

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



ITEM: 21.1
(ID # 20176)

MEETING DATE:

Tuesday, October 18, 2022

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: ADOPTION OF ORDINANCE NO. 664.95 APPROVING AMENDMENT NO. 1 TO DEVELOPMENT AGREEMENT NO. 2000012 – Nothing Further Required under CEQA – Applicant: I.E. Gardens 2, Inc., c/o Nader Awad & Joshua Naggar – First Supervisorial District – South Elsinore Zoning Area – Elsinore Area Plan – Community Development: Commercial Retail (CD: CR) – Location: North of Grand Avenue, west of Corydon Road, south of Union Street, east of Gill Lane – 2.97 Acres – Zoning: General Commercial (C-1/C-P) - REQUEST: The applicant is requesting an amendment to the Public Benefit Agreement associated with adopted Development Agreement No. 2000012 (DA2000012). More specifically, Paragraph 4.2.1. of the adopted document entitled “Annual Public Benefit Base Payment” and Paragraph 4.3 entitled “Annual Additional Benefit.” These sections indicate that the entirety of the annual and additional annual public benefits be paid prior to the “first grading permit or the first building permit.” The applicant is requesting that these sections be revised to instead state that the entirety of the annual Public Benefit be paid as a “final condition prior to occupancy.” The DA also includes a new provision that states the project applicant must make substantial progress towards obtaining a building permit within two years of the final approval of the conditional use permit, identified as Section 3.3.1 of the Development Agreement – APN: 370-310-007. District 1. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **APPROVE AMENDMENT NO. 1 TO DEVELOPMENT AGREEMENT NO. 2000012** based upon the findings and conclusions incorporated in this agenda item; and
2. **INTRODUCE, READ TITLE, and WAIVE FURTHER READING OF, and ADOPT** on successive weeks **ORDINANCE NO. 664.95**, an Ordinance of the County of Riverside Approving **AMENDMENT NO. 1 TO DEVELOPMENT AGREEMENT NO. 2000012**, based upon the findings and conclusions incorporated in this agenda item.

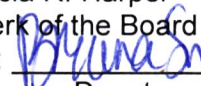
ACTION:Policy


John Hildebrand, Planning Director 10/5/2022

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: October 18, 2022
xc: Planning, COB

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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

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

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Conditional Use Permit No. 200027 and Development Agreement No. 2000012 were presented to the Board of Supervisors at a public hearing on May 18, 2021. The Board approved the Conditional Use Permit at this hearing, and subsequently adopted Ordinance No. 664.79 on May 25, 2021, thus approving the Development Agreement.

The Conditional Use Permit is for a Cannabis Microbusiness Facility with Indoor Cultivation, Distribution, and Retail Sales within an existing shopping center. The Project would reside within Units B and G of the building, totaling 9,875 square feet of the existing 24,213 square foot structure. Unit B would consist of 2,325 square feet for the cannabis retailer, which includes a reception area, security room, offices, vaults, storage, a breakroom, and restrooms. Unit G would consist of the indoor cultivation at 7,300 square feet, which includes flower rooms, a hanging room, and a veg room. Also included in this unit is 250 square feet dedicated as the distribution area for packaging and deliveries. These combined uses total 7,550 square feet of floor space. These specific square footage specifications for each of these Project components were included as part of the approved Conditional Use Permit exhibits, and they were also used for the calculation of the public benefit payments in the approved Development Agreement.

The applicant is requesting an amendment to the approved Development Agreement – DA2000012 – regarding the Public Benefit Agreement. More specifically, Paragraph 4.2.1. of the adopted document entitled “Annual Public Benefit Base Payment” and Paragraph 4.3 entitled “Annual Additional Benefit.” These sections indicate that the entirety of the annual and additional annual public benefits be paid prior to the “first grading permit or the first building permit.” The applicant is requesting that these sections be revised to instead state that the entirety of the annual Public Benefit be paid as a “final condition prior to occupancy.”

The Development Agreement also includes a new provision that states the project applicant must make substantial progress towards obtaining a building permit within two years of the final approval of the conditional use permit, identified as Section 3.3.1 of the Development Agreement.

