
PLANNING COMMISSIONERS

JEFFREY SIMS
Chairperson

RAY L. BAKER
Vice Chairperson

PATRICIA KORZEC
Commissioner



ALVIN DEJOHNETTE
Commissioner

JOANN STEPHAN
Commissioner

ROBERT HARRIS
Commissioner

RAFAEL BRUGUERAS
Commissioner

PLANNING COMMISSION

Regular Meeting

Agenda

Thursday, December 12, 2019 at 7:00 PM
City Hall Council Chamber – 14177 Frederick Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENTS PROCEDURE

Any person wishing to address the Commission on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must fill out a "Request to Speak" form available at the door. The completed form must be submitted to the Secretary prior to the Agenda item being called by the Chairperson. In speaking to the Commission, member of the public may be limited to three minutes per person, except for the applicant for entitlement. The Commission may establish an overall time limit for comments on a particular Agenda item. Members of the public must direct their questions to the Chairperson of the Commission and not to other members of the Commission, the applicant, the Staff, or the audience.

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no discussion of these items unless Members of the Planning Commission request specific items be removed from the Consent Calendar for separate action.

1. Planning Commission Minutes – Regular Meeting – November 14, 2019 7:00 PM

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

NON-PUBLIC HEARING ITEMS

1. Case: PEN19-0243

Applicant: Moreno Valley Unified School District (MVUSD)

Property Owner: MVUSD

Representative: Samer Alzubaidi, MVUSD

Location: Northwest corner of Cactus Avenue and Wilmot Street

Case Planner: Chris Ormsby

Council District: 3

Proposal: Request from the Moreno Valley Unified School District for a report related to the sale of 10.1 acres of land at the northwest corner of Cactus Avenue and Wilmot Street

PUBLIC HEARING ITEMS

1. Case: PEN19-0054

Applicant: The Cannabis Group, LLC

Property Owner: Armando Franco

Representative: Kevin Wolf, Germania

Location: 24081 Postal Avenue

Case Planner: Jerry Guarracino

Council District: 1

Proposal: Conditional Use Permit for retail cannabis dispensary, "Treehouse" in a 2,528 square foot single-story building located at 24081 Postal Avenue.

2. Case: Master Plot Plan (PEN19-0209) and Conditional Use Permit (PEN19-0076)

Applicant: From the Earth, LLC

Property Owner: Kenney Kha

Representative: Andrea Arcilla, EPD Solutions

Location: South side of Sunnymead Boulevard at Back Way (APN's: 481-140-004 and 481-140-005)

Case Planner: Jerry Guarracino, Contract Planner

Council District: 1

Proposal: A Master Plot Plan (PEN19-0209) to construct a 7,250 sq. ft. multi-tenant commercial building and a Conditional Use Permit (PEN19-0076) to allow the operation of a retail cannabis dispensary, "From The Earth" in 6,030 sq. ft. tenant space within the new retail building located in the Village Specific Plan, SP 204, Village Commercial/Residential (VCR) district

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Planning Commission Regular Meeting, December 26, 2019 at 7:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

**OFFICIAL MINUTES OF THE
PLANNING COMMISSION
OF THE CITY OF MORENO VALLEY**

**REGULAR MEETING – 7:00 PM
November 14, 2019**

CALL TO ORDER

This Regular meeting of the Planning Commission of the City of Moreno Valley was called to order at 7:02 p.m., by Chairperson Sims in the Council Chambers located at 14177 Frederick Street, Moreno Valley, California.

ROLL CALL

Planning Commission:	Jeffrey Sims	Chairperson	Present
	Ray L. Baker	Vice Chairperson	Present
	Patricia Korzec	Commissioner	Present
	Robert Harris	Commissioner	Present
	JoAnn Stephan	Commissioner	Present
	Rafael Brugueras	Commissioner	Present
	Alvin DeJohnette	Commissioner	Present

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Stephan.

APPROVAL OF AGENDA

Motion to approve the agenda was made by Vice Chairperson Baker and seconded by Commissioner Harris.

Vote: 7-0

Ayes: Vice Chairperson Baker, Commissioner Harris, Korzec, Stephan, Brugueras, Chair Sims and Commissioner DeJohnette.

Action: Approved

STAFF PRESENT

Paul Early	City Attorney
Patty Nevins	Acting Community Development Director
Sean Kelleher	Senior Planner
Julia Descoteaux	Associate Planner
Gabriel Diaz	Associate Planner
Jerry Guarracino	Contract Planner
Eric Lewis	City Traffic Engineer
Michael Lloyd	Assistant City Engineer
Hoang Nguyen	Associate Engineer
Ashley Aparicio	Planning Commission Secretary

PUBLIC COMMENTS PROCEDURE

PUBLIC COMMENTS

No public speakers.

CONSENT CALENDAR

1. Planning Commission - Regular Meeting - Oct 24, 2019 7:00 PM

Motion to approve the minutes of October 24, 2019 was made by Vice Chairperson Baker and seconded by Commissioner Brugueras.

Vote: 7-0

Ayes: Vice Chairperson Baker, Commissioner Brugueras, Korzec, Harris, Stephan, Chairperson Sims and Commissioner DeJohnette

Action: Approved

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

1. Continued from Planning Commission Hearing of October 24, 2019, Conditional Use Permit for a Cannabis Microbusiness in a 26,678 square foot retail space located at 24685 Alessandro Boulevard within the Sunnymead Village Center. (Report of: Planning Commission)
 - A. Staff recommends that the Planning Commission APPROVE Resolution No. 2019-36, and thereby:
 1. Certify that Conditional Use Permit PEN19-0177 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Exemption (Section 15301, Existing Facilities); and
 2. Approve Conditional Use Permit PEN19-0177 subject to the attached Conditions of Approval included as Exhibit A.

Public Hearing Opened: 7:10 p.m.

No public speakers.

Public Hearing Closed: 7:10 p.m.

Motion to approve Resolution No. 2019-36 was made by Commissioner Korzec and seconded by Commissioner Harris.

Minutes Acceptance: Minutes of Nov 14, 2019 7:00 PM (CONSENT CALENDAR)

Vote: 7-0
Ayes: Commissioner Korzec, Harris, Stephan, Brugueras, Chairperson Sims, Vice Chairperson Baker and Commissioner DeJohnette
Action: Approved

2. Conditional Use Permit for a retail cannabis dispensary, The Goodlife, CUP PEN19-0094, in a 2,145 square foot retail space located at 24384 Sunnymead Boulevard, suites 100-106 and 115. (Report of: Planning Commission)
 - A. Staff recommends that the Planning Commission APPROVE Resolution No. 2019-41, and thereby:
 1. Certify that Conditional Use Permit PEN19-0094 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Exemption (Section 15301, Existing Facilities); and
 2. Approve Conditional Use Permit PEN19-0094 subject to the attached Conditions of Approval included as Exhibit A to the Resolution.

Public Hearing Opened: 7:26 p.m.

Tom Jerele Sr. did not oppose the project but wanted to advise concerns.

Public Hearing Close: 7:30 p.m.

Motion to approve Resolution No. 2019-41 was made by Commissioner Korzec and seconded by Commissioner DeJohnette.

Vote: 7-0
Ayes: Commissioner Korzec, DeJohnette, Harris, Stephan, Brugueras, Chairperson Sims and Vice Chairperson Baker
Action: Approved

3. Planned Unit Development/Conditional Use Permit for a 20 Multi-Unit Residential Development on 1.36 acres located on the south side of Fir Avenue west of Perris Boulevard (Report of: Planning Commission)
 - A. Staff recommends that the Planning Commission APPROVE Resolution No. 2019-35, and thereby:
 1. Certify that Planned Unit Development/Conditional Use Permit PEN18-0086 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill development Projects); and

2. Approve Planned Unit Development/Conditional Use Permit PEN18-0086, subject to the attached conditions of approval included as Exhibit A.

Public Hearing Opened: 7:51 p.m.

Tom Jerele Sr. supports the item.

Public Hearing Closed: 7:54 p.m.

Motion to approve Resolution No. 2019-35 was made by Commissioner Korzec and seconded by Commissioner DeJohnette.

Vote: 7-0

Ayes: Commissioner Korzec, DeJohnette, Harris, Stephan, Bruguera, Chairperson Sims and Vice Chairperson Baker

Action: Approved

4. Plot Plan for an 18 Unit Multiple-Family Residential Development on 1.86 Acres located on the west side of Edgemont Street between Eucalyptus Avenue and Dracea Avenue (Report of: Planning Commission)

A. Staff recommends that the Planning Commission APPROVE Resolution No. 2019-42, and thereby:

1. Certify that Plot Plan PEN18-0064 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill development Projects); and
2. Approve Plot Plan PEN18-0064, based on the findings contained in this resolution, and subject to the attached conditions of approval included as Exhibit A.

Public Hearing Opened: 8:19 p.m.

Tom Jerele supports the item.

Brenda Addie supports the item and expressed her concerns about the project.

Public Hearing Closed: 8:23 p.m.

Motion to approve Resolution No. 2019-42 was made by Vice Chairperson Baker and seconded by Commissioner Stephan.

Vote: 7-0
Ayes: Vice Chairperson Baker, Commissioner Stephan, Korzec, Harris,
Brugueras, Chairperson Sims and Commissioner DeJohnette
Action: Approved

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

No items for discussion.

PLANNING COMMISSIONER COMMENTS

Commissioner Korzec said she would like to know with the State's new development requirements to have solar panels come January 2020 will affect the City's current projects.

Patty Nevins, Acting Community Development Director, stated this would only effect new applications as of January 1, 2020.

Chairperson Sims stated he was grateful for the resurfacing in his area and would like to thank the staff. He also asked if we had any updates on the Golf Course.

Paul Early, City Attorney, stated the Golf Course is still in progress and that the City is working out the fine details and possible minor changes to the plan. It is still moving forward with the Plan Check review process.

Commissioner Brugueras asked about the fencing on properties that are not in use.

Mr. Early stated it is only required if there is a swimming pool.

Chairperson Sims stated that one of his neighbors was wondering about the new logistic center, specifically Solaris Paper on the East End of town. His neighbor have been hearing a humming from one of the buildings and would like to know when the Commission approves items and it goes through the building process, who is looking at the noise levels?

Ms. Nevins said the City has Noise Standards within our Zoning Ordinance and it's possible this was something that was not anticipated.

Chairperson Sims asked whom he should direct his neighbor to talk to.

Mr. Early stated that if it is during hours of operation, they should reach out to the City Code Enforcement Department.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairperson Sims adjourned the meeting at 8:40 PM.

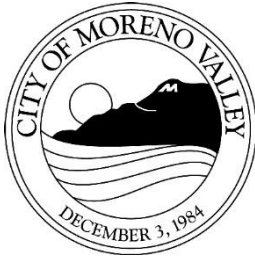
Submitted by:

Approved by:

Ashley Aparicio
Planning Commission Secretary

Jeffrey Sims
Chairperson

Minutes Acceptance: Minutes of Nov 14, 2019 7:00 PM (CONSENT CALENDAR)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: December 12, 2019

REQUEST FROM THE MORENO VALLEY UNIFIED SCHOOL DISTRICT FOR REPORT REGARDING SALE OF PROPERTY

Case: PEN19-0243

Applicant: Moreno Valley Unified School District (MVUSD)

Property Owner: MVUSD

Representative: Samer Alzubaidi, MVUSD

Location: Northwest corner of Cactus Avenue and Wilmot Street

Case Planner: Chris Ormsby

Council District: 3

Proposal: Request from the Moreno Valley Unified School District for a report related to the sale of 10.1 acres of land at the northwest corner of Cactus Avenue and Wilmot Street

SUMMARY

The Moreno Valley Unified School District has notified the City of its proposal to sell two adjacent parcels within the City of Moreno Valley. The property is located in the southeast portion of the City on the north side of Cactus Avenue. The District is requesting that the City of Moreno Valley submit a report to the District regarding this sale in accordance with the provisions of Government Code Section 65402(c). The District is requesting verification that the proposed land use conforms to the City's General Plan.

Background

City staff received a letter dated November 5, 2019 providing notice of the District's intent to sell approximately 10.1 acres of vacant land at the northwest corner of Cactus Avenue and Wilmot Avenue (APNs: 478-100-035 and 478-100-012; see attached letter). The letter requests that the City submit a report to the District regarding the District's proposed sale of the Property. Government Code section 65402(c) (Attachment 2) provides that a local agency's acquisition or disposal of real property shall be submitted to and reported upon by the planning agency with respect to conformity with the adopted general plan. The failure of the City of Moreno Valley to submit a report within forty (40) days after this matter has been submitted to the City shall be conclusively deemed to be a finding that the proposed sale of these properties is in conformity with the City of Moreno Valley's General Plan.

Analysis

The subject property is approximately 10.1 acres of land in proximity to existing residential uses. The property is adjacent to a single-family residential development that is under construction to the north and the west and developed single-family homes on the south side of Cactus Avenue. The property to the east is vacant.

The surrounding General Plan designation and zoning of the property is R5 to the north and west (maximum 5 dwelling units per acre). The General Plan designation to the south is R10 (maximum 10 dwelling units per acre); the zoning to the south is Specific Plan 193 Medium Low. The property to the south is developed consistent with the Specific Plan zoning. The vacant property to the east is designated for residential development as R15 (max. 15 dwelling units per acre) and R20 (max. 20 dwelling units per acre).

Moreno Valley General Plan Consistency

Based on a review of the General Plan, the sale of the property will not conflict with any policies of the General Plan. The General Plan established the Public/Quasi-Public (P) land use category to provide property for civic, cultural and public utility uses, including, but not limited to schools, libraries, fire stations, museums, and government offices. The sale of property within the Public General Plan and zoning designations would be consistent with the City's General Plan if the property is developed consistent with the General Plan designation for "Public" and the applicable zoning standards. The zone allows for a number of permitted uses related to public facilities and agricultural uses, and allows other conditionally permitted uses within 300 feet of residential including churches, assisted living facilities, and day care centers. The use for residential or other non-public development would require a General Plan Amendment and Change of Zone.

It should be noted that Parcel No. 478-100-035 is approximately 90 feet wide which is less than the minimum site width of 160 feet for the Public zone. Therefore, this parcel should be sold in conjunction with 478-100-012 to ensure that the buyer can develop a

project that would be consistent with the City's General Plan and Municipal Code standards.

As discussed above, the Planning Commission must report on whether the District's proposed disposition of real property conforms with the Moreno Valley General Plan within 40 days after the matter has been submitted to it (by or before December 15th). If the Planning Commission fails to report on the proposed acquisition within the 40-day period, it is conclusively deemed a finding by the Commission that the proposed acquisition conforms to the Moreno Valley General Plan. This staff report serves as the report under Section 65402(c) of the Government Code.

CONCLUSION

The sale of Assessor's Parcel Nos. 478-100-035 and 478-100-012 would not be in conflict with the City's General Plan policies. Although the permitted and conditionally permitted uses under the City's Municipal Code are limited within the Public designation, there are potential uses that are permitted or conditionally permitted within the Public designation that could be proposed for the site that would be consistent with the General Plan.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission consider the location, purpose, and extent of the proposed real property disposition by the Moreno Valley Unified School District and take the following action:

ADOPT the conclusions as set forth in the staff report regarding the real property disposition by the Moreno Valley Unified School District.

Prepared by:
Chris Ormsby
Senior Planner

Approved by:
Albert Armijo
Interim Planning Manager

ATTACHMENTS

1. MVUSD Letter November 5, 2019
2. Government Code Section 65402(c)



**MORENO VALLEY
UNIFIED SCHOOL DISTRICT**

FACILITIES PLANNING AND
DEVELOPMENT DEPARTMENT

25634 Alessandro Blvd.
Moreno Valley, CA 92553
951-571-7500
www.mvusd.net

BOARD OF EDUCATION

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Chief Academic Officer

SUSANA LOPEZ
Chief Business Official

ROBERT VERDI, ED.D.
Chief Human Resources Officer

November 5, 2019

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

City of Moreno Valley
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Re: Sale of Property Interests Currently Owned by the Moreno Valley Unified School District

To All Concerned Parties:

Pursuant to California Government Code Section 65402(c), the Moreno Valley Unified School District ("District") is hereby giving the City of Moreno Valley notice that the District intends to sell approximately 10.1 acres of vacant land known as APN # 478-100-035 and APN # 478-100-012 (the "Property"), which the District currently owns. A depiction of the property is enclosed herewith.

The District hereby requests that the City of Moreno Valley submit a report to the District regarding the District's proposed sale of the Property. Government Code Section 65402(c) provides that the failure of the City of Moreno Valley to submit a report within forty (40) days after this matter has been submitted to the City of Moreno Valley shall be conclusively deemed to be a finding that the proposed sale of the Property is in conformity with the City of Moreno Valley's General Plan.

Thank you for your cooperation in this matter.

Sincerely,

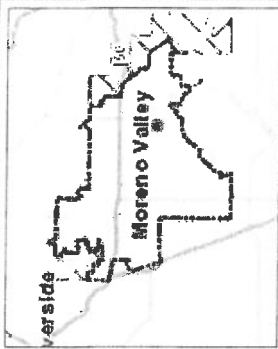
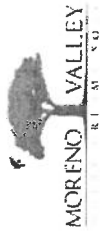
Samer Alzubaidi
Facilities Director

Encl.

Attachment: MVUSD Letter November 5, 2019 (3844 : Request from the Moreno Valley Unified School District regarding sale of property)

EXHIBIT A-2

Cactus Wilmot APN 478-100-035



Legend

- Schools
- Public Facilities
- Public Facilities
- Fire Stations
- Parcels
- City Boundary
- Sphere of Influence

Notes

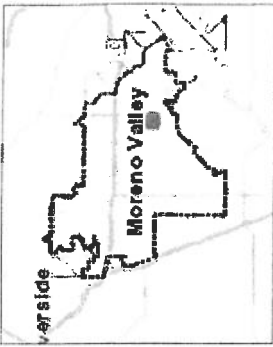
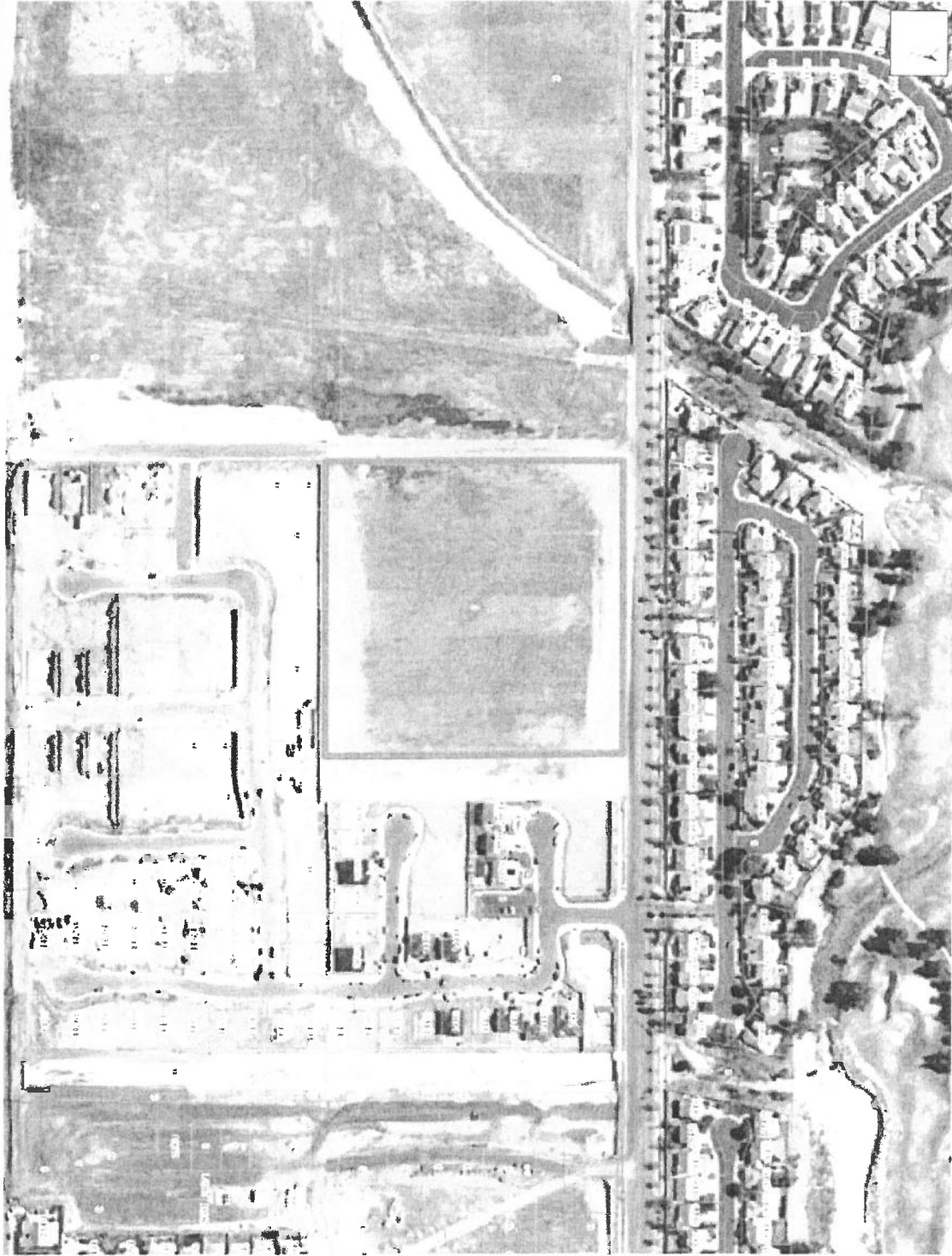
DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.



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Print Date: 8/13/2019

EXHIBIT A - 1

Cactus Wilmot APN 478-100-012



Legend

- Schools
- Public Facilities
- Public Facilities
- Fire Stations
- Parcels
- City Boundary
- Sphere of Influence

Notes

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631.0 Feet

315.48

0

631.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 8/13/2019

California Government Code

§ 65402

- (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

- (b) A county shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another county or within the corporate limits of a city, if such city or other county has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, and a city shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another city or in unincorporated territory, if such other city or the county in which such unincorporated territory is situated has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. The provisions of this paragraph (b) shall not apply to acquisition or abandonment for street widening or alignment projects of a minor nature if the legislative body having the real property within its boundaries so provides by ordinance or resolution.
- (c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. If the planning agency disapproves the location, purpose or extent of such acquisition,

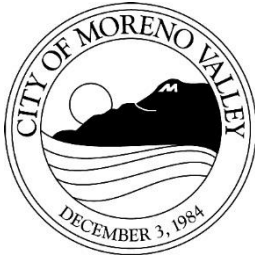
disposition, or the public building or structure, the disapproval may be overruled by the local agency.

Local agency as used in this paragraph (c) means an agency of the state for the local performance of governmental or proprietary functions within limited boundaries. Local agency does not include the state, or county, or a city.

Location: https://california.public.law/codes/ca_gov't_code_section_65402.

Original Source: § 65402, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=65402. (last accessed Jun. 6, 2016).

Attachment: Government Code Section 65402(c) (3844 : Request from the Moreno Valley Unified School District regarding sale of property)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: December 12, 2019

CONDITIONAL USE PERMIT FOR A RETAIL CANNABIS DISPENSARY, TREEHOUSE, CUP PEN19-0054, IN A 2,528 SQUARE FOOT SINGLE STORY BUILDING LOCATED AT 24081 POSTAL AVENUE.

Case:	PEN19-0054
Applicant:	The Cannabis Group, LLC
Property Owner	Armando Franco
Representative	Kevin Wolf, Germania
Location:	24081 Postal Avenue
Case Planner:	Jerry Guarracino
Council District:	1
Proposal	Conditional Use Permit for retail cannabis dispensary, "Treehouse" in a 2,528 square foot single-story building located at 24081 Postal Avenue.

SUMMARY

The Applicant, The Cannabis Group, LLC, is requesting approval of a Conditional Use Permit (CUP) to allow a retail cannabis dispensary, "Treehouse" in a 2,528 square foot single-story retail building in the Village Specific Plan SP 204, Village Commercial/Residential (VCR) district. The applicant is proposing hours of operation between 6:00 am and 10:00 pm, seven days per week. The proposed use is for commercial retail sales of cannabis and cannabis products sold to individuals who are 21 years of age or older, or 18 years or older with a medical prescription. This project, as conditioned, is consistent with goals, policies and objectives of the City's General Plan and Municipal Code.

BACKGROUND

Pursuant to the authority granted to the City by Article XI, Section 7 of the California Constitution, a City may make and enforce, within its limits, regulations designed to promote the public health, safety and welfare. The City Council, recently adopted Ordinances that regulate commercial cannabis businesses in the City. These Ordinances are based on both federal and state laws.

Federal and State Laws

The Federal Controlled Substances Act classifies marijuana as a Schedule 1 Drug and makes it unlawful, under federal law, for any person to cultivate, manufacture, distribute, or possess with intent to manufacture, distribute, dispense, or possess. However, in 2016, Proposition 64 was approved by the voters in California (“The Adult Use Marijuana Act” or AUMA). AUMA established a comprehensive system to legalize, control and regulate the cultivation, processing, manufacturing, distribution, testing and sale of non-medical marijuana and products for use by adults 21 years of age and older. In addition, it allows taxation of commercial growth and retail sales of marijuana and marijuana products. Most recently, in 2017, then Governor Jerry Brown signed the “Medical and Adult-Use Cannabis Regulations and Safety Act” (MAUCRSA) which further amends prior statutory enactments.

