COVENANTS

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

1. DEFINITIONS AND EXHIBITS.

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

follows:

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "Base Rate" means an amount equal to the calculated amount set forth in Exhibit "F", and which is payable to COUNTY pursuant to Section 4.2. of this Agreement and increased annually by 2% in accordance with Section 4.2 of this Agreement.

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

1.1.4 "Conditional Use Permit" means the land use permit required by COUNTY to conduct Commercial Cannabis Activities.

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

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

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

- (a) Conditional use permits, and site plans;
- (b) Zoning Amendments;
- (c) General Plan Amendments
- (d) Tentative and final subdivision and parcel maps;
- (e) Grading and building permits;

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

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

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

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

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

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

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

- (a) The conduct of businesses, professions, and occupations;
- (b) Taxes and assessments;
- (c) The control and abatement of nuisances;

- (d) The granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property;
- (e) The exercise of the power of eminent domain.

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

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

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

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

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

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

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

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

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

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

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

2. GENERAL PROVISIONS.

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

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

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

2.4 Transfer.

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

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

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

Agreement.

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

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

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

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

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

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

- (a) Expiration of the stated term of this Agreement as set forth in Section 2.3.
- (b) Entry of a final judgment by a court of competent jurisdiction setting aside, voiding or annulling the adoption of the ordinance approving this Agreement. For purposes of clarity this termination section excludes entry of a final judgment by a court of competent jurisdiction setting aside, voiding or annulling the adoption of Board of Supervisors' Policy No. B-9.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) OWNER's election to terminate this Agreement. If OWNER elects not to develop all or a portion of the Property as a Commercial Cannabis Activity, OWNER shall provide notice of such election to the COUNTY, such notice by OWNER shall (i) seek to terminate this Agreement as to the portion of the Property that is the subject of such notice of termination; and (ii) shall acknowledge that the Conditional Use Permit (CUP No. 2000045) shall be null and void as to the Property that is the subject of such notice of termination. Following receipt of OWNER's notice of election to terminate this Agreement, OWNER and COUNTY shall execute an appropriate instrument in recordable form evidencing such termination, and shall cause such instrument to be an amendment to this Agreement to be processed in accordance with COUNTY's Procedures and Requirements for the Consideration of Development Agreements set forth in Resolution No. 2020-124.

(e) When OWNER no longer has a legal or equitable interest in the Property or has ceased operations on the Property for a period of ninety (90) consecutive days and no evidence demonstrating continuing and ongoing use of the Property consistent with the approved Conditional Use Permit No. 2000045.

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

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

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

2.7 Notices.

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

(b) All notices shall be in writing and shall be considered given either:

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

If to COUNTY:

Clerk of the Board of Supervisors
Riverside County Administrative Center
4080 Lemon Street, First Floor
Riverside, CA 92502
Fax No. (951) 955-1071

with copies to:

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

and

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

and

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

If to OWNER:

Golden Hights
Attn: Brook Duquesnel
3884 Hidden Lane
Riverside CA 92504

Ailaloco, LLC
Attn: Yao Li
13445 Estelle Street
Corona, CA 92879

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

3. DEVELOPMENT OF THE PROPERTY.

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

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

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time

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

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

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

or,

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

or,

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

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

3.5 Reservations of Authority.

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

- (a) Processing fees and charges of every kind and nature imposed by

COUNTY to cover the estimated actual costs to COUNTY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

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

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

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

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

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

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

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

3.5.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement or require changes in plans, maps or permits approved by the COUNTY, such provisions of this

Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

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

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

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

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

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

3.9 Tentative Tract Map Extension. Notwithstanding the provisions of Section 66452.6(a)(1) of the Government Code, regarding extensions of time for approved tentative maps subject to a development agreement, no tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be granted an extension of time except in accordance with the Subdivision Map Act and Existing Land Use Regulations.

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

4. PUBLIC BENEFITS.

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

4.2 Public Benefits for Commercial Cannabis Activities.

4.2.1 Initial Public Benefit Payment. Prior to or concurrently with the issuance of the certificate of occupancy for any part of the Commercial Cannabis Activity, OWNER shall pay to COUNTY a total amount equal to \$64,980.00, and six months from the issuance of the certificate of occupancy OWNER shall pay to COUNTY a total amount equal to \$137,500.00 (collectively the Initial Benefit Payment”).

4.2.2. Second Public Benefit Payment. Within one calendar year of the issuance of the certificate of occupancy, OWNER shall pay to COUNTY a total amount equal to

\$197,758.00 ("Second Benefit Payment"). This Second Benefit Payment is not subject to the annual percent increase.

4.2.3. Third Public Benefit Payment. Within six months of paying the Second Benefit Payment, OWNER shall pay to COUNTY a total amount equal to \$92,537.00 ("Third Benefit Payment"). This Third Benefit Payment is not subject to the annual percent increase.

4.2.4. Fourth Public Benefit Payment and Subsequent Annual Public Benefit Payments. Prior to the first July 1st following the Third Benefit Payment and each July 1st thereafter during the term of the Agreement, OWNER shall pay to COUNTY the Baseline Public Benefit amount equal to \$217,775.00, shown in Exhibit F, plus the Additional Public Benefit amount equal to \$275,000.00, shown in Exhibit H, for a total amount equal to \$492,775.00 plus the respective annual percent increases shown in Exhibit F and Exhibit H.

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

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

4.5 New Taxes. Any subsequently enacted County taxes, including but not limited to any taxes on commercial cannabis activities, shall apply to the Project. In the event that County taxes are enacted specifically for commercial cannabis activities and cannabis products, the parties agree that this Agreement may be modified in accordance with Section 2.5 to reduce the OWNER's total public benefit payment (the sum total of the Base Rate plus the Additional Public Benefit) by an amount equal to the amount of the tax imposed on the OWNER for commercial cannabis activities and cannabis products. The parties acknowledge that the intent of being able to modify the Agreement in the event County taxes are enacted on the commercial cannabis activities and cannabis products is to enable the authority to adjust the total public benefit amount due and payable under this Agreement by the OWNER.

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

5. FINANCING OF PUBLIC IMPROVEMENTS. If deemed appropriate, COUNTY and OWNER will cooperate in the formation of any special assessment district, community facilities district or alternate financing mechanism to pay for the construction and/or maintenance and

operation of public infrastructure facilities required as part of the Development Plan. OWNER also agrees that it will not initiate and/or cooperate in the formation of any such special assessment district, community facilities district or alternate financing mechanism involving any other public agency without the prior written consent of the COUNTY.

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

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

(b) If OWNER is in default in the payment of any taxes and/or assessments, OWNER shall be considered to be in default of this Agreement and COUNTY may, in its sole discretion, initiate proceedings pursuant to Section 8.4 of this Agreement. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring COUNTY or the COUNTY Board of Supervisors to form any such district or to issue and sell bonds.

6. REVIEW FOR COMPLIANCE.

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

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

6.3 Property Inspection. In accordance with applicable regulations set forth in the

Medicinal and Adult Use Cannabis Regulation and Safety Act and upon twenty-four (24) hour written notice, OWNER shall allow COUNTY representatives access to the Property and all buildings and structures located on the Property to determine compliance with CUP No. 200045 and this Agreement.

6.4. Records Inspection. Upon written request by the COUNTY, OWNER shall provide records to the COUNTY demonstrating compliance with this Agreement and CUP No. 2000045 including, but not limited to, ownership of Property, local hiring and local ownership programs.

