

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



ITEM: 21.2
(ID # 23860)

MEETING DATE:

Tuesday, February 06, 2024

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on CHANGE OF ZONE NO. 2200026, ADOPTION OF ORDINANCE NO. 348.5010, CONDITIONAL USE PERMIT NO. 210129, DEVELOPMENT AGREEMENT NO. 2100114, and associated ORDINANCE NO. 664.104 - CEQA Exempt per Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), and Section 15061(b)(3) (Common Sense) – Applicant: Manpreet Gill – Representative: Hide Iwagami – Third Supervisorial District – Homeland Zoning Area – Harvest Valley/Winchester Area Plan: Community Development: Commercial Retail (CD: CR) – Location: north of McWade Avenue, south of Highway 74, east of Homeland Avenue, and west of Guthridge Lane – 0.45 Acres - Zoning: Scenic Highway Commercial (C-P-S) - REQUEST: CZ2200026 is a proposal to change the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) to bring the site into compliance with the Commercial Retail (CR) land use designation. CUP210129 is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 square foot structure, with 27 parking spaces servicing operations. The Project includes a second phase to be initiated 5 years after the start of operations that proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure out of the road right of way dedication. Both phases, the storefront will operate 7 days a week between 6:00 a.m. to 10:00 p.m., and mobile deliveries will occur between 6:00 a.m. to 9:00 p.m. DA2100114 is the associated development agreement to CUP210129 and has a term life of 10 years. It will grant the applicant vesting rights to develop the storefront cannabis retailer and will provide community benefits to the Harvest Valley/Winchester Area. – APNs: 459-094-002 & -003 – District 3. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

Continued on Page 2

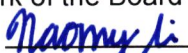
ACTION:Policy


John Hildebrand, Planning Director 1/14/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended; Ordinance 348.5010 is adopted with waiver of the reading and Ordinance 664.104 is approved as introduced with a waiver of the reading.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: February 6, 2024
xc: Planning, COBCF/AB/DL

Kimberly A. Rector
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:

1. **FIND** that the Project is **EXEMPT** from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures), based on the findings and conclusions in this staff report;
2. **APPROVE CHANGE OF ZONE NO. 2200026**, to amend the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) based upon the findings and conclusions incorporated in the staff report, pending final adoption of the Zoning Ordinance by the Board of Supervisors;
3. **ADOPT ORDINANCE NO. 348.5010** amending the zoning in the Harvest Valley/Winchester Area as shown on Map No. 2.2497, Change of Zone No. 2200060 attached hereto and incorporated herein by reference;
4. **INTRODUCE, READ TITLE and WAIVE FURTHER READING OF, and ADOPT** on successive weeks Ordinance No. 664.104, an ordinance of the County of Riverside approving **DEVELOPMENT AGREEMENT NO. 2100114**, based upon the findings in the staff report; and
5. **APPROVE CONDITIONAL USE PERMIT NO. 210129**, subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report, subject to final approval of the Development Agreement ordinance.

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

On September 23, 2021, the applicant, Manpreet Gill, submitted Conditional Use Permit No. 210129 (CUP210129) to the County of Riverside for consideration. The applicant proposes the development of a retail cannabis storefront located at 31431 Highway 74, Homeland, CA.

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

Project Details

There are two phases to the Project due to the required dedication to be given at the property frontage for the Highway 74 roadway expansion. The first phase of the Project will operate within the existing 1,214 square foot structure for the first five years following the approval of the Conditional Use Permit. The retail cannabis operations would occur between the hours of 6:00 a.m. to 10:00 p.m., which is in accordance with Section 19.505 of Ordinance No. 348. The interior of the suite is to be refabricated with new fixtures and walls, resulting in a floor plan that includes the following areas: a secure check-in reception area and lobby, a cannabis sales area, a secure cannabis product storage area, office, and restroom. Phase I proposes 27 parking spaces on-site to service the operations, including 2 ADA parking spaces. In addition, two secure bike racks will be located at the main entrance to the building. Improved landscaping and a trash enclosure are also proposed.

The second phase of development is to be initiated 5 years after the start of operations. It proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure that would be out of the right of way dedication. The business will continue to operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m. The resulting floor plan for the new, permanent structure includes the following areas: a secure check-in reception area and lobby, a cannabis sales area, a secure cannabis product storage area, employee break area, office, vendor room, security room, and restroom. The Project proposes 23 parking spaces on-site to service the operations, including 2 ADA parking spaces. In addition, two secure bike racks will be located at the main entrance to the building. Improved landscaping and a trash enclosure are also proposed.

For both phases of the Project, there will be 10 employees, including security personnel. Employees will be split across 2 shifts, with 5 employees per a shift.

The applicant requested that mobile deliveries be added to the operations scope for the Project at the Planning Commission hearing, which was granted. These deliveries would occur between the hours of 6:00 a.m. to 9:00 p.m. during both phases of the Project. The conditions of approval have been updated to include the mobile deliveries within the Project scope, and those modifications to the conditions have been reviewed and accepted by the applicant.

Change of Zone

The current zone classification for APN 459-094-002 is Rural Residential (R-R). The Project is proposing Change of Zone No. 2200026 (CZ2200026) to the County of Riverside for consideration to change the subject site's current zone classification to Scenic Highway Commercial (C-P-S). The change of zone proposal would accommodate the operation of a retail cannabis storefront, as well as bring the subject site into consistency with the Commercial Retail land use designation. The change of zone would also bring the subject site in conformance with the adjacent property (APN 459-094-003) that is also within the Project scope.

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

Development Agreement

The applicant has proposed entering into the attached Development Agreement No. 2100114 (DA2100114) with the County for the Project. The proposed 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. A term of 10 years is proposed to grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. In exchange, the proposed DA provides certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, intended for additional public safety services, infrastructure improvements or community enhancement programs.

Development Agreement No. 2100114 requires the applicant to make the following payments:

- 1) An initial deposit-based fee of \$5,000 for annual inspections and the administration of the development agreement program.
- 2) A baseline Public Benefits payment of \$19,424.00 which will be increased 2% per year. The baseline payment amount shall be allocated 45% to the Code Enforcement Department, and the remaining 55% will be transferred to the Executive Office for deposit into the General Fund, to be allocated as part of the annual budget process and generally spent on cannabis regulatory activity performed by the District Attorney's Cannabis Regulation Task Force, the Sheriff's Office, Public Health, County Counsel, and the Agricultural Commissioner's office. The percentages above are based on the expected regulatory costs that were used to establish the baseline Public Benefits fee, as approved by the Board on January 29, 2019. The Code Enforcement Department will serve as the main regulatory arm of the County in monitoring that the businesses will comply with their conditions of approval and respond to public concerns.
- 3) An annual Additional Public Benefit payment of \$25,200.00, which will increase 5% per year. This payment shall be held by TLMA in an account specifically for the Harvest Valley/Winchester area, to be allocated by the Board of Supervisors to projects and services that benefit the community.

Per state law, a development agreement is a legislative act that must be approved by ordinance. Proposed Ordinance No. 664.104, and Ordinance of the County of Riverside Approving Development Agreement No. 2100114, incorporates by reference Development Agreement No. 2100114 consistent with Government Code section 65867.5.

The Project was approved at Planning Commission on November 1, 2023, with a 4-0 vote.

Approval Requirements and Conclusion:

Based on the findings provided in the staff report and conditions of approval, the proposed Project is consistent with the General Plan and any applicable specific plan, complies with the development standards of the C-P-S zoning classification, complies with the permit

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

requirements for all Commercial Cannabis Activities, complies with the minimum standard requirements and there is no anticipation that the use will be detrimental to the public health, safety, or general welfare. Additionally, the proposed Project complies with all applicable requirements of State law and ordinances of Riverside County.

Impact on Residents and Businesses


The proposed Project is categorically exempt under CEQA pursuant to State CEQA Guidelines sections 15301 (Existing Facilities), Section 15061 (b)(3) (Common Sense Exemption), and Section 15303 (New Construction or Conversion of Small Structures) which means that it belongs to a class of projects that have been determined to not have a significant effect on the environment. As detailed in the Planning Commission Staff Report, which is attached hereto and incorporated by reference, no exceptions pursuant to State CEQA Guidelines section 15300.2 apply. Accordingly, there is no anticipation that there will be negative impacts on residents or businesses.

Additional Fiscal Information

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

ATTACHMENTS:

- A. PLANNING COMMISSION REPORT OF ACTIONS
- B. PLANNING COMMISSION STAFF REPORT
- C. REVISED CONDITIONS OF APPROVAL
- D. CHANGE OF ZONE ORDINANCE NO. 348.5010
- E. DEVELOPMENT AGREEMENT NO. 2100114
- F. DEVELOPMENT AGREEMENT ORDINANCE NO. 664.104


Jason Farin, Principal Management Analyst 1/31/2024


Aaron Gettis, Deputy County Counsel 1/25/2024

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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) SS

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on February 06, 2024, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

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

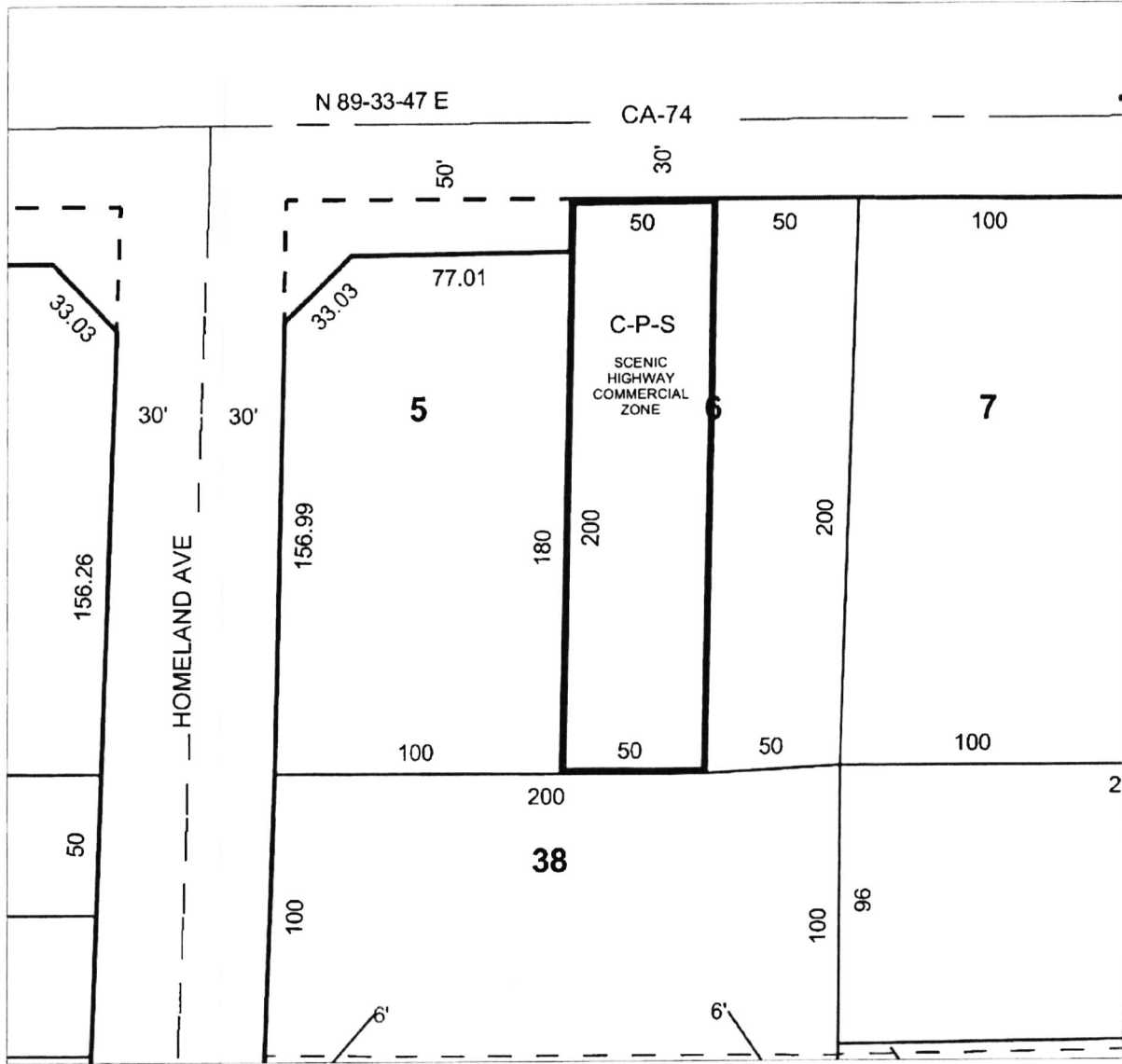
DATE: February 06, 2024

KIMBERLY A. RECTOR
Clerk of the Board

BY: *Nancy Li*
Deputy

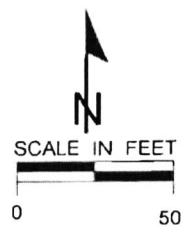
SEAL

Homeland Area
 SEC. 17 T. 5S., R2W S.B.M



C-P-S SCENIC HIGHWAY COMMERCIAL ZONE

MAP NO. 2.2497
 CHANGE OF OFFICIAL ZONING PLAN
 AMENDING
 MAP NO. 2 ORDINANCE NO. 348
 CHANGE OF ZONE CASE NO. 2200026
 ADOPTED BY ORDINANCE NO. 348.5010
 (DATE:) _____
 RIVERSIDE COUNTY BOARD OF SUPERVISORS





RIVERSIDE COUNTY PLANNING DEPARTMENT

67
RECEIVED RIVERSIDE COUNTY
CLERK/BOARD OF SUPERVISORS
2024 JAN -9 PM 2:37

Charissa Leach, P.E.

TLMA Director

AT 23860

DATE: 1/8/2024

TO: Clerk of the Board of Supervisors

FROM: Planning Department – Riverside – Kathleen Mitchell, Project Planner 5-6836 (BOS date 02-06-2024)

SUBJECT: Change of Zone No. 2200026, Conditional Use Permit No. 210129, & Development Agreement No. 2100114

(Charge your time to these case numbers)

TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on CHANGE OF ZONE NO. 2200026, ADOPTION OF ORDINANCE NO. 348.5010, CONDITIONAL USE PERMIT NO. 210129, DEVELOPMENT AGREEMENT NO. 2100114, and associated ORDINANCE NO. 664.104 - Exempt per Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), and Section 15061(b)(3) (Common Sense) – Applicant: Manpreet Gill – Engineer/Representative: Hide Iwagami – Third Supervisorial District – Homeland Zoning Area – Harvest Valley/Winchester Area Plan: Community Development: Commercial Retail (CD: CR) – Location: North of McWade Avenue, south of Highway 74, east of Homeland Avenue, and west of Guthridge Lane – 0.45 Acres - Zoning: Scenic Highway Commercial (C-P-S) - REQUEST: CZ2200026 is a proposal to change the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) to bring the site into compliance with the Commercial Retail (CR) land use designation. CUP210129 is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 square foot structure, with 27 parking spaces servicing operations. The Project includes a second phase to be initiated 5 years after the start of operations that proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure out of the road right of way dedication. Both phases, the storefront will operate 7 days a week between 6:00 a.m. to 10:00 p.m, and mobile deliveries will occur between 6:00 a.m. to 9:00 p.m. DA2100114 is the associated development agreement to CUP210129 and has a term life of 10 years. It will grant the applicant vesting rights to develop the storefront cannabis retailer and will provide community benefits to the Harvest Valley/Winchester Area. – APNs: 459-094-002 & -003 – Project Planner: Kathleen Mitchell at 951-955-6836 or email at kmitchell@rivco.org. [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: (3rd Dist) Press Enterprise
- CEQA Exempt
 - 10 Day 20 Day 30 day
- Notify Property Owners (app/agencies/property owner labels provided)

*Planning Note:
1/10/23 4-0

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

I, Kathleen Mitchell, certify that on October 12, 2023, the attached property owners list was prepared by County of Riverside / GIS.

Distance Buffered: 600'

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

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

NAME: Kathleen Mitchell

TITLE/REGISTRATION: Urban Regional Planner, III

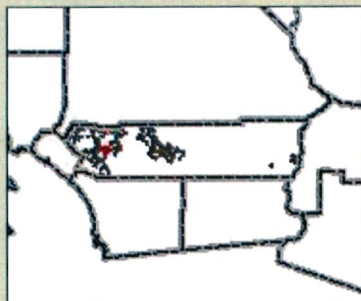
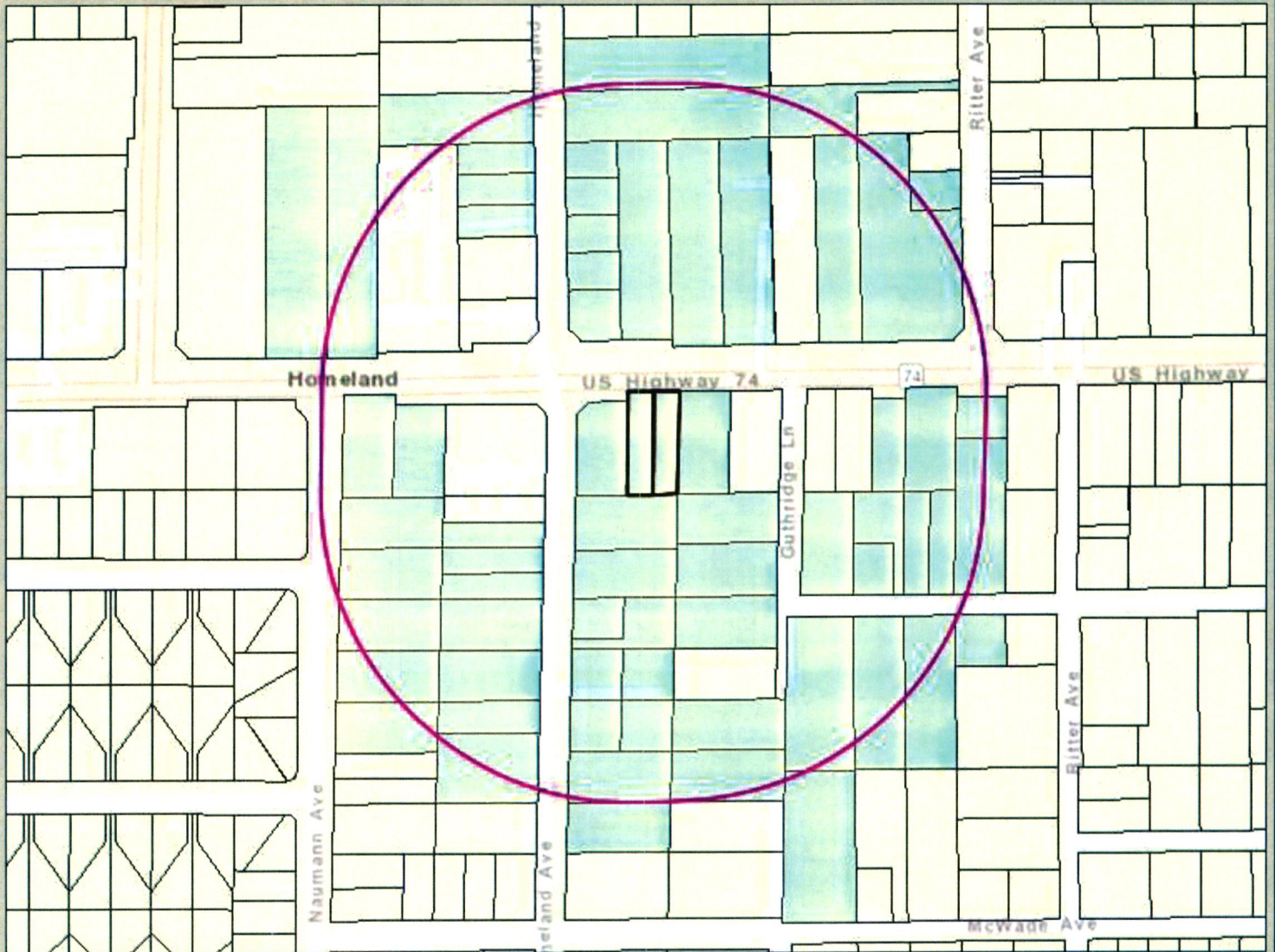
ADDRESS: 4080 Lemon Street, Riverside CA, 92501

TELEPHONE (8 a.m. – 5 p.m.): (951) 955-6836

Riverside County GIS Mailing Labels

CUP210129-DA2100114

600 Foot Radius



Legend

-  County Boundary
-  Cities
-  Parcels
-  World Street Map

Notes



0 376 752 Feet

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

REPORT PRINTED ON... 10/12/2023 1:44:57 PM

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457140044
HIS LIGHT ON THE HILL INC
28125 BRADLEY RD STE 180A
SUN CITY CA 92586

457151011
LORRIE LOUISE RUIZ
25905 HOMELAND AVE
HOMELAND CA 92548

457151012
ROSALIO A. ROSALES
27615 ELLIS AVE
ROMOLAND CA 92585

457152025
TERRY L. POPE
3109 BRIDGEWATER CIR
HEMET CA 92545

457152030
JOSE DOMINGO ENRIQUEZ LOPEZ
25938 HOMELAND AVE
HOMELAND CA 92548

457152031
RUSSELL ALLON STIGALL
25952 HOMELAND AVE
HOMELAND CA 92548

457140043
EVANGELOS KARPOUZIS
4885 GREEN CREST DR
YORBA LINDA CA 92887

457171015
CONRADO ALVAREZ GARCIA
25891 RITTER AVE
HOMELAND CA 92548

457171018
RICARDO MARTINEZ
25911 RITTER AVE
HOMELAND CA 92548

457171021
KRIS MILLER
33756 KEITH AVE
HEMET CA 92545

457151009
DENNIS MARTIN
25901 HOMELAND AVE
HOMELAND CA 92548

457151013
RAMON REYES
25945 HOMELAND AVE
HOMELAND CA 92548

457152023
4D MANAGEMENT HOLDINGS INC
6290 MCLEOD DR STE 110
LAS VEGAS NV 89120

457152024
ROBBY DALE TARPLEY
25784 HOMELAND AVE
HOMELAND CA 92548

457152026
JESUS LOZANO MAGANA
P O BOX 262
PERRIS CA 92572

457152028
JORGE CORTEZ
25906 HOMELAND AVE
HOMELAND CA 92548

457152029
KRISTIE M. LOBO
25924 HOMELAND AVE
HOMELAND CA 92548

457152033
LARA MIGUEL
30480 AVENIDA CAYLEE
HOMELAND CA 92548

457152034
FRANCISCO HERNANDEZ
609 N GIRARD ST
HEMET CA 92544

457171038
ISC REAL ESTATE
6960 CASSELBERRY WAY
SAN DIEGO CA 92119

459161004
SAUL LINARES ARRIAGA
28050 ELLER WAY
MENIFEE CA 92585

459161015
MARIA H. ALCANTAR
31530 WAKEFIELD AVE
HOMELAND CA 92548

459161017
GERMAN CANO
31559 HIGHWAY 74
HOMELAND CA 92548

459161018
FVT CONSULTING
555 ANTON BLVD
COSTA MESA CA 92626

459165001
BENNIE L. LUNSTRUM
31531 WAKEFIELD AVE
HOMELAND CA 92548

459093003
MORQUECHO GUADALUPE LIVING TRUST DTD
26056 NAUMANN AVE
HOMELAND CA 92548

459093004
JOEL PALMA SOSA
26064 NAUMANN AVE
HOMELAND CA 92548

459093005
26088 NAUMANN AVE
HOMELAND CA 92548

459093010
TIMOTHY M. MARTIN
26131 HOMELAND AVE
HOMELAND CA 92548

459093013
RICHARD D. BURBANK
26085 HOMELAND AVE
HOMELAND CA 92548

459093014
NATHAN S. BABCOCK
26079 HOMELAND AVE
HOMELAND CA 92548

459093015
COMMUNITY FIRST CHURCH OF GOD
P O BOX 189
HOMELAND CA 92548

459093019
FIRST CHURCH OF GOD OF HOMELAND
P O BOX 189
HOMELAND CA 92548

459094003
GJG INVESTMENTS
1421 MARTIN LUTHER KING DR
OXNARD CA 93030

459094004
ALBERTO ORTIZ DIAZ
31389 ALLEN AVE
HOMELAND CA 92548

459094007
JOHN W. COOPER
26090 HOMELAND AVE
HOMELAND CA 92548

459094011
CASTRO JUVEN TRUST DATED 12/10/2019
1608 N SPURGEON ST
SANTA ANA CA 92701

459094014
MILDRED CHAMBERS
26093 GUTHRIDGE LN
HOMELAND CA 92548

459094016
EFRAIN MORENO
26045 GUTHRIDGE LN
HOMELAND CA 92548

459094017
DAVID KIM YUN
18588 CALLE VISTA CIR
NORTHRIDGE CA 91326

459094019
ROSA DEL SAG PALOMARES MORFIN
25930 TRADEWINGS DR
SU CITY CA 92585

459094021
MARIA DE ORTIZ
21600 LANE ST
PERRIS CA 92570

459094022
WILLIAM STACCO
31180 TERAND AVE
HOMELAND CA 92548

459191001
TERESA LYNNE HENDRICKS
31560 MCWADE AVE
HOMELAND CA 92548

459161010
LISA ESTHER GUTIERREZ GAMBOA
31552 WAKEFIELD AVE
HOMELAND CA 92548

459161011
MARIA BENITEZ
31544 WAKEFIELD AVE
HOMELAND CA 92548

459161013
JOHNNY YING ZHANG
31510 WAKEFIELD AVE
HOMELAND CA 92548

459161014
JOSE PEREZ ARELLANO
31538 WAKEFIELD AVE
HOMELAND CA 92548

459161016
SUSANNE JULIA HARRELSON
31570 WAKEFIELD AVE
HOMELAND CA 92548

459165002
ADRIANNA M. SAENZ
3380 LA SIERRA AVE STE 104-240
RIVERSIDE CA 92503

459165003
AMBRIZ JOSE LIVING TRUST U/A DTD 06/07/23
31555 WAKEFIELD AVE
HOMELAND CA 92548

459165011
SHANN HEANEY
12537 NAVAL CT
RIVERSIDE CA 92503

459093001
DARLENE E. SLOYER
33389 OLD HIGHWAY 74
HEMET CA 92545

459093006
WILBER TORRES
P O BOX 426
HOMELAND CA 92548

459093007
TERRELL E. CLARK
26140 NAUMANN AVE
HOMELAND CA 92548

459093011
WADE MORGAN
501 KNOTT AVE NO 36
ANAHEIM CA 92804

459093012
RAFAEL H AVILA RAMIREZ
26107 HOMELAND AVE
HOMELAND CA 92548

459093016
COMMUNITY FIRST CHURCH OF GOD OF
P O BOX 189
HOMELAND CA 92548

459094002
GJG INV INC
1421 MARTIN LUTHER KING DR
OXNARD CA 93030

459094005
WILLIAM WESTON GRAY
19902 E 39TH ST S
BROKEN ARROW OK 74014

459094006
JOSE MIGUEL DELGADO
30328 AVENIDA PALMERA
HOMELAND CA 92548

459094010
MANUEL HAROS
26142 HOMELAND AVE
HOMELAND CA 92548

459094012
RIVERSIDE COUNTY FLOOD CONT & WATER
1995 MARKET ST
RIVERSIDE CA 92501

459094015
RODRIGO GALLEGOS
450 N SCOVELL AVE
SAN JACINTO CA 92582

459094020
JOSE REYES TORRES
26106 HOMELAND AVE
HOMELAND CA 92548

459094023
MANUEL F. ACEVEDO
28125 PATTI LN
ROMOLAND CA 92585

459105001
FLORENCIO SOTO
21261 STEELE PEAK DR
PERRIS CA 92570

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

Account Number: 5209148
Ad Order Number: 0011642259
Customer's Reference/PO Number:
Publication: The Press-Enterprise
Publication Dates: 01/26/2024
Total Amount: \$645.65
Payment Amount: \$0.00
Amount Due: \$645.65
Notice ID: XZZ1uNxg5FGZ8kQohmT1
Invoice Text:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CHANGE OF ZONE, ADOPTION OF ORDINANCE, CONDITIONAL USE PERMIT, DEVELOPMENT AGREEMENT AND ASSOCIATED ORDINANCE. THIRD SUPERVISORIAL DISTRICT NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, February 6, 2024 at 10:00 A.M. or as soon as possible thereafter, to consider the Planning Commission's recommendation to approve Change of Zone No. 2200026, Adoption of Ordinance No. 348.5010, Conditional Use Permit No. 210129, Development Agreement No. 2100114 and associated Ordinance No. 664.104. Change of Zone No. 2200026 is a proposal to change the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) to bring the site into compliance with the Commercial Retail (CR) land use designation. Conditional Use Permit No. 210129 is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 square foot structure, with 27 parking spaces servicing operations. The Project includes a second phase to be initiated 5 years after the start of operations that proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure out of the Highway 74 road right of way dedication. Both phases, the storefront will operate 7 days a week between 6:00 a.m. to 10:00 p.m., and mobile deliveries will occur between 6:00 a.m. to 9:00 p.m. Development

THE PRESS-ENTERPRISE

KEEP YOUR EYES ON THE 'PRISE
pe.com

The Press-Enterprise
3512 14 Street
Riverside, California 92501
(951) 368-9229

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

Publication: The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc: 0011642259

FILE NO. 0011642259


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:

01/26/2024

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

Date: January 26, 2024.
At: Riverside, California



Signature

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The Riverside County Planning Department recommends that the Board of Supervisors find that the Project is **EXEMPT** from the California Environmental Quality Act (CEQA), **Approve Change of Zone 2200026, Adopt Ordinance No. 348.5010, Approve Conditional Use Permit No. 210129, Approve Development Agreement No. 2100114 and associated Ordinance No. 664.104.**

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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>.

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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 or email COB@rivco.org

Dated: Kimberly A. Rector,
January Clerk of the Board
11, 2024

By: Cindy
Fernandez, Clerk of
the Board Assistant

The Press-Enterprise
Published: 1/26/24

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Dated: January 11, 2024

Kimberly A. Rector, Clerk of the Board
By: Cindy Fernandez, Clerk of the Board Assistant



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KIMBERLY A. RECTOR
Clerk of the Board of Supervisors

APRIL BOYDD
Assistant Clerk of the Board

January 11, 2024

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

PH : (951) 368-9229
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: CHANGE OF ZONE NO. 2200026, ADOPTION OF ORDINANCE NO. 348.5010, CONDITIONAL USE PERMIT NO. 210129, DEVELOPMENT AGREEMENT NO. 2100114 AND ASSOCIATED ORDINANCE NO. 664.104.

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME on Friday, January 26, 2024.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cindy Fernandez

Clerk of the Board Assistant to:
KIMBERLY RECTOR, CLERK OF THE BOARD

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Dated: January 11, 2024

Kimberly A. Rector, Clerk of the Board
By: Cindy Fernandez, Clerk of the Board Assistant

CERTIFICATE OF POSTING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Cindy Fernandez, Clerk of the Board Assistant to Kimberly A. Rector, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on January 11, 2024, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

NOTICE OF PUBLIC HEARING

CZ2200026, ORDINANCE NO. 348.5010, CUP NO.210129, DA2100114 & ORD. NO.664.104

to be posted in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507.
Upon completion of posting, the County Clerk will provide the required certification of posting.

Board Agenda Date: February 6, 2024 @ 10:00 a.m.

SIGNATURE: Cindy Fernandez DATE: January 11, 2024
Cindy Fernandez

CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Cindy Fernandez, Clerk of the Board Assistant to Kimberly A. Rector, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on January 11, 2024, I mailed a copy of the following document:

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CZ2200026, ORDINANCE NO. 348.5010, CUP NO.210129, DA2100114 & ORD. NO.664.104

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

Board Agenda Date: February 6, 2024 @ 10:00 a.m.

SIGNATURE: Cindy Fernandez DATE: January 11, 2024
Cindy Fernandez



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER: 24-10925
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 01/12/2024
COUNTY/STATE AGENCY OF FILING RIVERSIDE	DOCUMENT NUMBER E-202400043	
PROJECT TITLE CHANGE OF ZONE NO. 2200026, ADOPTION OF ORDINANCE NO. 348.5010, CONDITIONAL USE PERMIT NO. 210129, DEVELOPMENT AGREEMENT NO. 2100114 AND ASSOCIATED ORDINANCE		
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 STREET 8TH FLOOR,	CITY RIVERSIDE	STATE CALI
		ZIP CODE 92501

PROJECT APPLICANT (Check appropriate box)

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

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$4,051.25 \$ _____
 Mitigated/Negative Declaration (MND)(ND) \$2,916.75 \$ _____
 Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,377.25 \$ _____
 Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

 Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
 County documentary handling fee \$ _____ \$0.00
 Other \$ _____

PAYMENT METHOD:

- Cash Credit Check Other
 TOTAL RECEIVED \$ _____ \$0.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Deputy Nadia Olivas
-----------------------	---



Lead Agency: Clerk of The Board
ATTN: Kimberly Rector
Address: 4080 Lemon St.
Riverside, CA 92502

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202400043
01/12/2024 10:49 AM Fee: \$ 0.00
Page 1 of 2

Removed: By: Deputy



(SPACE FOR CLERK'S USE)

Project Title

CHANGE OF ZONE NO. 2200026, ADOPTION OF ORDINANCE NO. 348.5010,
CONDITIONAL USE PERMIT NO. 210129, DEVELOPMENT AGREEMENT NO. 2100114
AND ASSOCIATED ORDINANCE NO. 664.104.

Filing Type

- Environmental Impact Report
- Mitigated/Negative Declaration
- Notice of Exemption
- Other:

Notes

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* 7877981 7878014
PSEMPV
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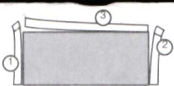
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Dated: January 11, 2024

Kimberly A. Rector, Clerk of the Board

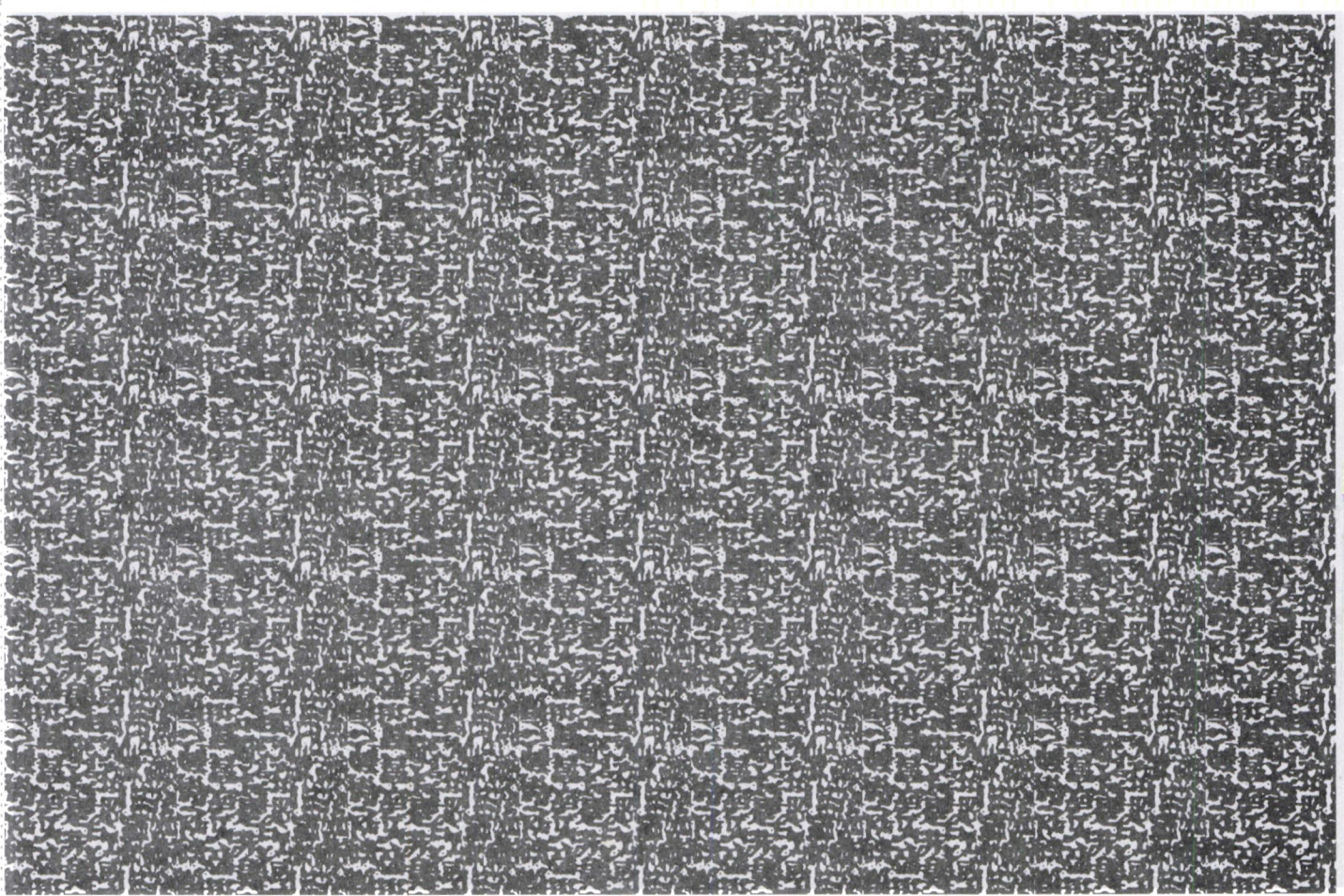
By: Cindy Fernandez, Clerk of the Board Assistant



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NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CHANGE OF ZONE, ADOPTION OF ORDINANCE, CONDITIONAL USE PERMIT, DEVELOPMENT AGREEMENT AND ASSOCIATED ORDINANCE. THIRD SUPERVISORIAL DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, February 6, 2024 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommendation to approve **Change of Zone No. 2200026, Adoption of Ordinance No. 348.5010, Conditional Use Permit No. 210129, Development Agreement No. 2100114 and associated Ordinance No. 664.104.** Change of Zone No. 2200026 is a proposal to change the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) to bring the site into compliance with the Commercial Retail (CR) land use designation. Conditional Use Permit No. 210129 is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 square foot structure, with 27 parking spaces servicing operations. The Project includes a second phase to be initiated 5 years after the start of operations that proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure out of the Highway 74 road right of way dedication. Both phases, the storefront will operate 7 days a week between 6:00 a.m. to 10:00 p.m., and mobile deliveries will occur between 6:00 a.m. to 9:00 p.m. Development Agreement No. 2100114 is the associated development agreement to CUP210129 and has a term life of 10 years. It will grant the applicant vesting rights to develop the storefront cannabis retailer and will provide community benefits to the Harvest Valley/Winchester Area. – APNs: 459-094-002 & -003. This proposed project is located: North of McWade Avenue, south of Highway 74, east of Homeland Avenue, and west of Guthridge Lane. – Zoning in the Third Supervisorial District.

7877981 7878014

The Riverside County Planning Department recommends that the Board of Supervisors find that the Project is **EXEMPT** from the California Environmental Quality Act (CEQA), **Approve Change of Zone 2200026, Adopt Ordinance No. 348.5010, Approve Conditional Use Permit No. 210129, Approve Development Agreement No. 2100114 and associated Ordinance No. 664.104.**

*

On November 1, 2023, the Planning Commission recommended approval of the project as stated to the Board of Supervisors on a vote of 4-0. 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>.

PSEMPV

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT KATHLEEN MITCHELL, PROJECT PLANNER, AT (951) 955-6836 OR EMAIL KMITCHELL@RIVCO.ORG.

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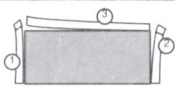
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Dated: January 11, 2024

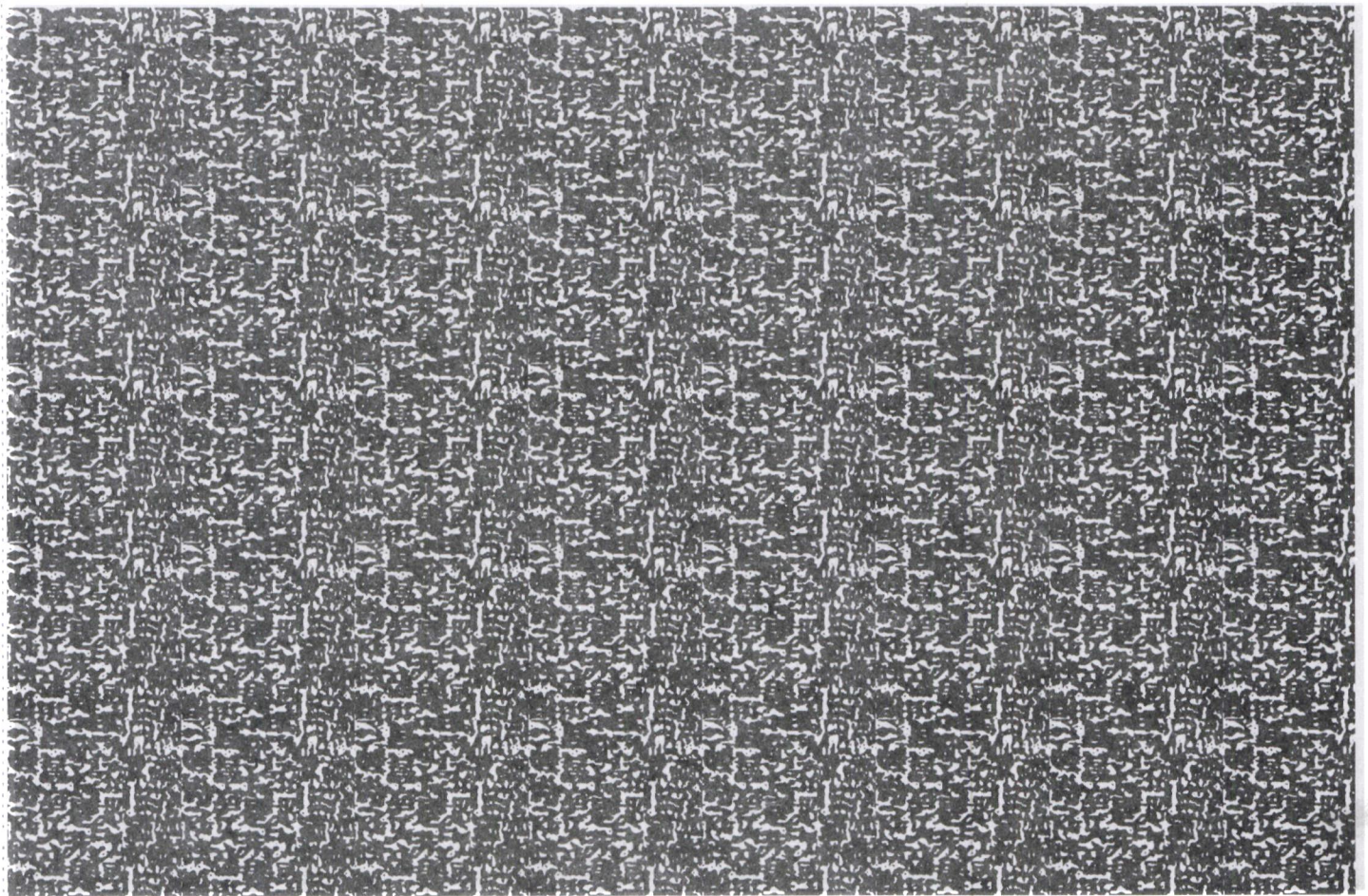
Kimberly A. Rector, Clerk of the Board
By: Cindy Fernandez, Clerk of the Board Assistant



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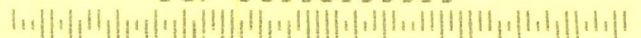
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NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CHANGE OF ZONE, ADOPTION OF ORDINANCE, CONDITIONAL USE PERMIT, DEVELOPMENT AGREEMENT AND ASSOCIATED ORDINANCE. THIRD SUPERVISORIAL DISTRICT

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The Riverside County Planning Department recommends that the Board of Supervisors find that the Project is EMPT from the California Environmental Quality Act (CEQA), **Approve Change of Zone 2200026, Adopt Ordinance No. 348.5010, Approve Conditional Use Permit No. 210129, Approve Development Agreement No. 14 and associated Ordinance No. 664.104.**

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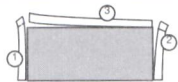
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Dated: January 11, 2024

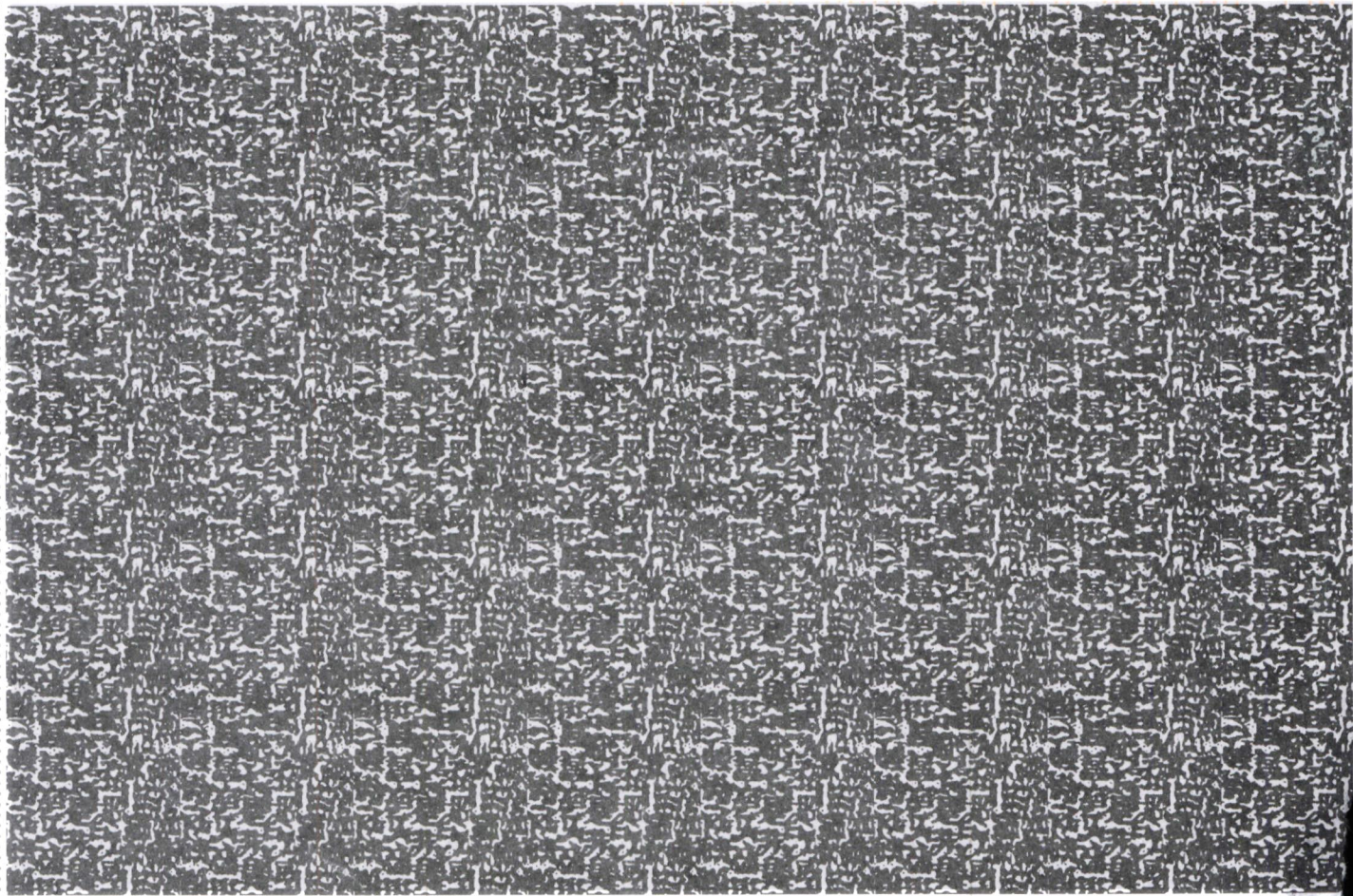
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The Riverside County Planning Department recommends that the Board of Supervisors find that the Project is **EXEMPT** from the California Environmental Quality Act (CEQA), **Approve Change of Zone 2200026, Adopt Ordinance No. 348.5010, Approve Conditional Use Permit No. 210129, Approve Development Agreement No. 2100114 and associated Ordinance No. 664.104.**

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Dated: January 11, 2024

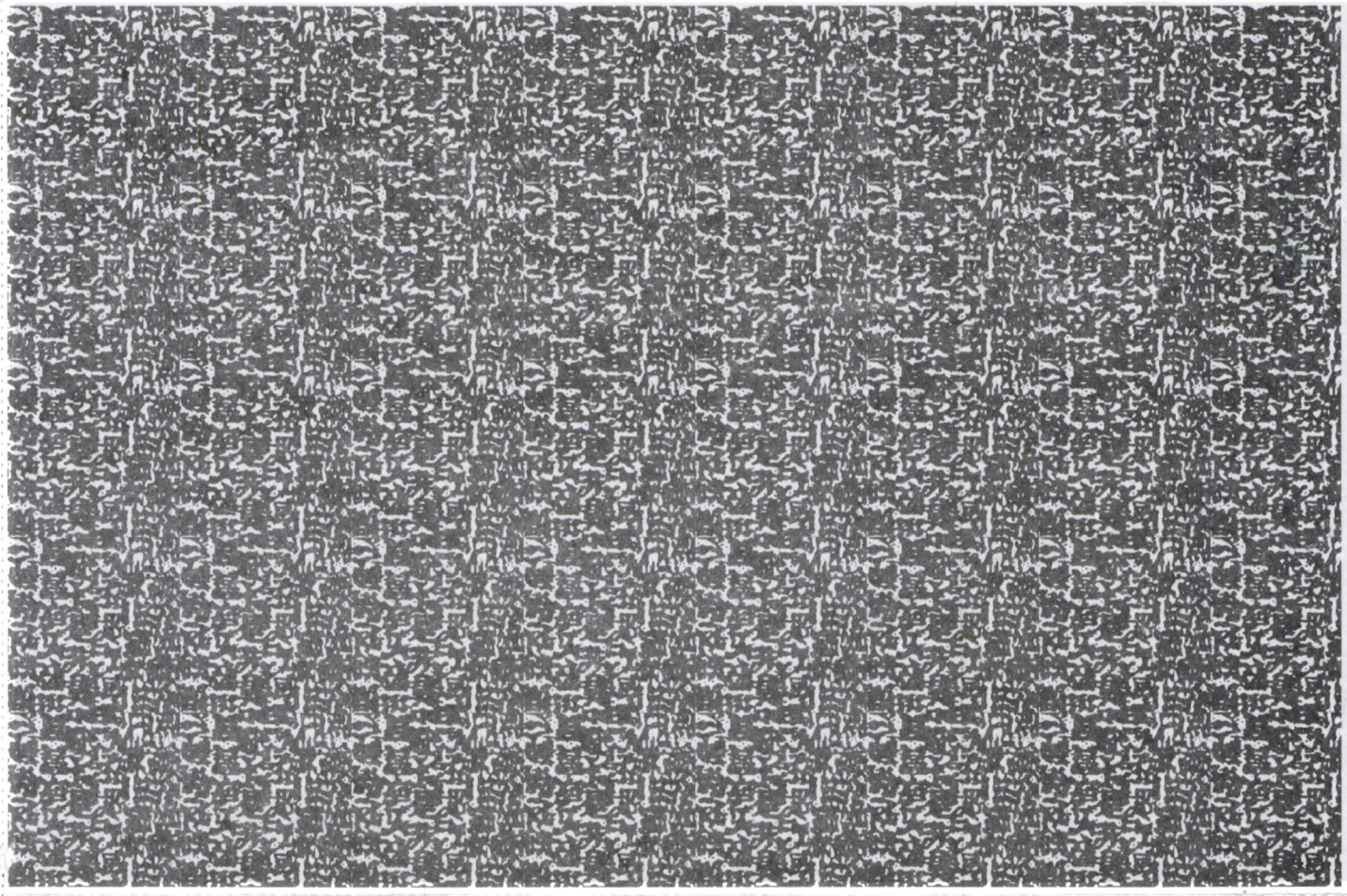
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By: Cindy Fernandez, Clerk of the Board Assistant



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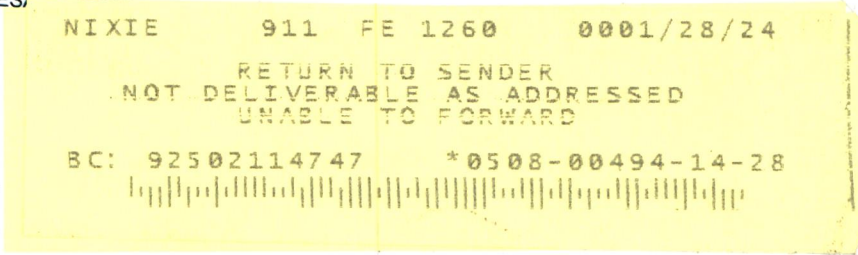
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RIVERSIDE COUNTY PLANNING DEPARTMENT

REPORT OF ACTIONS RIVERSIDE COUNTY PLANNING COMMISSION – November 1, 2023 COUNTY ADMINISTRATIVE CENTER 1st Floor, Board Chambers, 4080 Lemon Street, Riverside, CA 92501

1st District
Shade Awad

2nd District
Marissa Gruytch

3rd District
Gary Thornhill
Chair

4th District
Bill Sanchez
Vice-Chair

5th District
Romelio Ruiz

CALL TO ORDER: 9:00 a.m.

ROLL CALL: Members Present: Gruytch, Sanchez, Awad, and Ruiz
Members Absent: Thornhill

1.0 CONSENT CALENDAR:

NONE

2.0 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS:

NONE

3.0 PUBLIC HEARINGS – CONTINUED ITEMS:

NONE

4.0 PUBLIC HEARINGS – NEW ITEMS:

4.1 **CONDITIONAL USE PERMIT NO. 210013 – Exempt from the California Environmental Quality Act (CEQA),** pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) – Applicant: Keith Gardner & Michael Clark – Engineer/Representative: Dan Allenbach – Second Supervisorial District – Lakeland Village Zoning District – Elsinore Area Plan: Community Development: Commercial Retail (CD:CR) – Location: North of Riverside Drive, east of Tempe Street, south of Grand Avenue, and west of Lake Terrace Drive – 2.09 Gross Acres – Zoning: General Commercial (C-1/C-P) - **REQUEST:** Conditional Use Permit No. 210013 is a proposal to re-entitle an existing 30,980 sq. ft. mini-warehouse facility on a 2.09-acre site. The proposed Project consists of six (6) metal storage buildings, a 160 sq. ft. modular office, and a 560 sq. ft. modular manager’s residence. The modular office and manager’s residence will both be removed and replaced with a 560 sq. ft. permanent office structure. Office hours are Tuesday through Saturday from 9 a.m. to 5 p.m., with two (2) employees overseeing operations. Five (5) parking spaces are proposed, with one (1) space designated for ADA. The project, as proposed, does not seek to expand the existing structures or uses of the site, nor does it propose any new grading – APN: 387-081-013 – Project Planner: Kathleen Mitchell at (951) 955-6836 or email at kmitchell@rivco.org.

