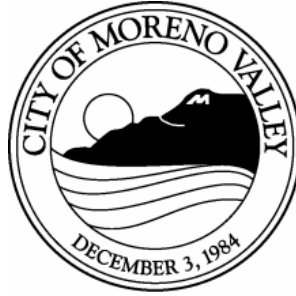

PLANNING COMMISSIONERS

PATRICIA KORZEC
Chairperson

ALVIN DEJOHNETTE
Vice Chairperson

JEFFREY SIMS
Commissioner



RAFAEL BRUGUERAS
Commissioner

OMAR COBIAN
Commissioner

VACANT
Commissioner

VACANT
Commissioner

PLANNING COMMISSION

Regular Meeting

Revision 4 Agenda

Thursday, October 14, 2021 at 7:00 PM
City Hall Council Chamber – 14177 Frederick Street

NEW LAW

Pursuant to Assembly Bill No. 361
Effective September 16, 2021

SOCIAL DISTANCING REQUIRED FOR THE PUBLIC IF ATTENDING IN PERSON
There will be the Ability to Teleconference into the Meeting

The Public May Observe the Meeting and Offer Public Comment As Follows:

STEP 1

Install the Free Zoom App or Visit the Free Zoom Website at [<https://zoom.us/>](https://zoom.us/)

STEP 2

Get Meeting ID Number, Password and On the List to Speak by emailing zoom@moval.org
or calling (951) 413-3206, no later than 5:00 p.m. on Thursday, October 14, 2021

STEP 3

Select Audio Source
Computer Speakers/Microphone
or
Telephone

STEP 4

Public Comments May be Made Via Zoom

During the Meeting, the Chairperson Will Explain the Process for Submitting Public Comments

ALTERNATIVE

If you do not wish to make public comments, you can view the meeting on Channel MVTV-3, the City's website at www.moval.org or YouTube

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 the 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.

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. Alternatively, a request to speak may be made by any person at the time they submit a request to receive the zoom Meeting ID Number. 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 non-controversial, and may be enacted by one roll call vote. There will be no discussion of these items unless a member of the Planning Commission requests that an item be removed for separate action.

- 1. Planning Commission Minutes – Regular Meeting – September 23, 2021 7:00 PM

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

- 1. Case: PEN20-0077 – Plot Plan
PEN19-0096 – Conditional Use Permit
PEN19-0098 – Conditional Use Permit
PEN19-0099 – Conditional Use Permit
- Applicant: Green Medication Therapy, LLC, Vicki Cheng
- Property Owner: Green Medication Therapy, LLC, Vicki Cheng
- Location: Southwest corner of Cottonwood Avenue and Edgemont Street.
APN: 263-190-009
- Case Planner: Nader Khalil
- Council District: 1
- Proposal: Plot Plan (PEN20-0077) for a new 7,982 square foot two-story building; Conditional Use Permit for the operation of a 4,385 square foot cannabis cultivation business (PEN19-0096); a 1,321 square foot cannabis distribution business (PEN19-0098); and a 2,276 square foot cannabis manufacturing business (PEN19-0099), on a 13,650 square foot vacant unimproved lot

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

To the next Planning Commission Regular Meeting, Thursday, October 28, 2021 at 7:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

Date Posted: **October 11, 2021**

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

**REGULAR MEETING – 7:00 PM
September 23, 2021**

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 Korzec in the Council Chambers located at 14177 Frederick Street, Moreno Valley, California.

ROLL CALL

Planning Commission:	Patricia Korzec	Chairperson	Present
	Alvin DeJohnette	Vice Chairperson	Present
	Rafael Brugueras	Commissioner	Present
	Omar Cobian	Commissioner	Present
	Jeffrey Sims	Commissioner	Present

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Sims.

APPROVAL OF AGENDA

Motion to approve the Agenda was made by Commissioner Brugueras and seconded by Vice Chairperson DeJohnette.

Vote: 5-0
Ayes: Commissioner Brugueras, Vice Chairperson DeJohnette, Commissioner Sims, Commissioner Cobian and Chairperson Korzec
Action: **Approved**

PUBLIC COMMENTS PROCEDURE

PUBLIC COMMENTS

No Public Comments.

CONSENT CALENDAR

1. Planning Commission - Regular Meeting - August 26, 2021 7:00 PM

Motion to approve the minutes of August 26, 2021 was made by Commissioner Brugueras and seconded by Commissioner Cobian.

Minutes Acceptance: Minutes of Sep 23, 2021 7:00 PM (CONSENT CALENDAR)

Vote: 5-0
Ayes: Commissioner Brugueras, Commissioner Cobian, Commissioner Sims,
Vice Chairperson DeJohnette, and Chairperson Korzec
Action: **Approved**

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

1. A PLOT PLAN AND CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF A NEW 4-STORY HOTEL WITH 126 ROOMS ON A VACANT 1.9-ACRE PAD SITE LOCATED AT THE SOUTHWEST CORNER OF GATEWAY DRIVE AND MEMORIAL WAY, WITHIN THE TOWNGATE SQUARE SHOPPING CENTER (Report of: Planning Commission)

Public Hearing Opened: 7:06 PM.

Motion to approve Resolution Numbers 2021-33 and 2021-34 was made by Commissioner Cobian and seconded by Commissioner Brugueras.

Vote: 5-0
Ayes: Commissioner Cobian, Commissioner Brugueras, Vice Chairperson DeJohnette, Commissioner Sims and Chairperson Korzec
Action: **Approved**

Public Hearing Closed: 7:22 PM.

2. CONDITIONAL USE PERMIT FOR A NEW 2,400 SQUARE FOOT COMMERCIAL CANNABIS DISPENSARY FOR RETAIL PURPOSES ONLY ON A 0.58 ACRE VACANT LOT LOCATED WITHIN THE VILLAGE SPECIFIC PLAN (Report of: Planning Commission)

Public Hearing Opened: 7:22 PM.

Motion to approve Resolution number 2021-35 was made by Chairperson Korzec and seconded by Commissioner Cobian.

Vote: 3- 2
Ayes: Chairperson Korzec, Commissioner Cobian and Vice Chairperson DeJohnette.
Noes: Commissioner Sims and Commissioner Brugueras.
Action: **Approved**

Public Speaker:

Juli Shafer opposes item.

Public Hearing Closed: 8:03 PM.

3. CONTINUANCE OF A PLOT PLAN (PEN20-0077) FOR A NEW 7,982 SQUARE FOOT TWO-STORY BUILDING; AND THREE CONDITIONAL USE PERMITS FOR THE OPERATION OF A 4,385 SQUARE FOOT CANNABIS CULTIVATION BUSINESS (PEN19-0096); A 1,321 SQUARE FOOT CANNABIS DISTRIBUTION BUSINESS (PEN19-0098); AND A 2,276 SQUARE FOOT CANNABIS MANUFACTURING BUSINESS (PEN19-0099) ON A 13,650 SQUARE FOOT VACANT LOT. (Report of: Community Development)

Public Hearing Opened: 8:03 PM.

Motion to continue PEN20-0077, PEN19-0096, PEN19-0098 and PEN 19-0099 was made by Commissioner Brugueras and seconded by Vice Chairperson DeJohnette.

Vote: 5-0
Ayes: Commissioner Brugueras, Vice Chairperson DeJohnette, Commissioner Sims, Commissioner Cobian and Chairperson Korzec
Action: **Approved**

Public Hearing Closed: 8:05 PM.

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

No items for discussion.

PLANNING COMMISSIONER COMMENTS

Commissioner Brugueras stated that he hopes that the developer will make the area safer and noted that he did not vote against it because he felt that the developer will not, but because of the home owners next door .

Commissioner DeJohnette stated as a City we really need to think about our density as far being able to put businesses together as well as thinking about the business hours near resident's homes.

Planning Office Patty Nevins responded to Vice Chairperson DeJohnette by saying that we do following the regulations that are set by Council and follow all regulations for uses.

Commissioner Sims identified that we should just be mindful as staff and as Planning Commission that just going historically the city was cobbled together and we are setting

ourselves up for approvals on projects that are leaving remainder parcels that are of little value. Commissioner Sims also stated that Caltrans is busy on the 60, keep it up.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairperson Korzec adjourned the meeting at 8:14 PM.

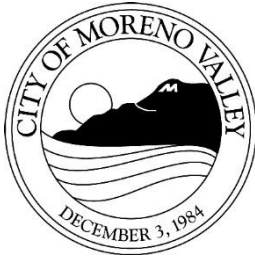
Submitted by:

Approved by:

Naudia Samuels
Planning Commission Secretary

Patricia Korzec
Chairperson

Minutes Acceptance: Minutes of Sep 23, 2021 7:00 PM (CONSENT CALENDAR)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: October 14, 2021

A PLOT PLAN (PEN20-0077) FOR A NEW 7,982 SQUARE FOOT TWO-STORY BUILDING; A CONDITIONAL USE PERMIT FOR THE OPERATION OF A 4,385 SQUARE FOOT CANNABIS CULTIVATION BUSINESS (PEN19-0096); A 1,321 SQUARE FOOT CANNABIS DISTRIBUTION BUSINESS (PEN19-0098); AND A 2,276 SQUARE FOOT CANNABIS MANUFACTURING BUSINESS (PEN19-0099), ON A 13,650 SQUARE FOOT VACANT LOT.

Case: PEN20-0077 – Plot Plan
 PEN19-0096 – Conditional Use Permit
 PEN19-0098 – Conditional Use Permit
 PEN19-0099 – Conditional Use Permit

Applicant: Green Medication Therapy, LLC, Vicki Cheng

Property Owner: Green Medication Therapy, LLC, Vicki Cheng

Location: Southwest corner of Cottonwood Avenue and Edgemont Street. APN: 263-190-009

Case Planner: Nader Khalil

Council District: 1

Proposal: Plot Plan (PEN20-0077) for a new 7,982 square foot two-story building; Conditional Use Permit for the operation of a 4,385 square foot cannabis cultivation business (PEN19-0096); a 1,321 square foot cannabis distribution business (PEN19-0098); and a 2,276 square foot cannabis manufacturing business (PEN19-0099), on a 13,650 square foot vacant unimproved lot

SUMMARY

The Applicant, Green Medication Therapy, LLC, is requesting approval of a Plot Plan (PEN20-0077) for a new 7,982 square foot two-story building on a 13,650 square foot vacant unimproved lot. The applicant is also requesting of three Conditional Use Permits (CUP) for the development of a 4,385 square foot cannabis cultivation suite (PEN19-0096), a 1,321 square foot cannabis distribution suite (PEN19-0098), and a 2,276 square foot cannabis manufacturing suite (PEN19-0099). ("Project) The Project is located at the southwest corner of Cottonwood Avenue and Edgemont Street in the Business Park (BP) zone.

BACKGROUND

This Project was previously continued from the September 23, 2021 Planning Commission meeting. The attached three comment letters were received by City Staff.

A. Maximum Number

Section 9.09.293 of the Municipal Code provides that commercial cannabis land use activities (such as the proposed Project) are conditionally permitted on, but not limited to, lands zoned Community Commercial (CC). In other words, each type of activity must be located in a permitted zone within the City, as set forth in Title 9 (Planning and Zoning) of the Municipal Code and each activity requires a CUP issued by the Planning Commission.

Currently, the City permits the approval of a maximum of five (5) commercial cannabis cultivation CUPs, two (2) distribution CUPs, and three (3) manufacturing CUPs throughout the entire City. The table below identifies, amongst other things, 1) the maximum number of CUPs that may be issued for the entire City for each type of commercial cannabis business activity, and 2) the number of CUPs issued for each commercial cannabis business activity.

Types of Commercial Cannabis Activities	Number of Permits Allowed	Number of Provisional Business Permits Issued	Number of Conditional Use Permit Applications Submitted	Number of Conditional Use Permit Applications Pending Review	Number of Conditional Use Permit Applications Approved
Dispensaries	25	25	23	3	20
Testing Facilities	1	0	0	0	0
Cultivation	5	5	3	3	0
Microbusinesses	7	6	5	3	2
Distribution	2	2	2	1	1
Manufacturing	3	2	2	2	0

B. Application Process

Any person or entity interested in applying for permission to operate a commercial cannabis business activity within the City must comply with the following:

Provisional Commercial Cannabis Regulatory Permit

An applicant must submit a complete application for a Provisional Commercial Cannabis Regulatory Permit (CCRP) to the City's Financial & Management Services Department pursuant to Chapter 5.05 (Commercial Cannabis Regulatory Permit) of the Municipal Code. The application must be accompanied by the following: 1) Zoning Verification; 2) Business Plan; 3) Labor & Local Enterprise Plan; 4) Neighborhood Compatibility Plan; 5) Safety Plan; and 6) Security Plan. In addition to the above, if the applicant is not the record owner of the subject property, the Applicant must provide proof of the landowner's approval of the kind of cannabis business activity described in the application.