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STATE OF CALIFORNIA**

Development Agreement

The applicant has proposed entering into the attached development agreement (DA) with the County for the Project. The DA is consistent with the General Plan and with Board Policy B-9. Additionally, the Advisory Notification Document, Conditions of Approval, and entitlement approvals are incorporated in the exhibits of the DA and will ensure that the Project is developed in a way that would not conflict with the public's health, safety, or general welfare. The DA has a term of 10 years (with the option for a 5-year extension subject to mutual approval) and will grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. In exchange, the DA provides certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, which will be used for additional public safety services, infrastructure improvements or community enhancement programs.

The Amendment to the Development Agreement does not impact the floor plan of the approved CUP, thus no square footage calculations have been changed as a result of this request. Therefore, the fees adopted initially through Development Agreement No. 2000012 would remain the same, with the amendment being the point at which these fees are to be paid. Those fees are as follows:

- 1) An initial deposit-based fee of \$5,000 for annual inspections and the administration of the development agreement program.
- 2) A baseline Public Benefits payment of \$74,450, which will be increased 2% per year. The baseline payment amount shall be allocated 45% to the Code Enforcement Department, and the remaining 55% will be transferred to the Executive Office for deposit into the General Fund, to be allocated as part of the annual budget process and generally spent on cannabis regulatory activity performed by the District Attorney's Cannabis Regulation Task Force, the Sheriff's Office, Public Health, County Counsel, and the Agricultural Commissioner's office. The percentages above are based on the expected regulatory costs that were used to establish the baseline Public Benefits fee, as approved by the Board on January 29, 2019. The Code Enforcement Department will serve as the main regulatory arm of the County in monitoring that the businesses will comply with their conditions of approval and respond to public concerns.
- 3) An annual Additional Public Benefit payment of \$97,000 which will increase 6% per year remains the same. This payment shall be held by TLMA in an account specifically for the Elsinore Area, to be allocated by the Board of Supervisors to projects and services that benefit the community.

Per state law, a development agreement is a legislative act that must be approved by ordinance. Proposed Ordinance No. 664.95 incorporates by reference and adopts Amendment

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STATE OF CALIFORNIA**

No. 1 to Development Agreement No. 2000012 consistent with Government Code sections 65867.5 and 65868. Amendment No. 1 to Development Agreement No. 2000012 and Ordinance No. 664.95 do not change the prior development approvals or overall project footprint of CUP200027.

Amendment No. 1 to Development Agreement No. 2000012 is consistent with the General Plan, and with public health, safety, and general welfare. The express terms of the development agreement grant the applicants a vested right to develop the project in accordance with existing land use regulations including in accordance with the General Plan. The conditions of approval and mitigation measures for the Project, the approvals of which are incorporated in the exhibits to the Amendment to the Development Agreement, ensure that the project is developed in a way that is consistent with public health safety and general welfare. Moreover, the Amendment to the Development Agreement will provide significant benefits. Specifically, the development agreement contains terms consistent with Board of Supervisors Policy No. B-9 including terms regarding annual public benefits payments and increases and the submittal of an additional community benefit fee. These development agreement provisions ensure that the Amendment to the Development Agreement will provide significant benefits.

CEQA

The County of Riverside previously found that the project was exempt from CEQA pursuant to State CEQA Guidelines Section 15061 (b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303(c) (New Construction or Conversion of Small Structures). There are no new, different, or greater impacts that will result from this amendment as it only revises the point at which the Development Agreement fees are paid. The Project scope, intensity, or proposed use are neither changing nor expanding. Therefore, nothing further is required pursuant to CEQA.

Impact on Citizens and Businesses:

The proposed project is categorically exempt under CEQA, which means that it belongs to a class of projects that have been determined to not have a significant effect on the environment. As detailed in the Planning Commission Staff Report, which is attached hereto and incorporated by reference, the original project was deemed to be exempt under CEQA and no exceptions pursuant to State CEQA Guidelines section 15300.2 were found to apply. As these changes to the Development Agreement would not change any of those prior findings, no further findings under CEQA are required. Accordingly, there will be no impacts on residents or businesses.

SUPPLEMENTAL:

Additional Fiscal Information

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STATE OF CALIFORNIA**

As stated above, the applicants and County staff have reached an agreement on the provisions of the Amendment to the Development Agreement. The applicant will submit public benefit payments as detailed in the Amendment to the Development Agreement.

Staff labor and expenses to process this project have been paid directly through deposit-based fees.