Planning Commission Action:

Public Hearing: Closed

By a vote of 4-0, the Planning Commission took the following actions:

FOUND the Project exempt from the California Environmental Quality Act (CEQA); and,

APPROVED Conditional Use Permit No. 210013, subject to the advisory notifications document and conditions of approval.

4.2 **CHANGE OF ZONE NO. 2200026, CONDITIONAL USE PERMIT NO. 210129 & DEVELOPMENT AGREEMENT NO. 2100114 – Exempt from the California Environmental Quality Act (CEQA),** pursuant to State CEQA Guidelines Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), and Section 15061(b)(3) (Common Sense) – Applicant: Manpreet Gill – Engineer/Representative: Hide Iwagami – Third Supervisorial District – Homeland Zoning Area – Harvest Valley/Winchester Area Plan: Community Development: Commercial Retail (CD:CR) – Location: North of McWade Avenue, south of Highway 74, east of Homeland Avenue, and west of Guthridge Lane – 0.45 Gross Acres - Zoning: Scenic-Highway-Commercial (C-P-

Planning Commission Action:

Public Hearing: Closed

By a vote of 4-0, 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 Change of Zone 2200026; and,

PLANNING COMMISSION – REPORT OF ACTIONS – November 1, 2023

S) – **REQUEST:** Change of Zone No. 2200026 is a proposal to change the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) to bring the site into compliance with the Commercial Retail (CR) land use designation. Conditional Use Permit No. 210129 is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 sq. ft. structure to operate seven (7) days a week between the hours of 6:00 a.m. to 10:00 p.m. The parking lot will have 27 parking spaces. Due to the required dedication to be given at the property frontage for the Highway 74 roadway expansion, the Project includes a second phase of development to be initiated five (5) years after the start of operations. The second phase proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 sq. ft. structure that would be out of the right of way dedication. The storefront will continue to operate the same hours, with 23 parking spaces to service the operations. Both phases will have 10 employees split amongst two (2) shifts, with five (5) employees per a shift. Improved landscaping and a trash enclosure are also proposed for both phases. Development Agreement No. 2100114 is the associated development agreement to CUP210129 and has a term life of 10 years. It will grant the applicant vesting rights to develop the storefront cannabis retailer in accordance with the terms of DA2100114 and CUP210129 and will provide community benefits to the Harvest Valley/Winchester Area – APNs: 459-094-002 & 003 – Project Planner: Kathleen Mitchell at (951) 955-6836 or email at kmitchell@rivco.org.

TENTATIVELY APPROVE Development Agreement No. 2100114; and,

APPROVE Conditional Use Permit No. 210129 subject to the advisory notification document and conditions of approval.

4.3 **CHANGE OF ZONE NO. 2300019 - No New Environmental Documentation Required, (EIR524)** – Applicant: Sri Yantra, LLC - Engineer: 4M Engineering and Development - Third Supervisorial District - Rancho California Zoning Area/District - Southwest Area Plan - Agriculture: (AG) - Location: North of Los Nogales Road, east of Rancho California Road, south of Monte de Oro Road, and west of Via las Ramblas - 11.01 Acres - Zoning: Citrus Vineyard ten (10) acre minimum (CV-10)- **REQUEST:** Change of Zone No. 2300019 is a proposal to change the zoning classification of the subject site from Citrus Vineyard ten (10) acre minimum (CV-10) to Wine Country - Winery Existing (WC-WE). The applicant is requesting a Change of Zone to bring the subject site into compliance with the standards of the Temecula Valley Wine Country Policy Area, Winery District that it is within - APN: 951-140-059 - Project Planner: Joseluis Aparicio at (951) 955-6035 or email at JLAparicio@rivco.org.

Planning Commission Action:
Public Hearing: Closed

By a vote of 4-0, the Planning Commission recommends that the Board of Supervisors take the following actions:

FIND No new environmental document is required (EIR No. 524); and,

TENTATIVELY APPROVE Change of Zone No. 2300019.

4.4 **CHANGE OF ZONE NO. 2300011 – Exempt from the California Environmental Quality Act (CEQA)**, pursuant to State CEQA Guidelines Section 15061(b)(3) – Applicant: SSR Investment Company LTD c/o Violette Mirhan – Representative: MDS, LLC c/o Nancy Leaman – Third Supervisorial District – Winchester Area District – Harvest Area / Winchester Area Plan: Community Development: Light Industrial (CD:LI) (0.25 – 0.60 FAR) – Location: South of Grand Avenue, west of Leon Road, north of Simpson Road, and east of Briggs Road – 6.09 Acre Site – Zoning: Rural Residential (R-R) – **REQUEST:** Change of Zone No. 2300011 proposes consistency zone change of four (4) parcels totaling 6.09 acres. The proposal is to change the zoning classification

Planning Commission Action:
Public Hearing: Closed

By a vote of 4-0, 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 Change of Zone No. 2300011.

PLANNING COMMISSION – REPORT OF ACTIONS – November 1, 2023

of the subject sites from Rural Residential (R-R) to Manufacturing Service - Commercial (M-SC). The applicant is requesting a Change of Zone to bring the subject site into compliance with the General Plan land use designation of Light Industrial (LI) – APN: 461-140-033, 461-140-034 thru 036 – Project Planner: Blanca Bernardino (951) 955-6503 or Email: BBernardino@rivco.org.

5.0 WORKSHOPS:
NONE

6.0 PUBLIC COMMENTS:

7.0 DIRECTOR'S REPORT:

8.0 COMMISSIONER'S COMMENTS:

ADJOURNMENT: 9:39



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

4.2

(ID # 23318)

MEETING DATE:

Wednesday, November 01, 2023

SUBJECT: CHANGE OF ZONE NO. 2200026, CONDITIONAL USE PERMIT NO. 210129 & DEVELOPMENT AGREEMENT NO. 2100114 – Exempt per Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), and Section 15061(b)(3) (Common Sense) – Applicant: Manpreet Gill – Engineer/Representative: Hide Iwagami – Third Supervisorial District – Homeland Zoning Area – Harvest Valley/Winchester Area Plan: Community Development: Commercial Retail (CD: CR) – Location: North of McWade Avenue, south of Highway 74, east of Homeland Avenue, and west of Guthridge Lane – 0.45 Acres - Zoning: Scenic Highway Commercial (C-P-S) - REQUEST: CZ2200026 is a proposal to change the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) to bring the site into compliance with the Commercial Retail (CR) land use designation. CUP210129 is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 square foot structure, with 27 parking spaces servicing operations. Due to the required dedication at the property frontage for the Highway 74 expansion, the Project includes a second phase to be initiated 5 years after the start of operations. This phase proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure out of the right of way dedication. Throughout both phases the storefront will operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m and will have 10 employees split amongst 2 shifts, with 5 employees per a shift. DA2100114 is the associated development agreement to CUP210129 and has a term life of 10 years. It will grant the applicant vesting rights to develop the storefront cannabis retailer and will provide community benefits to the Harvest Valley/Winchester Area. – APNs: 459-094-002 & -003 – Project Planner: Kathleen Mitchell at 951-955-6836 or email at kmitchell@rivco.org

PROPOSED PROJECT

Case Number(s):	CZ2200026, CUP210129, & DA2100114
Environmental Type:	Exemption
Area Plan No.	Harvest Valley/Winchester
Zoning Area/District:	Homeland Area
Supervisorial District:	Third District
Project Planner:	Kathleen Mitchell
Project APN(s):	459-094-002 & -003
Continued From:	

John Hildebrand
John Hildebrand, Planning Director 10/17/2023

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

PROJECT DESCRIPTION AND LOCATION

Change of Zone No. 2200026 (CZ2200026) is a proposal to change the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S). The applicant is requesting a Change of Zone to bring the property into compliance with the Commercial Retail (CR) land use designation that the subject site has been assigned.

Conditional Use Permit No. 210129 (CUP210129) is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 square foot structure to operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m. The interior of the building is to be refabricated with new fixtures and walls, and the parking lot is to be re-striped so that there are 27 parking spaces on-site, including 2 ADA parking spaces. Due to the required dedication to be given at the property frontage for the Highway 74 roadway expansion, the Project includes a second phase of development to be initiated 5 years after the start of operations. The second phase proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure that would be out of the right of way dedication. The parking lot is to be re-striped so that there are 23 parking spaces on-site to service the operations, including 2 ADA parking spaces and 1 EV parking space. The storefront will continue to operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m. and both phases of operations will have 10 employees serving the store split amongst 2 shifts, with 5 employees per a shift. Improved landscaping and a trash enclosure are also proposed for both phases.

Development Agreement No. 2100114 (DA2100114) is the associated development agreement to CUP210129 and has a term life of 10 years. It will grant the applicant vesting rights to develop the storefront cannabis retailer in accordance with the terms of DA2100114 and CUP210129 and will provide community benefits to the Harvest Valley/Winchester Area.

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

The Project site is within the Harvest Valley/Winchester Area Plan and the Highway 79 Policy Area. The Project is located south of Highway 74, east of Homeland Avenue, west of Guthridge Lane, and north of McWade Avenue.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

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

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

FIND that the Project is **EXEMPT** from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures), based on the findings and conclusions in this staff report; and,

TENTATIVELY APPROVE CHANGE OF ZONE NO. 2200026, to amend the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) based upon the findings and conclusions incorporated in the staff report, pending final adoption of the Zoning Ordinance by the Board of Supervisors; and,

TENTATIVELY APPROVE DEVELOPMENT AGREEMENT NO. 2100114, 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. 210129, subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report, subject to final approval of the Zoning Ordinance and Development Agreement Ordinance.

PROJECT DATA

Land Use and Zoning:

Specific Plan:	N/A
Specific Plan Land Use:	N/A
Existing General Plan Foundation Component:	Community Development (CD)
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Commercial Retail (CR)
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	Highway 79 Policy Area
Surrounding General Plan Land Uses	
North:	Commercial Retail (CR)
East:	Commercial Retail (CR)
South:	Low Density Residential (LDR)
West:	Commercial Retail (CR)
Existing Zoning Classification:	Rural Residential (R-R), Scenic Highway Commercial

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

	(C-P-S)
Proposed Zoning Classification:	Scenic Highway Commercial (C-P-S)
Surrounding Zoning Classifications	
North:	Rural Residential (R-R)
East:	Scenic Highway Commercial (C-P-S)
South:	Rural Residential (R-R)
West:	Rural Residential (R-R)
Existing Use:	Commercial
Surrounding Uses	
North:	Residential
East:	Vacant
South:	Residential
West:	Vacant

Project Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	0.45 acres	None
Existing Building Area (SQFT):	1,214 sq.ft. (Phase I)	None
Proposed Building Area (SQFT):	1,974 sq.ft. (Phase II)	None
Floor Area Ratio:	0.06 FAR (Phase I) 0.09 FAR (Phase II)	0.20 - 0.35 FAR
Building Height (FT):	14'-4" (Phase I & II)	Maximum 50 feet

Parking:

<i>Type of Use</i>	<i>Building Area (in SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Retail Cannabis Sales (Phase I)	1,214 sq.ft.	15 spaces or 1 space/200 sq. ft. of gross floor area, whichever is greater	15	27
TOTAL:	1,214 sq.ft.		15	27
Retail Cannabis Sales (Phase II)	1,974 sq.ft.	15 spaces or 1 space/200 sq. ft. of gross floor area, whichever is greater	15	23

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

<i>Type of Use</i>	<i>Building Area (in SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
TOTAL:	1,974 sq.ft.		15	23

Located Within:

City's Sphere of Influence:	No
Community Service Area ("CSA"):	80 – Homeland St. Lighting
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	Moderate
Subsidence Area:	Susceptible
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	Zone B
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	Yes

PROJECT BACKGROUND AND ANALYSIS

Background

On September 23, 2021, the applicant, Manpreet Gill, submitted Conditional Use Permit No. 210129 (CUP210129) to the County of Riverside for consideration. The application proposes the development of a retail cannabis storefront located at 31431 Highway 74, Homeland, CA.

There are two phases to the Project due to the required dedication to be given at the property frontage for the Highway 74 roadway expansion. The first phase of the Project will operate within the existing 1,214 square foot structure for the first five years following potential approval of the Conditional Use Permit. The Project is proposing to operate between the hours of 6:00 a.m. to 10:00 p.m., which is in accordance with Section 19.505 of Ordinance No. 348. The interior of the suite is to be refabricated with new fixtures and walls, resulting in a floor plan that includes the following areas: a secure check-in reception area and lobby, a cannabis sales area, a secure cannabis product storage area, office, and restroom. Phase I proposes 27 parking spaces on-site to service the operations, including 2 ADA parking spaces. In addition, two secure bike racks will be located at the main entrance to the building. Improved landscaping and a trash enclosure are also proposed.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

The second phase of development is to be initiated 5 years after the start of operations. It proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure that would be out of the right of way dedication. The business will continue to operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m. The resulting floor plan for the new, permanent structure includes the following areas: a secure check-in reception area and lobby, a cannabis sales area, a secure cannabis product storage area, employee break area, office, vendor room, security room, and restroom. The Project proposes 27 parking spaces on-site to service the operations, including 2 ADA parking spaces. In addition, two secure bike racks will be located at the main entrance to the building. Improved landscaping and a trash enclosure are also proposed.

For both phases of the Project, there will be 10 employees, including security personnel. Employees will be split across 2 shifts, with 5 employees per a shift.

General Plan Consistency:

The Project site has a General Plan Foundation Component of Community Development (CD) and a Land Use Designation of Commercial Retail (CR). The Community Development 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 Commercial Retail land use designation allows for the development of commercial retail uses at a neighborhood, community, and regional level, as well as for professional office and tourist-oriented commercial uses. The utilization of the Project site for purposes of developing a retail cannabis storefront is compliant with the standards set forth by the General Plan Foundation Component and Land Use Designation as it would provide retail, community services, and job opportunities within the surrounding community. This is further discussed in the Land Use Findings below.

Zoning Consistency:

The current zone classification for APN 459-094-002 is Rural Residential (R-R). The Project is proposing Change of Zone No. 2200026 (CZ2200026) to the County of Riverside for consideration to change the subject site's current zone classification to Scenic Highway Commercial (C-P-S). The change of zone proposal would accommodate the operation of a retail cannabis storefront, as well as bring the subject site into consistency with the Commercial Retail land use designation. The change of zone would also bring the subject site in conformance with the adjacent property (APN 459-094-003) that is also within the Project scope.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

With approval of the Change of Zone, the Project would, therefore, be subject to Section 19.518 of Ordinance No. 348. This section allows for a cannabis retail storefront in a C-P-S zone with the approval of a Conditional Use Permit. The applicant has submitted this CUP application to ensure compliance with all applicable development standards and regulations. The Project, as proposed, would meet the standards of the C-P-S zone as discussed in the Development Standards findings below.

Environmental Justice Community Findings

The subject site is located within the Winchester/Homeland Environmental Justice (EJ) Community. Therefore, the applicant was required to provide a completed EJ Checklist indicating how the Project complies with applicable EJ policies and would be compatible with the community through different mitigation measures, project features, and/or conditions of approval. This checklist has been provided as an attachment for review.

The applicant has proposed site improvements, such as drought tolerant landscaping and structural improvements to mitigate aesthetic and environmental impacts. A mural to be painted by a local artist will be utilized on the western facing wall elevation for both phases of the project. Additional monetary contributions to the community will be provided through the mandatory Development Agreement that is associated with the Project, which will be used for additional public safety services, infrastructure improvements, or community enhancement programs.

Therefore, as determined by both the Planning staff and District 3 staff, the Project has been found to meet the EJ Community standards.

ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

The proposed Project is exempt from California Environmental Quality Act (CEQA) pursuant to Article 5 - Preliminary Review of Projects and Conduct of Initial Study, Section 15061, 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 a proposed retail business that will be occupying an existing, permitted building for the purpose of selling cannabis. No cultivation, testing, microbusiness, or manufacturing is involved with the Project or Project site.

The Project is exempt pursuant to Article 19, Section 15301 (Existing Facilities), which states: Class I 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. The existing site has historically been utilized for commercial uses, and the Project seeks to institute

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

a new retail tenant occupancy of the commercial building. Both the Phase I proposed interior improvements on the existing structure, and the newly reconstructed structure in Phase II would consist of minor alterations to the existing structure that would not significantly expand the use of the site beyond what already exists. As such, the Project falls within the standards for Class I and complies with the guidelines of Article 19, Section 15301 Class 1, Existing Facilities.

Furthermore, this Project is exempt pursuant to Article 19, Section 15303 (New Construction or Conversion of Small Structures). This section exempts construction and location of new, small facilities or structures; and the conversion of existing small structures for one use or another where only minor modifications are made to the exterior of the structure. Phase I of the Project would consist of only minor interior alterations and external façade improvements to the existing structure that would allow for the operation of a retail cannabis facility. Phase II of the Project proposes the deconstruction of the existing structure and reconstruction of a 1,974 square foot structure to replace it. Since the existing structure is located within the future expansion area of Highway 74, phase two would accommodate the required dedication to be given at the property frontage. Since the new building does not exceed 2,500 square feet, does not involve the use of significant amounts of hazardous substances, and will be utilized as a retail storefront, it falls within the standards set by this exemption. Thus, the Project is in compliance with the guidelines of Article 19, Section 15303, New Construction or Conversion of Small Structures.

In addition, the Project will not result in any specific or general exceptions to the use of the categorical exemptions as detailed under State CEQA Guidelines section 15300.2. The Project would not lead to cumulative impacts that overtime would be significant since the cannabis facility would operate on a property that has historically been utilized for retail and commercial purposes. Phase I of the Project does not propose any new grading or construction as no significant expansions or alterations to the existing structure or the site are proposed. The new structure proposed in Phase II would not be considered a significant expansion as it is a negligible increase in size from the existing structure, and it is also considered as exempt new construction per Section 15303. Therefore, the Project would not foreseeably create a greater level of potential impacts beyond what already exists, and all future projects that are similar to or are located within the same area will be evaluated pursuant to CEQA. The Project's proposed cannabis use does not qualify as an unusual circumstance since the commercial land use and zoning classification allow the use pursuant to the applicable sections of the General Plan and Ordinance No. 348 for these designations. As such, the Project has been conditioned to comply with all applicable General Plan policies, County Ordinances, and State law for the proposed use. Additionally, the Project's proposed cannabis use does not qualify as an unusual circumstance since the State of California does not consider waste generated by a retail use to be hazardous. As such, the Project is required to maintain any applicable permits from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources, and the Agricultural Commissioner

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

throughout the duration of its operations. The Project is located northerly of Highway 74, which is designated as an eligible State Scenic Highway. However, the permittance of this Project within the existing structure would not result in damage to scenic resources as it would provide minor improvements to an already developed site through means such as landscaping and building refurbishments. These changes would enhance the property from its current appearance, thus serving to improve the aesthetic quality of this development. In addition, the on-site signage that will be affixed to the building has been conditioned to meet the development standards of Section 19.4 of Ordinance No. 348. Therefore, no foreseeable specific or general exceptions to the use of the categorical exemptions would result with approval of this Project.

The Project is also exempt under State CEQA Guidelines section 15061 (b)(3), which states: The activity is covered by the commonsense exemption 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 operate as a retail establishment similar to the activity that has historically been present on-site. Given that the site has already been developed for retail uses, there are no potential impacts related to aesthetics, biological and cultural resources, hydrology, or other similar potential impacts. Lastly, the State classifies cannabis as an organic waste rather than a hazardous waste and has created various rules and regulations related to cannabis waste, particularly for cannabis cultivators. Per these standards, there are no perceived impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis. Therefore, the Project meets the requirements for CEQA exemption per Section 15061(b)(3) as there is no potential that the Project would have a significant physical impact on the environment.

Based on these findings, the Project, as proposed, complies with the guidelines of the California Environmental Quality Act Article 19, Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), and Section 15061(b)(3) (Common Sense Exemption). Therefore, the Project is exempt.

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 Foundation Component of Community Development and Land Use Designation of Commercial Retail (CD:CR). The intent of the CR designation

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

is to provide jobs for residents, contribute to enhancing and balancing communities economically, and facilitate a tax base that aids in providing needed public facilities and services. The Project is considered a commercial use that provides retail sales and distribution of cannabis products that will provide local and regional retail services, an increase to the local tax base, and, through Development Agreement No. 2100114, will provide contributions to local public facilities and services that will benefit the community. Additionally, the use of the subject site for retail purposes accommodates the standard that the development of commercial uses be done in areas appropriately designated by the General Plan for such purposes (LU 29.1).

2. Subject to the approval of Change of Zone No. 2200026, both properties associated with the Project would have a zoning classification of C-P-S, which is highly consistent with the CD:CR Land Use Designation. The CR designation allows for the development of commercial retail uses at a neighborhood, community, and regional level, such as those that are conditionally permitted within the C-P-S zone. The proposed Project, as designed and conditioned, complies with the applicable standards identified in Section 19.519 (Cannabis Retailer Minimum Standards) of Ordinance No. 348, provided a Conditional Use Permit is obtained, as further discussed in the Development Standards section below.
3. The Project is within the Highway 79 Policy Area, which has been established to address transportation infrastructure capacity within the policy area. As such, all new development projects must demonstrate adequate transportation infrastructure capacity to accommodate the added traffic growth (HVWAP 7.1). The proposed Project has been conditioned to provide adequate dedication along its frontage to accommodate the future Highway 74 expansion (060 – Transportation 3 & 4; 080 – Transportation 8 & 9; 090 – Transportation 5 & 6), which is being addressed in the proposed Phase II of the development when the existing structure is demolished and reconstructed outside of the future R.O.W. The Policy Area also requires that a Project's overall trip generation does not exceed system capacity and that the system operation continues to meet Level of Service standards (HVWAP 7.2). Overall trip generation was analyzed through a traffic study for the Project, and it was determined that with a trip generation of only 10 trips in the AM peak hour and 15 trips in the PM peak hour, the Project should have no or less than significant impact to nearby roadways and intersections. Therefore, further study of traffic impact was not required. With these findings, the Project would be in compliance with the standards set by the Policy Area.

Conditional Use Permit Findings

The following findings shall be made prior to making a recommendation to grant a Conditional Use Permit:

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

1. *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.* 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. The Project is not located within a specific plan. The proposed commercial cannabis activity would be located in an existing retail structure during Phase I, and a comparable structure during Phase II, both of which will provide general commercial uses pursuant to the site's CD:CR designation, and are designed and conditioned to meet all applicable State law and Riverside County Ordinances.
2. *The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.* The design of the Project has been reviewed by all applicable Riverside County Departments and agencies, including, but not limited to: Riverside County Transportation, Environmental Health, Fire, Building and Safety, and Landscaping. The review and regulations adopted and applied in the Conditions of Approval ensure that the Project would not have an adverse effect on the public's health, safety, and general welfare. These departments have included conditions of approval that the Project will be required to meet for prior to issuance and final of grading permits, and prior to issuance and final of building permits. Based on the findings included in this staff report, Advisory Notification Document and Conditions of Approval, the Project would not be detrimental to the health, safety, or general welfare of the community.
3. *The proposed use conforms to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.* The subject site is located on a parcel that supports the proposed development while being consistent with both the General Plan and land use ordinance. The utilization of the Project site for purposes of developing a retail cannabis storefront is compliant with the standards set forth by the CR land use designation as it would provide retail, community services, and job opportunities to the surrounding community. In addition, the existing structure has historically been utilized for commercial uses. Approval of this Project would allow for the continued operation of a commercial use on-site that would be reasonably within the same intensity as those uses previously permitted. Therefore, the Project would not foreseeably result in any new significant impacts on public health, safety, and general welfare that have otherwise existed with the previous uses of the site. As such, the Project would be consistent with the current and future development of the surrounding area.
4. *That plan for the proposed use shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.* The Project

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

has been conditioned by all relevant Departments, such as Transportation, Fire, and Landscape, regarding required improvements. Since the site has already been fully developed, the property already includes enhancements, such as roadway improvements and parking to avoid traffic congestion, sidewalks, and vehicle ingress/egress points. The Project proposes landscaping site improvements of the property pursuant to the Conceptual Landscape Plan exhibit. In addition, the Transportation Department determined that additional R.O.W. along the property frontage would be required for this site to accommodate the future Highway 74 expansion. The second phase initiates the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure that would be out of the right of way dedication to accommodate this determination. Transportation has also conditioned the Project (060 – Transportation 3 & 4; 080 – Transportation 8 & 9; 090 – Transportation 5 & 6). Therefore, all necessary dedications and improvements have been made for this Project.

5. *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.* The Project proposes the use of the existing structure on-site during Phase I of operations, and then the demolition and reconstruction a new structure during Phase II of operations. As such, there will not be more than one structure on-site at any one given time. In addition, no subdivision of the subject site is proposed. As such, this standard is not applicable.

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 pursuant to the California Business and Professions Code; being sited, and operated in such a way that controls odors and other nuisances or operated in a way that would create a risk to the health, safety, and welfare of the public; executing and maintaining the requirements of an appropriate development agreement; meeting the appropriate operator qualifications and operational requirements (such as permit posting, monitoring, inspections, record keeping, etc.); limiting the hours of operation; and implementing all required security measures. All these requirements have either been proposed through the Project's scope or are required per the Conditions of Approval and Advisory Notification Document, which are incorporated herein by this reference (AND Planning. 6 through 29).

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

2. Section 19.506 of Ordinance No. 348 sets forth the public hearing and requirements of approval. A Planning Commission public hearing for CZ2200026, CUP210129 and DA2100114 has been scheduled, and public notice of this hearing has been posted in the Press-Enterprise Newspaper and mailed to property owners located within 600 feet of the Project.
3. Section 19.507 of Ordinance No. 348 sets forth Permit Expiration. This section requires all conditional use permits granted for a Commercial Cannabis Activity shall expire and become null and void provided in the conditions of approval and development agreement. Per the conditions of approval, all approved project applicants are to file for the required State license within 60 days after obtaining final project approval by the County, and then obtain the valid Cannabis license prior to the County issuing a certificate of occupancy, in order to avoid nullification of the approved entitlement (AND Planning. 7). In addition, per the development agreement and conditions of approval, the permit is set to expire within ten (10) years of the effective date of DA2100114, unless the term is modified or extended for additional time (AND Planning. 32).
4. While security has been raised as a concern relating to cannabis-related activities, a standard condition of approval has been applied to the Project (AND Planning. 19) that 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 Products, and to ensure emergency access in accordance with applicable Fire Code standards. The applicant has proposed multiple safety and security tools, including 24-7 surveillance cameras, an alarmed security system during non-business hours, a secured entrance/exit with required photo ID scanner to verify customers are of age, an unarmed and licensed security guard during business hours, and secure product storage that has limited employee access only.

Cannabis Retailer Minimum Standards

In addition to the approval requirements in Section 19.505 through 19.507 of Ordinance No. 348, and the development standards for the applicable zoning classification, Cannabis Retailers shall comply with the following standards:

1. General Location

- a. *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. As demonstrated by the Sensitive Use Plan provided in the Site Plan Exhibit, the*

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

Project is not located within 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth Center. Therefore, the Project is in compliance with this standard.

- b. *Cannabis Retailers shall be located more than 1,000 feet from any other Cannabis Retailer.* Per the County Planning Department's Cannabis Case GIS Tracker, there are no approved cannabis retail locations located within 1,000 feet of the proposed site. Therefore, the Project is in compliance with this standard.
- c. *Cannabis Retailers shall not be located within 500 feet of a smoke shop or similar facility.* As demonstrated by the Sensitive Use Plan provided in the Site Plan Exhibit, the Project is not located within 500 feet of a smoke shop or similar facility. Therefore, the Project is in compliance with this standard.
- d. *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. The structure currently on-site is permitted as a commercial structure and would be refurbished, or rebuilt in the second phase, to meet the needs of the proposed retail cannabis use. Therefore, the Project is in compliance with this standard.

2. Setbacks

- a. *Cannabis Retailers shall comply with the setback standards for the zone classification in which they are located.* The Scenic Highway Commercial (C-P-S) zone classification does not have yard requirements for buildings that do not exceed 35 feet in height. The structure is approximately 14 feet in height, so there will be no yard requirements per the C-P-S zone. Therefore, the Project is in compliance with these standards.
- b. *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 setback adjustment is necessary for the Project as proposed. Thus, this standard is not applicable.

3. Concentration Limits

- a. *The number of Cannabis Retailers located within a Commercial Retail Corridor is limited to one (1) for each 2,000 inhabitants of the census tract in which the Cannabis Retailers are located. The number of Cannabis Retailers located within a*

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

Commercial Retail Corridor may be increased to one (1) for each 1,000 inhabitants of the census tract in which the Cannabis Retailer is located with a finding of public convenience or necessity as provided in this Article. The United States Census Bureau shall be the source of authority for determining the number of inhabitants (population) per census tract. Per the U.S. Census Bureau 2020 Census Demographic Data, the subject site is located within Census Tract 427.23 and has a total population of 7,675 people. There is currently only one cannabis retail entitlement approved within this census tract (CUP200020), which means an additional two cannabis retail operations would be permitted to operate within the tract bounds per the standards set by Ordinance No. 348. Therefore, as the Project would be the second retailer to locate within this tract, it would be permitted to operate without needing to make additional public convenience or necessity findings.

4. Operations

- a. *All Cannabis Retailers must conduct their operations within a permanent structure. Phase I of operations will occur within the existing 1,214 square foot permanent, enclosed structure. Phase II will initiate the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot permanent, enclosed structure where operations will continue. Thus, the Project will occur within a permanent structure during both phases of operation.*

- 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 operational management shall provide adequate training and education at the retail location on this standard, as well as require all customers to provide proper identification in order to verify consumers are of appropriate age for product use. In addition, the Project has been conditioned to meet this standard. (AND Planning. 33).*

- 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 operational management shall provide adequate training and education at the retail location on this standard, as well as require all customers to provide proper identification to verify consumers are of appropriate age for product use. In addition, the Project has been conditioned to meet this standard. (AND Planning. 33).*

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

- d. *A Cannabis Retailer 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 operational management shall provide adequate training and education at the retail location on this standard, as well as require all customers to provide proper identification to verify consumers are of appropriate age for product use. In addition, the Project has been conditioned to meet this standard. (AND Planning. 33).*
- 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. (AND Planning. 33).*
- f. *Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area. Per the Floor Plan, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. In addition, the Project has been conditioned to meet this standard. (AND Planning. 33).*
- 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. Per the Floor Plan, there is not a space to be utilized for sale of incidental goods. In addition, the Project has been to meet this standard. (AND Planning. 33).*
- h. *Restroom facilities shall be locked and under the control of the Cannabis Retailer. Per the Floor Plan, there will not be restroom facilities accessible for general public use. The restroom facilities to be used by employees only shall be locked and under control of the Cannabis Retailer at all times. In addition, the Project has been conditioned to meet this standard. (AND Planning. 33).*
- 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. (AND Planning. 33).*
- 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*

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

licensing authority. The Project has been conditioned to meet this standard. (AND Planning. 33).

- 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.* The Project has been conditioned to meet this standard. (AND Planning. 33).
- l. *Deliveries of Cannabis and Cannabis Products shall be to a customer at a physical address and conducted in accordance with California Business and Professions Code section 26090 or as may be amended and all State laws and regulations pertaining to delivery of Cannabis and Cannabis Products.* The Project has been conditioned to meet this standard. (AND Planning. 33).
- 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. (AND Planning. 33).
- 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. (AND Planning. 33).

5. Cannabis Retail Findings

- a. *The Cannabis Retailer complies with all the requirements of the State and County for the selling of Cannabis.* The Project has been reviewed by all relevant County Departments and conditioned for compliance per their standards and requirements. In addition, the Project has been conditioned per State requirements for the operation of a retail cannabis facility. Therefore, the Project is in compliance with all State and County standards.
- b. *The Cannabis Retailer is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or a variance has been approved allowing a shorter distance but not less than allowed by State law.* As demonstrated by the Sensitive Use Plan provided in the Site Plan Exhibit, the Project is not located within 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth Center. Therefore, the Project is in compliance with this standard.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

- c. *The Cannabis Retailer 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. The Project has been conditioned to meet this standard (AND Planning. 6 through 29, Generals A thru X).*

Development Standards Findings

The following standards shall apply to all uses and development in the C-P-S Zone, per Ordinance No. 348:

1. *There is no minimum lot area requirement, unless specifically required by zone classification for a particular area. As there is no minimum lot area requirement, the Project meets this standard.*
2. *There are no yard requirements for buildings which do not exceed 35 feet in height, except as required for specific plans. The structure is approximately 14 feet in height, so there will be no yard requirements per the C-P-S zone. The second phase of the project would also be required to remain below this 35-foot height requirement. Therefore, the Project meets this standard.*
3. *No building or structure shall exceed fifty (50') feet in height unless a greater height is approved pursuant to Ordinance No. 348 Section 18.34. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Ordinance No. 348 Section 18.27. The structure is approximately 14 feet in height for both Phase I and Phase II of the Project, which is less than the 50-foot maximum set by the zone. Therefore, the Project meets this standard.*
4. *Automobile storage space shall be provided as required by Ordinance No. 348 Section 18.12. The parking rate for cannabis retail facilities is either 15 minimum parking spaces, or 1 space per 200 square feet of gross floor area, whichever is greater. Phase I of the Project will operate within the existing 1,214 square foot structure, so a minimum of 15 parking spaces would be required. 27 parking spaces would be provided, with two dedicated ADA parking spaces. Phase II of the Project will operate within a 1,974 square foot structure, so a minimum of 15 parking spaces would be required. 23 parking spaces would be provided, with two dedicated ADA parking spaces. As the parking would exceed the minimum requirements at both phases of operation, the Project is in compliance.*

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

5. *All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.* No roof mounted equipment is proposed for either phase; therefore, this standard is not applicable to the Project.

Other Findings:

1. The Project site is not located within a Criteria Cell of the Multi-Species Habitat Conservation Plan nor the Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan.
2. The Project site is not located within a City Sphere of Influence.
3. It has been determined that the Project is Exempt from CEQA. Therefore, AB52 is not required.
4. The Project site is located within Airport Compatibility Zone E of the March Air Reserve Base/Inland Port, and, therefore, is subject to the Airport Land Use Commission (ALUC) review. On August 9, 2022, ALUC found the Project to be consistent with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan provided that Planning applied the provided recommended conditions listed in their approval letter. These conditions have been applied to the Project (AND-Planning.1). Therefore, the Project is in compliance.
5. The Project site is located within Zone B of the Mount Palomar Observatory Lighting Zone boundary, as identified by Ordinance No. 655 (Mt. Palomar). The project is required to comply with all lighting standards specified within Ordinance No. 655, pursuant to Zone B.
6. The Project site is located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP). However, as the site is already developed, this fee has already been assessed and paid for the subject site. As such, the fee will not be applicable to this Project.

Fire Findings

1. The project site is not located within a Cal Fire State Responsibility Area ("SRA") or Local Responsibility Area (LRA). It is also not located within a hazard severity zone.

Development Agreement:

The applicant has proposed entering the attached draft Development Agreement No. 2100114 (DA2100114) with the County for the Project. The DA is consistent with the General Plan and

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

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.

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 proposed development standards of the C-P-S 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

The applicant conducted community outreach at the direction of the District 3 Supervisor's Office and the County Planning Staff. The applicant presented the Project before the Winchester-Homeland Land Use Committee in April of 2022, and presented to the Winchester-Homeland Town Association at the May 5, 2022, meeting. The resulting Land Use Report from the Chairperson indicated only that they would like to see the allocation of DA funds into the community for things such as road repairs, infrastructure, and beautification projects. This report was submitted to the Winchester-Homeland MAC for the meeting hosted June 9, 2022. The applicant attended this MAC meeting to present their project to the public, where they did not receive any comments in opposition to the Project.

This Project was advertised by the County in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 600 feet of the Project site. As of the writing of this report, Planning Staff has not received written communication/phone calls from the public indicating support or opposition to the proposed Project.

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT

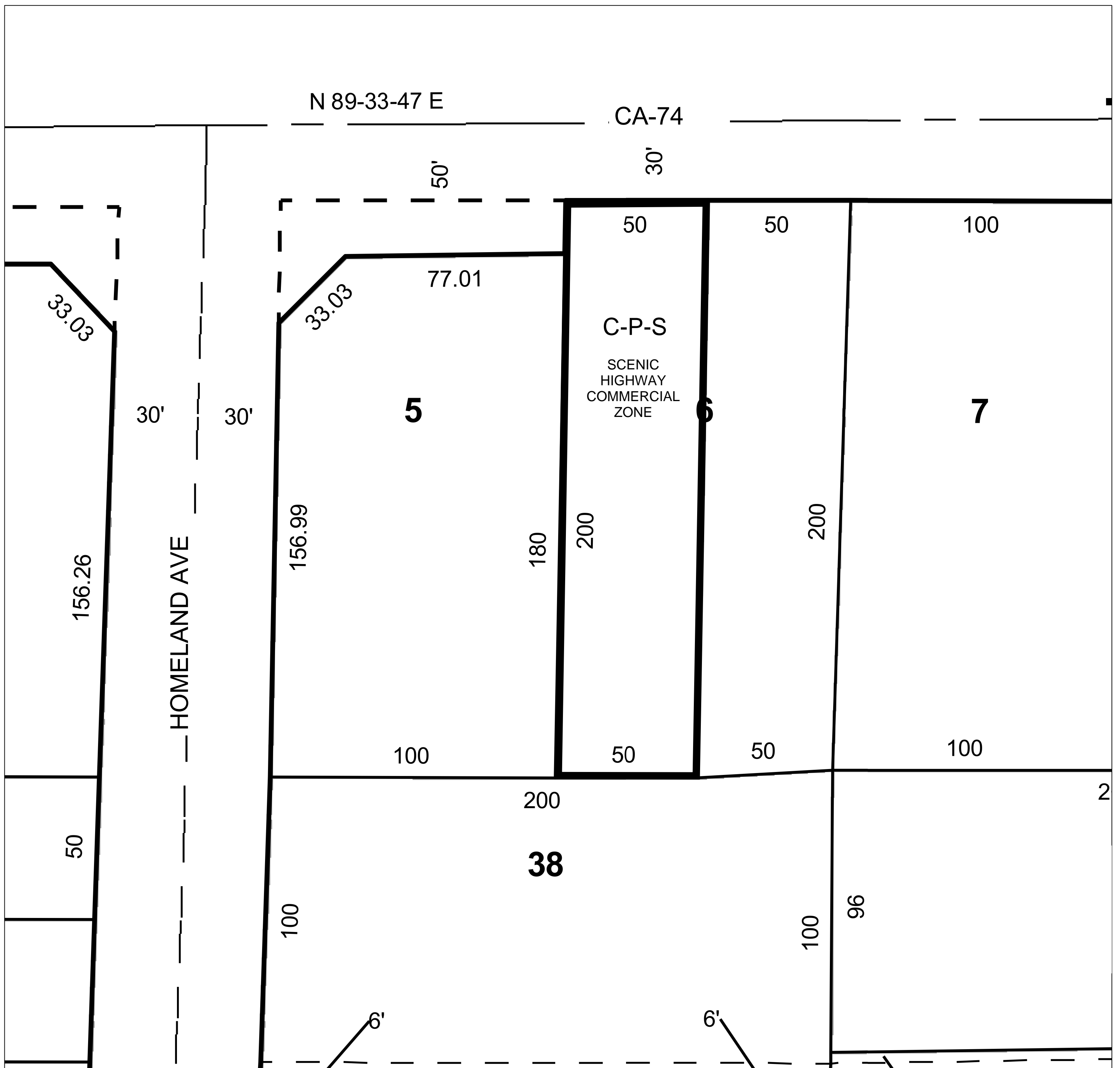
Aaron Gettis

Aaron Gettis, Deputy County Counsel

10/24/2023

Harvest Valley/ Winchester

SEC. 17 T. 5S., R2W S.B.M



LEGEND

C-P-S SCENIC HIGHWAY COMMERCIAL ZONE

MAP NO. _____

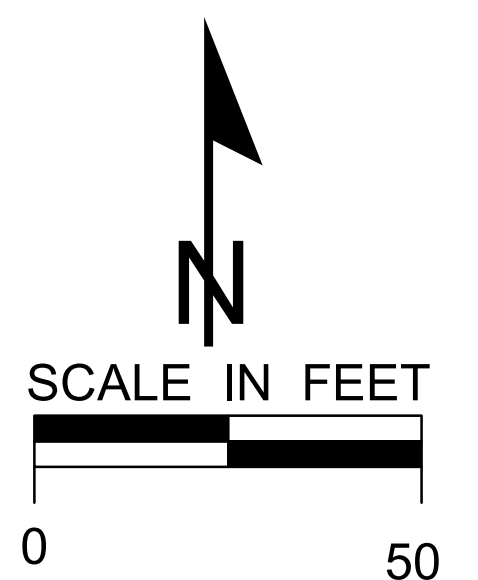
CHANGE OF OFFICIAL ZONING PLAN
AMENDING

MAP NO. 2 ORDINANCE NO. 348

CHANGE OF ZONE CASE NO. CZ2200026
ADOPTED BY ORDINANCE NO. 348. _____

(DATE:) _____

RIVERSIDE COUNTY BOARD OF SUPERVISORS



SYMBOL LEGEND

Table with columns for SYMBOL, DESCRIPTION, SYMBOL, DESCRIPTION. Includes categories like DETAIL REFERENCE, EXTERIOR ELEVATION, INTERIOR ELEVATION, KEYNOTE, WALL TYPE, DOOR TYPE, MISCELLANEOUS TYPE, ROOM IDENTIFICATION, ROOM OCCUPANCY LOAD, and GRID LINE IDENTIFICATION.

ABBREVIATIONS

Large table of abbreviations with columns for symbol, description, and symbol, description. Includes terms like DIAMETER, SQUARE FOOT, ANCHOR BOLT, AIR CONDITIONING, etc.

PROJECT SCOPE

- COMMERCIAL INTERIOR TENANT IMPROVEMENTS. SCOPE OF WORK TO INCLUDE:
- REMOVAL AND CONSTRUCTION OF NON-BEARING WALLS
- HVAC
- ELECTRICAL
- PLUMBING
- CONDITIONAL USE PERMIT FOR CANNABIS RETAIL

DEFERRED SUBMITTALS

- SIGNAGE
FIRE ALARM

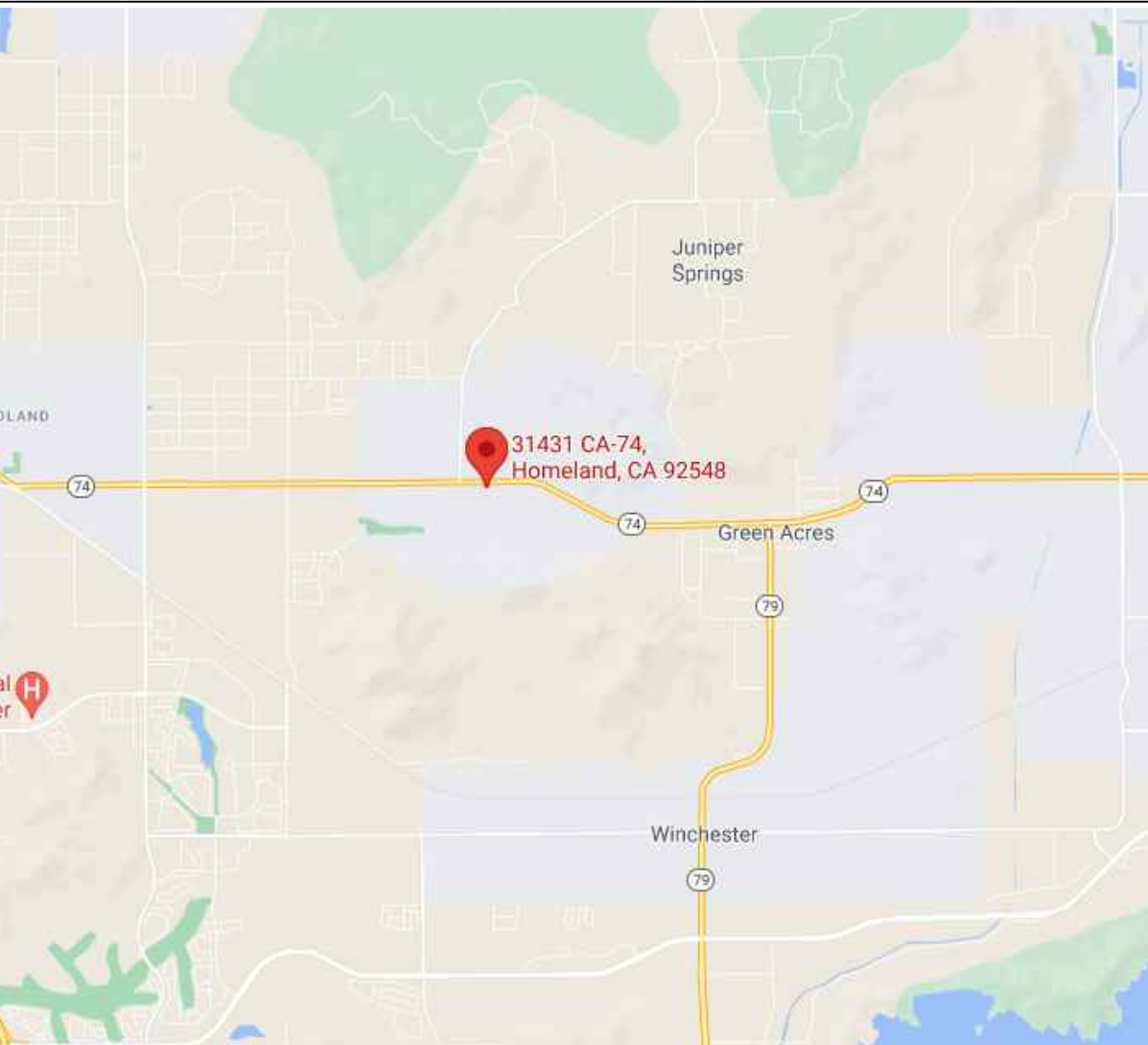
GENERAL NOTES

- 1. THESE DRAWINGS ARE THE PROPERTY OF HESTIA ATELIER, LLP AND ARE NOT TO BE USED FOR ANY OTHER THAN THE LOCATION SHOWN HEREON.
2. NO CHANGES ARE TO BE MADE ON THESE PLANS WITHOUT THE KNOWLEDGE OR CONSENT OF THE ARCHITECT/ENGINEER WHOSE SIGNATURE APPEARS HEREON.
3. DIMENSIONS AS INDICATED ARE THE DIMENSIONS TO BE USED FOR CONSTRUCTION. DO NOT SCALE DRAWINGS.
4. NO FRAMING OF ANY TYPE IS TO BE CONCEALED PRIOR TO INSPECTION.
5. REFERENCES TO ANY DETAIL OR DRAWING IS FOR CONVENIENCE ONLY AND DOES NOT LIMIT THE APPLICATION OF SUCH DETAIL OR DRAWING. BY GOVERNING AGENCIES.
6. DIMENSIONS AND CONDITIONS AT THE JOB SITE SHALL BE VERIFIED BY ALL CONTRACTORS. DISCREPANCIES IN THE DRAWINGS OR BETWEEN THE DRAWINGS AND ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE ARCHITECT AND TO THE OWNER. CORRECTED DRAWINGS OR INSTRUCTION SHALL BE ISSUED BY THE ARCHITECT PRIOR TO THE INSTALLATION OF ANY WORK. ALL DIMENSIONS ARE TO BE ROUGH UNLESS OTHERWISE NOTED. ARCHITECT'S DRAWINGS SHALL GOVERN OVER STRUCTURAL, MECHANICAL, ELECTRICAL AND LANDSCAPE DRAWINGS. ALL DRAWINGS SHALL BE ISSUED BY ARCHITECT.
7. ALL WORK, CONSTRUCTION AND MATERIALS SHALL COMPLY WITH ALL PROVISIONS OF THE BUILDING CODE AND WITH OTHER RULES, REGULATIONS, AND ORDINANCES GOVERNING THE PLACE OF THE CONSTRUCTION. IT IS THE RESPONSIBILITY OF ANYONE SUPPLYING LABOR OR BOTH TO BRING TO THE ATTENTION OF THE ARCHITECT AND THE OWNER ANY DISCREPANCIES OR CONFLICT BETWEEN THE REQUIREMENTS OF THE CODE AND THE DRAWINGS. THE APPLICABLE CODES SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO: CALIFORNIA BUILDING CODE 2016 EDITION
8. THESE DRAWINGS DO NOT CONTAIN THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY.
9. ALL GYPSUM WALL BOARD TO BE 1/2" OR 5/8" THICK TYPE "X", UNLESS OTHERWISE NOTED OR REQUIRED FOR SPECIFIC WALL CONSTRUCTION.
10. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE STATE CONSTRUCTION SAFETY ORDERS ENFORCED BY THE STATE OF CALIFORNIA DIVISION OF INDUSTRIAL SAFETY.
11. CONSTRUCT NO TRENCHES OR EXCAVATIONS 5' OR MORE IN DEPTH INTO WHICH A PERSON IS REQUIRED TO DESCEND, OR OBTAIN NECESSARY PERMIT FROM THE STATE OF CALIFORNIA DIVISION OF INDUSTRIAL SAFETY PRIOR TO THE ISSUANCE OF A BUILDING OR GRADING PERMIT.
12. EXACT LOCATION AND NUMBER OF EXIT SIGNS SHALL BE DETERMINED BY FIELD INSPECTOR AFTER THE INSTALLATION OF ALL MAJOR EQUIPMENT. CONTRACTOR SHALL CONDUCT SUCH FIELD INSPECTION PRIOR TO INSTALLATION OF ANY EXIT SIGNAGE.
13. FIRE EXTINGUISHERS SHALL BE PROVIDED AS FOLLOWS: 1 2A10BC EXTINGUISHER FOR EACH 3000 SQ. FT. FIRE EXTINGUISHERS SHALL NOT EXCEED 75' TRAVEL DISTANCE AND SIGNS SHALL BE POSTED ABOVE ALL EXTINGUISHERS TO INDICATE THEIR LOCATIONS. EXTINGUISHERS SHALL BE MOUNTED MEASURING FROM THE TOP OF THE EXTINGUISHER TO FINISH FLOOR A MINIMUM OF 3" AND MAXIMUM OF 5". EXTINGUISHERS LOCATED IN PUBLIC AREAS SHALL BE IN A RECESSED FIRE EXTINGUISHER CABINET(S) MOUNTED 48" TO CENTER OF CABINET(S) ABOVE FINISHED FLOOR LEVEL WITH MAXIMUM 4" PROJECTION FROM THE WALL. AN ADDITIONAL 2A20BC EXTINGUISHER WILL BE REQUIRED NO MORE THAN 75' OF TRAVEL FROM ANY PORTION OF FUELING LOCATIONS. EXACT LOCATIONS OF EXTINGUISHERS SHALL BE DETERMINED BY FIELD INSPECTOR.
14. NO HAZARDOUS MATERIALS WILL BE STORED AND/OR USED WITHIN THE BUILDING WHICH EXCEEDED THE QUANTITIES LISTED IN THE CBC TABLES 307.1(1) & 307.1(2).
15. WHERE PERMANENT IDENTIFICATION IS PROVIDED FOR ROOMS AND SPACES, RAISED LETTERS SHALL ALSO BE PROVIDED AND SHALL BE ACCOMPANIED BY BRaille. SECTION 1117B.5 ALL SIGNAGE REQUIREMENTS OF SECTION 1117B.5 SHALL BE SATISFIED.
16. COMPLY WITH CBC SECTION 3303 REGARDING PROTECTION OF PEDESTRIANS DURING CONSTRUCTION.
17. WALL, FLOOR AND CEILING SHALL NOT EXCEED THE FLAME SPREAD CLASSIFICATIONS IN CBC TABLE 803.9.
18. ODOR CONTROL SYSTEM TO BE ODOR-ARMOR 420 BY BENZACO SCIENTIFIC ENGINEERED ODOR MANAGEMENT OR APPROVED EQUAL.
19. ANY DELAYED EGRESS SHALL COMPLY WITH CFC 1010.1.9.7 AND 1010.1.9.9 AS APPLICABLE.
20. ADDRESS NUMBERS SHALL BE MIN. OF 12 INCHES.

GRAPHIC MATERIAL LEGEND

Table showing graphic material legends for Earth, Gypsum Board, Cast-in-place concrete, Cont. wood blocking, Finished wood, Vertical rigid insulation, Safing, Finished wood section, Spray fireproofing, Thermal or acoustical, Metal-rolled shape, Plaster on metal, Lath, Densglass, etc.

VICINITY MAP



PROJECT DATA

1 - ADMINISTRATION

- ARCHITECT: HESTIA ATELIER, LLP
3 PETERS CANYON RD. SUITE #110
IRVINE, CA 92626
ATTN: HIDE IWAGAMI
PHONE: (949) 230-6006
EMAIL: HIDE.IWAGAMI@HESTIAATELIER.COM
APPLICANT: 1421 MARTIN LUTHER KING JR DR
OXNARD, CA 93030
ATTN: GILL MANPREET
PHONE: (949) 230-6006
EMAIL: MKGILL@YMAIL.COM
OWNER:
RIVERSIDE COUNTY MUNICIPAL CODES AND ORDINANCES
ALL FINISHES SHALL COMPLY WITH CBC CHAPTER 8, TABLE 803.9
ACCESSIBILITY REQUIREMENTS PER THE FEDERAL ADA, ANSI 117.1-2003 AND 2019 CBC OR AS AMENDED BY STATE OR LOCAL REGULATIONS, WHICHEVER IS MOST RESTRICTIVE

3 - OCCUPANCY

Table with columns: ROOM NAME, AREA (NET), OCCUPANT LOAD. Includes Reception (132 SF / 15), Office/Vendor RM (111 SF / 60), Storage (122 SF / 300), Restroom (51 SF).