A Provisional CCRP may be approved provided that the Applicant provides adequate proof that the Applicant will meet all the requirements and operational standards required of the proposed commercial cannabis activity's respective State license consistent with the State's cannabis regulations and all other applicable state laws and regulations within the purview of the California Department of Food and Agriculture, the California Department of Public Health and any other relevant state agencies.

Conditional Use Permit

The Applicant must then submit a complete application to the City's Planning Division for a CUP pursuant to Section 9.09.290 (Commercial Cannabis Activities) of the Municipal Code within 180 calendar days (six calendar months) of the date a Provisional CCRP is approved. Failure to submit a complete application for the requisite CUP shall be deemed an abandonment of the Applicant's Provisional CCRP, which shall not be appealable.

The purposes of a CUP are to ensure that the proposed cannabis business activity and associated site development elements will be consistent with the City's established development regulations as well as compatible with other land uses near the proposed project. To effectuate the purposes of a CUP, Section 9.02.060 (Conditional Use Permits) provides that a CUP be approved in whole or in part, if all of the following findings can be made: 1) The proposed project is consistent with the goals, objectives, policies and programs of the General Plan; 2) The proposed project complies with all applicable zoning and other regulations; 3) The proposed project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and 4) The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

In light of the foregoing, Section 9.02.060 permits the Planning Commission to impose conditions of approval regarding on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the project will be developed in accordance with the purpose and intent of the City regulations, specifications and standards as set forth in Title 9 (Planning & Zoning).

Commercial Cannabis State License

The Applicant must also obtain the requisite Commercial Cannabis State License issued by the California Department of Cannabis Control, in addition to all other relevant and necessary regulatory permits and/or licenses required for the proposed commercial cannabis business activities that are within the purview of the California Department of Food and Agriculture, the California Department of Public Health and all other relevant State agencies.

The Department of Cannabis Control reviews license applications in the order they receive them. During the review process, Department of Cannabis Control DCC will, amongst other things, contact the jurisdiction where the proposed business is located to confirm that the Applicant has met all local requirements, review the business owners' criminal history, if any, and review the information contained in or with the application to ensure that the proposed business meets all applicable requirements regarding the particular commercial cannabis business activity.

It is important to note that the State's cannabis licensing scheme imposes "mandatory" conditions on an Applicant for a State cannabis license that include, but are not limited to, the following:

- Background Checks. An applicant must provide detailed descriptions of any criminal convictions which include a detailed description of each offense, the dates of any convictions, and if applicable, the dates of incarceration, probation and parole.
- Premises Diagram. An applicant must submit a complete and detailed diagram of the proposed premises.
- Alcohol Use. The business is prohibited from storing or allowing the consumption of alcoholic beverages.
- Disclosure of Financial Interests in Entity. The identities of all entities and individuals with a financial interest in the business must be disclosed.
- Display of State License. The business must display its state license in a conspicuous place within the business viewable in plain sight to guests, visitors and customers upon entry into the business.
- Use of Legal Business Name. The business shall use its legal business name on all documents related to commercial cannabis activity.
- Hours of Operation. The business may only be operated during the hours of 6 a.m. to 10 p.m.
- Limited-Access Areas. The business shall ensure that only its employees and authorized individuals have access to the limited-access areas of the business.
- Requirements While Not Open for Business. The business is required to be adequately secured during closing hours to prevent theft and burglaries.
- Age Restriction of Workers. The business's employees, volunteers and independent contractors shall be at least 21 years of age.
- Identification Badges. The business shall require all persons acting for or employed by the business to wear a laminated or plastic-coated identification badges during business hours.

- Alarm System. The business shall maintain an alarm system, which shall be installed, maintained, monitored and responded to by a licensed alarm company operator, or its registered alarm agents.
- Locks. The business shall use commercial-grade, nonresidential door locks on all points of entry and exit to the business and to any limited-access areas.
- Video Surveillance System. The business shall install, maintain and operate a video surveillance system.
- Security Personnel. The business engaged in any storefront retail sales shall hire or contract for security personnel to provide on-site security services during the hours of operation.
- Storage of Inventory. The business shall store all cannabis inventory in a secured manner, separated from employee break rooms, changing facilities and bathrooms.
- Track and Trace System. The business shall create, maintain and monitor an active and functional account within the track and trace system.
- Records Retention. The business shall keep and maintain all records related to its cannabis activities for set periods of time subject to review at any time.

There are additional State regulations, but the above items specifically relate to operational matters pertaining primarily to security and safety issues.

Moreover, the Manufactured Cannabis Safety Branch of the California Department of Public Health oversees the regulation and licensing of all commercial cannabis manufacturing in California, and the CalCannabis Cultivation Licensing, a division of the California Department of Food and Agriculture, regulates in the area of public safety and environmental protection as it also related to commercial cannabis cultivators in California.

Tax Registration Certificate

The Applicant must also register its commercial cannabis business with the City's Tax Administrator (Financial & Management Services Department) pursuant to Chapter 3.28 (Commercial Cannabis Activity Tax) of the Municipal Code. For the privilege of operating a commercial cannabis business in the City such business must pay a tax in the maximum amount of 8% of the gross receipts of the business.

State Sellers Permit

The Applicant must obtain a State Sellers Permit issued by the California Department of Tax and Fee Administration. A business is required to obtain a State Sellers Permit if it wants to engage in business in California and intends to sell tangible personal property that is subject to sales tax if sold at retail. The requirement to obtain a State Sellers Permit applies to individuals as well as corporations, partnerships, and limited liability companies. Both wholesalers and retailers must possess a State Sellers Permit to engage in retail activities associated with any commercial cannabis business.

City Business License

The Applicant must submit a complete application to the City's Business License Officer for a City of Moreno Valley Business License pursuant to Chapter 5.02 (Business Licenses) of the Municipal Code. The purpose of the City Business License is to identify those businesses which must pay to the City a gross receipts tax, which is in addition to the tax charged to cannabis business operators under Chapter 3.28 (Commercial Cannabis Activity Tax) of the Municipal Code.

Certificate of Occupancy

The Applicant must obtain a Certificate of Occupancy from the City's Building & Safety Division. The purpose of a Certificate of Occupancy is to certify that a commercial space has been inspected for compliance with all applicable provisions of the California Building Standards Code and local ordinances which govern construction and occupancy of buildings and structures. In addition, a Certificate of Occupancy will only be issued if the Applicant has completed all required tenant improvements, complied with all conditions of approval, and paid all requisite City fees.

Final Commercial Cannabis Regulatory Permit

A Final CCRP must be approved by the City's Financial & Management Services Department before the respective commercial cannabis business activities, as approved in the respective CUP, may commence operations.

A Preliminary CCRP shall be deemed a Final CCRP and become effective upon such time that the Applicant: 1) obtains a CUP pursuant to Chapter 9.09.290 (Commercial Cannabis Activities); 2) obtains a City Business License pursuant to Chapter 5.02 (Business Licenses); 3) obtains a Certificate of Occupancy pursuant issued by the City's Building & Safety Department; 4) registers its commercial cannabis business with the City's Tax Administrator pursuant to Chapter 3.28 (Commercial Cannabis Activity Tax); 5) obtains the appropriate Commercial Cannabis State License issued by the California Department of Cannabis Control; 6) obtains (if necessary) all other relevant and necessary regulatory permits, licenses and regulations within the purview of the California Department of Food and Agriculture, the California Department of Public Health and any other relevant state agencies; and 7) obtains a State Sellers Permit from the California Department of Tax and Fee Administration.

C. Proposed Project

Project Description

The proposed Project includes the construction of a 7,982 square foot two story building on a 13,650 square foot site 0.88-acre site (APN: 263-190-009). The development will consist of a single building divided into 3 tenant spaces, a 4,385 square foot cannabis cultivation suite (PEN19-0096), a 1,321 square foot cannabis distribution suite (PEN19-0098), and a 2,276 square foot cannabis manufacturing suite (PEN19-0099).

Off-site improvements will include a new sidewalk along Cottonwood Avenue and Edgemont Street Rights-of-Way (ROW) including a new ADA compliant pedestrian

ramp at the southeast corner of the intersection. On-site improvements will include parking, drive-aisles, landscaping, and water quality management and trash collection facilities.

Surrounding Area

The Project Site consists of a single parcel located at the southwest corner of Cottonwood Avenue and Edgemont Street in the Business Park (BP) District. Surrounding uses and structures to the north of the site across Cottonwood Avenue include an older wooden structure with vehicles and shipping containers in the Business Park (BP) District, a convenience store in the Neighborhood Commercial (NC) District, and a single-family residence in the Residential 10 (R10) District. To the south, east, and west are a combination of single and multi-family residences in the Business Park (BP) District.

Access/Parking

The Project Site has been designed with a single 24-foot-wide driveway located on Edgemont Street. The proposed driveway and parking lot location have been oriented to the rear of the Project Site due to the need to provide adequate separation between the new driveway and the intersection of Cottonwood Avenue and Edgemont Street.

The parking lot has been designed to provide for a total of 11 parking spaces where 15 spaces would be required for the mix of uses. Pursuant to Municipal Code Section 9.11.070 (B) "Shared Parking," the Community Development Director is authorized to allow for adjustments to off-street parking requirements "where joint use of parking facilities or other factors will mitigate peak parking demand." The Applicant has submitted a parking justification memorandum, attached to this staff report, identifying why shared parking is appropriate for the Project Site and the proposed mix of uses. The maximum reduction that can be granted through the application of a shared parking reduction for a business is 50%; however, the applicant is only requesting a reduction of approximately 26%. A summary of the justification for such a reduction includes the following:

- The occupiable space within the building is approximately 6,568 square feet, instead of 7,982 square feet due to the need for stairs and an elevator;
- The three businesses are managed by a singular group with employees performing multiple functions amongst the three businesses
- A maximum of nine individuals will be employed to work on-site
- The businesses will offer incentives to employees to utilize the bus transport or carpools.

Design/Landscaping

The Applicant proposes design elements which are consistent with contemporary style architecture, metal doors and window frames, wide metal clad posts, stucco, and contemporary style outdoor lighting, to create a cohesive architectural pattern around the facility. The facilities' second floor along all elevations would be designed with

decorative aluminum siding, corrugated aluminum siding, and metal window frames. The accent colors would vary from light gray to onyx.

In addition to the exterior modifications to the building, the Applicant has proposed to upgrade the project site in several different ways, including: new exterior lighting, landscaping, trash enclosure in the rear; and 6-foot concrete block walls along the south, east, and west property lines; adjacent to existing single family residential uses.

D. Project Entitlements

Status of Provisional Commercial Cannabis Regulatory Permit

On August 13, 2018, Green Medication Therapy, LLC received three provisional Commercial Cannabis Business Permits: one each for Cultivation (Permit Number MVCCBP-C0002), Distribution (Permit Number MVCCBP-D0001), and Manufacturing (Permit Number MVCCBP-MF0002) from the City of Moreno Valley. The applicant represents that they will apply for the necessary state permits once the Planning Commission approves the CUP application.

PLOT PLAN (PEN20-0077)

The proposed project would construct a 7,982 square foot two story building on a 13,650 square foot site 0.88-acre site (APN: 263-190-009). The development will consist of a single building divided into 3 tenant spaces 4,385 square foot cannabis cultivation suite (PEN19-0096), a 1,321 square foot cannabis distribution suite (PEN19-0098), and a 2,276 square foot cannabis manufacturing suite (PEN19-0099). As previously discussed in the Project Description.

CONDITIONAL USE PERMITS

The Applicant was granted 3 separate Provisional Commercial Cannabis Regulatory Permits for cultivation, distribution, and manufacturing, which is a prerequisite for a Conditional Use Permit (“CUP”). Each of the cannabis operations will be run as a separate business. Incidentally, this proposal is not for a cannabis microbusiness, which is a singular business that conducts multiple cannabis operations.

Cannabis Cultivation (PEN19-0096)

The Applicant is requesting approval for a CUP for a 4,385 square foot cannabis cultivation suite that will be located within the second floor of the proposed building. The cannabis cultivation suite will include a cultivation room and a unisex bathroom. The City defines cannabis cultivation as any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis. Cultivation operations would be consistent with all applicable federal, state and local requirements, including all applicable provisions of Moreno Valley Municipal Code Section 9.09.290 and Title 5.