ATTACHMENTS:

Ordinance No. 664.95 Approving Amendment No. 1 to Development Agreement No. 2000012
Amendment No. 1 to Development Agreement No. 2000012



Jason Farin, Principal Management Analyst 10/12/2022



Aaron Gettis, Deputy County Counsel 10/6/2022



RIVERSIDE COUNTY PLANNING DEPARTMENT

RECEIVED RIVERSIDE COUNTY
CLERK/BOARD OF SUPERVISORS
2022 SEP 26 AM 11:11

Charissa Leach, P.E.
TLMA Director

DATE: September 6, 2022

TO: Clerk of the Board of Supervisors

FROM: Planning Department – Riverside – **Kathleen Mitchell, Project Planner 5-6836 (BOS date 10-18-2022)**

SUBJECT: Amendment No. 1 to Development Agreement No. 2000012
(Charge your time to these case numbers)

TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: ADOPTION OF ORDINANCE NO. 664.95 APPROVING AMENDMENT NO. 1 TO DEVELOPMENT AGREEMENT NO. 2000012 – Nothing Further Required under CEQA – Applicant: I.E. Gardens 2, Inc., c/o Nader Awad & Joshua Naggar – First Supervisorial District – South Elsinore Zoning Area – Elsinore Area Plan – Community Development: Commercial Retail (CD: CR) – Location: North of Grand Avenue, west of Corydon Road, south of Union Street, east of Gill Lane – 2.97 Acres – Zoning: General Commercial (C-1/C-P) - **REQUEST:** The applicant is requesting an amendment to the Public Benefit Agreement associated with adopted Development Agreement No. 2000012 (DA2000012). More specifically, Paragraph 4.2.1. of the adopted document entitled “Annual Public Benefit Base Payment” and Paragraph 4.3 entitled “Annual Additional Benefit.” These sections indicate that the entirety of the annual and additional annual public benefits be paid prior to the “first grading permit or the first building permit.” The applicant is requesting that this section be revised to instead state that the entirety of the annual Public Benefit be paid as a “final condition prior to occupancy.” The DA also includes a new provision that states the project applicant must make substantial progress towards obtaining a building permit within two years of the final approval of the conditional use permit, identified as Section 3.3.1 of the Development Agreement – APN: 370-310-007. [Applicant Fees 100%]

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

- Place on Administrative Action
- Labels provided If Set For Hearing
 - 10 Day
 - 20 Day
 - 30 day
- Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
- Publish in Newspaper: (1st Dist) Press Enterprise *49*
- CEQA Exempt
 - 10 Day
 - 20 Day
 - 30 day
- Notify Property Owners (app/agencies/property owner labels provided)

Designate Newspaper used by Planning Department for Notice of Hearing:
(3rd Dist) Press Enterprise

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

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

PROPERTY OWNERS CERTIFICATION FORM

APN's 370-310-007

DA2000012R01

I, Mickey Zolezio, certify that on
(Print Name)

921/2022 the attached property owners list
(Date)

was prepared by County of Riverside / GIS
(Print Company or Individual's Name)

Distance Buffered : 600'