4 - BUILDING & SITE DATA

- A. CONSTRUCTION TYPE (CHAPTER 5): V-B
B. FULLY SPRINKLERED PER CHAPTER 9: NO
C. PROJECT AREA (TENANT IMPROVEMENT): 1,214 SF (GROSS SF)
D. NUMBER OF STORES: 1 STORY
E. SITE ACREAGE: 20,000 SF (.45 ACRES)
F. ZONING: R-R & C-P-S
G. GENERAL PLAN:
H. ADDRESS: 31431 CA-74, HOMELAND, CA 92548
I. LOT COVERAGE: 16% COVERAGE
J. OCCUPANCY: M
K. SETBACKS: FRONT: 0'-0", SIDE: 40'-0", REAR: 40'-0"
L. APN: 459-094-002 & 459-094-003
M. NUMBER OF PARKING (RIVERSIDE COUNTY MUNICIPAL CODE)
1 SPACE PER 200 SF
TOTAL: 7 STALLS (REQUIRED)
27 PARKING (PROVIDED) INCLUDING 2 ACCESSIBLE STALLS
ACCESSIBLE PARKING (1 PER 25 STALLS REQUIRED)
TOTAL: 1 STALL (REQUIRED)
2 PARKING (PROVIDED)
BICYCLE SPACES (1 PER 25 STALLS)
TOTAL: NONE REQUIRED
2 SPACES (PROVIDED)
CONDITIONAL USE PERMIT APPLICATION NUMBER: 210129

5 - PLUMBING FIXTURE CALCULATION

- PROPOSED OCCUPANCY GROUP: M OCCUPANCY
PLUMBING OCCUPANT LOAD FACTOR (TABLE A OF 2019 CPC CHAPTER 4)
NUMBER OF FIXTURES REQUIRED: (1) WC, (1) LAV.
NUMBER OF FIXTURES PROVIDED: 1 RESTROOM, GENDER NEUTRAL (2019 CPC SECTION 422.2 EXCEPTION 3) (1) WC, (1) LAV

Project address: 31431 CA-74, HOMELAND, CA 92548. Assessor's Parcel Number: 459-094-002 & 459-094-003.

PROJECT DIRECTORY

Table with columns for SHEET TITLE and SHEET INDEX. Includes Title Sheet, Radius Map, Existing Site Plan, Existing Site Photos, Proposed Site Plan Phase 1, Proposed Security & Egress Plan Phase 1, Proposed Exterior Elevations Phase 1, Proposed Site Plan Phase 2, Proposed Floor Plan Phase 2, Proposed Exterior Elevations Phase 2.

LEGAL DESCRIPTION

RECORDED BOOK/PAGE: MB 1548
SUBDIVISION NAME: HOMELAND NO.3 LOT/PARCEL: 6

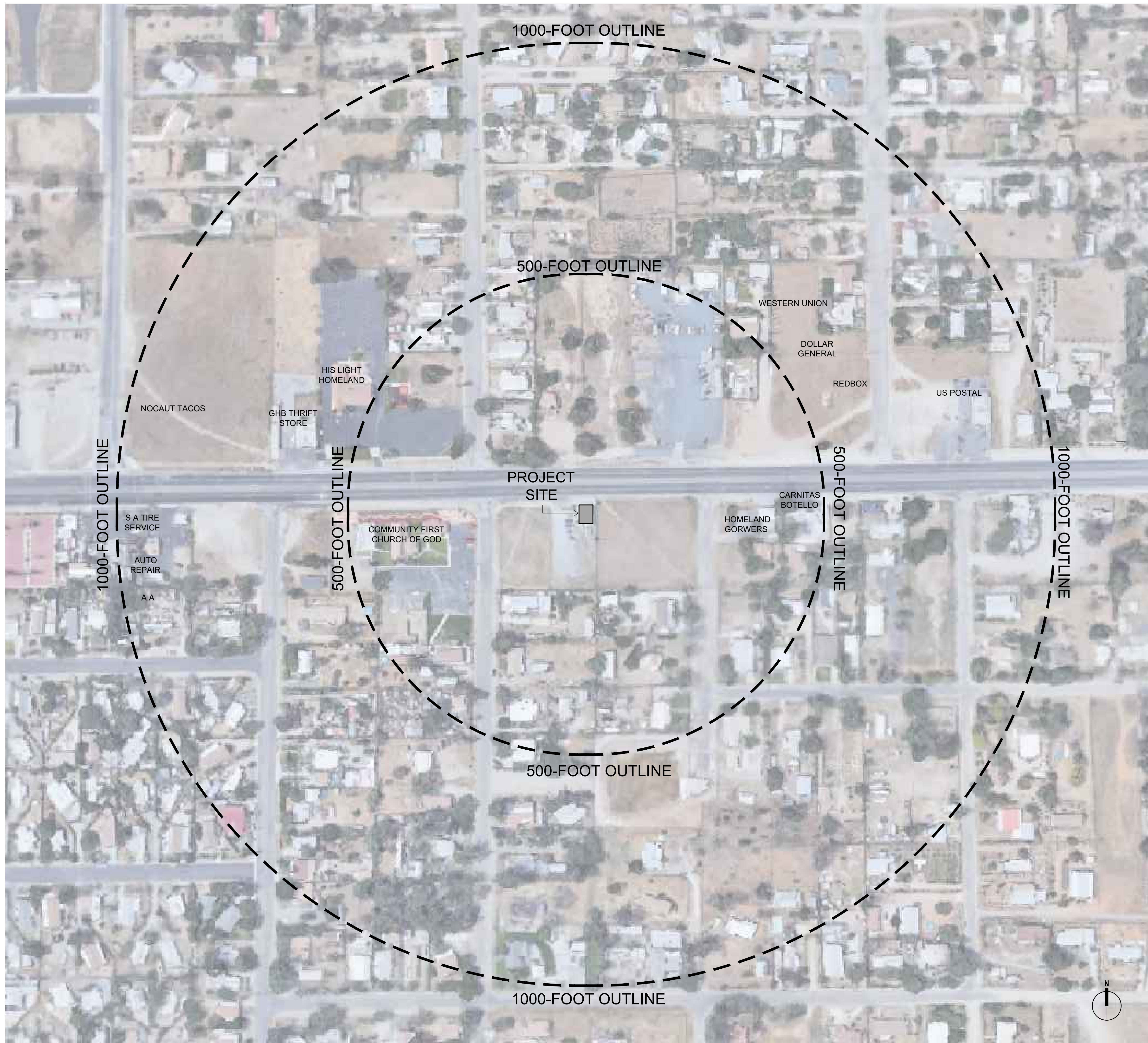
Hestia Atelier logo and contact information: 3 PETERS CANYON RD., SUITE 110 IRVINE, CA 92626. Phone: (949) 230-6006. Email: HIDE.IWAGAMI@HESTIAATELIER.COM.

Professional seal for Hestia Atelier, License No. C-34970, expires 09/30/23. Consultant.

Vertical title sheet label: 31431 CA-74, Homeland, CA 92548. TITLE SHEET.

Sheet information: CUP NUMBER: 210129, Plan Check Number: 06/06/2022, CUP REVISIONS: 11/01/2022. SHEET T1.0

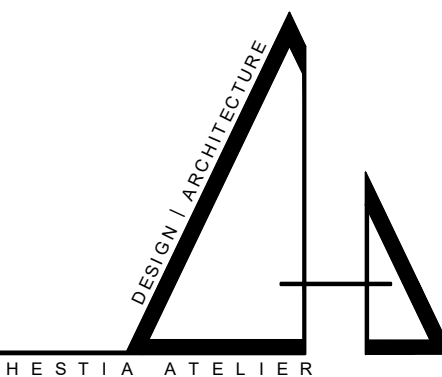
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SEPARATION REQUIREMENTS

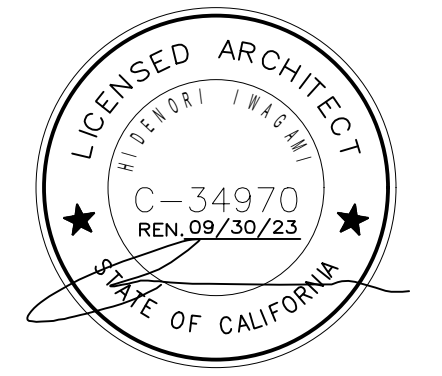
WITHIN 1,000 FOOT RADIUS:
 NO EXISTING OR PROPOSED CANNABIS RETAILER
 NO CHILD DAY CARE CENTER
 NO K-12 SCHOOL
 NO PUBLIC PARK
 NO YOUTH CENTER

WITHIN 500 FOOT RADIUS:
 NO SMOKE SHOP



3 PETERS CANYON RD,
 SUITE 110 IRVINE, CA 92626

Seal



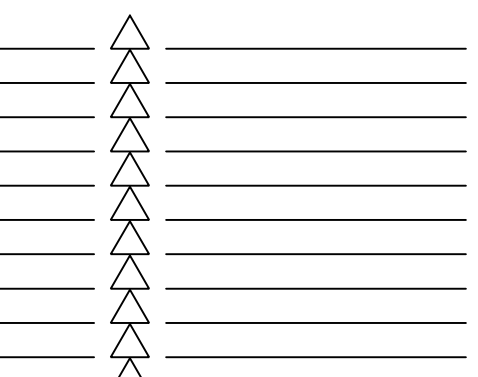
Consultant

DATE PREPARED: 6/6/2022

31431 CA-74,
 Homeland, CA 92548

RADIUS MAP (500' & 1000')

CUP NUMBER:	210129
Plan Check Number:	
CUP REVISIONS	06/06/2022
CUP REVISIONS	11/01/2022



SHEET

A0.1

KEYNOTES

- 1 EXISTING PROPERTY LINE
- 2 EXISTING ADJOINING PROPERTY LINE
- 3 EXISTING CHAINLINK FENCE TO BE REMOVED
- 4 EXISTING WOOD FENCE TO BE REMOVED
- 5 EXISTING CONCRETE PAD TO BE REMOVED
- 6 EXISTING BACK FLOW PREVENTOR TO REMAIN
- 7 EXISTING SIGNAGE TO BE REMOVED
- 8 EXISTING RAMP AND RAILING TO BE REMOVED
- 9 EXISTING BACK PORCH TO BE REMOVED
- 10 EXISTING ELECTRIC METER TO REMAIN
- 11 EXISTING WATER HEATER TO BE REMOVED
- 12 EXISTING SHED TO BE REMOVED
- 13 EXISTING AC UNIT TO BE REMOVED
- 14 EXISTING POWER POLE TO REMAIN
- 15 EXISTING FIRE HYDRANT TO REMAIN



3 PETERS CANYON RD,
SUITE 110 IRVINE, CA 92626



Consultant

DATE PREPARED: 6/6/2022

31431 CA-74,
Homeland, CA 92548

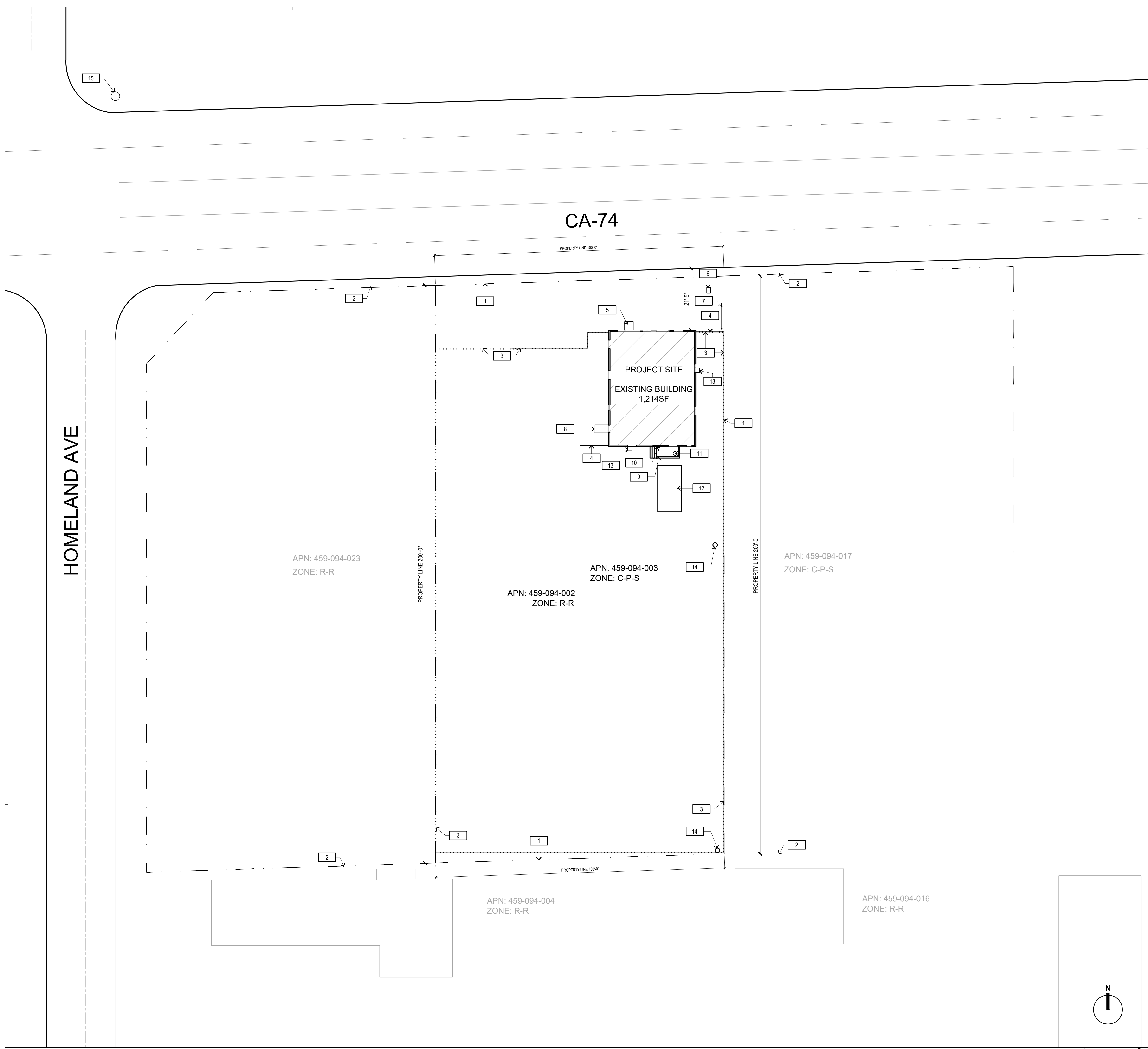
EXISTING SITE PLAN

CUP NUMBER:	210129
Plan Check Number:	
CUP REVISIONS	06/06/2022
CUP REVISIONS	11/01/2022



S H E E T

A1.0



sheet plotted: 06/06/2022 09:53:58 AM
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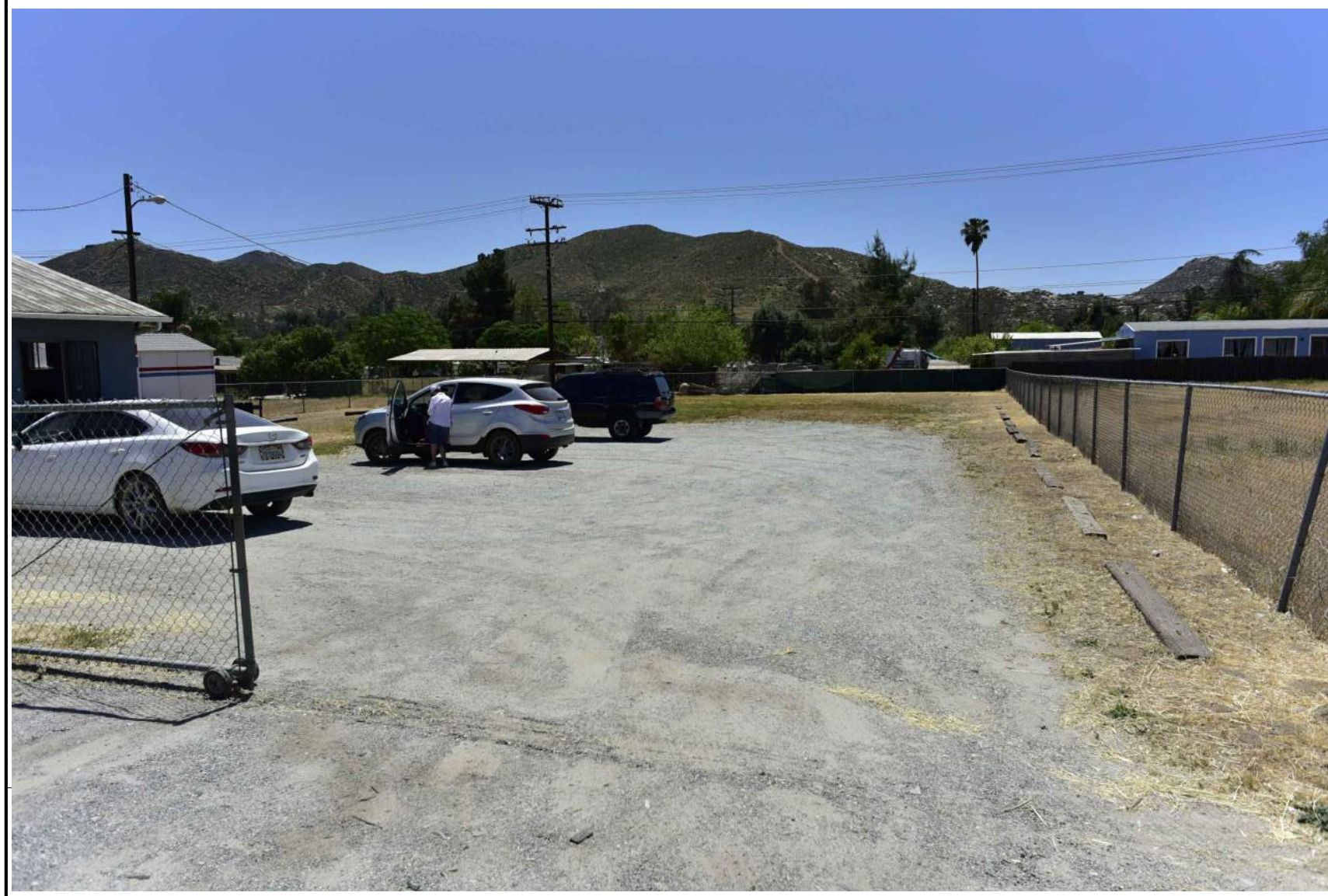


PHOTO 6



PHOTO 3



PHOTO 5



PHOTO 2

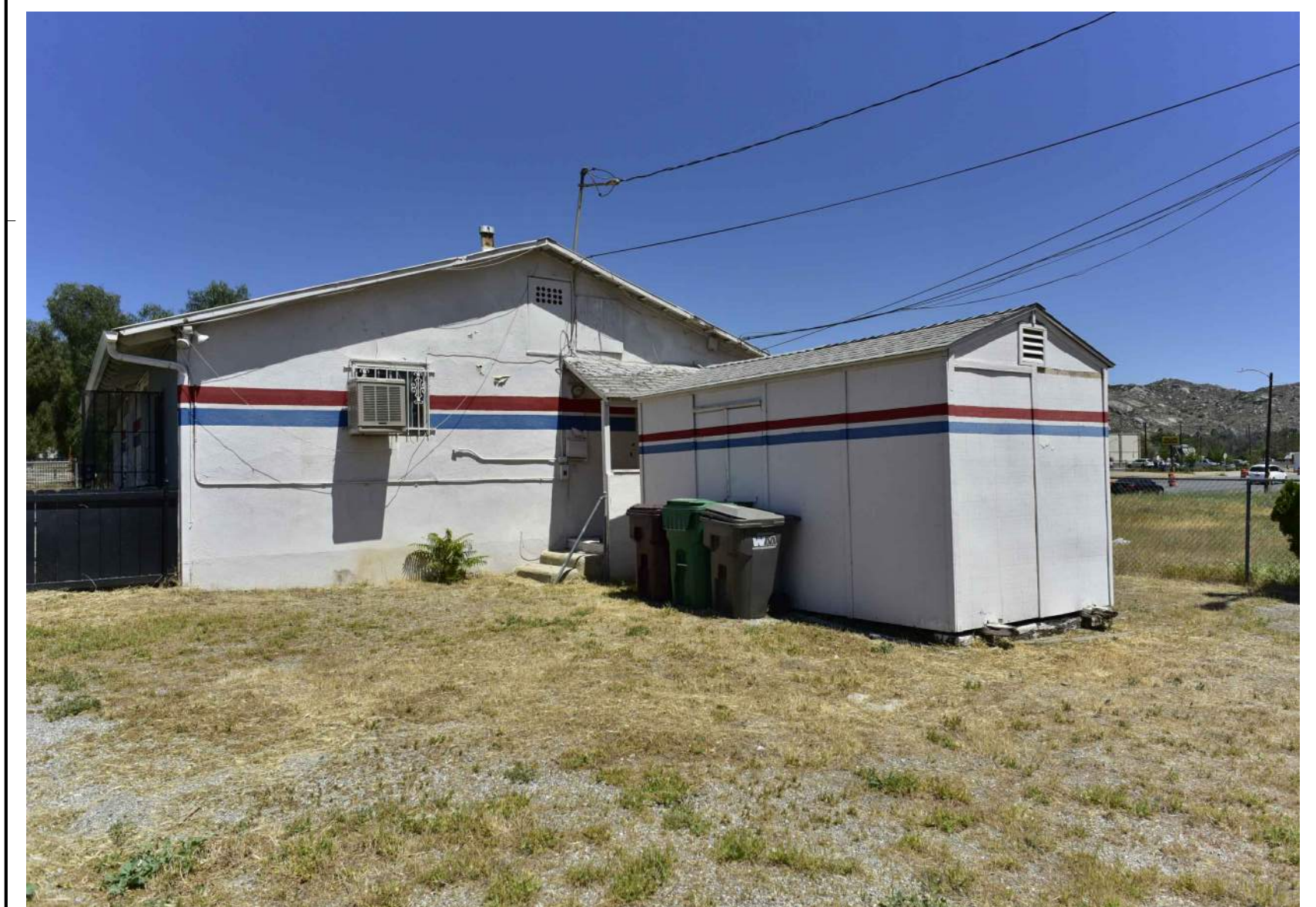
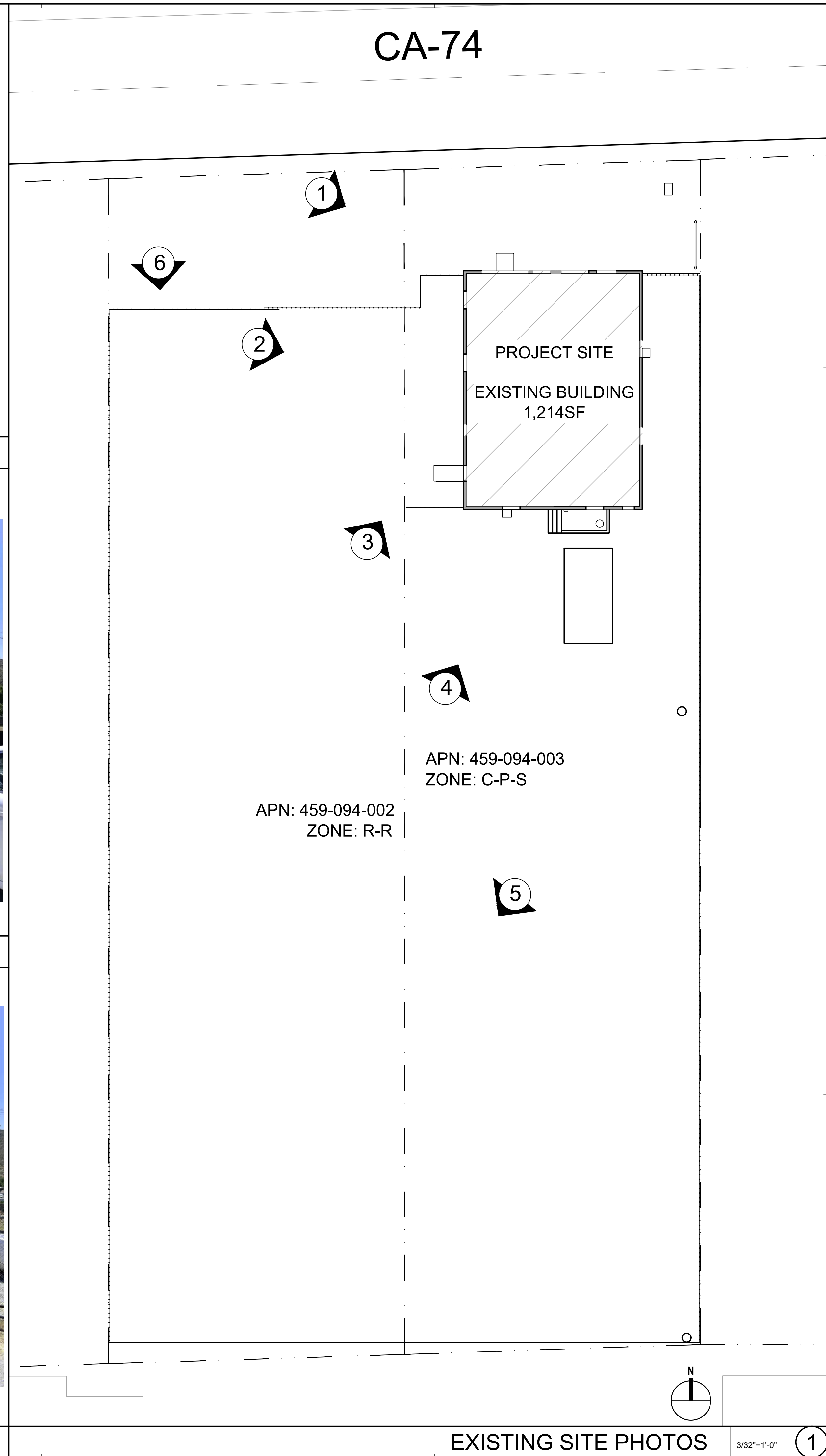


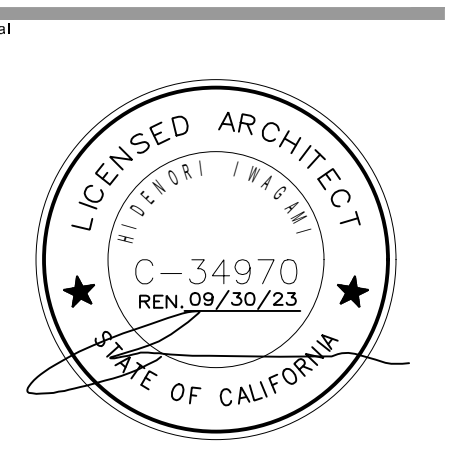
PHOTO 4



PHOTO 1



3 PETERS CANYON RD.
SUITE 110 IRVINE, CA 92626



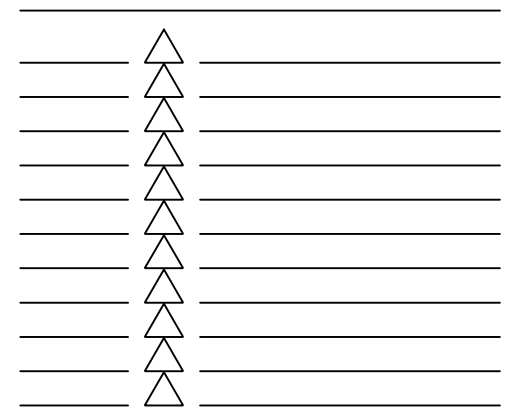
Consultant

DATE PREPARED: 6/6/2022

31431 CA-74,
Homeland, CA 92548

EXISTING SITE PHOTOS

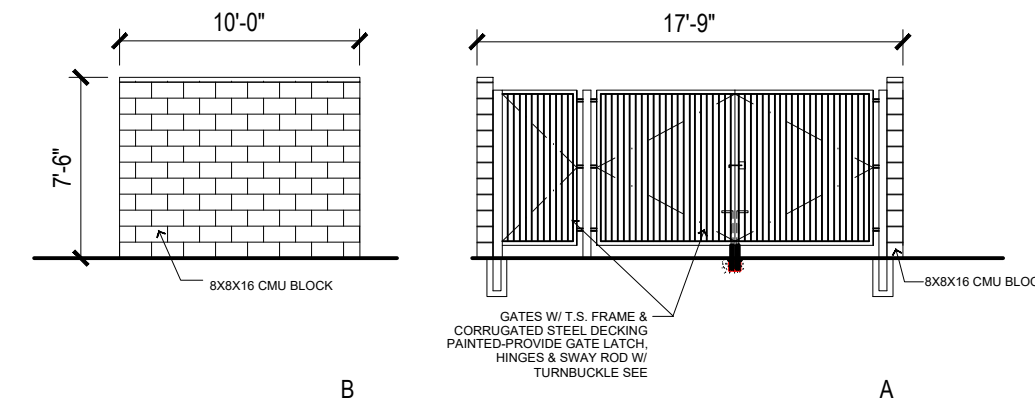
CUP NUMBER:	210129
Plan Check Number:	
CUP REVISIONS	06/06/2022
CUP REVISIONS	11/01/2022



S H E E T

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3 PETERS CANYON RD.
SUITE 110 IRVINE, CA 92626



Consultant

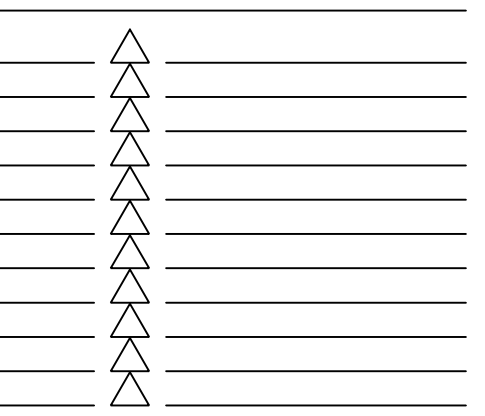
DATE PREPARED: 6/16/2022

31431 CA-74,
Homeland, CA 92548

PROPOSED SITE PLAN
(PHASE 2)

CUP NUMBER: 210129
Plan Check Number:

CUP REVISIONS 06/06/2022
CUP REVISIONS 11/01/2022
CUP REVISIONS 01/25/2023



SHEET
A4.0

TRASH ENCLOSURE 1/8"=1'-0" (A)

KEYNOTES

- 1 EXISTING PROPERTY LINE
- 2 EXISTING CENTERLINE OF HWY 74
- 3 EXISTING WROUGHT IRON FENCE- UNDER PHASE 1 DEVELOPMENT
- 4 EXISTING LANDSCAPE- UNDER PHASE 1 DEVELOPMENT
- 5 EXISTING 6" HIGH PAVEMENT- UNDER PHASE 1 DEVELOPMENT
- 6 EXISTING CURB RAMP- UNDER PHASE 1 DEVELOPMENT
- 7 EXISTING PARKING- UNDER PHASE 1 DEVELOPMENT
- 8 NEW LANDSCAPE
- 9 NEW SWITCHGEAR
- 10 NEW TRANSFORMER
- 11 EXISTING PERMEABLE PAVERS -UNDER PHASE 1 DEVELOPMENT
- 12 NEW DRIVE WAY PER COUNTY STANDARD
- 13 NEW PARKING STALLS
- 14 NEW EV PARKING
- 15 NEW ACCESSIBLE PARKING
- 16 NEW ACCESSIBLE LOADING ZONE
- 17 NEW ACCESSIBLE CURB RAMP
- 18 NEW TRASH ENCLOSURE
- 19 EXISTING POWER POLE TO REMAIN
- 20 NEW SITE GATE
- 21 NEW ACCESSIBLE PATH OF TRAVEL

PROJECT INFORMATION

PARKING:
(1 SPACE PER 200 SF)

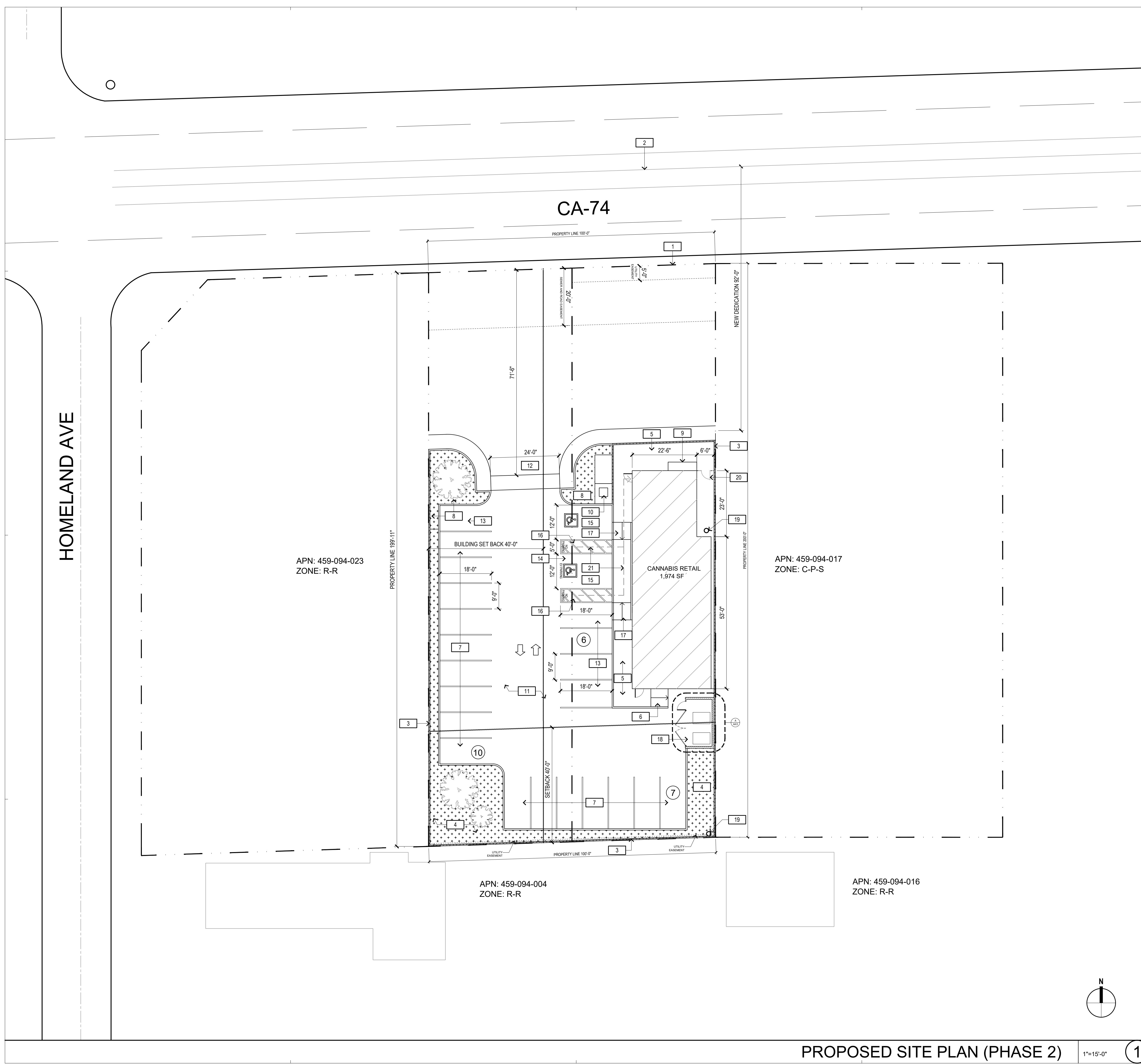
TOTAL: 10 STALLS (REQUIRED)
23 PARKING (PROPOSED) INCLUDING
2 ACCESSIBLE STALLS/1 EV)

ACCESSIBLE PARKING
(1 PER 02-25 PARKING STALLS REQUIRED)

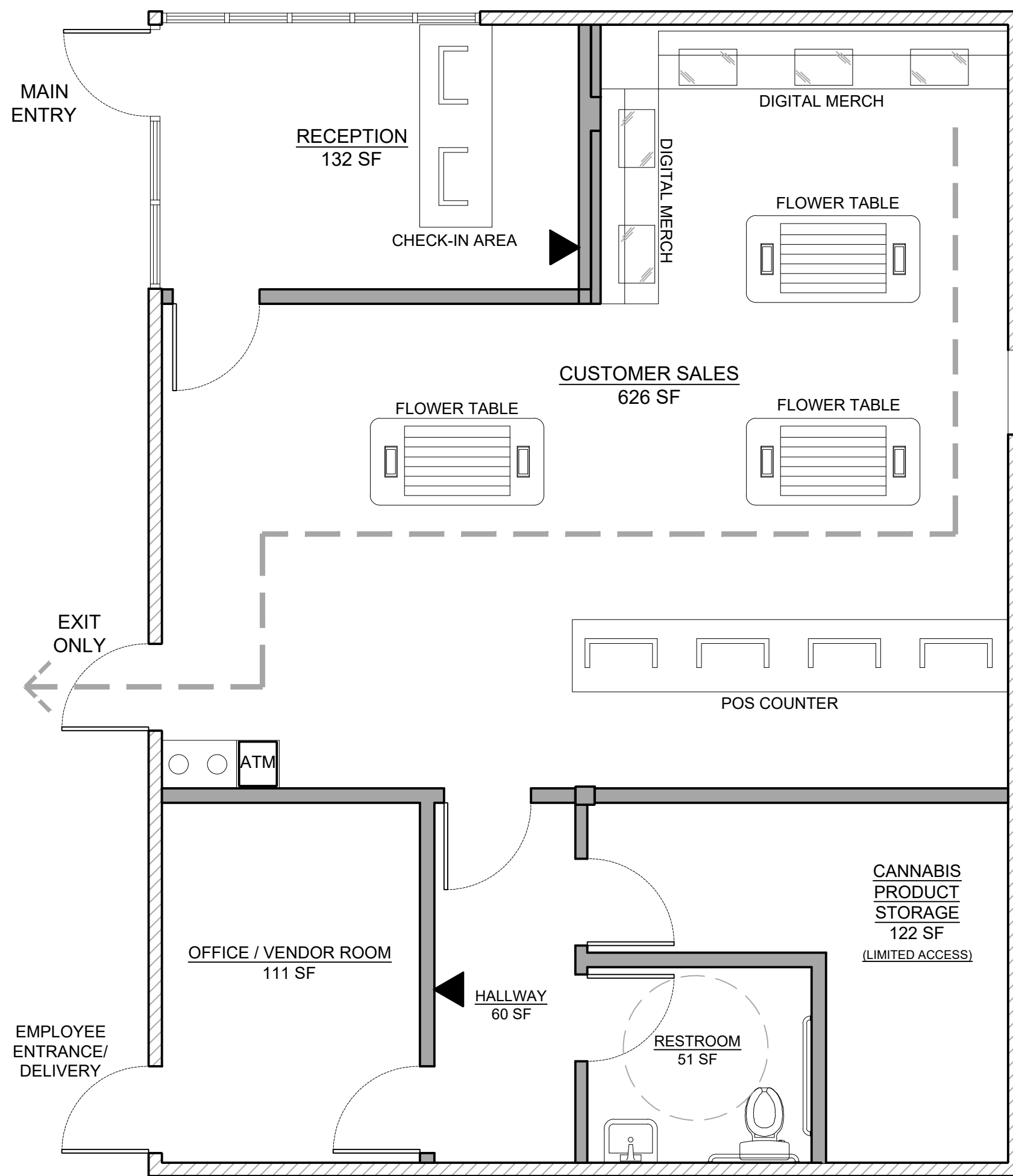
TOTAL: 1 STALL (REQUIRED)
2 PARKING (PROPOSED)

NUMBER OF EMPLOYEES PER SHIFT:
5 - MORNING
5 - EVENING

- SANITARY SEWER WILL BE CONNECTED TO THE EXISTING MUNICIPAL SEWER PROVIDED BY EASTERN MUNICIPAL WATER DISTRICT.
- NO HAZARDOUS MATERIAL TO BE STORED ON SITE



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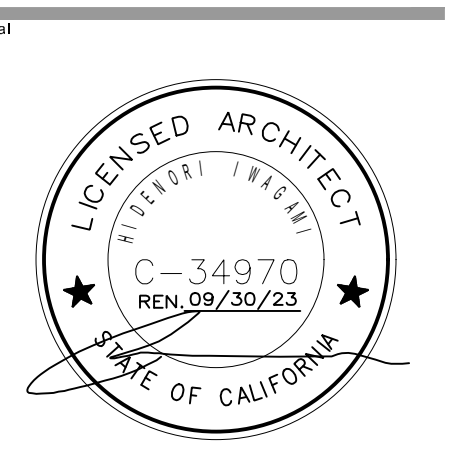


LEGEND

- EXISTING EXTERIOR WALL TO REMAIN
- PROPOSED INTERIOR NON-BEARING WALL
- PATH OF EGRESS
- SECURITY CAMERA (14 TOTAL)
- CEILING MOUNT PIR MOTION DETECTOR W/ BUILT IN GLASS BREAK DETECTOR
- CEILING MOUNT PIR MOTION DETECTOR
- FIRE EXTINGUISHER
- EMERGENCY LIGHT
- ILLUMINATED SIGN W/ EMERGENCY LIGHT
- PROXIMITY CARD READER
- ELECTRONIC LOCKING DEVICE
- PANIC/HOLD-UP BUTTON
- DOOR CONTACT/SENSOR



3 PETERS CANYON RD,
SUITE 110 IRVINE, CA 92626



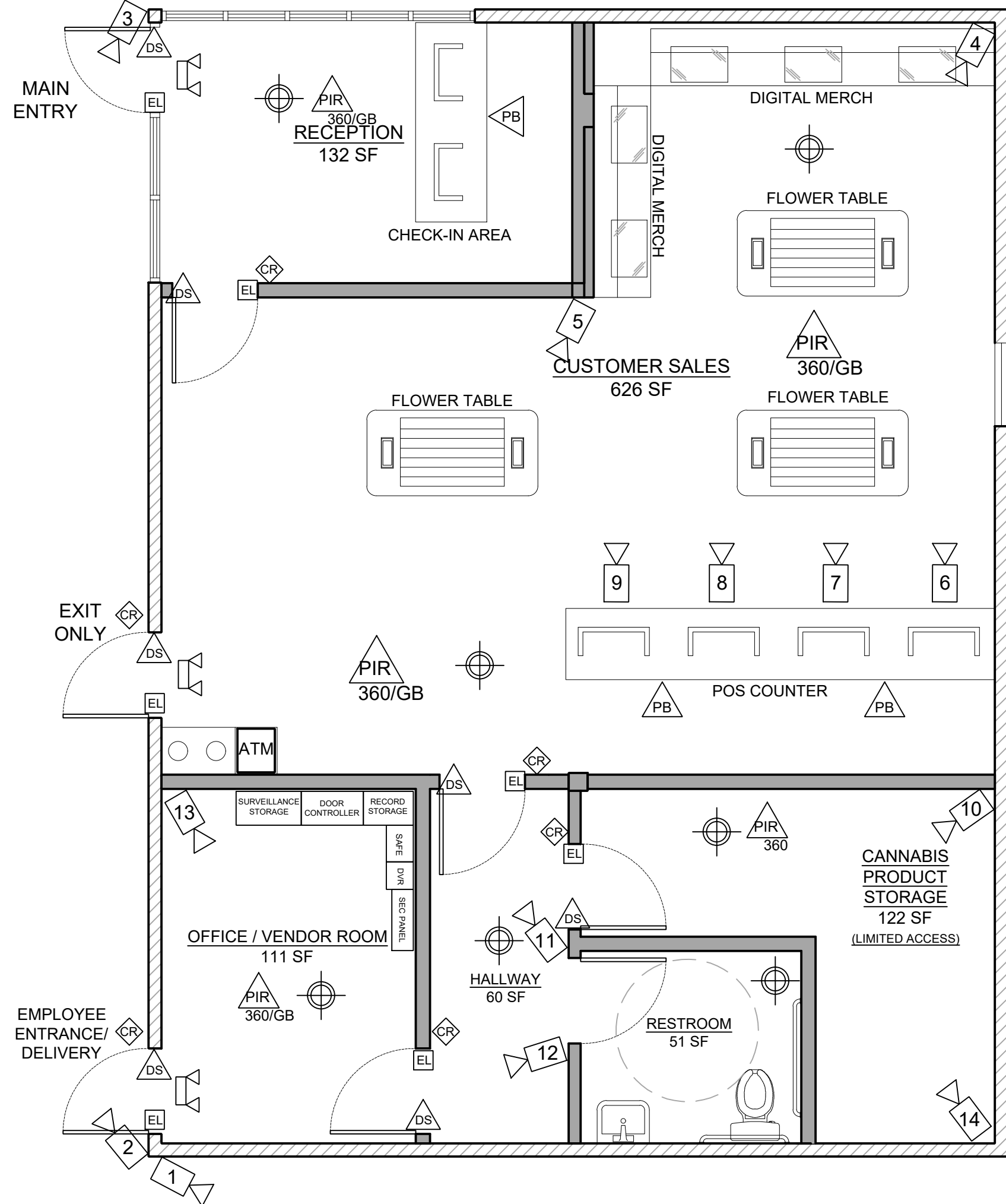
Consultant

DATE PREPARED: 6/6/2022

31431 CA-74,
Homeland, CA 92548

PROPOSED EGRESS PLAN (PHASE 1)

1/4"=1'-0" 1

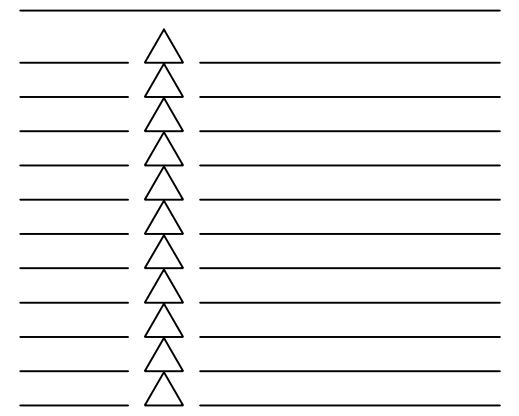


PROPOSED SECURITY PLAN (PHASE 1)

1/4"=1'-0" 1

PROPOSED SECURITY &
EGRESS PLAN (PHASE 1)

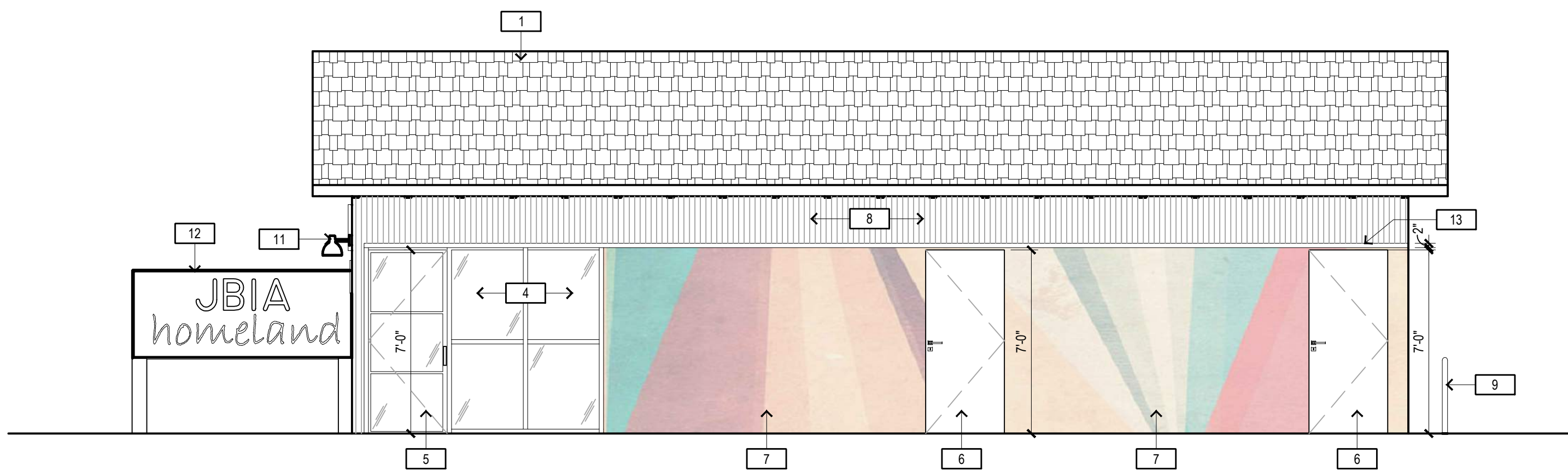
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Plan Check Number:	
CUP REVISIONS	06/06/2022
CUP REVISIONS	11/01/2022



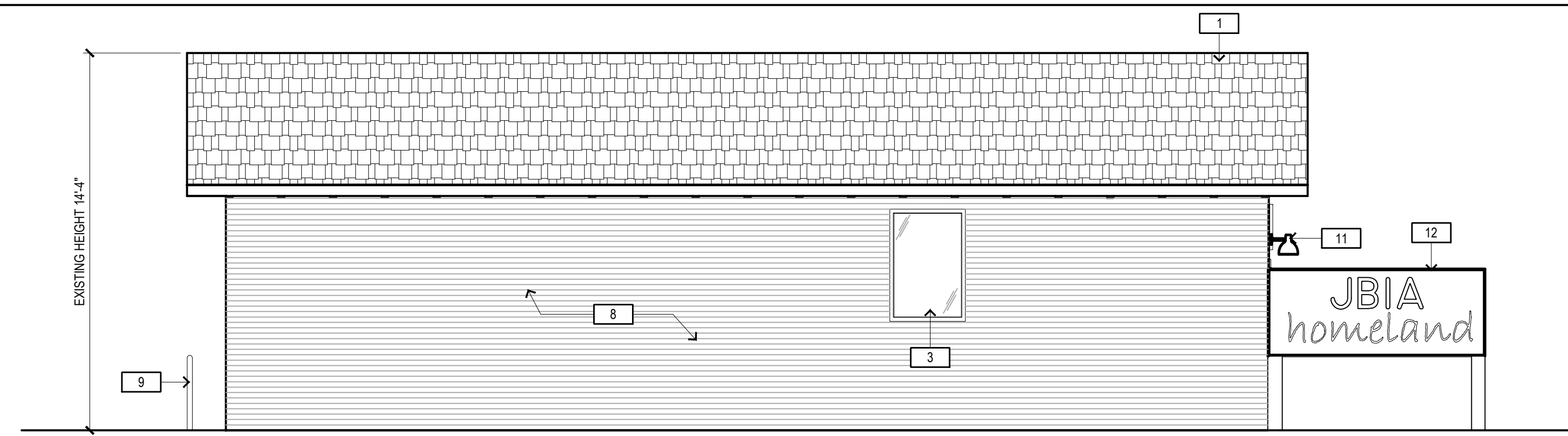
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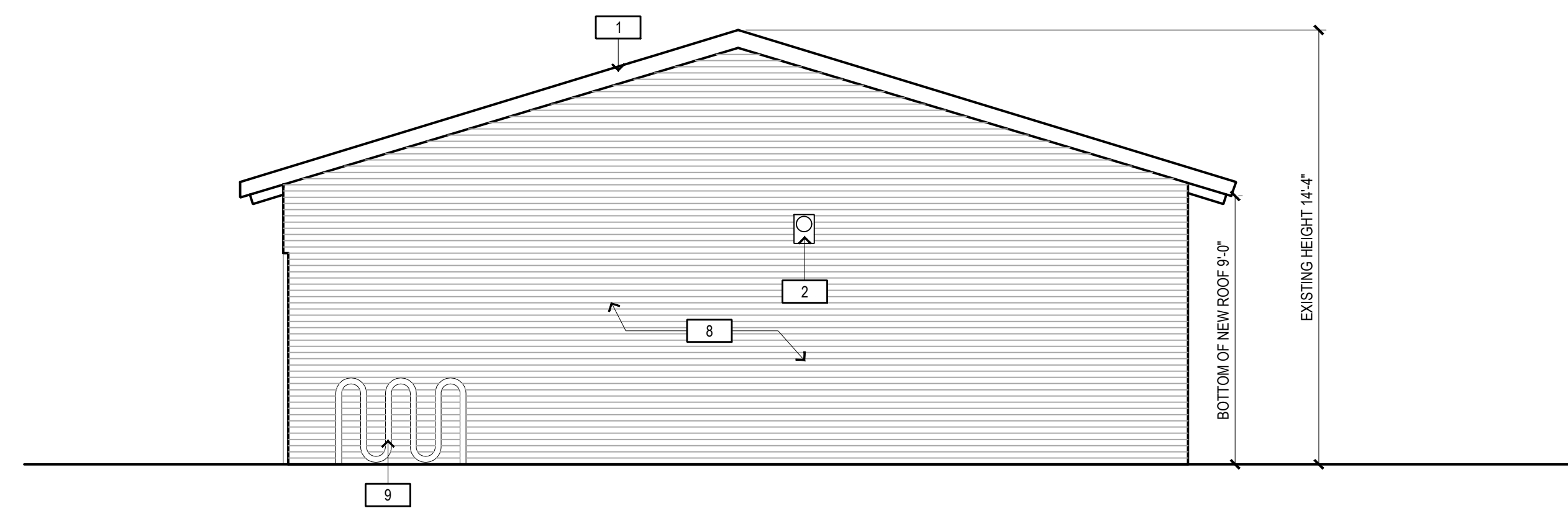
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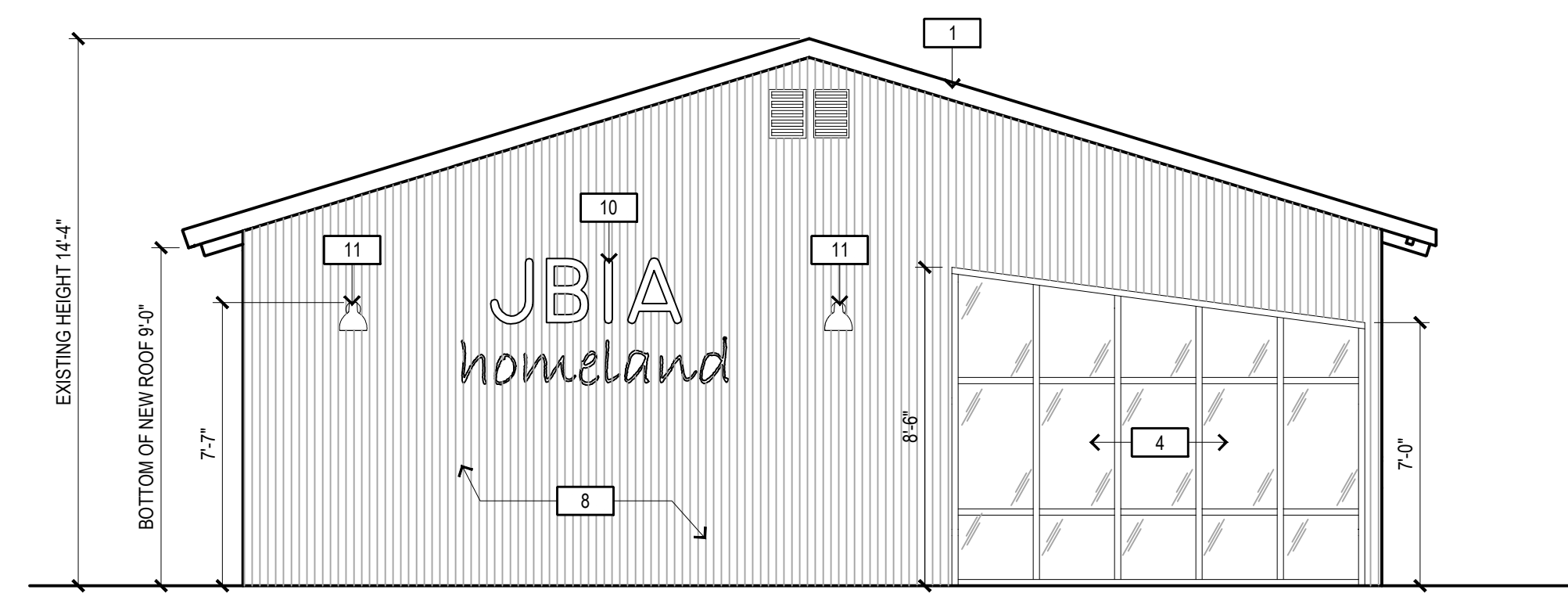
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EAST ELEVATION 1/4" = 1'-0" 3



