



# RIVERSIDE COUNTY PLANNING DEPARTMENT

9:00 A.M.

JANUARY 6, 2021

**Planning  
Commissioners  
2021**

**1<sup>st</sup> District**  
Carl Bruce  
Shaffer  
Chairman

**2<sup>nd</sup> District**  
David Leonard  
Vice-Chairman

**3<sup>rd</sup> District**  
Gary Thornhill

**4<sup>th</sup> District**  
Bill Sanchez

**5<sup>th</sup> District**  
Eric Kroencke

**Assistant TLMA  
Director**  
Charissa Leach,  
P.E.

**Legal Counsel**  
Michelle Clack  
Chief Deputy  
County Counsel

## AGENDA REGULAR MEETING RIVERSIDE COUNTY PLANNING COMMISSION

COUNTY ADMINISTRATIVE CENTER  
First Floor Board Chambers  
4080 Lemon Street, Riverside, CA 92501  
<https://planning.rctlma.org/>

Pursuant to Government Code Section 54953(b) and Executive Order N-25-20, this meeting will be conducted by teleconference and at the place of hearing, as listed above. Public access to the meeting location will be limited to comply with the Executive Order. Public Comments will be accepted remotely via teleconference.

Any person wishing to speak must complete a "Speaker Identification Form" at least 24 hours in advance. To submit your request to speak remotely please visit: [planning.rctlma.org/Speak](https://planning.rctlma.org/Speak) and complete the electronic form. You will receive an email confirming your request that will provide further instructions. Additional information is available on the Planning Department website.

Any person wishing to make a presentation that includes printed material, video or another form of electronic media must provide the material to the Project Planner at least 48 hours prior to the meeting.

In compliance with the Americans with Disabilities Act, if you require reasonable accommodations please contact Elizabeth Sarabia, TLMA Commission Secretary, at (951) 955-7436 or email at [esarabia@rivco.org](mailto:esarabia@rivco.org). Requests should be made at least 72 hours prior to the scheduled meeting.

### **CALL TO ORDER:** **SALUTE TO THE FLAG** **ROLL CALL** **CHAIR AWARD**

- 1.0 CONSENT CALENDAR: 9:00 a.m. or as soon as possible thereafter (Presentation available upon Commissioners' request)
- 1.1 **PLOT PLAN WIRELESS NO. 190015 – RECEIVE and FILE** – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures) – Applicant: Smartlink, LLC on behalf of AT&T – Owner: Makerville – Third Supervisorial District – Pinon Flats Zoning District – REMAP Area Plan – Community Development – Commercial Retail (CD-CR) – Location: Easterly of Pinon Flats Road, southerly of Highway 74, and westerly of Pidgeon Springs Road – 10.0 Acres – Zoning: Controlled Development Area (W-2) – **REQUEST:** Plot Plan Wireless No. 190015 proposes to construct a wireless telecommunication facility disguised as a 70' tall faux water tank that will contain a three (3) sector array with three (3) panel antennas per sector with accompanying ground equipment within a 625 sq. ft. lease area. APN: 636-192-002. Project Planner: Gabriel Villalobos at (951) 955-6184 or email at [gvillalo@rivco.org](mailto:gvillalo@rivco.org).
- 1.2 **GENERAL VACATION and TERMINATION of MAINTENANCE of portions of Commerce Center Drive, Messenia Lane, and Perry Street, and the EXECUTION of a Quitclaim Deed over a portion of the above referenced Vacation, in Mead Valley** – Applicant: Majestic Freeway Business Center, LLC – First Supervisorial District – Mead Valley Area Plan – Location: Commerce Center Drive, Messenia Lane, and Perry Street in Mead Valley – **REQUEST:** The Transportation Department is proposing to Vacate and Terminate the maintenance of portions of Commerce Center Drive, Messenia Lane, and Perry Street and Execute a Quitclaim Deed over a portion of the Vacated area, pursuant to County of Riverside policies and procedures. Project Planner: Chris Trinidad at (951) 955-8116 or email at [ctrinida@rivco.org](mailto:ctrinida@rivco.org).

- 2.0 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS: 9:00 a.m. or as soon as possible thereafter (Presentation available upon Commissioners' request)  
**NONE**
- 3.0 PUBLIC HEARING – CONTINUED ITEMS: 9:00 a.m. or as soon as possible thereafter  
**NONE**
- 4.0 PUBLIC HEARING – NEW ITEMS: 9:00 a.m. or as soon as possible thereafter
- 4.1 **CHANGE OF ZONE NO. 1800012 and TENTATIVE TRACT MAP NO. 37358 – Intent to Adopt a Mitigated Negative Declaration** – CEQ180047 – Applicant: Allard Engineering – Owner: Pacific Communities Builder, Inc. – Fifth Supervisorial District – Romoland Zoning Area – Harvest Valley/Winchester Area Plan – Community Development: Medium Density Residential (CD-MDR) – Location: Northerly of Mapes Road, easterly of Antelope Road, westerly of Dawson Road, and southerly of Mahogany Lane – Zoning: Rural-Residential (R-R) – 45.6 gross acres – **REQUEST:** The Change of Zone proposes to change the zoning classification of the project site from Rural-Residential (R-R) to One-Family Dwelling (R-1). The Tentative Tract Map is a proposal to subdivide 45.6 gross acres into 154 single family residential lots ranging in size from 7,200 sq. ft. to 12,745 sq. ft., seven (7) letter lots dedicated to retention basins and open space amenities which consists of three (3) parks, and one (1) paseo, and three (3) remainder parcels located along the western and southern boundary of the Project site. The project is proposed to be developed in four (4) phases. Project Planner: Deborah Bradford at (951) 955-6646 or email at [dbradfor@rivco.org](mailto:dbradfor@rivco.org).
- 4.2 **CONDITIONAL USE PERMIT NO. 200031 and DEVELOPMENT AGREEMENT NO. 2000011– Exempt from the California Environmental Quality Act (CEQA)**, pursuant to State CEQA Guidelines Article 19, Section 15301 (Existing Facilities) – Applicant: Cannabis 21+ – Representative: Sean Anthony St. Peter – First Supervisorial District – North Perris Zoning Area – Mead Valley Area Plan – Community Development: Commercial Retail (CD-CR) (0.20-0.35 FAR) – Location: Northerly of Cajalco Expressway, southerly of Messenia Lane, easterly of Harvill Avenue, and westerly of Interstate 215 – 1.00 Gross Acres – Zoning: Scenic Highway Commercial (C-P-S)– **REQUEST:** Development Agreement No. 2000011 would impose a lifespan on the proposed cannabis project and provide community benefit to the Mead Valley Area. Conditional Use Permit No. 200031 is a proposal for a Commercial Cannabis Facility, that includes retail sales and distribution. The cannabis facility will occupy 4,646 sq. ft. of Building D that was approved as part of a retail center (Plot Plan No. 25699). The total building area of Building D is 8,892 sq. ft. and is yet to be built. The project includes a 4,274 sq. ft. cannabis retail area and a 372 sq. ft. distribution area. The parcel has been graded and improved with landscaping and parking stalls. The project will include one (1) ADA and 22 non-ADA parking spaces. Retail store hours of operation will be 8:00 a.m. to 10:00 p.m., 7-days a week and delivery hours will be 8:00 a.m. to 9:00 p.m., 7-days a week. APN: 317-110-070. Project Planner: Phayvanh Nanthavongdouangsy at (951) 955-6573 or email at [pnanthav@rivco.org](mailto:pnanthav@rivco.org).
- 4.3 **CONDITIONAL USE PERMIT NO. 200020 and DEVELOPMENT AGREEMENT NO. 2000008 – Exempt from the California Environmental Quality Act (CEQA)**, pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – CEQ200053 – Applicant: Sean St. Peter – Third Supervisorial District – Hemet-San Jacinto Zoning District – Harvest Valley/Winchester Area Plan: Community Development: Commercial Retail (CD-CR) (0.20 – 0.35 FAR) – Location: Northerly of Stetson Avenue, easterly of California Avenue, southerly of W. Florida Avenue, and westerly of Warren Road – 4 Acres – Zoning: Scenic Highway Commercial (C-P-S) – **REQUEST:** Conditional Use Permit No. 200020 is a proposal to redevelop an existing 8,400 sq. ft. building to be used as a cannabis retail storefront, that shall also include mobile deliveries, as well as a cannabis distribution facility. The project shall also include updates to the project site for parking and landscaping. Development Agreement No. 2000008 has a term of 5 years and grants the applicant vesting rights to develop the project in accordance with the terms of Development Agreement No. 2000008 and Conditional Use Permit No. 200020 and will provide community benefits to the Hemet-San Jacinto Area. APN: 465-020-025. Project Planner: Gabriel Villalobos at (951) 955-6184 or email at [gvillalo@rivco.org](mailto:gvillalo@rivco.org).
- 5.0 WORKSHOPS:  
**NONE**
- 6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA
- 7.0 DIRECTOR'S REPORT
- 8.0 COMMISSIONERS' COMMENTS



**COUNTY OF RIVERSIDE  
PLANNING DEPARTMENT  
RECEIVE & FILE REPORT**

**Agenda Item No.:**

**1 - 1**

**Planning Commission Hearing: January 6, 2021**

**PROPOSED PROJECT**

**Case Number(s):** PPW190015

**Applicant(s):**

**Area Plan:** REMAP

Smartlink LLC for AT&T

**Zoning Area/District:** Pinon Flats District

**Representative(s):**

**Supervisorial District:** Third District

Alisha Strasheim

**Project Planner:** Gabriel Villalobos

**Project APN(s):** 636-192-002

  
John Hildebrand  
Interim Planning Director

**PROJECT DESCRIPTION AND LOCATION**

Plot Plan Wireless No. 190015 ("Project") is a request for the construction, operation, and maintenance of a new 70-foot-tall wireless communication facility, disguised as a faux-water tower, and accompanying equipment within a 625-square-foot lease area. In addition, the project would include the installation of nine (9) panel antennas, thirty-six (36) Remote Radio Units (RRUs), one (1) four-foot-tall microwave antenna, one (1) 30kw emergency diesel generator, and other associated equipment within an eight-foot-tall corrugated metal fence enclosure. The proposed facility will be accessible from Pinon Flats Road and will have one parking space for a maintenance vehicle.

The project is located east of Pinon Flats Road, south of Highway 74, and west of Pidgeon Springs Road, within the Riverside Extended Mountain Area Plan (REMAP).

**PROJECT RECOMMENDATION**

**RECEIVE AND FILE** the Notice of Decision for the above referenced case acted on by the Planning Director on December 23, 2020.

**The Planning Department recommended APPROVAL; and,  
THE PLANNING DIRECTOR:**

**FOUND** that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures) based on the findings and conclusions in the staff report; and,

**APPROVED PLOT PLAN WIRELESS NO. 190015**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

## PROJECT LOCATION MAP



Figure 1: Project Location Map

## PROJECT BACKGROUND AND ANALYSIS

### Background

#### *Site Characteristics*

The proposed disguised wireless communication facility will be located on a property that is approximately 10 acres. A single family dwelling is located on the western portion of the property and the property itself is located in a remote area with campground areas located in the immediate area. The general area is comprised of mostly rural land with not much development in the area. Besides the residence located on the parcel, the next closest building would be a restaurant named the Sugar Loaf Café, located approximately 1,175 feet north of the proposed project site.

The proposed project footprint includes: 625-square-foot lease area which encompasses the wireless facility equipment, an eight-foot-tall corrugated metal fence enclosure, a 12 foot wide access roadway leading from the project site to Pinon Flats Road, and one maintenance vehicle parking space. No landscaping is proposed for this project as there is no viable water source for the maintenance of the landscaping.

The project site has a General Plan Land Use Designation of Commercial Retail (CR) and its zoning classification is Controlled Development Areas (W-2).

Plot Plan Wireless No. 190015 was submitted to the County of Riverside on October 31, 2019.

*Planning Approval*

The project was noticed for a period of 10-days to the public, if a request was not submitted within that noticing period the project would be considered administratively approved. Comments were received by two concerned parties regarding the notices received in the mail. Planning staff reached out to the two parties and provided information regarding the project along with an explanation of the project's scope of work. Ultimately no request for a public hearing was submitted within the 10-day public noticing period and through discussions with one of the concerned parties, a condition of approval was added to confirm the removal of no trees in the vicinity of the project during construction (060 – Planning. 1 – No Trees to be Removed). On December 21, 2020, the public noticing period ended and the case was administratively approved the on December 23, 2020.

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# COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

Agenda Item No.

## PROPOSED PROJECT

**Case Number(s):** PPW190015

**Environmental:** Exempt – Section 15303

**Area Plan:** REMAP

**Zoning Area/District:** Pinon Flats District

**Supervisory District:** Third District

**Project Planner:** Gabriel Villalobos

**Project APN(s):** 636-192-002

**Applicant(s):**

Smartlink LLC for AT&T

**Representative(s):**

Alisha Strasheim

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John Hildebrand  
Interim Planning Director

## PROJECT DESCRIPTION AND LOCATION

Plot Plan Wireless No. 190015 (“Project”) is a request for the construction, operation, and maintenance of a new 70-foot-tall wireless communication facility, disguised as a faux-water tower, and accompanying equipment within a 625-square-foot lease area. In addition, the project would include the installation of nine (9) panel antennas, thirty-six (36) Remote Radio Units (RRUs), one (1) four-foot-tall microwave antenna, one (1) 30kw emergency diesel generator, and other associated equipment within an eight-foot-tall corrugated metal fence enclosure. The proposed facility will be accessible from Pinon Flats Road and will have one parking space for a maintenance vehicle.

The project is located east of Pinon Flats Road, south of Highway 74, and west of Pidgeon Springs Road, within the Riverside Extended Mountain Area Plan (REMAP).

## PROJECT RECOMMENDATION

### **STAFF RECOMMENDATIONS:**

#### **THAT THE PLANNING DIRECTOR TAKE THE FOLLOWING ACTIONS:**

**FIND** that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures) based on the findings and conclusions in the staff report; and,

**APPROVE PLOT PLAN WIRELESS NO. 190015**, subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report.

**PROJECT DATA**

**Land Use and Zoning:**

Existing General Plan Foundation Component:	Community Development
Existing General Plan Land Use Designation:	Commercial Retail (CR)
Surrounding General Plan Land Uses	
North:	Conservation Habitat (CH)
East:	Conservation Habitat (CH)
South:	Conservation Habitat (CH)
West:	Public Facilities (PF)
Existing Zoning Classification:	Controlled Development Areas (W-2)
Surrounding Zoning Classifications	
North:	Controlled Development Areas (W-2)
East:	Controlled Development Areas (W-2)
South:	Controlled Development Areas (W-2)
West:	One-Family Dwellings – 1 Acre Minimum (R-1-1)
Existing Use:	Residential
Surrounding Uses	
North:	Vacant
South:	Vacant
East:	Vacant
West:	Vacant

**Project Details:**

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	10 acres	N/A
Existing Building Area (SQFT):	720 sq. ft.	N/A
Proposed Building Area (SQFT):	625 sq. ft.	N/A
Structure Height (FT):	70 ft.	70 ft. max.

**Parking:**

<i>Type of Use</i>	<i>Building Area (in SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Maintenance Vehicle Parking		1 space required for maintenance vehicle	1	1
<b>TOTAL:</b>			<b>1</b>	<b>1</b>

**Located Within:**

City's Sphere of Influence:	No
Community Service Area ("CSA"):	Yes – CSA 152, CSA 153, CSA 60
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	No
Subsidence Area:	No
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	Yes – Coachella Valley, Santa Rosa and San Jacinto Mountains Conservation Area
Stephens Kangaroo Rat ("SKR") Fee Area:	No
Airport Influence Area ("AIA"):	No

**PROJECT LOCATION MAP**



Figure 1: Project Location Map

**PROJECT BACKGROUND AND ANALYSIS**

**Background:**



*Site Characteristics*

The proposed disguised wireless communication facility will be located on a property that is approximately 10 acres. A single family dwelling is located on the western portion of the property and the property itself is located in a remote area with campground areas located in the immediate area. The general area is comprised of mostly rural land with not much development in the area. Besides the residence located on the parcel, the next closest building would be a restaurant named the Sugar Loaf Café, located approximately 1,175 feet north of the proposed project site.

The proposed project footprint includes: 625-square-foot lease area which encompasses the wireless facility equipment, an eight-foot-tall corrugated metal fence enclosure, a 12 foot wide access roadway leading from the project site to Pinon Flats Road, and one maintenance vehicle parking space. No landscaping is proposed for this project as there is no viable water source for the maintenance of the landscaping.

The project site has a General Plan Land Use Designation of Commercial Retail (CR) and its zoning classification is Controlled Development Areas (W-2).

Plot Plan Wireless No. 190015 was submitted to the County of Riverside on October 31, 2019.

**ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS**

This proposed project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15303 (New Construction or Conversion of Small Structures). Section 15303(c) allows for a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances and not exceeding 2,500 square feet in floor area.

The proposal would result in the construction of a disguised wireless communications facility within a 625-square-foot lease area, landscape area, an access roadway, and one parking space, and would not involve the use of significant amounts of hazardous substances as there is no manufacturing component that would require the use of such substances. The proposed facility, for the purposes of this staff report, would qualify as a “similar structure” under the definition of Section 15303. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. Therefore, the project meets the criteria of the categorical exemption and would be applicable to Section 15303.

**FINDINGS AND CONCLUSIONS**

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

**Land Use Findings:**

1. The project site has a General Plan Land Use Designation of Commercial Retail (CR). The CR 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 proposed use, a disguised wireless telecommunications facility, is consistent with the intent of the existing land use designation as the proposed development would be a use in support of the

community in which it is being implemented, while also supporting local businesses and even the adjacent tourist attractions in the area (i.e. campgrounds).

2. The project site has a Zoning Classification of W-2. The proposed project, as designed and conditioned, complies with the applicable development standards of the W-2 zone and the specific development standards and findings identified in Ordinance No. 348, Section 19.410. As proposed, the project will meet all applicable development standards as demonstrated below.
3. The proposed use, a disguised wireless communications facility, is consistent with Ordinance No. 348 Article XIXg Wireless Communication Facilities and is allowed within areas that are zoned W-2, subject to approval by the Planning Director.

**Entitlement Findings:**

Findings for a recommendation to grant a Plot Plan permit for a disguised wireless communication facility shall include the following, pursuant to the provisions of the Riverside County Zoning Ordinance No. 348 (Land Use):

1. The facility is designed and sited so that it is minimally visually intrusive. The proposed project is disguised as a faux-water tower for the purposes of blending into the environment in which it is located. While the project is located on a parcel with a currently existing residence, the portion of the parcel that the project is located upon is comprised of raw land and sited away from the existing residence and public right-of-way. As such, the proposed facility shall be considered to have a minimal aesthetic impact on the surrounding area.
2. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view. The antennas and associated equipment shall be enclosed within the proposed faux-water tower tank, while the other ground-mounted equipment shall be enclosed within an 8-foot tall corrugated metal fence enclosure that is architecturally compatible with the overall project design. In addition, the variation in slopes of the surrounding area shall provide a natural barrier providing screening to the proposed project.
3. The application has met the processing requirements set forth in Article XIXg Section 19.409 of Ordinance No. 348. The application included all necessary documentation in order for the county to process the application, including a fully executed copy of the lease or other agreement entered into with the owner of the underlying property. The lease or other agreement includes a provision indicating that the telecommunication service provider, or its successors and assigns, shall remove the wireless communication facility completely upon its abandonment.
4. The application has met the location and development standards set forth in Article XIXg Section 19.404 and Section 19.410 of Ordinance No. 348. The proposed project is located on property that is zoned W-2, which is one of the "non-residential" zones that are listed in Section 19.404 that permits disguised wireless facility with an approval of a plot plan. As demonstrated in detail below, the applicant has met the development standards set forth in Section 19.410.
5. An application pursuant to Article XVII General Provision Section 18.30 Plot Plan, is being processed for this case. The proposed project conforms to all of the requirements of the General Plan and applicable state law and ordinances of Riverside County. The project is compatible with the present and future logical development of the surrounding property. The project is located on a single legally divided parcel.

**Development Standards Findings:**

All wireless communication facilities shall comply with the following development standards:

1. Area Disturbance – Disturbance to the natural landscape shall be minimized. This project meets this development standard as the disguised wireless communication facility will require minimal ground disturbance to erect and maintain. In addition, the project is located on a vacant portion of a 10 acre parcel that has an existing residence onsite, which shall not be impacted by the project, and will not require the substantial removal of any vegetation or other natural features to accommodate the proposed facility. The access roadway will follow the path of an already existing dirt road and will require minimal grading, if any.
2. Fencing and Walls – The 625-square-foot foot lease area will be enclosed in by an 8-foot-tall corrugated metal fence which will screen all equipment from the general public. The corrugated metal fence was implemented to better match the weathered look of the proposed faux-water tower, per the request of the landlord.
3. Height Limitations – Disguised wireless communication facilities within any “non-residential” zoning classification shall not exceed seventy (70) feet in height. The proposed project includes the implementation of a seventy (70’)-foot-tall disguised faux-water tower which meets the specified development standard.
4. Impacts – All wireless communication facilities shall be sited so as to minimize the adverse impacts to the surrounding community and biological resources. This project complies with this development standard due to the limited project footprint. The project has also been conditioned for a Migratory Bird Treaty Act (MBTA) Nesting Bird Survey, requiring that any habitat needing to be cleared must be done outside of the nesting season of February 1<sup>st</sup> through August 31<sup>st</sup> (060-Planning-EPD.1 – MBTA Nesting Bird Survey).

The Coachella Valley Conservation Commission (CVCC) completed their Joint Project Review for the proposed project on July 23, 2020. The project falls within the Santa Rosa and San Jacinto Mountains Conservation Area and was only found to potentially affect habitat for one species, the gray vireo. The project was found to be consistent with the Coachella Valley Multiple Species Habitat Conservation Plan as proposed if conditioned for the required Avoidance and Minimization Measures and applicable Land Use Adjacency Guidelines.

5. Landscaping – Due to a lack of an available water connection in the remote location that the proposed project is located in, Planning staff has recommended that no landscaping be required as the landscaping would not be irrigated or maintained properly. In addition, the location and design of the proposed project reduces the need for landscaping to augment the project as the terrain and remote location of the project helps to obscure the equipment enclosure and the faux-water tower.
6. Lighting – Outside lighting is prohibited unless required by the FAA or the California Building Code (CBC). Any lighting system installed shall also be shielded to the greatest extent possible so as to minimize the negative impact of such lighting on adjacent properties and so as not to create nuisance for the surrounding property owners or wildlife attractant (Planning. 7 – Telcom – Lighting).
7. Noise – All noise produced by wireless communication facilities shall be minimized and in no case shall noise produced exceed 45 decibels inside the nearest dwelling and 60 decibels at the property line. This project meets the development standard because the disguised wireless communication

facility plans include A standard condition of approval has been added to ensure that all noise produced by the disguised wireless communication facility will not exceed 45 decibels inside the nearest dwelling and 60 decibels at the property line (Planning. 9 – Telcom -Noise ). The nearest habitable dwelling is approximately 289 feet away.

8. **Parking Space** – The project site shall be accessed by a twelve (12') foot wide access path leading to the parking space and lease area. One parking space will be required. Since the project parcel is located within a residential development on a lot larger than 18,000 square feet, the parking space will access via an all-weather surface. The project is providing one standard parking space (10 feet by 20 feet) that would serve for service vehicle parking for any incidental maintenance.
9. **Paved Access** – All wireless communication facilities within residential developments containing lots larger than 18,000 square feet shall be accessed via an all-weather surface. This project meets the development standard as a twelve (12') foot wide access path providing access to the project site from the public right-of-way has been included. The Transportation Department has conditioned this project to provide evidence of recorded legal access (080 – Transportation. 2 – EVIDENCE/LEGAL ACCESS).
10. **Power and Communication Lines** – No above-ground power or communication lines shall be extended to the site and all underground utilities shall be installed in a manner so as to minimize disturbance of existing vegetation and wildlife habitats during construction. This project meets the development standard because all power and communication lines for the disguised wireless communication facility are proposed to be underground.
11. **Roof-Mounted Facilities** – Wireless communication facilities mounted on a roof shall be less than ten feet above the roofline. This development standard does not apply to this project because the project is on the ground, not a roof-mounted facility. The project is to be disguised as a faux-water tower since it cannot be concealed from view.
12. **Sensitive Viewshed** – Wireless communication facilities proposed on ridgelines and other sensitive viewsheds, as defined in Ordinance No. 348, shall be concealed and sited so that the top of the facilities below the ridgeline as viewed from any direction. The disguised wireless communication facility is not proposed within a ridgeline. The project's proposed pine tree disguise would be minimally visually intrusive, specifically consistent with Land Use Policy 22.3, which ensures that the project would not adversely impact the open space and rural character of the surrounding area. The disguised wireless facility is sited to blend into the surrounding area where the subject parcel is located and well below any ridgeline that could be viewed in any direction.
13. **Setbacks** – Disguised wireless communication facilities in "non-residential" zone classifications shall be setback from habitable dwellings at a distance equal to 125% of the facility. This project meets this development standard as the disguised wireless communication facility is setback approximately 289 feet from the nearest habitable dwelling. With the height of the proposed facility being 70 feet; the distance would need to be equal to 87.5 feet from a habitual dwelling. The location of the faux-water tower exceeds the required setback distance.
14. **Support Facilities** – Freestanding equipment enclosures shall be constructed to look like adjacent structures or facilities typically found in the area and shall adhere to the Countywide Design Standards and Guidelines, where appropriate. This project meets this development standard because the disguised wireless communication facility's supporting equipment is designed with a color scheme of

neutral earth tone colors that blend with natural view elements (beiges and browns) of the surrounding area.

15. Treatment – Wireless communication facilities shall be given a surface treatment similar to surrounding architecture and all finishes shall be dark in color with a matte finish. This project meets this development standard because the wireless facility's tower and equipment have been designed and painted to match in color and shall have a weathered appearance per the landlord's request to help augment the overall aesthetic of the proposed project.

**Other Findings:**

1. The project site is located within a Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan. This project fulfills the plan requirements and has been cleared by the Environmental Programs Department (EPD) of Riverside County.
2. The project site is not located within a City Sphere of Influence.
3. The project site is not located within an Airport Influence Area ("AIA") boundary and is therefore not subject to the Airport Land Use Commission ("ALUC") review.
4. The project is exempt from CEQA per Section 15303 (New Construction or Conversion of Small Structures) and as such is not required to submit for AB52.
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 not located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan ("SKRHCP").

**Fire Findings:**

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

**Conclusion:**

1. For the reasons discussed above, the proposed project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. Moreover, the proposed project would not be detrimental to the health, safety or general welfare of the community.

**PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH**

This project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 2,400 feet of the project site. As of the writing of this report, Planning Staff has not received written communication or phone calls from anyone indicating support or opposition to the proposed project.

**APPEAL INFORMATION**

The Director's Hearing decision may be appealed to the Planning Commission. Such appeals shall be submitted in writing to the Clerk of the Board, with the required fee as set forth in Ordinance No. 671 (Consolidated Fees for Land Use and Related Functions), within 10 days after the mailing of the Planning Director's decision.

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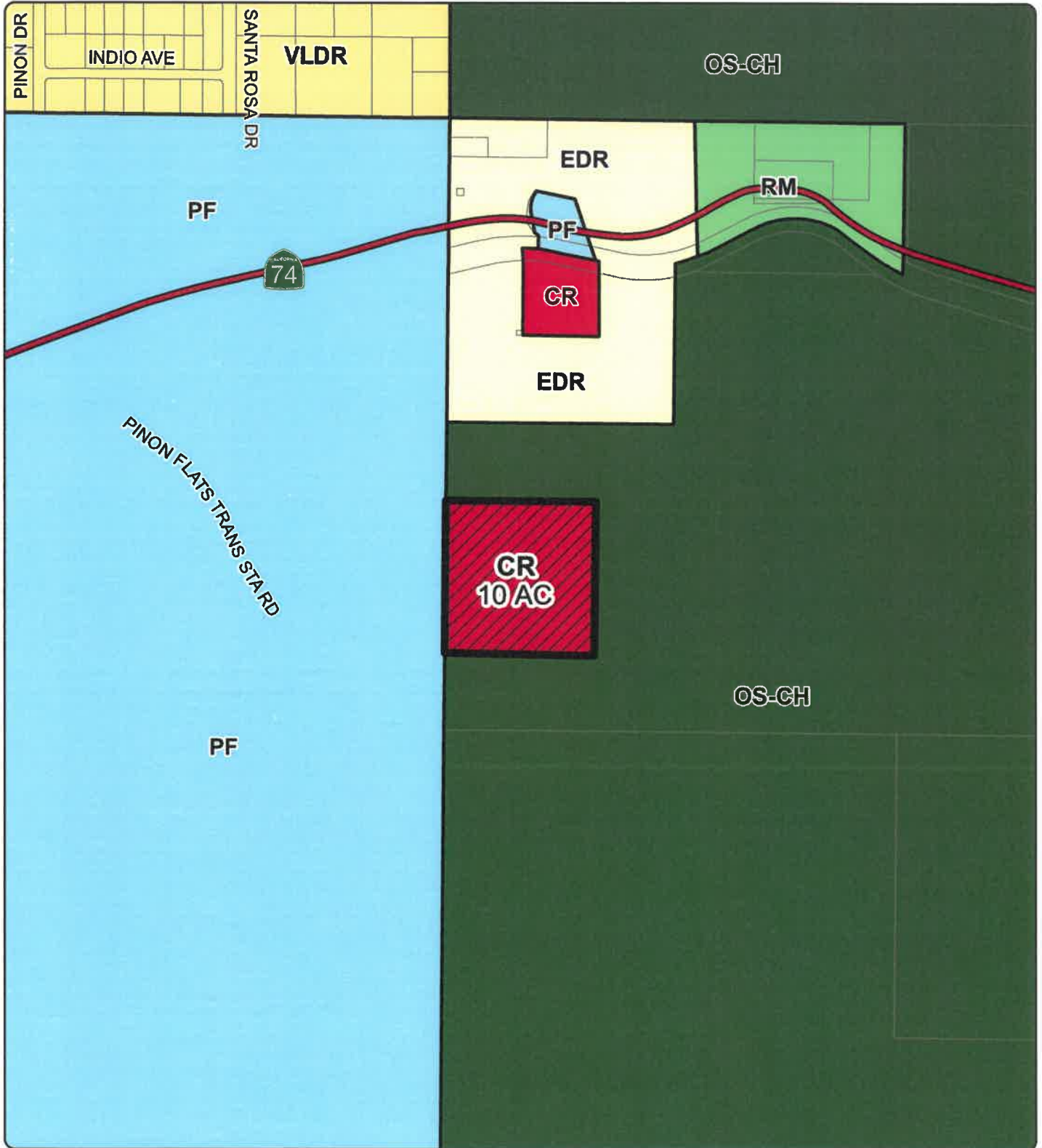
RIVERSIDE COUNTY PLANNING DEPARTMENT

PPW190015

EXISTING GENERAL PLAN

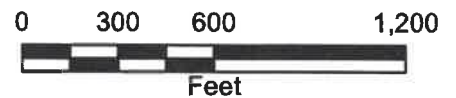
Supervisor: Washington  
District 3

Date Drawn: 11/30/2020  
Exhibit 5



Zoning Dist: Pinon Flats

Author: Vinnie Nguyen



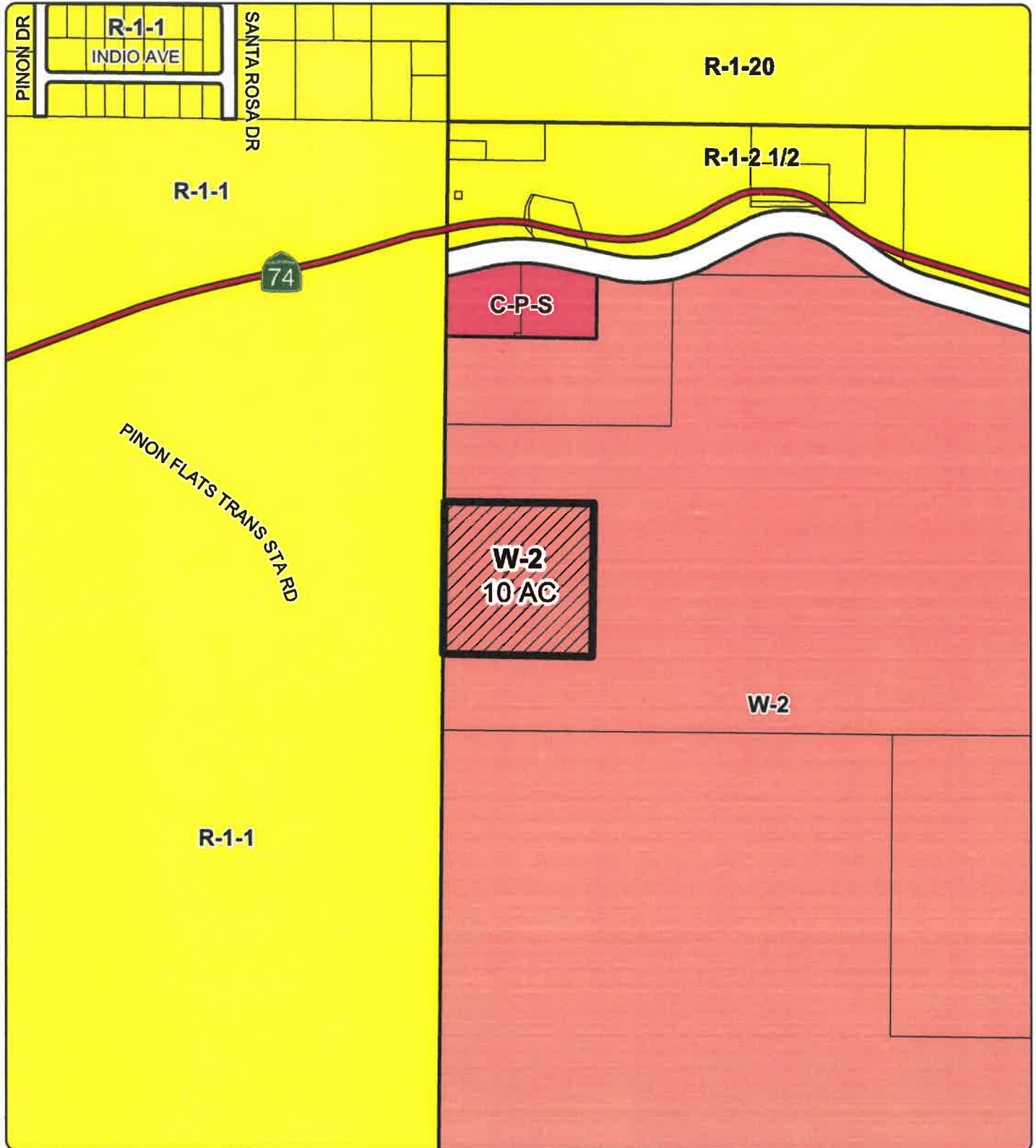
**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please 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.rctlma.org>

# RIVERSIDE COUNTY PLANNING DEPARTMENT

## PPW190015 EXISTING ZONING

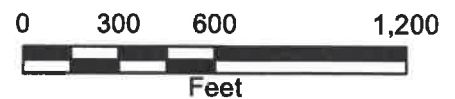
Supervisor: Washington  
District 3

Date Drawn: 11/30/2020  
Exhibit 2



Zoning Dist: Pinon Flats

Author: Vinnie Nguyen



**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.rctlma.org>



# RIVERSIDE COUNTY PLANNING DEPARTMENT

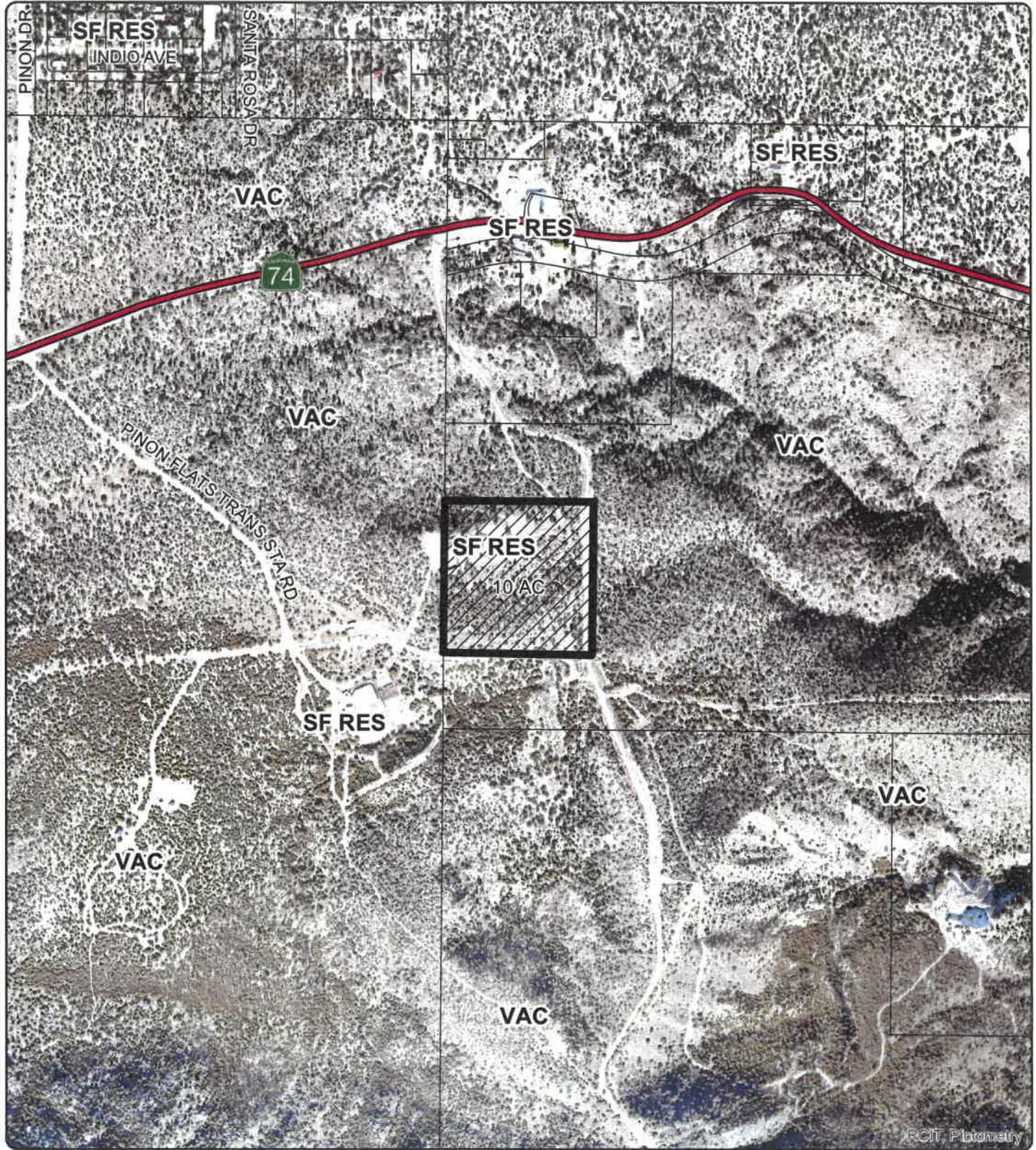
## PPW190015

### LAND USE

Supervisor: Washington  
District 3

Date Drawn: 11/30/2020

Exhibit 1



Zoning Dist: Pinon Flats

Author: Vinnie Nguyen

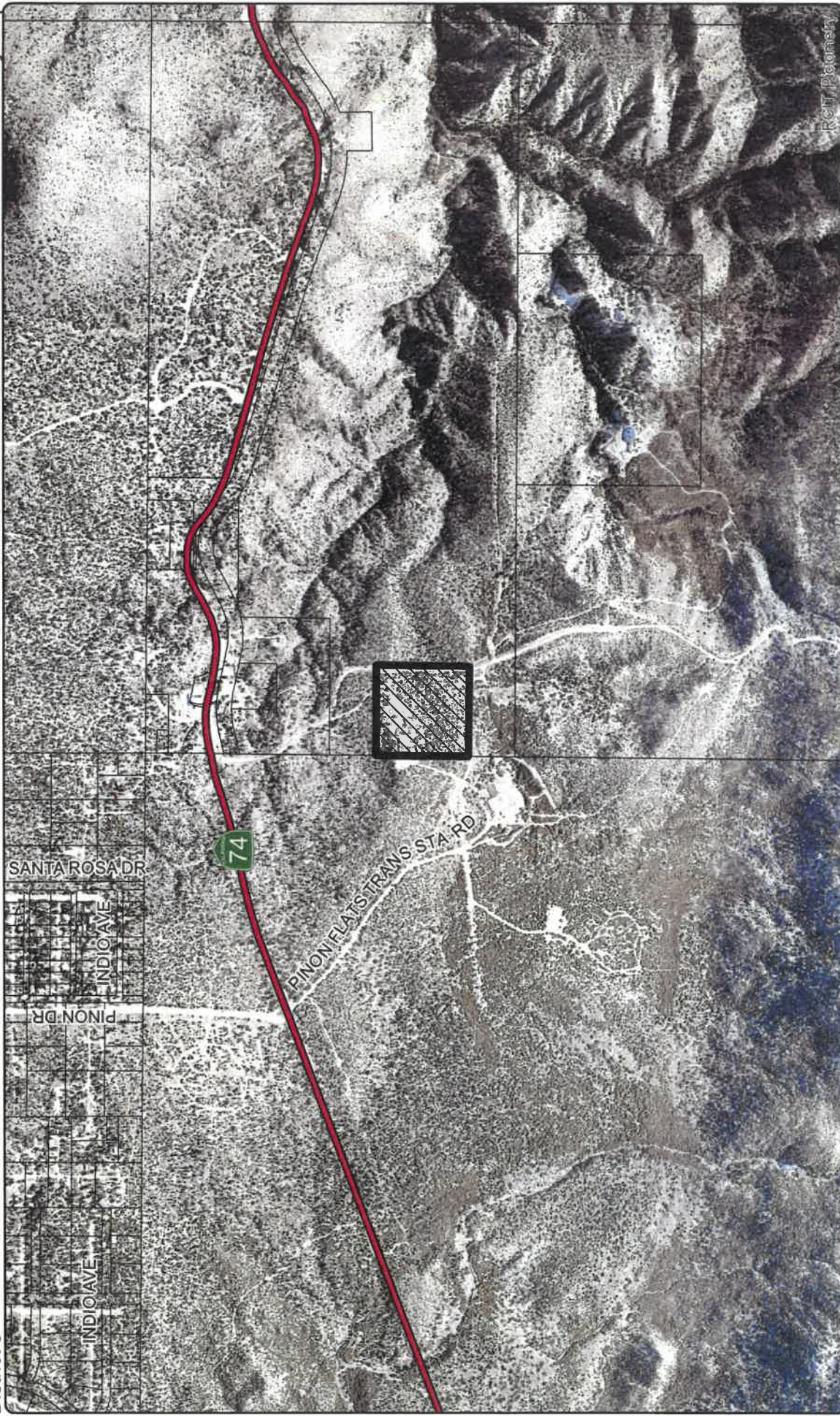
**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please 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.rcplms.org>



**RIVERSIDE COUNTY PLANNING DEPARTMENT**  
**PPW190015**  
**VICINITY/POLICY AREAS**

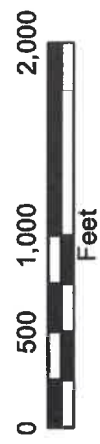
Supervisor: Washington  
District 3

Date Drawn: 11/30/2020  
Vicinity Map



Zoning Dist: Pinon Flats

Author: Vinnie Nguyen



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 in the previous General Plan. For more information, please contact the Planning Department offices in Riverside at (951)955-5200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website: <http://planning.rivco.net>



**SITE NUMBER: CSL06351**  
**FA# 13024028; USID 271073**

**MAKERVILLE**  
**70101 STATE HIGHWAY 74**  
**MOUNTAIN CENTER, CA 92561**

DISGUISED 70FT WATER TOWER  
 PROJECT NUMBER: PPW190015

**ZONING DRAWING**

IF USING 11"X17" PLDT, DRAWINGS WILL BE HALF SCALE

**PROJECT DESCRIPTION**

- AT&T WIRELESS PROPOSES TO CONSTRUCT A NEW WIRELESS ANTENNA INSTALLATION. THE SCOPE WILL CONSIST OF THE FOLLOWING:
- INSTALLATION OF A 25'X35" CORRUGATED METAL ENCLOSURE (625 SQ.FT.)
  - INSTALLATION OF 10' X 10' X 10' WIRELESS CABINET TWO (2) ON CONCRETE PAD
  - INSTALLATION OF 10'-0" TALL WATER TANK
  - INSTALLATION OF (1) 8'-0" TALL PANEL ANTENNA
  - INSTALLATION OF (1) 6'-0" TALL PERIMETER ANTENNA
  - INSTALLATION OF (1) 6'-0" TALL PERIMETER ANTENNA
  - INSTALLATION OF (4) DC3 SURGE SUPPRESSORS
  - INSTALLATION OF (2) DC12 RAYCAPS
  - INSTALLATION OF (2) DC12 RAYCAPS
  - INSTALLATION OF (1) 30KW DIESEL GENERATOR
  - POWER & TELCO CABINETS
  - TOTAL LOGIC EQUIPMENT AND ANTENNA LEASE AREA: 625 SQ.FT.

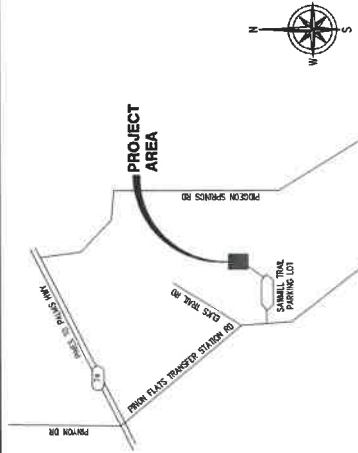
**DRAWING INDEX**

SHEET NO:	TITLE SHEET
T-1	TOPOGRAPHIC SURVEY
LS-1	SITE PLAN AND ENLARGED SITE PLAN
A-1	EQUIPMENT AND ANTENNA LAYOUTS, ANTIEM/IRM SCHEDULES
A-2	ELEVATIONS
A-3	

**VICINITY MAP**

DISTRICT BIDDING: PALM SPRINGS UNIFIED  
 SCHOOL: DUTCHLAND WATER DISTRICT  
 WATER: DUTCHLAND WATER DISTRICT  
 SEWERS: SOUTHERN CALIFORNIA GAS  
 GAS: SOUTHERN CALIFORNIA GAS  
 ELECTRIC: SOUTHERN CALIFORNIA EDISON  
 CABLE: AT&T  
 TELEPHONE: AT&T

DISTRICT BIDDING:  
 SCHOOL:  
 WATER:  
 SEWERS:  
 GAS:  
 ELECTRIC:  
 CABLE:  
 TELEPHONE:



NO SCALE

**DRIVING DIRECTIONS**

- DIRECTIONS FROM RIVERSIDE AT&T OFFICE (3073 ADAMS ST, RIVERSIDE, CA 92504):**
1. HEAD NORTHWEST ON ADAMS ST/AUTO ESCORT DR
  2. TURN RIGHT TO MERGE ONTO CA-91 E TOWARD SAN BERNARDINO
  3. MERGE ONTO CA-91 E
  4. USE THE RIGHT 2 LANES TO TAKE EXIT 65 B FOR CA-50 E/-/215 S TOWARD SAN DIEGO/INDIO
  5. MERGE ONTO CA-50 E
  6. CONTINUE ONTO CA-50 E/-/215 S
  7. KEEP LEFT AT THE FORK TO CONTINUE ON CA-50 E
  8. USE THE RIGHT 2 LANES TO MAKE THE INTERCHANGE TO S EXIT
  9. TAKE EXIT 131 FOR MONTEREY AVE
  10. USE THE RIGHT 2 LANES TO TURN RIGHT ONTO MONTEREY AVE
  11. CONTINUE STRAIGHT TO STAY ON MONTEREY AVE
  12. TURN LEFT ON PINNACLES TRANSFER STATION RD
  13. TURN LEFT ON PINNACLES TRANSFER STATION RD
  14. TURN LEFT ON PINNACLES TRANSFER STATION RD
  15. TURN LEFT ON PINNACLES TRANSFER STATION RD
  16. THE SITE IS ON THE LEFT

**ENGINEERING**

- 2016 CALIFORNIA BUILDING CODE
- 2016 CALIFORNIA RESIDENTIAL CODE
- 2016 CALIFORNIA ELECTRICAL CODE
- 2016 CALIFORNIA PLUMBING CODE
- 2016 CALIFORNIA FIRE CODE
- 2016 CALIFORNIA ENERGY CODE
- 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE

**GENERAL NOTES**

THIS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR ALTERATION OF WATER OR TRASH DISPOSAL. SIGNAGE IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

**SITE INFORMATION**

PROPERTY OWNER: MAKERVILLE  
 ADDRESS: 1140 E PALM TREE DR PALM SPRINGS, CA 92264

APPLICANT: AT&T WIRELESS  
 ADDRESS: 3300 IRVINE AVE, STE 300 RIVERSIDE, CA 92504  
 CONTACT: BOB STURMFWANT  
 PHONE: (714) 473-7288

APPLICANT REPRESENTATIVE: 3300 IRVINE AVE, STE 300 RIVERSIDE, CA 92504  
 CONTACT: BOB STURMFWANT  
 PHONE: (714) 473-7288

LATITUDE (NAD 83): 33°54'53.29" N, 116°18'14.69" W  
 LONGITUDE (NAD 83): 116°18'14.69" W, -116°18'14.69" W  
 GRID ELEVATION (MAD 88): 4020.3 FEET

ZONING: W-2  
 COUNTY OF RIVERSIDE  
 CURRENT ZONING: W-2  
 ZONING DISTRICT: (CONTROLLED DEVELOPMENT AREAS)  
 POWER COMPANY: SCE  
 TELCO COMPANY: AT&T  
 PROPOSED USE: UNMANNED TELECOM FACILITY

**PROJECT TEAM**

**ENGINEER:**  
 INFINIGY8 ENGINEERING, LLP  
 2655 RANCHO PARKWAY SOUTH  
 LAKE FOREST, CA 92509  
 CONTACT: DAN CANNELL  
 PHONE: (949) 861-2201  
 danielc@infinigy.com

**ENGINEER:**  
 SMARTLINK LLC  
 3300 IRVINE AVE, STE 300  
 RIVERSIDE, CA 92504  
 CONTACT: ERIC HARRIS  
 PHONE: (949) 861-2201  
 jerry@smartlinkllc.com

**CONSTRUCTION MANAGER:**  
 REEFER COMMUNICATIONS  
 1140 E PALM TREE DR, STE 225  
 RIVERSIDE, CA 92504  
 CONTACT: RON VANDERWAL  
 PHONE: (949) 861-2201  
 ronv@reecom.com



1485 BRUNER AVE  
 TUSTIN, CA 92780



3300 IRVINE AVE, STE 300  
 NEWPORT BEACH, CA 92660

**INFINIGY8**  
**ENGINEERING, LLP**  
 2655 RANCHO PARKWAY SOUTH  
 LAKE FOREST, CALIFORNIA 92509  
 JOB NUMBER: 14-00

REV	DATE	DESCRIPTION
3	01/02/20	PLANNING COMMENTS
2	09/18/19	LOOK ZONING DRAWINGS
1	09/18/19	LOOK ZONING DRAWINGS
0	09/04/19	DOE ZONING DRAWINGS

IF YOU HAVE ANY QUESTIONS  
 REGARDING THIS DRAWING, PLEASE CONTACT THE DESIGNER  
 OR A LICENSED PROFESSIONAL ENGINEER  
 TO OBTAIN THIS DOCUMENT.

CSL06351  
 MAKERVILLE  
 70101 STATE HIGHWAY 74  
 MOUNTAIN CENTER,  
 CA 92561

SHEET TITLE  
**TITLE SHEET**

SHEET NUMBER  
**T-1**



**UNDERGROUND UTILITY**  
**SOUTHERN CALIFORNIA**  
 800-227-2000  
 48 HOURS BEFORE YOU DIG

**DO NOT SCALE DRAWINGS**  
 SUBCONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE PRIOR TO ANY CONSTRUCTION. THE ENGINEER IS WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

REV#	DATE	REVISION DESCRIPTION
1	08/20/19	FINAL
		TITLE REPORT - FINAL

**INFINIGY**  
 2655 BANCROFT BLVD., SUITE 100, RANCHO PALMS, CA 91359  
 (818) 714-4377 FAX: (818) 714-4378

**AT&T**  
 5725 PAVILION CENTER BOULEVARD  
 SAN DIEGO, CALIFORNIA 92121

**CALVADA SURVEYING, INC.**  
 10115 RIVERVIEW DRIVE, SUITE 100, RANCHO PALMS, CA 91359  
 (818) 714-4377 FAX: (818) 714-4378

APPROVED BY:	INITIALS	DATE
LANDOWNER:		
LEASING:		
ZONING:		
R.F.:		
EP:		
CPAL:		

**CSL06351**  
 SITE NAME:  
 SITE ADDRESS:  
 70111 CA-74  
 MOUNTAIN CENTER, CA 92561  
 RIVERSIDE COUNTY

**TOPOGRAPHIC SURVEY**  
 SHEET TITLE:  
 DRAWING NO.:

DRWG. NAME:	DATE:
08/20/19	
DRAWN BY:	JOB NO.:
SHEET NUMBER:	SHEET TOTAL:
LS1	1 OF 1

**Basis of Bearings**  
 ALL BEARINGS FOR THIS REPORT ARE BASED ON THE NATIONAL GRID SYSTEM OF THE UNITED STATES OF AMERICA. BEARINGS ARE REFERRED TO AS TRUE BEARINGS UNLESS OTHERWISE INDICATED. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

**Benchmark**  
 THE SURVEY WAS CONTROLLED BY THE NATIONAL GRID SYSTEM OF THE UNITED STATES OF AMERICA. A BENCHMARK WAS USED TO CHECK THE ACCURACY OF THE SURVEY.

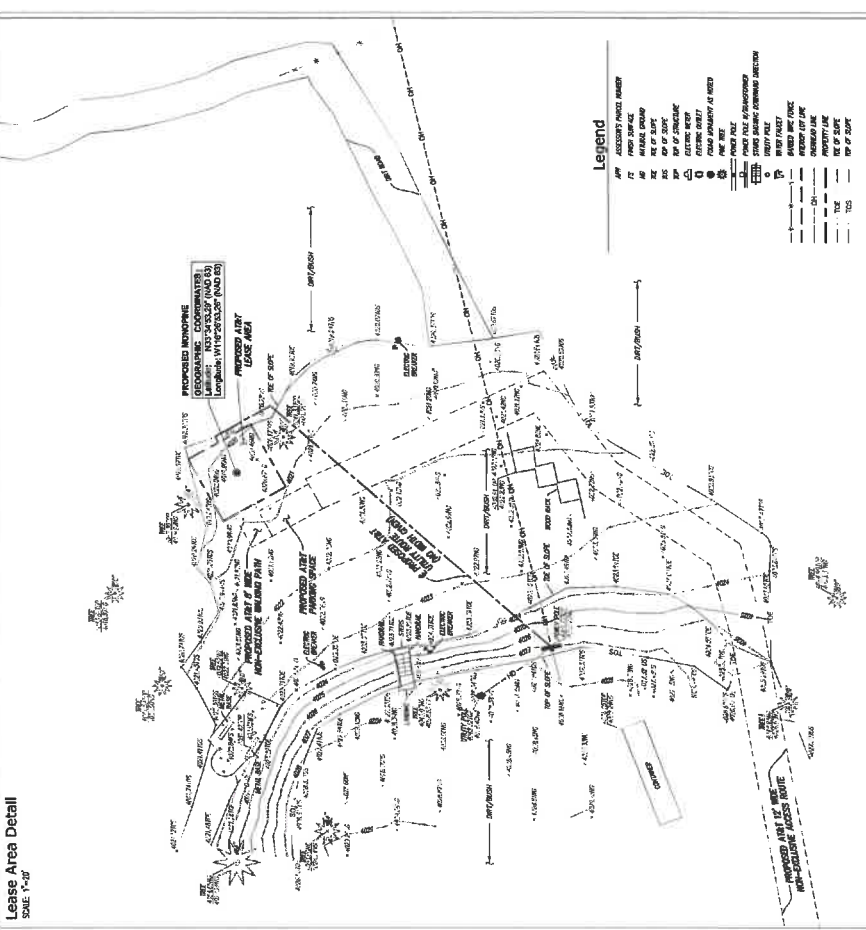
**Date of Survey**  
 AUGUST 19, 2019

**Easements**  
 ALL EASEMENTS FOR THIS REPORT ARE BASED ON THE RECORDS OF THE COUNTY OF RIVERSIDE, CALIFORNIA.

**Access/Utility Routes & Lease Area**  
 THE PROPOSED ACCESS ROUTE AND UTILITY LINES ARE SHOWN AS DASHED LINES ON THIS PLAN. THE LEASE AREA IS SHOWN AS A SOLID LINE.

**Geographic Coordinates at Proposed Faux Water Tank**  
 THE GEODESIC COORDINATES AT THE PROPOSED FAUX WATER TANK ARE AS FOLLOWS: NAD 83 UTM ZONE 11S, EASEMENT 1887000, NAD 83 UTM ZONE 11S, EASEMENT 8100000.

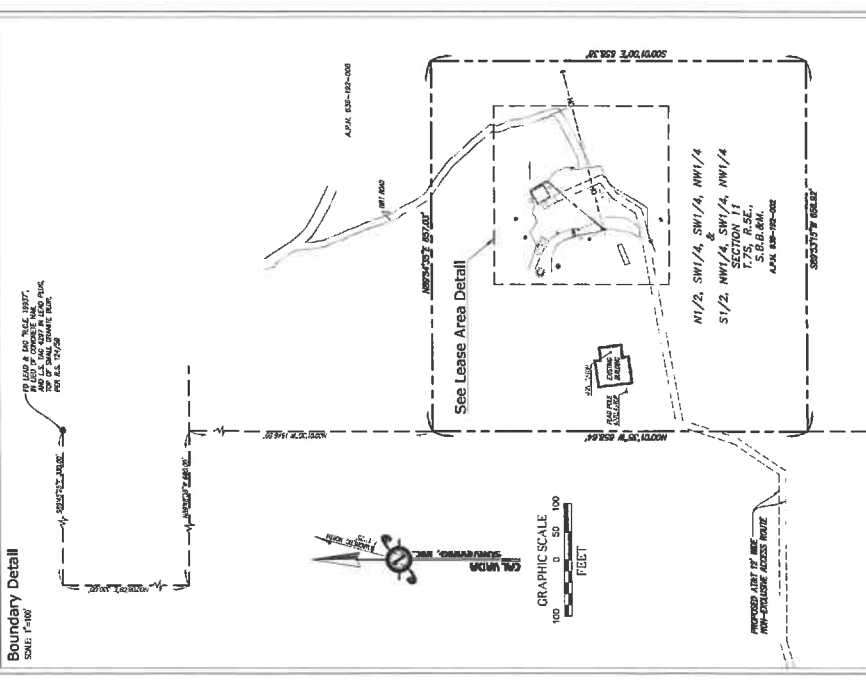
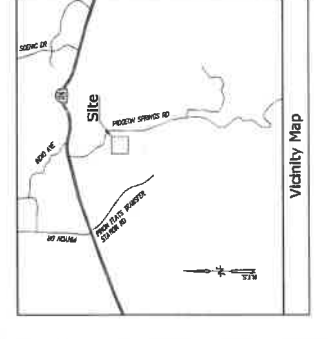
**Legal Description**  
 THE LAND DESCRIBED IN THIS REPORT IS SITUATED IN UNINCORPORATED AREA IN THE COUNTY OF RIVERSIDE, CALIFORNIA. THE LAND IS DESCRIBED AS FOLLOWS: 1/2 SECTION 11, T.7S, R.12E, S.12000000, A.P.N. 634-050-000.



**Title Report**  
 PREPARED BY: CALVADA SURVEYING, INC.  
 DATE: AUGUST 19, 2019

**Legal Description**  
 THE LAND DESCRIBED IN THIS REPORT IS SITUATED IN UNINCORPORATED AREA IN THE COUNTY OF RIVERSIDE, CALIFORNIA. THE LAND IS DESCRIBED AS FOLLOWS: 1/2 SECTION 11, T.7S, R.12E, S.12000000, A.P.N. 634-050-000.

**Assessor's Parcel No.**  
 634-050-000







1432 EDINGER AVE.  
TUSTIN, CA 92780



3300 IRVINE AVE. STE. 300  
NEWPORT BEACH, CA 92660

**INFINIGY8  
ENGINEERING LLP**  
2448 SANCHO PARKWAY SUITE 400  
LAKE FOREST, CALIFORNIA 92650  
JOB NUMBER: 404-00

REV	DATE	DESCRIPTION
3	01/20/20	PLANNING COMMENTS
2	09/24/19	TOPIC ZONING DISMISSED
1	09/10/19	TOPIC ZONING DISMISSED
0	08/14/19	TOPIC ZONING DISMISSED

IT IS A VIOLATION OF LAW FOR ANY PERSON, FIRM OR COMPANY TO REPRODUCE, COPY, OR TRANSMIT ANY INFORMATION CONTAINED HEREIN WITHOUT THE WRITTEN PERMISSION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT.

CSLO6351  
MAKERVILLE  
70101 STATE HIGHWAY 74  
MOUNTAIN CENTER,  
CA 92561

SHEET TITLE  
EQUIPMENT AND ANTENNA  
LAYOUTS, ANTENNA/RRU  
SCHEDULES

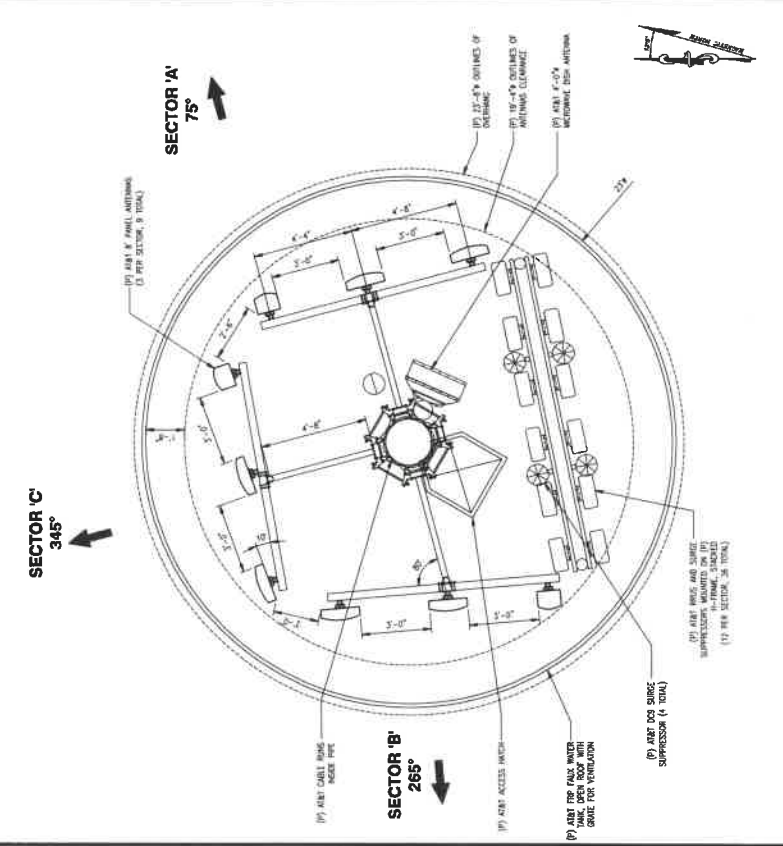
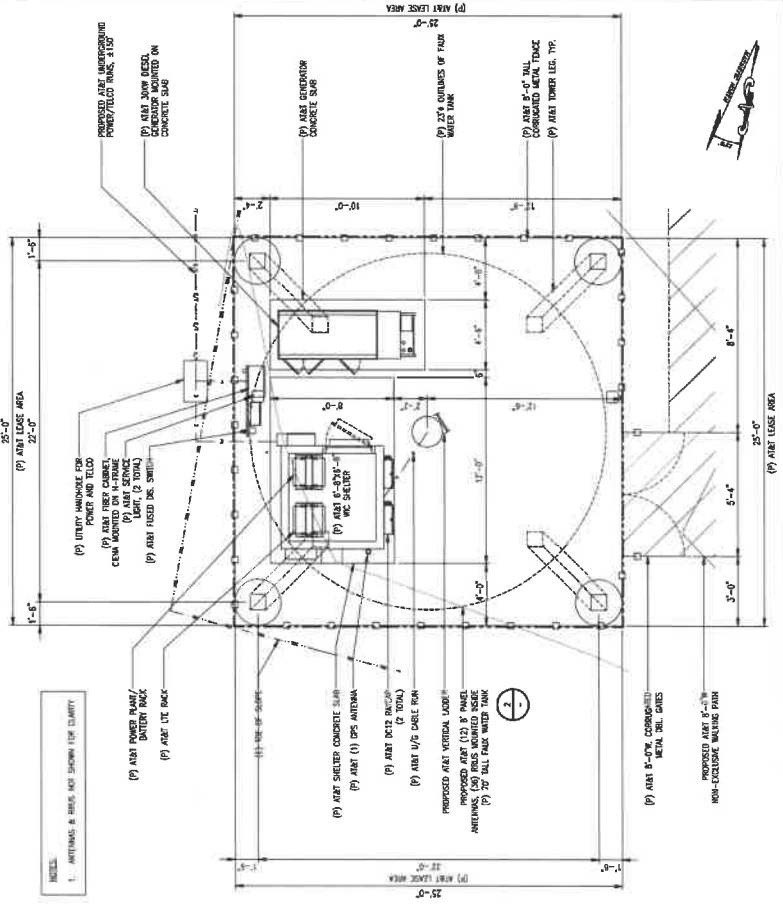
SHEET NUMBER  
**A-2**

TOTAL EQUIPMENT COUNT:	9
ANTENNAS:	36
RRU'S:	4
SURGE SUPPRESSORS:	1
MM DISH:	1

SECTOR	RRU UP OR DOWN	RRU COUNT	REMOTE RADIO UNITS (RRU'S)		RRU MIN. CLEARANCES ABOVE ANTENNA	RRU MIN. CLEARANCES BELOW SITES	COUNT	MODEL
			RRU MODEL	RRU LOCATION (DISTANCE FROM ANTENNA)				
A1	UP	4	TBD	<3'-0"	18" 8" 0"	0		
A2	UP	4	TBD	<3'-0"	18" 8" 0"	1	D09	
A3	UP	4	TBD	<3'-0"	18" 8" 0"	0		
B1	UP	4	TBD	<3'-0"	18" 8" 0"	0		
B2	UP	4	TBD	<3'-0"	18" 8" 0"	1	D09	
B3	UP	4	TBD	<3'-0"	18" 8" 0"	0		
C1	UP	4	TBD	<3'-0"	18" 8" 0"	0		
C2	UP	4	TBD	<3'-0"	18" 8" 0"	2	D09	
C3	UP	4	TBD	<3'-0"	18" 8" 0"	0		

SECTOR	NEW TECHNOLOGY	ANTENNA MODEL	ANTENNA SEE (4', 6', 8')	RADIO CENTER	NEW ANTENNA AND TRANSMISSION CABLE REQUIREMENTS		DC CABLE
					FEEDER/UMPER LENGTH	TRANSMISSION LINES (LENGTH FT. +/-)	
A1	LTE	TBD	8'	64'-0"	LDP4 (1/2')	43'	80± (AMG #8)
A2	LTE	TBD	8'	64'-0"	LDP4 (1/2')	43'	80± (AMG #8)
A3	LTE	TBD	8'	64'-0"	LDP4 (1/2')	43'	80± (AMG #8)
B1	LTE	TBD	8'	265'	LDP4 (1/2')	43'	80± (AMG #8)
B2	LTE	TBD	8'	265'	LDP4 (1/2')	43'	80± (AMG #8)
B3	LTE	TBD	8'	265'	LDP4 (1/2')	43'	80± (AMG #8)
C1	LTE	TBD	8'	345'	LDP4 (1/2')	43'	80± (AMG #8)
C2	LTE	TBD	8'	345'	LDP4 (1/2')	43'	80± (AMG #8)
C3	LTE	TBD	8'	345'	LDP4 (1/2')	43'	80± (AMG #8)
MM DISH			4'-0"	54'-0"	LDP4 (1/2')	470'	N/A

**ANTENNA / RRU SCHEDULES**



1 EQUIPMENT LAYOUT SCALE 1/8"=1'-0"

2 ANTENNA LAYOUT SCALE 3/8"=1'-0"



1452 EDINGER AVE.  
TUSTIN, CA 92780



3360 IRVINE AVE. STE 300  
NEWPORT BEACH, CA 92660

**INFINIGY8**  
**ENGINEERING, LLP**  
850 SOUTH CLAY STREET  
LAKE FOREST, CALIFORNIA 92751  
JOB NUMBER 054-000

REV.	DATE	DESCRIPTION
3	01/02/20	PLANNING COMMENTS
2	10/15/19	TYPER ZONING DRAWINGS
1	09/19/19	TYPER ZONING DRAWINGS
D	09/19/19	DOT ZONING DRAWINGS

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

CSL06351  
MAKERVILLE  
70101 STATE HIGHWAY 74  
MOUNTAIN CENTER,  
CA 92561

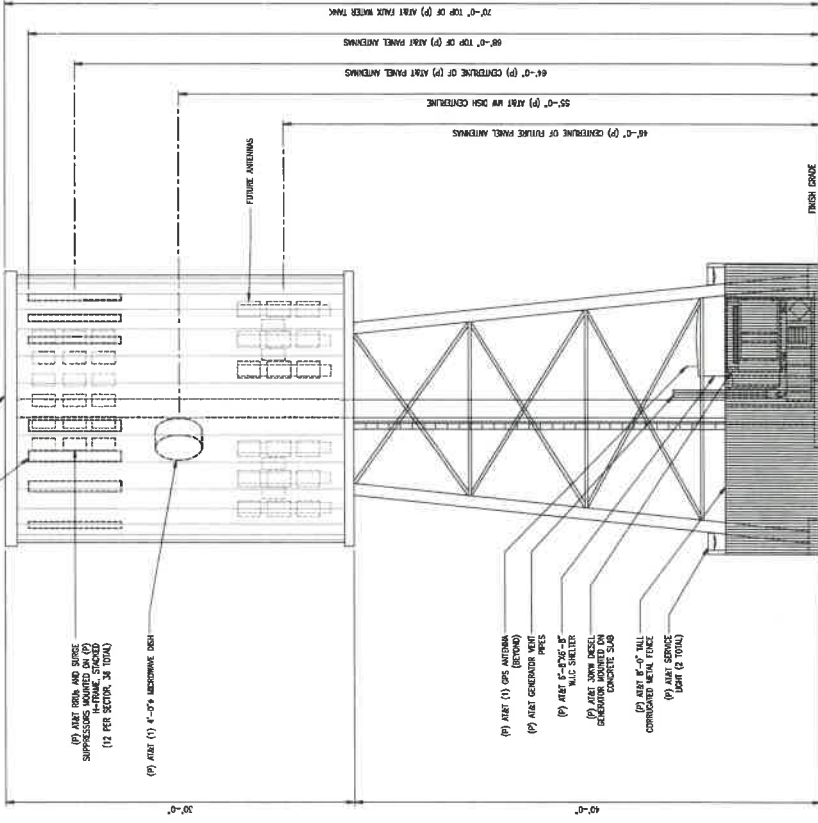
SHEET TITLE  
ELEVATIONS

SHEET NUMBER  
A-3

**NOTES:**

1. WATER TANK WILL BE NOTICED IN APPEARANCE PER LANDSCAPE REQUEST

- (P) AIRT (RT) FAX WATER TANK OVER ROOF WITH GRATE FOR RAINGUTTER
- (P) AIRT 2" PANEL AIRSCANS (3 PER SECTION 3 TOTAL)
- (P) AIRT TRIM AND SIZING SUPPRESSORS MOUNTED ON (P) E-TRIM (12 PER SECTION 36 TOTAL)
- (P) AIRT (1) 4"-Ø" MECHANICAL DUCT



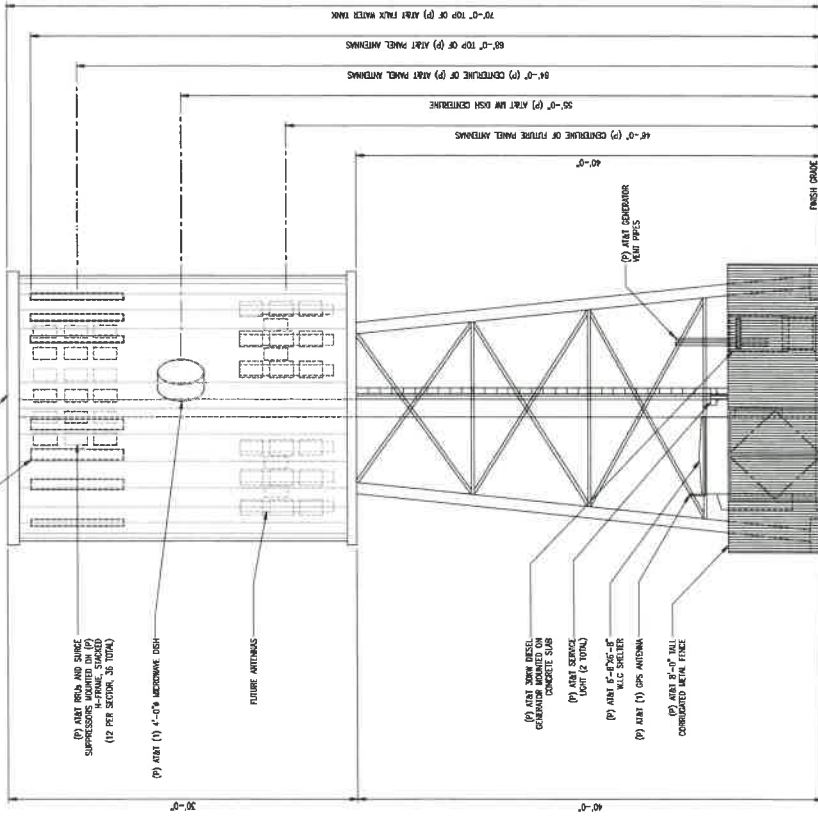
SCALE 3/16"=1'-0"

**1** **SOUTHWEST ELEVATION**

**NOTES:**

1. WATER TANK WILL BE NOTICED IN APPEARANCE PER LANDSCAPE REQUEST

- (P) AIRT TRIM AND SIZING SUPPRESSORS MOUNTED ON (P) E-TRIM (12 PER SECTION 36 TOTAL)
- (P) AIRT 2" PANEL AIRSCANS (3 PER SECTION 3 TOTAL)
- (P) AIRT TRIM AND SIZING SUPPRESSORS MOUNTED ON (P) E-TRIM (12 PER SECTION 36 TOTAL)
- (P) AIRT (1) 4"-Ø" MECHANICAL DUCT



SCALE 3/16"=1'-0"

**2** **SOUTHEAST ELEVATION**



# CSL06351 MAKERVILLE

70111 CA-74 MOUNTAIN CENTER CA 92561



VIEW 1

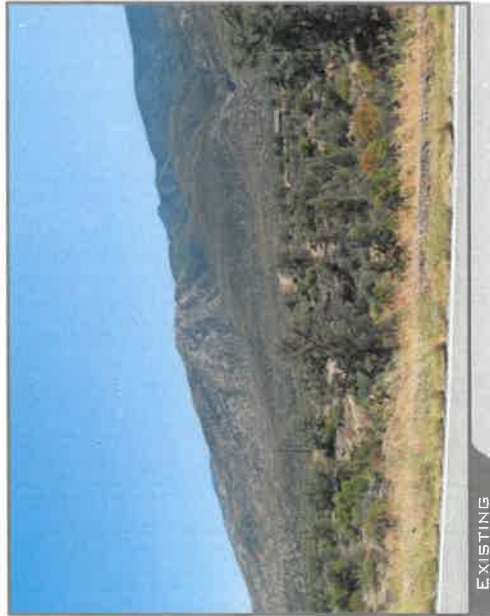


LOCATION



PROPOSED

LOOKING SOUTHEAST FROM CA-74



EXISTING

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.





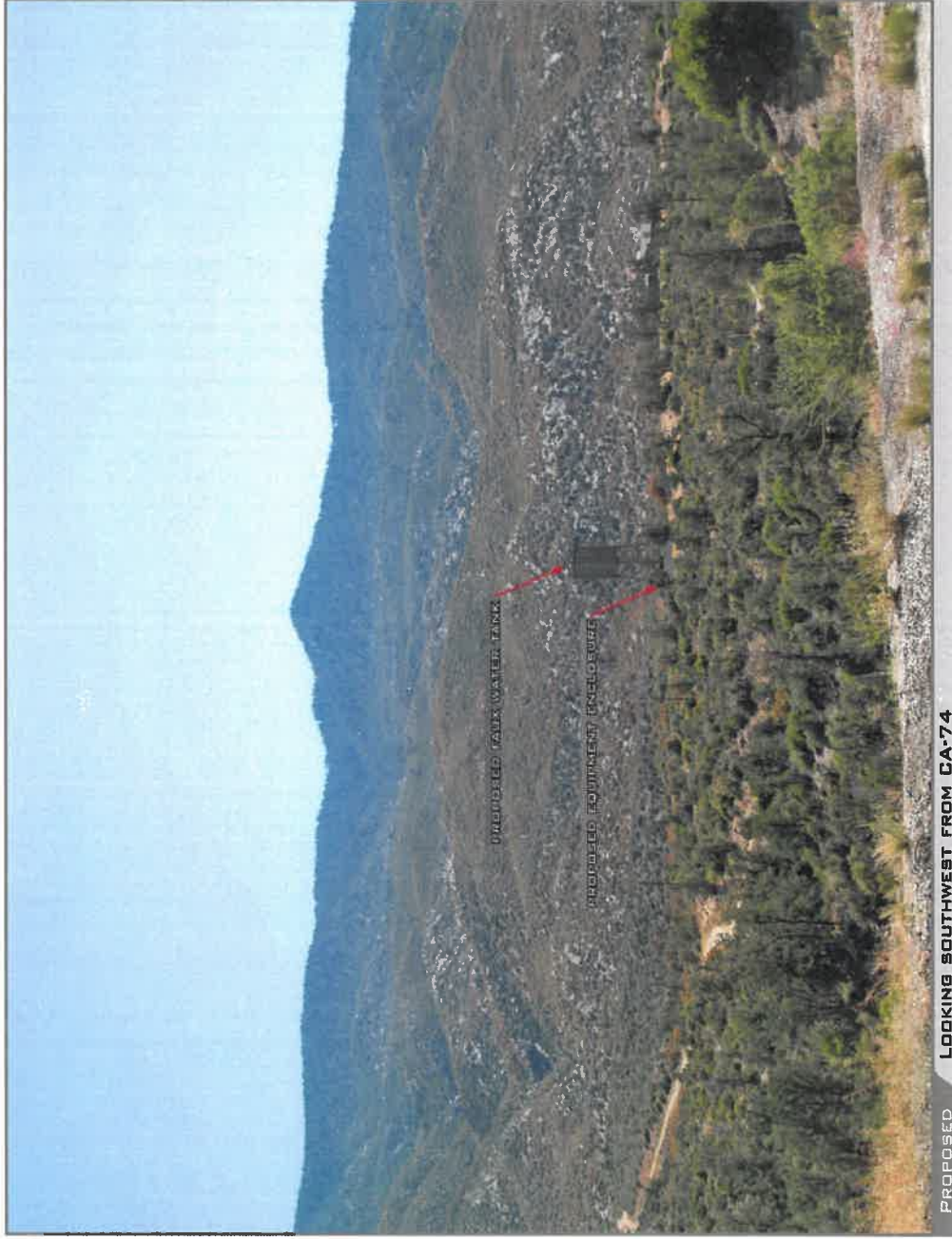
**CSL06351**

**MAKERVILLE**

70111 CA-74 MOUNTAIN CENTER CA 92561



VIEW 2



LOOKING SOUTHWEST FROM CA-74

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



# CSL06351 MAKERVILLE

70111 CA-74 MOUNTAIN CENTER CA 92561

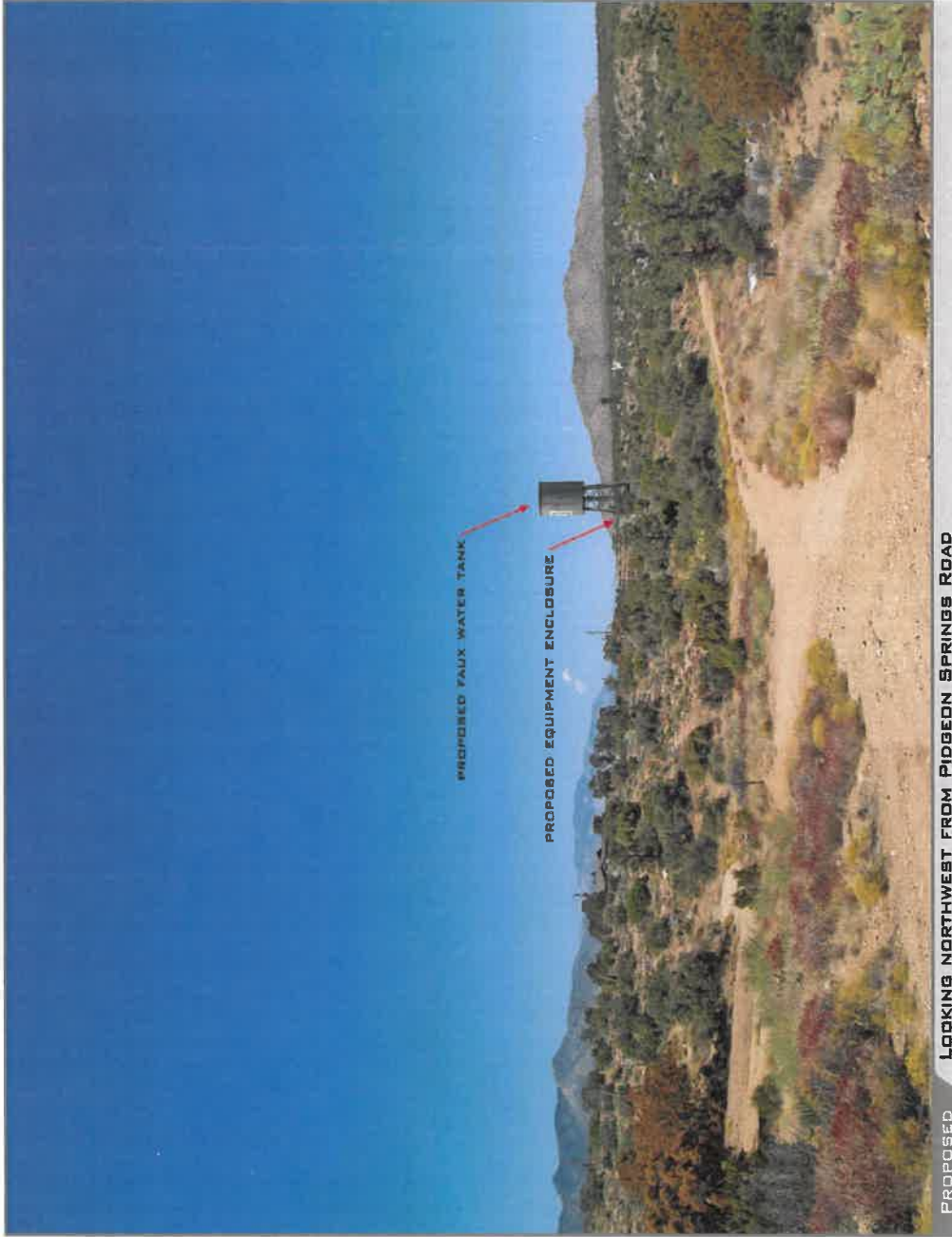


VIEW 3



LOCATION

©2019 Google Maps



PROPOSED

LOOKING NORTHWEST FROM RIDGED SPRINGS ROAD



EXISTING

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



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

Juan C. Perez  
Agency Director



12/23/20, 2:46 pm

PPW190015

**ADVISORY NOTIFICATION DOCUMENT**

The following notifications are included as part of the recommendation of approval for PPW190015. 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 - 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 Plot Plan Wireless No. 190015 (PPW190015) or its associated environmental documentation; 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 Plot Plan Wireless No. 190015 (PPW190015), including, but not limited to, decisions made in response to California Public Records Act requests; and

(a) and (b) above are hereinafter collectively referred to as "LITIGATION."

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION 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 LITIGATION, 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

## ADVISORY NOTIFICATION DOCUMENT

### Advisory Notification

#### **Advisory Notification. 1            AND - Hold Harmless (cont.)**

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. 2            AND - Preamble**

This Advisory Notification Document is included as part of the justification for the recommendation of approval of this Plan (PPW190015) 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. 3            AND - Project Description & Operational Limits**

Plot Plan Wireless No. 190015 ("Project") is a request for the construction, operation, and maintenance of a new 70-foot-tall wireless communication facility, disguised as a faux-water tower, and accompanying equipment within a 625-square-foot lease area. In addition, the project would include the installation of nine (9) panel antennas, thirty-six (36) Remote Radio Units (RRUs), one (1) four-foot-tall microwave antenna, one (1) 30kw emergency diesel generator, and other associated equipment within a eight-foot-tall corrugated metal fence enclosure. The proposed facility will be accessible from Pinon Flats Road and will have one parking space for a maintenance vehicle.

The project is located east of Pinon Flats Road, south of Highway 74, and west of Pidgeon Springs Road, within the Riverside Extended Mountain Area Plan (REMAP).

#### **Advisory Notification. 4            AND - Design Guidelines**

Compliance with applicable Design Guidelines:

1. 3rd & 5th District Design Guidelines

#### **Advisory Notification. 5            AND - Exhibits**

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

Exhibit A (Site Plan), dated 1/2/20.

Exhibit B (Elevations), dated 1/2/20.

Exhibit C (Equipment and Antenna Layouts), dated 1/2/20.

#### **Advisory Notification. 6            AND - Federal, State & Local Regulation Compliance**

1. Compliance with applicable Federal Regulations, including, but not limited to:
  - National Pollutant Discharge Elimination System (NPDES)

## ADVISORY NOTIFICATION DOCUMENT

### Advisory Notification

#### Advisory Notification. 6            AND - Federal, State & Local Regulation Compliance (cont.)

- 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)
    - State Subdivision Map Act
    - Native American Cultural Resources, and Human Remains (Inadvertent Find)
    - School District Impact Compliance
  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. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program)
    - Ord. No. 484 (Control of Blowing Sand)
    - Ord. No. 655 (Regulating Light Pollution)
    - Ord. No. 671 (Consolidated Fees)
    - Ord. No. 742 (Fugitive Dust/PM10 Emissions in Coachella Valley)
    - 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)
  4. Mitigation Fee Ordinances
    - Ord. No. 659 Development Impact Fees (DIF)
    - Ord. No. 673 Coachella Valley Transportation Uniform Mitigation Fee (CV TUMF)
    - Ord. No. 875 Coachella Valley Multiple Species Habitat Conservation Plan (CV MSHCP)

#### Advisory Notification. 7            AND - PPW Collocation

The applicant/operator of the facility shall agree to allow the co-location of equipment of other wireless telecommunications providers at this site when applications are received by the County and it is considered feasible, subject to an agreement between the applicant/operator, the other proposed wireless telecommunications provider, and the property owner.

### E Health

#### E Health. 1                            ECP COMMENTS

If 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

## ADVISORY NOTIFICATION DOCUMENT

### E Health

#### E Health. 1 ECP COMMENTS (cont.)

Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

### Fire

#### Fire. 1 Fire - Advisory

##### Access

1. Roadways installed and maintained by the cellular company/radio agency solely for maintenance of their equipment shall be deemed acceptable. Roadways to the site shall not be required to be installed and maintained to support fire apparatus.

##### Water Supply

1. No additional water supply for fire protection is required.

### Planning

#### Planning. 1 Telcom – Backup Generator

If a backup generator will used in conjunction with the wireless communication facility, it is to only be used in the event of a power disruption and during maintenance checks. It is not be used during the course of regular operations. Any noise produced by the generator is required to comply with County noise standards.

#### Planning. 2 Telcom – Colocation

The applicant/operator of the facility shall agree to allow for the co-location of equipment of other wireless telecommunication providers at this site when applications are received by the County and it is considered feasible, subject to an agreement between the applicant/operator, the other proposed wireless telecommunication provider(s), and the property owner.

#### Planning. 3 Telcom – Enclosure

Unless otherwise specifically noted on the approved plans, the telecommunication equipment enclosure shall be comprised of corrugated metal fencing and shall be 8-feet in height

#### Planning. 4 Telcom – Entitlement Life

Pursuant to Riverside County Ordinance No. 348 (Land Use), a telecommunication facility shall have an initial approval period (life) of ten (10) years, which may be extended if a revised permit application is made and approved by the original approving officer or body. Such extensions, if approved, shall be in increments of ten (10) years. The determination as to the appropriateness of such extensions shall be made, in part, on adherence to the original conditions of approval and the number of complaints, if any, received by the County. In the case of collocated facilities, the permits of all colocaters shall be automatically extended until the last colocaters permit expires. In the event that this ten (10) year maximum life span provision is removed from Riverside County Ordinance No. 348 (Land Use), this

## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### **Planning. 4 Telcom – Entitlement Life (cont.)**

condition of approval shall become null and void.

#### **Planning. 5 Telcom – Equipment Cabinets**

Unless otherwise specifically noted on the approved plans, the telecommunication equipment cabinet shelter color shall be grey or earth-tone, in order to be more compatible with the surrounding setting.

#### **Planning. 6 Telcom – Lighting**

All outside lighting shall be hooded and directed into the telecommunication facility area, so as not to shine directly upon adjoining property or in the public rights-of-way.

#### **Planning. 7 Telcom – No Proposed Use**

The remainder of the subject property, (excluding the lease area and access easement), shall hereby be designated as "NO USE PROPOSED", and shall require approval of an appropriate land use application prior to utilization of any additional land uses, subject to the requirements of Riverside County Ordinance No. 348.

#### **Planning. 8 Telcom – Noise**

Pursuant to Riverside County Ordinance No. 348 (Land Use), any noise produced by the telecommunication facility shall in no case exceed 45 dB inside the nearest dwelling and shall not exceed 60 dB at the project site's property line.

#### **Planning. 9 Telcom – Signage**

Prior to final inspection of any building permit, the permit holder, developer or successor-in-interest shall install a sign no smaller than 12 inches by 12 inches upon an exterior wall or fence that surrounds the lease area that provides the following contact information:

- Address of wireless communications facility and any internal site identification number or code;
- Name(s) of company who operates the wireless communications facility;
- Full company address, including mailing address and division name that will address problems;
- Telephone number of the telecommunication facility company.

If a colocated facility (addition antennas and/or equipment shelters or cabinets) are added to an existing facility, an additional sign, including the above described information, shall be installed on said shelter or cabinet stating the name of the company who operates the primary wireless communications facility and the name of the company that operates the co-located facility.

#### **Planning. 10 Telcom – Site Maintenance**

The project site shall be kept in good repair. Graffiti shall be removed from any structures within one week of observation and/or notification. The project site and a minimum area of 10-feet surrounding the project site shall be kept free of weeds and other obtrusive vegetation for fire prevention and aesthetic





## ADVISORY NOTIFICATION DOCUMENT

### Planning-CUL

#### Planning-CUL. 2                      PDA08035 accepted (cont.)

the current view-shed due to the lack of visibility.

PDA08035 recommends: The results of this assessment indicate it is highly unlikely that cultural resources, included historic properties, would be adversely affected or impacted by the installation of the proposed telecommunications facility. Therefore, HELIX recommends a finding of no adverse effect/no significant impact and does not recommend additional cultural resource mitigation or mitigation monitoring prior to construction.

These documents are herein incorporated as a part of the record for project.

#### Planning-CUL. 3                      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.

### Planning-PAL

#### Planning-PAL. 1                      LOW PALEO POTENTIAL

According to the County's General Plan, this site has been mapped as having a "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. As such, this project is not anticipated to require any direct mitigation for paleontological resources. However, should fossil remains be encountered during site development:

1. All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.
2. The owner of the property shall be immediately notified of the fossil discovery who will in turn immediately notify the County Geologist of the discovery.

## ADVISORY NOTIFICATION DOCUMENT

### Planning-PAL

#### Planning-PAL. 1

#### LOW PALEO POTENTIAL (cont.)

3. The applicant shall retain a qualified paleontologist approved by the County of Riverside.
4. The paleontologist shall determine the significance of the encountered fossil remains.
5. Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.
6. If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.
7. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum\* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. \* Per the County of Riverside "SABER Policy", paleontological fossils found in the County of Riverside should, by preference, be directed to the Western Science Center in the City of Hemet.
8. 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.

### Transportation

#### Transportation. 1

#### TRANS GENERAL CONDITIONS

1. With respect to the conditions of approval for the referenced tentative exhibit, it is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. This ordinance 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

#### TRANS GENERAL CONDITIONS (cont.)

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

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60. Prior To Grading Permit Issuance

Planning

060 - Planning. 1                      No Trees to be Removed                      Not Satisfied

Prior to grading, applicant shall confirm that no trees shall be removed in the vicinity during the construction of the facility.

Planning-CUL

060 - Planning-CUL. 1                      Native American Monitor                      Not Satisfied

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for a Native American Monitor.

The Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

This agreement shall not modify any condition of approval or mitigation measure.

060 - Planning-CUL. 2                      Project Archaeologist                      Not Satisfied

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

Planning-EPD

060 - Planning-EPD. 1                      MBTA Nesting Bird Survey - EPD                      Not Satisfied

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st through August 31st). If habitat must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second

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60. Prior To Grading Permit Issuance

Planning-EPD

060 - Planning-EPD. 1 MBTA Nesting Bird Survey - EPD (cont.) Not Satisfied  
survey must be conducted.

Prior to issuance of a permit for rough grading, the project's consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a rough grading permit.

When the requested documents/studies are completed and ready for EPD review, please upload them to our Secure File Transfer server to ensure prompt response and review. If you are unfamiliar with the process for uploading biological documents to the FTP site, please contact Matthew Poonamallee at mpoonama@rivco.org and Rigo Caballero at rcaballero@rivco.org for instructions.

Biological reports not uploaded to the FTP site may result in delayed review and approval.

Transportation

060 - Transportation. 1 SUBMIT GRADING PLANS Not Satisfied

Prior to the issuance of a building permit, the owner / applicant may be required to submit a Water Quality Management Plan (WQMP), on one PDF on two CD copies, if the development of the parcel(s) meets or exceeds any of the thresholds outlined in the WQMP guidance document. If it is determined that a WQMP is required, the owner applicant shall be required to submit a WQMP and associated plans for review and approval prior to issuance of building permit. More information can be found at the following website.

<http://rcflood.org/npdes/>

060 - Transportation. 2 SUBMIT GRADING PLANS Not Satisfied

The project proponent shall submit two sets of grading plans (24" x 36") 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

70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 1 Artifact Disposition Not Satisfied

Prior to Grading Permit Final Inspection, the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.

Historic Resources- all historic archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), shall be curated at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines

Prehistoric Resources- One of the following treatments shall be applied.

a. Reburial of the resources on the Project property. The measures for reburial shall include, at least,

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70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 1 Artifact Disposition (cont.) Not Satisfied

the following: Measures to protect the reburial area from any future impacts. Reburial shall not occur until all required cataloguing, analysis and studies have been completed on the cultural resources, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial processes shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV Report shall be filed with the County under a confidential cover and not subject to a Public Records Request.

b. If reburial is not agreed upon by the Consulting Tribes then the resources shall be curated at a culturally appropriate manner at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the County. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains.

070 - Planning-CUL. 2 Phase IV Monitoring Report Not Satisfied

Prior to Grading Permit Final Inspection, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting and evidence that any artifacts have been treated in accordance to procedures stipulated in the Cultural Resources Management Plan.

80. Prior To Building Permit Issuance

BS-Grade

080 - BS-Grade. 1 NO GRADING VERIFICATION Not Satisfied

Prior to the issuance of any building permits, the applicant shall comply with the County of Riverside Department of Building and Safety "NO GRADING VERIFICATION" requirements.

The "NO GRADING VERIFICATION" is not required if the applicant obtains a grading permit.

Fire

080 - Fire. 1 Prior to permit Not Satisfied

Gates or other barriers across access roadways and at entrances to sites shall provide rapid reliable access by means of a Knox Box or Knox Padlock in an accessible location to provide immediate access for life safety and/or firefighting purposes. The Knox product and its location shall be approved.

080 - Fire. 2 Prior to permit Not Satisfied

Emergency power systems, standby power systems and uninterrupted power supplies shall be in accordance with the CFC. Sign(s) designed in accordance with NFPA Standard 704 must be posted

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80. Prior To Building Permit Issuance

Fire  
080 - Fire. 2                      Prior to permit (cont.)                      Not Satisfied  
    as applicable.

Planning  
080 - Planning. 1                      0080-Planning-USE - LIGHTING PLANS CT                      Not Satisfied  
    Any proposed outdoor lighting must be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of Riverside County Ordinance No. 655 and the Riverside County General Plan.

Transportation  
080 - Transportation. 1                      EVIDENCE/LEGAL ACCESS                      Not Satisfied  
    Provide evidence of legal access.

080 - Transportation. 2                      EVIDENCE/LEGAL ACCESS                      Not Satisfied  
    Provide evidence of recorded legal access.

080 - Transportation. 3                      SUBMIT PLANS                      Not Satisfied  
    This condition applies if a grading permit is not required.

Prior to the issuance of a building permit, the owner / applicant may be required to submit a Water Quality Management Plan (WQMP), on one PDF on two CD copies, if the development of the parcel(s) meets or exceeds any of the thresholds outlined in the WQMP guidance document. If it is determined that a WQMP is required, the owner applicant shall be required to submit a WQMP and associated plans for review and approval prior to issuance of building permit. More information can be found at the following website.

<http://rcflood.org/npdes/>

080 - Transportation. 4                      TUMF                      Not Satisfied  
    Prior to the issuance of a building permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

080 - Transportation. 5                      UTILITY PLAN CELL TOWER                      Not Satisfied  
    Proposed electrical power lines below 33.6 KV within public right-of-way for this cell tower site shall be designed to be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. A disposition note describing the above shall be reflected on the site plan. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes.

080 - Transportation. 6                      UTILITY PLAN                      Not Satisfied  
    Proposed electrical power lines below 33.6 Kv within public right of way for this cell tower site shall be designed to be placed underground in accordance with Ordinance 460 and 461, or as approved by the

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80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 6                      UTILITY PLAN (cont.)                      Not Satisfied

Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. A disposition note describing the above shall be reflected on the site plan. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes

90. Prior to Building Final Inspection

E Health

090 - E Health. 1                      Hazmat BUS Plan                      Not Satisfied

Obtain clearance from the Hazardous Materials Management Division. The facility will require a business emergency plan for the storage of hazardous materials greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances.

090 - E Health. 2                      Hazmat Clearance                      Not Satisfied

Obtain clearance from the Hazardous Materials Management Division.

Planning

090 - Planning. 1                      0090-Planning-USE - UTILITIES UNDERGROUND                      Not Satisfied

All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Planning Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.