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

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

NAME: Mickey Zolezio

TITLE/REGISTRATION Senior GIS Analyst

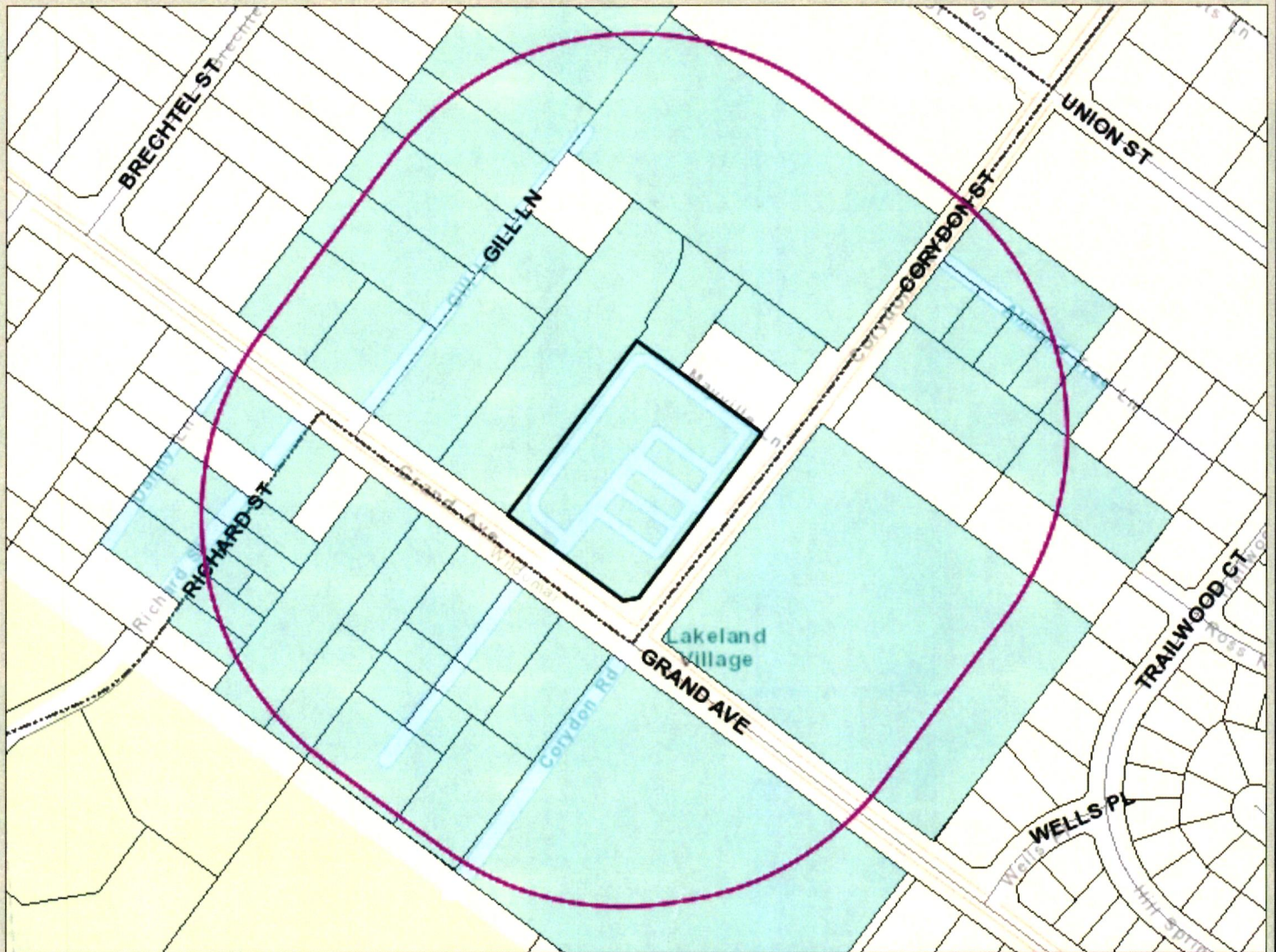
ADDRESS: 3450 14th St, 5th Fl

Riverside, CA 92501

TELEPHONE (8 a.m. – 5 p.m.): (951) 955-4649

Riverside County GIS Mailing Labels

DA2000012R01



Legend

-  County Boundary
-  Cities
-  Centerline Names
-  Centerlines
-  Parcels
-  World Street Map

Notes



0 376 752 Feet



A horizontal scale bar with markings at 0, 376, and 752 feet.

IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON... 9/21/2022 8:46:49 AM

© Riverside County RCIT

370171012
JOSHUA GODDARD
32836 ALMOND TREE LN
WILDOMAR CA 92595

370171013
JAMES ANTHONY STRAHAN
32834 ALMOND TREE LN
WILDOMAR CA 92595

370210011
DONALD MICHAEL KARN
31902 AVENIDA EVITA
SAN JUAN CAPO CA 92675

370210037
SHAHRAM GHANEM
3311 E MENDEVILLE PLACE
ORANGE CA 92867

370210039
YASMIN SANCHEZ
19971 GRAND AVE
LAKE ELSINORE CA 92530

370220001
BONGIOVANNI CONSTRUCTION CO
P O BOX 2414
PLS VRDS PNSL CA 90274

370171015
JEFFREY MCEL RATH
20995 ALAMEDA DEL MONTE
WILDOMAR CA 92595

370210004
JONATHAN GARAY
PO BOX 1415
TEMECULA CA 92593

370210044
GILDARDO SERNA REYNA
19985 GRAND AVE
LAKE ELSINORE CA 92530

370210058
JUAN CARRILLO
19974 QUAIL TR
LAKE ELSINORE CA 92530

370210065
A ANDREWS & SONS
35736 COUNTRY PARK DR
WILDOMAR CA 92595

370300017
RAMON FERNANDEZ HUARACHA
32871 GILL LN
LAKE ELSINORE CA 92530

370210048
ELEANOR LORETTA FEARS
33070 RICHARD ST
LAKE ELSINORE CA 92530

370210054
JOHN ANTON DAHLGREN
209 RIVERFRONT DR
BULLHEAD CITY AZ 86442

370171014
MARIAN JOYCE COWLES
2253 W ONZA AVE
MESA AZ 85202

370171002
DENNIS J. ELTON
32800 CORYDON ST
WILDOMAR CA 92595

370171010
FUENTES GONZALES LIVING TRUST DATED
32840 ALMOND TREE LN
WILDOMAR CA 92595

370171016
JEFFREY MC ELRATH
20995 ALAMEDA DEL MONTE
WILDOMAR CA 92595

370210061
JAY CORONADO
19841 GRAND AVE
LAKE ELSINORE CA 92530

370310008
1ST STEP PROP
6700 NOAH AVE
BAKERSFIELD CA 93308

370310005
WILLIAM H. MAYVILLE
32885 CORYDON ST
LAKE ELSINORE CA 92530

370210016
ISIDRO GARCIA
1186 SOUTH A ST
PERRIS CA 92570

370210035
SARA SANDOVAL
25050 MADISON AVE STE 101
MURRIETA CA 92562

370210032
SERGIO RODRIGUEZ
19925 GRAND AVE
LAKE ELSINORE CA 92530

370210040
PALMS PARK
31902 AVENIDA EVITA
SAN JUAN CAPISTRANO CA 92675

370210046
THOMAS M. MCDADE
33130 RICHARD ST
LAKE ELSINORE CA 92595

370210053
MELVIN LEE CAPPS
13261 BARNETT WAY
GARDEN GROVE CA 92843

370300018
HUY NGOG NGUYEN
19308 ABIGAIL WAY
PFLUGERVILLE TX 78660

370300024
FREDDY A. ZAMBRANA
39551 CALLE DE COMPANERO
MURRIETA CA 92562

370310007
A & A PROP INV
19980 GRAND AVE
LAKE ELSINORE CA 92530

370310009
MARK H. TARNER
6700 NOAH AVE
BAKERSFIELD CA 93308

370171011
SHIRLENE P. ORR
PO BOX 483
MURRIETA CA 92564

370210052
SCOTT FEARS
33600 HONEYSUCKLE LN
MURRIETA CA 92563

370300023
RICHARD C. KELLOGG
32765 SEXTON ST
WILDOMAR CA 92595

370300019
AMPARO ARANA
32905 GILL LN
LAKE ELSINORE CA 92530

370300021
DARREL V. VELJKOVIC
32955 GILL LN
LAKE ELSINORE CA 92530

370300022
REFUGIO ZERMENO
19850 GRAND AVE
LAKE ELSINORE CA 92530

370210036
JACK ERNANDES
4708 FIR AVE
SEAL BEACH CA 90740

370210017
ISIDRO GARCIA
1186 S A ST
PERRIS CA 92570

370210038
ANDREW WENTON HOLLOWAY
19967 GRAND AVE
WILDOMAR CA 92595

370300032
ZAMBRANA TERESA
39551 CALLE DE COMPANERO
MURRIETA CA 92562

370310002
ACACIA VILLAS ASSISTED LIVING
991 LOMAS SANTA FE C143
SOLANA BEACH CA 92075

370310014
TARNER MARK H
6700 NOAH AVE
BAKERSFIELD CA 93308

370310015
PETER J. LEONARDO
P O BOX 1254
WILDOMAR CA 92595

370171017
JEFFREY A. MCELRATH
20995 ALAMEDA DEL MONTE
WILDOMAR CA 92595

370210013
MARTIN L. MACDONALD
33080 DANNY LN
LAKE ELSINORE CA 92530

370210034
MARTHA CAMARENA GRABEL
32166 CALLESITO FADRIQUE
TEMECULA CA 92592

370210055
PALMS PARK
31902 AVENIDA EVITA
SAN JUAN CAPO CA 92675

Richard Drury, Molly Greene, Lozeau
Drury LLP

1939 Harrison Street, Suite 150
Oakland, CA 94612



Peter Aldana
Riverside County
Assessor-County Clerk-Recorder
2724 Gateway Drive
Riverside, CA 92507
(951) 486-7000
www.rivcoacr.org