Cannabis Distribution (PEN19-0098)

The Applicant is requesting approval for a CUP for a 1,072 square foot cannabis distribution suite located on the first floor of the two-story building. The cannabis distribution suite will include a warehousing area, office, walk-in freezer, and a unisex bathroom. The City defines cannabis distribution as a location that provides the procurement, sale, and transport of cannabis and cannabis products between entities licensed by the State of California. Distribution operations would be consistent with all applicable federal, state and local requirements, including all applicable provisions of Moreno Valley Municipal Code Section 9.09.290 and Title 5.

Cannabis Manufacturing (PEN19-0099)

The Applicant is requesting approval for a CUP for a 1,988 square foot cannabis manufacturing suite located on the first floor of the two-story building. The cannabis manufacturing suite will include a manufacturing area and a unisex bathroom. The City defines cannabis manufacturing as a location that produces, prepares, propagates, or compounds cannabis or cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis. The City only allows for manufacturing facilities with a Type-6 State License (non-volatile). Manufacturing operations would be consistent with all applicable federal, state and local requirements, including all applicable provisions of Moreno Valley Municipal Code Section 9.09.290 and Title 5.

- Safety and Security Plans

Since the Applicant is proposing to conduct three different cannabis business operations within the same building, individual security plans were submitted for each business. The security measures that are proposed are similar to other cannabis business and comply with the provisions of Section 9.09.290 of the Moreno Valley Municipal Code. The Safety and Security Plans provided to the City identify 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 includes provisions for on-site security guards, a fire alarm system, on-site safety and security signage, parking lot lighting, secured parking area for deliveries, a video surveillance system, and a system for the transfer of product and currency. A condition of approval has been included in each of the Conditional Use Permits requiring the Applicant to provide all video to the City's Police and Fire Departments upon request.

- Odor Control Plan

Odor Control Plans have been prepared for each of the Cannabis Businesses proposed within the building in conformance with City requirements to ensure abatement of all potential odors that could emanate from the cultivation, distribution, and manufacturing of cannabis. The plans identify that carbon filters will be attached to the heating, ventilation and air conditioning (HVAC) exhaust fans in order to address cannabis-related odors. All grow rooms will be sealed, with no air entering or exiting, except when the door is opened for access by employees. The air filtration system for the building will 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 cannabis business. 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 business.

Commercial Cannabis State License

The Applicant plans to apply for the necessary State cannabis licenses if the CUP is ultimately approved by the City.

Final Commercial Cannabis Regulatory Permits

The Project's Provisional CCRP will become a Final CCRP and become effective upon such time that the Applicant: 1) obtains a CUP pursuant to Chapter 9.09.290 (Commercial Cannabis Activities); 2) obtains a City Business License pursuant to Chapter 5.02 (Business Licenses); 3) obtains a Certificate of Occupancy pursuant issued by the City's Building & Safety Department; 4) registers its commercial cannabis business with the City's Tax Administrator pursuant to Chapter 3.28 (Commercial Cannabis Activity Tax); 5) obtains the appropriate Commercial Cannabis State License issued by the California Department of Cannabis Control; 6) obtains (if necessary) all other relevant and necessary regulatory permits, licenses and regulations within the purview of the California Department of Food and Agriculture, the California Department of Public Health and any other relevant state agencies; and 7) obtains a State Sellers Permit from the California Department of Tax and Fee Administration.

REVIEW PROCESS

In compliance with the Municipal Code, the Project Review Staff Committee (PRSC) reviewed this Project. The Applicant has worked with staff, and modified the proposed plans to the satisfaction of all City 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

Staff recommends that the Planning Commission find that the proposed Project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 32 Exemption (Section 15332, In-Fill Development Projects). Pursuant to the California Code of Regulations a Class 32 exemption can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services. The proposed Project has been found to meet all of the conditions of the Class 32 exemption as the Project is consistent with the applicable General Plan designation and policies; is

located on the Project Site less than five acres in size, the property in question is 0.31 acres in size; contains no valuable habitat; will not result in significant environmental effects; and is adequately served by utilities and public services.

NOTIFICATION

Public notice was sent to all property owners of record within 600 feet of the Project on September 9, 2021. The public hearing notice for this Project was posted on the Project Site and published in the local newspaper (Press Enterprise Newspaper) on September 10, 2021. At the September 23, 2021 Planning Commission meeting the Planning Commission continued the public hearing to the October 14, 2021 meeting. Since the public hearing was continued to a date certain no additional public hearing noticing was required.

REVIEW AGENCY COMMENTS

The Project application materials were circulated for review by all appropriate City Departments and Divisions as well as applicable outside agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission

- A. **APPROVE** Resolution No. 2021-36, and thereby:
 - 1. **DETERMINE** that Plot Plan PEN20-0077 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** Plot Plan PEN20-0077 subject to the attached Conditions of Approval as Exhibit A to the Resolution.
- B. **APPROVE** Resolution No. 2021-37, and thereby:
 - 1. **DETERMINE** that Conditional Use Permit PEN19-0096 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 PEN19-0096 subject to the attached Conditions of Approval as Exhibit A to the Resolution.
- C. **APPROVE** Resolution No. 2021-38, and thereby:
 - 1. **DETERMINE** that Conditional Use Permit PEN19-0098 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 PEN19-0098 subject to the attached Conditions of Approval as Exhibit A to the Resolution.

D. APPROVE Resolution No. 2021-39, and thereby:

1. **DETERMINE** that Conditional Use Permit PEN19-0099 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 PEN19-0099 subject to the attached Conditions of Approval as Exhibit A to the Resolution.

Prepared by:
Sean P Kelleher
Senior Planner

Approved by:
Manuel A. Mancha
Community Development Director

ATTACHMENTS

1. Resolution No. 2021-36
2. Resolution No. 2021-37
3. Resolution No. 2021-38
4. Resolution No. 2021-39
5. Development Plans
6. Parking Reduction Justification Memorandum
7. Zoning Map
8. Mailing Notice
9. Radius Map
10. Letters received prior to September 23, 2021 Planning Commission Meeting
11. Letters received after 09232021 PC Meeting

RESOLUTION NUMBER 2021-36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A MASTER PLOT PLAN (PEN20-0077) LOCATED AT THE SOUTHWEST CORNER OF COTTONWOOD AVENUE AND EDMONT STREET (APN: 263-190-009)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

WHEREAS, Green Medicine Therapy, LLC (“Applicant”) has filed an application for the approval of a Master Plot Plan PEN20-0077 (“Application”) for a new 7,982 square foot multi-tenant building (“Project”), located at the southwest corner of Cottonwood Avenue and Edgemont Street (“Site”); and

WHEREAS, Section 9.02.070 (Plot Plan) of the Moreno Valley Municipal Code acknowledges that the purpose of plot plans is to provide a mechanism by which all new construction of industrial, commercial or multiple-family residential can be reviewed when not subject to other discretionary review processes which have review authority over project design. Unless a specific application for a particular use is identified within this title, the plot plan application shall be used to implement the major development review process requirements; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.070 (Plot Plan) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.070 of the Municipal Code imposes conditions of approval upon projects for which a Plot Plan is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for September 23, 2021, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Site; and

WHEREAS, on September 23, 2021 the project was agendaized for Planning Commission public hearings and was continued, and on October 14, 2021, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on October 14, 2021, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of 9.02.070 (Plot Plan) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Master Plot Plan PEN20-0077, which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered the Planning Division’s recommendation that the proposed Project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, under CEQA Guidelines¹ Section 15332 (In-Fill Development Projects) which can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by the Conditions of Approval.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached Exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the proposed project is subject to certain fees, dedications, reservations and other exactions as provided herein.

Section 3. Evidence

¹ 14 California Code of Regulations §§15000-15387

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed Plot Plan, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for the approval of a Plot Plan PEN20-0077 and all documents, records and references contained therein;
- (d) Conditions of Approval for Plot Plan PEN20-0077, attached hereto as Exhibit A;
- (e) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (f) Staff's determination that the proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) The proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) The proposed Project complies with all applicable zoning and other regulations;
- (c) The proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects).

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves Plot Plan PEN20-0077 subject to the Conditions of Approval for Plot Plan PEN20-0077, attached hereto as Exhibit A.

Section 8. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 9. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

PASSED AND ADOPTED THIS _____ day of _____, 2021.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Patricia Korzec, Chairperson

ATTEST:

Patty Nevins,
Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: Resolution No. 2021-36 [Revision 4] (5535 : PEN20-0007 - Green Medication Therapy)

Exhibit A

CONDITIONS OF APPROVAL

Attachment: Resolution No. 2021-36 [Revision 4] (5535 : PEN20-0007 - Green Medication Therapy)

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Plot Plan (PEN20-0077)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. The site has been approved for a 7,982 square foot two story building on approximately 0.58-acres. The approval includes the associated parking lot, landscaping improvements per the approved plans. A change or modification shall require separate approval.
2. 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)
3. 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)
4. 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)
5. Applicant/Developer shall defend, indemnify and hold harmless City, city council, commissions, boards, subcommittees and City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any agreements by and among City and Developer including without limitation any Development Agreement, (ii) any and all permits, licenses and entitlements approved by City; (iii) any environmental determination made by City in connection with the Project Site or Project; and (iv) any proceedings or other actions undertaken by City in connection with the adoption or approval of any of the above.
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)

CONDIITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 2

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. 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)
11. 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.

Special Conditions

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. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
14. 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).
15. The applicant shall install a decorative paving at the project driveway entrance.

Prior to Grading Permit

16. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
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-

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 3

- 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, decorative (e.g. colored/scored concrete or as approved 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)
 19. 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.
 20. Prior to issuance of building permits, the developer shall submit include a wall and fence plan with the building and safety plan check submittal 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)
 21. 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 telephonenumber.
 22. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
 23. Prior to approval of any grading permit, a 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)
 24. Prior to issuance of any grading permit, all Conditions of Approval, I shall be printed on the grading plans.
 25. Prior to approval of any grading permits, plans for any security gate system shall be submitted to and approved by to the Planning Division.

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 4

26. Prior to issuance of any building permit, all Conditions of Approval shall be printed on the building plans.

Building Division

27. 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.
28. 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.
29. Contact the Building Safety Division for permit application submittal requirements.
30. The proposed project will be subject to approval by the Box Springs Mutual Water Company and all applicable fees and charges shall be paid prior to permit issuance. Contact the water company at 951.653.6419 for specific details.
31. 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.
32. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
33. 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.
34. 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.
35. 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).
36. 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 current edition of the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
37. The proposed project will be subject to approval by the Edgemont Community Services District for sewer connection including all applicable fees and charges which shall be paid prior to permit issuance. Contact the Edgemont Community Services District at (951)784-2632 for specific details.
38. Prior to permit issuance, every applicant shall submit a properly completed Waste

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 5

Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

FIRE DEPARTMENT**Fire Prevention Bureau**

39. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
40. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft. drop in 20 ft. (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
41. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
42. 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])
43. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
44. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3) a - After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. 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.
45. 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.
46. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
47. 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)

CONDIITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 6

48. 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])
49. 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])
50. 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)
51. 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)
52. 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)
53. 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 1,500 GPM 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)
54. 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**

55. 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

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 7

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.

56. 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]
57. 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.
58. 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.

59. 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.
60. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right -of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right -of-way or easement acquisition. [GC 66462.5]
61. 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]
62. 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

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 8

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. Precise grading w/ erosion control plan (prior to grading permit issuance);
- b. Final drainage study (prior to grading plan approval);
- c. Final WQMP (prior to grading plan approval);
- d. Legal documents (e.g., dedications, etc.) (prior to Building Permit Issuance);
- e. As-Built revision for all plans (prior to Occupancy release).

Prior to Grading Plan Approval

63. Prior to grading plan approval, the proposed driveway approach shall be designed per City standard MVS1-112C-0.
64. 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.
65. 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.
66. 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.
67. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
68. The developer shall pay all remaining plan check fees.
69. 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.
70. The Applicant has proposed to incorporate the use of biotreatment -Modular Wetland System. Final design detail of the treatment control BMPs shall be provided in the F-WQMP. Proceeding without approval of the Preliminary WQMP is done so at-risk. The developer/owner acknowledges a larger area, or other significant changes, may be required during final design (Final WQMP) that may affect the site layout.

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 9

Prior to Grading Permit

71. 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)]
72. 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)]
73. 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]
74. The developer shall pay all applicable inspection fees.
75. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
76. 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)]
77. 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]
78. Prior to the payment of the Development Impact Fee (DIF), the developer may enter into a DIF Improvement Credit Agreement to secure credit for the construction of applicable improvements in Cottonwood Avenue. If the developer fails to complete this agreement prior to the timing specified above, credits may not be given. The developer shall pay current DIF fees adopted by the City Council. [Ord. 695 § 1.1 (part), 2005] [MC 3.38.030, 040, 050]

Prior to Encroachment Permit

79. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
80. All applicable inspection fees shall be paid.
81. 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 may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
82. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

83. 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.