SOUTH ELEVATION 1/4" = 1'-0" 2

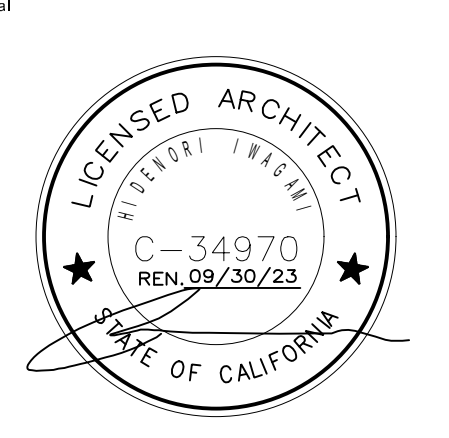


NORTH ELEVATION 1/4" = 1'-0" 1

- KEYNOTES**
- 1 PROPOSED NEW ROOF- LANDMARK TL, TRIPLE LAMINATE SHINGLE- MANUFACTURER: CERTAIN TEED
 - 2 EXISTING ELECTRIC METER TO REMAIN
 - 3 EXISTING WINDOW TO BE REMOVED AND REPLACED. ADD PRIVACY FILM TO INTERIOR SIDE. COLOR: 3MM FASARA GLASS FINISH CHAMONIX
 - 4 NEW STOREFRONT GLAZING. ADD PRIVACY FILM TO INTERIOR SIDE. COLOR: 3MM FASARA GLASS FINISH CHAMONIX
 - 5 NEW TEMPERED DOUBLE STOREFRONT, 6'0" X 7'0", ALUMINUM DOORS. MANUFACTURER: PRO BUILDER
 - 6 NEW FLUSH METAL DOOR- HEAVY DUTY 18 GAUGE STEEL. MANUFACTURER: TRUDOOR
 - 7 NEW STUCCO TO BE APPLIED AND MURAL TO BE PAINTED BY LOCAL ARTIST
 - 8 NEW LINDENWALD -WHITE OAK WOOD 3" CLADDING. MANUFACTURER: RESAWN TIMBER CO
 - 9 NEW BIKE RACK
 - 10 NEW WALL MOUNTED SIGNAGE- UNDER SEPARATE PERMIT
 - 11 NEW DECORATIVE MOUNTED LIGHT FIXTURE. 7'-7" HEIGHT
 - 12 NEW PYLON SIGNAGE. UNDER SEPARATE PERMIT
 - 13 NEW 2" METAL STRIP WITH LED LIGHT



3 PETERS CANYON RD.
SUITE 110 IRVINE, CA 92626



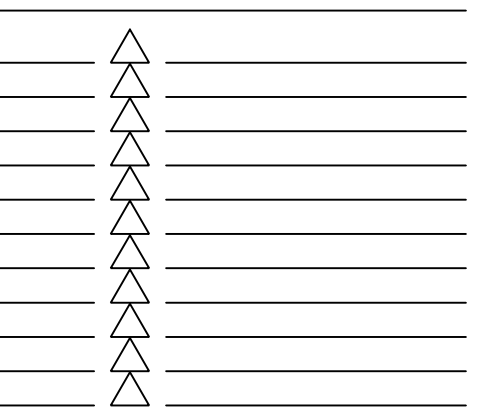
Consultant

DATE PREPARED: 6/16/2022

31431 CA-74,
Homeland, CA 92548

PROPOSED EXTERIOR
ELEVATIONS PHASE 1

CUP NUMBER:	210129
Plan Check Number:	
CUP REVISIONS	06/06/2022
CUP REVISIONS	11/01/2022



SHEET

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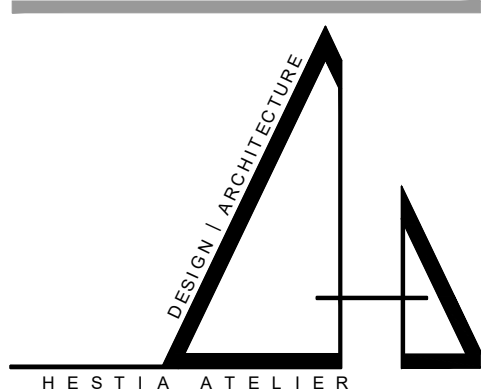
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SIDE VIEW NS (2)



FRONT VIEW NS (1)



3 PETERS CANYON RD.
SUITE 110 IRVINE, CA 92626



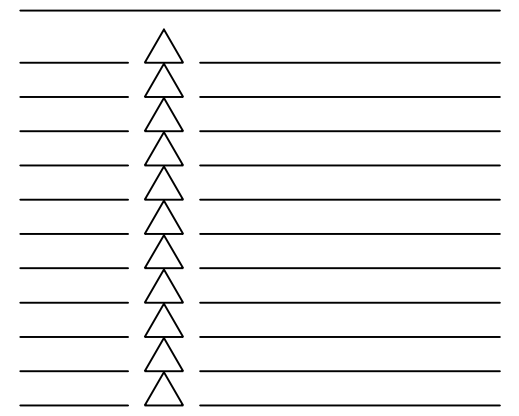
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DATE PREPARED: 6/6/2022

31431 CA-74,
Homeland, CA 92548

PRELIMINARY RENDERINGS
PHASE 1

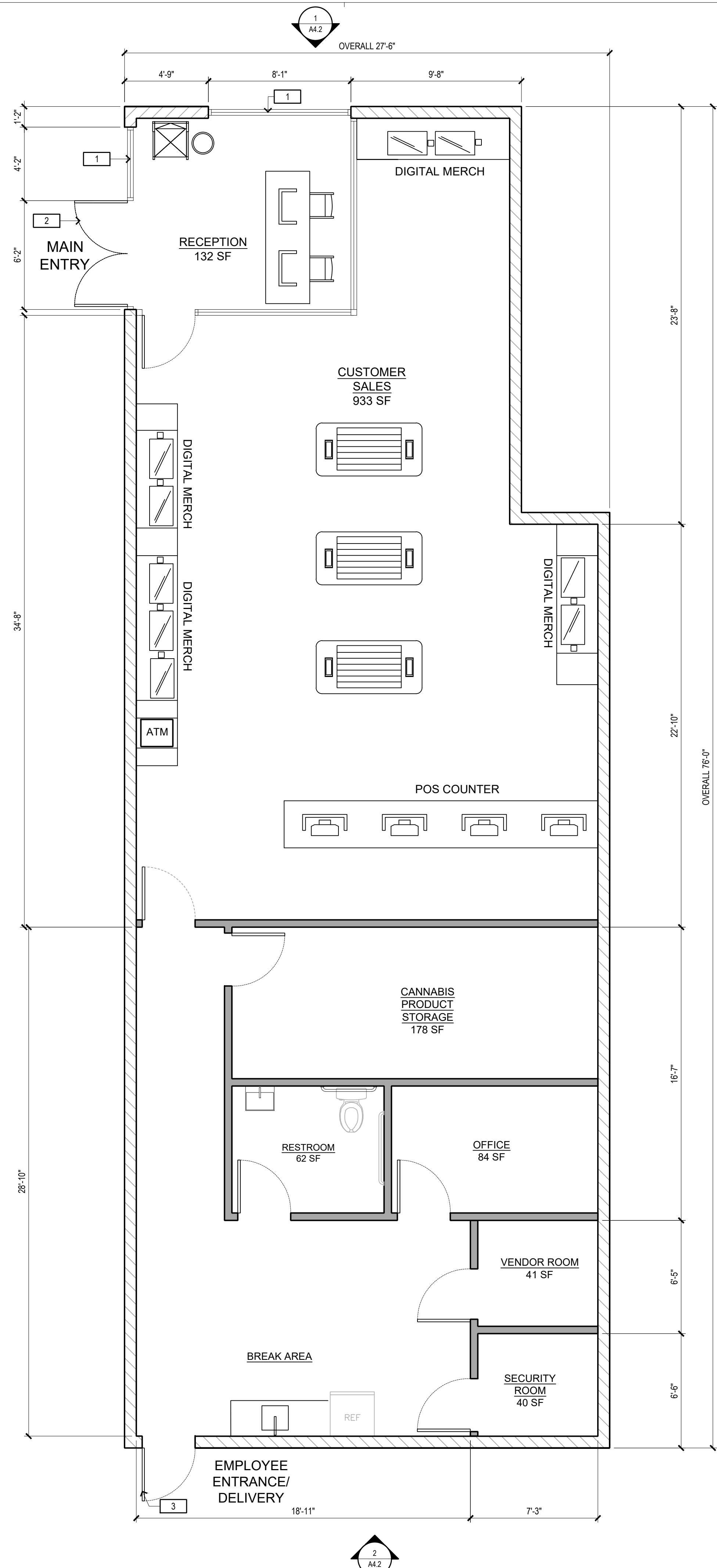
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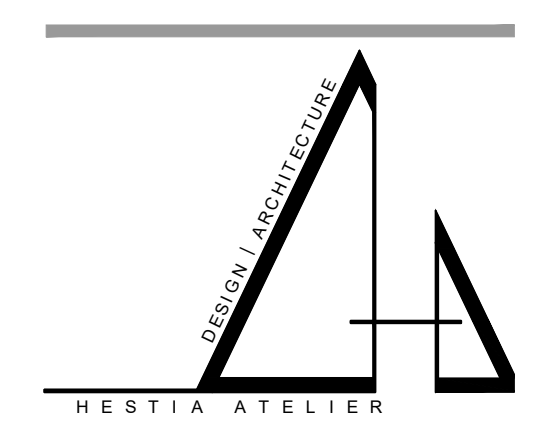


LEGEND

- PROPOSED EXTERIOR WALL
- PROPOSED INTERIOR NON-BEARING WALL

KEYNOTES

- 1 NEW STOREFRONT GLAZING. ADD PRIVACY FILM TO INTERIOR SIDE. COLOR: 3MM FASARA GLASS FINISH CHAMONIX
- 2 NEW TEMPERED DOUBLE STOREFRONT, 6'0" X 7'0", ALUMINUM DOORS. MANUFACTURER: PRO BUILDER
- 3 NEW FLUSH METAL DOOR- HEAVY DUTY 18 GAUGE STEEL. MANUFACTURER: TRUDOOR



3 PETERS CANYON RD.
SUITE 110 IRVINE, CA 92626



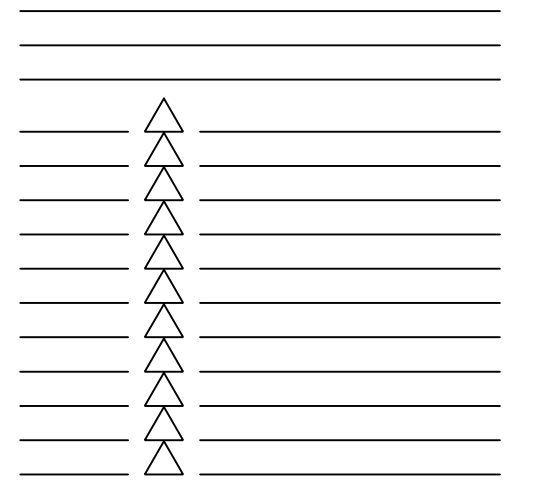
Consultant

DATE PREPARED: 6/6/2022

31431 CA-74,
Homeland, CA 92548

**PROPOSED FLOOR PLAN
(PHASE 2)**

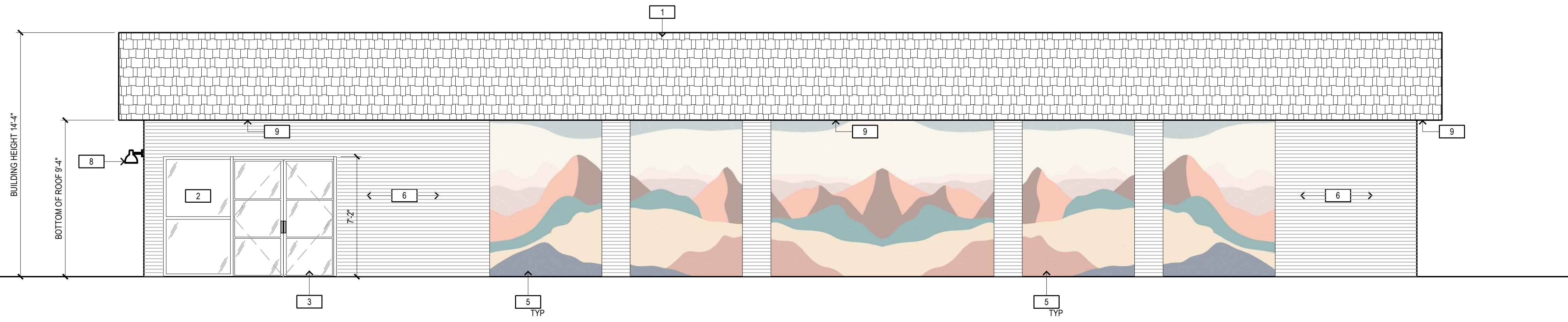
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Plan Check Number:	
CUP REVISIONS	06/06/2022
CUP REVISIONS	11/01/2022



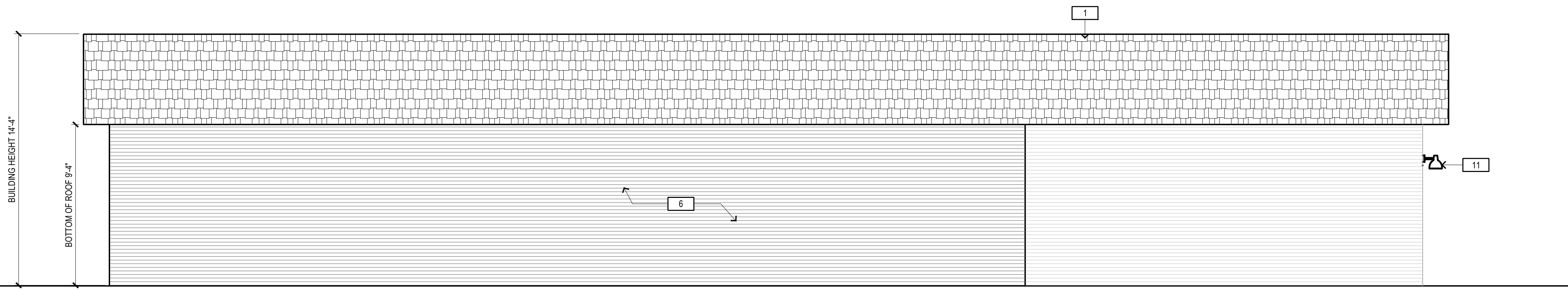
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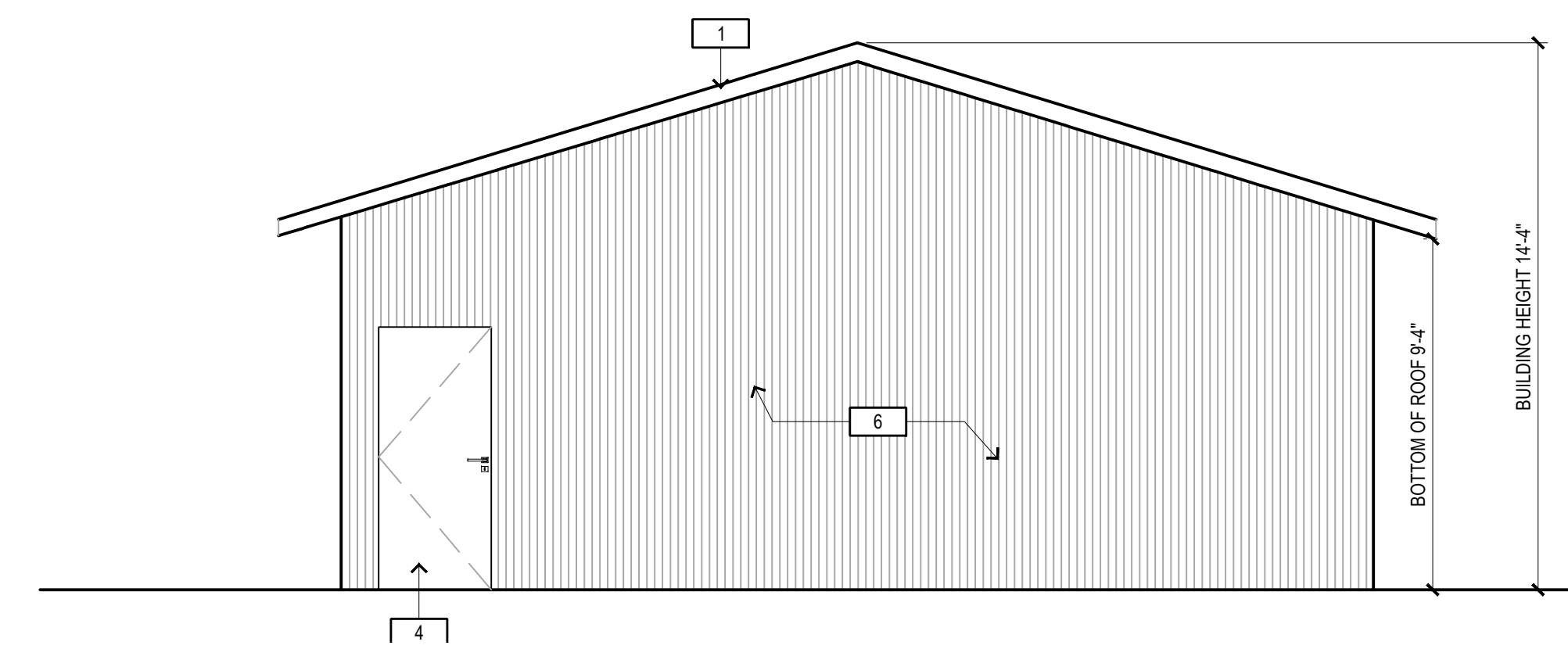
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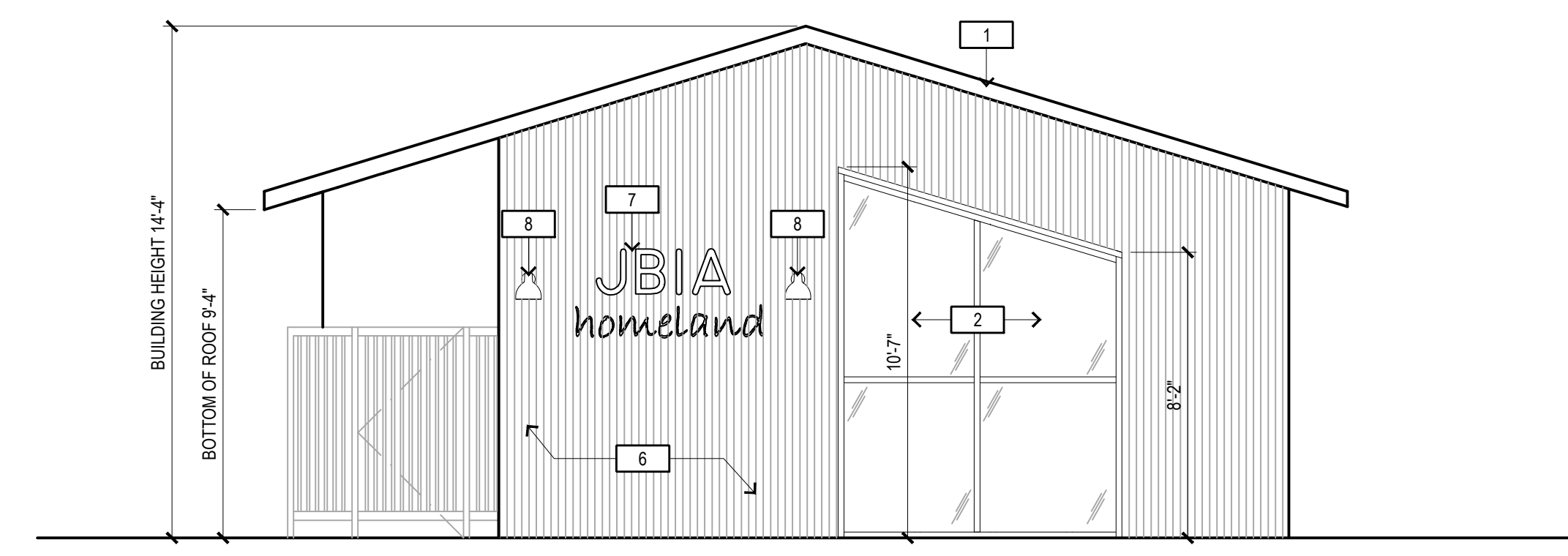
WEST ELEVATION 1/4" = 1'-0" 4



EAST ELEVATION 1/4" = 1'-0" 3



SOUTH ELEVATION 1/4" = 1'-0" 2

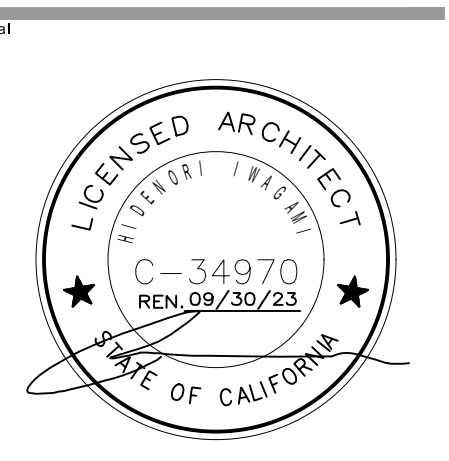


NORTH ELEVATION 1/4" = 1'-0" 1

- ### KEYNOTES
- 1 PROPOSED NEW ROOF: LANDMARK TL, TRIPLE LAMINATE SHINGLE- MANUFACTURER: CERTAIN TEED
 - 2 NEW STOREFRONT GLAZING. ADD PRIVACY FILM TO INTERIOR SIDE. COLOR: 3MM FASARA GLASS FINISH CHAMONIX
 - 3 NEW TEMPERED DOUBLE STOREFRONT, 6'0" X 7'0", ALUMINUM DOORS. MANUFACTURER: PRO BULDER
 - 4 NEW FLUSH METAL DOOR- HEAVY DUTY 18 GAUGE STEEL. MANUFACTURER: TRUDOOR
 - 5 MURAL TO BE PAINTED BY LOCAL ARTIST
 - 6 NEW LINDENWALD -WHITE OAK WOOD 3" CLADDING. MANUFACTURER: RESAWN TIMBER CO.
 - 7 NEW WALL MOUNTED SIGNAGE- UNDER SEPARATE PERMIT
 - 8 NEW DECORATIVE MOUNTED LIGHT FIXTURE. 7'-7" HEIGHT
 - 9 NEW LED STRIP LIGHT



3 PETERS CANYON RD,
SUITE 110 IRVINE, CA 92626



Consultant

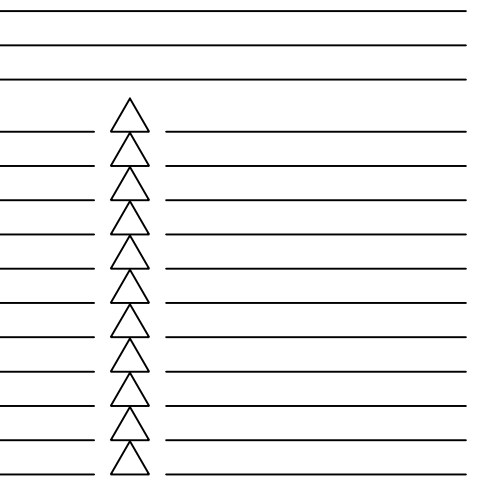
DATE PREPARED: 6/6/2022

31431 CA-74,
Homeland, CA 92548

PROPOSED EXTERIOR
ELEVATIONS (PHASE 2)

CUP NUMBER: 210129
Plan Check Number:

CUP REVISIONS 06/06/2022
CUP REVISIONS 11/01/2022

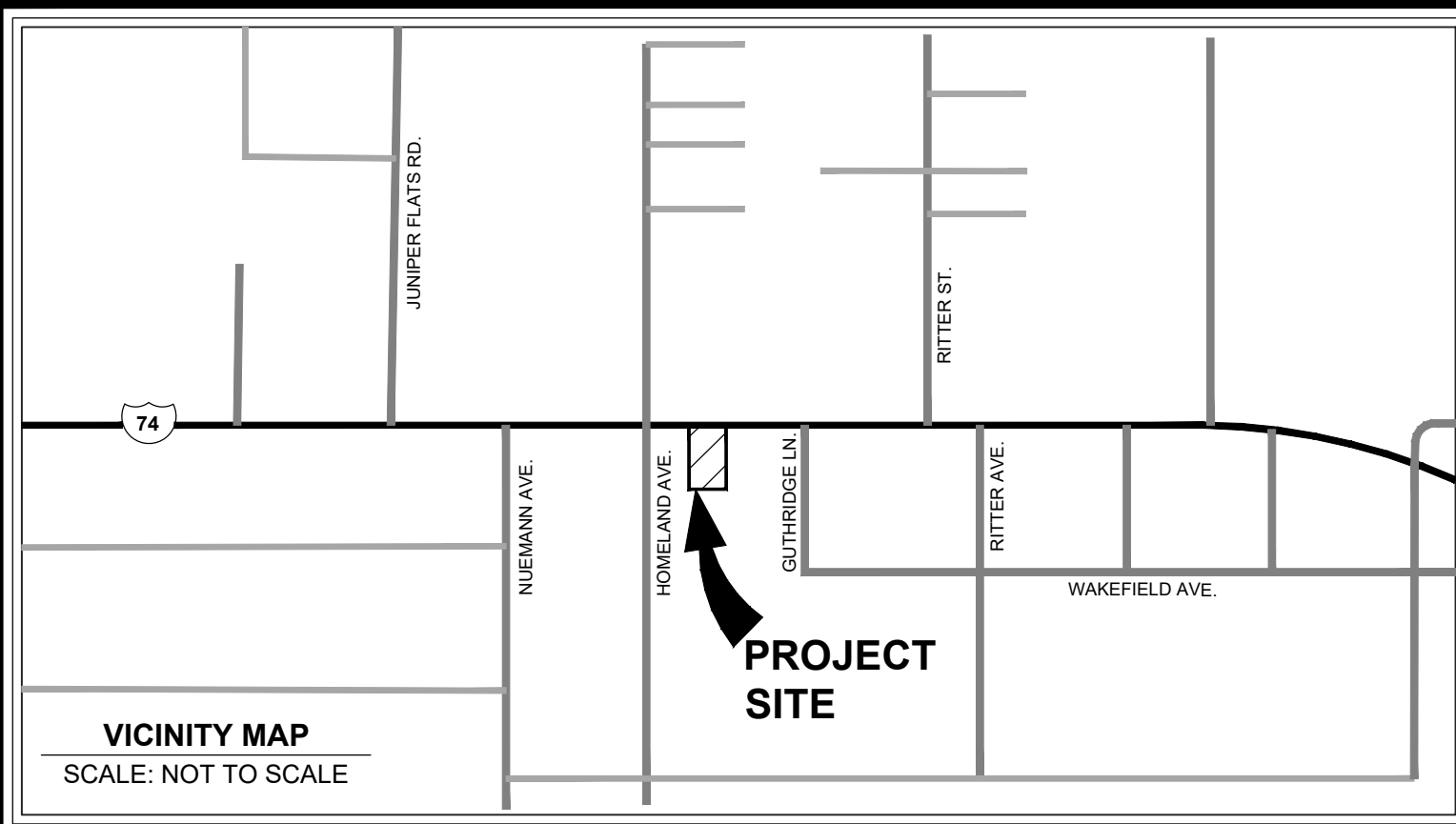


S H E E T

A4.2

PRELIMINARY IMPROVEMENT PLANS

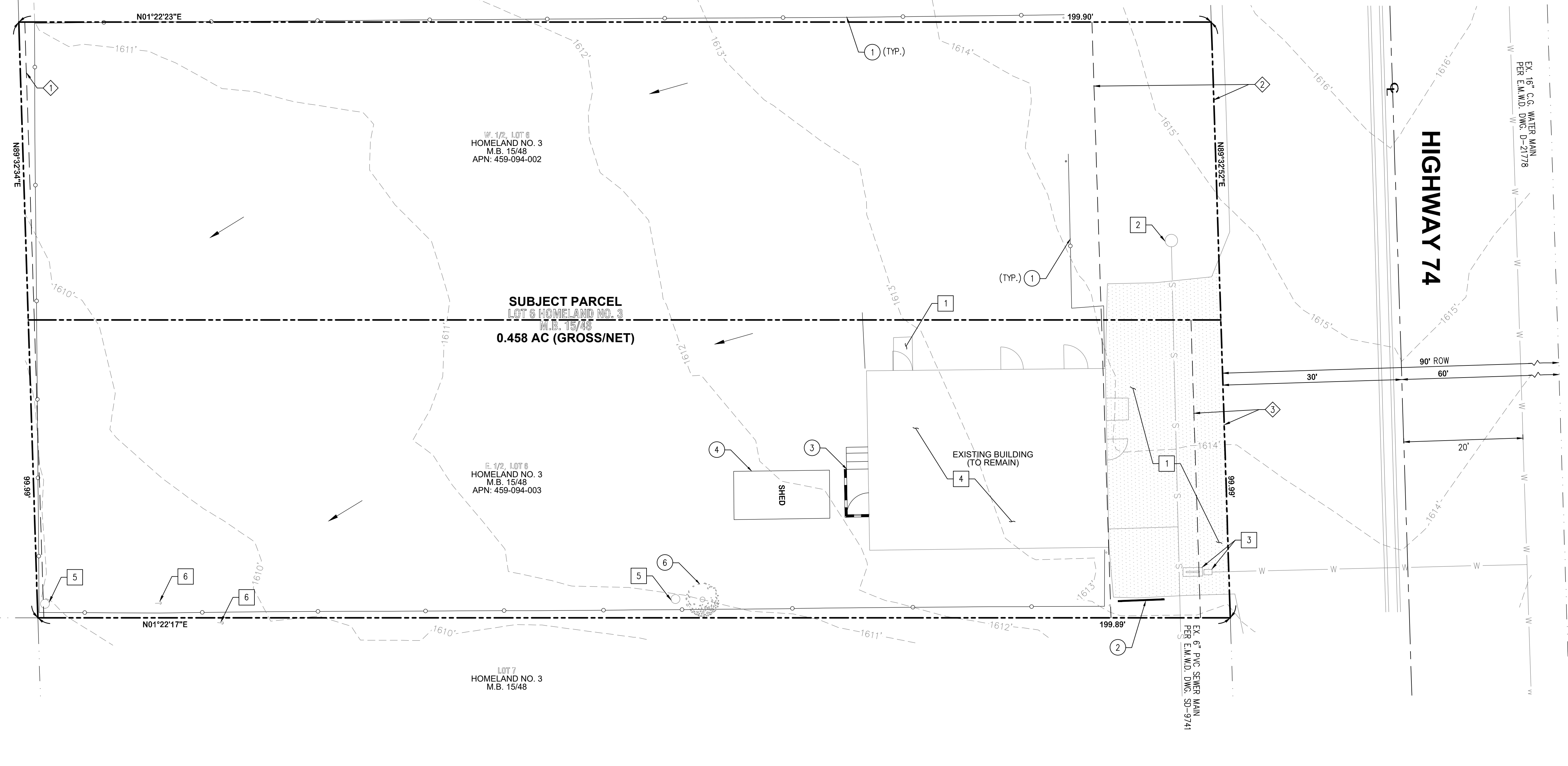
FOR
31431 HIGHWAY 74
CONDITIONAL USE PERMIT
 COUNTY OF RIVERSIDE, CALIFORNIA
 APNS: 459-094-002 & 459-094-003



TOPOGRAPHY LEGEND

NOTE: ALL SYMBOLS OR LINETYPES SHOWN BELOW MAY NOT BE INCORPORATED ON THIS DRAWING.

- PROPERTY BOUNDARY LINE
- CENTERLINE
- ADJACENT BOUNDARY/ RIGHT OF WAY LINE
- EASEMENT LINE
- EXISTING CONTOURS
- OH-ELEC OVERHEAD ELECTRICAL LINE
- COMM- COMMUNICATION LINE
- EXISTING CHAIN LINK FENCE
- EXISTING WROUGHT IRON FENCE
- BLOCK WALL
- INDICATES RESTRICTED ACCESS
- ZONING BOUNDARY
- ASSESSOR'S PARCEL NUMBER
- RIGHT OF WAY
- PROPERTY LINE
- CENTER LINE
- FACE OF CURB
- WALL
- FENCE
- INVERT
- ICV IRRIGATION CONTROL VALVE
- PBX PULLBOX
- FDC FIRE DEPARTMENT CONNECTION
- PIV POST INDICATOR VALVE
- BFP BACKFLOW PREVENTOR
- ELEC ELECTRIC
- COMM COMMUNICATION
- X=BHL BUILDING HEIGHT LOCATION
- FIRE HYDRANT
- LIGHT WITH CONCRETE BASE
- WATER VALVE
- GAS VALVE
- STORM DRAIN MANHOLE
- SANITARY SEWER MANHOLE
- SEWER CLEANOUT
- GREASE INTERCEPTOR MANHOLE
- COMMUNICATION MANHOLE
- SPOT ELEVATIONS
- STREET SIGN
- UTILITY POLE
- GUY WIRE
- EXISTING BOLLARD
- TRAFFIC SIGNAL/LIGHT POLE
- FOUND MONUMENT AS DESCRIBED
- SET 5/8" I.P. W/ PLASTIC CAP
- EXISTING BUILDING WITH OVERHANG
- AB AGGREGATE BASE
- AC ASPHALT CONCRETE
- APN ASSESSOR PARCEL NUMBER
- BC BACK OF CURB
- CL CENTERLINE
- CONC CONCRETE
- FF FINISHED FLOOR
- FG FINISHED GRADE
- FL FLOW LINE
- FS FINISHED SURFACE
- GB GRADE BREAK
- INV INVERT
- MH MANHOLE
- NTS NOT TO SCALE
- PCC PORTLAND CEMENT CONCRETE
- PL PROPERTY LINE
- PVC POLYVINYL CHLORIDE
- R/W ROW RIGHT-OF-WAY
- SD STORM DRAIN
- SF SQUARE FOOT
- TC TOP OF CURB
- XXX.XX PROPOSED ELEVATION
- (XXX.XX) EXISTING ELEVATION
- DRAINAGE FLOW DIRECTION



EASEMENT NOTES

- 1. UTILITY EASEMENT CENTERLINE TO SOUTHERN SIERRAS POWER COMPANY RECORDED JANUARY 9, 1937 IN BOOK 310, PAGE 82, O.R.
- 2. 20' SEWER AND ROAD EASEMENT TO EASTERN MUNICIPAL WATER DISTRICT RECORDED NOVEMBER 21, 1989 IN BOOK 1989, PAGE 408487, O.R.
- 3. 5' UTILITY EASEMENT TO GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED AUGUST 29, 1978 IN BOOK 1978, PAGE 182775, O.R.

PRELIMINARY EARTHWORK QUANTITIES

FILL:	200 CY
CUT:	200 CY
NET:	0 CY EXPORT

NOTE: EARTH WORK QUANTITIES ARE RAW ESTIMATES ONLY. THEY DO NOT REFLECT SUBSIDENCE, OR ANY MATERIAL GENERATED BY UTILITY TRENCHING AND BUILDING FOOTINGS. THE QUANTITIES SHOWN ABOVE ARE INTENDED FOR USE IN ESTABLISHING GOVERNING AGENCY FEES. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE QUANTITIES FOR BID PURPOSES. ANY EXPORT OR IMPORT REQUIRE TO BALANCE THE SITE SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

PROJECT DESCRIPTION

PROPOSED COMMERCIAL CANNABIS RETAIL.

BASIS OF BEARINGS

BEING THE CENTERLINE OF HIGHWAY 74, AS SHOWN ON THE RECORD OF SURVEY RECORDED IN BOOK 115, PAGES 29-32, OF RECORDS OF SURVEY, BEING: N 89°32'52" E

BASIS OF ELEVATION

THE OFF-SITE BENCHMARK IS BASED ON NAVD 1988 DATUM. BENCHMARK USED IS 0.8 MILES NORTH ALONG THE JUNIPER FLATS ROAD, 0.1 MILE WEST OF A CURVE NEAR A ROCKY POINT, 50 YARDS EAST OF THE JUNCTION OF A DIRT ROAD LEADING NORTH, 58 FEET NORTH OF THE CENTERLINE OF THE ROAD (ALICANTE DRIVE), AND IN THE TOP OF THE MIDDLE ONE OF THREE LARGE EMBEDDED BOULDERS.

DESIGNATION: S 311 ELEVATION: 1725.0 FEET.

FLOOD DESIGNATION

PER FLOOD INSURANCE RATE MAP NO. 06065C2080H, THE PROJECT SITE LIES IN FLOOD ZONE "X". FLOOD ZONE "X" DESIGNATION IS DEFINED AS: "AREAS WITH MINIMAL FLOOD HAZARD." PER THE FEMA WEB SITE, MORE INFORMATION CAN BE GATHERED AT WWW.FEMA.GOV.

SHEET INDEX

SHEET C1	EXISTING CONDITIONS & DEMOLITION PLAN
SHEET C2	PRELIMINARY GRADING & UTILITY PLAN

DEMOLITION NOTES

- 1. REMOVE EXISTING CHAIN LINK FENCE.
- 2. REMOVE EXISTING SIGN.
- 3. REMOVE EXISTING STAIRS AND WALL.
- 4. REMOVE EXISTING SHED.
- 5. REMOVE EXISTING OVERHEAD SERVICE POLE AND ASSOCIATED OVERHEAD LINES.
- 6. REMOVE EXISTING TREE.

PROTECTION NOTES

- 1. EXISTING PAVEMENT TO REMAIN, PROTECT IN PLACE.
- 2. EXISTING SEWER MANHOLE TO REMAIN, PROTECT IN PLACE.
- 3. EXISTING DOMESTIC WATER METER AND BACKFLOW PREVENTION DEVICE TO REMAIN, PROTECT IN PLACE.
- 4. EXISTING BUILDING TO REMAIN, PROTECT IN PLACE.
- 5. EXISTING POWER POLE TO REMAIN, PROTECT IN PLACE.
- 6. EXISTING POWER POLE GUY WIRE TO REMAIN, PROTECT IN PLACE.

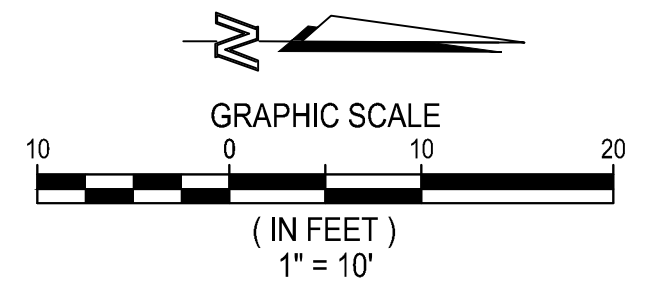
PROJECT STATISTICS

APN: 459-094-002	APN: 459-094-003
GROSS LOT AREA: 0.229 AC / 9,988.60 SF	GROSS LOT AREA: 0.229 AC / 9,988.60 SF
NET LOT AREA: 0.229 AC / 9,988.60 SF	NET LOT AREA: 0.229 AC / 9,988.60 SF
DISTURBED AREA: 0.229 AC / 9,988.60 SF	DISTURBED AREA: 0.229 AC / 9,988.60 SF
ZONING: EXISTING: R-R	ZONING: EXISTING: C-P-S

PROJECT CONTACTS

ARCHITECT
 HESTIA ATELIER DESIGN ARCHITECTURE
 555 ANTON BLVD. SUITE 150
 COSTA MESA, CA 92626
 HIDE IWAGAMI, CEO
 TEL: (949) 230-6006

ENGINEER
 ATLAS CIVIL DESIGN, INC.
 872 HICUERA STREET
 SAN LUIS OBISPO, CA 93401
 SHANNON DAVIS, PE, MS
 TEL: (619) 307-2749



Civil Engineering • Site Optimization
 www.AtlasCivilDesign.com
 Tel: 1-619-307-2749

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REGISTERED PROFESSIONAL ENGINEER
 SHANNON DAVIS
 CIVIL
 STATE OF CALIFORNIA # 4364

NOT FOR CONSTRUCTION

DATE	REVISIONS	BY

PRELIMINARY ENGINEERING
 31431 HWY 74
 HOMELAND, CA 92548

EXISTING CONDITIONS/DEMOLITION PLAN

PROJECT NUMBER: 22-039
 PREPARED ON: 4/12/22
 REVISED ON: 4/24/23
 PREPARED BY: JRC
 CHECKED BY: SDD

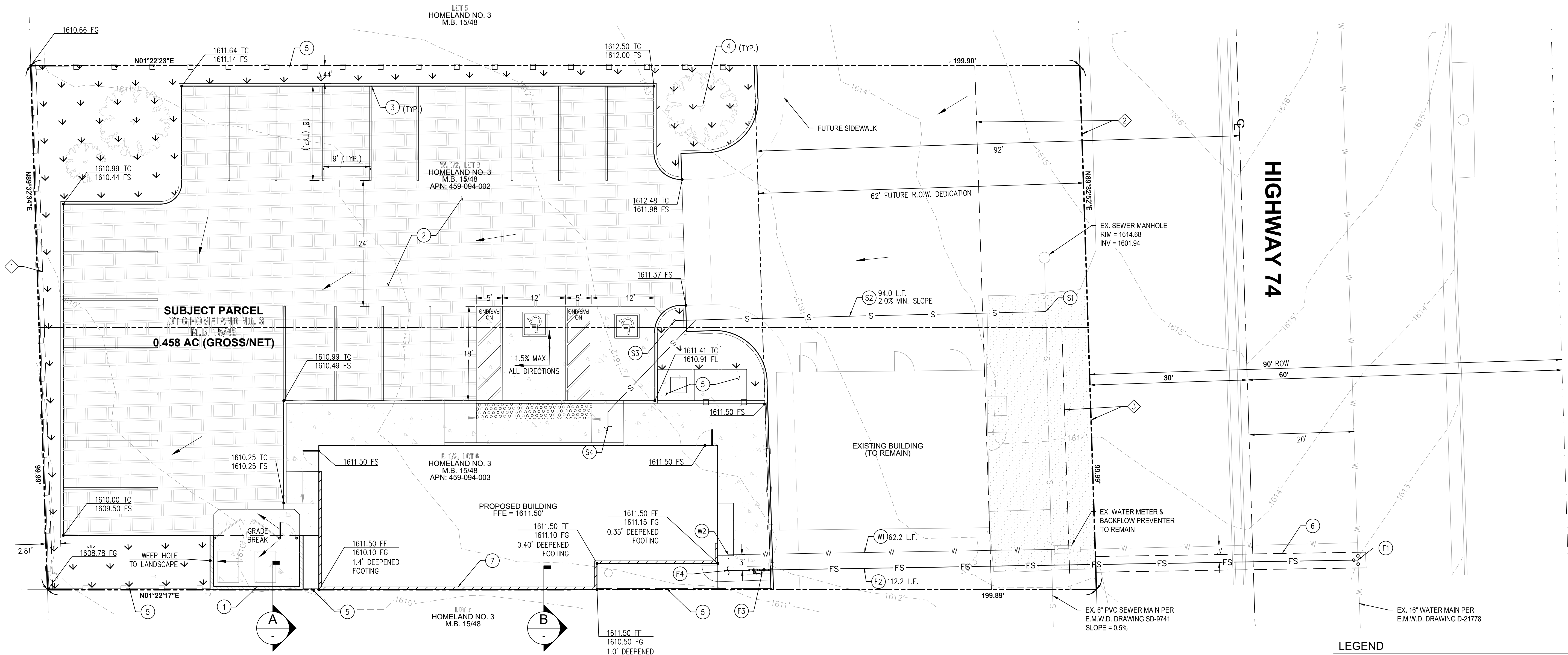
C1 SHEET OF 2

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Underground Service Alert of Southern California

THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING - ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO ATLAS CIVIL DESIGN WITHOUT DELAY. THE COPYRIGHTS TO ALL DESIGNS AND DRAWINGS ARE THE PROPERTY OF ATLAS CIVIL DESIGN. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY ATLAS CIVIL DESIGN IS FORBIDDEN.

PRELIMINARY GRADING AND UTILITY PLAN



UTILITY GENERAL NOTES

- THE UNDERGROUND UTILITIES AS SHOWN HEREON HAVE BEEN LOCATED FROM OBSERVED FIELD SURVEY EVIDENCE AND EXISTING DRAWINGS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: PLANS PROVIDED BY THE CLIENT, UTILITY COMPANIES, AND MUNICIPAL AGENCIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES NOT CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

FIRE GENERAL NOTES

- UTILITIES PROVIDED ARE FOR REFERENCE ONLY. SEPARATE PERMITS MAY BE REQUIRED. CONTRACTOR TO COORDINATE WITH WATER PURVEYOR AND LOCAL PUBLIC WORKS INSPECTOR PRIOR TO INSTALLATION OF SERVICES.
- UNDERGROUND FIRE PIPE SIZES AND CALCULATION SHALL BE REVIEWED AND APPROVED BY FIRE PROTECTION COMPANY PRIOR TO INSTALLATION.
- PIV AND FDC NOTES:
 - THE DEVICE SHALL BE PREASSEMBLED AS A UNIT AT THE FACTORY OR AS APPROVED EQUAL IF FURNISHED OTHERWISE. EACH COMPONENT SHALL MEET CURRENT AWWA OR USC SPECIFICATIONS.
 - INSTALLATION AND MATERIALS SHALL CONFORM TO CURRENT LOCAL AND DHS CODE.

EASEMENT NOTES

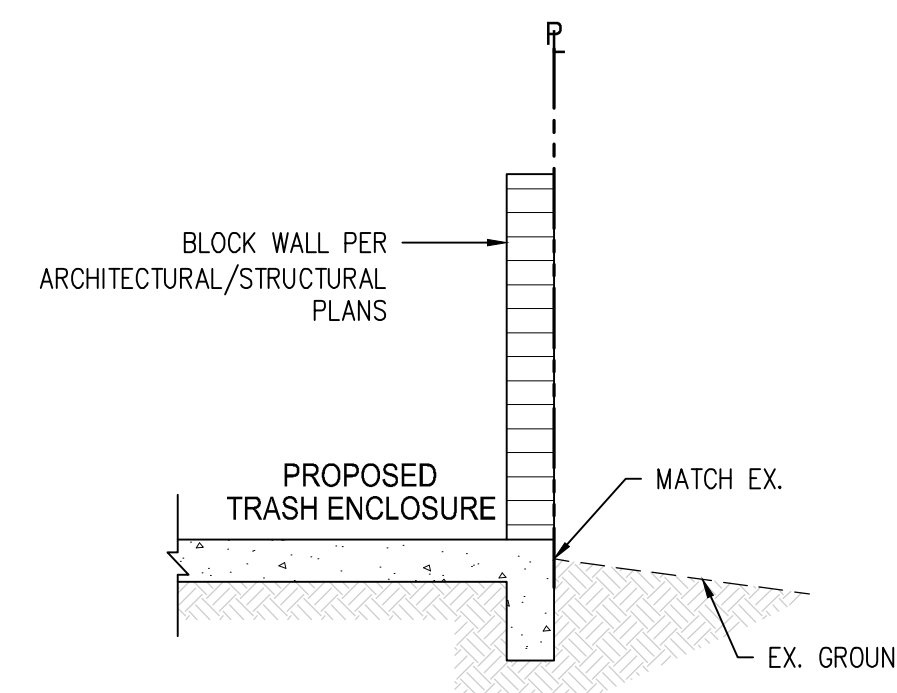
- UTILITY EASEMENT CENTERLINE TO SOUTHERN SIERRAS POWER COMPANY RECORDED JANUARY 9, 1937 IN BOOK 310, PAGE 82, O.R.
- 20' SEWER AND ROAD EASEMENT TO EASTERN MUNICIPAL WATER DISTRICT RECORDED NOVEMBER 21, 1989 IN BOOK 1989, PAGE 408487, O.R.
- 5' UTILITY EASEMENT TO GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED AUGUST 29, 1978 IN BOOK 1978, PAGE 182775, O.R.

WATER CONSTRUCTION NOTES

- (W1) PROPOSED 1" WATER SERVICE LATERAL. CONNECT TO EXISTING DOMESTIC WATER BACKFLOW DEVICE.
- (W2) WATER CONTINUATION PER PLUMBING PLAN. CIVIL DESIGN TERMINATES 5' EXTERIOR OF BUILDING FACE.

FIRE CONSTRUCTION NOTES

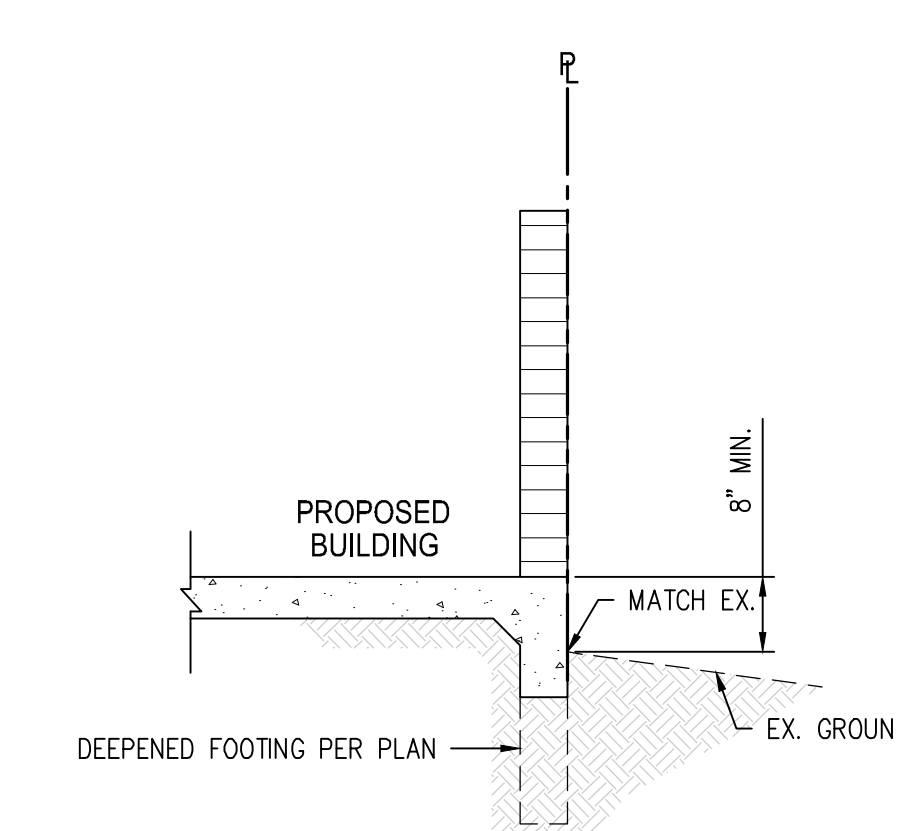
- (F1) CONNECT TO EXISTING 16" CML&C C.G. WATER PIPE.
- (F2) PROPOSED 6" PVC FIRE WATER SERVICE.
- (F3) PROPOSED 6" DOUBLE DETECTOR CHECK ASSEMBLY.
- (F4) CONTINUE TO FIRE RISER ROOM PER FIRE PROTECTION SPRINKLER AND MECHANICAL PLANS. CIVIL DESIGN TERMINATES 5' EXTERIOR OF BUILDING FACE.



A TYPICAL SECTION @ TRASH ENCLOSURE
NOT TO SCALE

SEWER CONSTRUCTION NOTES

- (S1) PRIVATE SEWER LATERAL CONNECTION TO EXISTING PUBLIC 6" P.V.C. SEWER MAIN PER E.M.W.D. STANDARD DRAWING SB-176.
- (S2) PROPOSED 4" P.V.C. SEWER LATERAL PER E.M.W.D. STANDARD DRAWINGS SB-158 & SB-177.
- (S3) PROPOSED 4" P.V.C. SEWER CLEANOUT PER E.M.W.D. STANDARD DRAWING SB-52.
- (S4) SEWER CONTINUATION PER PLUMBING PLAN. CIVIL DESIGN TERMINATES 5' EXTERIOR OF BUILDING FACE.



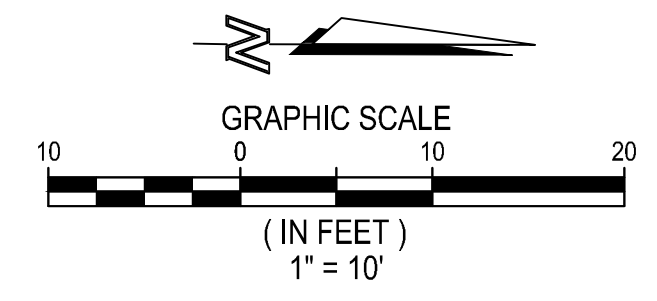
B TYPICAL SECTION AT BUILDING
NOT TO SCALE

CONSTRUCTION NOTES

- TRASH ENCLOSURE PER ARCHITECTURAL PLANS.
- PERMEABLE PAVERS WITH GRAVEL SECTION FOR STORMWATER STORAGE.
- PROPOSED 6" CURB.
- PROPOSED TREE, BY OTHERS.
- PROPOSED FEATURE PER ARCHITECTURAL PLANS.
- PROPOSED TRENCHING PER E.M.W.D. STANDARD DRAWING B-286B.
- PROPOSED BUILDING DEEPEMED FOOTING.