6.5 Procedure.

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

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

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

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

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

(a) The time and place of the hearing;

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

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

6.7 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, OWNER shall be given an opportunity to be heard and shall be entitled to present written and oral evidence. OWNER shall be required to demonstrate good faith

compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on OWNER. If the Board of Supervisors finds, based upon substantial evidence, that OWNER has not complied in good faith with the terms or conditions of the Agreement, the Board may terminate this Agreement or modify this Agreement and impose such conditions as are reasonably necessary to protect the interests of the County. The decision of the Board of Supervisors shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

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

7. INCORPORATION AND ANNEXATION.

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

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

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

8. DEFAULT AND REMEDIES.

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

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

covenants not to sue for damages or claim any damages:

- (a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or
- (b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or
- (c) Arising out of or connected with any dispute, controversy or issue regarding the application, validity, interpretation or effect of the provisions of this Agreement.

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

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

- (a) Money damages are unavailable against COUNTY as provided in Section 8.1 above.
- (b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

8.3 General Release. Except for non-damage remedies, including the remedy of specific performance and judicial review as provided for in Section 8, OWNER, for itself, its successors and assignees, hereby releases the COUNTY, its officers, agents, employees, and independent contractors from any and all claims, demands, actions, or suits of any kind or nature whatsoever arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other monetary liability or damages, whatsoever, upon the COUNTY because it entered into this Agreement or because of the terms of this Agreement. OWNER hereby waives the provisions of Section 1542 of the Civil Code which provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.


OWNER Initials


OWNER Initials


OWNER Initials


OWNER Initials

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

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

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

9. THIRD PARTY LITIGATION.

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

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

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

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

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

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

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

9.5 Reservation of Rights. With respect to Sections 9.2, 9.3 and 9.4 herein, COUNTY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise

engages to defend COUNTY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse COUNTY forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

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

10. MORTGAGEE PROTECTION.

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

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

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

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

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

performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by COUNTY, the performance thereof shall continue to be a condition precedent to COUNTY's performance hereunder. All payments called for under Section 4 of this Agreement shall be a condition precedent to COUNTY's performance under this Agreement. Any transfer by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

11. MISCELLANEOUS PROVISIONS.

11.1 Recordation of Agreement. This Agreement and any amendment, modification, termination or cancellation thereof shall be recorded with the County Recorder by the Clerk of the Board of Supervisors within the period required by Section 65868.5 of the Government Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

substitute official in any way.

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

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

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

Dated: _____

By: _____
Karen Spiegel
Chair, Board of Supervisors

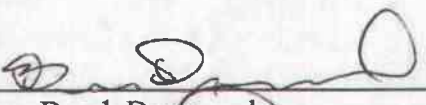
ATTEST:

KECIA HARPER
Clerk of the Board

By: _____
Deputy
(SEAL)


OWNER:

Dated: 10-28-21

By: 
Brook Duquesnel


Golden Hights, a California Corporation

Dated: 10-28-21

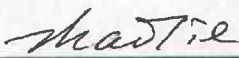
By: 
Brook Duquesnel
Chief Executive Officer & Secretary

Ailaloco, LLC, a California Limited Liability
Company

Dated: 10-28-21

By: 
Yao Li
Co-Manager

Dated: 10/28/21

By: 
Jie Zhao
Co-Manager

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

Developmental Agreement NO. 2000023

ACKNOWLEDGMENT

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

State of California
County of Riverside

On October 28, 2021 before me, V. FERNANDEZ, NOTARY PUBLIC
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.



Signature [Handwritten Signature]

(Seal)

Developmental Agreement NO. 2000023

ACKNOWLEDGMENT

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

State of California
County of Riverside

On October 28, 2021 before me, V. FERNANDEZ, NOTARY PUBLIC
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.



Signature

V. Fernandez

(Seal)

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

State of California

County of ORANGE }

On 10/28/2021 before me, Luz M. Renteria, A Notary Public, personally appeared

YAO LI
Name(s) of Signer(s)

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



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

WITNESS my hand and official seal.

[Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title of Type of Document: DEVELOPMENT AGREEMENT #8000023 Document
Date: 10/28/2021

Number of Pages: 36 Signer(s) Other Than Named Above

Capacity(ies) Claimed by Signer (s)

- Signer's Name: _____
- Corporate Officer - Title(s): _____
 - Partner -- Limited General
 - Individual Attorney in Fact
 - Trustee Guardian or Conservator
 - Other: _____

- Signer's Name: _____
- Corporate Officer - Title(s): _____
 - Partner -- Limited General
 - Individual Attorney in Fact
 - Trustee Guardian or Conservator
 - Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

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

State of California

County of ORANGE }

On 10/28/2021 before me, Luz M. Renteria, A Notary Public, personally appeared

JIE ZHAO

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal

Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title of Type of Document: DEVELOPMENT AGREEMENT NO. 2000023 document

Date: 10/28/2021

Number of Pages: 36 Signer(s) Other Than Named Above

Capacity(ies) Claimed by Signer (s)

Signer's Name: _____

Corporate Officer - Title(s): _____

Partner -- Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer's Name: _____

Corporate Officer - Title(s): _____

Partner -- Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

EXHIBIT "A"

Development Agreement No. 2000023

LEGAL DESCRIPTION OF PROPERTY

Real property in the unincorporated area of the County of Riverside, State of California, described as follows:

Parcel 5 of Parcel Map 9603, as shown by map on file in Book 45 Pages 67 and 68 of Parcel Maps, records of Riverside County, California.

APN: 115-300-028-2 (Affects: Portion of the land) and 115-300-029-3 (Affects: Portion of the land)

EXHIBIT "B"