City Regulations

In November 2017, the City Council adopted Ordinance 926, which set rules for the establishment, operation, and regulation of specific commercial cannabis uses, and in March 2018 the City Council approved Resolution 2018-11 approving the initial procedure for permit applications. Land use regulations for the operation of the cannabis uses were established in April 2018 with the adoption of Ordinance 932, which provided for the following cannabis uses: dispensaries, testing, cultivation, manufacturing, microbusinesses, and distribution.

Additionally, in December 2018, the City Council adopted Resolution No. 2018-94, establishing a maximum of 43 commercial cannabis permits. The table below identifies the various types of commercial cannabis permit types, number of permits allowed, and number and status of permits submitted.

Commercial Cannabis Permit Types	Number of Permits Allowed	Number of Provisional Business Permits Issued	Number of Conditional Use Permit Applications Submitted	Number of Conditional Use Permit Applications In Review	Number of Conditional Use Permit Applications Approved
Dispensaries	23	23*	22*	13	8
Testing Facilities	2	0	0	0	0
Cultivation	8	2	2	2	0
Manufacturing	5	2	2	2	0

Distribution (of products from licensee to licensee only)	2	2	2	1	1
Microbusinesses	3	3*	3*	0	2
*Note: The Provisional Business License for one Microbusiness and one Dispensary have been revoked; therefore, the associated Conditional Use Permit Applications were closed.					

The City’s multi-step process for selecting commercial cannabis businesses that can legally operate in the City as follows:

Step 1 – Application Process. Commercial Cannabis Business Permit applications were reviewed and a background check of business Owner(s) and their Employees, was conducted. Applications with a minimum overall score of 80% were interviewed by staff to establish a candidate pool, and applications were required to be submitted through an online (PlanetBids) system. The City issued provisional Commercial Cannabis Business Permits to 32 successful applicants. Only those commercial cannabis businesses with provisional permits are eligible to proceed to the subsequent steps in the process.

Step 2 – Obtain a Conditional Use Permit. Municipal Code Section 9.09.290C2 requires that commercial cannabis businesses must obtain a Conditional Use Permit, which is a land use entitlement process to confirm the proposed land use and site development elements will be consistent with City established development regulations as well as compatible with other land uses near the proposed project.

Step 3 – State approval. In addition to local permits, each Commercial cannabis business must also obtain applicable State of California cannabis permits prior to commencing operation lawfully within the City.

Step 4 – Obtain a Certificate of Occupancy. Lastly, all commercial cannabis businesses must obtain a Certificate of Occupancy (“C of O”) from the Building and Safety Division, prior to opening for business. The C of O is the final step in the process and documents that the Applicant has completed all required tenant improvements to the building and modifications to the parking lot, as required by conditions of approval in the CUP Resolution, and have paid all requisite City fees.

Provisional Commercial Cannabis Business Permit

On, December 20, 2018, The Cannabis Group, LLC, received a provisional Commercial Cannabis Business Permit (Permit Number MVCCBP-R0023) from the City of Moreno Valley. A subsequent application for a Conditional Use Permit was submitted to the City on February 14, 2019. The applicant represents that they will apply for the necessary state permits once the Planning Commission approves the CUP application.

PROJECT DESCRIPTION

Project

The applicant is requesting approval to establish a commercial cannabis dispensary (retail sales only), named "Treehouse." The site is located at 24081 Postal Avenue, in an existing one-story retail building, located on the south side of Postal Avenue and east of Heacock Street (Assessor's Parcel Number 481-112-001). The use will occupy the entire building and cover 2,528 square feet.

Proposed tenant improvements that will constitute public areas in the west side of the dispensary include development of a 163 square foot lobby and customer waiting area, and a 759 square foot product display and sales area with educational lounge. For security purposes, the retail sales area will have a restricted entrance to only allow pre-screened customers to enter.

Customers will park on the east and west sides of the building and enter through secured double doors on the west side of the building, under the supervision of security. Proposed hours of operation for this use will be between 6:00 am and 10:00 pm, seven days per week. The hours of operation are consistent with provisions in state law regulating hours of operation for retail cannabis businesses only between the hours of 6:00 am and 10:00 pm.

Safety and Security Plan

Moreno Valley Municipal Code Section 9.09.294(B)(6) requires that any transfer of product or currency shall be identified in an individual security plan that is approved by the City. A Safety and Security Plan has been provided to the City that identifies methods to address site security for employees, customers and the public as well as fire prevention methods that comply with local and state laws and include provisions for on-site security guards, a security and a fire alarm system, and a video surveillance system. A condition of approval requires the applicant to provide all video to the Police and Fire Departments, upon their request.

The Municipal Code requires that two secured parking spaces be provided for those vehicles used to transfer cannabis products to and from the site. The applicant has identified those two secured parking spaces adjacent to the east side of the building. These secured parking spaces are directly adjacent to the door to the secured receiving and in-take room. The secured parking spaces will be monitored with security cameras as well as patrolled by an armed security officer.

Odor Control Plan

An Odor Control Plan has been prepared for the project in conformance with City requirements to ensure abatement of all potential odors that could emanate from the dispensary. This Plan states that the dispensary will utilize carbon air filters attached to its HVAC exhaust fans as a proper ventilation system for dealing with cannabis-related odors and mitigating noxious fumes. The fully integrated and automated system will regularly call for the substitution of new filters, and therefore under no circumstances will there be any odor nuisance emitted from the operation. In addition, staff is requiring

that automatic closures shall be installed on all interior and exterior doors and that all roof venting, wall penetrations panel joints, etc., be sealed to prevent odors from migrating outside of the dispensary.

These systems will also ensure that any odors associated with the dispensary are not detectable outside the premises, including parking lots, public rights-of-way, and adjacent business locations in surrounding neighborhoods. The required air filtration system and the air exchange system are required to be consistent with the Odor Control Plan submitted to the City. The air filtration system must be designed by a licensed Mechanical Engineer and reviewed and permitted by the Building & Safety Division staff as part of the tenant improvement plans for the heating, ventilation and air conditioning (HVAC) systems for the proposed dispensary.

Surrounding Area

The proposed cannabis dispensary is the only use on the project site. Surrounding land uses include a mix of retail and office uses to the north, south, east, and west.

Access/Parking

Access to the site is provided by two driveways from Postal Avenue located on the east and west sides of the building. The parking requirement for a retail cannabis shop is 1 parking space per 225 sq. ft. of floor area. The proposed use occupies the entirety of the 2,528 sq. ft. building; therefore, a total of 12 parking spaces is required. A total of 15 parking spaces are provided on site, which exceeds the minimum Municipal Code requirements including the need for two secured parking spaces.

Design/Landscaping

The Applicant proposes to paint the south, east, and west elevations of the building with a graphic design to enhance the existing block building. The existing and proposed roof mounted equipment will be concealed behind a new metal screen painted to match the building. The site currently has minimal landscaping, however the proposed improvements include new water saving landscaping including the installation of new trees, shrubs and ground cover. Additionally, new parking lot lighting is proposed. The proposed modifications to the building, landscaping, and lighting will improve the aesthetics of the site.

REVIEW PROCESS

In compliance with the Municipal Code, the Project Review Staff Committee (PRSC) reviewed this project on March 5, 2019. The applicant has worked with staff, and modified the proposed floor plan to the satisfaction of all Departments. Based on staff's review, it was determined that the project will be consistent with the City's requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

This project is a retail use within an existing commercial building. As designed and conditioned, this project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 for Existing Facilities.

NOTIFICATION

Public notice was sent to all property owners of record within 600' of the project on November 27, 2019. The public hearing notice for this project was also posted on the project site on November 27, 2019, and a notice was published in the local newspaper on November 29, 2019.

As of the date of report preparation, staff has received no phone calls or correspondence in response to the noticing for this project.

REVIEW AGENCY COMMENTS

The project application materials were circulated for review by all appropriate City departments and divisions as well as applicable outside agencies. Throughout the review process, comments and proposed conditions of approval were provided in writing to the Applicant.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2019-44, and thereby:

1. **CERTIFY** that Conditional Use Permit PEN19-0054 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Exemption (Section 15301, Existing Facilities); and
2. **APPROVE** Conditional Use Permit PEN19-0054 subject to the attached Conditions of Approval included as Exhibit A to the Resolution.

Prepared by:
Jerry Guarracino
Planning Consultant

Approved by:
Albert Armijo
Interim Planning Manager

ATTACHMENTS

1. Public Hearing Notice
2. Radius Map
3. Resolution 2019-44
4. Exhibit A to Resolution 2019-44

5. Site Plan
6. Floor Plan
7. Building Elevations
8. Landscape Plan
9. Aerial Map
10. Zoning Map



City of Moreno Valley
Community Development Department
Planning Division
City Hall Council Chamber
14177 Frederick Street
Moreno Valley, CA 92553

NOTICE OF PUBLIC HEARING



Notice of Public Hearing before the Planning Commission of the City of Moreno Valley for the following item(s):

MEETING INFORMATION: December 12, 2019, 7:00 P.M.
Moreno Valley Council Chamber, 14177 Frederick Street

PROJECT LOCATION: 24081 Postal Avenue; east of Heacock Street on the south side of Postal Avenue (APN: 481-112-001 District 1).

CASE NUMBER(s): PEN19-0054

CASE PLANNER: Jerry Guarracino, Contract Planner (951) 413-3226 or jerryg@moval.org

- <APN>
- <Property Owner>
- <Street Address>
- <City, State, Zip>

Attachment: Public Hearing Notice [Revision 1] (3812)

NOTICE OF PUBLIC HEARING

PROPOSAL:

A Conditional Use Permit (CUP) to allow a retail cannabis dispensary, "Treehouse" in an existing 2,528 square foot single story retail building located in the Village Specific Plan SP 204, Village Commercial/Residential (VCR) district.

ENVIRONMENTAL DETERMINATION:

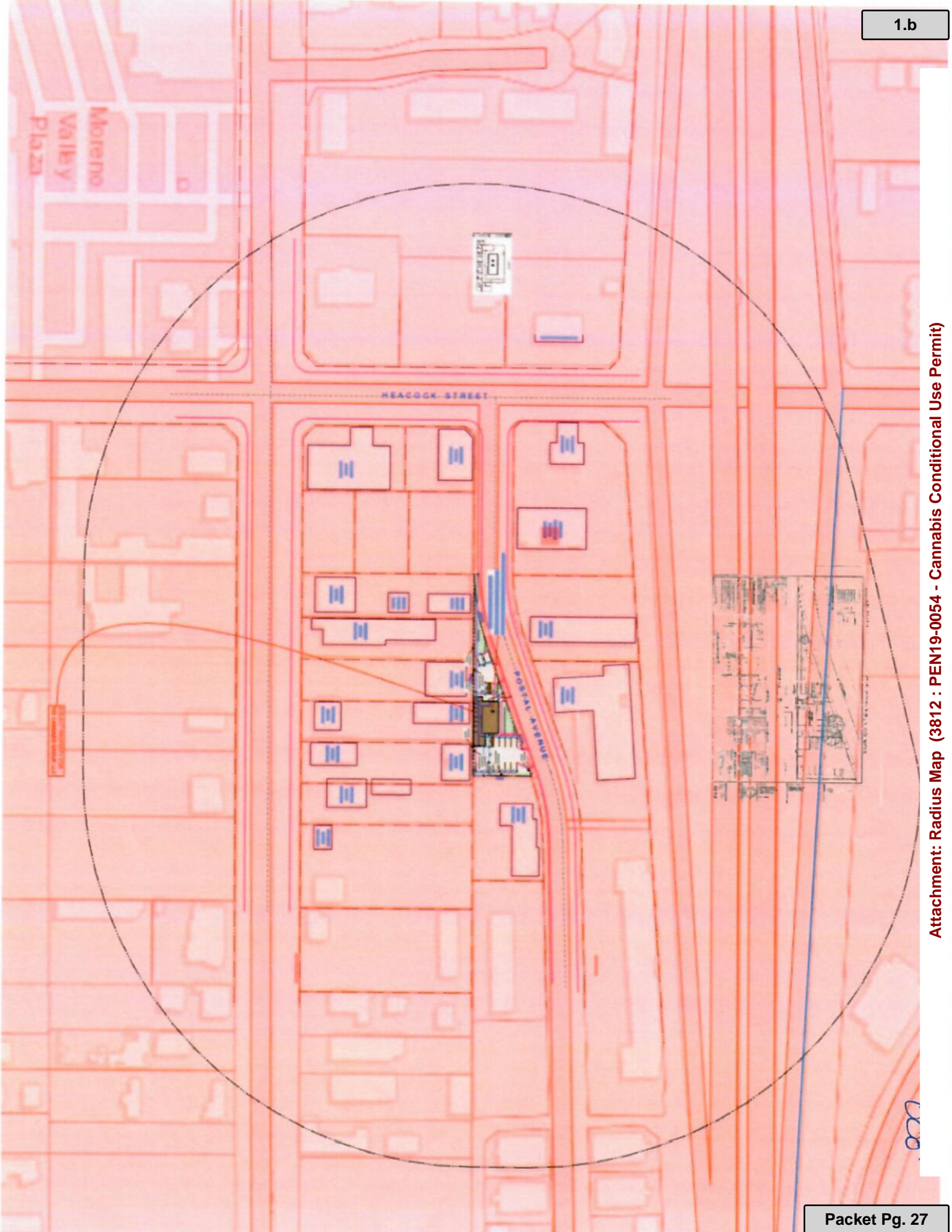
This project is a retail use within an existing single-story retail building. As designed and conditioned, this project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 for Existing Facilities.

HEARING:

Any person interested in the proposal may speak at the hearing or provide written testimony at or prior to the hearing. The application file and environmental documents may be inspected at the Community Development Department at 1417 Frederick Street, Moreno Valley, California during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m. on Fridays), or you may telephone (951) 413-3206 for further information.

The Planning Commission, at the Hearing or during deliberations, could also consider and approve changes to the project or the environmental determination. If you challenge this project, including any modifications considered for the project, in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the public hearing.

Upon request and in compliance with the Americans with Disabilities Act of 1990, any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility.



Attachment: Radius Map (3812 : PEN19-0054 - Cannabis Conditional Use Permit)

PLANNING COMMISSION RESOLUTION NO. 2019-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING A CONDITIONAL USE PERMIT (PEN19-0054) FOR A CANNABIS DISPENSARY, "TREEHOUSE," IN AN EXISTING 2,528 SQUARE FOOT SINGLE-STORY RETAIL BUILDING LOCATED AT 24081 POSTAL AVENUE, ONT THE SOUTH SIDE OF POSTAL AVENUE EAST OF HEACOCK STREET (ASSESSOR PARCEL NUMBER 481-112-001).

WHEREAS, The Cannabis Group, LLC., has filed an application for the approval of Conditional Use Permit (CUP) PEN19-0054 for the development of a 2,528 square foot cannabis dispensary, operating between the hours of 6:00 a.m. and 10:00 p.m., 7 days per week, as described in the title above; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley (City) procedures, and with consideration of Specific Plan 204, the Municipal Code, the General Plan, and other applicable regulations; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of the City of Moreno Valley (Planning Commission); and

WHEREAS, the public hearing notice for this project was published in the local newspaper on November 29, 2019 and public notice was sent to all property owners of record within 600 feet of the project site on November 27, 2019. The public hearing notice for this project was also posted on the project site on November 29, 2019, and

WHEREAS, on December 12, 2019, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on December 12, 2019, the Planning Commission of the City of Moreno Valley determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) under CEQA Guidelines Section 15301, Class 1: Existing Facilities; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on December 12, 2019, including written and oral staff reports, public testimony and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: State Planning Law required cities and counties to set forth goals, policies, and implementation programs for the long term physical development of the community. Section 65302 (a) of the Government Code requires preparation of a land use element which designates the proposed general distribution and general location of the uses of land for housing, business, industry, public buildings, and open space. The proposed development is located within the Mixed Use (MU) land use designation of the Moreno Valley General Plan.

The CUP has been evaluated against General Plan Objective 2.4, which states “provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.” Staff has confirmed that the proposed project does not conflict with any of the goals, objectives, policies, and programs of the General Plan. The reuse of an existing 2,528 square foot commercial building with a new cannabis dispensary will provide a convenient, safe, and easily accessible commercial business within the City.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: The proposed project is within the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District. Municipal Code Section 9.02.290 C 2 (Cannabis Business Locations and Use), requires a Conditional Use Permit in order to lawfully operate all commercial cannabis activities including dispensaries. The proposed Conditional Use Permit for a cannabis dispensary will comply with the Municipal Code Section 9.09.290 Commercial Cannabis Activities, which provides standards for cannabis dispensaries. The proposed dispensary will be located within a 2,528 square foot commercial building.

The project is designed in accordance with the provisions of Village Specific Plan SP 204, VCR. The project as designed and conditioned would comply with all applicable zoning standards.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed commercial cannabis business will operate in a 2,528 square foot commercial building. This proposed use will be consistent with General Plan Goal 6.1 as it achieves acceptable levels of protection from natural and man-made hazards to life, health, and property through the implementation of the Applicant's Security Plan, and compliance with applicable building and fire codes.

Planning staff has reviewed the request in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) under CEQA Guidelines Section 15301, Class 1: Existing Facilities.

4. **Redevelopment Plan** - The project conforms to all applicable provisions of any city redevelopment plan.

FACT: In January 2011, the Governor of the State of California proposed statewide elimination of redevelopment agencies. State legislation was passed on June 29, 2011 prohibiting redevelopment agencies from engaging in new business and established timelines for dissolution of redevelopment agencies. For these reasons, the finding is no longer applicable.

5. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The project site is consistent with the Mixed Use (MU) General Plan designation, and the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District and is permitted subject to the approval of a Conditional Use Permit. The proposed commercial cannabis dispensary will operate within an existing 2,528 square foot commercial building. Tenant improvements, consistent with applicable federal, state and local regulations, are proposed.

Additionally, the project site is not located within 600 feet of any public or private school providing instruction in kindergarten or grades 1 through 12, and from child day care centers, youth centers, or arcades.

Overall, the proposed project has been found to be consistent with certain objectives, goals and policies outlined in the City's General Plan, as well as being compatible with the existing land uses in the project area.

This project as proposed and conditioned conforms to all development standards of the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District and the design guidelines for commercial developments prescribed in the City's Municipal Code and City Landscape Standards.

FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this Resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PEN19-0054, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described

in this Resolution begins on the effective date of this Resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the applicable statute of limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2019-44, and thereby:

1. **CERTIFY** that Conditional Use Permit PEN19-0054 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Exemption (Section 15301, Existing Facilities); and
2. **APPROVE** Conditional Use Permit PEN19-0054 subject to the attached Conditions of Approval included as Exhibit A to the Resolution.

APPROVED this 12th day of December, 2019.

Jeffrey Sims
Chairperson, Planning Commission

ATTEST:

APPROVED AS TO FORM:

Patty Nevins, Acting Community
Development Director
Secretary to the Planning Commission

City Attorney

Attachments:

Exhibit A: Conditions of Approval

Attachment: Resolution 2019-44 [Revision 3] (3812 : PEN19-0054 - Cannabis Conditional Use Permit)

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN19-0054)

EFFECTIVE DATE:
 EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)
3. This project is located within the Village Specific Plan SP 204 VCR. The provisions of the zoning, and the Conditions of Approval shall prevail unless modified herein.
4. The commercial cannabis dispensary shall be consistent with all other applicable federal, state and local requirements including the Moreno Valley Municipal Code Title 5 and Title 9, and all related Municipal Code sections.
5. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
6. All landscaped areas and the parking lot shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. Any signs indicated on the submitted plans are not included with this approval and shall be renewed under separate permit.
8. All site plans, grading plans, landscape plans and proposed signage shall be coordinated for consistency with this approval.
9. A copy of all pages of these conditions shall be included in the construction drawing package.

Special Conditions

10. The site has been approved for a commercial cannabis dispensary, located at 24081 Postal Avenue, (approximately 2,528 square feet) per the approved plans and per the requirements of the City's Municipal Code (MC) Section 9.09.290 Commercial cannabis activities, 9.09.293 Cannabis Business locations and use, and 5.05 Commercial Cannabis Activity. A change or

modification to the interior design/set-up, exterior elevations or business process (including security procedures) shall require separate review and approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit per MC Section 9.09.290 F and 9.02.260.

11. The cannabis license and the Conditional Use Permit, apply only to the 2,528 square foot building at 24081 Postal Avenue. No use of any other tenant space, outside of the 2,528 square foot tenant space is allowed per Conditional Use Permit PEN19-0054.
12. Daily hours of operation for the dispensary may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
13. A licensee conducting a commercial cannabis dispensary shall meet all applicable operational requirements for retail/commercial cannabis dispensaries. (MC 9.09.290 (E)(4))
14. The commercial cannabis operation shall have a valid Commercial Cannabis Business Permit and shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
15. The cannabis licensee shall display its current valid Commercial Cannabis Business Permit under Chapter 5.05 of this Code and a Conditional Use Permit issued in accordance with this chapter inside the lobby or waiting area of the main entrance to the site. The permits shall be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the site. (MC 9.09.290 (D)(2)(c))
16. All City Fire, Police and Code personnel shall have unlimited and unrestricted property access for inspections of commercial cannabis businesses and facilities during business hours. (MC 9.09.290 (D)(2)(g))
17. No person associated with this commercial cannabis dispensary shall cause or permit the sale, dispensing or consumption of alcoholic beverages or the sale of tobacco products on or within 50 feet of the premises of a cannabis business. (MC 9.09.290 (D)(2)(b))
18. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty (20) feet of, the dispensary site. (MC 9.09.290 (E)(4)(f))
19. No commercial cannabis dispensary owner or employee shall: (i) cause or permit the sale, distribution, or consumption of alcoholic beverages on the dispensary property (ii) hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages; or (iii) operate a business on or adjacent to the dispensary property that sells alcoholic beverages. No alcoholic beverages shall be allowed or stored on the dispensary property. (MC 9.09.290 (E)(4)(g))
20. No cannabis or marijuana materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis dispensaries are being conducted. All commercial cannabis dispensaries must take place within a fully enclosed, secured and permanent structure (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(6)(c))
21. The commercial cannabis dispensary shall have designated locked storage on the dispensary property for after-hours storage of medical and adult use recreational cannabis and cannabis infused products. All cannabis and cannabis infused products shall be stored at the dispensary property in secured rooms that are completely enclosed or in a safe that is bolted to the floor (with

- accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(4)(c))
22. No delivery service (retail) of any cannabis products is allowed. All distribution of cannabis must be conducted within the enclosed building area of the dispensary property between the seller and buyer. (MC 9.09.290 (E)(4)(e))
 23. All operations conducted and equipment used must be in compliance with all applicable state and local regulations, including all building, electrical and fire codes. (MC 9.09.290 (E)(7)(b))
 24. Security surveillance cameras and a video recording system must be installed to monitor all doors into and out of the buildings on the site, the parking lot, loading areas, and all exterior sides of the property adjacent to the public rights-of-way. The camera and recording systems must be of adequate quality, color rendition, and resolution to allow the identification of any individual present on the site. The recording system must be capable of exporting the recorded video in standards MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
 25. All windows on the building that houses the Cannabis Facility shall be appropriately secured and all marijuana securely stored.
 26. Professionally and centrally monitored fire, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include a private security company that is required to respond to every alarm. (MC 9.09.290 (E)(12)(b))
 27. Waste and storage and disposal of all marijuana and cannabis products shall meet all applicable state and local health regulation. (MC 9.09.290 (E)(13))
 28. The premises must be equipped with an odor absorbing ventilation and exhaust system so that odor generated inside the Cannabis Business that is distinctive to its operation is not detected outside the Cannabis Business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breeze-ways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the Cannabis Business. As such, Cannabis Businesses must install and maintain the following equipment or any other equipment which the Local Licensing Authority determines has the same or better effectiveness:
 - a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
 - b. An air system that creates negative air pressure between the Cannabis Businesses' interior and exterior so that the odors generated inside the Cannabis Business are not detectable outside the Cannabis Business.
 29. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
 30. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
 31. The Applicant shall install automatic closures on all interior and exterior doors.
 32. All interior and exterior door seals shall be replaced and adjusted.
 33. All roof venting, wall penetrations, panel joints etc. shall be sealed.

34. The Applicant shall install air curtains on all exterior doors.
35. Two secured parking spaces, identified on a plot plan shall be located convenient to the required secured area of each facility to be used by secured transfer vehicles involved in the courtering or dispensing of cannabis materials products to and from the facility and for use by any secured vehicle commissioned for the transfer of currency to and from the facility. (MC 9.09.290 (E)(9)(f))
36. A fire sprinkler system shall be installed for this project or as required by the Municipal Code Section 9.09.290. An approved automatic fire sprinkler system, designed in compliance with the California Fire Code is required in every building that houses a commercial cannabis business. This is a minimum standard and does not preclude the city from imposing additional fire prevention measures as deemed necessary by the fire marshal (MC 9.09.290 (E)(7)(d))
37. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E)(14)(c))
38. Licensee shall remove any graffiti from the licensed premises within twenty-four (24) hours of its occurrence, or as requested by the city. (MC 9.09.290 (E)(14)(d))
39. Exterior landscaping within ten (10) feet of a licensed premises shall be designed, installed and maintained free of locations which could reasonably be used by persons to conceal themselves and/or to enable undesirable activity. The design and maintenance practices shall give appropriate consideration to both natural and artificial illumination. (MC 9.09.290 (E)(8)(c))
40. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approval of any new or repaired landscaping by the Planning Division designed per the City's Municipal Code 9.17.
41. Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation improvements shall be installed, and inspected and approved by the Planning Division. (DC 9.03.040)
42. Prior to issuance of Certificates of Occupancy or building final, the applicant shall cause the slurry sealing and restriping of the parking lot that shall be inspected and approved by the Planning and Building Divisions.
43. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards and the Security Plan at all times.
44. Prior to approval of tenant improvement plans, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it meets the lighting standards in the Cannabis Ordinance 932. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) Lighting shall comply with the provisions of MC Section 9.08.100 including fixture type, wattage illumination levels and shielding. (MC 9.09.290 (E)(10))
45. The commercial cannabis operation shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.