LEGEND

- PROPERTY BOUNDARY
- CENTERLINE
- LINE EASEMENT LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- CHAIN LINK FENCE
- SANITARY SEWER
- WATER MAIN
- FIRE WATER MAIN
- PROPOSED CONCRETE
- EXISTING AC PAVEMENT
- PROPOSED LANDSCAPE
- PROPOSED PERMEABLE PAVERS
- FIRE DEPARTMENT CONNECTION
- FIRE HYDRANT
- STORM VALVE
- STORM DRAIN STRUCTURE AS NOTED
- SANITARY SEWER MANHOLE
- SEWER CLEANOUT
- STREET SIGN
- LIGHT
- BOLLARD
- DIRECTION OF SURFACE FLOW



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4364
CIVIL
OF CALIFORNIA

NOT FOR CONSTRUCTION

DATE	BY	REVISIONS

PRELIMINARY ENGINEERING
31431 HWY 74
HOMELAND, CA 92548

PRELIMINARY GRADING
AND UTILITY PLAN

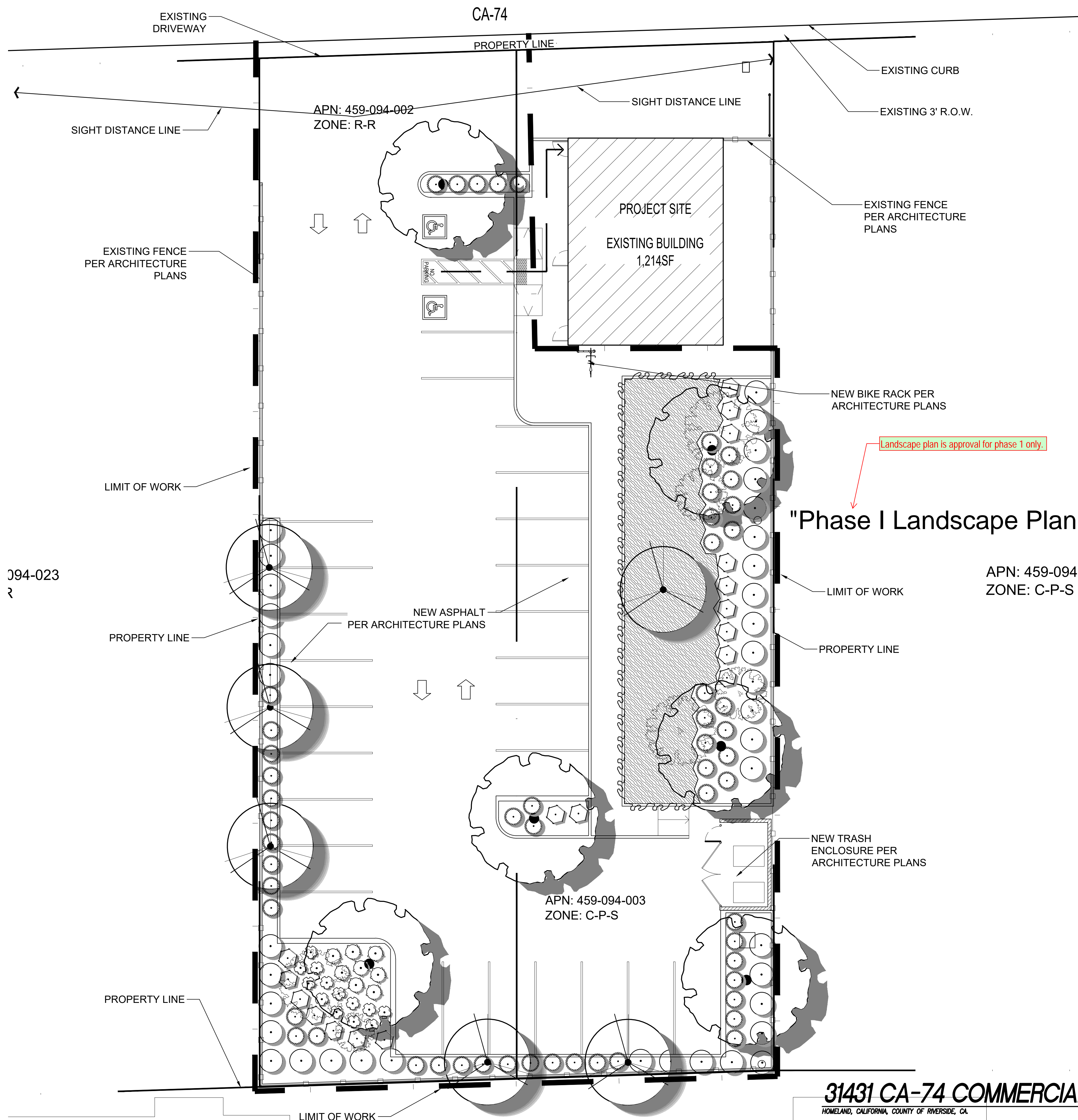
PROJECT NUMBER: 22-039
PREPARED ON: 4/12/22
REVISED ON: 4/24/23
PREPARED BY: JRC
CHECKED BY: SDD

C2 OF 2

P:\2022\22-039_31431 HWY 74 HOMELAND\CD\DWG\PRELIMINARY IMPROVEMENT PLANS\22-039 PRELIMINARY ENGINEERING.DWG - PLOT DATE: April 24, 2023



THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING - ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO ATLAS CIVIL DESIGN WITHOUT DELAY. THE COPYRIGHTS TO ALL DESIGNS AND DRAWINGS ARE THE PROPERTY OF ATLAS CIVIL DESIGN. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY ATLAS CIVIL DESIGN IS FORBIDDEN.



PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	PF	QTY	REMARKS
	Parkinsonia x 'Desert Museum' / Desert Museum Palo Verde	24" Box		L	6	
	Prosopis glandulosa 'Thornless AZT' / Thornless Honey Mesquite	36" Box		L	6	
SHRUBS	BOTANICAL / COMMON NAME	CONT	PF	QTY		
	Calylophus berlandieri / Berlandier's Sundrops	1 Gal.	L		8	
	Hesperaloe parviflora / Red Yucca	1 Gal.	L		13	
	Leucophyllum frutescens 'Green Cloud' TM / Green Cloud Texas Ranger	5 Gal.	L		38	
	Muhlenbergia rigens / Deer Grass	5 Gal.	L		56	
	Salvia apiana / White Sage	5 Gal.	L		18	
SHRUB AREAS	BOTANICAL / COMMON NAME	CONT	PF	SPACING	QTY	
	Lantana montevidensis 'New Gold' / New Gold Spreading Lantana	1 Gal.	L	36" o.c.	152	

Landscape plan is approval for phase 1 only.

"Phase I Landscape Plan"

APN: 459-094-ZONE: C-P-S

SOIL TEST
AFTER SOIL HAS BEEN SET IN PLACE & PRIOR TO ANY SOIL PREPARATION, THE CONTRACTOR SHALL FURNISH SOIL TESTS OF THE SITE FOR AGRICULTURAL FERTILITY AND TO DETERMINE PROPER SOIL AMENDMENTS. TEST ARE TO BE PERFORMED BY A MEMBER OF THE CALIFORNIA ASSOCIATION OF AGRICULTURAL LABORATORIES USING ORGANIC FERTILIZER AND SOIL CONDITIONERS DERIVED FROM COMPOSTED HIGHER PLANT FORMS WITH COPIES SENT TO THE OWNER, CITY OF LANDSCAPE ARCHITECT & LANDSCAPE ARCHITECT, PRIOR TO INSTALLATION.

SOIL PREPARATION
THE FOLLOWING IS PROVIDED FOR BID PURPOSES ONLY AND SHALL BE MODIFIED AS NECESSARY GIVEN THE RESULTS OF THE SOILS TEST. THE CONTRACTOR SHALL BE PREPARED TO PROVIDE DELIVERY SLIPS AND EMPTY FERTILIZER BAGS ON SITE FOR VERIFICATION OF MATERIAL.

- BACKFILL MIX FOR USE OF PLANTING ALL TREES, SHRUBS & VINES INCORPORATE TRI-C HUMATE @ 5-6 LBS/CU.YD OF BACKFILL MIX
- PLANT TABLET FOR ALL TREES, SHRUBS, VINES AND GROUNDCOVERS:
(22-48) TRI-C MYCO TABS FOR ALL BOX SIZED TREES 24" BOX OR LARGER
(2) TRI-C MYCO TABS PER 1 GALLON STOCK
(8) TRI-C MYCO TABS PER 5 GALLON STOCK
(16) TRI-C MYCO TABS PER 15 GALLON STOCK
(1) TRI-C MYCO TABS FOR EACH GROUNDCOVER HOLE

INSTALL TRI-C MYCO TABLETS PER MFG. RECOMMENDATIONS
AVAILABLE THROUGH:
TRI-C ORGANICS 1-800-927-3311

TOP DRESSING
ALL SHRUBS AND GROUNDCOVER AREAS ARE TO BE TOP DRESSED WITH 3" THICK LAYER OF LOCALLY PRODUCED DECORATIVE ROCK MULCH (3" MINUS) OR APPROVED EQUIVALENT UNLESS OTHERWISE SPECIFIED. INSTALL MULCH PRIOR TO GROUND COVER PLANTING.

PROJECT CONTACTS:
Architect:
Hestia Atelier Architecture
3 Peters Canyon, Suite 101
Irvine, CA 92626
Contact: Hide Iwagami
(949) 230-6006

Civil Engineer:
Atlas Civil Design, Inc.
872 Higuera Street
San Luis Obispo, CA 93401
Contact: Shannon Davis
(619) 307-2749

Landscape Architect:
Wilson Davis Associates
Landscape Architecture
2825 Litchfield Dr.
Riverside, CA 92503
Ph.(951) 353-2436
Contact: Tim Davis

DESCRIPTION OF DESIGN APPROACH:
THE DESIGN FOR THIS PROJECT EMPHASIZES ITS USE OF A LOW-WATER USE PALETTE OF ORNAMENTAL PLANT MATERIAL AND ENVIRONMENTAL SENSITIVITY TO CREATE A SUSTAINABLE DESIGN THAT REFLECTS THE ADJOINING COMMUNITY AND IS A COMPLIMENT TO COMMERCIAL LANDSCAPE DESIGNS WITHIN RIVERSIDE COUNTY.

SITE INFORMATION :

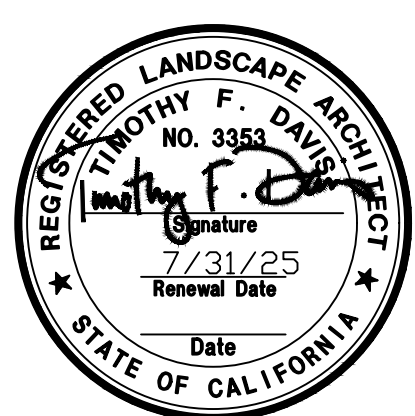
- * THIS PROJECT SITE IS NOT A PART OF A COMMUNITY DESIGN GUIDELINE AREA OR DISTRICT TO THE BEST OF OUR KNOWLEDGE.
- * THIS PROJECT SITE IS NOT A PART OF AN ADOPTED OR PROPOSED SPECIFIC PLAN TO THE BEST OF OUR KNOWLEDGE.
- * THIS PROJECT IS NOT AMONG THE FIRST PARCELS TO BE DEVELOPED WITHIN THE AREA AND THUS IS NOT INTENDED TO ESTABLISH A DESIGN THEME FOR THE VICINITY.
- * THERE ARE NO DISTINGUISHING LANDSCAPE ELEMENTS WITHIN 200' OF THIS SITE TO COORDINATE A LANDSCAPE DESIGN THEME FOR CONSISTENCY.

"Prior to project construction, I agree to submit a complete Landscape Construction Document Package that complies with the requirements of applicable ordinances, including but not limited to Ordinance No. 850.3, Ordinance 348, Ordinance 461, project Conditions of Approval, and in substantial conformance with the approved Landscape Concept Plan. Should the ordinances be revised, plans may be subject to change."

ALL LANDSCAPING SHALL BE PRIVATELY MAINTAINED

LANDSCAPE CONCEPTUAL PLAN APPROVAL_AME_08-24-23
DISCLAIMER: DEFICIENCIES SHOWN ON THE REDLINES MAY BE ADDRESSED AT CONSTRUCTION DOCUMENT LEVEL AND DO NOT REQUIRE RE-SUBMITTAL OF THE LANDSCAPE CONCEPT PLAN. HOWEVER, IF THE SITE LAYOUT CHANGES SIGNIFICANTLY A RESUBMITTAL AT THE CONCEPT LEVEL WHICH ADDRESSES ALL COMMENTS ON THE DRAWINGS WILL BE REQUIRED.

31431 CA-74 COMMERCIAL SITE
HOMELAND, CALIFORNIA, COUNTY OF RIVERSIDE, CA
JUNE 20, 2022



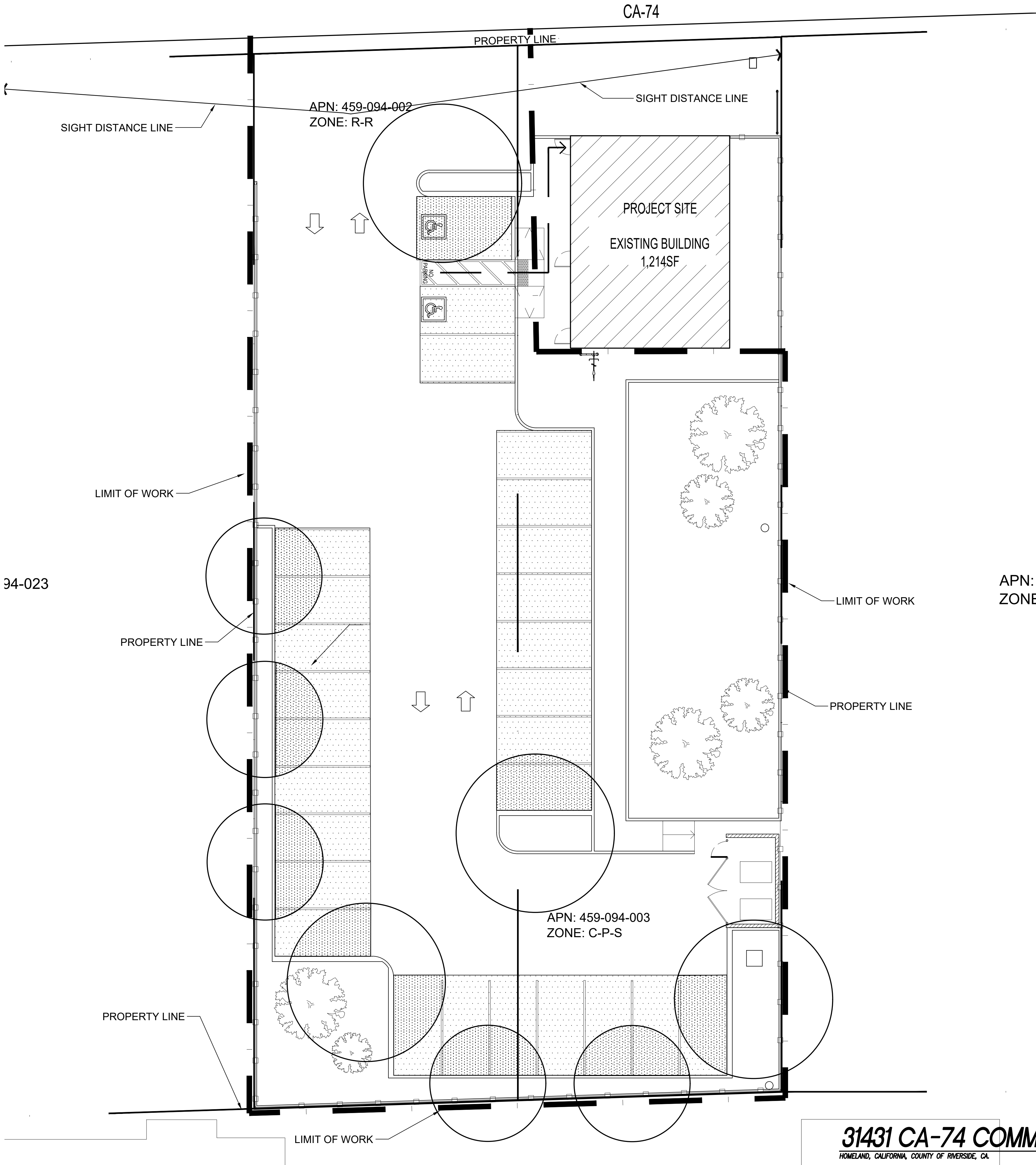
Wda!
Wilson Davis Associates
Landscape Architecture
2825 Litchfield Dr.
Riverside, CA 92503
Ph.(951) 353-2436

PHASE 1 ONLY PRELIMINARY LANDSCAPE PLAN

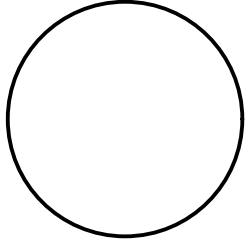
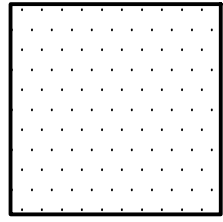
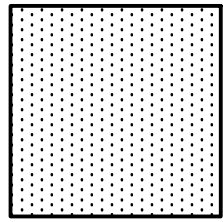
SCALE : 1"= 10'-0"

L1.0

JOB NO. 21027



PARKING LOT SHADING ANALYSIS

-  TREE CANOPIES ARE BASED ON 75% OF MAXIMUM GROWTH PER THE COUNTY OF RIVERSIDE CALIFORNIA FRIENDLY PLANT LIST
-  TOTAL PARKING LOT AREA:
4,506 S.F.
-  TOTAL PARKING SHADING AREA PROVIDED:
1,484 sf

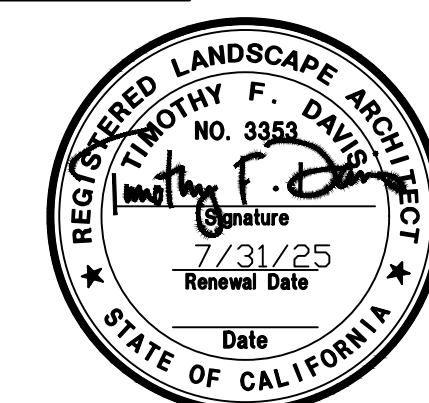
COUNTY REQUIRED PARKING LOT SHADING REQUIREMENT:	
NUMBER OF PARKING SPACES	% OF PARKING AREA TO BE SHADED:
5-24 SPACES	30%:

% OF PARKING AREA SHADING PROVIDED - 1,484 / 4,506 = 33%:

THIS PLAN MEETS OR EXCEEDS THE COUNTY'S MINIMUM SHADING REQUIREMENT

"Prior to project construction, I agree to submit a complete Landscape Construction Document Package that complies with the requirements of applicable ordinances, including but not limited to Ordinance No. 850.3, Ordinance 348, Ordinance 461, project Conditions of Approval, and in substantial conformance with the approved Landscape Concept Plan. Should the ordinances be revised, plans may be subject to change."

31431 CA-74 COMMERCIAL SITE
HOMELAND, CALIFORNIA, COUNTY OF RIVERSIDE, CA JUNE 20, 2022



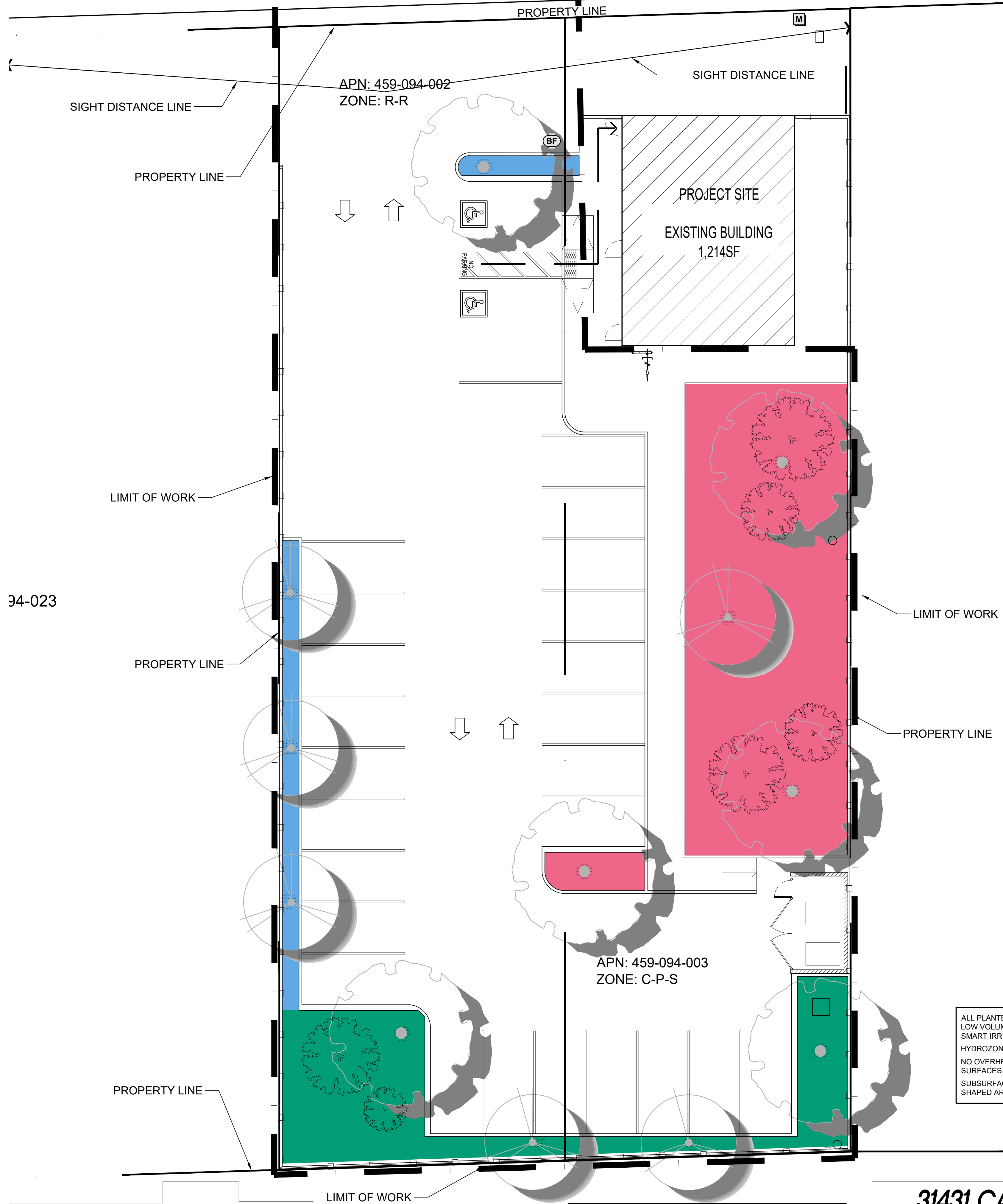
Wda!
Wilson Davis Associates
Landscape Architecture
2825 Litchfield Dr.
Riverside, CA 92503
Ph.(951) 353-2436

PHASE 1 ONLY PARKING LOT SHADING PLAN

SCALE : 1" = 10'-0"

L1.1

JOB NO. 21027



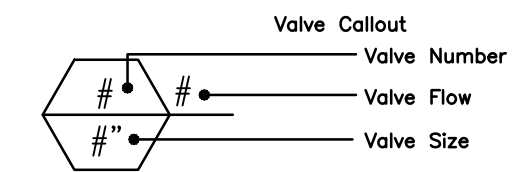
Conceptual irrigation plan is not approved. Only water use calculation worksheet.

IRRIGATION SCHEDULE

SYMBOL	DESCRIPTION	PRECIP	PSI	GPM
[Grey Box]	ZONE 1 BUBBLERS EACH TREE TO RECEIVE (1) RAINBIRD 1300AF ADJ. FLOOD BUBBLER FOR SURFACE APPLICATION AND (1) RAINBIRD ROOT WATERING SYSTEM BUBBLER FOR DEEP ROOT WATERING.	15.6 in/h	30	13
[Blue Box]	ZONE 2 DRIPLINE NETAFIM TLCV-09-12, 0.9 GPH EMITTER AT 12" O.C. SPACE DRIP LINES ROWS AT 12" MIN., 18" MAX.	1.48 in/h	40	5
[Green Box]	ZONE 3 DRIPLINE NETAFIM TLCV-09-12, 0.9 GPH EMITTER AT 12" O.C. SPACE DRIP LINES ROWS AT 12" MIN., 18" MAX.	1.48 in/h	40	18
[Pink Box]	ZONE 4 DRIPLINE NETAFIM TLCV-09-12, 0.9 GPH EMITTER AT 12" O.C. SPACE DRIP LINES ROWS AT 12" MIN., 18" MAX.	1.48 in/h	40	38

SYMBOL MANUFACTURER/MODEL/DESCRIPTION

- [BF] Febco 825Y 1" Reduced Pressure Backflow Preventer
- [M] Water Meter 3/4"



Riverside County Ordinance 859 Landscape Water Use Calculations

Project Type Commercial
(Insert Project Name, Description)

0.45 ETo allowance

Applicant to use drop down menus in cells that indicate a selection to describe each hydrozone. Where "INPUT" is shown, applicant to enter project specific information. Please note that embedded formulas will reflect as 'false' or as an error until selections are completed.

1 Maximum Annual Water Allowance (MAWA)

INPUT the total square footage of landscape = 3,159 S.F.
INPUT the Hist. ETo for the area = 55.00

MAWA = 6,481 cu ft / yr

2 Estimated Annual Water Use (EAWU)

Hydrozone #	Plant Factor	Plant Type	Water Use
Hydrozone # 1	0.5	Trees / Mulch	Moderate
INPUT Square Foot Area of Hydrozone = 99			
Hydrozone Irrigation Efficiency = 0.85		Bubblers	
EAWU = 265 cu ft / yr			
Hydrozone # 2	0.2	Shrubs / Groundcover	Low
INPUT square footage of hydrozone = 935			
Hydrozone Irrigation Efficiency = 0.85		In-line Drip-Densely Planted	
EAWU = 1,003 cu ft / yr			
Hydrozone # 3	0.2	Shrubs / Groundcover	Low
INPUT square footage of hydrozone = 1,515			
Hydrozone Irrigation Efficiency = 0.85		In-line Drip-Densely Planted	
EAWU = 1,625 cu ft / yr			
Hydrozone # 4	0.2	Shrubs / Groundcover	Low
INPUT square footage of hydrozone = 610			
Hydrozone Irrigation Efficiency = 0.85		In-line Drip-Densely Planted	
EAWU = 654 cu ft / yr			
Hydrozone # 5	0	n/a	n/a
INPUT square footage of hydrozone = 0			
Hydrozone Irrigation Efficiency = 1		n/a	
EAWU = 0 cu ft / yr			
Hydrozone # 6	0	n/a	n/a
INPUT square footage of hydrozone = 0			
Hydrozone Irrigation Efficiency = 1		n/a	
EAWU = 0 cu ft / yr			

SubTotal EAWU = 3,547 cu ft / yr
Input Irrigation System Operation Factor = 0.85
Total EAWU = 4,173
MAWA - EAWU = 2,308 cu ft / yr
(this number must be positive)

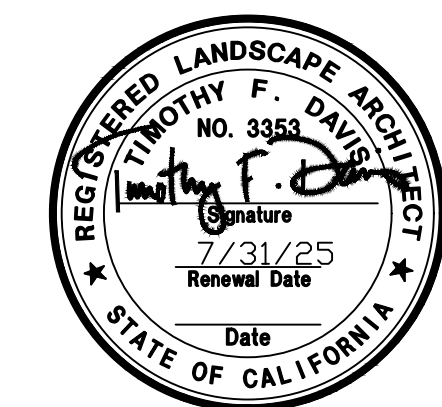
PERCENTAGE OF WATER SAVED RELATIVE TO MAX. ALLOWED = 36%

* Trees are not required to be listed as a separate hydrozone if understory is planted with plants of an equal or higher plant factor, and foot area is already included in calculations.

ALL PLANTER AREAS ARE TO RECEIVE AND AUTOMATIC IRRIGATION CONSISTING OF LOW VOLUME POINT TO POINT OR DRIP LINE. DRIP IRRIGATION, WEATHER BASED SMART IRRIGATION CONTROLLER AND FLOW SENSING.
HYDROZONES WILL BE PROPERLY DESIGNATED.
NO OVERHEAD IRRIGATION IS ALLOWED WITHIN 24" OF NON-PERMEABLE SURFACES.
SUBSURFACE OR LOW-VOLUME IRRIGATION MUST BE USED FOR IRREGULARLY SHAPED AREAS, OR AREAS LESS THAN 10 FEET IN WIDTH.

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31431 CA-74 COMMERCIAL SITE
HOMELAND, CALIFORNIA, COUNTY OF RIVERSIDE, CA
JUNE 20, 2022



Wda!
Wilson Davis Associates
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Riverside, CA 92503
Ph.(951) 353-2436

L1.2

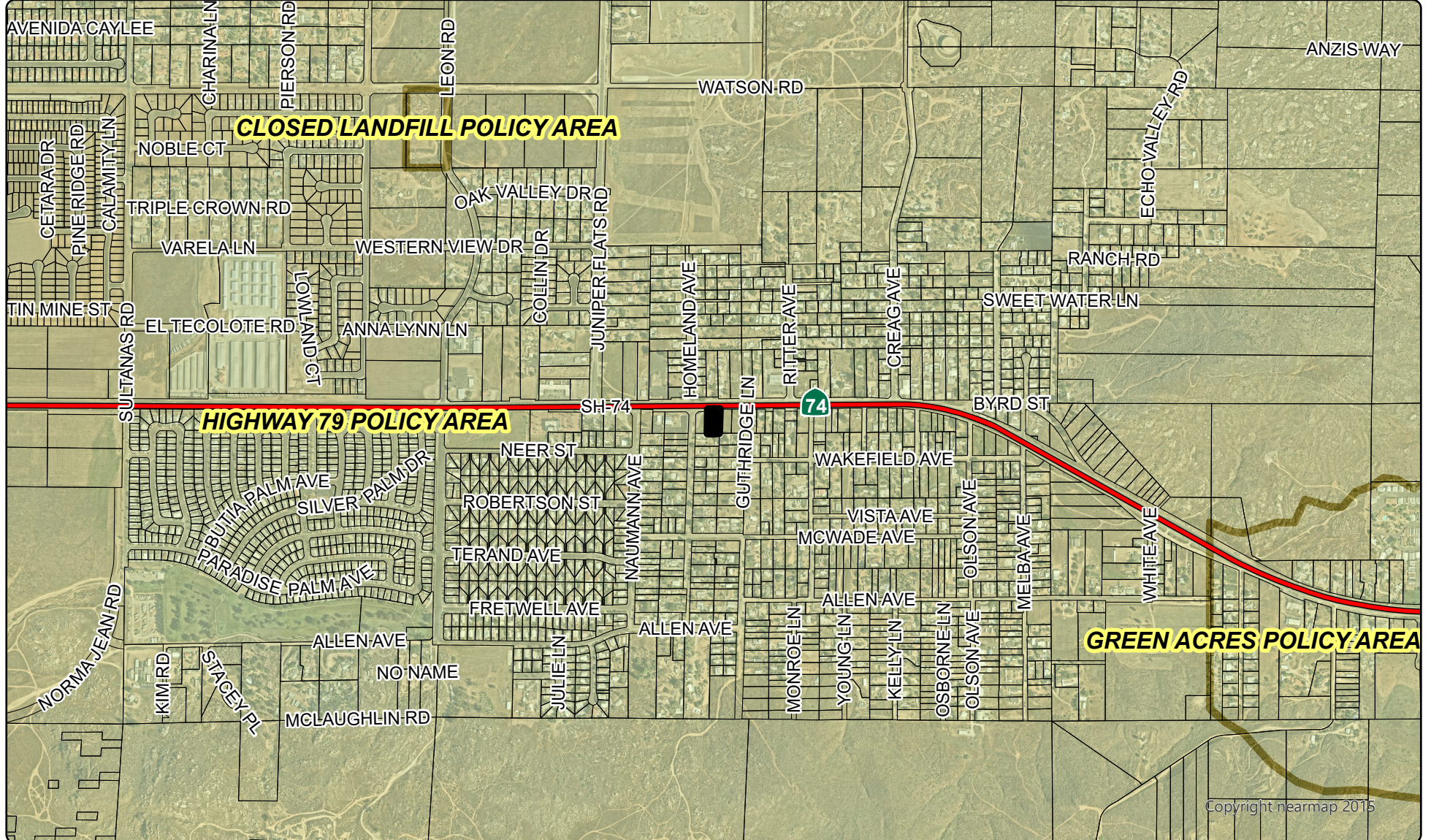
PHASE 1 ONLY SCHEMATIC IRRIGATION PLAN

SCALE : 1" = 10'-0"

RIVERSIDE COUNTY PLANNING DEPARTMENT
CZ2200026 CUP210129 DA2100114
VICINITY/POLICY AREAS

Supervisor: Washington
 District 3

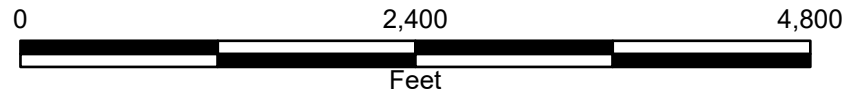
Date Drawn: 10/16/2023
 Vicinity Map



Zoning Area: Homeland

Author: Adam Grim

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type 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)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rcfma.org>



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RIVERSIDE COUNTY PLANNING DEPARTMENT

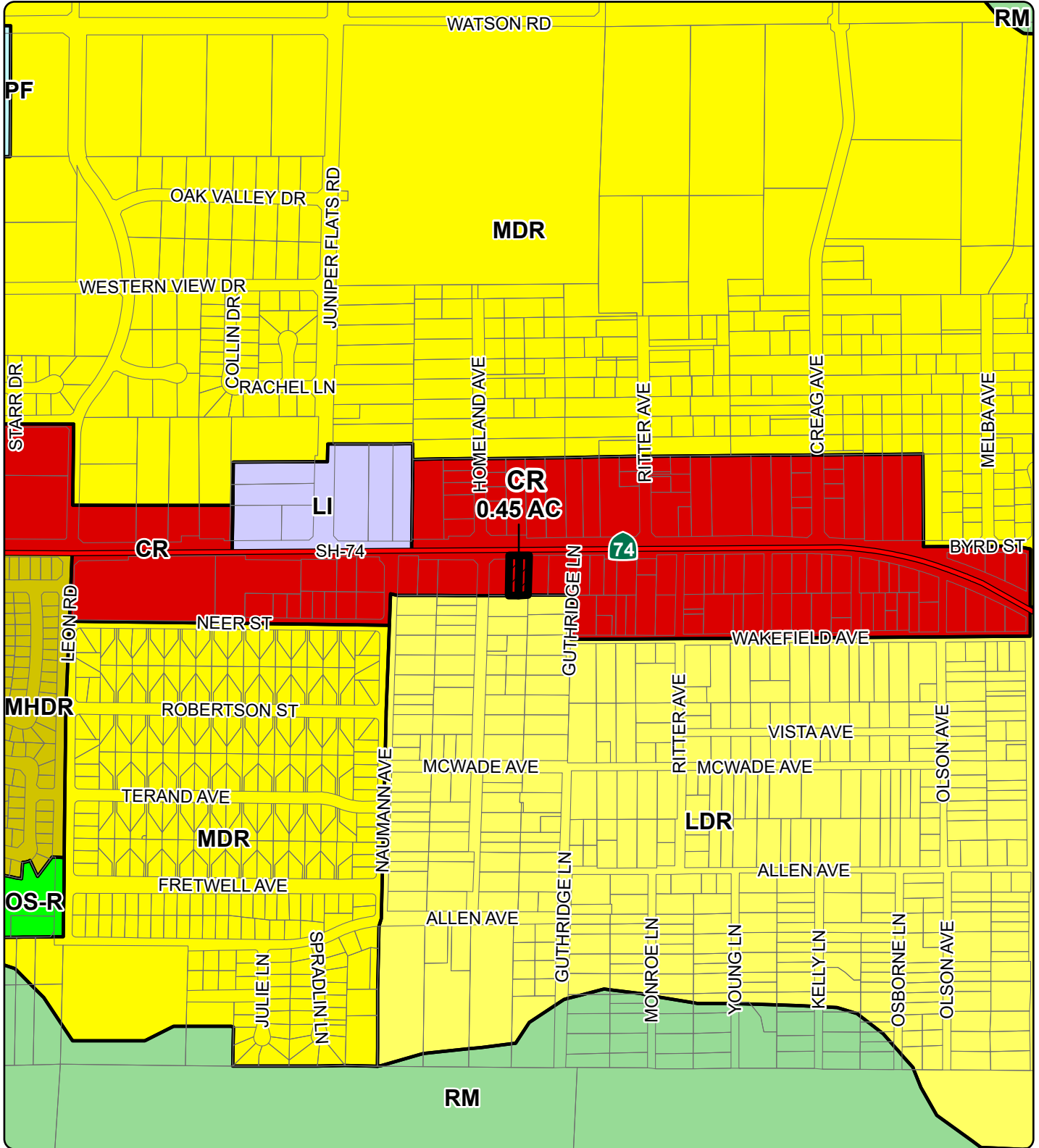
CZ2200026 CUP210129 DA2100114

Supervisor: Washington
District 3

Date Drawn: 10/16/2023

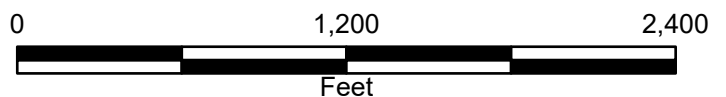
Exhibit 5

EXISTING GENERAL PLAN



Zoning Area: Homeland

Author: Adam Grim



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RIVERSIDE COUNTY PLANNING DEPARTMENT

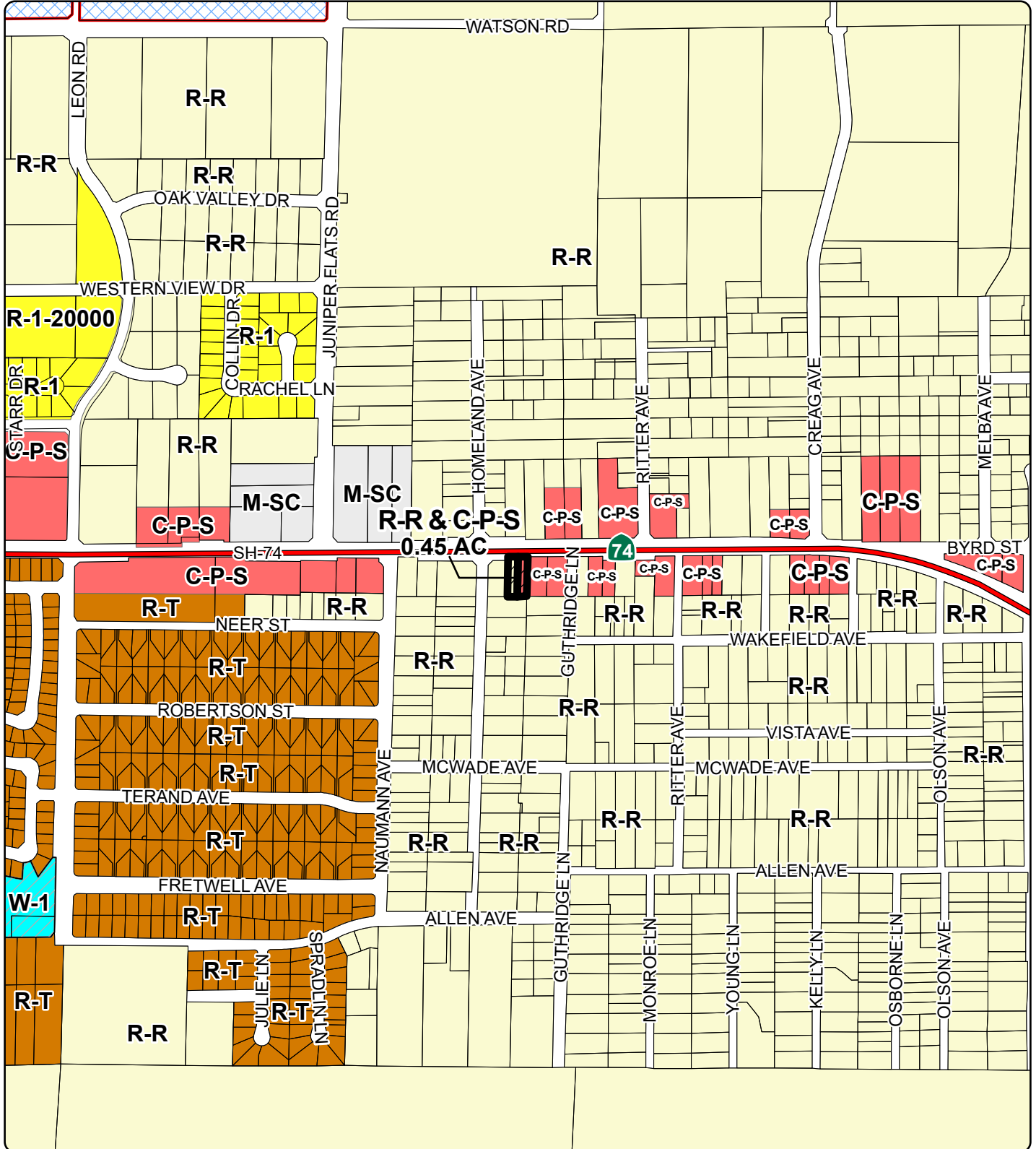
CZ2200026 CUP210129 DA2100114

Supervisor: Washington
District 3

Date Drawn: 10/16/2023

EXISTING ZONING

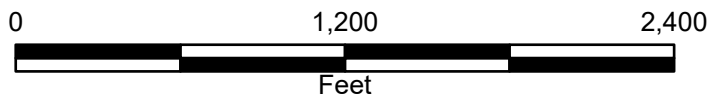
Exhibit 2



Zoning Area: Homeland

Author: Adam Grim

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RIVERSIDE COUNTY PLANNING DEPARTMENT

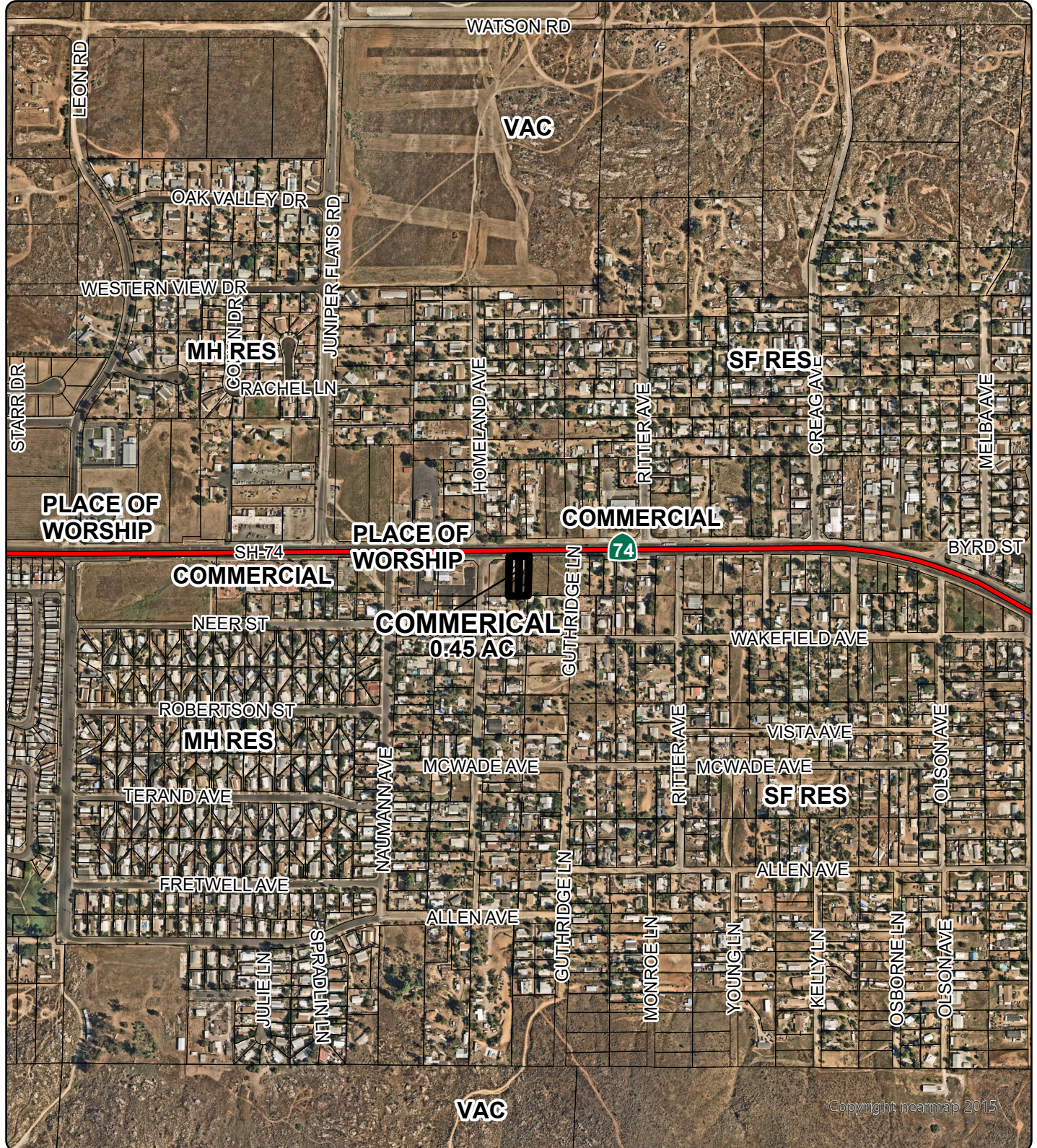
CZ2200026 CUP210129 DA2100114

Supervisor: Washington
District 3

Date Drawn: 10/16/2023

LAND USE

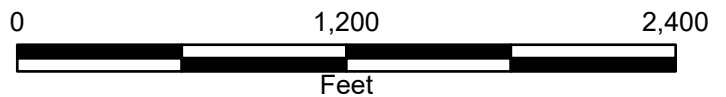
Exhibit 1



Zoning Area: Homeland

Author: Adam Grim

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RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach
TLMA Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044

FROM: Riverside County Planning Department

4080 Lemon Street, 12th Floor
P. O. Box 1409
Riverside, CA 92502-1409

38686 El Cerrito Road
Palm Desert, CA 92201

County of Riverside County Clerk

Project Title/Case No.: Change of Zone No. 2200026, Conditional Use Permit No. 210129, & Development Agreement No. 2100114

Project Location: The Project is located south of Highway 74, east of Homeland Avenue, west of Guthridge Lane, and north of McWade Avenue.

Project Description: Change of Zone No. 2200026 (CZ2200026) is a proposal to change the zoning classification of APN 459-094-002 from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) to bring the site into compliance with the Commercial Retail (CR) land use designation. Conditional Use Permit No. 210129 (CUP210129) is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 square foot structure to operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m. The parking lot will have 27 parking spaces. Due to the required dedication to be given at the property frontage for the Highway 74 roadway expansion, the Project includes a second phase of development to be initiated 5 years after the start of operations. The second phase proposes the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure that would be out of the right of way dedication. The storefront will continue to operate the same hours, with 23 parking spaces to service the operations. Both phases will have 10 employees split amongst 2 shifts, with 5 employees per a shift. Improved landscaping and a trash enclosure are also proposed for both phases. Development Agreement No. 2100114 (DA2100114) is the associated development agreement to CUP210129 and has a term life of 10 years. It will grant the applicant vesting rights to develop the storefront cannabis retailer in accordance with the terms of DA2100114 and CUP210129 and will provide community benefits to the Harvest Valley/Winchester Area.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Manpreet Gill, 1421 Martin Luther King Jr. Dr., Oxnard, CA 93030

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption (Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures))
- Statutory Exemption (_____)
- Other: _____

Reasons why project is exempt: The proposed Project is exempt from California Environmental Quality Act (CEQA) pursuant to Article 5 - Preliminary Review of Projects and Conduct of Initial Study, Section 15061, 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 a proposed retail business that will be occupying an existing, permitted building for the purpose of selling cannabis. No cultivation, testing, microbusiness, or manufacturing is involved with the Project or Project site.

The Project is exempt pursuant to Article 19, Section 15301 (Existing Facilities), which states: Class I 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. The existing site has historically been utilized for commercial uses, and the Project seeks to institute a new retail tenant occupancy of the commercial building. Both the Phase I proposed interior improvements on the existing structure, and the newly reconstructed structure in Phase II would consist of minor alterations to the existing structure that would not significantly expand the use of the site beyond what already exists. As such, the Project falls within the standards for Class I and is in compliance with the guidelines of Article 19, Section 15301 Class 1, Existing Facilities.

Furthermore, this Project is exempt pursuant to Article 19, Section 15303 (New Construction or Conversion of Small Structures). This section exempts construction and location of new, small facilities or structures; and the conversion of existing small structures for one use or another where only minor modifications are made to the exterior of the structure. Phase I of the Project would consist of only minor interior alterations and external façade improvements to the existing structure that would allow for the operation of a retail cannabis facility. Phase II of the Project proposes the deconstruction of the existing structure and reconstruction of a 1,974 square foot structure to replace it. Since the existing structure is located within the future expansion area of Highway 74, phase two would accommodate the required dedication to be given at the property frontage. Since the new building does not exceed 2,500 square feet, does not involve the use of significant amounts of hazardous substances, and will be utilized as a retail storefront, it falls within the standards set by this exemption. Thus, the Project is in compliance with the guidelines of Article 19, Section 15303, New Construction or Conversion of Small Structures.

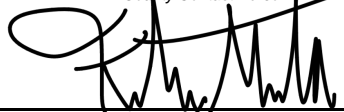
In addition, the Project will not result in any specific or general exceptions to the use of the categorical exemptions as detailed under State CEQA Guidelines section 15300.2. The Project would not lead to cumulative impacts that overtime would be significant since the cannabis facility would operate on a property that has historically been utilized for retail and commercial purposes. Phase I of the Project does not propose any new grading or construction as no significant expansions or alterations to the existing structure or the site are proposed. The new structure proposed in Phase II would not be considered a significant expansion as it is a negligible increase in size from the existing structure, and it is also considered as exempt new construction per Section 15303. Therefore, the Project would not foreseeably create a greater level of potential impacts beyond what already exists, and all future projects that are similar to or are located within the same area will be evaluated pursuant to CEQA. The Project's proposed cannabis use does not qualify as an unusual circumstance since the commercial land use and zoning classification allow the use pursuant to the applicable sections of the General Plan and Ordinance No. 348 for these designations. As such, the Project has been conditioned to comply with all applicable General Plan policies, County Ordinances, and State law for the proposed use. Additionally, the Project's proposed cannabis use does not qualify as an unusual circumstance since the State of California does not consider waste generated by a retail use to be hazardous. As such, the Project is required to maintain any applicable permits from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources, and the Agricultural Commissioner throughout the duration of its operations. The Project is located northerly of Highway 74, which is designated as an eligible State Scenic Highway. However, the permittance of this Project within the existing structure would not result in damage to scenic resources as it would provide minor improvements to an already developed site through means such as landscaping and building refurbishments. These changes would enhance the property from its current appearance, thus serving to improve the aesthetic quality of this development. In addition, the on-site signage that will be affixed to the building has been conditioned to meet the development standards of Section 19.4 of Ordinance No. 348. Therefore, no foreseeable specific or general exceptions to the use of the categorical exemptions would result with approval of this Project.

The Project is also exempt under State CEQA Guidelines section 15061 (b)(3), which states: The activity is covered by the commonsense exemption 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 operate as a retail establishment similar to the activity that has historically been present on-site. Given that the site has already been developed for retail uses, there are no potential impacts related to aesthetics, biological and cultural resources, hydrology, or other similar potential impacts. Lastly, the State classifies cannabis as an organic waste rather than a hazardous waste and has created various rules and regulations related to cannabis waste, particularly for cannabis cultivators. Per these standards, there are no perceived impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis. Therefore, the Project meets the requirements for CEQA exemption per Section 15061(b)(3) as there is no potential that the Project would have a significant physical impact on the environment.

Based on these findings, the Project, as proposed, complies with the guidelines of the California Environmental Quality Act Article 19, Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), and Section 15061(b)(3) (Common Sense Exemption). Therefore, the Project is exempt.

Kathleen Mitchell

County Contact Person



Signature

951-955-6836

Phone Number

Project Planner

Title

10/16/23

Date

Date Received for Filing and Posting at OPR: _____



**COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY**

Charissa Leach, P.E.
Assistant CEO/TLMA Director



10/16/23, 4:06 pm

CUP210129

ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for CUP210129. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of Conditional Use Permit No. 210129 and is intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

Advisory Notification. 2 AND - Project Description & Operational Limits

Conditional Use Permit No. 210129 (CUP210129) is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 square foot structure to operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m. The interior of the building is to be refabricated with new fixtures and walls, and the parking lot is to be re-striped so that there are 27 parking spaces on-site, including 2 ADA parking spaces. Due to the required dedication to be given at the property frontage for the Highway 74 roadway expansion, the Project includes a second phase of development. The second phase initiates the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure that would be out of the right of way dedication. The parking lot is to be re-striped so that there are 23 parking spaces on-site to service the operations, including 2 ADA parking spaces and 1 EV parking space. The storefront will continue to operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m. and both phases of operations will have 10 employees serving the store split amongst 2 shifts, with 5 employees per a shift. Improved landscaping and a trash enclosure are also proposed for both phases.

The Project site is within the Harvest Valley/Winchester Area Plan and the Highway 79 Policy Area. The Project is located south of Highway 74, east of Homeland Avenue, west of Guthridge Lane, and north of McWade Avenue.

Advisory Notification. 3 AND - 5 Year Building Reconstruction Requirement

Within five (5) years of approval of Conditional Use Permit No. 210129, the building within phase 2 shall be constructed and operational, and the implementation of pertinent Transportation Department conditions of approval for dedication and improvements for SH-74 have occurred. If the building within phase 2 is not constructed and operational within 5 years of approval of the CUP, then Conditional Use Permit No. 210129 shall be considered null and void, unless at the discretion of the Planning Director the applicant has demonstrated that they are diligently pursuing and processing the required permits and therefore, at the discretion of the Planning Director, the applicant is granted an appropriate and reasonable extension of time.

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 4 AND - Exhibits

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT(S)

Exhibit A (Site Plan - Phase 1 & 2), dated June 6, 2022

Exhibit B (Floor Plans & Elevations - Phase 1), dated June 6, 2022

Exhibit C (Floor Plans & Elevations - Phase 2), dated June 6, 2022

Exhibit D (EJ Checklist), dated March 15, 2023

Exhibit G (Conceptual Grading Plan), dated April 12, 2022

Exhibit L (Conceptual Landscaping and Irrigation Plans), dated June 20, 2022

Advisory Notification. 5 AND - Federal, State & Local Regulation Compliance

1. Compliance with applicable Federal Regulations, including, but not limited to:
 - National Pollutant Discharge Elimination System (NPDES)
 - Clean Water Act
 - Migratory Bird Treaty Act (MBTA)
2. Compliance with applicable State Regulations, including, but not limited to:
 - The current Water Quality Management Plan (WQMP) Permit issued by the applicable Regional Water Quality Control Board (RWQCB.)
 - Government Code Section 66020 (90 Days to Protest)
 - Government Code Section 66499.37 (Hold Harmless)
 - Native American Cultural Resources, and Human Remains (Inadvertent Find)
 - School District Impact Compliance
 - Current California Building Code requirements
 - California State Cannabis laws and regulations
3. Compliance with applicable County Regulations, including, but not limited to:
 - Ord. No. 348 (Land Use Planning and Zoning Regulations)
 - Ord. No. 413 (Regulating Vehicle Parking)
 - Ord. No. 457 (Building Requirements)
 - Ord. No. 461 (Road Improvement Standards)
 - Ord. No. 655 (Regulating Light Pollution)
 - Ord. No. 671 (Consolidated Fees)
 - Ord. No. 787 (Fire Code)
 - Ord. No. 847 (Regulating Noise)
 - Ord. No. 857 (Business Licensing)
 - Ord. No. 859 (Water Efficient Landscape Requirements)
 - Ord. No. 915 (Regulating Outdoor Lighting)
 - Ord. No. 925 (Prohibiting Marijuana Cultivating)
 - Ord. No. 928 (Clarifying County Prohibition on Mobile Marijuana Dispensaries and Deliveries)

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 5 AND - Federal, State & Local Regulation Compliance (cont.)