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 10

84. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
85. 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. This includes the pedestrian ramp at the northeast corner of the project.
86. Prior to Building Permit Issuance, the 4-foot right-of-way dedication per City standard MVSI-112C-0 shall be made via separate instrument and submitted to the City for review and approval.
87. Prior to Building Permit Issuance, the following shall be recorded by the County:
 - a. 14' of right-of-way dedication on Cottonwood Avenue along the project's frontage.
 - b. The right-of-way corner cut-back dedication at the southwest corner of Cottonwood Avenue/Edgemont Street per MVSI-165-0 based on ultimate conditions of Cottonwood Ave.
88. Prior to Building Permit Issuance, overhead utility lines shall be undergrounded per municipal code 9.14.130.

Prior to Occupancy

89. All outstanding fees shall be paid.
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. 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

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 11

Government Code & Municipal Code]

93. For commercial and industrial, 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 of the covenants and agreements 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.

Special Districts Division

96. This project has been identified to potentially be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. The property owner(s) shall participate in such District and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but will retain the right to object any eventual assessment that is not equitable should the financial burden of the assessment not be reasonably proportionate to the benefit the affected property obtains from the improvements to be installed. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a 90 day process in compliance with the provisions of Article 13C of the California Constitution. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100).
97. 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

CONDIITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 12

- 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.

98. 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.)
99. 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.)
100. This project is located within the Edgemont Community Services District for streetlight services. Coordination of streetlight funding requirements should be made with the Edgemont Community Services District at Edgemont Community Services District, P. O. Box 5436, Riverside, CA 92514. Phone: 951.784.2411.
101. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
102. MAJOR INFRASTRUCTURE FINANCING DISTRICT. This project has been identified to

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 13

potentially be included in the formation of a special financing district for the construction and maintenance of major infrastructure improvements which may include but are not limited to thoroughfares, bridges, and certain flood control improvements. The property owner(s) shall participate in such district and pay any special tax, assessment, or fee levied upon the project property for such district. At the time of the public hearing to consider formation of or annexation into the district, the qualified elector(s) will not protest the formation or annexation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property obtains from the improvements to be installed and /or maintained. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution.

103. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services). All assessable parcels therein shall be subject to the annual parcel tax for Zone A for operations and capital improvements.

Transportation Engineering Division

104. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
105. All project driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard Plans No. MVS-112C-0 for commercial driveway approaches.
106. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
107. The first parking stall/drive aisle juncture shall be 25 feet from the property line as approved by the City Engineer.
108. Sight distance at the proposed roadways and driveways shall conform to City of Moreno Valley Standard No. MVS-164A,B,C-0 at the time of preparation of final grading, landscape, and street improvement plans.
109. A 10:1 pavement transition shall be provided to meet the existing pavement edge south of the project site on Edgemont Street. Any improvements to the roadway shall be per City standards or as approved by the City Engineer.
110. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
111. Prior to the 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. MVS-164A-0 through MVS-164C-0. Trees, plants, shrubs fencing, and monument signing shall not be located in an area that obstructs the drivers' line-of-sight.

CONDIITIONS OF APPROVAL

Plot Plan (PEN20-0077)

Page 14

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 and the latest California Manual on Uniform Traffic Control Devices (CAMUTCD) for Cottonwood Avenue and Edgemont Street.
113. Prior to issuance of Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards.

RESOLUTION NUMBER 2021-37

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR NEW CANNABIS CULTIVATION BUSINESS (PEN19-0096) LOCATED AT THE SOUTHWEST CORNER OF COTTONWOOD AVENUE AND EDGEMONT STREET (APN: 263-190-009)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

WHEREAS, Green Medicine Therapy, LLC (“Applicant”) has filed an application for the approval of a Conditional Use Permit for Cannabis Cultivation (PEN19-0096) (“Application”) within a new 7,982 square foot multi-tenant building (“Project”), located at the southwest corner of Cottonwood Avenue and Edgemont Street (“Site”); and

WHEREAS, Section 9.09.290 (Commercial Cannabis Activities) provides that a limited number of commercial cannabis cultivation may be allowed within the Business Park (BP) District, with a properly secured conditional use permit approved through the Planning Commission; and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of conditional use permits is to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design and configuration of improvements related to the project, and the potential impact of the project on the surrounding area based on fixed and established standards; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.060 of the Municipal Code imposes conditions of approval upon projects for which a CUP is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for September 23, 2021, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Site; and

WHEREAS, on September 23, 2021 the project was agendized for Planning Commission public hearings and was continued, and on October 14, 2021, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on October 14, 2021, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN19-0096 (“CUP”), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered the Planning Division’s recommendation that the proposed Project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, under CEQA Guidelines¹ Section 15332 (In-Fill Development Projects) which can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by the Conditions of Approval.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached Exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the proposed project is subject to certain fees, dedications, reservations and other exactions as provided herein.

¹ 14 California Code of Regulations §§15000-15387

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed CUP, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for the approval of a Conditional Use Permit (CUP) PEN19-0096 and all documents, records and references contained therein;
- (d) Conditions of Approval for CUP PEN19-0096, attached hereto as Exhibit A;
- (e) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (f) Staff's determination that the proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) The proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) The proposed Project complies with all applicable zoning and other regulations;
- (c) The proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects).

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves CUP PEN19-0096 subject to the Conditions of Approval for CUP PEN19-0096, attached hereto as Exhibit A.

Section 8. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 9. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

PASSED AND ADOPTED THIS _____ day of _____, 2021.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Patricia Korzec, Chairperson

ATTEST:

Patty Nevins,
Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: Resolution No. 2021-37 [Revision 4] (5535 : PEN20-0007 - Green Medication Therapy)

Exhibit A

CONDITIONS OF APPROVAL

Attachment: Resolution No. 2021-37 [Revision 4] (5535 : PEN20-0007 - Green Medication Therapy)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0096)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN19-0096)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. 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)
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.
3. 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)
4. All signs indicated on the submitted plans are not included with this approval and shall be renewed under separate permit.
5. 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)
6. Applicant/Developer shall defend, indemnify and hold harmless City, city council, commissions, boards, subcommittees and City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any agreements by and among City and Developer including without limitation any Development Agreement, (ii) any and all permits, licenses and entitlements approved by City; (iii) any environmental determination made by City in connection with the Project Site or Project; and (iv) any proceedings or other actions undertaken by City in connection with the adoption or approval of any of the above.
7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
8. 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.

Special Conditions

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0096)

Page 2

9. The commercial cannabis cultivation business 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.
10. The cannabis license and the Conditional Use Permit, apply only to the 4,385 square foot cannabis cultivation business within a 7,982 square foot building at the southwest corner of Cottonwood Avenue and Edgemont Street. No use of any other tenant space, outside of the 4,385 square feet cannabis cultivation is allowed per Conditional Use Permit PEN19-0096.
11. Daily hours of operation may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
12. A copy of all pages of these conditions shall be included in the construction drawing package.
13. A licensee conducting commercial cannabis cultivation shall meet all applicable operational requirements for commercial cannabis cultivation. (MC 9.09.290 (E)(1))
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. Cannabis cultivation including all cannabis or marijuana plants at any stage of growth shall not be visible from the exterior of any structure, facility, or building containing cannabis cultivation. All cannabis cultivation 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)(1)(c))
16. Outdoor cannabis cultivation is prohibited in the city. (MC 9.09.290 (E)(1)(d))
17. Only owners, agents, applicants, managers, employees, and volunteers of the cannabis licensee and agents or employees of the city are permitted to be onsite of any facility.
18. All cultivation areas in the building shall be separated from the main entrance and lobby, and shall be secured by a lock accessible only to managers and staff of the cannabis cultivation licensee (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)(1)(f))
19. No cannabis cultivation licensee shall allow public access to the facility. (MC 9.09.290 (E)(1)(g))
20. Each building with a cultivation area shall have an area designed for the secure transfer of cannabis from the cultivation area to a vehicle for transportation. (MC 9.09.290 (E)(1)(h))
21. Each building containing cultivation shall have designated storage space for cannabis that has completed the cultivation process or is otherwise not being cultivated. Storage size will be determined on a case-by-case basis dependent on the submitted site plan and building canopy size in accordance with the city's building and conditional use permit regulations. The storage areas shall be separated from the main entrance and lobby and shall be secured by a lock accessible only to managers and staff of the cannabis cultivation licensee (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0096)

Page 3

- throughout the premises by emergency service personnel). (MC 9.09.290 (E)(1)(i))
22. Any person(s) cultivating cannabis with the use of grow lights, fans, ventilation devices or any other electrical or mechanical equipment shall comply with all applicable building and fire code requirements adopted by the city of Moreno Valley, and shall obtain all necessary permits and prerequisite inspections required for such installation prior to commercial use of the equipment and/or facility. (MC 9.09.290 (E)(1)(j))
 23. No person shall conduct any retail sales of any materials, goods or services produced at, used to produce, or otherwise available at the cannabis cultivation site. (MC 9.09.290 (E)(1)(k))
 24. All cultivation facilities shall be organized in orderly rows with aisles at least three feet wide, and no more than eight feet between an aisle and the next aisle or the aisle and the wall, and clear access shall be maintained to all exits unless the planning official, building official and fire marshal collectively determine that the business has provided an alternative, properly dimensioned floor plan that confirms equivalent access and clearance/separation between plants and the facility exits. (MC 9.09.290 (E)(1)(l))
 25. Cultivation operations shall be consistent with all other applicable federal, state and local requirements, including all applicable provisions of Moreno Valley Municipal Code Title 5. (MC 9.09.290 (E)(1)(m))
 26. All commercial cannabis activities shall take place within an enclosed structure. (MC 9.09.290 (E)(8)(a))
 27. From a public right-of-way, there should be no exterior evidence of commercial cannabis dispensing, cultivation, manufacturing or testing activities, except for any signage authorized as part of the CUP approval and separately issued signage permits. No raw materials, cannabis or cannabis-infused products or marijuana plants shall be visible from the exterior of the building. (MC 9.09.290 (E)(8)(b))
 28. 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))
 29. Parking requirements for commercial cannabis cultivation businesses shall comply with the provisions of the approved parking analysis.
 30. Lighting. All lighting shall comply with the provisions of Section 9.08.100 of this title, and determined in a security plan approved by the city, including fixture type, wattage illumination levels and shielding. This requirement does not address any potential lighting required under the individual security plans for the facility. (MC 9.09.290 (E)(10))
 31. 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 cameras and recording system 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 standard MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0096)

Page 4

32. Professionally and centrally monitored fire, sprinkler, 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))
33. Waste and Storage and Disposal. Waste, storage, and disposal of all marijuana and cannabis products shall meet all applicable state and local health regulations. (MC 9.09.290 (E)(13))
34. Odor control devices and techniques shall be incorporated in all licensed premises to ensure that odors from cannabis or marijuana are not detectable offsite. Licensees shall provide a sufficient odor absorbing ventilation, exhaust or air filtration system so that odor generated inside the licensed premises that is distinctive to its operation is not detected outside of the premises, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building or other separate buildings on the licensed premises. (MC 9.09.290 (E)(14)(a))
35. All ventilating equipment shall be directed to top story exhaust vents which face away from adjacent properties. (MC 9.09.290 (E)(14)(b))
36. A licensee shall prohibit loitering by individuals outside the licensed premises, whether the loitering is occurring immediately outside the licensed premises facility or anywhere else on the property or parcel. (MC 9.09.290 (E)(14)(c))
37. Commercial cannabis activity shall not adversely affect the health, safety, or general welfare of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products, or wastes. (MC 9.09.290 (E)(14)(e))
38. Any of the following shall be grounds for revocation of a commercial cannabis land use permit based on evidence and following notice and public hearing pursuant to Section 9.02.260 "Revocation of approvals or permits" of the Moreno Valley Municipal Code:
 - a. Failure to comply with one or more conditions of approval of the conditional use permit (CUP).
 - b. The land use permit was granted on the basis of false material or information, including written or oral communications, given willfully or negligently by the applicant.
 - c. The ownership or control of the commercial cannabis business has been transferred and/or sold, a land use permit issued pursuant to this chapter has been transferred and/or sold, or the title of any parcels constituting the site on which the land use permit was originally issued has been transferred. New ownership would require a secured cannabis business permit/license in order for a CUP to remain valid, and is subject to the one year inactivity requirement included in Section 9.02.2609(c)(2).
 - d. Any act or omission by an owner or licensee in violation of the provisions of this section.
 - e. Any act or omission by an owner or licensee that results in the denial or revocation of the owner's or licensee's state license.
 - f. Any act or omission that results in the revocation of that owner's or licensee's commercial cannabis business license clearance under Title 5, Chapter 5.02 of the Moreno Valley Municipal Code.
 - g. An owner's or licensee's failure to take appropriate action to evict or otherwise remove persons conducting commercial cannabis activities who do not maintain the necessary permits or licenses in good standing with the city or state.
 - h. Permit holder's conviction for possession or delivery of any form of illegal drugs.
 - i. City or any other governmental agencies discovery of any form of illegal drugs, other

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0096)

Page 5

- than cannabis products regulated by this section, on the licensed premises at any time.
- j. Conduct of the commercial cannabis activities in a manner that constitutes a nuisance where the owner or licensee has failed to comply with reasonable conditions to abate the nuisance (e.g., odor). (Ord. 932 § 5, 2018)
39. 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))
40. 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))
41. All cannabis and marijuana securely stored.
42. 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.
43. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
44. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
45. Automatic closures on all interior and exterior doors shall be installed.
46. All interior and exterior door seals shall be replaced and adjusted.
47. All roof venting, wall penetrations, panel joints etc. shall be sealed.
48. Air curtains shall be installed on all exterior doors.
49. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E) (14) (c))
50. 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))
51. 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

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0096)

Page 6

Division designed per the City's Municipal Code 9.17.