Security Plan and Measures

46. Prior to Building Permit or Certificate of Occupancy, the process for any transfer of product or currency shall be identified in an updated Security Plan to be reviewed and approved by the Planning Division. (MC 9.09.290 (D)(2)(f))
47. The Security Plan on file with the City of Moreno Valley shall remain in effect as long as the established use is in operation. Any changes, additions, removal or modifications to the plan shall be submitted to the City for review and inclusion in the Conditional Use Permit file.
48. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the dispensary area.

Miscellaneous Operating Requirements

49. Persons under the age of twenty-one (21) years shall not be allowed on the premises. It shall be unlawful and a violation of this chapter for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.

Building Division

50. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
51. Contact the Building Safety Division for permit application submittal requirements.
52. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valle Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
53. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
54. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
55. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
56. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the 2016 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
57. All remodeled structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression

systems, accessibility, etc. The current code edition is the 2016 CBC.

Economic Development Department (EDD)

58. New Moreno Valley business are encouraged to hire local residents.
59. New Moreno Valley business may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center (“ERC”). The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:
 - a. Job Announcements
 - b. Applicant testing / pre-screening
 - c. Interviewing
 - d. Job Fair support
 - e. Training space

New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.

60. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of public recruitment.

FIRE DEPARTMENT

Fire Prevention Bureau

61. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
62. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
63. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
64. 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 for access by emergency personnel. (CFC 506.1)
65. Delayed Egress - Where any devices are installed that delay egress, an alarm system that complies with the California Fire Code shall be installed.

PUBLIC WORKS DEPARTMENT

Land Development Division

66. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

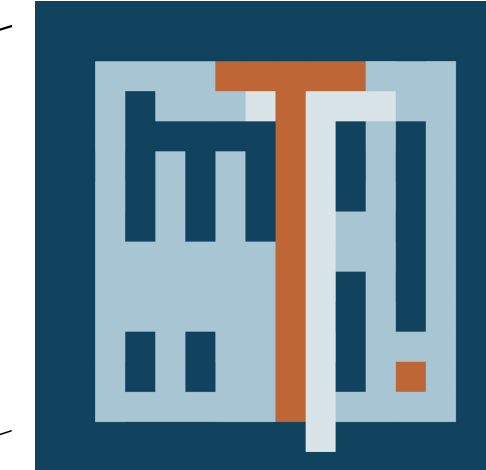
- a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
- b. Observance of working hours as stipulated on permits issued by the Land Development Division.
- c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
- d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations. Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

Prior to Encroachment Permit

67. All applicable inspection fees shall be paid.
68. Any work performed within public right-of-way requires an encroachment permit.

Prior to Occupancy

69. All outstanding fees shall be paid.
70. The existing driveways shall be reconstructed per City Standard Plan MVS1-112A-0, modified if needed to the satisfaction of the City Engineer.



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CLIENT

THE CANNABIS GROUP, LLC

MORENO VALLEY, CA

PROJECT ADDRESS 24081 Postal Avenue

DATE

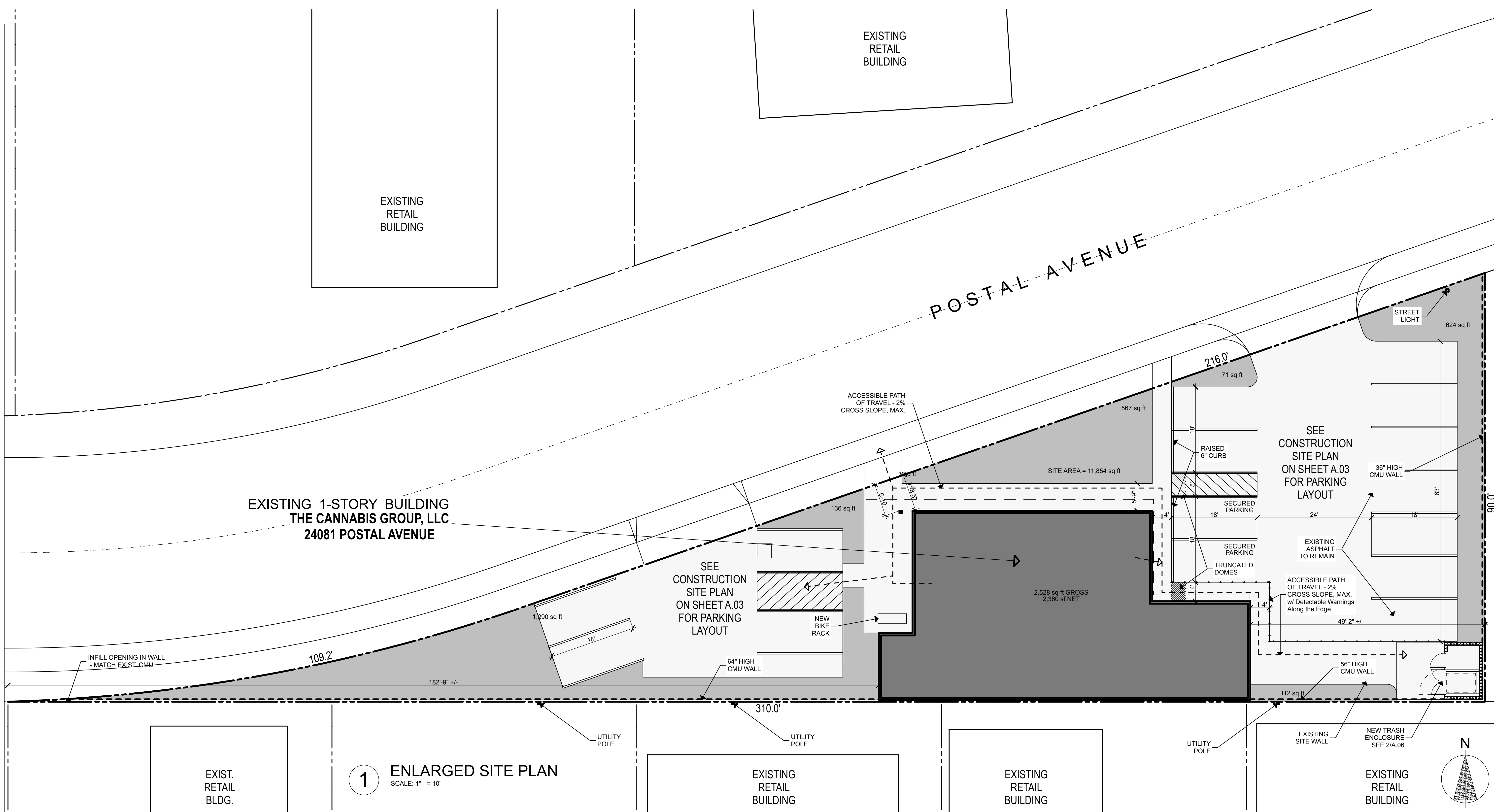
PROJECT NAME 10 / 30 / 19

PROJECT NAME

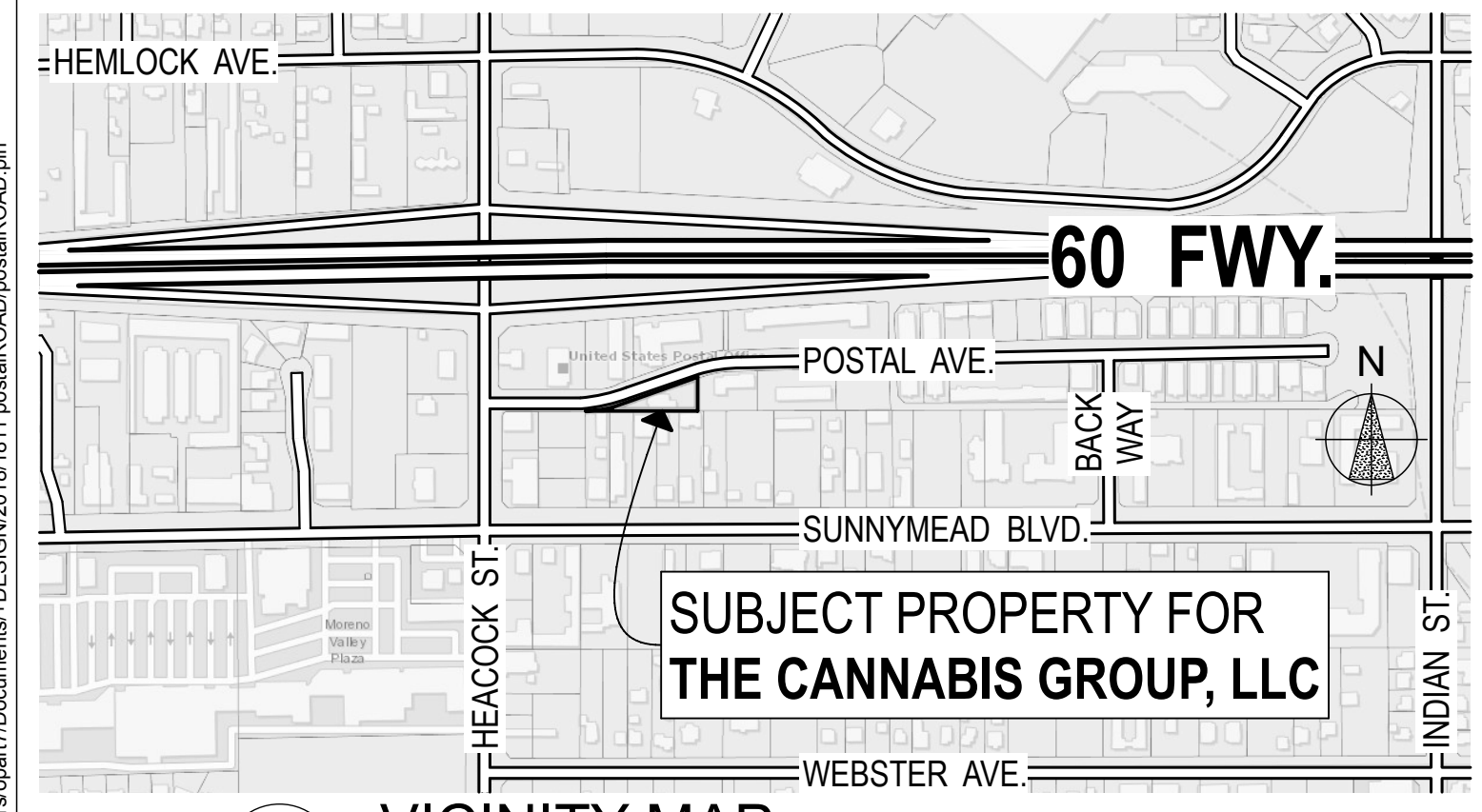
Attachment: Site Plan (3812 - PEN19-0054 - Cannabis Conditional Use Permit)

Retail Location for

Packet Pg. 40



1 ENLARGED SITE PLAN
SCALE: 1" = 10'



2 VICINITY MAP
SCALE: 1" = 500'

LEGAL DESCRIPTION:
 Recorded Book/Page: MB 9/17
 Subdivision Name: SUNNYMEAD ORCHARD TR
 Lot/Parcel: 8
 Block: 5
 Tract Number: 0
ACCESSOR PARCEL NUMBER: 481-112-001
ZONING DESIGNATION: SP 204 VCR
STATISTICAL SUMMARY:
 Site area (gross/net) 11854 sf
 Impervious 6663
 % Open Space 79%
 % Landscaping 23% (2737 sf)
 % Lot Coverage 21% (2454 sf)
 Parking required (with parking standard) 16
 Parking provided 16

APPLICANT:
 The Cannabis Group, LLC
 ADDRESS 24081 Postal Avenue
 CITY Moreno Valley, Ca 92553
 PHONE 951-505-4775
 CONTACT Kevin Wolf

REPRESENTATIVE:
 The Cannabis Group, LLC
 ADDRESS 24081 Postal Avenue
 CITY Moreno Valley, Ca 92553
 PHONE 951-505-4775
 CONTACT Kevin Wolf

PROPERTY OWNER:
 Anna Franco
 ADDRESS 12800 Heacock Street, Suite A-4
 CITY Moreno Valley, Ca 92553
 PHONE 951-242-9000
 CONTACT Anna Franco

No.	REVISION	DATE
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SCALE	JOB No.	DATE
AS NOTED	1811	10/30/19
	TFW	
	DRAWN	
	FILE NAME	
	CHECKED	
	T. WHITE	
	Wednesday, October 30, 2019	
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ENLARGED SITE PLAN

A.02

SHEET No.



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CLIENT

THE CANNABIS GROUP, LLC

MORENO VALLEY, CA

24081 Postal Avenue

PROJECT ADDRESS

DATE

25/10/19

PROJECT NAME

Retention Location for

Attachment: Floor Plan (3812 : PEN19-0054 - Cannabis Conditional Use Permit)

AS NOTED	SCALE	DATE	REVISION
1811	JOB No.		1
TFW	DRAWN		2
post@road.pln	FILE NAME		3
T. WHITE	CHECKED		4
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			7

GROUND LEVEL PLAN

SHEET No. A.06

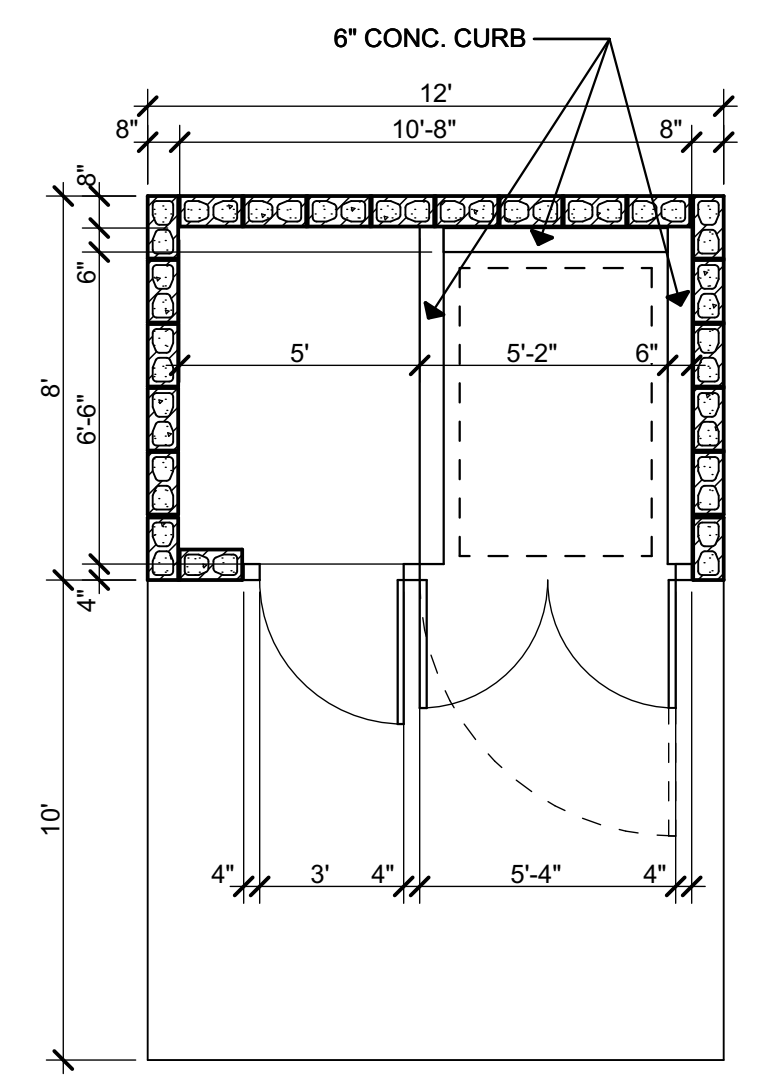
FLOOR PLAN NOTES:

POLICE DEPARTMENT

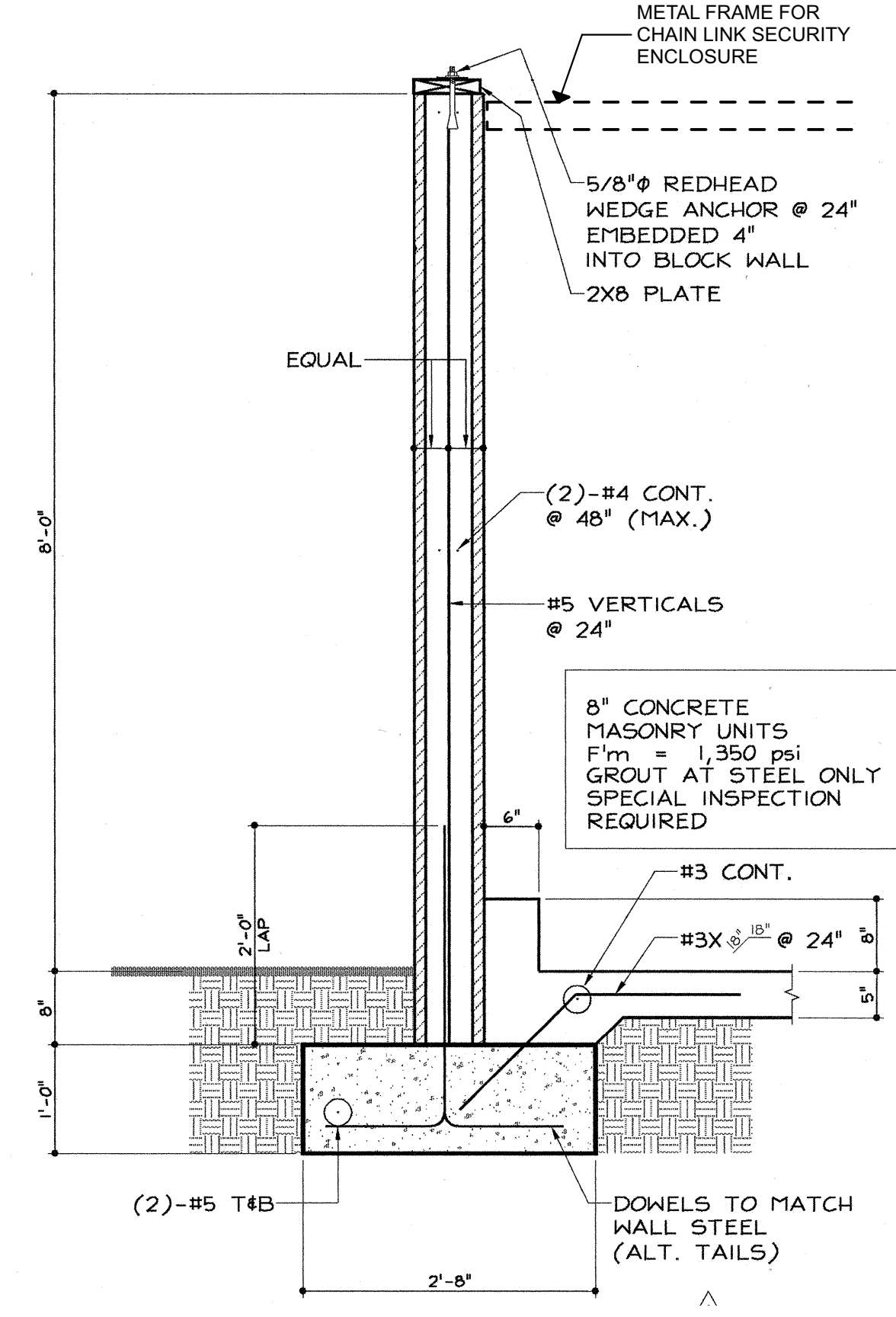
- Security cameras inside the businesses and several cameras outside.
- Numbers or letters should be clearly visible from the street.
- Maximize the number of windows on the businesses so customers can see out into the parking lot while inside. This will help parking lot security by giving people the opportunity to maintain visual of their vehicles and valuables.
- The parking lots, street and buildings should be well lit. Minimize the shadows cast by landscaping and trees on the property, walkways and public areas.
- All exterior doors shall have a vandal resistant light fixture installed above the door. The doors shall be illuminated with a minimum one foot candle illumination at ground level, evenly dispersed.
- Alarm system should have monitoring capability with law enforcement or private security service notification.
- Business should have an alarm system that is monitored by a designated private alarm company to notify the Moreno Valley Police Department of any intrusions.

FIRE DEPARTMENT

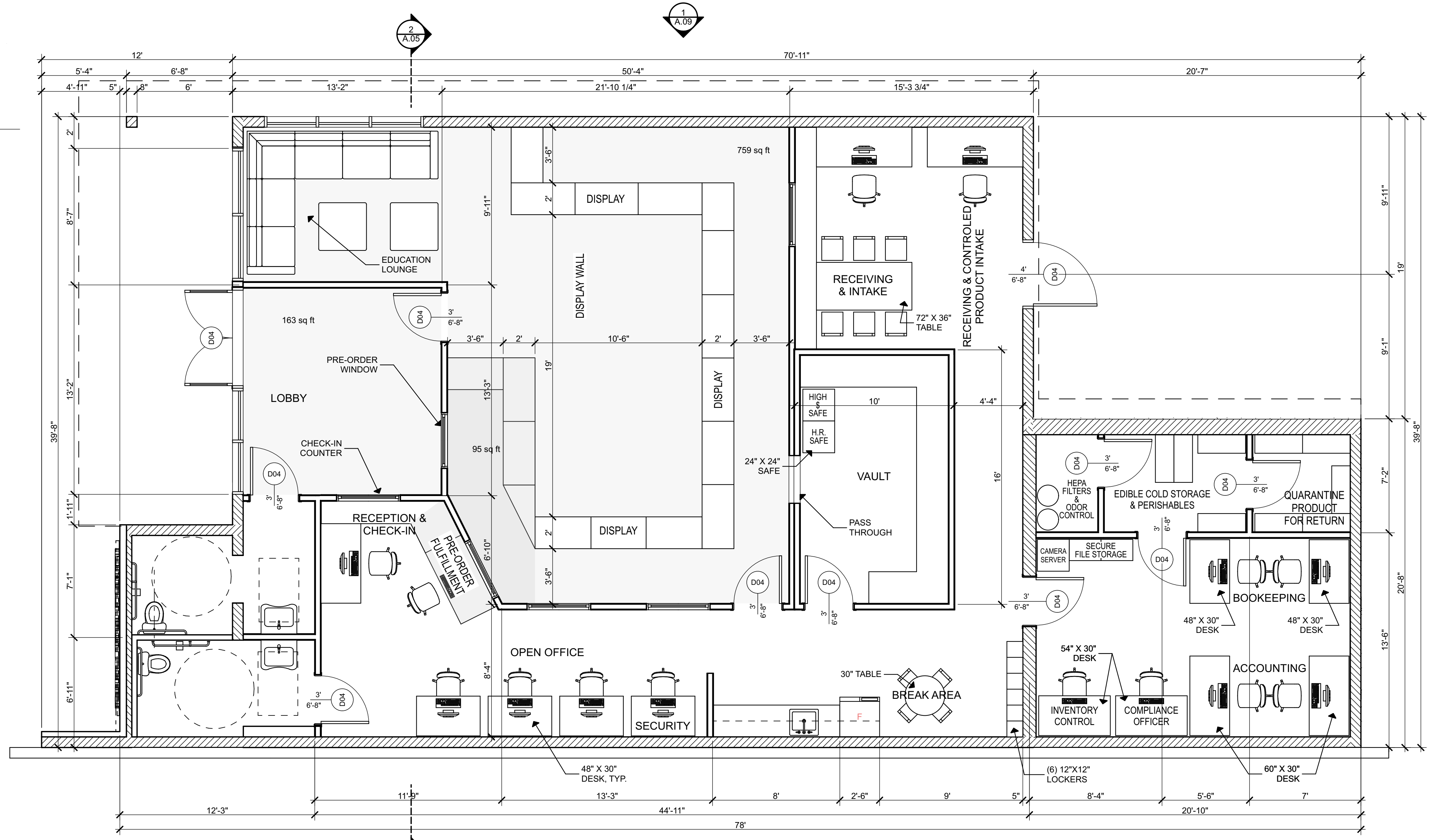
- In accordance with the Moreno Valley Municipal code fire sprinklers shall be installed in all commercial Cannabis locations. **Fire sprinklers will be installed in this business.**