4. Mitigation Fee Ordinances

- Ord. No. 659 Development Impact Fees (DIF)
- Ord. No. 810 Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP)
- Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)

Advisory Notification. 6 AND - Hold Harmless

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the CONDITIONAL USE PERMIT; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void, or annul any other decision made by the COUNTY concerning the CONDITIONAL USE PERMIT, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel. Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project, applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION.

To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, applicant/permittee shall make such additional deposits.

ADVISORY NOTIFICATION DOCUMENT

E Health

E Health. 1 DEH - ECP COMMENTS

Based on the information provided in the environmental assessment documents submitted for this project and a site visit conducted by RCDEH-ECP (Riverside County Department of Environmental Health – Environmental Cleanup Program) staff and with the provision that the information was accurate and representative of site conditions, RCDEH-ECP concludes no further environmental assessment is required for this project.

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

E Health. 2 DEH-LEA Clearance

Collection of Solid waste is mandatory by local franchise haulers. Solid waste enclosure shall be constructed in a manner to meet the requirements of SB1383 for organic waste, recyclable and trash. Contact local franchise solid waste hauler for minimum cart size requirements, prior to the construction of solid waste enclosures.

Fire

Fire. 1 Fire - General Conditions

With respect to the planning conditions for the referenced project, the Fire Department requires the following fire protection measures be provided in accordance with Riverside County Ordinances, the 2019 California Fire Code (CFC) as adopted and amended by the County of Riverside and/or recognized fire protection standards.

These conditions are preliminary and further review will be conducted upon receipt of additional entitlement and/or construction submittals. Additional requirements may be required based upon the adopted codes at the time of submittal.

1. Fire Protection Water Supplies/Fire Flow - Minimum fire flow for the construction of all buildings is required per CFC Appendix B or other approved method. Prior to building permit issuance for new construction, the applicant shall provide documentation to show there exists a water system capable of delivering the required fire flow. Specific design features may increase or decrease the required fire flow. Reference CFC 507.3

2. Fire Protection Water Supplies/Hydrants - The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with CFC Appendix C and NFPA 24. Fire hydrants shall be located no more than 400 feet from all portions of the exterior of the building along an approved route on a fire apparatus access road, unless otherwise approved by the Fire Department. Fire hydrants shall be at least 40 feet from the building it is serving. A fire hydrant shall be located within 20 to 100 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are 4" x 2 ½" x 2 ½" (super hydrant). Reference CFC 507.5, CFC Appendix C and NFPA 24 7.2.3

3. Fire Department Access - Fire apparatus access roads shall be provided to within 150 feet of all exterior portions of buildings, unless otherwise approved by the Fire Department. Fire apparatus access roads shall

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 3 Causes for Revocation

In the event the use hereby permitted under this permit is found:

(a) to be in violation of the terms and conditions of this permit; and/or,

(b) to have been obtained by fraud or perjured testimony; and/or,

(c) to be detrimental to the public health, safety, or general welfare, or is a public nuisance,

then this permit shall be subject to revocation procedures.

Planning. 4 Ceased Operations

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this Conditional Use Permit and accompanying Development Agreement approval shall become null and void.

Planning. 5 Comply With Ord./Codes

The development of these premises shall comply with the standards of the M-SC zone of Ordinance No. 348, Article XIXh (Commercial Cannabis Activities) of Ordinance No. 348, and all other applicable Riverside County ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on the approved Exhibits, unless otherwise amended by these conditions of approval.

Planning. 6 General - A. Application Requirements

At the time of filing the application for a Commercial Cannabis Activity on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the land use permit application.

Planning. 7 General - B. State License Required

The applicant or owner of the approved Commercial Cannabis Activity shall file for the required State license within 60 days after obtaining final project approval by the County. Furthermore, the applicant or owner of the approved Commercial Cannabis Activity shall demonstrate that the required State license has been obtained, prior to the County issuing a certificate of occupancy. The State license shall be maintained throughout the operating life of the approved Commercial Cannabis Activity

Planning. 8 General - C. Suspension, Revocation, or Termination of State License

Suspension of a license issued by the State of California, or by any State licensing authority, shall immediately suspend the ability of a Commercial Cannabis Activity to operate within the County until the State, or its respective State licensing authority, reinstates or reissues the State license. Revocation or termination of a license by the State of California, or by any State licensing authority, will also be grounds to revoke or terminate any conditional use permit granted to a Commercial Cannabis Activity pursuant to this Article. Any operator or applicant of a Commercial Cannabis Activity shall provide written notice to the County of any suspension, revocation, or termination of any State license for Commercial Cannabis Activity

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 19

General - N. Security

A Commercial Cannabis Activity shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, to deter and prevent the theft of Cannabis or Cannabis Products at the Commercial Cannabis Activity and to ensure emergency access in accordance with applicable Fire Code standards. Guard dogs shall not be used at the Commercial Cannabis Activity as a security measure. Security measures shall include, but not be limited to, the following:

1. A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity.
2. 24-hour emergency contact information for the owner or an on-site employee which shall be provided to the County.
3. A professionally installed, maintained, and monitored alarm system.
4. Except for Live Cannabis Plants being cultivated at a 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.
5. 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 of time 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.
6. Sensors shall be installed to detect entry and exit from all secure areas.
7. Panic buttons shall be installed in all Commercial Cannabis Activities.
8. Any bars installed on the windows, or the doors of a Commercial Cannabis Activity shall be installed only on the interior of the building.
9. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services. During business hours a security personnel officer will be present inside the retail building to provide supervision of the security cameras and internal operations, and after hours a security officer will be present on-site to monitor the premises.
10. 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.
11. A Commercial Cannabis Activity 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.

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 19

General - N. Security (cont.)

12. The permittee for a Commercial Cannabis Activity shall notify the Riverside County Sheriff'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.

13. 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.

14. Cannabis or Cannabis Products shall not be stored outside at any time.

15. 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.

Ord. 348 Article XIXh

Planning. 20

General - O. Permit and License Posting

The permittee shall post or cause to be posted at the Commercial Cannabis Activity all required County and State permits and licenses to operate. Such posting shall be in a central location, visible to the patrons, and in all vehicles that deliver or transport Cannabis. Ord. 348 Article XIXh

Planning. 21

General - P. Signage

Signage for a Commercial Cannabis Activity shall comply with the following:

1. In addition to the requirements set forth in this section and California Business and Professions Code section 26152 as may be amended, business identification signage for a Commercial Cannabis Activity shall comply with Section 19.4 of this ordinance.
2. No Commercial Cannabis Activity shall advertise by having a person or device holding a sign or an air dancer sign advertising the activity to passersby, whether such person, device or air dancer is on the lot of the Commercial Cannabis Activity or elsewhere including, but not limited to, the public right-of-way.
3. No Commercial Cannabis Activity shall publish or distribute advertising or marketing that is attractive to children.

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 21

General - P. Signage (cont.)

4. No Commercial Cannabis shall advertise or market Cannabis or Cannabis Products on motor vehicles.
5. Except for advertising signs inside a licensed Premises and provided that such advertising signs do not advertise or market Cannabis or Cannabis Products in a manner intended to encourage persons under 21 years of age to consume Cannabis or Cannabis Products, no Commercial Cannabis Activity shall advertise or market Cannabis or Cannabis Products on an advertising sign within 1,000 feet of a Child Day Care Center, a K-12 school, a public park or a Youth Center.
6. No signs placed on the lot of a Commercial Cannabis Activity shall obstruct any entrance or exit to the building or any window.
7. Each entrance to a Commercial Cannabis Activity shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming Cannabis on the lot of the Commercial Cannabis Activity is prohibited.
8. Signage shall not be directly illuminated, internally or externally.
9. No banners, flags, billboards, or other prohibited signs may be used at any time.

Ord. 348 Article XIXh

Planning. 22

General - Q. Records

1. Each owner and permittee of a Commercial Cannabis Activity shall maintain clear and adequate records and documentation demonstrating that all Cannabis or Cannabis Products have been obtained from and are provided to other permitted and licensed Cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon written request.
2. Each owner and permittee of a Commercial Cannabis Activity shall maintain a current register of the names and contact information, including name, address, and telephone number, of anyone owning or holding an ownership interest in the Commercial Cannabis Activity, and of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the Commercial Cannabis Activity. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.
3. All Commercial Cannabis Activities shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all Cannabis and Cannabis Products for all stages of the growing and production or manufacturing, laboratory testing and distribution processes until purchase by or distribution to a qualified patient, primary caregiver for medical purpose or an adult 21 years of age or older who qualifies to purchase adult-use Cannabis.

Ord. 348 Article XIXh

Planning. 23

General - R. Water

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable water purveyor,

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 31 Landscape Requirement (cont.)

3) Ensure that all landscaping is healthy, free of weeds, disease and pests.

Planning. 32 Permit Expiration

Pursuant to Ord. 348 Section 19.507 on Permit Expiration: All conditional use permits granted for a Commercial Cannabis Activity shall expire and become null and void provided in each permit's conditions of approval and development agreement.

The following are the conditions applicable to the expiration of the entitlement:

A. The applicant or owner of the approved Commercial Cannabis Activity shall file for the required State license within 60 days after obtaining final project approval by the County. Furthermore, the applicant or owner of the approved Commercial Cannabis Activity shall demonstrate that the required State license has been obtained, prior to the County issuing a certificate of occupancy. The State license shall be maintained throughout the operating life of the approved Commercial Cannabis Activity.

B. The entitlement is set to expire within ten (10) years of the effective date of DA2100114, unless the term is modified or extended for additional time.

C. No less than six (6) months from the expiration date, the permittee may request the conditional use permit to be renewed as provided in the development agreement. Any request for renewal shall be in writing to the Planning Department and in conjunction with a revised permit application. The renewal request and revised permit application shall be processed in accordance with the procedures for processing the original permit, including any requirements for public hearing, notice of hearing and all rights of appeal. If all obligations detailed within the development agreement associated with the permit are not met, the revised permit application and renewal request will be recommended for denial. If a request for renewal is not requested or is not granted the conditional use permit shall be deemed expired on the date set forth in the permit's conditions of approval and development agreement.

D. If modified by subsequent amendments to Ordinance No. 348, those modifications shall apply to any timeline to obtain a license

Planning. 33 Retail Operational Requirements

Cannabis Retailers are subject to the following operational standards of business:

1. All Cannabis Retailers must conduct their operations within a permanent structure. Non-storefront Cannabis Retailers are authorized to conduct Cannabis Deliveries only and shall be closed to the public.

2. 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.

3. 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.

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 33

Retail Operational Requirements (cont.)

4. A Cannabis Retailer 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.
5. Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours
6. Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area
7. 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
8. Restroom facilities shall be locked and under the control of the Cannabis Retailer
9. 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
10. 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.
11. 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
12. 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.
13. Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle
14. 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

Planning. 34

Review Fees

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan, or mitigation and monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671.

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 1 Human Remains

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with State Health and Safety Code Section 7050.5.

Planning-CUL. 2 Unanticipated Resources

The developer/permit holder or any successor in interest shall comply with the following for the life of this permit.

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc.) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other.

** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the significance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

Transportation

Transportation. 1 General Conditions

With respect to the conditions of approval for the referenced tentative exhibit, the land divider shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with the Riverside County Road Improvement Standards (Ordinance No. 461.11). It is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Qs, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. The County of Riverside applicable ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

The Project shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 1 General Conditions (cont.)

A signing and striping plan is required for this project. The Project shall be responsible for any additional paving and/or striping removal caused by the striping plan or as approved by the Director of Transportation.

Alterations to natural drainage patterns shall require protecting downstream properties by means approved by the Transportation Department.

If the Transportation Department allows the use of streets for drainage purposes, the 10-year discharge shall be contained in the top of curb or asphalt concrete dikes, and the 100-year discharge shall be contained in the street right-of-way.

The Project shall install street name sign(s) in accordance with County Standard Nos. 1220/1221 and as directed by the Transportation Department.

All corner cutbacks shall be applied per Standard No. 805, Ordinance No. 461.11, except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit C of the Countywide Design Guidelines.

All centerline intersections shall be at 90-degrees, plus or minus 5-degrees.

At intersections, local streets (below County Collector Road Standard) shall have a minimum 50 FT tangent, measured from flowline/curb-face to the end of the 50 FT tangent section.

Vacating/abandoning excess public rights-of-way requires a separate request from the Project that is approved by the Board of Supervisors. If said excess public rights-of-way is also County owned land, it may be necessary to enter into an agreement with the County for its purchase or exchange.

The project shall comply with the most current ADA requirements. Ramps shall be constructed at all 4 legs of 4-way intersections and T-intersections per Standard No. 403, sheets 1 through 7 of Ordinance No. 461.11.

The off-site rights-of-way for access road(s) required by the project shall be accepted to vest title in the name of the public if not already accepted.

If any portion of the project is phased, the Project shall provide primary and secondary off-site access roads for each phase with routes to County maintained roads as approved by the Transportation Department.

If there are previously dedicated public roads and utility easements that were not accepted by the County, the Project shall file a separate application to the County of Riverside, Office of the County Surveyor, for the acceptance of the existing dedications by resolution and bear all costs thereof.

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955-1667.

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 1 General Conditions (cont.)

For more information regarding the public work bidding requirements please visit the following link: [http://rctlma.org/trans/Land-Development/Funding-Programs/Road-and-Bridge-Benefit-District-RBBD/Public-Works Bidding-Requirements](http://rctlma.org/trans/Land-Development/Funding-Programs/Road-and-Bridge-Benefit-District-RBBD/Public-Works-Bidding-Requirements).

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: <https://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955-6527.

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County. Street Improvement Plans shall comply with Ordinance No. 461.11, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

Waste Resources

Waste Resources. 1 Gen - Advisory Notices

AB 1826 requires businesses and multifamily complexes to arrange for organic waste recycling services. Those subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

- Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
- Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

2. AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:

- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- Subscribe to a recycling service with their waste hauler.
- Provide recycling service to their tenants (if commercial or multi-family complex).
- Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information, please visit:

www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory

ADVISORY NOTIFICATION DOCUMENT

Waste Resources

Waste Resources. 1 Gen - Advisory Notices (cont.)

3. Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division, at 1.888.722.4234.

- Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.
- The use of mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries is recommended. Recycle green waste through either onsite composting of grass, i.e., leaving the grass clippings on the lawn, or sending separated green waste to a composting facility.

Plan: CUP210129

Parcel: 459094003

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 CURBS ALONG PLANTERS Not Satisfied

Prior to issuance of a grading permit, the grading plan shall include a six-inch-wide curb with a twelve (12) inch wide walkway and shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

060 - BS-Grade. 2 EASEMENTS/PERMISSION Not Satisfied

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

A notarized letter of permission and/or recorded easement from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.

In instances where the grading plan proposes drainage facilities on adjacent off site property, the owner/ applicant shall provide a copy of the recorded drainage easement or copy of Final Map.

060 - BS-Grade. 3 IF WQMP IS REQUIRED Not Satisfied

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the Final Water Quality Management Plan (WQMP) site plan for comparison to the grading plan.

060 - BS-Grade. 4 IMPROVEMENT SECURITIES Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or Erosion Control Security. Please contact the Riverside County Transportation Department for additional information and requirements.

Flood

060 - Flood. 1 060 - Flood_Mitcharge - Use Not Satisfied

This project is located within the limits of the Homeland/Romoland - Line A Area Drainage Plan (ADP). The County Board of Supervisors has adopted this ADP to establish a drainage fee within the plan area.

This project may require earlier construction of downstream ADP facilities. Therefore, the District recommends that this project be required to pay a flood mitigation fee. The mitigation charge for this project shall be equal to the prevailing ADP fee rate multiplied by the area of the new development. Fees shall be paid after final approval of the staff report/conditions of approval by the Board of Supervisors and prior to issuance of permits. Drainage fees shall be paid directly to the District. Personal or corporate checks will not be accepted for payment.

Planning

060 - Planning. 1 If Additional Grading Proposed Not Satisfied

If additional grading to the site is proposed, a grading permit must be submitted to the Building & Safety Department for review and approval. The Planning Department must also review the

Plan: CUP210129

Parcel: 459094003

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 1 If Additional Grading Proposed (cont.) Not Satisfied
grading plans for compliance against approved entitlements. If any changes, additions, or expansions are to result from the grading, Planning will evaluate if additional entitlements are needed prior to grading permit issuance.

Planning-PAL

060 - Planning-PAL. 1 PRIMP Not Satisfied

This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

PRIOR TO ISSUANCE OF GRADING PERMITS:

1. The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).

2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:

- a. A corresponding and active County Grading Permit (BGR) Number must be included in the title of the report. PRIMP reports submitted without a BGR number in the title will not be reviewed.
- b. PRIMP must be accompanied by the final grading plan for the subject project.
- c. Description of the proposed site and planned grading operations.
- d. Description of the level of monitoring required for all earth-moving activities in the project area.
- e. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
- f. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
- g. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.
- h. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
- i. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- j. Procedures and protocol for collecting and processing of samples and specimens.
- k. Fossil identification and curation procedures to be employed.
- l. Identification of the permanent repository to receive any recovered fossil material. *Pursuant the County "SABER Policy", paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.
- m. All pertinent exhibits, maps, and references.

Plan: CUP210129

Parcel: 459094003

60. Prior To Grading Permit Issuance

Planning-PAL

060 - Planning-PAL. 1 PRIMP (cont.) Not Satisfied

- n. Procedures for reporting of findings.
- o. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed and will provide confirmation to the County that such funding has been paid to the institution.
- p. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One signed digital copy of the report(s) shall be submitted by email to the County Geologist (dwalsh@rivco.org) along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, Plan Check staff, Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e., copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.

Safeguard Artifacts Being Excavated in Riverside County (SABER)

Survey

060 - Survey. 1 SURVEY MONUMENTATION Not Satisfied

It shall be the responsibility of the licensed professional legally authorized to practice land surveying work to install street centerline monuments as required by Riverside County Ordinance No. 461.11. If construction centerline differs, provide a tie to existing centerline of right-of-way. Prior to any construction, survey monuments including centerline monuments, tie points, property corners and benchmarks shall be tied out and a pre-construction corner record or record of survey filed with the County Surveyor pursuant to Section 8771 of the Business & Professional Code.

In accordance with 6730.2 and 8771 (b) of the Business & Professional Code, survey monuments shall be preserved, and a permanent monument shall be reset at the surface of the new construction. Survey monuments destroyed during construction shall be tied out and reset, and a post-construction corner record filed for those points prior to completion and acceptance of the improvements. All existing survey monumentation in the proposed area of disturbance (on-site or off-site) shall be shown on the project plans.

Transportation

060 - Transportation. 1 FILE L&LMD APPLICATION Not Satisfied

File an application with the Transportation Department, L&LMD Section, 8th Floor, 4080 Lemon Street, Riverside, CA, for required annexation.

If you have any questions or for the processing fee amount, please call the L&LMD Section at (951) 955-6748.

060 - Transportation. 2 RCTD-CWQ - CONDITIONAL WQMP REQUIREMENTS Not Satisfied

WQMP is not required for entitlement. However, an approved WQMP is required prior to any grading or building permit, if the development of the parcel meets or exceeds any of the thresholds for a WQMP. Submit the applicable WQMP applicability checklist, found on

Plan: CUP210129

Parcel: 459094003

60. Prior To Grading Permit Issuance

Transportation

060 - Transportation. 2 RCTD-CWQ - CONDITIONAL WQMP REQUIREMENTS Not Satisfied
<https://rctlma.org/trans/Land-Development/WQMP>, if your project proposes an auto-repair shop, adding 5,000 sq.ft. of impervious area, or disturbing more than 1 acre. If a WQMP is required, submit a single file PDF on two CD/DVD copies to the Transportation Department for review and approval.

060 - Transportation. 3 RIGHT-OF-WAY DEDICATION- Phase 1 Not Satisfied
Phase 1 allows the existing building to operate for 5-years from the date of approval of the CUP. After 5-years, the existing building is to be demolished and new building erected at the south end of the project.

No right-of-way dedication is required until 5-years after the approval date of the CUP. After five years from the date of approval of the CUP, the applicant shall dedicate 92 ft of road right-of-way on SH-74. The existing building and all private encroachments shall be relocated or removed outside of the dedicated right-of-way upon its recordation.

060 - Transportation. 4 RIGHT-OF-WAY DEDICATION- Phase 2 Not Satisfied
Phase 2 is the construction and completion of a new building on the south end of the project to occur after five years from the date of approval of the CUP.

Sufficient public street right-of-way shall be provided along SH-74 to establish a 92-foot half-width right-of-way per Ordinance No. 461.11, Standard No. 83 including standard corner cutback per Ordinance No. 461.11, Standard No. 805. All private encroachments shall be relocated or removed outside of the dedicated right-of-way.

060 - Transportation. 5 STREET IMPROVEMENT PLANS Not Satisfied
The Project shall obtain approval of street improvement plans from the Transportation Department. Street Improvement Plans shall comply with Ordinance No. 461.11 and the Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

Prior to the submittal of the required street improvement plan per condition of approval, it may be necessary to obtain the existing street improvement and show the revision on the plan. Please process a plan revision through the Plan Check Section per Section I, Part E, page 10 of the Improvement Plan Check - Policies and Guidelines manual available on the following website: <http://rctlma.org/trans/General-Information/Pamphlets-Brochures>

If you have any questions, please call the Plan Check Section at (951) 955-6527. In order to receive any fee credits or reimbursement for improvements through established funding programs such as TUMF or DIF, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising.

060 - Transportation. 6 SUBMIT GRADING PLANS Not Satisfied
The project proponent shall submit two sets of grading plans (24 in x 36 in) to the Transportation Department for review and approval. If road right-of-way improvements are required, the project proponent shall submit street improvement plans for review and approval, open an IP account, and pay for all associated fees in order to clear this condition. The standard plan check turnaround time is 10 working days. Approval is required prior to issuance of a grading permit.

Plan: CUP210129

Parcel: 459094003

60. Prior To Grading Permit Issuance

Transportation

060 - Transportation. 6 SUBMIT GRADING PLANS (cont.) Not Satisfied

NOTE:

1. Proposed gates shall be identified on the grading plans. Gates are to be located 35 FT from the flowline of the adjacent street.

or as approved by the Director of Transportation.

060 - Transportation. 7 TUMF Not Satisfied

Prior to the issuance of a building permit, or any phase thereof, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of recordation, pursuant to Ordinance No. 824.

80. Prior To Building Permit Issuance

BS-Grade

080 - BS-Grade. 1 NO BUILDING PERMIT W/O GRADING PERMIT Not Satisfied

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building and Safety Department.

080 - BS-Grade. 2 ROUGH GRADE APPROVAL Not Satisfied

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

1. Submitting a "Wet Signed" copy of the Soils Grading Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.

2. Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.

3. Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.

4. Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage or other means of site stabilization as approved by County Inspector prior to receiving a rough grade permit final.

Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

E Health

080 - E Health. 1 DEH- Health Clearance Not Satisfied

Prior to issuance of the building permit, clearance must be obtained from the Department of Environmental Health. Provide established sewer and water service for project.

Fire

080 - Fire. 1 Fire - Prior to Building Permit Not Satisfied

Fire Department Building Construction Permit Review - Submittal of construction plans to the Fire Department will be required. Final fire and life safety conditions will be addressed when the Fire Department reviews these plans. These conditions will be based on California Fire Code, California Building Code (CBC), and related codes/standards adopted at the time of construction plan submittal. Reference CFC 105.1

080 - Fire. 2 Prior to permit Not Satisfied

1. Fire Protection Water Supplies/Fire Flow - Minimum fire flow for the construction of all buildings is required per CFC Appendix B or other approved method. Prior to building permit issuance for (Phase Two) new construction, the applicant shall provide documentation to show there exists a water system capable of delivering the required fire flow. Specific design features may increase or decrease the required fire flow. Reference CFC 507.3.

2. Fire Protection Water Supplies/Hydrants - The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with CFC Appendix C and NFPA 24. Prior to Phase Two, fire hydrants shall be located no more than 400 feet from all portions of the exterior of the building along an approved route on a fire apparatus access road, unless otherwise approved by the Fire Department. Fire hydrants shall be at least 40 feet from the building it is serving. The size and number of outlets required for the approved fire hydrants are 4" x 2 1/2" x 2 1/2" (super hydrant). Reference CFC 507.5, CFC Appendix C and NFPA 24 7.2.3.

Flood

080 - Flood. 1 080 - Flood_Mitcharge - Use Not Satisfied

This project is located within the limits of the Homeland/Romoland - Line A Area Drainage Plan (ADP). The County Board of Supervisors has adopted this ADP to establish a drainage fee within the plan area pursuant to Ordinance No. 460 Section 10.25.

This project may require earlier construction of downstream ADP facilities. Therefore, the District recommends that this project be required to pay a flood mitigation fee. The mitigation charge for this project shall be equal to the prevailing ADP fee rate multiplied by the area of the new development. The charge is payable to the Flood Control District and shall be paid after final approval of the staff report/conditions of approval by the Board of Supervisors and prior to issuance of permits. Personal or corporate checks will not be accepted for payment.

Planning

080 - Planning. 1 Conform to Elevations & Floor Plans Not Satisfied

Elevations and Floor Plans of all buildings and structures submitted for building plan check approval shall be in substantial conformance with the elevations shown on APPROVED EXHIBIT(s).

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Planning

080 - Planning. 2 Fee Balance Not Satisfied

Prior to issuance of building permits, the Planning Department shall determine if the deposit-based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

080 - Planning. 3 New Construction (Phase II) Not Satisfied

When the second phase construction of the entitlement is to be completed, all conditions of approval applicable at Phase I will be applicable at Phase II.

Planning Department will review the Phase II siting, floor plans, and elevations for compliance with the approved entitlement prior to building permit issuance.

080 - Planning. 4 Plot Plan for Sign Program Not Satisfied

Any signage for a proposed entitlement project shall be approved by the Planning Department pursuant to the requirements of Section 18.30 (Planning Department review only for a signage program) of Ordinance No. 348. This includes any signage for buildings or structures, monument signs, pylon signs, and any other signage that may be proposed for a given entitlement project.

Survey

080 - Survey. 1 ACCESS RESTRICTION Not Satisfied

Lot access shall be restricted on SH-74, with the exception of the proposed 30 feet project access point. The project proponent shall apply under a separate application with the County Surveyor to restrict access on SH-74.

Transportation

080 - Transportation. 1 80 - TRANSPORTATION - Landscape Inspection Deposit Not Satisfied

This condition applies to both onsite and offsite (ROW) landscaping -- The developer/ permit holder shall: Prior to building permit issuance, the developer/permit holder shall verify all plan check fees have been paid and deposit sufficient funds to cover the costs of the required landscape inspections associated with the approved landscape plans. The deposit required for landscape inspections shall be determined by the Transportation Department, Landscape Section. The Transportation Department, Landscape Section shall clear this condition upon determination of compliance.

080 - Transportation. 2 80 - TRANSPORTATION - Landscape Plot Plan/Permit Req Not Satisfied

This condition applies to both onsite and offsite (ROW) landscaping -- The developer/ permit holder shall: Prior to issuance of building permits, the developer/permit holder shall apply for a Plot Plan (Administrative/PPA) Landscape Permit (LSP) or Landscape Plot Plan (LPP) from TLMA Land Use along with applicable deposit (plan check and inspection are DBF fees).

Provide construction level landscape plans in PDF (all sheets compiled in 1 PDF file), along with an electronic transmittal memo in PDF (include Owner contact, Developer, if not the same as the owner, Project manager, person or persons most likely to inquire about the status of the plans, Landscape Architect, Principal or LA signing the plans, Landscape Architect, Project Manager, person responsible for making the corrections, if different from above), and a current set of grading plans in PDF, and submit all three PDF files on a CD (compact Disc)

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 2 80 - TRANSPORTATION - Landscape Plot Plan/Permit Req Not Satisfied with application. The landscape plans shall be prepared in a professional manner by a California Licensed/Registered Landscape Architect and signed/stamped by such.

Drawings shall be completed on County standard Transportation Department title block, plan sheet format (24 inch x 36 inch), 1:20 scale, north arrow, limit of work lines, hardscape features, graphic scale, and street names, etc. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components:

- 1) Landscape and irrigation working drawings (stamped) by a California certified/registered landscape architect;
- 2) Weather-based controllers and necessary components to eliminate water waste;
- 3) A copy of the (stamped) approved grading plans; and,
- 4) Emphasis on native and drought tolerant species.

When applicable, plans shall include the following components:

- 1) Identification of all common/open space areas;
- 2) Natural open space areas and those regulated/conserved by the prevailing MSHCP and or ALUC;
- 3) Shading plans for projects that include parking lots/areas;
- 4) The use of canopy trees (24 inch box or greater) within the parking areas;
- 5) Landscaping plans for slopes exceeding 3 feet in height;
- 6) Landscaping and irrigation plans associated with entry monuments. All monument locations shall be located outside of the ROW and dimensions shall be provided on the plan; and/or,
- 7) If this is a phased development, then a copy of the approved phasing plan shall be submitted for reference.

Please reference Landscape Plan Checklists available online at RCTLMA.org.

NOTE: When the Landscaping Plot Plan is located within a special district such as LMD/CSA/CFD or Valleywide, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Transportation Department, Landscape Section that the subject district has approved said plans. Water Districts such as CVWD, TVWD, and EMWD may be required to approve plans prior to County approval.

Upon verification of compliance with this condition and the APPROVED EXHIBITS, the Transportation Department, Landscape Section shall clear this condition.

080 - Transportation. 3 80 - TRANSPORTATION - Landscape Project Specific Not Satisfied

This condition applies to both onsite and offsite (ROW) landscaping -- The developer/ permit holder shall: In addition to the requirements of the Landscape and Irrigation Plan submittal, the following project specific conditions shall be imposed:

- a. Landscape screening shall be designed to ensure full, opaque, coverage up to a minimum

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 3 80 - TRANSPORTATION - Landscape Project Specific Not Satisfied

height of (20) feet at maturity except that planting within ten feet of an entry or exit driveway shall not be permitted to grow higher than eighteen (18) inches and no trees shall be planted within ten (10) feet of driveways, alleys, or street intersections.

b. Project shall comply with the latest version of Ord. 859 ETo of .45, for commercial applications, .50 ETo for residential, or .70 ETo for recycled water uses. Project shall comply with the latest State Model Water Efficient Landscape Ordinance. Project shall comply with the local servicing water purveyor/district/company landscape requirements including those related to recycled water.

c. Project proponent shall design overhead irrigation with a minimum 24 inch offset from non-permeable surfaces, even if that surface drains into a permeable area.

d. Landscaping plans shall incorporate the use of specimen (24 inch box or greater) canopy trees. All trees and shrubs shall be drawn to reflect the average specimen size at 15 years of age. All trees shall be double or triple staked and secured with non-wire ties.

e. Project shall prepare water use calculations as outlined in Ord 859.3.

f. Trees shall be hydrozoned separately.

g. Irrigation shall be designed using hydrozones by plant water type, irrigation type, and flat/sloped areas.

h. The developer/ permit holder/landowner shall use the County of Riverside's California Friendly Plant List when making plant selections. Use of plant material with a LOW or VERY LOW water use designation is strongly encouraged.

i. All plant materials within landscaped areas shall be maintained in a viable growth condition throughout the useful plant life, and replaced with an equal or lessor water use plant.

j. Project shall use County standard details for which the application is available in County Standard Detail Format.

k. Monuments, boulders, and fan palms shall be located outside the County Maintained Road Right-of-Way (ROW).

l. Restricted plant species noted in MSHCP documents shall not be used if MSHCP areas are adjacent to the project.

m. Plant species shall meet ALUC requirements, if applicable.

n. Hydroseeding is not permitted in stormwater BMP slope areas, container stock will be required on slopes. Trees must be located to avoid drainage swales and drain, utility, leach, etc. lines and structures

o. Landscape and irrigation plans must meet erosion control requirements of Ordinance 457.

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 3 80 - TRANSPORTATION - Landscape Project Specific Not Satisfied

p. Project shall use (50) Percent point source irrigation type regardless of meeting the water budget with alternative irrigation methods, except as needed within stormwater BMP areas as noted in an approved WQMP document. Point source is defined as one emitter (or two) located at each plant. In-line emitter tubing is not defined as point source for the purpose of this requirement.

q. Common areas and open space landscaping plans (construction document level package) shall be submitted to Transportation Department for approval.

r. The project proponent or current property owner shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site.

s. Project shall install purple/reclaimed/recycled components as deemed necessary and as determined by the County and/or water district.

t. Project proponent shall provide 12 inch wide concrete maintenance walkway on planter islands adjacent to parking spaces. Concrete maintenance walkway shall be shown on landscape and grading plans, typical.

080 - Transportation. 4 Annexation into Maintenance District Not Satisfied

Prior to the issuance of a building permit, the project proponent shall comply with County requirements within public road rights-of-way, in accordance with Ordinance No. 461.11. Assurance of maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and/or any other maintenance district approved by the Transportation Department. Said annexation should include the following:

- (1) Landscaping.
- (2) Trails.
- (3) Street lights.
- (4) Traffic signals.
- (5) Graffiti abatement of walls and other permanent structures.
- (6) Street sweeping.
- (7) Bio-swales and/or fossil filters.

For street lighting, the project proponent shall contact the County Service Area (CSA) Project Manager who determines whether the development is within an existing CSA or will require annexation into the CSA.

If the project is outside boundaries of a CSA, the project proponent shall contact the Transportation Department L&LMD 89-1-C Administrator and submit the following:

- (1) Completed Transportation Department application.
- (2) Appropriate fees for annexation.
- (3) Two (2) sets of street lighting plans.
- (4) "Streetlight Authorization" form from SCE, IID, or other electric provider.

080 - Transportation. 5 CalTrans Encroachment Permit Not Satisfied

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 5 CalTrans Encroachment Permit (cont.) Not Satisfied

Prior to issuance of a building permit or any use allowed by this permit, and prior to doing any work within the State highway right-of-way, clearance and/or an encroachment permit must be obtained by the applicant from the District 08 Office of the State Department of Transportation in San Bernardino.

080 - Transportation. 6 LANDSCAPING DESIGN PLANS Not Satisfied

Landscaping within public road right of-way shall comply with Transportation Department standards, Ordinance No. 461.11, Comprehensive Landscaping Guidelines & Standards, and Ordinance No. 859 and shall require approval from the Transportation Department.

Landscaping plans shall be designed within the streets associated with the development and submitted to the Transportation Department. Landscaping Plans shall be submitted on standard County format (24 in x 36 in).

Landscaping plans shall be coordinated with the street improvement plans.

or as approved by the Director of Transportation.

080 - Transportation. 7 LIGHTING PLAN Not Satisfied

A separate street light plan and/or a separate bridge light plan shall be approved by the Transportation Department. Street and/or bridge lighting plan(s) shall be designed in accordance with County Streetlight Specification Chart found in Specification Section 22 of Ordinance No. 461.11. For projects within SCE boundaries use County of Riverside Ordinance No. 461.11, Standard No. 1000. For projects within Imperial Irrigation District (IID) jurisdiction, the project shall use IID pole standard.

080 - Transportation. 8 RCTD-CWQ - CONDITIONAL WQMP REQUIREMENTS Not Satisfied

WQMP is not required for entitlement. However, an approved WQMP is required prior to any grading or building permit, if the development of the parcel meets or exceeds any of the thresholds for a WQMP. Submit the applicable WQMP applicability checklist, found on <https://rctlma.org/trans/Land-Development/WQMP>, if your project proposes an auto-repair shop, adding 5,000 sq.ft. of impervious area, or disturbing more than 1 acre. If a WQMP is required, submit a single file PDF on two CD/DVD copies to the Transportation Department for review and approval.

This condition applies if a WQMP is required, but a grading permit is not required.

080 - Transportation. 9 RIGHT-OF-WAY DEDICATION- Phase 1 Not Satisfied

Phase 1 allows the existing building to operate for 5-years from the date of approval of the CUP. After 5-years, the existing building is to be demolished and new building erected at the south end of the project.

No right-of-way dedication is required until 5-years after the approval date of the CUP. After five years from the date of approval of the CUP, the applicant shall dedicate 92 ft of road right-of-way on SH-74. The existing building and all private encroachments shall be relocated or removed outside of the dedicated right-of-way upon its recordation.

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 10 RIGHT-OF-WAY DEDICATION- Phase 2 Not Satisfied

Phase 2 is the construction and completion of a new building on the south end of the project to occur after five years from the date of approval of the CUP.

Sufficient public street right-of-way shall be provided along SH-74 to establish a 92-foot half-width right-of-way per Ordinance No. 461.11, Standard No. 83 including standard corner cutback per Ordinance No. 461.11, Standard No. 805. All private encroachments shall be relocated or removed outside of the dedicated right-of-way.

080 - Transportation. 11 UTILITY PLAN Not Satisfied

All electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground on the Improvement Plans in accordance with Ordinance No. 460 for subdivisions and/or Ordinance No. 461.11 for road improvements. This also applies to all overhead lines 34 kilovolts or below along the project frontage and all offsite overhead lines in each direction of the project site to the nearest offsite pole. The Project shall coordinate with the serving utility companies to complete the final installations. This condition will be cleared after both of the following requirements are met:

_ The Street Improvement Plans are approved .

_ Transportation Department receives written proof that the Project has filed an application for the relocation of said utilities or said utility companies have initiated their relocation design.

Waste Resources

080 - Waste Resources. 1 Gen - Recyclables Collection and Loading Area Not Satisfied

Trash Enclosures - prior to building permit issuance

Prior to issuance of a building permit, the applicant shall submit one electronic (1) copy of a Recyclables Collection and Loading Area plot plan to the Riverside County Department of Waste Resources for review and approval to WastePlanning@rivco.org. The plot plan shall conform to Design Guidelines for Recyclables Collection and Loading Areas, provided by the Department of Waste Resources (found at <http://www.rcwaste.org/business/planning/design>) and shall show the location of and access to the collection area for recyclable materials, shall demonstrate space allocation for trash, recyclable materials, and organics and have the adequate signage indicating the location of each bin in the trash enclosure. The project applicant is advised that clearance of the Recyclables Collection and Loading Area plot plan only satisfies the Waste Resources' conditions for Recyclables Collection and Loading Areas space allocation and other Recyclables Collection and Loading Area Guideline items. Detailed drawings of the Trash Enclosure and its particular construction details, e.g., building materials, location, construction methods etc., should be included as part of the Project plan submittal to the Riverside County Department of Building and Safety.

080 - Waste Resources. 2 Gen - Waste Recycling Plan Not Satisfied

Prior to building permit issuance, a Waste Recycling Plan (WRP) – Form B shall be submitted to the Riverside County Department of Waste Resources for review and approval to WastePlanning@rivco.org. A copy of Form B can be found at (<https://www.rcwaste.org/Waste-Guide/CandD>).

At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Waste Resources

080 - Waste Resources. 2 Gen - Waste Recycling Plan (cont.) Not Satisfied

will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate.

During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record-keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 CURBS ALONG PLANTERS Not Satisfied

A six-inch-wide curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

090 - BS-Grade. 2 PRECISE GRADE APPROVAL Not Satisfied

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

1. Requesting and obtaining approval of all required grading inspections.
2. Submitting a "Wet Signed" copy of the Grading Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.
3. Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.
4. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

E Health

090 - E Health. 1 DEH- Health Clearance Not Satisfied

Prior to building permit final, clearance must be obtained from the Department of Environmental Health. Provide proof established sewer and water service.

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

E Health

090 - E Health. 2 DEH-Hazmat Clearance (cont.) Not Satisfied

Obtain clearance from the Hazardous Materials Management Division. Contact the local DEH Hazmat office for guidance. 951.766.6524

Planning

090 - Planning. 1 DA Funding - Prior to Certificate of Occupancy Issuance Not Satisfied

Prior to issuance of the Certificate of Occupancy, for all Development Agreements regarding Commercial Cannabis, funds must be paid in accordance to the DA adopted for the project. This condition of approval cannot be deferred.

090 - Planning. 2 Obtain State License Not Satisfied

Prior to final of the building permit or certificate of occupancy, whichever occurs first; obtain the California State License for Commercial Cannabis Activity. The applicable California license issued is pursuant to California Business and Professions Code Sections 19300.7 or 26050(a), or equivalent and as may be amended from time to time.

Provide a copy of the State License for Commercial Cannabis Activity to the Riverside County Planning Department.

090 - Planning. 3 Planning - Site Inspection (Phase II) Not Satisfied

When the second phase construction of the entitlement is to be completed, all conditions of approval applicable at Phase I will be applicable at Phase II.

Prior to permit final & utility release, the applicant shall request a planning inspection to verify Phase II of the retail store construction complies with the prior to final conditions of approval of the Conditional Use Permit.

090 - Planning. 4 Planning - Site Inspection Not Satisfied

Prior to permit final & utility release, the applicant shall request a planning inspection to verify the retail store complies with the prior to final conditions of approval of the Conditional Use Permit.

090 - Planning. 5 Planning-USE - ACCESSIBLE PARKING Not Satisfied

A minimum of one (1) accessible parking space for persons with disabilities shall be provided as shown on APPROVED EXHIBIT A. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade or centered at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk.

090 - Planning. 6 Planning-USE - TRASH ENCLOSURES Not Satisfied

The trash enclosures are existing on-site. The trash area is located at the rear of the building and will be behind a 6-foot-tall metal gate. Due to its location on the site, and the screening to be installed around the trash receptacles, these structures will not be visible from a public street or adjacent parcel

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Planning

090 - Planning. 6 Planning-USE - TRASH ENCLOSURES (cont.) Not Satisfied

Staff will verify that the enclosure is adequate and is located as shown on the APPROVED EXHIBIT A.

090 - Planning. 7 Sheriff's Signage for No Loitering Not Satisfied

Prior to final of the building permit or certificate of occupancy, whichever occurs first; acquire a "no loitering" signs from the Riverside County Sheriff's Department. Said signage provides additional authorization for the Riverside County Sheriff's Department to assist, as needed on site.

090 - Planning. 8 USE - ORD NO. 659 (DIF) Not Satisfied

If applicable, Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected. The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development. The Project Area for Conditional Use Permit No. 210129 has been calculated to be 0.45 acres.

090 - Planning. 9 USE - COMPLY W/ LANDSCAPING Not Satisfied

All required landscape planting and irrigation shall have been installed in accordance with approved Landscaping, Irrigation, and Shading Plans, the Riverside County Guide to California Landscaping, and Ordinance No. 859 (as adopted and any amendments thereto). All landscape and irrigation components shall be in a condition acceptable to the Planning Department through the implementation of the Department's Milestone 90 condition entitled "LNDSCP/IRRIG INSTALL INS." The plants shall be healthy and free of weeds, disease or pests. The irrigation system shall be properly constructed and determined to be in good working order.

090 - Planning. 10 USE - INSTALL AND MAINTAIN LANDSCAPE Not Satisfied

Prior to Building Final Inspection, irrigation and landscaping shall be installed and maintained in accordance with APPROVED Landscape Plans for this conditional use permit.

090 - Planning. 11 USE - ORD 810 O S FEE (MSHCP) Not Satisfied

If applicable, prior to the issuance of a certificate of occupancy upon building permit final inspection prior to use or occupancy for cases without final inspection or certificate of occupancy (such as an SMP), whichever comes first, the applicant shall comply with the provisions of Riverside County Ordinance No. 810, which requires the payment of the appropriate fee set forth in the Ordinance. The amount of the fee will be based on the "Project Area" as defined in the Ordinance and the aforementioned Condition of Approval. The Project Area for Conditional Use Permit No. 210129 is calculated to be 0.45 acres.

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 1 90 - TRANSPORTATION - Landscape Inspection and Not Satisfied
Landscape Inspection and Drought Compliance

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall:

The developer/permit holder shall coordinate with their designated landscape representative and the Transportation Department landscape inspector to ensure all landscape planting and irrigation systems have been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. The Transportation Department will ensure that all landscaping is healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order. The developer/permit holder's designated landscape representative and the Transportation Department landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. All landscape inspection deposits and plan check fees shall be paid.

Upon determination of compliance, the Transportation Department, Landscape Section shall clear this condition.

090 - Transportation. 2 Complete Landscaping Installation Not Satisfied

Landscaping within public road right-of-way shall comply with Transportation Department standards and Ordinance No. 461.11 and shall require approval by the Transportation Department. Landscaping shall be installed along the streets associated with this development. Landscaping within public road right-of-way shall comply with Transportation Department standards, policies, guidelines, and Ordinance No. 461.11 and shall require the approval from the Transportation Department.

or as approved by the Director of Transportation.

090 - Transportation. 3 RCTD-CWQ - CONDITIONAL WQMP COMPLETION Not Satisfied

WQMP is not required for entitlement. However, if a WQMP is required during the plan check phase, the project shall acceptably install all structural BMPs described in the Project-Specific WQMP, provide an Engineer WQMP certification, GPS location of all BMPs, ensure that the requirements for inspection and cleaning the BMPs are established, and for businesses registering BMPs with the Transportation Department's Business Storm Water Compliance Program Section.

090 - Transportation. 4 REGIONAL TRANSPORTATION FEES Not Satisfied

Prior to the time of issuance of a Certificate of Occupancy or upon final inspection, whichever occurs first, the Project shall pay fees in accordance with the fee schedule in effect at the time of payment:

 All Transportation Uniform Mitigation Fees (TUMF) in accordance with Ordinance No. 824.

090 - Transportation. 5 Road Improvement (Installation) - Phase 1 Not Satisfied

Approval of the Street Improvement plans by the Transportation Department will clear this condition. The Project shall provide the following improvements:

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 5 Road Improvement (Installation) - Phase 1 (cont.) Not Satisfied

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

Phase 1 allows the existing building to operate for 5-years from the date of approval of the CUP. After 5-years, the existing building is to be demolished and new building erected at the south end of the project.

207A

NOTE: The applicant shall obtain an encroachment permit to install a commercial driveway per Standard No. 207A, Ordinance No. 461.11.

Or as approved by the Director of Transportation.

The Project shall provide/acquire sufficient dedicated public right-of-way, environmental clearances, and signed approval of all street improvement plans for the above improvements. The limits of the improvements shall be consistent with the approved tentative map unless otherwise specified in these conditions. Should the applicant fail to acquire the necessary off-site right of way, the map will be returned for redesign.

In order to receive any fee credits or reimbursement for improvements through established funding programs such as TUMF or DIF, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising

090 - Transportation. 6 Road Improvement (Installation) - Phase 2 Not Satisfied

Approval of the Street Improvement plans by the Transportation Department will clear this condition. The Project shall provide the following improvements:

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

Phase 2 is the construction and completion of a new building on the south end of the project to occur after five years from the date of approval of the CUP.

SH-74 shall be improved with 67 feet half-width of AC pavement, within a 92 feet half-width dedicated right-of-way, 8-inch curb and gutter, 8 feet meandering sidewalk, and a 14 feet wide landscaped median at centerline per Standard No. 83, Ordinance No. 461.11.10.

1. Caltrans review and approval is required.
2. The driveway shall be constructed in accordance with County Standard No. 207A.
3. A 8-foot meandering sidewalk shall be constructed per Standard No. 404.
4. The project shall be responsible for half-width of the median (7 feet). Cash-in-lieu may be accepted.
5. Cash-in-lieu may be accepted in place of the improvements.

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 6 Road Improvement (Installation) - Phase 2 (cont.) Not Satisfied

6. Before you prepare the street improvement plan(s), please review the Street Improvement Plan Policies and Guidelines from the Transportation Department Web site: <http://rctlma.org/trans/General-Information/Pamphlets-Brochures>

Or as approved by the Director of Transportation.

The Project shall provide/acquire sufficient dedicated public right-of-way, environmental clearances, and signed approval of all street improvement plans for the above improvements. The limits of the improvements shall be consistent with the approved tentative map unless otherwise specified in these conditions. Should the applicant fail to acquire the necessary off-site right of way, the map will be returned for redesign.

In order to receive any fee credits or reimbursement for improvements through established funding programs such as TUMF or DIF, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising

090 - Transportation. 7 STREETLIGHTS INSTALLATION Not Satisfied

Install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards of County Ordinances No. 461.11.

Streetlight annexation into L&LMD or similar mechanism as approved by the Transportation Department shall be completed.

It shall be the responsibility of the developer to ensure that streetlights are energized along the streets associated with this development where the developer is seeking Building Final Inspection (Occupancy).

090 - Transportation. 8 UTILITY INSTALLATION Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be installed underground in accordance with Ordinance Nos. 460 and 461.11, or as approved by the Transportation Department. This also applies to all overhead lines 34 kilovolts or below along the project frontage and all offsite overhead lines in each direction of the project site to the nearest offsite pole. A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion for clearance.

In addition, the Project shall ensure that streetlights are energized and operational along the streets of those lots where the Project is seeking Building Final Inspection (Occupancy).

Waste Resources

090 - Waste Resources. 1 Gen - Recyclables Collection and Loading Area Inspection Not Satisfied

Trash Enclosures – prior to final inspection

Prior to final building inspection, the applicant shall construct the recyclables collection and loading area in compliance with the Recyclables Collection and Loading Area plot plan, as approved and verified through an on-site inspection by the Riverside County Department of Waste Resources.

090 - Waste Resources. 2 Gen - Waste Reporting Form and Receipts Not Satisfied

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Waste Resources

090 - Waste Resources. 2 Gen - Waste Reporting Form and Receipts (cont.) Not Satisfied

Prior to building final inspection, a Waste Reporting Form (Form C) and evidence (i.e., receipts or other types of verification) demonstrating project compliance with the approved Waste Reporting Plan (WRP) shall be submitted by the project proponent to the Planning Section of the Riverside County Department of Waste Resources for review and approval at WastePlanning@rivco.org. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled. A copy of Form C can be found at (<https://www.rcwaste.org/Waste-Guide/CandD>).

PROPERTY OWNERS CERTIFICATION FORM

I, Kathleen Mitchell, certify that on October 12, 2023, the attached property owners list was prepared by County of Riverside / GIS.