52. 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)
53. 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.
54. 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))
55. 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.
56. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the facility.
57. 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.

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

58. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
59. 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.
60. New Moreno Valley businesses are encouraged to hire local residents.
61. 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.
62. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center ("BERC").

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

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENTFire Prevention Bureau

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0096)

Page 7

63. 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])
64. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC105)
65. 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.
66. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
67. 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)
68. 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])
69. 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)
70. 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.

RESOLUTION NUMBER 2021-38

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR NEW CANNABIS DISTRIBUTION (PEN19-0098) LOCATED AT THE SOUTHWEST CORNER OF COTTONWOOD AVENUE AND EDGEMONT STREET (APN: 263-190-009)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

WHEREAS, Green Medicine Therapy, LLC (“Applicant”) has filed an application for the approval of a Conditional Use Permit for Cannabis Distribution (PEN19-0098) (“Application”) within a new 7,982 square foot multi-tenant building (“Project”), located at the southwest corner of Cottonwood Avenue and Edgemont Street (“Site”); and

WHEREAS, Section 9.09.290 (Commercial Cannabis Activities) provides that a limited number of commercial cannabis distribution may be allowed within the Business Park (BP) District, with a properly secured conditional use permit approved through the Planning Commission; and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of conditional use permits is to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design and configuration of improvements related to the project, and the potential impact of the project on the surrounding area based on fixed and established standards; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.060 of the Municipal Code imposes conditions of approval upon projects for which a CUP is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for September 23, 2021, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Site; and

WHEREAS, on September 23, 2021 the project was agendized for Planning Commission public hearings and was continued, and on October 14, 2021, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on October 14, 2021, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN19-0098 (“CUP”), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered the Planning Division’s recommendation that the proposed Project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, under CEQA Guidelines¹ Section 15332 (In-Fill Development Projects) which can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by the Conditions of Approval.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached Exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the proposed project is subject to certain fees, dedications, reservations and other exactions as provided herein.

¹ 14 California Code of Regulations §§15000-15387

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed CUP, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for the approval of a Conditional Use Permit (CUP) PEN19-0098 and all documents, records and references contained therein;
- (d) Conditions of Approval for CUP PEN19-0098, attached hereto as Exhibit A;
- (e) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (f) Staff's determination that the proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) The proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) The proposed Project complies with all applicable zoning and other regulations;
- (c) The proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects).

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves CUP PEN19-0098 subject to the Conditions of Approval for CUP PEN19-0098, attached hereto as Exhibit A.

Section 8. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 9. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

PASSED AND ADOPTED THIS _____ day of _____, 2021.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Patricia Korzec, Chairperson

ATTEST:

Patty Nevins,
Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: Resolution No. 2021-38 [Revision 4] (5535 : PEN20-0007 - Green Medication Therapy)

Exhibit A

CONDITIONS OF APPROVAL

Attachment: Resolution No. 2021-38 [Revision 4] (5535 : PEN20-0007 - Green Medication Therapy)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0098)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN19-0098)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. 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)
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.
3. 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)
4. All signs indicated on the submitted plans are not included with this approval and shall be renewed under separate permit.
5. 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)
6. Applicant/Developer shall defend, indemnify and hold harmless City, city council, commissions, boards, subcommittees and City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any agreements by and among City and Developer including without limitation any Development Agreement, (ii) any and all permits, licenses and entitlements approved by City; (iii) any environmental determination made by City in connection with the Project Site or Project; and (iv) any proceedings or other actions undertaken by City in connection with the adoption or approval of any of the above.
7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
8. 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.

Special Conditions

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0098)

Page 2

9. The commercial cannabis distribution 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.
10. The cannabis license and the Conditional Use Permit, apply only to the 1,321 square foot cannabis distribution business within a 7,982 square foot building at the southwest corner of Cottonwood Avenue and Edgemont Street. No use of any other tenant space, outside of the 1,321 square feet cannabis distribution is allowed per Conditional Use Permit PEN19-0098.
11. Daily hours of operation may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
12. A copy of all pages of these conditions shall be included in the construction drawing package.
13. A licensee conducting commercial cannabis distribution shall meet all applicable operational requirements for commercial cannabis distribution.
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. No cannabis or marijuana raw materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis operations are being conducted. All commercial cannabis uses and operations 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)(5)(b))
16. There shall be no deliveries from the premises of cannabis or cannabis containing products except to another state or local licensed or permitted cannabis business. (MC 9.09.290 (E)(5)(d))
17. Only owners, agents, applicants, managers, employees, and volunteers of the cannabis licensee and agents or employees of the city are permitted to be onsite of any facility.
18. A cannabis distribution licensee shall maintain a database and provide a list of the individuals and vehicles authorized to conduct transportation on behalf of the cannabis distribution licensee to the city. (MC 9.09.290 (E)(5)(e))
19. Distribution operations shall be consistent with all other applicable federal, state and local requirements, including all applicable provisions of Moreno Valley Municipal Code Title 5. (MC 9.09.290 (E)(5)(f))
20. All commercial cannabis activities shall take place within an enclosed structure. (MC 9.09.290 (E)(8)(a))
21. From a public right-of-way, there should be no exterior evidence of commercial cannabis dispensing, cultivation, manufacturing or testing activities, except for any signage authorized as part of the CUP approval and separately issued signage permits. No raw materials, cannabis or cannabis-infused products or marijuana plants shall be visible from the exterior of the building. (MC 9.09.290 (E)(8)(b))
22. Exterior landscaping within ten (10) feet of a licensed premises shall be designed, installed

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0098)

Page 3

- 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))
23. Parking requirements for commercial cannabis distribution businesses shall comply with the provisions of the approved parking analysis.
 24. Lighting. All lighting shall comply with the provisions of Section 9.08.100 of this title, and determined in a security plan approved by the city, including fixture type, wattage illumination levels and shielding. This requirement does not address any potential lighting required under the individual security plans for the facility. (MC 9.09.290 (E)(10))
 25. 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 cameras and recording system 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 standard MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
 26. Professionally and centrally monitored fire, sprinkler, 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. Waste, storage, and disposal of all marijuana and cannabis products shall meet all applicable state and local health regulations. (MC 9.09.290 (E)(13))
 28. Odor control devices and techniques shall be incorporated in all licensed premises to ensure that odors from cannabis or marijuana are not detectable offsite. Licensees shall provide a sufficient odor absorbing ventilation, exhaust or air filtration system so that odor generated inside the licensed premises that is distinctive to its operation is not detected outside of the premises, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building or other separate buildings on the licensed premises. (MC 9.09.290 (E)(14)(a))
 29. All ventilating equipment shall be directed to top story exhaust vents which face away from adjacent properties. (MC 9.09.290 (E)(14)(b))
 30. A licensee shall prohibit loitering by individuals outside the licensed premises, whether the loitering is occurring immediately outside the licensed premises facility or anywhere else on the property or parcel. (MC 9.09.290 (E)(14)(c))
 31. Commercial cannabis activity shall not adversely affect the health, safety, or general welfare of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products, or wastes. (MC 9.09.290 (E)(14)(e))
 32. Any of the following shall be grounds for revocation of a commercial cannabis land use permit based on evidence and following notice and public hearing pursuant to Section 9.02.260 "Revocation of approvals or permits" of the Moreno Valley Municipal Code:

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0098)

Page 4

- a. Failure to comply with one or more conditions of approval of the conditional use permit (CUP).
 - b. The land use permit was granted on the basis of false material or information, including written or oral communications, given willfully or negligently by the applicant.
 - c. The ownership or control of the commercial cannabis business has been transferred and/or sold, a land use permit issued pursuant to this chapter has been transferred and/or sold, or the title of any parcels constituting the site on which the land use permit was originally issued has been transferred. New ownership would require a secured cannabis business permit/license in order for a CUP to remain valid, and is subject to the one year inactivity requirement included in Section 9.02.2609(c)(2).
 - d. Any act or omission by an owner or licensee in violation of the provisions of this section.
 - e. Any act or omission by an owner or licensee that results in the denial or revocation of the owner's or licensee's state license.
 - f. Any act or omission that results in the revocation of that owner's or licensee's commercial cannabis business license clearance under Title 5, Chapter 5.02 of the Moreno Valley Municipal Code.
 - g. An owner's or licensee's failure to take appropriate action to evict or otherwise remove persons conducting commercial cannabis activities who do not maintain the necessary permits or licenses in good standing with the city or state.
 - h. Permit holder's conviction for possession or delivery of any form of illegal drugs.
 - i. City or any other governmental agencies discovery of any form of illegal drugs, other than cannabis products regulated by this section, on the licensed premises at any time.
 - j. Conduct of the commercial cannabis activities in a manner that constitutes a nuisance where the owner or licensee has failed to comply with reasonable conditions to abate the nuisance (e.g., odor). (Ord. 932 § 5, 2018)
33. 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))
 34. 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))
 35. All cannabis and marijuana securely stored.
 36. 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.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0098)

Page 5

37. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
38. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
39. Automatic closures on all interior and exterior doors shall be installed.
40. All interior and exterior door seals shall be replaced and adjusted.
41. All roof venting, wall penetrations, panel joints etc. shall be sealed.
42. Air curtains shall be installed on all exterior doors.
43. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E) (14) (c))
44. 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))
45. 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.
46. 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)
47. 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.
48. 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))
49. 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.
50. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the facility.
51. 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.

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

52. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
53. 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

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0098)

Page 6

public recruitment.

54. New Moreno Valley businesses are encouraged to hire local residents.
55. 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.
56. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

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

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENT**Fire Prevention Bureau**

57. 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])
58. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC105)
59. 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.
60. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
61. 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)
62. 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])

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0098)

Page 7

63. 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)

64. 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.

RESOLUTION NUMBER 2021-39

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR NEW CANNABIS MANUFACTURING (PEN19-0099) LOCATED AT THE SOUTHWEST CORNER OF COTTONWOOD AVENUE AND EDGEMONT STREET (APN: 263-190-009)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

WHEREAS, Green Medicine Therapy, LLC (“Applicant”) has filed an application for the approval of a Conditional Use Permit for Cannabis Manufacturing (PEN19-0099) (“Application”) within a new 7,982 square foot multi-tenant building (“Project”), located at the southwest corner of Cottonwood Avenue and Edgemont Street (“Site”); and

WHEREAS, Section 9.09.290 (Commercial Cannabis Activities) provides that a limited number of commercial cannabis manufacturing may be allowed within the Business Park (BP) District, with a properly secured conditional use permit approved through the Planning Commission; and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of conditional use permits is to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design and configuration of improvements related to the project, and the potential impact of the project on the surrounding area based on fixed and established standards; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.060 of the Municipal Code imposes conditions of approval upon projects for which a CUP is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for September 23, 2021, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Site; and

WHEREAS, on September 23, 2021 the project was agendized for Planning Commission public hearings and was continued, and on October 14, 2021, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on October 14, 2021, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN19-0099 (“CUP”), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered the Planning Division’s recommendation that the proposed Project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, under CEQA Guidelines¹ Section 15332 (In-Fill Development Projects) which can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by the Conditions of Approval.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached Exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the proposed project is subject to certain fees, dedications, reservations and other exactions as provided herein.

¹ 14 California Code of Regulations §§15000-15387

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed CUP, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for the approval of a Conditional Use Permit (CUP) PEN19-0099 and all documents, records and references contained therein;
- (d) Conditions of Approval for CUP PEN19-0099, attached hereto as Exhibit A;
- (e) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (f) Staff's determination that the proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) The proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) The proposed Project complies with all applicable zoning and other regulations;
- (c) The proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects).