2 TRASH ENCLOSURE PLAN
SCALE: 1/4" = 1'-0"



3 TRASH ENCLOSURE WALL
SCALE: 3/4" = 1'-0"



1 FLOOR PLAN
SCALE: 1/4" = 1'-0"



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MORENO VALLEY, CA

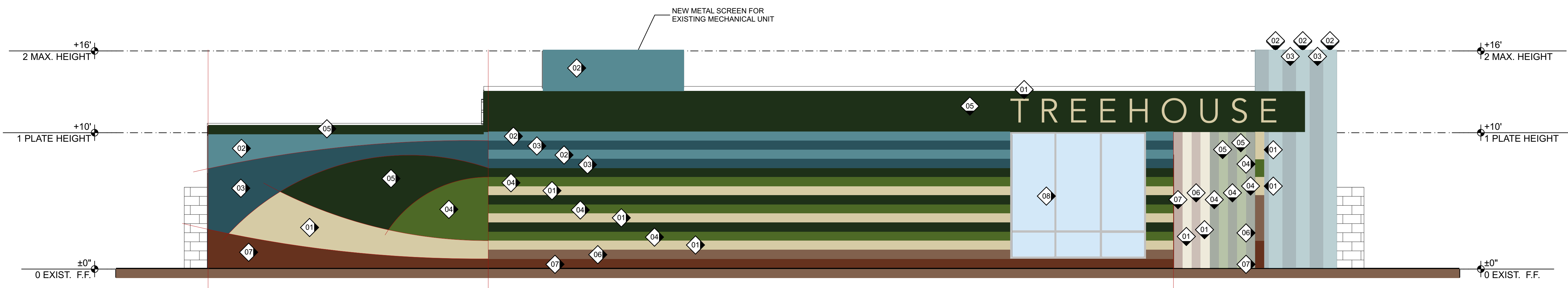
24081 Postal Avenue

PROJECT ADDRESS

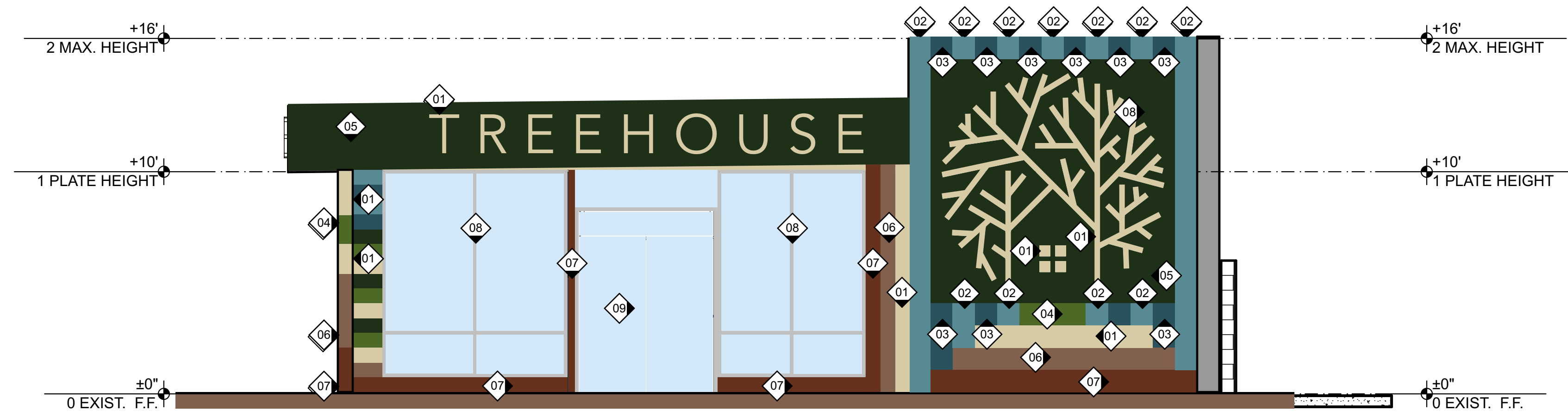
DATE

PROJECT NAME

Attachment: Building Elevations (3812 - PEN19-0054 - Cannabis Conditional Use Permit)



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



2 WEST ELEVATION
SCALE: 1/4" = 1'-0"

FLOOR PLAN KEYNOTES:
COLORS ARE GLIDDEN OR OWNER APPROVED EQUAL

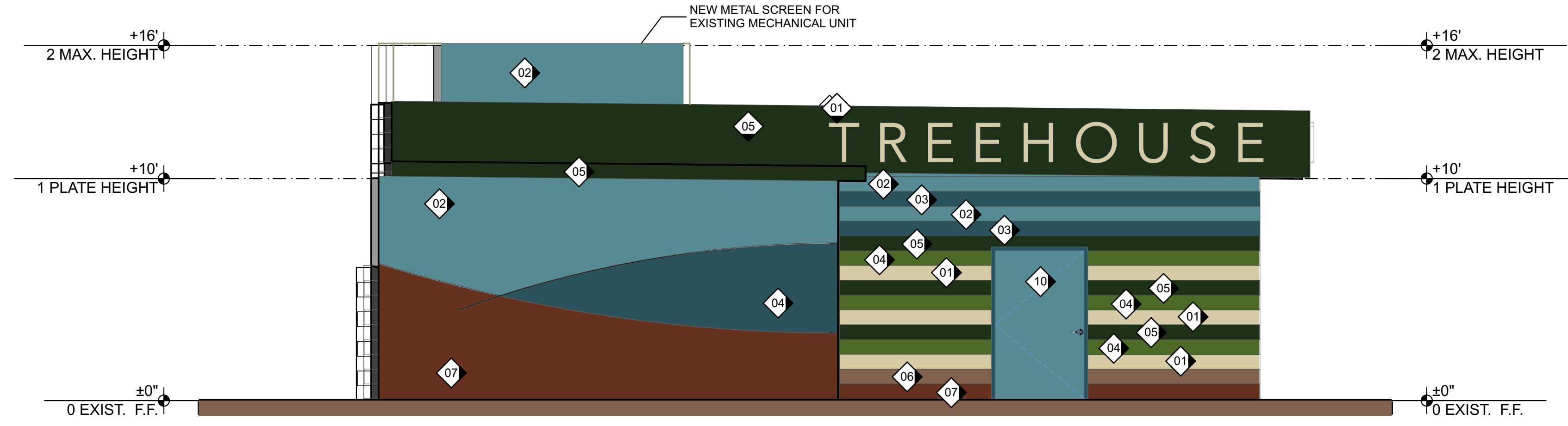
	color	glidden #	color name
01	LT. TAN	PPG1026-1	Namaste
02	LT. BLUE	90GG 29/164	Island Turquoise
03	DK. BLUE	10BG 13/56	Cape Storm
04	GREEN	PPG1120-7	Mint Leaves
05	DK. GREEN	PPG1134-7	Pine Forest
06	BROWN	80YR 21/226	Afternoon Tea
07	DK. RED	50YR 09/244	Red Brick
08			EXISTING STOREFRONT GLAZING TO REMAIN
09			EXISTING STOREFRONT DOOR TO REMAIN
10			PAINT EXISTING DOOR #02 AND FRAME #03



3B REAR
SCALE: 1" = 1'-0"



3A FRONT
SCALE: 1" = 1'-0"



4 EAST ELEVATION
SCALE: 1/4" = 1'-0"

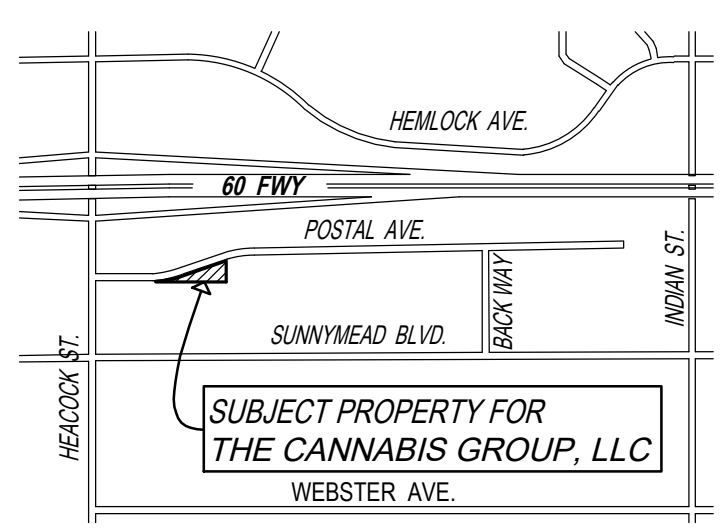
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AS NOTED	SCALE	DATE
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post@ROAD.pin	FILE NAME	
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COLOR BUILDING ELEVATIONS

A.10

SHEET No.

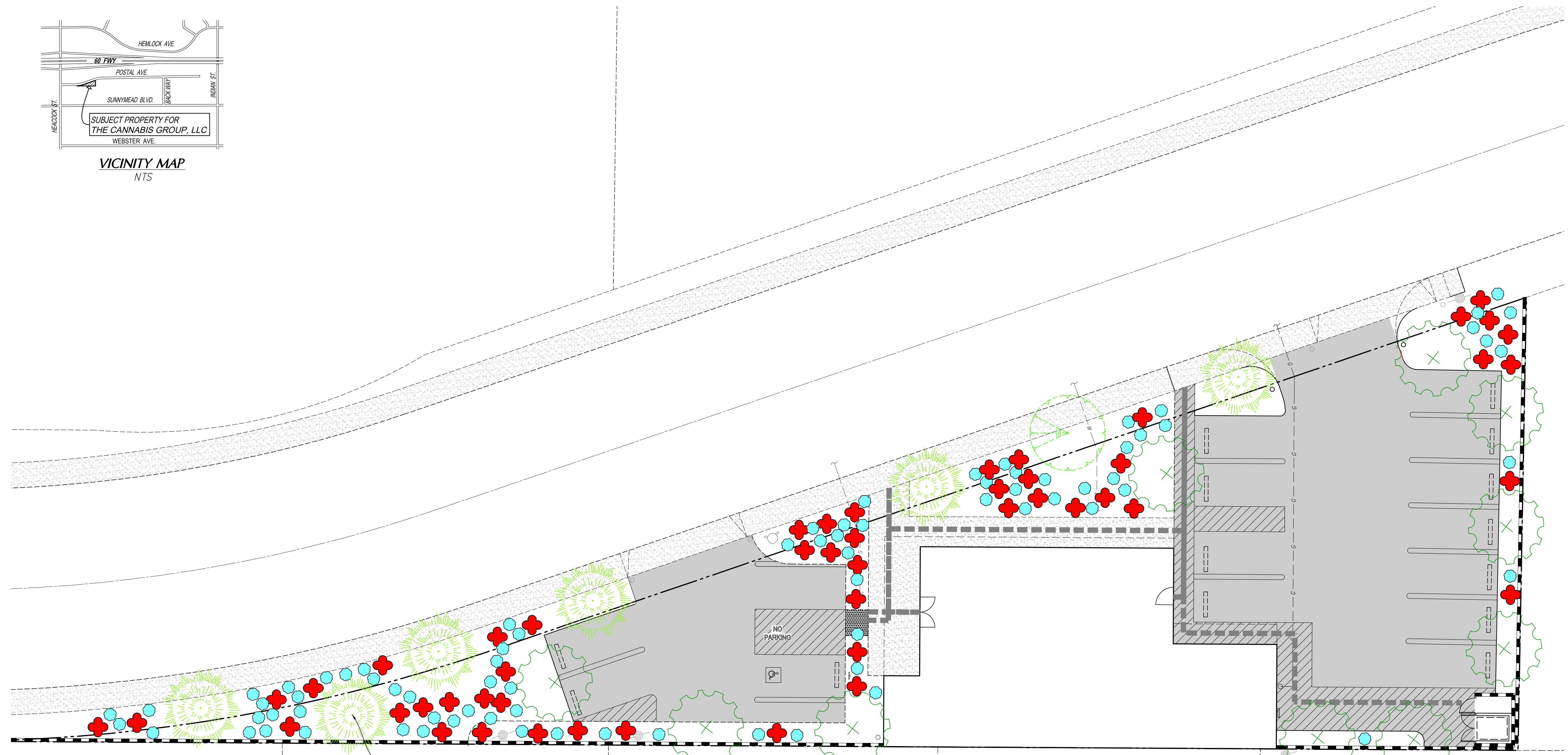


VICINITY MAP
NTS



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IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING SHALL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

No.	REVISION	DATE
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PROJECT ADDRESS: 24081 Postal Avenue
MORENO VALLEY, CA

APPLICANT:
THE CANNABIS GROUP, LLC
ADDRESS: 24081 POSTAL AVENUE
CITY: MORENO VALLEY, CA 92553
PHONE: 951-505-4775
CONTACT: KEVIN WOLF

REPRESENTATIVE:
THE CANNABIS GROUP, LLC
ADDRESS: 24081 POSTAL AVENUE
CITY: MORENO VALLEY, CA 92553
PHONE: 951-505-4775
CONTACT: KEVIN WOLF

OWNER:
ANNA FRANCO
ADDRESS: 12800 HEACOCK ST
SUITE A-4
CITY: MORENO VALLEY, CA 92553
CONTACT: ANNA FRANCO

LEGAL DESCRIPTION:
RECORDED BOOK/PAGE: MB 9/17
SUBDIVISION NAME: SUNNYMEAD
LOT/PARCEL: ORCHARD
BLOCK: 8
TRACT NUMBER: 5
0

ACCESSOR PARCEL NUMBER:
481-112-001

ZONING DESIGNATION:
SP 204 VCR

STATISTICAL SUMMARY:
LOT SIZE (GROSS) 11,854 SF
BUILDING (GROSS/NET) 2,528/2,360 SF
IMPERVIOUS AREA 6,663 SF
OPEN SPACE 79%
LANDSCAPING 23% (2737 SF)
LOT COVERAGE 21% (2454 SF)
PARKING REQUIRED 14
PARKING PROVIDED 15

ABBREVIATIONS

APPROX.	APPROXIMATE
ASPH.	ASPHALT
EX.	EXISTING
TYP.	TYPICAL
IRR	IRRIGATION
BLD	BUILDING
W	WATER
S	SEWER
G	GAS
EM	ELECTRICAL METER
SW	SIDEWALK
C/L	CENTER LINE
PP	POWER POLE
CONC.	CONCRETE
FH	FIRE HYDRANT

LEGEND:

---	EXISTING WATER
- - -	EXISTING SEWER
- - -	EXISTING GAS
- - -	EXISTING DRAINAGE FLOW
---	ADA PATH OF TRAVEL
---	EXISTING CONCRETE SIDEWALK
---	EXISTING ASPHALT

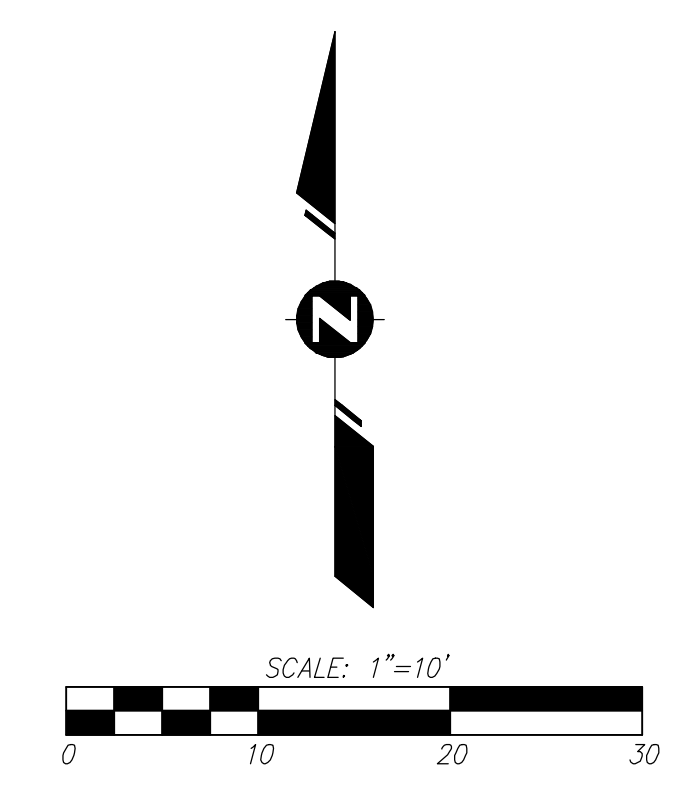
DISPOSITION NOTES

NO.	DESCRIPTION
A	PROTECT IN PLACE
B	REMOVE EXISTING

LANDSCAPE NOTES

TREE TYPE	DESCRIPTION
	1-2 GALLON BLUE FESTUCA
	1-2 GALLON BRAKELIGHT RED YUCAA
	24" BOX SIZE MAGNOLIA GRANDIFLORA TREE
	24" BOX SIZE TIPUANA TIPU - SHADE TREE
	24" BOX SIZE COMPNOR - CINNAMOMUM CAMPHORA TREE

NOTE
1. APPLY CORILLA HAIR MULCH THROUGHOUT LANDSCAPE AREAS
2. EXISTING IRRIGATION SYSTEM IN PLACE



AS NOTED	SCALE	DATE
1811	1"	25/10/19
TFW		
post@roadplan		
T. WHITE		
Friday, 25 October 2019		

LANDSCAPE SITE PLAN

SHEET No. **A.04**

CLIENT
THE CANNABIS GROUP, LLC

PROJECT NAME
Retail Location for

Attachment: Landscape Plan (3812 : PEN19-0054 - Cannabis Conditional Use Permit)

Aerial Map



Legend

- Master Plan of Trails**
- Bridge
 - Improved
 - Multiuse
 - Proposed
 - Regional
 - State
- Road Labels**
- Parcels
 - City Boundary
 - Sphere of Influence

631.0 0 315.48 631.0 Feet

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

Notes

Specific Plan 204 Village Commercial/Residential District (VCR)



Legend

- Zoning**
- Commercial
 - Industrial/Business Park
 - Public Facilities
 - Office
 - Planned Development
 - Large Lot Residential
 - Residential Agriculture 2 DU/AC
 - Residential 2 DU/AC
 - Suburban Residential
 - Multi-family
 - Open Space/Park

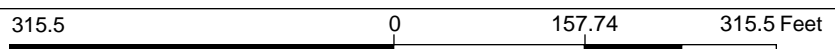
Master Plan of Trails

- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

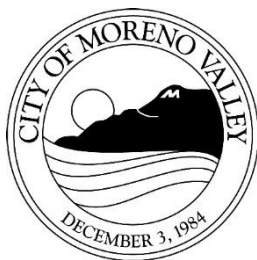
Road Labels

- Parcels
- City Boundary
- Sphere of Influence
- World Street Map

Notes



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PLANNING COMMISSION

STAFF REPORT

Meeting Date: December 12, 2019

A MASTER PLOT PLAN FOR A 7,250 SQUARE FOOT MULTI-TENANT COMMERCIAL BUILDING AND A CONDITIONAL USE PERMIT FOR A RETAIL CANNABIS DISPENSARY, FROM THE EARTH, CUP PEN19-0076, IN A 6,030 SQUARE FOOT TENANT SPACE LOCATED ON THE SOUTH SIDE OF SUNNYMEAD BOULEVARD AT BACK WAY.

Case: Master Plot Plan (PEN19-0209) and Conditional Use Permit (PEN19-0076)

Applicant: From the Earth, LLC

Property Owner: Kenney Kha

Representative: Andrea Arcilla, EPD Solutions

Location: South side of Sunnymead Boulevard at Back Way (APN's: 481-140-004 and 481-140-005)

Case Planner: Jerry Guarracino, Contract Planner

Council District: 1

Proposal: A Master Plot Plan (PEN19-0209) to construct a 7,250 sq. ft. multi-tenant commercial building and a Conditional Use Permit (PEN19-0076) to allow the operation of a retail cannabis dispensary, "From The Earth" in 6,030 sq. ft. tenant space within the new retail building located in the Village Specific Plan, SP 204, Village Commercial/Residential (VCR) district

SUMMARY

The Applicant, From the Earth LLC., is requesting approval of a Master Plot Plan PEN19-0209 to construct a 7,250 sq. ft. multi-tenant commercial building on 1.36-acres

located in the Specific Plan 204, Village Specific Plan, Village Commercial/Residential (VCR) District.

The Applicant has also submitted a Conditional Use Permit PEN19-0076 to allow the operation of a retail cannabis dispensary “From The Earth” in a 6,030 sq. ft. tenant space within the new retail building. The proposed use is for commercial retail sales of cannabis and cannabis products sold to individuals who are 21 years of age or older. This project, as conditioned, is consistent with goals, policies and objectives of the City’s General Plan and Municipal Code.

BACKGROUND

Pursuant to the authority granted to the City by Article XI, Section 7 of the California Constitution, a City may make and enforce, within its limits, regulations designed to promote the public health, safety, and welfare. The City Council, recently adopted Ordinances that regulate commercial cannabis businesses in the City. These Ordinances are based on both federal and state laws.

Federal and State Laws

The Federal Controlled Substances Act classifies marijuana as a Schedule 1 Drug and makes it unlawful, under federal law, for any person to cultivate, manufacture, distribute, or possess with intent to manufacture, distribute, dispense, or possess. However, in 2016, Proposition 64 was approved by the voters in California (“The Adult Use Marijuana Act” or AUMA). AUMA established a comprehensive system to legalize, control and regulate the cultivation, processing, manufacturing, distribution, testing and sale of non-medical marijuana and products for use by adults 21 years of age and older. In addition, it allows taxation of commercial growth and retail sales of marijuana and marijuana products. Most recently, in 2017, then Governor Jerry Brown signed the “Medical and Adult-Use Cannabis Regulations and Safety Act” (MAUCRSA) which further amends prior statutory enactments.

City Regulations

In November 2017, the City Council adopted Ordinance 926, which set rules for the establishment, operation, and regulation of specific commercial cannabis uses, and in March 2018 the City Council approved Resolution 2018-11 approving the initial procedure for permit applications. Land use regulations for the operation of the cannabis uses were established in April 2018 with the adoption of Ordinance 932, which provided for the following cannabis uses: dispensaries, testing, cultivation, manufacturing, microbusinesses, and distribution.

Additionally, in December 2018, the City Council adopted Resolution No. 2018-94, establishing a maximum of 43 commercial cannabis permits. The table below identifies the various types of commercial cannabis permit types, number of permits allowed, and number and status of permits submitted.

Commercial Cannabis Permit Types	Number of Permits Allowed	Number of Provisional Business Permits Issued	Number of Conditional Use Permit Applications Submitted	Number of Conditional Use Permit Applications In Review	Number of Conditional Use Permit Applications Approved
Dispensaries	23	23*	22*	13	8
Testing Facilities	2	0	0	0	0
Cultivation	8	2	2	2	0
Manufacturing	5	2	2	2	0
Distribution (of products from licensee to licensee only)	2	2	2	1	1
Microbusinesses	3	3*	3*	0	2

*Note: The Provisional Business License for one Microbusiness and one Dispensary have been revoked; therefore, the associated Conditional Use Permit Applications were closed.

The City’s multi-step process for selecting commercial cannabis businesses that can legally operate in the City as follows:

Step 1 – Application Process. Commercial Cannabis Business Permit applications were reviewed and a background check of business Owner(s) and their Employees, was conducted. Applications with a minimum overall score of 80% were interviewed by staff to establish a candidate pool, and applications were required to be submitted through an online (PlanetBids) system. The City issued provisional Commercial Cannabis Business Permits to 32 successful applicants. Only those commercial cannabis businesses with provisional permits are eligible to proceed to the subsequent steps in the process.

Step 2 – Obtain a Conditional Use Permit. Municipal Code Section 9.09.290C2 requires that commercial cannabis businesses must obtain a Conditional Use Permit, which is a land use entitlement process to confirm the proposed land use and site development elements will be consistent with City established development regulations as well as compatible with other land uses near the proposed project.

Step 3 – State approval. In addition to local permits, each Commercial cannabis business must also obtain applicable State of California cannabis permits prior to commencing operation lawfully within the City.

Step 4 – Obtain a Certificate of Occupancy. Lastly, all commercial cannabis businesses must obtain a Certificate of Occupancy (“C of O”) from the Building and Safety Division, prior to opening for business. The C of O is the final step in the process and documents that the Applicant has completed all required tenant improvements to the building and modifications to the parking lot, as required by conditions of approval in the CUP Resolution, and have paid all requisite City fees.

Provisional Commercial Cannabis Business Permit

On, January 24, 2019, From the Earth, LLC, received a provisional Commercial Cannabis Business Permit (Permit Number MVCCBP-R0017) from the City of Moreno Valley. A subsequent application for a Conditional Use Permit was submitted to the City on March 15, 2019. The applicant represents that they will apply for the necessary state permits once the Planning Commission approves the CUP application.

PROJECT DESCRIPTION

Plot Plan PEN19-0209

The proposed project would construct a 7,250 sq. ft. multi-tenant commercial building, along with associated parking and landscape improvements on a 1.36-acre site (APN's: 481-140-004 and 481-140-005). The building will be divided into 2 suites - a 1,220 square foot retail space and a 6,030 square foot retail space (proposed for a cannabis dispensary under the Conditional Use Permit discussed below). The two tenant spaces will not have any interior doors connecting them. The entrances to both suites would be independent and located at the northeast corner of the building to encourage pedestrian activity along Sunnymead Boulevard consistent with the goals of Specific Plan 204.

Site/Surrounding Area

The project site consists of two parcels located on the south side of Sunnymead Boulevard at the Intersection of Back Way. The parcels will be merged to create a single 1.36-acre parcel. The site is currently vacant and is relatively flat with a gentle slope to the south. Surrounding land uses include a mix of retail sales, service uses such as barbershops, and automotive repair uses to the north, east, and west. Property to the south includes a small apartment complex and an entitled condominium development.

Access/Parking

The site would be served by two existing driveways on Sunnymead Boulevard. The main project entrance will align with Back Way and a second reciprocal access driveway is shared with the property to the west of the project site. The on-site circulation has been designed to link this project to the adjacent site, to the west, in compliance with the goals of Specific Plan 204. A total of 42 parking spaces are required for both proposed retail spaces and the project would include 69 parking spaces. In addition, short-term bike racks are provided at the front of the building and long-term bike storage is provided in an enclosed room at the northwest corner of the building.

Construction of the proposed project would also include improvements to the intersection of Back Way/Sunnymead Boulevard. The proposed improvements include modification of the existing traffic signal to include the south leg of the intersection. Additionally, the westbound approach will be restriped to include a left-turn lane into the project site.