Distance Buffered: 600'

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

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

NAME: Kathleen Mitchell

TITLE/REGISTRATION: Urban Regional Planner, III

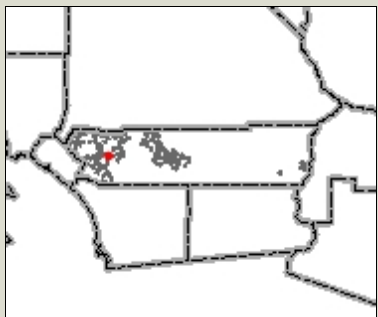
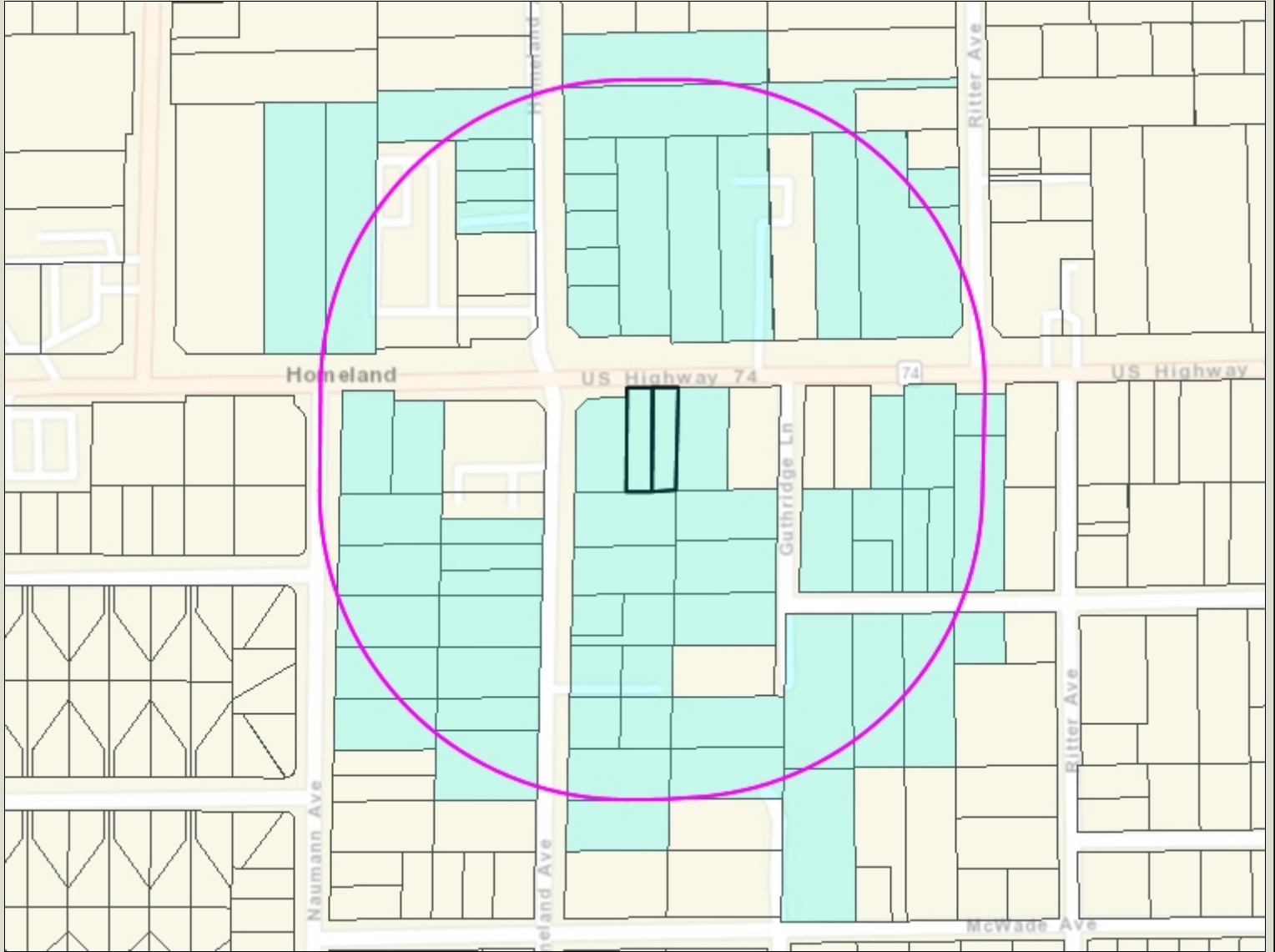
ADDRESS: 4080 Lemon Street, Riverside CA, 92501

TELEPHONE (8 a.m. – 5 p.m.): (951) 955-6836

Riverside County GIS Mailing Labels

CUP210129-DA2100114

600 Foot Radius



- Legend**
-  County Boundary
 -  Cities
 -  Parcels
 -  World Street Map

Notes



0 376 752 Feet

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

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457140044
HIS LIGHT ON THE HILL INC
28125 BRADLEY RD STE 180A
SUN CITY CA 92586

457151011
LORRIE LOUISE RUIZ
25905 HOMELAND AVE
HOMELAND CA 92548

457151012
ROSALIO A. ROSALES
27615 ELLIS AVE
ROMOLAND CA 92585

457152025
TERRY L. POPE
3109 BRIDGEWATER CIR
HEMET CA 92545

457152030
JOSE DOMINGO ENRIQUEZ LOPEZ
25938 HOMELAND AVE
HOMELAND CA 92548

457152031
RUSSELL ALLON STIGALL
25952 HOMELAND AVE
HOMELAND CA 92548

457140043
EVANGELOS KARPOUZIS
4885 GREEN CREST DR
YORBA LINDA CA 92887

457171015
CONRADO ALVAREZ GARCIA
25891 RITTER AVE
HOMELAND CA 92548

457171018
RICARDO MARTINEZ
25911 RITTER AVE
HOMELAND CA 92548

457171021
KRIS MILLER
33756 KEITH AVE
HEMET CA 92545

457151009
DENNIS MARTIN
25901 HOMELAND AVE
HOMELAND CA 92548

457151013
RAMON REYES
25945 HOMELAND AVE
HOMELAND CA 92548

457152023
4D MANAGEMENT HOLDINGS INC
6290 MCLEOD DR STE 110
LAS VEGAS NV 89120

457152024
ROBBY DALE TARPLEY
25784 HOMELAND AVE
HOMELAND CA 92548

457152026
JESUS LOZANO MAGANA
P O BOX 262
PERRIS CA 92572

457152028
JORGE CORTEZ
25906 HOMELAND AVE
HOMELAND CA 92548

457152029
KRISTIE M. LOBO
25924 HOMELAND AVE
HOMELAND CA 92548

457152033
LARA MIGUEL
30480 AVENIDA CAYLEE
HOMELAND CA 92548

457152034
FRANCISCO HERNANDEZ
609 N GIRARD ST
HEMET CA 92544

457171038
ISC REAL ESTATE
6960 CASSELBERRY WAY
SAN DIEGO CA 92119

459161004
SAUL LINARES ARRIAGA
28050 ELLER WAY
MENIFEE CA 92585

459161015
MARIA H. ALCANTAR
31530 WAKEFIELD AVE
HOMELAND CA 92548

459161017
GERMAN CANO
31559 HIGHWAY 74
HOMELAND CA 92548

459161018
FVT CONSULTING
555 ANTON BLVD
COSTA MESA CA 92626

459165001
BENNIE L. LUNSTRUM
31531 WAKEFIELD AVE
HOMELAND CA 92548

459093003
MORQUECHO GUADALUPE LIVING TRUST DTD
26056 NAUMANN AVE
HOMELAND CA 92548

459093004
JOEL PALMA SOSA
26064 NAUMANN AVE
HOMELAND CA 92548

459093005
26088 NAUMANN AVE
HOMELAND CA 92548

459093010
TIMOTHY M. MARTIN
26131 HOMELAND AVE
HOMELAND CA 92548

459093013
RICHARD D. BURBANK
26085 HOMELAND AVE
HOMELAND CA 92548

459093014
NATHAN S. BABCOCK
26079 HOMELAND AVE
HOMELAND CA 92548

459093015
COMMUNITY FIRST CHURCH OF GOD
P O BOX 189
HOMELAND CA 92548

459093019
FIRST CHURCH OF GOD OF HOMELAND
P O BOX 189
HOMELAND CA 92548

459094003
GJG INVESTMENTS
1421 MARTIN LUTHER KING DR
OXNARD CA 93030

459094004
ALBERTO ORTIZ DIAZ
31389 ALLEN AVE
HOMELAND CA 92548

459094007
JOHN W. COOPER
26090 HOMELAND AVE
HOMELAND CA 92548

459094011
CASTRO JUVEN TRUST DATED 12/10/2019
1608 N SPURGEON ST
SANTA ANA CA 92701

459094014
MILDRED CHAMBERS
26093 GUTHRIDGE LN
HOMELAND CA 92548

459094016
EFRAIN MORENO
26045 GUTHRIDGE LN
HOMELAND CA 92548

459094017
DAVID KIM YUN
18588 CALLE VISTA CIR
NORTHRIDGE CA 91326

459094019
ROSA DEL SAG PALOMARES MORFIN
25930 TRADEWINGS DR
SU CITY CA 92585

459094021
MARIA DE ORTIZ
21600 LANE ST
PERRIS CA 92570

459094022
WILLIAM STACCO
31180 TERAND AVE
HOMELAND CA 92548

459191001
TERESA LYNNE HENDRICKS
31560 MCWADE AVE
HOMELAND CA 92548

459161010
LISA ESTHER GUTIERREZ GAMBOA
31552 WAKEFIELD AVE
HOMELAND CA 92548

459161011
MARIA BENITEZ
31544 WAKEFIELD AVE
HOMELAND CA 92548

459161013
JOHNNY YING ZHANG
31510 WAKEFIELD AVE
HOMELAND CA 92548

459161014
JOSE PEREZ ARELLANO
31538 WAKEFIELD AVE
HOMELAND CA 92548

459161016
SUSANNE JULIA HARRELSON
31570 WAKEFIELD AVE
HOMELAND CA 92548

459165002
ADRIANNA M. SAENZ
3380 LA SIERRA AVE STE 104-240
RIVERSIDE CA 92503

459165003
AMBRIZ JOSE LIVING TRUST U/A DTD 06/07/23
31555 WAKEFIELD AVE
HOMELAND CA 92548

459165011
SHANN HEANEY
12537 NAVAL CT
RIVERSIDE CA 92503

459093001
DARLENE E. SLOYER
33389 OLD HIGHWAY 74
HEMET CA 92545

459093006
WILBER TORRES
P O BOX 426
HOMELAND CA 92548

459093007
TERRELL E. CLARK
26140 NAUMANN AVE
HOMELAND CA 92548

459093011
WADE MORGAN
501 KNOTT AVE NO 36
ANAHEIM CA 92804

459093012
RAFAEL H AVILA RAMIREZ
26107 HOMELAND AVE
HOMELAND CA 92548

459093016
COMMUNITY FIRST CHURCH OF GOD OF
P O BOX 189
HOMELAND CA 92548

459094002
GJG INV INC
1421 MARTIN LUTHER KING DR
OXNARD CA 93030

459094005
WILLIAM WESTON GRAY
19902 E 39TH ST S
BROKEN ARROW OK 74014

459094006
JOSE MIGUEL DELGADO
30328 AVENIDA PALMERA
HOMELAND CA 92548

459094010
MANUEL HAROS
26142 HOMELAND AVE
HOMELAND CA 92548

459094012
RIVERSIDE COUNTY FLOOD CONT & WATER
1995 MARKET ST
RIVERSIDE CA 92501

459094015
RODRIGO GALLEGOS
450 N SCOVELL AVE
SAN JACINTO CA 92582

459094020
JOSE REYES TORRES
26106 HOMELAND AVE
HOMELAND CA 92548

459094023
MANUEL F. ACEVEDO
28125 PATTI LN
ROMOLAND CA 92585

459105001
FLORENCIO SOTO
21261 STEELE PEAK DR
PERRIS CA 92570

Environmental Justice Form

Applicability

Sites located within Environmental Justice boundaries have compatibility policies related to the environment and quality of life change as well as outreach. To address these policies:

1. Planning staff will review and evaluate your submittal and will note what policies are applicable to your proposed project and provide options for addressing the policies.
2. Community Outreach will be required to present the proposed project. Staff will assist in scheduling a meeting with the appropriate Community Council (CC), Community Advisory (CAC), or other form of outreach when the proposed project is not located within a MAC or CC boundary.

Development Process

Environmental Justice policies apply to proposed projects located within the designed EJ communities. You can see a map of applicable communities by using the [Environmental Justice Mapping App](#) and on [Map My County](#). The digitized map depicts the EJ communities shown on Figure LU 4.1 of the Land Use Element of the General Plan. All discretionary approvals for the proposed projects including housing, and/or nonresidential uses including but not limited to commercial, services, industrial, agricultural, and nonprofit will be evaluated for compatibility with applicable policies.

1. **New development** within the Environmental Justice Communities.
2. **Discretionary requests** for development, including residential and/or nonresidential uses and development.

Directions

Please review the following checklist to analyze your project with respect to the Environmental Justice policies. Policies will include a response which note whether the project can be compatible with the Environmental Justice policy by Conditions of Approval, Mitigation Measures, or Project Design Features. The response may also note if a policy is not applicable. The following describes responses:

1. **Compatible Through Mitigation Measure or Condition of Approval:** The project meets the provision through a CEQA mitigation measure or the application of a Condition of Approval.
2. **Compatible Through Project Design Feature:** The project meets the provision through the implementation of a design feature.
3. **Policy Not Applicable:** The policy does not apply to the project. Some policies are not development orientated. The notes section may elaborate on why the policy is not applicable.
4. **Notes:** Elaborate and explain on the selection made in the checklist.

Important Documents and Links (Hyperlinked)

1. [Environmental Justice Mapping App](#)
2. [Map My County](#)
3. [Policies](#)
4. [Implementation Plan](#)
5. [Proposed Affected Areas](#)

Health Risk Reduction

	Mitigation Measure or Condition of Approval	Project Design Feature	Policy Not Applicable	Notes (250-word max per response)
HC 16.5 – Location to Sensitive Receptors. Evaluate the compatibility of unhealthy and polluting land uses being located near sensitive receptors including possible impacts on ingress, egress, and access routes. Similarly, encourage sensitive receptors, such as housing, schools, hospitals, clinics, and childcare facilities to be located away from uses that pose potential hazards to human health and safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project there are no sensitive receptors nearby.
HC 16.6 – Good Neighbor Policy. For large scale logistics, warehouse and distribution projects, address the Good Neighbor Policy for Logistics and Warehouse/Distribution uses criteria adopted by the Board of Supervisors on November 19, 2019, and as may be subsequently amended.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project as it is not a large-scale logistics, warehouse, or distribution project.
HC 16.10 – Compact Development. Plan for compact development projects in appropriate locations, including in existing communities and the clustering of affordable and mixed-income housing therein, that make the most efficient use of land and concentrate complementary uses close to transit or non-transit mobility options and advocate for expanded transit and non-transit mobility options to serve such areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. It is not any type of residential project.
HC 16.14 – Sensitive Receptors, Pesticides and Fertilizers. Assure that sensitive receptors are separated and protected from polluting point sources, as feasible, including agricultural businesses that produce or use pesticides and chemical fertilizers.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. The project does not include sensitive receptors, pesticides or fertilizers.
HC 16.15 – Site Design and Industrial and Warehousing. Assure that site plan design protects people and land, particularly sensitive land uses such as housing and schools, from air pollution and other externalities associated with industrial and warehouse development through the use of barriers, distance, or similar solutions or measures from emission sources when possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site will include newly constructed wrought iron fencing along the entire perimeter of the site
HC 16.16 – Landscaping, Particulate Matter, and Air Pollution. Apply pollution control measures such as landscaping, vegetation, and green zones (in cooperation with the SCAQMD) and other materials, which trap particulate matter or control air pollution.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project meets the provision. Landscape will be used to combat pollution control.
HC 16.18 – Job Creation and Reduction of Vehicle Miles. Promote new development that emphasizes job creation and reduction in vehicle miles traveled in job-poor areas and does not otherwise contribute to onsite emissions to improve air quality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project meets the provision. It will create jobs
HC 16.22 – Industrial Water Use Discharges and Agriculture and Pesticide/Chemical Use. Discourage industrial uses which use large quantities of water in manufacturing or cooling processes that result in subsequent effluent discharges and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No industrial water use discharges or Agriculture

	Mitigation Measure or Condition of Approval	Project Design Feature	Policy Not Applicable	Notes (250-word max per response)
<i>encourage agricultural businesses to limit and reduce the production and use of pesticides and chemical fertilizers to the maximum extent possible thereby minimizing contaminated infiltration and runoff, including runoff to the Salton Sea and other standing bodies of water.</i>				and Pesticide/ chemical will be used at this location
HC 16.23 – Industrial and Agriculture Uses and Toxic Contamination. Discourage industrial and agricultural uses which produce significant quantities of toxic emissions into the air, soil, and groundwater to prevent the contamination of these physical environments.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. Industrial and Agriculture Uses will not be operated at this site.
HC 16.24 – Compatibility Criteria for Industrial, Agricultural, And Adjacent Land Uses. Ensure compatibility between industrial development and agricultural uses and adjacent land uses. To achieve compatibility, industrial development and agricultural uses will be required to include criteria addressing noise, land, traffic, and greenhouse gas emissions to avoid or minimize creating adverse conditions for adjacent communities.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. Industrial and Agriculture Uses will not be operated at this site.
HC 16.25 – Mining Projects and Compatibility. Require the conversion of mining operations into uses that are compatible with surrounding areas in accordance with the Surface Mining and Reclamation Act.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No mining operations will be conducted at this location.

Food Access

	Mitigation Measure or Condition of Approval	Project Design Feature	Policy Not Applicable	Notes (250-word max per response)
HC 17.2 – Building Setback and Activation of Sidewalks. Orient buildings closer to streets or provide landscaped promenades that connect buildings to bus stops with routes that provide access to shopping centers, grocery stores, and areas where farmer's markets are held.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project meets the provision. Phase 1 existing building placement is close to main street.
HC 17.3 – Site Design and Interior Spaces. Encourage site design for new development to accommodate interior spaces for recreational and other neighborhood uses, such as community gardens and farmer's markets in order to increase access to fresh and healthy foods; and to render such spaces convenient and available to neighboring streets, neighborhoods, and other nearby facilities to fill the void or lack of small grocery stores and increase access to fresh and healthy foods within EJ Communities.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No food will be provided at this business.

HC 17.5 – Diverse Food Establishments. Encourage the development of diverse food establishments prioritizing mom and pop healthy food establishments and community kitchens for homemade foods to be sold in areas with a high concentration of fast-food establishments, convenience stores, and liquor stores.

HC 17.6 – Affordable Access to Fruits and Vegetables. Work with local farmers and growers to develop a program to provide affordable access to fruits and vegetables grown in the area to the EJ communities. Identify and establish the location of grocery stores, healthy corner stores, farmer's markets all of which carry a complement of healthy foods to be located in close proximity to transit nodes and other active transportation system links.

HC 17.7 – Edible Landscaping and Community Gardens. Promote edible landscaping and community gardens for suitable public and private land as well as for residential and mixed-use projects.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No food of any kind will be provided at this business.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No food of any kind will be provided at this business.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No food of any kind will be provided at this business.

Safe and Sanitary Homes

	Mitigation Measure or Condition of Approval	Project Design Feature	Policy Not Applicable	Notes (250-word max per response)
HC 18.7 – Polluting Uses and Noticing Requirements. Discourage industrial, agricultural, and other land uses that may pollute and cause health conflicts with residential land uses either directly or indirectly. Ensure that community members are properly notified and involved in the decision-making process for new land-use proposals.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No land use that will pollute and cause health conflicts.
HC 18.8 – Design to Limit Exposure of Residential Development. Work with the development community including small property and mobile home park owners so new residential development, particularly for low-income households, is designed to limit their exposure to high noise levels, pesticide and fertilizer exposure, dust pollution, and other potential impacts associated with adjacent industrial and agricultural uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No new residential development will take place at this location.
HC 18.9 – Design and Character of the Surrounding Area. Encourage the location and design of new developments to visually enhance and not degrade the character of the surrounding area through consideration of the following concepts.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The existing building Phase 1 will be remodeled with modern architectural details. Phase 2, the newly constructed building will also include these features.

	Mitigation Measure or Condition of Approval	Project Design Feature	Policy Not Applicable	Notes (250-word max per response)
a. Use of Design Standards. Using design standards of the appropriate Area Plan land use category.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Design standards are used for the appropriate land use.
b. Codes and Regulations. Construction of structures in accordance with the requirements of Riverside County's zoning, building, and other pertinent codes and regulations.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All construction will be accordance of Riverside County's zoning, building, and other pertinent codes and regulations.
c. Landscaping Plan. Require that an appropriate landscape plan be submitted and implemented for development projects subject to discretionary review.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landscape plans have been submitted for review.
d. Drought Resistant Landscaping. Use of drought-tolerant landscaping that incorporates adequate drought-conscious irrigation systems.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landscaping will use drought-tolerant and drought- conscious irrigation systems.
e. Energy Efficiency in Design. Application of energy efficiency through street configuration, building orientation, and landscaping to capitalize on shading and facilitate solar energy.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Energy efficiency is applied in landscape.
f. Water Conservation. Application of water conservation techniques, such as groundwater recharge basins, use of porous pavement, drought-tolerant landscaping, and water recycling, as appropriate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The use of porous pavement and drought tolerant landscaping will be implemented.
g. Innovative Design. Encourage innovative and creative design concepts.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Building and site design will be appealing to the public.
h. Public Art. Encourage the provision of public art that enhances the community's identity, which may include elements of historical significance and creative use of children's art.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public art will be displayed on building wall for both phases of the project.
i. Signage. Include consistent and well-designed signage that is integrated with the building's architectural character.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Signage will be well designed to enhance the building's character.
j. Vehicular Access. Provide safe and convenient vehicular access and reciprocal access between adjacent commercial uses.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vehicular access will be provided.
k. Service Areas and Residential. Locate site entries and storage bays to minimize conflicts with adjacent residential neighborhoods.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Only one entrance is provided. Existing driveway entrance from main road is to remain and enhanced.

	Mitigation Measure or Condition of Approval	Project Design Feature	Policy Not Applicable	Notes (250-word max per response)
i. Mitigation. Mitigate noise, odor, lighting, pollution exposure, and other impacts on surrounding properties.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Odor control systems will be put in place. Landscaping will control lighting and pollution exposure on the property.
m. Landscaping in Open Spaces and Parking Lots. Provide and maintain landscaping in open spaces and parking lots.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landscaping is to be well maintained.
n. Drought Tolerant Landscaping. As feasible, maximize landscape coverage with an emphasis on drought-tolerant landscaping.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landscape is to be drought tolerant
o. Preservation of Natural Features. Preserve, as feasible, natural features, such as unique natural terrain, arroyos, canyons, and other drainage ways, and native vegetation, wherever possible, particularly where they provide continuity with more extensive regional systems.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The natural drainage ways go the land will not be altered.
p. Pedestrian Activity. Require, as feasible, that new development be designed to provide adequate space for pedestrian connectivity and access, recreational trails, vehicular access, and parking, supporting functions, open space, and other pertinent elements.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pedestrian will have connectivity to vehicular access and parking.
q. Integration of Parking Lots. Design parking lots and structures to be functionally and visually integrated and connected.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parking lot will be functional and visually integrated in phase 1 and 2 of the project
r. Building Access Points. As feasible, site building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity where such passthrough areas include wayfinding signage, street trees, grade and lateral separation from roads, all with consideration given to adequate safety lighting, and landscape screening.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Building access point from street is provided.
s. Pedestrian Crossings. Encourage safe and frequent pedestrian crossings and ensure that sidewalks and other pedestrian walkways provide continuity between land uses essential to a functional lifestyle, and as needed such sidewalks and pedestrian walkways should provide sufficient lighting and signage to ensure public safety.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is safe pedestrian crossings, sidewalk, sufficient lighting and signage to ensure pedestrian safety.

	Mitigation Measure or Condition of Approval	Project Design Feature	Policy Not Applicable	Notes (250-word max per response)
t. Human Scale. Encourage the creation of a human-scale ground floor environment that includes public open areas that separate pedestrian space from auto traffic or where mixed, it does so with special regard to pedestrian safety.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Included, please refer to the site plan
u. Recognition of Open Space. Recognize open space, including hillsides, arroyos, riparian areas, and other natural features as amenities that add community identity, beauty, recreational opportunities, and monetary value to adjacent developed areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No natural features of those mentioned are part of this site.
v. Fire Hazards. Manage wildland fire hazards in the design of development proposals located adjacent to natural open space.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No natural open spaces located adjacent to project.
HC 18.12 – Safe Affordable Housing and Displacement. Prioritize the development of safe and affordable housing in EJ Communities while at the same time minimizing the displacement of existing residents consistent with Housing Element, Goal 2, Action 2.1h and as may be amended by the 6th Cycle Housing Element. Affordable housing projects should include various housing types that respond to community priorities and input.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No new housing is to develop at this site. Therefore there will be no displacement of existing residents.

Safe and Sanitary Homes

	Mitigation Measure or Condition of Approval	Compatible through Project Design Feature	Policy Not Applicable	Notes (250-word max per response)
HC 19.2 – Outdoor Recreation. Develop of high-quality parks, green space, hiking trails, recreational facilities and natural environments in areas where such facilities are lacking.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No outdoor recreation will be constructed.
HC 19.6 – Local Trails. Plan for a system of local trails that enhances recreational opportunities and connects with regional trails.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. No trails will be constructed
HC 19.7 – Incorporate Recreation Opportunities. Incorporate open space, community greenbelt separators, and recreational amenities into development areas in order to enhance recreational opportunities and community aesthetics to improve the quality of life.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project.

Public Facilities

	Mitigation Measure or Condition of Approval	Project Design Feature	Policy Not Applicable	Notes (250-word max per response)
HC 20.1 – Public Facilities and Supporting Infrastructure. <i>New development should provide for public services including but not limited to solar street lighting, shading structures at bus stops, other supporting infrastructure, and extension of trash and recyclables pickup routes.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. This development will not offer any public services.
HC 20.2 – Development and Internal Pedestrian Circulation. <i>New development should promote convenient internal pedestrian circulation among land uses (existing and proposed) within each neighborhood and connecting with existing adjacent developed areas and as applicable consistent with the Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy, and amendments thereto.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. There is to be no pedestrian access to adjacent areas properties.
HC 20.4 - <i>New development and conservation land uses should not infringe upon existing essential public facilities and public utility corridors, which include county regional landfills, fee-owned rights-of-way, and permanent easements, whose true land use is that of public facilities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy does not apply to the project. Development will not infringe upon any existing essential public facilities and public utility corridors.

DEVELOPMENT AGREEMENT NO. 2100114

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”):

ADD NAMES OF ALL OWNERS WITH INTEREST IN OPERATION HERE

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 \$16.00 multiplied by the entire Cannabis Area, as shown on Exhibit “G”, and which is payable to COUNTY annually pursuant to Subsections 4.2.1 and 4.2.2 of this Agreement and increased annually by 2% from and after the date 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. 348.4978, 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 landowner;
- (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. Any subsequent amendment to the Agreement will not alter the original Effective Date.

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), or the OWNER may transfer the rights under the Agreement, 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) For an Assignment of Property rights, 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, for either the transfer of the Property interest or any interests under this Agreement, 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.

2.5.1 Amendment or Cancellation. 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.

2.5.2 Modification to Additional Annual Public Benefit. At the time of the Agreement's Effective Date, Ordinance No. 348 requires a separation of 1,000 feet between cannabis retailers. In the event Ordinance No. 348 is amended and reduces the separation between cannabis retailers to less than 1,000 feet, the parties acknowledge that an amendment to the Agreement modifying the Additional Annual Public Benefit may be proposed by the OWNER and processed in accordance with Section 2.5.1 of this Agreement and the County's Procedures and Requirements for the Consideration of Development Agreements.

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. 210129) 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 (Commercial Cannabis Activities)" 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. 210129.

(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. (95 1) 955-1817

and

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

If to OWNER: **NEED TO INCLUDE HERE**

(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.

3.3.1 Timing Related to Building Permit. OWNER shall show substantial progress towards obtaining a building permit, as determined by the Planning Director, within two (2) years of the final approval of the conditional use permit. Subject to the Planning Director's discretion, if substantial progress has not occurred, the Agreement must return to the Board of Supervisors at a noticed public hearing where the Board of Supervisors has the discretion to cancel, modify, or extend the Agreement and/or the approved conditional use permit at that time.

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 Annual Public Benefit Base Payments. Prior to the issuance of the certificate of occupancy for any part of the Commercial Cannabis Activity, OWNER shall pay to COUNTY an amount equal to the base payment calculated per Section 1.1.2 of this Agreement (“Base Payment”); provided, however, an initial base payment of \$9,712.00 shall be made at Certificate of Occupancy with an additional payment of \$9,712.00 due after or within 6 months from issuance of the Certificate of Occupancy. Initial annual base payment shall be prorated based on the number of whole months remaining between the date of issuance of the certificate of occupancy and the first following June 30th.

4.2.2 Subsequent Annual Base Payments. The Annual Base Payment shall be subject to annual increases in an amount of 2%. Prior to the first July 1st following the initial Base Payment and each July 1st thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Base Payment plus the 2% annual increase.

4.3 Annual Additional Public Benefits. OWNER shall perform Additional Public Benefits identified in Exhibit “H” that will benefit the community in which the Commercial Cannabis Activity is located. Prior to the issuance of the certificate of occupancy for any part of the Commercial Cannabis Activity, OWNER shall pay to COUNTY an amount equal to the additional annual public benefit set forth in Exhibit “H” of this Agreement (“Additional Public Benefit”); provided, however, that such initial annual payment shall be prorated based on the number of whole months remaining between the date of issuance of the certificate of occupancy and the first following June 30th.

4.3.1 Subsequent Annual Additional Public Benefits. The Additional Public Benefit provided in Exhibit “H” shall be subject to annual increases in an amount of 5%. Prior to the first July 1st following the initial Additional Public Benefit payment and each July 1st thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Additional Public Benefit plus the 5% annual increase.

4.4 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.

4.5 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.

4.6 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.

4.7 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. 210129 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, CUP No. 210129 and consistency with the Request for Proposal Responses 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: _____

Kevin Jeffries
Chair, Board of Supervisors

ATTEST:

KIMBERLY RECTOR
Clerk of the Board

By: _____

Deputy
(SEAL)

OWNER:

NEED TO FILL IN ALL OWNERS HERE

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

EXHIBIT "A"

Development Agreement No. 2100114

LEGAL DESCRIPTION OF PROPERTY

EXHIBIT "B"

Development Agreement No. 2100114

MAP OF PROPERTY AND ITS LOCATION

EXHIBIT “C”

Development Agreement No. 2100114

EXISTING DEVELOPMENT APPROVALS

Conditional Use Permit No. 210129

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. 2100114

EXISTING LAND USE REGULATIONS

1. Riverside County Comprehensive General Plan as amended through Resolution No. 2021-108
2. Ordinance No. 348 as amended through Ordinance No. 348.4983
3. Ordinance No. 448 as amended through Ordinance No. 448.A
4. Ordinance No. 457 as amended through Ordinance No. 457.106
5. Ordinance No. 458 as amended through Ordinance No. 458.17
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. 650.7
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. 671.22
16. Ordinance No. 673 as amended through Ordinance No. 673.6
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. 787.10
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. 824.17
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. 927.1
37. Ordinance No. 931 as amended through Ordinance No. 931
38. Resolution No. 2020-124 Establishing Procedures and Requirements of the County of Riverside for the Consideration of Development Agreements (Commercial Cannabis Activities)
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. 2100114

COMMERCIAL CANNABIS ACTIVITY SITE PLAN & DESCRIPTION

As shown on the attached site plan, Conditional Use Permit No. 210129 permits a Cannabis Retail to operate with 1,214 square feet of retail within an existing building on approximately 0.22 net acres.

EXHIBIT “F”

Development Agreement No. 2100114

APPLICABLE PUBLIC BASE BENEFITS PAYMENTS

The Cannabis Retailer operating at the Property pursuant to Conditional Use Permit No. 210129 includes usable space as shown on Exhibit “G”. In accordance with Board Policy B-9, the base public benefit is \$16.00 per square foot for retail. Therefore, the public base benefit payment will be \$19,424.00 and will increase annually at a rate of 2%.

EXHIBIT “G”

Development Agreement No. 2100114

CANNABIS AREA CALCULATION EXHIBIT

The Cannabis Area calculation includes a Cannabis Retailer to operate with 1,214 square feet of retail cannabis on approximately 0.22 net acres. The Cannabis Retailer will only operate within the area as shown in Exhibit “E” and Exhibit “G”.

EXHIBIT “H”

Development Agreement No. 2100114

COMMERCIAL CANNABIS ACTIVITY PUBLIC BENEFIT

The additional annual public benefit provided by the OWNER shall be \$25,200.00 with an annual increase of 5%. The COUNTY will utilize the 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 participate in community events, career opportunity events, as well as educational and wellness seminars within the surrounding community.

Initial payments upon Certificate of Occupancy shall occur as follows: An initial payment of \$12,600.00 will be due at Certificate of Occupancy. This payment will be prorated based on the number of whole months remaining between the date of payments and the first following June 30th. The remainder of the additional public benefit in the amount of \$12,600.00 will be due six (6) months from the issuance of the Certificate of Occupancy. Thereafter, subsequent payments of the additional annual public benefit shall follow Section 4.3.1 of the Development Agreement No. 2100114.



**COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY**

Charissa Leach, P.E.
Assistant CEO/TLMA Director



01/05/24, 12:48 pm

CUP210129

ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for CUP210129. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of Conditional Use Permit No. 210129 and is intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

Advisory Notification. 2 AND - Project Description & Operational Limits

Conditional Use Permit No. 210129 (CUP210129) is a proposal to operate a retail cannabis storefront. The first phase of the Project will operate within the existing 1,214 square foot structure to operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m. The interior of the building is to be refabricated with new fixtures and walls, and the parking lot is to be re-striped so that there are 27 parking spaces on-site, including 2 ADA parking spaces. Due to the required dedication to be given at the property frontage for the Highway 74 roadway expansion, the Project includes a second phase of development. The second phase initiates the deconstruction of the existing structure, and the reconstruction of a new 1,974 square foot structure that would be out of the right of way dedication. The parking lot is to be re-striped so that there are 23 parking spaces on-site to service the operations, including 2 ADA parking spaces and 1 EV parking space. The storefront will continue to operate 7 days a week between the hours of 6:00 a.m. to 10:00 p.m. and both phases of operations will have 10 employees serving the store split amongst 2 shifts, with 5 employees per a shift. Both phases of operation will also have mobile deliveries between the hours of 6:00 a.m. to 9:00 p.m. (no mobile deliveries to be scheduled after 9 pm). Improved landscaping and a trash enclosure are also proposed for both phases.

The Project site is within the Harvest Valley/Winchester Area Plan and the Highway 79 Policy Area. The Project is located south of Highway 74, east of Homeland Avenue, west of Guthridge Lane, and north of McWade Avenue.

Advisory Notification. 3 AND - 5 Year Building Reconstruction Requirement

Within five (5) years of approval of Conditional Use Permit No. 210129, the building within phase 2 shall be constructed and operational, and the implementation of pertinent Transportation Department conditions of approval for dedication and improvements for SH-74 have occurred. If the building within phase 2 is not constructed and operational within 5 years of approval of the CUP, then Conditional Use Permit No. 210129 shall be considered null and void, unless at the discretion of the Planning Director the applicant has demonstrated

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 3 AND - 5 Year Building Reconstruction Requirement (cont.)

that they are diligently pursuing and processing the required permits and therefore, at the discretion of the Planning Director, the applicant is granted an appropriate and reasonable extension of time.

Advisory Notification. 4 AND - Exhibits

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT(S)

Exhibit A (Site Plan - Phase 1 & 2), dated June 6, 2022

Exhibit B (Floor Plans & Elevations - Phase 1), dated June 6, 2022

Exhibit C (Floor Plans & Elevations - Phase 2), dated June 6, 2022

Exhibit D (EJ Checklist), dated March 15, 2023

Exhibit G (Conceptual Grading Plan), dated April 12, 2022

Exhibit L (Conceptual Landscaping and Irrigation Plans), dated June 20, 2022

Advisory Notification. 5 AND - Federal, State & Local Regulation Compliance

1. Compliance with applicable Federal Regulations, including, but not limited to:
 - National Pollutant Discharge Elimination System (NPDES)
 - Clean Water Act
 - Migratory Bird Treaty Act (MBTA)

2. Compliance with applicable State Regulations, including, but not limited to:
 - The current Water Quality Management Plan (WQMP) Permit issued by the applicable Regional Water Quality Control Board (RWQCB.)
 - Government Code Section 66020 (90 Days to Protest)
 - Government Code Section 66499.37 (Hold Harmless)
 - Native American Cultural Resources, and Human Remains (Inadvertent Find)
 - School District Impact Compliance
 - Current California Building Code requirements
 - California State Cannabis laws and regulations

3. Compliance with applicable County Regulations, including, but not limited to:
 - Ord. No. 348 (Land Use Planning and Zoning Regulations)
 - Ord. No. 413 (Regulating Vehicle Parking)
 - Ord. No. 457 (Building Requirements)
 - Ord. No. 461 (Road Improvement Standards)
 - Ord. No. 655 (Regulating Light Pollution)
 - Ord. No. 671 (Consolidated Fees)
 - Ord. No. 787 (Fire Code)
 - Ord. No. 847 (Regulating Noise)
 - Ord. No. 857 (Business Licensing)
 - Ord. No. 859 (Water Efficient Landscape Requirements)
 - Ord. No. 915 (Regulating Outdoor Lighting)
 - Ord. No. 925 (Prohibiting Marijuana Cultivating)

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 5 AND - Federal, State & Local Regulation Compliance (cont.)

- Ord. No. 928 (Clarifying County Prohibition on Mobile Marijuana Dispensaries and Deliveries)
4. Mitigation Fee Ordinances
- Ord. No. 659 Development Impact Fees (DIF)
 - Ord. No. 810 Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP)
 - Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)

Advisory Notification. 6 AND - Hold Harmless

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the CONDITIONAL USE PERMIT; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void, or annul any other decision made by the COUNTY concerning the CONDITIONAL USE PERMIT, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel. Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project, applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION.

To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, applicant/permittee shall make such additional deposits.

ADVISORY NOTIFICATION DOCUMENT

E Health

E Health. 1 DEH - ECP COMMENTS

Based on the information provided in the environmental assessment documents submitted for this project and a site visit conducted by RCDEH-ECP (Riverside County Department of Environmental Health – Environmental Cleanup Program) staff and with the provision that the information was accurate and representative of site conditions, RCDEH-ECP concludes no further environmental assessment is required for this project.

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

E Health. 2 DEH-LEA Clearance

Collection of Solid waste is mandatory by local franchise haulers. Solid waste enclosure shall be constructed in a manner to meet the requirements of SB1383 for organic waste, recyclable and trash. Contact local franchise solid waste hauler for minimum cart size requirements, prior to the construction of solid waste enclosures.

Fire

Fire. 1 Fire - General Conditions

With respect to the planning conditions for the referenced project, the Fire Department requires the following fire protection measures be provided in accordance with Riverside County Ordinances, the 2019 California Fire Code (CFC) as adopted and amended by the County of Riverside and/or recognized fire protection standards. These conditions are preliminary and further review will be conducted upon receipt of additional entitlement and/or construction submittals. Additional requirements may be required based upon the adopted codes at the time of submittal.

1. Fire Protection Water Supplies/Fire Flow - Minimum fire flow for the construction of all buildings is required per CFC Appendix B or other approved method. Prior to building permit issuance for new construction, the applicant shall provide documentation to show there exists a water system capable of delivering the required fire flow. Specific design features may increase or decrease the required fire flow. Reference CFC 507.3

2. Fire Protection Water Supplies/Hydrants - The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with CFC Appendix C and NFPA 24. Fire hydrants shall be located no more than 400 feet from all portions of the exterior of the building along an approved route on a fire apparatus access road, unless otherwise approved by the Fire Department. Fire hydrants shall be at least 40 feet from the building it is serving. A fire hydrant shall be located within 20 to 100 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are 4" x 2 ½" x 2 ½" (super hydrant). Reference CFC 507.5, CFC Appendix C and NFPA 24 7.2.3

ADVISORY NOTIFICATION DOCUMENT

Fire

Fire. 1 Fire - General Conditions (cont.)

3. Fire Department Access - Fire apparatus access roads shall be provided to within 150 feet of all exterior portions of buildings, unless otherwise approved by the Fire Department. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with an approved turn around. The minimum required turning radius of a fire apparatus access road is 38 feet outside radius and 14 feet inside radius. The construction of the fire apparatus access roads shall be all weather and capable of sustaining 75,000 lbs. Unless otherwise approved, the grade of a fire apparatus access road shall not exceed 16 percent and the cross slope shall not exceed 2.5 percent. The angles of approach and departure for fire apparatus access roads shall be a maximum of 6 percent grade change for 25 feet of approach/departure. Reference CFC 503.1.1, 503.2.1 as amended by the County of Riverside and Riverside County Office of the Fire Marshal Technical Policy #TP22-002

4. Fire Department Building Construction Permit Review - Submittal of construction plans to the Fire Department will be required. Final fire and life safety conditions will be addressed when the Fire Department reviews these plans. These conditions will be based on California Fire Code, California Building Code (CBC), and related codes/standards adopted at the time of construction plan submittal. Reference CFC 105.1

Flood

Flood. 1 015 - Flood - Flood Haz. Report

04.20.2023

Conditional Use Permit (CUP) 210129 is a proposal for the operation of commercial cannabis retail store on a 0.22-acre parcel in the Winchester area. The project will be comprised of two phases. Phase 1 will occur within an existing building and install 27 parking spaces. Phase 2 will construct a new 1,974 sq. ft. building and 23 parking spaces. The project site is located east of Homeland Ave, south of Highway 74, west of Guthridge Lane and north of McWade Ave.

The topography of the site is generally a north-to-southerly slope. the site is subject to offsite runoff and nuisance street flows from the north. Highway 74 is on the northern property line of the site. It is a paved street with no curb or gutter along the southern half of the street, and the street elevation is higher than the project site. The offsite runoffs from the tributary area and local streets may need to be conveyed away from the site as a storm of unusual magnitude could cause some damage.

The District has reviewed the submitted site plans for Phase 1 and Phase 2 dated February 9, 2023.

The property is in the Homeland/Romoland – Line A Area Drainage Plan, there is no drainage fee required for construction within the existing building. The drainage fees will be required for the proposed parking lots and the new building as additional impervious area will be constructed. The property's grading should be designed in a manner that perpetuates the existing natural drainage patterns and conditions with respect to tributary drainage area and outlet points. New construction should comply with all applicable ordinances.

ADVISORY NOTIFICATION DOCUMENT

Flood

Flood. 1 015 - Flood - Flood Haz. Report (cont.)

There is a general lack of drainage infrastructure downstream of the project site. The impervious area proposed with this development could generate an increase in peak flow rates and adversely impact water quality and affect the downstream property owners, therefore the mitigation will be required to offset such impacts.

The project is not associated with any existing or proposed District maintained facility; therefore, the Transportation Department will have the responsibility to process the review and approval of any hydrology or drainage studies including the preliminary and final Water Quality Management Plan (WQMP). The District has no objection to this proposal.

This site is located within the bounds of the Homeland/Romoland - Line A Area Drainage Plan (ADP) for which drainage fees have been established by the Board of Supervisors. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to issuance of permits for this project. Although the current fee for this ADP is \$21,052 per acre, the fee due will be based on the fee in effect at the time of payment. The fee is payable to the Flood Control District by cashier's check or money order only. The District will not accept personal or company checks. The drainage fee is required to be paid prior to the issuance of the grading permits or issuance of the building permits if grading permits are not issued.

Every effort has been made to identify all potential areas of concern. for which the District will recommend conditions of approval. However, if during further review of the site, additional public safety and health issues are discovered, the District reserves the right to bring such issues to the attention of the hearing body.

Any questions pertaining to this project can be directed to Daniel Aguirre at 951.955.1348 or danaguir@rivco.org.

Planning

Planning. 1 ALUC Conditions

The site is located within Airport Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Area (AIA). Within Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, non-residential intensity is not restricted.

The project was found to be CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, provided that the County of Riverside applies the following recommended conditions:

1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:

(a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 1 ALUC Conditions (cont.)

FAA-approved navigational signal light or visual approach slope indicator.

(b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

(c) Any use which would generate smoke or water vapor, or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, wastewater management facilities, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction, and demolition debris facilities, fly ash disposal, and incinerators.)

(d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

(e) Other Hazards to flight.

3. The attached "Notice of Airport in Vicinity" shall be provided to all prospective purchasers and occupants of the property.

4. Any proposed stormwater basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm and remain totally dry between rainfalls. Vegetation in and around the stormwater basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the stormwater basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the stormwater basin, if not rip-rap, should be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

A notice sign, in a form similar to that attached hereto, shall be permanently affixed to the stormwater basin with the following language: "There is an airport nearby. This stormwater basin is designed to hold stormwater for only 48 hours and not attract birds. Proper maintenance is necessary to avoid bird strikes". The sign will also include the name, telephone number or other contact information of the person or entity responsible to monitor the stormwater basin.

Planning. 2 Business Licensing

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office.

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 3 Causes for Revocation

In the event the use hereby permitted under this permit is found:

(a) to be in violation of the terms and conditions of this permit; and/or,

(b) to have been obtained by fraud or perjured testimony; and/or,

(c) to be detrimental to the public health, safety, or general welfare, or is a public nuisance,

then this permit shall be subject to revocation procedures.

Planning. 4 Ceased Operations

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this Conditional Use Permit and accompanying Development Agreement approval shall become null and void.

Planning. 5 Comply With Ord./Codes

The development of these premises shall comply with the standards of the M-SC zone of Ordinance No. 348, Article XIXh (Commercial Cannabis Activities) of Ordinance No. 348, and all other applicable Riverside County ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on the approved Exhibits, unless otherwise amended by these conditions of approval.

Planning. 6 General - A. Application Requirements

At the time of filing the application for a Commercial Cannabis Activity on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the land use permit application.

Planning. 7 General - B. State License Required

The applicant or owner of the approved Commercial Cannabis Activity shall file for the required State license within 60 days after obtaining final project approval by the County. Furthermore, the applicant or owner of the approved Commercial Cannabis Activity shall demonstrate that the required State license has been obtained, prior to the County issuing a certificate of occupancy. The State license shall be maintained throughout the operating life of the approved Commercial Cannabis Activity

Planning. 8 General - C. Suspension, Revocation, or Termination of State License

Suspension of a license issued by the State of California, or by any State licensing authority, shall immediately suspend the ability of a Commercial Cannabis Activity to operate within the County until the State, or its respective State licensing authority, reinstates or reissues the State license. Revocation or termination of a license by the State of California, or by any State licensing authority, will also be grounds to revoke or terminate

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 19

General - N. Security

A Commercial Cannabis Activity shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, to deter and prevent the theft of Cannabis or Cannabis Products at the Commercial Cannabis Activity and to ensure emergency access in accordance with applicable Fire Code standards. Guard dogs shall not be used at the Commercial Cannabis Activity as a security measure. Security measures shall include, but not be limited to, the following:

1. A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity.
2. 24-hour emergency contact information for the owner or an on-site employee which shall be provided to the County.
3. A professionally installed, maintained, and monitored alarm system.
4. Except for Live Cannabis Plants being cultivated at a 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.
5. 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 of time 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.
6. Sensors shall be installed to detect entry and exit from all secure areas.
7. Panic buttons shall be installed in all Commercial Cannabis Activities.
8. Any bars installed on the windows or the doors of a Commercial Cannabis Activity shall be installed only on the interior of the building.
9. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services. During business hours a security personnel officer will be present inside the retail building to provide supervision of the security cameras and internal operations, and after hours a security officer will be present on-site to monitor the premises.
10. 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.
11. A Commercial Cannabis Activity shall cooperate with the County and, upon reasonable notice to the

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 19

General - N. Security (cont.)

Commercial Cannabis Activity, allow the County to inspect or audit the effectiveness of the security plan for the Commercial Cannabis Activity.

12. The permittee for a Commercial Cannabis Activity shall notify the Riverside County Sheriff'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.

13. 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.

14. Cannabis or Cannabis Products shall not be stored outside at any time.

15. 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.

Ord. 348 Article XIXh

Planning. 20

General - O. Permit and License Posting

The permittee shall post or cause to be posted at the Commercial Cannabis Activity all required County and State permits and licenses to operate. Such posting shall be in a central location, visible to the patrons, and in all vehicles that deliver or transport Cannabis. Ord. 348 Article XIXh

Planning. 21

General - P. Signage

Signage for a Commercial Cannabis Activity shall comply with the following:

1. In addition to the requirements set forth in this section and California Business and Professions Code section 26152 as may be amended, business identification signage for a Commercial Cannabis Activity shall comply with Section 19.4 of this ordinance.

2. No Commercial Cannabis Activity shall advertise by having a person or device holding a sign or an air dancer sign advertising the activity to passersby, whether such person, device or air dancer is on the lot of the Commercial Cannabis Activity or elsewhere including, but not limited to, the public right-of-way.

3. No Commercial Cannabis Activity shall publish or distribute advertising or marketing that is attractive to

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 21

General - P. Signage (cont.)

children.

4. No Commercial Cannabis shall advertise or market Cannabis or Cannabis Products on motor vehicles.

5. Except for advertising signs inside a licensed Premises and provided that such advertising signs do not advertise or market Cannabis or Cannabis Products in a manner intended to encourage persons under 21 years of age to consume Cannabis or Cannabis Products, no Commercial Cannabis Activity shall advertise or market Cannabis or Cannabis Products on an advertising sign within 1,000 feet of a Child Day Care Center, a K-12 school, a public park or a Youth Center.

6. No signs placed on the lot of a Commercial Cannabis Activity shall obstruct any entrance or exit to the building or any window.

7. Each entrance to a Commercial Cannabis Activity shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming Cannabis on the lot of the Commercial Cannabis Activity is prohibited.

8. Signage shall not be directly illuminated, internally or externally.

9. No banners, flags, billboards, or other prohibited signs may be used at any time.

Ord. 348 Article XIXh

Planning. 22

General - Q. Records

1. Each owner and permittee of a Commercial Cannabis Activity shall maintain clear and adequate records and documentation demonstrating that all Cannabis or Cannabis Products have been obtained from and are provided to other permitted and licensed Cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon written request.

2. Each owner and permittee of a Commercial Cannabis Activity shall maintain a current register of the names and contact information, including name, address, and telephone number, of anyone owning or holding an ownership interest in the Commercial Cannabis Activity, and of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the Commercial Cannabis Activity. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.

3. All Commercial Cannabis Activities shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all Cannabis and Cannabis Products for all stages of the growing and production or manufacturing, laboratory testing and distribution processes until purchase by or distribution to a qualified patient, primary caregiver for medical purpose or an adult 21 years of age or older who qualifies to purchase adult-use Cannabis.

Ord. 348 Article XIXh

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 23

General - R. Water

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the Commercial Cannabis Activity. The letter shall include the activity proposed and any improvements required for service. For Commercial Cannabis Activities where water service is not available, conditions from the Department of Environmental Health for a permitted onsite, in-ground well will be required for the conditional use permit. Irrigation and domestic water supplies shall not include water transported by vehicle from off-site sources.

Ord. 348 Article XIXh

Planning. 24

General - S. Waste Water

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable sanitary sewer purveyor, indicating agreement to supply sewer for the Commercial Cannabis Activity. The letter shall include the activity proposed and any improvements required for service. For Commercial Cannabis Activities where sewer service is not available, conditions from the Department of Environmental Health will be required for the conditional use permit. Where sanitary sewer is not available, the applicant shall obtain clearance from the appropriate regional water quality control board.

Planning. 25

General - T. Parking

Parking shall be provided in accordance with Section 18.12 of this ordinance. Ord. 348 Article XIXh

Planning. 26

General - U. Visibility

In no case shall Live Cannabis Plants be visible from a public or private road, sidewalk, park or common public viewing area. Ord. 348 Article XIXh

Planning. 27

General - V. Hazardous Materials

All Commercial Cannabis Activities that utilize hazardous materials shall comply with applicable hazardous waste generator, Riverside County Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance No. 651, requirements and maintain any applicable permits for these programs from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources and the Agricultural Commissioner. Ord. 348 Article XIXh

Planning. 28

General - W. Compliance with Local and State Laws and Regulations

1. All Commercial Cannabis Activities shall comply with all applicable local and State laws, ordinances and regulations related to, but not limited to, the following: the California Environmental Quality Act, California Building Code, California Fire Code, Riverside County Ordinance No. 787, Riverside County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside County Ordinance No. 745, Airport Land Use Compatibility Plans, weights and measures regulations, track and trace requirements, pesticide use, water quality, storm water discharge and the grading of land.

2. All buildings and structures, including greenhouse, hoop structures, or other similar structures shall comply with all applicable Building, Fire, and Safety laws and regulations. All buildings and structures shall be reviewed by the Riverside County Building and Safety Department in accordance with the California Building Code and

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 33

Retail Operational Requirements (cont.)

of age.

4. A Cannabis Retailer 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.

5. Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours

6. Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area

7. 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

8. Restroom facilities shall be locked and under the control of the Cannabis Retailer

9. 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

10. 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.

11. 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

12. 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.

13. Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle

14. 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

Planning. 34

Review Fees

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan, or mitigation and monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671.

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 1 Human Remains

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with State Health and Safety Code Section 7050.5.

Planning-CUL. 2 Unanticipated Resources

The developer/permit holder or any successor in interest shall comply with the following for the life of this permit. If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc.) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other.

** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the significance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

Transportation

Transportation. 1 General Conditions

With respect to the conditions of approval for the referenced tentative exhibit, the land divider shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with the Riverside County Road Improvement Standards (Ordinance No. 461.11). It is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Qs, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. The County of Riverside applicable ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 1 General Conditions (cont.)

The Project shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.

A signing and striping plan is required for this project. The Project shall be responsible for any additional paving and/or striping removal caused by the striping plan or as approved by the Director of Transportation.

Alterations to natural drainage patterns shall require protecting downstream properties by means approved by the Transportation Department.

If the Transportation Department allows the use of streets for drainage purposes, the 10-year discharge shall be contained in the top of curb or asphalt concrete dikes, and the 100-year discharge shall be contained in the street right-of-way.

The Project shall install street name sign(s) in accordance with County Standard Nos. 1220/1221 and as directed by the Transportation Department.

All corner cutbacks shall be applied per Standard No. 805, Ordinance No. 461.11, except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit C of the Countywide Design Guidelines.

All centerline intersections shall be at 90-degrees, plus or minus 5-degrees.

At intersections, local streets (below County Collector Road Standard) shall have a minimum 50 FT tangent, measured from flowline/curb-face to the end of the 50 FT tangent section.

Vacating/abandoning excess public rights-of-way requires a separate request from the Project that is approved by the Board of Supervisors. If said excess public rights-of-way is also County owned land, it may be necessary to enter into an agreement with the County for its purchase or exchange.

The project shall comply with the most current ADA requirements. Ramps shall be constructed at all 4 legs of 4-way intersections and T-intersections per Standard No. 403, sheets 1 through 7 of Ordinance No. 461.11.

The off-site rights-of-way for access road(s) required by the project shall be accepted to vest title in the name of the public if not already accepted.

If any portion of the project is phased, the Project shall provide primary and secondary off-site access roads for each phase with routes to County maintained roads as approved by the Transportation Department.

If there are previously dedicated public roads and utility easements that were not accepted by the County, the Project shall file a separate application to the County of Riverside, Office of the County Surveyor, for the acceptance of the existing dedications by resolution and bear all costs thereof.

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the requirements of the Transportation

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 1 General Conditions (cont.)

Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955-1667.

For more information regarding the public work bidding requirements please visit the following link: [http://rctlma.org/trans/Land-Development/Funding-Programs/Road-and-Bridge-Benefit-District-RBBD/Public-Works Bidding-Requirements](http://rctlma.org/trans/Land-Development/Funding-Programs/Road-and-Bridge-Benefit-District-RBBD/Public-Works-Bidding-Requirements).

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: <https://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955-6527.

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County. Street Improvement Plans shall comply with Ordinance No. 461.11, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

Waste Resources

Waste Resources. 1 Gen - Advisory Notices

AB 1826 requires businesses and multifamily complexes to arrange for organic waste recycling services. Those subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

- Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
- Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

2. AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:

- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- Subscribe to a recycling service with their waste hauler.
- Provide recycling service to their tenants (if commercial or multi-family complex).

ADVISORY NOTIFICATION DOCUMENT

Waste Resources

Waste Resources. 1 Gen - Advisory Notices (cont.)

- Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information, please visit:

www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory

3. Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division, at 1.888.722.4234.

- Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.
- The use of mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries is recommended. Recycle green waste through either onsite composting of grass, i.e., leaving the grass clippings on the lawn, or sending separated green waste to a composting facility.

Plan: CUP210129

Parcel: 459094003

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 CURBS ALONG PLANTERS Not Satisfied

Prior to issuance of a grading permit, the grading plan shall include a six-inch-wide curb with a twelve (12) inch wide walkway and shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

060 - BS-Grade. 2 EASEMENTS/PERMISSION Not Satisfied

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

A notarized letter of permission and/or recorded easement from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.

In instances where the grading plan proposes drainage facilities on adjacent off-site property, the owner/ applicant shall provide a copy of the recorded drainage easement or copy of Final Map.

060 - BS-Grade. 3 IF WQMP IS REQUIRED Not Satisfied

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the Final Water Quality Management Plan (WQMP) site plan for comparison to the grading plan.

060 - BS-Grade. 4 IMPROVEMENT SECURITIES Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or Erosion Control Security. Please contact the Riverside County Transportation Department for additional information and requirements.

Flood

060 - Flood. 1 060 - Flood_Mitcharge - Use Not Satisfied

This project is located within the limits of the Homeland/Romoland - Line A Area Drainage Plan (ADP). The County Board of Supervisors has adopted this ADP to establish a drainage fee within the plan area.

This project may require earlier construction of downstream ADP facilities. Therefore, the District recommends that this project be required to pay a flood mitigation fee. The mitigation charge for this project shall be equal to the prevailing ADP fee rate multiplied by the area of the new development. Fees shall be paid after final approval of the staff report/conditions of approval by the Board of Supervisors and prior to issuance of permits. Drainage fees shall be paid directly to the District. Personal or corporate checks will not be accepted for payment.

Planning

060 - Planning. 1 Fee Balance Not Satisfied

Prior to issuance of grading permits, the Planning Department shall determine if the deposit-based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

Plan: CUP210129

Parcel: 459094003

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 2 If Additional Grading Proposed Not Satisfied

If additional grading to the site is proposed, a grading permit must be submitted to the Building & Safety Department for review and approval. The Planning Department must also review the grading plans for compliance against approved entitlements. If any changes, additions, or expansions are to result from the grading, Planning will evaluate if additional entitlements are needed prior to grading permit issuance.

Planning-PAL

060 - Planning-PAL. 1 PRIMP Not Satisfied

This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

PRIOR TO ISSUANCE OF GRADING PERMITS:

1.The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).

2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:

- a. A corresponding and active County Grading Permit (BGR) Number must be included in the title of the report. PRIMP reports submitted without a BGR number in the title will not be reviewed.
- b. PRIMP must be accompanied by the final grading plan for the subject project.
- c. Description of the proposed site and planned grading operations.
- d. Description of the level of monitoring required for all earth-moving activities in the project area.
- e. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
- f. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
- g. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.
- h. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
- i. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- j. Procedures and protocol for collecting and processing of samples and specimens.