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves CUP PEN19-0099 subject to the Conditions of Approval for CUP PEN19-0099, attached hereto as Exhibit A.

Section 8. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 9. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

PASSED AND ADOPTED THIS ____ day of _____, 2021.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Patricia Korzec, Chairperson

ATTEST:

Patty Nevins,
Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: Resolution No. 2021-39 [Revision 4] (5535 : PEN20-0007 - Green Medication Therapy)

Exhibit A

CONDITIONS OF APPROVAL

Attachment: Resolution No. 2021-39 [Revision 4] (5535 : PEN20-0007 - Green Medication Therapy)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0099)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN19-0099)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. 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)
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.
3. 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)
4. All signs indicated on the submitted plans are not included with this approval and shall be renewed under separate permit.
5. 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)
6. Applicant/Developer shall defend, indemnify and hold harmless City, city council, commissions, boards, subcommittees and City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any agreements by and among City and Developer including without limitation any Development Agreement, (ii) any and all permits, licenses and entitlements approved by City; (iii) any environmental determination made by City in connection with the Project Site or Project; and (iv) any proceedings or other actions undertaken by City in connection with the adoption or approval of any of the above.
7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
8. 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.

Special Conditions

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0099)

Page 2

9. The commercial cannabis manufacturing 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.
10. The cannabis license and the Conditional Use Permit, apply only to the 2,276 square foot cannabis manufacturing business within a 7,982 square foot building at the southwest corner of Cottonwood Avenue and Edgemont Street. No use of any other tenant space, outside of the 2,276 square feet cannabis manufacturing is allowed per Conditional Use Permit PEN19-0099.
11. Daily hours of operation may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
12. A copy of all pages of these conditions shall be included in the construction drawing package.
13. A licensee conducting commercial cannabis manufacturing shall meet all applicable operational requirements for commercial cannabis manufacturing.
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. Cannabis manufacturing, including all cannabis or marijuana raw materials and products shall not be visible from the exterior of any structure, facility, or building containing cannabis manufacturing. All cannabis manufacturing activities 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)(2)(c))
16. All equipment, systems and manufacturing processes must meet or exceed all applicable local, county, state and federal requirements and regulations regarding air, water, health and safety, and handling, processing and storage of hazardous materials, solvents, gases and waste. No manufacturing facility shall commence operations or be issued any form of certificate of occupancy without first obtaining all required fire, environmental, health and safety, planning, and building certificates, permits, inspections and other approvals required under the city's municipal code and all other applicable local, county, state and federal regulations. (MC 9.09.290 (E)(5)(e))
17. Only owners, agents, applicants, managers, employees, and volunteers of the cannabis licensee and agents or employees of the city are permitted to be onsite of any facility.
18. A commercial cannabis manufacturing licensee shall: (i) employ full time quality control personnel; and (ii) establish standard operating procedures and batch records that comply with current good manufacturing practices, as outlined by the State Department of Public Health and the U.S. Food and Drug Administration. (MC 9.09.290 (E)(5)(f))
19. Commercial cannabis manufacturing licensee shall comply with sanitation standards equivalent to the California Retail Food Code (Part 7, commencing with Section 113700 of Division 104 of the Health and Safety Code) for food preparation, storage, handling and sale of edible cannabis or marijuana products. Edible cannabis or marijuana products are deemed to be unadulterated food products. (MC 9.09.290 (E)(5)(g))

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0099)

Page 3

20. No person shall conduct any retail sales of any goods or services from a commercial cannabis manufacturing site. (MC 9.09.290 (E)(5)(h))
21. Manufacturing operations shall be consistent with all other applicable federal, state and local requirements, including Moreno Valley Municipal Code Title 5. (MC 9.09.290 (E)(5)(i))
22. All commercial cannabis activities shall take place within an enclosed structure. (MC 9.09.290 (E)(8)(a))
23. From a public right-of-way, there should be no exterior evidence of commercial cannabis dispensing, cultivation, manufacturing or testing activities, except for any signage authorized as part of the CUP approval and separately issued signage permits. No raw materials, cannabis or cannabis-infused products or marijuana plants shall be visible from the exterior of the building. (MC 9.09.290 (E)(8)(b))
24. 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))
25. Parking requirements for commercial cannabis manufacturing businesses shall comply with the provisions of the approved parking analysis.
26. Lighting. All lighting shall comply with the provisions of Section 9.08.100 of this title, and determined in a security plan approved by the city, including fixture type, wattage illumination levels and shielding. This requirement does not address any potential lighting required under the individual security plans for the facility. (MC 9.09.290 (E)(10))
27. 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 cameras and recording system 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 standard MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
28. Professionally and centrally monitored fire, sprinkler, 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))
29. Waste and Storage and Disposal. Waste, storage, and disposal of all marijuana and cannabis products shall meet all applicable state and local health regulations. (MC 9.09.290 (E)(13))
30. Odor control devices and techniques shall be incorporated in all licensed premises to ensure that odors from cannabis or marijuana are not detectable offsite. Licensees shall provide a sufficient odor absorbing ventilation, exhaust or air filtration system so that odor generated inside the licensed premises that is distinctive to its operation is not detected outside of the premises, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building or other separate buildings on the licensed premises. (MC 9.09.290 (E)(14)(a))

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0099)

Page 4

31. All ventilating equipment shall be directed to top story exhaust vents which face away from adjacent properties. (MC 9.09.290 (E)(14)(b))
32. A licensee shall prohibit loitering by individuals outside the licensed premises, whether the loitering is occurring immediately outside the licensed premises facility or anywhere else on the property or parcel. (MC 9.09.290 (E)(14)(c))
33. Commercial cannabis activity shall not adversely affect the health, safety, or general welfare of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products, or wastes. (MC 9.09.290 (E)(14)(e))
34. Any of the following shall be grounds for revocation of a commercial cannabis land use permit based on evidence and following notice and public hearing pursuant to Section 9.02.260 "Revocation of approvals or permits" of the Moreno Valley Municipal Code:
 - a. Failure to comply with one or more conditions of approval of the conditional use permit (CUP).
 - b. The land use permit was granted on the basis of false material or information, including written or oral communications, given willfully or negligently by the applicant.
 - c. The ownership or control of the commercial cannabis business has been transferred and/or sold, a land use permit issued pursuant to this chapter has been transferred and/or sold, or the title of any parcels constituting the site on which the land use permit was originally issued has been transferred. New ownership would require a secured cannabis business permit/license in order for a CUP to remain valid, and is subject to the one year inactivity requirement included in Section 9.02.2609(c)(2).
 - d. Any act or omission by an owner or licensee in violation of the provisions of this section.
 - e. Any act or omission by an owner or licensee that results in the denial or revocation of the owner's or licensee's state license.
 - f. Any act or omission that results in the revocation of that owner's or licensee's commercial cannabis business license clearance under Title 5, Chapter 5.02 of the Moreno Valley Municipal Code.
 - g. An owner's or licensee's failure to take appropriate action to evict or otherwise remove persons conducting commercial cannabis activities who do not maintain the necessary permits or licenses in good standing with the city or state.
 - h. Permit holder's conviction for possession or delivery of any form of illegal drugs.
 - i. City or any other governmental agencies discovery of any form of illegal drugs, other than cannabis products regulated by this section, on the licensed premises at any time.
 - j. Conduct of the commercial cannabis activities in a manner that constitutes a nuisance where the owner or licensee has failed to comply with reasonable conditions to abate the nuisance (e.g., odor). (Ord. 932 § 5, 2018)
35. 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))
36. 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))
37. All cannabis and marijuana securely stored.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0099)

Page 5

38. 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.
39. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
40. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
41. Automatic closures on all interior and exterior doors shall be installed.
42. All interior and exterior door seals shall be replaced and adjusted.
43. All roof venting, wall penetrations, panel joints etc. shall be sealed.
44. Air curtains shall be installed on all exterior doors.
45. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E) (14) (c))
46. 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))
47. 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.
48. 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)
49. 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.
50. 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))
51. 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.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0099)

Page 6

52. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the facility.
53. 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.

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

54. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
55. 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.
56. New Moreno Valley businesses are encouraged to hire local residents.
57. 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.
58. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center ("BERC").

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

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENT**Fire Prevention Bureau**

59. 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[1])
60. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC105)
61. 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.
62. The Fire Code Official is authorized to enforce the fire safety during construction requirements

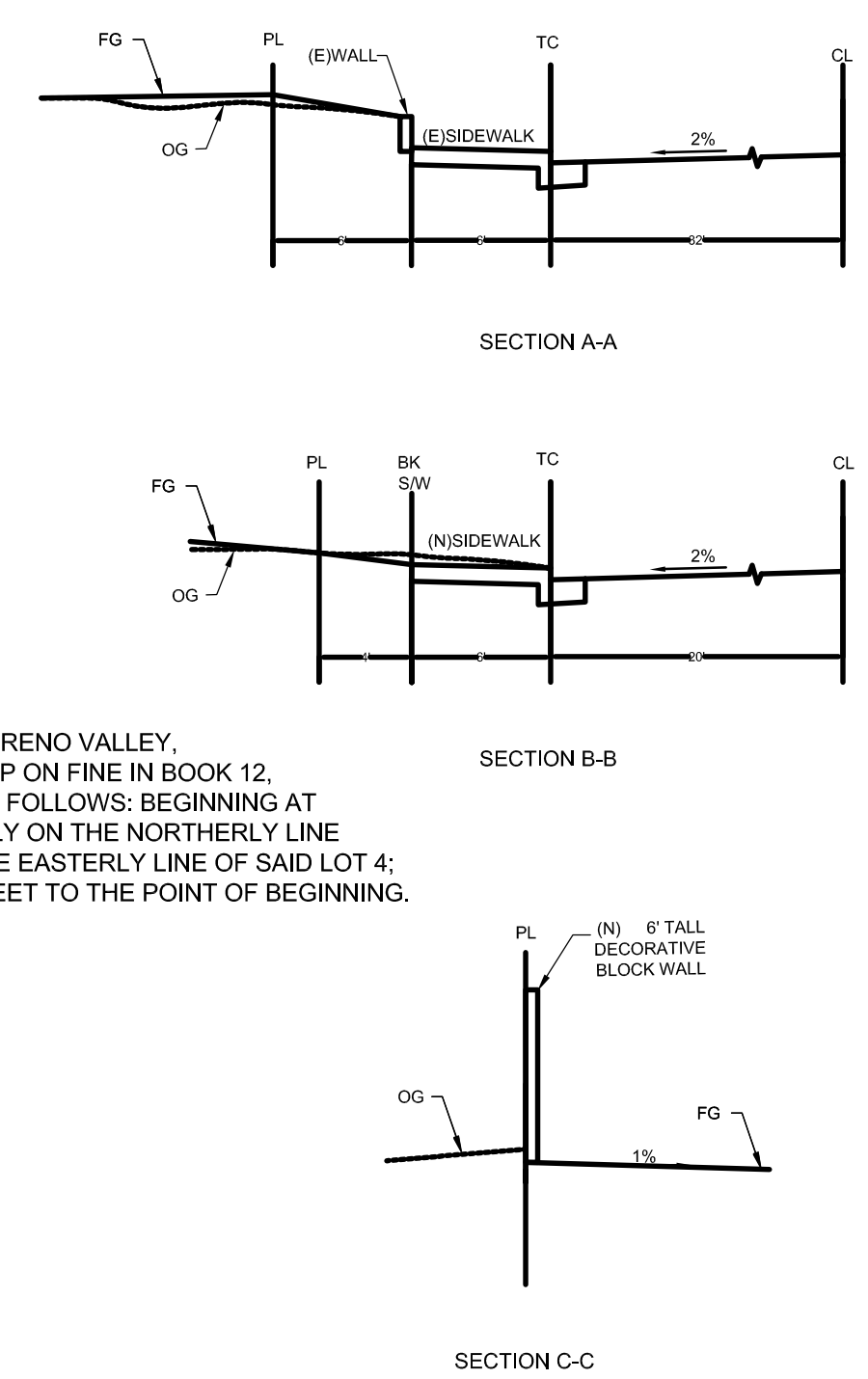
CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0099)

Page 7

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 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)
64. 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])
65. 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)
66. 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.