Design/Landscaping

The architectural design of the building reflects a contemporary Mediterranean style, with a terra cotta roof tiled entry tower, light earth tone colored stucco, concert pillars supporting wood trellis projections, and accent tiled wainscoting. The proposed architectural elements are consistent with the design guidelines of the Village Specific Plan.

The conceptual landscape plan demonstrates consistency with the landscape requirement of the Municipal Code, with a landscaped area of 17,472 sq. ft. representing a 30.4% landscape coverage. Additionally, enhanced paving will accent the main driveway at Back Way and on site pedestrian areas along the front of the building.

Conditional Use Permit PEN19-0076

The proposed Conditional Use Permit would allow a 6,030 sq. ft. cannabis dispensary within a new commercial building. Tenant improvements within the dispensary include reception/lounge, retail, office, storage, and a receiving area. The reception/lounge includes a reception desk, waiting area, and public restroom. The retail area would provide sales of cannabis products, products for the consumption of cannabis, and services to test cannabis strength. The remainder of the suite would include employee and security offices, secured storage, and the receiving area. The applicant is proposing hours of operation between 9:00 am and 10:00 pm, seven days per week.

Safety and Security Plan

Moreno Valley Municipal Code Section 9.09.294(B)(6) requires that any transfer of product or currency shall be identified in an individual security plan that is approved by the City. A Safety and Security Plan has been provided to the City that identifies methods to address site security for employees, customers and the public as well as fire prevention methods that comply with local and state laws and include provisions for on-site security guards, a security and a fire alarm system, and a video surveillance system. A condition of approval requires the applicant to provide all video to the Police and Fire Departments, upon their request.

The Municipal Code requires that two secured parking spaces be provided for those vehicles used to transfer cannabis products to and from the site. The applicant has identified those two secured parking spaces adjacent to the west side of the building. These secured parking spaces are directly adjacent to the door to the secured receiving area. The secured parking spaces will be monitored with security cameras as well as patrolled by an armed security officer.

Odor Control Plan

An Odor Control Plan has been prepared for the project in conformance with City requirements to ensure abatement of all potential odors that could emanate from the dispensary. This plan states that the dispensary will utilize carbon air filters attached to its HVAC exhaust fans as a proper ventilation system for dealing with cannabis-related odors and mitigating noxious fumes. The fully integrated and automated system will regularly call for the substitution of new filters, and therefore under no circumstances will there be any odor nuisance emitted from the operation. In addition, staff is requiring that automatic closures shall be installed on all interior and exterior doors and that all roof venting, wall penetrations panel joints, etc., be sealed to prevent odors from migrating outside of the dispensary.

These systems will also ensure that any odors associated with the dispensary are not detectable outside the premises, including parking lots, public rights-of-way, and adjacent business locations in surrounding neighborhoods. The required air filtration system and the air exchange system are required to be consistent with the Odor Control Plan submitted to the City. The air filtration system must be designed by a licensed Mechanical Engineer, reviewed, and permitted by the Building & Safety Division staff as part of the tenant improvement plans for the heating, ventilation, and air conditioning (HVAC) systems for the proposed dispensary.

REVIEW PROCESS

In compliance with the Municipal Code, the Project Review Staff Committee (PRSC) reviewed this project on April 16, 2019 and June 26, 2019. The applicant has worked with staff and modified the proposed floor plan to the satisfaction of all Departments. Based on staff's review, it was determined that the project will be consistent with the City's requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

City staff has completed an independent review of the potential environmental impacts of the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines and has determined the project does not have the potential for a significant effect on the environment, and qualifies for a Class 32 Categorical Exemption (Section 15332, In-fill Development Projects).

NOTIFICATION

Public notice was sent to all property owners of record within 600' of the project on November 27, 2019. The public hearing notice for this project was also posted on the project site on November 27, 2019, and a notice was published in the local newspaper on November 29, 2019.

As of the date of report preparation, staff has received no phone calls or correspondence in response to the noticing for this project.

REVIEW AGENCY COMMENTS

The project application materials were circulated for review by all appropriate City departments and divisions as well as applicable outside agencies. Throughout the review process, comments and proposed conditions of approval were provided in writing to the Applicant.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. **CERTIFY** that Master Plot Plan (PEN19-0209) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill development Projects), and
2. **ADOPT** Resolution 2019-45 and thereby **APPROVE** Master Plot Plan (PEN19-0209) based on the findings contained in the Resolution and subject to the conditions of approval included as Exhibit A; and
3. **CERTIFY** that Conditional Use Permit (PEN19-0076) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill development Projects), and
4. **ADOPT** Resolution 2019-46 and thereby **APPROVE** Conditional Use Permit application (PEN19-0076) based on the findings contained in the Resolution, and subject to the conditions of approval included as Exhibit A.

Prepared by:
Jerry Guarracino
Planning Consultant

Approved by:
Albert Armijo
Interim Planning Manager

ATTACHMENTS

1. Public Hearing Notice
2. Radius Map
3. PEN19-0209 Resolution 2019-45
4. PEN19-0209 Exhibit A to Resolution 2019-45
5. PEN19-0076 Resolution 2019-46
6. PEN19-0076 Exhibit A to Resolution 2019-46
7. Site Plan
8. Floor Plan
9. Building Elevations
10. Conceptual Landscape Plan

- 11. Aerial Map
- 12. Zoning Map

**NOTICE OF PUBLIC HEARING AND
ENVIRONMENTAL DETERMINATION**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item:

Project: PEN19-0209 and PEN19-0076
Applicant: From the Earth, LLC
Owner: Kenney Kha
Representative: Andrea Arcilla, EPD Solutions
APN: 481-140-004 & 481-140-005
Location: South side of Sunnymead Boulevard at Backway
Proposal: A Master Plot Plan (PEN19-0209) to construct a 7,250 sq. ft. multi-tenant commercial building and a Conditional Use Permit (PEN19-0076) to allow the operation of a retail cannabis dispensary, "From The Earth" in 6,030 sq. ft. of the new retail building located in the Village Specific Plan, SP 204, Village Commercial/Residential (VCR) district.
Council District: 1

The project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) Guidelines and it was determined that the project will not have a significant effect on the environment. A finding that the project is exempt from the provisions of CEQA as a Class 32 Categorical Exemption in accordance with CEQA Guidelines Section 15332 for In-Fill Development Projects is being recommended for the project.

Any person interested in the proposal may speak at the hearing or provide written testimony at or prior to the hearing. The application file and environmental documents may be inspected at the Community Development Department at 14177 Frederick Street, Moreno Valley, California during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m. on Fridays), or you may telephone (951) 413-3206 for further information.

Upon request and in compliance with the Americans with Disabilities Act of 1990, any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The Planning Commission, at the Hearing or during deliberations, could also consider and approve changes to the project or the environmental determination. If you challenge this project, including any modifications considered for the project, in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

Date and Time: December 12, 2019 at 7:00 p.m.
Location: City Hall Council Chamber
14177 Frederick Street
Moreno Valley, California 92553
Planner: Jerry Guarracino, Contract Planner
Telephone: (951) 413-3206

/s/Albert Armijio
Albert Armijio
Acting Planning Official
Community Development Department

Press-Enterprise
Newspaper

November 29, 2019
Date of Publication

Attachment: Public Hearing Notice [Revision 1] (3836 : PEN19-0076 and PEN19-0209 - New Commercial Building and Cannabis Conditional



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Attachment: Radius Map (3836 : PEN19-0076 and PEN19-0209 - New Commercial Building and Cannabis Conditional Use Permit)

PLANNING COMMISSION RESOLUTION NO. 2019-45

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING APPLICATION NO. PEN19-0209, A MASTER PLOT PLAN FOR DEVELOPMENT OF A 7,250 SQUARE FOOT MULTI-TENANT COMMERCIAL BUILDING ON 1.36 ACRES LOCATED ON THE SOUTH SIDE OF SUNNYMEAD BOULEVARD AT BACK WAY (ASSESSOR PARCEL NUMBERS 481-140-004 AND 481-140-005).

WHEREAS, From the Earth, LLC, filed an application for a Master Plot Plan, PEN19-0209 for the development, of a multi-tenant commercial building, totaling 7,250 square foot on 2-vacant parcels totaling 1.36 acres, as described in the title of this Resolution; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley (City) procedures, and with consideration of Specific Plan SP 204, the Municipal Code, the General Plan, and other applicable regulations; and

WHEREAS, the City has reviewed this project and determined that it is consistent with the site's General Plan Mixed Use designation, all applicable General Plan policies, and the Moreno Valley, Village Specific Plan No. 204, Village Commercial/Residential (VCR) zoning district; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of the City of Moreno Valley (Planning Commission); and

WHEREAS, the public hearing notice for this project was published in the local newspaper on November 29, 2019, and public notice was sent to all property owners of record within 600 feet of the project site on November 27, 2019, and the public hearing notice for this project was also posted on the project site on November 29, 2019;

WHEREAS, on December 12, 2019, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject application; and

WHEREAS, on December 12, 2019, the Planning Commission of the City of Moreno Valley determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill Development Projects); and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, the Planning Commission of the City of Moreno Valley, California, does hereby find, determine, and resolve as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on December 12, 2019, including written and oral staff reports, public testimony and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed project is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposed project is for the construction of a new 7,250 square foot multi-tenant commercial building on 1.36 acres. The project site has a General Plan Land Use designation of Mixed Use (MU). The proposed land use has been evaluated against General Plan Objective 2.4, which states “provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.”

The project is located within Specific Plan 204 (SP 204 Village Commercial/Residential zoning district), which encourages commercial development along Sunnymead Boulevard, with an emphasis on improving pedestrian connectivity on the boulevard. The proposed project is consistent with the permitted uses and development standards of the Specific Plan and is therefore consistent with the goals, objectives, policies, and programs of the General Plan, and the adopted Specific Plan.

2. **Conformance with Zoning Regulations** – The proposed project complies with all applicable zoning and other regulations.

FACT: The proposed Master Plot Plan includes development of a 7,250 square foot multi-tenant commercial building and associated improvements on 1.36 acres of land located on the south side of Sunnymead Boulevard at Back Way. The site is located in Specific Plan 204 (SP 204, Village Commercial/Residential district), and as such is subject to the development standards of the Specific Plan.

The project is designed in accordance with the provisions of Village Specific Plan SP 204, VCR. The project as designed and conditioned would comply with all applicable zoning standards.

3. **Health, Safety and Welfare** – The proposed project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed Master Plot Plan as designed and conditioned will provide acceptable levels of protection from natural and man-made hazards to life, health, and property consistent with General Plan Goal 9.6.1, through the implementation of, and compliance with applicable building and fire codes.

The proposed project as designed and conditioned will result in a development that will minimize the potential for loss of life and protect workers, and visitors to the City from physical injury and property damage due to seismic ground shaking and flooding as provided for in General Plan Objective 6.1 and General Plan Objective 6.2.

The project is consistent with the City General Plan, Specific Plan 204, and Moreno Valley Municipal Code which are intended to protect the public health, safety and welfare; therefore, the proposed project will not be detrimental to the public health, safety or welfare or material injurious to properties or improvements in the vicinity.

Planning staff has reviewed the project in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project is exempt under the provisions of the CEQA as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 for In-Fill Development Projects. The Class 32 exemption applies to the new commercial multi-tenant building because the proposed development occurs within City limits on a project site of 1.36 acres, which is less than the exemption requirement of five acres, and the site is surrounded by existing urban uses, and has no value as habitat for endangered, rare or threatened species.

Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and can be adequately served by all required utilities and public services. The project as designed and conditioned will be required to comply with the Specific Plan 204, all applicable building codes, and the City's Municipal Code.

4. **Redevelopment Plan** - The project conforms with any applicable provisions of any city redevelopment plan.

FACT: In January 2011, the Governor of the State of California proposed statewide elimination of redevelopment agencies. State legislation was

passed on June 29, 2011 prohibiting redevelopment agencies from engaging in new business and established timelines for dissolution of redevelopment agencies. For these reasons, the finding is no longer applicable.

5. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The proposed project, the construction of a 7,250 square foot multi-tenant commercial building is a permitted use in the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District. Furthermore, the proposed use is consistent with existing commercial and residential development. The project is well buffered from residential uses to the south by parking, landscaping and a new six-foot masonry wall.

The project has been designed to comply with Specific Plan 204 and the development standards and design guidelines of the Moreno Valley Municipal Code. The project as designed and conditioned is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this Resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PEN19-0209, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this Resolution begins on the effective date of this Resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the applicable statute of limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission HEREBY APPROVES Resolution No. 2019-45, and thereby:

- 1. APPROVES PEN19-0209, Master Plot Plan, based on the findings contained in this resolution and subject to conditions of approval attached as Exhibit A.

APPROVED this 12th day of December, 2019.

Jeffrey Sims
Chairperson, Planning Commission

ATTEST:

APPROVED AS TO FORM:

Patty Nevins, Acting Community Development Director
Secretary to the Planning Commission

City Attorney

Attachment:
Exhibit A: Conditions of Approval

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Plot Plan (PEN19-0209)

EFFECTIVE DATE:
 EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. The site has been approved for a 7,250 square, single story, multi-tenant commercial building on approximately 1.36-acres. The approval includes the associated parking lot, landscaping improvements per the approved plans. A change or modification shall require separate approval.
2. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
3. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
4. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
5. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. This project is located within Specific Plan 204. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.
10. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction

contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

Special Conditions

11. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
12. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
13. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security shall remain in place until the project is completed or the above conditions no longer exist. (Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard).

Prior to Grading Permit

14. Prior to issuance of any grading permit, all Conditions of Approval shall be printed on the building plans.
15. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
16. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee.
17. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered during grading and other construction excavation, no further disturbance shall occur until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 5-days of the published finding to be given a reasonable opportunity to identify the "most likely descendant." The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).

18. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress /egress locations of the project.
19. Prior to issuance of any grading permit, all Conditions of Approval, I shall be printed on the grading plans.
20. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress /egress locations of the project.
21. Prior to issuance of grading permits, the developer shall submit wall /fence plans to the Planning Division for review and approval as follows:
 - a. A maximum 6 foot high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
 - b. 3-foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - c. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.
 - d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement and design will be based on a site specific review of the project. All walls are subject to the approval of the Planning Official. (DC 9.08.070)
22. Prior to approval of any grading permits, plans for any security gate system shall be submitted to and approved by to the Planning Division.
23. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project . The sign shall include the following:
 - a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number.
24. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
25. Prior to approval of any grading permit, the tree plan shall be submitted to and approved by the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right -of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be shown on the plan, be a minimum size of 24 inch box, and meet a ratio of three replacement trees for each mature tree removed or as approved by the Planning Official. (GP Objective 4.4, 4.5, DG)

Prior to Building Permit

26. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan or separate Planning submittal. The trash enclosure(s), including the roof materials, shall be compatible with the architecture, color and materials of the building (s) design. Trash enclosure areas shall include landscaping on three sides. Approved design plans shall be included in a Building submittal (Fence and Wall or building design plans). (GP Objective 43.6, DG)
27. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:
- a. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - b. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - c. Diamond planters shall be provided every 3 parking stalls.
 - d. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas. (or No sod shall be installed)
 - e. Street trees shall be provided every 40 feet on center in the right of way.
 - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
 - g. Enhanced landscaping shall be provided at all driveway entries and street corner locations. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
 - h. Landscaping on three sides of any trash enclosure.
 - i. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan). [only include items above that apply to the project]
28. Prior to issuance of building permits, proposed covered trash enclosure (s) shall be included in the Planning review of the Fence and Wall plans. The trash enclosure (s), including the roof materials, shall be compatible with the architecture, color and materials of the building(s) design. Trash enclosure areas shall include landscaping on three sides unless located within the truck loading area. Approved design plans shall be included in a Building submittal (Fence and walls or building design plans). (GP Objective 43.6, DG)
29. Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria : transformer cabinets and commercial gas meters shall not be located

within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building (s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30)

30. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees.
31. Prior to the issuance of building permits, the developer shall provide documentation that contact was made to the U.S. Postal Service to determine the appropriate type and location of mailboxes.
32. Prior to or at building plan check submittal, the elevation plans shall include decorative lighting sconces on all sides of the buildings of the complex facing a parking lot, courtyard or plaza, or public right of way or open space to provide up-lighting and shadowing on the structures. Include drawings of the sconce details for each building within the elevation plans, approved by the Planning Division prior to building permit issuance.
33. Prior to or at building plan check submittal, two copies of a detailed, on -site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval prior to the issuance of a building permit. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)
34. Prior to issuance of building permits, screening details shall be addressed on the building plans for roof top equipment submitted for Planning Division review and approval through the building plan check process. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building.

Prior to Building Final or Occupancy

35. Prior to building final, the developer/owner or developer's/owner' s successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
36. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division . (MC 9.03.040, MC 9.17).
37. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
38. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

39. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work

spaces, etc.

40. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
41. Contact the Building Safety Division for permit application submittal requirements.
42. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
43. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
44. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
45. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance . Contact the water district at 951.928.3777 for specific details.
46. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2016 CBC.
47. The proposed non-residential project shall comply with 2016 California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
48. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the 2016 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
49. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process . (MC 8.80.030)

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

50. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
51. New Moreno Valley businesses may adopt a "First Source" approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of the public recruitment.
52. New Moreno Valley businesses are encouraged to hire local residents.

53. New Moreno Valley businesses are encouraged to provide a job fair flyer and /or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
54. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center (“ERC”).

The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:

- a. Job Announcements
- b. Applicant testing / pre-screening
- c. Interviewing
- d. Job Fair support
- e. Training space

FIRE DEPARTMENT

Fire Prevention Bureau

55. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height . (CFC 505.1, MVMC 8.36.060[I])
56. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
57. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
58. An approved automatic fire sprinkler system, designed in compliance with the California Fire Code is required in every building that houses a commercial cannabis business. This requirement is a minimum standard and does not preclude the city from imposing additional fire prevention measures as deemed necessary by the fire marshal on a case-by-case basis.
59. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B 105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 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)
60. All city fire, police and code personnel shall have unlimited and unrestricted property access for inspections of commercial cannabis businesses and facilities during business hours. MVMC

9.09.290 (g)

61. Restricted access, electronically controlled access doors interior and exterior are to be installed with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel) to meet the requirement of Moreno Valley Municipal Code Section MVMC 9.09.290 (i)

PUBLIC WORKS DEPARTMENT

Land Development

62. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
63. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
64. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
65. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - b. Observance of working hours as stipulated on permits issued by the Land Development Division.
 - c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
 - d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.

Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor (s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

66. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement . [MC 9.14.110]
67. This project shall submit civil engineering design plans, reports and /or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
- a. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - b. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - c. Public Improvement Plan (e.g., water/sewer, etc.) (prior to encroachment permit issuance);
 - d. Final drainage study (prior to grading plan approval);
 - e. Final WQMP (prior to grading plan approval);
 - f. Legal Documents (e.g., easement(s), dedication(s), etc.) (prior to building permit issuance);
 - g. As-Built revision for all plans (prior to Occupancy release).
68. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.

Prior to Grading Plan Approval

69. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
70. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
71. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.
- a. The Applicant has proposed to incorporate the use of Underground Infiltration Chambers. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.

- b. If applicable, the applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP.
 - c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.
 - d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
 - e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.
 - f. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.
 - g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.
72. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
 - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
 - c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
73. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
74. The developer shall pay all remaining plan check fees.
75. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
76. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.

Prior to Grading Permit

77. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
78. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
79. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
80. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
81. The developer shall pay all applicable inspection fees.

Prior to Encroachment Permit

82. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
83. All applicable inspection fees shall be paid.
84. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

85. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
86. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and /or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
87. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer.
88. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.

89. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Occupancy

90. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
91. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
92. As applicable, the developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of all existing and proposed utilities adjacent to and on -site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to : electrical, cable and telephone.
93. For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy can be obtained by contacting the Land Development Division.
94. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
 - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
95. The Developer shall comply with the following water quality related items:

- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non -structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.
96. All outstanding fees shall be paid.
97. For commercial, industrial and multi-family projects, in compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act, this project is subject to the following requirements:
- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
 - b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy . [California Government Code & Municipal Code]

Special Districts Division

98. This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and /or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.
- a. Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community

Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or

- b. Establish an endowment fund to cover the future maintenance and /or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the Developer must inform the Special Districts Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project.

99. Commercial (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on -site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)
100. This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply . If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
101. The existing parkway/median along the frontage of the project shall be brought to current City Standards. Improvements may include but are not limited to: plant material, irrigation, and hardscape.
102. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
103. Modification of existing irrigation systems for parkway improvements may be required per the

direction of, approval by and coordination with the Special Districts Division. Please contact Special District Division staff at 951.413.3480 or specialdistricts@moval.org to coordinate the modifications.

104. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
105. The removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced, at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)
106. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services), Zone C (Arterial Street Lighting), and Zone S (Sunnymead Boulevard Maintenance). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C and the annual parcel charge for Zone S for operations and capital improvements.

Transportation Engineering Division

107. Conditions of approval may be modified if project is altered from any approved plans.
108. The driveways shall conform to City of Moreno Valley Standard No. MVSI-112C-0 for Commercial Driveway Approaches. Access at the driveways shall be allowed as follows:
 - a. Main driveway at Sunnymead Boulevard/Back Way signalized intersection: full access.
 - b. Shared existing driveway with adjacent property: right turn in/out only.
109. All proposed on-site traffic signing and striping should be accordance with the 2014 California Manual on Uniform Traffic Control Devices (CAMUTCD), latest edition.
110. Sunnymead Boulevard is classified as an Arterial per City Standard Plan No. MVSI-104E-0. Communication conduit along project frontage may be required per City Standard Plan No. MVSI-186-0. Any improvements undertaken by this project shall be consistent with the City's standards for this facility.
111. Prior to final approval of the landscape plans and construction plans for any type of fencing or monument sign, the project plans shall demonstrate that sight distance at the project driveway conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0. Trees, plants, shrubs, fencing, and monument signing shall not be located in an area that obstructs the drivers' line-of-sight.
112. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for Sunnymead Boulevard along the project frontage. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered Civil or Traffic Engineer.
113. Prior to issuance of an encroachment permit for work within the public right -of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic Engineer shall be required for plan approval or as required by the City Traffic Engineer.

114. Prior to the final approval of the street improvement plans, a traffic signal modification plan shall be prepared for the existing traffic signal at Sunnymead Boulevard and Back Way intersection. Traffic signal modification plan shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD), 2018 Caltrans Standard Plans, and current City of Moreno Valley Standard Plans by a qualified registered Civil Engineer. Signal modifications may include, but not be limited to, signal pole replacement or relocation, new video detector installation, controller cabinet relocation, controller replacement, signing & striping, curb and gutter replacement, and ADA access ramp replacement. Specific modifications shall be determined during plan check process.
115. Prior to issuance of Certificate of Occupancy, all modification work for the existing traffic signal at the intersection of Sunnymead Boulevard and Back Way shall be completed and fully operational per the approved plans to the satisfaction of the City Engineer.
116. Prior to issuance of Certificate of Occupancy, all signing and striping shall be installed per current City Standards and the approved plans.

PLANNING COMMISSION RESOLUTION NO. 2019-46

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING A CONDITIONAL USE PERMIT (PEN19-0076) FOR A CANNABIS DISPENSARY, "FROM THE EARTH" IN 6,030 SQ. FT. TENANT SPACE WITHIN A NEW COMMERCIAL BUILDING ON THE SOUTH SIDE OF SUNNYMEAD BOULEVARD AT BACK WAY (ASSESSOR PARCEL NUMBERS 481-140-004 AND 481-140-005).

WHEREAS, From the Earth, LLC., has filed an application for the approval of Conditional Use Permit (CUP) PEN19-0076 for the development of a 6,030 square foot cannabis dispensary, operating between the hours of 9:00 a.m. and 10:00 p.m., 7 days per week, as described in the title above; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley (City) procedures, and with consideration of Specific Plan 204, the Municipal Code, the General Plan, and other applicable regulations; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of the City of Moreno Valley (Planning Commission); and

WHEREAS, the public hearing notice for this project was published in the local newspaper on November 29, 2019 and public notice was sent to all property owners of record within 600 feet of the project site on November 27, 2019. The public hearing notice for this project was also posted on the project site on November 29, 2019, and

WHEREAS, on December 12, 2019, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on December 12, 2019, the Planning Commission of the City of Moreno Valley determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill Development Projects); and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on December 12, 2019, including written and oral staff reports, public testimony and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: State Planning Law required cities and counties to set forth goals, policies, and implementation programs for the long term physical development of the community. Section 65302 (a) of the Government Code requires preparation of a land use element which designates the proposed general distribution and general location of the uses of land for housing, business, industry, public buildings, and open space. The proposed development is located within the Mixed Use (MU) land use designation of the Moreno Valley General Plan.

The CUP has been evaluated against General Plan Objective 2.4, which states “provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.” Staff has confirmed that the proposed project does not conflict with any of the goals, objectives, policies, and programs of the General Plan. The operation of a cannabis dispensary within a 6,030 sq. ft. tenant space within a new commercial building will provide a convenient, safe, and easily accessible commercial business within the City.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: The proposed project is within the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District. Municipal Code Section 9.02.290 C 2 (Cannabis Business Locations and Use), requires a Conditional Use Permit in order to lawfully operate all commercial cannabis activities including dispensaries. The proposed Conditional Use Permit for a cannabis dispensary will comply with the Municipal Code Section 9.09.290 Commercial Cannabis Activities, which provides standards for cannabis dispensaries. The proposed dispensary will be located within a 6,030 sq. ft. tenant space within a new 7,250 sq. ft. commercial building.