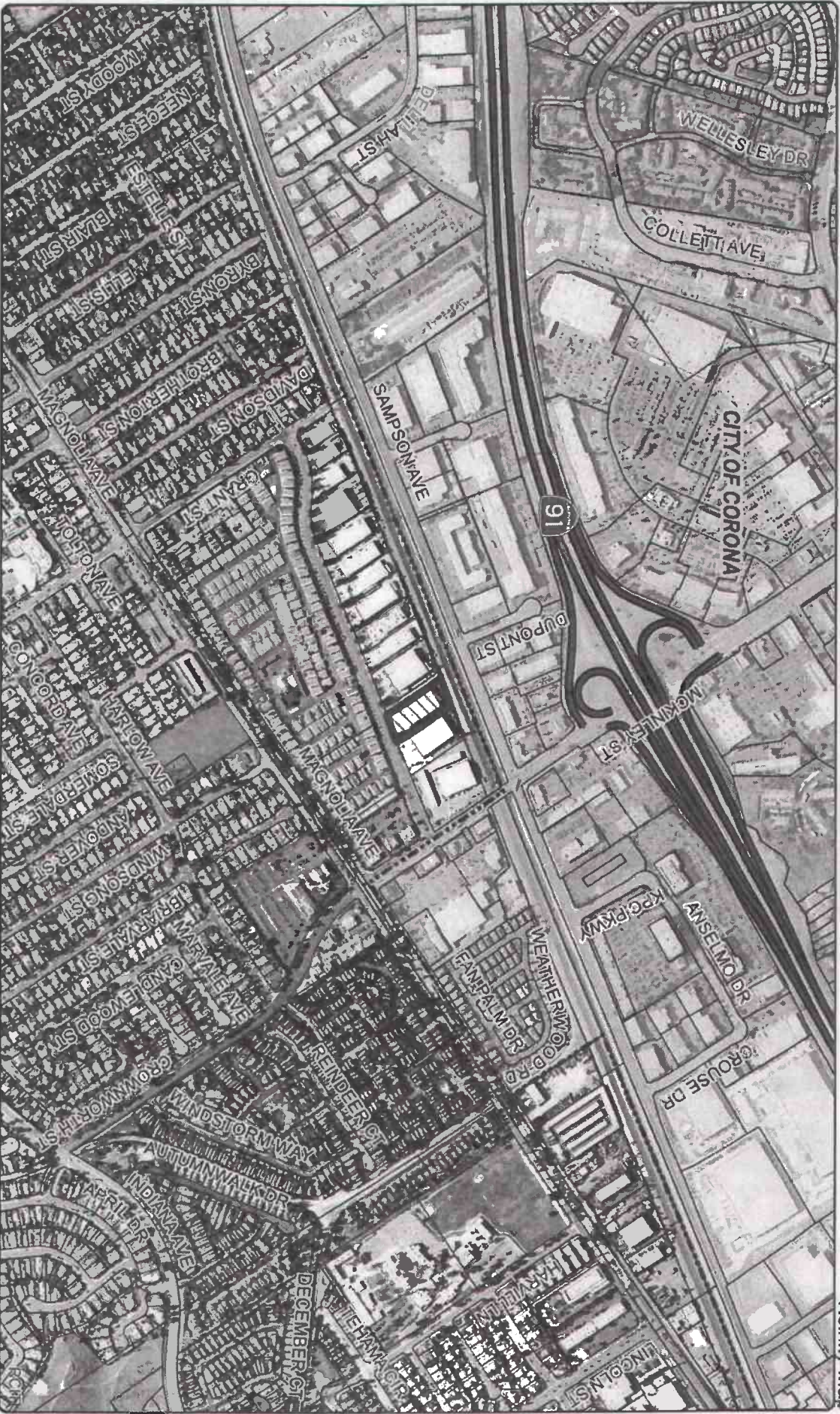
Development Agreement No. 2000023

MAP OF PROPERTY AND ITS LOCATION

Supervisor: Spiegel
District 2

RIVERSIDE COUNTY PLANNING DEPARTMENT
CUP200045 DA200023
VICINITY/POLICY AREAS

Date Drawn: 07/10/2021
Vicinity Map



Zoning Dist: East Corona

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2020, the County of Riverside adopted a new General Plan. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at 951-955-5000 (Riverside County) or in Palm Springs at 760-326-5777 (Palm Springs) or visit us at www.riversideca.gov.

EXHIBIT "C"

Development Agreement No. 2000023

EXISTING DEVELOPMENT APPROVALS

Conditional Use Permit No. 200045

Plot Plan No. 20036

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

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

EXHIBIT "D"

Development Agreement No. 2000023

EXISTING LAND USE REGULATIONS

1. **Riverside County Comprehensive General Plan as amended through Resolution No. 2019-050**
2. **Ordinance No. 348 as amended through Ordinance No. 348.4950**
3. **Ordinance No. 448 as amended through Ordinance No. 448.A**
4. **Ordinance No. 457 as amended through Ordinance No. 457.105**
5. **Ordinance No. 458 as amended through Ordinance No. 458.16**
6. **Ordinance No. 460 as amended through Ordinance No. 460.154**
7. **Ordinance No. 461 as amended through Ordinance No. 461.10**
8. **Ordinance No. 509 as amended through Ordinance No. 509.2**
9. **Ordinance No. 547 as amended through Ordinance No. 547.7**
10. **Ordinance No. 555 as amended through Ordinance No. 555.20**
11. **Ordinance No. 617 as amended through Ordinance No. 617.4**
12. **Ordinance No. 650 as amended through Ordinance No. 650.6**
13. **Ordinance No. 659 as amended through Ordinance No. 659.13**
14. **Ordinance No. 663 as amended through Ordinance No. 663.10**
15. **Ordinance No. 671 as amended through Ordinance No. 671.21**
16. **Ordinance No. 673 as amended through Ordinance No. 673.4**
17. **Ordinance No. 679 as amended through Ordinance No. 679.4**
18. **Ordinance No. 682 as amended through Ordinance No. 682.6**
19. **Ordinance No. 726 as amended through Ordinance No. 726**
20. **Ordinance No. 743 as amended through Ordinance No. 743.3**

21. Ordinance No. 748 as amended through Ordinance No. 748.1
22. Ordinance No. 749 as amended through Ordinance No. 749.1
23. Ordinance No. 752 as amended through Ordinance No. 752.2
24. Ordinance No. 754 as amended through Ordinance No. 754.3
25. Ordinance No. 787 as amended through Ordinance No. 787.9
26. Ordinance No. 806 as amended through Ordinance No. 806
27. Ordinance No. 810 as amended through Ordinance No. 810.3
28. Ordinance No. 817 as amended through Ordinance No. 817.1
29. Ordinance No. 824 as amended through Ordinance No. 824.16
30. Ordinance No. 847 as amended through Ordinance No. 847.1
31. Ordinance No. 859 as amended through Ordinance No. 859.3
32. Ordinance No. 875 as amended through Ordinance No. 875.1
33. Ordinance No. 915 as amended through Ordinance No. 915
34. Ordinance No. 925 as amended through Ordinance No. 925.1
35. Ordinance No. 926 as amended through Ordinance No. 926
36. Ordinance No. 927 as amended through Ordinance No. 927
37. Ordinance No. 931 as amended through Ordinance No. 931
38. Resolution No. 2020-124 Amending Procedures and Requirements for the
Consideration of Development Agreements
39. Board of Supervisors Policy No. B-9 Commercial Cannabis Activities

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

EXHIBIT "E"

Development Agreement No. 2000023

COMMERCIAL CANNABIS ACTIVITY SITE PLAN & DESCRIPTION

As shown on the attached site plan, CUP No. 2000045 permits a Commercial Cannabis Activity including retail, indoor cultivation and distribution within a 33,900 square foot building on 1.69 acres. The Commercial Cannabis Activity will include 3,610 square feet of retail, 24,770 square feet of indoor cultivation and 5,520 square feet of distribution along with supporting storage, office, employee break area and reception area.

EXHIBIT "F"

Development Agreement No. 2000023

APPLICABLE PUBLIC BASE BENEFITS PAYMENTS

The Commercial Cannabis Activity operating at the Property pursuant to CUP No. 2000045 includes retail, indoor cultivation and distribution within a 33,900 square foot building on 1.69 acres as more specifically shown on Exhibit "G". In accordance with Board Policy B-9, the base public benefit is the following: \$18.00 per square foot for the retail, \$5.50 per square foot for the indoor cultivation and \$3.00 per square foot for the distribution. Therefore, the public base benefit payment will be \$217,775.00 and will increase annually at a rate of 2%.