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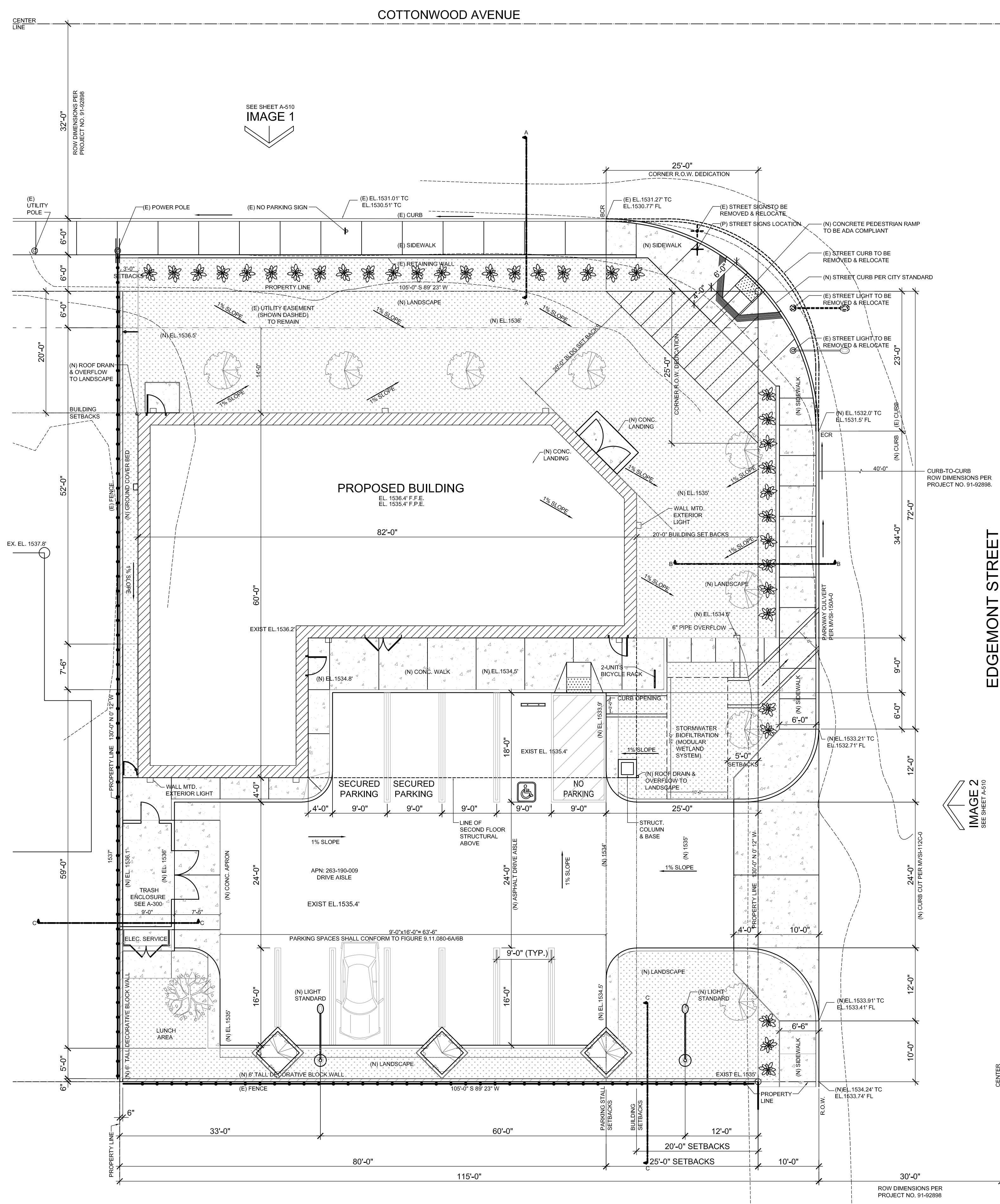
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Riverside, California 92505
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Project For: **CUP APPLICATION: PEN 19-0096, 19-0098, 19-0099, 20-0077**

GREEN MEDICATION THERAPY
COTTONWOOD AVENUE & EDMONT STREET
MORENO VALLEY, CALIFORNIA 92555
APN: 263-190-009-8

Attachment: Development Plans (Revision 2) (553 : PE1920-0007 - Green Medication Therapy)



GENERAL PROJECT NOTES:

- OWNER/APPLICANT: GREEN MEDICATION THERAPY, LLC
1408 INDIAN WELL DRIVE
DIAMOND BAR, CALIFORNIA 91761
P: (951) 775-8694
CONTACT: VICKI CHENG
E: vicki.cheng@gmail.com
- ENGINEERING ARCHITECTURAL DESIGN: RIVERSIDE ENGINEERING
11801 PIERCE STREET
RIVERSIDE, CA 92505
P: (888) 401-7483
CONTACT: JOSHUA BELTRAN
E: Info@Riv-Eng.com
- SITE ADDRESS: SW CORNER OF COTTONWOOD AVE. AND EDMONT ST.
MORENO VALLEY, CA 92555
- APN: 263-190-009
- LEGAL DESCRIPTION: THAT PORTION OF LOT 4 OF EDMONT NO. 2, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 12, PAGE 19 OF MAPS, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 4; THENCE WESTERLY ON THE NORTHERLY LINE OF SAID LOT, 105 FEET; THENCE SOUTHERLY, PARALLEL WITH THE EASTERLY LINE OF SAID LOT 4; THENCE NORTHERLY ON THE EASTERLY LINE OF SAID LOT, 130 FEET TO THE POINT OF BEGINNING.
- LOT SIZE: 105'-0" X 130'-0" - (287 SF) = 13,363 SQ. FT. = 0.3 AC (GROSS & NET)
- EARTHWORK: LESS THAN 10 YARDS OF CUT/FILL PROPOSED ON SITE.
- ZONING DESIGNATION: BP (BUSINESS PARK)
- GENERAL PLAN DESIGNATION: COMMERCIAL
- FEMA FLOOD ZONE DESIGNATIONS: 06065C07 45 G (PER MSC.FEMA.GOV)
- TOPOGRAPHY SOURCE AND DATE: TAKEN FROM CITY OF MORENO VALLEY PROJECT NUMBER 91-92898 FILE CIP 91-92898_S1&S2
- UTILITIES:
 - SEWER: EDMONT COMMUNITY SEWER (951) 653-5120
 - STORM DRAIN: EDMONT COMMUNITY SEWER (951) 653-5120
 - SEWER: BOX SPRINGS MUTUAL WATER (951) 653-6419
 - SEWER: THE GAS COMPANY (800) 427-2200
 - ELECTRICITY: SOUTHERN CALIFORNIA EDISON (800) 684-8123
 - TELEPHONE: SPECTRUM (855) 757-7328
 - SEWER: SPECTRUM (855) 757-7328
 - INTERNET: SPECTRUM (855) 757-7328
 - SEWER: WASTE MANAGEMENT OF INLAND VALLEY (800) 423-9986
 - SCHOOL DISTRICT: SCHOOL DISTRICT NO. 2
- PROJECT DESCRIPTION: THIS PROPERTY IS WITHOUT AN ADDRESS BUT IS DIRECTLY BOUND BY COTTONWOOD AVENUE TO THE NORTH AND EDMONT STREET TO THE EAST (APN: 263-190-009-8). THE PROJECT CONSISTS OF A (N) BUILDING BEING CONSTRUCTED ON THE SITE IDENTIFIED. THE DESIGN SHALL GENERALLY CONSIST OF EXTRACTION, DISTRIBUTION AND CULTIVATION. ASSOCIATED SUPPORT SPACES SHALL BE INCLUDED AS REQUIRED. THE BUILDING IS ANTICIPATED TO BE TWO STORIES TALL AND OCCUPY THE ALLOWABLE SPACE WITHIN THE SETBACK EXCLUDING THE PARKING AREA. IT IS LIKELY LIMITED IN SIZE BY THE ALLOWABLE PARKING AND SETBACKS.
- SQUARE FOOTAGE CALCULATIONS TABLE: %

SPACE	AREA (NET)
SUITE A - DISTRIBUTION	(25%) 1,871 SF
SUITE B - MANUFACTURING	(33%) 2,055 SF
SUITE C - CULTIVATION	(42%) 2,619 SF
TOTAL	6,545 SF
- AREA AND DENSITY CALCULATIONS TABLE: %

SPACE	AREA (GROSS)
PARKING	(39%) 5,341 SF
TRASH	(2%) 324 SF
LANDSCAPE	(21%) 2,777 SF
WALKWAY	(6%) 761 SF
BUILDING	(32%) 4,385 SF
TOTAL	13,650 SF
- LIST OF ALL EASEMENTS OF RECORD; EASEMENTS FOR UTILITIES AND INCIDENTS THERE TO ARE GRANTED TO THE SOUTHERN SIERRAS POWER COMPANY BY AGREEMENT RECORDED DECEMBER 20, 1926 IN BOOK 698, PAGE 298 OF DEEDS, AND BY DEED RECORDED DECEMBER 21, 1926 IN BOOK 698 PAGE 313 OF DEEDS.
- SHOW AND LABEL AREAS SUBJECT TO LIQUEFACTION OR OTHER GEOLOGICAL HAZARD, AND/OR IF WITHIN A SPECIAL STUDIES ZONE, IF APPLICABLE. NO AREAS OF LIQUEFACTION OR OTHER GEOLOGICAL HAZARDS ARE ON THIS SITE.
- DEDICATIONS: IN REFERENCE TO SHEET 14/25 OF FILE CIP 91-92898_S1&S2; THE AREA INDICATED IS EXPECTED TO BE DEDICATED.
- NO PRIVATE STREETS ADJACENT TO THIS SITE.
- NO SEPTIC TANK SYSTEM ON THIS SITE.
- NO 'COMMON SPACES' ARE PROPOSED FOR THIS SITE.
- NO PROPOSED GATES OR FENCES.

PARKING SUMMARY (REF. TABLE 9.11.040B-12)

SPACE	AREA (NET)	PARKING RATIO	REQ'D PARKING
SUITE A - DISTRIBUTION	1,072 SF	@/1,000 SF	2
SUITE B - MANUFACTURING	1,948 SF	@/1,500 SF	4
SUITE C - CULTIVATION	2,883 SF	@/1,000 SF	3
TOTAL	6,303 SF		9 REQUIRED
TOTAL PARKING PROPOSED			11 PROPOSED

CODE COMPLIANCE:

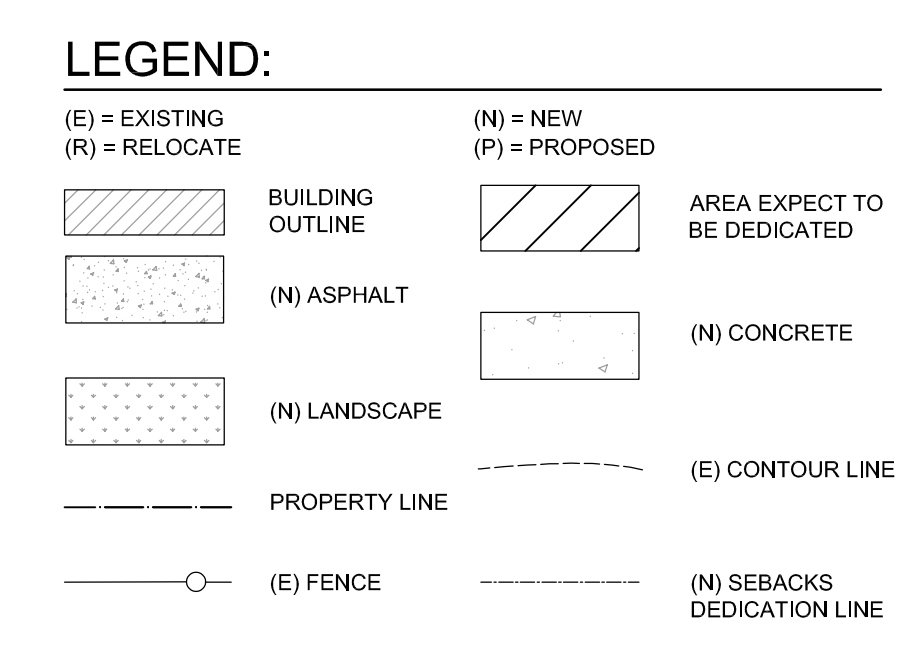
OCCUPANCY GROUP: F-1, S-1 (DISTRIBUTION, MANUFACTURING, CULTIVATION)
CONSTRUCTION TYPE: III-A NEW AUTOMATIC FIRE SPRINKLER SYSTEM (INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.1)

ALLOWABLE BUILDING AREA (REF. TABLE 506.2)

TYPE III-A, TABLE 506.2.4

ALLOWABLE S.F. AREA, MULTI-STORY WITH SPRINKLER:	57,000 S.F.
PROPOSED BUILDING AREA	
GROUND FLOOR AREA: (F-1, S-1)	(OLD 4,385 S.F.), 3,679 S.F.
SECOND FLOOR AREA: (F-1)	(OLD 4,126 S.F.), 3,379 S.F.
TOTAL PROPOSED BUILDING FLOOR AREA:	(OLD 8,511 S.F.), 7,058 S.F.
TOTAL PROPOSED BUILDING FLOOR AREA = 7,058 S.F. < ALLOWABLE 57,000 S.F.	
HEIGHT LIMITED BY TYPE OF CONSTRUCTION, TABLE 503:	
HEIGHT LIMIT ALLOWED BY TYPE (III-A, SPRINKLERED)	85 FT. A.G.P.
PROPOSED TWO STORY BUILDING HEIGHT:	38 FT. A.G.P.