Receipt: 22-358404

| Product | Name | Extended |
|----------------|-----------------------------|-----------------|
| FISH | CLERK FISH AND GAME FILINGS | \$0.00 |
| | # Pages | 2 |
| | Document # | E-202200954 |
| | Filing Type | 8 |
| | State Fee Prev Charged | false |
| | No Charge Clerk Fee | false |
| <hr/> | | |
| Total | | \$0.00 |
| Change (Cash) | | \$0.00 |



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

| |
|--|
| RECEIPT NUMBER: 22-358404 |
| STATE CLEARINGHOUSE NUMBER (if applicable) |

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

| | | |
|--|------------------------------------|--------------------|
| LEAD AGENCY CLERK OF THE BOARD OF SUPERVISORS | LEAD AGENCY EMAIL COB@RIVCO.ORG | DATE 10/03/2022 |
| COUNTY/STATE AGENCY OF FILING RIVERSIDE | DOCUMENT NUMBER E-202200954 | |

PROJECT TITLE
NOTICE OF PUBLIC HEARING - AMD. 1, DA 2000012

| | | |
|---|--|--------------------------------|
| PROJECT APPLICANT NAME CLERK OF THE BOARD OF SUPERVISORS | PROJECT APPLICANT EMAIL COB@RIVCO.ORG | PHONE NUMBER (951) 955-1069 |
| PROJECT APPLICANT ADDRESS 4080 LEMON ST, 1ST FLOOR, | CITY RIVERSIDE | STATE CA |
| | | ZIP CODE 92501 |

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

| | | |
|---|------------|-----------------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,539.25 | \$ _____ |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,548.00 | \$ _____ |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,203.25 | \$ _____ |
| | | |
| <input type="checkbox"/> Exempt from fee | | |
| <input type="checkbox"/> Notice of Exemption (attach) | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) | | |
| | | |
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ _____ |
| <input type="checkbox"/> County documentary handling fee | | \$ _____ \$0.00 |
| <input type="checkbox"/> Other | | \$ _____ |

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ _____ \$0.00

| | |
|----------------------------------|---|
| SIGNATURE X <i>J. Vallejo</i> | AGENCY OF FILING PRINTED NAME AND TITLE Deputy |
|----------------------------------|---|



Lead Agency: CLERK OF THE BOARD OF SUPERVISORS
ATTN: KECIA R. HARPER/ZULY MARTINEZ
Address: 4080 LEMON ST 1ST FLOOR
RIVERSIDE, CA 92501

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202200954
10/03/2022 05:00 PM Fee: \$ 0.00
Page 1 of 2

Removed: _____ By: _____ Deputy


(SPACE FOR CLERK'S USE)

Project Title

NOTICE OF PUBLIC HEARING - AMD. 1, DA 2000012

Filing Type

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

Notes

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY
ON AN AMENDMENT TO A DEVELOPMENT AGREEMENT, FIRST SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, October 18, 2022 at 10:00 A.M.** or as soon as possible thereafter, to consider amending **Development Agreement No. 2000012**. The applicant is requesting an amendment to the Public Benefit Agreement associated with adopted Development Agreement No. 2000012 (DA2000012). More specifically, Paragraph 4.2.1. of the adopted document entitled "Annual Public Benefit Base Payment" and Paragraph 4.3 entitled "Annual Additional Benefit." These sections indicate that the entirety of the annual and additional annual public benefits be paid prior to the "first grading permit or the first building permit." The applicant is requesting that these sections be revised to instead state that the entirety of the annual Public Benefit be paid as a "final condition prior to occupancy." The DA also includes a new provision that states the project applicant must make substantial progress towards obtaining a building permit within two years of the final approval of the conditional use permit, identified as Section 3.3.1 of the Development Agreement – APN: 370-310-007. This proposed project is located North of Grand Avenue, west of Corydon Road, south of Union Street, east of Gill Lane in the First Supervisorial District.