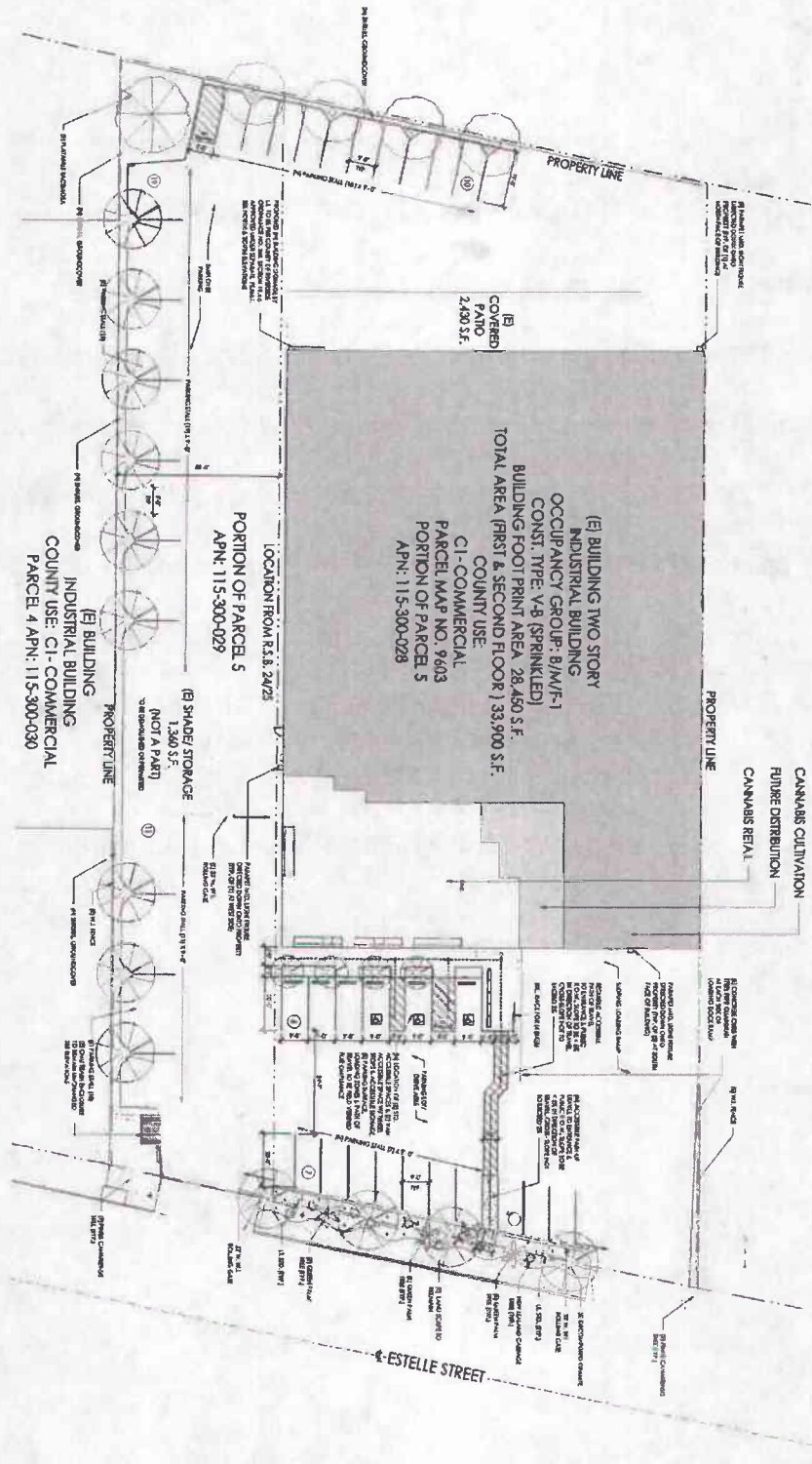
EXHIBIT "G"

Development Agreement No. 2000023

CANNABIS AREA CALCULATION EXHIBIT

The Cannabis Area Calculation includes the following: 3,610 square feet of retail, 24,770 square feet of indoor cultivation and 5,520 square feet of distribution totaling a 33,900 square foot building. The 33,900 building used for the Commercial Cannabis Activity is specifically shown in this Exhibit "G".

(E) BUILDING
INDUSTRIAL BUILDING
COUNTY USE: C1-COMMERCIAL
PARCEL 4 APN: 115-300-027



(E) BUILDING TWO STORY
INDUSTRIAL BUILDING
OCCUPANCY GROUP: B/M/F-1
CONST. TYPE: V-B (SPRINKLED)
BUILDING FOOTPRINT AREA: 28,450 S.F.
TOTAL AREA (FIRST & SECOND FLOOR): 33,900 S.F.
COUNTY USE:
C1-COMMERCIAL
PARCEL MAP NO. 96403
PORTION OF PARCEL 5
APN: 115-300-028

LOCATION FROM R.S. 24725
PORTION OF PARCEL 5
APN: 115-300-029

(E) BUILDING
INDUSTRIAL BUILDING
COUNTY USE: C1-COMMERCIAL
PARCEL 4 APN: 115-300-030

CANNABIS CULTIVATION
FUTURE DISTRIBUTION
CANNABIS RETAIL

ESTELLE STREET



CONCRETE USE PERMIT

PROPOSED SITE PLAN
COUNTY OF SAN DIEGO
CIVIL ENGINEER

W&A WILSON & ASSOCIATES, CIVIL ENGINEERS
10000 SAN DIEGO AVENUE, SUITE 100
SAN DIEGO, CA 92121
TEL: 619-594-1111
WWW.WILSONANDASSOCIATES.COM

PROJECT NO. 115-300-028
DATE: 08/15/2023

SITE DATA

2023 JUL 10 AM 10:00	DATE OF VISIT
115-300-028	PROJECT NO.
115-300-028	APN
115-300-028	PARCEL NO.
115-300-028	TRACT NO.
115-300-028	SECTION NO.
115-300-028	SUBSECTION NO.
115-300-028	BLK. NO.
115-300-028	LOT NO.
115-300-028	UNIT NO.
115-300-028	STREET NO.
115-300-028	STREET NAME
115-300-028	CITY
115-300-028	COUNTY
115-300-028	STATE
115-300-028	COUNTRY
115-300-028	ZIP
115-300-028	ZIP+4
115-300-028	TIME ZONE
115-300-028	DAYLIGHT SAVING
115-300-028	UNITS
115-300-028	SCALE
115-300-028	DATE
115-300-028	DRAWN BY
115-300-028	CHECKED BY
115-300-028	APPROVED BY
115-300-028	DATE

PARKING DATA

115-300-028	PROJECT NO.
115-300-028	APN
115-300-028	PARCEL NO.
115-300-028	TRACT NO.
115-300-028	SECTION NO.
115-300-028	SUBSECTION NO.
115-300-028	BLK. NO.
115-300-028	LOT NO.
115-300-028	UNIT NO.
115-300-028	STREET NO.
115-300-028	STREET NAME
115-300-028	CITY
115-300-028	COUNTY
115-300-028	STATE
115-300-028	COUNTRY
115-300-028	ZIP
115-300-028	ZIP+4
115-300-028	TIME ZONE
115-300-028	DAYLIGHT SAVING
115-300-028	UNITS
115-300-028	SCALE
115-300-028	DATE
115-300-028	DRAWN BY
115-300-028	CHECKED BY
115-300-028	APPROVED BY
115-300-028	DATE

EXHIBIT "H"

Development Agreement No. 2000023

COMMERCIAL CANNABIS ACTIVITY PUBLIC BENEFIT

OWNER shall perform Additional Public Benefits identified in this Exhibit "H" that will benefit the community in which the Commercial Cannabis Activity is located. The additional annual public benefit provided by the OWNER shall be \$275,000.00 with an annual increase of 5%. The COUNTY will utilize this additional annual public benefit within the surrounding community for additional public benefits including, but not limited to, code enforcement, public safety services, infrastructure improvements, community enhancement programs and other similar public benefits as solely determined by the COUNTY's Board of Supervisors. Additionally, OWNER will make efforts to hire locally and participate in community events, career opportunity events, as well as educational and wellness seminars within the surrounding community.