090 - Planning. 2                      0090-Planning-USE - WALL & FENCE LOCATIONS                      Not Satisfied

Wall locations shall be in conformance with APPROVED EXHIBIT A.

090 - Planning. 3                      Water Tower Logo                      Not Satisfied

Any logos or marking painted onto the faux-water tower tank shall be non-fluorescent paint and shall be painted in the direction facing the existing residence on-site.

Transportation

090 - Transportation. 1                      UTILITY INSTALL CELL TOWER                      Not Satisfied

Proposed electrical power lines below 33.6 KV within public right-of-way for this cell tower site shall be underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department.

A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

090 - Transportation. 2                      UTILITY INSTALL                      Not Satisfied

Proposed electrical power lines below 33.6 Kv within public right of way for this cell tower site shall be underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. A certificate should be obtained from the pertinent utility company and submitted to the



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90. Prior to Building Final Inspection

Transportation

090 - Transportation. 2      UTILITY INSTALL (cont.)      Not Satisfied  
Department of Transportation as proof of completion.

090 - Transportation. 3      WRCOG TUMF      Not Satisfied

Prior to the issuance of a building permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, P.E.  
Assistant TLMA Director

## APPLICATION FOR LAND USE AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

- PLOT PLAN                       PUBLIC USE PERMIT                       VARIANCE  
 CONDITIONAL USE PERMIT                       TEMPORARY USE PERMIT

REVISED PERMIT Original Case No. \_\_\_\_\_

*INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.*

### APPLICATION INFORMATION

Alisha Strasheim

Applicant Name: ~~Amanda Hollihan~~ of Smartlink on Behalf of AT&T

Contact Person: ~~Amanda Hollihan~~ Alisha Strasheim E-Mail: ~~Amanda.Hollihan@smartlinkllc.com~~ alisha.strasheim@smartlinkllc.com

Mailing Address: 3300 Irvine Avenue, Suite 300  
Street  
Newport Beach CA 92660  
City State ZIP

Daytime Phone No: ~~(949) 335-8740~~ (951) 440-0669 Fax No: (\_\_\_\_) \_\_\_\_\_

Engineer/Representative Name: Infinigy Engineering LLP

Contact Person: Daniel M Connell E-Mail: dconnell@infinigy.com

Mailing Address: 26455 Rancho Pkwy S  
Street  
Lake Forest CA 92630  
City State ZIP

Daytime Phone No: (949) 753-8807 Fax No: (\_\_\_\_) \_\_\_\_\_

Property Owner Name: Makerville, LLC

Contact Person: Jay Zaltzman E-Mail: jay@bureauwest.com

Mailing Address: 1440 E Palm Tree Dr.  
Street  
Palm Springs CA 92264  
City State ZIP

Daytime Phone No: (818) 588-6050 Fax No: (\_\_\_\_) \_\_\_\_\_

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 El Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7555

*"Planning Our Future... Preserving Our Past"*

**APPLICATION FOR LAND USE AND DEVELOPMENT**

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the use permit type and number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

**AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:**

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the use permit is ready for public hearing.)

Makerville, LLC

\_\_\_\_\_  
*PRINTED NAME OF PROPERTY OWNER(S)*

  
\_\_\_\_\_  
*SIGNATURE OF PROPERTY OWNER(S)*

\_\_\_\_\_  
*PRINTED NAME OF PROPERTY OWNER(S)*

\_\_\_\_\_  
*SIGNATURE OF PROPERTY OWNER(S)*

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

***AUTHORIZATION FOR CONCURRENT FEE TRANSFER***

The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be **NO** refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

**PROPERTY INFORMATION:**

Assessor's Parcel Number(s): 636-192-002

Approximate Gross Acreage: \_\_\_\_\_

General location (nearby or cross streets): North of National Forest, South of National Forest, East of National Forest, West of National Forest.

**APPLICATION FOR LAND USE AND DEVELOPMENT**

**PROJECT PROPOSAL:**

Describe the proposed project. **Disguised facility**

70' Water tank, ~~Concealed~~, tin fencing, 8x8 walk in cabinet W.I.C on Concrete Pad, Power & Telco Cabinets (12) 8' Tall Panel Antennas Concealed within Water Tank, (36) RRU behind Panel Antennas, (6) surge Suppressors, (1) GPS Antenna, (1) 2'-6"MW Antenna, (1) Meter-pedestal, 30kw Generator on Concrete Pad.

Identify the applicable Ordinance No. 348 Section and Subsection reference(s) describing the proposed land use(s): ~~SECTION 19.403 Concealed Wireless Communication Facilities~~

**19.404 Disguised Wireless Communications Facilities**

Number of existing lots: 1

EXISTING Buildings/Structures: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>						
No.*	Square Feet	Height	Stories	Use/Function	To be Removed	Bldg. Permit No.
1		10'	1	work facility	<input type="checkbox"/>	
2					<input type="checkbox"/>	
3					<input type="checkbox"/>	
4					<input type="checkbox"/>	
5					<input type="checkbox"/>	
6					<input type="checkbox"/>	
7					<input type="checkbox"/>	
8					<input type="checkbox"/>	
9					<input type="checkbox"/>	
10					<input type="checkbox"/>	

Place check in the applicable row, if building or structure is proposed to be removed.

PROPOSED Buildings/Structures: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
No.*	Square Feet	Height	Stories	Use/Function
1		70ft		<b>Disguised</b> Faux Water Tower (Fully <del>Concealed</del> Wireless Communication Facility)
2				
3				
4				
5				
6				
7				
8				
9				
10				

PROPOSED Outdoor Uses/Areas: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
No.*	Square Feet	Use/Function
1		
2		
3		
4		
5		

**APPLICATION FOR LAND USE AND DEVELOPMENT**

6	035141	CH OF SERVICE-200 AMP	Final
7			
8			
9			
10			

\* Match to Buildings/Structures/Outdoor Uses/Areas identified on Exhibit "A".

Check this box if additional buildings/structures exist or are proposed, and attach additional page(s) to identify them.)

Related cases filed in conjunction with this application:

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Are there previous development applications filed on the subject property: Yes  No

If yes, provide Application No(s). \_\_\_\_\_  
(e.g. Tentative Parcel Map, Zone Change, etc.)

Initial Study (EA) No. (if known) \_\_\_\_\_ EIR No. (if applicable): \_\_\_\_\_

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes  No

If yes, indicate the type of report(s) and provide a signed copy(ies): \_\_\_\_\_

Is the project located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944? Yes  No

Is this an application for a development permit? Yes  No

If the project located within either the Santa Ana River/San Jacinto Valley watershed, the Santa Margarita River watershed, or the Whitewater River watershed, check the appropriate checkbox below.

*If not known, please refer to [Riverside County's Map My County website](#) to determine if the property is located within any of these watersheds (search for the subject property's Assessor's Parcel Number, then select the "Geographic" Map Layer – then select the "Watershed" sub-layer)*

If any of the checkboxes are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package.

[Santa Ana River/San Jacinto Valley](#)

[Santa Margarita River](#)

[Whitewater River](#)

**APPLICATION FOR LAND USE AND DEVELOPMENT**

If the applicable Checklist has concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a plan shall be prepared and included with the submittal of this application.

**HAZARDOUS WASTE AND SUBSTANCES STATEMENT**

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to [Section 65962.5](#) of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Address of site (street name and number if available, and ZIP Code): \_\_\_\_\_

Local Agency: County of Riverside

Assessor's Book Page, and Parcel Number: \_\_\_\_\_

Specify any list pursuant to Section 65962.5 of the Government Code: \_\_\_\_\_

Regulatory Identification number: \_\_\_\_\_

Date of list: \_\_\_\_\_

Applicant: \_\_\_\_\_ Date \_\_\_\_\_

**HAZARDOUS MATERIALS DISCLOSURE STATEMENT**

[Government Code Section 65850.2](#) requires the owner or authorized agent for any development project to disclose whether:

1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County. Yes  No
2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions. Yes  No

I (we) certify that my (our) answers are true and correct.

Owner/Authorized Agent (1) \_\_\_\_\_ Date \_\_\_\_\_

Owner/Authorized Agent (2) \_\_\_\_\_ Date \_\_\_\_\_

## **APPLICATION FOR LAND USE AND DEVELOPMENT**

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**This completed application form, together with all of the listed requirements provided on the Land Use and Development Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.**

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\Land Use and Development Condensed application.docx  
Created: 04/29/2015 Revised: 08/03/2018

**RIVERSIDE COUNTY PLANNING DEPARTMENT**  
4080 Lemon St. Riverside, CA 92502-1409

This is a public notice that the proposed application referenced below has been filed with the Riverside County Planning Department and will be considered for approval subject to certain conditions.

**PLOT PLAN WIRELESS NO. 190015** – Exempt from the California Environmental Quality Act (CEQA) – Applicant: Smartlink, LLC on behalf of AT&T – Owner: Makerville – Third Supervisorial District – Pinon Flats Zoning District – REMAP Area Plan – Community Development – Commercial Retail (CD-CR) – Location: Easterly of Pinon Flats Road, southerly of Highway 74, and westerly of Pidgeon Springs Road – 10.0 Acres – Zoning: Controlled Development Area (W-2) – **REQUEST:** Plot Plan Wireless No. 190015 proposes to construct a wireless telecommunication facility disguised as a 70' tall faux water tank that will contain a three (3) sector array with three (3) panel antennas per sector with accompanying ground equipment within a 625 sq. ft. lease area. APN: 636-192-002.

The case file for the proposed project is available for review via email by contacting the project planner. Please contact the project planner regarding additional viewing methods.

Any person wishing to comment or request a public hearing on the proposed project may submit their request or comments in writing to the Planning Department at the address listed above **no later than 5:00 p.m. on December 21, 2020.**

**NO PUBLIC HEARING WILL BE HELD ON THE APPLICATION UNLESS YOU REQUEST A HEARING IN WRITING PRIOR TO THE AFOREMENTIONED DATE.** The decision of the Planning Director is considered final unless an appeal is filed by you or another interested party within 10 days of the approval date. If a public hearing is scheduled before the Planning Director, a separate notice will be published and mailed to interested parties.

For further information regarding this project, please contact Gabriel Villalobos at (951) 955-6184 or email at [gvillalo@rivco.org](mailto:gvillalo@rivco.org).

All comments received, and any prepared responses to comments, will be submitted to the appropriate official, and will be considered, before making a decision on the proposed project. The official may take action on the project any time after December 21, 2020. A copy of the final decision will be mailed to anyone requesting such notification.



**PROPERTY OWNERS CERTIFICATION FORM**

I, VINNIE NGUYEN certify that on November 30, 2020,

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

APN (s) or case numbers PPW190015 for

Company or Individual's Name RCIT - GIS,

Distance buffered 2400'

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

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

TITLE: GIS Analyst

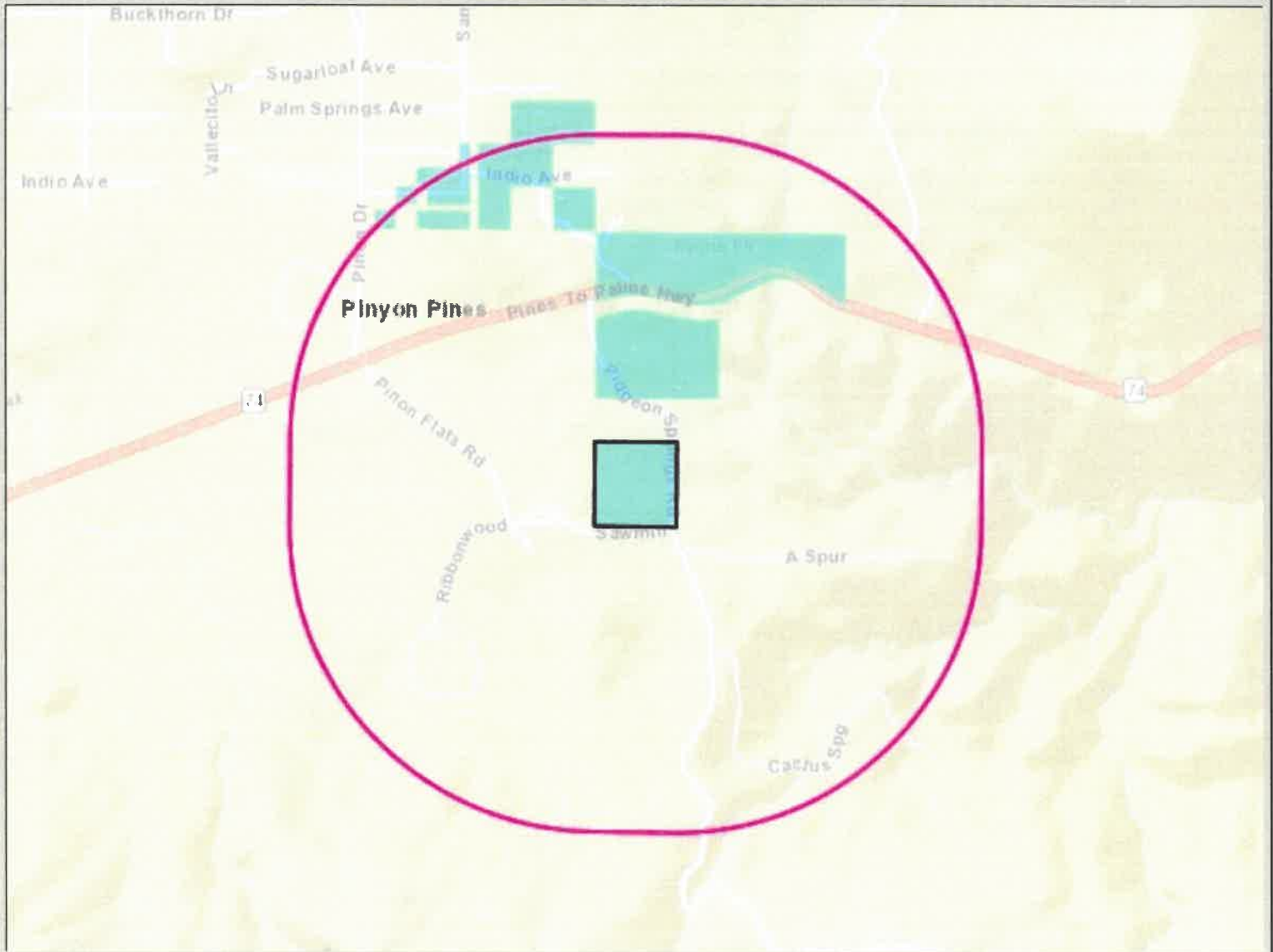
ADDRESS: 4080 Lemon Street 9<sup>TH</sup> Floor

Riverside, Ca. 92502


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

# Riverside County GIS Mailing Labels

PPW190015 ( 2400 feet buffer )



### Legend

-  County Boundary
-  Cities
-  World Street Map

### Notes



0 1,505 3,009 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... 11/30/2020 1:10:34 PM

© Riverside County RCIT

636183010  
EDWARD STEWART  
60460 CASINO RD  
MTN CENTER CA 92561

636191018  
LOS ANGELES SMSA LTD PARTNERSHIP  
10 PRESIDENCIAL WAY  
WOBBURN MA 01801

636183023  
JESSE VALADEZ  
74040 VIA OCOTILLO  
MECCA CA 92254

636191016  
COUNTY OF RIVERSIDE  
3403 10TH ST STE 400  
RIVERSIDE CA 92501

636192001  
JAMES D. FIBIGER  
523 STANLEY ST  
OCEANSIDE CA 92054

636183012  
WILLIAM C. TRAMMEL  
63920 SANTA ROSA DR  
MOUNTAIN CENTER CA 92561

636183016  
ELEAZAR ROCHIN  
80491 AUBURN DR  
INDIO CA 92201

636191001  
STEFANOS KAPAROS  
5003 LA MADERA AVE  
EL MONTE CA 91732

636191004  
DAHLIA A. GHALY  
70310 STATE HIGHWAY 74  
MOUNTAIN CENTER CA 92561

636191009  
JP MORGAN CHASE BANK  
2711 N HASKELL AVE STE 900  
DALLAS TX 75204

636183009  
MICHAEL JOHN LAWLISS  
69850 INDIO AVE  
MOUNTAIN CENTER CA 92561

636191017  
PATRICIA GOMEZ SERVICE  
70198 HIGHWAY 74  
MOUNTAIN CENTER CA 92561

636191003  
MAGDY ADEEB GHALY  
70300 HIGHWAY 74  
MTN CENTER CA 92561

636192006  
JAMES DWIGHT FIBIGER  
523 STANLEY ST  
OCEANSIDE CA 92054

636192002  
MAKERVILLE  
1440 E PALM TREE DR  
PALM SPRINGS CA 92264

636412005  
SUSAN MARIE SHANKIN  
612 SANTA CLARA AVE  
VENICE CA 90291

636413009  
LAKE DIANE  
69765 INDIA AVE 94  
MOUNTAIN CENTER CA 92561

636412020  
AARON M. LONG  
74046 DE ANZA WAY  
PALM DESERT CA 92260

636413013  
DIANE LAKE  
69765 INDIO AVE  
MTN CENTER CA 92561

636412014  
CARLEY J. LEPAK  
1031 ANDERSON DR NO B208  
GREEN BAY WI 54304

636412015  
WILLIAM J. SETTLE  
69750 INDIO AVE  
MTN CENTER CA 92561

636412017  
WILLIAM J. SETTLE  
69750 INDIO AVE  
MOUNTAIN CENTER CA 92561

636413001  
THOMAS M. MORRISON  
69705 INDIO AVE  
MOUNTAIN CENTER CA 92561

636413012  
ROBERT A. FERGUSON  
444 E 4TH AVE NO 508  
ESCONDIDO CA 92025

636412023  
KATHLEEN G. TWEEDIE  
69781 MOUNTAIN VIEW AVE  
MOUNTAIN CENTER CA 92561

636183006  
JAMES R. MASON  
P O BOX 2774  
PALM DESERT CA 92261

636412012  
FREDERIK W. LEEGER  
1639 2ND ST  
COACHELLA CA 92236

636412021  
KENNETH PAUL BOGGS  
45519 LAURI LN  
OAKHURST CA 93644

636183007  
JOHN FREDERICK VANDERKOOY  
69970 INDIO AVE  
MOUNTAIN CTR CA 92561

636183008  
JUANITO A. GO  
47594 CALEO BAY DR  
LA QUINTA CA 92253

636191007  
COUNTY OF RIVERSIDE  
P O BOX 1180  
RIVERSIDE CA 92502

636183019  
VALADEZ TRUST UDT 7/16/2018  
PO BOX 6041  
LA QUINTA CA 92248

636191014  
PAIGE M. TYLEY  
70100 STATE HWY 74 UNIT 104  
MOUNTAIN CENTER CA 92561

636411009  
TAMAR N. TWEEDIE  
69780 MOUNTAIN VIEW AVE  
MOUNTAIN CENTER CA 92561

636412011  
CHRISTINE R. PRATT  
608 GLADSTONE AVE  
BALTIMORE MD 21210

636413004  
LAUREL C. FLYNN  
69735 INDIO AVE  
MTN CENTER CA 92561

**Applicant/Owner:**

Smartlink Group  
c/o Alisha Strasheim  
3300 Irvine Ave, Suite 300  
Newport Beach, CA 92660

**Non-County Agencies:**

**Applicant/Owner:**

Smartlink Group  
c/o Alisha Strasheim  
3300 Irvine Ave, Suite 300  
Newport Beach, CA 92660

**Engineer/Rep:**

**Engineer/Rep:**

**Owner:**

Makerville  
1440 Palm Tree Dr  
Palm Springs, CA 92264

**Owner:**

Makerville  
1440 Palm Tree Dr  
Palm Springs, CA 92264



# RIVERSIDE COUNTY PLANNING DEPARTMENT

*Charissa Leach, P.E.*  
*Assistant TLMA Director*

## NOTICE OF EXEMPTION

TO:  Office of Planning and Research (OPR) FROM: Riverside County Planning Department  
P.O. Box 3044  4080 Lemon Street, 12th Floor  38686 El Cerrito Road  
Sacramento, CA 95812-3044  
 County of Riverside County Clerk P. O. Box 1409 Palm Desert, CA 92201  
Riverside, CA 92502-1409

**Project Title/Case No.:** Plot Plan Wireless No. 190015 (PPW190015)

**Project Location:** The project is located east of Pinon Flats Road, south of Highway 74, and west of Pidgeon Springs Road, within the Riverside Extended Mountain Area Plan (REMAP).

**Project Description:** Plot Plan Wireless No. 190015 ("Project") is a request for the construction, operation, and maintenance of a new 70-foot-tall wireless communication facility, disguised as a faux-water tower, and accompanying equipment within a 625-square-foot lease area. In addition, the project would include the installation of nine (9) panel antennas, thirty-six (36) Remote Radio Units (RRUs), one (1) four-foot-tall microwave antenna, one (1) 30kw emergency diesel generator, and other associated equipment within an eight-foot-tall corrugated metal fence enclosure. The proposed facility will be accessible from Pinon Flats Road and will have one parking space for a maintenance vehicle.

**Name of Public Agency Approving Project:** Riverside County Planning Department

**Project Applicant & Address:** Smartlink LLC for AT&T, 3300 Irvine Ave, Suite 300, Newport Beach, CA 92660

**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 (Sec. 15303)
- Statutory Exemption (\_\_\_\_\_)
- Other: \_\_\_\_\_

**Reasons why project is exempt:** This proposed project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15303 (New Construction or Conversion of Small Structures). Section 15303(c) allows for a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances and not exceeding 2,500 square feet in floor area.

The proposal would result in the construction of a disguised wireless communications facility within a 625-square-foot lease area, landscape area, an access roadway, and one parking space, and would not involve the use of significant amounts of hazardous substances as there is no manufacturing component that would require the use of such substances. The proposed facility, for the purposes of this staff report, would qualify as a "similar structure" under the definition of Section 15303. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. Therefore, the project meets the criteria of the categorical exemption and would be applicable to Section 15303.

\_\_\_\_\_  
County Contact Person Phone Number

\_\_\_\_\_  
Signature Title Date

Date Received for Filing and Posting at OPR: \_\_\_\_\_

*Please charge deposit fee case#:* ZEA No. **CEQ190159** ZCFG No. **XXXX** - County Clerk Posting Fee  
**FOR COUNTY CLERK'S USE ONLY**





**COUNTY OF RIVERSIDE  
PLANNING DEPARTMENT  
STAFF REPORT**

Agenda Item No.

1.2

**Planning Commission Meeting: January 6, 2021**

**PROPOSED PROJECT**

**Subject:** General Vacation and Termination of Maintenance of portions of Commerce Center Drive, Messenia Ln, Perry St, and execution of Quitclaim Deed in the Mead Valley Area

**Applicant:** Majestic Freeway Business Center, LLC


**Area Plan:** Mead Valley

**Zoning Area/District:** North Perris Area

**Supervisory District:** First District

**Project Planner:** Chris Trinidad

**Project APN(s):** 314-270-004 & 314-290-001 to 008

  
John Hildebrand  
Interim Planning Director

**PROJECT DESCRIPTION AND LOCATION**

General Vacation and Termination of Maintenance of portions of Commerce Center Drive, Messenia Lane, and Perry Street, and the Execution of Quitclaim Deed over a portion of the above-referenced Vacation, in the Mead Valley area.

**PROJECT RECOMMENDATION**

**STAFF RECOMMENDATIONS:**

**THAT THE PLANNING COMMISSION RECOMMEND THE FOLLOWING:**

That the Transportation Department moves forward with the process to vacate and terminate the maintenance of portions of Commerce Center Drive, Messenia Lane, Perry Street, and the execution of Quitclaim Deed pursuant to County of Riverside policies and procedures.

**PROJECT DATA**

**Land Use and Zoning:**

Specific Plan:	N/A
Specific Plan Land Use:	N/A
Existing General Plan Foundation Component:	Community Development
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Commercial Retail
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	N/A

**Subject: General Vacation and Termination of Maintenance of portions of Commerce Center Drive, Messenia Lane, and Perry Street, and the Execution of Quitclaim Deed over a portion of the above-referenced Vacation, in the Mead Valley area**  
**Planning Commission Staff Report: January 6, 2021**  
**Page 2 of 4**

Surrounding General Plan Land Uses	
North:	Commercial Retail
East:	Commercial Retail
South:	Commercial Retail
West:	Medium Density Residential
Existing Zoning Classification:	M-SC
Proposed Zoning Classification:	N/A
Surrounding Zoning Classifications	
North:	C-P-S
East:	C-P-S
South:	C-P-S
West:	W-2
Existing Use:	Vacant
Surrounding Uses	
North:	Vacant
South:	C-P-S
East:	Vacant
West:	Vacant

**Located Within:**

City's Sphere of Influence:	Yes – City of Perris
Community Service Area ("CSA"):	Yes – Perris #89 - Lighting
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	Yes – Moderate
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	Yes – B
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	In or Partially within
Airport Influence Area ("AIA"):	March Air Reserve Base

## PROJECT LOCATION MAP

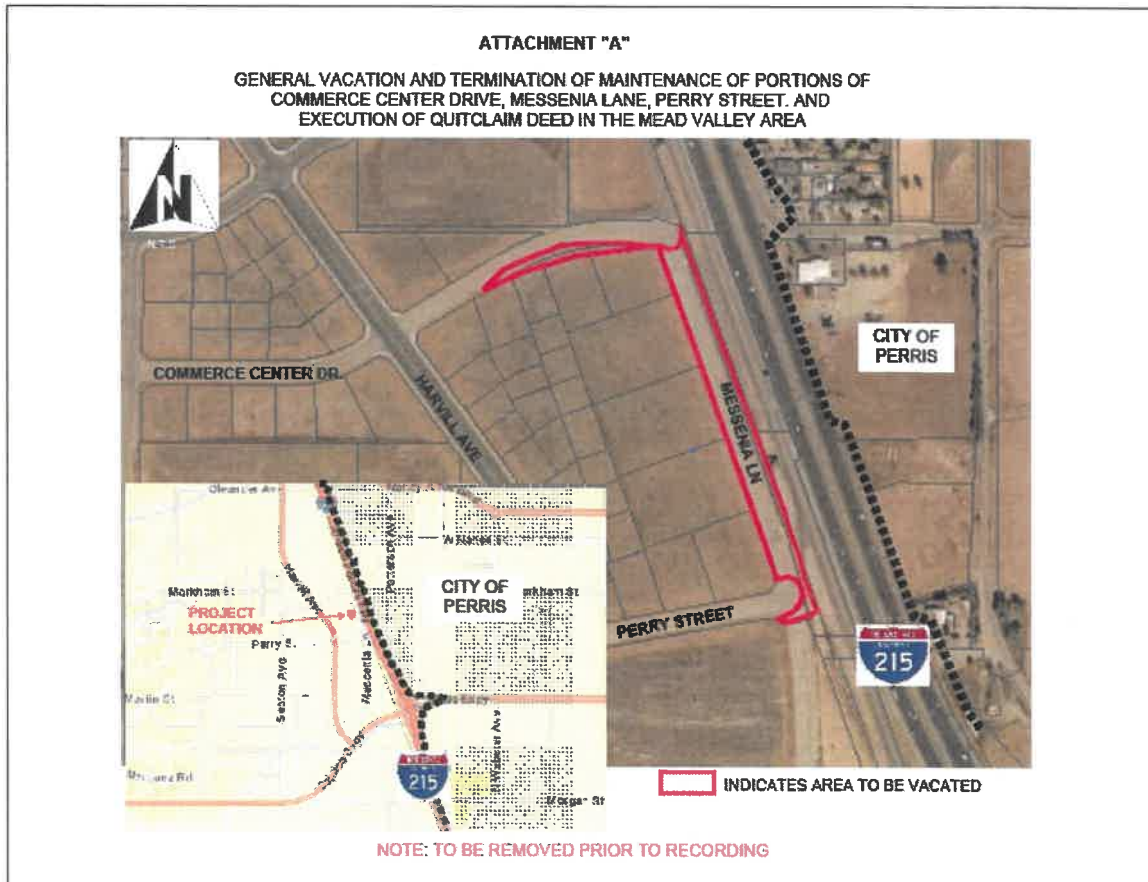


Figure 1: Project Location Map

## PROJECT BACKGROUND AND ANALYSIS

### **Background:**

The applicant for Plot Plan 180034 is requesting this vacation. Plot Plan No. 180034 is a proposal for the construction and operation of a 373,368 square foot warehouse/distribution/manufacturing facility within the First Supervisorial District. Commerce Center Drive, Messenia Lane, and Perry Street are paved County Maintained roads. Due to existing utilities and storm drain facilities within these roads, the Resolution to vacate and terminate maintenance will reserve an easement for any existing public utilities and public service facilities. Riverside County Flood Control and Water Conservation District has confirmed that the proposed site plan accommodates their existing facilities. Riverside County Transportation Commission ("RCTC") owns A.P.N. 314-140-052 ("APN") abutting the portion of Messenia Lane to be vacated. RCTC has confirmed that they access this APN through contiguous RCTC owned properties and this vacation will not negatively affect their access. It has been determined that the value

of the quitclaim portion has been fairly compensated by the right-of-way dedications and street improvements that will be constructed by this project. The Transportation Department has reviewed this vacation and termination of maintenance and has no objections.

Cal Fire, Riverside County Flood Control, and the Transportation Department have all reviewed this proposed vacation and have no objections.

Riverside County Resolution No. 85-330 (Board approved procedures to Vacate County Highways) states, in part, that: "The matter shall be forwarded to the Planning Director, who shall place it on the agenda of the Planning Commission for its report and recommendation to the Board of Supervisors...."

### **ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS**

This General Vacation and Termination of Maintenance ("project") are not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(2) as it will not result in a direct or reasonably foreseeable indirect physical change in the environment. The action to vacate and terminate maintenance of portions of a road will have no physical impact on the environment. The vacation process simply removes designations on a map because those portions are no longer needed for access.

Additionally, if the project is deemed subject to CEQA it is exempt pursuant to State CEQA Guidelines Section f 15061(b)(3). . The use of Section 15061(b)(3) is appropriate, as it can be seen with certainty that there is no possibility the action to vacate and terminate maintenance of portions of a road may have a significant effect on the environment. The vacation and termination of maintenance will not result in any specific or general exceptions to the use of the categorical exemption and will not cause any direct or indirect physical environmental impacts.

### **PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH**

Pursuant to Resolution No. 85-330 letters were mailed to owners of property that would reasonably rely on the right of way for access. As of this writing, no letters in opposition to the proposed Vacation and Termination of Maintenance have been received.

Resolution No. 85-330 states, in part, that: "The Planning Commission shall hold an informal hearing (without notice or publication) on the matter, but may receive comments from any interested party."

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**EXHIBIT 'A'**  
**LEGAL DESCRIPTION**

BEING A PORTION OF PERRY STREET WITHIN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS DESCRIBED IN THE GRANT DEED RECORDED JULY 28, 1993, AS INSTRUMENT No. 1993-291183, OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF PARCEL 'A' AS DESCRIBED IN THE RIGHT OF WAY VACATION RECORDED ON JUNE 5, 2008, AS INSTRUMENT No. 2008-0304308, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1961.00 FEET, A RADIAL LINE TO SAID POINT BEARS S80°28'32"W;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°04'31", AN ARC LENGTH OF 2.57 FEET TO AN ANGLE POINT ON THE SOUTHERLY LINE OF THE LAND DESCRIBED IN SAID GRANT DEED, AND **THE TRUE POINT OF BEGINNING**;

THENCE ALONG SAID SOUTHERLY LINE, N54°42'23"W, A DISTANCE OF 20.00 FEET TO THE MOST EASTERLY CORNER OF THE ROAD EASEMENT DESCRIBED IN A GRANT OF EASEMENT RECORDED ON MAY 12, 2008 AS INSTRUMENT No. 2008-0251263, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 88.00 FEET, A RADIAL LINE TO SAID POINT BEARS S12°02'15"E;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°15'42", AN ARC LENGTH OF 14.23 FEET TO A POINT ON THE EASTERLY LINE OF THE LAND DESCRIBED IN SAID GRANT DEED, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1961.00 FEET, A RADIAL LINE TO SAID POINT BEARS S79°56'13"W;


THENCE SOUTHERLY ALONG SAID EASTERLY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 00°27'48", AN ARC LENGTH OF 15.86 FEET TO **THE TRUE POINT OF BEGINNING**.

SAID PARCEL CONSISTS OF 109 SQUARE FEET, MORE OR LESS.

SHOWN ON EXHIBIT "B" ATTACHED  
HERETO AND MADE A PART HEREOF.

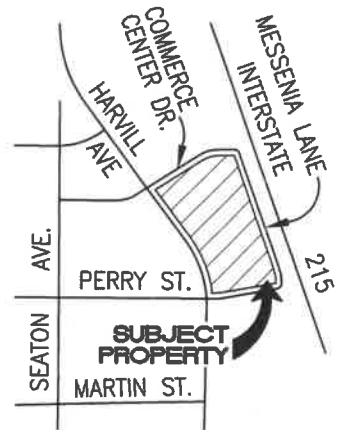
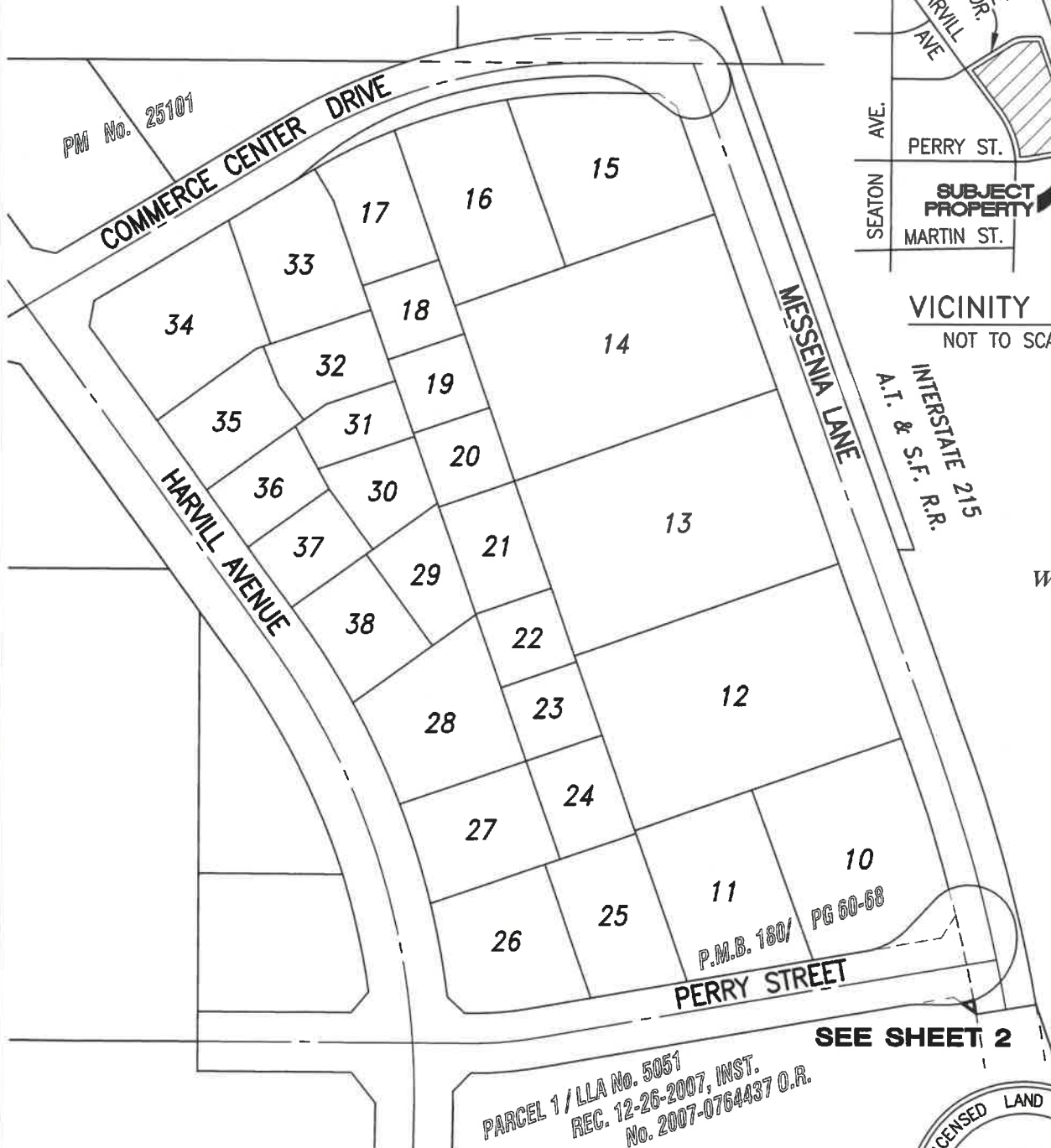
  
CARLOS URENA                      P.L.S. 8234                      1112612020



THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.  
BY:   
DATE: 12/3/2020

# EXHIBIT "B" PLAT

## INDEX SHEET 1



VICINITY MAP  
NOT TO SCALE



SEE SHEET 2

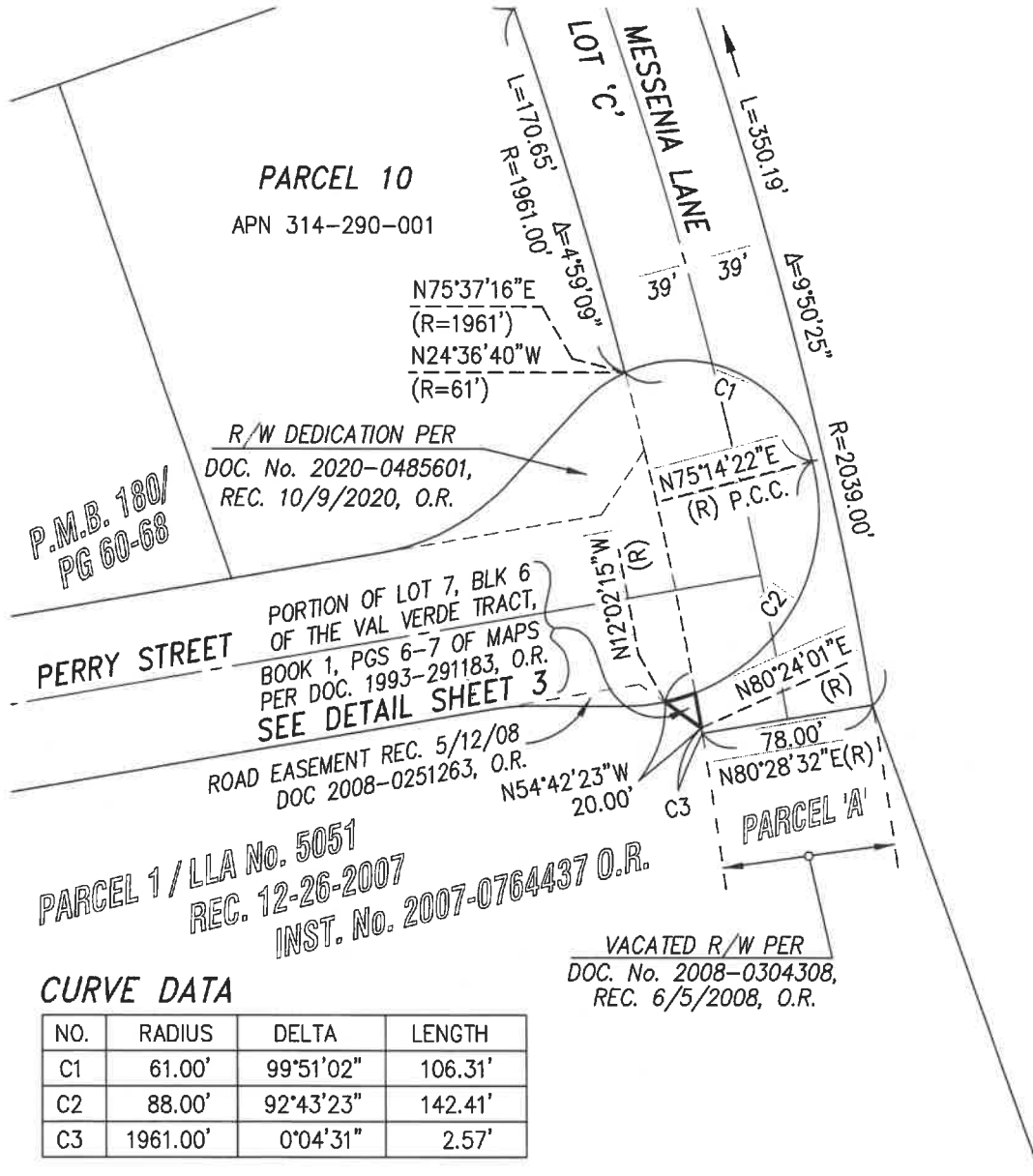
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REC. 12-26-2007, INST.  
No. 2007-0764437 O.R.

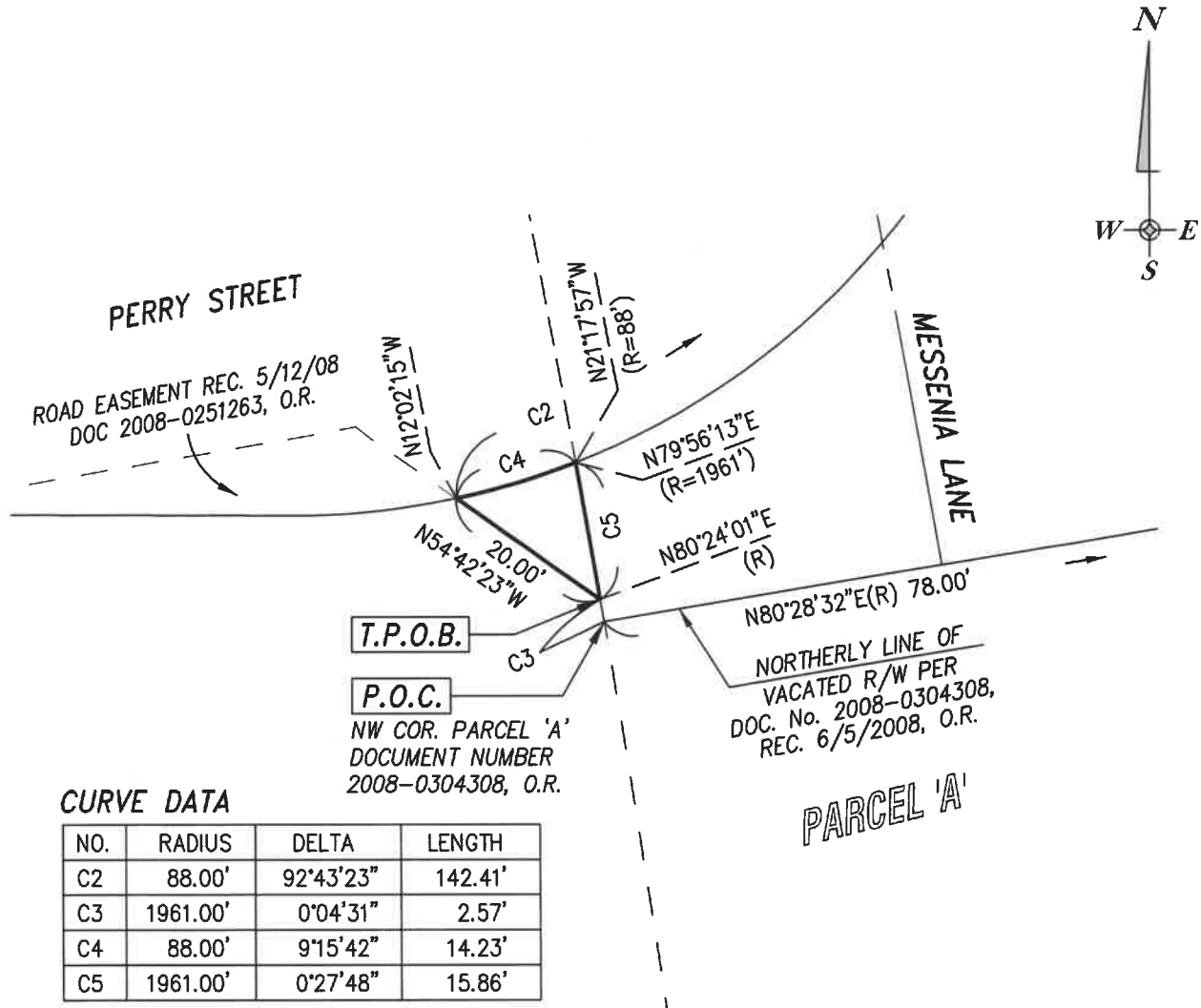
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IS RECORD DATA PER PM  
180/60-68

*Carlos Urena* 11/26/20  
CARLOS URENA LS 8234 DATE



**EXHIBIT "B"**  
**PLAT**





**CURVE DATA**

NO.	RADIUS	DELTA	LENGTH
C2	88.00'	92°43'23"	142.41'
C3	1961.00'	0°04'31"	2.57'
C4	88.00'	9°15'42"	14.23'
C5	1961.00'	0°27'48"	15.86'

**T.P.O.B.**  
**P.O.C.**  
NW COR. PARCEL 'A'  
DOCUMENT NUMBER  
2008-0304308, O.R.

NORTHERLY LINE OF  
VACATED R/W PER  
DOC. No. 2008-0304308,  
REC. 6/5/2008, O.R.

**PARCEL 'A'**

**DETAIL**

SEE SHEET 2

THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.

BY: *[Signature]*

DATE: 12/3/2020



**EXHIBIT 'A'**  
**LEGAL DESCRIPTION – STREET VACATION**

**PARCEL 'A'**

---

BEING A PORTION OF LOT 'G' OF PARCEL MAP No. 25101, ALSO KNOWN AS COMMERCE CENTER DRIVE, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDED IN BOOK 180, PAGES 60 THROUGH 68 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE WESTERLY TERMINUS OF A LINE ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID LOT "G", BEING COMMERCE CENTER DRIVE, HAVING A 39.00 FOOT HALF WIDTH, SAID LINE HAVING A BEARING OF N89°36'20"W AND A LENGTH OF 79.98 FEET, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TANGENT TO LAST SAID LINE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 711.00 FEET;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°07'27", AN ARC LENGTH OF 386.23 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S59°16'13"W, A DISTANCE OF 35.15 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 100.00 FEET, A RADIAL LINE TO SAID POINT BEARS S30°43'47"E;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°09'41", AN ARC LENGTH OF 19.48 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 472.00 FEET, A RADIAL LINE TO SAID POINT BEARS N41°53'28"W;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°59'26", AN ARC LENGTH OF 230.58 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 733.00 FEET, A RADIAL LINE TO SAID POINT BEARS N13°54'03"W;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°17'40", AN ARC LENGTH OF 182.87 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 110.00 FEET, A RADIAL LINE TO SAID POINT BEARS N00°23'37"E;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 36°35'42", AN ARC LENGTH OF 70.26 FEET;

THENCE S53°00'41"E, A DISTANCE OF 0.53 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COMMERCE CENTER DRIVE;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, N89°36'20"W, A DISTANCE OF 66.00 FEET TO **THE POINT OF BEGINNING**.

SAID PARCEL CONSISTS OF 0.19 ACRES, MORE OR LESS.

**PARCEL 'B'**

---

BEING A PORTION OF LOT 'C' OF PARCEL MAP No. 25101, ALSO KNOWN AS MESSENIA LANE, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDED IN BOOK 180, PAGES 60 THROUGH 68 INCLUSIVE OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH A PORTION OF PERRY STREET IN LOT 7 IN BLOCK 6 OF THE VAL VERDE TRACT, RECORDED IN BOOK 1, PAGES 6 AND 7 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED IN A GRANT DEED RECORDED ON JULY 28, 1993 AS INSTRUMENT NUMBER 291183 OF OFFICIAL RECORDS OF SAID COUNTY, LYING WITHIN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHEAST CORNER OF PARCEL 15 OF SAID PARCEL MAP, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID LOT 'C', SAID STREET KNOWN AS MESSENIA LANE AND HAVING A 39.00 FOOT HALF WIDTH;

THENCE ALONG SAID RIGHT-OF-WAY LINE, N19°21'53"W, A DISTANCE OF 134.63 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 48.00 FEET, A RADIAL LINE TO SAID POINT BEARS N21°45'26"E;

THENCE SOUTHEASTERLY, NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 140°32'05", AN ARC LENGTH OF 117.73 FEET TO A POINT OF CUSP AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID LOT 'C', SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 80.00 FEET, A RADIAL LINE TO SAID POINT BEARS N61°13'09"E;

THENCE SOUTHERLY ALONG SAID CURVE AND EASTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 17°57'50", AN ARC LENGTH OF 25.08 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 100.00 FEET, A RADIAL LINE TO SAID POINT BEARS S79°10'59"W;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°32'52", AN ARC LENGTH OF 14.92 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, S19°21'53"E, A DISTANCE OF 894.46 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 2039.00 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°50'25", AN ARC LENGTH OF 350.19 FEET TO THE NORTHEAST CORNER OF PARCEL 'A' OF THE STREET VACATION SHOWN IN RESOLUTION NO. 2008-075, RECORDED JUNE 5, 2008 AS INSTRUMENT NO. 2008-0304308 OF OFFICIAL RECORDS IN SAID COUNTY;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 'A', S80°28'32"W, A DISTANCE OF 78.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID LOT 'C', SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 1961.00 FEET, A RADIAL LINE TO SAID POINT BEARS N80°28'32"E;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°04'31", AN ARC LENGTH OF 2.57 FEET TO AN ANGLE POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PERRY STREET;

THENCE ALONG SAID RIGHT-OF-WAY LINE, N54°42'23"W, A DISTANCE OF 20.00 FEET TO THE MOST EASTERLY CORNER OF THE ROAD EASEMENT DESCRIBED IN A GRANT OF EASEMENT RECORDED ON MAY 12, 2008 AS INSTRUMENT No. 2008-0251263, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 88.00 FEET, A RADIAL LINE TO SAID POINT BEARS S12°02'15"E;

THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 92°43'23", AN ARC LENGTH OF 142.41 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 61.00 FEET, A RADIAL LINE TO SAID POINT BEARS N75°14'22"E;

THENCE NORTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99°51'02", AN ARC LENGTH OF 106.31 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID LOT 'C', SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1961.00 FEET, A RADIAL LINE TO SAID POINT BEARS N75°37'16"E;

THENCE ALONG SAID RIGHT-OF-WAY LINE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°59'09", AN ARC LENGTH OF 170.65 FEET;


THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, N19°21'53"W, A DISTANCE OF 755.67 FEET TO **THE POINT OF BEGINNING**.

SAID PARCEL CONSISTS OF 2.01 ACRES, MORE OR LESS.

SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.



  
CARLOS UREÑA P.L.S. 8234 11-26-2020

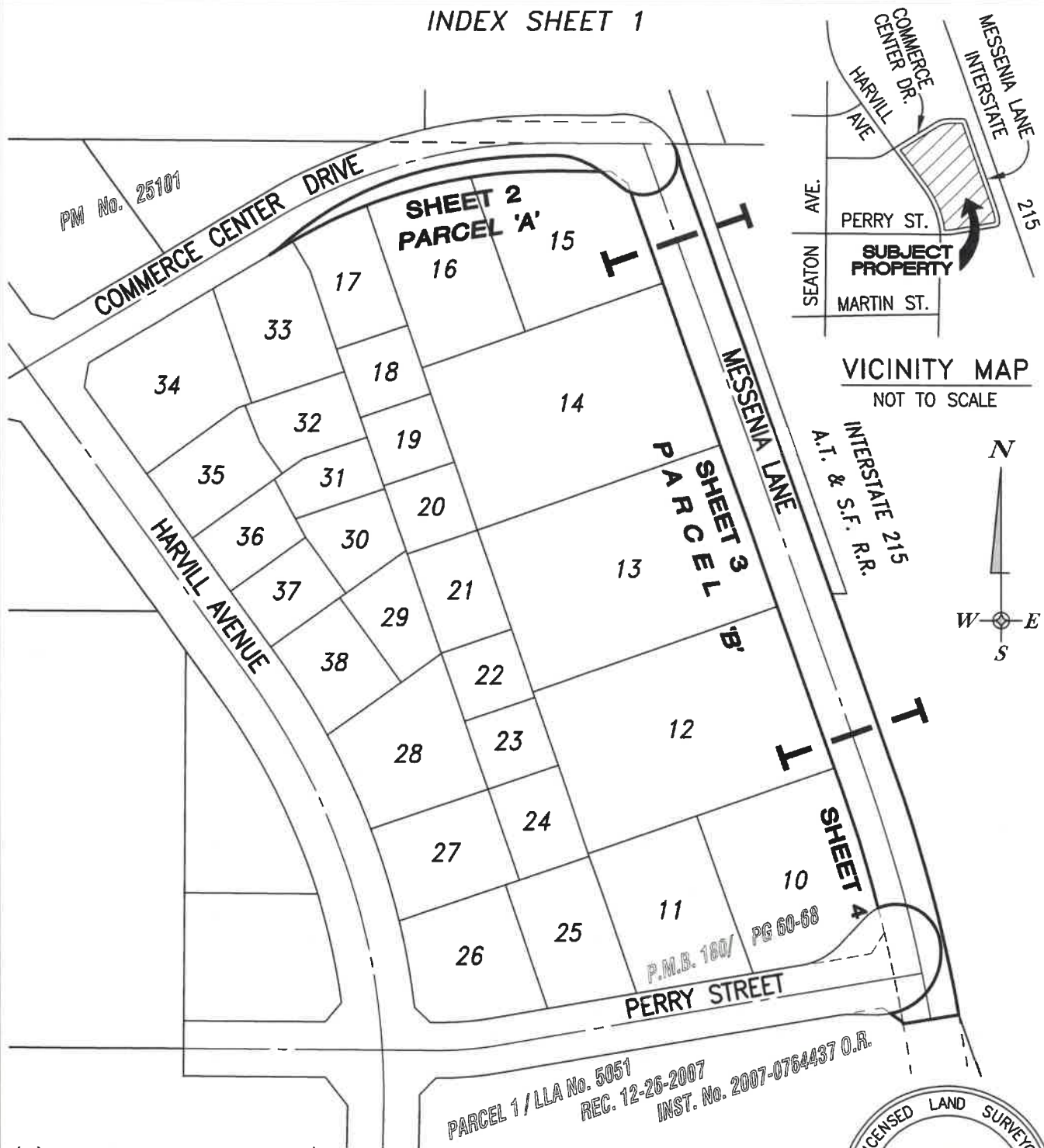
THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.  
BY:   
DATE: 12/1/2020

# EXHIBIT "B" PLAT STREET VACATION

SECTION 1, TOWNSHIP 4 SOUTH,  
RANGE 4 WEST, S.B.M.

SHEET 1 OF 5  
SCALE: 1" = 200'

## INDEX SHEET 1



(...) INDICATES DATA PER PM 180/  
60-68 WHERE MAP IS INCORRECT

ALL DATA SHOWN HEREON  
IS RECORD DATA PER PM  
180/60-68

PARCEL 1 / LLA No. 5051  
REC. 12-26-2007  
INST. No. 2007-0764437 O.R.

*Carlos Urena* 11/26/20  
CARLOS URENA LS 8234 DATE

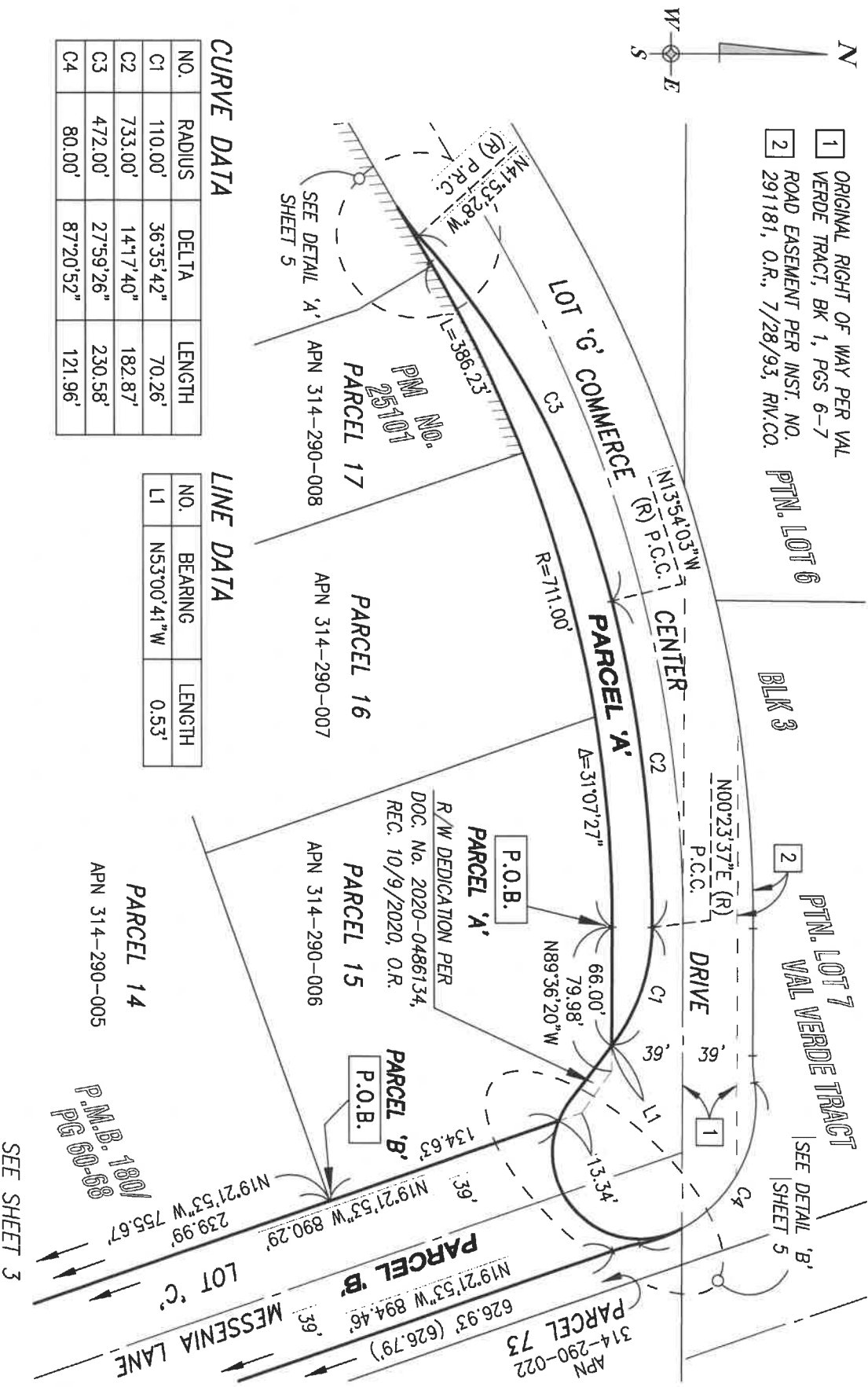


SECTION 1, TOWNSHIP 4 SOUTH,  
RANGE 4 WEST, S.B.M.

# EXHIBIT "B" PLAT STREET VACATION

SHEET 2 OF 5  
SCALE: 1" = 80'

- 1 ORIGINAL RIGHT OF WAY PER VAL VERDE TRACT, BK 1, PGS 6-7
- 2 ROAD EASEMENT PER INST. NO. 291181, O.R., 7/28/93, RMV.CO.



**CURVE DATA**

NO.	RADIUS	DELTA	LENGTH
C1	110.00'	36°35'42"	70.26'
C2	733.00'	14°17'40"	182.87'
C3	472.00'	27°59'26"	230.58'
C4	80.00'	87°20'52"	121.96'

**LINE DATA**

NO.	BEARING	LENGTH
L1	N53°00'41"W	0.53'

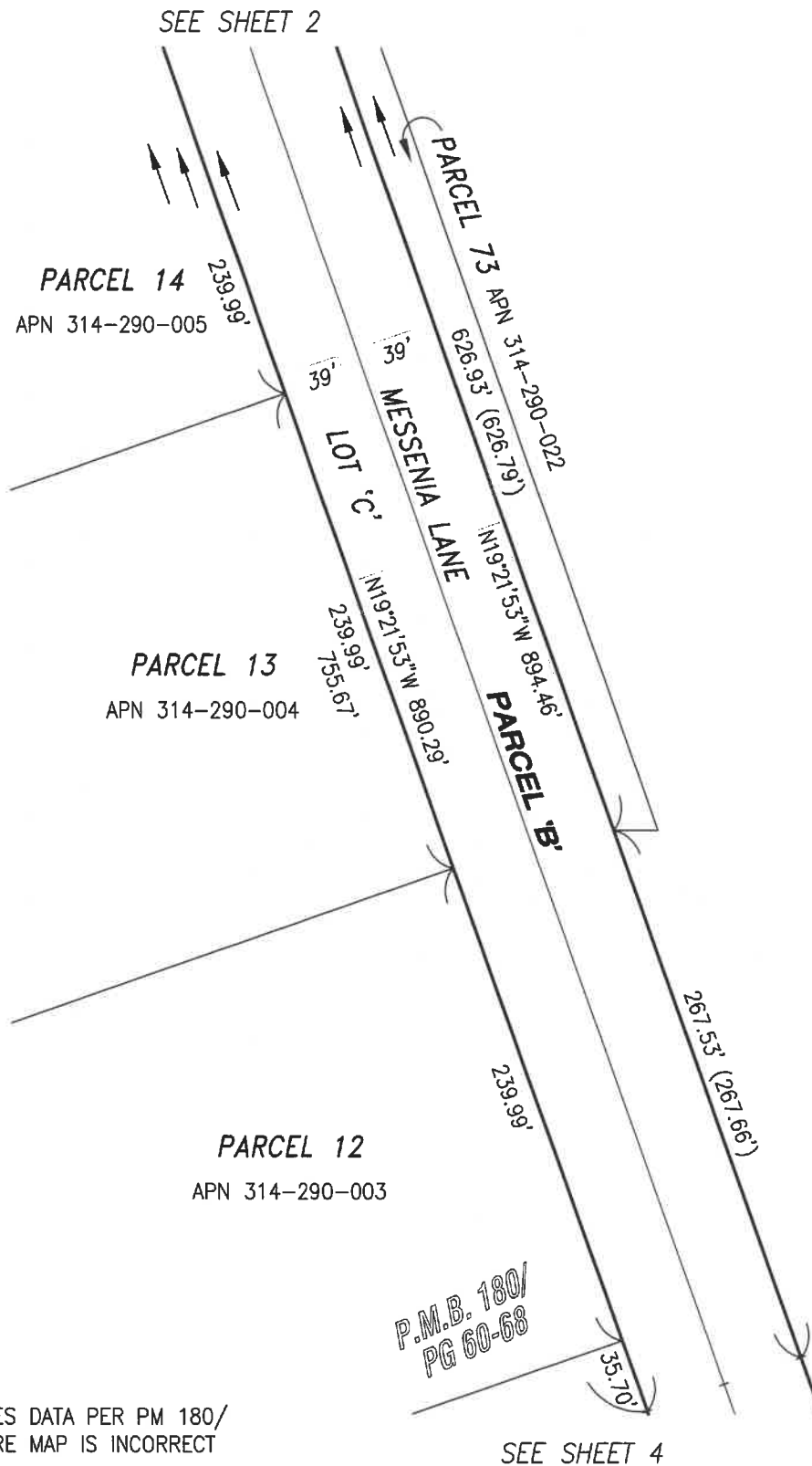
(...) INDICATES DATA PER PM 180/  
60-68 WHERE MAP IS INCORRECT

////////// INDICATES ACCESS RIGHTS  
RESTRICTED PER PM No. 25101

# EXHIBIT "B" PLAT STREET VACATION

SECTION 1, TOWNSHIP 4 SOUTH,  
RANGE 4 WEST, S.B.M.

SHEET 3 OF 5  
SCALE: 1" = 80'



(...) INDICATES DATA PER PM 180/  
60-68 WHERE MAP IS INCORRECT

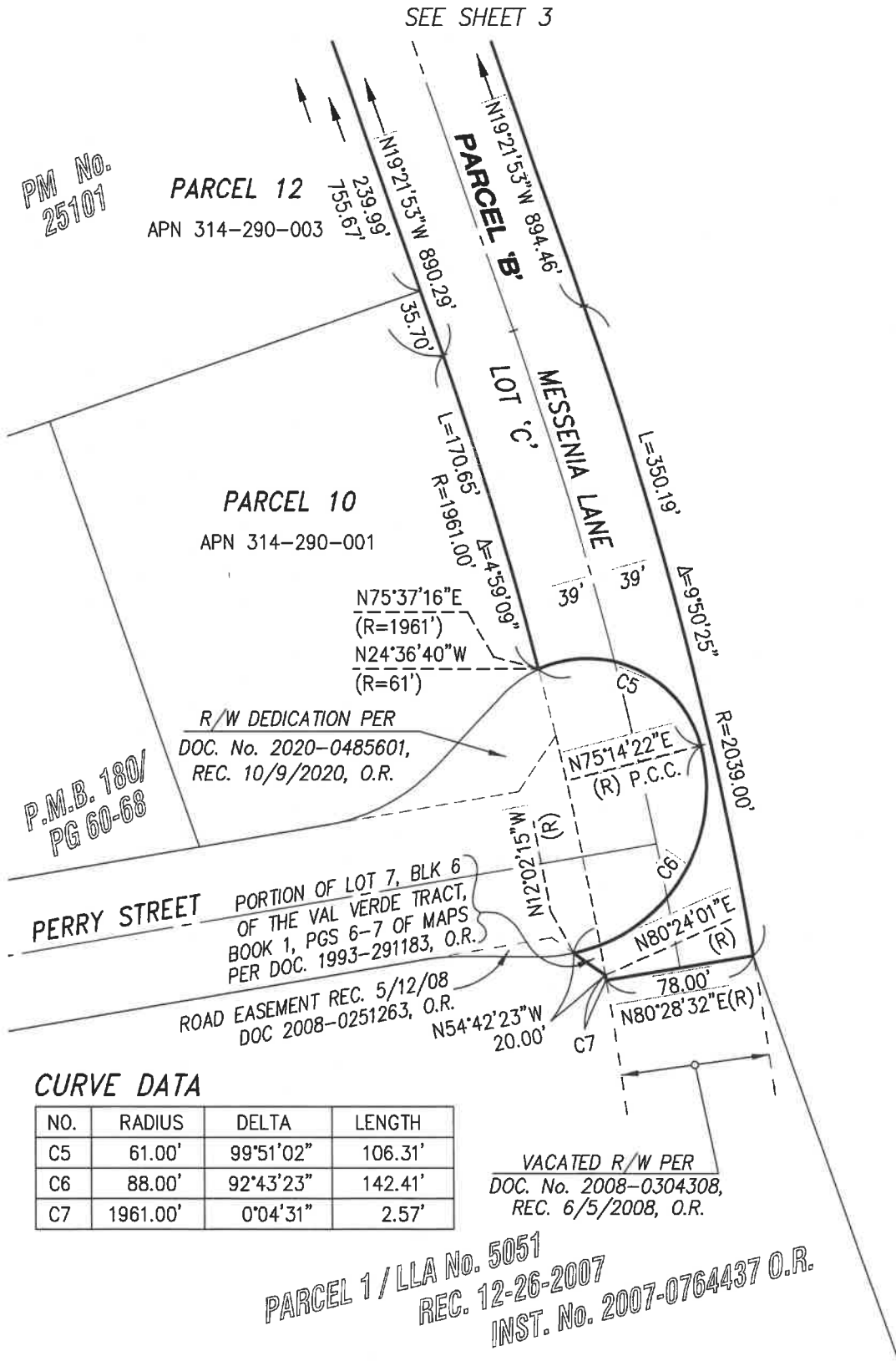
P.M.B. 180/  
PG 60-68

SEE SHEET 4

# EXHIBIT "B" PLAT STREET VACATION

SECTION 1, TOWNSHIP 4 SOUTH,  
RANGE 4 WEST, S.B.M.

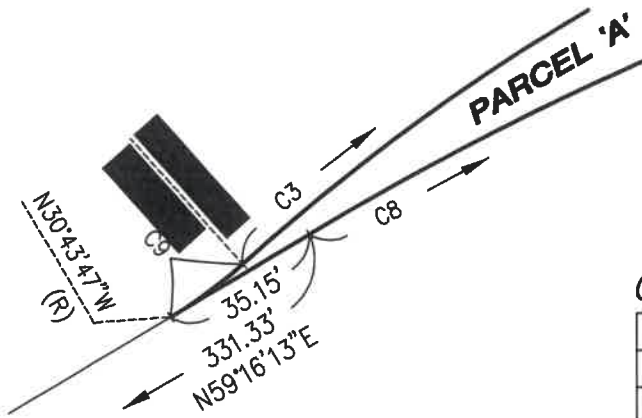
SHEET 4 OF 5  
SCALE: 1" = 80'



# EXHIBIT "B" PLAT STREET VACATION

SECTION 1, TOWNSHIP 4 SOUTH,  
RANGE 4 WEST, S.B.M.

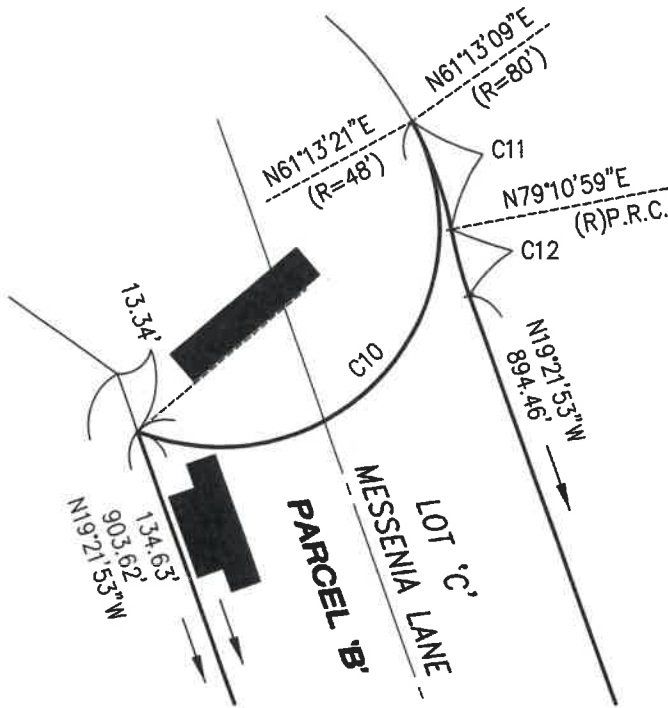
SHEET 5 OF 5  
SCALE: 1" = 40'



**DETAIL 'A'**  
SEE SHEET 2

**CURVE DATA**

NO.	RADIUS	DELTA	LENGTH
C3	472.00'	27°59'26"	230.58'
C8	711.00'	31°07'27"	386.23'
C9	100.00'	11°09'41"	19.48'



**DETAIL 'B'**  
SEE SHEET 2

THIS DOCUMENT REVIEWED BY  
 RIVERSIDE COUNTY SURVEYOR.  
 BY: *[Signature]*  
 DATE: 12/1/2020

**CURVE DATA**

NO.	RADIUS	DELTA	LENGTH
C10	48.00'	140°32'05"	117.73'
C11	80.00'	17°57'50" (17°57'59")	25.08' (25.09')
C12	100.00'	8°32'52" (8°32'57")	14.92'

(...) INDICATES DATA PER PM 180/  
60-68 WHERE MAP IS INCORRECT



RECORDING REQUESTED BY

AND WHEN RECORDED MAIL DOCUMENT AND TAX STATEMENT TO:

NAME Edward P. Roski, Jr.  
c/o Majestic Realty Co.  
13191 Crossroads Pkwy. No., Sixth Floor  
STREET City of Industry, CA 91746  
ADDRESS Attn: Lupe Garcia

Exempt from Recording Fee  
Pursuant to Government Code Section 6103

Exempt from Documentary Tax  
Pursuant to R&T Code § 11922

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

### QUITCLAIM DEED

TRA: \_\_\_\_\_  
APN: 314-310-015 (PORTION)

The undersigned grantor(s) declare(s)

DOCUMENTARY TRANSFER TAX \$ 0

- computed on full value of property conveyed, or
- computed on full value less liens and encumbrances remaining at time of sale.
- Unincorporated Area City of \_\_\_\_\_

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, We The COUNTY OF RIVERSIDE,  
a political subdivision of the State of California,

(NAME OF GRANTOR(S))

hereby remise, release and quitclaim to Majestic Freeway Business Center #10, LLC, a Delaware limited liability company

(NAME OF GRANTEE(S))

the following described real property in the City of \_\_\_\_\_, County of RIVERSIDE,  
State of CALIFORNIA.

(Insert Legal Description) **SEE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF.**

DATED: \_\_\_\_\_

Name \_\_\_\_\_

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.

Name \_\_\_\_\_

STATE OF CALIFORNIA  
COUNTY OF \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared  
(here insert name and title of the officer)

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 \_\_\_\_\_ (SEAL)

**EXHIBIT 'A'**  
**LEGAL DESCRIPTION**

BEING A PORTION OF PERRY STREET WITHIN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS DESCRIBED IN THE GRANT DEED RECORDED JULY 28, 1993, AS INSTRUMENT No. 1993-291183, OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF PARCEL 'A' AS DESCRIBED IN THE RIGHT OF WAY VACATION RECORDED ON JUNE 5, 2008, AS INSTRUMENT No. 2008-0304308, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1961.00 FEET, A RADIAL LINE TO SAID POINT BEARS S80°28'32"W;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°04'31", AN ARC LENGTH OF 2.57 FEET TO AN ANGLE POINT ON THE SOUTHERLY LINE OF THE LAND DESCRIBED IN SAID GRANT DEED, AND **THE TRUE POINT OF BEGINNING**;

THENCE ALONG SAID SOUTHERLY LINE, N54°42'23"W, A DISTANCE OF 20.00 FEET TO THE MOST EASTERLY CORNER OF THE ROAD EASEMENT DESCRIBED IN A GRANT OF EASEMENT RECORDED ON MAY 12, 2008 AS INSTRUMENT No. 2008-0251263, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 88.00 FEET, A RADIAL LINE TO SAID POINT BEARS S12°02'15"E;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°15'42", AN ARC LENGTH OF 14.23 FEET TO A POINT ON THE EASTERLY LINE OF THE LAND DESCRIBED IN SAID GRANT DEED, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1961.00 FEET, A RADIAL LINE TO SAID POINT BEARS S79°56'13"W;

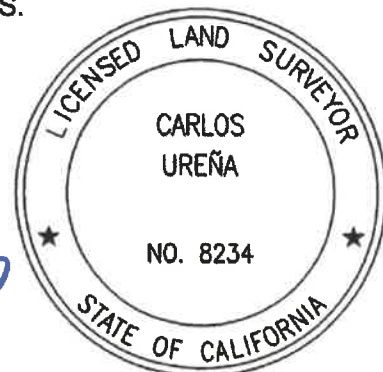
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SAID PARCEL CONSISTS OF 109 SQUARE FEET, MORE OR LESS.

SHOWN ON EXHIBIT "B" ATTACHED  
HERETO AND MADE A PART HEREOF.

  
CARLOS URENA P.L.S. 8234

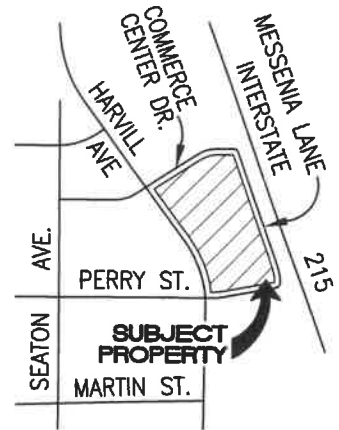
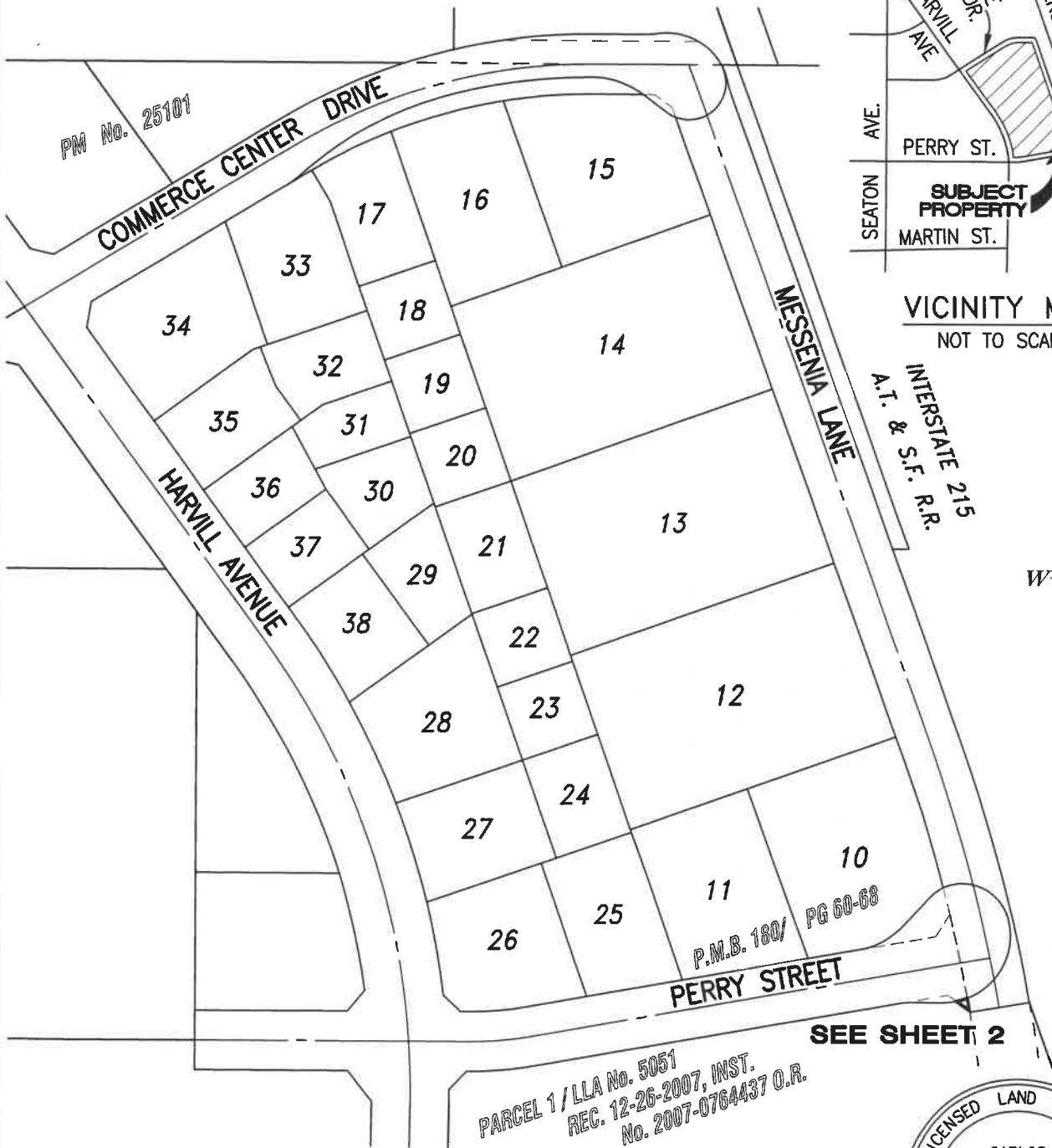
1112612020



THIS DOCUMENT REVIEWED BY RIVERSIDE COUNTY SURVEYOR.
BY: 
DATE: 12/3/2020

# EXHIBIT "B" PLAT

## INDEX SHEET 1



**VICINITY MAP**  
NOT TO SCALE

A.T. & S.F. R.R.  
INTERSTATE 215



**SEE SHEET 2**

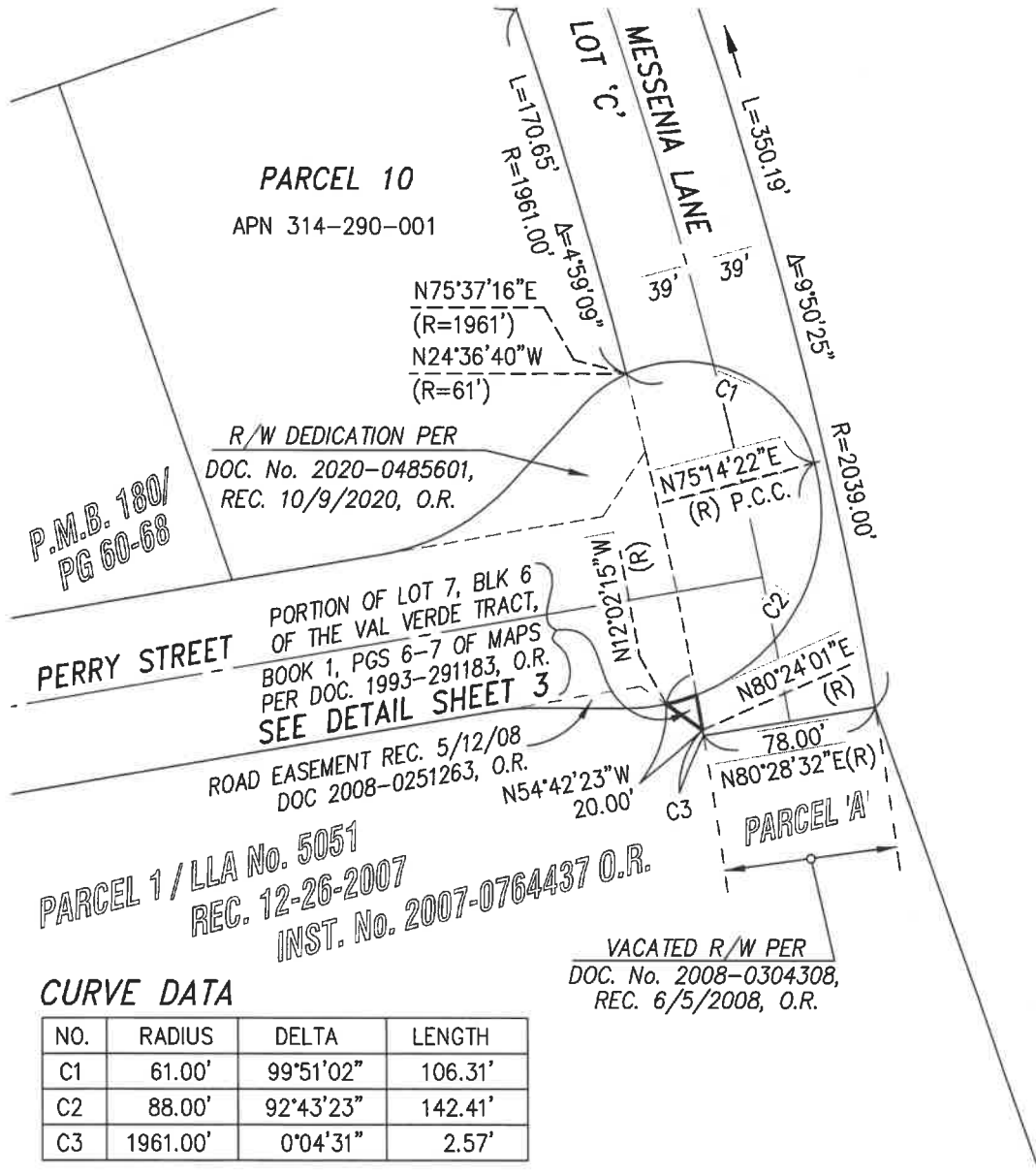
PARCEL 1 / LLA No. 5051  
REC. 12-26-2007, INST.  
No. 2007-0764437 O.R.

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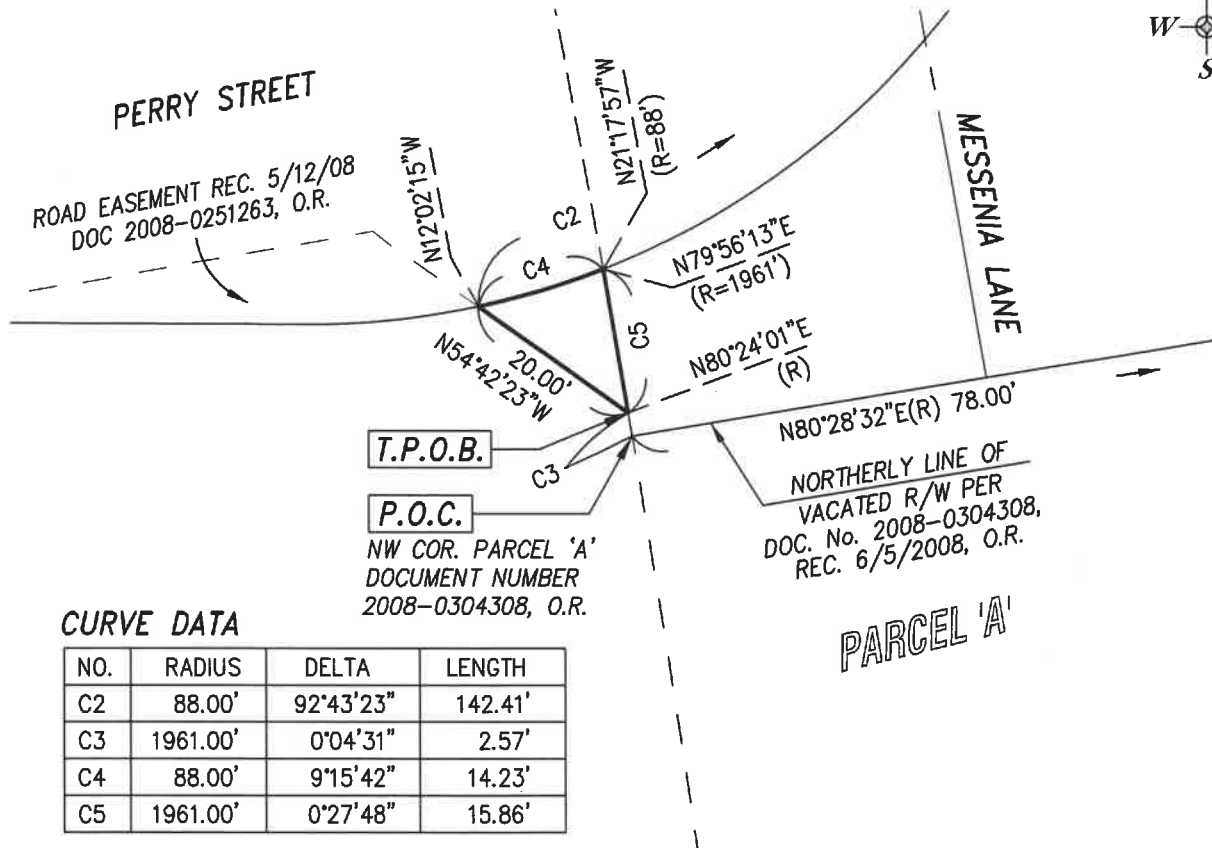
*Carlos Urena* 11/26/20  
CARLOS URENA LS 8234 DATE



**EXHIBIT "B"**  
**PLAT**



**EXHIBIT "B"  
PLAT**



**T.P.O.B.**  
**P.O.C.**  
NW COR. PARCEL 'A'  
DOCUMENT NUMBER  
2008-0304308, O.R.

N80°28'32"E(R) 78.00'  
NORTHERLY LINE OF  
VACATED R/W PER  
DOC. No. 2008-0304308,  
REC. 6/5/2008, O.R.

**CURVE DATA**

NO.	RADIUS	DELTA	LENGTH
C2	88.00'	92°43'23"	142.41'
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C4	88.00'	9°15'42"	14.23'
C5	1961.00'	0°27'48"	15.86'

**DETAIL**

SEE SHEET 2

THIS DOCUMENT REVIEWED BY  
RIVERSIDE COUNTY SURVEYOR.  
BY: *[Signature]*  
DATE: 12/3/2020




**COUNTY OF RIVERSIDE  
PLANNING DEPARTMENT  
STAFF REPORT**

**Agenda Item No.**

**4 . 1**

**Planning Commission Hearing: January 6, 2021**

**PROPOSED PROJECT**

<b>Case Number(s):</b>	TTM37358 and CZ1800012	<b>Applicant:</b> Pacific Communities
<b>EA No.:</b>	CEQ180047	Builder, Inc. – Ronald Freeman
<b>Area Plan:</b>	Harvest Valley/Winchester	
<b>Zoning Area/District:</b>	Romoland Area	
<b>Supervisory District:</b>	Fifth District	
<b>Project Planner:</b>	Deborah Bradford	 John Hildebrand Interim Planning Director
<b>Project APN(s):</b>	327-463-010, 327-462-028	
	327-180-005, 327-180-006	
	327-180-013	

**PROJECT DESCRIPTION AND LOCATION**

**Change of Zone No. 1800012 (CZ1800012)** is a proposal to change the zoning of 39.85 gross acres within the project from Rural Residential (R-R) to the One-Family Dwellings (R-1). Properties subject to the Change of Zone include APNs 327-180-013, 327-180-006, 327-180-005. The remaining portion of the project site is already zoned One-Family Dwellings (R-1).

**Tentative Tract Map No. 37358 (TTM37358)** is a proposal to subdivide 45.6 gross acres into 154 single family residential lots ranging in size from 7,200 square-feet to 12,745 square-feet, seven (7) letter lots dedicated to retention basins and open space amenities which consists of three parks; and one paseo, and three (3) remainder parcels located along the western and southern boundary of the Project site. The project is proposed to be developed in four phases.

The above mentioned entitlements shall be referred to as the "Project".

The Project site is located North of Mapes Road, east of Antelope Road, west of Dawson Road, and southerly of Mahogany Lane

**PROJECT RECOMMENDATION**

**STAFF RECOMMENDATIONS:**

**THAT THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:**

**ADOPT** a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. CEQ180047**, based on the findings and conclusions provided in the initial study, attached hereto, and the conclusion that the project will not have a significant effect on the environment; and,

**TENTATIVELY APPROVE CHANGE OF ZONE NO. 1800012**, amending the zoning classification for a portion of the subject property from Rural Residential (R-R) to One-Family Dwellings (R-1), in accordance with Exhibit No. 3, based upon the findings and conclusions incorporated in the staff report, pending final adoption of the Zoning Ordinance by the County of Riverside Board of Supervisors; and,

**TENTATIVELY APPROVE TENTATIVE TRACT MAP NO. 37358**, subject to the attached advisory notification document and conditions of approval, and based upon the findings and conclusions incorporated into the staff report, and subject to the Board of Supervisors' subsequent adoption of the zoning ordinance for Change of Zone No. 1800012.

<b>PROJECT DATA</b>	
<b>Land Use and Zoning:</b>	
Specific Plan:	N/A
Specific Plan Land Use:	N/A
Existing General Plan Foundation Component:	Community Development (CD)
Existing General Plan Land Use Designation:	Medium Density Residential (MDR)
Policy / Overlay Area:	N/A
Surrounding General Plan Land Uses	
North:	Community Development: Medium Density Residential (CD: MDR)
East:	Community Development: Low Density Residential (CD:LDR), Community Development: Very Low Density Residential (CD:VLDR)
South:	City of Menifee
West:	City of Perris
Existing Zoning Classification:	One-Family Dwellings (R-1), and Rural Residential (R-R)
Proposed Zoning Classification:	One-Family Dwellings (R-1)
Surrounding Zoning Classifications	
North:	Rural Residential (R-R), and One-Family Dwellings (R-1)
East:	Rural Residential (R-R)
South:	City of Menifee
West:	City of Perris
Existing Use:	Vacant Land
Surrounding Uses	
North:	Single-Family Residential, Vacant Land
East:	Vacant Land, Single-Family Residential
South:	Vacant Land, Single-Family Residential

West: Public Use Facilities, Public Park

**Project Details:**

<i>Item</i>	<i>Value</i>	<i>Min. /Max. Development Standard</i>
Project Site (Acres):	45.6 acres	
Proposed Minimum Lot Size:	7,200 sq. ft.	Lot area shall be not less than 7,200 square feet.
Total Proposed Number of Lots:	154 lots 3.3 dwelling units/acre	228 lots 2-5 dwelling units/acre
Map Schedule:	Schedule A	

**Located Within:**

City's Sphere of Influence:	Not in a City Sphere
Community Service Area ("CSA"):	Yes - CSAs 43 and 146
Special Flood Hazard Zone:	No – Outside of Flood Plain Zone
Agricultural Preserve:	No – Not In An Agricultural Preserve
Liquefaction Area:	Yes – Low
Subsidence Area:	Yes – Susceptible
Fault Zone:	No – Not In A Fault Zone
Fire Zone:	No – Not In A Fire Hazard Zone
Mount Palomar Observatory Lighting Zone:	Yes – B
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	Yes - In Or Partially Within The SKR Fee Area
Airport Influence Area ("AIA"):	Yes - March Air Reserve Base



**PROJECT LOCATION MAP**



Figure 1: Project Location Map

**PROJECT BACKGROUND AND ANALYSIS**

**Background:**

On May 7, 2018, the applicant, Pacific Communities Builder, Inc., submitted application Tentative Tract Map No. 37358 and Change of Zone No. 1800012.

The project site is vacant and partially tilled. Historically, the site has been used for agricultural purposes. Surrounding land uses include the Pacific Rose I residential development to the northwest which consists of a 160 lot residential development which was previously approved by the County of Riverside through TR25901. Other surrounding uses include a horse ranch consisting of stables, corrals, pasture, and a horse track to the north, scattered single family residences on large lots and vacant lands to the south, and vacant agricultural land to the east.

The acreage south of Mapes Road is located within the boundaries of the City of Menifee and is zoned Rural Residential, 1-acre minimum (RR1) by the City. The acreage west of Sherman Road is within the boundaries of the City of Perris and is zoned Business Park (BP) by the City and consists of park facilities.

Figure No. 2 demonstrates the proposed Tentative Tract Map.

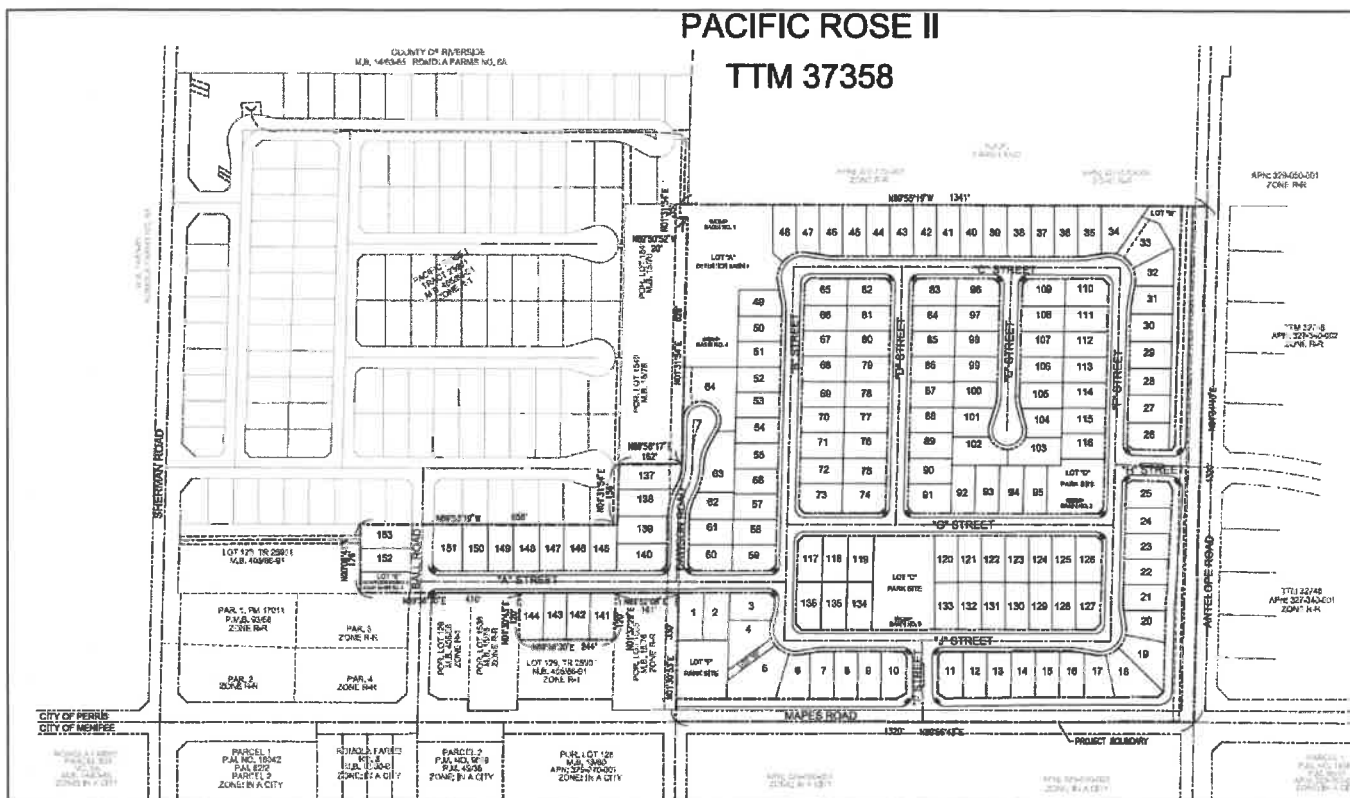


Figure 2, Tentative Tract Map No. 37358

**Off-site Improvements:** The Project is required to provide off-site improvements subject to Ordinance No. 460, Section 10.5 as they apply to Schedule “A” subdivisions. The applicant will be providing an off-site storm drain line at the northwest corner of Lot A to mitigate the increased run off due to Project implementation as provided in the Conditions of Approval associated with this Project.

**Development Phasing:** The Project is proposed to be developed in four (4) phases. Table No. 1, included below describes the proposed phases of the project:

Table 1 - Project Phasing

Unit Phase	Lot Numbers	Total No. of Lots
1	1-10, 60-65, 135-154	36
2	41-59, 66-96	50
3	11-25, 118-134	32
F	26-40, 97-117	36

**AB52 Tribal Consultation:**

In compliance with California Assembly Bill 52 (AB52), notices regarding this project were mailed to all requesting tribes on May 30, 2018. Notices were sent out to eleven (11) local tribes. Four (4) tribes responded to the AB52 notification. These tribes include Pechanga Band of Luiseño Mission Indians, Morongo Band of Cahuilla Mission Indians, Rincon Band of Luiseño Mission Indians, Soboba Band of Luiseño Indians. Staff has worked with consultation request or general comments received from the

abovementioned tribes. Consultation has finalized and mitigation measures have been applied to avoid or minimize potential impacts on tribal resources.

## ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

An Initial Study (IS) and a Mitigated Negative Declaration (MND) have been prepared for this Project in accordance with the California Environmental Quality Act (CEQA). Environmental Assessment No. CEQ180047 identified potentially significant impacts in regards to Biological Resources, Cultural Resources, Geology/Soils, Paleontological Resources, Transportation, and Mandatory Findings of Significance; however, with the incorporation of mitigation measures the impacts were reduced to less than significant. The IS/MND represent the independent judgement of Riverside County. The documents were circulated for public review per the California Environmental Quality Act Statute and Guidelines Section 15105.

**Solar Energy:** Riverside County Climate Action Plan, includes Clean Energy Measure R2-CE1 which refers to the requirement of on-site energy production (including but not limited to solar) to any tentative tract map, plot plan, or conditional use permit that proposes to add more than 75 new dwelling units of residential development. Since the proposed Project is for the development of 154 residential dwelling units this measure is applicable to this Project and has been addressed in the MND and applicable conditions of approval are included for the Tentative Tract Map.