The project is designed in accordance with the provisions of Village Specific Plan SP 204, VCR. The project as designed and conditioned would comply with all applicable zoning standards.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed commercial cannabis business will operate within 6,030 square foot tenant space, within a new 7,250 sq. ft. single-story commercial building. This proposed use will be consistent with General Plan Goal 6.1 as it achieves acceptable levels of protection from natural and man-made hazards to life, health, and property through the implementation of the Applicant's Security Plan, and compliance with applicable building and fire codes.

The proposed project as designed and conditioned will result in a development that will minimize the potential for loss of life and protect workers, and visitors to the City from physical injury and property damage due to seismic ground shaking and flooding as provided for in General Plan Objective 6.1 and General Plan Objective 6.2.

The project is consistent with the City General Plan, Specific Plan 204, and Moreno Valley Municipal Code which are intended to protect the public health, safety and welfare; therefore, the proposed project will not be detrimental to the public health, safety or welfare or material injurious to properties or improvements in the vicinity.

Planning staff has reviewed the project in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project is exempt under the provisions of the CEQA as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 for In-Fill Development Projects. The Class 32 exemption applies to the new commercial multi-tenant building because the project is consistent with the criteria of the exemption including the following. The proposed development occurs within City limits on a project site of 1.36 acres, which is less than the exemption requirement of five acres. In addition, the site is surrounded by existing urban uses, and has no value as habitat for endangered, rare or threatened species.

Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and can be adequately served by all required utilities and public services. The project as designed and conditioned will be required to comply with the Specific Plan 204, all applicable building codes, and the City's Municipal Code.

4. **Redevelopment Plan** - The project conforms to all applicable provisions of any city redevelopment plan.

FACT: In January 2011, the Governor of the State of California proposed statewide elimination of redevelopment agencies. State legislation was passed on June 29, 2011 prohibiting redevelopment agencies from engaging in new business and established timelines for dissolution of redevelopment agencies. For these reasons, the finding is no longer applicable.

5. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The project site is consistent with the Mixed Use (MU) General Plan designation, and the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District and is permitted subject to the approval of a Conditional Use Permit. The proposed commercial cannabis dispensary will operate within 6,030 sq. ft. of a new 7,250 sq. ft. commercial building. Tenant improvements, consistent with applicable federal, state and local regulations, are proposed.

Additionally, the project site is not located within 600 feet of any public or private school providing instruction in kindergarten or grades 1 through 12, and from child day care centers, youth centers, or arcades.

Overall, the proposed project has been found to be consistent with certain objectives, goals and policies outlined in the City's General Plan, as well as being compatible with the existing land uses in the project area.

This project as proposed and conditioned conforms to all development standards of the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District and the design guidelines for commercial developments prescribed in the City's Municipal Code and City Landscape Standards.

FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area

Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this Resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. **DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS**

The adopted Conditions of Approval for PEN19-0076, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. **CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS**

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this Resolution begins on the effective date of this Resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the applicable statute of limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2019-46, and thereby:

1. **CERTIFY** that Conditional Use Permit PEN19-0076 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 32 Exemption (Section 15332, In-Fill Development Projects); and

- 2. **APPROVE** Conditional Use Permit PEN19-0076 subject to the attached Conditions of Approval included as Exhibit A to the Resolution.

APPROVED this 12th day of December, 2019.

 Jeffrey Sims
 Chairperson, Planning Commission

ATTEST:

APPROVED AS TO FORM:

 Patty Nevins, Acting Community
 Development Director
 Secretary to the Planning Commission

 City Attorney

Attachments:

Exhibit A: Conditions of Approval

Attachment: PEN19-0076 Resolution 2019-46 [Revision 3] (3836 : PEN19-0076 and PEN19-0209 - New Commercial Building and Cannabis

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN19-0076)

EFFECTIVE DATE:
 EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)
3. This project is located within the Village Specific Plan SP 204 VCR. The provisions of the zoning, and the Conditions of Approval shall prevail unless modified herein.
4. The commercial cannabis dispensary shall be consistent with all other applicable federal, state and local requirements including the Moreno Valley Municipal Code Title 5 and Title 9, and all related Municipal Code sections.
5. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
6. All landscaped areas and the parking lot shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. Any signs indicated on the submitted plans are not included with this approval and shall be renewed under separate permit.
8. All site plans, grading plans, landscape plans and proposed signage shall be coordinated for consistency with this approval.
9. A copy of all pages of these conditions shall be included in the construction drawing package.

Special Conditions

10. The site has been approved for a commercial cannabis dispensary, located on the south side of Sunnymead Boulevard at Back Way APNs: 481-140-004 and 481-140-005, (approximately 6,030 square feet) per the approved plans and per the requirements of the City's Municipal Code (MC) Section 9.09.290 Commercial cannabis activities, 9.09.293 Cannabis Business locations and use, and 5.05 Commercial

Cannabis Activity. A change or modification to the interior design/set-up, exterior elevations or business process (including security procedures) shall require separate review and approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit per MC Section 9.09.290 F and 9.02.260.

11. The cannabis license and the Conditional Use Permit, apply only to the 6,030 square foot tenant space within the 7,250 square foot building. No use of any other tenant space, outside of the 6,030 square foot tenant space is allowed per Conditional Use Permit PEN19-0076.
12. Daily hours of operation for the dispensary may start no earlier than 9:00 am and end no later than 10:00 pm, Sunday through Saturday.
13. A licensee conducting a commercial cannabis dispensary shall meet all applicable operational requirements for retail/commercial cannabis dispensaries. (MC 9.09.290 (E)(4))
14. The commercial cannabis operation shall have a valid Commercial Cannabis Business Permit and shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
15. The cannabis licensee shall display its current valid Commercial Cannabis Business Permit under Chapter 5.05 of this Code and a Conditional Use Permit issued in accordance with this chapter inside the lobby or waiting area of the main entrance to the site. The permits shall be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the site. (MC 9.09.290 (D)(2)(c))
16. All City Fire, Police and Code personnel shall have unlimited and unrestricted property access for inspections of commercial cannabis businesses and facilities during business hours. (MC 9.09.290 (D)(2)(g))
17. No person associated with this commercial cannabis dispensary shall cause or permit the sale, dispensing or consumption of alcoholic beverages or the sale of tobacco products on or within 50 feet of the premises of a cannabis business. (MC 9.09.290 (D)(2)(b))
18. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty (20) feet of, the dispensary site. (MC 9.09.290 (E)(4)(f))
19. No commercial cannabis dispensary owner or employee shall: (i) cause or permit the sale, distribution, or consumption of alcoholic beverages on the dispensary property (ii) hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages; or (iii) operate a business on or adjacent to the dispensary property that sells alcoholic beverages. No alcoholic beverages shall be allowed or stored on the dispensary property. (MC 9.09.290 (E)(4)(g))
20. No cannabis or marijuana materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis dispensaries are being conducted. All commercial cannabis dispensaries must take place within a fully enclosed, secured and permanent structure (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(6)(c))
21. The commercial cannabis dispensary shall have designated locked storage on the dispensary property for after-hours storage of medical and adult use recreational cannabis and cannabis infused products. All cannabis and cannabis infused products shall be stored at the dispensary property in secured rooms that are completely enclosed or in a safe that is bolted to the floor (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(4)(c))

22. No delivery service (retail) of any cannabis products is allowed. All distribution of cannabis must be conducted within the enclosed building area of the dispensary property between the seller and buyer. (MC 9.09.290 (E)(4)(e))
23. All operations conducted and equipment used must be in compliance with all applicable state and local regulations, including all building, electrical and fire codes. (MC 9.09.290 (E)(7)(b))
24. Security surveillance cameras and a video recording system must be installed to monitor all doors into and out of the buildings on the site, the parking lot, loading areas, and all exterior sides of the property adjacent to the public rights-of-way. The camera and recording systems must be of adequate quality, color rendition, and resolution to allow the identification of any individual present on the site. The recording system must be capable of exporting the recorded video in standards MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
25. All windows on the building that houses the Cannabis Facility shall be appropriately secured and all marijuana securely stored.
26. Professionally and centrally monitored fire, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include a private security company that is required to respond to every alarm. (MC 9.09.290 (E)(12)(b))
27. Waste and storage and disposal of all marijuana and cannabis products shall meet all applicable state and local health regulation. (MC 9.09.290 (E)(13))
28. The premises must be equipped with an odor absorbing ventilation and exhaust system so that odor generated inside the Cannabis Business that is distinctive to its operation is not detected outside the Cannabis Business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breeze-ways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the Cannabis Business. As such, Cannabis Businesses must install and maintain the following equipment or any other equipment which the Local Licensing Authority determines has the same or better effectiveness:
 - a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
 - b. An air system that creates negative air pressure between the Cannabis Businesses' interior and exterior so that the odors generated inside the Cannabis Business are not detectable outside the Cannabis Business.
29. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
30. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
31. The Applicant shall install automatic closures on all interior and exterior doors.
32. All interior and exterior door seals shall be replaced and adjusted.
33. The Applicant shall seal and renovate all facility roll up doors, garage doors and associated systems.
34. All roof venting, wall penetrations, panel joints etc. shall be sealed.

35. The Applicant shall install air curtains on all exterior doors.
36. Two secured parking spaces, identified on a plot plan shall be located convenient to the required secured area of each facility to be used by secured transfer vehicles involved in the courtering or dispensing of cannabis materials products to and from the facility and for use by any secured vehicle commissioned for the transfer of currency to and from the facility. (MC 9.09.290 (E)(9)(f))
37. A fire sprinkler system shall be installed for this project or as required by the Municipal Code Section 9.09.290. An approved automatic fire sprinkler system, designed in compliance with the California Fire Code is required in every building that houses a commercial cannabis business. This is a minimum standard and does not preclude the city from imposing additional fire prevention measures as deemed necessary by the fire marshal (MC 9.09.290 (E)(7)(d))
38. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E)(14)(c))
39. Licensee shall remove any graffiti from the licensed premises within twenty-four (24) hours of its occurrence, or as requested by the city. (MC 9.09.290 (E)(14)(d))
40. Exterior landscaping within ten (10) feet of a licensed premises shall be designed, installed and maintained free of locations which could reasonably be used by persons to conceal themselves and/or to enable undesirable activity. The design and maintenance practices shall give appropriate consideration to both natural and artificial illumination. (MC 9.09.290 (E)(8)(c))
41. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approval of any new or repaired landscaping by the Planning Division designed per the City's Municipal Code 9.17.
42. Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation improvements shall be installed, and inspected and approved by the Planning Division. (DC 9.03.040)
43. Prior to issuance of Certificates of Occupancy or building final, the applicant shall cause the slurry sealing and restriping of the parking lot that shall be inspected and approved by the Planning and Building Divisions.
44. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards and the Security Plan at all times.
45. Prior to approval of tenant improvement plans, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it meets the lighting standards in the Cannabis Ordinance 932. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) Lighting shall comply with the provisions of MC Section 9.08.100 including fixture type, wattage illumination levels and shielding. (MC 9.09.290 (E)(10))
46. The commercial cannabis operation shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.

Security Plan and Measures

47. Prior to Building Permit or Certificate of Occupancy, the process for any transfer of product or currency shall be identified in an updated Security Plan to be reviewed and approved by the Planning Division. (MC 9.09.290 (D)(2)(f))
48. The Security Plan on file with the City of Moreno Valley shall remain in effect as long as the established use is in operation. Any changes, additions, removal or modifications to the plan shall be submitted to the City for review and inclusion in the Conditional Use Permit file.
49. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the dispensary area.

Miscellaneous Operating Requirements

50. Persons under the age of twenty-one (21) years shall not be allowed on the premises. It shall be unlawful and a violation of this chapter for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.

Building Division

51. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
52. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
53. Contact the Building Safety Division for permit application submittal requirements.
54. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m. (except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
55. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
56. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
57. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance . Contact the water district at 951.928.3777 for specific details.
58. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2016 CBC.
59. The proposed non-residential project shall comply with 2016 California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
60. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing

fixtures shall be provided per the 2016 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.

61. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process . (MC 8.80.030)

Economic Development Department (EDD)

62. New Moreno Valley business are encouraged to hire local residents.
63. New Moreno Valley business may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center (“ERC”). The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:
- a. Job Announcements
 - b. Applicant testing / pre-screening
 - c. Interviewing
 - d. Job Fair support
 - e. Training space

New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.

64. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of public recruitment.

FIRE DEPARTMENT

Fire Prevention Bureau

65. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
66. Prior to issuance of Certificate of Occupancy or Building Final, “Blue Reflective Markers” shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
67. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height . (CFC 505.1, MVMC 8.36.060[I])
68. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau 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.
69. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
70. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
71. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire

sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])

72. 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 for access by emergency personnel. (CFC 506.1)
73. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, 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 ½” x 2 ½”) (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
74. Plans for private water mains supplying fire sprinkler systems and /or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
75. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b . Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

PUBLIC WORKS DEPARTMENT

Land Development Division

76. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
77. The developer shall comply with all applicable City ordinances and resolutions including the City’s Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
78. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
79. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
 - a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

- b. Observance of working hours as stipulated on permits issued by the Land Development Division.
- c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
- d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.

Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor (s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

- 80. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
- 81. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement . [MC 9.14.110]
- 82. This project shall submit civil engineering design plans, reports and /or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
 - a. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - b. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - c. Public improvement plan (e.g., sewer/water, etc.) (prior to encroachment permit issuance);
 - d. Final drainage study (prior to grading plan approval);
 - e. Final WQMP (prior to grading plan approval);
 - f. Legal documents (e.g., easement(s), dedication(s), etc.) (prior to building permit issuance);
 - g. As-Built revision for all plans (prior to Occupancy release);

Prior to Grading Plan Approval

- 83. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
- 84. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
- 85. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.
 - a. The Applicant has proposed to incorporate the use of Underground Infiltration Chambers. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff

- as required by the WQMP guidance document.
 - b. If applicable, the Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCO) in Section F of the F-WQMP.
 - c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.
 - d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
 - e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.
 - f. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.
 - g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.
86. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
 - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
 - c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
87. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
88. The developer shall pay all remaining plan check fees.
89. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
90. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.

Prior to Grading Permit

91. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
92. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
93. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
94. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a

guarantee of the completion of the grading operations for the project. [MC 8.21.070]

95. The developer shall pay all applicable inspection fees.

Prior to Encroachment Permit

96. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.

97. All applicable inspection fees shall be paid.

98. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

99. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.

100. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and /or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

101. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

102. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer.

103. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.

Prior to Occupancy

104. All outstanding fees shall be paid.

105. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.

106. The final/precise grade certification shall be submitted for review and approved by the City Engineer.

107. For commercial, industrial and multi-family projects, in compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act, this project is subject to the following requirements:
- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
 - b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy . [California Government Code & Municipal Code]
108. As applicable, the developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of all existing and proposed utilities adjacent to and on -site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to : electrical, cable and telephone.
109. For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy can be obtained by contacting the Land Development Division. covenants and agreements can be btained by contacting the Land Development Division.
110. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
 - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
111. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non -structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are

- available for future owners/occupants.
- e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
- f. Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

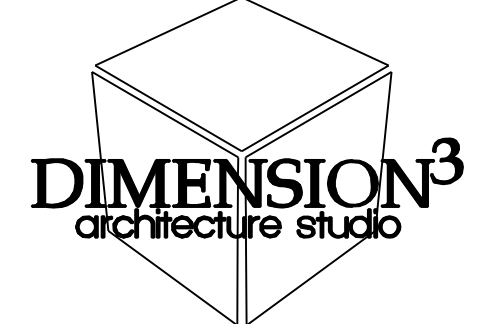
112. This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and /or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.
- a. Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
 - b. Establish an endowment fund to cover the future maintenance and /or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the Developer must inform the Special Districts Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project.

113. Commercial (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on -site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)
114. This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply . If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)

115. The existing parkway/median along the frontage of the project shall be brought to current City Standards. Improvements may include but are not limited to: plant material, irrigation, and hardscape.
116. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
117. Modification of existing irrigation systems for parkway improvements may be required per the direction of, approval by and coordination with the Special Districts Division. Please contact Special District Division staff at 951.413.3480 or specialdistricts@moval.org to coordinate the modifications.
118. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
119. The removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced, at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)
120. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services), Zone C (Arterial Street Lighting), and Zone S (Sunnymead Boulevard Maintenance). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C and the annual parcel charge for Zone S for operations and capital improvements.



5020 CAMPUS DRIVE
NEWPORT BEACH, CA 92260
714-345-0315

FROM THE EARTH

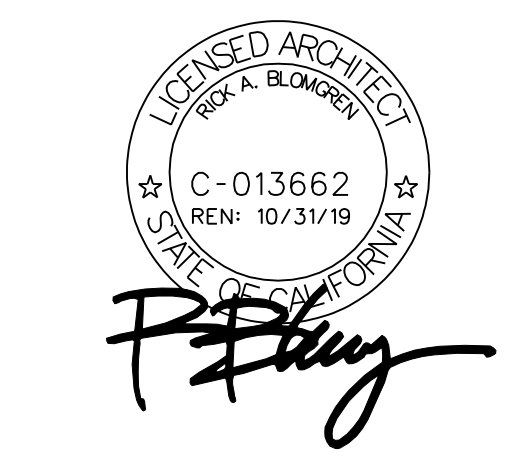
SUNNYMEAD BLVD.
MORENO VALLEY
CALIFORNIA 92553

APPLICANT:
DBO INVESTMENTS T.O., LLC
214 Main Street # 164
El Segundo, CA 92245

SITE PLAN

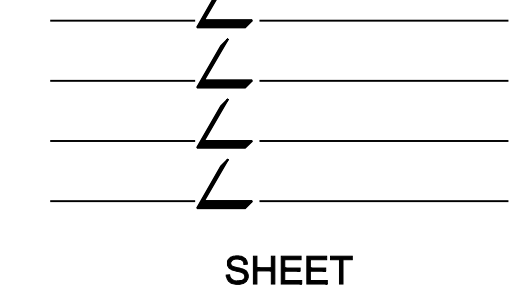
ADDRESS: T.B.D.
APN: 481-140-004 & 005

PEN: 19-0076



THIS SET NOT FOR CONSTRUCTION

03.14.2019	C.U.P SUBMITTAL 01
05.28.2019	C.U.P SUBMITTAL 02
07.24.2019	C.U.P SUBMITTAL 03
09.20.2019	C.U.P SUBMITTAL 04
11.26.2019	SHEET CORRECTIONS



1.10

SHEET INDEX

11 SHEETS	
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EXTERIOR ELEVATIONS	3.10
BUILDING SECTIONS	4.10
PRELIMINARY SECURITY CAMERA PLAN	5.10
PRELIMINARY SECURITY CAMERA PLAN	5.10b
PHOTOMETRIC PLAN	E-1.0
PRELIMINARY LANDSCAPE PLAN	L-1
PRELIMINARY GRADING PLAN	C-01
PRELIMINARY GRADING PLAN	C-02

PLANNING LOT MERGER REQUIRED

APN: NUMBER	481-140-004
APN: NUMBER	481-140-005
ZONING	VCR

BUILDING

LOT AREA: (1.36 ACRES)	57,446 SF
F.A.R.	.126
BUILDING AREA (RETAIL):	7,250 SF
FOOTPRINT LOT COVERAGE	12.62 %
PAVING AREA:	27,419 SF
PAVING COVERAGE	47.71 %
LANDSCAPE AREA:	17,472 SF
LANDSCAPE COVERAGE	30.41 %
OPEN AREA LANDSCAPE	5,305 SF
OPEN AREA COVERAGE	9.26 %
OCCUPANCIES	A2 - M - B - S1
CONST. TYPE	TYPE VB - SPRINKLED

PARKING REQUIRED

RETAIL 6,030 SF @ 1225 SF	27 STALLS
RETAIL 1,220 SF @ 1100 SF	13 STALLS
PLUS EXTRA SPACES	2 STALLS
PARKING REQUIRED (TOTAL)	42 STALLS

PARKING PROVIDED (TOTAL)	69 STALLS
--------------------------	-----------

SITE PLAN NOTES

- 1 TRASH INSIDE FOR SECURITY
- 2 TRANSFORMER PAD LOCATION
- 3 HANDICAP VAN = HV AND CAR STALLS = H
- 4 PLANTER AREAS
- 5 TRUCK LOADING AREA IS INSIDE BUILDING FOR SECURITY
- 6 WOOD BUILDING WITH EXTERIOR PLASTER
- 7 A.D.A PATH OF TRAVEL OUT TO PUBLIC SIDEWALK AS SHOWN. ALSO ALL ON SITE WALKWAYS ARE 4'-0" WIDE A.D.A PATHS OF TRAVEL
- 8 INTERIOR ELECTRICAL SWITCHGEAR ROOM
- 9 BICYCLE STORAGE IS INSIDE A ROOM TO MEET REQUIREMENTS OF THE CALIFORNIA GREEN CODE (4 BIKES INSIDE)
- 10 EV VEHICLE CHARGING STATIONS PER CALIFORNIA GREEN CODE
- 11 6'-0" TALL MASONRY INFILL WALL AT EAST & SOUTH PROPERTY LINES.
- 12 MONUMENT SIGNAGE
- 13 PARKING LOT POLE LIGHT FIXTURES
- 14 TRAFFIC SIGNAL AT THIS LOCATION WILL BE REPROGRAMMED FOR OUR SITE
- 15 FIRE SPRINKLER BACKFLOW DEVICE
- 16 FIRE DEPARTMENT CONNECTION RISER DIRECTLY OUTSIDE BUILDING PER FIRE DEPT
- 17 SECONDARY "U" SHAPED EXTERIOR BICYCLE RACK LOCATION (4 BIKES OUTSIDE)
- 18 GREEN PARKINGS STALLS PER CALIFORNIA GREEN CODE
- 19 PARKING STALLS - STANDARD ARE 9'-0" X 18'-0" INCLUDING A 2'-0" OVERHANG (PAVED AREA 9 X 16)
- 20 HANDICAP AND EV STALLS - ARE 9'-0" X 20'-0" INCLUDING A 2'-0" OVERHANG (PAVED AREA 9 X 18)
- 21 THERE ARE NO PEDESTRIAN RAMPS ON THE SITE THEY ARE NOT NEEDED. ALL WALKWAYS ARE LEVEL
- 22 ENHANCED COLORED CONCRETE AT MAIN DRIVEWAY AND AT WALKWAYS TO MEET A.D.A. STANDARDS
- 23 THERE ARE NO STRUCTURES ON THE SITE NOTHING TO REMOVE, NOTHING TO KEEP
- 24 E.V CAR CHARGING STATIONS (6 SHOWN)

SETBACKS - BUILDING

FRONT NORTH	A 32'-0" PROVIDED
SIDE EAST	B 80'-9" PROVIDED
REAR SOUTH	C 176'-11" PROVIDED
SIDE WEST	D 28'-9" PROVIDED

SITE PLAN 23

PROJECT DESCRIPTION:

THIS PROJECT CONSISTS OF A SMALL RETAIL BUILDING FOR THE SALE OF MEDICAL CANNABIS AND C.B.D. OIL PRODUCTS.

LEGAL DESCRIPTION: ORDER NO. 216954

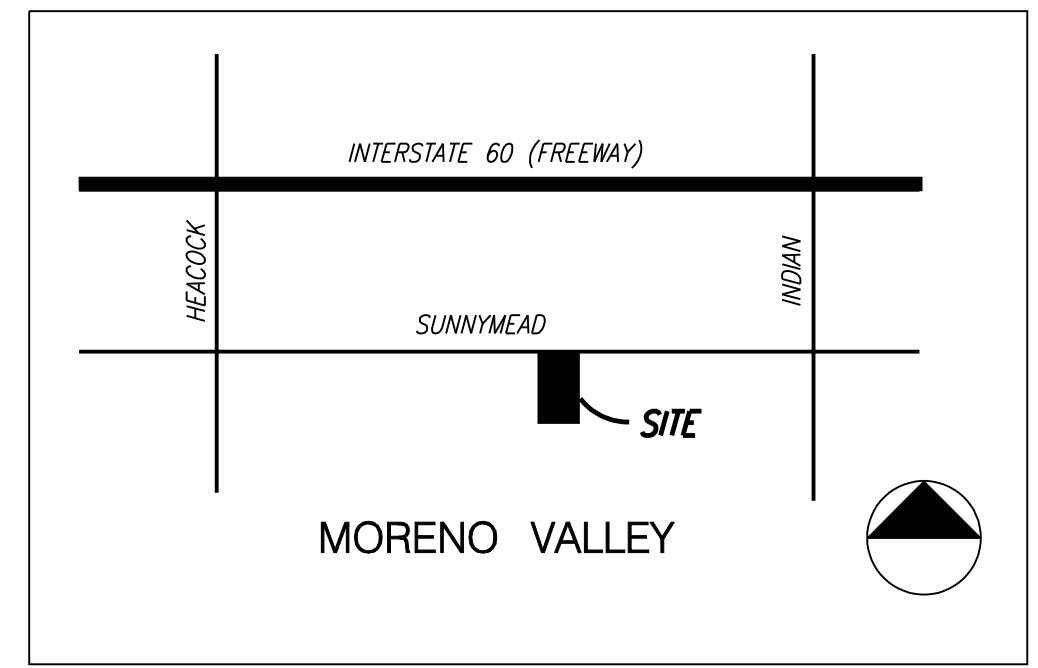
PARCEL 1:
LOT 13 OF EDEGMONT GARDENS, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPTING THEREFROM THE NORTHERLY 10 FEET GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED DECEMBER 5, 1938 IN BOOK 400 PAGE 181 OF OFFICIAL RECORDS.