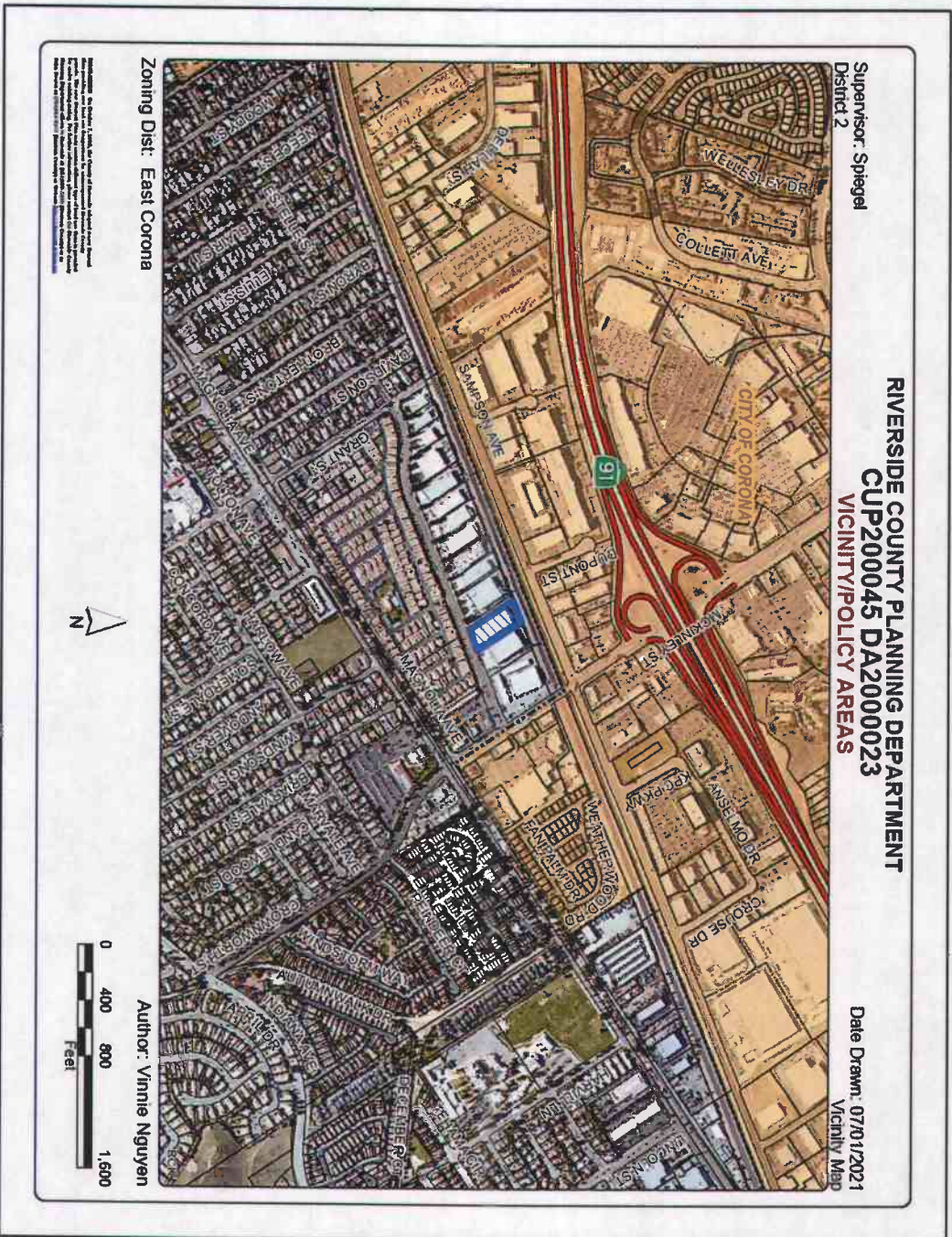


Agenda Item No. 21.1

Riverside County Board of Supervisors

Conditional Use Permit No. 2000045
Development Agreement No. 2000023
Ordinance No. 664.87

Vicinity Map



General Plan Map

Project Site Land Use Designation:
Light Industrial (LI)

Surrounding Land Use Designations:

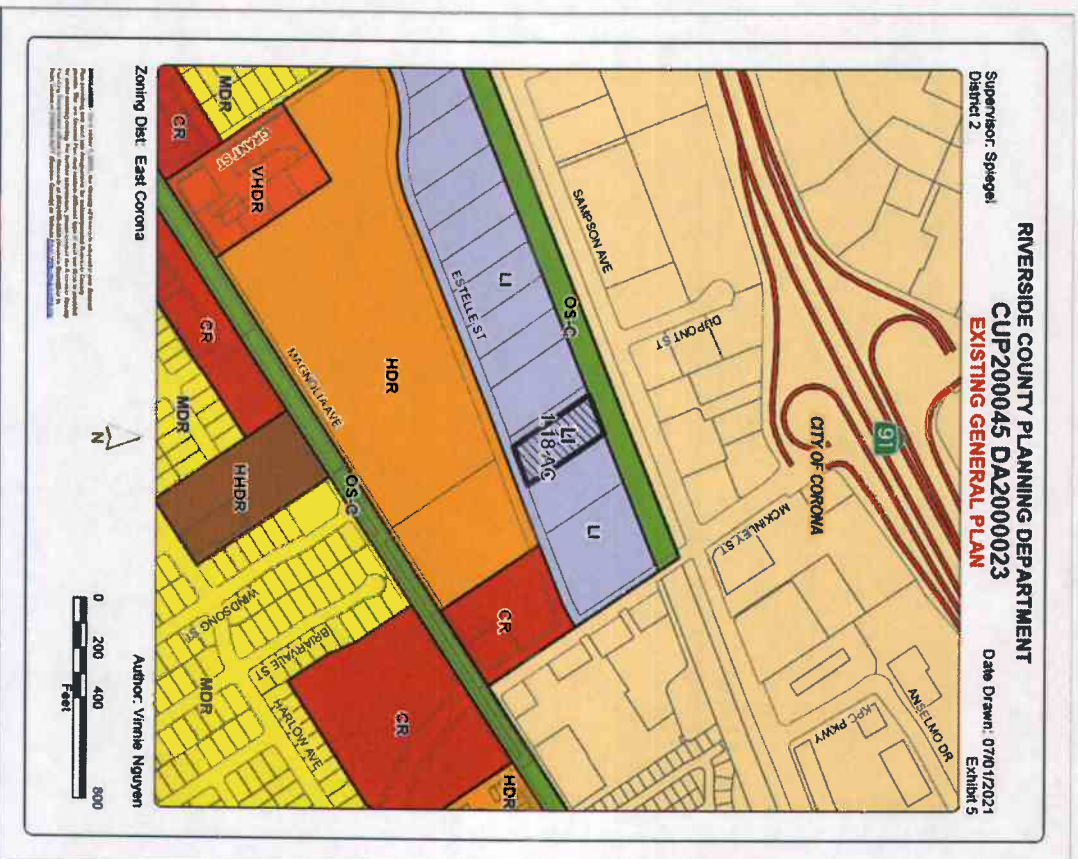
North:

Open Space – Conservation (OS-C)

East and West:
LI

South:

High Density Residential (HDR)