Plan: CUP210129

Parcel: 459094003

60. Prior To Grading Permit Issuance

Planning-PAL

060 - Planning-PAL. 1 PRIMP (cont.) Not Satisfied

- k. Fossil identification and curation procedures to be employed.
- l. Identification of the permanent repository to receive any recovered fossil material. *Pursuant the County "SABER Policy", paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.
- m. All pertinent exhibits, maps, and references.
- n. Procedures for reporting of findings.
- o. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed and will provide confirmation to the County that such funding has been paid to the institution.
- p. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One signed digital copy of the report(s) shall be submitted by email to the County Geologist (dwalsh@rivco.org) along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, Plan Check staff, Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e., copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.

Safeguard Artifacts Being Excavated in Riverside County (SABER)

Survey

060 - Survey. 1 SURVEY MONUMENTATION Not Satisfied

It shall be the responsibility of the licensed professional legally authorized to practice land surveying work to install street centerline monuments as required by Riverside County Ordinance No. 461.11. If construction centerline differs, provide a tie to existing centerline of right-of-way. Prior to any construction, survey monuments including centerline monuments, tie points, property corners and benchmarks shall be tied out and a pre-construction corner record or record of survey filed with the County Surveyor pursuant to Section 8771 of the Business & Professional Code.

In accordance with 6730.2 and 8771 (b) of the Business & Professional Code, survey monuments shall be preserved, and a permanent monument shall be reset at the surface of the new construction. Survey monuments destroyed during construction shall be tied out and reset, and a post-construction corner record filed for those points prior to completion and acceptance of the improvements. All existing survey monumentation in the proposed area of disturbance (on-site or off-site) shall be shown on the project plans.

Transportation

060 - Transportation. 1 FILE L&LMD APPLICATION Not Satisfied

File an application with the Transportation Department, L&LMD Section, 8th Floor, 4080 Lemon Street, Riverside, CA, for required annexation.

If you have any questions or for the processing fee amount, please call the L&LMD Section at

Plan: CUP210129

Parcel: 459094003

60. Prior To Grading Permit Issuance

Transportation

060 - Transportation. 1 FILE L&LMD APPLICATION (cont.) Not Satisfied
(951) 955-6748.

060 - Transportation. 2 RCTD-CWQ - CONDITIONAL WQMP REQUIREMENTS Not Satisfied

WQMP is not required for entitlement. However, an approved WQMP is required prior to any grading or building permit, if the development of the parcel meets or exceeds any of the thresholds for a WQMP. Submit the applicable WQMP applicability checklist, found on <https://rctlma.org/trans/Land-Development/WQMP>, if your project proposes an auto-repair shop, adding 5,000 sq.ft. of impervious area, or disturbing more than 1 acre. If a WQMP is required, submit a single file PDF on two CD/DVD copies to the Transportation Department for review and approval.

060 - Transportation. 3 RIGHT-OF-WAY DEDICATION- Phase 1 Not Satisfied

Phase 1 allows the existing building to operate for 5-years from the date of approval of the CUP. After 5-years, the existing building is to be demolished and new building erected at the south end of the project.

No right-of-way dedication is required until 5-years after the approval date of the CUP. After five years from the date of approval of the CUP, the applicant shall dedicate 92 ft of road right-of-way on SH-74. The existing building and all private encroachments shall be relocated or removed outside of the dedicated right-of-way upon its recordation.

060 - Transportation. 4 RIGHT-OF-WAY DEDICATION- Phase 2 Not Satisfied

Phase 2 is the construction and completion of a new building on the south end of the project to occur after five years from the date of approval of the CUP.

Sufficient public street right-of-way shall be provided along SH-74 to establish a 92-foot half-width right-of-way per Ordinance No. 461.11, Standard No. 83 including standard corner cutback per Ordinance No. 461.11, Standard No. 805. All private encroachments shall be relocated or removed outside of the dedicated right-of-way.

060 - Transportation. 5 STREET IMPROVEMENT PLANS Not Satisfied

The Project shall obtain approval of street improvement plans from the Transportation Department. Street Improvement Plans shall comply with Ordinance No. 461.11 and the Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

Prior to the submittal of the required street improvement plan per condition of approval, it may be necessary to obtain the existing street improvement and show the revision on the plan.

Please process a plan revision through the Plan Check Section per Section I, Part E, page 10 of the Improvement Plan Check - Policies and Guidelines manual available on the following website: <http://rctlma.org/trans/General-Information/Pamphlets-Brochures>

If you have any questions, please call the Plan Check Section at (951) 955-6527.

In order to receive any fee credits or reimbursement for improvements through established funding programs such as TUMF or DIF, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising.

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

BS-Grade

080 - BS-Grade. 2 ROUGH GRADE APPROVAL (cont.) Not Satisfied

Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

E Health

080 - E Health. 1 DEH- Health Clearance Not Satisfied

Prior to issuance of the building permit, clearance must be obtained from the Department of Environmental Health. Provide established sewer and water service for project.

Fire

080 - Fire. 1 Fire - Prior to Building Permit Not Satisfied

Fire Department Building Construction Permit Review - Submittal of construction plans to the Fire Department will be required. Final fire and life safety conditions will be addressed when the Fire Department reviews these plans. These conditions will be based on California Fire Code, California Building Code (CBC), and related codes/standards adopted at the time of construction plan submittal. Reference CFC 105.1

080 - Fire. 2 Prior to permit Not Satisfied

1.Fire Protection Water Supplies/Fire Flow - Minimum fire flow for the construction of all buildings is required per CFC Appendix B or other approved method. Prior to building permit issuance for (Phase Two) new construction, the applicant shall provide documentation to show there exists a water system capable of delivering the required fire flow. Specific design features may increase or decrease the required fire flow. Reference CFC 507.3.

2.Fire Protection Water Supplies/Hydrants - The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with CFC Appendix C and NFPA 24. Prior to Phase Two, fire hydrants shall be located no more than 400 feet from all portions of the exterior of the building along an approved route on a fire apparatus access road, unless otherwise approved by the Fire Department. Fire hydrants shall be at least 40 feet from the building it is serving. The size and number of outlets required for the approved fire hydrants are 4" x 2 1/2" x 2 1/2" (super hydrant). Reference CFC 507.5, CFC Appendix C and NFPA 24 7.2.3.

Flood

080 - Flood. 1 080 - Flood_Mitcharge - Use Not Satisfied

This project is located within the limits of the Homeland/Romoland - Line A Area Drainage Plan (ADP). The County Board of Supervisors has adopted this ADP to establish a drainage fee within the plan area pursuant to Ordinance No. 460 Section 10.25.

This project may require earlier construction of downstream ADP facilities. Therefore, the District recommends that this project be required to pay a flood mitigation fee. The mitigation charge for this project shall be equal to the prevailing ADP fee rate multiplied by the area of the new development. The charge is payable to the Flood Control District and shall be paid after final approval of the staff report/conditions of approval by the Board of Supervisors and prior to issuance of permits. Personal or corporate checks will not be accepted for payment.

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Planning

080 - Planning. 1 Completion of Parcel Merger Not Satisfied

A parcel merger of the two properties (APN 459-094-002 & -003) must be completed with the County Survey Department prior to issuance of any permits for construction.

080 - Planning. 2 Conform to Elevations & Floor Plans Not Satisfied

Elevations and Floor Plans of all buildings and structures submitted for building plan check approval shall be in substantial conformance with the elevations shown on APPROVED EXHIBIT(s).

080 - Planning. 3 Fee Balance Not Satisfied

Prior to issuance of building permits, the Planning Department shall determine if the deposit-based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

080 - Planning. 4 New Construction (Phase II) Not Satisfied

When the second phase construction of the entitlement is to be completed, all conditions of approval applicable at Phase I will be applicable at Phase II.

Planning Department will review the Phase II siting, floor plans, and elevations for compliance with the approved entitlement prior to building permit issuance.

080 - Planning. 5 Plot Plan for Sign Program Not Satisfied

Any signage for a proposed entitlement project shall be approved by the Planning Department pursuant to the requirements of Section 18.30 (Planning Department review only for a signage program) of Ordinance No. 348. This includes any signage for buildings or structures, monument signs, pylon signs, and any other signage that may be proposed for a given entitlement project.

Survey

080 - Survey. 1 ACCESS RESTRICTION Not Satisfied

Lot access shall be restricted on SH-74, with the exception of the proposed 30 feet project access point. The project proponent shall apply under a separate application with the County Surveyor to restrict access on SH-74.

Transportation

080 - Transportation. 1 80 - TRANSPORTATION - Landscape Inspection Deposit Not Satisfied

This condition applies to both onsite and offsite (ROW) landscaping -- The developer/ permit holder shall: Prior to building permit issuance, the developer/permit holder shall verify all plan check fees have been paid and deposit sufficient funds to cover the costs of the required landscape inspections associated with the approved landscape plans. The deposit required for landscape inspections shall be determined by the Transportation Department, Landscape Section. The Transportation Department, Landscape Section shall clear this condition upon determination of compliance.

080 - Transportation. 2 80 - TRANSPORTATION - Landscape Plot Plan/Permit Req Not Satisfied

This condition applies to both onsite and offsite (ROW) landscaping -- The developer/ permit holder shall: Prior to issuance of building permits, the developer/permit holder shall apply for a

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 2 80 - TRANSPORTATION - Landscape Plot Plan/Permit Req Not Satisfied Plot Plan (Administrative/PPA) Landscape Permit (LSP) or Landscape Plot Plan (LPP) from TLMA Land Use along with applicable deposit (plan check and inspection are DBF fees).

Provide construction level landscape plans in PDF (all sheets compiled in 1 PDF file), along with an electronic transmittal memo in PDF (include Owner contact, Developer, if not the same as the owner, Project manager, person or persons most likely to inquire about the status of the plans, Landscape Architect, Principal or LA signing the plans, Landscape Architect, Project Manager, person responsible for making the corrections, if different from above), and a current set of grading plans in PDF, and submit all three PDF files on a CD (compact Disc) with application. The landscape plans shall be prepared in a professional manner by a California Licensed/Registered Landscape Architect and signed/stamped by such.

Drawings shall be completed on County standard Transportation Department title block, plan sheet format (24 inch x 36 inch), 1:20 scale, north arrow, limit of work lines, hardscape features, graphic scale, and street names, etc. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components:

- 1) Landscape and irrigation working drawings (stamped) by a California certified/registered landscape architect;
- 2) Weather-based controllers and necessary components to eliminate water waste;
- 3) A copy of the (stamped) approved grading plans; and,
- 4) Emphasis on native and drought tolerant species.

When applicable, plans shall include the following components:

- 1) Identification of all common/open space areas;
- 2) Natural open space areas and those regulated/conserved by the prevailing MSHCP and or ALUC;
- 3) Shading plans for projects that include parking lots/areas;
- 4) The use of canopy trees (24 inch box or greater) within the parking areas;
- 5) Landscaping plans for slopes exceeding 3 feet in height;
- 6) Landscaping and irrigation plans associated with entry monuments. All monument locations shall be located outside of the ROW and dimensions shall be provided on the plan; and/or,
- 7) If this is a phased development, then a copy of the approved phasing plan shall be submitted for reference.

Please reference Landscape Plan Checklists available online at RCTLMA.org.

NOTE: When the Landscaping Plot Plan is located within a special district such as LMD/CSA/CFD or Valleywide, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Transportation Department, Landscape Section that the subject district has approved said plans. Water Districts such as CVWD, TVWD, and EMWD may be required to approve plans prior to County approval.

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 2 80 - TRANSPORTATION - Landscape Plot Plan/Permit Req Not Satisfied
Upon verification of compliance with this condition and the APPROVED EXHIBITS, the
Transportation Department, Landscape Section shall clear this condition.

080 - Transportation. 3 80 - TRANSPORTATION - Landscape Project Specific Not Satisfied

This condition applies to both onsite and offsite (ROW) landscaping -- The developer/ permit holder shall: In addition to the requirements of the Landscape and Irrigation Plan submittal, the following project specific conditions shall be imposed:

a. Landscape screening shall be designed to ensure full, opaque, coverage up to a minimum height of (20) feet at maturity except that planting within ten feet of an entry or exit driveway shall not be permitted to grow higher than eighteen (18) inches and no trees shall be planted within ten (10) feet of driveways, alleys, or street intersections.

b. Project shall comply with the latest version of Ord. 859 ETo of .45, for commercial applications, .50 ETo for residential, or .70 ETo for recycled water uses. Project shall comply with the latest State Model Water Efficient Landscape Ordinance. Project shall comply with the local servicing water purveyor/district/company landscape requirements including those related to recycled water.

c. Project proponent shall design overhead irrigation with a minimum 24-inch offset from non-permeable surfaces, even if that surface drains into a permeable area.

d. Landscaping plans shall incorporate the use of specimen (24-inch box or greater) canopy trees. All trees and shrubs shall be drawn to reflect the average specimen size at 15 years of age. All trees shall be double, or triple staked and secured with non-wire ties.

e. Project shall prepare water use calculations as outlined in Ord 859.3.

f. Trees shall be hydrozoned separately.

g. Irrigation shall be designed using hydrozones by plant water type, irrigation type, and flat/sloped areas.

h. The developer/ permit holder/landowner shall use the County of Riverside's California Friendly Plant List when making plant selections. Use of plant material with a LOW or VERY LOW water use designation is strongly encouraged.

i. All plant materials within landscaped areas shall be maintained in a viable growth condition throughout the useful plant life and replaced with an equal or lessor water use plant.

j. Project shall use County standard details for which the application is available in County Standard Detail Format.

k. Monuments, boulders, and fan palms shall be located outside the County Maintained Road Right-of-Way (ROW).

l. Restricted plant species noted in MSHCP documents shall not be used if MSHCP areas are adjacent to the project.

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 3 80 - TRANSPORTATION - Landscape Project Specific Not Satisfied

m. Plant species shall meet ALUC requirements, if applicable.

n. Hydroseeding is not permitted in stormwater BMP slope areas, container stock will be required on slopes. Trees must be located to avoid drainage swales and drain, utility, leach, etc. lines and structures.

o. Landscape and irrigation plans must meet erosion control requirements of Ordinance 457.

p. Project shall use (50) Percent point source irrigation type regardless of meeting the water budget with alternative irrigation methods, except as needed within stormwater BMP areas as noted in an approved WQMP document. Point source is defined as one emitter (or two) located at each plant. In-line emitter tubing is not defined as point source for the purpose of this requirement.

q. Common areas and open space landscaping plans (construction document level package) shall be submitted to Transportation Department for approval.

r. The project proponent or current property owner shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site.

s. Project shall install purple/reclaimed/recycled components as deemed necessary and as determined by the County and/or water district.

t. Project proponent shall provide 12-inch-wide concrete maintenance walkway on planter islands adjacent to parking spaces. Concrete maintenance walkway shall be shown on landscape and grading plans, typical.

080 - Transportation. 4 Annexation into Maintenance District Not Satisfied

Prior to the issuance of a building permit, the project proponent shall comply with County requirements within public road rights-of-way, in accordance with Ordinance No. 461.11. Assurance of maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and/or any other maintenance district approved by the Transportation Department. Said annexation should include the following:

- (1) Landscaping.
- (2) Trails.
- (3) Street lights.
- (4) Traffic signals.
- (5) Graffiti abatement of walls and other permanent structures.
- (6) Street sweeping.
- (7) Bio-swales and/or fossil filters.

For street lighting, the project proponent shall contact the County Service Area (CSA) Project Manager who determines whether the development is within an existing CSA or will require annexation into the CSA.

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 4 Annexation into Maintenance District (cont.) Not Satisfied

If the project is outside boundaries of a CSA, the project proponent shall contact the Transportation Department L&LMD 89-1-C Administrator and submit the following:

- (1) Completed Transportation Department application.
- (2) Appropriate fees for annexation.
- (3) Two (2) sets of street lighting plans.
- (4) "Streetlight Authorization" form from SCE, IID, or other electric provider.

080 - Transportation. 5 CalTrans Encroachment Permit Not Satisfied

Prior to issuance of a building permit or any use allowed by this permit, and prior to doing any work within the State highway right-of-way, clearance and/or an encroachment permit must be obtained by the applicant from the District 08 Office of the State Department of Transportation in San Bernardino.

080 - Transportation. 6 LANDSCAPING DESIGN PLANS Not Satisfied

Landscaping within public road right of-way shall comply with Transportation Department standards, Ordinance No. 461.11, Comprehensive Landscaping Guidelines & Standards, and Ordinance No. 859 and shall require approval from the Transportation Department.

Landscaping plans shall be designed within the streets associated with the development and submitted to the Transportation Department. Landscaping Plans shall be submitted on standard County format (24 in x 36 in).

Landscaping plans shall be coordinated with the street improvement plans.

or as approved by the Director of Transportation.

080 - Transportation. 7 LIGHTING PLAN Not Satisfied

A separate street light plan and/or a separate bridge light plan shall be approved by the Transportation Department. Street and/or bridge lighting plan(s) shall be designed in accordance with County Streetlight Specification Chart found in Specification Section 22 of Ordinance No. 461.11. For projects within SCE boundaries use County of Riverside Ordinance No. 461.11, Standard No. 1000. For projects within Imperial Irrigation District (IID) jurisdiction, the project shall use IID pole standard.

080 - Transportation. 8 RCTD-CWQ - CONDITIONAL WQMP REQUIREMENTS Not Satisfied

WQMP is not required for entitlement. However, an approved WQMP is required prior to any grading or building permit, if the development of the parcel meets or exceeds any of the thresholds for a WQMP. Submit the applicable WQMP applicability checklist, found on <https://rctlma.org/trans/Land-Development/WQMP>, if your project proposes an auto-repair shop, adding 5,000 sq.ft. of impervious area, or disturbing more than 1 acre. If a WQMP is required, submit a single file PDF on two CD/DVD copies to the Transportation Department for review and approval.

This condition applies if a WQMP is required, but a grading permit is not required.

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 9 RIGHT-OF-WAY DEDICATION- Phase 1 Not Satisfied

Phase 1 allows the existing building to operate for 5-years from the date of approval of the CUP. After 5-years, the existing building is to be demolished and new building erected at the south end of the project.

No right-of-way dedication is required until 5-years after the approval date of the CUP. After five years from the date of approval of the CUP, the applicant shall dedicate 92 ft of road right-of-way on SH-74. The existing building and all private encroachments shall be relocated or removed outside of the dedicated right-of-way upon its recordation.

080 - Transportation. 10 RIGHT-OF-WAY DEDICATION- Phase 2 Not Satisfied

Phase 2 is the construction and completion of a new building on the south end of the project to occur after five years from the date of approval of the CUP.

Sufficient public street right-of-way shall be provided along SH-74 to establish a 92-foot half-width right-of-way per Ordinance No. 461.11, Standard No. 83 including standard corner cutback per Ordinance No. 461.11, Standard No. 805. All private encroachments shall be relocated or removed outside of the dedicated right-of-way.

080 - Transportation. 11 UTILITY PLAN Not Satisfied

All electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground on the Improvement Plans in accordance with Ordinance No. 460 for subdivisions and/or Ordinance No. 461.11 for road improvements. This also applies to all overhead lines 34 kilovolts or below along the project frontage and all offsite overhead lines in each direction of the project site to the nearest offsite pole. The Project shall coordinate with the serving utility companies to complete the final installations. This condition will be cleared after both of the following requirements are met:

The Street Improvement Plans are approved.

Transportation Department receives written proof that the Project has filed an application for the relocation of said utilities or said utility companies have initiated their relocation design.

Waste Resources

080 - Waste Resources. 1 Gen - Recyclables Collection and Loading Area Not Satisfied

Trash Enclosures - prior to building permit issuance

Prior to issuance of a building permit, the applicant shall submit one electronic (1) copy of a Recyclables Collection and Loading Area plot plan to the Riverside County Department of Waste Resources for review and approval to WastePlanning@rivco.org. The plot plan shall conform to Design Guidelines for Recyclables Collection and Loading Areas, provided by the Department of Waste Resources (found at <http://www.rcwaste.org/business/planning/design>) and shall show the location of and access to the collection area for recyclable materials, shall demonstrate space allocation for trash, recyclable materials, and organics and have the adequate signage indicating the location of each bin in the trash enclosure. The project applicant is advised that clearance of the Recyclables Collection and Loading Area plot plan only satisfies the Waste Resources' conditions for Recyclables Collection and Loading Areas space allocation and other Recyclables Collection and Loading Area Guideline items. Detailed drawings of the Trash Enclosure and its particular construction details, e.g., building materials,

Plan: CUP210129

Parcel: 459094003

80. Prior To Building Permit Issuance

Waste Resources

080 - Waste Resources. 1 Gen - Recyclables Collection and Loading Area (cont.) Not Satisfied
location, construction methods etc., should be included as part of the Project plan submittal to the Riverside County Department of Building and Safety.

080 - Waste Resources. 2 Gen - Waste Recycling Plan Not Satisfied

Prior to building permit issuance, a Waste Recycling Plan (WRP) – Form B shall be submitted to the Riverside County Department of Waste Resources for review and approval to WastePlanning@rivco.org. A copy of Form B can be found at (<https://www.rcwaste.org/Waste-Guide/CandD>).

At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate.

During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record-keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 CURBS ALONG PLANTERS Not Satisfied

A six-inch-wide curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

090 - BS-Grade. 2 PRECISE GRADE APPROVAL Not Satisfied

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

1. Requesting and obtaining approval of all required grading inspections.
2. Submitting a "Wet Signed" copy of the Grading Report from the Soils Engineer (registered geologist or certified geologist, civil engineer, or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.
3. Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.
4. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 2 PRECISE GRADE APPROVAL (cont.) Not Satisfied

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

E Health

090 - E Health. 1 DEH- Health Clearance Not Satisfied

Prior to building permit final, clearance must be obtained from the Department of Environmental Health. Provide proof established sewer and water service.

090 - E Health. 2 DEH-Hazmat Clearance Not Satisfied

Obtain clearance from the Hazardous Materials Management Division. Contact the local DEH Hazmat office for guidance. 951.766.6524

Planning

090 - Planning. 1 DA Funding - Prior to Certificate of Occupancy Issuance Not Satisfied

Prior to issuance of the Certificate of Occupancy, for all Development Agreements regarding Commercial Cannabis, funds must be paid in accordance to the DA adopted for the project. This condition of approval cannot be deferred.

090 - Planning. 2 Obtain State License Not Satisfied

Prior to final of the building permit or certificate of occupancy, whichever occurs first; obtain the California State License for Commercial Cannabis Activity. The applicable California license issued is pursuant to California Business and Professions Code Sections 19300.7 or 26050(a), or equivalent and as may be amended from time to time.

Provide a copy of the State License for Commercial Cannabis Activity to the Riverside County Planning Department.

090 - Planning. 3 Planning - Site Inspection (Phase II) Not Satisfied

When the second phase construction of the entitlement is to be completed, all conditions of approval applicable at Phase I will be applicable at Phase II.

Prior to permit final & utility release, the applicant shall request a planning inspection to verify Phase II of the retail store construction complies with the prior to final conditions of approval of the Conditional Use Permit.

090 - Planning. 4 Planning - Site Inspection Not Satisfied

Prior to permit final & utility release, the applicant shall request a planning inspection to verify the retail store complies with the prior to final conditions of approval of the Conditional Use Permit.

090 - Planning. 5 Planning-USE - ACCESSIBLE PARKING Not Satisfied

A minimum of one (1) accessible parking space for persons with disabilities shall be provided as shown on APPROVED EXHIBIT A. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility.

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Planning

090 - Planning. 5 Planning-USE - ACCESSIBLE PARKING (cont.) Not Satisfied

The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade or centered at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk.

090 - Planning. 6 Planning-USE - TRASH ENCLOSURES Not Satisfied

The trash enclosures are existing on-site. The trash area is located at the rear of the building and will be behind a 6-foot-tall metal gate. Due to its location on the site, and the screening to be installed around the trash receptacles, these structures will not be visible from a public street or adjacent parcel.

Staff will verify that the enclosure is adequate and is located as shown on the APPROVED EXHIBIT A.

090 - Planning. 7 Sheriff's Signage for No Loitering Not Satisfied

Prior to final of the building permit or certificate of occupancy, whichever occurs first; acquire a "no loitering" sign from the Riverside County Sheriff's Department. Said signage provides additional authorization for the Riverside County Sheriff's Department to assist, as needed on site.

090 - Planning. 8 USE - ORD NO. 659 (DIF) Not Satisfied

If applicable, Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected. The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development. The Project Area for Conditional Use Permit No. 210129 has been calculated to be 0.45 acres.

090 - Planning. 9 USE - COMPLY W/ LANDSCAPING Not Satisfied

All required landscape planting and irrigation shall have been installed in accordance with approved Landscaping, Irrigation, and Shading Plans, the Riverside County Guide to California Landscaping, and Ordinance No. 859 (as adopted and any amendments thereto). All landscape and irrigation components shall be in a condition acceptable to the Planning Department through the implementation of the Department's Milestone 90 condition entitled "LNDSCP/IRRIG INSTALL INS." The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and determined to be in good working order.

090 - Planning. 10 USE - INSTALL AND MAINTAIN LANDSCAPE Not Satisfied

Prior to Building Final Inspection, irrigation and landscaping shall be installed and maintained in accordance with APPROVED Landscape Plans for this conditional use permit.

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Planning

090 - Planning. 11 USE - ORD 810 O S FEE (MSHCP) Not Satisfied

If applicable, prior to the issuance of a certificate of occupancy upon building permit final inspection prior to use or occupancy for cases without final inspection or certificate of occupancy (such as an SMP), whichever comes first, the applicant shall comply with the provisions of Riverside County Ordinance No. 810, which requires the payment of the appropriate fee set forth in the Ordinance. The amount of the fee will be based on the "Project Area" as defined in the Ordinance and the aforementioned Condition of Approval. The Project Area for Conditional Use Permit No. 210129 is calculated to be 0.45 acres.

Transportation

090 - Transportation. 1 90 - TRANSPORTATION - Landscape Inspection and Landscape Inspection and Drought Compliance Not Satisfied

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall:

The developer/permit holder shall coordinate with their designated landscape representative and the Transportation Department landscape inspector to ensure all landscape planting and irrigation systems have been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. The Transportation Department will ensure that all landscaping is healthy, free of weeds, disease, and pests; and irrigation systems are properly constructed and determined to be in good working order. The developer/permit holder's designated landscape representative and the Transportation Department landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. All landscape inspection deposits, and plan check fees shall be paid.

Upon determination of compliance, the Transportation Department, Landscape Section shall clear this condition.

090 - Transportation. 2 Complete Landscaping Installation Not Satisfied

Landscaping within public road right-of-way shall comply with Transportation Department standards and Ordinance No. 461.11 and shall require approval by the Transportation Department. Landscaping shall be installed along the streets associated with this development. Landscaping within public road right-of-way shall comply with Transportation Department standards, policies, guidelines, and Ordinance No. 461.11 and shall require the approval from the Transportation Department.

or as approved by the Director of Transportation.

090 - Transportation. 3 RCTD-CWQ - CONDITIONAL WQMP COMPLETION Not Satisfied

WQMP is not required for entitlement. However, if a WQMP is required during the plan check phase, the project shall acceptably install all structural BMPs described in the Project-Specific WQMP, provide an Engineer WQMP certification, GPS location of all BMPs, ensure that the requirements for inspection and cleaning the BMPs are established, and for businesses registering BMPs with the Transportation Department's Business Storm Water Compliance Program Section.

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 4 REGIONAL TRANSPORTATION FEES Not Satisfied

Prior to the time of issuance of a Certificate of Occupancy or upon final inspection, whichever occurs first, the Project shall pay fees in accordance with the fee schedule in effect at the time of payment:

All Transportation Uniform Mitigation Fees (TUMF) in accordance with Ordinance No. 824.

090 - Transportation. 5 Road Improvement (Installation) - Phase 1 Not Satisfied

Approval of the Street Improvement plans by the Transportation Department will clear this condition. The Project shall provide the following improvements:

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

Phase 1 allows the existing building to operate for 5-years from the date of approval of the CUP. After 5-years, the existing building is to be demolished and new building erected at the south end of the project.

207A

NOTE: The applicant shall obtain an encroachment permit to install a commercial driveway per Standard No. 207A, Ordinance No. 461.11.

Or as approved by the Director of Transportation.

The Project shall provide/acquire sufficient dedicated public right-of-way, environmental clearances, and signed approval of all street improvement plans for the above improvements. The limits of the improvements shall be consistent with the approved tentative map unless otherwise specified in these conditions. Should the applicant fail to acquire the necessary off-site right of way, the map will be returned for redesign.

In order to receive any fee credits or reimbursement for improvements through established funding programs such as TUMF or DIF, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising.

090 - Transportation. 6 Road Improvement (Installation) - Phase 2 Not Satisfied

Approval of the Street Improvement plans by the Transportation Department will clear this condition. The Project shall provide the following improvements:

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

Phase 2 is the construction and completion of a new building on the south end of the project to occur after five years from the date of approval of the CUP.

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 6 Road Improvement (Installation) - Phase 2 (cont.) Not Satisfied

SH-74 shall be improved with 67 feet half-width of AC pavement, within a 92 feet half-width dedicated right-of-way, 8-inch curb and gutter, 8 feet meandering sidewalk, and a 14 feet wide landscaped median at centerline per Standard No. 83, Ordinance No. 461.11.10.

1. Caltrans review and approval is required.
2. The driveway shall be constructed in accordance with County Standard No. 207A.
3. A 8-foot meandering sidewalk shall be constructed per Standard No. 404.
4. The project shall be responsible for half-width of the median (7 feet). Cash-in-lieu may be accepted.
5. Cash-in-lieu may be accepted in place of the improvements.
6. Before you prepare the street improvement plan(s), please review the Street Improvement Plan Policies and Guidelines from the Transportation Department Web site: <http://rctlma.org/trans/General-Information/Pamphlets-Brochures>

Or as approved by the Director of Transportation.

The Project shall provide/acquire sufficient dedicated public right-of-way, environmental clearances, and signed approval of all street improvement plans for the above improvements. The limits of the improvements shall be consistent with the approved tentative map unless otherwise specified in these conditions. Should the applicant fail to acquire the necessary off-site right of way, the map will be returned for redesign.

In order to receive any fee credits or reimbursement for improvements through established funding programs such as TUMF or DIF, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising.

090 - Transportation. 7 STREETLIGHTS INSTALLATION Not Satisfied

Install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards of County Ordinances No. 461.11.

Streetlight annexation into L&LMD or similar mechanism as approved by the Transportation Department shall be completed.

It shall be the responsibility of the developer to ensure that streetlights are energized along the streets associated with this development where the developer is seeking Building Final Inspection (Occupancy).

090 - Transportation. 8 UTILITY INSTALLATION Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be installed underground in accordance with Ordinance Nos. 460 and 461.11, or as approved by the Transportation Department. This also applies to all overhead lines 34 kilovolts or below along the project frontage and all offsite overhead lines in each direction of the project site to the nearest offsite pole. A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion for clearance.

In addition, the Project shall ensure that streetlights are energized and operational along the streets of those lots where the Project is seeking Building Final Inspection (Occupancy).

Plan: CUP210129

Parcel: 459094003

90. Prior to Building Final Inspection

Waste Resources

090 - Waste Resources. 1 Gen - Recyclables Collection and Loading Area Inspection Not Satisfied

Trash Enclosures – prior to final inspection

Prior to final building inspection, the applicant shall construct the recyclables collection and loading area in compliance with the Recyclables Collection and Loading Area plot plan, as approved and verified through an on-site inspection by the Riverside County Department of Waste Resources.

090 - Waste Resources. 2 Gen - Waste Reporting Form and Receipts Not Satisfied

Prior to building final inspection, a Waste Reporting Form (Form C) and evidence (i.e., receipts or other types of verification) demonstrating project compliance with the approved Waste Reporting Plan (WRP) shall be submitted by the project proponent to the Planning Section of the Riverside County Department of Waste Resources for review and approval at WastePlanning@rivco.org. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled. A copy of Form C can be found at (<https://www.rcwaste.org/Waste-Guide/CandD>).

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

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

DEVELOPMENT AGREEMENT NO. 2100114

A DEVELOPMENT AGREEMENT BETWEEN

COUNTY OF RIVERSIDE

AND

GJG INVESTMENTS, INC.

TABLE OF CONTENTS

RECITALS	1
COVENANTS	2
1. DEFINITIONS AND EXHIBITS	2
1.1 Definitions	2
1.1.1 “Agreement”	2
1.1.2 “Base Rate”	3
1.1.3 “Commercial Cannabis Activity”	3
1.1.4 “Conditional Use Permit”	3
1.1.5 “COUNTY”	3
1.1.6 “Development”	3
1.1.7 “Development Approvals”	3
1.1.8 “Development Exaction”	3
1.1.9 “Development Plan”	4
1.1.10 “Effective Date”	4
1.1.11 “Existing Development Approvals”	4
1.1.12 “Existing Land Use Regulations”	4
1.1.13 “Land Use Regulations”	4
1.1.14 “Mortgagee”	4
1.1.15 “OWNER”	4
1.1.16 “Project”	5
1.1.17 “Property”	5

1.1.18	“Reservations of Authority”	5
1.1.19	“Subsequent Development Approvals”	5
1.1.20	“Subsequent Land Use Regulations”	5
1.1.21	“Transfer”	5
1.2	Exhibits	5
2.	GENERAL PROVISIONS	5
2.1	Binding Effect of Agreement	5
2.2	Ownership of Property	6
2.3	Term	6
2.4	Transfer	6
2.4.1	Right to Transfer	6
2.4.2	Release of Transferring Owner	6
2.4.3	Subsequent Transfer	7
2.5	Amendment or Cancellation of Agreement	7
2.5.1	Amendment or Cancellation	7
2.5.2	Modification to Additional Annual Public Benefit.....	7
2.6	Termination	7
2.7	Notices	8
3.	DEVELOPMENT OF THE PROPERTY	9
3.1	Rights to Develop	10
3.2	Effect of Agreement on Land Use Regulations	10
3.3	Timing of Development	10
3.3.1	Timing Related to Building Permit.....	10

3.4	Changes and Amendments	10
3.5	Reservations of Authority	11
3.5.1	Limitations, Reservations and Exceptions	11
3.5.2	Subsequent Development Approvals	12
3.5.3	Modification or Suspension by State or Federal Law	12
3.5.4	Intent	12
3.5.5	Application of State and Local Regulatory Laws Governing Commercial Cannabis Activities	12
3.6	Public Works	13
3.7	Provision of Real Property Interests by COUNTY	13
3.8	Regulation by Other Public Agencies	13
3.9	Tentative Tract Map Extension	13
3.10	Vesting Tentative Maps	13
4.	PUBLIC BENEFITS	14
4.1	Intent	14
4.2	Public Benefits for Commercial Cannabis Activities	14
4.2.1	Annual Public Benefit Base Payments	14
4.2.2	Subsequent Annual Base Payments	14
4.3	Annual Additional Public Benefits	14
4.3.1	Subsequent Annual Additional Public Benefits	14
4.4	Taxes	14
4.5	Assessments	15
4.6	New Taxes	15

4.7	Vote on Future Assessments and Fees	15
5.	FINANCING OF PUBLIC IMPROVEMENTS	15
6.	REVIEW FOR COMPLIANCE	16
6.1	Annual Review	16
6.2	Special Review	16
6.3	Property Inspection	16
6.4	Records Inspection	16
6.5	Procedure	16
6.6	Proceedings Upon Modification or Termination	17
6.7	Hearing on Modification or Termination	17
6.8	Certificate of Agreement Compliance	17
7.	INCORPORATION AND ANNEXATION	18
7.1	Intent	18
7.2	Incorporation	18
7.3	Annexation	18
8.	DEFAULT AND REMEDIES	18
8.1	Remedies in General	18
8.2	Specific Performance	18
8.3	General Release	19
8.4	Termination or Modification of Agreement for Default of OWNER	19
8.5	Termination of Agreement for Default of COUNTY	19
8.6	Attorneys' Fees	20
9.	THIRD PARTY LITIGATION	20

9.1	General Plan Litigation	20
9.2	Third Party Litigation Concerning Agreement	20
9.3	Indemnity	20
9.4	Environment Assurances	21
9.5	Reservation of Rights	21
9.6	Survival	21
10.	MORTGAGEE PROTECTION	21
11.	MISCELLANEOUS PROVISIONS	22
11.1	Recordation of Agreement	22
11.2	Entire Agreement	22
11.3	Severability	22
11.4	Interpretation and Governing Law	23
11.5	Section Headings	23
11.6	Gender and Number	23
11.7	Joint and Several Obligations	23
11.8	Time of Essence	23
11.9	Waiver	23
11.10	No Third Party Beneficiaries	23
11.11	Force Majeure	23
11.12	Mutual Covenants	24
11.13	Successors in Interest	24
11.14	Counterparts	24
11.15	Jurisdiction and Venue	24

11.16	Project as a Private Undertaking	24
11.17	Further Actions and Instruments	24
11.18	Eminent Domain	24
11.19	Agent for Service of Process	25
11.20	Designation of COUNTY Officials	25
11.21	Authority to Execute	25
SIGNATURES		26
Exhibits	28
	Exhibit “A” - Legal Description of the Property.	
	Exhibit “B” - Map of Property and Its Location.	
	Exhibit “C” - Existing Development Approvals.	
	Exhibit “D” - Existing Land Use Regulations.	
	Exhibit “E” – Commercial Cannabis Activity Site Plan and Description.	
	Exhibit “F” – Applicable Public Base Benefits Payments.	
	Exhibit “G” – Cannabis Area Calculation Exhibit.	
	Exhibit “H” – Commercial Cannabis Activity Public Benefit.	

DEVELOPMENT AGREEMENT NO. 2100114

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"):

GJG Investments, Inc.

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 \$16.00 multiplied by the entire Cannabis Area, as shown on Exhibit “G”, and which is payable to COUNTY annually pursuant to Subsections 4.2.1 and 4.2.2 of this Agreement and increased annually by 2% from and after the date 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. 348.4978, 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 landowner;
- (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. Any subsequent amendment to the Agreement will not alter the original Effective Date.

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), or the OWNER may transfer the rights under the Agreement, 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) For an Assignment of Property rights, 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, for either the transfer of the Property interest or any interests under this Agreement, 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.

2.5.1 Amendment or Cancellation. 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.

2.5.2 Modification to Additional Annual Public Benefit. At the time of the Agreement's Effective Date, Ordinance No. 348 requires a separation of 1,000 feet between cannabis retailers. In the event Ordinance No. 348 is amended and reduces the separation between cannabis retailers to less than 1,000 feet, the parties acknowledge that an amendment to the Agreement modifying the Additional Annual Public Benefit may be proposed by the OWNER and processed in accordance with Section 2.5.1 of this Agreement and the County's Procedures and Requirements for the Consideration of Development Agreements.

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. 210129) 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 (Commercial Cannabis Activities)" 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. 210129.

(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:

GJG Investments, Inc.
1421 Martin Luther King Jr. Dr.
Oxnard, CA 93030

(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.

3.3.1 Timing Related to Building Permit. OWNER shall show substantial progress towards obtaining a building permit, as determined by the Planning Director, within two (2) years of the final approval of the conditional use permit. Subject to the Planning Director's discretion, if substantial progress has not occurred, the Agreement must return to the Board of Supervisors at a noticed public hearing where the Board of Supervisors has the discretion to cancel, modify, or extend the Agreement and/or the approved conditional use permit at that time.

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 Annual Public Benefit Base Payments. Prior to the issuance of the certificate of occupancy for any part of the Commercial Cannabis Activity, OWNER shall pay to COUNTY an amount equal to the base payment calculated per Section 1.1.2 of this Agreement (“Base Payment”); provided, however, an initial base payment of \$9,712.00 shall be made at Certificate of Occupancy with an additional payment of \$9,712.00 due after or within 6 months from issuance of the Certificate of Occupancy. Initial annual base payment shall be prorated based on the number of whole months remaining between the date of issuance of the certificate of occupancy and the first following June 30th.

4.2.2 Subsequent Annual Base Payments. The Annual Base Payment shall be subject to annual increases in an amount of 2%. Prior to the first July 1st following the initial Base Payment and each July 1st thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Base Payment plus the 2% annual increase.

4.3 Annual Additional Public Benefits. OWNER shall perform Additional Public Benefits identified in Exhibit “H” that will benefit the community in which the Commercial Cannabis Activity is located. Prior to the issuance of the certificate of occupancy for any part of the Commercial Cannabis Activity, OWNER shall pay to COUNTY an amount equal to the additional annual public benefit set forth in Exhibit “H” of this Agreement (“Additional Public Benefit”); provided, however, that such initial annual payment shall be prorated based on the number of whole months remaining between the date of issuance of the certificate of occupancy and the first following June 30th.

4.3.1 Subsequent Annual Additional Public Benefits. The Additional Public Benefit provided in Exhibit “H” shall be subject to annual increases in an amount of 5%. Prior to the first July 1st following the initial Additional Public Benefit payment and each July 1st thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Additional Public Benefit plus the 5% annual increase.

4.4 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.

4.5 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.

4.6 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.

4.7 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. 210129 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, CUP No. 210129 and consistency with the Request for Proposal Responses 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.

J.G.
OWNER Initials

M.K.G.
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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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: _____
Kevin Jeffries
Chair, Board of Supervisors

ATTEST:


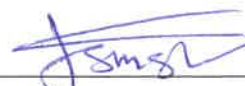
KIMBERLY RECTOR
Clerk of the Board



By: _____
Deputy

FORM APPROVED COUNTY COUNSEL
BY: AG 1-11-24
AARON C. GETTIS DATE

OWNER:

GJG Investments, Inc., a California Corporation

Dated: 12/22/2023  By:  , CEO
Jagdeep Singh Gill
Chief Executive Officer

Dated: 12/22/2023  By:  , SECRETARY
Manpreet Kaur Gill
Secretary

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

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 Ventura)

On 12/22/2023 before me, Silvia Hernandez-Navarro, Notary Public
(insert name and title of the officer)

personally appeared Jagdeep Singh Gill & Manpreet Kaur Gill,
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)

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 Ventura

On 12/22/2023 before me, Silvia Hernandez-Navarro, Notary Public
(insert name and title of the officer)

personally appeared Jagdeep Singh Gill, CEO & Manpreet Kaur Gill, Secretary,
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)

EXHIBIT "A"

Development Agreement No. 2100114

LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THE EAST HALF OF LOT 6, HOMELAND NO. 3, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15, PAGE 48 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 459-094-003

PARCEL 2:

THE WEST HALF OF LOT 6, HOMELAND NO. 3, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15, PAGE 48 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 459-094-002

EXHIBIT "B"

Development Agreement No. 2100114

MAP OF PROPERTY AND ITS LOCATION

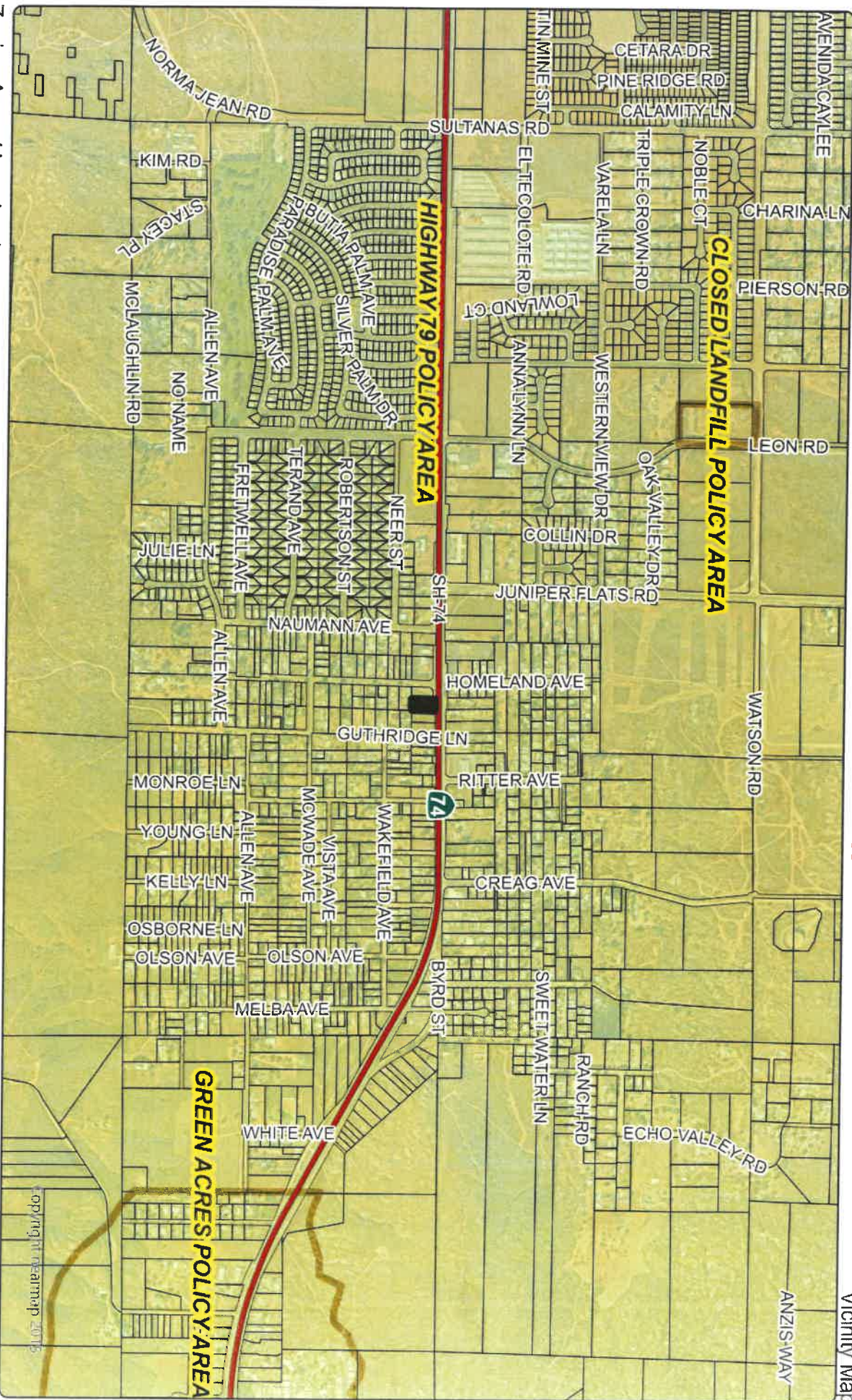
Supervisor: Washington
District 3

RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ2200026 CUP210129 DA2100114

VICINITY/POLICY AREAS

Date Drawn: 10/16/2023
Vicinity Map



Zoning Area: Homeland

Author: Adam Grim

DISCLAIMER: The information on this map is provided for informational purposes only. It is not intended to be used as a legal document. The information on this map is provided for informational purposes only. It is not intended to be used as a legal document. The information on this map is provided for informational purposes only. It is not intended to be used as a legal document.

EXHIBIT "C"

Development Agreement No. 2100114

EXISTING DEVELOPMENT APPROVALS

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. 2100114

EXISTING LAND USE REGULATIONS

1. Riverside County Comprehensive General Plan as amended through Resolution No. 2021-108
2. Ordinance No. 348 as amended through Ordinance No. 348.4983
3. Ordinance No. 448 as amended through Ordinance No. 448.A
4. Ordinance No. 457 as amended through Ordinance No. 457.106
5. Ordinance No. 458 as amended through Ordinance No. 458.17
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. 650.7
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. 671.22
16. Ordinance No. 673 as amended through Ordinance No. 673.7
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. 787.10
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. 824.17
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. 927.1
37. Ordinance No. 931 as amended through Ordinance No. 931
38. Resolution No. 2020-124 Establishing Procedures and Requirements of
the County of Riverside for the Consideration of Development
Agreements (Commercial Cannabis Activities)
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. 2100114

COMMERCIAL CANNABIS ACTIVITY SITE PLAN & DESCRIPTION

As shown on the attached site plan, Conditional Use Permit No. 210129 permits a Cannabis Retail to operate with 1,214 square feet of retail within an existing building on approximately 0.22 net acres.



PROPOSED SITE PLAN
 SHEET 1



CA-74

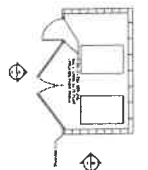
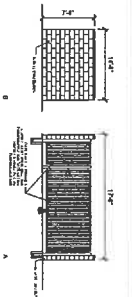
HOMELAND AVE

APN 48-094-003
 ZONE R-R

APN 48-094-004
 ZONE R-R

APN 48-094-005
 ZONE C-P-S

APN 48-094-006
 ZONE R-R



TRASH ENCLOSURE
 SHEET A

- KEYNOTES**
- 1 EXISTING PROPERTY LINE
 - 2 EXISTING ADJACENT PROPERTY LINE
 - 3 EXISTING ADJACENT PROPERTY TO REMAIN
 - 4 EXISTING ELECTRIC WIRE TO REMAIN
 - 5 NEW TRUCK ENCLOSURE
 - 6 NEW TRUCK ENCLOSURE PERMIT
 - 7 NEW TRUCK ENCLOSURE PERMIT
 - 8 NEW TRUCK ENCLOSURE PERMIT
 - 9 NEW TRUCK ENCLOSURE PERMIT
 - 10 NEW TRUCK ENCLOSURE PERMIT
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 - 28 NEW TRUCK ENCLOSURE PERMIT
 - 29 NEW TRUCK ENCLOSURE PERMIT
 - 30 NEW TRUCK ENCLOSURE PERMIT

PROJECT INFORMATION

ZONING:
 (1) ZONE R-R (114' 8" MIN. H) (1)
 (2) ZONE C-P-S (27' MIN. H) (2)
 (3) ZONE R-R (114' 8" MIN. H) (1)
TOTAL: 27' MIN. H (PROPOSED) INCLUDING 2 ACCESSIBLE STAIRS

ACCESSIBLE EXITS:
 (1) 1 STAIR (REQUIRED)
 (2) 1 STAIR (REQUIRED)
TOTAL: 2 STAIRS (PROPOSED)

STAIRS:
 (1) 1 STAIR (REQUIRED)
 (2) 1 STAIR (REQUIRED)
TOTAL: 2 STAIRS (PROPOSED)

STAIRS:
 (1) 1 STAIR (REQUIRED)
 (2) 1 STAIR (REQUIRED)
TOTAL: 2 STAIRS (PROPOSED)

STAIRS:
 (1) 1 STAIR (REQUIRED)
 (2) 1 STAIR (REQUIRED)
TOTAL: 2 STAIRS (PROPOSED)

STAIRS:
 (1) 1 STAIR (REQUIRED)
 (2) 1 STAIR (REQUIRED)
TOTAL: 2 STAIRS (PROPOSED)

DATE: 11/11/2023
 TIME: 10:00 AM
 USER: J. GARCIA
 PROJECT: 240404013-1

PROPOSED SITE PLAN

31431 CA-74,
 Homeland, CA 92548

31431 CA-74
 HOMELAND, CA 92548

REGISTERED ARCHITECT
 C-34970
 STATE OF CALIFORNIA

31431 CA-74
 HOMELAND, CA 92548

A1.2

SHEET

DATE: 11/11/2023
 TIME: 10:00 AM
 USER: J. GARCIA
 PROJECT: 240404013-1

EXHIBIT “F”

Development Agreement No. 2100114

APPLICABLE PUBLIC BASE BENEFITS PAYMENTS

The Cannabis Retailer operating at the Property pursuant to Conditional Use Permit No. 210129 includes usable space as shown on Exhibit “G”. In accordance with Board Policy B-9, the base public benefit is \$16.00 per square foot for retail. Therefore, the public base benefit payment will be \$19,424.00 and will increase annually at a rate of 2%.

EXHIBIT “G”

Development Agreement No. 2100114

CANNABIS AREA CALCULATION EXHIBIT

The Cannabis Area calculation includes a Cannabis Retailer to operate with 1,214 square feet of retail cannabis on approximately 0.22 net acres. The Cannabis Retailer will only operate within the area as shown in Exhibit “E” and Exhibit “G”.

EXHIBIT "H"

Development Agreement No. 2100114

COMMERCIAL CANNABIS ACTIVITY PUBLIC BENEFIT

The additional annual public benefit provided by the OWNER shall be \$25,200.00 with an annual increase of 5%. The COUNTY will utilize the 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 participate in community events, career opportunity events, as well as educational and wellness seminars within the surrounding community.

Initial payments upon Certificate of Occupancy shall occur as follows: An initial payment of \$12,600.00 will be due at Certificate of Occupancy. This payment will be prorated based on the number of whole months remaining between the date of payments and the first following June 30th. The remainder of the additional public benefit in the amount of \$12,600.00 will be due six (6) months from the issuance of the Certificate of Occupancy. Thereafter, subsequent payments of the additional annual public benefit shall follow Section 4.3.1 of the Development Agreement No. 2100114.

Lopez, Daniel

From: Aquia Mail
Sent: Monday, February 5, 2024 12:31 PM
Cc: Clerk of the Board
Subject: Request to Speak Web Submission



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 20240206**. You will be muted until your item is pulled and your name is called. Please dial in at 9:00 am with the phone number you provided in the form so you can be identified during the meeting.

Submitted on February 5, 2024

Submitted values are:

First Name

Manpreet "Gina" & jagdeep "jag"

Last Name

Gill

Phone

8052523876

Agenda Date

02/06/2024

Agenda Item # or Public Comment

21.2

State your position below

Support

The Press-Enterprise

3512 14th Street
Riverside, CA 92501
Willoughby, OH 44096
951-368-9222
951-368-9018 FAX

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

.....

Account Number: 5209148

Ad Order Number: 0011647648

Customer's Reference Adopt ORDINANCE NO. 348.5010
/ PO Number:

Publication: The Press-Enterprise

Publication Dates: 02/10/2024

Amount: \$473.00

Payment Amount: \$0.00

Invoice Text: BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
ORDINANCE NO. 348.5010
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348 RELATING TO ZONING

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

Section 1. Section 4.1 of Ordinance No. 348, and official Zoning Plan Map No. 2, as amended, are further amended by placing in effect in the Homeland Area, the zone or zones as shown on the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 2.2497, Change of Zone Case No. 2300026" which map is made a part of this ordinance.

Section 2. This ordinance shall take effect 30 days after its adoption.
Chuck Washington, Chair of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on February 6, 2024, the foregoing Ordinance was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Gutierrez

NAYS: None

ABSENT: None

Kimberly A. Rector, Clerk of the Board
By: Cindy Fernandez, Clerk of the Board Assistant

Published The Press Enterprise Feb. 10, 2024

The Press-Enterprise

3512 14th Street
Riverside, CA 92501
Willoughby, OH 44096
951-368-9222
951-368-9018 FAX

5209148

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

Publication: The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc: Adopt ORDINANCE NO. 348.5010

FILE NO. Adopt ORDINANCE NO. 348.5010

PROOF OF PUBLICATION

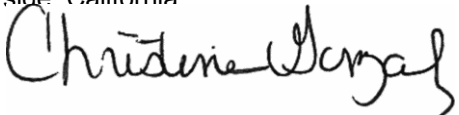
I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper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

02/10/2024

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

Date: February 10, 2024.

At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

Legal No. **0011647648**

Ad Copy:

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

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Kimberly A. Rector, Clerk of the Board
By: Cindy Fernandez, Clerk of the Board Assistant
Published The Press Enterprise Feb. 10, 2024