## 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 is within the Harvest Valley/Winchester Area Plan, has a foundation component of Community Development (CD), and a land use designation of Medium Density Residential (MDR) which allows a building density range of 2 to 5 dwelling units per acres. The project provides a subdivision of approximately 45.6 gross acres into 154 residential parcels, which equates to a density of 3.38 dwelling units per acre. This density is and the general use proposed of single family residential is consistent with the CD:MDR land use designation and other aspects of the General Plan.
2. The Project site's Zoning Classification is currently Rural Residential (R-R) and One-Family Dwellings (R-1). The Rural Residential (R-R) zone is generally inconsistent with the Medium Density Residential (MDR) land use designation. The proposed Change of Zone to change the Rural Residential (R-R) portion to One-Family Dwellings (R-1) will make the zoning consistent with the Riverside County General Plan.
3. The proposed residential subdivision is consistent with the development standards of the proposed zoning classification, One-Family Dwellings (R-1), as detailed below in the following Development Standards Findings. The ultimate use proposed through the subdivision will be for single family residential uses, which is a permitted use in the One-Family Dwellings (R-1) zoning classification.

**Entitlement Findings:**

**Change of Zone**

1. The Project site is comprised of three parcels for a total of 45.6 gross acres. The General Plan land use designation for the Project site is Community Development: Medium Density Residential (CD: MDR). Uses encouraged in this land use designation are single-family detached and attached residences with a density range of 2 to 5 dwelling units per acre. Limited agriculture and animal keeping is permitted. Lot sizes in this land use designation range in size from 5,500 to 20,000 square feet with typical 7,200 square feet would be consistent with the MDR density of 2-5 dwelling units per acre. The Project site's Zoning Classification is currently Rural Residential (R-R) and One-Family Dwellings (R-1). The Rural Residential (R-R) zone is generally inconsistent with the Medium Density Residential (MDR) land use designation. The proposed Change of Zone to change the Rural Residential (R-R) portion to One-Family Dwellings (R-1) will make the zoning consistent with the Riverside County General Plan.

**Tentative Tract Map**

Tentative Tract Map No. 37358 (TTM37358) is a proposal to subdivide 45.6 gross acres into 154 single family residential lots ranging in size from 7,200 square-feet to 12,745 square-feet and seven (7) letter lots dedicated to retention basins and open space amenities which consists of three parks, and one paseo. Three (3) remainder parcels are provided and are located along the western and southern boundary of the Project site. The project is proposed to be developed in four phases. The findings required to approve TTM37358, pursuant to the provisions of the Riverside County Ordinance No. 460, are as follows:

1. The design of the tentative tract map is consistent with the County's General Plan. General Plan Principle IV.A.1 provides that the intent of the General Plan is to foster variety and choice in community development, particularly in the choice and opportunity for housing in various styles, of varying densities and of a wide range of prices and accommodating a range of life styles in equally diverse community settings, emphasizing compact and higher density choices. General Plan Principle IV.A.4 states that communities should range in location and type from urban to suburban to rural. General Plan Principle IV.B.1. promotes the development of a "unique community identity" which creates a sense of place by retaining distinct edges and sufficient open space between scattered urbanized areas. The proposed tentative tract map will comply with the General Plan by providing a variety of housing types in single-family residential community. The Tentative Tract Map site is consistent with the Medium Density Residential land use designation and all other requirements of the General Plan and the project is consistent with all applicable requirements of State law and the ordinances of Riverside County. The Project site is not located within a Specific Plan.
2. The site is physically suitable for the type of development and density proposed due to its frontage on Mapes Road and the availability of infrastructure and accessibility to existing utilities and services in the area. Additionally, the site does not have any topographical features or environmental constraints that would result in the inability to develop the project site. Therefore, the proposed Project is consistent with this finding.

3. The design of the proposed map or proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat as detailed in the Initial Study/Mitigated Negative Declaration prepared for the project.
4. The design of the proposed map or the type of improvements are not likely to cause serious public health problems, since as detailed in the Initial Study/Mitigated Negative Declaration prepared for the project, the project would not have a significant impact to local air quality or noise. Other impacts to the environment related to public health would be less than significant.
5. As indicated in the included project conditions of approval, the proposed land division includes the type of improvements as required by the Riverside County Land Division Ordinance No. 460 Section 10.5 for a Schedule 'A' Map as detailed below:
  - a. Streets – All road improvements within the project boundaries will be constructed to ultimate County standards in accordance with Ordinance Nos. 460 and 461 as stated in the Advisory Notification Document (AND), Transportation 1. All interior streets along the project boundary are designed as Local Roads and will be improved with half width AC pavement, curb, gutter, and sidewalks. The design standards for street improvements as stated in the advisory notification document and standard conditions of approval the requirements of Ordinance No. 460 10.5 (A), as it pertains to streets will be met.
  - b. Domestic Water - Potable water service will be provided from Eastern Municipal Water District (EMWD). Therefore, with the requirements of the advisory notification document, and EMWD requirements, compliance with Ordinance No. 460 10.5 (B) and (D), as it pertains to domestic water will be met.
  - c. Fire Protection – Fire protection improvements include but are not limited to; independent paved access to the nearest paved road, emergency vehicular access roads capable of sustaining an imposed load of 75,000 lbs., approved Fire Department access roads shall be in place during construction, temporary fire access roads shall be approved by the Fire Prevention Bureau, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than 24 feet and the location, minimum number, and spacing of hydrants shall comply with the California Fire Code (CFC) and NFPA 24. Therefore, with standard conditions of approval the requirements of Ordinance No. 460 10.5 (C), as it pertains to fire protection will be met.
  - d. Fences – No canals, drains, or expressway or other feature deemed hazardous is proposed on the Project site. Fencing within the proposed subdivision will be in compliance with Ordinance No. 460 10.5 (E) as they pertain to fencing.
  - e. Electrical and Communication Facilities – All electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground. Therefore, with this condition of approval the requirements of Ordinance No. 460. 10.5 (F) as they pertain to the installation of electrical and communication facilities have been met.
  - f. Sewage Disposal. Sewer service will be supplied by Eastern Municipal Water District (EMWD). Therefore, the Project is in compliance with this requirement of Ordinance No. 460 as stated in Section 10.6 D regarding sewage disposal

6. The design of the proposed land division and its types of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division because, project design will ensure there will be no conflict with providing accessibility. Therefore, the proposed Project is consistent with this finding.
7. The proposed Tentative Tract Map includes offsite improvements. These include grading and construction of flood control improvements within portions of Antelope Road, Mapes Road Sherman Road, and Ball Road. Section 3.2.J. of Ordinance No. 460 requires written assurances from the owners for the property underlying the offsite improvements that sufficient right-of-way is available for the construction. The applicant was able to revise their plans to eliminate the need for off-site right-of-way and also secured an easement for drainage purposes. This easement was recorded on October 23, 2019. The Project is in compliance with this finding.

**Development Standards Findings:**

1. The applicant is proposing a change of zone from the R-R Zoning Classification to the R-1 Zoning Classification. Development standards for this zoning classification for residential uses are as follows:
  - A. *Building height shall not exceed three stories, with a maximum height of 40 feet.* No specific buildings or building designs are proposed with the subdivision. Once building plans are submitted, they will be required to comply with applicable County Ordinances, specifically Ordinance No. 348 as noted in the Advisory Notification Document (AND) for the proposed Project. Therefore, all structures will be in compliance with the applicable height requirements.
  - B. *Lot area shall be not less than 7,200 square feet. The minimum lot area shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.* The lots within the proposed tract map range from 7,200 square-feet to 12,745 square-feet, at a density of 3 dwelling units per acre. The lots proposed in the tentative tract map meet the zone lot area requirements.
  - C. *The minimum average width of that portion of a lot to be used as a building site shall be 60 feet with a minimum average depth of 100 feet. That portion of a lot used for access on flag lots shall have a minimum width of 20 feet.* The lots within the proposed tract map meet the minimum average width requirement of 60 feet, and the minimum average depth of 100 feet. No flag lots are proposed
  - D. *The minimum frontage of a lot shall be 60 feet, except that lots fronting on knuckles or cul-de-sac may have a minimum frontage of 35 feet. Lot frontage along curvilinear streets may be measured at the building setback in accordance with zone development standards.* The lots that front on knuckles or cul-de-sacs on the proposed tract map have a minimum frontage of 35 feet.
  - E. *Minimum yard requirements are as follows:*
    1. *The front yard shall be not less than 20 feet, measured from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the proposed structure.* No specific buildings or building designs are proposed with the subdivision for this setback to apply to at this time. Once building plans are submitted, they

will be required to comply with applicable County Ordinances, specifically Ordinance No. 348 as noted in the Advisory Notification Document (AND) for the proposed Project.

2. *Side yards on interior and through lots shall be not less than ten percent of the width of the lot, but not less than three feet in width in any event, and need not exceed a width of five feet. Side yards on corner and reversed corner lots shall be not less than ten feet from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the proposed structure, upon which the main building sides, except that where the lot is less than 50 feet wide the yard need not exceed 20 percent of the width of the lot.* No specific buildings or building designs are proposed with the subdivision for this setback to apply to at this time. Once building plans are submitted, they will be required to comply with applicable County Ordinances, specifically Ordinance No. 348 as noted in the Advisory Notification Document (AND) for the proposed Project.
  3. *The rear yard shall not be less than ten feet.* No specific buildings or building designs are proposed with the subdivision for this setback to apply to at this time. Once building plans are submitted, they will be required to comply with applicable County Ordinances, specifically Ordinance No. 348 as noted in the Advisory Notification Document (AND) for the proposed Project.
  4. *No structural encroachments shall be permitted in the front, side or rear yard except as provided for in Section 18.19 of Ordinance No. 348.* No specific buildings or building designs are proposed with the subdivision for this setback to apply to at this time. Once building plans are submitted, they will be required to comply with applicable County Ordinances, specifically Ordinance No. 348 as noted in the Advisory Notification Document (AND) for the proposed Project.
- F. *Automobile storage space shall be provided as required in Section 18.12 of Ordinance No. 348.* Single-family uses require a minimum of 2 spaces per dwelling unit. No specific buildings or building designs are proposed with the subdivision for this setback to apply to at this time. Although it is anticipated that each residence provide a minimum of 2 car garages for each of the units as well as driveways that could accommodate a minimum of 2 additional cars for each lot that meets the minimum standard for 2 spaces per dwelling unit.
- G. *Lot Coverage In no case shall more than 50% of any lot be covered by dwelling.* No specific buildings or building designs are proposed with the subdivision for this requirement to apply to at this time. Once building plans are submitted, they will be required to comply with applicable County Ordinances, specifically Ordinance No. 348 as noted in the Advisory Notification Document (AND) for the proposed Project.

**Other Findings:**

1. This Project is not located within a Criteria Cell of the MSHCP. Accordingly, this Project fulfills the Conservation Area requirements of the MSHCP and is consistent with the MSHCP.
2. The project site is not located within any city's sphere of influence.

3. The project site is located within the March Air Reserve Base Airport Influence Area (“AIA”) boundary and is therefore is subject to the Airport Land Use Commission (“ALUC”) review. On September 12, 2019, the Riverside County Airport Land Use Commission (ALUC) found Riverside County Case No. CZ1800012 (Change of Zone) and TTM37358 (Tentative Tract Map), consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.
4. 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.
5. The project site is located within the Fee Assessment Area of the Stephen’s Kangaroo Rat Habitat Conservation Plan (“SKRHCP”). Per County Ordinance No. 663 and the SKRHCP, all applicants who submit for development permits, including maps, within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of \$500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of onsite mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen’s Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP. .
6. The project site is not located within Fire Hazard Zone or within a Cal Fire State Responsibility Area (“SRA”). However, compliance with State and County Ordinances and standard conditions of approval in regards to emergency access, fire flow, fire hydrants and building materials will aid in the protection of people and property from the potential hazards of fire.

**Conclusion:**

1. For the reasons discussed above, as well as the information provided in the Initial Study, the proposed Project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. Moreover, the proposed Project will not be detrimental to the health, safety or general welfare of the community.

**PUBLIC HEARING NOTIFICATION**

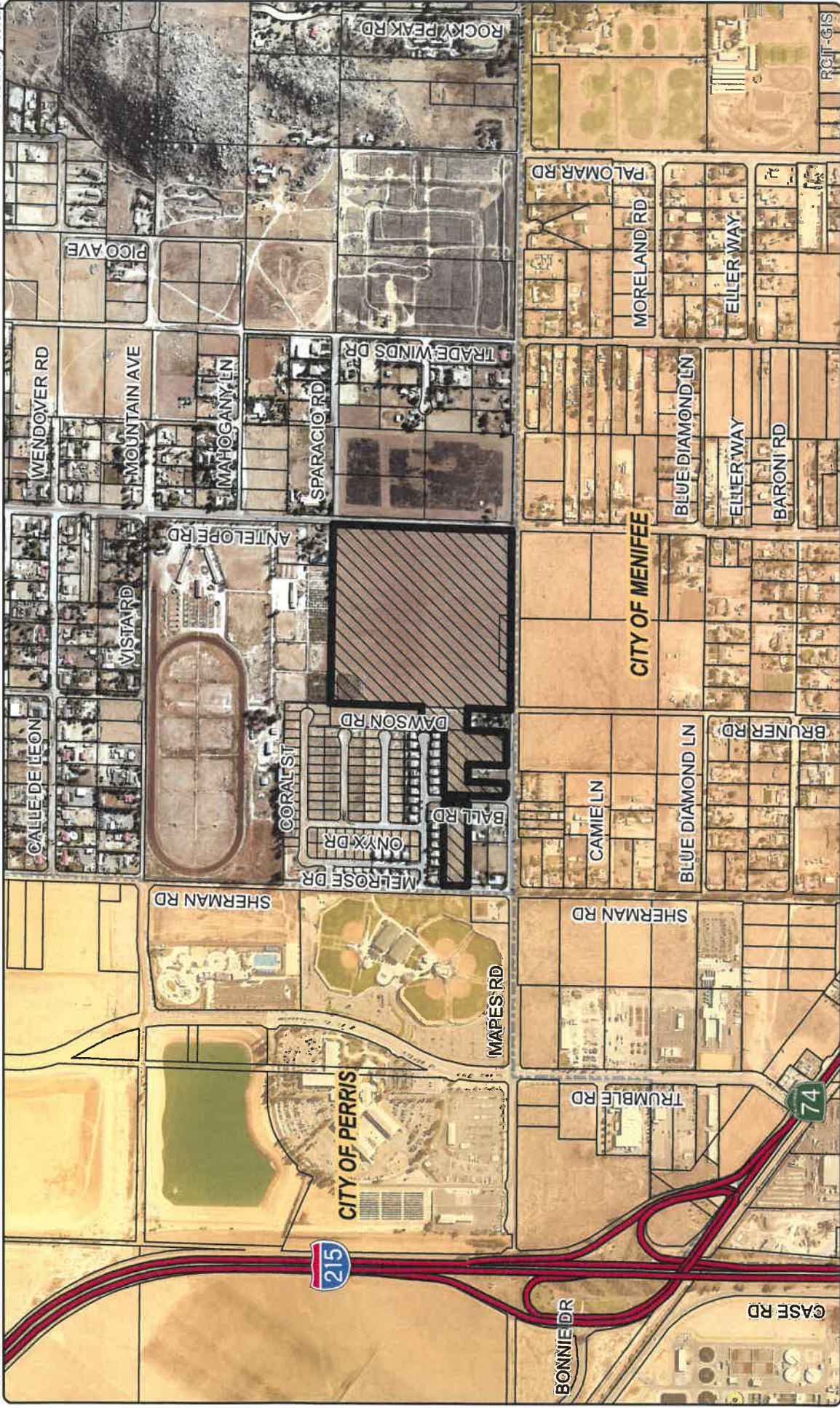
This Project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 600 feet of the Project site. As of the writing of this report, Planning Staff has not received written communication/phone calls from anyone who indicated support/opposition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



**RIVERSIDE COUNTY PLANNING DEPARTMENT**  
**CZ1800012 TTM37358**  
**VICINITY/POLICY AREAS**

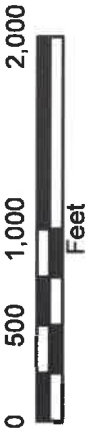
Supervisor: Hewitt  
 District 5

Date Drawn: 05/12/2020  
 Vicinity Map



Zoning Area: Romoland

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2020, the County of Riverside adopted a new General Plan, providing new land use designations for unincorporated Riverside County parcels. The General Plan includes a new map of the County's unincorporated areas. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)355-5200 (Western County) or in Palm Desert at (760)965-3277 (Eastern County) or Website: <http://planning.rivco.net>

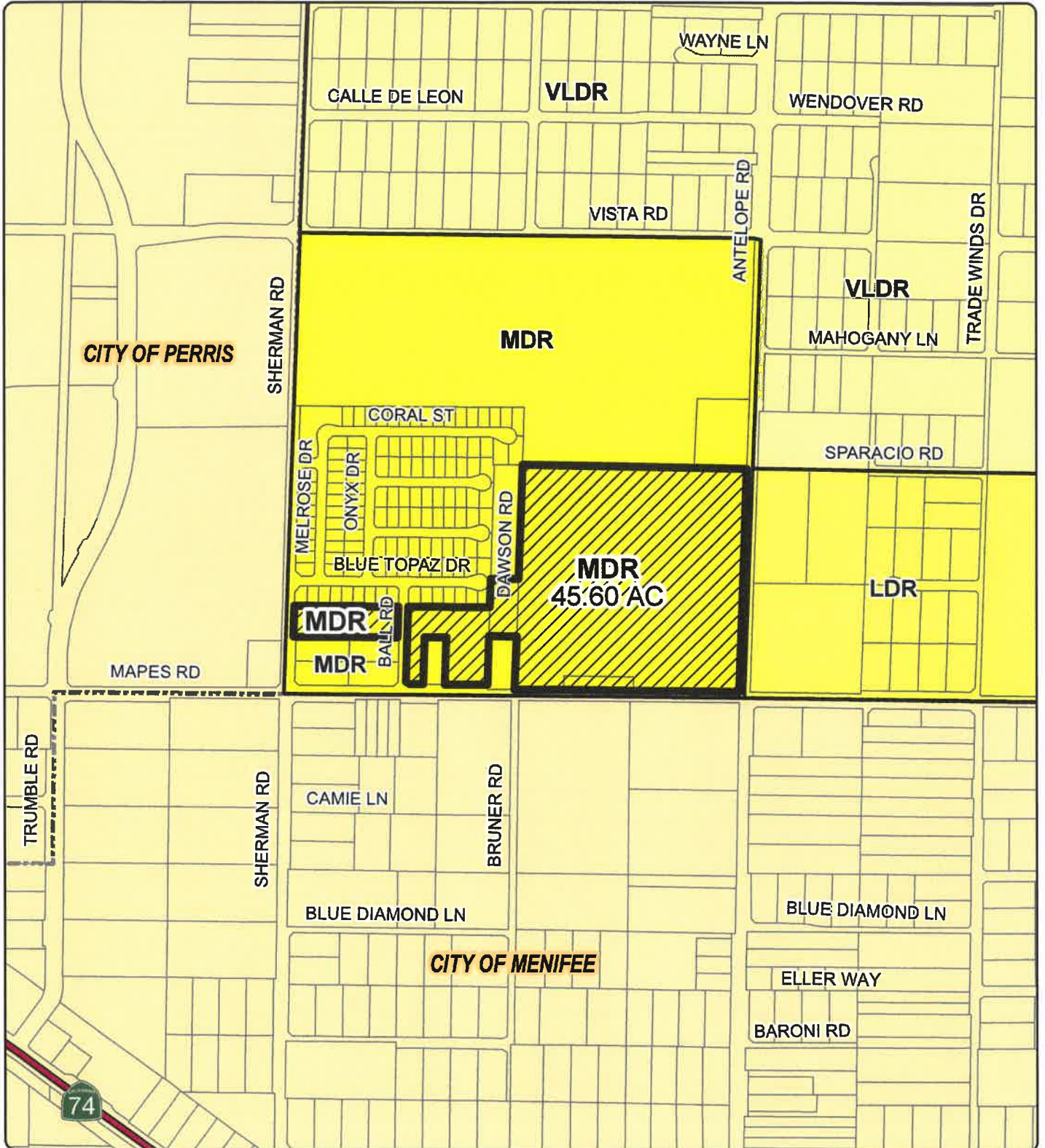
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ1800012 TTM37358

EXISTING GENERAL PLAN

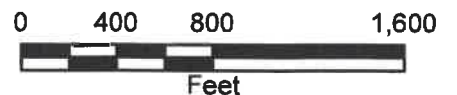
Supervisor: Hewitt  
District 5

Date Drawn: 05/12/2020  
Exhibit 5



Zoning Area: Romoland

Author: Vinnie Nguyen



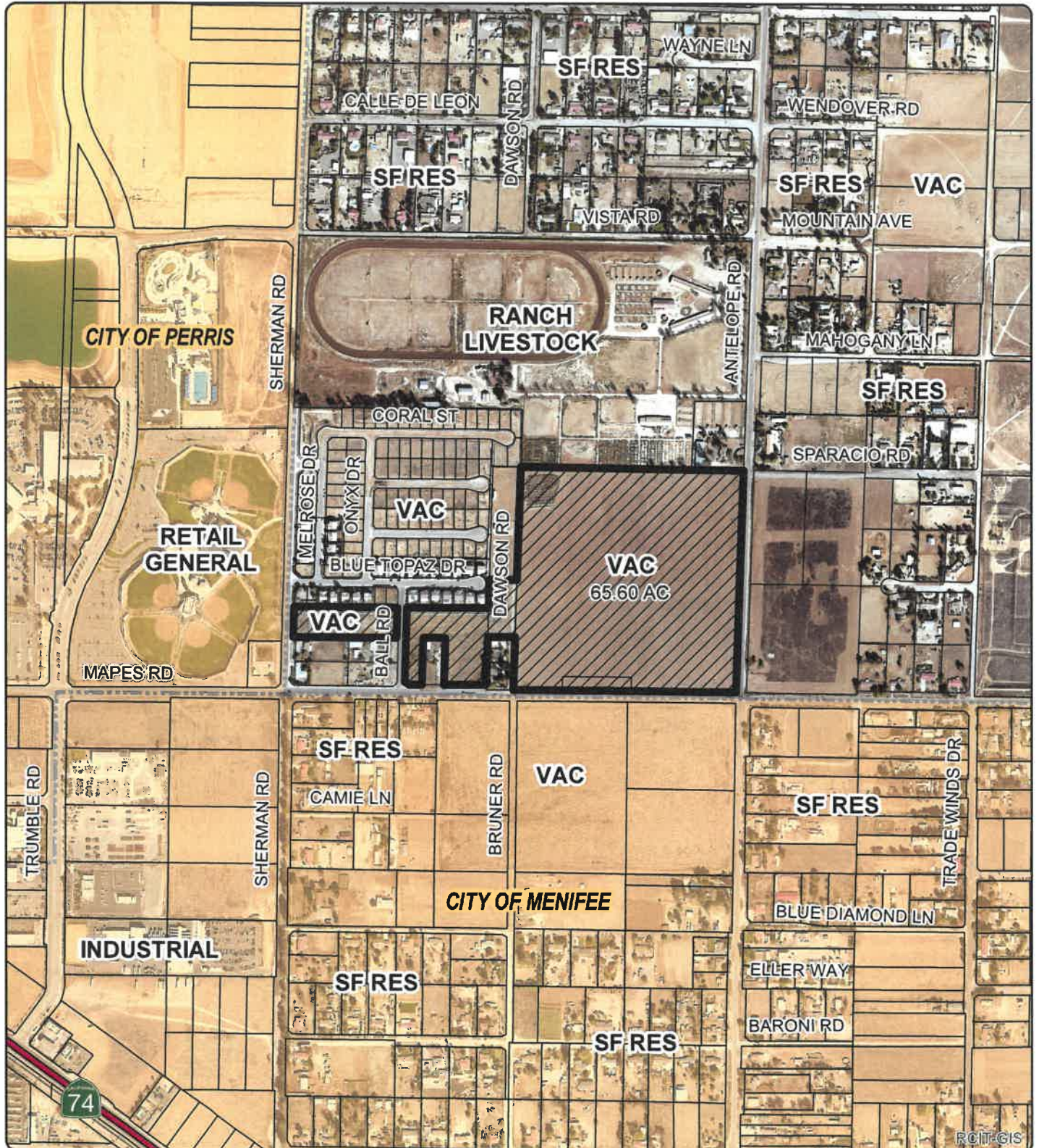
**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)865-8277 (Eastern County) or Website <http://planning.rctlma.org>

**RIVERSIDE COUNTY PLANNING DEPARTMENT  
CZ1800012 TTM37358**

Supervisor: Hewitt  
District 5

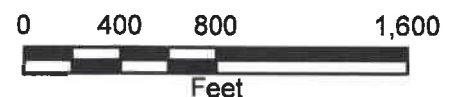
Date Drawn: 05/12/2020  
Exhibit 1

**LAND USE**



Zoning Area: Romoland

Author: Vinnie Nguyen



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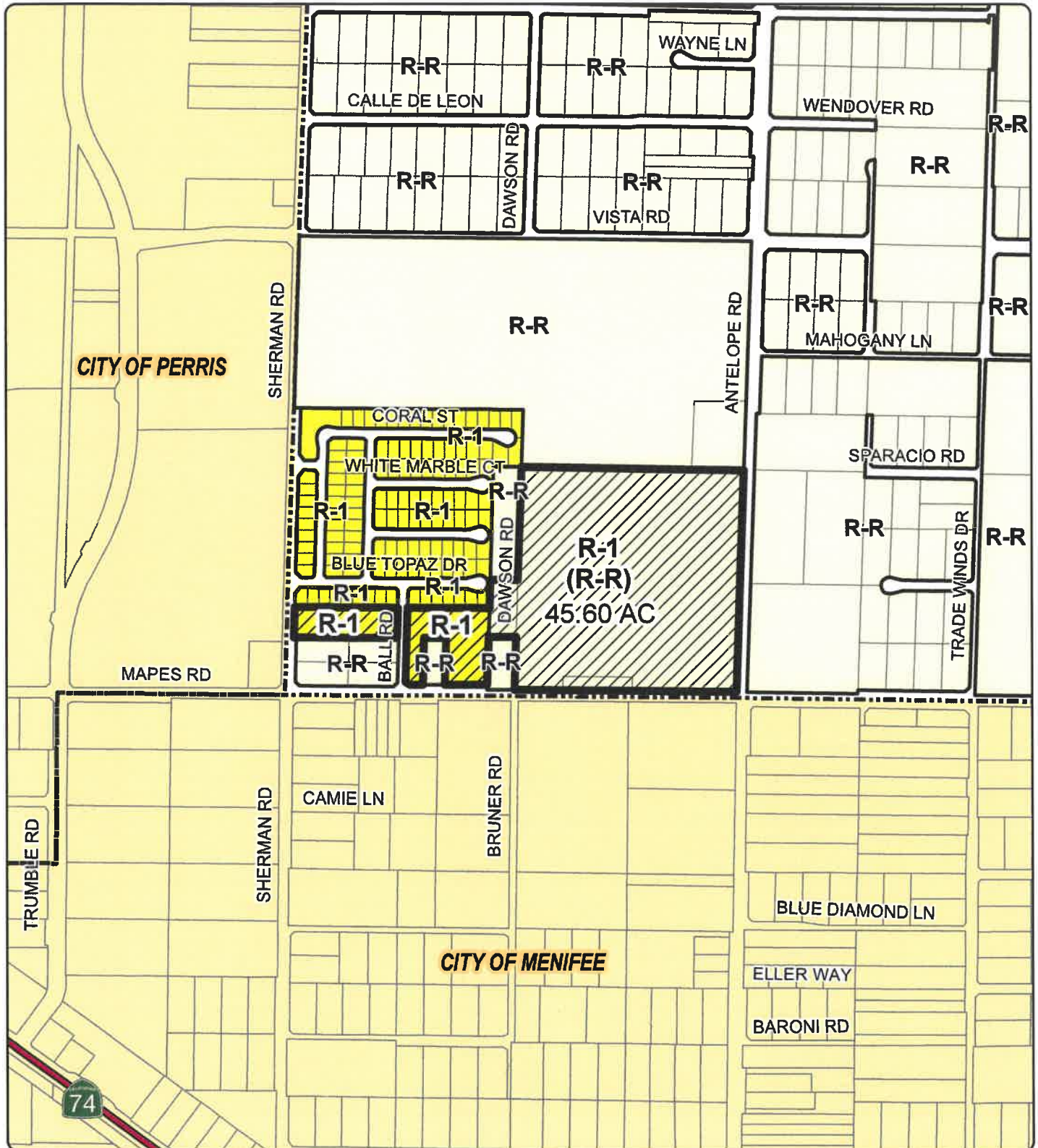
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ1800012 TTM37358

PROPOSED ZONING

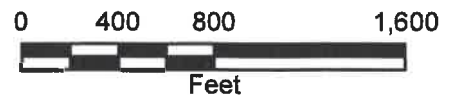
Supervisor: Hewitt  
District 5

Date Drawn: 05/12/2020  
Exhibit 3



Zoning Area: Romoland

Author: Vinnie Nguyen



**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.rctdms.org>

**ASSESSOR'S PARCEL NO.:**

071-60-031, 071-60-032, 071-60-033  
071-60-034, 071-60-035

**THOMAS BROTHERS MAP PAGES:**

105 & 106  
107 & 108

**LEGAL DESCRIPTION:**

TRACT 2, COMMUNITY MAP NO. 112, 100 & 100 1/2 OF BLOCK 2304, 15th DISTRICT, CITY OF RIVERSIDE, CALIFORNIA, AS SHOWN ON THE MAP TITLED 'CITY OF RIVERSIDE, CALIFORNIA, COMMUNITY MAP NO. 112' AND AS SHOWN ON THE COUNTY OF RIVERSIDE, CALIFORNIA, RECORDS UNDER MAP NO. 112, AS SHOWN ON SECTION 2, TOWNSHIP 3 NORTH, RANGE 3 WEST, 34th NEIGHBORHOOD DISTRICT

**DEVELOPER/OWNER:**

THOMAS BROTHERS, INC.  
3400 PLYMOUTH STREET  
RIVERSIDE, CA 92503  
OFFICE: (951) 506-8800  
FAX: (951) 506-8890

**ENGINEER:**

BLAIR CHRISTENSEN  
1000 EAST 10TH STREET  
RIVERSIDE, CA 92503  
OFFICE: (951) 506-1000  
FAX: (951) 506-1000

**UTILITY NOTIFICATION LIST:**

AT&T - CITY OF RIVERSIDE  
CITY OF RIVERSIDE  
CITY OF RIVERSIDE  
CITY OF RIVERSIDE  
CITY OF RIVERSIDE  
CITY OF RIVERSIDE

**EXISTING LAND USE:**

RESIDENTIAL (R)

**ADJACENT LAND USE:**

RESIDENTIAL (R)  
CITY OF RIVERSIDE (C)

**ADJACENT ZONING:**

R-1  
CITY OF RIVERSIDE (C)

**PROPOSED ZONING:**

R-1  
CITY OF RIVERSIDE (C)

**SCHOOL DISTRICT:**

RIVERSIDE UNIFIED SCHOOL DISTRICT

**ACREAGE / FEMA ZONE:**

5.1 ACRES  
FEMA ZONE: X

**BASIS OF BEARINGS:**

THE CORNER OF SAFFORD ROAD, ALSO BEING THE NORTH LINE OF  
THE SAFFORD ROAD TRACT, AS SHOWN ON MAP NO. 112, AND THE  
SOUTH LINE OF THE SAFFORD ROAD TRACT, AS SHOWN ON MAP NO. 112.

**BENCHMARK:**

RIVERSIDE COUNTY BENCHMARK NUMBER 14-13-1

**NOTES:**

- 1. THE DIMENSIONS SHOWN ON THIS DRAWING ARE TO THE CENTER OF THE LOT.
- 2. THE DIMENSIONS ON THIS DRAWING ARE TO THE CENTER OF THE LOT.

**LEGEND:**

- LOT LINES
- LOT LINES
- PROPOSED PROJECT BOUNDARY
- PROPOSED PROJECT AREAS

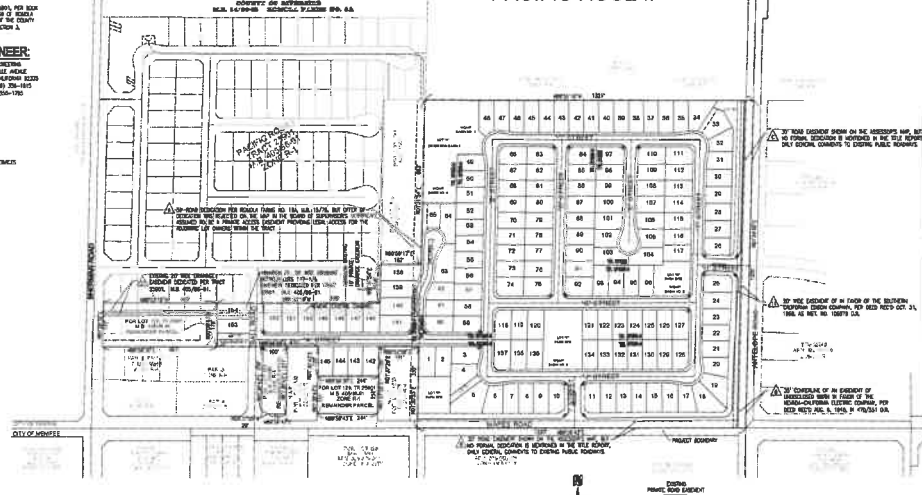
**FEMA ZONE:**

ZONE 1

**EASEMENTS:**

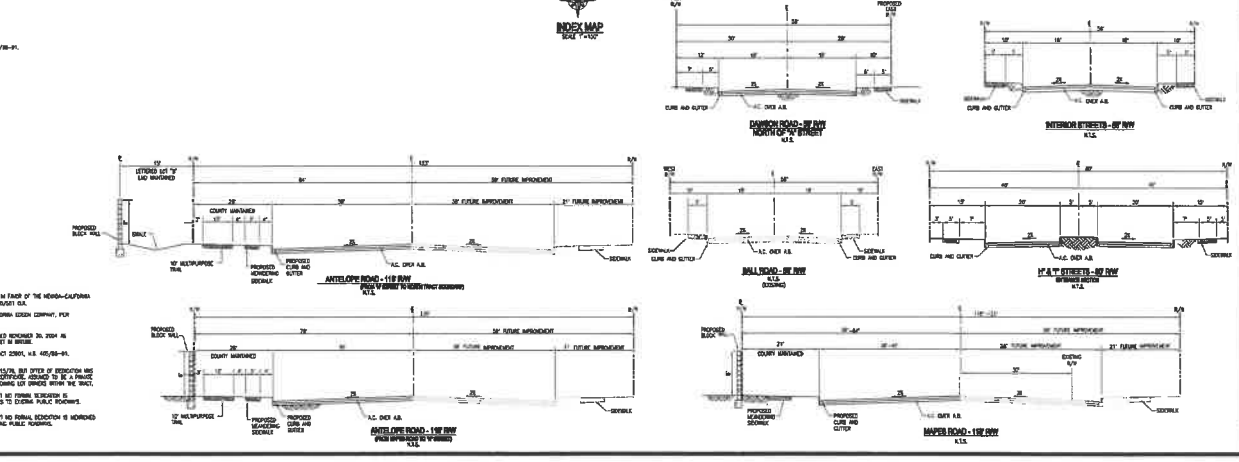
- 1. BY COVENANT OF AN EASEMENT OR OTHERWISE SHOWN ON THE RECORDS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, RECORDS UNDER MAP NO. 112, AS SHOWN ON SECTION 2, TOWNSHIP 3 NORTH, RANGE 3 WEST, 34th NEIGHBORHOOD DISTRICT.
- 2. BY THE COVENANT OF AN EASEMENT OF THE RECORDS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, RECORDS UNDER MAP NO. 112, AS SHOWN ON SECTION 2, TOWNSHIP 3 NORTH, RANGE 3 WEST, 34th NEIGHBORHOOD DISTRICT.
- 3. BY THE COVENANT OF AN EASEMENT OF THE RECORDS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, RECORDS UNDER MAP NO. 112, AS SHOWN ON SECTION 2, TOWNSHIP 3 NORTH, RANGE 3 WEST, 34th NEIGHBORHOOD DISTRICT.
- 4. BY THE COVENANT OF AN EASEMENT OF THE RECORDS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, RECORDS UNDER MAP NO. 112, AS SHOWN ON SECTION 2, TOWNSHIP 3 NORTH, RANGE 3 WEST, 34th NEIGHBORHOOD DISTRICT.
- 5. BY THE COVENANT OF AN EASEMENT OF THE RECORDS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, RECORDS UNDER MAP NO. 112, AS SHOWN ON SECTION 2, TOWNSHIP 3 NORTH, RANGE 3 WEST, 34th NEIGHBORHOOD DISTRICT.

COUNTY OF RIVERSIDE  
**TENTATIVE TRACT MAP NO. 37358**  
PACIFIC ROSE II



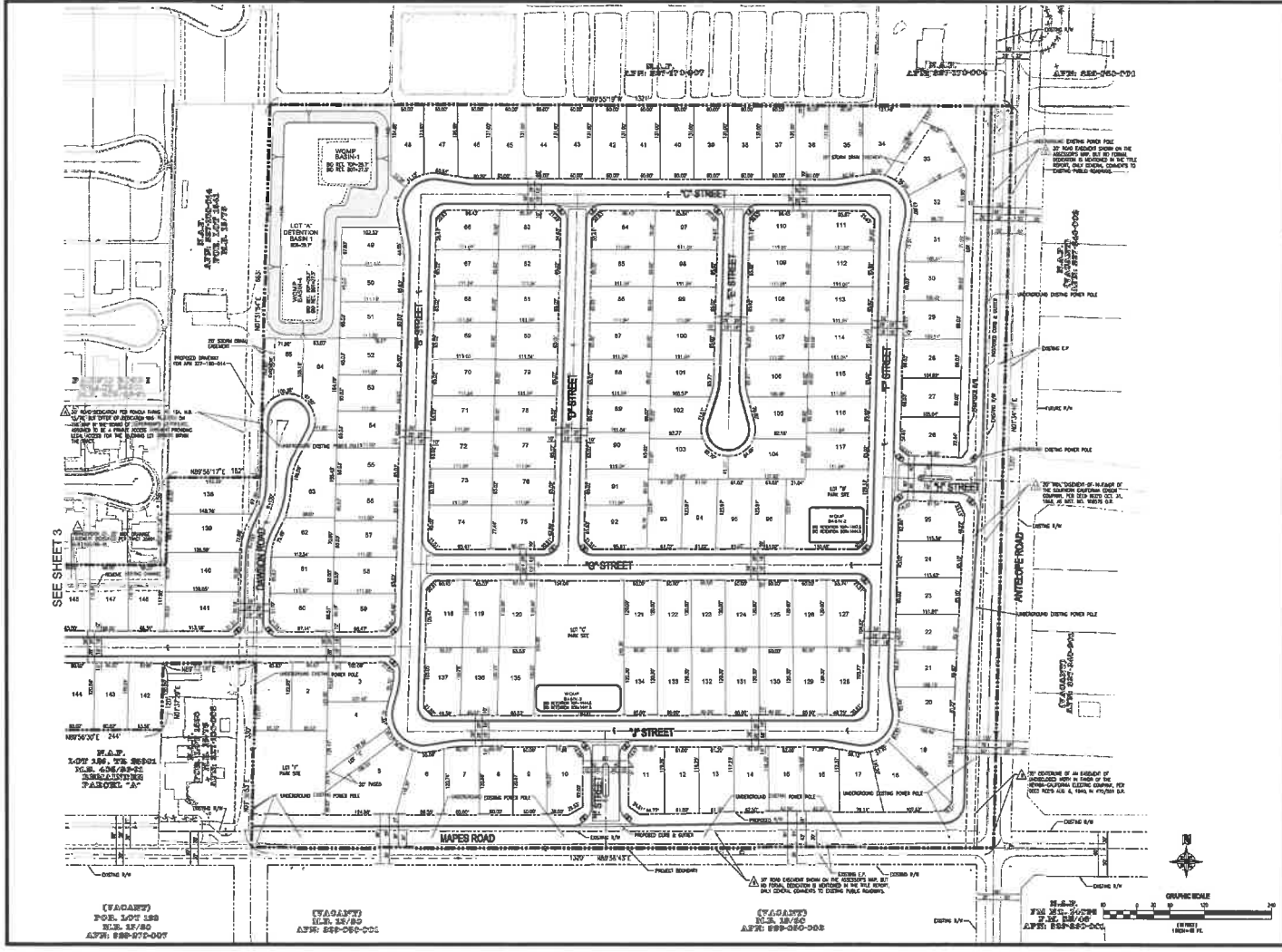
TRACT PHASING	LOT NUMBERS	NET LOT ACREAGE
37358-1	1-10	1.1247 AC.
37358-2	11-20	1.1247 AC.
37358-3	21-30	1.1247 AC.
37358-4	31-40	1.1247 AC.
37358-5	41-50	1.1247 AC.
37358-6	51-60	1.1247 AC.
37358-7	61-70	1.1247 AC.
37358-8	71-80	1.1247 AC.
37358-9	81-90	1.1247 AC.
37358-10	91-100	1.1247 AC.
37358-11	101-110	1.1247 AC.
37358-12	111-120	1.1247 AC.
37358-13	121-130	1.1247 AC.
37358-14	131-140	1.1247 AC.
37358-15	141-150	1.1247 AC.
37358-16	151-160	1.1247 AC.
37358-17	161-170	1.1247 AC.
37358-18	171-180	1.1247 AC.
37358-19	181-190	1.1247 AC.
37358-20	191-200	1.1247 AC.
37358-21	201-210	1.1247 AC.
37358-22	211-220	1.1247 AC.
37358-23	221-230	1.1247 AC.
37358-24	231-240	1.1247 AC.
37358-25	241-250	1.1247 AC.
37358-26	251-260	1.1247 AC.
37358-27	261-270	1.1247 AC.
37358-28	271-280	1.1247 AC.
37358-29	281-290	1.1247 AC.
37358-30	291-300	1.1247 AC.
37358-31	301-310	1.1247 AC.
37358-32	311-320	1.1247 AC.
37358-33	321-330	1.1247 AC.
37358-34	331-340	1.1247 AC.
37358-35	341-350	1.1247 AC.
37358-36	351-360	1.1247 AC.
37358-37	361-370	1.1247 AC.
37358-38	371-380	1.1247 AC.
37358-39	381-390	1.1247 AC.
37358-40	391-400	1.1247 AC.
37358-41	401-410	1.1247 AC.
37358-42	411-420	1.1247 AC.
37358-43	421-430	1.1247 AC.
37358-44	431-440	1.1247 AC.
37358-45	441-450	1.1247 AC.
37358-46	451-460	1.1247 AC.
37358-47	461-470	1.1247 AC.
37358-48	471-480	1.1247 AC.
37358-49	481-490	1.1247 AC.
37358-50	491-500	1.1247 AC.
37358-51	501-510	1.1247 AC.
37358-52	511-520	1.1247 AC.
37358-53	521-530	1.1247 AC.
37358-54	531-540	1.1247 AC.
37358-55	541-550	1.1247 AC.
37358-56	551-560	1.1247 AC.
37358-57	561-570	1.1247 AC.
37358-58	571-580	1.1247 AC.
37358-59	581-590	1.1247 AC.
37358-60	591-600	1.1247 AC.
37358-61	601-610	1.1247 AC.
37358-62	611-620	1.1247 AC.
37358-63	621-630	1.1247 AC.
37358-64	631-640	1.1247 AC.
37358-65	641-650	1.1247 AC.
37358-66	651-660	1.1247 AC.
37358-67	661-670	1.1247 AC.
37358-68	671-680	1.1247 AC.
37358-69	681-690	1.1247 AC.
37358-70	691-700	1.1247 AC.
37358-71	701-710	1.1247 AC.
37358-72	711-720	1.1247 AC.
37358-73	721-730	1.1247 AC.
37358-74	731-740	1.1247 AC.
37358-75	741-750	1.1247 AC.
37358-76	751-760	1.1247 AC.
37358-77	761-770	1.1247 AC.
37358-78	771-780	1.1247 AC.
37358-79	781-790	1.1247 AC.
37358-80	791-800	1.1247 AC.
37358-81	801-810	1.1247 AC.
37358-82	811-820	1.1247 AC.
37358-83	821-830	1.1247 AC.
37358-84	831-840	1.1247 AC.
37358-85	841-850	1.1247 AC.
37358-86	851-860	1.1247 AC.
37358-87	861-870	1.1247 AC.
37358-88	871-880	1.1247 AC.
37358-89	881-890	1.1247 AC.
37358-90	891-900	1.1247 AC.
37358-91	901-910	1.1247 AC.
37358-92	911-920	1.1247 AC.
37358-93	921-930	1.1247 AC.
37358-94	931-940	1.1247 AC.
37358-95	941-950	1.1247 AC.
37358-96	951-960	1.1247 AC.
37358-97	961-970	1.1247 AC.
37358-98	971-980	1.1247 AC.
37358-99	981-990	1.1247 AC.
37358-100	991-1000	1.1247 AC.

PURPOSE	ACREAGE
LOT 1	1.1247 AC.
LOT 2	1.1247 AC.
LOT 3	1.1247 AC.
LOT 4	1.1247 AC.
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LOT 93	1.1247 AC.
LOT 94	1.1247 AC.
LOT 95	1.1247 AC.
LOT 96	1.1247 AC.
LOT 97	1.1247 AC.
LOT 98	1.1247 AC.
LOT 99	1.1247 AC.
LOT 100	1.1247 AC.



Prepared For: PACIFIC COMMUNITIES BUILDERS, INC.  
PACIFIC COMMUNITIES BUILDERS, INC.  
3400 PLYMOUTH STREET  
RIVERSIDE, CA 92503  
OFFICE: (951) 506-8800  
FAX: (951) 506-8890  
DATE: JAN 24, 2014  
PROJECT: TENTATIVE TRACT MAP NO. 37358  
SHEET NO. 1 OF 3  
DRAWN BY: [Name]  
CHECKED BY: [Name]

FILED DATE: Jan 24, 2014



DATE: February 08, 2018

(TAGLINE)  
 FILE NO: 18-000  
 DATE: 12/18/18  
 A.P.N.: 888-070-007

(TAGLINE)  
 FILE NO: 18-000  
 DATE: 12/18/18  
 A.P.N.: 888-070-007

(TAGLINE)  
 FILE NO: 18-000  
 DATE: 12/18/18  
 A.P.N.: 888-070-007

(TAGLINE)  
 FILE NO: 18-000  
 DATE: 12/18/18  
 A.P.N.: 888-070-007

Project For: **PACIFIC COMMUNITIES BUILDER, INC.**  
 10000 BUCKLE UP DRIVE  
 SUITE 100  
 OAKLAND, CALIFORNIA 94612

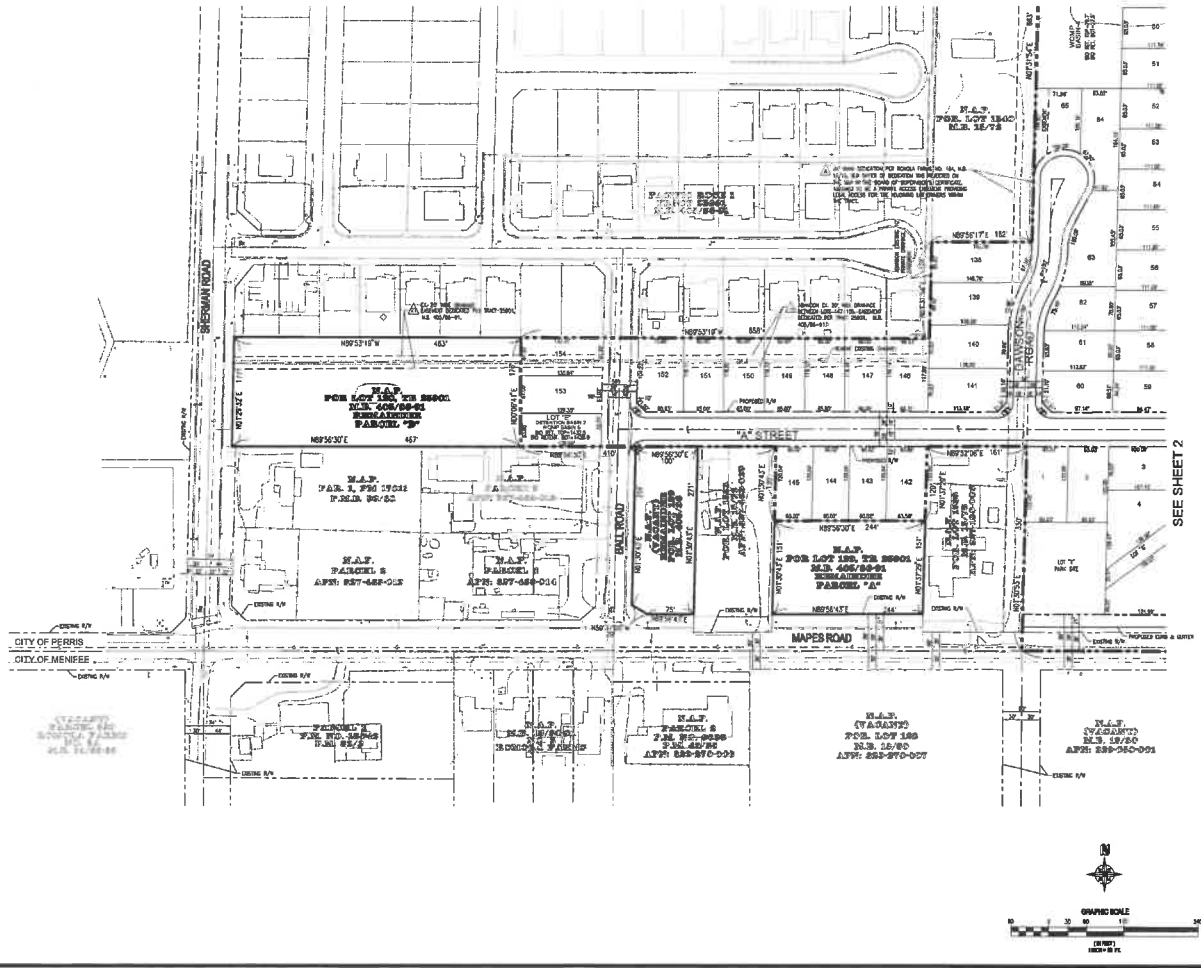
Prepared By: **ALLIUM ENGINEERING**  
 10000 BUCKLE UP DRIVE  
 SUITE 100  
 OAKLAND, CALIFORNIA 94612

DATE: June, 2018  
 SHEET: 2 OF 3  
 PROJECT: PACIFIC ROSE II  
 COUNTY: CONTRA COSTA  
 CITY: OAKLAND  
 STATE: CA

TENTATIVE TRACT MAP NO. 37358  
 PACIFIC ROSE II

DATE: 06/20/18  
 SHEET: 2 OF 3

Scale: 1" = 40'



Project 110  
PACIFIC COMMUNITIES BUILDER, INC.



Engineer By  
**ALVARO ENGSTROM**  
Professional Engineer No. 10000  
State of California, License No. 10000



Map No. 219  
SHEET NO. 10  
SHEET TOTAL 10

TENTATIVE TRACT MAP NO. 37358  
PACIFIC ROSE II

CITY OF BERKELEY  
CITY OF MENLO PARK  
COUNTY OF ALameda, CALIFORNIA

DATE: 10/17/2016  
TIME: 10:58:23 AM

ASSESSOR'S PARCEL NO.:

THOMAS BROTHERS MAP PAGES:

LEGAL DESCRIPTION:

DEVELOPER:

OWNER:

ENGINEER:

UTILITY NOTIFICATION LIST:

EXISTING LAND USE:

ADJACENT LAND USE:

ADJACENT ZONING:

PROPOSED ZONING:

EXISTING ZONING:

SCHOOL DISTRICT:

ACREAGE:

BASIS OF BEARINGS:

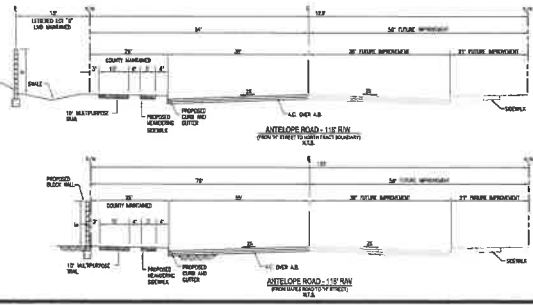
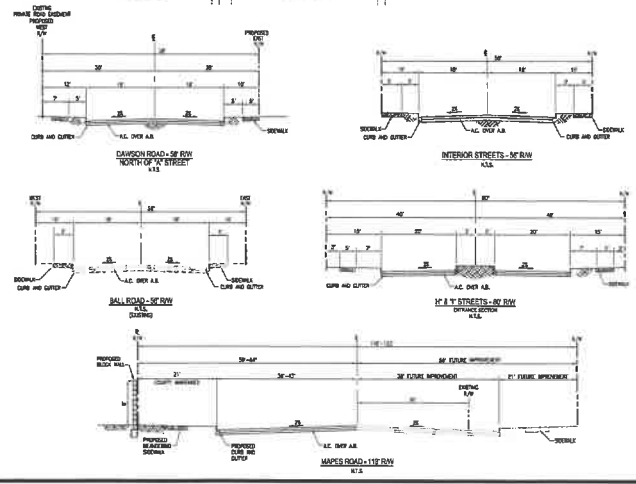
BENCHMARK:

NOTES:

LEGEND:

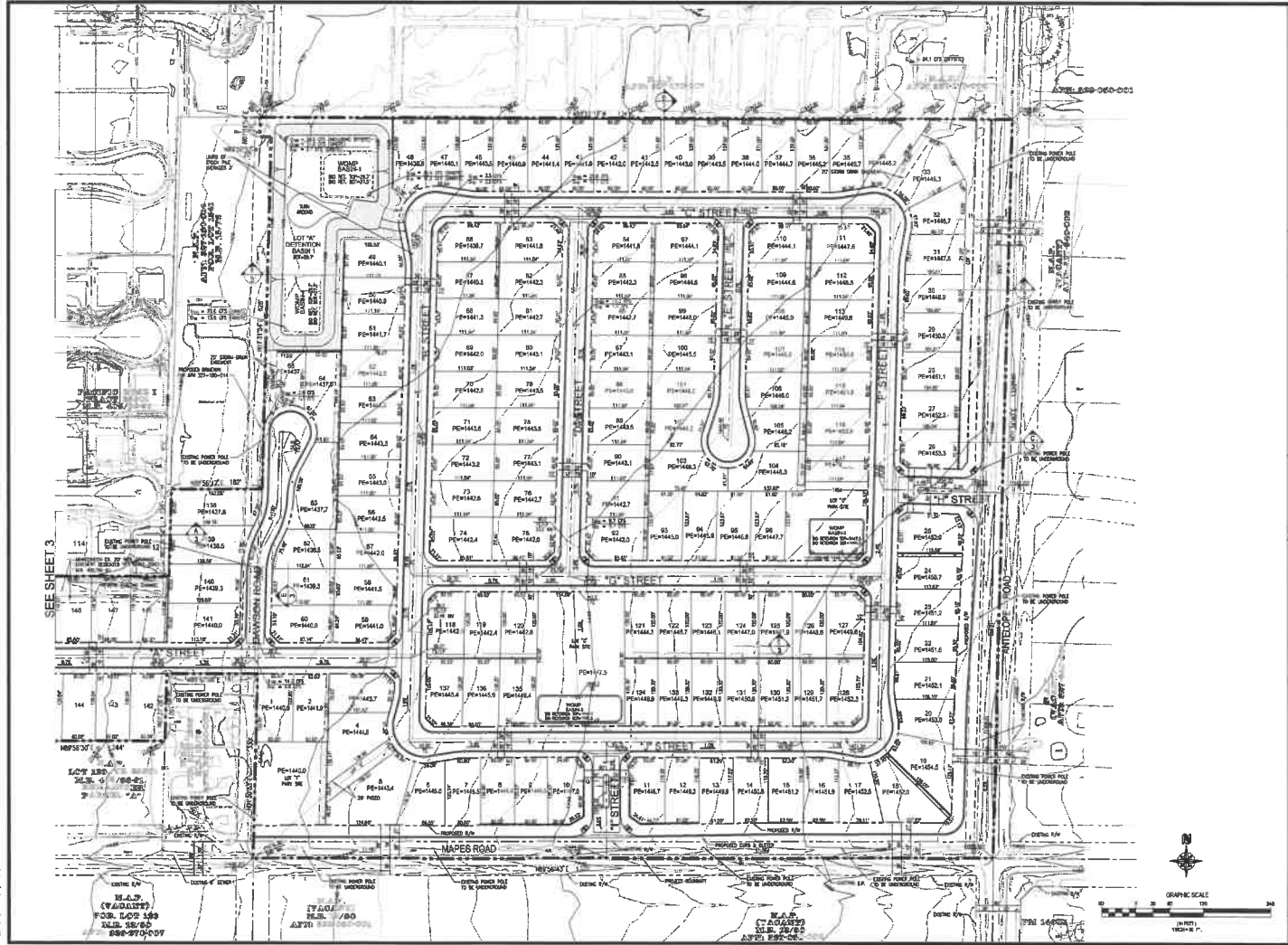
FEMA ZONE:

COUNTY OF RIVERSIDE
CONCEPTUAL GRADING PLAN
PACIFIC ROSE II
TTM 37358



Project information including: Project Name (Pacific Rose II), Assessor's Parcel No. (TTM 37358), Date (08/11/2019), Scale (1" = 40' PLAN), and various stamps and signatures.





Prepared By:  
**PACIFIC CONSULTANTS BUILDER, INC.**  
 1000 WEST STREET, SUITE 200  
 OAKLAND, CALIFORNIA 94612  
 PHONE (415) 550-8888

Prepared By:  
**ALLARD ENGINEERING**  
 1000 WEST STREET, SUITE 200  
 OAKLAND, CALIFORNIA 94612  
 PHONE (415) 550-8888

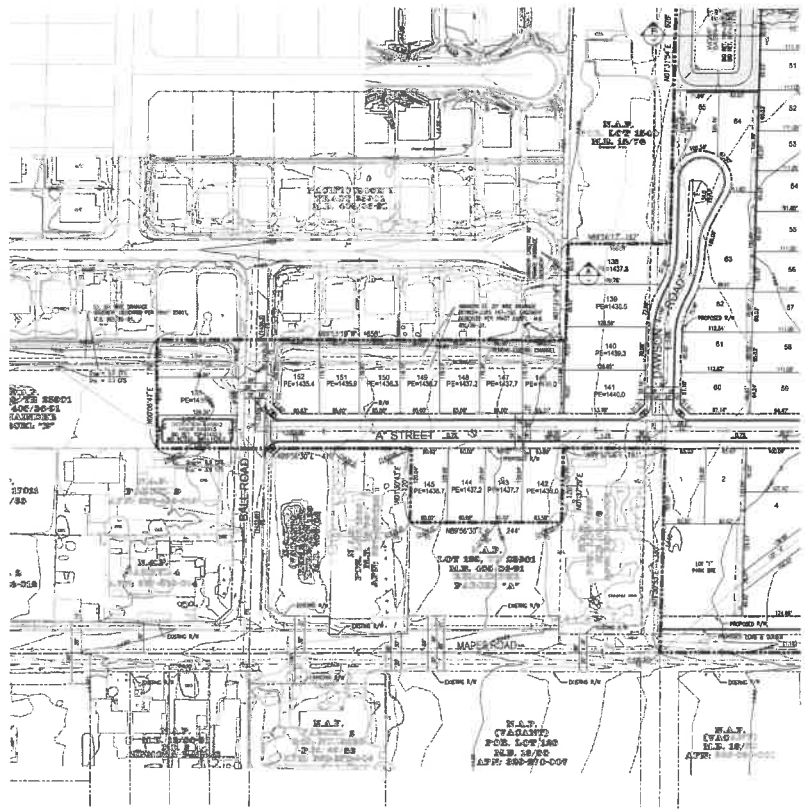
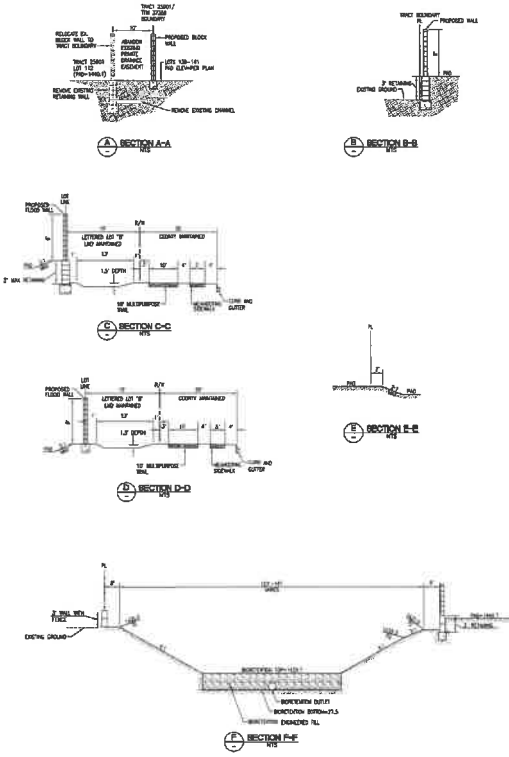
No. 2015  
 DATE: 05/20/2015  
 SHEET: 3 OF 3  
 DRAWN: C.V.  
 CHECKED: R.J.A.

**CONCEPTUAL GRADING PLAN**  
**TENTATIVE TRACT MAP NO. 37355**  
**PACIFIC ROSE II**  
 COUNTY OF CONTRASTA, CALIFORNIA

SHEET NO. 3  
 OF 3 SHEETS

1  
 2  
 3

10/1/2015 10:00 AM 10/1/2015



SEE SHEET 2

SHEET NO. 02  
 PROJECT  
 CONCEPTUAL GRADING PLAN  
 TENTATIVE TRACT MAP NO. 37358  
 PACIFIC ROSE II  
 COUNTY OF BUTTE, CALIFORNIA  
 SHEET C.F.  
 SCALE: AS SHOWN  
 DATE: 02/08/15  
 DRAWN BY: J. J. JENSEN  
 CHECKED BY: J. J. JENSEN  
 PROJECT NO. 15-0001  
 SHEET NO. 02 OF 02  
 SHEET C.F.

Prepared For:  
 PACIFIC COMMUNITIES BUILDERS, INC.  
 10000 W. 12TH AVE., SUITE 200  
 DENVER, CO 80202  
 CONTACT: DAVE WILSON

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 DENVER, CO 80202  
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 www.allianteng.com

ALLIANT ENGINEERING  
 10000 W. 12TH AVE., SUITE 200  
 DENVER, CO 80202  
 (303) 750-1100  
 www.allianteng.com

COUNTY OF BUTTE, CALIFORNIA  
 COUNTY OF BUTTE, CALIFORNIA  
 COUNTY OF BUTTE, CALIFORNIA



# RIVERSIDE COUNTY PLANNING DEPARTMENT

*Charissa Leach*  
*Assistant TLMA Director*

## MITIGATED NEGATIVE DECLARATION

Project/Case Number: TTM37538 and CZ1800012

Based on the Initial Study, it has been determined that the proposed project, subject to the proposed mitigation measures, will not have a significant effect upon the environment.

PROJECT DESCRIPTION, LOCATION, AND MITIGATION MEASURES REQUIRED TO AVOID POTENTIALLY SIGNIFICANT EFFECTS. (see Environmental Assessment/Initial Study and Conditions of Approval)

**COMPLETED/REVIEWED BY:**

By: Deborah Bradford Title: Contract Project Planner Date: November 2020

Applicant/Project Sponsor: Pacific Communities Builder, INC., Ronald Freeman Date Submitted: May 7, 2018

**ADOPTED BY:** Board of Supervisors

Person Verifying Adoption: \_\_\_\_\_ Date: \_\_\_\_\_

The Mitigated Negative Declaration may be examined, along with documents referenced in the initial study, if any, at:

Riverside County Planning Department 4080 Lemon Street, 12th Floor, Riverside, CA 92501

For additional information, please contact Deborah Bradford at (951) 955-6646.

FOR COUNTY CLERK'S USE ONLY

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# COUNTY OF RIVERSIDE

## ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

**Environmental Assessment (CEQ / EA) Number:** CEQ180047  
**Project Case Type (s) and Number(s):** TTM37358 and CZ1800012  
**Lead Agency Name:** Riverside County Planning Department  
**Address:** P.O. Box 1409, Riverside, CA 92502-1409  
**Contact Person:** Deborah Bradford  
**Telephone Number:** 951-955-6646  
**Applicant's Name:** Ronald Freeman  
**Applicant's Address:** Pacific Communities Builder  
 1000 Dove Street, Suite 300  
 Newport Beach, California 92660

### I. PROJECT INFORMATION

**Project Description:** Pacific Communities Builder, Inc. proposes a Schedule "A" subdivision of Tentative Tract Map No. 37358, herein identified as the proposed project, that is located in an unincorporated census-designated place named Romoland that is adjacent to the north end of the City of Menifee in Riverside County, California (Figure 1). A zone change from Rural-Residential (R-R) to One-Family Dwelling (R-1) is proposed for construction of 154 residential lots and three open spaces on the 45.6-acre site (Figure 2). The development of the site is proposed in phases (Figure 3) and is summarized below.

Unit Phase	Lot Numbers	Total Number of Lots
1	1-10, 60-65, 135-154	36
2	41-59, 66-96	50
3	11-25, 118-134	32
F(Final)	26-40, 97-117	36
<b>Total</b>		<b>154</b>

**A. Type of Project:** Site Specific ; Countywide ; Community ; Policy .

#### B. Total Project Area:

<b>Residential Acres:</b> 45.6	<b>Lots:</b> 154	<b>Units:</b> 154	<b>Projected No. of Residents:</b> 421.6 (Table 7 for 2020, Appendix F-1, Population and Employment Forecasts)
<b>Commercial Acres:</b>	<b>Lots:</b>	<b>Sq. Ft. of Bldg. Area:</b>	<b>Est. No. of Employees:</b>
<b>Industrial Acres:</b>	<b>Lots:</b>	<b>Sq. Ft. of Bldg. Area:</b>	<b>Est. No. of Employees:</b>
<b>Other:</b>			

**C. Assessor's Parcel No(s):** 327-463-010, 327-462-028, 327-180-005, 327-180-006, 327-180-013

**Street References:** The site is located on the north side of Mapes Road between Antelope Road and Sherman Road (Figure 2).

**D. Section, Township & Range Description or reference/attach a Legal Description:** Section 3, Township 5 South, Range 3 West, San Bernardino Baseline and Meridian

**E. Brief description of the existing environmental setting of the project site and its surroundings:** The project site is currently undeveloped and has been under agricultural uses in the past. The area to the north has been developed as a former horse stable. Antelope Road is to the east with an undeveloped field beyond. Mapes Road is to the south with an undeveloped field beyond. Single family residential developments are found to the southwest and west of the site. Sherman Road is beyond the site to the west (Figure 4)

## II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

### A. General Plan Elements/Policies:

1. **Land Use:** The project site has a General Plan Land Use Designation of Medium Density Residential (MDR). The project consists of development of the site as a residential development of 154 single-family residences constructed in four phases. The project is consistent with the land use designation.
2. **Circulation:** The proposed project would add overall trips to the area in the future. With incorporation of mitigations, impacts to traffic are less than significant.
3. **Multipurpose Open Space:** The proposed project is consistent with the policies of the Multipurpose Open Space Elements of the General Plan and Harvest Valley/Winchester Area Plan.
4. **Safety:** The proposed project is not located in a fault zone but has the potential for subsidence in the event of a regional seismic event. With incorporation of project design remedial grading recommendations provided in the geotechnical study completed for the project as well as the Conditions of Approval, County Geologic Report No. 190017 a less than significant impact would occur. The project site is located in the inundation zone in the event of a failure of the Perris Lake dam. The dam was originally constructed from 1970 to 1973 and seismic retrofits designed to withstand a magnitude 7.5 earthquake have been recently completed. With adherence to the flood proofing and flood protection requirements of Riverside County Ordinance Number 458, impact would be less than significant. The proposed project meets all other applicable Safety element policies.
5. **Noise:** Construction of the project would result in a temporary increase in ambient noise and ground borne vibration. Once construction was complete, noise levels associated with the residential development would be similar to existing conditions for residential developments adjacent to the site. With incorporation of mitigations during construction, potential significant impacts related ambient and/or ground-borne noise to a less than significant level.
6. **Housing:** The proposed project would include the construction of 154 single-family residential dwellings. A projected increase in population of approximately 422 people is estimated
7. **Air Quality:** The proposed project has been conditioned to control fugitive dust during grading and construction activities. The proposed project meets all other applicable Air Quality Element policies.
8. **Healthy Communities:** The proposed project meets all applicable Healthy Community policies.

**B. General Plan Area Plan(s):** Harvest Valley/Winchester Area Plan

**C. Foundation Component(s):** None (Figure LU-1, Riverside County General Plan Land Use Foundational Components)

**D. Land Use Designation(s):** Medium Density Residential (MDR)

**E. Overlay(s), if any:** None/March Joint Air Reserve Base Influence Area

**F. Policy Area(s), if any:** None/Community of Romoland

### G. Adjacent and Surrounding:

1. **General Plan Area Plan(s):** Harvest Valley/Winchester Area Plan

2. **Foundation Component(s):** None (Figure LU-1, Riverside County General Plan Land Use Foundational Components)

3. **Land Use Designation(s):** North: Medium Density Residential (MDR); South: City of Menifee (Rural Mountainous (RM)); East: Low Density Residential (LDR); West: City of Perris

4. **Overlay(s), if any:** None/March Joint Air Reserve Base Influence Area

5. **Policy Area(s), if any:** None/Community of Romoland

**H. Adopted Specific Plan Information**

1. **Name and Number of Specific Plan, if any:** Not Applicable

2. **Specific Plan Planning Area, and Policies, if any:** Not Applicable

I. **Existing Zoning:** R-R and R-1

J. **Proposed Zoning, if any:** R-1

K. **Adjacent and Surrounding Zoning:** North: R-R; South: City of Menifee (R-R-1); East: R-R; West: City of Perris

**III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below ( x ) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Hazards & Hazardous Materials        | <input type="checkbox"/> Recreation                                    |
| <input type="checkbox"/> Agriculture & Forest Resources  | <input type="checkbox"/> Hydrology / Water Quality            | <input checked="" type="checkbox"/> Transportation                     |
| <input type="checkbox"/> Air Quality                     | <input type="checkbox"/> Land Use / Planning                  | <input type="checkbox"/> Tribal Cultural Resources                     |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources                    | <input type="checkbox"/> Utilities / Service Systems                   |
| <input checked="" type="checkbox"/> Cultural Resources   | <input type="checkbox"/> Noise                                | <input type="checkbox"/> Wildfire                                      |
| <input type="checkbox"/> Energy                          | <input checked="" type="checkbox"/> Paleontological Resources | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Geology / Soils      | <input type="checkbox"/> Population / Housing                 |  |
| <input type="checkbox"/> Greenhouse Gas Emissions        | <input type="checkbox"/> Public Services                      |  |

**IV. DETERMINATION**

On the basis of this initial evaluation:

**A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED**

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

**A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED**

I find that although the proposed project could have a significant effect on the environment, **NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED** because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have

been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.

I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.

I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.

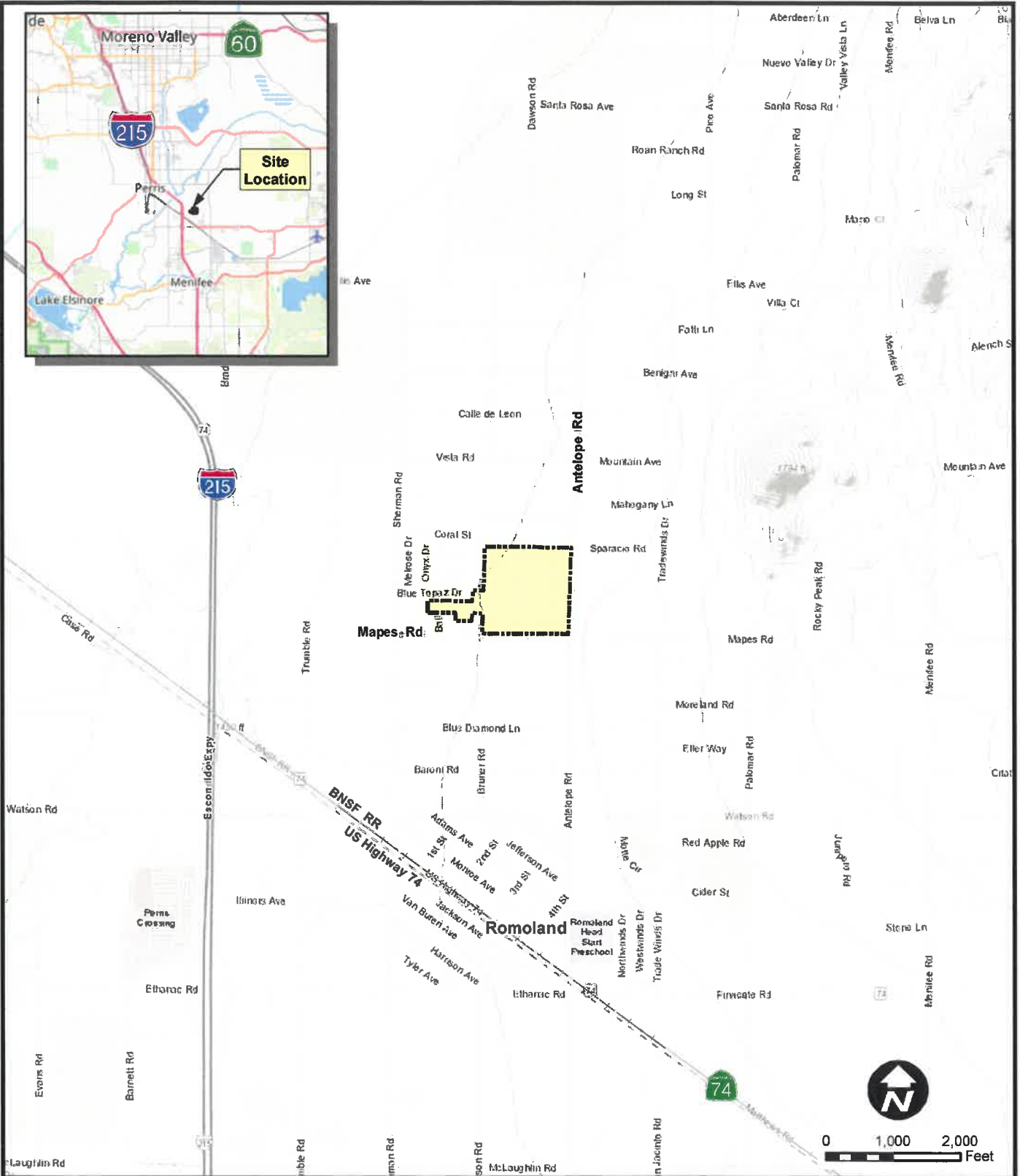
I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a **SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following:(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

  
Signature

  
Date

  
Printed Name

For: John Earle Hildebrand III  
TLMA Deputy Director – Interim Planning  
Director



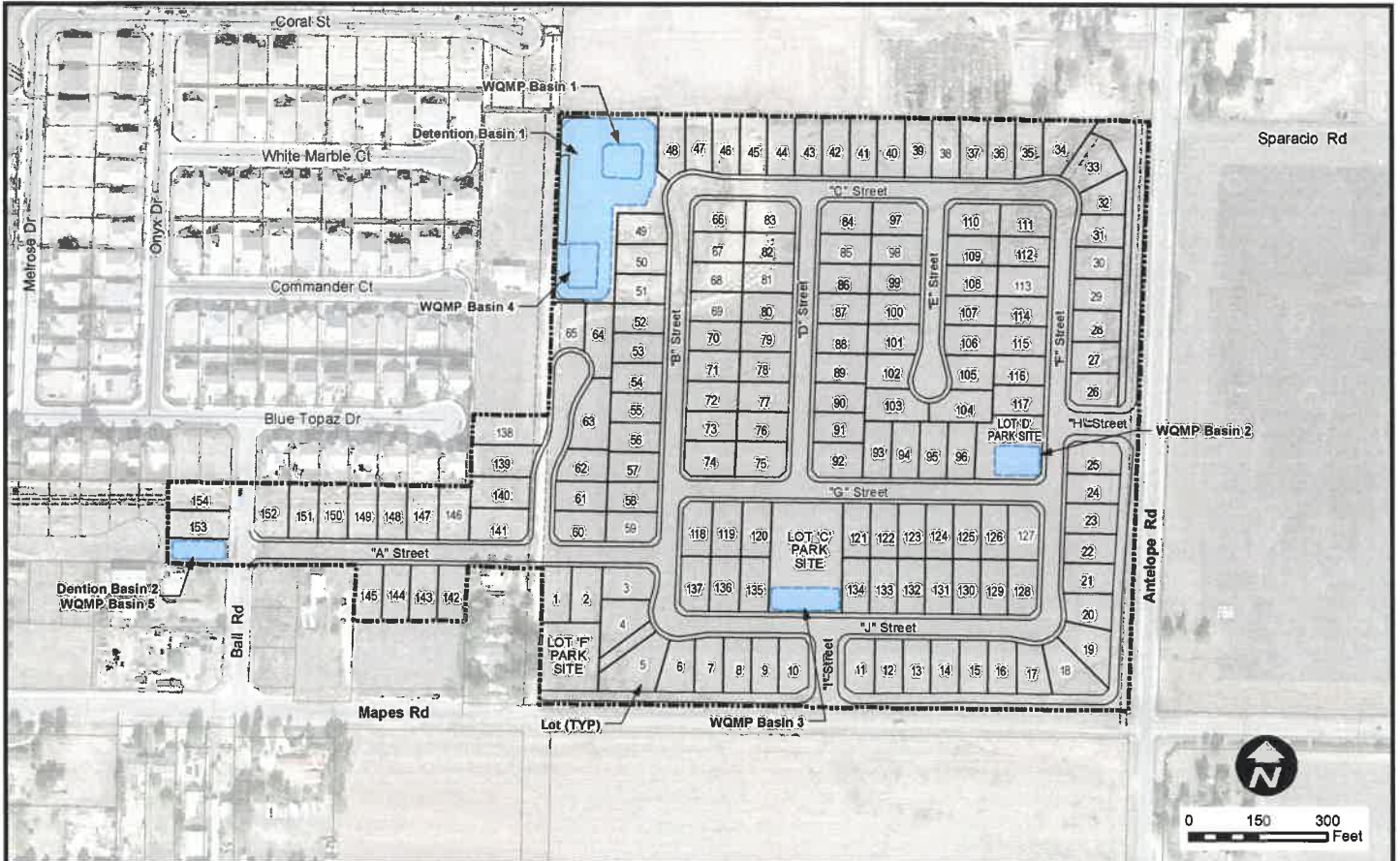
 Site Boundary



TENTATIVE TRACT MAP No. 37358  
PACIFIC ROSE II

**Figure 1**  
**Regional Setting**  
**Pacific Rose II**  
**Community of Romoland,**  
**Riverside County, California**







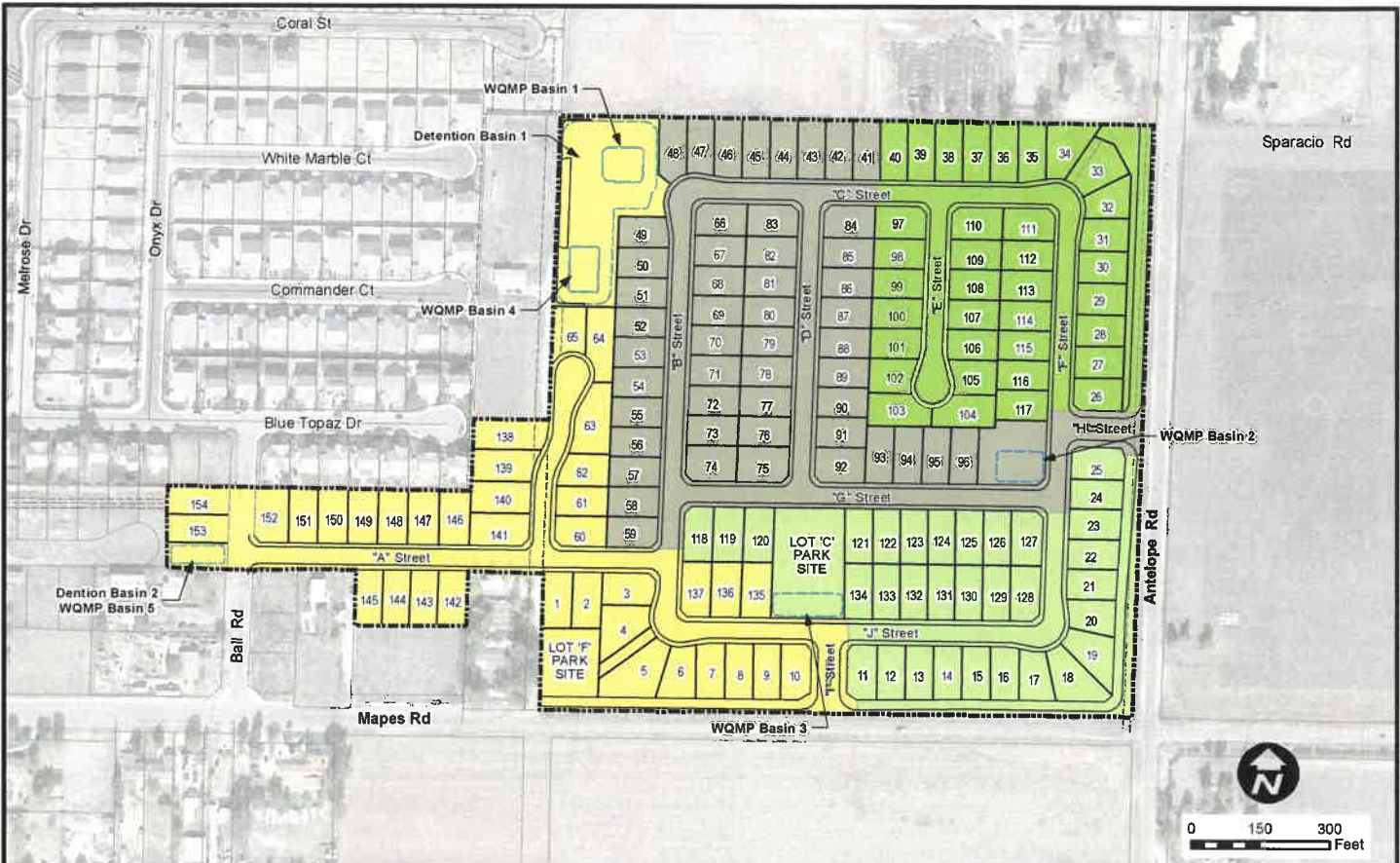
-  Site Boundary
-  Detention Basin/WQMP Basin







Note:  
WQMP - Water Quality Management Plan

TENTATIVE TRACT MAP No. 37358  
PACIFIC ROSE II

**Figure 2**  
**Site Plan**  
**Pacific Rose II**  
**Community of Romoland,**  
**Riverside County, California**






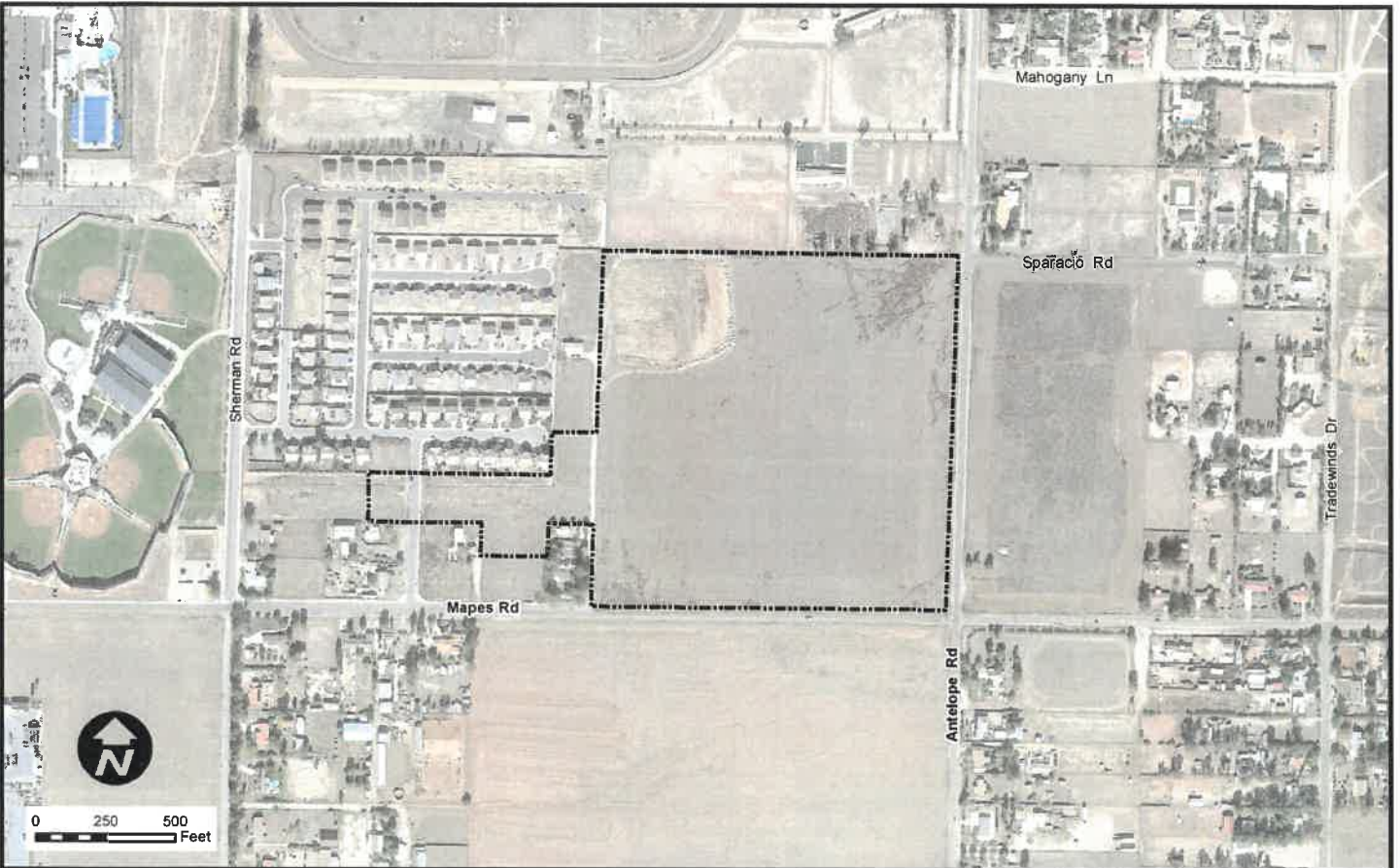
	Site Boundary		Phase 1
	Detention Basin/WQMP Basin		Phase 2
			Phase 3
			Phase F (Final)

Note:  
WQMP - Water Quality Management Plan

TENTATIVE TRACT MAP No. 37358  
PACIFIC ROSE II

**Figure 3**  
**Proposed Development Phases**  
**Pacific Rose II**  
**Community of Romoland,**  
**Riverside County, California**





 Site Boundary

TENTATIVE TRACT MAP No. 37358  
PACIFIC ROSE II

**Figure 4**  
**Aerial of**  
**Pacific Rose II**  
**Community of Romoland,**  
**Riverside County, California**



**V. ENVIRONMENTAL ISSUES ASSESSMENT**

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the proposed project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the proposed project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>AESTHETICS</b> Would the project:				
<b>1. Scenic Resources</b>				
a) Have a substantial effect upon a scenic highway corridor within which it is located?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Source(s):**

Riverside County  
 2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 10 "Scenic Highways",  
 December 6, 2016

**Findings of Fact:**

a) Scenic Highways provide the motorist with views of distinctive natural characteristics that are not typical of other areas in Riverside County. Figure 10 of the Harvest Valley/Winchester Area Plan depicts the proposed project approximately 0.8 miles north of State Route 74 (Figure 1). State Route 74 is a State Eligible Scenic Highway within the Harvest Valley/Winchester Area Plan. The area between the project site and State Route 74 has been fully developed as residential. As a result, the driving public utilizing State Route 74 will not likely see the change in view resulting from the proposed project development and a less than significant impact would occur.

b) The Harvest Valley/Winchester Plan Area open space system contains a variety of open spaces that serve a number of functions. As a critical component of character in the County, open space offers natural features, habitat and recreation opportunities. The closest open space area to the project site are the Lakeview Mountains located approximately 5 miles to the northeast of the project site. While visible from the project site, intervening development and a series of small hills located to the east of

the site partially obstructs the view of the Lakeview Mountains. The development of the site as single-family residence would present a similar view of residences as found in the areas adjacent to the project site. Development of the site as single-family residences would not create an aesthetically offensive site open to public view. A less than significant impact would occur.

c) While the site is undeveloped, it is located in a rural residential setting and is surrounded on two sides by residential development. Development of the site will not substantially degrade the existing visual character or quality of public views of the site or its surrounding. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**2. Mt. Palomar Observatory**

a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?

**Source(s):**

Riverside County

1988 Ordinance No. 655 (Regulating Light Pollution)

2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 7 "Mt. Palomar Night Time Lighting Policy Area", December 6, 2016

**Findings of Fact:**

a) The project site is categorized as Zone B for lighting in accordance with the County of Riverside Ordinance No. 655. Zone B is defined as the area outside Zone A (the area within a 15-mile radius of Mt. Palomar Observatory) but within a 45-mile radius of Mt. Palomar Observatory. The project area is currently undeveloped and no exterior lighting beyond existing streetlights and adjacent light sources exist. The proposed development of the site as single-family residences would introduce new exterior lighting sources. The proposed project would be required to comply with all relevant sections of Ordinance No. 655 and specifically to Sections 6, 7, and 8 of the ordinance which set requirements for lamp source, shielding, and placement of lights. Adherence to relevant provisions of Ordinance No. 655 would ensure that impacts from the proposed project to the nighttime use of Mt. Palomar Observatory would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**3. Other Lighting Issues**

a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

b) Expose residential property to unacceptable light levels?

**Source(s):**

Riverside County  
Code of Ordinances, Title 8, Health and Safety

**Findings of Fact:**

a-b) Development of the project would require new exterior lighting in the form of streetlights, and indoor/outdoor lighting specific to each house. The proposed project would be required to comply with Ordinance No. 655 which specifies that all outdoor luminaires shall be located, adequately shielded, and directed such that no direct light falls outside the parcel of origin, or onto the public right-of-way. Outdoor luminaires shall not blink, flash, or rotate. The new exterior lighting associated with the project would not substantially increase the overall levels of nighttime lighting in the area as they would be subject to the provisions of Ordinance No. 655. Lighting of the project would be similar as observed in adjacent residential developments. As a result, new lighting introduced by the project would not create a new source of substantial light and glare or expose neighboring residential properties to light levels in excess of existing lighting conditions. Impacts would be less than significant.

**Mitigation:** No mitigation is required.

**Monitoring:** No monitoring is required.

<b>AGRICULTURE &amp; FOREST RESOURCES</b> Would the project:				
<b>4. Agriculture</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Source(s):**

Riverside County  
2015b General Plan, Multipurpose Open Space Element, Figure OS-2 "Agricultural Resources".

California Department of Conservation  
2016a California Important Farmland Finder. Accessed 02 January 2020,  
<https://maps.conservation.ca.gov/DLRP/CIFF/>.

2016b Riverside County Important Farmland, 2016, Sheet 1 of 3.  
<https://www.conservation.ca.gov/dlrp/fmmp/Pages/Riverside.aspx>

**Findings of Fact:**

a-d) Based a review of Figure OS-2 and the California Department of Conservation Farmland Mapping and Monitoring Program and Williamson Act map, the project site is not mapped as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Development of the project would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance, and no impact would occur. The site is located in an area classified by the California Department of Conservation as Farmland of Local Importance. Soils within this category would be classified as Prime and Statewide Importance but lack available irrigation water. As the site has not been classified as Prime Farmland, Unique Farmland or Farmland of Statewide Importance and possibly under a Williamson Act contract and is not within a Riverside County Agricultural Preserve, no impact would occur. While soils at the site have been classified as Farmland of Local Importance, construction of single-family residential development at the site would not be within 300 feet of agriculturally zoned property. A less than significant impact would occur. Finally, while the soils at the site have been classified as Farmland of Local Importance, the site is not within an Agricultural Preserve or has been identified as prioritized agricultural lands for conservation. As result, a less than significant impact would occur due to development of the site as single-family developments.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

<b>5. Forest</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Riverside County

2015b General Plan, Multipurpose Open Space Element, Figure OS-3a "Forestry Resources, Western Riverside County Parks, Forests, and Recreation Areas".

**Findings of Fact:**

a-c) The project site is zoned R-1 (One Family Dwelling) and R-R (Rural Residential). Based on a review of Figure OS-3a, the project site is not located on forest lands. The closest timbered lands to the project site are areas classified as Lowland Forests/Woodlands associated with the Lakeview Mountain area, five miles to the northeast of the project area. As a result, the proposed project would not conflict with existing zoning for forest land or timberland. The proposed project would not convert forest lands to a non-forest use and would not cause changes that would lead to conversion of forest lands to non-forest use. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**AIR QUALITY** Would the project:

**6. Air Quality Impacts**

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Source(s):**

RK Engineering Group, Inc.

2020a Rose II TTM-37358 Single Family Residential Air Quality and GHG Analysis County of Riverside (Appendix A-1)

**Findings of Fact:**

a) Air Quality and Greenhouse Gas (GHG) impact study was undertaken to determine whether the estimated criteria air pollutants and GHG generated during the construction and operation of the proposed project would cause significant impacts to air resources (RK Engineering 2020a). The methodology used follows the California Air Resources Board (CARB) and the South Coast Air Quality Management District (SCAQMD) recommendations for quantification of emissions and evaluation of potential impacts. Short- and long-term air quality impacts from construction and operation were calculated using the California Emissions Estimator Model Version 2016.3.2 (CalEEMod), released October 2017. CalEEMod was used to calculate criteria air pollutants and GHG emissions from the construction and operation of the project. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify criteria air pollutant and GHG emissions. The model quantifies direct emissions from construction and operation activities (including vehicle use), as well as indirect emissions, such as GHG emissions from off-site energy generation, solid waste disposal, vegetation planting and/or removal, and water use. The model also identifies mitigation measures to reduce criteria pollutant and GHG emissions. The model was developed for the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the California air districts.

Regional and localized air quality emissions that include both on-site and off-site emissions associated with construction of the project were calculated. Regional and localized daily emissions of criteria pollutants were then compared to the SCAQMD regional thresholds of significance. Regional and local daily emissions of criteria pollutants are expected to be below the allowable thresholds of significance.

Long-term operational regional and localized air pollutant impacts from the project were also calculated and are not expected to exceed any of the allowable daily emissions thresholds for criteria pollutants at the regional level. The project's calculated daily operational emissions will also be below the applicable SCAQMD regional air quality standards and thresholds of



significance, and the project would not contribute substantially to an existing or projected air quality violation.

The project site is located within the South Coast Air Basin (SoCAB) and is subject to the Air Quality Management Plan (AQMP) prepared by the South Coast Air Quality Management District (SCAQMD). The SCAQMD has adopted the 2016 AQMP, which focuses on achieving clean air standards while accommodating population growth forecasts such as those compiled by the Southern California Association of Governments (SCAG).

According to the SCAQMD CEQA Air Quality Handbook, a project would have a significant impact if it conflicts with or delays implementation of the applicable AQMP. A project is consistent with the AQMP if it meets the following indicators:

1. The project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
2. The project will not exceed the assumptions in the AQMP, or increments based on the year of project buildout (2027).

Per the analysis conducted by RK Engineering Group, Inc. (RK Engineering Group, Inc. 2020a), the proposed project would not contribute to the exceedance of an air quality standard. Additionally, The AQMP incorporates emissions projections based on growth forecasts accounted for in local and regional general plans. Local governments maintain the authority to determine the types of land use that are allowed within their jurisdiction. For example, in city general plans, each parcel of land within that city is given a land use designation (i.e., residential, industrial, etc.). Developments that do not comply with general plan designations are inconsistent with the general plan, and a proposed project that is inconsistent with a local general plan is also inconsistent with the AQMP. Therefore, since the proposed project would neither contribute to the exceedance of an air quality standard nor be inconsistent with the AQMP, a less than significant impact will occur.

b. CEQA defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts and the change in the environment which results from the incremental impact of the project when added to other closely related past, present, or reasonably foreseeable future projects and can result from individually minor, but collectively significant project taking place over a period of time” (SCAQMD 1993). The proposed project would result in cumulative impacts if it exceeded daily thresholds established by SCAQMD or if it incurred an increase of emissions beyond what is planned in the County of Riverside General Plan. The proposed project is not anticipated to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment. A less than significant impact would occur.

c. The proposed project is not expected to expose sensitive receptors to substantial pollutant concentrations. Romoland Elementary School, 25890 Antelope Road, Romoland, California 92585, is located approximately one mile to the southeast of the site and is not likely to be exposed to substantial pollutant concentrations from construction of the project. A less than significant impact would occur.

d. The proposed project would not result in emissions that would affect a substantial number of people. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**BIOLOGICAL RESOURCES** Would the project:

**7. Wildlife & Vegetation**

a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?

b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?

c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?

f) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**Source(s):**

Riverside County Environmental Programs Department  
2006 *Burrowing Owl Survey Instruction for the Western Riverside Multiple Species Habitat Conservation Plan Area*. 29 March 2006

Tetra Tech, Inc.

2019 Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis, Tentative Tract Map No. 37358, Pacific Rose II (Appendix B).

**Findings of Fact:**

a) A Consistency Analysis (Analysis) report was prepared to summarize the biological data at the site for the proposed Pacific Rose II Tentative Tract Map (TTM) 37358 project and to document the project's consistency with the goals and objectives of the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP) (Plan). The Plan specifies that the project area be surveyed to determine if habitat conditions are suitable for the presence of burrowing owl (*Athene cunicularia hypogea*). The project site is outside an MSHCP Criteria area species survey area. The project site is also outside a mammal survey area and, finally, is not in a narrow endemic plant survey area. Consistent with the Plan, a biological reconnaissance assessment of the site was conducted on October 31, 2017 to determine if suitable habitat is present for burrowing owl. The site is undeveloped fields dominated by non-native grasses and ruderal plants. Based on a biological reconnaissance assessment

conducted at the site, no suitable habitat for burrowing owl was observed. To ensure no conflicts with the plan and reduce impacts to burrowing owl that may result from project implementation, **Mitigations BIO-1 and BIO-2** are required to reduce impacts to a less than significant level.

b) No suitable habitat for endangered or threatened species as listed in Title 14 of the California Code of Regulation or Title 50 Code of Federal Regulations were observed during the reconnaissance survey of the site. The site has been subject to past agricultural practices and active weed management. No impact would occur.

c) The site reconnaissance was conducted to determine if suitable habitat is present at the site for burrowing owl, a California Species of Special Concern. At the time of the survey, no suitable habitat for this special status species was observed. To ensure no significant impacts to this sensitive species occurs as a result of the project, **Mitigations BIO-1 and BIO-2** shall be implemented to reduce impacts to a less than significant level.

d) The project site is surrounded on the north and west by residential developments. Two roads with undeveloped fields are found on southern and eastern sides of the site. Residential developments are found beyond the undeveloped fields. As a result, the site is not within a native resident or migratory corridor and development of the site will not interfere with the movement of any native, resident or migratory fish or wildlife species. No impact would occur.

e-f) No riparian habitat, sensitive natural communities as identified by the County of Riverside, wetlands, vernal pools were observed during the site survey. The site is dominated by non-native ruderal weeds. No suitable conditions for riparian habitat, sensitive natural communities, wetlands and/or vernal pools were observed during the site reconnaissance. Development of the site would not cause the removal of State or federally protected wetlands. No impact would occur.

g) No trees were observed at the site during the reconnaissance survey. As a result, development of the site will not conflict with local policies or ordinances regarding tree preservation. As there were no trees noted at the site, no impacts to tree nesting birds or raptors would occur. No impact would occur.