Zoning Map

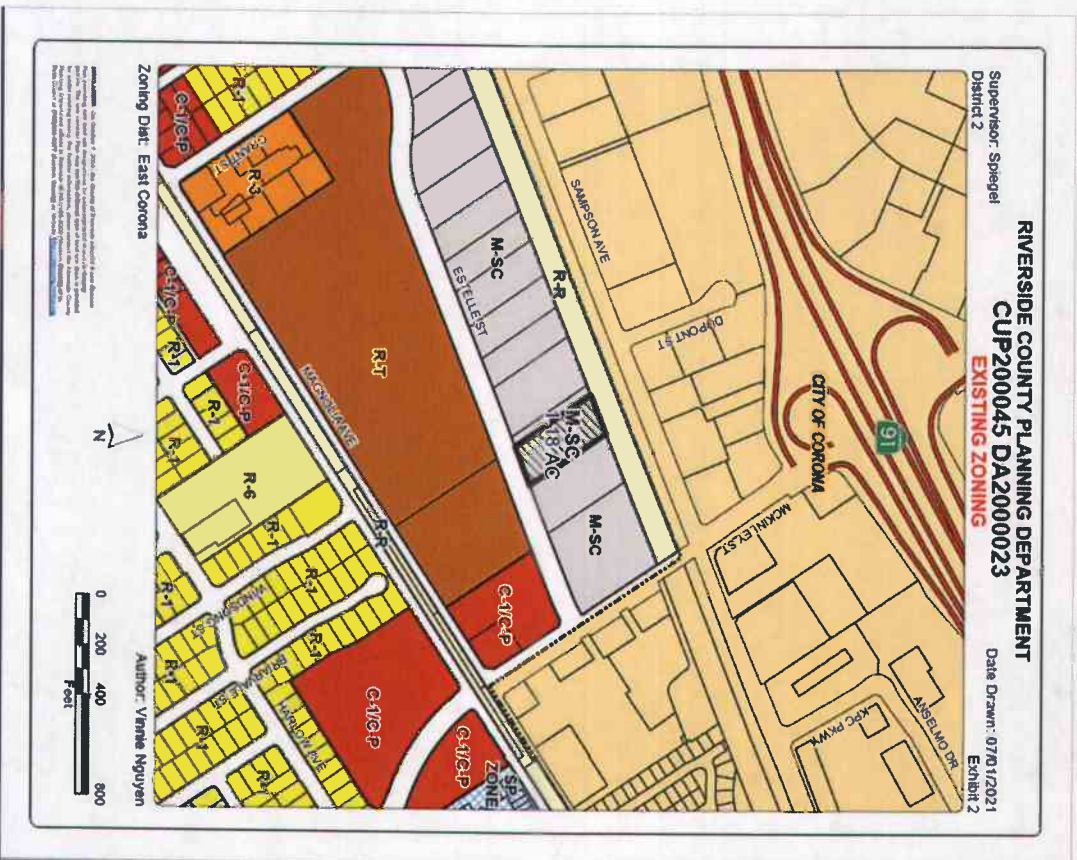
Project Site Existing Zone Classification:
Manufacturing – Service Commercial (M-SC)

Surrounding Zone Classifications:

North:
Rural Residential (R-R)

East and West:
M-SC

South:
Mobilehome Subdivisions And Mobilehome Parks (R-T)

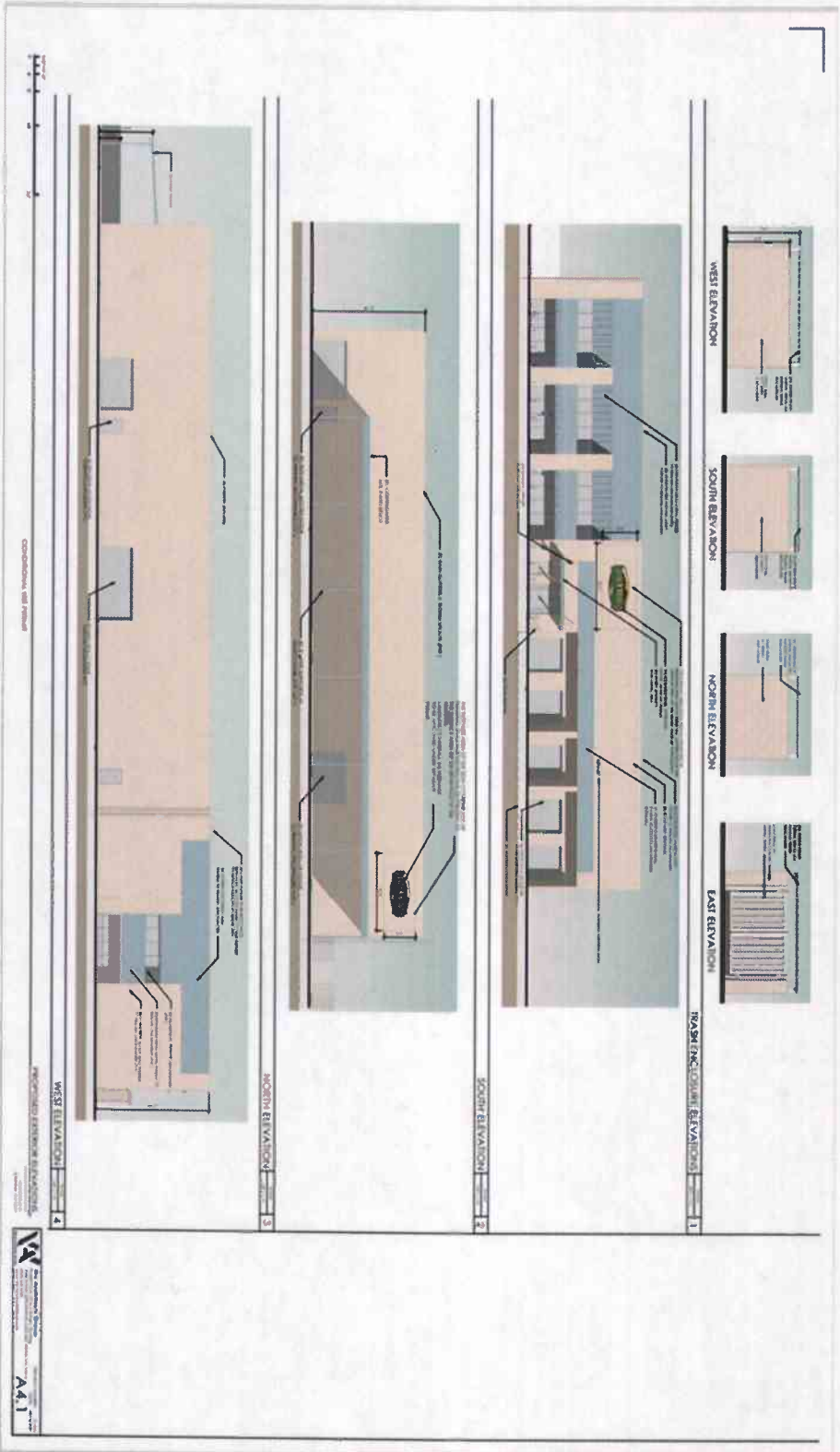


Site Plan

- Site Details:
 - **33,900** square feet.
- Parking Details:
 - **26** spaces required; **55** provided.
- Improvements:
 - Landscaping and Interior renovation.