PARCEL 2:
THE WESTERLY 66.00 FEET OF LOT 14 OF EDEGMONT GARDENS, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPTING THEREFROM THE NORTHERLY 10 FEET GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED DECEMBER 5, 1938 IN BOOK 400 PAGE 181 OF OFFICIAL RECORDS.

EASEMENT NOTES: ORDER NO. 216954

1. WATER RIGHTS: NOT A SURVEY MATTER.
2. AND 3. TITLE NOTES: NOT SURVEY MATTERS.
4. COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN AN INSTRUMENT RECORDED OCTOBER 14, 1936 IN BOOK 298, PAGE 563, O.R. PURPOSE: DRAINAGE PIPES OR CONDUITS AND PIPES, CONDUITS, POLES, WIRES AFFECTS: CANNOT BE PLOTTED FROM THE RECORD, BLANKET IN NATURE.
5. AN EASEMENT FOR WATER AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED JANUARY 7, 1937 IN BOOK 387 PAGE 521, O.R. AFFECTS: CANNOT BE PLOTTED FROM THE RECORD, BLANKET IN NATURE.
6. AN EASEMENT FOR UTILITIES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED SEPTEMBER 4, 1937 IN BOOK 336 PAGE 569, O.R. AFFECTS: CENTERLINE SHOWN HEREON BASED ON OCCUPATION, NO WIDTH GIVEN.
7. A WAIVER IN FAVOR OF THE STATE OF CALIFORNIA OF ANY CLAIMS FOR DAMAGES TO SAID LAND BY THE REASONS OF THE LOCATION, CONSTRUCTION OR MAINTENANCE OF SAID HIGHWAY SHOWN IN CONNECTION WITH A HIGHWAY CONTIGUOUS THERETO, CONTAINED IN THE DEED RECORDED DECEMBER 5, 1938, IN BOOK 400 PAGE 181, OF OFFICIAL RECORDS.
8. AN EASEMENT FOR POLE LINES, CONDUITS AND RIGHTS INCIDENTAL THERETO IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY AS SET FORTH IN A DOCUMENT RECORDED FEBRUARY 21, 1951 IN BOOK 1246 PAGE 324, OF OFFICIAL RECORDS. AFFECTS: CENTERLINE SHOWN HEREON BASED ON OCCUPATION, NO WIDTH GIVEN.
9. AN EASEMENT FOR PUBLIC UTILITIES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED OCTOBER 3, 1951 AS INSTRUMENT NO. 41572 IN BOOK 1387 PAGE 538, OF OFFICIAL RECORDS. AFFECTS: CENTERLINE SHOWN HEREON BASED ON OCCUPATION, NO WIDTH GIVEN.
10. AN EASEMENT FOR CONDUITS, INGRESS AND EGRESS AND RIGHTS INCIDENTAL THERETO IN FAVOR OF EASTERN MUNICIPAL WATER DISTRICT AS SET FORTH IN A DOCUMENT RECORDED MARCH 4, 1955 IN BOOK 1782 PAGE 559 OF OFFICIAL RECORDS AS SET OUT IN MEMORANDUM OF AGREEMENT AND IN SUPPLEMENTAL AGREEMENT RECORDED MARCH 4, 1955 IN BOOK 1782 PAGES 467 AND 552, RESPECTIVELY AND BY DEED RECORDED NOVEMBER 12, 1969 AS INSTRUMENT NO. 115832 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA. AFFECTS: CANNOT BE PLOTTED FROM THE RECORD.
11. AN EASEMENT FOR PUBLIC UTILITIES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED MAY 4, 1967 AS INSTRUMENT NO. 58447, OF OFFICIAL RECORDS. AFFECTS: SHOWN HEREON.
12. AN EASEMENT FOR PUBLIC UTILITIES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED JUNE 13, 1967 AS INSTRUMENT NO. 58943, OF OFFICIAL RECORDS. AFFECTS: SHOWN HEREON.
13. REDEVELOPMENT AGENCY NOTE: NOT A SURVEY MATTER.
14. AN EASEMENT FOR PIPELINE AND RIGHTS INCIDENTAL THERETO IN FAVOR OF EASTERN MUNICIPAL WATER DISTRICT AS SET FORTH IN A DOCUMENT RECORDED JULY 14, 1997 AS INSTRUMENT NO. 246297, OF OFFICIAL RECORDS. AFFECTS: CANNOT BE PLOTTED FROM THE RECORD, BLANKET IN NATURE.
15. THE MATTERS CONTAINED IN AN INSTRUMENT ENTITLED GRANT OF EASEMENT FOR COMMON DRIVEWAY TO APPURTENANT PROPERTIES AND AGREEMENT FOR MAINTENANCE OF COMMON DRIVEWAY, BY AND BETWEEN CLARENCE ROMERO AND DELORES ROMERO, KENNY KHA AND JENNIE KHA UPON THE TERMS THEREIN PROVIDED RECORDED JUNE 16, 2011 AS INSTRUMENT NO. 2811-0266734, OF OFFICIAL RECORDS. AFFECTS: SHOWN HEREON.
16. AND 17. TITLE NOTES: NOT SURVEY MATTERS.

VICINITY MAP



LEGEND OF LINEWORK

- 6'-0" TALL MASONRY FENCING
- EASEMENT & 2'-0" PARKING OVERHANGS
- PROPERTY LINES
- CURBS, WALKWAYS
- STREET CENTERLINES

NEIGHBORS LOT TO THE WEST
THE PARKING FOR THE LOT TO OUR WEST WILL BE REVISED
OUT OF THE 24'-0" WIDE RECIPROCAL DRIVE EASEMENT. WE WILL
DO THIS WORK AS A SEPARATE PERMIT OUTSIDE THE C.U.P. AS A
CONDITION OF APPROVAL. THIS WORK IS NOT ON OUR PARCEL.

RETAIL OCCUPANT LOAD CALCULATION

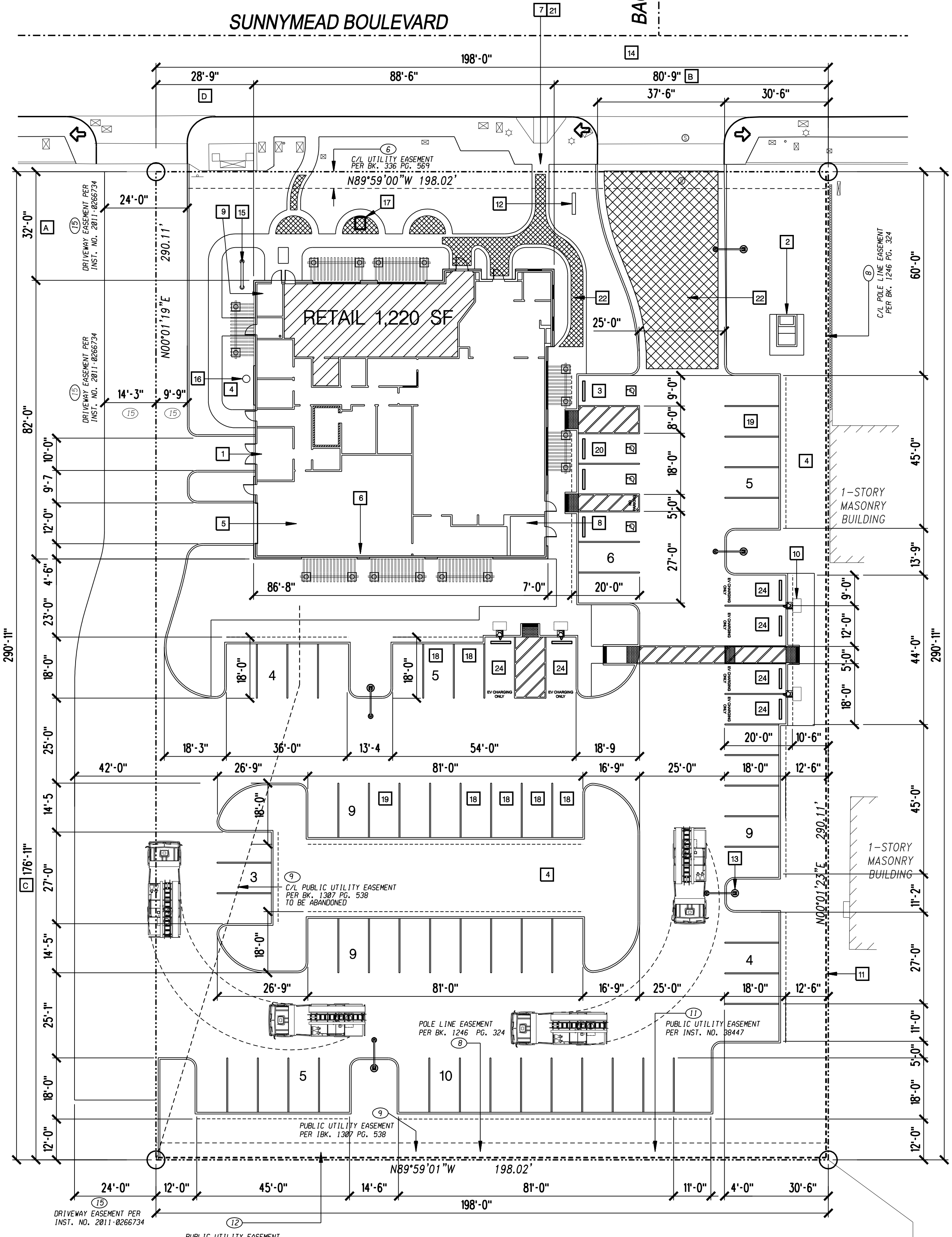
A2 OCCUPANCY
KITCHEN-SERVICE AREA = 305 SF / 200 = 2 PERSONS
ASSEMBLY AREA (UNCONSECRATED) 915 SF / 15 = 61 PERSONS
TOTAL OCCUPANT LOAD = 63

RETAIL 1,220 SF

THIS AREA WILL BE SUBMITTED FOR BUILDING PERMITS AS A SECOND TENANT IMPROVEMENT PLAN PACKAGE AFTER THE INITIAL BUILDING AND DISPENSARY ARE UNDER CONSTRUCTION.

SIGHT DISTANCE

← →
SITE DISTANCE (DRIVEWAYS) SHALL CONFORM TO THE CITY OF MORENO VALLEY STANDARDS:
MVS1 - 164A - 0
MVS1 - 164B - 0
MVS1 - 164C - 0

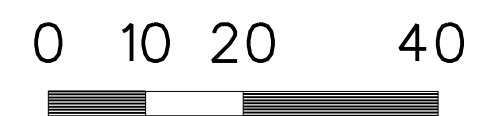


BUILDING SIGNAGE

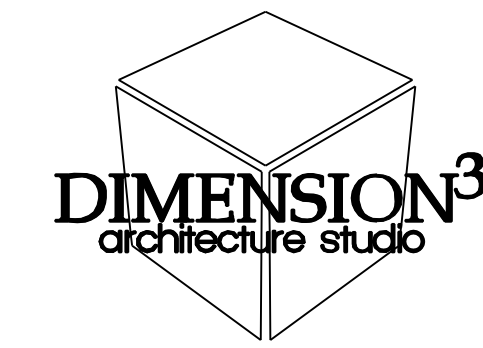
BUILDING SIGNAGE WILL BE SUBMITTED AS A SEPARATE PERMIT. ANY SIGNAGE SHOWN AT THIS TIME IS CONCEPTUAL SUBJECT TO THE FORMAL PERMIT APPLICATION.

PROJECT DESCRIPTION

THIS FACILITY IS A RETAIL BUILDING FOR THE SALE OF BOTH MEDICAL AND RECREATIONAL CANNABIS. CBD OIL PRODUCTS WILL ALSO BE OFFERED OUT OF THIS FACILITY.



05



5020 CAMPUS DRIVE
NEWPORT BEACH, CA 92260
714-345-0315

FROM THE EARTH

SUNNYMEAD BLVD.
MORENO VALLEY
CALIFORNIA 92553

APPLICANT:
DBO INVESTMENTS T.O., LLC
214 Main Street # 164
El Segundo, CA 92245

FLOOR PLAN

ADDRESS: T.B.D.
APN: 481-140-004 & 005

PEN: 19-0076



THIS SET NOT FOR CONSTRUCTION

03.14.2019	C.U.P SUBMITTAL 01
05.28.2019	C.U.P SUBMITTAL 02
07.24.2019	C.U.P SUBMITTAL 03
08.20.2019	C.U.P SUBMITTAL 04
11.26.2019	SHEET CORRECTIONS

SHEET

2.10

24 x 36 sheets are correct to scale

DOOR CONTROL SYSTEMS MVMC Section 9.09.290 Applies

Access Control System

The facility will require an electronic access control system, such as ZKTeco, to manage access and egress to the facility by time, date and person(s). The General Manager will authorize and deauthorize access credentials for employees. All employees will receive proximity security cards with scheduled access to areas only required for their tasks.

Access Control System ("System") will regulate access to an area by time, date, and person(s). All entrances are read-in only. System will have an audit trail of all transactions, including granted and denied access, remote release, and alarms. System will operate as a stand-alone system with all viewing of an audit trail available on the Security Office computer. No guest or contractor in limited-access areas will be without an escort at all times.

The alarm system will include door contact sensors to detect entry into and out of the Storage Room, Trash Room, Loading and Receiving Room, Fire Riser Room, I.T. Room, Electrical room, and Security room. Doors into limited-access areas will be under 24/7/365 video surveillance.

Locking Specifications

All doors with electronic access control locks are high security and are to be placed on a restricted master key system. All door locks needing replacement to work with the access control and restricted key system to be included with the installation.

The facility is secure with positive mechanical latching on all doors with free egress during normal business hours. Unless otherwise described, all doors will be programmed and setup as storeroom function (self-locking) doors with electric strike access control. All deadbolts are single cylinder allowing the thumb turn to retract the deadbolt in the event of threat.

In the event of prescribed emergencies, certain doors will unlock automatically when secured with a failsafe strike in addition to exit devices. During all business hours, when the deadbolt is unlocked, there is nothing to impede egress.

Door Roles and Descriptions

1.) Front Entrance

The entry to the facility will be unlocked during regular business hours as scheduled. The lockset will be paired with a deadbolt. During regular business hours when the deadbolts are unlocked, there is free egress through doors.

2.) Sliding Doors

The doors regulating entry from Reception into the Dispensary Area will be electronic sliding doors, controlled by reception during business hours. A security guard will be posted outside the sliding doors. The doors will lock via hook bolt which connects the two doors as well as with a cane bolt which secures a door from above.

3.) Entry into Limited-Access Areas

All main building doors, consisting of doors into the Dispensary Area, Fire Riser Room, Electrical Room, Trash Room, Bike Storage Room, Loading and Receiving Room, and the door leading into Hall 3 have entry via a card reader or remote control.

Doors into more secure areas, including into the I.T. Room, Trash Room, Hall 3, Storage, Security, Dispensary Area, and leading into Hall 2 (from the Dispensary Area counter), will have entry via card and PIN/biometric reader or remotely from the Security Office. Two-factor access authentication devices require card access as well as PIN code or biometric authentication.

4.) Roll Down Door

A metal roll down door will be used as an entrance to the Loading and Receiving Room. This door will only be opened from the inside during the unloading/loading of shipments and will remain locked and closed at all other times.

5.) Vault Door Lock

The Vault will only be accessible through a steel security door with a multi-bolt locking system, an Underwriters Laboratory Group 1 lock, and two-factor access authentication. The Vault door will allow pass-through (free egress if power goes out) but will not be open during business hours.

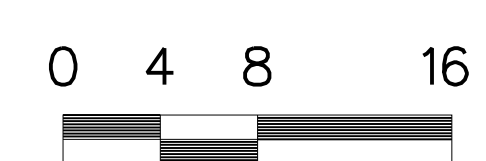
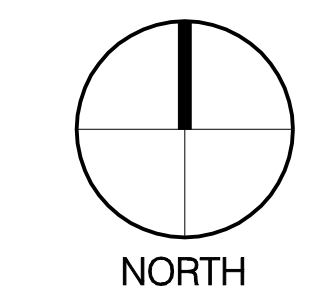
The door access control system will comply with all requirements of the City of Moreno Valley and the State of California including 5.05.270 of the Municipal Code and Cal Code Regs. tit. 16. Sections 5042-5047.

FLOOR PLAN NOTES

- 1 ROOF ACCESS HATCH AND LADDER
- 2 EXTERIOR DECORATIVE TRELLIS (8) LOCATIONS
- 3 INTERNAL SECURED TRASH AREA
- 4 INTERNAL ELECTRIC ROOM
- 5 TRUCK LOADING AREA IS INSIDE BUILDING
- 6 INTERNAL BICYCLE PARKING & STORAGE (4 BIKES)
- 7 COVERER ROOF EYEBROWS AT ENTRY (3 ELEMENTS)
- 8 INTERNAL FIRE RISER LOCATION
- 9 CAFE SPACE WILL BE SUBMITTED LATER AS A SEPARTE PERMIT AFTER THE ORIGINAL BUILDING. (LAYOUT SUBJECT TO CHANGE)
- 10 LICENSING WILL BE FOR A SINGLE USE DISPENSARY OR A MICRO BUSINESS - DISPENSARY - DISTRIBUTION - CAFE (T.B.D.)
- 11 FLOOR CABINETRY INSIDE THE DISPENSARY IS A SCHEMATIC LAYOUT CONFIGURATION MAY BE ADJUSTED DURING CONSTRUCTION PLANS
- 12 ALL THE NORTH GLASS IN THE CAFE IS FULL TEMPERED VISION GLAZING
- 13 ALL EXTERIOR DOORS TO HAVE VANDAL RESISTANT FIXTURES - ILLUMINATE TO 1-FOOT CANDLE OF LIGHTING

02 3.10 EXTERIOR ELEVATION SYMBOL

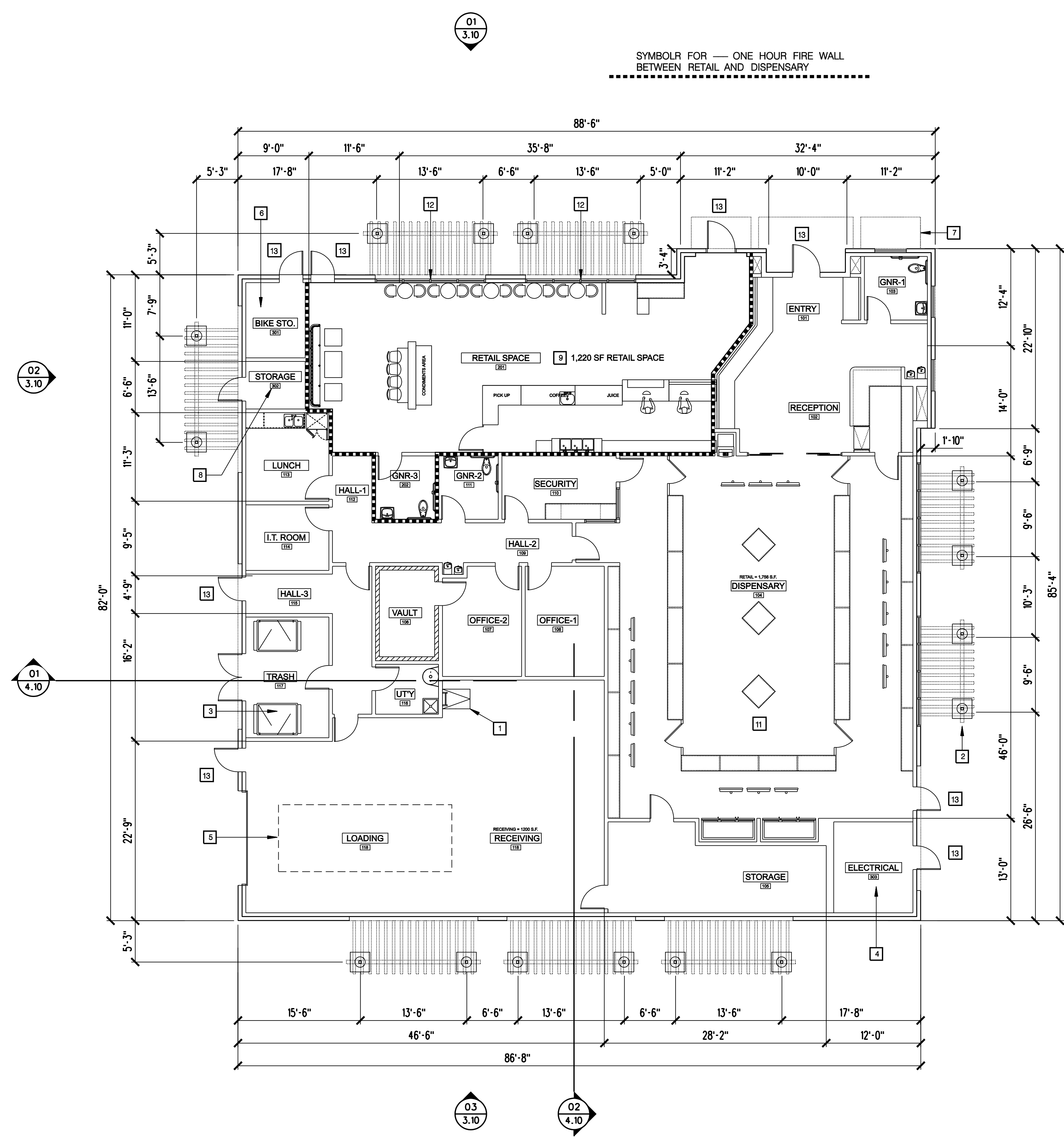
02 4.10 BUILDING SECTION SYMBOL



FLOOR PLAN 10

05

SYMBOL FOR — ONE HOUR FIRE WALL BETWEEN RETAIL AND DISPENSARY



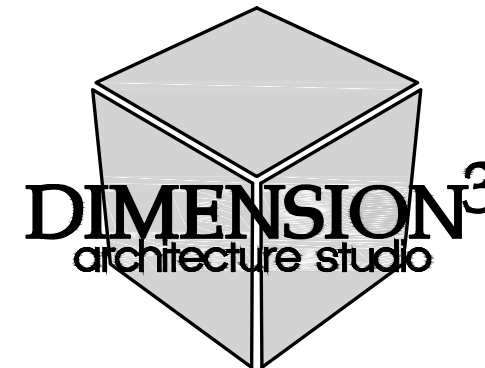
02 3.10

01 4.10

04 3.10

03 3.10

02 4.10



5020 CAMPUS DRIVE
NEWPORT BEACH, CA 92260

949-296-7000

FROM THE EARTH

SUNNYMEAD BLVD.
MORENO VALLEY
CALIFORNIA 92553

APPLICANT:

DBO INVESTMENTS T.O, LLC
214 Main Street
Suite #164
El Segundo, CA 90245

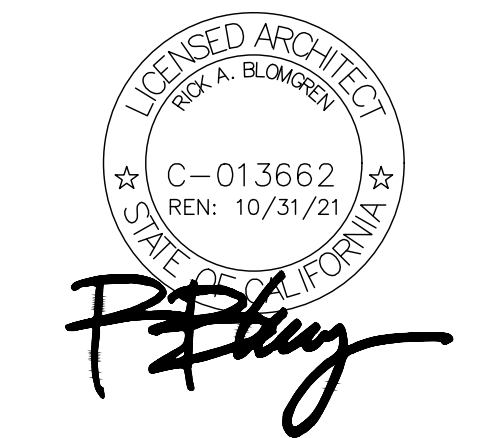
AGENT:

Rick Blomgren
949-296-7000

ADDRESS: T.B.D.
APN: 481-140-004 & 005

PEN: 19-007

ELEVATIONS



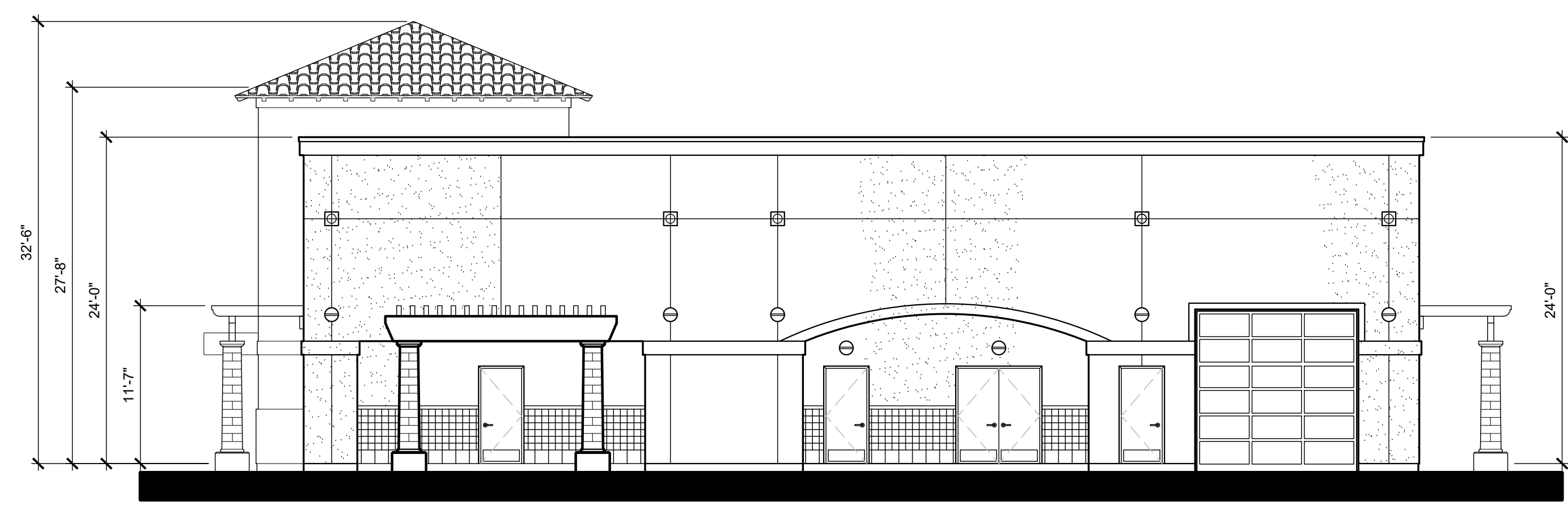
THIS SET NOT FOR CONSTRUCTION

09.16.2019	✓	C.U.P. SUBMITTAL 0
	✓	
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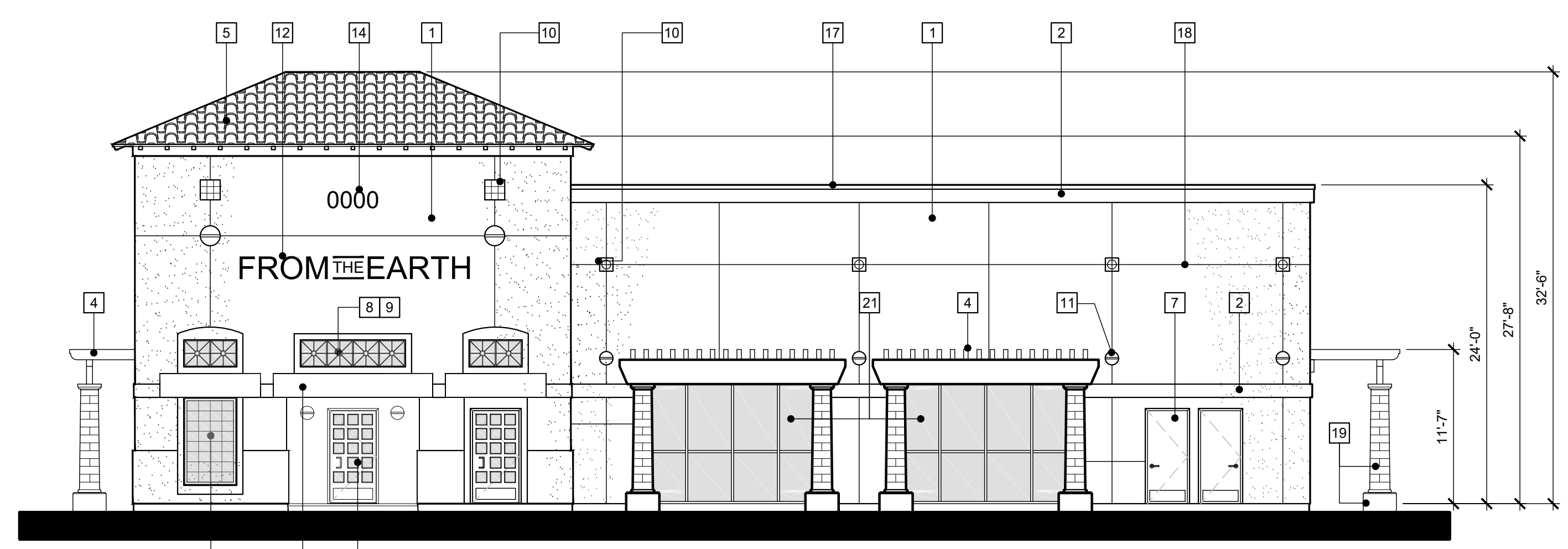
3.10

MORENO VALLEY SPEC BUILDING
24" X 36" WILL PRINT TO APPROPRIATE
SCALE REFER TO THE LEFT SHEET
MARGIN FOR ALL LEGAL STIPULATIONS

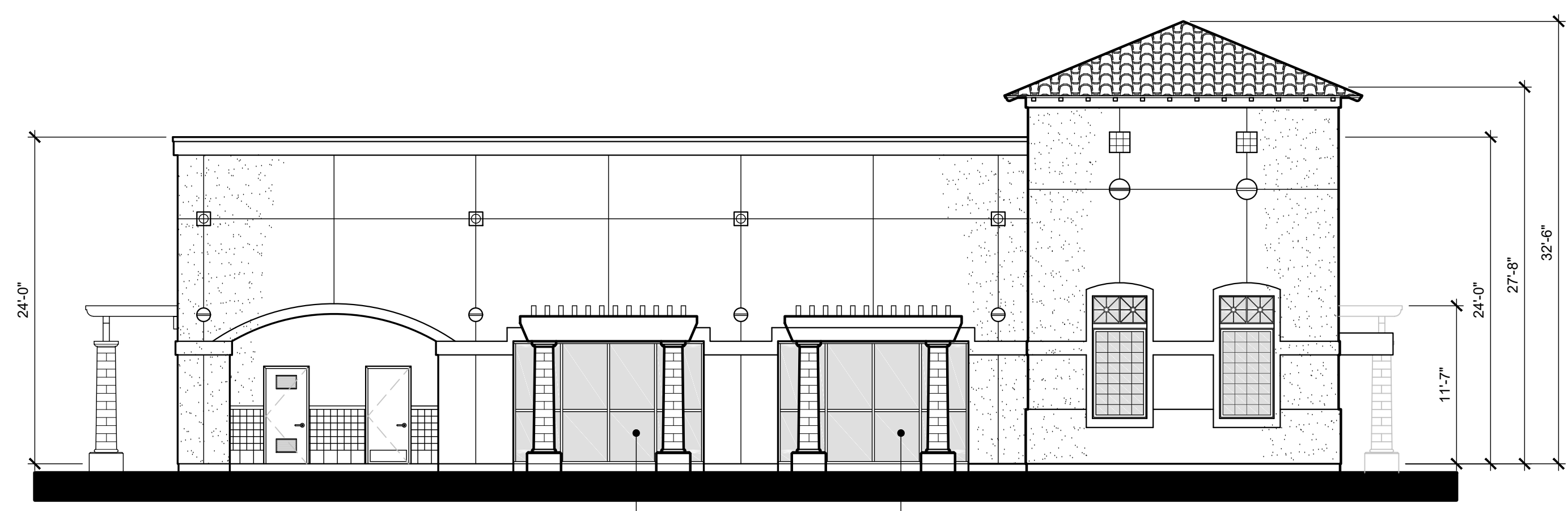
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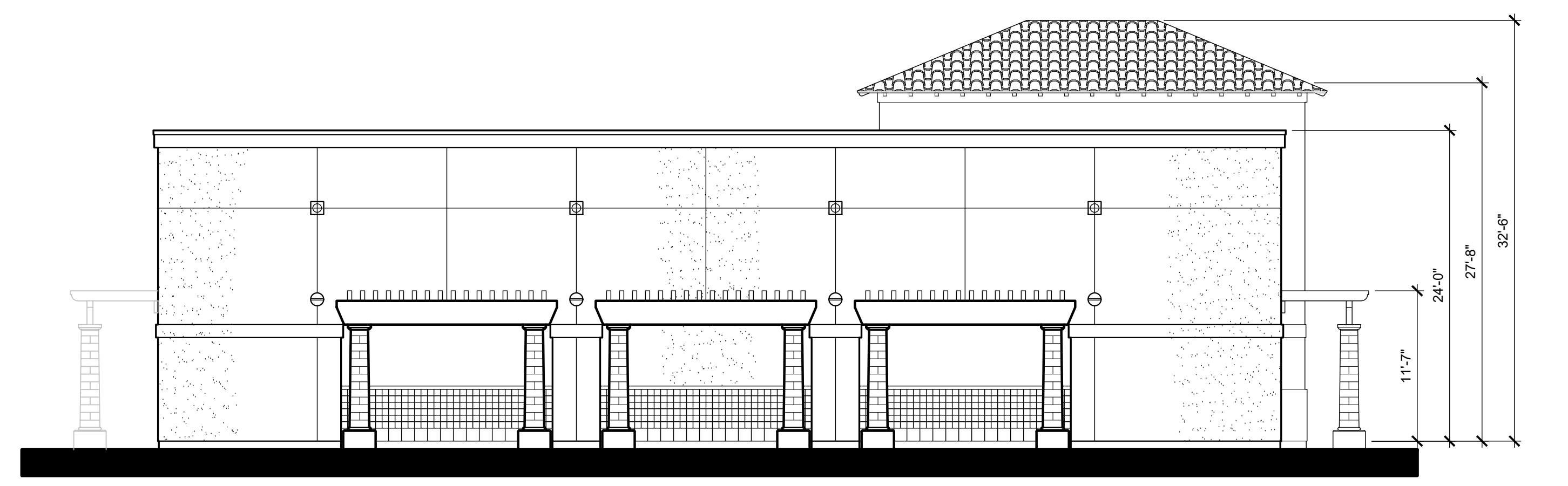
WEST ELEVATION 02



NORTH ELEVATION 01



EAST ELEVATION 04



SOUTH ELEVATION 03

ELEVATION NOTES

- 17 SECURITY CAMERAS AT THE ROOF.
- 18 EXPANSION JOINT REVEAL SCREEDS, PAINTED
- 19 CONCRETE BASE AND SUPPORT COLUMNS, SAND BLASTED
- 20 FAKE (SPANDREL) STOREFRONT WINDOWS AT EAST WINDOWS. NOTE. FOR SECURITY REASONS GLAZING SHALL BE SPANDREL GLAZING. SPANDREL CAN BE REPLACED IN THE FUTURE TO CLEAR GLAZING IF AN ALTERNATE RETAIL APPLICATION TAKES OVER THE BUILDING
- 21 CLEAR STOREFRONT WINDOWS AT NORTH WINDOWS ONLY

ELEVATION NOTES

- 1 EXTERIOR THREE-COAST PLASTER EXTERIOR FINISH, PAINTED
- 2 BUILT-UP TRIM WITH EXTERIOR PLASTER, PAINTED.
- 3 6 X 6 CERAMIC TILE WAINSCOT ACCENTS
- 4 DECORATIVE WOOD TRELLIS WITH CONCRETE COLUMNS
- 5 SPANISH STYLE 'S' TILE AT ROOF ENTRY TOWER
- 6 SECTIONAL LIFT-UP DOOR AT TRUCK LOADING AREA
- 7 3'-0" WIDE MAN DOORS. DOOR PAIRS WHERE APPLICABLE. SEE ELEVATIONS FOR LOCATIONS
- 8 FAKE WINDOWS WITH SPANDREL GLAZING FOR SECURITY REASONS
- 9 OPAQUE GLASS LIGHT BOXES AT NIGHT WINDOWS ARE WHITE
- 10 DECORATIVE TILE ACCENTS
- 11 EXTERIOR WALL LIGHT FIXTURES
- 12 BUILDING SIGNAGE BY SEPARATE PERMIT
- 13 DECORATIVE ENTRY DOORS AT PUBLIC ENTRANCES
- 14 BUILDING ADDRESS NUMBERS, NON-ILLUMINATED, MIN. 12" HIGH (ACTUAL T.B.D.)
- 15 3" DECORATIVE TILE CAP AND 12" X 12" SQUARE TILE BASE DETAIL
- 16 CANTILEVERED EYEBROW AT MAIN ENTRY DOOR. PLASTER FINISH

LEGAL DESCRIPTION: ORDER NO. 216954

PARCEL 1:
LOT 13 OF EDMONT GARDENS IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 10 FEET GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED DECEMBER 5, 1938 IN BOOK 400 PAGE 181 OF OFFICIAL RECORDS.

PARCEL 2:
THE WESTERLY 66.00 FEET OF LOT 14 OF EDMONT GARDENS IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 10 FEET GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED DECEMBER 5, 1938 IN BOOK 400 PAGE 181 OF OFFICIAL RECORDS.

LANDSCAPE NOTES

- ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.
- LANDSCAPING IS TO CONFORM TO ALL APPLICABLE CODES & ORDINANCES.
- PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL ON-SITE LANDSCAPING AS SHOWN.
- THERE SHALL BE ENHANCED LANDSCAPE AREAS ALONG MAJOR THOROUGHFARES AS WELL AS ALL VISITOR / EMPLOYEE ENTRIES OFF OF MAJOR THOROUGHFARES
- STREET TREES SHALL BE 1 PER 30 LINEAR FEET OF STREET FRONTAGE (A MINIMUM OF 24" BOX (1 3/4" TRUNK CALIPER MEASURED 12" ABOVE ROOT BALL) WITH 4' CANOPY).
- PROVIDE CONCRETE MOW STRIPS BETWEEN ALL SOD AND GROUNDCOVER AREAS.
- PROVIDE LANDSCAPE BERM, HEDGE OR THREE (3) FOOT HIGH DECORATIVE WALLS ADJACENT TO PARKING AREAS ALONG IRIS AVENUE AND HEACOCK STREET AND NOTE ON THE PLOT PLANS
- PLANTS AND SHRUBS WITHIN THE LIMITED USE AREA SHALL BE OF THE TYPE THAT WILL GROW NO HIGHER THAN 30 INCHES ABOVE THE TOP OF CURB AND SHALL BE MAINTAINED AT A HEIGHT WHICH WILL ASSURE THAT THE 30 INCH MAXIMUM HEIGHT IS NOT EXCEEDED BETWEEN MAINTENANCE INTERVALS. MAINTENANCE AT A LOWER HEIGHT MAY BE REQUIRED ON CREST VERTICAL CURVES PER NOTE 6 ABOVE.

GENERAL CONDITIONS

- PLANS FOR PARKWAY, MEDIAN, SLOPE, AND/ OR OPEN SPACE LANDSCAPE AREAS DESIGNATED ON THE TENTATIVE MAP OR IN THESE CONDITIONS OF APPROVAL FOR INCORPORATION INTO MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE M, SHALL BE PREPARED AND SUBMITTED IN ACCORDANCE WITH THE CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT LANDSCAPE DESIGN GUIDELINES. CONTACT THE SPECIAL DISTRICTS DIVISION OF THE PUBLIC WORKS DEPARTMENT TO OBTAIN COPIES OF THIS DOCUMENT.
- THE DEVELOPER, OR THE DEVELOPER'S SUCCESSORS OR ASSIGNEES SHALL BE RESPONSIBLE FOR ALL PARKWAY AND/ OR MEDIAN LANDSCAPING MAINTENANCE UNIT SUCH TIME AS THE DISTRICT ACCEPTS MAINTENANCE DUTIES.
- ANY DAMAGE TO EXISTING LANDSCAPE AREAS MAINTAINED BY MORENO VALLEY COMMUNITY SERVICES DISTRICT DUE TO PROJECT CONSTRUCTION SHALL BE REPAIRED REPLACED BY THE DEVELOPER, OR DEVELOPER'S SUCCESSORS IN INTEREST, AT NO COST TO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT.
- PLAN CHECK FEES FOR REVIEW OF PARKWAY/ MEDIAN LANDSCAPE PLANS FOR IMPROVEMENTS THAT SHALL BE MAINTAINED BY THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ARE DUE UPON THE FIRST PLAN SUBMITTAL
- INSPECTION FEES FOR THE MONITORING OF LANDSCAPE INSTALLATION ASSOCIATED WITH MORENO VALLEY COMMUNITY SERVICES DISTRICT MAINTAINED PARKWAYS/ MEDIANS ARE DUE PRIOR TO THE REQUIRED PRE-CONSTRUCTION MEETING.

TREE REQUIREMENTS

- STREET TREES IN PUBLIC RIGHT OF WAY, 1 TREE EVERY 40' THERE ARE TWO EXISTING WASHINGTONIA ROBUSTA TREES (MEXICAN FAN PALMS) AS EXISTING STREET TREES WITHIN THE RIGHT OF WAY. EXISTING UTILITY LOCATIONS PREVENTS ANY OTHER TREES FROM BEING INSTALLED WITHIN THE RIGHT OF WAY.
 - ON SITE TREES REQUIRED, 1 TREE PER 30 LINEAR FEET OF BUILDING LINEAR FEET OF BUILDING= 340 LF TREES REQUIRED= 11 TREES PROVIDED= 64
 - PARKING LOT TREES REQUIRED, 1 TREE PER 30 LINEAR FEET OF PARKING LOT ADJACENT TO INTERIOR PROPERTY. LINEAR FEET OF PARKING LOT= 785 LF TREES REQUIRED= 26 TREES PROVIDED= 49
 - PARKING LOT SHADE REQUIREMENT AREA OF PARKING= 10,646 SF SHADE AREA REQUIRED= 5,323 SF SHADE AREA PROVIDED= 4,838 SF
- 342 SF DEFICIENCY DUE TO ADA PARKING



PLANT LEGEND

WUCOLS REGION 4					
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	WATER USE
	BRACHYCTON POPULNEUS	BOTTLE TREE	24" BOX	10	LOW
	CERCIDIUM 'DESERT MUSEUM' MULTI TRUNK	DESERT MUSEUM PALO VERDE	24" BOX	5	LOW
	OLEA 'WILSONII' STANDARD TRUNK	WILSONS FRUITLESS OLIVE	24" BOX	18	LOW
	RHUS LANCEA	AFRICAN SUMAC	24" BOX	31	LOW
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	EXISTING TO REMAIN	2	LOW
	BOUGAINVILLEA 'BARBARA KARST'	BARBARA KARST BOUGAINVILLEA	20' OC	36	LOW

(FROM- FLATS AND 1 GALLON TO 15 GALLON)

WUCOLS REGION 4			
SYMBOL	BOTANICAL NAME	COMMON NAME	WATER USE
	AGAVE AMERICANA	CENTURY PLANT	LOW
	ALOE SPP	ALOE	LOW
	ARBUTUS UNEDO	STRAWBERRY SHRUB	LOW
	HESPERALOE PARVIFLORA	RED YUCCA	LOW
	LANTANA MONTEVIDENSIS	TRAILING LANTANA	LOW
	MUHLENBERGIA RIGENS	DEER GRASS	LOW
	MYOPORUM PARVIFOLIUM	MYOPORUM	LOW
	ROSMARINUS 'PROSTRATUS'	TRAILING ROSEMARY	LOW
	WESTRINGIA FRUTICOSA	COAST ROSEMARY	LOW

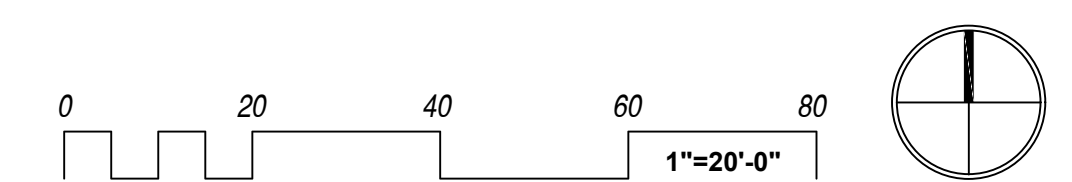
TOTAL LOT SIZE- 57,446 SF
 TOTAL BUILDING SIZE- 7,500 SF (12.62% COVERAGE)
 TOTAL PAVED PARKING AREA- 27,419 SF (47.71% COVERAGE)
 TOTAL LANDSCAPE AREA- 17,472 SF (30.41% COVERAGE)
 TOTAL OPEN SPACE- (IN ADDITION TO LANDSCAPE ABOVE)- 5,305 SF (9.26%)

APN: 481-140-004, 481-140-005

Prepared by:
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DIMENSION 3
 Architecture studio
 5020 Campus Drive, Newport beach CA 92553
 Tel. 714-3450315
 APPLICANT: DBO INVESTMENTS T.O., LLC
 214 Main Street # 164
 El Segundo, CA 92245

FROM THE EARTH
 SUNNYMEAD BLVD, VALLEY CA 92553
 LOT 13 AND A PORTION OF LOT 14, EDMONT GARDENS, M.B. 15-90 IN THE CITY OF MORENO VALLEY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

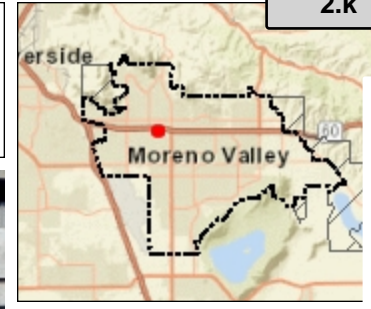


Landscape Conceptual Plan
 11/18/19

L1

Attachment: Conceptual Landscape Plan [Revision 3] (3536 : PEN19-0076 and PEN19-0209 - New Commercial Building and Cannabis Conditional Use Permit)

Aerial Map



Legend

- Master Plan of Trails
 - Bridge
 - Improved
 - Multiuse
 - Proposed
 - Regional
 - State
- Road Labels
- Parcels
- City Boundary
- Sphere of Influence
- World Street Map

315.5 0 157.74 315.5 Feet

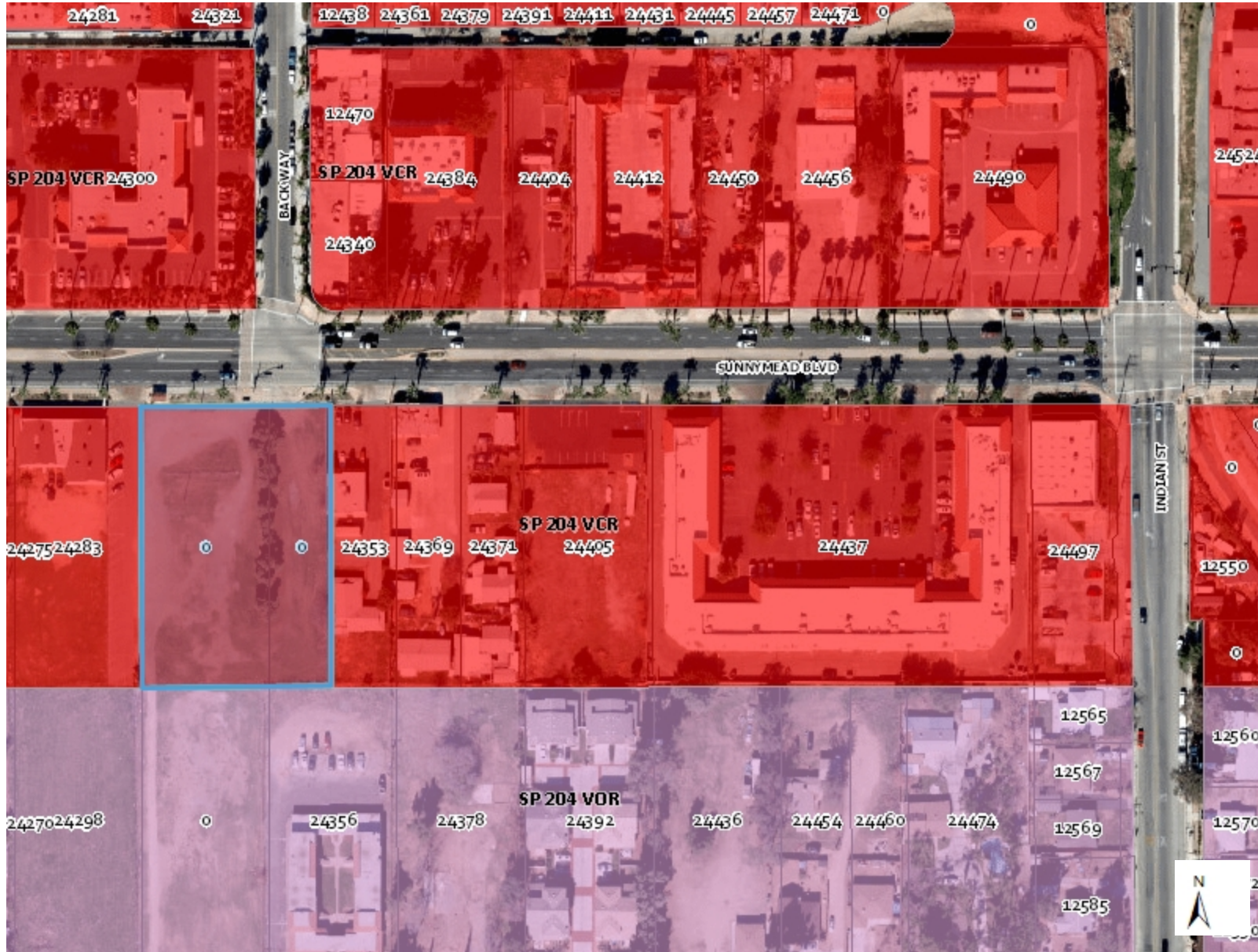
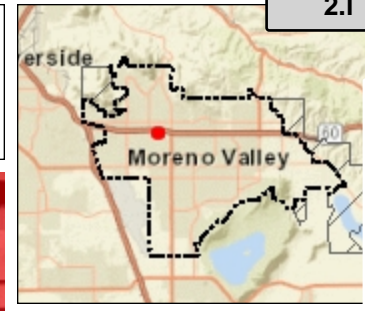
WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 11/14/2019

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

Notes

Specific Plan 204 Village Commercial/Residential District (VCR)



Legend

Zoning

- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

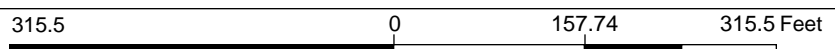
Master Plan of Trails

- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

Road Labels

- Parcels
- City Boundary
- Sphere of Influence
- World Street Map

Notes



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