Mitigation: The following mitigations are required.

**BIO-1** Prior to the start of earth disturbance for each project phase, a training session shall be conducted by a qualified biologist for all workers. For the project site, the species of concern would be burrowing owls. The training shall include a description of the burrowing owl, its habitat, the general provisions as a California Species of Concern as defined by the CDFW, requirements for conservation of burrowing owl in the Plan, penalties associated with violating provisions of either California Department of Fish and Game Code or the Plan, and general measures that are being implemented to conserve burrowing owl. Attendance and understanding of the materials presented at the training session will be documented and maintained as part of the project file.

**BIO-2** Within 30 days from the start of earth disturbance, an additional habitat assessment of the site will be completed to determine if site conditions have changed. If suitable habitat for burrowing owls is observed at the Site, Step II, Part A/Part B Focused Burrow/Burrowing Owl surveys (Riverside County Environmental Programs Department 2006) will be required.

Monitoring: No monitoring is required.

<b>CULTURAL RESOURCES</b> Would the project:				
<b>8. Historic Resources</b>				
a) Alter or destroy a historic site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a historical resource, pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Applied Earthworks, Inc.

2019 Phase I Cultural Resource Assessment for the Rose II Project in Romoland, Riverside County, California (Appendix C).

**Findings of Fact:**

a-b) A Phase I cultural resources survey of the site has been completed. The records search noted cultural resources recorded within a one-mile radius from the site. Six historic archeological sites, one archaeological site with both prehistoric and historic artifacts, and ten built environment sites were noted cultural resources within one mile of the project site. A reconnaissance survey of the site was conducted. No historic aged features were observed at the site. Development of the site will not cause a substantial adverse change to a historic resource. No impact would occur.

**Mitigation:** No mitigation is required.

**Monitoring:** No monitoring is required.

<b>9. Archaeological Resources</b>				
a) Alter or destroy an archaeological site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Source(s):**

Applied Earthworks, Inc.

2019 Phase I Cultural Resource Assessment for the Rose II Project in Romoland, Riverside County, California (Appendix C).

**Findings of Fact:**

a-b) Based on the results of the record review conducted during the Phase I Cultural Resources Assessment of the project site, no previously recorded cultural resources were noted at the site. A field survey of the site determine that there are no archaeological sites were detected during the site reconnaissance. Due to the level of disturbance, it was determined that the presence of cultural resources within the project site was not likely. In the event that cultural resources are discovered during project implementation, **Mitigations CR-1** and **CR-2** will be implemented to reduce impacts to a less than significant level.

c) No formal cemeteries are located within the project area or within the project area and no known human remains occur in the area. No impact would occur. In the event that human remains are encountered during earthwork, Mitigation **CR-3** will be implemented to reduce potentially significant impacts to a less than significant level.

**Mitigations:**

**CR-1** In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period.

**CR-2** If significant pre-contact cultural resources are discovered and avoidance cannot be ensured, the archaeologist shall develop a Cultural Resources Monitoring and Treatment Plan (Plan) for review and

acceptance by the County of Riverside. The archaeologist shall monitor the remainder of the ground-disturbance portion of the project and implement the Plan accordingly.

**CR-3** In the unlikely event of an accidental discovery of any human remains are encountered during any earthwork activities, all work will cease in the immediate vicinity (within a 100-foot buffer of the find) and the applicant will comply with Health and Safety Code 7050.5 and notify the Riverside County Coroner, The Riverside County Coroner will make a determination of origin and disposition pursuant to PRC Section 5097.98. State law requires the Native American Heritage Commission (NAHC) be notified in the event the remains are determined to be prehistoric or of Native American origin. The NAHC shall determine and notify a Most Likely Descendant (MLD) who may inspect the site of the discovery within 48-hours of notification by the NAHC. The MLD may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burials. In addition, a Native American monitor will be present to identify the find in compliance with state law

Monitoring: Should unanticipated resources be discovered, monitoring pursuant to CR-1 and CR-2 would be required.

<b>ENERGY</b> Would the project:				
<b>10. Energy Impacts</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**  
 Riverside County  
 2019a Climate Action Plan (CAP), Building Energy Efficiency Standards for Residential and Non-Residential Buildings.

Findings of Fact:

a) During project implementation, construction could result in more intensive development at the site and as such, result in incrementally greater construction energy usage. Construction energy consumption would result primarily from transportation fuels (e.g., diesel and gasoline) used for construction equipment, heavy-duty construction equipment, and construction workers traveling to and from the site. Heavy-duty construction equipment associated with grading, utilities, paving, and building construction would include equipment such as excavators, graders, tractors/loaders/backhoes, dozers, scrapers, air compressors, cranes, forklifts, generators, welders, rollers, trenchers and pavers. Most of the equipment would likely be diesel-fueled; however, smaller equipment, such as welders and generators may be electric-, gasoline-, or natural gas-fueled.

The number of construction workers that would be required would vary based on the phase of development and activity taking place. Construction contractors would seek to hire construction workers from the local workforce, which would minimize commuting distances and overall vehicle miles traveled. Hiring from the local workforce would reduce fuel consumption and reduce the wasteful, inefficient, and unnecessary consumption of energy. The annual average construction fuel usage by the Project would likely represent a small fraction of the State's annual fuel usage.

The proposed project would utilize construction contractors who demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. CARB has adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants. This measure prohibits diesel-

fueled commercial vehicles greater than 10,000 pounds from idling for more than five minutes at any given time. CARB has also approved the Truck and Bus regulation (CARB Rules Division 3, Chapter 1, Section 2025, subsection (h)) to reduce NOX, PM10, and PM2.5 emissions from existing diesel vehicles operating in California.

In addition to limiting exhaust from idling trucks, CARB recently promulgated emission standards for off-road diesel construction equipment of greater than 25 horsepower. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. While intended to reduce construction criteria pollutant emissions, compliance with anti-idling and emissions regulations would also result in efficient use of construction-related energy and the minimization or elimination of wasteful and unnecessary consumption of energy.

The residences will be constructed in compliance with the most recent California Code of Regulations (Title 24, Part 1) for energy and water efficiency. Building energy efficiency standards are designed to reduce wasteful, uneconomic, inefficient or unnecessary consumption of energy, and enhance outdoor and indoor environmental quality. As a result, construction and occupation of the single-family

b) The proposed project would not conflict or obstruct with local or state plans for renewable energy or energy efficiency. Consistent with County of Riverside building codes, solar panels will be installed on the rooftops of all residential units. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**GEOLOGY AND SOILS** Would the project directly or indirectly:

11. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones

a) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

**Source(s):**

Riverside County

2019b Conditions of Approval, County Geologic Report No. 190017, Updated Geotechnical Report, Pacific Rose II, Tentative Tract Map No. 37358, Romoland area of the County of Riverside, California, Dated March 22, 2019 (Appendix D).

2019d General Plan, Safety Element, Figure S-2 "Earthquake Fault Study Zone".

Findings of Fact:

a) As shown on Figure S-2, "Earthquake Fault Study Zone", of the Riverside County General Plan, the project site is not located in an Alquist-Priolo Fault Zone. Further, a geotechnical report prepared for the project and Riverside County Planning Department has identified that active faults are not known to exist within the project area and confirmed that the project site is not located within a designed Alquist-Priolo earthquake fault zone (Appendix D). No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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**12. Liquefaction Potential Zone**

a) Be subject to seismic-related ground failure, including liquefaction?

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**Source(s):**

Riverside County

2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 13 "Seismic Hazard", December 6, 2016.

2019 Conditions of Approval, County Geologic Report No. 190017, Updated Geotechnical Report, Pacific Rose II, Tentative Tract Map No. 37358, Romoland area of the County of Riverside, California, Dated March 22, 2019 (Appendix D).

Findings of Fact:

a) As shown on Figure 13, of the Harvest Valley/Winchester Area Plan, the project site is located on soils with a low susceptibility for liquefaction in the event of a seismic event. In addition, the geotechnical report prepared for the project and Riverside County Planning Department have determined that there is a minimal to nil potential for liquefaction of soils present at the site during a seismic event. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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**13. Ground-shaking Zone**

a) Be subject to strong seismic ground shaking?

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**Source(s):**

California Department of Conservation

2010 Fault Activity Map of California. <http://maps.conservation.ca.gov/cgs/fam/>. Accessed 02 January 2020.

Riverside County

2019b Conditions of Approval, County Geologic Report No. 190017, Updated Geotechnical Report, Pacific Rose II, Tentative Tract Map No. 37358, Romoland area of the County of Riverside, California, Dated March 22, 2019 (Appendix D).

Findings of Fact:

a) The closest active fault zone to the project area is the Casa Loma fault zone located approximately 10 miles northeast of the site. While the project is located in Southern California and subject to the effects of ground shaking during a local seismic event, the geotechnical study completed for the project site and conclusions by Riverside County have indicated that the potential for fault surface rupture on the subject site is very low. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**14. Landslide Risk**

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?

**Source(s):**

Riverside County

2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 15 "Slope Stability", December 6, 2016.

**Findings of Fact:**

a) As shown on Figure 15, of the Harvest Valley/Winchester Area Plan, the project site is located in an area with no susceptibility to landslides. No impact would occur.

**Mitigation:** No mitigation is required.

**Monitoring:** No monitoring is required.

**15. Ground Subsidence**

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?

**Source(s):**

Riverside County

2019b Conditions of Approval, County Geologic Report No. 190017, Updated Geotechnical Report, Pacific Rose II, Tentative Tract Map No. 37358, Romoland area of the County of Riverside, California, Dated March 22, 2019 (Appendix D).

**Findings of Fact:**

a) Based on the geotechnical study completed for the project site and conclusions by Riverside County there is the potential for subsidence and ground fissures resulting from construction of the project. Implementation of mitigation **GEO-1**, subsidence and fissuring as a result of construction of the project would be mitigated to a less than significant level.

**Mitigation:**

**GEO-1** The project applicant will incorporate in the project design remedial grading recommendations provided in the geotechnical study completed for the project as well as the Conditions of Approval, County Geologic Report No. 190017.

**Monitoring:** No monitoring is required.

**16. Other Geologic Hazards**

a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?



**Source(s):**

Riverside County

2008 Ordinance 458, An Ordinance of the County of Riverside Amending Ordinance No. 458 Regulating Flood Hazard Areas and Implementing the National Flood Insurance Program.

2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 11 "Special Flood Hazard Areas", December 6, 2016

2019b Conditions of Approval, County Geologic Report No. 190017, Updated Geotechnical Report, Pacific Rose II, Tentative Tract Map No. 37358, Romoland area of the County of Riverside, California, Dated March 22, 2019 (Appendix D).

**Findings of Fact:**

a) Seiches are large standing waves generated within an enclosed body of water. The project site is located 5.3 miles south of Perris Dam. Based on a review of Figure 11, the site is within the inundation limits of Perris Dam. The dam was originally constructed from 1970 to 1973 and seismic retrofits designed to withstand a magnitude 7.5 earthquake have been recently completed. With adherence to the flood proofing and flood protection requirements of Riverside County Ordinance Number 458, impact would be less than significant.

**Mitigation:** No mitigation is required.

**Monitoring:** No monitoring is required.

<b>17. Slopes</b>				
a) Change topography or ground surface relief features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in grading that affects or negates subsurface sewage disposal systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Riverside County

2019b Conditions of Approval, County Geologic Report No. 190017, Updated Geotechnical Report, Pacific Rose II, Tentative Tract Map No. 37358, Romoland area of the County of Riverside, California, Dated March 22, 2019 (Appendix D).

**Findings of Fact:**

a-c) Construction of the project would not change the current, relatively flat topography of the site. No cut or fill slopes greater than 2:1 or higher than 10 feet would be required. The site is undeveloped, and construction of the project would not affect or negate subsurface sewage disposal systems. No impacts would occur.

**Mitigation:** No mitigation is required.

**Monitoring:** No monitoring is required.

<b>18. Soils</b>				
a) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2019), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Riverside County

2019b Conditions of Approval, County Geologic Report No. 190017, Updated Geotechnical Report, Pacific Rose II, Tentative Tract Map No. 37358, Romoland area of the County of Riverside, California, Dated March 22, 2019 (Appendix D).

**Findings of Fact:**

a) Prior to construction, the project applicant will prepare a Stormwater Pollution Prevention Plan (SWPPP) that will identify Best Management Practices (BMPs) that will be used during construction to prevent soil erosion from either stormwater or wind. Upon completion of the project, the site would be fully developed, and loss of topsoil would not occur. No impacts would occur.

b) Based on the geotechnical study completed for the project site and conclusions by Riverside County, soils present at the site have a low to very low expansion potential. Soils present at the site would not create a substantial direct or indirect risk to life or property. No impacts would occur.

c) The residential development would be constructed to allow connection to the local sanitary sewer system. Waste water generated by the residences would be managed by Eastern Municipal Water District. No impacts to septic tanks or alternative waste water disposal systems would occur. No impacts would occur.

**Mitigation:** No mitigation is required.

**Monitoring:** No monitoring is required.

<b>19. Wind Erosion and Blows and from project either on or off site.</b>				
a) Be impacted by or result in an increase in wind erosion and blow sand, either on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Riverside County

2019d General Plan, Safety Element, Figure S-8 "Wind Erosion Susceptibility".

**Findings of Fact:**

a) Based on a review of Figure S-8 in the Riverside County General Plan, the project site has not been identified as an area with a wind erodibility rating. No impact would occur.

**Mitigation:** No mitigation is required.

Monitoring: No monitoring is required.

**GREENHOUSE GAS EMISSIONS** Would the project:

**20. Greenhouse Gas Emissions**

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Source(s):**

RK Engineering Group, Inc.

2020a Rose II TTM-37358 Single Family Residential Air Quality and GHG Analysis County of Riverside, June 16, 2020 (Appendix A).

Riverside County

2019a Climate Action Plan (CAP), Building Energy Efficiency Standards for Residential and Non-Residential Buildings

**Findings of Fact:**

a) The CalEEMod Version 2016.3.2 released October 2017 was used to calculate GHG emissions from the construction and operation of the project (RK Engineering Group, Inc. 2020a). The County of Riverside describes several goals and policies for addressing air quality and greenhouse gas in the General Plan Air Quality Element. The Riverside County General Plan Air Quality Element identifies goals, policies and programs that are meant to balance the County's actions regarding land use, circulation and other issues with their potential effects on air quality. This element in conjunction with local and regional air quality planning efforts addresses ambient air quality standards set forth by the Federal Environmental Protection Agency and the California Air Resources Board (CARB).

Some of the major Pollution Control Policies are listed as follows.

- **Multi-jurisdictional Cooperation.** Local land use patterns, emission sources, and airflow patterns throughout Southern California contribute to the air quality of Riverside County. The County can enact policies that limit emissions within its boundaries, it is necessary to support efforts to decrease region-wide pollution emissions as surrounding jurisdictions significantly impact Riverside County's air quality.
- **Sensitive Receptors.** Riverside County refers to sensitive receptor as those segments of the population most susceptible to poor air quality (i.e. children, elderly and the sick) and to certain at-risk sensitive land uses such as schools, hospitals, parks, or residential communities. Riverside County has developed several policies to reduce the negative impacts of poor air quality on Riverside County's sensitive receptors.
- **Stationary Pollution Source.** The Riverside County requires all developments to comply with energy use guidelines detailed in Part 6 (California Energy Code) and/or Part 11 (California Green Building Standard Code) of Title 24 of the California Code of regulations. The County also require stationary air pollution sources to comply with applicable air district rules and control measures.

- **Energy Efficiency and Conservation.** County of Riverside established recycling and conservation efforts to reduce the amount of pollutants emitted within Riverside County. Efforts to recycle wastes can reduce the amount of pollutants emitted from the production of new materials while preserving raw materials.

Riverside County encourages the incorporation of energy-efficient design elements, including appropriate site orientation and the use of shade and windbreak trees to reduce fuel consumption for heating and cooling.

Riverside County is the lead agency under CEQA for the proposed project, and therefore, GHG thresholds of significance are based on the adopted Riverside County Climate Action Plan (CAP). The 2019 Climate Action Plan (CAP) Update was approved on December 17, 2019. The 2019 CAP Update refines the County's efforts to meet greenhouse gas (GHG) reduction strategies, specifically for the years 2035 and 2050. The 2019 CAP Update builds upon the GHG reduction strategies in the 2015 Climate Action Plan. The implementation mechanisms for the CAP are the Screening Tables for New Development. The Screening Tables allow new development projects a streamlined option for complying with CEQA requirements for addressing GHG emissions. Additionally, Riverside County's Climate Action Plan details policies to reduce emissions from municipal and community-wide sources; including emissions from existing buildings and new development. Projects have the option of preparing a project-specific technical analysis to quantify and mitigate GHG emissions. The CAP provides that a threshold level above 3,000 metric tons of carbon dioxide equivalents (includes carbon dioxide, methane, nitrous oxide, and/or hydrofluorocarbon) (MTCO<sub>2e</sub>) per year will be used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions (RK Engineering Group, Inc. 2020a).

As part of the CAP, the proposed project is required to comply with Measure R2-CE1 regarding the use of clean energy as the project is the development of more than 75 new residents. Solar panels for generating clean electricity will be installed on the roof of each residence. In addition, each residences will be constructed in compliance with the most recent California Code of Regulations (Title 24, Part 1) for energy and water efficiency. These standards are designed to reduce wasteful, uneconomic, inefficient or unnecessary consumption of energy.

The screening tables are setup similar to a checklist, with points allocated to certain elements that reduce greenhouse gas emissions. If a project garners 100 points (by including enough GHG reducing elements), then the project is consistent with Riverside County's plan for reducing emissions. Greenhouse gas emissions were estimated for on-site and off-site construction activity using the CalEEMod. The following table shows the construction greenhouse gas emissions, including equipment and worker vehicle emissions for all phases of construction. Construction emissions were averaged over 30 years and added to the long-term operational emissions, pursuant to SCAQMD recommendations. CalEEMod annual GHG output calculations are provided in Appendix A-1.

### Construction Greenhouse Gas Emissions

Activity	Emissions (MTCO <sub>2e</sub> ) <sup>1</sup>		
	On-site	Off-site	Total
Site Preparation	51.66	2.57	54.23
Grading	182.46	6.18	188.64

Building Construction	899.77	407.09	1,306.86
Paving	45.43	3.11	48.54
Architectural Coating	7.04	11.13	18.17
<b>Total</b>	<b>1,186.36</b>	<b>430.08</b>	<b>1,616.44</b>
<b>Averaged over 30 years<sup>2</sup></b>	<b>39.55</b>	<b>14.34</b>	<b>53.88</b>

<sup>1</sup> MTCO<sub>2e</sub> = metric tons of carbon dioxide equivalents (includes carbon dioxide, methane, nitrous oxide, and/or hydrofluorocarbon).

<sup>2</sup>The emissions are averaged over 30 years and added to the operational emissions, pursuant to SCAQMD recommendations.

Greenhouse gas emissions are estimated for on-site and off-site operational activity using CalEEMod. Greenhouse gas emissions from mobile sources, area sources and energy sources are shown in the following table. CalEEMod annual GHG output calculations are provided in Appendix A-1.

### Operational Greenhouse Gas Emissions

Emission Source	GHG Emissions (MTCO <sub>2e</sub> ) <sup>1</sup>
Mobile Source	1,758.39
Energy Source	730.78
Area Source	40.13
Water	78.41
Waste	91.34
Construction (30-year average)	53.88
<b>Total Annual Emissions</b>	<b>2,641.07</b>
SCAQMD Tier 3 Screening Threshold <sup>2</sup>	3,000
Exceed Tier 3 Threshold?	No

<sup>1</sup> MTCO<sub>2e</sub> = metric tons of carbon dioxide equivalents

<sup>2</sup> Per South Coast Air Quality Management District (SCAQMD) Draft Guidance Document - Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008

As shown in the above table, the analysis compares the project's GHG emissions to the SCAQMD's Tier 3 approach, which limits GHG emissions to 3,000 MTCO<sub>2e</sub> for residential projects. The project will achieve the required GHG reduction or meet the efficiency thresholds established in the Tier 3 requirements. In addition, the on-site and off-site GHG emissions will be below the 3,000 MTCO<sub>2e</sub> that have been set by the County of Riverside CAP. Furthermore, the project will comply with the mandatory requirements of Title 24 Part 1 of the California Building Standards Code and Title 24 Part 6 Building and Energy Efficiency Standards. A less than significant impact would occur.

b) GHG emissions would conflict with applicable plans, policy or regulation if the proposed project conflicts with any of the plans, policies or regulations adopted for the purpose of reducing GHG emissions in the County of Riverside.

Please see the discussion in Section 20.a. of the GHG analysis completed for the construction and operation of the proposed project. Based on the analysis of project impacts, the proposed will generate less than the SCAQMD and County of Riverside CAP thresholds of GHG and, thus will be consistent with the CAP. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

<b>HAZARDS AND HAZARDOUS MATERIALS</b> Would the project:				
<b>21. Hazards and Hazardous Materials</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter (1/4) mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

- California Department of Toxic Substances Control (DTSC)  
2019 Envirostor. <https://www.envirostor.dtsc.ca.gov/public/map>.  
[https://www.envirostor.dtsc.ca.gov/public/profile\\_report?global\\_id=33010072](https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=33010072)  
Accessed 23 May 2020.
- Regional Water Quality Control Board  
2019 Geotracker. <https://geotracker.waterboards.ca.gov/map>.  
[https://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T0606500038](https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0606500038)  
Accessed on 23 May 2020.
- Riverside County  
2019d General Plan, Safety Element.

**Findings of Fact:**

a-b) The transport, use and storage of hazardous materials during construction of the project would be conducted in accordance with all applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Materials

Management Act and California Code of Regulations, Title 22. Once constructed, homeowners use of hazardous materials would be governed by local regulations.

c) The project applicant would be required to comply with applicable Riverside County Codes and regulations pertaining to emergency response and evacuation plans maintained by the Riverside County Sherriff's Department and Riverside County Fire Department. All construction activities and staging would occur on-site, and no street or land closures would be required during construction. The tract would be a single-family home development with no restricted entries or exits. There would be no commonly maintained facility at which to gather for emergency protection. The residential development would not conflict with the Riverside County Emergency Operations Plan. No impact would occur.

e) The project site has not been identified as a hazardous materials site in databases maintained by the DTSC or RWQCB. The closest site recorded on the EnviroStor database maintained by the DTSC to the project area is a site identified as Perris Union High School District Highschool Number 3, Briggs Road and Pinacate Road, Romoland. A No Further Action for this site was recorded on March 19, 2003 for soil impacts from polychlorinated biphenyls, polyaromatic hydrocarbons, and petroleum, A review of the Geotracker database supported by the RWQCB identified a closed Leaking Underground Storage Tank (LUST) site at 26100 Menifee Road, Romoland California more than one mile from the site. The LUST site was recorded by the RWQCB as of April 4, 1988. No impact would occur.

d) There are no existing schools within one-quarter mile of the project site. The closest school to the site, Harvest Valley Elementary School, 29955 Watson Road, Menifee, California, is more than 2 miles to the southeast. Use of hazardous materials during construction of the project would be conducted in accordance with all applicable State and federal laws. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

<b>22. Airports</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Result in an inconsistency with an Airport Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require review by the Airport Land Use Commission?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Airport Land Use Commission Riverside County

2019 Airport Land Use Commission (ALUC) Development Review, Riverside County, File No. ZAP1376MA19, Case CZ1800012 (Change of Zone), TTM 37358 (Tentative Tract Map)

Riverside County

2004 General Plan. Appendix L-1: Riverside County Land Use Compatibility Plan, Volume 1, Part 1 of 2.

2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 6 "MJARB Airport Influence Area", December 6, 2016.

2019d General Plan, Safety Element, Figure S-20, "Airport Locations".

Findings of Fact:

- a) The proposed project is the construction of a single-family residential development. Its location 10.6 miles/56,225 feet from MJARB is consistent with the Airport Master Plan. No impact would occur.
- b) The proposed project has been reviewed by the Airport Land Use Commission for Riverside County. With incorporation of conditions identified by the Airport Land Use Commission for the project, the proposed development of the site was found to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. A less than significant impact would occur.
- c) Review of Figure S-10 indicates that the project site is located within the March Joint Air Reserve Base Influence Area. March Joint Air Reserve Base is located in the northwestern portion of the Harvest Valley/Winchester Area Plan approximately 10 miles to the northwest of the project site. While the project site is outside the 60 decibel B (dB) Community Noise Equivalent Level (CNEL) noise contour for aircraft using the facility, it is within an influence area where safety considerations, overflights or noise may be a factor for land uses. Decibel B is a measurement of sound as filtered over several octaves and is used to measure sound at very high sound pressure levels. As required by county policy, all real estate transactions for new developments within an airport influence area, the existence of aircraft overflights must be disclosed. A less than significant impact would occur.
- d) The project area is not within the vicinity of a private airport or heliport. The closest privately owned airport is the Perris Valley Airport located more than two miles to the east of the project site. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

<b>HYDROLOGY AND WATER QUALITY</b> Would the project:				
<b>23. Water Quality Impacts</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in substantial erosion or siltation on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



f) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) In flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Allard Engineering

2019 Tentative Tract Map No. 37358, Pacific Rose-II, Preliminary Drainage Report (Appendix E).

Riverside County

2012 Santa Ana Water Quality Management Plan <http://content.rcflood.org/NPDES/Developers.aspx>. Accessed 23 May 2020

2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 11 "Special Flood Hazard Areas", December 6, 2016

Riverside County Department of Environmental Health

2017 Tentative Map Preliminary Clearance (SAN053), Domestic Water and Sewage Disposal for TTM 37358 by Eastern Municipal Water District (Appendix F).

**Findings of Fact:**

a) The project area has no surface water bodies within the site or adjacent to the site. The proposed development of the site would include creation of a stormwater management system for surface water generated at the site due to storms. Stormwater would be directed to Water Quality Management Plan (WQMP) basins constructed in compliance with RWQCB Order Number R8-2010-0033, NPDES No. CAS 618033 and will be located within the site (Figure 2) (Appendix E). Sediments transported in stormwater flow would be trapped by the WQMP basins and not allowed to leave the site. Most runoff and most of the potential for conveyance of pollutants are produced by frequent storms of smaller or moderate intensity and duration. Stormwater BMPs such as the WQMP basins are designed to treat stormwater and the first flush of larger storms that may convey pollutants in sheet flow of stormwater. In addition to managing stormwater flows from surfaces associated with the project, the WQMP basins would also protect groundwater resources by treating pollutants that may be in the stormwater they detain. A less than significant impact would occur.

b) The project would not include construction of groundwater wells or pumping facilities. The residential development would require potable water. The local water purveyor is Eastern Municipal Water District who has agreed to furnish domestic water to all lots within the project (Appendix F). A less than significant impact would occur.

c) The project would include construction of impervious surfaces associated with roads and homes. Stormwater generated within the project area would be managed such that any runoff would be directed to on-site WQMP basins and no impact to any off-site drainage systems would occur. No impacts would occur.

d) As indicated in Section 18, Soils, prior to construction, the project applicant will prepare a SWPPP that will identify BMPs that will be used during construction to prevent soil erosion from either stormwater or wind. Utilized BMPs would prevent erosion or siltation both on- and off-site. A less than significant impact would occur.

e-g) A preliminary drainage report completed for the project site to determine existing and developed stormwater runoff (Allard Engineering, 2019) (Appendix F). The drainage report determined that with the proposed development of the site to include WQMP basins, would reduce potential impacts from stormwater flows to a less than significant level, and no on-site or off-site flooding would occur. Once developed, the project would not be adversely impacted by a flood event from the off-site watershed (Allard Engineering, 2019). In addition, no adverse effect from flooding to the surrounding areas found both upstream and downstream would originate from the project area (Allard Engineering, 2019). The proposed WQMP basins would have the capacity to capture and handle flows generated from the development without causing flooding. No impacts would occur.

h) As indicated earlier in Section 16, Geological Hazards, the project site is located 5.3 miles south of Perris Dam and is within the inundation limits of Perris Dam. Flood waters resulting from a breach of Perris Dam has the potential to increase the release of pollutants due to inundation of the project area. With adherence to the flood proofing and flood protection requirements of Riverside County Ordinance Number 458, impacts would be less than significant.

i) The project has been designed to include water quality bio-retention basins (Figure 2). A Water Quality Management Plan in compliance with Riverside County Flood Control requirements, has been prepared for the proposed project. As a result, the project would not conflict with the Riverside County Water Quality Management Plan for the project region. As stated earlier, the project would not include construction of groundwater wells or pumping facilities. The residential development would require potable water. The local water purveyor is Eastern Municipal Water District who has agreed to furnish domestic water to all lots within the project (Appendix F). As a result, the project would not conflict with or obstruct with a sustainable groundwater management plan. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

<b>LAND USE/PLANNING</b> Would the project:				
<b>24. Land Use</b>				
a) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**  
 Riverside County  
 2019c General Plan, Land Use Element

Findings of Fact:

a-b) Land use at project site is designated as a Medium Density Residential (MDR) in the Riverside County General Plan. Medium Density Residential describes single-family detached and attached

residences with a density range of two to five dwelling units per acres. Limited agricultural and animal keeping is permitted; however, intensive animal keeping is discouraged. Lot sizes range from 5,500 to 20,000 square feet. Adjacent land use to the site is summarized as follows:

- North, Medium Density Residential (MDR)
- South, Rural Mountainous (RM)-one dwelling per 10 acres.
- East, Rural Residential (R-R)-one dwelling per one-half acre
- West, the City of Perris-residential development, a sports field development and Eastern Municipal Water District offices and facility.

The proposed project is the construction of a residential development, which is consistent with the current land use of the site and land uses found in adjacent areas to the site. A zone change from R-1 (Single Family) and R-R (Rural Residential) to R-1(Single Family) residential will be required to support the proposed development. The proposed project would not conflict with the Riverside County land use plan. In addition, as the site is not currently developed, and the project would not physically disrupt or divide established communities such as the two residential developments found on two sides of the site. As a result, a less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

<b>MINERAL RESOURCES</b> Would the project:				
<b>25. Mineral Resources</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Potentially expose people or property to hazards from proposed, existing, or abandoned quarries or mines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Riverside County

2015b General Plan, Multipurpose Open Space Element, Figure OS-6, "Mineral Resources Area".

**Findings of Fact:**

a-b) Based on a review of Figure OS-6, Riverside County General Plan, the project site has been categorized as MRZ-3 (Mineral Zone-3) where the significance of mineral deposits is undetermined. The proposed project would be the construction of a residential development on a site that is disturbed but undeveloped. No mining activities are currently occurring on-site. The project would not result in the loss of availability of a known mineral resource that is of value on a statewide, regional, or local level. No impact would occur.

c) There are no quarries within the immediate vicinity of the project site. The closest quarry to the site is Juniper Rock Corporation, 24740 Juniper Flats Road, Homeland, California, more than three miles to the east. The project would not expose people or property to hazards associated to proposed, existing or abandoned quarries. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

<b>NOISE</b> Would the project result in:				
<b>26. Airport Noise</b>				
a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Riverside County

2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 6 "MJARB Airport Influence Area", December 6, 2016

Findings of Fact:

a) The project area is located within the March Joint Air Reserve Base Influence Area but outside the southeastern most extension of a 60 dB CNEL contour for noise generated by airplanes using the facility located more than eight miles to the north. The site is outside the Perris Valley Airport Influence Area. Perris Valley Airport is located more than two miles to the east of the site. While airplanes using the March Joint Air Reserve Base may be perceived by workers and future residents, a less than significant impact would occur.

b) The project site is not located within the vicinity of a private airstrip. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

<b>27. Noise Effects by the Project</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Source(s):**

Riverside County

2006 Ordinance No. 847 as Amended through 847.1 Regulating Noise

2015c-General Plan, Noise Element, Table N-1 "Land Use Compatibility for Community Noise Exposure", Noise Regulation 9.07

RK Engineering Group, Inc.

2020b Rose II TTM-37358 Single Family Residential Noise Impact Study, County of Riverside. California (Appendix H)

**Findings of Fact:**

a) Construction of the proposed residential development would be a source of temporary noise. Noise as perceived as ambient noise and ground-borne vibration generated by construction equipment have the potential to exceed county standards. County of Riverside Ordinance No. 847 requires that noise shall not be created or allowed to be created on any property that causes the exterior sound level on any other occupied property to exceed the sound level standards identified in the following table.

SOUND LEVEL STANDARDS ( Db <sub>Lmax</sub> )					
GENERAL PLAN FOUNDATION COMPONENT	GENERAL PLAN LAND USE DESIGNATION	GENERAL PLAN LAND USE DESIGNATION NAME	DENSITY	MAXIMUM DECIBEL LEVEL	
				7am-10pm	10pm-7am
Community Development	EDR	Estate Density Residential	2 AC	55	45
	VLDR	Very Low density Residential	1 AC	55	45
	LDR	Low Density Residential	1/2 AC	55	45
	MDR	Medium Density Residential	2-5	55	45
	MHDR	Medium High Density Residential	5-8	55	45
	HDR	High Density Residential	8-14	55	45
	VHDR	Very High Density Residential	14-20	55	45
	H'TDR	Highest Density Residential	20+	55	45
	CR	Retail Commercial		65	55
	CO	Office Commercial		65	55
	CT	Tourist Commercial		65	55
	CC	Community Center		65	55
	LI	Light Industrial		75	55
	HI	Heavy Industrial		75	75
	BP	Business Park		65	45
	PF	Public Facility		65	45
	SP	Specific Plan-Residential		55	45
	Rural Community	EDR	Estate Density Residential	2 ac	55
VLDR		Very Low Density Residential	1 ac	55	45
LDR		Low Density Residential	1/2 ac	55	45
Rural	RR	Rural Residential	5 ac	45	45
	RM	Rural Mountainous	10 ac	45	45
	RD	Rural Desert	10 ac	45	45

SOUND LEVEL STANDARDS ( Db L <sub>max</sub> )					
GENERAL PLAN FOUNDATION COMPONENT	GENERAL PLAN LAND USE DESIGNATION	GENERAL PLAN LAND USE DESIGNATION NAME	DENSITY	MAXIMUM DECIBEL LEVEL	
				7am-10pm	10pm-7am
Agriculture	AG	Agriculture	10 AC	45	45
Open Space	C	Conservation		45	45
	CH	Conservation Habitat		45	45
	REC	Recreation		45	45
	RUR	Rural	20 AC	45	45
	W	Watershed		45	45
	MR	Mineral Resources		75	45

The sound level standards established in the Riverside County Ordinance 847 for a community development such as the proposed project is summarized as follows.

Land Use	Maximum Decibel Level (L <sub>max</sub> )	
	7 am—10 pm	10 pm—7 am
Community Development (Very Low Density and Low Density Residential, Rural Residential)	55 dBA	45 dBA

County of Riverside Ordinance No. 847 indicates that construction noise is exempt from the noise ordinance, provided any of the following are satisfied.

- Private construction projects located one-quarter (1/4) of a mile or more from an inhabited dwelling; and
- Private construction projects located one-quarter (1/4) of a mile from an inhabited dwelling, provided that construction does not occur between the hours of 6:00 PM and 6:00 AM during the months of June through September; and construction does not occur between the hours of 6:00 PM and 7:00 AM during the months of October through May.

The existing noise environment for the project site and surrounding areas was established as part of the noise study (RK Engineering Group, Inc. 2020b). Ambient noise at the project area and surrounding area consists of just environmental noise includes noise from leaves rustling and chirping birds with very minimal traffic noise propagating from the adjacent roadways as summarized below.

#### Existing Traffic Noise Level Result

Roadway <sup>1</sup>	Segment	CNEL at 50ft. (dBA)	Distance to Contour (Ft) <sup>2</sup>			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
Mapes Road	Sherman Road to Antelope Road	61.8	8	24	76	240

CNEL: Community Noise Equivalent Level

dBA: A-weighted decibel

<sup>1</sup> Noise levels calculated from centerline of subject roadway

Once constructed, project is expected to increase the existing roadway noise level to approximately 2.7 dBA CNEL. The Federal Highway Administration Highway Traffic Noise Analysis and Abatement Policy and Guidance, December 2011, indicates that a change in noise level of 3 dBA is considered barely perceptible and a change in noise level of 5 dBA is considered readily perceptible to the human ear. Project-related changes in noise greater than 3 dBA would be considered to cause a significant impact. Therefore, since the change in roadway noise along Mapes Road is expected to be less than 3 dBA with the project, the impact is considered less than significant. Upon future buildout of the project, related traffic source noise is expected to increase approximately 1.6 dBA CNEL. Project related changes in noise upon buildout would be less than 3 dBA and a less than significant impact would occur.

Project construction would generate noise levels in exceedance of ambient conditions associated with the adjacent residential land uses. Noise levels during construction are anticipated to range from 73.7 dBA to 92.0 dBA and has the potential for being a significant impact to adjacent land uses. The following mitigations are proposed to reduce impacts to a less than significant level. Noise due to an increase in traffic during construction is calculated to increase by 0.8 dBA which would be less than the 3 dBA Federal Highways Administration threshold and is considered to be a less than significant impact.

Project related construction activity is not expected to cause any potential damage to the nearest structures. The annoyance potential of vibration from construction activities would range from "distinctly perceptible" (RK Engineering Group, Inc. 2020b).

**Mitigations N-1 and N-2** shall be implemented to reduce potential significant impacts from construction related ambient noise to a less than significant level.

Mitigation: The following mitigations are required.

**N-1** Construction of the proposed project shall not occur from 6:00 PM to 6:00 AM during the months of June through September or from 6:00 PM to 7:00 AM during the months of October through May.

**N-2:** During construction, the project proponent shall ensure all construction equipment is equipped with appropriate noise attenuating devices and equipment shall be maintained so that vehicles and their loads are secured from rattling and banging. Idling equipment will be turned off when not in use. Locate staging area, generators and stationary construction equipment as far from adjacent residences, as reasonably feasible. No impact pile driving activities are expected to occur on the project site during construction. If impact pile driving is required, a follow-up noise and vibration impact assessment shall be conducted and vibration monitoring program shall be performed, prior to start of any pile driving activity.

Monitoring: Mitigation will be monitored through the construction phases of the project.

b). The construction vibration assessment was conducted and was based on the methodology set-forth within the Caltrans Transportation and Construction Induced Vibration Guidance Manual (RK Engineering Group, Inc. 2020b). The vibration impacts from vibratory rollers and compactors, heavy truck loading and bulldozer activity were analyzed. All vibratory activity was analyzed as a continuous and/or frequent event. It is expected that vibration levels will be highest during paving phase. No impact pile driving is expected as part of this project. If impact pile driving is required, implementation of Mitigation Measure N-2 will be implemented. A less than significant impact would occur.

**PALEONTOLOGICAL RESOURCES:**

**28. Paleontological Resources**

a) Directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature?

**Source(s):**

Applied Earthworks, Inc.

2018 Paleontological Resource Impact Mitigation Program (PRIMP) for the Rose II Project in Romoland, Riverside County, California. Draft.

**Findings of Fact:**

a) The County of Riverside has developed its own guidelines for determining paleontological sensitivity of a project site and provides for measures to follow to mitigate adverse impacts to known or known fossil resources discovered during construction. The project site has been determined to have a High B (Hb) paleontological resource potential and fossils are likely at or below four feet in depth (Applied Earthworks, Inc, 2018). As a result, to reduce impacts to paleontological resources to a less than significant level, mitigation and monitoring procedures identified in **Mitigation Paleo-1** shall be implemented.

**Mitigation:** The following mitigation is required.

**Paleo-1:** The Draft Paleontological Resource Impact Mitigation Program (PRIMP) will submitted to the County of Riverside for review and acceptance. Upon acceptance, a Final PRIMP that identifies mitigation and monitoring procedures to be followed during earthwork that occurs at and/or greater than 4 feet below grade at the site.

**Monitoring:** Monitoring during earthwork at and/or greater than four feet below in compliance with the Final PRIMP by a qualified paleontologist will be required.

**POPULATION AND HOUSING** Would the project:

**29. Housing**

a) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?

c) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**Source(s):**

Riverside County

2015a General Plan, Appendix F-1: Population and Employment Forecasts

**Findings of Fact:**

a-b) The proposed project is construction of the site as residential development. As a result, the project would not cause displacement of existing people or housing requiring construction of replacement housing elsewhere. In addition, the project is development of housing and would not cause a demand for additional housing. No impact would occur.



c) The proposed residential development is forecast to increase the local population by approximately 422 persons. The most probable forecast for the population in the Harvest Valley/Winchester planning area given demographics and economic trends in 2015 for 2020 and 2035 is an increase from 16,177 in 2010 to 26,839 in 2020 and 46,950 in 2035. An increase of 422 persons from construction of this project would represent an increase in population of 1.5% in 2020 and 0.09 in 2035. This minor increase in population will not induce substantial unplanned population growth in the area. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**PUBLIC SERVICES** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

**30. Fire Services**

**Source(s):**

Riverside County  
2019c General Plan, Safety Element, Figure S-11.

**Findings of Fact:**

The proposed development will meet all minimum standards for fire safety as defined in the Riverside County Building Fire Codes. In addition, standards and guidelines of the California Building Code and California Fire Code fire safety provisions will be incorporated as required in the building design and construction of residences within the planned development. Design of the residential development will ensure that structural and non-structural architectural elements of the dwellings will not impede emergency egress for fire safety staffing/personnel, equipment and apparatus. Evacuation from fire hazards would not be impeded. The project site has not been identified in a Fire Hazard Severity Zone. While there would be an increase in the need for existing fire services as a result of the project, the project would comply with existing County ordinances for payment with utilities and public services mitigation fees that reduce incremental impacts to these services. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**31. Sheriff Services**

**Source(s):**

Riverside County  
2019c General Plan, Safety Element.

**Findings of Fact:**

The City of Perris police department contracts with the Riverside County Sherriff to provide police services to the Romoland area and located approximately three miles to the northeast from the project site. The minor increase in population from construction of the residential development would cause an increase in need for police services. The project would comply with existing County ordinances for

payment with utilities and public services mitigation fees that reduce incremental impacts to these services. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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**32. Schools**

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**Source(s):**

Romoland School District

2020 General information regarding Romoland School District.

<https://www.romoland.net/domain/19>, accessed 1/6/2020.

**Findings of Fact:**

The project area is part of the Romoland School District that serves over 4,000 students. The Romoland School District includes four elementary schools (kindergarten- 5<sup>th</sup> grade) and one middle school (6<sup>th</sup> to 8<sup>th</sup> grade). High school students (9 to 12 grade) matriculate to Heritage High School that is located within the Perris Union School District. A minor increase in population from construction of the development would cause an increase in students for the school district. The project is required to comply with School Mitigation Impact Fees to provide adequate school services. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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**33. Libraries**

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**Source(s):**

Riverside County Library System

2020 Romoland Branch Library. <http://www.rivlib.net/website/branch-page-829/location/Romoland>; accessed 1/6/2020

**Findings of Fact:**

The closest library to the project area is the Romoland Library located at Heritage High School, 36001 Briggs Road, Sun City, California 92585 located about two miles to the southeast. A minor increase in population from construction of the development would result in a less than significant increase in the use of local libraries. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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**34. Health Services**

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**Source(s):** Riverside County General Plan

**Findings of Fact:**

Menifee Valley Medical Center

2020 Menifee Global Medical Center. <http://menifeeglobalmedicalcenter.com/>. Accessed 1/6/2020

An increase in population resulting from the residential development of the site would cause an increase in the need for health services by residents. The closest medical facility to the project site is Menifee Valley Medical Center, 28400 McCall Boulevard, Menifee, California located about 2.5 miles south of the project area. A minor increase in population from construction of the development would result in a less than significant increase in the use of medical facilities in the region. A less than significant impact would occur.

**Mitigation:** No mitigation is required.

**Monitoring:** No monitoring is required.

**RECREATION** Would the project:

**35. Parks and Recreation**

a) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

b) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

c) Be located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?

**Source(s):**

Riverside County

2006 Ordinance No. 659.7 (Establishing Development Impact Fees).

2014 Ordinance No. 460.152 (Regulating the Division of Land of the Riverside County).

**Findings of Fact:**

a) Incorporated as part of the site development are three new park areas (Figure 2). These features are included as part of the project and would not have an adverse effect on the environment. Development of the proposed parks as part of the project would not have an adverse physical effect on the environment due to project compliance with numerous County of Riverside regulations and ordinances plus mitigation measures identified in this environmental analysis. No impact would occur.

b) The minor increase in population from construction of the site as residential development has the potential for increasing uses of existing regional parks. The project is required to comply with development impact fees for regional parks. In addition, the development has its own park areas which would offset the demand for additional neighborhood parks. A less than significant impact would occur

c) The project area is not located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan. No impact would occur.

**Mitigation:** No mitigation is required.

Monitoring: No monitoring is required.

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**36. Recreational Trails**

a) Include the construction or expansion of a trail system?

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**Source(s):**

Riverside County

2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 9 "Trails and Bikeway System", December 6, 2016

2017 Circulation Element, Figure C-6, "Trails and Bikeway System".

**Findings of Fact:**

The proposed construction of a residential development would include construction of community trails along Mapes Road and Antelope Road. In addition, the project will be consistent with the Community Trail system along Mapes and Antelope as indicated in the General Plan Circulation Element and the Harvest Valley/Winchester Area Plan. These features are included as part of the project and would not have an adverse effect on the environment due to compliance of the proposed project with numerous regulations, ordinances, and mitigation measures as analyzed throughout this document. As part of the development of the project, trails would be included that would offset any impacts to trails found in the region. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**TRANSPORTATION** Would the project:

**37. Transportation**

a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

b) Conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b), in relation to potential Vehicle Miles Traveled impacts?

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

d) Cause an effect upon, or a need for new or altered maintenance of roads?

e) Cause an effect upon circulation during the project's construction?

f) Result in inadequate emergency access or access to nearby uses?

**Source(s):**

RK Engineering Group, Inc.

2020b Rose II TTM 37358 Single Family Residential Vehicle Miles Traveled (VMT) Analysis, County of Riverside (Appendix A-2).

County of Riverside

2007 Ordinance 461 Road Improvement Standards & Specifications.

2020 Draft Riverside County Transportation Analysis Guidelines for Level of Service Miles Traveled, October 2020

Office of Planning and Research

2018 Technical Advisory on Evaluating Transportation Impacts in CEQA. December 2018.

**Findings of Fact:**

a-b) Senate Bill 32 requires California to reduce GHG emissions below 1990 levels by 2030 and Executive Order B-16-12 provides a target rate of 80 percent below 1990 emissions levels for the transportation sector by 2050. The transportation sector has three means of reducing GHG emissions: increasing vehicle efficiency, reducing fuel carbon content, and reducing the amount of vehicle miles (Office of Planning and Research 2018). The California Air Resources Board (CARB) has provided a path forward for achieving these emissions reductions from the transportation sector in its 2016 Mobile Source Strategy. CARB determined that it will not be possible to achieve the State's 2030 and post-2030 emissions goals without reducing Vehicle Miles Traveled (VMT) growth. It has been concluded that to achieve the State's long-term climate goals, California needs to reduce per capita VMT (Office of Planning and Research 2018). This can occur under CEQA through VMT mitigation. Effective July 1, 2020, an analysis roadway congestion typically measured in terms of Level of Service (LOS), automobile delay or roadway capacity is no longer accepted for a CEQA determination of project-related impacts to traffic. The County of Riverside is still in the process of formally adopting criteria for evaluating VMT impacts under CEQA; including the preferred analysis methodology and thresholds of significance. However, a draft copy of the County Draft Riverside County Transportation Analysis Guidelines for Level of Service Miles Traveled, October 2020 has been circulated and was used to analyze the proposed project for impacts to traffic (RK Engineering 2020b) (Appendix A-2). The County of Riverside screening criteria threshold for a VMT analysis is for projects whose GHG emissions are less than 3,000 Metric Tons of Carbon Dioxide Equivalent (MTCO<sub>2e</sub>). As presented in Section 20,

Greenhouse Gas Emissions, the total project GHG emissions calculated on an annual basis is 2,641 MTCO<sub>2</sub>e (RK Engineering 2018) (Appendix A-1). The project qualifies for VMT screening against the Riverside County criteria. Based on the analysis of project-related GHG emission, the proposed project's impact to VMT is considered to be less than significant.

c) The proposed project is the construction of a residential development. The proposed project would not include design features or incompatible features that would affect traffic safety. Transportation infrastructure associated with the proposed project would be constructed consistent with County Ordinance 461, Road Improvement Standards & Specifications. No impact would occur.

d) The proposed project is the construction of a residential development. There would be no effect or need for a new or altered maintenance of roads. The proposed project would connect to existing roads that are currently maintained and impacts to existing roadways from the increased use by residents may occur.

e) Project construction traffic would be highest during site preparation and grading. While the exact route for construction traffic is unknown, trucks would use local roads that are currently operating at an acceptable level of service. The temporary addition of trucks during site preparation and grading is not anticipated to cause an effect upon local traffic circulation. A less than significant impact would occur.

f) During construction, access to the project site would be limited by using fencing and access control points. Upon completion of construction, emergency access to the project site and surrounding areas would not be impacted. The project has been designed to allow emergency access to residences A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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**38. Bike Trails**

a) Include the construction or expansion of a bike system or bike lanes?

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**Source(s):**

Riverside County

2017 Circulation Element, Figure C-6, "Trails and Bikeway System".

**Findings of Fact:**

The proposed project is a residential development. No construction or expansion of a bike system or bike lane is included. No impacts would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**TRIBAL CULTURAL RESOURCES** Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

**39. Tribal Cultural Resources**

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

**Source(s):**

Applied Earthworks, Inc.

2019 Phase I Cultural Resource Assessment for the Rose II Project in Romoland, Riverside County, California (Appendix C).

County of Riverside

2020 email response from Ms. Deborah Bradford, Planner. June 3, 2020

**Findings of Fact:**

a) No tribal resources that are listed or eligible for listing in the California Registered of Historic Resources, or in a local register of historic resources as defined in Public Resources Code section 5020.1 (k) were observed during the file review and field reconnaissance completed as part of the Phase I Cultural Resources Assessment at the project site. No impact would occur.

b) During the Phase I Cultural Resources Assessment completed for the proposed project, a search by the Native American Heritage Commission (NAHC) Sacred Lands Files was completed. No identified sacred places of religious or sacred activity were located within the project area. A list of Native American individuals and organizations were identified and contacted asking these individuals or organizations for their input related to the proposed project.

Upon review of the Native American contact list and by removing redundancies, 10 individuals and/or organizations traditionally and culturally affiliated with the geographic area where the Project is located were identified. A letter requesting consultation was sent to each via electronic mail on September 28, 2018 describing the Project and asking these individuals and organizations for their input. A copy of the letters, the list of contacts, and received responses are included in as part of the Phase I Cultural Resources Assessment (Appendix C). A second attempt at correspondence was made on October 12, 2018.

Individuals/organizations contacted include:

- Patricia Garcia-Plotkin, Director of the Tribal Historic Preservation Office for the Agua Caliente Band of Cahuilla Indians (ACBCI)
- Amanda Vance, Chairperson of the Augustine Band of Cahuilla Indians
- Doug Welmas, Chairperson of the Cabazon Band of Mission Indians
- Daniel Salgado, Chairperson of the Cahuilla Band of Indians
- Shane Chapparosa, Chairman of the Los Coyotes Band of Cahuilla and Cupeño Indians
- Alicia Benally, Cultural Resource Specialist for the Morongo Band of Mission Indians
- Joseph Hamilton, Chairman of the Ramona Band of Cahuilla
- Steven Estrade, Chairman of the Santa Rosa Band of Cahuilla Indians
- Joseph Ontiveros, Cultural Resource Department for the Soboba Band of Luiseño Indians
- Michael Mirelez, Cultural Resource Coordinator for the Torres-Martinez Desert Cahuilla Indians

As of October 24, 2018, five responses had been received. The Cahuilla Band of Indians noted that the Project is outside the limits of the reservation but within the Cahuilla traditional land use area. The Tribe requested to be kept informed on any updates or changes to the Project throughout the process. The Cabazon Band of Mission Indians noted that the Project is outside the reservation boundaries and their records do not indicate any sensitivity for the Project area. The Morongo Band of Mission Indians noted that the Project is within their aboriginal territory and would like a thorough records search, the presence of a Tribal monitor during the survey, and they formally request a copy of the final report. The Santa Rosa Band of Cahuilla Indians and the Agua Caliente Band of Cahuilla Indians will defer further consultation to the Soboba Band of Luiseño Indians for the Project.

In compliance with Assembly Bill 52 (AB52), notices regarding project number TTM37358, CZ1800012 were mailed to all requesting Native American tribes on 05/30/2018. Consultation was requested by Pechanga Band of Luiseño Indians, Soboba Band of Luiseño Indians and Morongo Band of Mission Indians. Requested exhibits were sent to the Morongo Band of Mission Indians on 6/28/18. On 10/30/18, the County of Riverside received an email from the Morongo Band of Mission Indians concluding AB52. Consultation with Pechanga Band of Luiseño Indians was initiated on 5/31/18. A copy of the cultural phase I report was sent to the Pechanga Band of Luiseño Indians on 11/8/18. A meeting with the Soboba Band of Luiseño Indians took place on 7/30/18. The Soboba Band of Luiseño Indians asked for a copy of the cultural phase I report. A copy of the cultural phase I report was sent on 11/8/2018. On 11/7/2019, email was sent to Pechanga Band of Luiseño Indians, Soboba Band of Luiseño Indians and Morongo Band of Mission Indians concluding AB52.

To reduce impacts to a less than significant level as relate to California Native Americans, **Mitigations TCR-1 through TCR-3** shall be implemented as part of the Conditions of Approval for the proposed project.

Mitigation: The following mitigation is required.

**TCR-1: Project Archaeologist:** Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a **Cultural Resource Monitoring Program (CRMP)**. A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval. Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of



excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

**TCR-2: Native American Monitor:** Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for a Native American Monitor. The Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources. The developer/permit applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.

**TCR-3: 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. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 50.97.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Evidence of compliance with this condition, if human remains are found, shall be provided to the County of Riverside upon the completion of a treatment plan and final report detailing the significance and treatment of the finding.

Monitoring: Native American monitoring during earthwork greater than 4 feet below grade may be requested as part of the AB52 process.

<b>UTILITIES AND SERVICE SYSTEMS</b> Would the project:				
<b>40. Water</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage systems, whereby the construction or relocation would cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Source(s):**  
 County of Riverside Department of Environmental Health  
 2017 Tentative Map Preliminary Clearance (SAN053), Domestic Water and Sewage Disposal for TTM 37358 by Eastern Municipal Water District (Appendix F).

Findings of Fact:

a-b) The residential development would require construction of infrastructure for potable water and sewer system. The local water and wastewater purveyor is Eastern Municipal Water District which has agreed to furnish domestic water to all lots within the project (Appendix F). Existing infrastructure is capable of managing local stormwater drainage and construction of additional stormwater management systems will not be required. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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<b>41. Sewer</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects?				
b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Source(s):**

County of Riverside Department of Environmental Health  
2017 Tentative Map Preliminary Clearance (SAN053), Domestic Water and Sewage Disposal for TTM 37358 by Eastern Municipal Water District (Appendix F).

Findings of Fact:

a-b) The residential development would be constructed to allow connection to the local sanitary sewer system. Wastewater generated by the residences would be managed by Eastern Municipal Water District who have agreed to provide this service to the project (Appendix F). A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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<b>42. Solid Waste</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				
b) Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Source(s):**

Riverside County  
1999 Ordinance No. 657.7 (Collection, Transfer and Removal of Solid Waste).

Findings of Fact:

a-b) Construction of the project and occupation of the residences would result in generation of solid waste. The project would be required to submit a waste recycling plan and a waste reporting form to the Riverside County Building and Safety Department to demonstrate compliance with the California Green Building Standards Code. Once developed, residence owners would be required to comply with county recycling goals. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**43. Utilities**

Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects?

a) Electricity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Source(s):**

Riverside County

2016b General Plan, Ordinance No. 348, Providing for Land Use Planning and Zoning Regulations and Related Functions of the County of Riverside.

Findings of Fact:

a-f) The project will require infrastructure to support electricity, natural gas, communication systems, and street lighting. Existing utility facilities are within roadway right of way and would require connections to serve the site. Connection of these facilities to the site are part of the project. The project would comply with existing County ordinances for payment of utilities and public services mitigation fees that reduce incremental impacts to these services. A less than significant impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**WILDFIRE** If located in or near a State Responsibility Area (“SRA”), lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief, would the project:

**44. Wildfire Impacts**

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source(s):**

Riverside County

2016a General Plan, Harvest Valley/Winchester Area Plan, Figure 12 "Wildfire Susceptibility", December 6, 2016.

Findings of Fact:

The project site is not identified as being in a Fire Hazard Severity Zone according to the Harvest Valley/Winchester Area Plan (2016a). As a result, the proposed project would not impair an adopted emergency response plan or emergency evacuation plan. The site is level and no slopes are present that could exacerbate wildfire risks. Proposed infrastructure associated with the project would not exacerbate fire risks. Flooding risks have been mitigated by the project design. The project location would not expose people or structures directly or indirectly to significant risk from wildfire. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required

<b>MANDATORY FINDINGS OF SIGNIFICANCE</b>	<b>Does the Project:</b>			
45. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Source(s):** Staff Review, Project Application Materials, Tetra Tech, Inc.

2019 Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis, Tentative Tract Map No. 37358, Pacific Rose II (Appendix B).

Applied Earthworks, Inc.

2019 Phase I Cultural Resource Assessment for the Rose II Project in Romoland, Riverside County, California (Appendix C).

Findings of Fact: Implementation of the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or

reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Mitigations for impacts to these resources would reduce impact to a less than significant level.

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46. Have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?

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**Source(s):** Staff Review, Project Application Materials

Findings of Fact:

The proposed project is a residential development project that has the potential for cumulative impacts to the environment. A comparably sized residential development project is a proposed at 27815 Via Santa Catarina in Menifee. Review of Google earth images of the site show rough grading appears to have been undertaken but no homes are built. This project is located two miles to the south of the proposed project. Both projects have the potential to cause cumulative impacts to the environment. To address potential impacts from the proposed project, the CEQA lead agency will require conditions as part of project approval that will reduce impacts. Mitigations have been identified that will further reduce cumulative impacts. With incorporation of mitigations provided in this environmental analysis, cumulative impacts would be less than significant. The project does not have impacts which are individually limited, but cumulatively considerable. A less than significant impact would occur.

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47. Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

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**Source(s):** Staff Review, Project Application Materials

Findings of Fact: Implementation of the proposed project would have the potential to result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. Incorporation of mitigations provided in this environmental analysis would reduce direct and/or indirect adverse effects on humans to a less than significant effect.

**VI. EARLIER ANALYSES**

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). No earlier analyses for the project site or area are available to use.

Earlier Analyses Used, if any: None



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

Juan C. Perez  
Agency Director



12/15/20, 1:23 pm

TTM37358

**ADVISORY NOTIFICATION DOCUMENT**

The following notifications are included as part of the recommendation of approval for TTM37358. 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 this Plan (TTM37358) 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**

Tentative Tract Map No. 37358 (TTM37358) is a proposal to subdivide 45.6 gross acres into 154 single family residential lots ranging in size from 7,200 square-feet to 12,745 square-feet, seven (7) letter lots dedicated to retention basins and open space amenities which consists of three parks, and one paseo, and three (3) remainder parcels located along the western and southern boundary of the Project site. The project is proposed to be developed in four phases.

**Advisory Notification. 3            AND - Design Guidelines**

Compliance with applicable Design Guidelines:

1. County Wide Design Guidelines and Standards

**Advisory Notification. 4            AND - EIR Mitigation Measures**

Mitigation Measures from the project's IS/MND have been incorporated as conditions of approval of this project where appropriate. Beyond these conditions of approval that have been incorporated, development of the project shall conform to the analysis, conclusions, and mitigation measures of the project's MND.

**Advisory Notification. 5            AND - Exhibits**

The development of the premises shall conform substantially with that as shown on APPROVED TENTATIVE TRACT MAP NO. 37358 and EXHIBIT(S)

- Exhibit A , Tentative Tract Map No. 37358, (Sheet 1 through Sheet 3) Dated June, 2019.  
Exhibit P , Tentative Tract Map No. 37358, Phasing Exhibit dated October 14, 2019

## ADVISORY NOTIFICATION DOCUMENT

### Advisory Notification

**Advisory Notification. 6                    AND - Federal, State & Local Regulation Compliance (cont.)**

**Advisory Notification. 6                    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)
    - State Subdivision Map Act
    - Native American Cultural Resources, and Human Remains (Inadvertent Find)
    - School District Impact Compliance
    - Civil Code Section 815.3 & Government Code Sections 65040.2 et al - SB 18 (Tribal Intergovernmental Consultation)
  
3. Compliance with applicable County Regulations, including, but not limited to:
  - Ord. No. 348 (Land Use Planning and Zoning Regulations)
  
  - Ord. No. 457 (Building Requirements)
  - Ord. No. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program)
  - Ord. No. 460 (Division of Land)
  - Ord. No. 461 (Road Improvement Standards)
  - Ord. No. 484 (Control of Blowing Sand)
  - Ord. No. 625 (Right to Farm)
  - Ord. No. 655 (Regulating Light Pollution)
  - Ord. No. 671 (Consolidated Fees)
  - Ord. No. 679 (Directional Signs for Subdivisions)
  - 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. 927 (Regulating Short Term Rentals)
  - 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. 663 Stephens Kangaroo Rat Habitat Conservation Plan (SKR)
  - 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 DOCUMENT

### Advisory Notification

**Advisory Notification. 7                    AND - Hold Harmless (cont.)**

**Advisory Notification. 7                    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 Tentative Tract Map No. 37358 or its associated environmental documentation; 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 Tentative Tract Map No. 37358, including, but not limited to, decisions made in response to California Public Records Act requests; and

(a) and (b) above are hereinafter collectively referred to as "LITIGATION."

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION 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 LITIGATION, 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.

### E Health



## ADVISORY NOTIFICATION DOCUMENT

### E Health

#### E Health. 1 ECP COMMENTS (cont.)

#### E Health. 1 ECP COMMENTS

Based on the information provided in the environmental assessment document 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 EMWD WATER & SEWER SERVICE

TR37358 is proposing to receive potable water service and sanitary sewer service from Eastern Municipal Water District (EMWD). It is the responsibility of the developer to ensure that all requirements to obtain water and sewer service are met with EMWD as well as all other applicable agencies.

### Fire

#### Fire. 1 Gen - Fire

1.) Access - Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

Minimum interior street width for parking on both sides should be 40' to allow for a 24' fire access road.

2.) Water - Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

### Flood

#### Flood. 1 FLOOD HAZARD REPORT

Tract Map (TR) 37358 is a proposal for a Schedule "A" subdivision of 45.6-acres into 153 residential lots in the Romoland area. The site is located at the northwest corner of Mapes Road and Antelope Road. Pre-Application Review (PAR) 1540 was previously reviewed by the District for this proposal.

The southern portion of the site is subject to sheet flow type runoff from a drainage area of approximately 1,600-acres to the east. The District reviewed a 2D HEC-RAS hydrologic and hydraulic analysis that was performed to quantify the 100-year offsite flood hazard to the site. Results from the model showed

## ADVISORY NOTIFICATION DOCUMENT

### Flood

#### **Flood. 1 FLOOD HAZARD REPORT (cont.)**

approximately 85 cfs impacts the eastern portion of the tract. These offsite flows will be captured and conveyed north by a shallow swale located within a lettered lot (Lot "B") and outside of the Antelope Road public right-of-way to an inlet structure of the onsite storm drain system. The storm drain connecting the offsite inlet to the onsite storm drain system is located within a 20-foot storm drain easement shown within lot No. 33. Offsite flows impacting the southern portion of the site will continue westerly within the Mapes Road public right-of-way to Sherman Road, as they do in the existing condition. Additional flood protection to the structures will be provided by elevating the entrances to the development and perimeter block walls along Antelope Road and Mapes Road. Onsite flows east of Dawson Road and approximately 85 cfs of offsite flows will be captured and conveyed through the onsite storm drain system to a 100-year detention basin located at the northwest corner of the site. The detention basin will discharge flows to an existing 36-inch RCP (Coral Street Voluntary Storm Drain Lateral "B", County of Riverside I.P. No. 030059, TR 25901). An offsite storm drain easement (at the northwest corner of Lot "A") will be required for the storm drain discharging outflow from the detention basin. Flows will be routed down to the existing capacity of this storm drain and an emergency escape provided in the event that the inlet becomes blocked.

Onsite flows west of Dawson Road are conveyed west along "A" street and are collected via two catch basins within Ball Road which discharge into a proposed detention basin east of Ball Road. This detention basin will be sized for water quality treatment and increased runoff mitigation (2-, 5-, 10-year storm events) and outlet to an existing concrete ribbon gutter located within a drainage easement as part of TR 25901. The District finds the drainage proposal acceptable in concept. The cul-de-sac for Dawson Road is in a sump condition. A 20-foot drainage easement is shown for the storm drain connecting the catch basin at the end of Dawson Road to WQMP Basin No. 4. An emergency escape for the Dawson Road catch basin shall be provided along this easement in final engineering.

A portion of this project is located within the bounds of the Homeland/Romoland Line B Sub-Watershed 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 \$15,505 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. The District will not accept personal or company checks. The drainage fee is required to be paid prior to the issuance of grading permits or issuance of building permits if grading permits are not issued.

Any questions pertaining to this project can be directed to Michael Venable at 951.955.1248 or mlvenabl@rivco.org.

#### **Flood. 2 INCREASED RUNOFF MITIGATION CRITERIA**

The development of this site would increase peak flow rates on downstream properties. Mitigation shall be required to offset such impacts. An increased runoff basin shall be shown on the exhibit and calculations supporting the size of the basin shall be submitted to the District for review. The entire area of proposed development will be routed through a detention facility(s) to mitigate increased runoff. All basins must have positive drainage; dead storage basins shall not be acceptable.

## ADVISORY NOTIFICATION DOCUMENT

### Flood

#### Flood. 2 INCREASED RUNOFF MITIGATION CRITERIA (cont.)

Storms to be studied will include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, and 10-year return frequencies. Detention basin(s) and outlet(s) sizing will ensure that none of these storm events has a higher peak discharge in the post-development condition than in the pre-development condition.

For the 2-year and 5-year events, the loss rate will be determined using an AMC I condition. For the 10-year event, AMC II will be used. Constant loss rates shall be used for the 1-hour, 3-hour, and 6-hour events. A variable loss rate shall be used for the 24-hour event.

Low Loss rates will be determined using the following:

1. Undeveloped Condition --> LOW LOSS = 90%
2. Developed Condition --> LOW LOSS = .9 - (.8 X % IMPERVIOUS)
3. Basin Site --> LOW LOSS = 10%

Where possible and feasible, the on-site flows should be mitigated before combining with off-site flows to minimize the size of the detention facility required. If it is necessary to combine off-site and on-site flows into a detention facility two separate conditions should be evaluated for each duration/return period/before-after development combination studied; the first for the total tributary area (off-site plus on-site), and the second for the area to be developed alone (on-site). It must be clearly demonstrated that there is no increase in peak flow rates under either condition (total tributary area or on-site alone), for each of the return period/duration combinations required to be evaluated. A single plot showing the pre-developed, post-developed and routed hydrographs for each storm considered, shall be included with the submittal of the hydrology study.

No outlet pipe(s) shall be less than 18" in diameter. Where necessary an orifice plate may be used to restrict outflow rates. Appropriate trash racks shall be provided for all outlets less than 48" in diameter.

The basin(s) and outlet structure(s) must be capable of passing the 100-year storm without damage to the facility. Embankment shall be avoided in all cases unless site constraints or topography make embankment unavoidable in the judgment of the General Manager-Chief Engineer.

Mitigation basins should be designed for joint use and be incorporated into open space or park areas. Side slopes should be no steeper than 4:1 and depths should be minimized where public access is uncontrolled.

A viable maintenance mechanism, acceptable to both the County and the District, should be provided for detention facilities. Generally, this would mean a CSA, landscape district, parks agency or commercial property owners association. Residential homeowners associations are discouraged.

### Planning

## ADVISORY NOTIFICATION DOCUMENT

### Planning

**Planning. 1** **Gen - Map - Expiration Date (cont.)**

**Planning. 1** **Gen - Map - Expiration Date**

The conditionally approved TENTATIVE MAP shall expire three years after the County of Riverside Board of Supervisors' original approval date, unless extended as provided by County Ordinance No. 460. Action on a minor change and/or revised map request shall not extend the time limits of the originally approved TENTATIVE MAP. If the TENTATIVE MAP expires before the recordation of the FINAL MAP, or any phase thereof, no recordation of the FINAL MAP, or any phase thereof, shall be permitted.

**Planning. 2** **Gen - Off-Site Signage**

No offsite subdivision signs advertising this land Division/development are permitted, other than those allowed under Ordinance No. 679.4. Violation of this condition of approval may result in no further permits of any type being issued for this subdivision until the unpermitted signage is removed.

**Planning. 3** **Gen - 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. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

### Planning-CUL

**Planning-CUL. 1** **If Human Remains Found**

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** **PDA07000 accepted**

County Archaeological Report (PDA) No. 7000 submitted for this project (TTM37358) was prepared by Evan Mills and Joan George of Applied Earthworks and is entitled: "Phase I Cultural Resource Assessment for the Rose II Project in Romoland, Riverside County, CA", dated November 2018. Applied Earthworks did not observe any archaeological or built-environment resources within the Project area during the cultural resource field survey. While the results of the records search indicate 21 previously recorded cultural resources have been identified within 1 mile of the Project area, most of these resources are not within close proximity to the Project area. Because the terrain throughout the Project area has been disturbed previously by residential development, agriculture, and modern dumping, intact and significant buried archaeological deposits or features are unlikely. Therefore, no further cultural resource management of the Project area is recommended. These documents are herein incorporated as a part of the record for project.

**Planning-CUL. 3** **Unanticipated Resources**

## ADVISORY NOTIFICATION DOCUMENT

### Planning-CUL

#### Planning-CUL. 3

#### Unanticipated Resources (cont.)

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.

### Planning-GEO

#### Planning-GEO. 1

#### GEO190017 ACCEPTED

County Geologic Report GEO No. 190017, submitted for the project (TTM37358), was prepared by Alta California Geotechnical, Inc. The report is titled; "Updated Geotechnical Report, Pacific Rose II, Tentative Tract Map No. 37358, Romoland area of the County of Riverside, California," dated March 22, 2019. GEO190017 concluded:

1. Active faults are not known to exist within the project and a review of Special Publication 42 indicates the site is not within a California State designated Alquist-Priolo earthquake fault zone.
2. The potential for fault surface rupture on the subject site is very low.
3. Based on the groundwater levels and the density of the underlying alluvium, the potential for liquefaction to occur onsite is minimal to nil.
4. Based on the density of the underlying alluvium, dry sand settlement is not anticipated to be a significant constraint.
5. The differential settlement due to seismic and/or static settlement is estimated at ¾-inch over a distance of 40 feet.
6. The risk of hydrocollapse within the onsite soils is considered slight, and not required to be mitigated.
7. Upon implementation of the remedial grading recommendations presented herein, the effects of subsidence and fissuring on the development will be considered negligible.
8. Due to the lack of slopes within or nearby the property, the hazards from rock fall, landslides, debris hazards, and seismically induced landsliding is not anticipated to pose a danger to the site.
9. Due to the proximity of the Perris Dam, seiche hazards are a possibility.
10. It is anticipated that the majority of materials onsite are "very low" to "low" in expansion potential.

## ADVISORY NOTIFICATION DOCUMENT

### Planning-GEO

#### Planning-GEO. 1                      GEO190017 ACCEPTED (cont.)

GEO190017 recommended:

1. Vegetation, construction debris, and other deleterious materials are unsuitable as structural fill and should be disposed of off-site prior to commencing grading/construction.
2. It is recommended to completely remove the undocumented artificial fills and the highly weathered portions of the underlying alluvium across the site and as close to the property boundaries as possible.
3. It is anticipated that the upper three (3) to five (5) feet of existing soils on the proposed building pads soils will require removal and recompaction, extending a minimum horizontal distance of five (%) feet outside the building envelope.
4. Removal bottoms should be tested to determine that the exposed soils have a minimum relative compaction of 85% of the laboratory maximum density (per ASTM test method D-1557).
5. Removal bottoms should be observed by the Project Geotechnical Consultant to make a final determination that suitable (non-weathered, limited porosity) soils have been exposed.

GEO No. 190017 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes. GEO No. 190017 is hereby accepted for planning purposes. Engineering and other Building Code parameters were not included as a part of this review or approval. This approval is not intended and should not be misconstrued as approval for grading permit. Engineering and other building code parameters should be reviewed and additional comments and/or conditions may be imposed by the County upon application for grading and/or building permits.

### Transportation

#### Transportation. 1                      Gen - TRANSPORTATION

1. The Project shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.
2. 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.
3. Alterations to natural drainage patterns shall require protecting downstream properties by means approved by the Transportation Department.
4. 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.
5. The Project shall install street name sign(s) in accordance with County Standard No. 816 and as directed by the Transportation Department.
6. All corner cutbacks shall be applied per Standard 805, Ordinance 461, except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit 'C' of the Countywide Design Guidelines.

## ADVISORY NOTIFICATION DOCUMENT

### Transportation

#### Transportation. 1                      Gen - TRANSPORTATION (cont.)

- 7. All centerline intersections shall be at 90 degrees, plus or minus 5 degrees.
- 8. At intersections, local streets (below County Collector Road Standard) shall have a minimum 50' tangent, measured from flowline/curb-face to the end of the 50' tangent section.
- 9. Ramps shall be constructed at 4-way intersections and "T" intersections per Standard No. 403, sheets 1 through 7 of Ordinance 461.
- 10. 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.
- 11. Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: <http://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955 6527.

#### Transportation. 2                      Landscape Requirement

The developer/ permit holder shall:

- 1) Ensure all landscape and irrigation plans are in conformance with the APPROVED EXHIBITS;
- 2) Ensure all landscaping is provided with California Friendly landscaping and a weather-based irrigation controller(s) as defined by County Ordinance No. 859;
- 3) Ensure that irrigation plans which may use reclaimed water conform with the requirements of the local water purveyor; and,
- 4) Be responsible for maintenance, viability and upkeep of all slopes, landscaped areas, and irrigation systems until the successful completion of the twelve (12) month inspection or those operations become the responsibility of the individual property owner(s), a property owner's association, or any other successor-in-interest, whichever occurs later.

To ensure ongoing maintenance, the developer/ permit holder or any successor-in-interest shall:

- 1) Connect to a reclaimed water supply for landscape irrigation purposes when reclaimed water is made available.
- 2) Ensure that landscaping, irrigation and maintenance systems comply with the Riverside County Guide to California Friendly Landscaping, and Ordinance No. 859.
- 3) Ensure that all landscaping is healthy, free of weeds, disease and pests.

#### Transportation. 3                      RCTD-MAP

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require development proposals to maintain a Level of Service 'C', except that Level of Service 'D' shall apply to all development proposals located within any of the

## ADVISORY NOTIFICATION DOCUMENT

### Transportation

#### Transportation. 3

#### RCTD-MAP (cont.)

following Area Plans: Eastvale, Jurupa, Highgrove, Reche Canyon/Badlands, Lakeview/Nuevo, Sun City/Menifee Valley, Harvest Valley/Winchester, Southwest Area, The Pass, San Jacinto Valley, Western Coachella Valley and those Community Development Areas of the Elsinore, Lake Mathews/Woodcrest, Mead Valley and Temescal Canyon Area Plans.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

I-215 Southbound On/Off Ramps (NS) at:  
Bonnie Drive (EW)

I-215 Northbound On/Off Ramps (NS) at:  
Highway 74 (EW)

Trumble Road (NS) at:  
Mapes Road (EW)  
Highway 74 (EW)

Sherman Road (NS) at:  
Mapes Road (EW)

Ball Road (NS) at:  
Mapes Road (EW)

Dawson Road (NS) at:  
Mapes Road (EW)

Project Access (NS) at:  
Mapes Road (EW)

Antelope Road (NS) at:  
Project Access (EW)  
Mapes Road (EW)

As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.



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50. Prior To Map Recordation

E Health

050 - E Health. 1                      EMWD WATER & SEWER SERVICE                      Not Satisfied

Provide current documentation from the appropriate purveyor(s) for the establishment of water and sewer service for this project, PRIOR TO MAP RECORDATION.

050 - E Health. 2                      SOLID WASTE SERVICE                      Not Satisfied

Provide documentation from an approved waste hauler in regards to solid waste service for the project, PRIOR TO MAP RECORDATION.

Flood

050 - Flood. 1                      6 ITEMS TO ACCEPT FACILITY(IES)                      Not Satisfied

Inspection and maintenance of the flood control facility(ies) to be constructed with this development must be performed by either the County Transportation Department or the Flood Control District. THE APPLICANT OR AN AUTHORIZED REPRESENTATIVE MUST REQUEST IN WRITING THAT ONE OF THESE AGENCIES ACCEPT THE PROPOSED SYSTEM FOR OWNERSHIP, OPERATION AND MAINTENANCE. The Applicant's request shall note the project number, location, briefly describe the system (sizes and lengths) and include an exhibit that shows the proposed alignment(s). The request to the District shall be addressed to the General Manager-Chief Engineer, Attn: Chief of the Planning Division. In event the District is willing to maintain the proposed facility(ies), the following six (6) items must be accomplished prior to the issuance of a grading permit or starting construction of the drainage facility(ies):

- 1) Plans shall be prepared in strict accordance with District drafting, engineering, operations, and maintenance standards.
- 2) The Applicant shall submit to the District the preliminary title reports, plats, and legal descriptions for all right-of-way that is to be conveyed to the District and shall secure that right-of-way to the satisfaction of the District. All right-of-way transfer issues shall be coordinated with the District's Right-of-Way Section.
- 3) The Applicant shall enter into an agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. The Applicant shall submit a completed Application for Agreement Preparation to the District's Contract Services Section.
- 4) All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- 5) Plans for the facility must be signed by the District's General Manager-Chief Engineer (the plans will not be signed prior to execution of the above referenced agreement).
- 6) A pre-construction meeting shall be scheduled with the District's Construction Management Section. Prior to scheduling the pre-construction meeting, the Applicant must submit proof of flood control facility bonds and a certificate of insurance to the District's Contract Services Section.

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Flood

050 - Flood. 1                      6 ITEMS TO ACCEPT FACILITY(IES) (cont.)                      Not Satisfied

050 - Flood. 2                      ADP FEE NOTICE                      Not Satisfied

A notice of drainage fees shall be placed on the Environmental Constraint Sheet and Final Map. The exact wording of the note shall be as follows:

**NOTICE OF DRAINAGE FEES**

"Notice is hereby given that this property is located in the HOMELAND/ROMOLAND LINE B SUB-WATERSHED Area Drainage Plan which was adopted by the Board of Supervisors of the County of Riverside pursuant to Section 10.25 of Ordinance No. 460 and Section 66483, et seq, of the Government Code and that said property is subject to fees for said drainage area. Notice is further given that, pursuant to Section 10.25 of Ordinance No. 460, payment of the drainage fees shall be paid to the Riverside County Flood Control and Water Conservation District at the time of issuance of the grading or building permit for said parcels, whichever occurs first, and that the owner of each parcel, at the time of issuance of either the grading or building permit, shall pay the fee required at the rate in effect at the time of issuance of the actual permit."

050 - Flood. 3                      INCREASED RUNOFF MITIGATION                      Not Satisfied

This project shall mitigate for adverse impacts of increased runoff that will be generated by this development. Calculations supporting the design of the mitigation feature shall be submitted for review and approval prior to issuance of any permits for this project.

050 - Flood. 4                      Off-site Easement or Redesign                      Not Satisfied

Whenever offsite drainage improvements are required, the facilities shall be located within dedicated drainage easements obtained from the affected property owner(s). Document(s) shall be recorded and a copy submitted to the District prior to recordation of the Final Map or issuance of any grading or building permits. If the Applicant cannot obtain such rights, the map shall be redesigned to eliminate the need for the easement(s).

050 - Flood. 5                      ONSITE EASEMENT ON FINAL MAP                      Not Satisfied

Onsite drainage facilities located outside of road right-of-way shall be contained within drainage easements shown on the Final Map. A note shall be added to the Final Map stating: "Drainage easements shall be kept free of all buildings and obstructions."

050 - Flood. 6                      PHASING                      Not Satisfied

If the tract is built or recorded in phases, each phase must be protected from the one-percent annual chance (100-year) tributary flows and shall mitigate its water quality impacts. Additionally, the water quality features necessary to mitigate impacts associated with each phase shall be constructed. The construction of all necessary improvements along with easements and/or permission from affected property owners to safely discharge the concentrated or diverted one-percent annual chance (100-year) tributary flows of each phase shall be required prior to recordation of the Final Map.

050 - Flood. 7                      SUBMIT ECS & FINAL MAP                      Not Satisfied

A copy of the Environmental Constraint Sheet and the Final Map shall be submitted to the District for review and approval. All submittals shall be date stamped by the engineer and include a completed

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Flood

050 - Flood. 7                                  SUBMIT ECS & FINAL MAP (cont.)                                  Not Satisfied  
Flood Control Deposit Based Fee Worksheet and the appropriate plan check fee deposit.

050 - Flood. 8                                  SUBMIT PLANS    Not Satisfied

Submit storm drain plans, the hydrologic and hydraulic report, and reference material including but not limited to, street improvement plans, grading plans, utility plans, the approved tentative map or site plan, the final map and the environmental constraint sheet, the geotechnical soils report and environmental documents (CEQA, federal and state permits). The storm drain plans and the hydrologic and hydraulic report must receive District approval prior to the issuance of grading permits. All submittals shall be date stamped by the Engineer and include a Plan Check Application, Flood Control Deposit Based Fee Worksheet, found on the District's website, and a plan check fee deposit.

Planning

050 - Planning. 1                                  CC&R RES POA COM. AREA    Not Satisfied

The land divider shall (a) notify the Planning Department that the following documents shall be shortly, or have been, submitted to the Office of the County Counsel for the review and approval of that office, and (b) the land divider shall submit to the Office of the County Counsel the following documents: 1. A cover letter identifying the project for which approval is sought referencing the Planning Department case numbers (a copy of this cover letter may be sent to the Planning Department to serve as notification) and identifying one individual to represent the land divider if there are any questions concerning the review of the submitted documents; and 2. One (1) copy AND one (1) original, wet signed, notarized and ready for recordation declaration of covenants, conditions, and restrictions; attached to these documents there shall be included a legal description of the property included within the covenants, conditions and restrictions and a scaled map or diagram of such boundaries, both signed and stamped by a California registered civil engineer or licensed land surveyor; and 3. A sample document conveying title to the purchaser of an individual lot or unit which provides that the declaration of covenants, conditions, and restrictions is incorporated therein by reference; and, 4. A deposit equaling three (3) hours of the current hourly fee for the Review of Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted to the Office of the County Counsel for review and approval. The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owner's association comprised of the owners of each individual lot or unit as tenants in common, c) provide for the ownership of the common area by either the property owner's association or the owners of each individual lot or unit as tenants in common, and d) contain the following provisions verbatim:  
"Notwithstanding any provision in this Declaration to the contrary, the following provisions shall apply: The property owners' association established herein shall manage and continuously maintain the 'common area', which consists of three parks, one paseo, and three remainder parcels (Unless maintained by a different entity) more particularly described on TRACT MAP NO 37358, attached hereto, and shall not sell or transfer the 'common area' or any part thereof, absent the prior written consent of the Planning Department of the County of Riverside or the County's successor-in-interest. The property owners' association shall have the right to assess the owners of each individual lot or unit for the reasonable cost of maintaining such 'common area', and shall have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien. This Declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. A proposed

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50. Prior To Map Recordation

Planning

050 - Planning. 1 CC&R RES POA COM. AREA (cont.) Not Satisfied

amendment shall be considered 'substantial' if it affects the extent, usage, or maintenance of the 'common area' established pursuant to the Declaration. In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any, this Declaration shall control." Once approved, the copy and the original declaration of covenants, conditions and restrictions shall be forwarded by the Office of the County Counsel to the Planning Department. The Planning Department will retain the one copy for the case file, and forward the wet signed and notarized original declaration of covenants, conditions and restrictions to the County Transportation Department - Survey Division - for safe keeping until the final map is ready for recordation. The County Transportation Department - Survey Division - shall record the original declaration of covenants, conditions and restrictions in conjunction with the recordation of the final map.

050 - Planning. 2 Planning - CCOC - Remainder Parcels Not Satisfied

Prior to the recordation of the FINAL MAP, the land divider shall file an application for a Conditional Certificate of Land Division Compliance (CCOC) with the County Planning Department for review and approval, for the "Remainder Parcel" or any parcel shown as "NOT A PART" , as delineated on the approved TENTATIVE MAP. Any FINAL MAP containing such a parcel shall not be permitted to record until the Planning Department determines that the CCOC will be suitable for recordation within sixty (60) days of the recordation of the FINAL MAP.

Road right-of-way dedication and improvements may be placed on the COCC as approved by the Director of Transportation.

050 - Planning. 3 Planning - Map - ECS Note Mt. Palomar Light Not Satisfied

The following Environmental Constraint Note shall be placed on the ECS:

"This property is subject to lighting restrictions as required by County Ordinance No. 655, which are intended to reduce the effects of night lighting on the Mount Palomar Observatory. All proposed outdoor lighting systems shall be in conformance with County Ordinance No. 655."

050 - Planning. 4 Planning - Map - ECS Shall Be Prepared Not Satisfied

The land divider shall prepare an Environmental Constraints Sheet (ECS) in accordance with Section 2.2. E. & F. of County Ordinance No. 460, which shall be submitted as part of the plan check review of the FINAL MAP.

050 - Planning. 5 Planning - Map - Fee Balance Not Satisfied

Prior to recordation, the Planning Department shall determine if the deposit based fees for the TENTATIVE MAP are in a negative balance. so, any unpaid fees shall be paid by the land divider and/or the land divider's successor-in-interest.

050 - Planning. 6 Planning - Required Applications Not Satisfied

No FINAL MAP shall record until Change of Zone No.1800012 have been approved and adopted by the Board of Supervisors and have been made effective. This land division shall conform with the development standards of the designations and zoning ultimately applied to the property.

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Planning

050 - Planning. 6                      Planning - Required Applications (cont.)                      Not Satisfied

Survey

050 - Survey. 1                      FINAL MAP REQUIREMENTS                      Not Satisfied

The final map shall comply with the following requirements, as approved by the County Survey Department, to clear this condition:

1. Any easement not owned by a public utility, public entity or subsidiary, not relocated or eliminated prior to final map approval, shall be delineated on the final map in addition to having the name of the easement holder, and the nature of their interests, shown on the map.
2. Lot access shall be restricted on Mapes Road and Antelope Road, and so noted on the final map.
3. The Project shall install survey monumentation as directed by the Transportation Department, or bond and enter into an agreement with the Transportation Department.

Transportation

050 - Transportation. 1                      ADDITIONAL LANDSCAPE REQUIRED                      Not Satisfied

Landscaping shall be improved for the following road right-of-way areas or easements adjacent to the public right-of-way areas Deferred from TR25901):Mapes Road (between Dawson and Ball Road) and Ball Road (between TR25901 tract boundary and Mapes Road).  
The project proponent shall comply in accordance with landscaping and trail requirements within public road rights-of-way (or within easements adjacent to the public rights-of-way), in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859. Landscaping and Trail plans shall be submitted on standard County plan sheet format (24"X 36"). Landscaping and trail plans shall be submitted with the street improvement plans. Irrigation cross-overs in the road shall be shown on road improvement plans. Only side yard/reverse frontages areas shall need to be improved. Private Parcels with Driveway access will not be required to be landscaped. Easements from private property owners may need to be obtained for irrigation mainline and irrigation controller wires.  
Landscape Maintenance shall be through a County approved Landscape Maintenance District.

050 - Transportation. 2                      ANNEX ALL MAINT DISTRICTS                      Not Satisfied

Prior to map recordation, the Project shall complete all annexation/formation into all of respective maintenance districts, as approved by the County Transportation and County EDA/CSA, with approved improvement plans, and as noted or shown on the approved Maintenance Exhibit.

050 - Transportation. 3                      ANNEX CATCH BASIN INSERTS                      Not Satisfied

Prior to map recordation, the Project shall complete annexation/formation, with fees, into the applicable maintenance district(s) (e.g. CSA, CFD, or other approved public or quasi-public entity) for maintenance of catch basin inserts, as shown on the approved Maintenance Exhibit, as applicable.

050 - Transportation. 4                      ANNEX LANDSP MAINT                      Not Satisfied

Prior to map recordation, the Project shall complete annexation/formation for landscaping, graffiti maintenance, fencing, and trails, with approved improvement plans and fees, into the applicable

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050 - Transportation. 4          ANNEX LANDSP MAINT (cont.)          Not Satisfied  
maintenance district(s) (e.g. CSA, CFD, or other approved entity) for landscaping maintenance, as shown on the approved Maintenance Exhibit, as applicable.

050 - Transportation. 5          ANNEX SIGNAL MAINT          Not Satisfied  
Prior to map recordation, the Project shall complete signal maintenance annexation/formation, with approved improvement plans and fees, into the applicable maintenance district(s) (e.g. CFD, or other approved entity) for maintenance of signals, as noted on the approved Maintenance Exhibit, as applicable.

050 - Transportation. 6          ANNEX ST SWEEPING MAINT          Not Satisfied  
Prior to map recordation, the Project shall complete street sweeping annexation/formation, with fees, into the applicable maintenance district(s) (e.g. CSA 152, or other approved entity) for street sweeping maintenance, as noted on the approved Maintenance Exhibit, as applicable.

050 - Transportation. 7          ANNEX STREETLIGHT MAINT          Not Satisfied  
Prior to map recordation, the Project shall complete streetlight and bridge-light annexation/formation, with approved improvement plans and fees, into the applicable maintenance district(s) (e.g. CSA, CFD, or other approved entity) for streetlight maintenance, as noted on the approved Maintenance Exhibit, as applicable.

050 - Transportation. 8          ANNEX WQMP MAINT          Not Satisfied  
Prior to map recordation, the Project shall file an application for annexation/formation, with the approved WQMP and fees, into the applicable maintenance district(s) (e.g. CFD, CSA 152, or other approved entity) for WQMP maintenance outside of public right of way, as shown on the approved Maintenance Exhibit, as applicable.

050 - Transportation. 9          APPROVED MAINT EXHIBIT (ME)          Not Satisfied  
The Project shall submit a Maintenance Exhibit (ME) for approval, on two 11"x17" hard copies and two CD copies to County EDA/CSA. The ME shall show, with applicable quantities (i.e. square footage, or lengths), potable and recycled water meters, irrigated landscaped areas, non-irrigated landscaping, open space, trails and pedestrian pathways, WQMP related BMPs, basin bottoms, fence and walls, graffiti, weed abatement, traffic signals, and any other feature that may require permanent maintenance (e.g. storm drains, low flow drains, community buildings, restrooms, parking lots, block walls, and fencing) with the entities proposed to provide maintenance. All right-of-way areas shall be separately delineated. The ME shall have the engineer's certification for square footage calculations and note the proposed maintenance entity responsible for all maintenance activities, including those that cannot be depicted on the exhibit (e.g. street sweeping, etc.).

The Transportation Department will clear this condition after the ME is approved by the County EDA/CSA and/or other associated public/quasi-public maintenance entities. The approved ME shall be provided to the Transportation Department (three 11"x 17" hardcopies and one fully signed PDF copy on CD).

Note:

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050 - Transportation. 9      APPROVED MAINT EXHIBIT (ME) (cont.)      Not Satisfied

Landscaping in the road right-of-way shall be maintained by a public or quasi-public entity, as approved by the Transportation Department, Landscape Section. To ensure water quality compliance, the County discourages the use of HOA's for maintaining WQMP related BMPs. County Policy B-12 limits the total tax burden. Tax burden includes Community Facility Districts (CFDs), Assessment District, ad valorem taxes, any other assessments, taxes, and fees. The local water purveyor may require the use of reclaimed water for landscaping, prior to approving water improvement plans. ME shall be approved prior to submitting CC&R's, and submitting water improvement plans.

050 - Transportation. 10      DEDICANTS      Not Satisfied

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

"I" and "H" Street (Entry) along the project boundary are designated as ENTRY ROADS and shall be improved with 50' full-width AC Pavement, 6" concrete curb and gutter, 10' raised curbed landscape median, and concrete sidewalks within the 80' full-width dedicated right-of-way in accordance with County Standard No. 103, Section "A", Ordinance 461. (Modified to increase AC improvements from 44' to 50' and increase right-of-way from 74' to 80').

NOTE:

1. A 5' sidewalk shall be constructed 3' from the property line within the 15' parkway.
2. The nose of the raised curbed median shall be 35', minimum, radial from the adjacent flowline.
3. A 10' wide median shall be constructed at the center.

All other interior streets are designated as a LOCAL ROAD and shall be improved with 36 feet full-width of AC pavements, 6" concrete curb and gutter, and concrete sidewalks within a 56 feet full-width dedicated right-of-way in accordance with County Standard No. 105, Section "A", Ordinance 461.

Note:

1. A 5' sidewalk shall be improved at the property line within the 10' parkway.

050 - Transportation. 11      EXISTING MAINTAINED      Not Satisfied

Antelope Road along project boundary is a paved County maintained road designated as a MAJOR HIGHWAY and shall be improved with 38'- 55' half-width AC pavements, 8" curb & gutter, concrete sidewalk, and match up asphalt concrete paving; reconstruction; or resurfacing of existing paving as determine by the Director of Transportation within the 64'-76' half-width dedicated right-of-way in accordance with County modify Standard No. 93, page (1of 2), Page (2 of 2), and Standard No. 405, Ordinance 461.

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050 - Transportation. 11      EXISTING MAINTAINED (cont.)      Not Satisfied

a) A 5' meandering sidewalk (project side) shall be constructed within the 26' parkway per Standard No. 404, Ordinance 461.

b) A 10'd.g. split fence multipurpose trail (project side) shall be constructed as approved by the Director of Transportation and County Planning Department within the 26' parkway per Standard No. 405, Ordinance 461.

Mapes Road along project boundary is a paved County maintained road designated as a MAJOR HIGHWAY and shall be improved with 38'- 43' half-width AC pavements, 8" concrete curb & gutter, concrete sidewalks, and match up asphalt concrete paving; reconstruction; or resurfacing of existing paving as determine by the Director of Transportation within the 59'- 64' half-width dedicated right-of-way in accordance with County Standard No. 93, page (1of 2) and Page (2 of 2), Ordinance 461.

NOTE:

a) A 5' meandering sidewalk (project side) shall be constructed within the 21' parkway per Standard No. 404, Ordinance 461.

b) A transition AC pavement tapering and/or AC dike shall be improved to join existing/proposed curb as directed by the Director of Transportation.

050 - Transportation. 12      IMPROVEMENT PLAN      Not Satisfied

The Project shall obtain approval of street improvement plans from the Transportation Department.

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 460, 461, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

050 - Transportation. 13      Landscape Common Area CCRs      Not Satisfied

The developer/ permit holder shall:

Prior to map recordation, the developer/permit holder shall submit Covenants, Conditions, and Restrictions (CC&R) to the Riverside County Counsel for review along with the required fees set forth by the Riverside County Fee Schedule.

For purposes of landscaping and maintenance, the following minimum elements shall be incorporated into the CC&R's:

1) Permanent public, quasi-public or private maintenance organization shall be established for proper management of the water efficient landscape and irrigation systems. Any agreements with the maintenance organization shall stipulate that maintenance of landscaped areas will occur in accordance with Ordinance No. 859 (as adopted and any amendments thereto) and the County of Riverside Guide to California Friendly Landscaping.



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050 - Transportation. 13      Landscape Common Area CCRs (cont.)      Not Satisfied

2) The CC&R's shall prohibit the use of water-intensive landscaping and require the use of low water use landscaping pursuant to the provisions of Ordinance No. 859 (as adopted and any amendments thereto).

3) The common maintenance areas shall include all those identified on the approved landscape maintenance exhibit.

The Transportation Department, Landscape Section shall clear this condition once a copy of the County Counsel approved CC&R's has been submitted to the Transportation Department, Landscape Section.

050 - Transportation. 14      LANDSCAPING PLAN      Not Satisfied

The project proponent shall comply in accordance with landscaping and trail requirements within public road rights-of-way (or within easements adjacent to the public rights-of-way), in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859.

Landscaping shall be improved within Antelope Road, Mapes Road (project boundary), Dawson Road, and Entry Street "I" and "H", and Trail shall be improved along Antelope Road.

Landscaping and Trail plans shall be submitted on standard County plan sheet format (24"X 36"). Landscaping and trail plans shall be submitted with the street improvement plans.

050 - Transportation. 15      LIGHTING PLAN      Not Satisfied

A separate street light plan shall be approved by the Transportation Department. Street lighting shall be designed in accordance with County Ordinance 460 and Streetlight Specification Chart found in Specification Section 22 of Ordinance 461. For projects within SCE boundaries use County of Riverside Ordinance 461, Standard No. 1000 or No. 1001.

050 - Transportation. 16      MAINT DISTRICTS-SUBMIT APPLICATION      Not Satisfied

Prior to map recordation, the Project shall file an application with County EDA/CSA for annexation/formation into all of respective maintenance districts, with a proposed Maintenance Exhibit and applicable fees.

050 - Transportation. 17      RCTD-WQ — FINAL WQMP REQUIRED      Not Satisfied

The project is located in the Santa Ana watershed. An approved Water Quality Management Plan (WQMP) is required prior to recordation of a final map or issuance of a grading permit. The project shall submit a single PDF on two CD/DVD copies, in accordance with the latest version of the WQMP manual, found at [www.rcflood.org/npdes](http://www.rcflood.org/npdes).

050 - Transportation. 18      RCTD-WQ – WQMP ACCESS AND MAINT      Not Satisfied

Prior to map recordation, the Project shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are provided for the WQMP. This requirement applies to both onsite and offsite property. In addition, a BMP Maintenance Agreement shall be recorded against the property.

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50. Prior To Map Recordation

Transportation

050 - Transportation. 18 RCTD-WQ – WQMP ACCESS AND MAINT (cont.) Not Satisfied

050 - Transportation. 19 RETAINING WALL FOOTING Not Satisfied

All retaining walls and its footings shall be outside the ultimate road right-of-way.