Elevations



Recommendations

STAFF RECOMMENDATIONS:

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 15301(1)(3) (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures) and Section 15061(b)(3) (Common Sense Exemption) based on the findings and conclusions in the staff report;
2. **APPROVE Conditional Use Permit No. 200045**, subject to the attached Advisory Notification Document, Conditions of Approval, based upon the findings and conclusions provided in the staff report; and subject to adoption of Ordinance No. 664.87; and
3. **INTRODUCE, READ TITLE and WAIVE FURTHER READING OF, and ADOPT** on successive weeks **ORDINANCE NO. 664.87** an ordinance of the County of Riverside approving Development Agreement No. 2000023, based upon the findings in the staff report.

Maxwell, Sue

From: cob@rivco.org
Sent: Monday, November 15, 2021 6:02 PM
To: COB; hernandezalma959@yahoo.com
Subject: Board comments web submission

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.



First Name: Alma
Last Name: Hernandez
Address (Street, City and Zip): Corona, Ca
Phone: 9514629608
Email: hernandezalma959@yahoo.com
Agenda Date: 11/16/2021
Agenda Item # or Public Comment: 21.1
State your position below: Support

Thank you for submitting your request to speak. The Clerk of the Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID # 864 4411 6015 . Password is 20211116. You will be muted until your item is pulled and your name is called. Please dial in at 9:00 am am with the phone number you provided in the form so you can be identified during the meeting.

Maxwell, Sue

From: cob@rivco.org
Sent: Monday, November 15, 2021 6:01 PM
To: COB; derek@wepushlocal.com
Subject: Board comments web submission

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.



First Name: Derek
Last Name: Contreras
Address (Street, City and Zip): Corona, Ca
Phone: 9095206491
Email: derek@wepushlocal.com
Agenda Date: 11/16/2021
Agenda Item # or Public Comment: 21.1
State your position below: Support

Thank you for submitting your request to speak. The Clerk of the Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID # 864 4411 6015 . Password is 20211116. You will be muted until your item is pulled and your name is called. Please dial in at 9:00 am am with the phone number you provided in the form so you can be identified during the meeting.

Maxwell, Sue

From: cob@rivco.org
Sent: Monday, November 15, 2021 5:23 PM
To: COB; alyssamarie.guzman@yahoo.com
Subject: Board comments web submission

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.



First Name: Alyssa
Last Name: Guzman
Address (Street, City and Zip): Corona, ca
Phone: 9514961977
Email: alyssamarie.guzman@yahoo.com
Agenda Date: 11/16/2021
Agenda Item # or Public Comment: 21.1
State your position below: Support

Thank you for submitting your request to speak. The Clerk of the Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID # 864 4411 6015 . Password is 20211116. You will be muted until your item is pulled and your name is called. Please dial in at 9:00 am am with the phone number you provided in the form so you can be identified during the meeting.

Maxwell, Sue

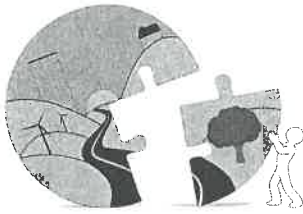
From: cob@rivco.org
Sent: Monday, November 15, 2021 7:52 PM
To: COB; kendelrenae@gmail.com
Subject: Board comments web submission

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.



First Name: Kendel
Last Name: Herron
Address (Street, City and Zip): 5700 Lochmoor Dr riverside CA
Phone: 3108970041
Email: kendelrenae@gmail.com
Agenda Date: 11/16/2021
Agenda Item # or Public Comment: 21.1
State your position below: Support

Thank you for submitting your request to speak. The Clerk of the Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID # 864 4411 6015 . Password is 20211116. You will be muted until your item is pulled and your name is called. Please dial in at 9:00 am am with the phone number you provided in the form so you can be identified during the meeting.



RIVERSIDE COUNTY PLANNING DEPARTMENT

John Hildebrand
Planning Director

RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2021 OCT 13 PM 1:28

Hearing Date: November 9, 2021

To: Clerk of the Board of Supervisors

From: Planning Department – Riverside (Planner: Steven Jones)

MinuteTraq #: 17405

11/11/21

Project Description:

TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on Conditional Use Permit No. 200045 and Development Agreement No. 2000023 – CEQA EXEMPT – Applicant: Brook Duquesnel – Engineer/Representative: Sam Pakbaz – Second Supervisorial District – East Corona Zoning District – Temescal Canyon Area Plan: Community Development: Commercial Retail: (CD-CR) (0.20 – 0.35 FAR) – Location: 13445 Estelle Street – 1.73 Acres – Zoning: Manufacturing - Service Commercial (M-SC) – REQUEST: To authorize commercial cannabis activity within 33,900 sq. ft. of a 36,450 sq. ft. industrial building to include Cannabis Cultivation, a Cannabis Retailer Storefront and Cannabis Distribution Facilities with parking, landscaping and other improvements, and to demolish interior mezzanine area and an outdoor enclosure and consider Development Agreement No. 2000023 to impose a 10 year lifespan on the proposed cannabis project and provide community benefits to the East Corona, Home Gardens area. APNs: 115-300-028, 115-300-029. District 2. [100% Applicant Funds]

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: (2nd Dist) Press Enterprise
- CEQA Exempt
 - 10 Day 20 Day 30 day
- Notify Property Owners (app/agencies/property owner labels provided)

Designate Newspaper used by Planning Department for Notice of Hearing:

(2nd Dist) Press Enterprise

37

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

11/16/21
Item 21.1

“Planning Our Future... Preserving Our Past”

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

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, November 16, 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. 200045 and Development Agreement No. 2000023**, which authorizes commercial cannabis activity within 33,900 sq. ft. of a 36,450 sq. ft. industrial building to include Cannabis Cultivation, a Cannabis Retailer Storefront and Cannabis Distribution Facilities with parking, landscaping and other improvements, and to demolish interior mezzanine area and an outdoor enclosure and consider Development Agreement No. 2000023 to impose a 10 year lifespan on the proposed cannabis project and provide community benefits to the East Corona, Home Gardens area. The project is located 13445 Estelle Street in the Second 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 **Conditional Use Permit No. 200045**; introduce, read title, and waive further reading of, and adopt the associated ordinance approving **Development Agreement 2000023**.

On October 6, 2021 the Planning Commission approved staff recommendation to the Board of Supervisors by a vote of 5-0. The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department website: <https://planning.rctlma.org/Public-Hearings>.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT STEVEN JONES, PRINCIPAL PLANNER, AT (951) 955-0314 OR EMAIL SJONES@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: October 29, 2021

Kecia R. 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.: ACR CUP200045 /

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:

11/06/2021

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

Date: November 06, 2021
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

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

Ad Number: 0011499247-01

P.O. Number:

Ad Copy:

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Dated: October 29, 2021
Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant
Press-Enterprise: 11/06

planning

11/16/21

Item 21-1

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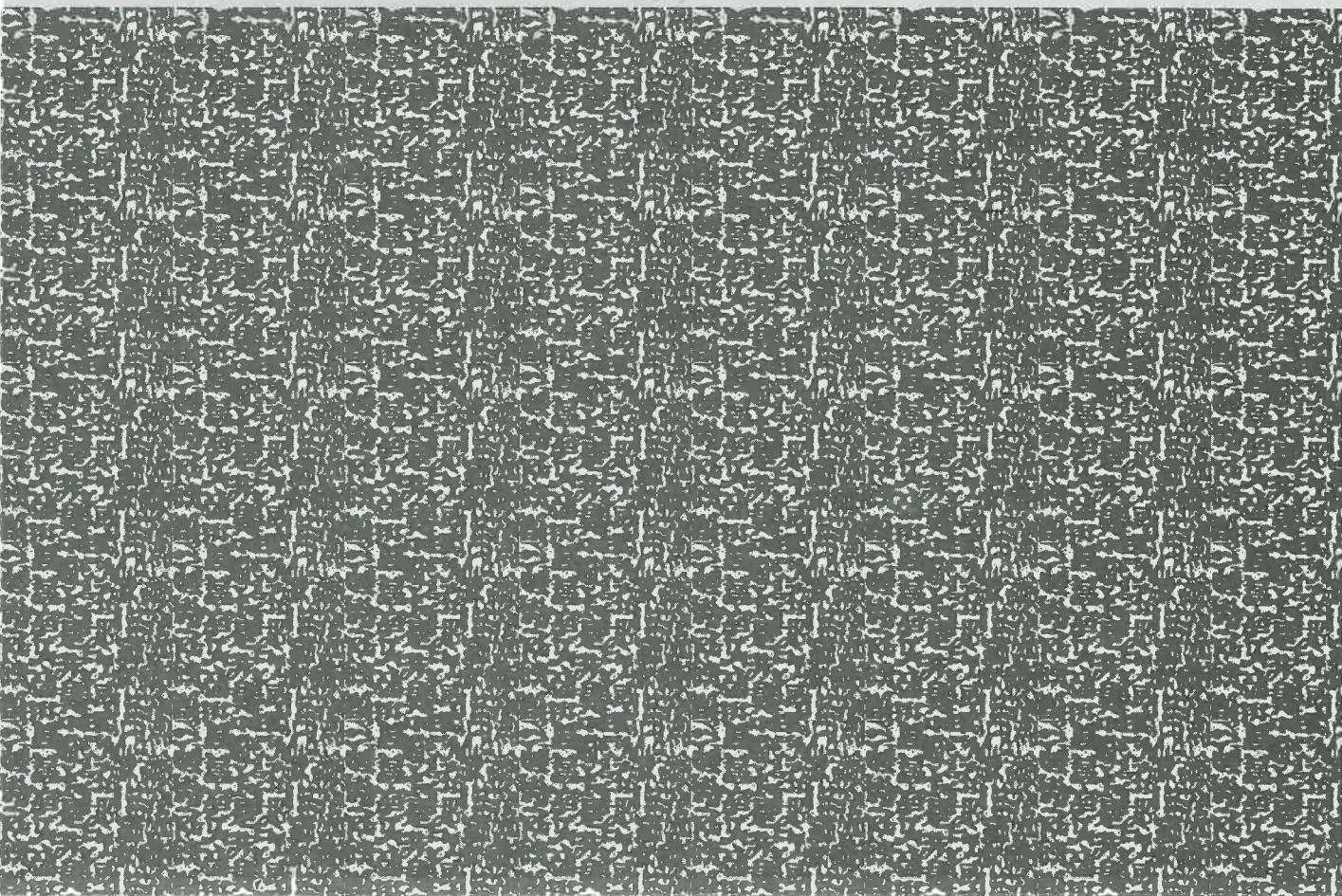
Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: October 29, 2021

Kecia R. Harper, Clerk of the Board

By: Zuly Martinez, Board Assistant

planning 11/16/21 item 21.1



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

PRESORTED
FIRST CLASS



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PUBLIC HEARING NOTICE
This may affect your property

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2021 NOV -8 PM 1:33

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DD&E
3701 WILSHIRE BLV NO 880
LOS ANGELES CA 90010

NOV 08 01 13 33 2021

RETURN TO SENDER
ATTEMPTED - NOT KNOWN

ANK

NOV 08 01 13 33 2021

M. H. SHERMAN COMPANY

567 SAN NICOLAS DRIVE, SUITE 220
NEWPORT BEACH, CA 92660
(949) 642-1626

RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS

2021 NOV 15 AM 11:38

November 8, 2021

County of Riverside, Board of Supervisors
c/o Kecia R. Harper, Clerk of the Board
4080 Lemon Street, 1st Floor
P.O. Box 1147
Riverside, CA 92502-1147

RE: Conditional Use Permit No. 200045 ("CUP") and Development Agreement No. 2000023 ("DA")

Dear Board of Supervisors,

As the co-owner of the property at 13435 Estelle Street we want to strongly express our opposition to the approval of the CUP and DA to authorize commercial cannabis activity at 13445 Estelle Street.

Along with the nuisance effects of commercial cannabis cultivation including odor, environmental concerns, water use, and noise, cannabis is a high value product that lends itself to theft and accompanying violence.

We would like to express our thanks to the Board of Supervisors for the opportunity to share our concerns. For the reasons state above, we respectfully oppose the issuance of the CUP and DA.

Sincerely,



Gary Pickett
President

11/10/21 21.1

RAVENWOOD TOWERS, INC.

567 San Nicolas Drive, Suite 220

Newport Beach, CA 92660

(949) 642-1626

SEAL OF RIVERSIDE COUNTY
CLERK/BOARD OF SUPERVISORS

2021 NOV 15 AM 11:38

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Sincerely,



Sam Pavoni
Chief Financial Officer

11/10/21 21.1

567 San Nicolas Drive
Suite 220
Newport Beach, CA 92660

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

CERTIFIED MAIL



7019 2970 0001 3903 1327

567 San Nicolas Drive
Suite 220
Newport Beach, CA 92660

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

CERTIFIED MAIL



7019 2970 0001 3903 1334

RECEIVED BY SUPERVISORS
CLERK/BOARD OF SUPERVISORS

2021 NOV 15 AM 11:38



1000



92502

U.S. POSTAGE PAID
FORM LETTER
CORONA DEL MAR, CA
92625
NOV 09 '21
AMOUNT
R2304E105468-7

\$7.38

Clerk of the Board
c/o Kecia R. Harper
4080 Lemon Street, 1st Floor
PO Box 1147
Riverside, CA 92502-1147

92502-1147



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CLERK/BOARD OF SUPERVISORS

2021 NOV 15 AM 11:38



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92502

U.S. POSTAGE PAID
FORM LETTER
CORONA DEL MAR, CA
92625
NOV 09 '21
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Clerk of the Board
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Riverside, CA 92502-1147

92502-1147



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

Receipt #: 21-520321

State Clearinghouse # (if applicable): _____

Lead Agency: CLERK OF THE BOARD OF SUPERVISORS Date: 10/29/2021

County Agency of Filing: RIVERSIDE Document No: E-202101171

Project Title: CONDITIONAL USE PERMIT NO. 200045 AND DEVELOPMENT AGREEMENT NO. 2000023.

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

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. Sandoval* Deputy _____

Notes:

CLERK OF THE BOARD OF SUPERVISORS
2021 NOV 22 AM 10:21

11/16/21 21.1
2022-2-151573



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-202101171
10/29/2021 10:51 AM Fee: \$ 0.00
Page 1 of 2

Removed *11/10/21* By: *Lizzy Sanchez* Deputy



Project Title

NOTICE OF PUBLIC HEARING - CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT IN THE TEMESCAL CANYON AREA PLAN, SECOND SUPERVISORIAL DISTRICT.

CUP NO. 200045 AND DEVELOPMENT AGREEMENT NO. 2000023

Filing Type

- Environmental Impact Report
- Mitigated/Negative Declaration
- Notice of Exemption
- Other: NOTICE OF PUBLIC HEARING

Notes

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