

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



ITEM: 3.38  
(ID # 20149)

MEETING DATE:  
Tuesday, October 04, 2022

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING:  
ADOPTION OF ORDINANCE NO. 664.94 APPROVING DEVELOPMENT AGREEMENT NO.  
1900050 – Applicant: Isen Garden, LLC – Third Supervisorial District – Rancho California Area  
– Riverside Extended Mountain Area Plan (REMAP) – Rural: Rural Residential (R:RR) –  
Location: east of Willow Creek Rd, south-west of Red Mountain Rd. – 5.03 Gross Acres –  
Zoning: Rural Residential (R-R) – APN 569-150-010, District 3. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT** ORDINANCE NO. 664.94, an Ordinance of the County of Riverside Approving  
Development Agreement No. 1900050.

ACTION: Policy

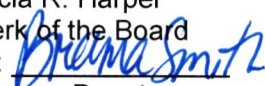
  
John Hildebrand, Planning Director 9/26/2022

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MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Jeffries and duly carried by  
unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and  
Ordinance 664.94 is adopted with waiver of the reading.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: October 4, 2022  
xc: TLMA-Planning, MUNI/COBAb

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

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

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

**BACKGROUND:**

Conditional Use Permit No. 190059 (CUP190059) is a Project proposal for the construction and operation of a cannabis cultivation facility by the applicant, Isen Gardens, LLC. The Project has an associated Change of Zone No. 1800022 (CZ1800022) to amend the zoning classification of the subject site from Rural Residential (R-R) to Light Agriculture, 5 acre minimum (A-1-5), and Development Agreement No. 1900050 (DA1900050) to grant the applicant vesting rights to develop the project in accordance with CUP190059 and DA1900050 over a term life of 10 years.

A public hearing was held before the Planning Commission on August 3, 2022. The Commission recommended that the Board of Supervisors (“BOS”) approve the Project by a vote of 4-0, with Commissioner Awad being absent from the proceedings. The BOS considered the Project and CEQA determination at a noticed public hearing on September 20, 2022. It was found that the Project, as reviewed and conditioned, would not result in any potentially significant environmental impacts with the incorporation of the mitigation as required under the Mitigated Negative Declaration (MND), and that it met the intent of the County’s General Plan and Ordinance No. 348. Thus, both CUP190059, CZ1800022 were approved by a vote of 4-0, with Supervisor Spiegel absent from the proceedings, subject to the subsequent adoption of Ordinance No. 664.94 to approve DA1900050.

Pursuant to State law, a development agreement is a legislative act that must be approved by ordinance. Adoption of Ordinance No. 664.94 will approve Development Agreement No. 1900050, consistent with the Board’s action on September 20, 2022, and Government Code section 65867.5.

**Impact on Residents and Businesses**

The impacts of processing Development Agreement No. 1900050 and adoption of Ordinance No. 664.94 have been evaluated through the environmental review and public hearing process by staff and the Board of Supervisors. The opportunity for public review and comment was provided during both the Planning Commission and Board of Supervisors public hearings and any verbal or written testimony provided by the public was considered by the Commission and

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Board at those times. Staff labor and expenses to process this project have been paid directly through the applicant's deposit-based fees. There were no general funds used on this project.

**ATTACHMENTS**

- A. Ordinance No. 664.94
- B. Development Agreement No. 1900050

  
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Jason Farin, Principal Management Analyst      9/27/2022

  
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Aaron Gettis, Deputy County Counsel      9/26/2022



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STATE OF CALIFORNIA            )  
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COUNTY OF RIVERSIDE        )        ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on October 4, 2022, the foregoing ordinance consisting of 3 Sections was adopted by the following vote:

AYES:           Jeffries, Spiegel, Washington, Perez, and Hewitt  
NAYS:           None  
ABSENT:        None

DATE:           October 4, 2022

KECIA R. HARPER  
Clerk of the Board  
BY: *Maryanna Smith*  
Deputy

SEAL