050 - Transportation. 20 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, according to Ordinance 460 for subdivisions and/or Ordinance 461 for road improvements. This also applies to all overhead lines below 34 kilovolts 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:

NOTE:

a) The Street Improvement Plans are approved.

b) 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.

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 0060-BS GRADE-MAP - 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. 2 0060-BS GRADE-MAP - 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. 3 0060-BS GRADE-MAP - 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 at (951) 955-6888 for additional information and requirements.

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60. Prior To Grading Permit Issuance

Flood

060 - Flood. 1

6 ITEMS TO ACCEPT FACILITY(IES)

Not Satisfied

Inspection and maintenance of the flood control facility(ies) to be constructed with this development must be performed by either the County Transportation Department or the Flood Control District. THE APPLICANT OR AN AUTHORIZED REPRESENTATIVE MUST REQUEST IN WRITING THAT ONE OF THESE AGENCIES ACCEPT THE PROPOSED SYSTEM FOR OWNERSHIP, OPERATION AND MAINTENANCE. The Applicant's request shall note the project number, location, briefly describe the system (sizes and lengths) and include an exhibit that shows the proposed alignment(s). The request to the District shall be addressed to the General Manager-Chief Engineer, Attn: Chief of the Planning Division. In event the District is willing to maintain the proposed facility(ies), the following six (6) items must be accomplished prior to the issuance of a grading permit or starting construction of the drainage facility(ies):

- 1) Plans shall be prepared in strict accordance with District drafting, engineering, operations, and maintenance standards.
- 2) The Applicant shall submit to the District the preliminary title reports, plats, and legal descriptions for all right-of-way that is to be conveyed to the District and shall secure that right-of-way to the satisfaction of the District. All right-of-way transfer issues shall be coordinated with the District's Right-of-Way Section.
- 3) The Applicant shall enter into an agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. The Applicant shall submit a completed Application for Agreement Preparation to the District's Contract Services Section.
- 4) All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- 5) Plans for the facility must be signed by the District's General Manager-Chief Engineer (the plans will not be signed prior to execution of the above referenced agreement).
- 6) A pre-construction meeting shall be scheduled with the District's Construction Management Section. Prior to scheduling the pre-construction meeting, the Applicant must submit proof of flood control facility bonds and a certificate of insurance to the District's Contract Services Section.

060 - Flood. 2

ADP FEE

Not Satisfied

TR37358 is located within the boundaries of the HOMELAND/ROMOLAND LINE B SUB-WATERSHED Area Drainage Plan (ADP) for which the Board of Supervisors has adopted drainage fees pursuant to Ordinance No. 460. 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 \$15,505 per acre, the fee due will be based on the fee in effect at the time of payment. Drainage fees shall be paid with cashier's check or money order only to the District.

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60. Prior To Grading Permit Issuance

Flood

060 - Flood. 3                      INCREASED RUNOFF MITIGATION                      Not Satisfied

This project shall mitigate for adverse impacts of increased runoff that will be generated by this development. Calculations supporting the design of the mitigation feature shall be submitted for review and approval prior to issuance of any permits for this project.

060 - Flood. 4                      PHASING                      Not Satisfied

If the tract is built or recorded in phases, each phase must be protected from the one-percent annual chance (100-year) tributary flows and shall mitigate its water quality impacts. Additionally, the water quality features necessary to mitigate impacts associated with each phase shall be constructed. The construction of all necessary improvements along with easements and/or permission from affected property owners to safely discharge the concentrated or diverted one-percent annual chance (100-year) tributary flows of each phase shall be required prior to recordation of the Final Map.

060 - Flood. 5                      SUBMIT PLANS                      Not Satisfied

Submit storm drain plans, the hydrologic and hydraulic report, and reference material including but not limited to, street improvement plans, grading plans, utility plans, the approved tentative map or site plan, the final map and the environmental constraint sheet, the geotechnical soils report and environmental documents (CEQA, federal and state permits). The storm drain plans and the hydrologic and hydraulic report must receive District approval prior to the issuance of grading permits. All submittals shall be date stamped by the Engineer and include a Plan Check Application, Flood Control Deposit Based Fee Worksheet, found on the District's website, and a plan check fee deposit.

Planning

060 - Planning. 1                      Planning - Map - 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.

060 - Planning. 2                      Planning - Map - Required Applications                      Not Satisfied

No grading permits shall be issued until Change of Zone No. 1800012 have been approved and adopted by the Board of Supervisors and have been made effective.

060 - Planning. 3                      Planning - Map - SKR Fee                      Not Satisfied

Prior to the issuance of a grading permit, the land divider/permit holder shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 45.6 acres (gross) in accordance with the TENTATIVE MAP. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

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60. Prior To Grading Permit Issuance

Planning

060 - Planning. 3                      Planning - Map - SKR Fee (cont.)                      Not Satisfied

Planning-EPD

060 - Planning-EPD. 1                      0060-EPD-30-Day Burrowing Owl Preconstruction Survey                      Not Satisfied

Pursuant to Objectives 6 & 7 of the Species Account for the Burrowing Owl included in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), within 30 days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist who holds a Memorandum of Understanding with the County. The survey results shall be provided in writing to the Environmental Programs Division (EPD) of the Planning Department. If the grading permit is not obtained within 30 days of the survey, a new survey shall be required.

If it is determined that the project site is occupied by the Burrowing Owl, take of "active" nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act.

Burrowing Owl relocation shall only be allowed to take place outside of the burrowing owl nesting season (nesting season is March 1 through August 31) and is required to be performed by a qualified biologist familiar with relocation methods. The County Environmental Programs Department shall be consulted to determine appropriate type of relocation (active or passive) and potential translocation sites. Burrowing Owl Protection and Relocation Plans and Biological Monitoring Plans are required to be reviewed and approved by the California Department of Fish and Wildlife.

060 - Planning-EPD. 2                      0060-EPD-Nesting Bird Survey (MBTA)                      Not Satisfied

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season. Nesting bird season is February 15th through August 31st. If habitat or structures that support nesting birds must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted.

The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit.

Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report to Environmental Programs Division (EPD) documenting the results of the pre-construction nesting bird survey.

Planning-PAL

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60. Prior To Grading Permit Issuance

Planning-PAL

060 - Planning-PAL. 1                      HIGH (Hb) PALEO POTENTIAL - PRIMP REQUIRED                      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:
  1. Description of the proposed site and planned grading operations.
  2. Description of the level of monitoring required for all earth-moving activities in the project area.
  3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
  4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
  5. 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.
  6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
  7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
  8. Procedures and protocol for collecting and processing of samples and specimens.
  9. Fossil identification and curation procedures to be employed.
  10. 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.
  11. All pertinent exhibits, maps and references.
  12. Procedures for reporting of findings.
  13. 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.

All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One original signed copy of the report(s) shall be submitted to the County Geologist 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.

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60. Prior To Grading Permit Issuance

Planning-PAL

060 - Planning-PAL. 1 HIGH (Hb) PALEO POTENTIAL - PRIMP REQUIRED (cont.) Not Satisfied  
Safeguard Artifacts Being Excavated in Riverside County (SABER)

060 - Planning-PAL. 2 PRIMP REQUIRED 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:
  1. Description of the proposed site and planned grading operations.
  2. Description of the level of monitoring required for all earth-moving activities in the project area.
  3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
  4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
  5. 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.
  6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
  7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
  8. Procedures and protocol for collecting and processing of samples and specimens.
  9. Fossil identification and curation procedures to be employed.
  10. 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.
  11. All pertinent exhibits, maps and references.
  12. Procedures for reporting of findings.
  13. 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.
  14. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One original signed copy of the report(s) shall be submitted to the County Geologist 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





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80. Prior To Building Permit Issuance

BS-Grade

- 080 - BS-Grade. 2                      0080-BS GRADE-MAP - ROUGH GRADE APPROVAL (cont.    Not Satisfied  
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 to stabilize the site 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.

Flood

- 080 - Flood. 1                              6 ITEMS TO ACCEPT FACILITY(IES)                              Not Satisfied

Inspection and maintenance of the flood control facility(ies) to be constructed with this development must be performed by either the County Transportation Department or the Flood Control District. THE APPLICANT OR AN AUTHORIZED REPRESENTATIVE MUST REQUEST IN WRITING THAT ONE OF THESE AGENCIES ACCEPT THE PROPOSED SYSTEM FOR OWNERSHIP, OPERATION AND MAINTENANCE. The Applicant's request shall note the project number, location, briefly describe the system (sizes and lengths) and include an exhibit that shows the proposed alignment(s). The request to the District shall be addressed to the General Manager-Chief Engineer, Attn: Chief of the Planning Division. In event the District is willing to maintain the proposed facility(ies), the following six (6) items must be accomplished prior to the issuance of a grading permit or starting construction of the drainage facility(ies):

- 1) Plans shall be prepared in strict accordance with District drafting, engineering, operations, and maintenance standards.
- 2) The Applicant shall submit to the District the preliminary title reports, plats, and legal descriptions for all right-of-way that is to be conveyed to the District and shall secure that right-of-way to the satisfaction of the District. All right-of-way transfer issues shall be coordinated with the District's Right-of-Way Section.
- 3) The Applicant shall enter into an agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. The Applicant shall submit a completed Application for Agreement Preparation to the District's Contract Services Section.
- 4) All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- 5) Plans for the facility must be signed by the District's General Manager-Chief Engineer (the plans will not be signed prior to execution of the above referenced agreement).
- 6) A pre-construction meeting shall be scheduled with the District's Construction Management

Plan: TTM37358

Parcel: 327180005

80. Prior To Building Permit Issuance

Flood

080 - Flood. 1                      6 ITEMS TO ACCEPT FACILITY(IES) (cont.)                      Not Satisfied  
Section. Prior to scheduling the pre-construction meeting, the Applicant must submit proof of flood control facility bonds and a certificate of insurance to the District's Contract Services Section.

080 - Flood. 2                      ADP FEE                      Not Satisfied

TR37358 is located within the boundaries of the HOMELAND/ROMOLAND LINE B SUB-WATERSHED Area Drainage Plan (ADP) for which the Board of Supervisors has adopted drainage fees pursuant to Ordinance No. 460. 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 \$15,505 per acre, the fee due will be based on the fee in effect at the time of payment. Drainage fees shall be paid with cashier's check or money order only to the District.

080 - Flood. 3                      SUBMIT PLANS                      Not Satisfied

Submit storm drain plans, the hydrologic and hydraulic report, and reference material including but not limited to, street improvement plans, grading plans, utility plans, the approved tentative map or site plan, the final map and the environmental constraint sheet, the geotechnical soils report and environmental documents (CEQA, federal and state permits). The storm drain plans and the hydrologic and hydraulic report must receive District approval prior to the issuance of grading permits. All submittals shall be date stamped by the Engineer and include a Plan Check Application, Flood Control Deposit Based Fee Worksheet, found on the District's website, and a plan check fee deposit.

Planning

080 - Planning. 1                      080 - Planning - Utilities Underground                      Not Satisfied

All utility extensions within a lot shall be placed underground except electrical lines rated at 33kV or greater which may be installed above ground.

080 - Planning. 2                      Map - Renewable Energy R2-CE1                      Not Satisfied

In accordance with measure R2-CE1 of the County's Climate Action Plan, the proposed project shall be required to offset its energy demand by 30 percent through provision of renewable energy generation. This is anticipated to be accommodated through solar panels mounted on the building rooftops.

The energy demand shall be determined at the initial building permit stage. Utilizing the energy demand calculated, the appropriate amount of solar panels shall be included with the related building permits to ensure their installation and operation.

Transportation

080 - Transportation. 1                      ANNEX ALL MAINT DISTRICTS                      Not Satisfied

Prior to issuance of a building permit, the Project shall complete all annexation/formation into all of respective maintenance districts, as approved by the County Transportation and County EDA/CSA, with approved improvement plans, and as noted or shown on the approved Maintenance Exhibit.

080 - Transportation. 2                      Landscape Inspection Deposit Required                      Not Satisfied

Plan: TTM37358

Parcel: 327180005

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 2 Landscape Inspection Deposit Required (cont.) Not Satisfied

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. 3 Landscape Plot Plan/Permit Required Not Satisfied

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) 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" x 36"), 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" 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.

Plan: TTM37358

Parcel: 327180005

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 3            Landscape Plot Plan/Permit Required (cont.)            Not Satisfied

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. 4            Landscape Project Specific Requirements            Not Satisfied

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:

- 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.
- Landscaping plans shall incorporate the use of specimen (24" 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.
- Project shall prepare water use calculations as outlined in Ord 589.3.
- Trees shall be hydrozoned separately.
- Irrigation shall be designed using hydrozones by plant water type, irrigation type, and flat/sloped areas.
- 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.
- 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 lesser water use plant.
- Project shall use County standard details for which the application is available in County Standard Detail Format.
- Monuments, boulders, and fan palms shall be located outside the County Maintained Road Right-of-Way (ROW).
- Restricted plant species noted in MSHCP documents shall not be used if MSHCP areas are adjacent to the project.
- Plant species shall meet ALUC requirements, if applicable.
- Hydroseeding is not permitted in stormwater BMP slope areas, container stock will be required on slopes.
- Project shall use 50% 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.
- Typical Front Yard landscaping plans (construction document level package) shall be submitted to Transportation Department for approval. Front yards shall not have turf lawns.
- Common areas and open space landscaping plans (construction document level package) shall be submitted to Transportation Department for approval.
- 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.

Plan: TTM37358

Parcel: 327180005

80. Prior To Building Permit Issuance

Transportation

- 080 - Transportation. 4      Landscape Project Specific Requirements (cont.)      Not Satisfied
- 080 - Transportation. 5      RCTD-WQ - IMPLEMENT WQMP      Not Satisfied

The Project shall construct BMP facilities described in the approved Final County WQMP prior to the issuance of a building permit to the satisfaction of County Grading Inspection Section. The Project is responsible for performing all activities described in the County WQMP and that copies of the approved Final County WQMP are provided to future owners/occupants.

Waste Resources

- 080 - Waste Resources. 1      Gen - Waste Recycling Plan      Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. 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      0090-BS GRADE-MAP - 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 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.

Flood

- 090 - Flood. 1      FACILITY COMPLETION - MAP      Not Satisfied

The District will not to release occupancy permits for any portion of the project exceeding 80% of the total recorded residential lots within the map or phase unless either 1) the District has accepted the drainage system for operation and maintenance or 2) written approval has been provided by the District.

Planning

Plan: TTM37358

Parcel: 327180005

90. Prior to Building Final Inspection

Planning

090 - Planning. 1                      Map - Block Wall Antigraffiti                      Not Satisfied

An anti-graffiti coating shall be provided on all block walls, and written verification from the developer shall be provided to both the TLMA - Land Use Division, and the Development Review Division.

Transportation

090 - Transportation. 1                      80% COMPLETION                      Not Satisfied

Occupancy releases will not be issued to Building and Safety for any lot exceeding 80% of the total recorded residential lots within any map or phase of map prior to completion of the following improvements:

- a) Primary and Alternate (secondary) access roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions.
- b) Interior roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions. All curbs, gutters, sidewalks and driveway approaches shall be installed. The final lift of Asphalt Concrete on interior streets shall be placed prior to the release of the final 20% of homes or the production models or at any time when construction of new homes within the development has stopped. The Project shall be required to cap pave in front of occupied homes up to the nearest capped street within the tract boundary. The subdivision will remain responsible for the maintenance of these facilities until all improvements within the tract boundary shall be completed and accepted into the County maintained system.
- c) Storm drains and flood control facilities shall be completed according to the improvement plans and as noted elsewhere in these conditions. Written confirmation of acceptance for use by the Flood Control District, if applicable, is required.
- d) Water system, including fire hydrants, shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All water valves shall be raised to pavement finished grade. Written confirmation of acceptance from water purveyor is required.
- e) Sewer system shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All sewer manholes shall be raised to pavement finished grade.
- f) Written confirmation of acceptance from sewer purveyor is required.
- g) Landscaping and irrigation, water and electrical systems shall be installed and operational in accordance with County Ordinance 461 and 859.

090 - Transportation. 2                      FEE PAYMENT                      Not Satisfied

Prior to the time of issuance of a Certificate of Occupancy or upon final inspection, whichever occurs first, the Project shall pay Transportation Uniform Mitigation Fees (TUMF) and (DIF) fees in accordance with the fee schedule in effect at the time of payment.

090 - Transportation. 3                      Landscape Inspection and Drought Compliance                      Not Satisfied

The developer/ permit holder shall:

Plan: TTM37358

Parcel: 327180005

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 3 Landscape Inspection and Drought Compliance (cont.) Not Satisfied

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. 4 Landscape Signage Required on Model Home Complexes Not Satisfied

The developer/ permit holder shall:

Prior to building permit final inspection, Model Home Complexes (MHC) shall display a sign indicating that the home features water efficient planting and irrigation. The sign shall be displayed in the front yard of each home and be clearly visible to the prospective home buyers.

090 - Transportation. 5 RCTD-WQ - WQMP COMPLETION Not Satisfied

Prior to Building Final Inspection, the Project is required to furnish educational materials regarding water quality to future owners/occupants, provide an engineered WQMP certification, inspection of BMPs, GPS location of 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. 6 UTILITY INSTALL Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be installed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. This also applies to all overhead lines below 34 kilovolts 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.

In addition, the Project shall ensure that streetlights are installed, 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 - Waste Reporting Form and Receipts Not Satisfied

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

12/15/20  
13:24

Riverside County PLUS  
CONDITIONS OF APPROVAL

Page 24

Plan: TTM37358

Parcel: 327180005

90. Prior to Building Final Inspection

Waste Resources

090 - Waste Resources. 1 Gen - Waste Reporting Form and Receipts (cont.)

Not Satisfied





# RIVERSIDE COUNTY PLANNING DEPARTMENT

*Charissa Leach, P.E.  
Assistant TLMA Director*

## DEVELOPMENT ADVISORY COMMITTEE (“DAC”) INITIAL CASE TRANSMITTAL RIVERSIDE COUNTY PLANNING DEPARTMENT – RIVERSIDE PO Box 1409 Riverside, 92502-1409

DATE: May 30, 2018

**TO:**

Riv. Co. Transportation Dept.  
Riv. Co. Environmental Health Dept.  
Riv. Co. Fire Department (Riv. Office)  
Riv. Co. Building & Safety – Grading  
Riv. Co. Building & Safety – Plan Check  
Riv. Co. Regional Parks & Open Space  
P.D. Environmental Programs Division  
P.D. Geology Section

Riv. Co. Trans. Dept. – Landscape Section  
P.D. Archaeology Section  
Riv. Co. Waste Resources Management Dept.  
Riv. Co. Airport Land Use Commission  
Board of Supervisors - Supervisor: 5th District-  
Ashley  
Planning Commissioner: 5th District- Kroencke  
Eastern Municipal Water District (EMWD)

Southern California Edison Co. (SCE)  
Southern California Gas Co.  
California Council For The Blind

**CHANGE OF ZONE NO. 1800012 and TENTATIVE TRACT MAP NO. 37358** – Applicant: Allard Engineering – Owner: Pacific Communities Builder, Inc. – Fifth Supervisorial District – Romoland Zoning Area – Harvest Valley/Winchester Area Plan – Community Development: Medium Density Residential (CD:MDR) – Location: North of Mapes Road, east of Antelope Road, west of Dawson Road, and southerly of Mahogany Lane – Zoning: Rural-Residential (R-R) – 45.6 gross acres - **REQUEST:** The **Change of Zone** proposes to change the zoning classification of the project site from Rural-Residential (R-R) to One-Family Dwelling (R-1). The **Tentative Tract Map** proposes a Schedule “A” Subdivision of 45.6 acres into 154 residential lots and 3 open space lots. **BBID: 625-257-832**

**DAC staff members and other listed Riverside County Agencies, Departments and Districts staff:**  
A Bluebeam invitation has been emailed to appropriate staff members so they can view and markup the map(s) and/or exhibit(s) for the above-described project. Please have your markups completed and draft conditions in the Public Land Use System (LMS) on or before the indicated DAC date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the PLUS routing on or before the above date. This case is scheduled for a **DAC meeting on June 7, 2018**. Once the route is complete, and the approval screen is approved with or without corrections, the project can be scheduled for a public hearing.

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

PLEASE PRINT NAME AND TITLE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

*If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.*



# RIVERSIDE COUNTY PLANNING DEPARTMENT

*Charissa Leach, P.E.  
Assistant TLMA Director*

Any questions regarding this project, should be directed to David Alvarez, Project Planner at (951) 955-5719, or e-mail at [daalvarez@rivco.org](mailto:daalvarez@rivco.org) / MAILSTOP #: 1070

Public Hearing Path:    Administrative Action:     DH:     PC:     BOS:

COMMENTS:

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

PLEASE PRINT NAME AND TITLE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

*If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.*

# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



September 19, 2019

Mr. David Alvarez, Project Planner  
Riverside County Planning Department  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside CA 92501  
(VIA HAND DELIVERY)

**CHAIR**  
Steve Manos  
Lake Elsinore

**VICE CHAIR**  
Russell Betts  
Desert Hot Springs

**COMMISSIONERS**  
Arthur Butler  
Riverside  
John Lyon  
Riverside

Steven Stewart  
Palm Springs

Richard Stewart  
Moreno Valley

Gary Youmans  
Temecula

**STAFF**

Director  
Simon A. Housman

John Guerin  
Paul Rull  
Barbara Santos

County Administrative Center  
4080 Lemon St., 14th Floor.  
Riverside, CA 92501  
(951) 955-5132

[www.rcaluc.org](http://www.rcaluc.org)

**RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW**

File No.: ZAP1376MA19  
Related File Nos.: CZ1800012 (Change of Zone), TTM37358 (Tentative Tract Map)  
APNs: 327-180-005; 327-180-006; 327-180-013; 327-462-028; 327-463-010  
Compatibility Zones: C2 and D

Dear Mr. Alvarez:

On September 12, 2019, the Riverside County Airport Land Use Commission (ALUC) found Riverside County Case No. CZ1800012 (Change of Zone), a proposal to change the zoning of 45.6 gross acres located northerly of Mapes Road, westerly of Antelope Road, and easterly of Sherman Road from Rural Residential (R-R) and One-Family Dwelling (R-1) to One-Family Dwelling (R-1), **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.

On September 12, 2019, the Riverside County Airport Land Use Commission (ALUC) found Riverside County Case No. TTM37358 (Tentative Tract Map No. 37358), a proposal to divide the above-referenced 45.6 gross acres into 154 single family residential lots, **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions.

**CONDITIONS:**

1. Any 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, in accordance with Note A on Table 4 of the Harvest Valley/Winchester Area Plan:
  - (a) Any use or activity 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 FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use or activity 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 or activity 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.

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators; noise-sensitive outdoor nonresidential uses; and hazards to flight. Children's schools are discouraged.
4. The following uses/activities are not included in the proposed project, but, if they were to be proposed through a subsequent use permit or plot plan, would require subsequent Airport Land Use Commission review:
- Day care centers; churches, temples, or other uses primarily for religious worship.
5. The attached notice shall be given to all prospective purchasers of the proposed lots and tenants of any dwellings thereon, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final map. In the event that the Office of Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final parcel map, if an ECS is otherwise required.
6. The proposed detention basins on the site (including water quality management basins) shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
7. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
8. Noise attenuation measures shall be incorporated into the design of the single family residences, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 40 CNEL.

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

---

Simon A. Housman, ALUC Director

Attachments: Notice of Airport in Vicinity

cc: Ronald Freeman, Pacific Communities Builder, Inc. (applicant)  
Christine Chung, Melrose Homes LLC (fee-payer)  
CT. Capital, LLC/Cal-Equity, LP (property owners)  
Gary Gosliga, March Inland Port Airport Authority  
Base Civil Engineer, March Air Reserve Base  
ALUC Case File

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influent area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 3.1

**HEARING DATE:** September 12, 2019

**CASE NUMBER:** ZAP1376MA19 – Pacific Communities Builder, Inc.  
(Representative: Ronald Freeman)

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO:** CZ1800012 (Change of Zone), TTM37358 (Tentative Tract Map)

**MAJOR ISSUES:** The project is located partially within the 60-65 CNEL contour range from aircraft noise as identified in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. The project's proposed single family residences would be affected by aircraft generated noise. However, pursuant to Policy 2.3 (a) and (b), 65 dB CNEL exterior noise levels are considered normally acceptable for new residential land uses provided that interior noise levels are attenuated to a maximum of 40 dB CNEL. Therefore, recommended conditions require that noise attenuation measures be incorporated into the design of the single family residences to such extent as may be required to ensure that interior noise levels from aircraft operations are at or below 40 CNEL.

**RECOMMENDATION:** Staff recommends that the Commission find the proposed Change of Zone CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and find the proposed Tentative Tract Map CONSISTENT, subject to the conditions included herein.

**PROJECT DESCRIPTION:** The applicant proposes to divide 45.6 gross acres into 154 single family residential lots, and change the zoning of the site from Rural Residential (R-R) and One-Family Dwelling (R-1) to One-Family Dwelling (R-1).

**PROJECT LOCATION:** The site is located northerly of Mapes Road, westerly of Antelope Road, and easterly of Sherman Road, approximately 42,600 feet southeasterly of Runway 14-32 at March Air Reserve Base, and approximately 11,100 feet easterly of Runway 15-33 at Perris Valley Airport.

**LAND USE PLAN:** 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan

a. Airport Influence Area: March Air Reserve Base

b. Land Use Policy: Zones C2 and D

c. Noise Levels: Partially within the 60-65 CNEL contour from aircraft

**BACKGROUND:**

Residential Density: Pursuant to the 2014 March ALUCP, the project site is located within Compatibility Zones C2 and D. Zone C2 restricts residential density to a maximum of 6.0 dwelling units per acre, and Zone D does not restrict residential density at all. Approximately 38.62 acres of the site are located within Zone C2, and 7.65 acres are located within Zone D.

The proposed project of 154 single family residential lots on 45.6 gross acres would result in a density of 3.3 dwelling units per acre, which is consistent with the residential density criteria referenced above. If we calculate the project's density based on each compatibility zone, Zone C2 (137 lots on 38.62 acres) would have a density of 3.5 dwelling units per acre, and Zone D (17 lots on 7.65 acres) would have a density of 2.2 dwelling units per acre, both of which are consistent with the above density criteria.

Prohibited and Discouraged Uses: The applicant does not propose any uses prohibited or discouraged in Compatibility Zones C2 and D.

Noise: The March ALUCP depicts the site as being partially within the 60-65 CNEL contour range from aircraft noise. (The plan also identifies that 65 dB CNEL is considered normally acceptable for new residential land uses). The single family residences would be affected by aircraft generated noise. However, standard construction is normally considered to provide for a 15 dB reduction from exterior noise levels. A condition is recommended to incorporate noise attenuation measures into the design of the single family residences to such extent as may be required to ensure that interior noise levels from aircraft operations are at or below 40 CNEL.

Based on the 2018 Air Installation Compatible Use Zones Study (AICUZ), the site is located outside the 60 CNEL contour. (The March ALUCP has not yet been officially amended to reflect the 2018 AICUZ, so the noise contours included in the 2014 March ALUCP, which were based in part on the 2005 AICUZ, remain applicable.)

Part 77: Although the project is located within the March Air Reserve Base/Inland Port AIA, the actual nearest runway is Runway 15-33 at Perris Valley Airport. The southerly terminus of this runway is located approximately 11,100 feet from the project site and has an elevation of 1,413 feet above mean sea level (AMSL). Therefore, Federal Aviation Administration (FAA) review would be required for any structures with a top of roof elevation exceeding 1,524 feet AMSL. The project's site elevation is 1,453 feet AMSL and proposes a maximum building height of 26 feet, for a top point elevation of 1,479 feet AMSL. Therefore, review by the FAA Obstruction Evaluation Service (FAA OES) is not required.

Open Area: None of the Compatibility Zones for the March Air Reserve Base/Inland Port ALUCP require open area specifically.

Change of Zone: The proposed Change of Zone (from R-R and R-1 to R-1) increases the potential density of the site. However, the proposed project's overall density within the R-1 zone is consistent with the maximum density criteria within Compatibility Zone C2.

**CONDITIONS:**

1. Any 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, in accordance with Note A on Table 4 of the Harvest Valley/Winchester Area Plan:
  - (a) Any use or activity 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 FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use or activity 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 or activity 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.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators; noise-sensitive outdoor nonresidential uses; and hazards to flight. Children's schools are discouraged.
4. The following uses/activities are not included in the proposed project, but, if they were to be proposed through a subsequent use permit or plot plan, would require subsequent Airport Land Use Commission review:



Day care centers; churches, temples, or other uses primarily for religious worship.

5. The attached notice shall be given to all prospective purchasers of the proposed lots and tenants of any dwellings thereon, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final map. In the event that the Office of Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final parcel map, if an ECS is otherwise required.
6. The proposed detention basins on the site (including water quality management basins) shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
7. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
8. Noise attenuation measures shall be incorporated into the design of the single family residences, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 40 CNEL.



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP  
Planning Director

## APPLICATION FOR CHANGE OF ZONE

CHECK ONE AS APPROPRIATE:

**Standard Change of Zone**

There are three different situations where a Planning Review Only Change of Zone will be accepted:

- Type 1:** Used to legally define the boundaries of one or more Planning Areas within a Specific Plan.
- Type 2:** Used to establish or change a SP zoning ordinance text within a Specific Plan.
- Type 3:** Used when a Change of Zone application was conditioned for in a prior application.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

### APPLICATION INFORMATION

Applicant Name: Pacific Communities Builder, Inc

Contact Person: Daniel Kim E-Mail: daniel@pcbinc.com

Mailing Address: 1000 Dove Street, Suite 300  
Newport Beach <sup>Street</sup> CA 92660  
<sub>City</sub> <sub>State</sub> <sub>ZIP</sub>

Daytime Phone No: ( 949 ) 660-8988 Fax No: ( )

Engineer/Representative Name: Allard Engineering

Contact Person: Reynold Allard, P.E. E-Mail: reynoldallard@allardeng.com

Mailing Address: 16866 Seville Avenue  
Fontana <sup>Street</sup> CA 92335  
<sub>City</sub> <sub>State</sub> <sub>ZIP</sub>

Daytime Phone No: ( 909 ) 356-1815 Fax No: ( 909 ) 356-1795

Property Owner Name: Pacific Communities Builder, Inc

Contact Person: Nelson Chung E-Mail: nelson@pcbinc.com

Mailing Address: 1000 Dove Street, Suite 300  
<sub>Street</sub>

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 El Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 • Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

**APPLICATION FOR CHANGE OF ZONE**

Newport Beach

City

CA

State

92660

ZIP

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the property address and/or assessor's parcel number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

**AUTHORIZATION FOR CONCURRENT FEE TRANSFER**

The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be **NO** refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

**AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:**

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the subdivision is ready for public hearing.)

NELSON CATANZAR  
PRINTED NAME OF PROPERTY OWNER(S)

[Signature]  
SIGNATURE OF PROPERTY OWNER(S)

\_\_\_\_\_  
PRINTED NAME OF PROPERTY OWNER(S)

\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER(S)

**PROPERTY INFORMATION:**

Assessor's Parcel Number(s): 327-180-005, -006 & -013

Approximate Gross Acreage: 39.8

General location (nearby or cross streets): North of Mapes Road, South of \_\_\_\_\_

**APPLICATION FOR CHANGE OF ZONE**

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APN 327-170-007 \_\_\_\_\_, East of Tract No. 25901 \_\_\_\_\_, West of Antelope Road \_\_\_\_\_.

Proposal (describe the zone change, indicate the existing and proposed zoning classifications. If within a Specific Plan, indicate the affected Planning Areas):

Three of this project's parcels ( APN 327-180-005, -006 & -013) that are currently zoned R-R. This project proposes to change them to R-1. This zoning is consistent with the development to the west.

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Related cases filed in conjunction with this request:

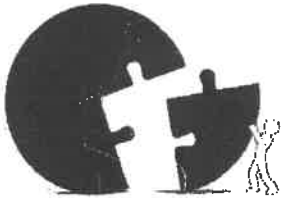
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**This completed application form, together with all of the listed requirements provided on the Change of Zone Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.**

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1071 CZ Condensed Application.docx  
Created: 07/06/2015 Revised: 05/17/2016



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP  
Planning Director

## APPLICATION FOR SUBDIVISION AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

- TENTATIVE TRACT MAP
- REVERSION TO ACREAGE
- AMENDMENT TO FINAL MAP

- TENTATIVE PARCEL MAP
- EXPIRED RECORDABLE MAP
- VESTING MAP

MINOR CHANGE      Original Case No. \_\_\_\_\_

REVISED MAP      Original Case No. \_\_\_\_\_

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

### APPLICATION INFORMATION

Applicant Name: Pacific Communities Builder, Inc

Contact Person: Daniel Kim      E-Mail: daniel@pcbinc.com

Mailing Address: 1000 Dove Street, Suite 300

Newport Beach      CA      92660  
City      State      ZIP

Daytime Phone No: (949) 660-8988      Fax No: ( )

Engineer/Representative Name: Allard Engineering

Contact Person: Reynold Allard, P.E.      E-Mail: reynoldallard@allardeng.com

Mailing Address: 16866 Seville Avenue

Fontana      CA      92335  
City      State      ZIP

Daytime Phone No: (909) 356-1815      Fax No: (909) 356-1795

Property Owner Name: Pacific Communities Builder, Inc

Contact Person: Nelson Chung      E-Mail: nelson@pcbinc.com

Mailing Address: 1000 Dove Street, Suite 300

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 El Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 • Fax (760) 863-7555

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**APPLICATION FOR SUBDIVISION AND DEVELOPMENT**

General location (cross streets, etc.): North of Mapes Road, South of APN 327-170-007, East of Tract No. 25901, West of Antelope Road.

**SUBDIVISION PROPOSAL:**

Map Schedule: \_\_\_\_\_ Minimum Developable Lot Size: 7,200 sf  
Number of existing lots: \_\_\_\_\_ Number of proposed developable lots: 154  
Planned Unit Development (PUD): Yes  No  Vesting Map: Yes  No   
Number of proposed non-developable lots (excluding streets): 5 Subdivision Density: 3.38 dwelling units per acre.

Is there previous development application(s) filed on the same site: Yes  No

If yes, provide Application No(s). \_\_\_\_\_  
(e.g. Tentative Parcel Map, Zone Change, etc.)

Initial Study (EA) No. (if known) \_\_\_\_\_ EIR No. (if applicable): \_\_\_\_\_

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes  No

If yes, indicate the type of report(s) and provide signed copy(ies): \_\_\_\_\_

If the project located within either the Santa Ana River/San Jacinto Valley watershed, the Santa Margarita River watershed, or the Whitewater River watershed, check the appropriate checkbox below.

*If not known, please refer to Riverside County's Map My County website to determine if the property is located within any of these watersheds (search for the subject property's Assessor's Parcel Number, then select the "Geographic" Map Layer – then select the "Watershed" sub-layer)*

If any of the checkboxes are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package.

Santa Ana River/San Jacinto Valley

Santa Margarita River

Whitewater River

If the applicable Checklist has concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a plan shall be prepared and included with the submittal of this application.

**APPLICATION FOR SUBDIVISION AND DEVELOPMENT**

**HAZARDOUS WASTE AND SUBSTANCES STATEMENT**

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

Name of Applicant: Pacific Communities Builder, Inc

Address: 1000 Dove Street, Suite 300, Newport Beach, CA 92660

Phone number: (949) 660-8988

Address of site (street name and number if available, and ZIP Code): Mapes Rd. and Antelope Rd., 92585

Local Agency: County of Riverside

Assessor's Book Page, and Parcel Number: 327-180-005, -006, -013, 327-462-028, 327-463-010 & -011

Specify any list pursuant to Section 65962.5 of the Government Code: \_\_\_\_\_

Regulatory Identification number: \_\_\_\_\_

Date of list: \_\_\_\_\_

Applicant: Daniel Kim

Date 4-24-18

**This completed application form, together with all of the listed requirements provided on the Subdivision Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.**

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1011 Subdivision Condensed Application.docx  
Created: 04/08/15 Revised: 08/07/16





## COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY



Juan C. Perez

Director of Transportation and Land Management Agency

Patricia Romo  
Assistant Director,  
Transportation Department

Steven A. Weiss  
Planning Director,  
Planning Department

Mike Lara  
Building Official,  
Building & Safety Department

Greg Flannery  
Code Enforcement Official,  
Code Enforcement Department

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### LAND USE and PERMIT APPLICATION PROCESSING AGREEMENT Agreement for Payment of Costs of Application Processing

#### TO BE COMPLETED BY APPLICANT:

This agreement is by and between the County of Riverside, hereafter "County of Riverside",

and Pacific Communities Builder, Inc. hereafter "Applicant" and Nelson Chung "Property Owner".

Description of application/permit use:

TTM 37358

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If your application is subject to Deposit-based Fee, the following applies

#### Section 1. Deposit-based Fees

**Purpose:** The Riverside County Board of Supervisors has adopted ordinances to collect "Deposit-based Fees" for the costs of reviewing certain applications for land use review and permits. The Applicant is required to deposit funds to initiate staff review of an application. The initial deposit may be supplemented by additional fees, based upon actual and projected labor costs for the permit. County departments draw against these deposited funds at the staff hourly rates adopted by the Board of Supervisors. The Applicant and Property Owner are responsible for any supplemental fees necessary to cover any costs which were not covered by the initial deposit.

#### Section 2. Applicant and Property Owner Responsibilities for Deposit-based Fee Applications

- A. Applicant agrees to make an initial deposit in the amount as indicated by County ordinance, at the time this Agreement is signed and submitted with a complete application to the County of Riverside. Applicant acknowledges that this is an initial deposit and additional funds may be needed to complete their case. The County of Riverside will not pay interest on deposits. Applicant understands that any delays in making a subsequent deposit from the date of written notice requesting such additional deposit by County of Riverside, may result in the stoppage of work.
- B. Within 15 days of the service by mail of the County of Riverside's written notice that the application permit deposit has been reduced to a balance of less than 20% of the initial deposit or that the deposit is otherwise insufficient to cover the expected costs to completion, the Applicant agrees to make an additional payment of an amount as determined by the County of Riverside to replenish the deposit. Please note that the processing of the application or permit may stop if the amount on deposit has been expended. The Applicant agrees to continue making such payments until the County of Riverside is reimbursed for all costs related to this application or permit. The County of Riverside is entitled to recover its costs, including attorney's fees, in collecting unpaid accounts that would have been drawn on the deposit were it not depleted.
- C. The Property Owner acknowledges that the Applicant is authorized to submit this agreement and related application(s) for land use review or permit on this property. The Property Owner also acknowledges that should the Applicant not reimburse the County of Riverside for all costs related to this application or permit, the Property Owner shall become immediately liable for these costs which shall be paid within 15 days of the service by mail of notice to said property Owner by the County.

- D. This Agreement shall only be executed by an authorized representative of the Applicant and the Property Owner. The person(s) executing this Agreement represents that he/she has the express authority to enter into this agreement on behalf of the Applicant and/or Property Owner.
- E. This Agreement is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this Agreement until all outstanding costs have been paid by Applicant.
- F. Deposit statements, requests for deposits or refunds shall be directed to Applicant at the address identified in Section 4.

**Section 3. To ensure quality service, Applicant is responsible to provide one-week written notice to the County of Riverside Transportation and Land Management Agency (TLMA) Permit Assistance Centers if any of the information below changes.**

**Section 4. Applicant and Owner Information**

**1. PROPERTY INFORMATION:**

Assessors Parcel Number(s): 327-180-005, 327-180-013, 327-462-028, 327-463-010, 327-463-011

Property Location or Address:

Antelope Road & Mapes Road

**2. PROPERTY OWNER INFORMATION:**

Property Owner Name: Nelson Chung

Phone No.: (949)660-8988

Firm Name: CT Capital & Cal-Equity

Email: Nelson@pcbinc.com

Address: 1000 Dove St.  
Newport Beach, CA 92660

**3. APPLICANT INFORMATION:**

Applicant Name: Daniel Kim

Phone No.: (949)660-8988

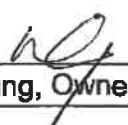
Firm Name: Pacific Communities Builder, Inc.

Email: Daniel@pcbinc.com

Address (if different from property owner)  
\_\_\_\_\_  
\_\_\_\_\_

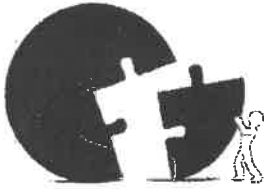
**4. SIGNATURES:**

Signature of Applicant:  Date: 4/26/2018  
Print Name and Title: Daniel Kim, Project Manager

Signature of Property Owner:  Date: 4/26/2018  
Print Name and Title: Nelson Chung, Owner

Signature of the County of Riverside, by \_\_\_\_\_ Date: \_\_\_\_\_  
Print Name and Title: \_\_\_\_\_

<b>FOR COUNTY OF RIVERSIDE USE ONLY</b>	
Application or Permit (s)#:	_____
Set #:	Application Date: _____



Charissa Leach, P.E.  
Assistant TLMA Director

## RIVERSIDE COUNTY PLANNING DEPARTMENT

### INDEMNIFICATION AGREEMENT REQUIRED FOR ALL PROJECTS

The owner(s) of the property, at their own expense, agree to defend, indemnify and hold harmless the County of Riverside and its agents, officers, and employees from and against any lawsuit, claim, action, or proceeding (collectively referred to as "proceeding") brought against the County of Riverside, its agents, officers, attorneys and employees to attack, set aside, void, or annul the County's decision to approve any tentative map (tract or parcel), revised map, map minor change, reversion to acreage, conditional use permit, public use permit, surface mining permit, WECS permit, hazardous waste siting permit, temporary outdoor event permit, plot plan, substantial conformance, revised permit, variance, setback adjustment, general plan amendment, specific plan, specific plan amendment, specific plan substantial conformance, zoning amendments, and any associated environmental documents. This defense and indemnification obligation shall include, but not limited to, damages, fees and/or costs awarded against the County, if any, and cost of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, property owner, the County, and/or the parties initiating or bringing such proceeding.

  
\_\_\_\_\_  
Property Owner(s) Signature(s) and Date

Nelson Chung  
\_\_\_\_\_  
PRINTED NAME of Property Owner(s)

**If the property is owned by multiple owners, the paragraph above must be signed by each owner. Attach additional sheets, if necessary.**

*If the property owner is a corporate entity, Limited Liability Company, partnership or trust, the following documentation must also be submitted with this application:*

- *If the property owner is a limited partnership, provide a copy of the LP-1, LP-2 (if an amendment) filed with the California Secretary of State.*
- *If the property owner is a general partnership, provide a copy of the partnership agreement documenting who has authority to bind the general partnership and to sign on its behalf.*
- *If the property owner is a corporation, provide a copy of the Articles of Incorporation and/or a corporate resolution documenting which officers have authority to bind the corporation and to sign on its behalf. The corporation must also be in good standing with the California Secretary of State.*
- *If the property owner is a trust, provide a copy of the trust certificate.*

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

"Planning Our Future... Preserving Our Past"

**INDEMNIFICATION AGREEMENT PROPERTY OWNER INFORMATION**

- *If the property owner is a Limited Liability Corporation, provide a copy of the operating agreement for the LLC documenting who has authority to bind the LLC and to sign on its behalf.*

*If the signing entity is also a corporate entity, Limited Liability Company, partnership or trust, the above documentation must also be submitted with this application. For any out of State legal entities, provide documentation showing registration with the California Secretary of State.*

*In addition to the above, provide a copy of a Preliminary Title Report for the property subject to this application. The Preliminary Title Report must be issued by a title company licensed to conduct business in the State of California and dated less than six months prior to the date of submittal of this application. The Assistant TLMA Director may waive the requirement for a Preliminary Title Report if it can be shown to the satisfaction of the Assistant TLMA Director that the property owner(s) has owned the property consistently for at least the last five years.*

**ONLY FOR WIRELESS PROJECTS (SEE BELOW)**

*If the application is for a plot plan for a Wireless Communication Facility, the property owner(s) and the cellular service provider must sign the indemnification paragraph above. If the application is for a plot plan for a wireless communication co-location, only the co-locating service provider needs to sign the indemnification paragraph above.*

**NOTICE OF PUBLIC HEARING**  
and  
**INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider a proposed project in the vicinity of your property, as described below:

**CHANGE OF ZONE NO. 1800012 and TENTATIVE TRACT MAP NO. 37358 – Intent to Adopt a Mitigated Negative Declaration** – CEQ180047 – Applicant: Allard Engineering – Owner: Pacific Communities Builder, Inc. – Fifth Supervisorial District – Romoland Zoning Area – Harvest Valley/Winchester Area Plan – Community Development: Medium Density Residential (CD-MDR) – Location: Northerly of Mapes Road, easterly of Antelope Road, westerly of Dawson Road, and southerly of Mahogany Lane – Zoning: Rural-Residential (R-R) – 45.6 gross acres – **REQUEST:** The Change of Zone proposes to change the zoning classification of the project site from Rural-Residential (R-R) to One-Family Dwelling (R-1). The Tentative Tract Map is a proposal to subdivide 45.6 gross acres into 154 single family residential lots ranging in size from 7,200 sq. ft. to 12,745 sq. ft., seven (7) letter lots dedicated to retention basins and open space amenities which consists of three (3) parks, and one (1) paseo, and three (3) remainder parcels located along the western and southern boundary of the Project site. The project is proposed to be developed in four (4) phases.

TIME OF HEARING:	9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING:	<b>JANUARY 6, 2021</b>
PLACE OF HEARING:	RIVERSIDE COUNTY ADMINISTRATIVE CENTER BOARD CHAMBERS, 1ST FLOOR 4080 LEMON STREET, RIVERSIDE, CA 92501

Pursuant to Executive Order N-25-20, this meeting will be conducted by teleconference and at the place of hearing, as listed above. Public access to the meeting location will be allowed, but limited to comply with the Executive Order. Information on how to participate in the hearing will be available on the Planning Department website at: <https://planning.rctlma.org/>. For further information regarding this project please contact Project Planner Deborah Bradford at (951) 955-6646 or email at [dbradfor@rivco.org](mailto:dbradfor@rivco.org), or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a mitigated negative declaration. The Planning Commission will consider the proposed project and the proposed mitigated negative declaration, at the public hearing. The case file for the proposed project and the proposed mitigated negative declaration is available for review via email by contacting the project planner. Please contact the project planner regarding additional viewing methods.

Any person wishing to comment on the proposed project may submit their comments in writing by mail or email, or by phone between the date of this notice and the public hearing; or, you may appear and be heard at the time and place noted above. You may participate remotely by registering with the Planning Department. All comments received prior to the public hearing will be submitted to the Planning Commission for consideration, in addition to any oral testimony, before making a decision on the proposed project. All correspondence received before and during the meeting will be distributed to the Planning Commission and retained for the official record.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that, as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands, within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:  
RIVERSIDE COUNTY PLANNING DEPARTMENT  
Attn: Deborah Bradford  
P.O. Box 1409, Riverside, CA 92502-1409

## PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on May 13, 2020,

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

APN (s) or case numbers CZ1800012 TTM37358 for

Company or Individual's Name RCIT - GIS,

Distance buffered 600'

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

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

TITLE: GIS Analyst

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

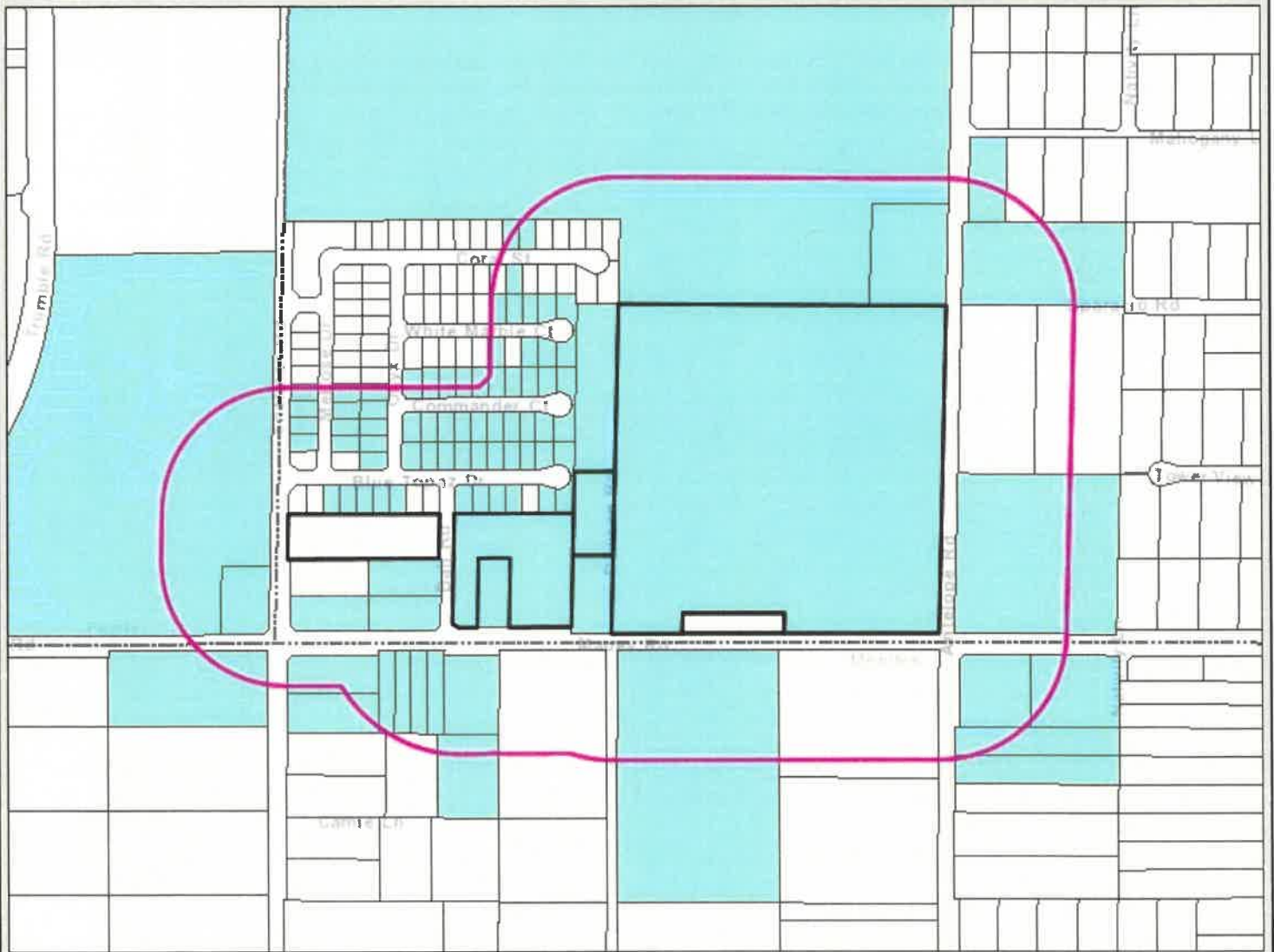
Riverside, Ca. 92502

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

# Riverside County GIS Mailing Labels

CZ1800012 TTM37358

( 600 feet buffer )



### Legend

-  County Boundary
-  Cities
-  Parcels
-  World Street Map

### Notes



0 752 1,505 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... 5/13/2020 11:59:28 AM

© Riverside County RCIT

327170004  
JORGE ANTONIO SACA  
24700 ANTELOPE RD  
SUN CITY CA 92585

327170007  
RIVERSIDE RANCH  
9903 PARAMOUNT BL NO 484  
DOWNEY CA 90240

327180003  
VICENTE SALGADO LOPEZ  
27740 MAPES RD  
SUN CITY CA 92585

327180005  
CAL EQUITY  
1000 DOVE ST STE 300  
NEWPORT BEACH CA 92660

327180013  
CT CAPITAL  
1000 DOVE ST NO 100  
NEWPORT BEACH CA 92660

327180014  
FELTON LEONARD DUNLAP  
24829 DAWSON RD  
SUN CITY CA 92585

327190025  
EASTERN MUNICIPAL WATER DIST  
P O BOX 8300  
PERRIS CA 92572

327190030  
COUNTY OF RIVERSIDE  
P O BOX 1180  
RIVERSIDE CA 92502

327330009  
AMOS THIGPEN  
2502 W 74TH ST  
LOS ANGELES CA 90043

327330013  
RAMON J. ZEPEDA  
3514 W 115TH ST  
INGLEWOOD CA 90303

327340001  
CROWN WEST HOMES  
9320 WILSHIRE BLVD NO 203  
BEVERLY HILLS CA 90212

327450001  
ESPARZA MICHAEL LIVING TRUST 2018  
24809 MELROSE DR  
MENIFEE CA 92585

327451010  
JAIME MURILLO  
27668 CORAL ST  
MENIFEE CA 92585

327451011  
MELROSE HOMES  
1000 DOVE ST STE 100  
NEWPORT BEACH CA 92660



327451022  
RUBEN MORA ALVAREZ  
27671 CORAL ST  
MENIFEE CA 92585

327451034  
WADELL VADEN  
27658 WHITE MARBLE CT  
ROMOLAND CA 92585

327451035  
JOHN PAUL JOHNSON  
27670 WHITE MARBLE CT  
MENIFEE CA 92585

327451036  
LOUIS C. BROWN  
27682 WHITE MARBLE CT  
MENIFEE CA 92585

327451037  
MELROSE HOMES  
1000 DOVE ST NO 100  
NEWPORT BEACH CA 92660

327451038  
TOMAS ACERA  
27706 WHITE MARBLE CT  
MENIFEE CA 92585

327451039  
27709 WHITE MARBLE CT  
MENIFEE CA 92585

327451040  
PALOLO NONUTUNU  
27697 WHITE MARBLE CT  
ROMOLAND CA 92585

327451041  
SANGSAATH BOUNKEO  
27685 WHITE MARBLE CT  
MENIFEE CA 92585

327451043  
TAYLOR TRAVILLION  
27661 WHITE MARBLE CT  
MENIFEE CA 92585

327451049  
KENNETH BERNARD MCCOLLOUGH  
27600 COMMANDER CT  
SUN CITY CA 92585

327451050  
ROCHARON D. CRANDALL  
27612 COMMANDER CT  
SUN CITY CA 92585

327451051  
BERNIE REVELES  
27624 COMMANDER CT  
SUN CITY CA 92585

327451052  
BARNHART REVOCABLE TRUST DTD 11/6/2014  
27636 COMMANDER CT  
ROMOLAND CA 92585

327451053  
SHAQUINTA L. KELLY  
27648 COMMANDER CT  
SUN CITY CA 92585

327451054  
FERNANDO A. CHAVARRIA  
27660 COMMANDER CT  
SUN CITY CA 92585

327451055  
ALEXANDER R. MORRIS  
27672 COMMANDER CT  
SUN CITY CA 92585

327451056  
SHANEE C. MORGAN  
27684 COMMANDER CT  
SUN CITY CA 92585

327451057  
YOSHAUNA GUNN  
27696 COMMANDER CT  
SUN CITY CA 92585

327451058  
TIMOTHY MUHAMMAD  
27708 COMMANDER CT  
SUN CITY CA 92585

327452009  
SOCORRO DURAN  
4613 E 1ST ST  
LOS ANGELES CA 90022

327452010  
BETTY WITHERS  
24807 ONYX DR  
SUN CITY CA 92585

327460002  
LINDA YVETTE PEREZ  
24845 MELROSE RD  
MENIFEE CA 92584

327460003  
RONALD R. BERTULFO  
24833 MELROSE DR  
SUN CITY CA 92585

327460004  
STEVEN B. LEE  
4133 EUNICE AVE  
EL MONTE CA 91731

327461001  
BENJAMIN MONDRAGON  
24818 MELROSE DR  
SUN CITY CA 92585

327461002  
ALFREDO SALAMANCA  
24830 MELROSE DR  
SUN CITY CA 92585

327461003  
ROBERTO SILVA  
24842 MELROSE DR  
SUN CITY CA 92585

327461005  
LORI MILLER  
24855 ONYX DR  
ROMOLAND CA 92585

327461006  
CHARLES S. WHEATLEY  
24843 ONYX DR  
SUN CITY CA 92585

327461007  
KEITH E. GILBERT  
24831 ONYX DR  
SUN CITY CA 92585

327461008  
DORA E. RIVAS  
24819 ONYX DR  
SUN CITY CA 92585

327462001  
ANGELICA MARIA ELICERIO  
27711 COMMANDER CT  
SUN CITY CA 92585

327462002  
EMMANUEL CRAWFORD  
27699 COMMANDER CT  
MENIFEE CA 92585

327462003  
JIE GONG  
27687 COMMANDER CT  
SUN CITY CA 92585

327462004  
CECELIA WHEATLEY  
27675 COMMANDER CT  
SUN CITY CA 92585

327462005  
KYLE D. LEE  
27663 COMMANDER CT  
SUN CITY CA 92585

327462006  
MURPHY JOHN B & KATHRYN R FAMILY TRUST  
27651 COMMANDER CT  
MENIFEE CA 92585

327462007  
JOHNNIE B. ROBINSON  
27639 COMMANDER CT  
SUN CITY CA 92585

327462008  
CALEB WHEATLEY  
27627 COMMANDER CT  
SUN CITY CA 92585

327462009  
MARTIN WILLIAMS  
27615 COMMANDER CT  
SUN CITY CA 92585

327462010  
MEJIA LIVING TRUST DTD 11/6/2019  
27603 COMMANDER CT  
ROMOLAND CA 92585

327462011  
ARMANDO MENDEZ  
27602 BLUE TOPAZ DR  
SUN CITY CA 92585

327462012  
ROBERT J. EVANS  
27614 BLUE TOPAZ DR  
SUN CITY CA 92585

327462013  
ARTURO ROJAS  
27626 BLUE TOPAZ DR  
SUN CITY CA 92585

327462014  
JIUMEI HE  
27638 BLUE TOPAZ DR  
MENIFEE CA 92585

327462015  
YI ZHAO  
3851 RUETTE SAN RAPHAEL  
SAN DIEGO CA 92130

327462016  
DIQING WU  
556 LAS TUNAS DR STE 101  
ARCADIA CA 91007

327462017  
SAKSANA OUDOMSIVILAY  
36768 RANCH HOUSE ST  
MURRIETA CA 92563

327462018  
CHUC NGO  
27686 BLUE TOPAZ DR  
SUN CITY CA 92585

327462019  
FRANCISCO J. VASQUEZ  
27698 BLUE TOPAZ DR  
SUN CITY CA 92585

327462020  
ANTHONY C. STALLINGS  
27710 BLUE TOPAZ DR  
SUN CITY CA 92585

327462021  
27713 BLUE TOPAZ DR  
MENIFEE CA 92585

327462022  
SHAWN FUERTE  
27701 BLUE TOPAZ DR  
MENIFEE CA 92585

327462024  
JAIME CEDILLO  
27677 BLUE TOPAZ DR  
SUN CITY CA 92585

327462025  
FENG JIE DONG  
4862 N BROAD ST  
PHILADELPHIA PA 19141

327462026  
ROSSUELL LOPEZ  
27653 BLUE TOPAZ DR  
SUN CITY CA 92585

327462027  
JOSE DE J CAMARENA  
27641 BLUE TOPAZ DR  
SUN CITY CA 92585

327462028  
CT CAPITAL  
1000 DOVE ST NO 300  
NEWPORT BEACH CA 92660

327462029  
DODANIN R. MARTINEZ  
27650 MAPES RD  
SUN CITY CA 92585

327463003  
2018-4 IH BORROWER  
1717 MAIN ST STE 2000  
DALLAS TX 75201

327463004  
RITA MCCRAY  
27581 BLUE TOPAZ DR  
SUN CITY CA 92585

327463005  
DAWN S. HARPER  
27569 BLUE TOPAZ DR  
SUN CITY CA 92585

327463006  
TUYET VAN TRUONG  
1122 S ROSEWOOD AVE  
SANTA ANA CA 92707

327463007  
GISELLE R. RICAFORT  
27545 BLUE TOPAZ DR  
SUN CITY CA 92585

327463012  
MARILYNN SUSIE KEIL  
27570 MAPES RD  
SUN CITY CA 92585

327463013  
THOMAS E. BELOTT  
30634 BLUE LAGOON CIR  
MENIFEE CA 92584

327463014  
CESAR CHAVEZ DIAZ  
24985 BALL RD  
SUN CITY CA 92585

329030049  
ROMOLAND PROP II  
42540 RIO NEDO RD  
TEMECULA CA 92590

329050001  
SIRACUSA SMITH LAND CO  
P O BOX 694  
CREEDE CO 81130

329270002  
RONALD S. CROMAR  
27555 MAPES RD  
ROMOLAND, CA 92585

329270003  
OSCAR MEDRANO  
27595 MAPES RD  
MENIFEE CA 92585

329270004  
PHILLIP L. HOWELL  
27625 MAPES RD  
SUN CITY CA 92585

329270005  
SANDRA ALICE DEBRUYN  
27665 MAPES RD  
SUN CITY CA 92585

329270006  
JOSE ABARCA  
27675 MAPES RD  
SUN CITY CA 92585

329270008  
PHILLIP L. HOWELL  
27625 MAPES RD  
ROMOLAND CA 92585

329270012  
WADE A. COLEMAN  
25020 SHERMAN RD  
SUN CITY CA 92585

329270013  
JOSE SEVILLA  
25040 SHERMAN RD  
SUN CITY CA 92585

329360001  
TERRI L. JONES  
28050 WORCHESKY WAY  
MENIFEE CA 92585

329360002  
TERRI L. JONES  
28050 WORCHESKY WAY  
ROMOLAND CA 92585

329360017  
RICK DEESE  
25090 ANTELOPE RD  
SUN CITY CA 92585

329360018  
EMILIO LOPEZ  
25120 ANTELOPE DR  
SUN CITY CA 92585

Eastern Municipal Water District  
P.O. Box 8300  
Perris, CA 92572-8300  
(RE: TTM37358, CZ180005)

Eastern Municipal Water District  
P.O. Box 8300  
Perris, CA 92572-8300  
(RE: TTM37358, CZ180005)

Southern California Edison Co. (SCE)  
P.O. Box 800  
Rosemead, CA 91770  
(RE: TTM37358, CZ180005)

Southern California Edison Co. (SCE)  
P.O. Box 800  
Rosemead, CA 91770  
(RE: TTM37358, CZ180005)

Southern California Gas Co.  
PO Box 1626  
Monterey Park CA 91754-8626  
(RE: TTM37358, CZ180005)

Southern California Gas Co.  
PO Box 1626  
Monterey Park CA 91754-8626  
(RE: TTM37358, CZ180005)

Perris Union School District  
155 E 4th Street  
Perris, CA 92570  
(RE: TTM37358, CZ180005)

Perris Union School District  
155 E 4th Street  
Perris, CA 92570  
(RE: TTM37358, CZ180005)

Romoland School District  
25900 Leon Rd,  
Homeland, CA 92548  
(RE: TTM37358, CZ180005)

Romoland School District  
25900 Leon Rd,  
Homeland, CA 92548  
(RE: TTM37358, CZ180005)

Agent, (TTM37358, CZ180005)  
Daniel Kim  
1000 Dove Street, Suite 300  
Newport Beach, CA 92660

Agent, (TTM37358, CZ180005)  
Daniel Kim  
1000 Dove Street, Suite 300  
Newport Beach, CA 92660

Engineer, (TTM37358, CZ180005)  
Reynold Allard  
16866 Seville Avenue  
Fontana, CA 92335

Engineer, (TTM37358, CZ180005)  
Reynold Allard  
16866 Seville Avenue  
Fontana, CA 92335

Owner and Applicant, (TTM37358, CZ180005)  
Pacific Communities Builder, Inc.  
Atten: Ronald Freeman  
1000 Dove Street  
Newport Beach, CA 92660

Owner and Applicant, (TTM37358, CZ180005)  
Pacific Communities Builder, Inc.  
Atten: Ronald Freeman  
1000 Dove Street  
Newport Beach, CA 92660

Richard Drury  
Komalpreet Toor  
Lozeau Drury, LLP  
1939 Harrison Street, Suite 150  
Oakland, CA 94612

Kirkland West  
Habitat Defense Council  
PO Box 7821  
Laguna Niguel, Ca, 92607-7821





# RIVERSIDE COUNTY PLANNING DEPARTMENT

**Charissa Leach, P.E.**  
**Assistant TLMA Director**

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

**FROM:** Riverside County Planning Department  
 4080 Lemon Street, 12th Floor  
P. O. Box 1409  
Riverside, CA 92502-1409

38686 El Cerrito Road  
Palm Desert, California 92211

**SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.**

TTM37358, and CZ1800012

*Project Title/Case Numbers*

Deborah Bradford, Project Planner

*County Contact Person*

(951) 955-6646

*Phone Number*

N/A

*State Clearinghouse Number (if submitted to the State Clearinghouse)*

Pacific Communities Builder, INC., Ronald Freeman

*Project Applicant*

1000 Dove Street, Suite 300 – Newport Beach, CA 92660

*Address*

North of Mapes Road, East of Antelope Road, West of Dawson Road, and South of Mahogany Lane

*Project Location*

**Change of Zone No. 1800012 (CZ1800012) proposes to change the zoning classification of the Project site from Rural-Residential (R-R) to One-Family Dwelling (R-1). The Tentative Tract Map to subdivide 45.6 gross acres into 154 single family residential lots ranging in size from 7,200 square feet to 12,745 square feet, seven (7) letter lots dedicated to retention basins and open space amenities which consists of three parks, and one paseo, and three (3) remainder parcels located along the western and southern boundary of the Project site. The Project is proposed to be developed in four phases.**

*Project Description*

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on \_\_\_\_\_, 2020, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS NOT adopted
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the earlier EA, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

\_\_\_\_\_  
*Signature* Project Planner \_\_\_\_\_  
*Title* *Date*

Date Received for Filing and Posting at OPR: \_\_\_\_\_

Please charge deposit fee case#: CEQ180047

**FOR COUNTY CLERK'S USE ONLY**

**INVOICE (INV-00045987)  
FOR RIVERSIDE COUNTY**

**County of Riverside  
Transportation & Land Management Agency**



**BILLING CONTACT / APPLICANT**

Nelson Chung  
Pacific Communities Builder, Inc  
1000 Dove St, 300  
Newport Beach, Ca 92660

INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS
INV-00045987	05/07/2018	05/07/2018	Paid In Full

REFERENCE NUMBER	FEE NAME	TOTAL
CFW180039	0452 - CF&W Trust Record Fees	\$50.00

SITE ADDRESS	SUB TOTAL	TOTAL
		\$50.00

<b>TOTAL DUE</b>	<b>\$50.00</b>
------------------	----------------

PAYMENT OPTIONS		Note: A 2.28% transaction service fee will be applied to Credit Card payments.
Online Payments	Go to: RivCoPlus.org	E-Checks and Credit Cards are accepted on-line.
Credit Card Payment by Phone	(760) 863-7735	Please have your invoice number ready for reference.
Payment by US Postal Mail Service	County of Riverside Attn: Accounts Receivables P.O. Box 1605 Riverside, CA 92502	Reference your invoice number on your check or include a copy of the invoice.
Payment by FedEx, UPS or similar courier	County of Riverside Attn: Accounts Receivables 4080 Lemon St., 14th Fl. Riverside, CA 92501	Reference your invoice number on your check or include a copy of the invoice.

Note that this invoice is used for both initial and supplemental payment requests. On Deposit Based Fee (DBF) cases and permits all work will cease when the balance is negative. If you have already made an initial payment and you are receiving an additional invoice, your case or permit has a low or negative balance. Work cannot resume until you have provided additional funds. If you would like to review a full statement of costs to date, e-mail your request to, [TLMABilling@rivco.org](mailto:TLMABilling@rivco.org) and include the reference number(s), which is your case number and department in the subject line.

**INVOICE (INV-00128821)  
FOR RIVERSIDE COUNTY**

**County of Riverside  
Transportation & Land Management Agency**



**BILLING CONTACT / APPLICANT**

Nelson Chung  
Pacific Communities Builder, Inc  
1000 Dove St, 300  
Newport Beach, Ca 92660

INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS
INV-00128821	11/03/2020	11/03/2020	Paid In Full

REFERENCE NUMBER	FEE NAME	TOTAL
CFW180039	0453 - CF&W Trust EIR	\$2,406.75

SITE ADDRESS	
	<b>SUB TOTAL</b>
	\$2,406.75

<b>TOTAL DUE</b>	<b>\$2,406.75</b>
------------------	-------------------

PAYMENT OPTIONS		Note: A 2.28% transaction service fee will be applied to Credit Card payments.
Online Payments	Go to: RivCoPlus.org	E-Checks and Credit Cards are accepted on-line.
Credit Card Payment by Phone	(760) 863-7735	Please have your invoice number ready for reference.
Payment by US Postal Mail Service	County of Riverside Attn: Accounts Receivables P.O. Box 1605 Riverside, CA 92502	Reference your invoice number on your check or include a copy of the invoice.
Payment by FedEx, UPS or similar courier	County of Riverside Attn: Accounts Receivables 4080 Lemon St., 14th Fl. Riverside, CA 92501	Reference your invoice number on your check or include a copy of the invoice.

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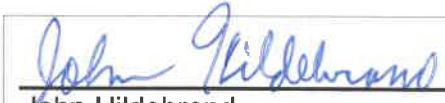
**COUNTY OF RIVERSIDE  
PLANNING DEPARTMENT  
STAFF REPORT**

**Agenda Item No.**

**4 - 2**

**Planning Commission Hearing: January 6, 2021**

**PROPOSED PROJECT**

<b>Case Number(s):</b>	CUP200031 and DA2000011	<b>Applicant(s):</b> Cannabis 21+
<b>CEQA Exempt:</b>	Sections 15301, 15303	
<b>Area Plan:</b>	Mead Valley	<b>Representative(s):</b> Sean St. Peter
<b>Zoning Area/District:</b>	North Perris Area	
<b>Supervisory District:</b>	First District	
<b>Project Planner:</b>	Phayvanh Nanthavongdouangsy	 John Hildebrand Interim Planning Director
<b>Project APN(s):</b>	317-110-070	

**PROJECT DESCRIPTION AND LOCATION**

Conditional Use Permit No. 200031 (CUP200031) is a proposal for a Commercial Cannabis facility that includes retail sales and distribution. The cannabis facility will occupy 4,646 SF of an 8,892 SF building that was previously approved through Plot Plan No. 25699 that is yet to be constructed. The retail area is 4,274 SF and the distribution area is 372 SF. The cannabis retail store hours of operation will be from 8:00 a.m. to 10:00 p.m., 7-days a week and delivery hours will be 8:00 a.m. to 9:00 p.m., 7-days a week. The distribution facility will be closed to the public and will also operate between the hours of 8:00 a.m. and 10:00 p.m. In accordance with approved Plot Plan No. 25699, the parking area will be improved to accommodate 45 parking spaces. The project requires by 23 of the total 45 spaces.

The description as included above constitutes the "Project" as further referenced in this staff report.

Development Agreement No. 2000011 (DA2000011) sets forth the terms and conditions under which the Commercial Cannabis Activity of CUP200031 will operate in addition to the requirements established under Ordinance No. 348, and all other local ordinances and regulations, state law and such other terms and conditions. DA2000011 has a term of 10 years, will grant the applicant vesting rights to develop the Project in accordance with the terms of agreement and CUP200031, and will provide community benefits to the Mead Valley Area.

The Project is located northerly of Cajalco Expressway, southerly of Messenia Lane, easterly of Harvill Avenue, and westerly of Interstate 215, within the Mead Valley Area Plan.

**PROJECT RECOMMENDATION**

**STAFF RECOMMENDATIONS:**

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

**FIND** that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Article 19 Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures) based on the findings and conclusions in this staff report; and,

**TENTATIVELY APPROVE Development Agreement No. 2000011**, 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. 200031**, 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.

<b>PROJECT DATA</b>
---------------------

**Land Use and Zoning:**

Existing General Plan Foundation Component:	Community Development
Existing General Plan Land Use Designation:	Commercial Retail (CR)
Policy /Overlay Area	Community Center Overlay
Surrounding General Plan Land Uses	
North:	Specific Plan (SP) 341-Light Industrial (LI)
East:	SP 341- Light Industrial (LI)
South:	CR
West:	SP 341 – Light Industrial (LI) w/Community Center Overlay
Existing Zoning Classification:	Scenic Highway Commercial (C-P-S)
Surrounding Zoning Classifications	
North:	SP Planning Area (PA) 1 Zone
East:	SP PA 4 Zone
South:	C-P-S
West:	SP PA 2 Zone
Existing Use:	Graded lot and partial landscape improvement pursuant to PP25699
Surrounding Uses	
North:	Majestic Freeway Business Center
South:	Farmer boys Drive-thru, gas stations
East:	Majestic Freeway Business Center
West:	Vacant – future warehouse/distribution/manufacturing development approved PPT180028

**Project Details:**

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	1 acre	No minimum
Existing Building Area (SQFT):	8,892 SF (approved, not yet built)	N/A
Proposed Building Area (SQFT):	Occupy 4,646 SF of the previously approved building	N/A
Floor Area Ratio:	0.22	Minimum 0.2
Building Height (FT):	26'	Maximum 50'

**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 Sales	4,274	1 space for 200 SF	21	21
Distribution	372	2 spaces for 3 Employees, 6 employees, 2 shifts per day	2	2
<b>TOTAL:</b>			<b>23</b>	<b>23</b>

**Located Within:**

City's Sphere of Influence:	Yes – City of Perris
Community Service Area ("CSA"):	Yes – CSA 89
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	Yes - Low Liquefaction
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	Yes – In
Airport Influence Area ("AIA"):	Yes – March Air Reserve Base, Zone C2

**PROJECT LOCATION MAP**



Figure 1: Project Location Map

## PROJECT BACKGROUND AND ANALYSIS

### Cannabis Background:

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

Applicants requesting to establish commercial cannabis retail, microbusiness, and/or cultivation uses were required to submit a request for proposal "RFP" cannabis package. Applicants who ranked highest could proceed forward with the Conditional Use Permit process. On July 2, 2019, the Board of Supervisors accepted the Cannabis RFP response package rankings list, which allowed the highest-ranking applicants to begin the land use review process for their proposed project. In the first year of implementation, 50 cannabis cultivation applications and 19 cannabis retail applications began the land use review process.

On May 19, 2020, the Board of Supervisors approved the second year of the Cannabis Regulatory Program, allowing interested parties to directly submit applications for Conditional Use Permits that will be evaluated through the environmental and public review and hearing process on a case-by-case basis. The application for Conditional Use Permit No. 2000031 (CUP200031) and Development Agreement No. 2000011 (DA2000011) was submitted on September 8, 2020.

### Project Details:

CUP200031 is a proposal for a commercial cannabis facility that includes retail sales and distribution. The cannabis facility will lease 4,646 SF of an 8,892-SF building that was approved through Plot Plan No. 25699 (PP25699). The retail building was approved for seven retail units and has not been constructed. The project will combine four of the units and remaining three units will be available for future tenants. The cannabis facility total retail area will be 4,274 SF and the distribution area is 372 SF. The project will include 23 parking spaces. The associated retail store hours of operation will be 8:00 a.m. to 10:00 p.m., 7-days a week and delivery hours will be 8:00 a.m. to 9:00 p.m., 7-days a week. The distribution facility is closed to the public and the hours of operation will be 8:00 a.m. to 10:00 p.m.

The Planning Director approved PP25699 and Variance No. 1893 and adopted the associated mitigated negative declaration on February 8, 2019. PP25699 provides land use entitlement for a retail shopping center that includes four commercial buildings, one 75'-free-standing pylon sign, two 6'-monument signs, and 146 parking spaces, and 8 ADA-compliant parking spaces. PP25699 includes four separate parcels that in total, encompasses approximately 5.06 acres. The buildings are anticipated to be built in four phases. Building A is a 3,252 sq. ft. drive-thru restaurant for a Farmer Boys Restaurant. Building B will be a 3,434 sq. ft. drive-thru restaurant for a future tenant. Building C, totaling 3,980 sq. ft., consists of three units and includes a drive-thru for a future tenant. Building D, totaling 8,892 sq. ft., was approved for seven retail units. CUP200031 is being evaluated for a portion of Building D.

Thus far, Building A and the free-standing pylon sign has been constructed. PP25699 site was partially improved to include paved and striped parking area, landscaping, road improvements, and sidewalks. The pads for the remaining buildings have been graded.

Pursuant to Ordinance No. 348 Section 18.12, the project is required to have 23 parking spaces, one of which will be ADA-compliant. The project site parking area will be improved to accommodate 45 parking spaces, three of which are ADA-compliant for Building D. Two of the parking spaces will be dedicated for electric vehicles as noted on the CUP200031 site plan. The future parking area provides adequate parking for the proposed cannabis facility and the remaining three retail units (that are not a part of this project).

### **General Plan Consistency**

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

The Commercial Retail land use designation provides for the emphasis on general uses such as grocery stores, drug stores, and other retail outlets. The project is consistent with the Community Development General Plan Foundation Component and Commercial Retail Land Use Designation as it would provide retail, community services and job opportunities within the surrounding community.



### **Zoning Consistency**

The project site is zoned C-P-S (Scenic Highway Commercial). Pursuant to Ordinance No. 348, Article XIXh, Sections 19.518 and 19.520, Cannabis Retailers and Cannabis Distribution Facilities are allowed in the C-P-S Zone with an approved conditional use permit. The applicant has submitted this CUP application to ensure compliance with all applicable development standards and regulations. As further described in the findings section, the project meets all the applicable development standards for the C-P-S Zone and those set forth in Sections 19.519 and 19.521 of Ordinance No. 348, including design, height, setbacks, and parking requirements.

The property is landscaped in accordance with the County of Riverside Ordinance No. 348 and Ordinance No. 859. The project was conditioned to meet or exceed landscaping required and installed for PP25699. An updated landscape plan is required prior to the issuance of the building permit.

The project site is located within the Airport Influence Area ("AIA") boundary and is therefore is subject to the Airport Land Use Commission ("ALUC") review. On November 12, 2020 ALUC found the project to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan subject to a set of conditions. The recommended conditions are included as part of the project's Conditions of Approval 15 Planning. 3. ALUC Conditions.

## **ENVIRONMENTAL REVIEW AND ENVIRONMENTAL FINDINGS**

The proposed project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15301, Class 1, and Section 15303, Class 3. It is exempt under Section 15301 as the cannabis facility will lease space of an approved building, proposes minor modification to the interior of the building, and involves no expansion of the approved building footprint, and it will permit the use of a portion of the building as a cannabis facility. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use. The proposed cannabis facility will operate within leased space of an approved building that is yet to be constructed. The project also involves minor alteration of the approved building, as it will combine four of the retail units to accommodate the 4,274 SF of Cannabis retail area and 372 SF distribution area. Three of the remaining retail units will be constructed as approved for future tenants. The building exterior footprint, total square feet of approved retail area, exterior architecture, parking area, and overall site design (building location, parking, onsite circulation, etc.) as approved for PP25699 will not change with the approval of this project. As described, the project involves no expansion of use, specifically there are no expansion of retail space area and building footprint; therefore, it can fall within the Class I exemption.

This project is also exempt under Section 15303 (New Construction or Conversion of Small Structures). This section specifically exempts construction and location of new, small facilities or structures. Examples of this exemption include but are not limited to, a store or similar structure in an urbanized area on a site zoned for such use where all necessary public services and facilities are available, the surrounding area is not environmentally sensitive, it does not involve the use of significant amounts of hazardous substances, and it does not exceed 10,000 square feet in floor area. Here, the building was previously permitted to be constructed under PP25699. Even if the

building were being newly permitted as part of CUP200031, it would still be exempt under Section 15303 since it proposes a commercial building under 10,000 square feet on the property, and since it is in an urbanized area, all necessary public services and facilities are available, no hazardous substances are proposed to be kept on site, and it is not an environmentally sensitive area, the project qualifies for the Class 3 exemption; therefore, no additional environmental review is required.

Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Exception 15300.2 (a) prevents Categorical Exemptions Classes 3, 4, 5, 6, and 11 from applying in a particularly sensitive environment. The project is not within a particularly sensitive environment, and it also falls within Class I exemption; therefore, this exception does not apply. Exception 15300.2 (b) applies to all classes and would make the exemption inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The project would not lead to cumulative impacts that overtime is significant, as the project would not create a greater level of potential impacts beyond what was considered for the approved retail center at this location. All future projects that are similar to and are located in the same area will be evaluated pursuant to CEQA; therefore, this exception does not apply. Exception 15300.2 (c) states that an exemption shall not be used where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances associated with the cannabis facility. The building that will be leased to operate the project was approved to be utilized for retail uses. The building is a part of a retail center that is consistent with the site's commercial land use designation and zoning classification; as well as all applicable sections of Ordinance No. 348. The project is considered a retail use that is also consistent with the site's commercial land use designation, zoning classification and all applicable sections of Ordinance No. 348. Also, similar to other development that requires a land use permit, the project is conditioned to comply with all applicable General Plan policies, County Ordinances and State law. Therefore, there are no reasonable possibility the project would not have a significant effect. Exception 15300.2 (d) states that an exemption shall not be used for project that may result in damage to scenic resources. The project is located westerly of Interstate 215. This segment of I-215 is not designated as a Scenic Highway. The project does not change the exterior architecture of the approved building and the on-site signage that will be affixed to building's west and south elevation meets the development standards of Ordinance No. 348 Section 19.4. The project is in area that is being built out with commercial and industrial uses. The building and project signage is consistent with the existing characteristics of the area and would not damage scenic resources; therefore, this exception does not apply. Exception 15300.2 (e) states that an exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of Government Code. The project site is not a hazardous waste site and is not on any list compiled pursuant to Section 65962.5; therefore, this exception does not apply. Exception 15300.2 (f) states that an exemption shall not be used for a project which may cause substantial adverse change in the significance of a historical resource. There were no historic resources on the project site; therefore, this exception does not apply. For the reasons described above none of the exceptions outlined in CEQA Guidelines Section 15300.2 applies to the project; and therefore, Article 19- Categorical Exemptions, Section 15301 and Section 15303 Exemptions may be used to exempt the project from CEQA.

## **FINDINGS AND CONCLUSIONS**

**In order for the County to approve a 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 Commercial Retail land use designation allows for the development of commercial retail uses at a neighborhood, community, and regional level, as well as professional office and tourist-oriented commercial uses. The project is a considered a commercial use that provides retail sales and distribution of cannabis products. The floor area ratio (FAR) of a commercial development within the CD:CR typically ranges from 0.20 to 0.35. The project will lease 4,646 SF of an approved 8,892 SF building to operate a commercial cannabis facility. The net project area where this building is located is 41,259 SF. The FAR of the project site is approximately 0.22, which is within the FAR range of the CD:CR designation.
2. The project site has a Zoning Classification of Scenic Highway Commercial (C-P-S), which is consistent with the Riverside County General Plan CD:CR designation. The C-P-S Zoning Classification allows for various commercial uses that meets the goals of the CD:CR designation, in that these local and regional serving commercial uses will help to provide jobs for local residents, contribute to enhancing and balancing communities economically, and facilitate a tax base that aids in providing needed public facilities and services.
3. The project site is located within the Community Center Overlay (CCO) within the Mead Valley Area Plan (MVAP). The intent of the CCO is to achieve community focal points, promote multi-modal transit options, connectivity between job centers and related retail services, and achieve a more efficient use of land. The CCO offers the potential for development of a unique mix of employment, commercial and public uses. The project proposal is consistent with design considerations that promote connectivity among existing and future land uses. As stated in the Table 1: Land Use Designations Summary of the Mead Valley Area Plan and policy MVAP 5.1, CCO allows for either a Community Center or the underlying designated land use to be developed. The project and the previously approved Plot Plan for the retail commercial center is in compliance with the underlying land use designation of CD:CR.
4. The proposed use, a Commercial Cannabis Retailer and Distribution Facility, is consistent with Ordinance No. 348 (Land Use) and is allowed within the C-P-S Zoning Classification, subject to Conditional Use Permit approval. Pursuant to various sections of Ordinance No. 348, as described in greater details below in this staff report, the proposed project meets all of the conditional use permit findings, the development standards of the C-P-S Zoning Classification, permit requirements for all commercial cannabis activities, cannabis retailer minimum standards, and cannabis distribution facilities standards.

**Conditional Use Permit Findings (Section 18.28):**

The following findings shall be made prior to making a recommendation to grant a Conditional Use Permit pursuant to the provisions of the Riverside County Zoning Ordinance No. 348 (Land Use):

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 commercial cannabis activity will be located in a retail center that was previously approved for the project site. The retail center was found to be consistent with the General Plan. The project does not propose any substantial changes to the approved Plot Plan and will occupy four of the seven retail spaces

that was originally approved for this building. The proposed use is a retail and distribution facility for a cannabis commercial activity. The use is a commercial use that may establish in the CD:CR land use designation. The project is conditioned to meet applicable State law and ordinances of Riverside County. The project is required to comply with all State cannabis licensing requirements and shall apply for the appropriate cannabis license within six (6) months of the Conditional Use Permit approval. Failure to do so will terminate the conditional use permit approval.

2. The proposed use will not be detrimental to the health, safety, or general welfare of the community because 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 and complies with the permit requirements for all Commercial Cannabis Activities.
3. The proposed project conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property, as the project site is surrounded by properties which are designated Community Development: Commercial Retail (CD:CR) which encourages suburban development and land uses that foster variety, choice and accommodate a balance of jobs, housing, and services within communities. The proposed use, a cannabis retail and distribution facility, would provide community services and job opportunities within the surrounding community. Additionally, the project complies with the development standards of the C-P-S Zone. Therefore, the proposed project conforms to the logical development of the land and to be compatible with the present and future logical development of the surrounding property. The project has been conditioned to meet all of the requirements of applicant State law and ordinances of Riverside County.
4. That project will occupy a retail space of an approved building. The project area includes site improvements such as road improvements, sidewalks, parking ingress/egress points, and partial landscaping pursuant to approved plot plan. Further site improvements, such as parking spaces, trash enclosure, water quality basin, and landscaping will be constructed pursuant to the plot plan and CUP200031 conditions of approval.
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 will occupy a portion of an approved building that will be located on a single legally divided parcel as shown on Exhibit A. There are no other buildings proposed on this parcel as part of this project.
6. Based on the findings included in this staff report, advisory notification document and conditions of approval, the proposed project will not be detrimental to the health, safety or general welfare of the community, and is subject to those conditions necessary to protect the health, safety and general welfare of the community.

**Permit Requirements for All Commercial Cannabis Activities (Section 19.505):**

1. Section 19.505 of Ordinance No. 348 sets forth requirements that all Commercial Cannabis Activities, including commercial cannabis retailers and distribution facilities, must comply with, including, among others, submitting an appropriate application, obtaining and maintaining a state license, being sited and operated in such a way that controls odors, being limited in hours of operation, and implementing sufficient security measures. All of these requirements have either already been met or are required in the attached project's Conditions of Approval or Advisory Notification Document which are incorporated herein by this reference. Specifically, the requirements of Section 19.505 of Ordinance No. 348 are included in the Project's Conditions of Approval (COA) 15 - Planning. 9 through Planning 34.
2. Section 19.506 of Ordinance No. 348 sets forth the public hearing and requirements of approval. A Planning Commission public hearing for CUP2000031 and DA2000011 is scheduled for January 6, 2021. Public notice was posted in the Press-Enterprise Newspaper on December 27, 2020, and mailed to owners of real property which were located within 1,600' from the project site. Section 19.506 requires notices to be delivered to real property which is located 300' from the exterior boundaries of the subject property. The noticing radius was expanded to 1,600' to yield at least 25 different property owners. The project has complied or is conditioned to comply with all of the requirements of Sections 18.28 (Conditional Use Permit Findings are described above), 19.505 (all requirements are noted on the project's Advisory Notification Document), 19.519 (compliance with Cannabis Retailer standards are described below), and 19.521 (compliance with Cannabis Distribution standards are described below). The project complies with the standards of the C-P-S Zone which is also described below.
3. Section 19.507 of Ordinance No. 348 sets forth Permit Expiration. This section requires all permittee to obtain a valid Cannabis license from the State of California within six (6) months of the conditional use permit's approval date. In the event the conditional of approval is not complied with, the conditional use permit will automatically become null and void on the six (6) month anniversary date of the conditional use permit's approval. The permit is also set to expire within ten (10) years of the effective date of the attached Development Agreement No. 2000011, unless the term is modified or extended for an additional five years. This condition is included as COA 15 - Planning. 35 Permit Expiration.

**Development Standards of the C-P-S Zone (Section 9.53):**

Pursuant to Sections 19.518 and 19.520, Cannabis Retailer – Storefront and Cannabis Distribution Facilities are allowed in the C-P-S Zone. In addition to compliance with the cannabis retailer and cannabis distribution facilities standards, the project also complies with the development standards of the C-P-S Zoning Classification, as follows:

- A. There is no minimum lot area requirement, unless specifically required by zone classification for a particular area.
- B. There are no yard requirements for buildings which do not exceed 35 feet in height, except as required for specific plans. Any portion of a building which exceeds 35 feet in height shall be set back from the front, rear and side lot lines not less than two feet for each foot by which the height exceeds 35 feet. The front setback shall be measured from the existing street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The rear setback shall be measured from the existing rear lot

line or from any recorded alley or easement; if the rear line adjoins a street, the rear setback requirement shall be the same as required for a front setback. Each side setback shall be measured from the side lot line or from an existing adjacent street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The project will lease space within an approved building that will not exceed 35 feet in height. Therefore, the project meets this standard.

- C. 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 project will lease space within an approved building that does not exceed 50 feet in height. Therefore, the project meets this standard.
- D. Automobile storage space shall be provided as required by Ordinance No. 348 Section 18.12. The project will lease space within an approved 8,892 retail building. The parking requirement for the entire building is calculated using the parking ratio of one (1) space per 200 SF. This amounts to 45 spaces and two (2) of such spaces are ADA compliant. The proposed project retail area parking ratio is also one (1) space per 200 SF and the distribution area requires two (2) space per three (3) employees. This amounts to 21 spaces for the retail area and two (2) spaces for employees. The remaining vacant retail area that is not a part of this project is approximately 4,246 SF and will require 22 parking spaces. The parking area approved for PP25699 provides adequate parking spaces for the proposed project and future retail tenants. The project site plan also shows two electrical parking spaces that will be installed by the property owner and is a condition of approval for this project (COA 80 - Planning. 3 and COA 90 - Planning.1). The project site will also include four (4) bicycle parking spaces. Therefore, the project meets this standard.
- E. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet. The project is conditioned to meet this standard (COA 90 - Planning. 6).

**Cannabis Retailer Minimum Standards (Section 19.519):**

1. The project 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. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site.
2. The project is not located within 1,000 feet of any other Cannabis Retailer.
3. The project is not located within 500 feet of a smoke shop or similar facility because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any smoke shop or similar facility within 1,000 feet of the site.

4. The project is not located on a lot containing a residential dwelling unit because a property characteristic report as prepared by the Planning Department has not identified any residential dwelling units located at the subject site.
5. The project complies with the setback standards of the C-P-S Zone and is not adjacent to a residential zone. The adjacent SP planning areas are light industrial/warehousing, not residential.
6. The project complies with the operational requirements set forth in Ordinance No. 348 Section 19.519.C. because of the following:
  - A. Entrances into the retail location of the Cannabis Retailer shall be separate from the reception area and locked at all times with entry strictly controlled. An electronic or mechanical entry system shall be utilized to limit access and entry to the retail location. As provided by the floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (COA 15 - Planning All. 1 Planning Cannabis Retail Operations – 1)
  - B. Cannabis Retailers may include the sale of Medical Cannabis, requiring an M-License from the State. Cannabis Retailers selling only Medical Cannabis shall verify consumers who enter the Premises are at least 18 years of age and that they hold a valid Physician's Recommendation. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to very consumers are of appropriate age. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 7 Cannabis Retail Operations – 2)
  - C. Cannabis Retailers may include the sale of Adult Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to very consumers are at least 21 years of age. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 8 Cannabis Retail Operations – 3)
  - D. Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to very consumers are of appropriate age. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 9 Cannabis Retail Operations – 4)
  - E. Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 10 Cannabis Retail Operations – 5)
  - F. Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area. As provided by the project floor plan, Exhibit C, all retail, reception, employee offices, and

inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 9 Cannabis Retail Operations – 6, COA 80 - Planning. 1 Use – Conform to Floor Plans)

- 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. The project meets this standard because the provide floor plan, Exhibit C shows the sales area to only contain cannabis products (Flower Display). It has been conditioned that 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. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 12 Cannabis Retail Operations – 7)
- H. Restroom facilities shall be locked and under the control of the Cannabis Retailer. As provided by the floor plan of the project, Exhibit C, the restroom facilities have a locking door to the designated room. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 13 Cannabis Retail Operations – 8, COA 80 - Planning. 1 Use - Conform to Floor Plans)
- 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. (COA 15 - Planning-All. 14- Cannabis Retail Operations – 9)
- J. Cannabis Retailers shall not distribute any Cannabis or Cannabis Product unless such products are labeled and in a tamper-evident package in compliance with the California Business and Professions Code and any additional rules promulgated by a licensing authority. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 2 Cannabis Retail Operations – 10)
- K. Cannabis Retailers shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. It has been conditioned the Cannabis Retailer shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 3 Cannabis Retail Operations – 11)
- L. Deliveries shall be conducted in accordance with California Business and Professions Code Section 26090 or as may be amended and all state regulations pertaining to delivery of Cannabis Products. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 4 Cannabis Retail Operations – 12)
- M. Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle. The project has been conditioned to meet this standard. (COA 15 - Planning-All. 5 Cannabis Retail Operations – 13)
- N. Cannabis Retailers shall not include a drive-in, drive-through or walk up window where retail sales of Cannabis or Cannabis Products are sold to persons or persons within or about a motor



vehicle. The project has been conditioned to meet this standard. (COA 15 - Planning- All. 6 Cannabis Retail Operations – 14)

**Mobile Deliveries:**

The Cannabis Retailers with an approved CUP may provide deliveries of Cannabis Products consistent with State law (COA 15 - Planning-All. 4 Cannabis Retail Operations – 12). The project includes delivery services between the hours of delivery hours will be 8:00 a.m. to 9:00 p.m., 7-days a week.

**Cannabis Retail Findings:**

1. The project complies with all the requirements of the State and County for the selling of Cannabis. This is met because the project has been conditioned to meet these requirements.
2. The project 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. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site. Therefore, the project meets this standard.
3. The project includes adequate measures that address enforcement priorities for Commercial Cannabis Activities including restricting access to minors, and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State. This is met because the project has been conditioned to meet this requirement. (COA 15 - Planning. 24 - General - O. Permit and License Posting, COA 15 Planning. 19– General – K Monitoring Program)
4. For Cannabis Retailer lots with verified cannabis-related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violation on the lot and all applicable fees have been paid. This is met because no record of any cannabis-related violations within the last 12 months exist at the project site.

**Cannabis Distribution Facilities Standards (Section 19.521):**

In addition to the approval requirements in Section 19.506 of Ordinance No. 348 and development standards for the applicable zoning classification, Cannabis Distribution Facilities shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

1. Cannabis Distribution Facilities shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This is met because a radius map buffering 600 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not

identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 600 feet of the site.

2. All Cannabis Distributions Facilities shall comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet. The project meets the setback requirements of the C-P-S Zone and is not located adjacent to a residentially zoned property.
3. Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities. The project is conditioned to meet this operational standard. (COA 15 - Planning. 4 Cannabis Distribution Facilities – Operations -1).
4. In addition to the requirements of Section 19.505.Q. the following record keeping measures are required to be implemented for all Cannabis Distribution Facilities: a. Prior to transporting Cannabis or Cannabis Products, a shipping manifest shall be completed as required by state law and regulations. b. A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement or any agents of the State or County charged with enforcement. c. Cannabis Distribution Facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting Cannabis and Cannabis Products to maintain a clear chain of custody. The project is conditioned to meet this operational standard. (COA 15 - Planning. 5 Cannabis Distribution Facilities – Operations – 2).
5. Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files. (COA 15 - Planning. 8 Cannabis Distribution Facilities – Operations – 3).
6. Cannabis Distribution Facilities shall not be open to the public. The project is conditioned to meet this operational standard. (COA 15 - Planning. 6 Cannabis Distribution Facilities – Operations – 4).
7. Cannabis Distribution Facilities shall not transport or store non-cannabis goods. The project is conditioned to meet this operational standard. (COA 15 - Planning. 7 Cannabis Distribution Facilities – Operations – 5).

#### **Cannabis Distribution Facilities Findings**

In addition to the requirements for approval in Section 19.506 of this ordinance, no conditional use permit shall be approved or conditionally approved unless the following findings are made:

1. The Cannabis Distribution Facility complies with all the requirements of the State and County for the distribution of Cannabis. The project is conditioned to meet this requirement.
2. The Cannabis Distribution Facility's operating plan demonstrates proper protocols and procedures that address enforcement priorities for Cannabis related activities including restricting access to minors, and ensuring that Commercial Cannabis Activities and Cannabis Products are obtained from and supplied only to other permitted and licensed sources and not distributed out of State. (COA 15 -

Planning. 24 - General - O. Permit and License Posting, COA 15 - Planning. 19- General – K Monitoring Program)

3. The Cannabis Distribution Facility is not within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This is met because a radius map buffering 600 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 600 feet of the site.

4. The Cannabis Distribution Facility is not open to the public. The distribution facility is not open for the public. (COA 15 - Planning. 6 Cannabis Distribution Facilities – Operations – 4).

5. For Cannabis Distribution Facility lots with verified cannabis-related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violations on the lot and all applicable fees have been paid. There are no cannabis-related violations on the project site.

**Other Findings:**

1. The project site is not located within a Criteria Cell of the Western Riverside County Multiple Species Habitat Conservation Plan.
2. The project site is located within the **City of Perris** Sphere of Influence. This project was provided to **City of Perris** for review and comment. No comments were received either in favor or opposition of the project.
3. The project site is located within an Airport Influence Area (“AIA”) boundary and is therefore subject to the Airport Land Use Commission (“ALUC”) review. The project is within March Air Reserve Base AIA, Zone C2. On November 12, 2020 ALUC found the project to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan subject to a set of conditions. The recommended conditions are included as part of the project’s Conditions of Approval 15 - Planning. 3. ALUC Conditions.
4. 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 (COA 15 - Advisory Notification.4 AND –Federal, State & Local Regulation Compliance).
5. The project site is within the Fee Assessment Area of the Stephen’s Kangaroo Rat Habitat Conservation Plan (“SKRHCP”). The project site is located within the Fee Assessment Area for the Stephen’s Kangaroo Rat Habitat Conservation Plan (SKRHCP). Per County Ordinance No. 663 and the SKRHCP, all applicants for development permits within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of \$500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of on-site mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen’s Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP (COA 15 - Advisory Notification.4 AND –Federal, State & Local Regulation Compliance).

**Fire Findings:**

1. The project site is not located within a Cal Fire State Responsibility Area ("SRA") and is not within a fire hazard severity zone.

**Development Agreement:**

The applicant has proposed entering into the attached draft development agreement (DA2000011) with the County for the Project. The DA is consistent with the General Plan and Board Policy B-9. Additionally, the advisory notification document, conditions of approval, and entitlement approvals are incorporated in the exhibits of the DA and will ensure that the project is developed in a way that would not conflict with the public's health, safety or general welfare. The DA has a term of 10 years and will grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. In exchange, the DA provides certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, which will be used for additional public safety services, infrastructure improvements or community enhancement programs.