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 KATHLEEN MITCHELL, PROJECT PLANNER, AT (951) 955-6836 OR EMAIL KMITCHELL@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 Department 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 Clerk of the Board at (951) 955-1069, at least 72 hours prior to hearing.

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

Dated: October 3, 2022

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

THE PRESS-ENTERPRISE

KEEP YOUR EYES ON THE 'PRISE

pe.com

3512 14 Street
Riverside, California 92501
(951) 368-9229
neller@scng.com

County of Riverside - Clerk of the Board
PO Box 1147
Riverside, California 92502

| | |
|--|---|
| <i>Account Number:</i> | 5209148 |
| <i>Ad Order Number:</i> | 0011564104 |
| <i>Customer's Reference/PO Number:</i> | |
| <i>Publication:</i> | The Press-Enterprise |
| <i>Publication Dates:</i> | 10/07/2022 |
| <i>Total Amount:</i> | \$771.28 |
| <i>Payment Amount:</i> | \$0.00 |
| <i>Amount Due:</i> | \$771.28 |
| <i>Notice ID:</i> | uDRyP4LFNe4Tj6vzc0wg |
| <i>Invoice Text:</i> | <p>NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN AMENDMENT TO A DEVELOPMENT AGREEMENT, FIRST SUPERVISORIAL DISTRICT NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, October 18, 2022 at 10:00 A.M. or as soon as possible thereafter, to consider amending Development Agreement No. 2000012. The applicant is requesting an amendment to the Public Benefit Agreement associated with adopted Development Agreement No. 2000012 (DA2000012). More specifically, Paragraph 4.2.1. of the adopted document entitled "Annual Public Benefit Base Payment" and Paragraph 4.3 entitled "Annual Additional Benefit." These sections indicate that the entirety of the annual and additional annual public benefits be paid prior to the "first grading permit or the first building permit." The applicant is requesting that these sections be revised to instead state that the entirety of the annual Public Benefit be paid as a "final condition prior to occupancy." The DA also includes a new provision that states the project applicant must make substantial progress towards obtaining a building permit within two years of the final approval of the conditional use permit, identified as Section 3.3.1 of the Development Agreement – APN: 370-310-007. This proposed project is located North of Grand Avenue, west of Corydon Road, south of Union Street, east of Gill Lane in the First Supervisorial District. The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date</p> |

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PROOF OF PUBLICATION OF

Ad Desc: 0011564104

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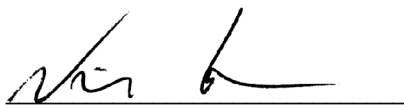
PROOF OF PUBLICATION

I am a citizen of the United States. I am over the age of eighteen years and not party to or interested in the above-entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of 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:

10/07/2022

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

Date: October 7, 2022.
At: Riverside, California



Signature

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN AMENDMENT TO A DEVELOPMENT AGREEMENT, FIRST SUPERVISORIAL DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, October 18, 2022 at 10:00 A.M.** or as soon as possible thereafter, to consider amending **Development Agreement No. 2000012**. The applicant is requesting an amendment to the Public Benefit Agreement associated with adopted Development Agreement No. 2000012 (DA2000012). More specifically, Paragraph 4.2.1. of the adopted document entitled "Annual Public Benefit Base Payment" and Paragraph 4.3 entitled "Annual Additional Benefit." These sections indicate that the entirety of the annual and additional annual public benefits be paid prior to the "first grading permit or the first building permit." The applicant is requesting that these sections be revised to instead state that the entirety of the annual Public Benefit be paid as a "final condition prior to occupancy." The DA also includes a new provision that states the project applicant must make substantial progress towards obtaining a building permit within two years of the final approval of the conditional use permit, identified as Section 3.3.1 of the Development Agreement - APN: 370-310-007. This proposed project is located North of Grand Avenue, west of Corydon Road, south of Union Street, east of Gill Lane in the First Supervisorial District.

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 KATHLEEN MITCHELL, PROJECT PLANNER, AT (951) 955-6836 OR EMAIL KMITCHELL@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 Department 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 Clerk of the Board at (951) 955-1069, at least 72 hours prior to hearing.

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

Dated: October 3, 2022
Kecia R. Harper,
Clerk of the Board
By: Zuly Martinez,
Board Assistant
The Press-Enterprise
Published: 10/7/22