**Approval Requirements and Conclusion:**

Based on the findings provided in this staff report and conditions of approval, the project is consistent with the General Plan and any applicable specific plan, complies with the development standards of the 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**

This project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 1,600 feet of the project site. As of the writing of this report, Planning Staff has not received written communication or phone calls indicating support or opposition to the proposed project. The applicant presented the proposed project to the Mead Valley Municipal Advisory Committee (MAC) on November 4, 2020. There were no concerns or opposition raised during the MAC.

DEVELOPMENT AGREEMENT NO. 2000011

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"):

RECITALS

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

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

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

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

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

reasonable; and,

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

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

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

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

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

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

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

WHEREAS, Board of Supervisors Policy No. B-9 further sets forth provisions to be included in development agreements in order to implement applicable General Plan provisions, to ensure that the County does not disproportionately bear the burden of

commercial cannabis activities throughout the County, to ensure the County receives public benefits for the commercial cannabis activities, to ensure there are adequate resources available for enforcement of permitted and unpermitted commercial cannabis activities, and to give cannabis owners and property owners certainty as to the County's requirements; and,

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

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

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

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

#### COVENANTS

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

1. DEFINITIONS AND EXHIBITS.

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

1.1.1 “Agreement” means this Development Agreement.

1.1.2 “Base Rate” means an amount equal to the calculated amount set forth in Exhibit “F”, and which is payable to COUNTY 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. 348.4898, and any other subsequently adopted zoning ordinance amendment or subsequently adopted zoning ordinance.

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

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

1.1.6 “Development” means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction or re-construction of buildings and structures; the tenant improvements of structures, and the installation of landscaping. When authorized by a Subsequent Development Approval as provided by this Agreement, “development”



includes the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

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

- (a) Conditional use permits, and site plans;
- (b) Zoning Amendments;
- (c) General Plan Amendments
- (d) Tentative and final subdivision and parcel maps;
- (e) Grading and building permits;
- (f) Any permits or entitlements necessary from the COUNTY;
- (g) Any easements necessary from COUNTY or any other land owner;
- (h) Specific plans and specific plan amendments;
- (i) Right of Entry agreements

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

1.1.9 “Development Plan” means the Existing or Proposed Development

Approvals and the Existing Land Use Regulations applicable to development of the Property.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Exhibit “A” - Legal Description of the Property

Exhibit “B” - Map Showing Property and Its Location

Exhibit “C” - Existing Development Approvals

Exhibit “D” - Existing Land Use Regulations

Exhibit “E” - Commercial Cannabis Activity Site Plan & Description

Exhibit “F” - Applicable Annual Public Benefits Base Payments

Exhibit “G” - Commercial Cannabis Area calculation exhibit.

Exhibit “H” - Additional Public Benefits Exhibit

2. GENERAL PROVISIONS.

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

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

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

2.4 Transfer.

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

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

(b) Concurrent with any such transfer or within fifteen (15) business days thereafter, OWNER shall notify COUNTY, in writing, of such transfer and

shall provide COUNTY with an executed agreement by the transferee, in a form reasonably acceptable to COUNTY, providing therein that the transferee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement.

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

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

(a) OWNER no longer has a legal or equitable interest in all or any part of the Property.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided COUNTY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.

(d) The transferee provides COUNTY with security equivalent to any security previously provided by OWNER to secure performance of its obligations hereunder.

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

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

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

(a) Expiration of the stated term of this Agreement as set forth in Section 2.3.

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

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

(d) OWNER's election to terminate this Agreement. If OWNER elects not to develop all or a portion of the Property as a Commercial Cannabis Activity, OWNER shall provide notice of such election to the COUNTY, such notice by OWNER shall (i) seek to terminate this Agreement as to the portion of the Property that is the subject of such notice of termination; and (ii) shall acknowledge that the Conditional Use Permit (CUP No. 200031) 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. 2019-037.

(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. 200015.

(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:

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

### 3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance

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

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

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California

Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Cal.3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

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

- (a) Alter the permitted uses of the Property as a whole; or,
  - (b) Increase the density or intensity of use of the Property as a whole;
- or,
- (c) Increase the maximum height and size of permitted buildings or structures;
- or,
- (d) Delete a requirement for the reservation or dedication of land for public

purposes within the Property as a whole; or,

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

### 3.5 Reservations of Authority.

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

(a) Processing fees and charges of every kind and nature imposed by COUNTY to cover the estimated actual costs to COUNTY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

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

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

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

to the density or intensity of development set forth in the Development Plan.

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

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

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

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

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

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

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

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

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

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

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



determine the location of land to be dedicated or in lieu fees to be paid for local park purposes, provided that COUNTY shall exercise its authority subject to the terms of this Agreement.

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

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

#### 4. PUBLIC BENEFITS.

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

by providing more fully for the satisfaction of public interests.

4.2 Public Benefits for Commercial Cannabis Activities.

4.2.1 Annual Public Benefit Base Payments. Prior to the issuance of the first grading permit or the first building permit, whichever occurs first, 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, that such initial annual base payment shall be prorated based on the number of whole months remaining between the date of payment 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 1<sup>st</sup> following the initial Base Payment and each July 1<sup>st</sup> 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 first grading permit or the first building permit, whichever occurs first, 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 payment 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 1<sup>st</sup> following the initial Additional Public Benefit payment and each

July 1<sup>st</sup> 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. 200031 and this Agreement.

6.4 Records Inspection. Upon written request by the COUNTY, OWNER shall

provide records to the COUNTY demonstrating local hiring efforts, and compliance with this Agreement and CUP No. 200015.

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: \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER

Clerk of the Board

By: \_\_\_\_\_  
Deputy  
(SEAL)

OWNERS:

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Dated: \_\_\_\_\_

By: \_\_\_\_\_

(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. 2000011

LEGAL DESCRIPTION OF PROPERTY

*(This exhibit will consist of the legal description of the subject property, as described on a provided current (no more than 30 days old) Title Report)*

EXHIBIT "B"

Development Agreement No. 2000011

MAP OF PROPERTY AND ITS LOCATION

*(This Exhibit will indicate the property's legal (metes and bounds, if required) boundary  
and its location)*



EXHIBIT "C"

Development Agreement No. 2000011

EXISTING DEVELOPMENT APPROVALS

SPECIFIC PLAN

ZONING

LAND DIVISIONS

OTHER 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. 2000011

EXISTING LAND USE REGULATIONS

1. Riverside County Comprehensive General Plan as amended through Resolution No. 2019-050
2. Ordinance No. 348 as amended through Ordinance No. 348.4926
3. Ordinance No. 448 as amended through Ordinance No. 448.A
4. Ordinance No. 457 as amended through Ordinance No. 457.105
5. Ordinance No. 458 as amended through Ordinance No. 458.16
6. Ordinance No. 460 as amended through Ordinance No. 460.154
7. Ordinance No. 461 as amended through Ordinance No. 461.10
8. Ordinance No. 509 as amended through Ordinance No. 509.2
9. Ordinance No. 547 as amended through Ordinance No. 547.7
10. Ordinance No. 555 as amended through Ordinance No. 555.20
11. Ordinance No. 617 as amended through Ordinance No. 617.4
12. Ordinance No. 650 as amended through Ordinance No. 650.6
13. Ordinance No. 659 as amended through Ordinance No. 659.13
14. Ordinance No. 663 as amended through Ordinance No. 663.10
15. Ordinance No. 671 as amended through Ordinance No. 671.21
16. Ordinance No. 673 as amended through Ordinance No. 673.4
17. Ordinance No. 679 as amended through Ordinance No. 679.4
18. Ordinance No. 682 as amended through Ordinance No. 682.4
19. Ordinance No. 726 as amended through Ordinance No. 726
20. Ordinance No. 743 as amended through Ordinance No. 743.3

21. Ordinance No. 748 as amended through Ordinance No. 748.1
22. Ordinance No. 749 as amended through Ordinance No. 749.1
23. Ordinance No. 752 as amended through Ordinance No. 752.2
24. Ordinance No. 754 as amended through Ordinance No. 754.3
25. Ordinance No. 787 as amended through Ordinance No. 787.9
26. Ordinance No. 806 as amended through Ordinance No. 806
27. Ordinance No. 810 as amended through Ordinance No. 810.2
28. Ordinance No. 817 as amended through Ordinance No. 817.1
29. Ordinance No. 824 as amended through Ordinance No. 824.15
30. Ordinance No. 847 as amended through Ordinance No. 847.1
31. Ordinance No. 859 as amended through Ordinance No. 859.3
32. Ordinance No. 875 as amended through Ordinance No. 875.1
33. Ordinance No. 915 as amended through Ordinance No. 915
34. Ordinance No. 925 as amended through Ordinance No. 925.1
35. Ordinance No. 926 as amended through Ordinance No. 926
36. Ordinance No. 927 as amended through Ordinance No. 927
37. Ordinance No. 931 as amended through Ordinance No. 931
38. Resolution No. 2019-037 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. 2000011

### COMMERCIAL CANNABIS ACTIVITY SITE PLAN & DESCRIPTION

As shown on the attached site plan, CUP No. 200031 permits a Cannabis Retailer and distribution facility within 4,646 square feet of an existing 8,892 square foot building. The Cannabis Retailer will include 4,274 square feet of retail and 372 square feet of distribution along with supporting storage, office, employee break area, and reception areas.

EXHIBIT "F"

Development Agreement No. 2000011

APPLICABLE PUBLIC BASE BENEFITS PAYMENTS

The Cannabis Retailer operating at the Property pursuant to CUP No. 200031 will occupy 4,646 square feet of an existing 8,892 square foot building and will include retail and distribution along with supporting storage, office, employee break area, and reception areas as more specifically shown on Exhibit "G". In accordance with Board Policy B-9, the base public benefit is the following: \$18.00 per square foot for the retail and \$3.00 per square foot for the distribution. Therefore, the public base benefit payment will be \$78,048.00 and will increase annually at a rate of 2%.

## EXHIBIT "G"

Development Agreement No. 2000011

### CANNABIS AREA CALCULATION EXHIBIT

The Cannabis Area calculation includes the following: 4,274 square feet for the retail and 372 square feet for the distribution totaling 4,646 square feet within an existing 8,892 square foot building. The 4,646 square feet will be used for the Cannabis Retailer with distribution as shown in this Exhibit "G".

EXHIBIT "H"

Development Agreement No. 2000011

COMMERCIAL CANNABIS ACTIVITY PUBLIC BENEFIT

The additional annual public benefit provided by the OWNER shall be \$97,560.00 with an annual increase of 5%. The COUNTY will utilize this additional annual public benefit within the surrounding community for additional public benefits including, but not limited to, code enforcement, public safety services, infrastructure improvements, community enhancement programs and other similar public benefits as solely determined by the COUNTY's Board of Supervisors. Additionally, OWNER will make efforts to hire locally and participate in community events, career opportunity events, as well as educational and wellness seminars within the surrounding community.





**RIVERSIDE COUNTY PLANNING DEPARTMENT**  
**CUP200031 DA2000011**  
**VICINITY/POLICY AREAS**

Supervisor: Jeffries  
 District 1

Date Drawn: 12/28/2020  
 Vicinity Map



Zoning Area: North Perris

Author: Vinnie Nguyen

DISCLAIMER: On October 7, 2020, the County of Riverside adopted a new General Plan and a new General Plan Map. The new General Plan and General Plan Map are effective for all parcels. The new General Plan and General Plan Map are effective for all parcels. The new General Plan and General Plan Map are effective for all parcels. For further information, please contact the Riverside County Planning Department at (951) 955-3300. Riverside County or in San Bern Co (P) (951) 955-3300.

**RIVERSIDE COUNTY PLANNING DEPARTMENT**  
**CUP200031 DA2000011**  
**LAND USE**

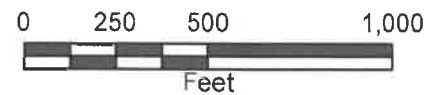
Supervisor: Jeffries  
 District 1

Date Drawn: 12/28/2020  
 Exhibit 1



Zoning Area: North Perris

Author: Vinnie Nguyen



**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 <https://planning.rctdms.org>

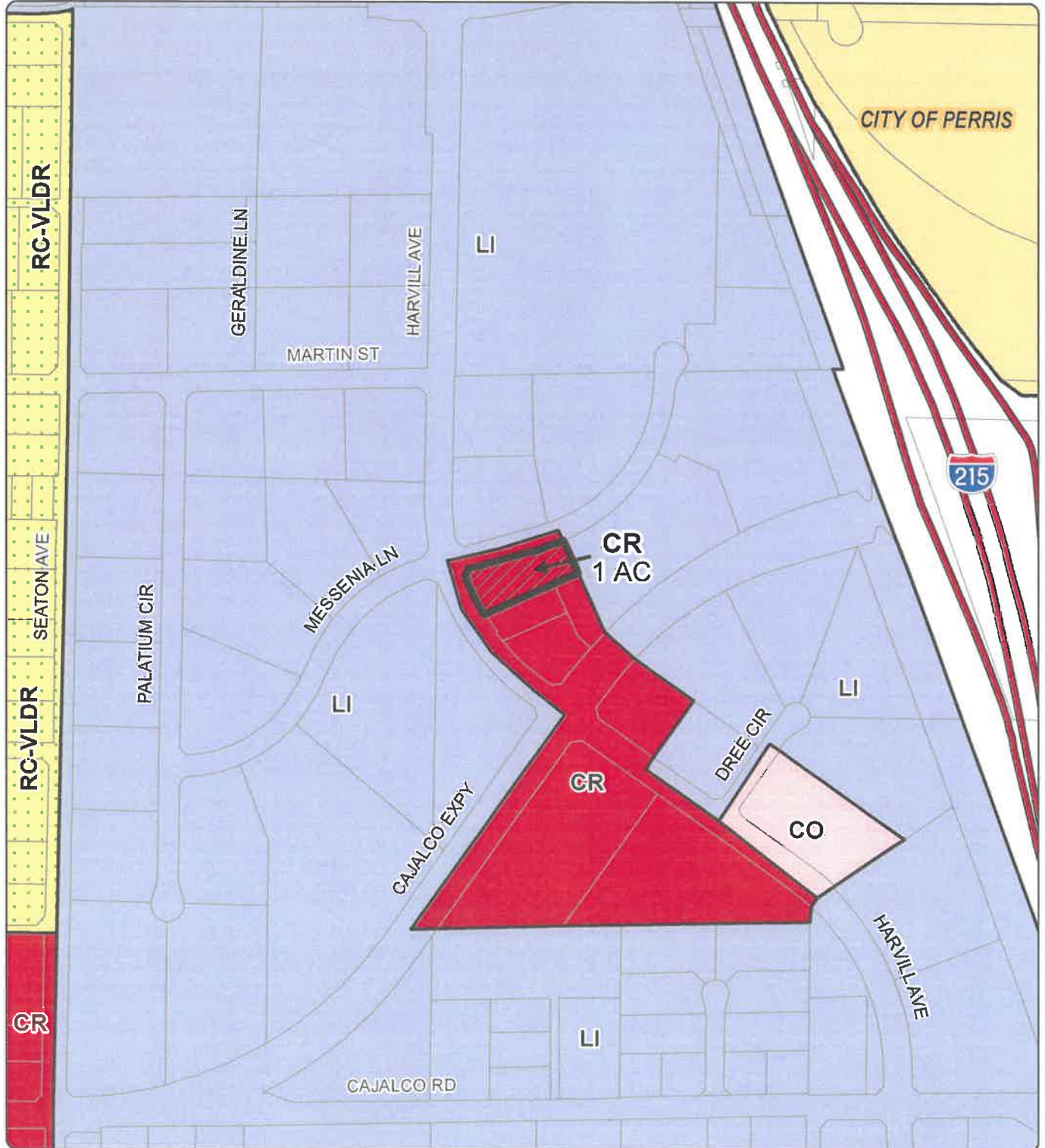
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP200031 DA2000011

EXISTING GENERAL PLAN

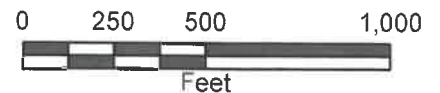
Supervisor: Jeffries  
District 1

Date Drawn: 12/28/2020  
Exhibit 5



Zoning Area: North Perris

Author: Vinnie Nguyen



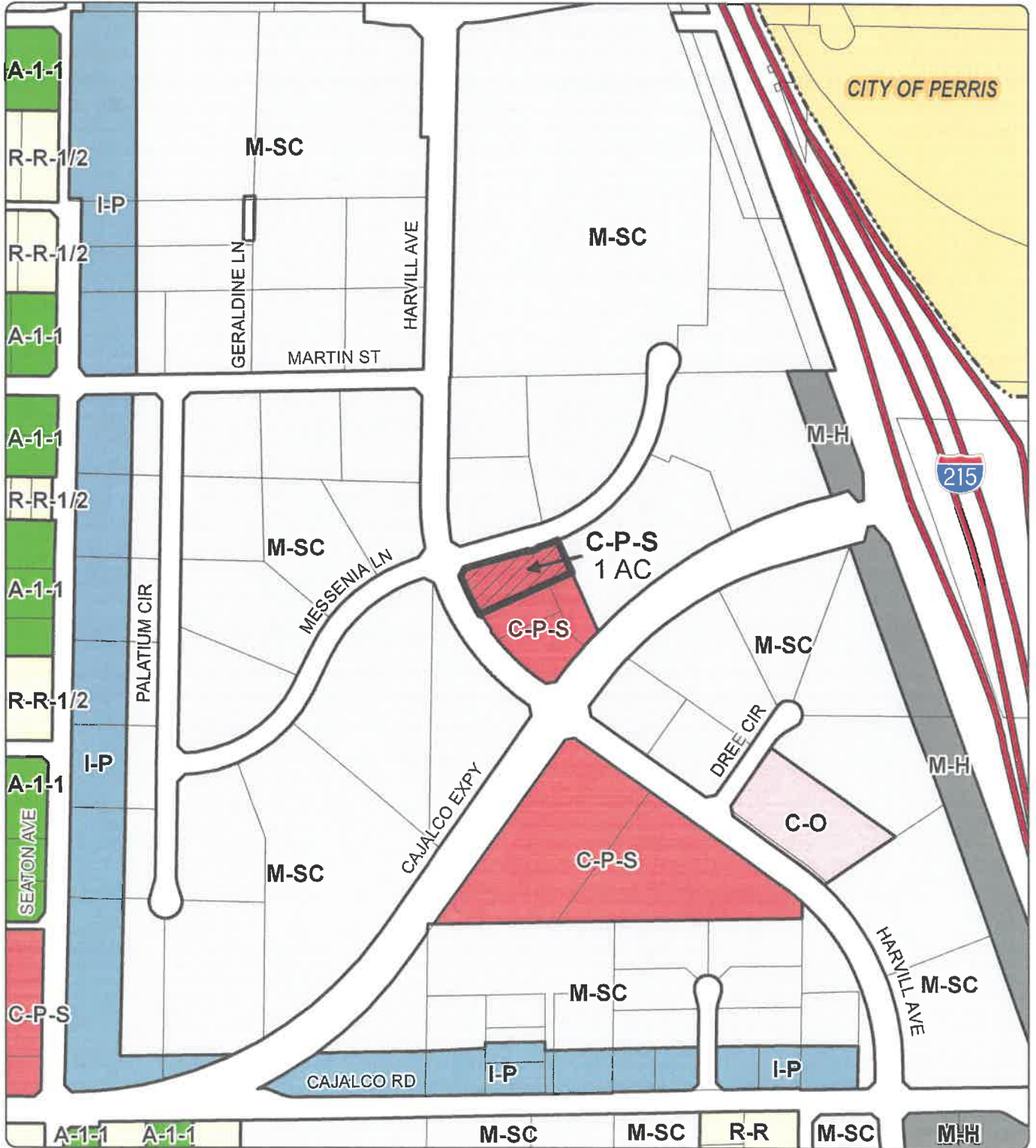
**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)963-8277 (Eastern County) or Website <https://planning.rcfma.org>

RIVERSIDE COUNTY PLANNING DEPARTMENT  
**CUP200031 DA2000011**

Supervisor: Jeffries  
 District 1

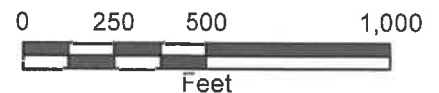
Date Drawn: 12/28/2020  
 Exhibit 2

**EXISTING ZONING**



Zoning Area: North Perris

Author: Vinnie Nguyen



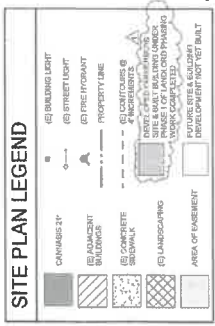
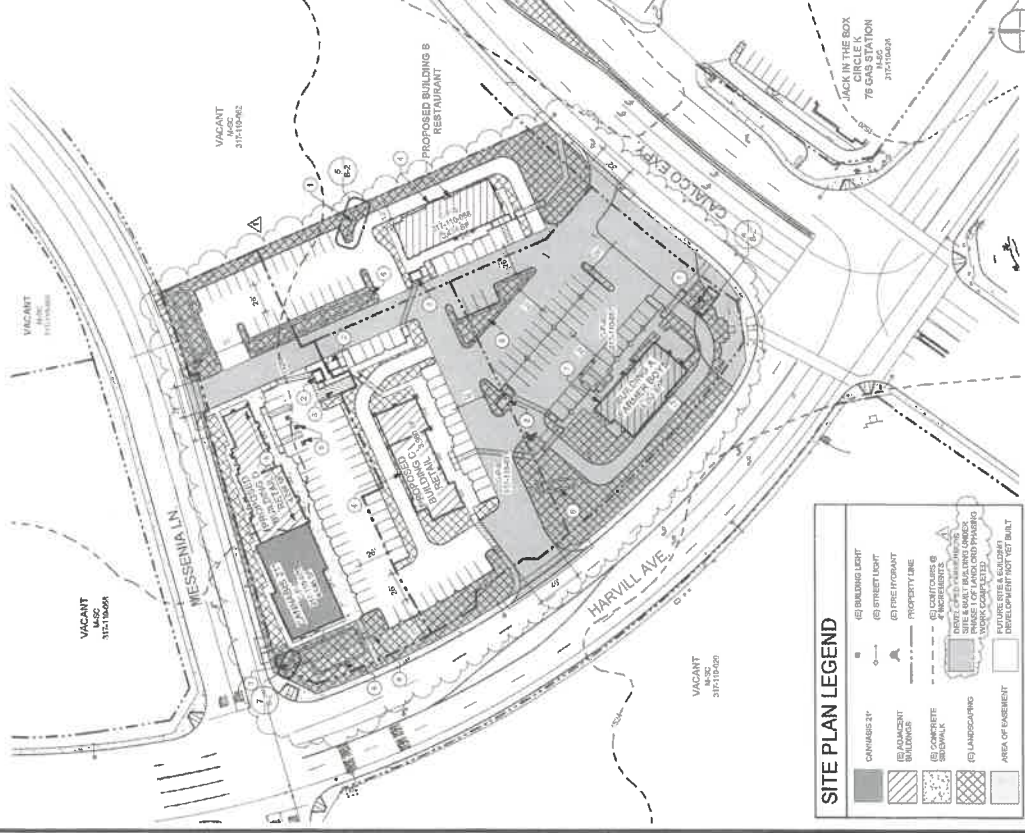
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# CANNABIS 21+

## COMMERCIAL CANNABIS CONDITIONAL USE PERMIT

### CAJALCO EXPRESSWAY & HARVILL AVE

#### PERRIS, CALIFORNIA 92570

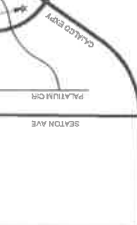


### PROJECT DIRECTORY

**LANDOWNER:**  
H&B INVESTMENTS LLC  
1400 W. HARVILL AVE  
PERRIS, CA 92570  
PHONE: 951.774.2200  
EMAIL: h&b@h&binvestments.com

**DESIGNER/ARCHITECT:**  
ROAD ARCHITECTS  
1000 W. HARVILL AVE, SUITE 100  
PERRIS, CA 92570  
PHONE: 951.774.2200  
EMAIL: info@roadarchitects.com

**GENERAL CONTRACTOR:**  
SUNSHINE CONSTRUCTION COMPANY  
1000 W. HARVILL AVE, SUITE 100  
PERRIS, CA 92570  
PHONE: 951.774.2200  
EMAIL: info@sunshineco.com



### BUILDING CODE DATA

APPLICABLE CODES: ALL APPLICABLE CODES IN THE CITY OF RIVERSIDE CODES INCLUDING THE LATEST EDITIONS OF THE FOLLOWING:

- 2019 CALIFORNIA BUILDING CODE
- 2019 CALIFORNIA MECHANICAL CODE
- 2019 CALIFORNIA ELECTRICAL CODE
- 2019 CALIFORNIA FIRE SAFETY CODE
- 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
- 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
- 2019 CALIFORNIA FIRE SAFETY CODE
- 2019 CALIFORNIA BUILDING CODE

**CONSTRUCTION PERMITS:** NON-RATED INTERIOR NON-BEARING WALLS, NON-RATED FLOOR CONSTRUCTION, ROOF/CEILING CONSTRUCTION, ALLOWABLE REPAIR.

**CONTRIBUTION PERMITS:** NON-RATED INTERIOR NON-BEARING WALLS, NON-RATED FLOOR CONSTRUCTION, ROOF/CEILING CONSTRUCTION, ALLOWABLE REPAIR.

### SITE PLAN KEYNOTES

1. THE SHADING AND WORK IN INDICATED AREAS WHETHER CONTRACTED OR NOT, IS TO BE COMPLETED AS SHOWN.

2. ALL EXISTING UTILITIES ARE TO BE MAINTAINED AND PROTECTED.

3. THE EXISTING UTILITIES ARE TO BE MAINTAINED AND PROTECTED.

4. THE EXISTING UTILITIES ARE TO BE MAINTAINED AND PROTECTED.

5. THE EXISTING UTILITIES ARE TO BE MAINTAINED AND PROTECTED.

6. THE EXISTING UTILITIES ARE TO BE MAINTAINED AND PROTECTED.

### OCCUPANCY

OCCUPANCY	OCCUPANCY LOAD FACTOR	AREA	LOAD
OFFICE	100	356	356
STORAGE	200	207	414
RESEARCH	500	372	1860
TOTAL		935	2630

NEW PORTABLE FIRE EXTINGUISHERS MUST BE 2A-BULB MIN ONE PER 100 SQ FT WITH SALES RECEIPT.

### INDEX OF DRAWINGS

SHEET	DESCRIPTION	DATE
EXHIBIT A	PROJECT INFORMATION	1/23/19
A-1	MASTER PLAN APPROVED CUP	
A-2	ENLARGED SITE PLAN & SENSITIVE USE PLAN	
A-3	LANDSCAPE SITE PLAN	
A-4	SITE ACCESSIBILITY SIGNAGE & PARKING	
A-5	FACILITY STANDARDS	
EXHIBIT B	EXTERIOR ELEVATIONS	
B-1	SI	
B-2	SI	
B-3	SI	
EXHIBIT C		
C-1	FLOOR/CEILING PLAN	
C-2	SAFETY & SECURITY PLAN	
C-3	IMPORT/LAND USE OCCUPANCY ANALYSIS	

### PROJECT SUMMARY

THE PROPOSED PROJECT IS A COMMERCIAL CANNABIS FACILITY TO INCLUDE BOTH ADULT & MEDICAL LICENSES.

**PROJECT SUMMARY:** 311-THURS (PARCEL C)  
GROSS AREA: 4,872.4 SQ FT  
NET AREA: 4,872.4 SQ FT  
ZONING: C-30 (COMMERCIAL)  
PLANNING: R-100 (RESIDENTIAL)  
DATE: 01/23/19

**LEGAL DESCRIPTION:** PARCEL MAP NO. 2078 IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BOOK 208 PAGE 02 OF PANEL MAP LOT 4.

**SCOPE OF WORK:** PREPARE ARCHITECTURAL AND ENGINEERING DRAWINGS FOR THE PROPOSED PROJECT.

### CONTRACTOR SHALL BUILD ONLY FROM SETS

CONTRACTOR SHALL BUILD ONLY FROM SETS UNLESS OTHERWISE SPECIFIED IN THE PERMIT.

**CUP SUBMITTAL**  
ISSUE DATE: 10.08.20

### CONTRACTOR SHALL BUILD ONLY FROM SETS

CONTRACTOR SHALL BUILD ONLY FROM SETS UNLESS OTHERWISE SPECIFIED IN THE PERMIT.

**CUP SUBMITTAL**  
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**CUP SUBMITTAL**  
ISSUE DATE: 10.08.20

### CONTRACTOR SHALL BUILD ONLY FROM SETS

CONTRACTOR SHALL BUILD ONLY FROM SETS UNLESS OTHERWISE SPECIFIED IN THE PERMIT.

**CUP SUBMITTAL**  
ISSUE DATE: 10.08.20

DATE: 10.08.20  
DRAWN: STIFF  
CHECKED: GB

ASSESSOR'S PARCEL NUMBER: 311-11470

**LANDOWNER:**  
H&B INVESTMENTS LLC  
1400 W. HARVILL AVE  
PERRIS, CA 92570  
PHONE: 951.774.2200  
EMAIL: h&b@h&binvestments.com

**DESIGNER/ARCHITECT:**  
ROAD ARCHITECTS  
1000 W. HARVILL AVE, SUITE 100  
PERRIS, CA 92570  
PHONE: 951.774.2200  
EMAIL: info@roadarchitects.com

**CANNABIS 21+**  
**COMMERCIAL CANNABIS**  
**CONDITIONAL USE PERMIT**  
**CAJALCO EXPY & HARVILL AVE**  
**PERRIS, CA 92570**

**CUP SUBMITTAL**  
ISSUE DATE: 10.08.20

**CUP SUBMITTAL**  
ISSUE DATE: 10.08.20

**CUP SUBMITTAL**  
ISSUE DATE: 10.08.20

**CUP SUBMITTAL**  
ISSUE DATE: 10.08.20

EXHIBIT A:  
PROJECT INFORMATION

SHEET NO. A-1

CUP No. 200031 Exhibit A page 1 of 6

FOR REFERENCE ONLY

SHEET TITLE: EXHIBIT A:  
 MASTER PLOT PLAN  
 APPROVED CUP

SHEET NO.: A-2

# EXHIBIT 'A'- PLOT PLAN

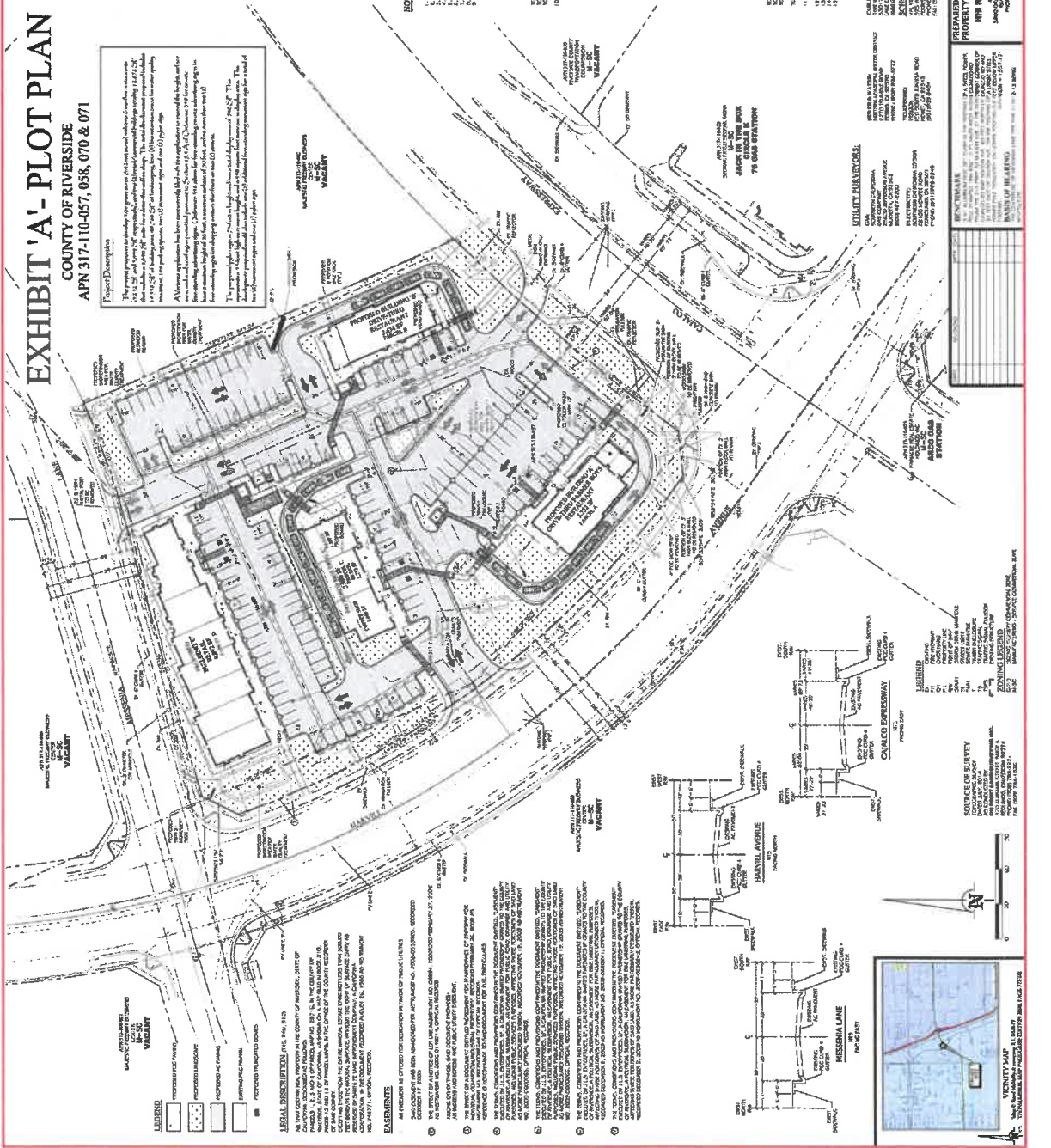
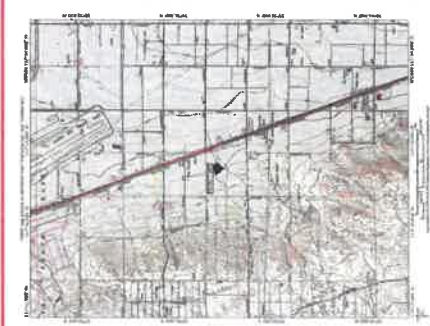
COUNTY OF RIVERSIDE  
 APN 317-110-057, 058, 070 & 071

**Project Description**

The project consists of a 100-unit multi-family residential development located on the corner of Highway 78 and Highway 79. The development includes a 4-story main building with a central courtyard, a 2-story parking garage, and a 1-story service building. The site is bounded by Highway 78 to the north, Highway 79 to the east, and Highway 78 to the south. The project is shown on a 1:10,000 scale aerial photograph with a 5-foot contour interval.

**Notes:**

- All proposed buildings shall be constructed in accordance with the applicable building code and fire code.
- All proposed parking spaces shall be constructed in accordance with the applicable building code and fire code.
- All proposed landscaping shall be constructed in accordance with the applicable building code and fire code.
- All proposed utilities shall be constructed in accordance with the applicable building code and fire code.



**NOTE:**

- ALL PROPOSED BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE BUILDING CODE AND FIRE CODE.
- ALL PROPOSED PARKING SPACES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE BUILDING CODE AND FIRE CODE.
- ALL PROPOSED LANDSCAPING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE BUILDING CODE AND FIRE CODE.
- ALL PROPOSED UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE BUILDING CODE AND FIRE CODE.



**LEGAL DESCRIPTION**

APN 317-110-057, 058, 070 & 071

ALL PROPOSED BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE BUILDING CODE AND FIRE CODE.



**EXHIBIT 'A'- PLOT PLAN**

COUNTY OF RIVERSIDE

APN 317-110-057, 058, 070 & 071

PREPARED BY: [Firm Name]

DATE: [Date]

SCALE: [Scale]

**PROPERTY OWNER:**

[Owner Name]

[Address]

[City, State, Zip]

**PREPARED BY:**

[Firm Name]

[Address]

[City, State, Zip]

**LEGEND**

- PROPOSED BUILDING FOOTPRINT
- PROPOSED PARKING SPACE
- PROPOSED LANDSCAPING
- PROPOSED UTILITY LINE
- EXISTING UTILITY LINE
- EXISTING BUILDING FOOTPRINT
- EXISTING PARKING SPACE
- EXISTING LANDSCAPING
- EXISTING UTILITY LINE

**LEGAL DESCRIPTION**

APN 317-110-057, 058, 070 & 071

ALL PROPOSED BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE BUILDING CODE AND FIRE CODE.

**EASEMENTS**

ALL PROPOSED BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE BUILDING CODE AND FIRE CODE.

**LEGEND**

- PROPOSED BUILDING FOOTPRINT
- PROPOSED PARKING SPACE
- PROPOSED LANDSCAPING
- PROPOSED UTILITY LINE
- EXISTING UTILITY LINE
- EXISTING BUILDING FOOTPRINT
- EXISTING PARKING SPACE
- EXISTING LANDSCAPING
- EXISTING UTILITY LINE







DATE: 10.08.20  
DRAWN STAFF:  
CHECKED: CR



Member of the American Institute of Architects  
r.v.d Architects, Inc.

ASSessor's PARCEL NUMBER: 317-10-079  
ADDRESS: 317-10-079  
CITY: SAN JOSE, CA 95128  
COUNTY: SANTA CLARA  
STATE: CALIFORNIA

CONTRACTOR: CALCALO EXPR Y & HARVILL AVE  
COMMERCIAL CANNABIS  
CONDITIONAL USE PERMIT  
PERRIS, CA 92570

CONTRACTOR: CALCALO EXPR Y & HARVILL AVE  
COMMERCIAL CANNABIS  
CONDITIONAL USE PERMIT  
PERRIS, CA 92570

CUP SUBMITTAL  
ISSUE DATE: 10.08.20

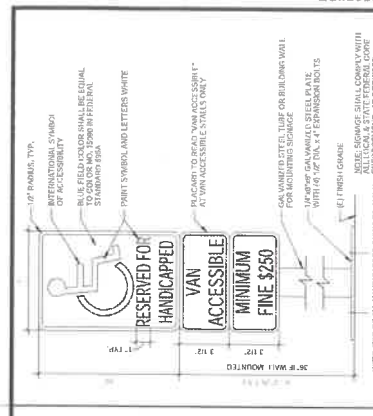


EXHIBIT AMENDMENT BLOCK

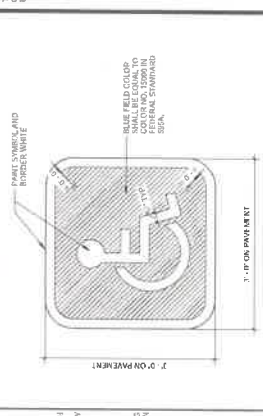
10.08.20 - 1. 1ST CITY COMMENTS...

SHEET TITLE:  
EXHIBIT A:  
SITE ACCESSIBILITY  
SIGNAGE & PARKING

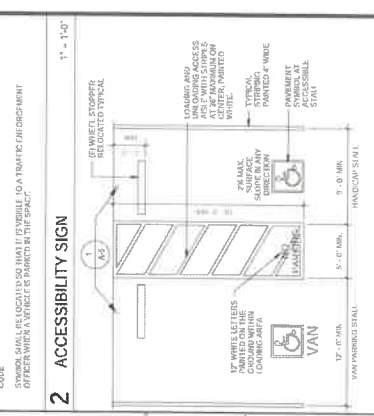
SHEET NO:  
A-5



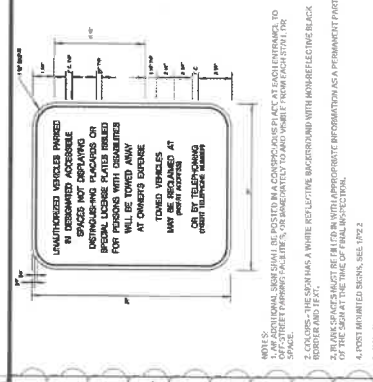
1 ACCESSIBLE PARKING SIGN 3' x 1'-0"



2 ACCESSIBILITY SIGN 1' x 1'-0"



3 TYPICAL PARKING STRIPING PLAN 31'6\"/>



4 ACCESSIBILITY TOW AWAY SIGN 36\"/>

THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE THIS SYMBOL (SEE 10.08.20) IN ALL PLACES THAT ARE ACCESSIBLE TO AND USABLE BY PHYSICALLY HANDICAPPED PERSONS.

1. THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL CONSIST OF A WHEELCHAIR ON A BLUE BACKGROUND. THE BLUE SHALL BE 20% TO 30% OR TOW IN THIS CASE, STANDARD USA.

2. ALL LETTERS AND FACILITY IDENTIFIERS THAT ARE ACCESSIBLE TO AND USABLE BY PHYSICALLY HANDICAPPED PERSONS SHALL BE IN BRaille AND LARGE PRINT. THE BRaille SHALL BE IN CONFORMANCE WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY APPROVED BY THE ICA.

3. WHEN BRaille AND LARGE PRINT ARE REQUIRED FOR PARKING AND SPACES OR A BRaille OR LARGE PRINT SIGNAGE SHALL BE PROVIDED AND SHALL BE ACCOMPANIED BY BRaille OR LARGE PRINT TO THE LEFT OF THE SIGN. THE BRaille SHALL BE IN CONFORMANCE WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY APPROVED BY THE ICA.

4. ALL BRaille AND LARGE PRINT SHALL BE IN CONFORMANCE WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY APPROVED BY THE ICA.

5. WHEN BRaille AND LARGE PRINT ARE REQUIRED FOR PARKING AND SPACES OR A BRaille OR LARGE PRINT SIGNAGE SHALL BE PROVIDED AND SHALL BE ACCOMPANIED BY BRaille OR LARGE PRINT TO THE LEFT OF THE SIGN. THE BRaille SHALL BE IN CONFORMANCE WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY APPROVED BY THE ICA.

6. ALL CHARACTERS ON SIGNS SHALL BE PASSED FOR RECALLED (NOT AIR AND BRaille) COMPLYING WITH SECTION 11.04.1. ALL CHARACTERS ON SIGNS SHALL BE PASSED FOR RECALLED (NOT AIR AND BRaille) COMPLYING WITH SECTION 11.04.1.

7. CHARACTER SAMPLES AND THEIR BACKGROUNDS SHALL HAVE A MINIMUM OF FIVE CHARACTERS AND SYMBOLS SHALL CONTRAST WITH THEIR BACKGROUNDS OTHER THAN CHARACTERS FOR A DARK BACKGROUND AND SYMBOLS ON SIGNS SHALL BE BLACK ACCORDING TO THE SIGNAGE SPECIFICATIONS.

8. CHARACTER SAMPLES AND THEIR BACKGROUNDS SHALL HAVE A MINIMUM OF FIVE CHARACTERS AND SYMBOLS SHALL CONTRAST WITH THEIR BACKGROUNDS OTHER THAN CHARACTERS FOR A DARK BACKGROUND AND SYMBOLS ON SIGNS SHALL BE BLACK ACCORDING TO THE SIGNAGE SPECIFICATIONS.

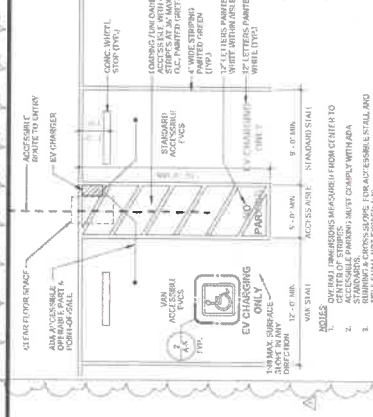
9. CONTRACTED ORANGE STRIPING SHALL BE USED WHEREVER STRIPING IS REQUIRED IN OTHER THAN PARKING SPACES. STRIPING SHALL BE PASSED FOR RECALLED (NOT AIR AND BRaille) COMPLYING WITH SECTION 11.04.1.

10. BRaille LETTERS SHALL BE PROVIDED AND SHALL BE ACCOMPANIED BY BRaille OR LARGE PRINT TO THE LEFT OF THE SIGN. THE BRaille SHALL BE IN CONFORMANCE WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY APPROVED BY THE ICA.

11. BRaille LETTERS SHALL BE PROVIDED AND SHALL BE ACCOMPANIED BY BRaille OR LARGE PRINT TO THE LEFT OF THE SIGN. THE BRaille SHALL BE IN CONFORMANCE WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY APPROVED BY THE ICA.

12. BRaille LETTERS SHALL BE PROVIDED AND SHALL BE ACCOMPANIED BY BRaille OR LARGE PRINT TO THE LEFT OF THE SIGN. THE BRaille SHALL BE IN CONFORMANCE WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY APPROVED BY THE ICA.

5 SIGNS & IDENTIFICATION



6 TYPICAL EV PARKING STRIPING PLAN 31'6\"/>





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

Juan C. Perez  
Agency Director



12/24/20, 1:22 pm

CUP200031

**ADVISORY NOTIFICATION DOCUMENT**

The following notifications are included as part of the recommendation of approval for CUP200031. 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 this Conditional Use Permit No. 200031 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. 200031 (CUP200031) is a proposal for a Commercial Cannabis facility that includes retail sales and distribution. The cannabis facility will occupy 4,646 SF of an 8,892 SF building that is approved through Plot Plan No. 25699 that is yet to be constructed. The retail area is 4,274 SF and the distribution area is 372 SF. The cannabis retail store hours of operation will be from 8:00 a.m. to 10:00 p.m., 7-days a week, and delivery hours will be 8:00 a.m. to 9:00 p.m., 7-days a week. The Distribution Facility will be closed to the public and will also operate between the hours of 8:00 a.m. to 10:00 p.m. Development Agreement No. 2000011 (DA2000011) sets forth the terms and conditions under which the Commercial Cannabis Activity of CUP200031 will operate in addition to the requirements established under Ordinance No. 348, and all other local ordinances and regulations, state law and such other terms and conditions. DA2000011 has a term of 10 years, will grant the applicant vesting rights to develop the Project in accordance with the terms of agreement and CUP200031, and will provide community benefits to the Mead Valley Area.

**Advisory Notification. 3                    AND - Exhibits**

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT:  
CUP200031 Exhibit A (A1, A-2, A-3, A-4, A-5, A-6 Site Plan), dated 10/08/20.  
CUP200031 Exhibit B (Elevations B), dated 10/08/20.  
CUP200031 Exhibit C (Floor Plans C-1, C-3), dated 10/08/20.  
CUP200031 Exhibit M (Colors and Materials B-3), dated 10/08/20.  
CUP200031 Exhibit S (Sign Plan B-2), dated 10/08/20.  
CUP200031 Exhibit Z (Safety and Security Plan C-2), dated 10/08/20.

**Advisory Notification. 4                    AND - Federal, State & Local Regulation Compliance**

## ADVISORY NOTIFICATION DOCUMENT

### Advisory Notification

#### Advisory Notification. 4                    AND - Federal, State & Local Regulation Compliance (cont.)

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)
  - State Subdivision Map Act
  - Native American Cultural Resources, and Human Remains (Inadvertent Find)
  - School District Impact Compliance
  - Public Resources Code Section 5097.94 & Sections 21073 et al - AB 52 (Native Americans: CEQA)]{for all projects with EIR, ND or MND determinations}
  
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. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program) {Geographically based}
  - Ord. No. 461 (Road Improvement Standards) {for TTMs and TPMs}
  - 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)
  
4. Mitigation Fee Ordinances
  - Ord. No. 659 Development Impact Fees (DIF)
  - Ord. No. 663 Stephens Kangaroo Rat Habitat Conservation Plan (SKR)
  - Ord. No. 810 Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP)
  - Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)

### E Health

#### E Health. 1                                    DEH ECP COMMENTS

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



## ADVISORY NOTIFICATION DOCUMENT

### General

#### General. 4

#### General – Hold Harmless (cont.)

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 project or its associated environmental documentation; 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 project, including, but not limited to, decisions made in response to California Public Records Act requests; and

(a) and (b) above are hereinafter collectively referred to as "LITIGATION."

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION 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 LITIGATION, 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.

#### General. 5

#### General – 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.









## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### Planning. 3 ALUC CONDITIONS (cont.)

component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

Any new detention 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 detention 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 detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the detention 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.

6. The project has been evaluated for 4,646 square feet of commercial retail area. Any increase in building area, change or intensification of floor area usage will require review by the Airport Land Use Commission, at the discretion of the ALUC Director.

7. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.

Supporting documentation was provided to the Airport Land Use Commission and is available online at [www.rcaluc.org](http://www.rcaluc.org), click Agendas 11-12-20 Agenda, Bookmark Agenda Item No. 3.1.

#### Planning. 4 Cannabis Distribution Facilities - Operations - 1

Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities.

#### Planning. 5 Cannabis Distribution Facilities - Operations - 2

- a. Prior to transporting Cannabis or Cannabis Products, a shipping manifest shall be completed as required by state law and regulations.
- b. A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement or any agents of the State or County charged with enforcement.
- c. Cannabis Distribution Facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting Cannabis and Cannabis Products to maintain a clear chain of custody.

## ADVISORY NOTIFICATION DOCUMENT

### Planning

**Planning. 6 Cannabis Distribution Facilities - Operations - 4 (cont.)**

**Planning. 6 Cannabis Distribution Facilities - Operations - 4**

Cannabis Distribution Facilities shall not be open to the public.

**Planning. 7 Cannabis Distribution Facilities - Operations - 5**

Cannabis Distribution Facilities shall not transport or store non-cannabis goods.

**Planning. 8 Cannabis Distribution Facilities - Operations - 3**

Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files.

**Planning. 9 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. All entitlement fees shall be paid in full, prior to operating the cannabis business.

**Planning. 10 General - B. State License Required**

Obtain and maintain during the life of the Commercial Cannabis Activity the applicable California license issued pursuant to California Business and Professions Code Sections 19300.7 or 26050(a) as may be amended from time to time.

**Planning. 11 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.

**Planning. 12 General - D. Health and Safety**

Commercial Cannabis Activities shall at all times be operated in such a way as to ensure the health, safety, and welfare of the public. Commercial Cannabis Activities shall not create a public nuisance or adversely affect the health or safety of the nearby residents, businesses or employees working at the Commercial Cannabis Activity by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, unsafe conditions or other impacts, or be hazardous due to the use or storage of materials, processes, products, and runoff of water, pesticides or wastes.





## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### Planning. 22

#### General - N. Security - Part 1 (cont.)

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.

#### Planning. 23

#### General - N. Security - Part 2

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.
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.
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.

## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### Planning. 23

#### General - N. Security - Part 2 (cont.)

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.

#### Planning. 24

#### 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.

#### Planning. 25

#### 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.

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.









## ADVISORY NOTIFICATION DOCUMENT

### Planning-All

**Planning-All. 3 Cannabis Retail Operations - 11 (cont.)**

**Planning-All. 3 Cannabis Retail Operations - 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.

**Planning-All. 4 Cannabis Retail Operations - 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.

**Planning-All. 5 Cannabis Retail Operations - 13**

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

**Planning-All. 6 Cannabis Retail Operations - 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-All. 7 Cannabis Retail Operations - 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.

**Planning-All. 8 Cannabis Retail Operations - 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.

**Planning-All. 9 Cannabis Retail Operations - 4**

A Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age.

**Planning-All. 10 Cannabis Retail Operations - 5**

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

**Planning-All. 11 Cannabis Retail Operations - 6**

## ADVISORY NOTIFICATION DOCUMENT

### Planning-All

#### Planning-All. 11 Cannabis Retail Operations - 6 (cont.)

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

#### Planning-All. 12 Cannabis Retail Operations - 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.

#### Planning-All. 13 Cannabis Retail Operations - 8

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

#### Planning-All. 14 Cannabis Retail Operations - 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.

### Transportation

#### Transportation. 1 RCTD - GENERAL

1. With respect to the conditions of approval for the referenced tentative exhibit, it is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, 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.

2. The project shall reconstruct the ADA ramps to comply with the most current ADA requirements. Curb ramps shall be provided at all intersections. Curb ramps and accessible paths shall be individually designed, and included in the improvement plans as directed by the Director of Transportation, in accordance with Ordinance 461 and Riverside County Improvement Plan Check Policies and Guidelines.

3. Conditional Use Permit No. 200031 is a proposed Commercial Cannabis Facility that includes retail sales and delivery services. The proposed facility will be located in Building D, of an approved retail center (Plot Plan No. 25699). All Transportation conditions of approval of PP25699 shall apply to CUP200031.

4. The Project shall obtain approval of street improvement plans from the Transportation Department. Street Improvement Plans shall comply with Ordinance 460, 461, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

5. Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: <http://rctlma.org/trans/>. If you have questions, please call the Plan

## ADVISORY NOTIFICATION DOCUMENT

### Transportation

#### Transportation. 1                      RCTD - GENERAL (cont.)

Check Section at (951) 955 6527.

### Waste Resources

#### Waste Resources. 1                      Waste - Advisory Notices

1. 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](http://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: CUP200031

Parcel: 317110070

60. Prior To Grading Permit Issuance

Flood

060 - Flood. 2                      Mitcharge - Use (cont.)                      Not Satisfied  
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.

The current fee for this ADP is \$8,875 per acre which includes \$7,805 per acre for local facilities and \$1,070 per acre for Perris Valley Channel. Per CFD 88-8, in which this project is located, the ADP credit is greater than the corresponding obligation for the local facilities and the \$7,805 per acre fee has been satisfied. However, the Perris Valley Channel portion still applies to all properties within CFD 88-8. The fee due will be based on the fee in effect for Perris Valley Channel at the time of payment. The site was previously graded, the ADP fee obligation for Perris Valley channel may have been paid previously. Provide the District with proof of payment if already paid.

Transportation

060 - Transportation. 1                      RCTD - COMPLY WITH COA OF PP25699                      Not Satisfied  
Conditional Use Permit No. 200031 is a proposed Commercial Cannabis Facility that includes retail sales and delivery services. The proposed facility will be located in Building D, of an approved retail center (Plot Plan No. 25699). All Transportation conditions of approval of PP25699 shall apply to CUP200031.

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 the 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: CUP200031

Parcel: 317110070

80. Prior To Building Permit Issuance

Flood

080 - Flood. 2                      Mitcharge - Use (cont.)                      Not Satisfied  
has been satisfied. However, the Perris Valley Channel portion still applies to all properties within CFD 88-8. The fee due will be based on the fee in effect for Perris Valley Channel at the time of payment. The site was previously graded, the ADP fee obligation for Perris Valley channel may have been paid previously. Provide the District with proof of payment if already paid.

Planning

080 - Planning. 1                      USE - CONFORM TO FLOOR PLANS                      Not Satisfied  
Floor and security plans shall be in substantial conformance with that shown on APPROVED EXHIBITS

080 - Planning. 2                      USE- CONFORM TO ELEVATIONS                      Not Satisfied  
Elevation of building and signage for building plan check approval shall be in substantial conformance with elevations shown on APPROVED EXHIBITS

080 - Planning. 3                      USE- CONFORM TO SITE PLAN/PARKING                      Not Satisfied  
The parking shall be in substantial conformance with that shown on APPROVED EXHIBITS; including two parking spaces for electric vehicles with an electrical charging station, and accommodation for 4 bicycle parking.

Survey

080 - Survey. 1                      RCTD - SURVEY MONUMENT                      Not Satisfied  
Prior to construction, if survey monuments including centerline monuments, tie points, property corners and benchmarks found it shall be located and tied out and corner records filed with the County Surveyor pursuant to Section 8771 of the Business & Professions Code. Survey points destroyed during construction shall be reset, and a second corner record filed for those points prior to completion and acceptance of the improvements.

Transportation

080 - Transportation. 1                      80 - TRANSPORTATION - Landscape Inspection Deposit Re                      Not Satisfied  
Landscape Inspection Deposit Required  
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 Requ                      Not Satisfied  
Landscape Plot Plan/Permit Required  
This condition applies to both onsite and offsite (ROW) landscaping:  
The developer/ permit holder shall:

Plan: CUP200031

Parcel: 317110070

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 2            80 - TRANSPORTATION - Landscape Plot Plan/Permit Requ    Not Satisfied  
Comply with 1st District Landscape requirements for Cannabis: The Applicant shall meet or exceed  
Landscape required and installed by PP25699 (Farmer Boys)

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) 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" x 36"), 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" 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](http://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,

Plan: CUP200031

Parcel: 317110070

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 2      80 - TRANSPORTATION - Landscape Plot Plan/Permit Requ    Not Satisfied  
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 Requi    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:

Comply with 1st District Landscape requirements for Cannabis: The Applicant shall meet or exceed Landscape required and installed by PP25699 (Farmer Boys)

Project shall comply with the latest version of Ord. 859 ETo of .45, for commercial applications.

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.

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

Landscaping plans shall incorporate the use of specimen (24" 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.

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

Trees shall be hydrozoned separately.

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

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.

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.

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

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

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

Plant species shall meet ALUC requirements, if applicable.

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

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

Project shall use 50% 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.

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.

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



Plan: CUP200031

Parcel: 317110070

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 CURBS ALONG PLANTERS (cont.) Not Satisfied  
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.

Fire

090 - Fire. 1 Prior to final Not Satisfied

Prior to Final

Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches and remote actuating devices, for access by emergency personnel. (CFC 506.1)

Any limited access devices shall be reviewed and accepted by the fire department, prior to final approval.

Planning

090 - Planning. 1 Gen - Use Final Inspection Not Satisfied

Prior to final inspection, the developer/permit holder shall contact the Planning Department to conduct a final inspection. The Planning Department shall do the following:

- Bicycle parking and electrical vehicle parking spaces and charging station(s) are provided as shown on CUP200031 Exhibit A
- Building is constructed pursuant to CUP200031 Exhibit B, C, and M
- All requirements of the Safety and Security Plan are in place pursuant to CUP 200031 Exhibit Z
- All Signs are provided for pursuant to approved CUP200031 Exhibit S

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

Plan: CUP200031

Parcel: 317110070

90. Prior to Building Final Inspection

Planning

090 - Planning. 2                      OBTAIN STATE LICENSE (cont.)                      Not Satisfied  
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                      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. 4                      USE - TRASH ENCLOSURES                      Not Satisfied  
One (1) trash enclosure which is adequate to enclose a minimum of 2 bins shall be located as shown  
on the APPROVED EXHIBIT A, and shall be constructed prior to the issuance of occupancy permits.  
The enclosure(s) shall be a minimum of six (6) feet in height and shall be made with masonry block  
and landscaping screening and a solid gate which screens the bins from external view. Additional  
enclosed area for collection of recyclable materials shall be located within, near or adjacent to each  
trash and rubbish disposal area. The recycling collection area shall be a minimum of fifty percent  
(50%) of the area provided for the trash/rubbish enclosure(s) or as approved by the Riverside County  
Waste Management Department. All recycling bins shall be labeled with the universal recycling  
symbol and with signage indicating to the users the type of material to be deposited in each bin.  
Previous location of trash enclosure shall be completed demolished to make space for proposed  
parking area.

090 - Planning. 5                      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                      USE- ROOF EQUIPMENT SHIELDING                      Not Satisfied  
Roof-mounted equipment shall be shielded from ground view. Screening material shall be subject to  
Planning Department approval.

Transportation

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

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

The developer/ permit holder shall:

Comply with 1st District Landscape requirements for Cannabis: The Applicant shall meet or exceed



12/24/20  
13:25

Riverside County PLUS  
CONDITIONS OF APPROVAL

Page 11

Plan: CUP200031

Parcel: 317110070

90. Prior to Building Final Inspection

Waste Resources

090 - Waste Resources. 1 Form D – Mandatory Commercial Recycling and Organics Re Not Satisfied  
email to: Waste-CompostingRecycling@rivco.org

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

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.





# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

November 16, 2020

Ms. Phayvanh Nanthavongdouangsy, Principal Planner  
County of Riverside Planning Division  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside CA 92501

**CHAIR**  
Russell Betts  
Desert Hot Springs

**VICE CHAIR**  
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Palm Springs

**COMMISSIONERS**  
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Temecula

**STAFF**

Director  
Simon A. Housman

Paul Rull  
Barbara Santos

County Administrative Center  
4080 Lemon St., 14th Floor,  
Riverside, CA 92501  
(951) 955-5132

[www.rcaluc.org](http://www.rcaluc.org)

**RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW**

File No.: ZAP1434MA20  
Related File Nos.: CUP200031 (Conditional Use Permit) (previously CUP200026)  
Compatibility Zone: Zone C2  
APN: 317-110-070

Dear Ms. Nanthavongdouangsy:

On November 12, 2020, the Riverside County Airport Land Use Commission (ALUC) found County of Riverside Case No. CUP200031 (Conditional Use Permit), a proposal to establish a 4,646 square foot cannabis distribution and retail facility as part of an approved but not yet constructed 8,892 square foot commercial building on a 1.27 acre parcel, located northerly of Cajalco Expressway, easterly of Harvill Avenue, southerly of Messenia Lane, and westerly of Interstate 215, **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions.

**CONDITIONS:**

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (a) Any use or activity 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 FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use or activity 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 or activity 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, 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) Highly noise sensitive outdoor nonresidential uses, and hazards to flight.
3. The attached notice shall be given to all prospective purchasers and/or tenants of the property, and shall be recorded as a deed notice.
  4. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
  5. Any new detention 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 detention 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 detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the detention 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](http://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.

6. The project has been evaluated for 4,646 square feet of commercial retail area. Any increase in building area, change or intensification of floor area usage will require review by the Airport Land Use Commission, at the discretion of the ALUC Director.
7. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.

Supporting documentation was provided to the Airport Land Use Commission and is available online at [www.rcaluc.org](http://www.rcaluc.org), click Agendas 11-12-20 Agenda, Bookmark Agenda Item No. 3.1.

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



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Simon A. Housman, ALUC Director

Attachments: Notice of Airport in Vicinity

cc: Sean St. Peter (applicant/representative)  
HHI Riverside, LLC (property owner)  
Gary Gosliga, March Inland Port Airport Authority  
Doug Waters, Chief Engineering Flight, March Air Reserve Base  
ALUC Case File

Y:\AIRPORT CASE FILES\March\ZAP1434MA20\ZAP1434MA20.LTR.doc

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration; or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)

# NOTICE

**THERE IS AN AIRPORT NEARBY.  
THIS STORM WATER BASIN IS DESIGNED TO HOLD  
STORM WATER FOR ONLY 48 HOURS AND  
NOT TO ATTRACT BIRDS**

**PROPER MAINTENANCE IS NECESSARY TO AVOID  
BIRD STRIKES**



**IF THIS BASIN IS OVERGROWN, PLEASE CONTACT:**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_





**Charissa Leach, P.E.**  
*Assistant TLMA Director*

# RIVERSIDE COUNTY PLANNING DEPARTMENT

## General Application Form

Submit this completed General Application Form, along with a signed Applicant-Property Owner Signature Form, and an applicable Supplemental Information Form. The Forms are located on the Planning Dept. website's Development Application page (<https://planning.rctlma.org/Development-Process/Applications>) or by clicking on the applicable link above or below. Filing Instructions documents are also available on that webpage.

Select the applicable Application Type(s):

Legislative Actions	
<input type="checkbox"/> Change of Zone	<input checked="" type="checkbox"/> Development Agreement
<input type="checkbox"/> General Plan Amendment – Land Use	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> General Plan Amendment – Circulation Section	<input type="checkbox"/> Specific Plan Amendment
Subdivisions	
<input type="checkbox"/> Tentative Tract Map	<input type="checkbox"/> Minor Change
<input type="checkbox"/> Tentative Parcel Map	<input type="checkbox"/> Revised Map
<input type="checkbox"/> Vesting Map	<input type="checkbox"/> Land Division Phasing Map
<input type="checkbox"/> Amendment to Final Map	<input type="checkbox"/> Extension of Time (Ord. No. 460)
<input type="checkbox"/> Reversion to Acreage	
Use Permits	
<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Commercial Hog Ranch Permit/Amended Permit
<input type="checkbox"/> Plot Plan	<input type="checkbox"/> Revised Use Permit or Plot Plan
<input type="checkbox"/> Plot Plan – Administrative (Minor Plot Plan)	<input type="checkbox"/> Surface Mining Permit
<input type="checkbox"/> Public Use Permit	<input type="checkbox"/> Reclamation Plan/Interim Management Plan
<input type="checkbox"/> Wind Energy Conversion System Permit	<input type="checkbox"/> Revised Surface Mining Permit/Reclamation Plan
<input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> Extension of Time (Ord. No. 348)
<input type="checkbox"/> Variance	<input type="checkbox"/> Solar Power Plant
Ministerial Actions	
<input type="checkbox"/> Crowing Fowl Permit	<input type="checkbox"/> Determination of Non-Conforming Use Status
<input type="checkbox"/> FFA or 4-H Project	<input type="checkbox"/> Extension of Non-Conforming Use Status
<input type="checkbox"/> Exception to Notice Ordinance (No. 847)	<input type="checkbox"/> Outdoor Advertising Display Permit (Billboard)
<input type="checkbox"/> Food Truck	<input type="checkbox"/> Public Convenience and Necessity Determination
<input type="checkbox"/> Grading Permit Initial Study	<input type="checkbox"/> Setback Adjustment
<input type="checkbox"/> Historic District Alteration Permit	<input type="checkbox"/> Substantial Conformance to Minor Plot Plan
<input type="checkbox"/> Large Family Day Care Permit	<input type="checkbox"/> Substantial Conformance to Plot Plan or Use Permit
<input type="checkbox"/> Living Native Tree Removal Permit	<input type="checkbox"/> Substantial Conformance to Surface Mining Permit/Reclamation Plan
<input type="checkbox"/> Minor Temporary Event Permit	<input type="checkbox"/> Substantial Conformance with a Specific Plan
Miscellaneous Actions	
<input type="checkbox"/> Agricultural Preserve Disestablishment-Diminishment	<input type="checkbox"/> Request for Deposit for Planning Research
<input type="checkbox"/> Agricultural Preserve Establishment-Enlargement	<input type="checkbox"/> Geology Report Review
<input type="checkbox"/> Entry into Land Contract within Agricultural Preserve	<input type="checkbox"/> Request for Pre-Application Review
<input type="checkbox"/> Agricultural Preserve Notice of Non-Renewal	<input type="checkbox"/> MSHCP Habitat Acquisition and Negotiation Strategy (HANS)
<input type="checkbox"/> Request for Zoning Affidavit or Rebuild Letter	<input type="checkbox"/> MSHCP Habitat Acquisition and Negotiation Strategy (HANS Lite)
<input type="checkbox"/> MSHCP Expedited Review Process (ERP)	

**GENERAL APPLICATION FORM**

Note: The Applicant represents that he/she has the express authority to submit this application on behalf of the Property Owner(s) and understands that the "Applicant" is not assignable without written consent by the County of Riverside, who will not consent to reassignment unless any outstanding costs have been paid by Applicant, and that all deposit statements, requests for deposits or refunds shall be directed to the Applicant.

Applicant Contact (BILLING CONTACT):			
Contact Person:	<b>Sean</b> <small>First Name</small>	<b>Anthony</b> <small>Middle Name</small>	<b>St.Peter</b> <small>Last Name</small>
E-mail Address:	<b>sean_stpeter@yahoo.com</b>		
Mailing Address:	<b>4231</b> <small>Street Number</small>	<b>Baloba Ave</b> <small>Street Name</small>	<b>162</b> <small>Unit or Suite</small>
	<b>San Diego</b> <small>City</small>	<b>CA</b> <small>State</small>	<b>92117</b> <small>Zip Code</small>
Daytime Phone No.:	<b>619-618-8139</b>	Mobile Phone No.:	<b>619-618-8139</b>

Engineer/Representative Contact, if any:			
Contact Person:	<b>Caryn</b> <small>First Name</small>	<b>Bailey</b> <small>Middle Name</small>	<b>Bailey</b> <small>Last Name</small>
E-mail Address:	<b>cbailey@radarchitects.com</b>		
Mailing Address:	<b>1286</b> <small>Street Number</small>	<b>University Ave</b> <small>Street Name</small>	<b>137</b> <small>Unit or Suite</small>
	<b>San Diego</b> <small>City</small>	<b>CA</b> <small>State</small>	<b>92103</b> <small>Zip Code</small>
Daytime Phone No.:	<b>619-795-6522</b>	Mobile Phone No.:	<b>619-991-8194</b>

Property Owner Contact:			
Contact Person:	<b>Joe</b> <small>First Name</small>	<b>Mineo</b> <small>Middle Name</small>	<b>Mineo</b> <small>Last Name</small>
E-mail Address:	<b>jmineo@farmerboys.com</b>		
Mailing Address:	 <small>Street Number</small>	 <small>Street Name</small>	 <small>Unit or Suite</small>
	 <small>City</small>	 <small>State</small>	 <small>Zip Code</small>
Daytime Phone No.:	<b>909-816-9081</b>	Mobile Phone No.:	<b>909-816-9081</b>

Check this box if there are additional persons or entities who have an ownership interest in the subject property or properties that comprise this Application and complete one or more [Additional Property Owner Sheets](#).



**GENERAL APPLICATION FORM**

**PROPERTY INFORMATION:**

Assessor's Parcel Number(s):

**317-110-070**

Approximate Gross Acreage: **1.0 AC**

I/We, the applicant, certify that the following responses are true and correct. Yes  No

Generally, Ministerial Actions and Miscellaneous Actions, will not require the completion of the following Sections: "Hazardous Site Review Statement," "Hazardous Materials Disclosure Statement," "Airport Influence Area/ Federal Aviation Regulation Part 77," "Military Land Use Compatibility," or "Water Quality Management Plan Information." as part of this Application Form.

**HAZARDOUS SITE REVIEW STATEMENT**

Government Code Section 65962.5.(f) requires the applicant for any development project to consult specified state-prepared lists and submit a signed statement to the local agency indicating whether the project is located on an identified site. Under the statute, no application shall be accepted as complete without this signed statement.

I (we) certify that I (we) have investigated this development project with respect to the Cal EPA's Cortese List Data Resources webpage and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:

- The project is NOT located on any of the lists compiled pursuant to Section 65962.(e) of the Government Code.
- The project IS located on one of the lists compiled pursuant to Section 65962.(e) of the Government Code. Please specify the list, the date of list, and the property's regulatory identification number:

**HAZARDOUS MATERIALS DISCLOSURE STATEMENT**

Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:

1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County.  
Yes  No
2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions.  
Yes  No

## GENERAL APPLICATION FORM

### AIRPORT INFLUENCE AREA/ FEDERAL AVIATION REGULATION PART 77

Is the project located within an Airport Influence Area?

Yes  No

If yes, review of projects, excluding Ministerial and Miscellaneous Actions, by the [Riverside County Airport Land Use Commission](#) will be required.

*Please refer to Riverside County's Map My County website to determine if the Plan is located within an Airport Influence Area (using the Planning Layer – Airport Layers) ([https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC\\_Public](https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public))*

Generally, applications, excluding Ministerial and Miscellaneous Actions, within 8 miles of March Air Reserve Base or within 4 miles of other airports may require a Federal Aviation Administration (FAA) [Obstruction Evaluation/Airport Airspace Analysis](#).

### MILITARY LAND USE COMPATIBILITY

Using the [California Military Land Use Compatibility Analyst website](#), the owner or authorized agent has determined whether the project is located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944.

Yes  No

### WATER QUALITY MANAGEMENT PLAN INFORMATION

Is the project located within any of the following Watersheds? Check the appropriate box if applicable.

- [Santa Ana/San Jacinto Valley Region](#)
- [Santa Margarita Region](#)
- [Santa Margarita Region-Other Development Project](#)
- [Whitewater Region](#)

*Please refer to Riverside County's Map My County website to determine if the Plan is located within any of these watersheds (using the Geographic Layer – Watershed) ([https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC\\_Public](https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public))*

If any of these checkboxes are checked, go to the Planning Department website's Development Application page's [Miscellaneous Exhibits/Materials](#) subsection (Project Specific Water Quality Management Plan (WQMP) Checklists to complete the applicable Checklist Form, or click on the adjacent link to open the applicable Checklist Form. Complete the form and attach a copy of the completed form as part of the Development Application package.

If the completed Checklist Form concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a Plan shall be prepared and included along with the completed Checklist as part of the submittal of the Development Application package.

**STEP 2:** This completes the required information on this General Application form. Open the following link to access and complete the [Applicant-Property Owner Signature Form](#). Completion of an applicable Supplemental Information Form for a particular application may also be required. Please refer to the

# GENERAL APPLICATION FORM

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Planning Department website's Development Application page's Filing Instruction subsection to review the specific filing instructions and documentation requirements for the application type selected.

FOR COUNTY OF RIVERSIDE USE ONLY	
Plan No:	<b>CUP200031/DA2000011</b>
Set ID No., if applicable <b>CC009311</b>	Application Filing Date: <b>8/24/20</b>
Print staff name and title: <b>Phayvanh Nanthavongdouangsy, Principal Planner</b>	

Y:\Planning Master Forms\Application Forms\\_General\_Application\_Form.docx  
Revised: 03/18/2020



# RIVERSIDE COUNTY PLANNING DEPARTMENT

*Charissa Leach, P.E.  
Assistant TLMA Director*

## **Applicant-Property Owner Signature Form**

This Form is to be completed and signed (print name, signature and date signed) by the Applicant and the Property Owner(s) of the property(ies) underlying most Planning Department Applications. This signed Form is to be included as part of an Application package.

Note: The Planning Department will primarily direct communications regarding this application to the person identified as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

### **AGREEMENT FOR PAYMENT OF PROCESSING FEES**

The Applicant agrees to make an initial deposit in the amount as indicated by County ordinance, at the time this Form is signed and submitted as part of a complete application to the County of Riverside. The Applicant acknowledges that this is an initial deposit and additional funds may be needed to complete their case. The County of Riverside will not pay interest on deposits. The Applicant understands that any delays in making a subsequent deposit from the date of written notice requesting such additional deposit by County of Riverside, may result in the stoppage of work.

Within 15 days of the service by mail of the County of Riverside's written notice that the application permit deposit has been reduced to a balance of less than 20% of the initial deposit or that the deposit is otherwise insufficient to cover the expected costs to completion, the Applicant agrees to make an additional payment of an amount as determined by the County of Riverside to replenish the deposit. Please note that the processing of the application or permit may stop if the amount on deposit has been expended. The Applicant agrees to continue making such payments until the County of Riverside is reimbursed for all costs related to this application or permit. The County of Riverside is entitled to recover its costs, including attorney's fees, in collecting unpaid accounts that would have been drawn on the deposit were it not depleted. The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary.

This application shall only be signed by an authorized representative of the Applicant and the Property Owner. The person(s) signing this Form represents that he/she has the express authority to submit this application on behalf of the Applicant and/or Property Owner. This application is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this application until all outstanding costs have been paid by Applicant. Deposit statements, requests for deposits or refunds shall be directed to Applicant.

To ensure quality service, the Applicant is responsible to provide one-week written notice to the County of Riverside Transportation and Land Management Agency (TLMA) Permit Assistance Centers if any of the Applicant or Property Owner information changes.

<u>Sean St.Peter</u> <i>Printed Name of Applicant</i>	<u><i>Sean St.Peter</i></u> <i>Signature of Applicant</i>	<u>8/19/20</u> <i>Date Signed</i>
--	--	--------------------------------------

## **Applicant-Property Owner Signature Form**

<b>Note: Property owner(s)'s signatures are <u>NOT</u> required for the following applications or requests:</b>	
Geological Report Review	Request for Appeal
Request for Application Withdrawal or Rights Transfer	Request for Deposit for Planning Research
Request for Pre-Application Review	Request for Rough Grading Permit Planning Clearance
Request for Planning Condition Clearance	Request for Zoning Affidavit or Rebuild Letter

### **AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN**

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, County personnel, or its agents, may enter the subject property and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

### **AGREEMENT FOR PAYMENT OF PROCESSING FEES**

The Property Owner acknowledges that the Applicant is authorized to submit this application and related application(s) for land use review or permit on this property. The Property Owner also acknowledges that should the Applicant not reimburse the County of Riverside for all costs related to this application or permit, the Property Owner shall become immediately liable for these costs which shall be paid within 15 days of the service by mail of notice to said property Owner by the County. This application shall only be submitted by an authorized representative of the Applicant and the Property Owner. The person(s) submitting this application represents that he/she has the express authority to submit this application on behalf of the Applicant and/or Property Owner. This application is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this application until all outstanding costs have been paid by Applicant. Deposit statements, requests for deposits or refunds shall be directed to Applicant at the address identified in Applicant Contact section above.

### **INDEMNIFICATION AGREEMENT**

The owner(s) of the property, at their own expense, agree to defend, indemnify and hold harmless the County of Riverside and its agents, officers, and employees from and against any lawsuit, claim, action, or proceeding (collectively referred to as "proceeding") brought against the County of Riverside, its agents, officers, attorneys and employees to attack, set aside, void, or annul the County's decision to approve any Tentative Tract Map, Tentative Parcel Map, Revised Map, Map Minor Change, Reversion to Acreage, Conditional Use Permit, Public Use Permit, Surface Mining Permit and/or Reclamation Plan, Wind Energy Conversion System Permit, Hazardous Waste Siting Permit, Minor Temporary Event Permit, Plot Plan, Substantial Conformance (to any Permit or Plot Plan), Revised Permit, (to any Permit or Plot Plan), Variance, Setback Adjustment; General Plan Amendment, Specific Plan, Specific Plan Amendment, Specific Plan Substantial Conformance, Zoning Amendment; and, any associated Environmental Documents. This defense and indemnification obligation shall include, but not limited to, damages, fees and/or costs awarded against the County, if any, and cost of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, property owner, the County, and/or the parties initiating or bringing such proceeding.

**Applicant-Property Owner Signature Form**

<u>HHI Riverside, LLC-Makis Havaglias</u> <i>Printed Name of Property Owner</i>	 <i>Signature of Property Owner</i>	<u>August 17, 2020</u> <i>Date Signed</i>
_____	_____	_____
<i>Printed Name of Property Owner</i>	<i>Signature of Property Owner</i>	<i>Date Signed</i>

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach additional completed and signed Additional Property Owner Signature Form(s) for those persons or entities having an interest in the real property(ies) involved in this application and acknowledge the Authority Given, the Agreement for Payment, and Indemnification Agreement Sections above.

If the property owner is a corporate entity, Limited Liability Company, partnership or trust, the following documentation must also be submitted with this application:

- If the property owner is a limited partnership, provide a copy of the LP-1, LP-2 (if an amendment) filed with the California Secretary of State.
- If the property owner is a general partnership, provide a copy of the partnership agreement documenting who has authority to bind the general partnership and to sign on its behalf.
- If the property owner is a corporation, provide a copy of the Articles of Incorporation and/or a corporate resolution documenting which officers have authority to bind the corporation and to sign on its behalf. The corporation must also be in good standing with the California Secretary of State.
- If the property owner is a trust, provide a copy of the trust certificate.
- If the property owner is a Limited Liability Corporation, provide a copy of the operating agreement for the LLC documenting who has authority to bind the LLC and to sign on its behalf.

If the signing entity is also a corporate entity, Limited Liability Company, partnership or trust, the above documentation must also be submitted with this application. For any out of State legal entities, provide documentation showing registration with the California Secretary of State.

If the application is for a Plot Plan for a Wireless Communication Facility, the property owner(s) and the cellular service provider must sign the indemnification paragraph above. If the application is for a Plot Plan for a wireless communication facility co-location, only the co-locating service provider needs to sign the indemnification paragraph above.

<b>PROPERTY INFORMATION:</b>	
Assessor's Parcel Number(s):	
<b>317-110-70</b>	
Approximate Gross Acreage:	<b>1.0 AC</b>

## **Applicant-Property Owner Signature Form**

FOR COUNTY OF RIVERSIDE USE ONLY	
Plan No:	
Set ID No., if applicable	Application Filing Date:
Print staff name and title:	

Y:\Planning Master Forms\Application Forms\\_Applicant\_Property\_Owner\_Signature\_Form.docx  
Revised: 04/08/2020

Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Santa Ana River Region		
Project File No.	<b>Conditional Use Permit No. 200031</b>	
Project Name:	CANNABIS 21+	
Project Location:	CAJALCO EXPRESSWAY & HARVILL AVE, PERRIS CA 92570	
Project Description:	COMMERCIAL CANNABIS FACILITY WITH RETAIL AND DISTRIBUTION. NEW DEVELOPMENT NO SITE WORK REQUIRED.	
<b>Proposed Project Consists of, or Includes:</b>	<b>Yes</b>	<b>No</b>
Significant Redevelopment: The addition or replacement of 5,000 square feet or more of impervious surface on an already developed site. Does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of the constructed facility or emergency redevelopment activity required to protect public health and safety.		✓
New development that create 10,000 square feet or more of impervious surface (collectively over the entire project site), including commercial and industrial projects and residential housing subdivision requiring a Final Map (i.e. detached single family home subdivisions, multi-family attached subdivisions, condominiums, or apartments, etc.); mixed use and public projects (excluding Permittee road projects). This category includes development on public and private land, which fall under the planning and building authority of the Co-permittees.		✓
Automotive repair shops (Standard Industrial Classification (SIC) codes <sup>1</sup> 5013, 5014, 5541, 7532, 7533, 7534, 7536, 7537, 7538, 7539).		✓
Restaurants (SIC code 5812) where the land area of development is 5,000 square feet or more.		✓
Hillside developments disturbing 5,000 square feet or more which are located on areas with known erosive soil conditions or where natural slope is 25 percent or more.		✓
Developments of 2,500 square feet of impervious surface or more adjacent to (within 200 feet) or discharging directly into Environmentally Sensitive Areas (ESAs). "Directly" means situated within 200 feet of the ESA; "discharging directly" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.		✓
Parking lots of 5,000 square feet or more exposed to stormwater, where "parking lot" is defined as a land area or facility for the temporary storage of motor vehicles.		✓
Retail Gasoline Outlets that are either 5,000 square feet or more of impervious surface with a projected average daily traffic of 100 or more vehicles per day.		✓
Public Projects, other than Transportation Projects, that are implemented by a Permittee and similar in nature to the priority projects described above and meets the thresholds described herein.		✓
Other Development Projects whose site conditions or activity pose the potential for significant adverse impacts to water quality.		✓

<sup>1</sup> Descriptions of SIC codes can be found at <http://www.osha.gov/pls/imis/sicsearch.html>.

**DETERMINATION: Check the box for applicable determination.**

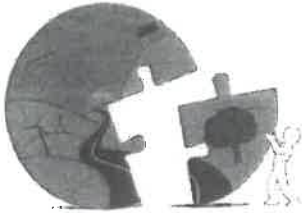
**Any** question answered "YES"

Project requires a project-specific WQMP. Electronic Submittals are encouraged on CD and required for the approved documents.

**All questions** are answered "NO"

Project requires incorporation of Site Design and source control Best Management Practices (BMPs).





# RIVERSIDE COUNTY PLANNING DEPARTMENT

**Charissa Leach, P.E.**  
Assistant TLMA Director

## SUBDIVISION MAP OR USE PERMIT SUPPLEMENTAL INFORMATION FORM

CHECK ONE AS APPROPRIATE:

PROJECT DESCRIPTION:
<p><i>Please provide a brief, but concise, description of the proposed project; (extra pages may be attached, if necessary). For modifications to existing approved projects, describe the existing approved project AND the proposed changes, and quantify the differences.</i></p>
<p><b>Proposed project is a Commercial Cannabis Retail Storefront. The facility is located at APN 317-110-070 and is appropriately Zoned C-P-S and meets all Setback requirements to sensitive uses. The existing building meets all building codes and only requires minimal Tenant Improvements and is able to be operational within months of CUP Approval.</b></p>

Check this box if submitting a Commercial Cannabis Conditional Use Permit.  
Please ensure to following the Filling Instructions for Commercial Cannabis Application.

SUBDIVISION PROPOSAL (if applicable):		
Map Improvement Schedule:	Subdivision Density:	Dwelling Units per Acre.
Number of Existing Lots:	Vesting Map:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Number of Proposed Developable Lots:	Planned Unit Development (PUD): Yes <input type="checkbox"/> No <input type="checkbox"/>	
Minimum Developable Lot Size:	Sewered:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Number of Proposed Non-Developable Lots (excluding streets):		

LAND DIVISION PHASING MAP PROPOSAL (if applicable):	
<b>CHECK ONE AS APPROPRIATE:</b>	
<input type="checkbox"/> Review by Advisory Agency (Minor Change)	<input type="checkbox"/> Review by County Staff (Land Division Unit Map)

**SUBDIVISION MAP OR USE PERMIT SUPPLEMENTAL INFORMATION FORM**

Total Number of Phases Proposed (including Final Phase): \_\_\_\_\_

Number of lots (total/residential) for each Phase:

1<sup>st</sup>: \_\_\_\_\_, 2<sup>nd</sup>: \_\_\_\_\_, 3<sup>rd</sup>: \_\_\_\_\_, 4<sup>th</sup>: \_\_\_\_\_

5<sup>th</sup>: \_\_\_\_\_, 6<sup>th</sup>: \_\_\_\_\_, 7<sup>th</sup>: \_\_\_\_\_, Final: \_\_\_\_\_

*(if the phasing plan consists of more than 8 phases, please check this box  and attach a separate sheet identifying all phases and the number of lots in each phase, and include details in the Project Description Section above)*

If the subdivision has been previously phased, indicate the method of phasing:

Tentative Map     Minor Change     Revised Map     Land Division Phasing Map

**ADDITIONAL PROJECT INFORMATION (if applicable):**

Identify the applicable Ordinance No. 348 Section and Subsection reference(s) describing the proposed land use(s): 348.4898

Identify Existing Building and/or Structures, Proposed Building and/or Structures or Outdoor Uses/Areas.

EXISTING Buildings/Structures: Yes <input type="checkbox"/> No <input type="checkbox"/>						
No.*	Square Feet	Height	Stories	Use/Function	**To be Removed	Bldg. Permit No.
1	8892	28'-6"	1	Commercial Cannabis Retail with Distribution	<input type="checkbox"/>	PP25699
2					<input type="checkbox"/>	
3					<input type="checkbox"/>	
4					<input type="checkbox"/>	
5					<input type="checkbox"/>	
6					<input type="checkbox"/>	
7					<input type="checkbox"/>	
8					<input type="checkbox"/>	
9					<input type="checkbox"/>	
10					<input type="checkbox"/>	

\*\* Check the box in the applicable row, if an existing building or structure is to be removed.

PROPOSED Buildings/Structures: Yes <input type="checkbox"/> No <input type="checkbox"/>					
No.*	Square Feet	Height	Stories	Use/Function	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

**SUBDIVISION MAP OR USE PERMIT SUPPLEMENTAL INFORMATION FORM**

PROPOSED Outdoor Uses/Areas: Yes <input type="checkbox"/> No <input type="checkbox"/>		
No.*	Square Feet	Use/Function
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

\* Match to Buildings/Structures/Outdoor Uses/Areas identified on Exhibit "A".

Check this box if additional buildings/structures exist or are proposed, and attach additional page(s) to identify them.

**STEP 2:** This completes the required information on this Subdivision Map or Use Permit Supplemental Information Form. Please refer to the Planning Department website's Development Application page's Filing Instruction subsection to review the specific filing instructions and documentation requirements for this application, or use the links below:

Filing Instructions for Subdivision Map Application, or

Filing Instructions for Plot Plan, Use Permit, Revised Permit, or Variance Application, or

Filing Instructions for Commercial Cannabis Application

FOR COUNTY OF RIVERSIDE USE ONLY	
Plan No:	
Set ID No., if applicable	Application Filing Date:
Print staff name and title:	

Y:\Planning Master Forms\Application Forms\Supplemental\_Information\_Form\_Subdivision\_Map\_or\_Use\_Permit.docx  
 Created: 07/01/2015 Revised: 05/27/2020



Charissa Leach, P.E.  
Assistant TLMA Director

# RIVERSIDE COUNTY PLANNING DEPARTMENT

## DEVELOPMENT AGREEMENT SUPPLEMENTAL INFORMATION FORM

### DEVELOPMENT AGREEMENT PROPOSAL:

CHECK ONE AS APPROPRIATE:

Residential

Solar

Commercial/Industrial

Cannabis

### PROJECT DESCRIPTION:

*Please provide a brief, but concise, description of the proposed Development Agreement.*

**THE PROPOSED PROJECT IS A COMMERCIAL CANNABIS FACILITY TO INCLUDE RETAIL SALES AND DISTRIBUTION. BOTH (ADULT & MEDICAL LICENSES) RETAIL STORE & DISTRIBUTION AREA CONDITIONAL USE PERMIT APPLICATION FOR COMMERCIAL CANNABIS FACILITY. NEW WORK WILL INCLUDE NEW WALLS OR OFFICES AND SECURE RECEPTION AND WAITING ROOMS, NEW MECHANICAL SYSTEMS, NEW RESTROOM LAYOUTS MEETING ADA CRITERIA WITH NEW FIXTURES AND PIPING AND ELECTRICAL MODIFICATIONS.**

DESCRIBE APPLICANT'S INTEREST IN THE PROPERTY:

**Applicant is the owner of the Commercial Cannabis Business**

**\*NOTE:** ATTACH DOCUMENTATION VERIFYING THE APPLICANT'S INTEREST AND AUTHORIZATION TO APPLY ON BEHALF OF THE OWNER (See Section 104 of Exhibit "A" of Resolution No. 2012-047).

**DEVELOPMENT AGREEMENT SUPPLEMENTAL INFORMATION FORM**

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DESCRIBE OWNER'S INTEREST IN THE PROPERTY:

**Owner is leasing commercial space for Commercial Cannabis Business**

**STEP 2:** This completes the required information on this Development Agreement Supplemental Information Form. Please refer to the Planning Department website's Development Application page's Filing Instruction subsection to review the specific filing instructions and documentation requirements for this application, or use the link below:

[Filing Instructions for a Development Agreement](#)

FOR COUNTY OF RIVERSIDE USE ONLY	
Plan No:	
Set ID No., if applicable	<b>CC009311</b>
Application Filing Date:	<b>8/24/20</b>
Print staff name and title:	<b>Phayvanh Nanthavongdouangsy, Principal Planner</b>

Y:\Planning Master Forms\Application Forms\Supplemental\_Information\_Form\_DA.docx  
Created: 07/01/2015 Revised: 03/04/2020

Sean St. Peter  
4231 Balboa Ave #162  
San Diego, CA 92117  
August 15, 2020

Riverside Co. Planning Department  
77588 El Duna Ct, Suite H  
Palm Desert, CA 92211

Re: Commercial Cannabis Conditional Use Permit Application Confirmation Statement –  
Allowable Zoning for Cannabis Use

Dear Riverside Co. Planning Department:

The proposed location APN 317-110-070 is zoned C-P-S.

The proposed location zone is allowed for cannabis use per Ordinance No. 348-4898 Section 19.518 Cannabis Retailer-Storefront.

*Storefront Cannabis Retailers within a permanent structure are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-PC-P-S, I-P, MS-C, M-M AND M-H.*

Sincerely,

A handwritten signature in black ink, appearing to read "Sean St. Peter", with a long horizontal flourish extending to the right.

Sean St. Peter, OWNER

Sean St. Peter  
4231 Balboa Ave #162  
San Diego, CA 92117  
August 15, 2020

Riverside Co. Planning Department  
77588 El Duna Ct, Suite H  
Palm Desert, CA 92211

**Re: Commercial Cannabis Conditional Use Permit Application Confirmation Statement -  
Setback Requirements to Sensitive Uses**

Dear Riverside Co. Planning Department:

The proposed location APN 317-110-070 meets setback requirements and sensitive uses to the best of my knowledge. .

The proposed location APN 317-110-070 is;  
*Not 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.*

The proposed location meets all requirements established in Ordinance No. 348.4898 Section 19.519 Cannabis Retailer Minimum Standards, General Location (A) 1,2,3, 4 and Setbacks (B) 1, 2.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sean St. Peter', with a long horizontal flourish extending to the right.

Sean St. Peter, OWNER

Sean St. Peter  
4231 Balboa Ave #162  
San Diego, CA 92117  
August 15, 2020

Riverside Co. Planning Department  
77588 El Duna Ct, Suite H  
Palm Desert, CA 92211

Re: Commercial Cannabis Conditional Use Permit Application Confirmation Statement –  
Prior Enforcement Actions

Dear Riverside Co. Planning Department:

The Owners Tara St. Peter and Sean St. Peter have no prior enforcement actions or proceedings taken by law enforcement or code enforcement during past or current business undertakings.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean St. Peter", with a long horizontal flourish extending to the right.

Sean St. Peter, OWNER



RECORDING REQUESTED BY:  
WFG TITLE COMPANY OF CALIFORNIA

7107703

RECORDING REQUESTED BY  
First American Title Company

AND WHEN RECORDED MAIL DOCUMENT TO:

HHI Riverside, LLC  
3800 Orange Street #250  
Riverside, CA 92501  
Attn: Joe Mineo

DOC # 2014-0487275

12/22/2014 10:41 AM Fees: \$37.00

Page 1 of 5 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

\*\*This document was electronically submitted  
to the County of Riverside for recording\*\*  
Received by: CMORRIS

Space Above This Line for Recorder's Use Only

TRA 098-075

## GRANT DEED

The undersigned Grantor(s) declare(s) that Documentary Transfer Tax shall be shown on a separate Declaration  
or Statement of Tax Due and not of public record pursuant to revenue & taxation code 11932-11933.

A.P.N.: 317-110-057 and 317-110-  
058 and 317-110-070 and 317-110-  
071

T.R.A. No.098-075

File No.: RRI-4663475 (DD)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**J.L.S. Enterprises, LP, a California limited partnership**

hereby GRANTS to

**HHI Riverside, LLC, a California limited liability company**

the following described property in the unincorporated area of the County of **Riverside**, State of **California**:

**Exhibit A attached hereto and made a part hereof**

Mail Tax Statements To: **SAME AS ABOVE**

Grant Deed - continued

Date: 12/11/2014

A.P.N.: 317-110-057 and 317-110-058 and 317-110-070 and 317-110-071

File No.: RRI-4663475 (DD)

Dated: 12/11/2014

J.L.S. Enterprises, LP, a California limited partnership  
by C. A. L. Property Investors, LLC, its general partner

Lawrence Tepper  
By: Lawrence Tepper, manager

STATE OF California )SS  
COUNTY OF Los Angeles )

On 12/12/14, before me, Bahram Eftekhari - Notary Public, Notary Public, personally appeared Lawrence Tepper

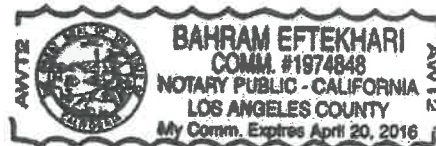
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument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

[Signature]



My Commission Expires: 4-20-2016

*This area for official notarial seal*

**Exhibit A  
Legal Description**

All that certain real property in the County of Riverside, State of California, described as follows:

**PARCEL 1:**

PARCEL A AS SHOWN ON LOT LINE ADJUSTMENT OR PARCEL MERGER NO. 04994, AS EVIDENCED BY DOCUMENT RECORDED FEBRUARY 27, 2006 AS INSTRUMENT NO. 2006-0140212 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF PARCELS 1, 2 AND 3 OF PARCEL MAP NO. 29716 IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 210, PAGES 12 AND 13, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 2, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF CAJALCO EXPRESSWAY AS SHOWN ON SAID PARCEL MAP, SAID POINT ALSO BEING THE EASTERLY END OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1850.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 45° 30' 00" WEST; THENCE SOUTHWESTERLY ALONG THE SOUTH SIDE OF SAID PARCEL 2, 77.25 FEET THROUGH A CENTRAL ANGLE OF 2° 23' 32" TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTHWESTERLY ALONG SAID CURVE 174.19 FEET THROUGH A CENTRAL ANGLE OF 5° 23' 42"; THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 83° 54' 03" WEST 38.16 FEET; THENCE NORTH 54° 34' 19" WEST 3.05 TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 800.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE 222.54 FEET THROUGH A CENTRAL ANGLE OF 15° 56' 18"; THENCE NORTH 66° 04' 31" EAST 255.61 FEET; THENCE SOUTH 23° 55' 29" EAST 88.18 FEET; THENCE SOUTH 47° 53' 33" EAST 57.62 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE ENTIRE MINERAL ESTATE LYING NOT LESS THAN 500.00 FEET BENEATH THE NATURAL SURFACE, WITHOUT THE RIGHT OF SURFACE ENTRY AS RESERVED BY SANTA FE LAND IMPROVEMENT COMPANY, A CALIFORNIA CORPORATION, IN THE DOCUMENT RECORDED AUGUST 26, 1988 AS INSTRUMENT NO. 244771 OFFICIAL RECORDS.

**PARCEL 2:**

PARCEL B AS SHOWN ON LOT LINE ADJUSTMENT OR PARCEL MERGER NO. 04994, AS EVIDENCED BY DOCUMENT RECORDED FEBRUARY 27, 2006 AS INSTRUMENT NO. 2006-0140212 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF PARCELS 2, 3 AND 4 OF PARCEL MAP NO. 29716 IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 210, PAGES 12 AND 13, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 2, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF CAJALCO EXPRESSWAY AS SHOWN ON SAID PARCEL MAP, SAID POINT ALSO BEING THE EASTERLY END OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1850.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 45° 30' 00" WEST; THENCE SOUTHWESTERLY ALONG THE SOUTH SIDE OF SAID PARCEL 2, 77.25 FEET THROUGH A CENTRAL ANGLE OF 2° 23' 32"; THENCE NORTH 47° 53' 33" WEST 57.62 FEET; THENCE NORTH 23° 55' 29" WEST 195.81 FEET; THENCE NORTH 65° 41' 19" EAST 94.52 FEET; THENCE SOUTH 23° 57' 13" EAST 219.21 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE ENTIRE MINERAL ESTATE LYING NOT LESS THAN 500.00 FEET BENEATH THE NATURAL SURFACE, WITHOUT THE RIGHT OF SURFACE ENTRY AS RESERVED BY SANTA FE LAND IMPROVEMENT COMPANY, A CALIFORNIA CORPORATION, IN THE DOCUMENT RECORDED AUGUST 26, 1988 AS INSTRUMENT NO. 244771 OFFICIAL RECORDS.

PARCEL 3:

PARCEL C AS SHOWN ON LOT LINE ADJUSTMENT OR PARCEL MERGER NO. 04994, AS EVIDENCED BY DOCUMENT RECORDED FEBRUARY 27, 2006 AS INSTRUMENT NO. 2006-0140212 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF PARCELS 1, 2, 3 AND 4 OF PARCEL MAP NO. 29716, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 210, PAGES 12 AND 13, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 4, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MESSENIA LANE 78.00 FEET WIDE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTH 23° 57' 13" EAST 126.02 FEET; THENCE SOUTH 65° 41' 19" WEST 94.52 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 23° 55' 29" EAST 107.63 FEET; THENCE SOUTH 66° 04' 31" WEST 255.61 FEET TO THE EAST RIGHT OF WAY OF HARVILL LANE, 100.00 FEET WIDE AS SHOWN ON SAID PARCEL MAP, AND ALSO BEING A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 800.00 FEET, A RADIAL LINE THROUGH SAID BEGINNING OF CURVE BEARS NORTH 51° 21' 59" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE 107.78 FEET THROUGH A CENTRAL ANGLE OF 7° 43' 08"; THENCE LEAVING SAID RIGHT-OF-WAY LINE NORTH 65° 41' 19" EAST 275.89 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE ENTIRE MINERAL ESTATE LYING NOT LESS THAN 500.00 FEET BENEATH THE NATURAL SURFACE, WITHOUT THE RIGHT OF SURFACE ENTRY AS RESERVED BY SANTA FE LAND IMPROVEMENT COMPANY, A CALIFORNIA CORPORATION, IN THE DOCUMENT RECORDED AUGUST 26, 1988 AS INSTRUMENT NO.

244771 OFFICIAL RECORDS

PARCEL 4:

PARCEL D AS SHOWN ON LOT LINE ADJUSTMENT OR PARCEL MERGER NO. 04994, AS EVIDENCED BY DOCUMENT RECORDED FEBRUARY 27, 2006 AS INSTRUMENT NO. 2006-0140212 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF PARCELS 2 AND 4 OF PARCEL MAP NO. 29716, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 210, PAGES 12 AND 13, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 4, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MESSENIA LANE 78.00 FEET WIDE AS SHOWN ON SAID PARCEL MAP; THENCE SOUTH  $23^{\circ} 57' 13''$  EAST 126.02 FEET; THENCE SOUTH  $65^{\circ} 41' 19''$  WEST 370.40 FEET TO THE EAST RIGHT OF WAY OF HARVILL LANE, 100.00 FEET WIDE AS SHOWN ON SAID PARCEL MAP, AND ALSO BEING A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 800.00 FEET, A RADIAL LINE THROUGH SAID BEGINNING OF CURVE BEARS NORTH  $59^{\circ} 05' 07''$  EAST; THENCE NORTHWESTERLY ALONG SAID CURVE 151.50 FEET THROUGH A CENTRAL ANGLE OF  $10^{\circ} 51' 00''$ ; THENCE NORTH  $25^{\circ} 55' 21''$  EAST 34.73 FEET; THENCE NORTH  $74^{\circ} 36' 52''$  EAST 255.94 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 639.00 FEET; THENCE EASTERLY ALONG SAID CURVE 95.17 FEET THROUGH A CENTRAL ANGLE OF  $8^{\circ} 32' 00''$  TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE ENTIRE MINERAL ESTATE LYING NOT LESS THAN 500.00 FEET BENEATH THE NATURAL SURFACE, WITHOUT THE RIGHT OF SURFACE ENTRY AS RESERVED BY SANTA FE LAND IMPROVEMENT COMPANY, A CALIFORNIA CORPORATION, IN THE DOCUMENT RECORDED AUGUST 26, 1988 AS INSTRUMENT NO. 244771 OFFICIAL RECORDS.

APN: 317-110-057-7, 317-110-058-8, 317-110-070-8 & 317-110-071-9



## NOTICE OF PUBLIC HEARING

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider a proposed project in the vicinity of your property, as described below:

**CONDITIONAL USE PERMIT NO. 200031 and DEVELOPMENT AGREEMENT NO. 2000011– Exempt from the California Environmental Quality Act (CEQA)**, pursuant to State CEQA Guidelines Article 19, Section 15301 (Existing Facilities) – Applicant: Cannabis 21+ – Representative: Sean Anthony St. Peter – First Supervisorial District – North Perris Zoning Area – Mead Valley Area Plan – Community Development: Commercial Retail (CD-CR) (0.20-0.35 FAR) – Location: Northerly of Cajalco Expressway, southerly of Messenia Lane, easterly of Harvill Avenue, and westerly of Interstate 215 – 1.00 Gross Acres – Zoning: Scenic Highway Commercial (C-P-S)– **REQUEST:** Development Agreement No. 2000011 would impose a lifespace on the proposed cannabis project and provide community benefit to the Mead Valley Area. Conditional Use Permit No. 200031 is a proposal for a Commercial Cannabis Facility, that includes retail sales and distribution. The cannabis facility will occupy 4,646 sq. ft. of Building D that was approved as part of a retail center (Plot Plan No. 25699). The total building area of Building D is 8,892 sq. ft. and is yet to be built. The project includes a 4,274 sq. ft. cannabis retail area and a 372 sq. ft. distribution area. The parcel has been graded and improved with landscaping and parking stalls. The project will include one (1) ADA and 22 non-ADA parking spaces. Retail store hours of operation will be 8:00 a.m. to 10:00 p.m., 7-days a week and delivery hours will be 8:00 a.m. to 9:00 p.m., 7-days a week. APN: 317-110-070.

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.  
DATE OF HEARING: **JANUARY 6, 2021**  
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
BOARD CHAMBERS, 1ST FLOOR  
4080 LEMON STREET, RIVERSIDE, CA 92501

Pursuant to Executive Order N-25-20, this meeting will be conducted by teleconference and at the place of hearing, as listed above. Public access to the meeting location will be allowed, but limited to comply with the Executive Order. Information on how to participate in the hearing will be available on the Planning Department website at: <https://planning.rctlma.org/>. For further information regarding this project please contact the Project Planner Phayvanh Nanthavongdouangsy at (951) 955-6573 or email at [pnanthav@rivco.org](mailto:pnanthav@rivco.org), or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed application at the public hearing. The case file for the proposed project is available for review via email by contacting the project planner. Please contact the project planner regarding additional viewing methods.

Any person wishing to comment on the proposed project may submit their comments in writing by mail or email, or by phone between the date of this notice and the public hearing; or, you may appear and be heard at the time and place noted above. You may participate remotely by registering with the Planning Department. All comments received prior to the public hearing will be submitted to the Planning Commission for consideration, in addition to any oral testimony, before making a decision on the proposed project. All correspondence received before and during the meeting will be distributed to the Planning Commission and retained for the official record.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:  
RIVERSIDE COUNTY PLANNING DEPARTMENT  
Attn: Phayvanh Nanthavongdouangsy  
P.O. Box 1409, Riverside, CA 92502-1409





**PROPERTY OWNERS CERTIFICATION FORM**

I, VINNIE NGUYEN certify that on November 20, 2020,

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

APN (s) or case numbers CUP200031 / DA2000011 for

Company or Individual's Name RCIT - GIS,

Distance buffered 1600'

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

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

TITLE: GIS Analyst

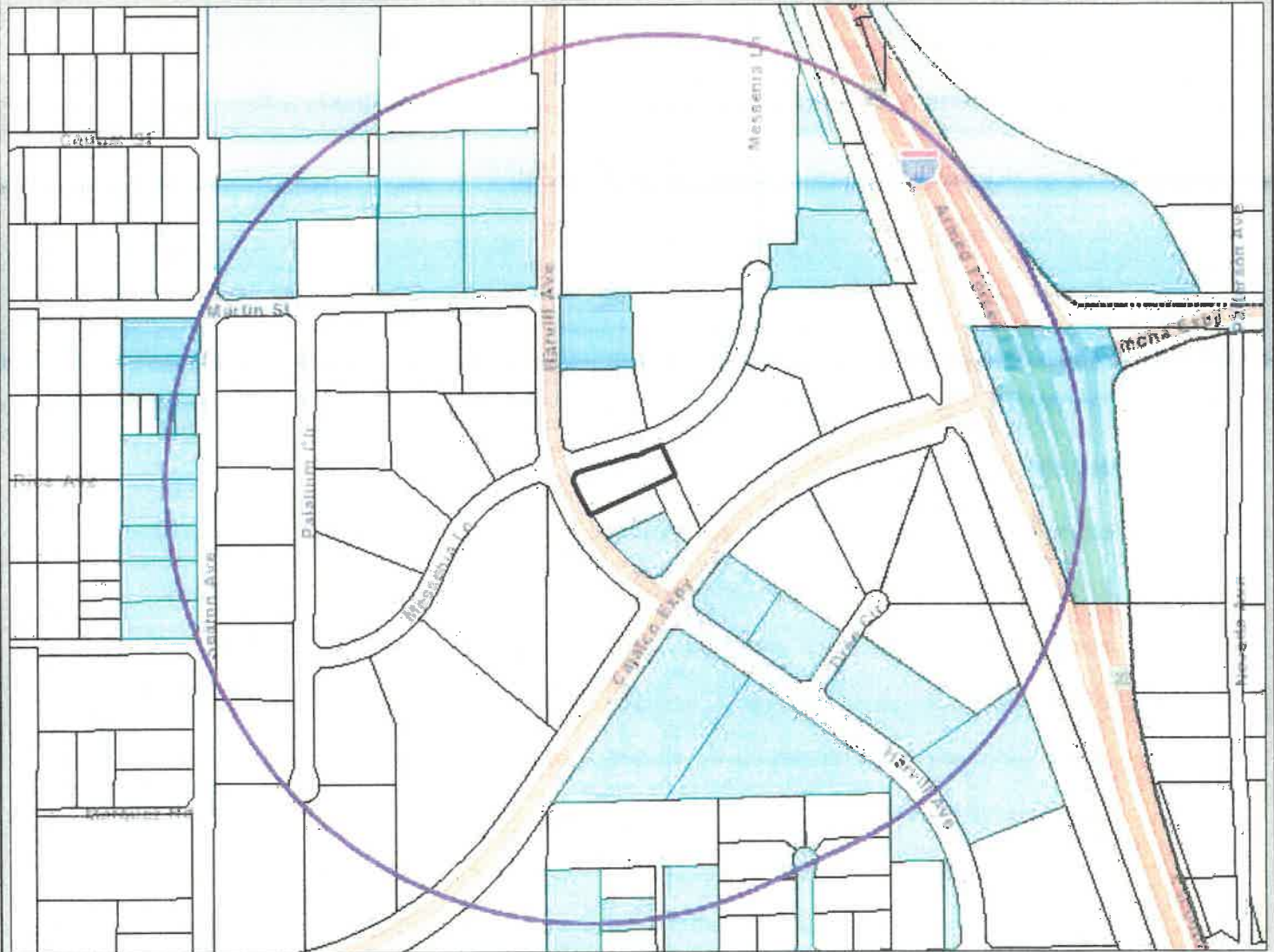
ADDRESS: 4080 Lemon Street 9<sup>TH</sup> Floor

Riverside, Ca. 92502

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

# Riverside County GIS Mailing Labels

CUP200031 / DA2000011 ( 1600 feet buffer )



## Legend

-  County Boundary
-  Cities
-  Parcels
-  World Street Map

## Notes



0 752 1,505 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... 11/20/2020 11:14:41 AM

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314130028  
PSLQ INC  
18890 SEATON AVE  
PERRIS CA 92570

314180024  
OPTIMUS BUILDING CORP  
629 DUFRANC AVE  
SEBASTOPOL CA 95472

317110057  
HHI RIVERSIDE  
3800 ORANGE ST NO 250  
RIVERSIDE CA 92501

317130034  
VCH NO 1  
1000 PIONEER WAY  
EL CAJON CA 92020

317110035  
RIVERSIDE COUNTY TRAVEL ZONE CENTER  
23261 CAJALCO EXPRS  
PERRIS CA 92571

317120016  
STATE OF CALIF  
464 W FOURTH ST 6TH FL  
SAN BERNARDINO CA 92401

317110051  
SABA FAMILY TRUST 7/24/18  
41309 AVENIDA BIONA  
TEMECULA CA 92591

317300016  
SUSANA GONZALEZ  
19081 SEATON AVE  
PERRIS CA 92570

314310016  
MAJESTIC FREEWAY BUSINESS CENTER  
13191 CROSSROADS N 5TH FL  
CITY OF INDUSTRY CA 91746

314130023  
MAJESTIC FREEWAY BUSINESS CENTER  
13191 CROSSROADS N 6TH FL  
CITY OF INDUSTRY CA 91746

317110021  
JAM HALL  
7879 PINE CREST DR  
RIVERSIDE CA 92506

317110004  
KAVIANNA INC  
10759 SAFFRON ST  
FONTANA CA 92337

317110029  
RIVERSIDE COUNTY TRANSPORTATION  
4080 LEMON ST 3RD FL  
RIVERSIDE CA 92501

317110073  
FAYEZ SEDRAK  
2337 NORCO DR  
NORCO CA 92860

314310010  
MAJESTIC FREEWAY BUSINESS CENTER #10  
13191 CROSSROADS PKWY NO SIXTH FLOOR  
CITY OF INDUSTRY CA 91746

317110009  
PAUL N. WARNER  
P O BOX 1381  
MORENO VALLEY CA 92556

317110028  
FAYEZ SEDRAK  
19248 HARVILL AVE  
PERRIS CA 92570

317300006  
GONZALO MECILLAS  
22985 MARTIN ST  
PERRIS CA 92570

317300007  
ADILENE GUZMAN  
19660 GLENWOOD AVE  
RIVERSIDE CA 92508

317310009  
MANUEL L. SILVA  
19201 SEATON AVE  
PERRIS CA 92570

314130015  
MAJESTIC FREEWAY BUSINESS CENTER  
13191 CROSSROADS PARK N  
LA PUENTE CA 91746

314130020  
SEAN & PARTNERS  
8577 CANDLEWOOD ST  
CHINO CA 91708

317310008  
GILMA ZELEDON  
19195 SEATON AVE  
PERRIS CA 92570

317110034  
PINNACLE REAL ESTATE HOLDINGS  
23261 CAJALCO EXPRS  
PERRIS CA 92571

317110038  
SABA FAMILY TRUST DATED 07/24/2018  
41309 AVENIDA BIONA  
TEMECULA CA 92591

317300009  
PEDREGON ROBERT  
19121 SEATON ST  
PERRIS CA 92570

314130007  
SEATON PERRY  
18W140 BUTTERFIELD RD STE 750  
OAKBROOK TER IL 60181

314130011  
MARK S. BLACKBURN  
29390 VIA NORTE  
TEMECULA CA 92591

314130026  
MAJESTIC FREEWAY BUSINESS CENTER  
13191 CROSSROADS PKWY N  
LA PUENTE CA 91746

314140032  
RIVERSIDE COUNTY TRANSPORTATION  
PO BOX 12008  
RIVERSIDE CA 92502

317110006  
CHARLES B. SIROONIAN  
14150 VINE PL  
CERRITOS CA 90703

317300019  
DEBBI A. HURTADO  
19091 SEATON AVE  
PERRIS CA 92570

317310007  
TODD THOMPSON  
8661 MILLPOND PL  
RIVERSIDE CA 92508

317310021  
19249 SEATON TRUST  
P O BOX 1381  
MORENO VALLEY CA 92556

314130027  
MAJESTIC FREEWAY BUSINESS CENTER  
13191 CROSSROADS PKY N  
LA PUENTE CA 91746

Sean Anthony St. Peter  
4231 Baloba Ave. Suite 162  
San Diego CA 92117

Caryn Bailey  
1286 University Ave. Suite 137  
San Diego CA 92103

Attention Joe Mineo  
HHI Riverside, LLC  
3800 Orange Street #250  
Riverside, CA 92501

Tara St. Peter  
2530 Grandview Street  
San Diego CA 92110

City of Perris  
ATTN: Kenneth Phung  
Planning Manager  
101 N. D Street  
Perris, CA 92570



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, P.E.  
Interim TLMA Director

## NOTICE OF EXEMPTION

TO:  Office of Planning and Research (OPR) FROM: Riverside County Planning Department  
P.O. Box 3044  4080 Lemon Street, 12th Floor  38686 El Cerrito Road  
Sacramento, CA 95812-3044  
 County of Riverside County Clerk P. O. Box 1409 Palm Desert, CA 92201  
Riverside, CA 92502-1409

Project Title/Case No.: Conditional Use Permit No. 200031/Development Agreement No. 2000011

Project Location: Northerly of Cajalco Expressway, southerly of Messenia Lane, easterly of Harvill Avenue, and westerly of Interstate 215

**Project Description:** Conditional Use Permit No. 200031 (CUP200031) is a proposal for a Commercial Cannabis facility that includes retail sales and distribution. The cannabis facility will occupy 4,646 SF of an 8,892 SF building that is approved through Plot Plan No. 25699 that is yet to be constructed. The retail area is 4,274 SF and the distribution area is 372 SF. The cannabis retail store hours of operation will be from 8:00 a.m. to 10:00 p.m., 7-days a week and delivery hours will be 8:00 a.m. to 9:00 p.m., 7-days a week. The distribution facility will be closed to the public and will also operate between the hours of 8:00 a.m. and 10:00 p.m. The project site's parking area is improved with landscaping, asphalt and stripped in accordance to the approved Plot Plan. Development Agreement No. 2000011 (DA2000011) sets forth the terms and conditions under which the Commercial Cannabis Activity of CUP200031 will operate in addition to the requirements established under Ordinance No. 348, and all other local ordinances and regulations, state law and such other terms and conditions. DA2000011 has a term of 10 years, will grant the applicant vesting rights to develop the Project in accordance with the terms of agreement and CUP200031, and will provide community benefits to the Mead Valley Area.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Sean Anthony St. Peter, Cannabis 21+, 4231 Baloba Ave. Unit 162 San Diego, CA 92117

**Exempt Status: (Check one)**

- Ministerial (Sec. 21080(b)(1); 15268)  Categorical Exemption (Sec. 15301)  
 Declared Emergency (Sec. 21080(b)(3); 15269(a))  Statutory Exemption (\_\_\_\_\_)  
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  Other: \_\_\_\_\_

**Reasons why project is exempt:** The proposed cannabis facility will lease space of an approved building, proposes minor modification to the interior of the building, and involves no expansion of the approved building footprint. The project involves negligible or no expansion of use. The proposed cannabis facility will operate within leased space of an approved building that is yet to be constructed. The project also involves minor alteration of the approved building, as it will combine four of the seven approved retail units to accommodate the 4,274 SF of Cannabis retail area and 372 SF distribution area. Three of the remaining retail units will be available for future tenants. The building exterior footprint, total square feet of approved retail area, exterior architecture, parking area, and overall site design (building location, parking, onsite circulation, etc.) will not change with the approval of this project. As described, the project involves no expansion of use, specifically there are no expansion of retail space area and building footprint; therefore, it can fall within the Class I exemption. None of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. The project will not lead to cumulative impacts; there are no unusual circumstances that would have a significant effect on the environment; the project will not damage scenic resources; the project is not listed as a hazardous waste site; the project site does not have any historic resources.

Phavvanh Nanthavongdouangsy 951-955-6573 \_\_\_\_\_  
County Contact Person Phone Number

\_\_\_\_\_  
Signature Principal Planner Title 12/24/20 Date

Date Received for Filing and Posting at OPR: \_\_\_\_\_

NOTICE OF EXEMPTION  
Page 2

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Revised: 08/22/2017: Y:\Planning Master Forms\Templates\CEQA Forms\Form\_NOE.docx

*Please charge deposit fee case#:* ZEA No. XXXXX ZCFG No. XXXX - County Clerk Posting Fee  
**FOR COUNTY CLERK'S USE ONLY**

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**COUNTY OF RIVERSIDE  
PLANNING DEPARTMENT  
STAFF REPORT**

Agenda Item No.

**4 . 3**

Planning Commission Hearing: January 6, 2021

**PROPOSED PROJECT**

<b>Case Number(s):</b>	CUP200020 & DA2000008	<b>Applicant(s):</b>	Cannabis 21+
<b>Environmental:</b>	CEQA Exempt, Sections 15301 & Section 15061(b)(3)	<b>Representative(s):</b>	Sean St. Peter
<b>Area Plan:</b>	Harvest Valley/Winchester		
<b>Zoning Area/District:</b>	Hemet-San Jacinto District		
<b>Supervisory District:</b>	Third District		
<b>Project Planner:</b>	Gabriel Villalobos	 John Hildebrand Interim Planning Director	
<b>Project APN(s):</b>	465-020-025		

**PROJECT DESCRIPTION AND LOCATION**

**Conditional Use Permit No. 200020** is a proposal to redevelop an existing 8,400 square foot building to be used as a cannabis retail storefront, that shall also include mobile deliveries, as well as a cannabis distribution facility. The project shall also include updates to the project site for parking and landscaping.

**Development Agreement No. 2000008** has a term of 5 years and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 2000008 and Conditional Use Permit No. 200020 and will provide community benefits to the Hemet-San Jacinto Area.

The project is located south of Florida Ave/State Highway 74, east of Cordoba Drive, north of Stetson Ave, and west of Warren Rd. The project is located in the Harvest Valley/Winchester Area Plan and is located near the city of Hemet.

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

**PROJECT RECOMMENDATION**

**STAFF RECOMMENDATIONS:**

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

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

**TENTATIVELY APPROVE Development Agreement No. 2000008**, 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. 200020**, subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report.

**PROJECT DATA**

**Land Use and Zoning:**

Existing General Plan Foundation Component:	Community Development
Existing General Plan Land Use Designation:	Commercial Retail (CR)
Surrounding General Plan Land Uses	
North:	N/A – City of Hemet
East:	Commercial Retail (CR), Light Industrial (LI)
South:	Medium Density Residential (MDR)
West:	Commercial Retail (CR)
Existing Zoning Classification:	Scenic Highway Commercial (C-P-S)
Surrounding Zoning Classifications	
North:	N/A – City of Hemet
East:	Scenic Highway Commercial (C-P-S), Heavy Agriculture – 10 Acre Minimum (A-2-10)
South:	Mobilehome Subdivisions and Mobilehome Parks – 20,000 Square Foot Minimum (R-T-20000)
West:	Scenic Highway Commercial (C-P-S)
Existing Use:	Commercial
Surrounding Uses	
North:	Vacant
South:	Vacant
East:	Commercial, Vacant
West:	Vacant

**Project Details:**

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	4 acres	N/A
Existing Building Area (SQFT):	8,400 sq.ft.	N/A
Building Height (FT):	29 ft.	50 ft. max height

**Parking:**

Type of Use	Building Area (in SF)	Parking Ratio	Spaces Required	Spaces Provided
Cannabis Retailer	5,889	1 space/200 sq.ft. of gross floor area	30	30
Cannabis Distribution	2,511	2 spaces/3 employees/largest shift	8	8
<b>TOTAL:</b>	<b>8,400</b>		<b>38</b>	<b>38</b>

**Located Within:**

City's Sphere of Influence:	Yes – City of Hemet
Community Service Area ("CSA"):	Yes - #80
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	Yes – High
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	Yes – Moderate
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
WRCMSHCP Criteria Cell:	Yes – 3683
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	Yes – In or partially within the SKR Fee Area
Airport Influence Area ("AIA"):	Yes – Hemet-Ryan

**PROJECT LOCATION MAP**



Figure 1: Project Location Map

## PROJECT BACKGROUND AND ANALYSIS

### **Background:**

#### *Project Details*

The proposal is for the redevelopment of an existing 8,400-square-foot commercial building for the purposes of a Cannabis Retail Storefront and distribution facility serving the Winchester area of Riverside County. The project site is currently occupied by the existing 8,400 square foot building which was previously used as an office space for a truck rental business that occupied the site, as well as an animal feed store. In addition to the existing building there are also three (3) large outdoor hay storage structures that were previously used as part of the animal feed business. These structures are currently still located on the parcel and are not proposed to be used for this project are not considered part of the project's scope. All redevelopment taking place on site shall be limited to the existing 8,400 square foot building including improvements to the interior and exterior of the building and updates to the parking lot including new ADA accessible parking spaces and two (2) electric vehicle (EV) charging stations.

The proposed Cannabis Retail Store would operate between the hours of 8 AM to 10 PM daily in compliance with the County of Riverside Ordinance No. 348 Section 19.505.I. The cannabis retail facility would have five (5) employees on site, in addition to, one (1) security guard stationed on site 24 hours a day. In addition, the distribution portion of the facility shall have, at most, 12 employees on site during the largest shift.

The parking requirement for the Cannabis Retail Storefront is 1 space per 200 square feet of gross floor area, the listed size of the retail portion of the building is 5,889 square feet which would equal 30 parking spaces as a requirement for the proposed Cannabis Retail Facility. The distribution portion of the proposed project shall occupy the remaining 2,511 square feet of the existing building. The parking requirement for the Cannabis Distribution facility is 2 spaces for every 3 employees of the largest shift, the number specified is 12 employees which would result in a parking requirement of 8 parking spaces for the proposed Cannabis Distribution facility. The total number of parking spaces required for the proposed project equals 38 parking spaces that are required and that have also been provided on site. In addition, two (2) ADA parking spaces are included in the provided 38 spaces, as well as, two (2) new EV charging stations, meeting the standards set forth in Section 18.12.C of Ordinance No. 348.

The Project is also located within the environmentally cleared footprint of the SR-79 Realignment Project led by Riverside County Transportation Commission (RCTC). RCTC has indicated that although the road project is cleared, final design and construction are not anticipated to be completed within at least a 5-year timeframe for the segment impacting the development project site. Therefore, as the proposed parcel appears to be entirely impacted by the realignment project, the Transportation Department will not require any improvements or road right-of-way dedication along SH-74 at this time for the term of this entitlement. Because of the construction timeline, the project proponent shall also be in agreement for the 5 years life time of the entitlement for CUP200020.

As part of the approval process for cannabis retail facilities, a development agreement between the County of Riverside and the applicant was applied for under Development Agreement No. 2000008 ("DA2000008").

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

The Commercial Retail (CR) land use designation provides for the emphasis on general uses such as grocery stores, drug stores, and other retail outlets. The project is consistent with the Community Development General Plan Foundation Component and Commercial Retail Land Use Designation as it would provide community services and job opportunities within the surrounding community. In addition, Land Use Policy LU 29.10 allows for "Floor Area Ratio (FAR) is intended for planning purposes only. The Planning Director or his/her designee shall have the discretion to authorize the use of a FAR that is less intense in order to encourage good project design and efficient site utilization." The proposed project adheres to this specific policy as the proposed FAR for this project does not meet the required 0.20 to 0.35 FAR as specified for the Commercial Retail land use designation. The proposed development has a FAR of 0.05 as the existing building to be renovated is 8,400 square feet on a single parcel of 3.72 net acres (162,087 square feet). In order to accommodate this proposal, planning staff has elected to allow the proposed FAR as the proposed project is for the renovation of an existing building, with no additional construction being proposed to expand the existing building footprint. Lastly, due to the realignment of SR-79 project, planning staff is not requesting any major renovation to the hardscape of the proposed project as the entitlement lifespan for this project is only 5 years.

Zoning Consistency

The project site is zoned Scenic Highway Commercial (C-P-S). Pursuant to Ordinance No. 348, Article XIXh, Section 19.518, Cannabis Retailers are allowed in the C-P-S zone with an approved conditional use permit. The applicant has submitted this CUP application to ensure compliance with all applicable development standards and regulations. As further described in the findings section, the project meets all the applicable development standards for the C-P-S zone and those set forth in Section 19.519 of Ordinance No. 348, including design, height, setbacks, and parking requirements.

The applications for Development Agreement No. 2000008 and Conditional Use Permit No. 200020 were submitted to the County of Riverside on July 24, 2020.

**ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS**

This project is exempt from the California Environmental Quality Act (CEQA) review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). This exemption specifically exempts 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 proposal for CUP200020 shall include the redevelopment of an existing 8,400 square foot commercial building as a Cannabis retail storefront and distribution facility. Under this categorical exemption, the redevelopment of the existing building shall be considered negligible or no expansion of existing or former use as the tenant improvements proposed are limited to the interior of the building, with minor upgrades to the exterior and site to meet county standards.

None of the exceptions pursuant to State CEQA Guidelines section 15300.2 would occur. The Project would not have a significant effect on the environment due to unusual circumstances; would not result in a cumulative impact; would not impact any historic resources; and is not located on a hazardous site or location. The proposed cannabis related use does not present any unusual circumstances since it would present similar environmental impacts compared to any other retail use that would be permitted to occupy the project site. Since all impacts of the proposed use would be similar to other uses that would occupy the space, all potential cumulative impacts of this use were also previously addressed in the prior approvals. No historic resources are known to exist on the site that could be impacted since the site is recently developed. The site is not known to be located on a hazardous site based on available data. Additionally, since the State has created various rules and regulations as they relate to cannabis waste, particularly for cannabis cultivators, there are no impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis (the State actually treats cannabis as an organic waste, versus a hazardous waste). Accordingly, there are no exceptions to the above categorical exemptions that would prevent them from applying.

This proposed project is also exempt from California Environmental Quality Act (CEQA) review pursuant to Article 5 - Preliminary Review of Projects and Conduct of Initial Study, Section 15061 (b)(3), which states: Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA. The Project is deemed to be a "project" pursuant to CEQA. The Project is a retail business (cannabis retail) and distribution facility which shall include the redevelopment of an 8,400 square foot business to accommodate the Cannabis retail storefront and distribution facility. The Project is EXEMPT under State CEQA Guidelines Section 15061 because Section (b) (3) states: The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Project will continue to utilize the site as a commercial land use and will not result in any additional impacts related to traffic, air quality, or public safety, beyond what already occurs at the existing commercial retail establishment. As the land is already developed, there are no potential impacts related to aesthetics, biological and cultural resources, hydrology, or other similar potential impacts. Lastly, as the State has created various rules and regulations as they relate to cannabis waste, particularly for cannabis cultivators, there are no impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis (the State actually treats cannabis as an organic waste, versus a hazardous waste). Therefore, the project meets the requirements for CEQA exemption per Section 15061(b)(3) as there is no potential that the Project as proposed would have a significant physical impact on the environment.

## **FINDINGS AND CONCLUSIONS**

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

### **Land Use Findings:**

1. The project site has a General Plan Land Use Designation of Commercial Retail (CR). The proposed project is conditionally consistent with the land use designation as the project does not meet the Commercial Retail floor area ratio (FAR) requirement of 0.20 to 0.35 FAR. The project will redevelop an existing 8,400 square foot building on a 3.72 net acres or 162,087 square foot parcel, which equals a FAR of approximately 0.05. Per Land Use Policy LU 29.10, FAR is intended for planning purposes only and the Planning Director or his/her designee shall have the discretion to authorize the use of a

FAR that is less intense in order to encourage good project design and efficient site utilization. In order to accommodate this proposal, planning staff has elected to allow the proposed FAR as the proposed project is for the renovation of an existing building, with no additional construction being proposed to expand the existing building footprint. Lastly, due to the realignment project, planning staff is not requesting any major renovation to the hardscape of the proposed project as the entitlement lifespan for this project is only 5 years. As such, planning staff has made the determination that the projects meets the requirement and is consistent with the CR land use designation.

The Commercial Retail land use designation provides for the emphasis on general uses such as grocery stores, drug stores, and other retail outlets. The proposed project is consistent with this land use designation because the project will provide local and regional retail and services. Additionally, the Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of life styles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the RCIP Vision, such as mobility, open space, and air quality goals.

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

2. The project site has a Zoning Classification of Scenic Highway Commercial (C-P-S), which is consistent with the Riverside County General Plan, including the applicable Foundation Component and Land Use Designation identified above. The proposed use of a cannabis retail storefront and distribution facility is allowed within the C-P-S zone per Section 19.518.A.2 of Ordinance No. 348, provided a conditional use permit is obtained.
3. The proposed use, a Cannabis Retailer and Distribution Facility, is consistent with Ordinance No. 348 (Land Use) and is allowed within the Scenic Highway Commercial (C-P-S) Zoning Classification, subject to Conditional Use Permit approval.
4. The uses surrounding the project site include commercial uses to the east and vacant parcels to the north, west and south. The project site is bounded by the City of Hemet's boundaries to the north and parcels zoned for Scenic Highway Commercial (C-P-S) to the east and west, Heavy Agriculture to the east, and Mobilehome Subdivisions and Mobilehome Parks. As such, the project use is compatible with the surrounding uses as it meets the minimum development standards as defined through Ordinance No. 348.

**Conditional Use Permit Findings:**

1. The proposed use will not be detrimental to the health, safety, or general welfare of the community since the project has been reviewed by County departments specifically for these concerns and has received departmental approvals and has been designed and conditioned to protect the health, safety,

and general welfare of the community. Based on the findings included in this staff report and with compliance with the conditions set forth in the advisory notification document and conditions of approval, the proposed project will not be detrimental to the health, safety or general welfare of the community and is subject to those conditions necessary to protect the health, safety, and general welfare of the community.

2. The proposed project conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property, as the project site is located on a parcel that supports the proposed development while being consistent with both the General Plan and Ordinance No. 348. The site is located adjacent to other properties which have land use designations of Commercial Retail (CR) to the east and west which encourage suburban development and land uses that foster variety, choice and accommodate a balance of jobs, housing, and services within communities. The proposed use, a cannabis retail storefront and distribution facility, would provide community benefits and retail services for the surrounding community. Therefore, the proposed project conforms to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.
3. All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel. Under the current CUP application, this requirement does not apply as there are no additional structures being proposed, as such no condition is required.

**Permit Requirements for All Commercial Cannabis Activities:**

1. Section 19.505 of Ordinance No. 348 sets forth requirements that all Commercial Cannabis Activities, including commercial cannabis retailers, must comply with, including, among others, submitting an appropriate application, obtaining and maintaining a state license, being sited and operated in such a way that controls odors, being limited in hours of operation, and implementing sufficient security measures. All of these requirements have either already been met or are required in the attached project's Conditions of Approval or Advisory Notification Document which are incorporated herein by this reference. Specifically, Planning. 11, Planning. 14, Planning 19 and 20 of the Advisory Notification Document address odor, hours of operation and security, and other requirements of Section 19.505.
2. While security has been raised as a concern relating to cannabis-related activities, a standard condition of approval or requirement of the Advisory Notification Document (Planning. 19 and 20) requires sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, to deter and prevent theft of Cannabis or Cannabis Produces, and to ensure emergency access in accordance with applicable Fire Code standards. These requirements include the following:
  - a) A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity.
  - b) 24 hour emergency contact information for the owner or an on-site employee which shall be provided to the County.
  - c) A professionally installed, maintained, and monitored alarm system.



- d) Except for Live Cannabis Plants being cultivated at a cultivation facility and limited amounts of Cannabis for display purposes, all Cannabis and Cannabis Products shall be stored in a secured and locked structure and in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss.
- e) 24 hour security surveillance cameras to monitor all entrances and exits to a Commercial Cannabis Activity, all interior spaces within the Commercial Cannabis Activity that are open and accessible to the public, and all interior spaces where Cannabis, cash or currency is being stored for any period 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.
- f) Sensors shall be installed to detect entry and exit from all secure areas.
- g) Panic buttons shall be installed in all Commercial Cannabis Activities.
- h) Any bars installed on the windows or the doors of a Commercial Cannabis Activity shall be installed only on the interior of the building.
- i) Security personnel must be licensed by the State of California Bureau of Security and Investigative Services.
- j) A Commercial Cannabis Activity shall have the capability to remain secure during a power outage and all access doors shall not be solely controlled by an electronic access panel to ensure locks are not released during a power outage.
- k) A Commercial Cannabis shall cooperate with the County and, upon reasonable notice to the Commercial Cannabis Activity, allow the County to inspect or audit the effectiveness of the security plan for the Commercial Cannabis Activity.
- l) The permittee for a Commercial Cannabis Activity shall notify the Riverside County 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.
- m) Firearms shall not be permitted at a Commercial Cannabis Activity by an owner, manager, employee, volunteer or vendor other than those individuals authorized as a State Licensed Security personnel.

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

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

**Cannabis Retailer Minimum Standards:**

*General Location*

1. *Cannabis Retailers shall not be located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of Ordinance No. 348. In no case shall the distance be less than allowed by State law. The project is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. No variance has been approved allowing a shorter distance but not less than allowed by State law. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site.*
2. *Cannabis Retailers shall not be located within 1,000 feet of any other Cannabis Retailer. The project is not located within 1,000 feet of any other Cannabis Retailer, at the point of the writing of this staff report no other existing or even proposed Cannabis Retailers were determined to be within 1,000 feet of the proposed project site. There is currently an application for a proposed Cannabis Distribution facility located on the parcel to the east of the proposed project site (APN: 465-020-019), Conditional Use Permit No. 200003 is currently under HANS review as of the writing of this staff report.*
3. *Cannabis Retailers shall not be located within 500 feet of a smoke shop or similar facility. The project is not located within 500 feet of a smoke shop or similar facility as no smoke shops were observed within the 500 foot buffer from the project site.*
4. *Cannabis Retailers shall not be located on a lot containing a residential dwelling unit. The project is not located on a lot containing a residential dwelling unit because a property characteristic report as prepared by the Planning Department has not identified any residential dwelling units located at the subject site.*

*Setbacks*

5. *All Cannabis Retailers shall comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 40 feet. The project is located within the Scenic Highway Commercial (C-P-S) zone which states there are no yard requirements for buildings which do not exceed 35 feet in height. The existing building has a maximum height of 29 feet which does not exceed the 35 foot limit. Additionally, the project is located next to a residentially-zoned parcels located south of the project site (R-T-20000), but due to the existing buildings location on the parcel the project meets this setback requirement as it is located approximately 338 feet away from the nearest lot line.*

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

*Mobile Deliveries*

7. *Cannabis Retailers with an approved conditional use permit may provide deliveries of Cannabis Products consistent with State law. The proposed project shall include deliveries and shall operate between the allowed hours of 8 AM to 9 PM and no mobile deliveries shall be scheduled after 9 AM.*

**Retail Operational Requirements**

1. The project complies with the operational requirements set forth in Ordinance No. 348 Section 19.519.C. because of the following:
  - A. *Entrances into the retail location of the Cannabis Retailer shall be separate from the reception area and locked at all times with entry strictly controlled. An electronic or mechanical entry system shall be utilized to limit access and entry to the retail location. As provided by the floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 1 – Cannabis Retail Operations – 1)*
  - B. *Cannabis Retailers may include the sale of Medical Cannabis, requiring an M-License from the State. Cannabis Retailers selling only Medical Cannabis shall verify consumers who enter the Premises are at least 18 years of age and that they hold a valid Physician's Recommendation. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to very consumers are of appropriate age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 7 – Cannabis Retail Operations – 2)*
  - C. *Cannabis Retailers may include the sale of Adult Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to very consumers are at least 21 years of age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 8 – Cannabis Retail Operations – 3)*
  - D. *A Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper Identification to very consumers are of appropriate age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 9 – Cannabis Retail Operations – 4)*

- E. *Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 10 – Cannabis Retail Operations – 5)*
- F. *Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area. As provided by the project floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 11 – Cannabis Retail Operations – 6)*
- G. *Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods. The project meets this standard because the provide floor plan, Exhibit C shows the sales area to only contain cannabis products (Flower Display). It has been conditioned that 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. (Advisory Notification Document Planning-All. 12 – Cannabis Retail Operations – 7)*
- H. *Restroom facilities shall be locked and under the control of the Cannabis Retailer. As provided by the floor plan of the project, Exhibit C, the restroom facilities have a locking door to the designated room. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 13 – Cannabis Retail Operations – 8)*
- I. *Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 14 – Cannabis Retail Operations – 9)*
- J. *Cannabis Retailers shall not distribute any Cannabis or Cannabis Product unless such products are labeled and in a tamper-evident package in compliance with the California Business and Professions Code and any additional rules promulgated by a licensing authority. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 2 – Cannabis Retail Operations – 10)*
- K. *Cannabis Retailers shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. It has been conditioned that the Cannabis Retailer shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. (Advisory Notification Document Planning-All. 3 – Cannabis Retail Operations – 11)*
- L. *Deliveries shall be conducted in accordance with California Business and Professions Code Section 26090 or as may be amended and all state regulations pertaining to delivery of Cannabis Products. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 4 – Cannabis Retail Operations – 12)*

- M. *Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 5 – Cannabis Retail Operations – 13)
- N. *Cannabis Retailers shall not include a drive-in, drive-through or walk up window where retail sales of Cannabis or Cannabis Products are sold to persons or persons within or about a motor vehicle.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All. 6 – Cannabis Retail Operations – 14)

**Cannabis Retail Findings:**

1. The project complies with all the requirements of the State and County for the selling of Cannabis. This is met because the project has been conditioned to meet these requirements. (Advisory Notification Document Planning. 7 - General - B. State License Required)
2. The project 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. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site. Therefore, the project meets this standard.
3. The project includes adequate measures that address enforcement priorities for Commercial Cannabis Activities including restricting access to minors, and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State. This is met because the project has been conditioned to meet this requirement. (Advisory Notification Document Planning.21 - General - O. Permit and License Posting, and Planning.16 – General – K Monitoring Program)
4. For Cannabis Retailer lots with verified cannabis-related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violation on the lot and all applicable fees have been paid. This is met because no record of any cannabis-related violations within the last 12 months exist at the project site.

**Cannabis Distribution Minimum Standards:**

*General Location*

1. *Cannabis Distribution Facilities shall not be located within 600 feet from any child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations.* This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site.

*Setbacks*

2. *All Cannabis Distributions Facilities shall comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet.* The project site is located north of a parcel zoned for Mobilehome Subdivisions and Mobilehome Parks (R-T-20000), which is considered to be a residentially zoned parcel. As such, the project is subject to the 25 foot setback from the residentially zoned parcel's lot lines. The location of the existing 8,400 building is located approximately 338 feet to the north of the lot line of the R-T-20000 parcel. The project meets this setback requirement.
3. *Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of Ordinance No. 348. In no case shall a setback be less than setbacks required by the State of California Bureau of Cannabis Control, the California Building Code or Ordinance No. 457.* There is no setback adjustment required for this project, as such, this requirement does not apply to the proposed project.

**Distribution Operational Requirements:**

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

**Cannabis Distribution Findings:**

1. *The Cannabis Distribution Facility complies with all the requirements of the State and County for the distribution of Cannabis.* This is met because the project has been designed and conditioned to meet these requirements.
2. *The Cannabis Distribution Facility's operating plan demonstrates proper protocols and procedures that address enforcement priorities for Cannabis related activities including restricting access to minors, and ensuring that Commercial Cannabis Activities and Cannabis Products are obtained from and supplied only to other permitted and licensed sources and not distributed out of State.* The Project's Operating Plan addressing Safety and Security Protocols notes that minors will not be allowed on the premises, even if accompanied by a parent or guardian. The operating plan also includes a variety of measures and protocols regarding verification of licensing for product obtained or distributed.
3. *The Cannabis Distribution Facility is not within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center.* The project is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This is met because a radius map buffering 1,000 feet from the subject site was prepared by Riverside County and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site.
4. *The Cannabis Distribution Facility is not open to the public.* The Distribution component of the project is located on the second floor of the building and is not readily accessible to any public areas of the retail component of the project. The project has been conditioned to meet this standard. (Planning. 4 – Cannabis Distribution Operations – 4)
5. *For Cannabis Distribution Facility lots with verified cannabis-related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violations on the lot and that all applicable fees have been paid.* This is met because no record of any cannabis-related violations within the last 12 months exist at the project site.

**Scenic Highway Commercial (C-P-S) Zone Development Standards Findings:**

1. The development standards of the C-P-S Zoning Classification are as follows:
  - a. *There is no minimum lot area requirement, unless specifically required by zone classification for a particular area.* The proposed project meets this criteria as there is no minimum lot area required for is zone.
  - b. *There are no yard requirements for buildings which do not exceed 35 feet in height, except as required for specific plans. Any portion of a building which exceeds 35 feet in height shall be set back from the front, rear and side lot lines not less than two feet for each foot by which the height exceeds 35 feet.* The proposed project meets this development standard as the highest portion of the proposed building is twenty-nine (29') feet high, as such, there are no yard requirements for this project.
  - c. *No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34 of Ordinance No 348.* This project meets this development

standard as the proposed building is no more than twenty-nine (29') feet high and is under the height limit for this zoning classification.

- d. *Automobile storage space shall be provided as required by Section 18.12 of Ordinance No 348.* The proposed project is considered a Cannabis retailer and distribution facility which has a parking requirement of 1 space per 200 square feet of gross floor area for the retail portion and a 2 spaces per 3 employees per the largest shift for the distribution portion which would result in a parking requirement of thirty-eight (38) parking spaces. The parking requirement for the Cannabis Retail Storefront is 1 space per 200 square feet of gross floor area, the listed size of the retail portion of the building is 5,889 square feet which would equal 30 parking spaces as a requirement for the proposed Cannabis Retail Facility. The parking requirement for the Cannabis Distribution facility is 2 spaces for every 3 employees of the largest shift, the number specified is 12 employees which would result in a parking requirement of 8 parking spaces for the proposed Cannabis Distribution facility. The total number of parking spaces required for the proposed project equals 38 parking spaces that are required and that have also been provided on site. In addition, two (2) ADA parking spaces are included in the provided 38 spaces, as well as, two (2) new EV charging stations, meeting the standards set forth in Section 18.12.C of Ordinance No. 348.
- e. *All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.* The project meets this development standard as there is no mechanical equipment to be located on the roof of the proposed new building.

**Other Findings:**

1. The project site is located within Criteria Cell 3683 of the Western Riverside County Multiple Species Habitat Conservation Plan. While the project is located within a Criteria Cell, EPD determined that a HANS review was not required for the following reasons: the parcel on which the project is located has an existing entitlement under PP14248, EPD does not require parcels with existing entitlements to complete the HANS review process. In addition, CUP200020 is utilizing an existing building and is not proposing to add any new disturbance to the parcel, or any previously undisturbed areas within the Criteria Cell. EPD does not require projects which do not impact undeveloped areas to complete the HANS review process. This project fulfills the plan requirements and has been cleared by the Environmental Programs Division (EPD).
2. The project site is located within the City of Hemet Sphere of Influence. This project was provided to City of Hemet for review and comment. No comments were received either in favor or opposition of the project.
3. The project site is located within the Hemet-Ryan Airport Influence Area (AIA) boundary and is therefore subject to the Airport Land Use Commission (ALUC) review. This project was submitted to ALUC for review and on September 3, 2020 was found to be consistent with the 2017 Hemet-Ryan Airport Land Use Compatibility Plan, provided that the County of Riverside applies the conditions of approval included in their consistency letter that have been included as conditions on the project.
4. The project is exempt from CEQA and therefore is not subject to AB 52 tribal consultation.



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). Per County Ordinance No. 663 and the SKRHCP, all applicants who submit for development permits, including maps, within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of \$500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of onsite mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen's Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP.

**Fire Findings:**

1. The project site is not located within a Cal Fire State Responsibility Area (SRA) and is also located within a moderate hazard severity zone.

**Development Agreement:**

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

**Approval Requirements and Conclusion:**

Based on the findings provided in this staff report and conditions of approval, the project is consistent with the General Plan and any applicable specific plan, complies with the development standards of the 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**

This project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 1,600 feet of the project site. As of the writing of this report, Planning Staff has not received any written communications or phone calls indicating support or opposition to the proposed project.

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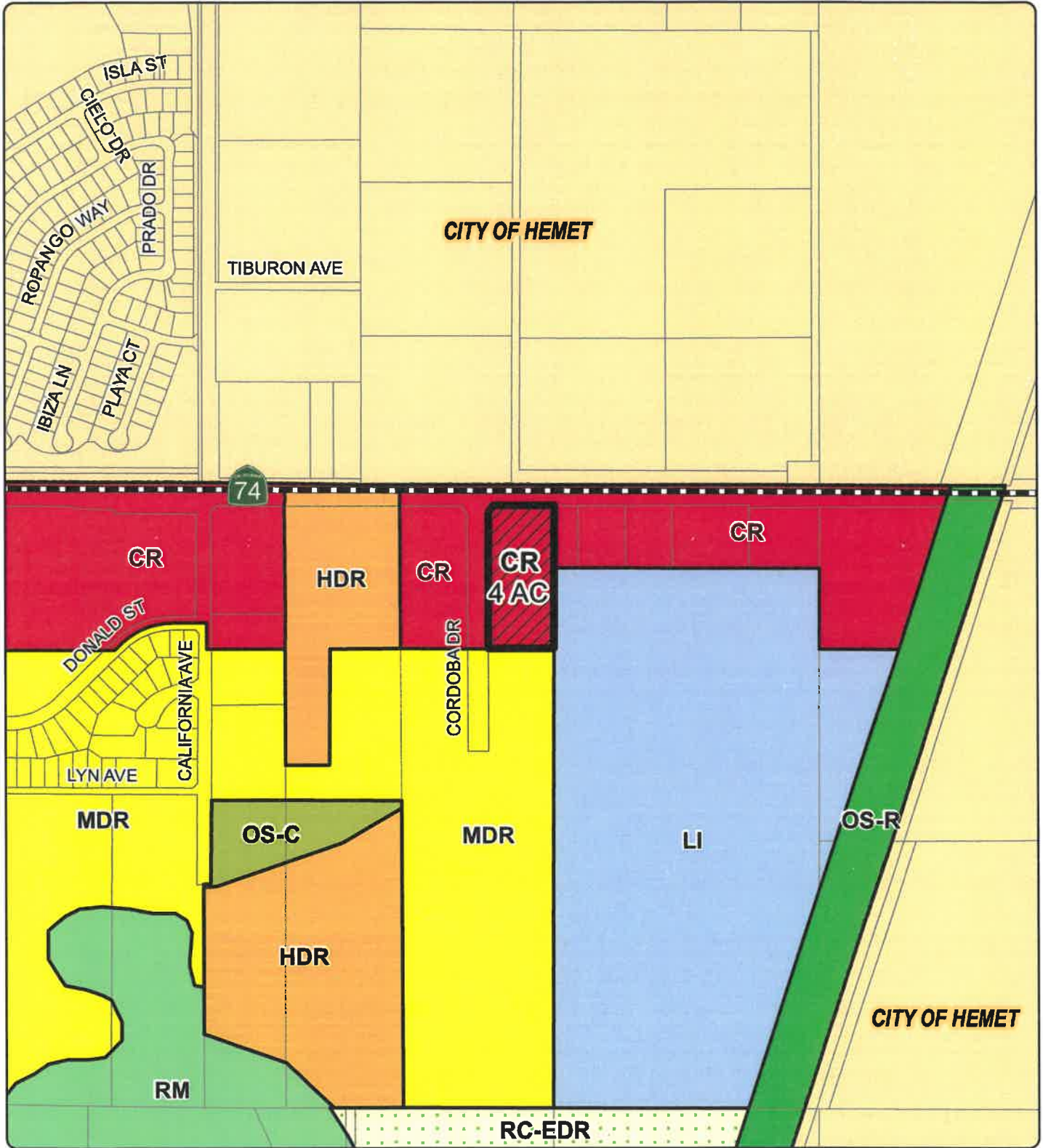
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP200020 DA2000008

EXISTING GENERAL PLAN

Supervisor: Washington  
District 3

Date Drawn: 12/03/2020  
Exhibit 5



Zoning Dist: Hemet-San Jacinto

Author: Vinnie Nguyen



**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.rcdima.org>

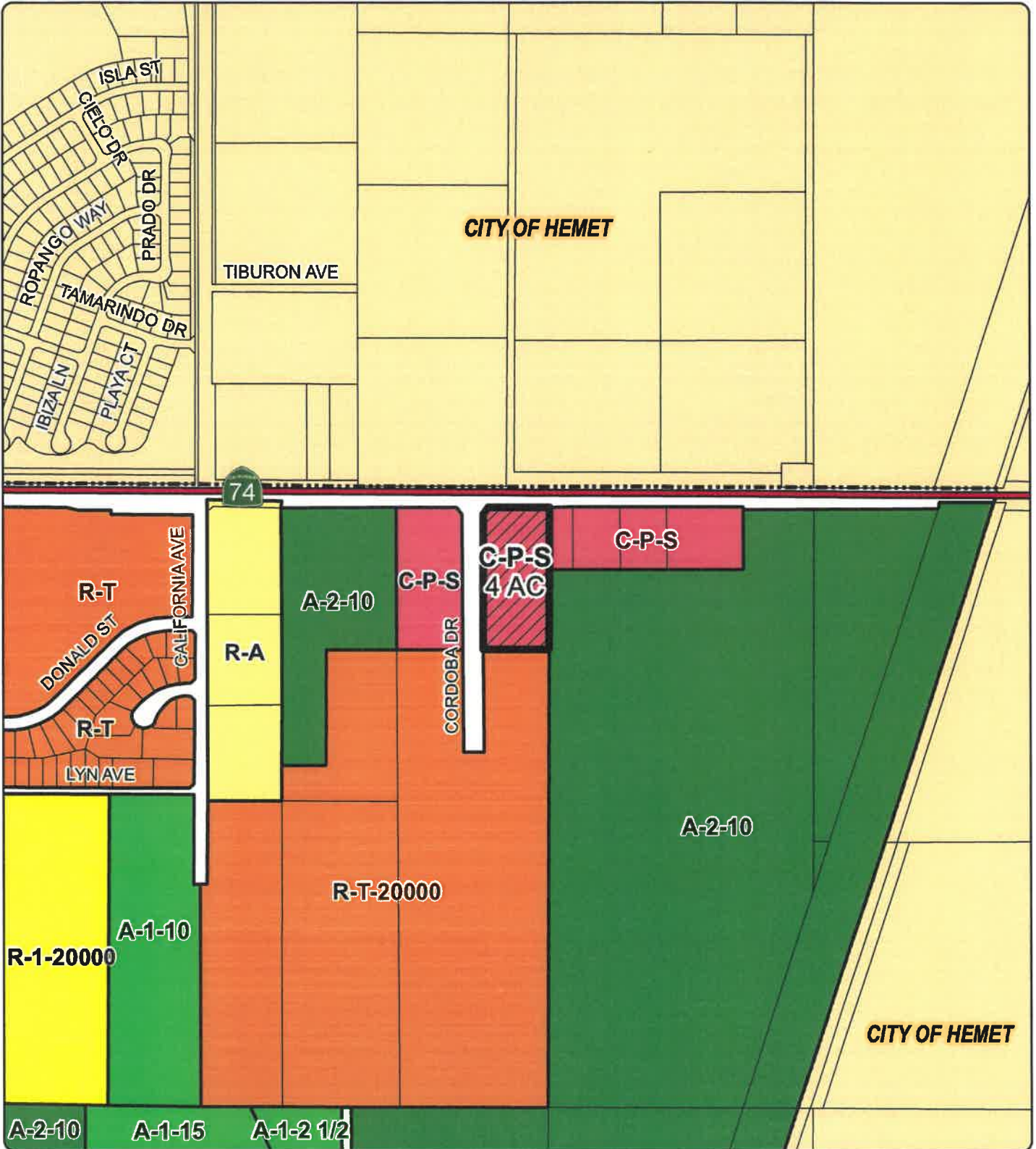
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP200020 DA2000008

Supervisor: Washington  
District 3

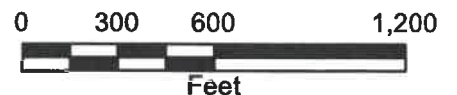
Date Drawn: 12/03/2020  
Exhibit 2

EXISTING ZONING



Zoning Dist: Hemet-San Jacinto

Author: Vinnie Nguyen



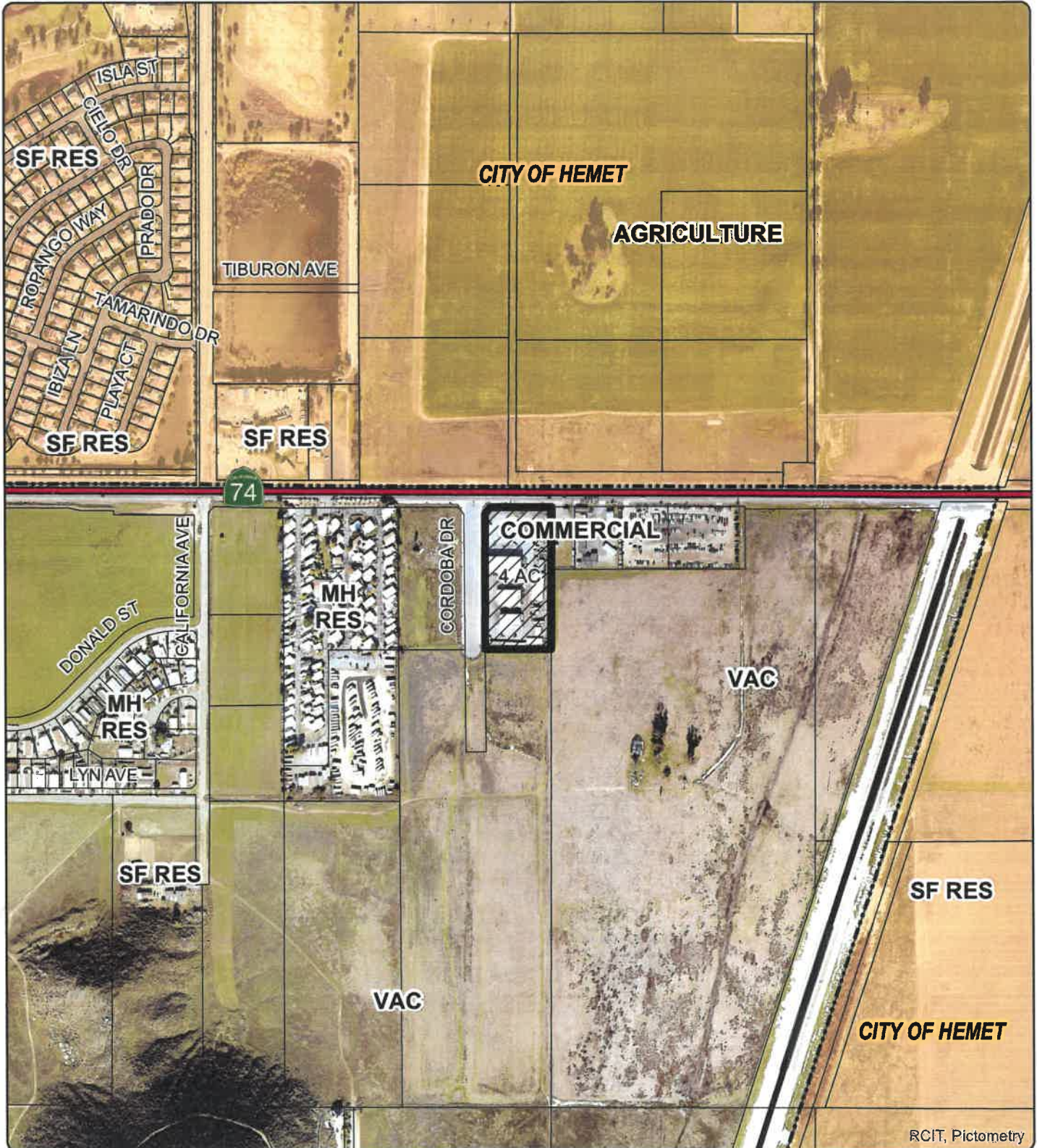
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RIVERSIDE COUNTY PLANNING DEPARTMENT  
**CUP200020 DA2000008**

Supervisor: Washington  
 District 3

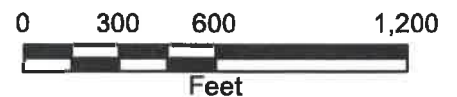
Date Drawn: 12/03/2020  
 Exhibit 1

**LAND USE**



Zoning Dist: Hemet-San Jacinto

Author: Vinnie Nguyen



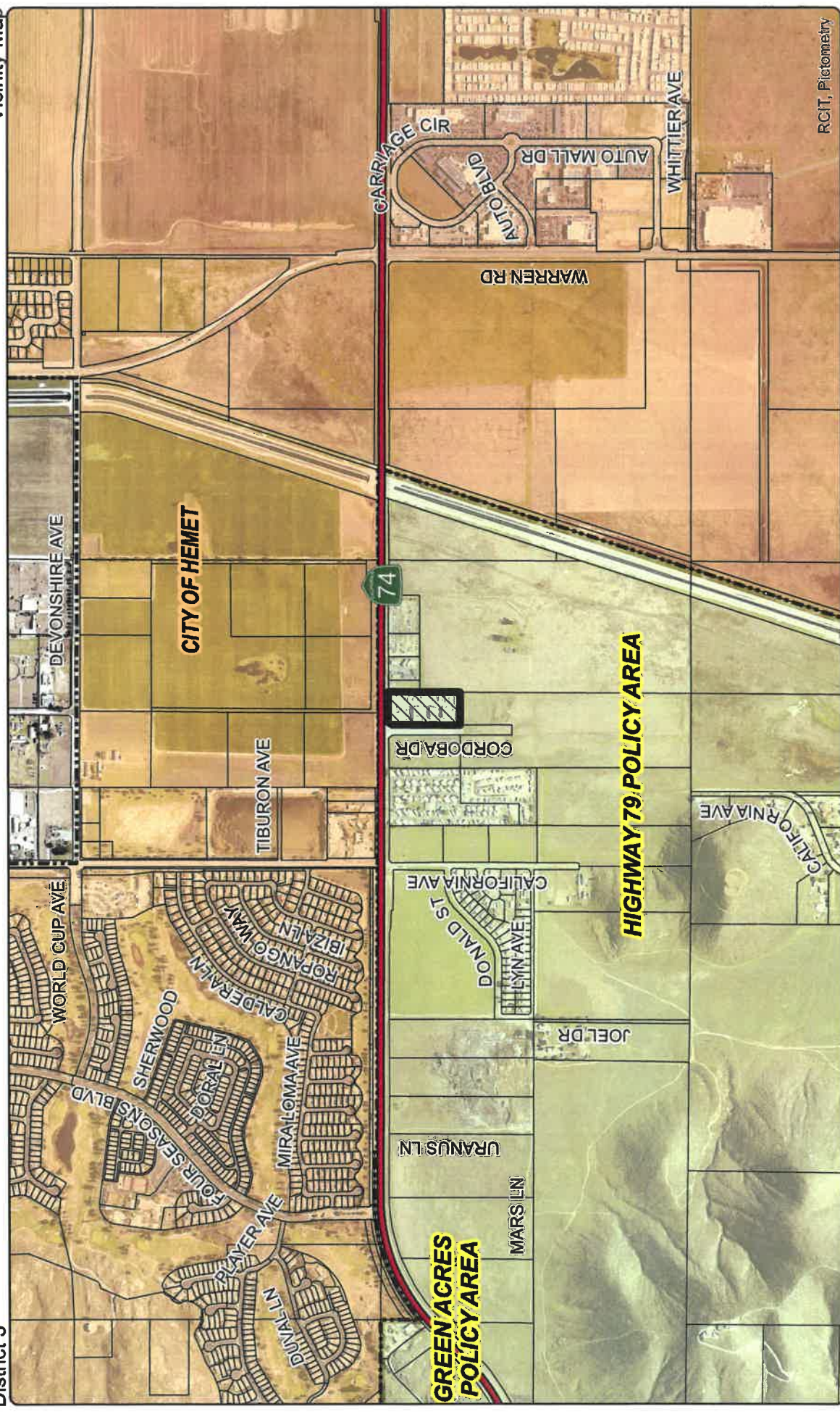
**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please 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.rctlma.org>

RCIT, Pictometry

**RIVERSIDE COUNTY PLANNING DEPARTMENT**  
**CUP200020 DA2000008**  
**VICINITY/POLICY AREAS**

Supervisor: Washington  
 District 3

Date Drawn: 12/03/2020  
 Vicinity Map



Author: Vinnie Nguyen

Zoning Dist: Hemet-San Jacinto

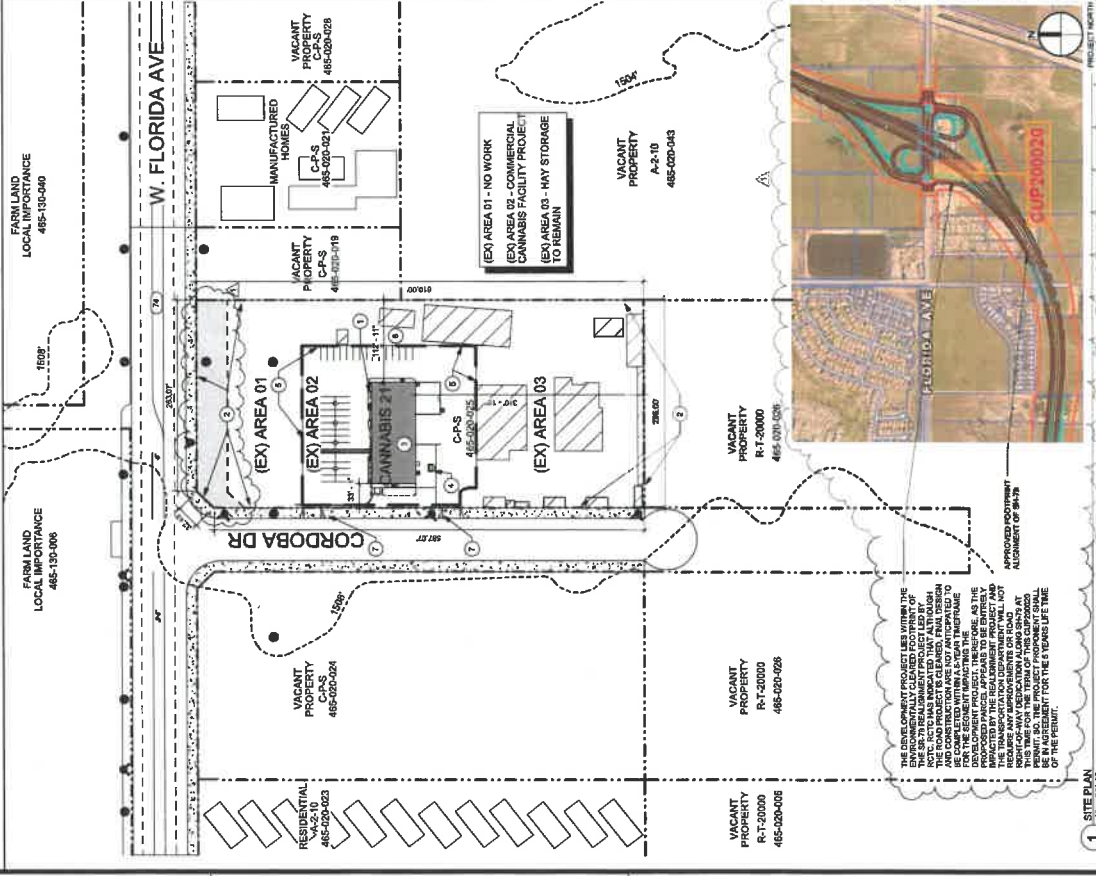


DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. This new General Plan may contain different type of land use than is provided in the current General Plan. For more information on the new General Plan, please contact the Planning Department office in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)965-9277 (Eastern County) or Website: <http://planning.rivco.net>

# CANNABIS 21+

## COMMERCIAL CANNABIS CONDITIONAL USE PERMIT

### 26120 CORDOBA DR. HEMET, CALIFORNIA 92545



### INDEX OF DRAWINGS

SHEET	DESCRIPTION	DELTA
EXHIBIT A	1 2 3 4 5 6	
7-20	PROJECT INFORMATION	
7-21	ENLARGED SITE PLAN & SENSITIVE USE PLAN	
7-22	LANDSCAPE SITE PLAN	
A-1	ACCESSIBILITY SIGNAGE & PARKING	
A-2	SITE ACCESSIBILITY SIGNAGE & PARKING	
A-3	FACILITY STANDARDS	
A-4	EXTERIOR ELEVATIONS	
B-1	SIGNAGE	
B-2	EXTERIOR COLOR ELEVATIONS	
B-3	FLOOR PLAN	
C-1	EXISTING & DEMO PLAN	
C-2	FLOOR PLAN	
C-3	EGRESS, SAFETY & SECURITY PLAN	

### PROJECT SUMMARY

THE PROPOSED PROJECT IS A COMMERCIAL CANNABIS FACILITY TO INCLUDE...  
 BUSINESS HOURS: 10:00 AM TO 10:00 PM, 7 DAYS A WEEK  
 NO MORE THAN 10 EMPLOYEES PER SHIFT, 11 HOURS PER SHIFT  
 2 SHIFTS PER DAY; 5 EMPLOYEES PER SHIFT, 11 HOURS PER SHIFT  
 2 SHIFTS PER DAY; 5 EMPLOYEES PER SHIFT, 11 HOURS PER SHIFT

APPLICABLE CODES: ALL WORK SHALL COMPLY TO APPLICABLE CALIFORNIA AND BIRMINGHAM...  
 BUILDING: 2018 CALIFORNIA BUILDING CODE  
 PLUMBING: 2018 CALIFORNIA PLUMBING CODE  
 ELECTRICAL: 2018 CALIFORNIA ELECTRICAL CODE  
 MECHANICAL: 2018 CALIFORNIA MECHANICAL CODE  
 FIRE: 2018 CALIFORNIA FIRE CODE  
 FIRE ALARMS: 2018 CALIFORNIA FIRE ALARM CODE  
 GREEN: 2018 CALIFORNIA GREEN BUILDING STANDARDS CODE  
 ASSESSMENT: 2018 CALIFORNIA ASSESSMENT CODE

### SITE PLAN LEGEND

- BUILDING FOOTPRINT
- EXISTING DRIVEWAY
- EXISTING DRIVEWAY IMPROVEMENTS
- EXISTING DRIVEWAY IMPROVEMENTS
- EXISTING DRIVEWAY IMPROVEMENTS
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### SITE PLAN GENERAL NOTES

- PROVIDE PERMANENT SIGNAGE FOR THE PROPERTY PER REVERSE COUNTY SPECIFICATIONS. SEE EXTERIOR ELEVATION SHEET FOR LOCATION.
- PROVIDE PERMANENT SIGNAGE FOR THE PROPERTY PER REVERSE COUNTY SPECIFICATIONS. SEE EXTERIOR ELEVATION SHEET FOR LOCATION.
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- PROVIDE PERMANENT SIGNAGE FOR THE PROPERTY PER REVERSE COUNTY SPECIFICATIONS. SEE EXTERIOR ELEVATION SHEET FOR LOCATION.

### SITE PLAN KEYNOTES

- EXISTING DRIVEWAY IMPROVEMENTS
- EXISTING DRIVEWAY IMPROVEMENTS
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- EXISTING DRIVEWAY IMPROVEMENTS

### OCCUPANCY

OCCUPANCY	AREA	LOAD
OFFICE	100	10
OFFICE	100	10
OFFICE	100	10
OFFICE	100	10
OFFICE	100	10
OFFICE	100	10
OFFICE	100	10
OFFICE	100	10
OFFICE	100	10
OFFICE	100	10

NEW PORTABLE EXHAUSTORS MUST BE...  
 MAX. TRAVEL DISTANCE TO EXHAUSTOR...  
 ELECTRICAL ROOMS WITHIN 10' TRAVEL DISTANCE...  
 SHALL BE EGRESS ROUTE...  
 UNLOCKED DOOR WITH A REARLY VISIBLE BURGLAR...  
 TO THE DOOR AND HAVING AN ALLOWABLE...  
 BE IN COMPLIANCE WITH ALL...  
 BE IN COMPLIANCE WITH ALL...  
 BE IN COMPLIANCE WITH ALL...

DATE: 05.02.20  
 DRAWN: STNF  
 CHECKED: CB



road architects  
 ARCHITECTS  
 Members of the Associated Builders & Contractors

rad Architects, Inc.  
 4500 University Avenue #157  
 Hemet, CA 92545

ASSESSOR'S PARCEL NUMBER: 465-020-025  
 CANNABIS 21+  
 26120 CORDOBA DR  
 HEMET, CA 92545

### CUP SUBMITTAL

CONTRACTOR SHALL SUBMIT ONLY FROM SETS  
 STAMPED "CONDITIONAL USE PERMIT"  
 ISSUED DATE: 05/22/20



EXHIBIT AMENDMENT BLOCK  
 08.14.20... 1ST CITY COMMENTS

SHEET TITLE: EXHIBIT A:  
 PROJECT INFORMATION

SHEET NO: A-1

### COUNTY OF RIVERSIDE: CUP 200020

DATE: 08.16.20  
 DRAWN: STFF  
 CHECKED: CB



Members of the American Institute of Architects  
 road Architects, Inc.  
 4000 S. GARDEN AVENUE, SUITE 200  
 ANAHEIM, CA 92807

ASSESSORS PARCEL NUMBER: 495-027-025  
 THIS SHEET IS A PART OF THE PROJECT: CANNABIS 21+  
 CAROL M. MULLINSON  
 26120 CORDOBA DRIVE  
 HEMET, CA 92343  
 CONTRACT: SEAN ST. PETER  
 1000 UNIVERSITY AVENUE #117  
 RIVERSIDE, CA 92507  
 PHONE: 951.426.1117  
 EMAIL: sean\_stpeter@rmao.com  
 EMAIL: tom@roadarch.com

ERIN L. PETERSON, LICENSED ARCHITECT  
 1000 UNIVERSITY AVENUE #117  
 RIVERSIDE, CA 92507  
 CONTRACT: SEAN ST. PETER  
 CONTRACT: CAROL MULLINSON  
 EMAIL: erin@roadarch.com

**CANNABIS 21+**  
 COMMERCIAL CANNABIS  
 CONDITIONAL USE PERMIT  
 26120 CORDOBA DRIVE  
 HEMET, CA 92343

CONTRACTOR SHALL BUILD ONLY FROM SETS  
 STAMPED "CONSTRUCTION SET" HEREIN  
**CUP SUBMITTAL**  
 ISSUE DATE: 08.26.20



EXHIBIT AMENDMENT BLOCK

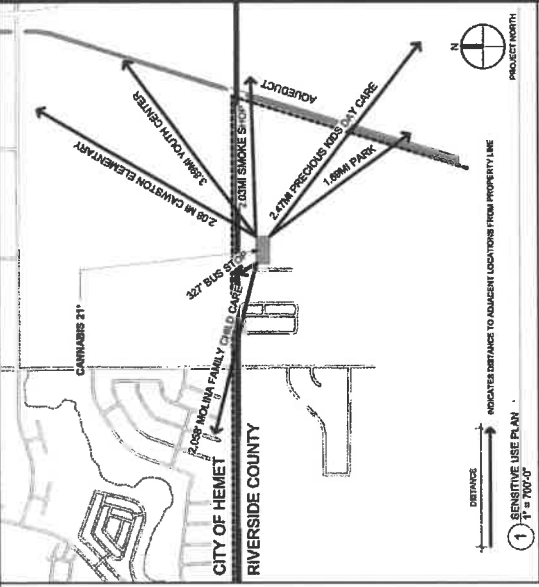
08.16.20, 1 - 1ST CITY COMMENTS

SHEET TITLE

**EXHIBIT A:**  
**ENLARGED SITE PLAN &**  
**SENSITIVE USE PLAN**

SHEET NO.

**A-2A**



**ENLARGED SITE PLAN KEYNOTES**

1. SENSITIVE USE PLAN
2. SENSITIVE USE PLAN
3. SENSITIVE USE PLAN
4. SENSITIVE USE PLAN
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6. SENSITIVE USE PLAN
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14. SENSITIVE USE PLAN
15. SENSITIVE USE PLAN

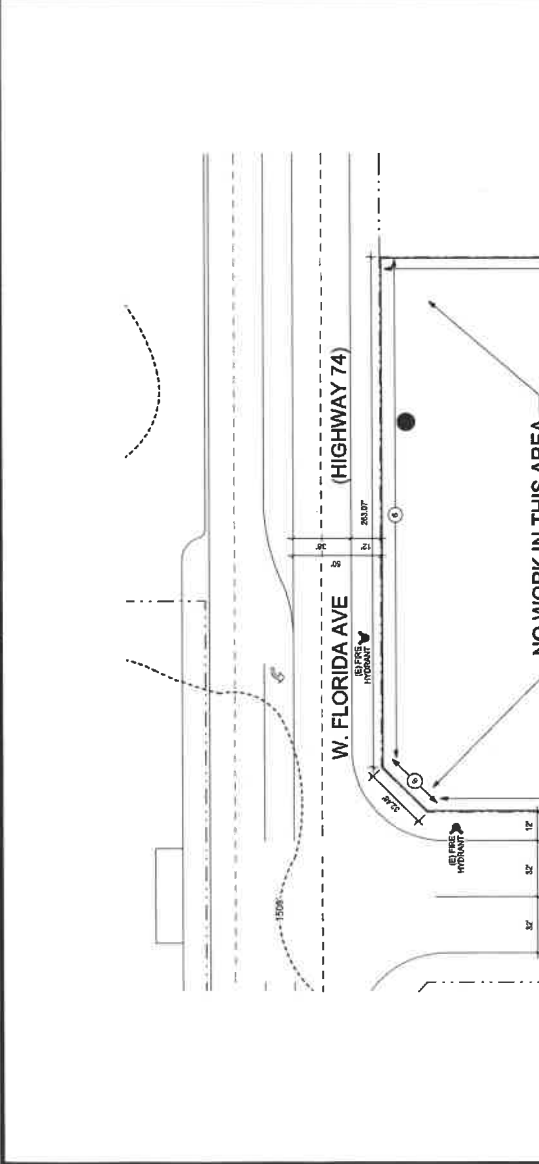
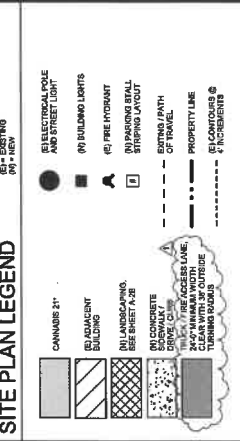
**PARKING COUNT**

**COMMERCIAL CANNABIS FACILITY PARKING REQUIREMENTS:**

RETAIL SALES  
 1 SPACE FOR 200 SF @ 5000 SF  
 2 SPACES FOR EMPLOYEES @ 2.5:1 SF  
 NONADA SPACES PROVIDED  
 REQUIRED ADA PARKING  
**TOTAL PARKING**

REQUIRED LOADING SPACES  
 1 LOADING SPACE PER 500 SQ FT  
 CURBSIDE UNLOADING AREA AT SOUTH SIDE OF BUILDING FOR LOADING UNLOADING  
 REQUIRED BICYCLE PARKING FOR SITE  
 MINIMUM 10 SPACES REQUIRED  
 4 SPACES PROVIDED

**SITE PLAN LEGEND**



**NO WORK IN THIS AREA**

1. SENSITIVE USE PLAN
2. SENSITIVE USE PLAN
3. SENSITIVE USE PLAN
4. SENSITIVE USE PLAN
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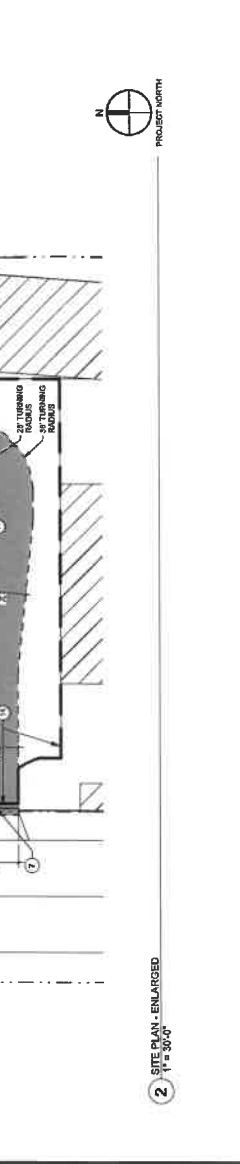
**PARKING COUNT**

**COMMERCIAL CANNABIS FACILITY PARKING REQUIREMENTS:**

RETAIL SALES  
 1 SPACE FOR 200 SF @ 5000 SF  
 2 SPACES FOR EMPLOYEES @ 2.5:1 SF  
 NONADA SPACES PROVIDED  
 REQUIRED ADA PARKING  
**TOTAL PARKING**

REQUIRED LOADING SPACES  
 1 LOADING SPACE PER 500 SQ FT  
 CURBSIDE UNLOADING AREA AT SOUTH SIDE OF BUILDING FOR LOADING UNLOADING  
 REQUIRED BICYCLE PARKING FOR SITE  
 MINIMUM 10 SPACES REQUIRED  
 4 SPACES PROVIDED

**SITE PLAN LEGEND**



2 SITE PLAN - ENLARGED  
 1/2" = 30'-0"









DATE: 09.02.20  
 DRAWN: STIFF  
 CHECKED: CR



Members of the American Institute of Architects  
 rad Architects, Inc.  
 1400 California Street  
 San Francisco, CA 94109

ASSESSORS PARCEL NUMBER: 465-002-023

LAND CHARGES:  
 08900401 EXTENSIVE  
 COMMARBS 21+  
 6461 BOLDU LANE #102  
 1825 CALIFORNIA DR.  
 SAN FRANCISCO, CA 94115  
 CONTACT: DAN LILACON  
 CONTACT: EMMA ST. PETER  
 PHONE: 415.431.1177  
 EMAIL: dan.lilac@rad.com  
 EMAIL: emma.peter@rad.com

ENABLED/DESIGNED/ARCHITECTS:  
 1200 UNIVERSITY AVENUE #107  
 SAN FRANCISCO, CA 94133  
 TEL: 415.756.5200  
 CONTACT: GARY VAMLEY  
 EMAIL: gary@enableddesign.com

**CANNABIS 21+**  
**COMMERCIAL CANNABIS**  
**CONDITIONAL USE PERMIT**  
 26120 CORDOBA DRIVE  
 HEMET, CA 92345

CONTRACTOR SHALL BUILD ONLY FROM SETS  
 STAMPED "CONSTRUCTION SET-HEBEN"

**CUP SUBMITTAL**  
 ISSUE DATE: 08.02.20



EXHIBIT AMENDMENT BLOCK

08.15.20, 1. 1ST. CITY COMMENTS.....

SHEET TITLE:  
**EXHIBIT B:**  
**EXTERIOR ELEVATIONS**

SHEET NO:  
**B-1**

**EXTERIOR ELEVATION GENERAL NOTES**

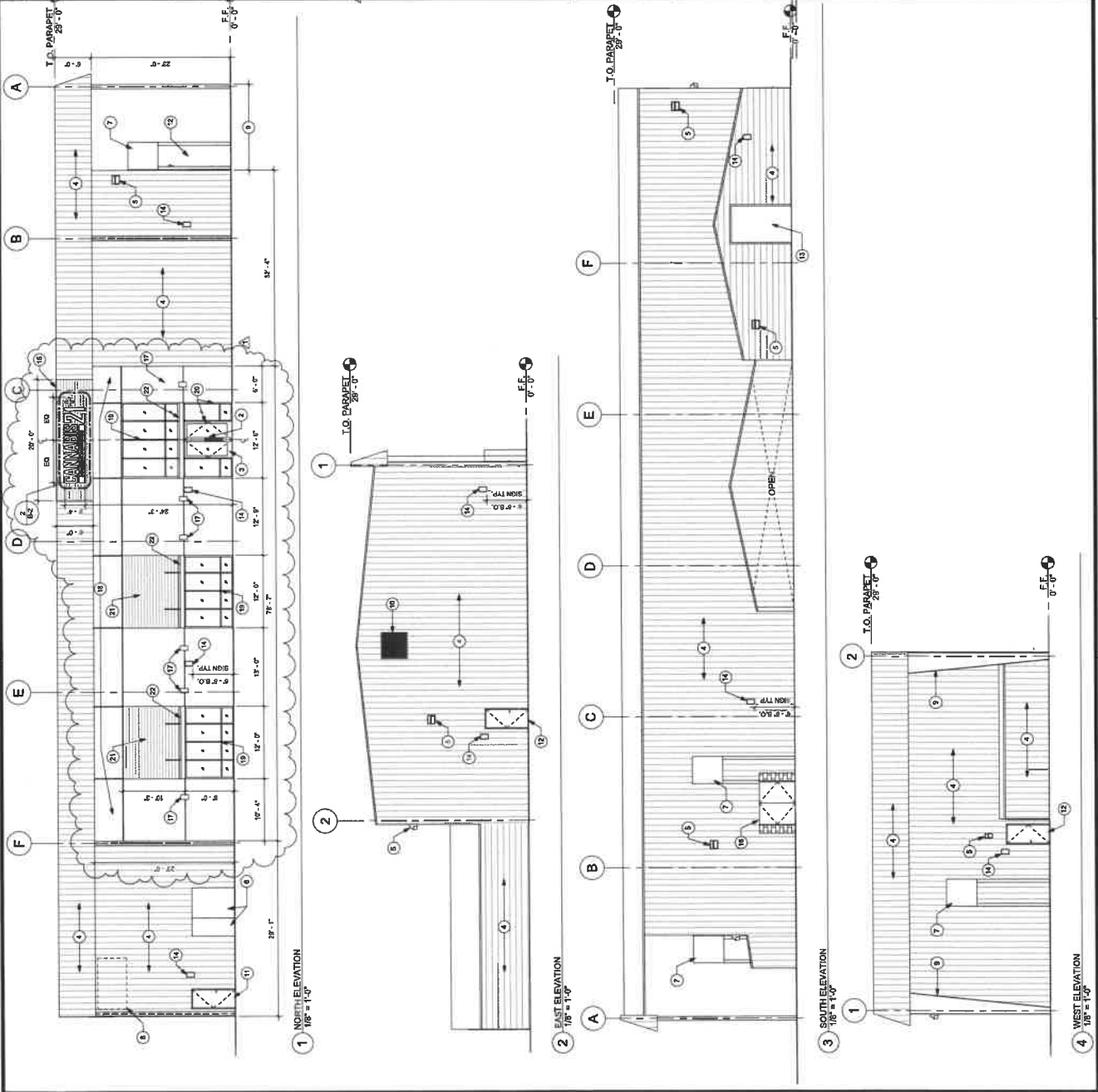
- A. EXTERIOR FINISHES DESIGNED TO REMAIN FOR THIS PROJECT
- B. REFER TO SHEET A3 FOR COLOR ELEVATIONS

**EXTERIOR ELEVATION KEYNOTES** (B) - EXISTING (N) - NEW

1. EXTERIOR FINISHES TO REMAIN, REFER TO SHEET A3 FOR COLOR ELEVATIONS
2. EXTERIOR FINISHES TO BE REPLACED WITH NEW FINISHES, REFER TO SHEET A3 FOR COLOR ELEVATIONS
3. EXTERIOR FINISHES TO BE REPLACED WITH NEW FINISHES, REFER TO SHEET A3 FOR COLOR ELEVATIONS
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21. EXTERIOR FINISHES TO BE REPLACED WITH NEW FINISHES, REFER TO SHEET A3 FOR COLOR ELEVATIONS
22. EXTERIOR FINISHES TO BE REPLACED WITH NEW FINISHES, REFER TO SHEET A3 FOR COLOR ELEVATIONS

**EXTERIOR LIGHTING REGULATIONS**

- NOTES: 1. EXTERIOR LIGHTING (EXISTING AND NEW) SHALL COMPLY WITH THE COUNTY OF HUMBOLDT ORDINANCES. EXTERIOR LIGHTING SHALL HAVE THE FOLLOWING:
- 1) APPROPRIATE SHIELDING
  - 2) NON-GLARE PROPERTIES IN COMPLIANCE WITH ORDINANCE
  - 3) PROPER LIGHT FIXTURES - OUTDOOR LUMINAIRES SHALL NOT BLINK, FLASH OR ROTATE.
  4. ALL BUILDING LIGHTING SHALL BE NEW AND MUST BE SHIELDED AND DIRECTED DOWN INTO THE PROJECT SITE AS TO NOT SPILL LIGHT INTO SURROUNDING PROPERTIES OR ONTO THE ROADWAY.
  5. OUTDOOR LUMINAIRES - OUTDOOR LUMINAIRES SHALL NOT BLINK, FLASH OR ROTATE.



DATE: 09.02.20  
 DRAWN: STAFF  
 CHECKED: CB



Members of the American Institute of Architects  
 R&D Architects, Inc.  
 11111 Wilshire Blvd., Suite 100  
 Los Angeles, CA 90025

ASSESSOR'S PARCEL NUMBER: 465-020-025

LAND OWNER: CARLA D WILLARDON  
 1201 UNIVERSITY AVENUE #117  
 HEWLETT, CA 92545  
 CONTACT: BEAT RIT PETER  
 PHONE: 651.631.1117  
 EMAIL: beat\_rit@rood.com

ARCHITECT: R&D ARCHITECTS

PROJECT: CANNABIS 21+  
 26120 CORDOBA DRIVE  
 HEWLETT, CA 92545  
 CONTACT: CAROLYN BAKER  
 PHONE: 651.631.1117  
 EMAIL: carolyn\_baker@rood.com

**CANNABIS 21+**  
 COMMERCIAL CANNABIS  
 CONDITIONAL USE PERMIT  
 26120 CORDOBA DRIVE  
 HEWLETT, CA 92545

CONTRACTOR SHALL BRING ONLY FROM SETS  
 SHAPED CONSTRUCTION SET TOOLS

**CUP SUBMITTAL**  
 ISSUE DATE: 09.02.20

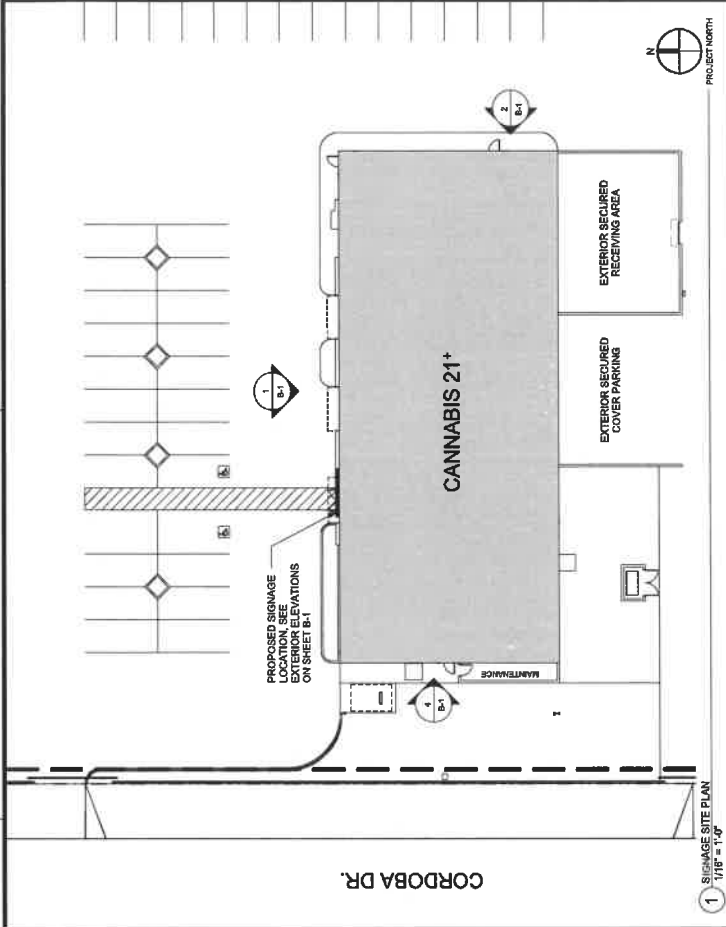


EXHIBIT AMENDMENT BLOCK

09.13.20 1 1ST CITY COMMENTS...

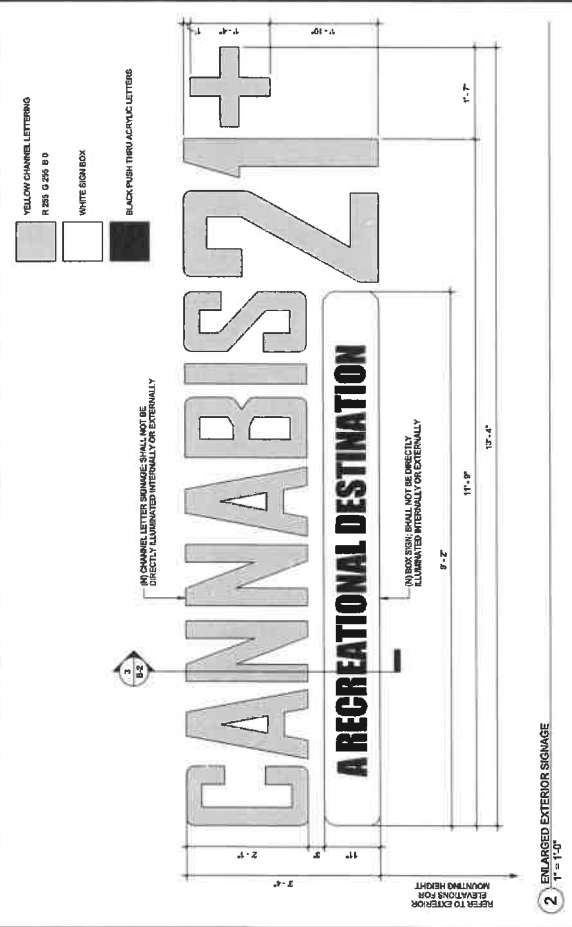
SHEET NO. EXHIBIT B:  
 SIGNAGE

SHEET NO. B-2

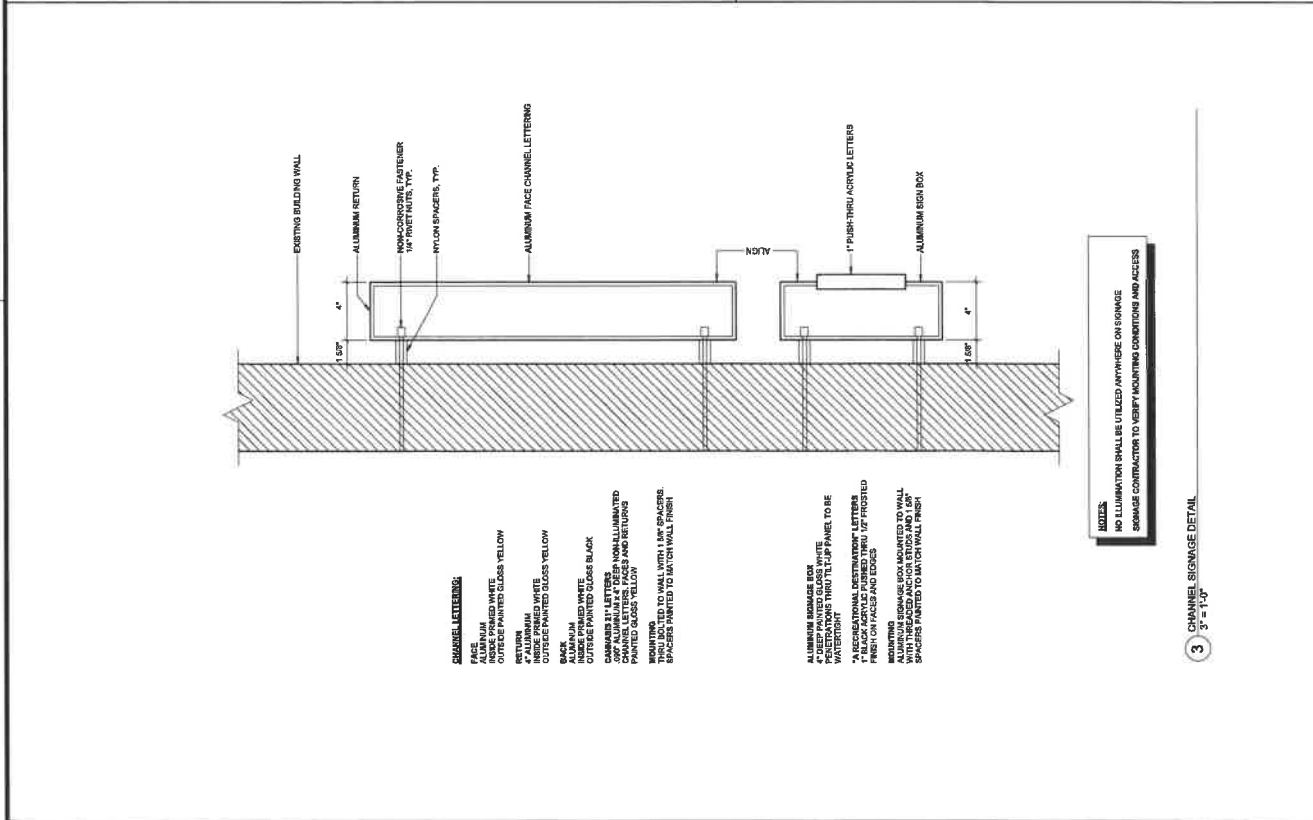


PROJECT NORTH

1 SIGNAGE SITE PLAN  
 1/16" = 1'-0"



2 ENLARGED EXTERIOR SIGNAGE  
 1" = 1'-0"



**CHANNEL LETTERING:**

- FACE: 1/8" ALUMINUM
- INSIDE FRAMED WHITE
- OUTSIDE PAINTED GLOSS YELLOW
- RETURN: 1/8" ALUMINUM
- INSIDE FRAMED WHITE
- OUTSIDE PAINTED GLOSS YELLOW
- ALUMINUM SIGN BOX
- INSIDE FRAMED WHITE
- OUTSIDE PAINTED GLOSS BLACK
- CHANNEL LETTERING: 1/8" ALUMINUM
- NONCORROSIVE FASTENERS: 1/4" ALUMINUM AT DEEP NONILLUMINATED AREAS AND RETURNS
- PAINTED GLOSS YELLOW
- SPACERS: 1/8" ALUMINUM
- SPACERS PAINTED TO MATCH WALL FINISH

**ALUMINUM SIGNAGE BOX:**

- 4" DEEP PAINTED GLOSS WHITE
- FRONT PANEL: 1/8" ALUMINUM
- FRONT PANEL: 1/8" ALUMINUM AT DEEP NONILLUMINATED AREAS AND RETURNS
- FRONT PANEL: 1/8" ALUMINUM AT DEEP NONILLUMINATED AREAS AND RETURNS
- FRONT PANEL: 1/8" ALUMINUM AT DEEP NONILLUMINATED AREAS AND RETURNS
- FRONT PANEL: 1/8" ALUMINUM AT DEEP NONILLUMINATED AREAS AND RETURNS
- FRONT PANEL: 1/8" ALUMINUM AT DEEP NONILLUMINATED AREAS AND RETURNS
- FRONT PANEL: 1/8" ALUMINUM AT DEEP NONILLUMINATED AREAS AND RETURNS
- FRONT PANEL: 1/8" ALUMINUM AT DEEP NONILLUMINATED AREAS AND RETURNS
- FRONT PANEL: 1/8" ALUMINUM AT DEEP NONILLUMINATED AREAS AND RETURNS

**NOTES:**  
 NO ILLUMINATION SHALL BE UTILIZED / ANY USE ON SIGNAGE  
 SIGNAGE CONTRACTOR TO VERIFY MOUNTING CONDITIONS AND ACCESS

3 CHANNEL SIGNAGE DETAIL  
 3" = 1'-0"

DATE: 05.02.20

DRAWN: STAFF

CHECKED: CB



Members of the American Institute of Architects

rad Architects, Inc.

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SAN FRANCISCO, CA 94133  
TEL: 415.774.3333 FAX: 415.774.3334  
WWW.RADARCHITECTS.COM

ASSESSOR'S PARCEL NUMBER: 465-000-025

ASSOCIATE ARCHITECT

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**CANNABIS 21+**  
COMMERCIAL CANNABIS  
CONDITIONAL USE PERMIT  
26120 CORDOBA DRIVE  
HEMET, CA 92545

CONTRACTOR SHALL BUILD ONLY FROM SETS  
STAMPED "CONSTRUCTION SET" HEREIN

**CUP SUBMITTAL**

ISSUE DATE: 05.02.20



EXHIBIT AMENDMENT BLOCK

08.14.20 1. LIST CITY COMMENTS.....

SHEET TITLE:  
**EXHIBIT B:  
EXTERIOR COLOR  
ELEVATIONS**

SHEET NO.:

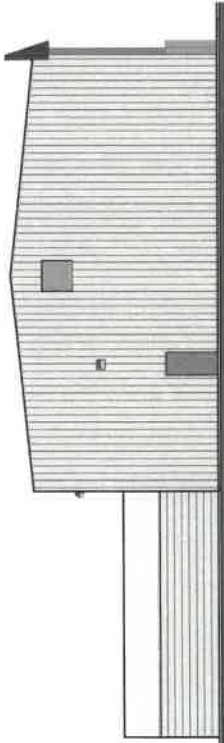
**B-3**

**EXTERIOR FINISH LEGEND** (S) - STUCCO (M) - METAL (G) - GRIDDLE

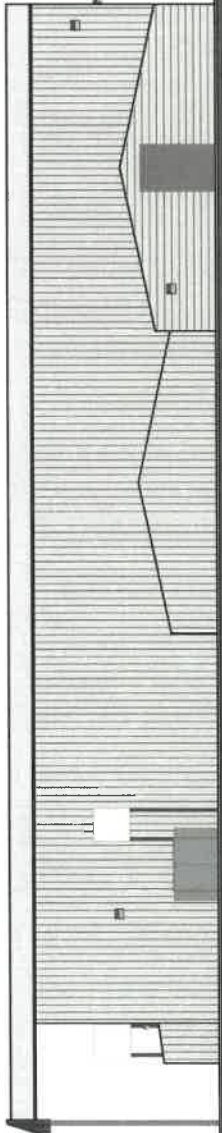
- (E) METAL WALL PANEL SATIN PAINT  
COLOR: PASSIVE (LIGHT GRAY) - SW7094
- (M) STUCCO WALL FINISH - 4 METAL CANOPIES -  
GRIDDLE GRAY - SW 7058
- (E) METAL WALL PANEL SATIN PAINT  
COLOR: TRICORN BLACK (DARK GRAY) - SW6256
- (E) ALUMINUM STOREFRONT & DOORS - PAINT WITH  
INDUSTRIAL GLOSS  
COLOR: TRICORN BLACK (DARK GRAY) - SW6256
- (M) ALUMINUM STOREFRONT  
BLACK PREFABRICATED FINISH
- (M) 6" COMPOSITE WOOD PANEL SYSTEM



1 NORTH ELEVATION (COLOR)  
1/8" = 1'-0"



2 EAST ELEVATION (COLOR)  
1/8" = 1'-0"



3 SOUTH ELEVATION (COLOR)  
1/8" = 1'-0"



4 WEST ELEVATION (COLOR)  
1/8" = 1'-0"

DATE: 09.02.20  
 DRAWN: STAFF  
 CHECKED: CR



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 rad Architects, Inc.  
 4750 Wilshire Blvd., Suite 200  
 Beverly Hills, CA 90210

ASSESSORS PARCEL NUMBER: 465-000-025

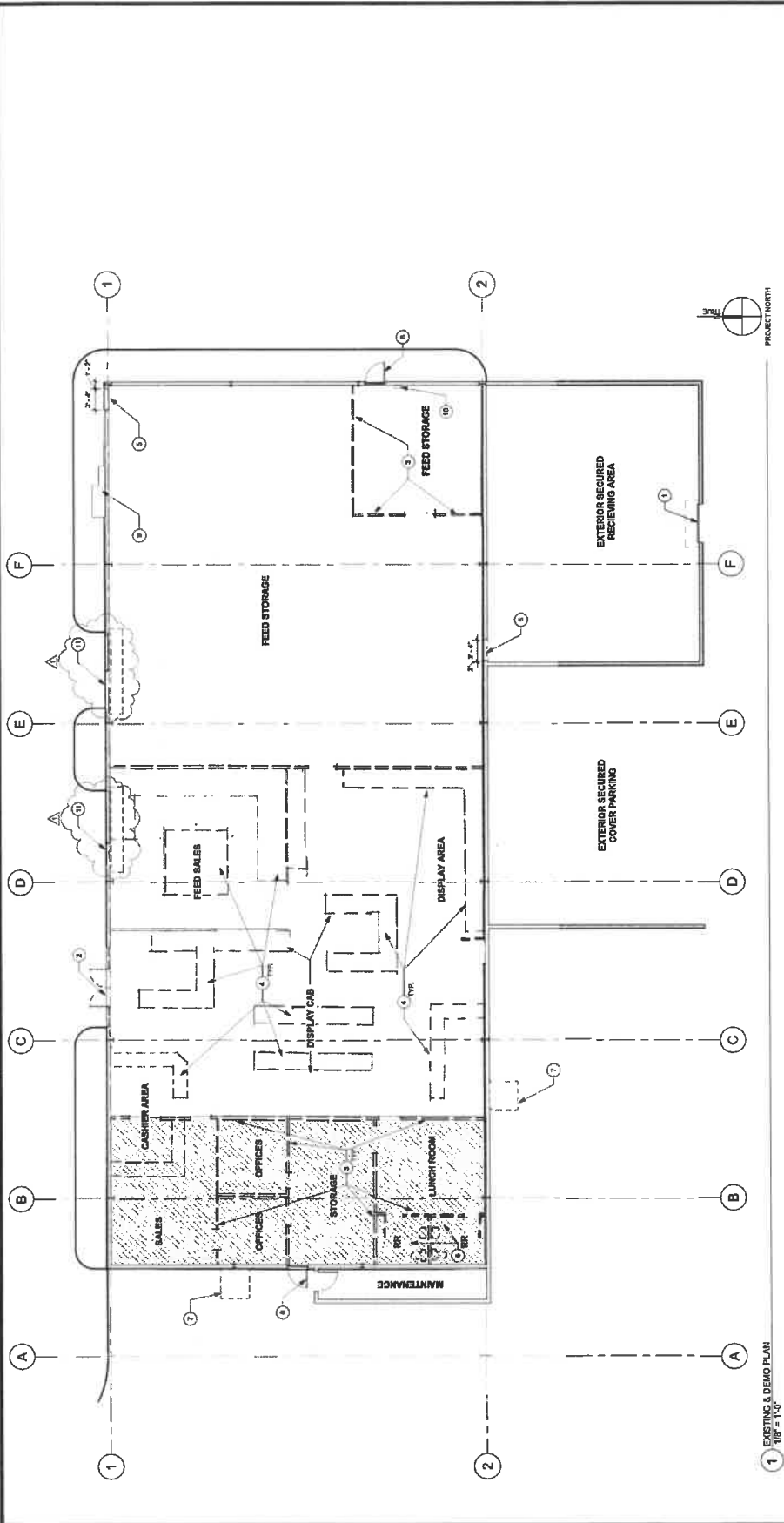
USER CHARGES:  
 CARLA S. WILLIAMSON  
 441 BALBOA AVE #102  
 BERKELEY, CA 94702  
 CONTACT: BEAN ST PETER  
 PHONE: 914.334.1111  
 EMAIL: bean.stpeter@rad.com

EXHIBIT PREPARER ARCHITECTS:  
 100 UNIVERSITY AVE #117  
 WILMINGTON, CA 94094  
 CONTACT: CARIN BAILEY  
 EMAIL: carin@exhibitarchitects.com

**CANNABIS 21+**  
**COMMERCIAL USE PERMIT**  
 26120 CORDOBA DRIVE  
 HEMET, CA 92345

CONTRACTOR SHALL BUILD ONLY FROM SETS  
 STAMPED CONSTRUCTION SET HEREIN

**CUP SUBMITTAL**  
 ISSUE DATE: 09.22.20



PROJECT NORTH

1 EXISTING & DEMO PLAN  
 1/8" = 1'-0"

**DEMOLITION PLAN LEGEND**

(PH) MEZZANINE ABOVE TO BE DEMOLISHED IN ITS ENTIRETY

**DEMOLITION PLAN KEYNOTES**

- EXISTING ROOF GULLY TO REMAIN
- EXISTING MEZZANINE ABOVE TO BE DEMOLISHED IN ITS ENTIRETY
- REMOVE ALL EXISTING COUNTERTOPS AND DISHAWKS IN THE FEED STATION
- REMOVE ALL EXISTING WALLS AND PARTITIONS IN THE FEED STATION
- REMOVE ALL EXISTING MECHANICAL UNITS IN THE FEED STATION
- REMOVE ALL EXISTING MECHANICAL UNITS IN THE FEED STATION
- REMOVE ALL EXISTING MECHANICAL UNITS IN THE FEED STATION
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- REMOVE ALL EXISTING MECHANICAL UNITS IN THE FEED STATION

**DEMOLITION PLAN GENERAL NOTES**

- VERIFY ALL UTILITIES ARE SHOWN AS NOTED ON ALL EXISTING PLANS. PLUMBING, ELECTRICAL, MECHANICAL EQUIPMENT, LIGHTING AND FINISHES, UNLESS OTHERWISE NOTED ON THE DEMOLITION PLAN BY OWNER.
- THIS PLAN DOES NOT INDICATE ALL ITEMS (IE DUCTWORK, FLOOR IRREGULARITIES) THAT WILL BE REMOVED OR TO BE REMOVED FOR ALL DEMOLITION WORK AS REQUIRED FOR COMPLETION OF THIS PROJECT.
- DEMOLISH EXISTING CEILING SYSTEMS, PANELS, GYPSUM BOARD, BOFFIT, METAL CEILING, LIGHT FIXTURES, MECHANICAL DIFFUSERS, AND ANY UNSUPPORTED SUPPORTS (IE CONCRETE, METAL CEILING BRACES).
- REMOVE EXISTING BRICKWORK IN FLOOR (IE ANCHOR BOLTS AND CONCRETE PIERING CORE DRILL ONLY) AND ALL UNDER-SLAB BASE PLUMBING OR ELECTRICAL SERVICES. REMOVE ALL EXISTING CONCRETE AND PATCHES TO MATCH EXISTING FLOOR AS REQUIRED.
- PREPARE FLOOR SURFACE BRIDGING/SMOOTHING OF ANY EXISTING IRREGULARITIES.
- GENERAL CONTRACTOR SHALL COORDINATE WITH CODE AUTHORITIES AND SHALL PROCEED AND PAY FOR ALL PERMITS, INSPECTION, ETC., AS REQUIRED.
- DURING REMOVAL OPERATIONS, ALL PERSONS AND PROPERTY SHALL BE PROTECTED. ALL EXISTING UTILITIES SHALL BE PROTECTED AND NOT BE AFFECTED BY DEMOLITION WORK. DO NOT INTERFERE WITH SURROUNDING EQUIPMENT, PERSONNEL, OR BUILDINGS.
- CONTRACTOR SHALL REMOVE ALL ITEMS FROM THE SITE, UNLESS THE OWNER HAS REQUESTED THE CONTRACTOR TO PROVIDE ITEMS TO THEM. CONTRACTOR SHALL KEEP RECORD OF ALL ITEMS REMOVED FROM THE SITE AND PROVIDE A LIST OF ITEMS TO THE OWNER AND BUILDING DEPARTMENT, WHEN REQUIRED.

EXHIBIT AMENDMENT BLOCK

JOB: 24.20 - 1 - 1ST CITY COMMENTS

EXISTING & DEMO PLAN

SHEET NO:

**C-1**



DATE: 09.02.20  
 DRAWN BY: STAFF  
 CHECKED BY: CB



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 San Francisco, CA 94109  
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 Fax: 415.774.2101

ASSESSORS PARCEL NUMBER: 465-000-025  
 CANNABIS 21+  
 26120 CORDOBA DRIVE  
 HEMET, CA 92345

EMMET PREPARED ARCHITECTS  
 1505 UNIVERSITY AVENUE #137  
 SAN BRUNO, CA 94070  
 CONTACT: CATHY MALEY  
 EMAIL: cmaley@emmetarch.com

**CANNABIS 21+**  
**COMMERCIAL CANNABIS**  
**PERMIT**  
 26120 CORDOBA DRIVE  
 HEMET, CA 92345

CONTRACTOR SHALL BUILD ONLY FROM SETS  
 STAMPED "CONSTRUCTION SET-HEBIM"  
**CUP SUBMITTAL**  
 ISSUE DATE: 09/22/20



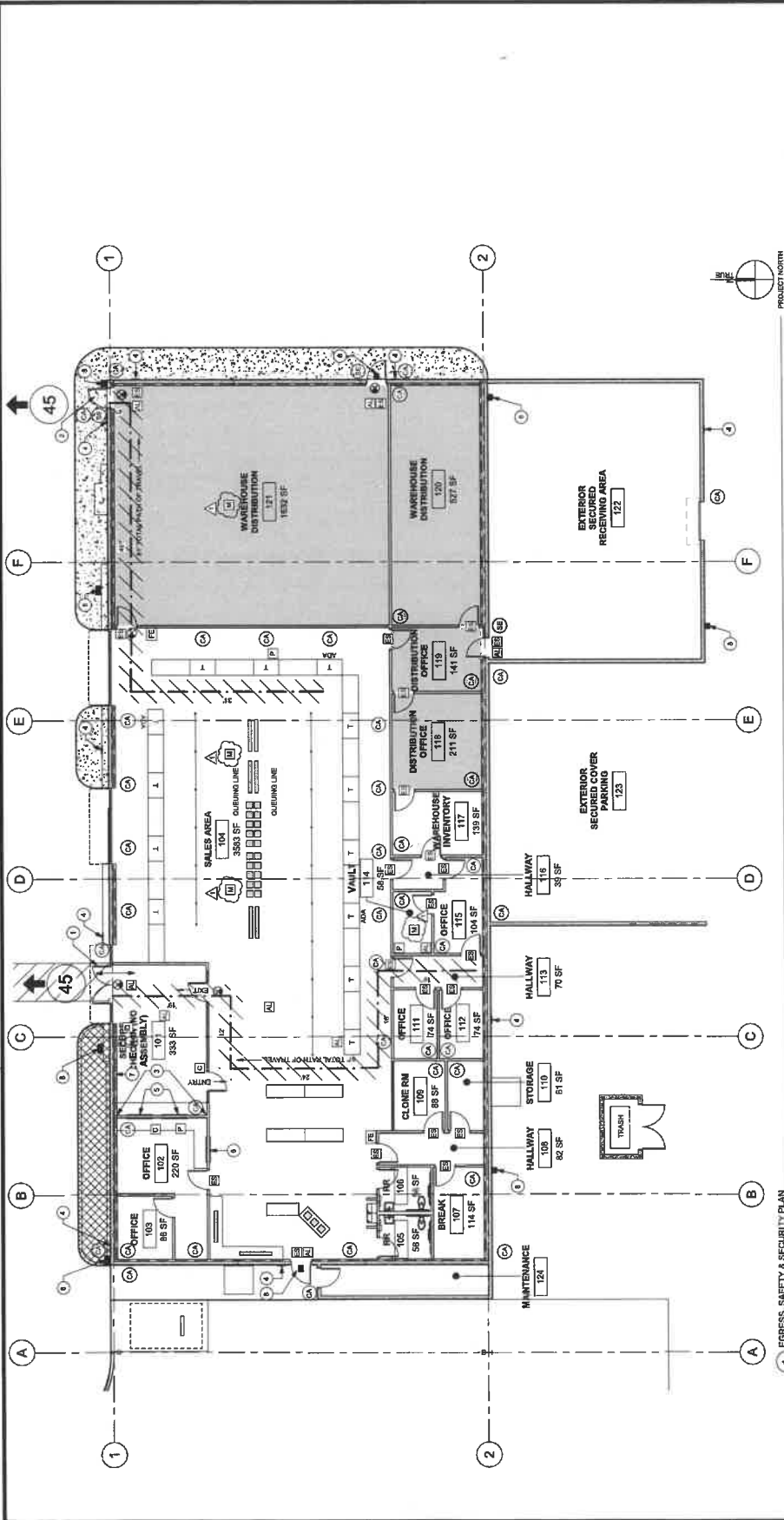
EXHIBIT AMENDMENT BLOCK

08.14.20 - 1 - 1ST CITY COMMENTS

SHEET TITLE:  
**EXHIBIT C:**  
**EGRESS, SAFETY &**  
**SECURITY PLAN**

SHEET NO:

**C-3**



**HOURS OF OPERATION:**

RETAIL STORE: 10:00 AM TO 10:00 PM - 7 DAYS A WEEK  
 DELIVERY: 10:00 AM TO 6:00 PM - 7 DAYS A WEEK  
 WAREHOUSE: 10:00 AM TO 6:00 PM - 7 DAYS A WEEK  
 2 SHIFTS PER DAY; 3 EMPLOYEES PER SHIFT; 1 HOURS PER SHIFT

**SECURITY PLAN GENERAL NOTES**

- THE RECEPTION FACILITIES SHALL BE LOCATED AND UNDER THE CONTROL OF THE CANNABIS RETAILER.
- ENTRANCES INTO THE RETAIL LOCATION SHALL BE SEPARATE FROM THE RECEPTION AREA AND LOCATED AT ALL TIMES WITH ENTRY STRICTLY CONTROLLED.
- EACH ENTRANCE TO A COMMERCIAL CANNABIS SHALL BE VISIBLY POSTED WITH A SIGN THAT READS: "NO CANNABIS USE OR POSSESSION OF CANNABIS IS PROHIBITED. POSSESSION OF CANNABIS ON THE LOT OF THE COMMERCIAL CANNABIS ACTIVITY IS PROHIBITED. CURRENT LAYOUT MEETS EMERGENCY EGRESS CODE REQUIREMENTS."
- FIRE PREVENTION: FIRE ALARM SYSTEM IN PLACE. NO HAZARDOUS MATERIALS OR HIGH PILE STORAGE. CURRENT LAYOUT MEETS EMERGENCY EGRESS CODE REQUIREMENTS.
- HWAC: EXISTING SYSTEM TO REMAIN. SUFFICIENT FOR USE. WORK SHALL BE COMPLETED FOR COLOR CONTROL SYSTEMS TO BE ADDED TO CURRENT HWAC SYSTEMS.
- SECURITY ALARM SYSTEMS WILL BE PROFESSIONAL MONITORED AND WILL HAVE A BACK UP POWER SYSTEM.

**SECURITY PLAN KEYNOTES**

- MAIN ENTRY DOOR
- RECEPTION FACILITY
- NO UNLAWFUL LOT STORAGE PER CODE. SEE ENLARGED SITE PLAN BRIEF FOR DETAILS.
- NO UNLAWFUL LOT STORAGE PER CODE. SEE ENLARGED SITE PLAN BRIEF FOR DETAILS.
- NO UNLAWFUL LOT STORAGE PER CODE. SEE ENLARGED SITE PLAN BRIEF FOR DETAILS.
- NO UNLAWFUL LOT STORAGE PER CODE. SEE ENLARGED SITE PLAN BRIEF FOR DETAILS.
- NO UNLAWFUL LOT STORAGE PER CODE. SEE ENLARGED SITE PLAN BRIEF FOR DETAILS.
- NO UNLAWFUL LOT STORAGE PER CODE. SEE ENLARGED SITE PLAN BRIEF FOR DETAILS.

**EGRESS LEGEND**

PRE-EXISTING: - - - - -  
 NEW: - - - - -  
 INDICATES 4" WIDE MINIMUM PATH OF EGRESS  
 INDICATES PATH OF TRAVEL DISTANCES FROM FAREST POINTS  
 INDICATES NUMBER OF OCCUPANTS

**SAFETY & SECURITY LEGEND**

- (A) CONTROLLED ACCESS ENTRY SENSOR
- (B) EXIT DOOR
- (C) ID SCANNER VERIFYING AGE OVER 21 WITH BUILT IN PHOTOGRAPHIC CAPABILITY
- (D) MOTION SENSOR MONITORED BY A PROFESSIONAL ALARM COMPANY
- (E) PANIC ALARM BUTTON
- (F) SECURITY CAMERA
- (G) SECURITY CAMERA
- (H) SECURITY CAMERA
- (I) SECURITY CAMERA
- (J) SECURITY CAMERA
- (K) SECURITY CAMERA
- (L) SECURITY CAMERA
- (M) SECURITY CAMERA
- (N) SECURITY CAMERA
- (O) SECURITY CAMERA
- (P) SECURITY CAMERA
- (Q) SECURITY CAMERA
- (R) SECURITY CAMERA
- (S) SECURITY CAMERA
- (T) SECURITY CAMERA
- (U) SECURITY CAMERA
- (V) SECURITY CAMERA
- (W) SECURITY CAMERA
- (X) SECURITY CAMERA
- (Y) SECURITY CAMERA
- (Z) SECURITY CAMERA



DEVELOPMENT AGREEMENT NO. 2000008

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”):

Sean St. Peter

Tara St. Peter

James R. Williamson

Carla D. Williamson

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 the calculated amount set forth in Exhibit “F”, 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. 348.4898, and any other subsequently adopted zoning ordinance amendment or subsequently adopted zoning ordinance.

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

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

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

1.1.7 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by COUNTY in connection with use of the Property and

for development of the Property for Commercial Cannabis Activities including, but not limited to:

- (a) Conditional use permits, and site plans;
- (b) Zoning Amendments;
- (c) General Plan Amendments
- (d) Tentative and final subdivision and parcel maps;
- (e) Grading and building permits;
- (f) Any permits or entitlements necessary from the COUNTY;
- (g) Any easements necessary from COUNTY or any other land owner;
- (h) Specific plans and specific plan amendments;
- (i) Right of Entry agreements

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

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

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

1.1.11 “Existing Development Approvals” means all Development Approvals approved or issued prior to the Effective Date. Existing Development Approvals includes

the Development Approvals incorporated herein as Exhibit “C” and all other Development Approvals which are a matter of public record on the Effective Date.

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

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

- (a) The conduct of businesses, professions, and occupations;
- (b) Taxes and assessments;
- (c) The control and abatement of nuisances;
- (d) The granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property;
- (e) The exercise of the power of eminent domain.

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

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

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

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

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

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

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

1.1.20 “Subsequent Land Use Regulations” means any Land Use Regulations

adopted and effective after the Effective Date of this Agreement.

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

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

Exhibit “A” - Legal Description of the Property

Exhibit “B” - Map Showing Property and Its Location

Exhibit “C” - Existing Development Approvals

Exhibit “D” - Existing Land Use Regulations

Exhibit “E” - Commercial Cannabis Activity Site Plan & Description

Exhibit “F” - Applicable Annual Public Benefits Base Payments

Exhibit “G” - Commercial Cannabis Area calculation exhibit.

Exhibit “H” - Additional Public Benefits Exhibit

## 2. GENERAL PROVISIONS.

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

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

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



2.4 Transfer.

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

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

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

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

2.4.2 Release of Transferring Owner. Notwithstanding any transfer, a

transferring OWNER shall continue to be obligated under this Agreement unless such transferring OWNER is given a release in writing by COUNTY, which release shall be provided by COUNTY upon the full satisfaction by such transferring OWNER of the following conditions:

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

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

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

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

- (a) Expiration of the stated term of this Agreement as set forth in Section 2.3.
- (b) Entry of a final judgment by a court of competent jurisdiction setting aside, voiding or annulling the adoption of the ordinance approving this Agreement. For

purposes of clarity this termination section excludes entry of a final judgment by a court of competent jurisdiction setting aside, voiding or annulling the adoption of Board of Supervisors' Policy No. B-9.

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

(d) OWNER's election to terminate this Agreement. If OWNER elects not to develop all or a portion of the Property as a Commercial Cannabis Activity, OWNER shall provide notice of such election to the COUNTY, such notice by OWNER shall (i) seek to terminate this Agreement as to the portion of the Property that is the subject of such notice of termination; and (ii) shall acknowledge that the Conditional Use Permit (CUP No. 200020) 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. 2019-037.

(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. 200020.

(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:

Sean and Tara St. Peter

4321 Balboa Ave. #162

San Diego, CA 92117

and

James and Carla Williamson

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

### 3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Existing Development Approvals shall not expire and shall remain valid for the Term of this Agreement so long as the Project remains in compliance with all conditions of approval for the Existing Development Approvals and in compliance with this Agreement. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity

of use, the maximum height and size of proposed buildings and structures, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

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

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

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

(a) Alter the permitted uses of the Property as a whole; or,

(b) Increase the density or intensity of use of the Property as a whole;

or,

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

or,

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

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

3.5 Reservations of Authority.

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



the development of the Property.

(a) Processing fees and charges of every kind and nature imposed by COUNTY to cover the estimated actual costs to COUNTY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

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

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

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

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

(f) Regulations which are not in conflict with the Development Plan.

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

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

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

3.5.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement or require changes in plans, maps or permits approved by the COUNTY, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

3.5.4 Intent. The parties acknowledge and agree that COUNTY is restricted in its authority to limit its police power by contract and that the foregoing limitations,

reservations and exceptions are intended to reserve to COUNTY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to COUNTY all such power and authority which cannot be restricted by contract.

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

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

3.7 Provision of Real Property Interests by COUNTY. In any instance where OWNER is required to construct any public improvement on land not owned by OWNER, OWNER shall at its sole cost and expense provide or cause to be provided, the real property interests necessary for the construction of such public improvements. In the event OWNER is unable, after exercising reasonable efforts to acquire the real property interests necessary for the construction of such public improvements, and if so instructed by OWNER and upon OWNER'S provision of

adequate security for costs COUNTY may reasonably incur, COUNTY shall negotiate the purchase of the necessary real property interests to allow OWNER to construct the public improvements as required by this Agreement and, if necessary, in accordance with the procedures established by law, use its power of eminent domain to acquire such required real property interests. OWNER shall pay all costs associated with such acquisition or condemnation proceedings. This Section 3.7 is not intended by the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the COUNTY upon the development of the Project under the Subdivision Map Act, Government Code Section 66410 et seq., or other legal authority.

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

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

time except in accordance with the Subdivision Map Act and Existing Land Use Regulations.

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

#### 4. PUBLIC BENEFITS.

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

#### 4.2 Public Benefits for Commercial Cannabis Activities.

4.2.1 Annual Public Benefit Base Payments. Prior to the issuance of the first grading permit or the first building permit, whichever occurs first, 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, that such initial annual base payment shall be prorated based on the number of whole months remaining between the date of payment 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 1<sup>st</sup> following the initial Base Payment and each July 1<sup>st</sup> 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 first grading permit or the first building permit, whichever occurs first, 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 payment 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 2%. Prior to the first July 1<sup>st</sup> following the initial Additional Public Benefit payment and each July 1<sup>st</sup> thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Additional Public Benefit plus the 2% 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 XIIIID 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 anytime. 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. 200020 and this Agreement.

6.4 Records Inspection. Upon written request by the COUNTY, OWNER shall provide records to the COUNTY demonstrating local hiring efforts, and compliance with this Agreement and CUP No. 200020.

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: \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER  
Clerk of the Board

By: \_\_\_\_\_  
Deputy  
(SEAL)



OWNERS:

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Sean St. Peter

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Tara St. Peter

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
James R. Williamson

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Carla D. Williamson

(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. 2000008

LEGAL DESCRIPTION OF PROPERTY

Parcel 2, as shown by Parcel Map 13309, on file in Book 118 Page 3, of Parcel Maps, Records of Riverside County, California.

APN: 465-020-025

EXHIBIT "B"

Development Agreement No. 2000008

MAP OF PROPERTY AND ITS LOCATION

*(This Exhibit will indicate the property's legal (metes and bounds, if required) boundary  
and its location)*

EXHIBIT "C"

Development Agreement No. 2000008

EXISTING DEVELOPMENT APPROVALS

SPECIFIC PLAN

ZONING

LAND DIVISIONS

OTHER DEVELOPMENT APPROVALS

Plot Plan No. 14248

Plot Plan No. 14248S1

Plot Plan no. 14529

Plot Plan no. 16250

CUP No. 200020

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. 2000008

EXISTING LAND USE REGULATIONS

1. Riverside County Comprehensive General Plan as amended through Resolution No. 2019-050
2. Ordinance No. 348 as amended through Ordinance No. 348.4926
3. Ordinance No. 448 as amended through Ordinance No. 448.A
4. Ordinance No. 457 as amended through Ordinance No. 457.105
5. Ordinance No. 458 as amended through Ordinance No. 458.16
6. Ordinance No. 460 as amended through Ordinance No. 460.154
7. Ordinance No. 461 as amended through Ordinance No. 461.10
8. Ordinance No. 509 as amended through Ordinance No. 509.2
9. Ordinance No. 547 as amended through Ordinance No. 547.7
10. Ordinance No. 555 as amended through Ordinance No. 555.20
11. Ordinance No. 617 as amended through Ordinance No. 617.4
12. Ordinance No. 650 as amended through Ordinance No. 650.6
13. Ordinance No. 659 as amended through Ordinance No. 659.13
14. Ordinance No. 663 as amended through Ordinance No. 663.10
15. Ordinance No. 671 as amended through Ordinance No. 671.21
16. Ordinance No. 673 as amended through Ordinance No. 673.4
17. Ordinance No. 679 as amended through Ordinance No. 679.4
18. Ordinance No. 682 as amended through Ordinance No. 682.4
19. Ordinance No. 726 as amended through Ordinance No. 726
20. Ordinance No. 743 as amended through Ordinance No. 743.3

21. Ordinance No. 748 as amended through Ordinance No. 748.1
22. Ordinance No. 749 as amended through Ordinance No. 749.1
23. Ordinance No. 752 as amended through Ordinance No. 752.2
24. Ordinance No. 754 as amended through Ordinance No. 754.3
25. Ordinance No. 787 as amended through Ordinance No. 787.9
26. Ordinance No. 806 as amended through Ordinance No. 806
27. Ordinance No. 810 as amended through Ordinance No. 810.2
28. Ordinance No. 817 as amended through Ordinance No. 817.1
29. Ordinance No. 824 as amended through Ordinance No. 824.15
30. Ordinance No. 847 as amended through Ordinance No. 847.1
31. Ordinance No. 859 as amended through Ordinance No. 859.3
32. Ordinance No. 875 as amended through Ordinance No. 875.1
33. Ordinance No. 915 as amended through Ordinance No. 915
34. Ordinance No. 925 as amended through Ordinance No. 925.1
35. Ordinance No. 926 as amended through Ordinance No. 926
36. Ordinance No. 927 as amended through Ordinance No. 927
37. Ordinance No. 931 as amended through Ordinance No. 931
38. Resolution No. 2019-037 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. 2000008

### COMMERCIAL CANNABIS ACTIVITY SITE PLAN & DESCRIPTION

As shown on the attached site plan, CUP No. 200020 permits a Cannabis Retailer and distribution facility within an existing 8,400 square foot building. The Cannabis Retailer will include 5,889 square feet of retail and 2,511 square feet of distribution along with supporting storage, office, employee break area, and reception areas.

## EXHIBIT "F"

Development Agreement No. 2000008

### APPLICABLE PUBLIC BASE BENEFITS PAYMENTS

The Cannabis Retailer operating at the Property pursuant to CUP No. 190016 includes an existing 8,400 square foot building, which will include retail and distribution along with supporting storage, office, employee break area, and reception areas as more specifically shown on Exhibit "G". In accordance with Board Policy B-9, the base public benefit is the following: \$18.00 per square foot for the retail and \$3.00 per square foot for the distribution. Therefore, the public base benefit payment will be \$113,535.00 and will increase annually at a rate of 2%.



EXHIBIT "G"

Development Agreement No. 2000008

CANNABIS AREA CALCULATION EXHIBIT

The Cannabis Area calculation includes the following: 5,889 square feet for the retail and 2,511 square feet for the distribution totaling an 8,400 square foot building. The 8,400 building will be used for the Cannabis Retailer with distribution as shown in this Exhibit "G".

EXHIBIT "H"

Development Agreement No. 2000008

COMMERCIAL CANNABIS ACTIVITY PUBLIC BENEFIT

The additional annual public benefit provided by the OWNER shall be \$141,919.00 with an annual increase of 2%. The COUNTY will utilize this additional annual public benefit within the surrounding community for additional public benefits including, but not limited to, code enforcement, public safety services, infrastructure improvements, community enhancement programs and other similar public benefits as solely determined by the COUNTY's Board of Supervisors. Additionally, OWNER will make efforts to hire locally and participate in community events, career opportunity events, as well as educational and wellness seminars within the surrounding community.



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

Juan C. Perez  
Agency Director



12/23/20, 1:36 pm

CUP200020

**ADVISORY NOTIFICATION DOCUMENT**

The following notifications are included as part of the recommendation of approval for CUP200020. 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 this Plan (CUP200020) 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. 200020 proposes to redevelop an existing 8,400 square foot building to be used as a cannabis retail storefront and cannabis distribution facility, in addition to, updates to the project site for parking and landscaping ("Project"). The proposed project shall have a 5 year life span for the entitlement as the project falls within the SR-79 Realignment Project led by the Riverside County Transportation Department (RCTC).

Development Agreement No. 2000008 has a term of 5 years and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 2000008 and Conditional Use Permit No. 200020 and will provide community benefits to the Hemet-San Jacinto Area.

The project is located north of Stetson Ave, east of California Ave, south of W Florida Ave, and west of Warren Rd.

**Advisory Notification. 3            AND - Exhibits**

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

- Exhibit A (Site Plan), dated 8/14/20.
- Exhibit B (Elevations), dated 8/14/20.
- Exhibit C (Floor Plans), dated 8/14/20.
- Exhibit D (Conceptual Grading Plan), dated 8/14/20.
- Exhibit E (Landscape Plan), dated 8/14/20.
- Exhibit F (Security Plan), dated 8/14/20.
- Exhibit G (Signage Plan), dated 8/14/20.

## ADVISORY NOTIFICATION DOCUMENT

### Advisory Notification

**Advisory Notification. 4                    AND - Federal, State & Local Regulation Compliance (cont.)**

**Advisory Notification. 4                    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)
  - State Subdivision Map Act
  - Native American Cultural Resources, and Human Remains (Inadvertent Find)
  - School District Impact Compliance
  
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. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program)
  - Ord. No. 484 (Control of Blowing Sand)
  - Ord. No. 716 (Abandoned, Neglected or Cruelly Treated Animals)
  - Ord. No. 771 (Controlling Potentially Dangerous & Dangerous Animals)
  - Ord. No. 878 (Regarding Noisy Animals)
  - 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. 916 (Cottage Food Operations)
  - Ord. No. 925 (Prohibiting Marijuana Cultivating)
  - Ord. No. 927 (Regulating Short Term Rentals)
  - 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. 663 Stephens Kangaroo Rat Habitat Conservation Plan (SKR)
  - 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 DOCUMENT

### BS-Plan Check

**BS-Plan Check. 1**

**Gen - Custom**

**NOTIFICATIONS:**

**ACCESSIBLE PATH OF TRAVEL:**

1- Please provide a revised site plan to indicate the required continuous accessible paved path of travel.

The accessible path of travel details shall include;

1. Accessible path construction type (Asphalt or concrete).
2. Accessible path width.
3. Accessible path directional slope % and cross slope %.
4. All accessible ramp and curb cut-out locations and details where applicable.

The Accessible path of travel shall:

1. Connect to the public R.O.W.
2. Connect to all building(s).
3. Connect to all accessible parking loading/unloading areas.
4. Connect to accessible sanitary facilities.
5. Connect to areas of public accommodation.

Please be aware that the approved site plan with accessibility requirements should be included with any building plan submittal. The plan review staff may have additional comments depending on the additional information or revisions provided during the plan review process. Additional accessible requirements within the structure shall be reviewed during the building plan review.

2- Relocate the ADA parking to comply with the following:

Parking spaces complying with 11B- 502 (Parking Spaces) that serve a particular building or facility shall be located on the shortest accessible route from parking to an entrance

3-Where parking serves more than one accessible entrance, parking spaces complying with 11B-502 (Parking Spaces) shall be dispersed and located on the shortest accessible route to the accessible entrances.

**EV PARKING:**

Revise the site plan to show the required designated EV parking per CGC.

**DISABLED ACCESS GUIDELINE:**

EVCS are not considered parking spaces by the code. In addition, the required accessible parking spaces shall not double as required EVCS. 11B-208.1.

**Required Number of Accessible EVCS**

Where EVCS are provided for public use or common use, accessible EVCS shall be provided in accordance with the table below. (11B-228.3.1) (11B-228.3.2) (11B-228.3.2.1)

**Electric Vehicle Charging Stations for Public Use and Common Use**

Total Number of EVCS at a Facility	Minimum Number (by type) of Accessible EVCS Required		
	Van Accessible	Standard Accessible	Ambulatory
1 to 4	1	0	0
5 to 25	1	1	0
26 to 50	1	1	1
51 to 75	1	2	2

## ADVISORY NOTIFICATION DOCUMENT

### BS-Plan Check

#### BS-Plan Check. 1

#### Gen - Custom (cont.)

76 to 100 1

3

3

101 and over 1, plus 1 for each 300, or fraction thereof, over 100 3, plus 1 for each 60, or fraction thereof, over 100 3, plus 1 for each 50, or fraction thereof, over 100.

#### EV PARKING:

Revise the site plan to show the required designated EV parking per CGC.

#### DISABLED ACCESS:

EVCS are not considered parking spaces by the code. In addition, the required accessible parking spaces shall not double as required EVCS. 11B-208.1.

#### Required Number of Accessible EVCS

Where EVCS are provided for public use or common use, accessible EVCS shall be provided in accordance with the table below. (11B-228.3.1) (11B-228.3.2) (11B-228.3.2.1)

#### Electric Vehicle Charging Stations for Public Use and Common Use

#### EVCS Locations

Accessible EVCS that serve a particular building or facility shall be located on an accessible route to an accessible entrance. (11B-812.5.1) (11B-812.5.1)

Where EVCS do not serve a particular building or facility, accessible EVCS shall be located on an accessible route to an accessible pedestrian entrance of the EV charging facility. (11B-812.5.1) (11B-812.5.1)

Vehicle spaces and access aisles shall be designed so that persons using them are not required to travel behind vehicle spaces or parking spaces other than the vehicle space in which their vehicle has been left to charge. (11B-812.5.4)

#### CODE/ORDINANCE REQUIREMENTS:

The applicant shall obtain the required building permit(s) from the building department prior to any construction on the property. All building plans and supporting documentation shall comply with current adopted California Building Codes, Riverside County Ordinances regulations in effect at the time of building plan submittal and fee payment to the Building Department. All Building Department plan submittal and fee requirements shall apply.

NOTE: The new updated 2019 California Building Codes will be in effect as of January 1st 2020, as mandated by the state of California. Any building plan and fee payment submitted to the building department on or after January 1st, 2020 will be subject to the new updated California Building Code(s).

#### PERMIT ISSUANCE:

Per section 105.1 (2019 California Building Code, CBC): Where any owner or authorized agent intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the regulation of which is governed by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

The applicant shall obtain the required building permit(s) from the building department prior to any construction or placement of any building, structure or equipment on the property.

The applicant shall obtain an approved final building inspection and certificate of occupancy from the building department prior to any use or occupancy of the building, or structure.

At no time shall the approval of the planning case exhibit allow for the construction or use of any building, structure, or equipment. In residential applications, each separate structure will require a separate

## ADVISORY NOTIFICATION DOCUMENT

### BS-Plan Check

**BS-Plan Check. 1**                      **Gen - Custom (cont.)**

building permit.  
 William Peppas  
 951-955-1889  
 TLMA's Building and Safety department  
 County of Riverside  
 4080 Lemon St.-9th Floor

### E Health

**E Health. 1**                              **DEH ECP COMMENTS**

Based on the information provided in the environmental assessment documents submitted for this project and with the provision that the information was accurate and representative of site conditions, RCDEH-ECP (Riverside County Department of Environmental Health – Environmental Cleanup Program) 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.

### Fire

**Fire. 1**                                      **Fire - Advisory**

Business Plan Request  
 Prior to building permit issuance, please provide a business plan with a complete scope of work. Indicate any storage, hazardous materials or manufacturing that may be conducted on this site. In addition, please note proposed business hours, the use of any delayed egress/ingress systems (limited access passages) and if open flame devices will be on site.

### Flood

**Flood. 1**                                      **Flood Haz. Report**

8/27/2020

Conditional Use Permit (CUP) 200020 is a proposal to use an existing 8,400 sf building as a storefront for a retail cannabis business on a 4-acre site in the Harvest Valley/ Winchester area. The project site is located at southeast corner of Hwy78 and Cordoba Dr. just outside the southern border of City of Hemet.

The topography of the site is in an area with a northwest -to-southeasterly slope. The entire project site is in Department of Water Resources (DWR) Awareness floodplain and FEMA Unshaded Zone X per FIRM (2008) 06065C2085G. CUP200020 is Parcel 2 of the underlying PM13309 recorded in 1980. On PM13309, the project site was partially impacted by a floodplain and structures on the parcel was required to be floodproofed by elevating the structure a minimum of 18-in above the centerline of Hwy79 adjacent to

**ADVISORY NOTIFICATION DOCUMENT**

**Flood**

**Flood. 1 Flood Haz. Report (cont.)**

the structure. Currently no existing or proposed District facility in the area to alleviate the flood hazard.

The District has reviewed the submitted exhibit dated July 21, 2020. CUP200020 does not propose any site improvement but only interior remodeling and painting of the structure this time. The project will not involve any District facility; therefore, the District has no objection to the proposal. It should be noted that flow-obstructing walls (solid block wall) or (chain-linked) fencing are not permitted in the floodplains. Fencing of the property must be of a kind that will not cause diversions but will pass floodflows such as corral style rail and post or wrought iron. County Transportation will review the onsite drainage and WQMP.

The site is located within the bounds of the Salt Creek Channel - Winchester/North Hemet Area Drainage Plan (ADP) for which drainage fees and mitigation 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 grading or building permits for this project whichever occurs first. Although the current fee for this ADP is \$131 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. If the fee has been paid previously, please provide the proof to the District.

Every effort has been made to identify all potential areas of concern for which the District will recommend conditions of approval should this case be filed. However, if during further review of the site and development proposal, 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 may be directed to Han Yang at 951-955-1348 or [hyang@RIVCO.org](mailto:hyang@RIVCO.org).

**General**

**General. 1 General – 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 of the Building and Safety Department.

**General. 2 General – 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,



## ADVISORY NOTIFICATION DOCUMENT

### General

#### General. 2

#### General – Causes for Revocation (cont.)

then this permit shall be subject to revocation procedures.

#### General. 3

#### General – 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.

#### General. 4

#### General – 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 project or its associated environmental documentation; 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 project, including, but not limited to, decisions made in response to California Public Records Act requests; and

(a) and (b) above are hereinafter collectively referred to as "LITIGATION."

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION 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 LITIGATION, 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



## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### Planning. 1

#### Airport Land Use Commission (ALUC) Conditions (cont.)

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

2. The following uses shall be prohibited:

(a) Any use or activity 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 FAA-approved navigational signal light or visual approach slope indicator.

(b) Any use or activity 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, outdoor production of cereal grains, sunflower, and row crops, composting operations, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, and 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) Hazards to flight.

3. The attached notice of airport in vicinity shall be provided to all potential purchasers of the property.

4. Any proposed detention 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 detention 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 detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the detention 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

#### Cannabis Distribution Operations – 1

Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities.

#### Planning. 3

#### Cannabis Distribution Operations – 2

## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### **Planning. 3 Cannabis Distribution Operations – 2 (cont.)**

In addition to the requirements of Ordinance No. 348 Section 19.505.Q. and consistent with the California "Track and Trace" requirements, the following record keeping measures are required to be implemented for all Cannabis Distribution Facilities:

- i. Prior to transporting Cannabis or Cannabis Products, a shipping manifest shall be completed as required by state law and regulations.
- ii. A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement or any agents of the State or County charged with enforcement.
- iii. Cannabis Distribution Facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting Cannabis and Cannabis Products to maintain a clear chain of custody.

#### **Planning. 4 Cannabis Distribution Operations – 3**

Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files.

#### **Planning. 5 Cannabis Distribution Operations – 4**

Cannabis Distribution Facilities shall not be open to the public. The Distribution component of the project is located on the second floor of the building and is not readily accessible to any public areas of the retail component of the project.

#### **Planning. 6 Cannabis Distribution Operations – 5**

Cannabis Distribution Facilities shall not transport or store non-cannabis goods, excluding any non-cannabis goods associated with a retail component that may include up to 10% of its floor area for non-cannabis goods.

#### **Planning. 7 Entitlement Life Span**

The Project is located within the environmentally cleared footprint of the SR-79 Realignment Project led by Riverside County Transportation Commission (RCTC). RCTC has indicated that although the road project is cleared, final design and construction are not anticipated to be completed within at least a 5-year timeframe for the segment impacting the development project site. Because of the construction timeline, the project proponent shall also be in agreement for the 5 years life time of the entitlement for CUP200020.

#### **Planning. 8 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. All entitlement fees shall be paid in full, prior to operating the cannabis business.

#### **Planning. 9 General - B. State License Required**







## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### Planning. 22

#### General - N. Security - Part 2 (cont.)

9. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services.
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.
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.

#### Planning. 23

#### 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.

#### Planning. 24

#### 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



## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### Planning. 24

#### General - P. Signage (cont.)

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.

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.

#### Planning. 25

#### 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



## ADVISORY NOTIFICATION DOCUMENT

### Planning

#### Planning. 31

#### General - W. Compliance with Local and State Laws and Regulations (cont.)

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 Riverside County Ordinance No. 457 and by the Riverside County Fire Department in accordance with Riverside County Ordinance No. 787 and the California Fire Code.

#### Planning. 32

#### General - X. Material Alterations to Premises

No physical change, alteration, or modification shall be made to a Premises without first obtaining the appropriate approvals from the County, including but not limited a substantial conformance or revised permit and all other necessary permits. Alterations or modifications requiring approval include, without limitation: (i) the removal, creation, or relocation of a common entryway, doorway, passage, or a means of public entry or exit, when such common entryway, doorway, or passage alters or changes limited-access areas within the Premises; (ii) the removal, creation, addition, or relocation of a Cultivation Area; (iii) or the addition or alteration of a water supply. The requirement of this Section is in addition to compliance with any other applicable State or local law or regulation pertaining to approval of building modifications, zoning, and land use requirements. In the event that the proposed modification requires a new or modified conditional use permit such permit must be obtained prior to issuance of building permits.

#### Planning. 33

#### General - Y. Multiple Commercial Cannabis Activities

Multiple Commercial Cannabis Activities may be allowed on the same lot provided the proposed activities are allowed in the zone classification and meet all requirements in this Article and State Law.

### Planning-All

#### Planning-All. 1

#### Cannabis Retail Operations - 1

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.

#### Planning-All. 2

#### Cannabis Retail Operations - 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.

#### Planning-All. 3

#### Cannabis Retail Operations - 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.

#### Planning-All. 4

#### Cannabis Retail Operations - 12

## ADVISORY NOTIFICATION DOCUMENT

### Planning-All

#### **Planning-All. 4 Cannabis Retail Operations - 12 (cont.)**

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.

#### **Planning-All. 5 Cannabis Retail Operations - 13**

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

#### **Planning-All. 6 Cannabis Retail Operations - 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-All. 7 Cannabis Retail Operations - 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.

#### **Planning-All. 8 Cannabis Retail Operations - 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.

#### **Planning-All. 9 Cannabis Retail Operations - 4**

A Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age.

#### **Planning-All. 10 Cannabis Retail Operations - 5**

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

#### **Planning-All. 11 Cannabis Retail Operations - 6**

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

#### **Planning-All. 12 Cannabis Retail Operations - 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.

## ADVISORY NOTIFICATION DOCUMENT

### Planning-All

**Planning-All. 13 Cannabis Retail Operations - 8 (cont.)**

**Planning-All. 13 Cannabis Retail Operations - 8**

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

**Planning-All. 14 Cannabis Retail Operations - 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.

### 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 Permit Life**

The life of this permit (CUP200020) is for Five (5) years from the date of approval. This permit shall

## ADVISORY NOTIFICATION DOCUMENT

### Transportation

#### Transportation. 1                      Permit Life (cont.)

thereafter be null and void and of no effect whatsoever.

#### Transportation. 2                      Transportation General Conditions

1. With respect to the conditions of approval for the referenced tentative exhibit, it is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. This ordinance 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.

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

3. The life of this permit (CUP200020) is for Five (5) years from the date of approval. This permit shall thereafter be null and void and of no effect whatsoever.

4. Prior to doing any work within the road right right-of-way, an encroachment permit must be obtained by the applicant from the County Transportation permit section.

### Waste Resources

#### Waste Resources. 1                      Waste - General

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. 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](http://www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory)

Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

## ADVISORY NOTIFICATION DOCUMENT

### Waste Resources

#### Waste Resources. 1

#### Waste - General (cont.)

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.

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.

Plan: CUP200020

Parcel: 465020025

60. Prior To Grading Permit Issuance

Flood

060 - Flood. 1                      Mitcharge - Use                      Not Satisfied

This project is located within the limits of the Salt Creek Channel - Winchester/North Hemet 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.

Survey

060 - Survey. 1                      R-O-W Dedication                      Not Satisfied

1. Sufficient public street right-of-way along SH-74 shall be conveyed for public use to provide for a 92 foot half-width right-of-way per Standard No. 87, Ordinance 461.

2. Corner cutback shall be applied per Standard 805, Ordinance 461.

80. Prior To Building Permit Issuance

E Health

080 - E Health. 1                      Sewer / OWTS                      Not Satisfied

The latest septic system certification from Wright Septic, dated 11/6/2020 is showing the system to be entirely in a different location than what is presented on the official planning case exhibits. The certified location presents significant issues.

- The septic tank is fiberglass located on the drive/parking area. This tank must be traffic rated. A fiberglass tank is not traffic rated.
- The existing leach lines are under the drive path and loading/receiving area. Leach lines cannot be under a driveway/parking and or under impervious surface such as asphalt or concrete.

Since the existing system cannot be used for this project, you will need to contact EMWD for a possible sewer connection. If sewer is readily available the sewer connection will be required. There is sewer in highway 74, however you will need to verify with EMWD of the connection availability.

If sewer is not available, plans will be required for the relocation and sizing of the onsite waste water treatment system (OWTS). The system will be required to meet the standards addressed in the Local Area Management Program (LAMP). Percolation testing and report for the design will be required.

Fire

080 - Fire. 1                      Prior to Permit                      Not Satisfied

Prior to Building Permit Issuance

Final fire and life safety conditions will be addressed when the Office of the Fire Marshal reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.



Plan: CUP200020

Parcel: 465020025

80. Prior To Building Permit Issuance

Fire

080 - Fire. 1 Prior to Permit (cont.) Not Satisfied

1. The Office of the Fire Marshal is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 to 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)

080 - Fire. 2 Prior to Permit Not Satisfied

Prior to Building Permit Issuance

1. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 75,000 lbs. GVW. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Office of the Fire Marshal. (CFC 501.4)
2. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Office of the Fire Marshal. (CFC 501.4)
3. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) as approved by the Office of the Fire Marshal and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1)

080 - Fire. 3 Prior to permit Not Satisfied

Prior to Building Permit Issuance

1. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C. and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 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 (6" x 4" x 2 1/2" x 2 1/2") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3.)
2. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3)

Flood

080 - Flood. 1 Mitcharge - Use Not Satisfied

This project is located within the limits of the Salt Creek Channel - Winchester/North Hemet 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.

Survey

Plan: CUP200020

Parcel: 465020025

80. Prior To Building Permit Issuance

Survey

080 - Survey. 1 R-O-W Dedication Not Satisfied

1. Sufficient public street right-of-way along SH-74 shall be conveyed for public use to provide for a 92 foot half-width right-of-way per Standard No. 87, Ordinance 461.

2. Corner cutback shall be applied per Standard 805, Ordinance 461.

Waste Resources

080 - Waste Resources. 1 Waste Recycling Plan Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. 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

Fire

090 - Fire. 1 Prior to final Not Satisfied

Prior to Final

Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches and remote actuating devices, for access by emergency personnel. (CFC 506.1)

Any limited access devices shall be reviewed and accepted by the fire department, prior to final approval.

Transportation

090 - Transportation. 1 WRCOG TUMF Not Satisfied

Prior to the issuance of an occupancy permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 824.

Waste Resources

090 - Waste Resources. 1 Waste - Mandatory Commercial Recycling and Organics Rec Not Satisfied

Prior to final inspection, the applicant shall complete a Mandatory Commercial Recycling and Organics Recycling Compliance form (Form D). Form D requires applicants to identify programs or plans that address commercial and organics recycling, in compliance with State legislation/regulation. Once completed, Form D shall be submitted to the Recycling Section of the Department of Waste

12/23/20  
13:38

Riverside County PLUS  
CONDITIONS OF APPROVAL

Page 4

Plan: CUP200020

Parcel: 465020025

90. Prior to Building Final Inspection

Waste Resources

090 - Waste Resources. 1 Waste - Mandatory Commercial Recycling and Organics Recy Not Satisfied  
Resources for approval. For more information go to:  
[www.rcwaste.org/business/planning/applications](http://www.rcwaste.org/business/planning/applications). To obtain Form D, please contact the Recycling  
Section at 951-486-3200, or email to: [Waste-CompostingRecycling@rivco.org](mailto:Waste-CompostingRecycling@rivco.org).

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

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



September 3, 2020

**CHAIR**  
Russell Betts  
Desert Hot Springs

**VICE CHAIR**  
Steven Stewart  
Palm Springs

**COMMISSIONERS**

Arthur Butler  
Riverside

John Lyon  
Riverside

Steve Manos  
Lake Elsinore

Richard Stewart  
Moreno Valley

Gary Youmans  
Temecula

**STAFF**

Director  
Simon A. Housman

Paul Ruff  
Barbara Santos

County Administrative Center  
4080 Lemon St., 14th Floor  
Riverside, CA 92501  
(951) 956-5132

[www.aluc.org](http://www.aluc.org)

Mr. Gabriel Villalobos, Project Planner  
Riverside County Planning Department  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside CA 92501

**RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW –  
DIRECTOR’S DETERMINATION**

File No.: ZAP1063HR20  
Related File No.: CUP200020 (Conditional Use Permit)  
APN: 465-020-025

Dear Mr. Villalobos:

Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed County of Riverside Case No. CUP200020 (Conditional Use Permit), a proposal to establish a cannabis distribution and retail facility within an existing 8,400 square foot building on 4.0 acres located at 26120 Cordoba Drive on the southeast corner of Florida Avenue Highway 74 and Cordoba Drive.

The site is located within Airport Compatibility Zone E of the Hemet-Ryan Airport Influence Area (AIA), which does not restrict non-residential intensity.

The elevation of Runway 5-23 at its existing southwesterly terminus is approximately 1,499 feet above mean sea level (AMSL). At a distance of approximately 6,230 feet from the runway, FAA review would be required for any structures with top of roof exceeding 1,561 feet AMSL. The elevation of the project site is 1,508 feet AMSL, and the existing structure is 29 feet, for a maximum top point elevation of 1,537 feet AMSL. There is no proposal to increase the existing building height. Therefore, Federal Aviation Administration (FAA) obstruction evaluation review for height/elevation reasons is not required.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2017 Hemet-Ryan Airport Land Use Compatibility Plan, provided that the County of Riverside applies the following recommended conditions:

**CONDITIONS:**

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
2. The following uses shall be prohibited:

## **AIRPORT LAND USE COMMISSION**

- (a) Any use or activity 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 FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use or activity 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, outdoor production of cereal grains, sunflower, and row crops, composting operations, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, and 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) Hazards to flight.
3. The attached notice of airport in vicinity shall be provided to all potential purchasers of the property.
4. Any proposed detention 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 detention 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 detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the detention 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](http://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.

**AIRPORT LAND USE COMMISSION**

If you have any questions, please contact Paul Rull, ALUC Principal Planner at (951) 955-6893.

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



---

Simon A. Housman, ALUC Director

Attachment: Notice of Airport in Vicinity

cc: Cannabis 21 (applicant/representative)  
Carla Williamson (property owner)  
Vincent Yzaguirre, Riverside County Economic Development Agency – Aviation  
Liliana Valle, Riverside County Economic Development Agency - Aviation  
ALUC Case File

Y:\AIRPORT CASE FILES\Hemet-Ryan\ZAP1063HR20\ZAP1063HR20.LTR.doc

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)

# NOTICE

**THERE IS AN AIRPORT NEARBY.  
THIS STORM WATER BASIN IS DESIGNED TO HOLD  
STORM WATER FOR ONLY 48 HOURS AND  
NOT TO ATTRACT BIRDS**

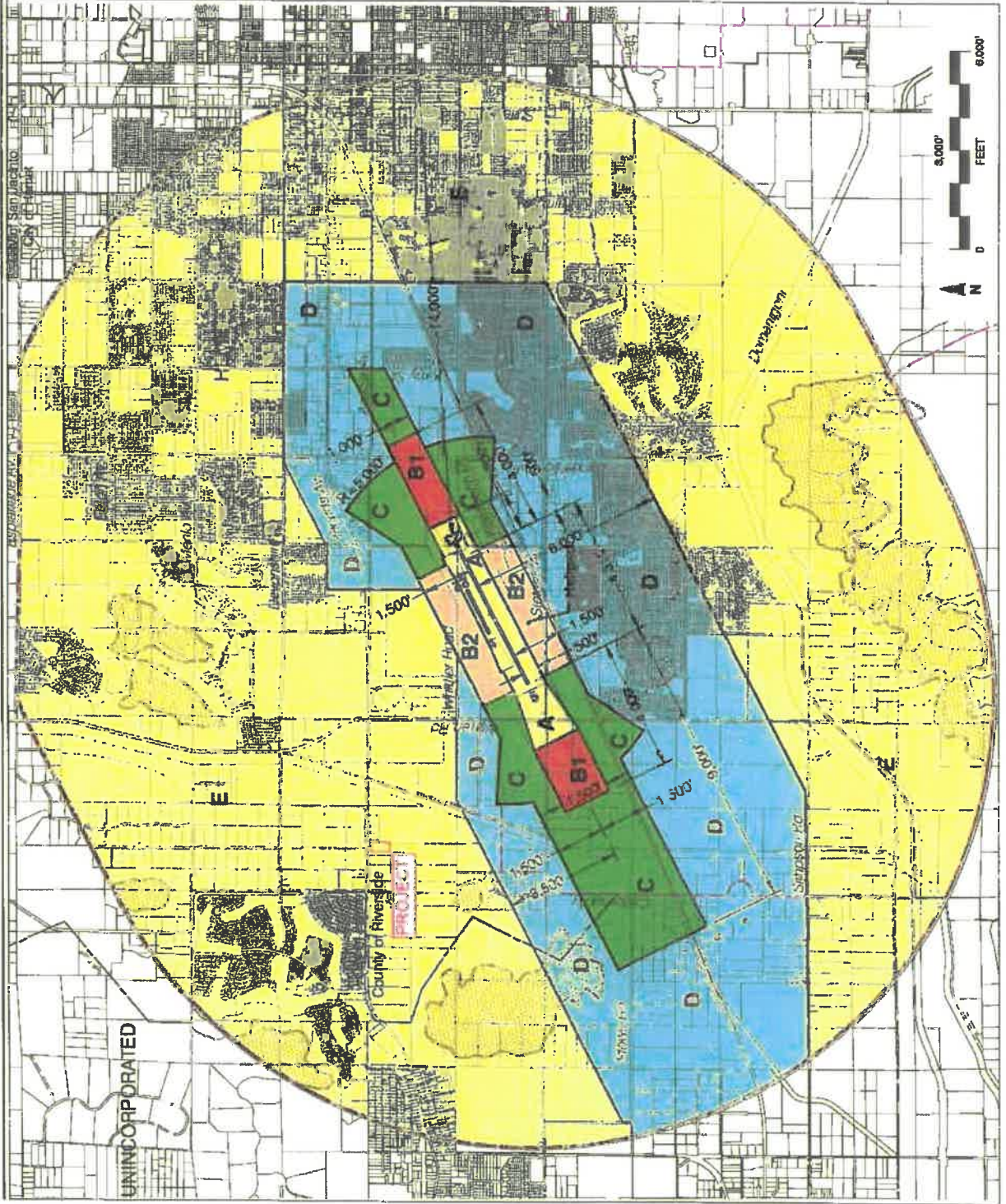
**PROPER MAINTENANCE IS NECESSARY TO AVOID  
BIRD STRIKES**



**IF THIS BASIN IS OVERGROWN, PLEASE CONTACT:**

**Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_





**Legend**

- Compatibility Zones**
- Airport Influence Area Boundary
  - Zone A
  - Zone B1
  - Zone B2
  - Zone C
  - Zone D
  - Zone E
  - Height Review Overlay Zone
- Boundary Lines**
- Airport Property Line
  - City Limits
  - City Sphere of Influence

**Note**

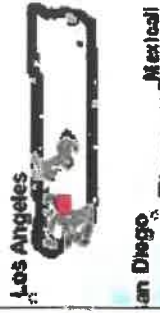
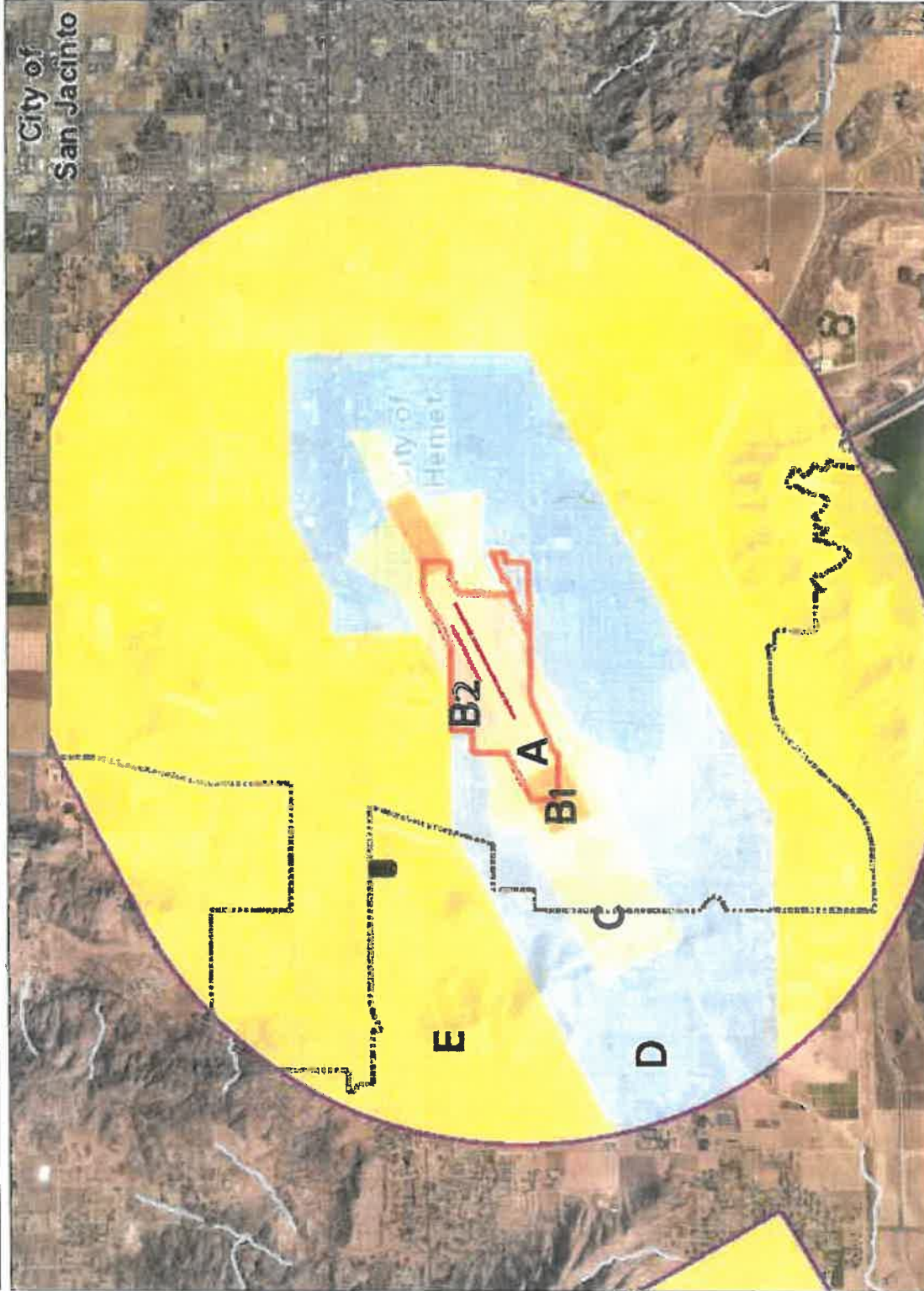
Airport Influence Area boundary measured from a point 200 feet beyond ends of proposed 14,000 4,815 foot runway in accordance with FAA airspace protection criteria (FAA Part 77). All other dimensions measured from ends and centerlines of existing 4,315 foot runway.

Riverside County  
 Airport Land Use Commission  
**Hemet-Ryan Airport**  
**Land Use Compatibility Plan**  
 (Adopted February 9, 2017)

Map HR-1

**Compatibility Map**  
 Hemet-Ryan Airport

# Map My County Map



- Legend**
- Runways
  - Airports
  - Airport Influence Areas
  - Airport Compatibility Zones
  - OTHER COMPATIBILITY ZONE
- |                |   |
|----------------|---|
| A              | ● |
| A-EXC1         | ● |
| B1             | ● |
| B1-APZ I       | ● |
| B1-APZ I-EXC1  | ● |
| B1-APZ II      | ● |
| B1-APZ II-EXC1 | ● |
| B1-EXC1        | ● |
| B2             | ● |
| B2-EXC1        | ● |
| C              | ● |
| C1             | ● |
| C1-EXC1        | ● |
| C1-EXC3        | ● |
| C1-EXC4        | ● |
| C1-HIGHT       | ● |
| C2             | ● |
| C2-EXC1        | ● |
| C2-EXC2        | ● |
| C2-EXC3        | ● |
| C2-EXC5        | ● |
| C2-EXC6        | ● |

**Notes**

**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 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.



0 6 12,314 Feet

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# Map My County Map



- Legend**
- Runways
  - Airports
  - Airport Influence Areas
  - Airport Compatibility Zones
  - OTHER COMPATIBILITY ZONE
- A**
- A-EXC1
  - B1
  - B1-APZ I
  - B1-APZ I-EXC1
  - B1-APZ II
  - B1-APZ II-EXC1
  - B1-EXC1
  - B2
  - B2-EXC1
  - C
  - C1
  - C1-EXC1
  - C1-EXC3
  - C1-EXC4
  - C1-HIGHT
  - C2
  - C2-EXC1
  - C2-EXC2
  - C2-EXC3
  - C2-EXC5
  - C2-EXC8

**Notes**

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# Map My County Map



- Legend**
- Blue Line Streams
  - City Areas
  - World Street Map



0 770 1,539 Feet

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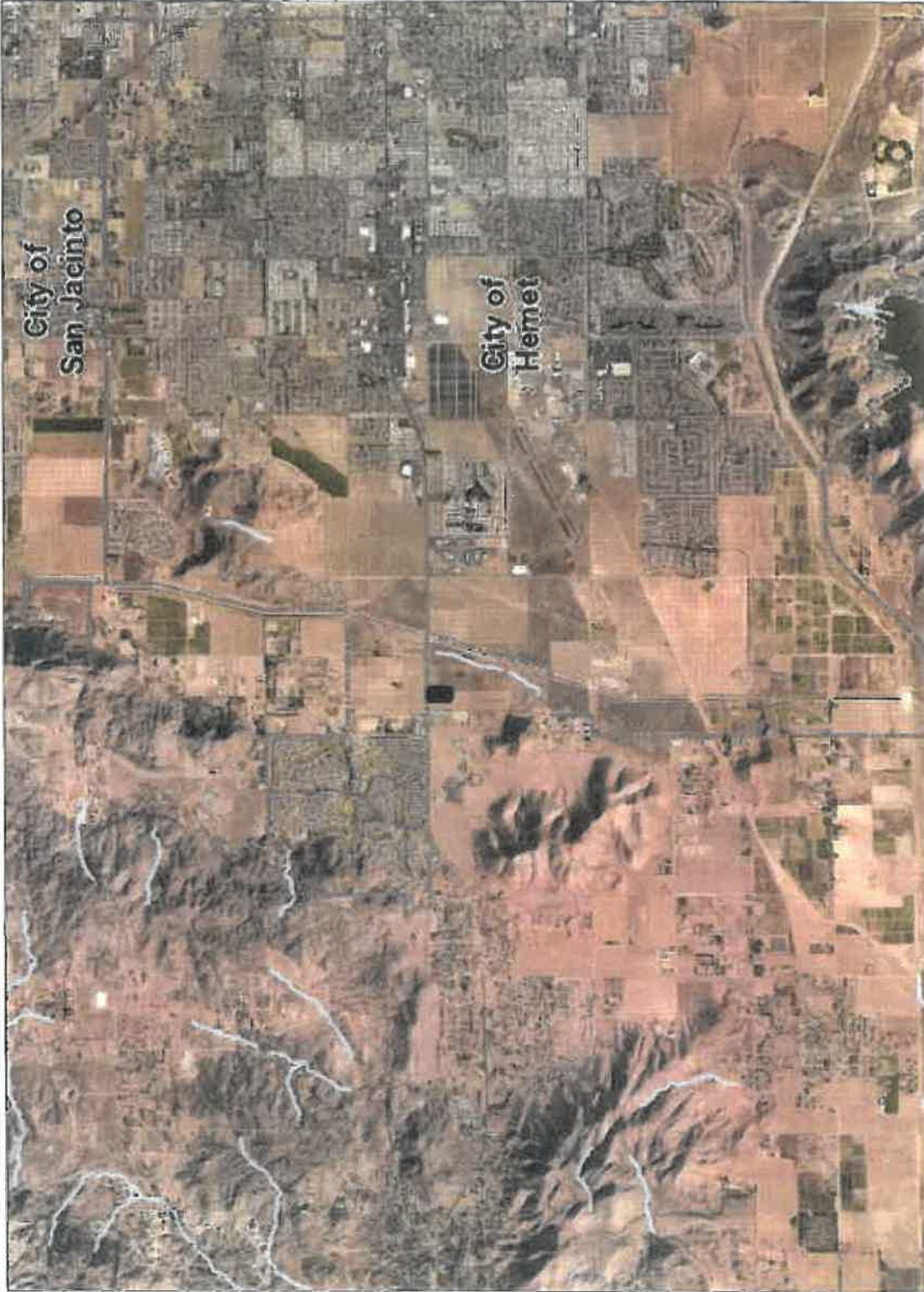
**Notes**

# Map My County Map



## Legend

- Blue Line Streams
- City Areas
- World Street Map



## Notes

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# Map My County Map



## Legend

- Blueline Streams
- City Areas
- World Street Map

## Notes

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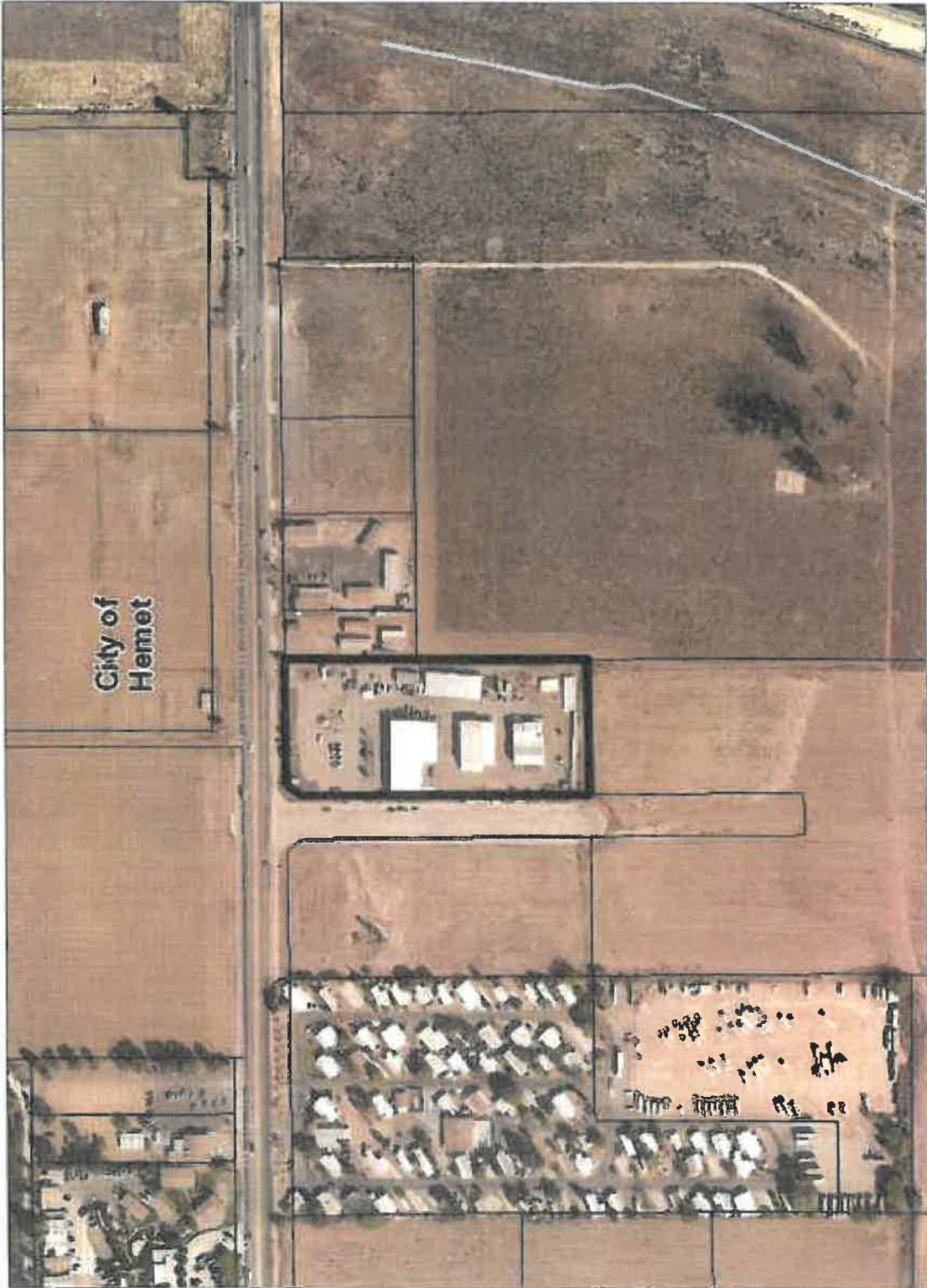


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# Map My County Map



## Legend

-  Parcels
-  Blueline Streams
-  City Areas
-  World Street Map



0 385

770 Feet

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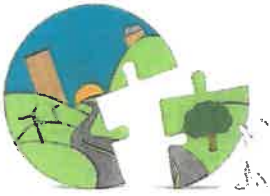
**\*IMPORTANT\*** Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, 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.

## Notes









**Charissa Leach, P.E.**  
*Assistant TLMA Director*

# RIVERSIDE COUNTY PLANNING DEPARTMENT

## General Application Form

Submit this completed General Application Form, along with a signed Applicant-Property Owner Signature Form, and an applicable Supplemental Information Form. The Forms are located on the Planning Dept. website's Development Application page (<https://planning.rctlma.org/Development-Process/Applications>) or by clicking on the applicable link above or below. Filing Instructions documents are also available on that webpage.

Select the applicable Application Type(s):

Legislative Actions	
<input type="checkbox"/> Change of Zone	<input checked="" type="checkbox"/> Development Agreement
<input type="checkbox"/> General Plan Amendment – Land Use	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> General Plan Amendment – Circulation Section	<input type="checkbox"/> Specific Plan Amendment
Subdivisions	
<input type="checkbox"/> Tentative Tract Map	<input type="checkbox"/> Minor Change
<input type="checkbox"/> Tentative Parcel Map	<input type="checkbox"/> Revised Map
<input type="checkbox"/> Vesting Map	<input type="checkbox"/> Land Division Phasing Map
<input type="checkbox"/> Amendment to Final Map	<input type="checkbox"/> Extension of Time (Ord. No. 460)
<input type="checkbox"/> Reversion to Acreage	
Use Permits	
<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Commercial Hog Ranch Permit/Amended Permit
<input type="checkbox"/> Plot Plan	<input type="checkbox"/> Revised Use Permit or Plot Plan
<input type="checkbox"/> Plot Plan – Administrative (Minor Plot Plan)	<input type="checkbox"/> Surface Mining Permit
<input type="checkbox"/> Public Use Permit	<input type="checkbox"/> Reclamation Plan/Interim Management Plan
<input type="checkbox"/> Wind Energy Conversion System Permit	<input type="checkbox"/> Revised Surface Mining Permit/Reclamation Plan
<input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> Extension of Time (Ord. No. 348)
<input type="checkbox"/> Variance	<input type="checkbox"/> Solar Power Plant
Ministerial Actions	
<input type="checkbox"/> Crowing Fowl Permit	<input type="checkbox"/> Determination of Non-Conforming Use Status
<input type="checkbox"/> FFA or 4-H Project	<input type="checkbox"/> Extension of Non-Conforming Use Status
<input type="checkbox"/> Exception to Notice Ordinance (No. 847)	<input type="checkbox"/> Outdoor Advertising Display Permit (Billboard)
<input type="checkbox"/> Food Truck	<input type="checkbox"/> Public Convenience and Necessity Determination
<input type="checkbox"/> Grading Permit Initial Study	<input type="checkbox"/> Setback Adjustment
<input type="checkbox"/> Historic District Alteration Permit	<input type="checkbox"/> Substantial Conformance to Minor Plot Plan
<input type="checkbox"/> Large Family Day Care Permit	<input type="checkbox"/> Substantial Conformance to Plot Plan or Use Permit
<input type="checkbox"/> Living Native Tree Removal Permit	<input type="checkbox"/> Substantial Conformance to Surface Mining Permit/Reclamation Plan
<input type="checkbox"/> Minor Temporary Event Permit	<input type="checkbox"/> Substantial Conformance with a Specific Plan
Miscellaneous Actions	
<input type="checkbox"/> Agricultural Preserve Disestablishment-Diminishment	<input type="checkbox"/> Request for Deposit for Planning Research
<input type="checkbox"/> Agricultural Preserve Establishment-Enlargement	<input type="checkbox"/> Geology Report Review
<input type="checkbox"/> Entry into Land Contract within Agricultural Preserve	<input type="checkbox"/> Request for Pre-Application Review
<input type="checkbox"/> Agricultural Preserve Notice of Non-Renewal	<input type="checkbox"/> MSHCP Habitat Acquisition and Negotiation Strategy (HANS)
<input type="checkbox"/> Request for Zoning Affidavit or Rebuild Letter	<input type="checkbox"/> MSHCP Habitat Acquisition and Negotiation Strategy (HANS Lite)
<input type="checkbox"/> MSHCP Expedited Review Process (ERP)	

## GENERAL APPLICATION FORM

Note: The Applicant represents that he/she has the express authority to submit this application on behalf of the Property Owner(s) and understands that the "Applicant" is not assignable without written consent by the County of Riverside, who will not consent to reassignment unless any outstanding costs have been paid by Applicant, and that all deposit statements, requests for deposits or refunds shall be directed to the Applicant.

Applicant Contact (BILLING CONTACT):			
Contact Person:	Sean	Anthony	St.Peter
	<small>First Name</small>	<small>Middle Name</small>	<small>Last Name</small>
E-mail Address:	sean_stpeter@yahoo.com		
Mailing Address:	4231	Baloba Ave	162
	<small>Street Number</small>	<small>Street Name</small>	<small>Unit or Suite</small>
	San Diego	CA	92117
	<small>City</small>	<small>State</small>	<small>Zip Code</small>
Daytime Phone No.:	619-618-8139	Mobile Phone No.:	619-618-8139

Engineer/Representative Contact, if any:			
Contact Person:	Caryn		Bailey
	<small>First Name</small>	<small>Middle Name</small>	<small>Last Name</small>
E-mail Address:	cbailey@radarchitects.com		
Mailing Address:	1286	University Ave	137
	<small>Street Number</small>	<small>Street Name</small>	<small>Unit or Suite</small>
	San Diego	CA	92103
	<small>City</small>	<small>State</small>	<small>Zip Code</small>
Daytime Phone No.:	619-795-6522	Mobile Phone No.:	619-991-8194

Property Owner Contact:			
Contact Person:	Carla		Williamson
	<small>First Name</small>	<small>Middle Name</small>	<small>Last Name</small>
E-mail Address:	WWFEED07@YAHOO.COM		
Mailing Address:	26123	CORDOBA DR.	
	<small>Street Number</small>	<small>Street Name</small>	<small>Unit or Suite</small>
	HEMET	CA	92545
	<small>City</small>	<small>State</small>	<small>Zip Code</small>
Daytime Phone No.:	951-634-1117	Mobile Phone No.:	

Check this box if there are additional persons or entities who have an ownership interest in the subject property or properties that comprise this Application and complete one or more Additional Property Owner Sheets.

**GENERAL APPLICATION FORM**

PROPERTY INFORMATION:	
Assessor's Parcel Number(s):	465-020-025
Approximate Gross Acreage:	4.0 Ac.

I/We, the applicant, certify that the following responses are true and correct. Yes  No

Generally, Ministerial Actions and Miscellaneous Actions, will not require the completion of the following Sections: "Hazardous Site Review Statement," "Hazardous Materials Disclosure Statement," "Airport Influence Area/ Federal Aviation Regulation Part 77," "Military Land Use Compatibility," or "Water Quality Management Plan Information." as part of this Application Form.

HAZARDOUS SITE REVIEW STATEMENT
<p>Government Code Section 65962.5.(f) requires the applicant for any development project to consult specified state-prepared lists and submit a signed statement to the local agency indicating whether the project is located on an identified site. Under the statute, no application shall be accepted as complete without this signed statement.</p> <p>I (we) certify that I (we) have investigated this development project with respect to the Cal EPA's Cortese List Data Resources webpage and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:</p> <p><input checked="" type="checkbox"/> The project is NOT located on any of the lists compiled pursuant to Section 65962.(e) of the Government Code.</p> <p><input type="checkbox"/> The project IS located on one of the lists compiled pursuant to Section 65962.(e) of the Government Code. Please specify the list, the date of list, and the property's regulatory identification number:</p>

HAZARDOUS MATERIALS DISCLOSURE STATEMENT
<p>Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:</p> <ol style="list-style-type: none"><li>Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></li><li>The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></li></ol>

## GENERAL APPLICATION FORM

### AIRPORT INFLUENCE AREA/ FEDERAL AVIATION REGULATION PART 77

Is the project located within an Airport Influence Area?

Yes  No

If yes, review of projects, excluding Ministerial and Miscellaneous Actions, by the Riverside County Airport Land Use Commission will be required.

*Please refer to Riverside County's Map My County website to determine if the Plan is located within an Airport Influence Area (using the Planning Layer – Airport Layers) ([https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC\\_Public](https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public))*

Generally, applications, excluding Ministerial and Miscellaneous Actions, within 8 miles of March Air Reserve Base or within 4 miles of other airports may require a Federal Aviation Administration (FAA) Obstruction Evaluation/Airport Airspace Analysis.

### MILITARY LAND USE COMPATIBILITY

Using the **California Military Land Use Compatibility Analyst website**, the owner or authorized agent has determined whether the project is located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944.

Yes  No

### WATER QUALITY MANAGEMENT PLAN INFORMATION

Is the project located within any of the following Watersheds? Check the appropriate box if applicable.

- Santa Ana/San Jacinto Valley Region
- Santa Margarita Region
- Santa Margarita Region-Other Development Project
- Whitewater Region

*Please refer to Riverside County's Map My County website to determine if the Plan is located within any of these watersheds (using the Geographic Layer – Watershed) ([https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC\\_Public](https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public))*

If any of these checkboxes are checked, go to the Planning Department website's Development Application page's Miscellaneous Exhibits/Materials subsection (Project Specific Water Quality Management Plan (WQMP) Checklists to complete the applicable Checklist Form, or click on the adjacent link to open the applicable Checklist Form. Complete the form and attach a copy of the completed form as part of the Development Application package.

If the completed Checklist Form concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a Plan shall be prepared and included along with the completed Checklist as part of the submittal of the Development Application package.

**STEP 2:** This completes the required information on this General Application form. Open the following link to access and complete the **Applicant-Property Owner Signature Form**. Completion of an applicable Supplemental Information Form for a particular application may also be required. Please refer to the

## GENERAL APPLICATION FORM

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Planning Department website's Development Application page's Filing Instruction subsection to review the specific filing instructions and documentation requirements for the application type selected.

FOR COUNTY OF RIVERSIDE USE ONLY	
Plan No:	
Set ID No., if applicable	Application Filing Date:
Print staff name and title:	

Y:\Planning Master Forms\Application Forms\\_General\\_Application\\_Form.docx  
Revised 03/15/2020

## PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on December 02, 2020,

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

APN (s) or case numbers CUP200020 / DA2000008 for

Company or Individual's Name RCIT - GIS,

Distance buffered 1600'

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

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

TITLE: GIS Analyst

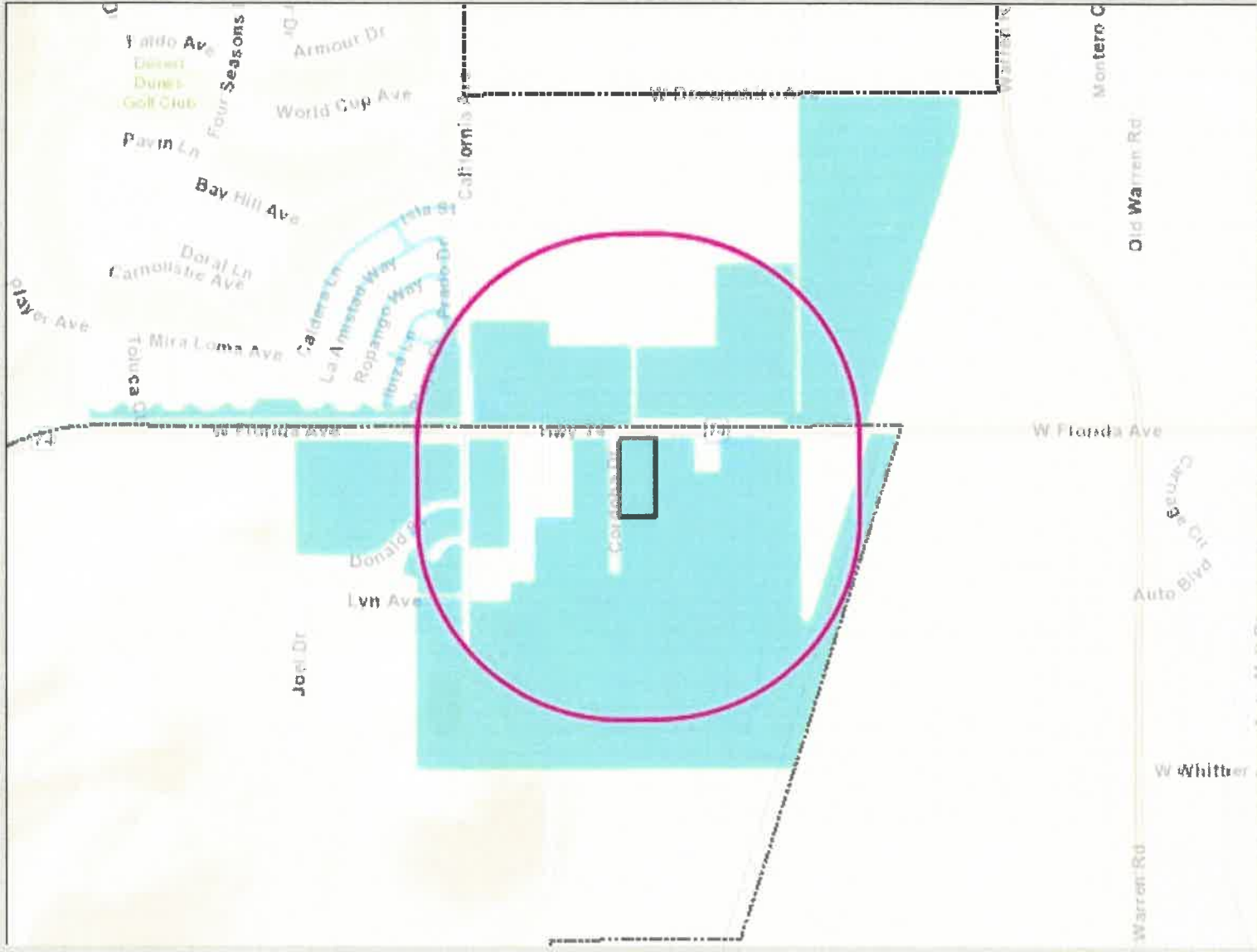
ADDRESS: 4080 Lemon Street 9<sup>TH</sup> Floor

Riverside, Ca. 92502

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

# Riverside County GIS Mailing Labels

## CUP200020 DA2000008 ( 1600 feet buffer )



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

**Notes**



0 1,505 3,009 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... 12/2/2020 4:18:56 PM

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455400024  
JAVIER AGUILAR  
116 PLAYA CT  
HEMET CA 92545

455130031  
KALI P. CHAUDHURI  
1225 E LATHAM AVE NO A  
HEMET CA 92543

455130042  
MOHAN  
1225 E LATHAM AVE NO A  
HEMET CA 92543

455400023  
THOMAS R. WALLACE  
110 PLAYA CT  
HEMET CA 92545

455400027  
CORYNN CLARK  
916 ESPLANADE NO 308  
REDONDO BEACH CA 90277

455400028  
JUAN G. VASQUEZ  
140 PLAYA CT  
HEMET CA 92545

455400084  
CARLOS PLAZAS  
1250 BEE BALM RD  
HEMET CA 92545

455360050  
BELMONTE SEVILLE COMMUNITY ASSN  
12235 EL CAMINO REAL 100  
SAN DIEGO CA 92130

455360053  
BELMONT SEVILLE COMMUNITY ASSN  
26895 ALISO CREEK NO B611  
ALISO VIEJO CA 92656

455360043  
HEARTLAND MSK REALTY VENTURES  
P O BOX 300489  
ESCONDIDO CA 92030

455130002  
CITY OF HEMET  
445 E FLORIDA AVE  
HEMET CA 92543

465020012  
SILO HILLS DEV CORP  
26305 N SAINT MARYS RD  
METTAWA IL 60048

465040012  
MARVIN P. ZOBEL  
26263 CALIFORNIA AVE  
HEMET CA 92545

465020024  
SEY CORP  
16531 BOLSA CHICA ST STE 304  
HUNTINGTON BEACH CA 92649

465020005  
PARVIZ SAMINI  
2 FOREST HILLS CT  
DANA POINT CA 92629

465020022  
MWD  
P O BOX 54153  
LOS ANGELES CA 90054

465240019  
JULIA H. DE VRIES  
4248 CITRUS AVE  
FALLBROOK CA 92028

465240029  
DENNIS R. CUTSCHALL  
11972 ASPEN WAY  
WHITEWOOD SD 57793

465240017  
LONNIE N. SELSTAD  
34939 DONALD ST  
HEMET CA 92545

465240026  
VELASCO JOSE & SERAFINA 2015 TRUST  
34950 SHANNON DR  
HEMET CA 92545

465240027  
EVANI MORALES  
34938 SHANNON DR  
HEMET CA 92545

465240018  
JOHN W. KACZMAREK  
34949 DONALD ST  
HEMET CA 92545

465240021  
BRUCE C. COOPER  
34979 DONALD ST  
HEMET CA 92545

455130015  
KALIP CHAUDHURI  
42830 CHAUDHURI CIR  
HEMET CA 92544

455130003  
C V K LTD PARTNERSHIP  
7100 W HIGHWAY 74  
HEMET CA 92545

455130004  
VALNITECO  
P O BOX 185  
HEMET CA 92546

455130005  
VALNITECO INC  
BOX 185  
HEMET CA 92546

455400031  
DUSTIN CHARLES SHUMWAY  
7572 TAMARINDO DR  
HEMET CA 92545

455130006  
7 SUMMIT PROP 2  
1600 E FLORIDA AVE STE 110  
HEMET CA 92544

455130041  
KALI PRADIP CHAUDHURI CHARITABLE  
9 KPC PKY STE 301  
CORONA CA 92879

465020006  
SANTIAGO PALM VISTA  
P O BOX 11927  
SANTA ANA CA 92711

465020042  
GABRIELLE BIDONDO  
2573 SEGOVIA  
LA VERNE CA 91750

465240020  
GARY D. LUPO  
34969 DONALD ST  
HEMET CA 92545

465240022  
ERIK M. MARTINEZ  
34989 DONALD ST  
HEMET CA 92545

465240030  
ELEANOR SHOOK  
34955 SHANNON DR  
HEMET CA 92545

465240031  
ARTURO SILVA  
34987 SHANNON DR  
HEMET CA 92545

465240032  
FRANCISCO LEYVA CAMARILLO  
34911 SHANNON DR  
HEMET CA 92545

465240016  
ROBERT PONE  
5314 W HENDERSON PL  
SANTA ANA CA 92704

455400025  
HUMBERTO MARTHA ESTRADA  
124 PLAYA CT  
HEMET CA 92545

455400026  
ANGEL C. GONZALEZ  
128 PLAYA CT  
HEMET CA 92545

455400030  
MARK A. MOREAU  
22180 LAS PALMAS CT  
SAN JACINTO CA 92283

465020002  
BIDONDO GABRIELLE  
2573 SEGOVIA  
LA VERNE CA 91750

465020004  
MASSOUD TAJIK  
26541 PALISADES DR  
CAPISTRANO BEACH CA 92624

465020019  
IRELAND INV  
41763 IVY ST  
MURRIETA CA 92562

465240023  
RONALD GENE RHINEHART  
26205 CALIFORNIA AVE  
HEMET CA 92545

465240024  
MICHAEL J. WOODWARD  
34974 SHANNON DR  
HEMET CA 92545

465240028  
BRUCE E. REED  
34926 SHANNON DR  
HEMET CA 92545

465020021  
DENNIS R. WILLIAMS  
42820 WOODY KNOLL RD  
MURRIETA CA 92562

465020025  
JAMES R. WILLIAMSON  
P O BOX 129  
WINCHESTER CA 92596

465040023  
JOAN M. BORBA  
1891 LIVE OAK WAY  
UPLAND CA 91784

455130040  
HEXAGONAL PARTNERSHIP  
1225 E LATHAM AVE NO B  
HEMET CA 92543

455400029  
JAVIER VEGA  
4777 BERKELEY ST  
MONTCLAIR CA 91763

455400085  
CLIFFORD FAMILY REVOCABLE LIVING TRUST  
29437 SPRINGSIDE DR  
MENIFEE CA 92584

465240025  
HUERTA ROBERT DE LA  
34962 SHANNON DR  
HEMET CA 92545

465240033  
GEORGE MORENO  
405 TERRY LN  
HEMET CA 92544

465240034  
JACK RAY COWAN  
34946 LYN AVE  
HEMET CA 92545

465020026  
WESTERN RIVERSIDE COUNTY REGIONAL  
3403 TENTH ST STE 320  
RIVERSIDE CA 92501

465020027  
200 CC HOLDINGS  
200 CARRIAGE CIR  
HEMET CA 92545

465020043  
WESTERN RIVERSIDE COUNTY REG CON  
P O BOX 1667  
RIVERSIDE CA 92502

**Applicant/Owner:**

Sean St. Peter  
4231 Balboa Ave, Suite 162  
San Diego, CA 92117

**Non-County Agencies:**

**Applicant/Owner:**

Sean St. Peter  
4231 Balboa Ave, #162  
San Diego, CA 92117

**Engineer/Rep:**

Caryn Bailey  
1286 University Ave, #137  
San Diego, CA 92103

**Engineer/Rep:**

Caryn Bailey  
1286 University Ave, #137  
San Diego, CA 92103

**Owner:**

Carla Williamson  
26123 Cordoba Dr  
Hemet, CA 92545

**Owner:**

Carla Williamson  
26123 Cordoba Dr  
Hemet, CA 92545



# RIVERSIDE COUNTY PLANNING DEPARTMENT

**Charissa Leach, P.E.**  
**Interim TLMA Director**

## NOTICE OF EXEMPTION

TO:  Office of Planning and Research (OPR) FROM: Riverside County Planning Department  
P.O. Box 3044  4080 Lemon Street, 12th Floor  38686 El Cerrito Road  
Sacramento, CA 95812-3044 P. O. Box 1409 Palm Desert, CA 92201  
 County of Riverside County Clerk Riverside, CA 92502-1409

**Project Title/Case No.:** Conditional Use Permit No. 200020 (CUP200020)/Development Agreement No. 2000008 (DA2000008)

**Project Location:** The project is located south of Florida Ave/State Highway 74, east of Cordoba Drive, north of Stetson Ave, and west of Warren Rd. The project is located in the Harvest Valley/Winchester Area Plan and is located near the city of Hemet.

**Project Description:** Conditional Use Permit No. 200020 is a proposal to redevelop an existing 8,400 square foot building to be used as a cannabis retail storefront that shall also include mobile deliveries, as well as a cannabis distribution facility. The project shall also include updates to the project site for parking and landscaping. Development Agreement No. 2000008 has a term of 5 years and grants the applicant vesting rights to develop the Project in accordance with the terms of Development Agreement No. 2000008 and Conditional Use Permit No. 200020 and will provide community benefits to the Hemet-San Jacinto Area.

**Name of Public Agency Approving Project:** Riverside County Planning Department

**Project Applicant & Address:** Cannabis 21+, c/o Sean St. Peter, 4231 Balboa Ave #162, San Diego, CA 92117

**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 (Sec. 15301, Sec. 15061(b)(3))
- Statutory Exemption (\_\_\_\_\_)
- Other: \_\_\_\_\_

NOTICE OF EXEMPTION  
Page 2

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**Reasons why project is exempt:** This project is exempt from the California Environmental Quality Act (CEQA) review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). This exemption specifically exempts 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 proposal for CUP200020 shall include the redevelopment of an existing 8,400 square foot commercial building as a Cannabis retail storefront and distribution facility. Under this categorical exemption, the redevelopment of the existing building shall be considered negligible or no expansion of existing or former use as the tenant improvements proposed are limited to the interior of the building, with minor upgrades to the exterior and site to meet county standards.

None of the exceptions pursuant to State CEQA Guidelines section 15300.2 would occur. The Project would not have a significant effect on the environment due to unusual circumstances; would not result in a cumulative impact; would not impact any historic resources; and is not located on a hazardous site or location. The proposed cannabis related use does not present any unusual circumstances since it would present similar environmental impacts compared to any other retail use that would be permitted to occupy the project site. Since all impacts of the proposed use would be similar to other uses that would occupy the space, all potential cumulative impacts of this use were also previously addressed in the prior approvals. No historic resources are known to exist on the site that could be impacted since the site is recently developed. The site is not known to be located on a hazardous site based on available data. Additionally, since the State has created various rules and regulations as they relate to cannabis waste, particularly for cannabis cultivators, there are no impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis (the State actually treats cannabis as an organic waste, versus a hazardous waste). Accordingly, there are no exceptions to the above categorical exemptions that would prevent them from applying.

This proposed project is also exempt from California Environmental Quality Act (CEQA) review pursuant to Article 5 - Preliminary Review of Projects and Conduct of Initial Study, Section 15061 (b)(3), which states: Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA. The Project is deemed to be a "project" pursuant to CEQA. The Project is a retail business (cannabis retail) and distribution facility which shall include the redevelopment of an 8,400 square foot business to accommodate the Cannabis retail storefront and distribution facility. The Project is EXEMPT under State CEQA Guidelines Section 15061 because Section (b) (3) states: The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Project will continue to utilize the site as a commercial land use and will not result in any additional impacts related to traffic, air quality, or public safety, beyond what already occurs at the existing commercial retail establishment. As the land is already developed, there are no potential impacts related to aesthetics, biological and cultural resources, hydrology, or other similar potential impacts. Lastly, as the State has created various rules and regulations as they relate to cannabis waste, particularly for cannabis cultivators, there are no impacts related to cannabis as a hazardous waste as it relates to the commercial selling of cannabis (the State actually treats cannabis as an organic waste, versus a hazardous waste). Therefore, the project meets the requirements for CEQA exemption per Section 15061(b)(3) as there is no potential that the Project as proposed would have a significant physical impact on the environment.

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County Contact Person

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Phone Number

---

Signature

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Title

---

Date

Date Received for Filing and Posting at OPR: \_\_\_\_\_