- NOTES:**
- OVERHEAD UTILITIES SHALL BE UNDERGROUND PER MUNICIPAL CODE 9.14.130
 - SIGHT DISTANCE AT THE PROPOSED DRIVEWAYS SHALL CONFORM TO CITY OF MORENO VALLEY STANDARD NO. MVSI-164A-0, MVSI-164B-0, AND MVSI-164C-0 AT THE TIME OF PREPARATION OF FINAL GRADING, LANDSCAPE, AND STREET IMPROVEMENT PLANS.
 - STREET IMPROVEMENTS ALONG COTTONWOOD MAY BE REQUIRED PER DIRECTION OF THE CITY ENGINEER.
 - ANY IMPROVEMENTS TO EDMONT STREET SHALL BE PER CITY STANDARDS OR AS APPROVED BY THE CITY ENGINEER. ADDITIONAL IMPROVEMENTS SHALL BE REQUIRED ON THE WEST SIDE OF EDMONT STREET, JUST SOUTH OF THE PROJECT LIMIT, TO PROVIDE A 10:1 PAVEMENT TRANSITION FOR SOUTHBOUND TRAFFIC.



SITE / GRADING PLAN
SCALE: 1" = 10'-0"

PROFESSIONAL SEAL:

REVISION LIST

2019.12.09 CUP SUBMITTAL
2020.08.08 CUP RESUBMITTAL
2020.12.07 CUP RESUBMITTAL
2021.03.01 CUP RESUBMITTAL

2088

CONTACT : Riverside Engineering

SCALE: As Noted

SITE PLAN & GRADING PLAN

SHEET AS-100

DATE: 08/03/20



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COTTONWOOD AVENUE & EDMONT STREET
MORENO VALLEY, CALIFORNIA 92555
APN: 263-190-009-8

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2019.12.09 CUP SUBMITTAL
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2020.12.07 CUP RESUBMITTAL
2021.03.01 CUP RESUBMITTAL

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CONTACT : Riverside Engineering
SCALE: As Noted

CONCEPTUAL LANDSCAPE PLAN

SHEET **LS-100**

DATE: 08/03/20

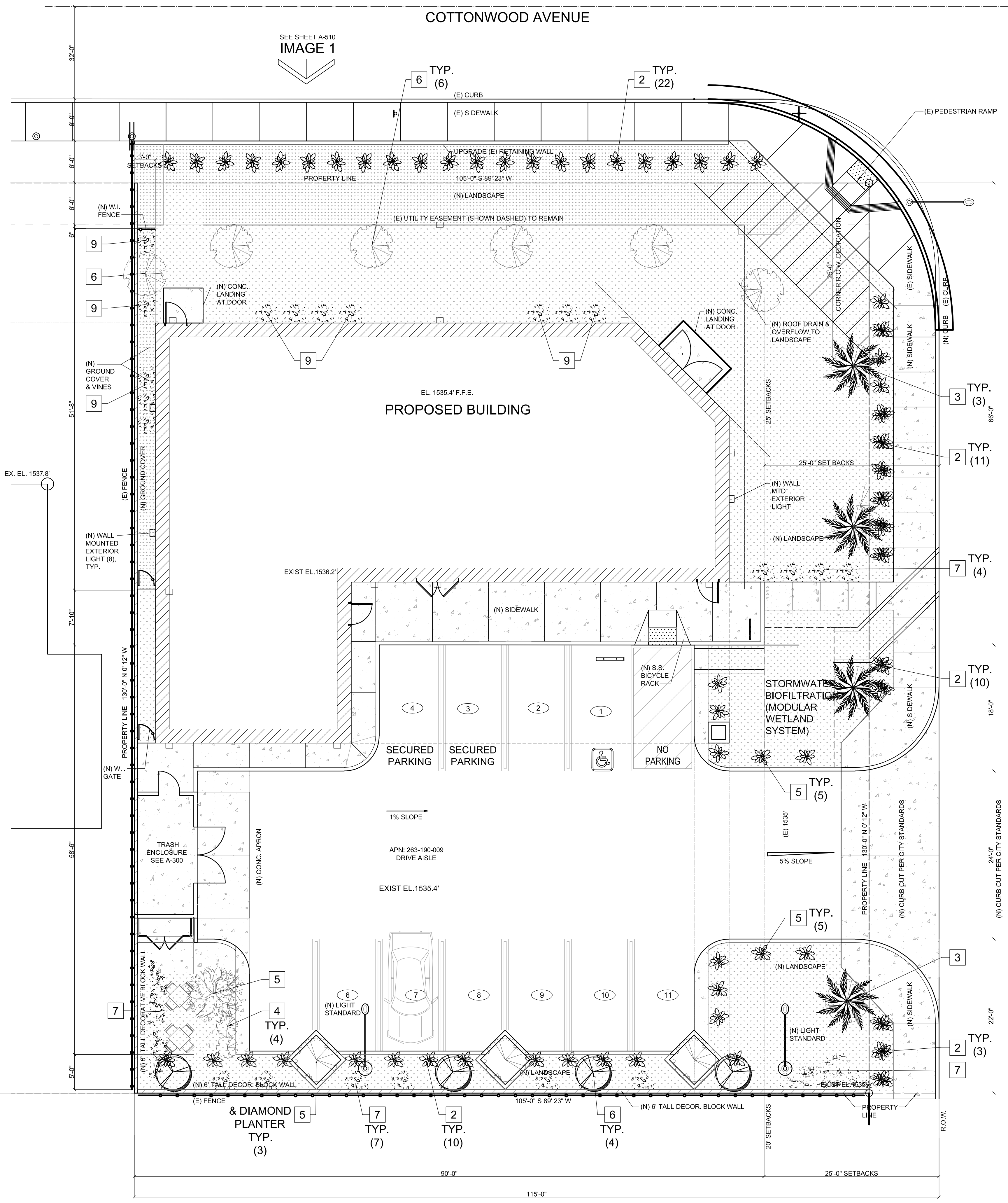
Attachment: Development Plans (Revision 2) (553) : PEN20-0007 - Green Medication Therapy

COUNTY OF RIVERSIDE CALIFORNIA FRIENDLY PLANT SELECTION

PER CITY OF MORENO VALLEY COMPREHENSIVE PLANT LIST

PLANT SCHEDULE

	BOTANICAL	COMMON	MATURE HT. (FT.)	MATURE WIDTH (FT.)
1	ACACIA FARNESIANA	ACACIA FARNESIANA	20'	15'-20'
2	CASSIA SURATTENSIS	YELLOW CASSIA	6'-8'	6'-8'
3	SYAGRUS ROMANZOFFIANUM	QUEEN PALM	50'	20'-25'
4	ABELIA GRANDIFLORA	GLOSSY ABELLIA	8'	5'
5	QUERCUS SUBER	CORK OAK	30'-60'	30'-60'
6	QUERCUS WISLIZENI	INTERIOR LIVE OAK	30'-75'	30'-75'
7	AGAVE SPECIES	LILY OF THE NILE	1'-10'	1'-10'
8	ARCTOSTAPHYLOS	EMERALD CARPET MANZANITA	8"-14"	8"-14"
9	MASCAGNIA LILACINA	LAVENDER ORCHID VINE	15'-20'	



LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"

Plotfile: 2/28/2021 11:15 PM (#####) File: cottonwood_avenue_cup_03-01-21.dwg



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2020.08.08 CUP RESUBMITTAL
2020.12.07 CUP RESUBMITTAL
2021.03.01 CUP RESUBMITTAL

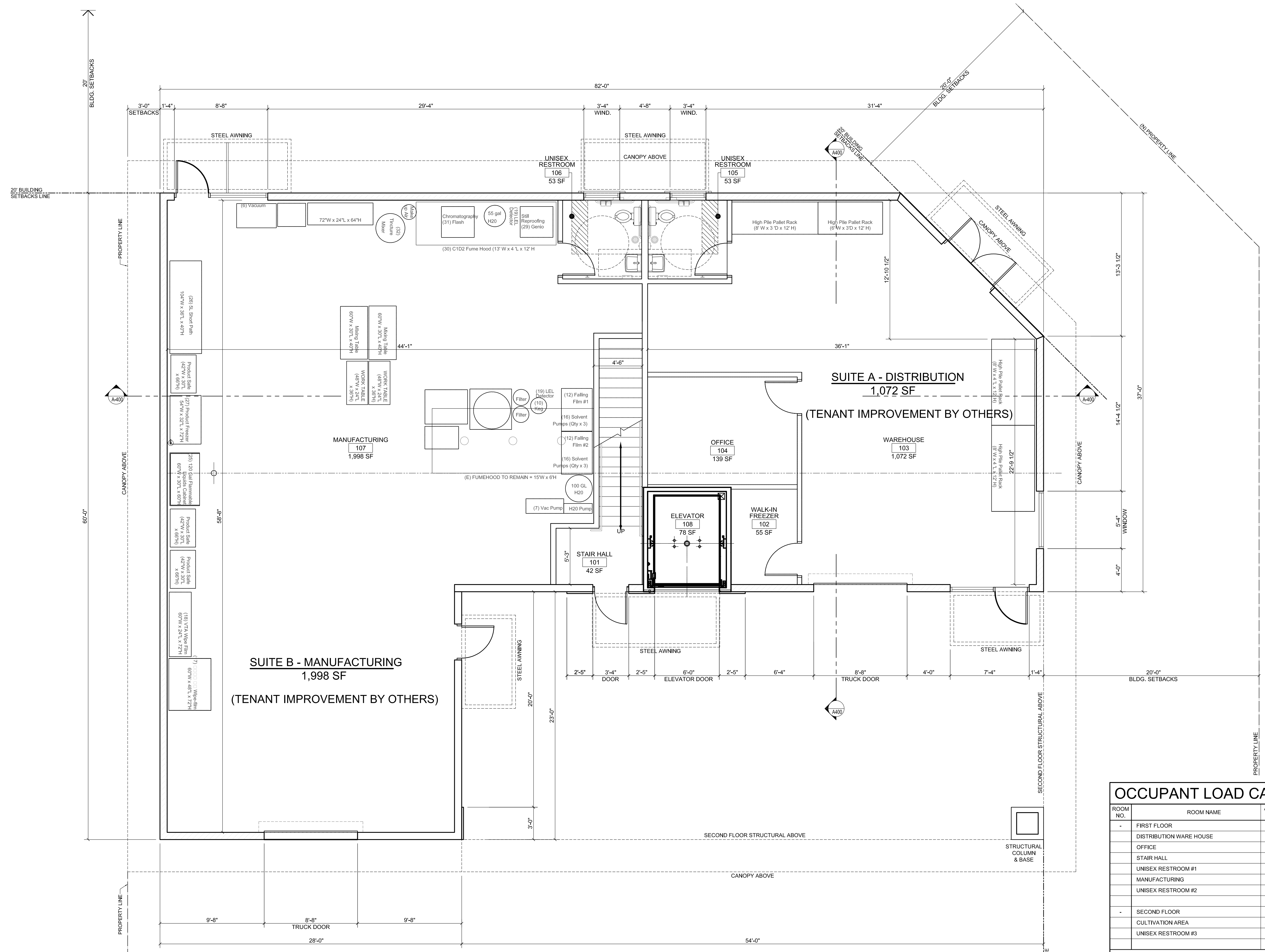
2088
CONTACT : Riverside Engineering
SCALE: As Noted

GROUND FLOOR PLAN

SHEET
A-100

DATE: 08/03/20

Attachment: Development Plans [Revision 2] (5535 : PEN20-0007 - Green Medication Therapy)



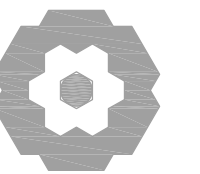
OCCUPANT LOAD CALCULATION

ROOM NO.	ROOM NAME	AREA (SF)	LOAD FACTOR	TYPE OF OCC.	OCC.
-	FIRST FLOOR				
	DISTRIBUTION WARE HOUSE	1,072	500	S-1	3
	OFFICE	139	200	B	1
	STAIR HALL	42	-	-	-
	UNISEX RESTROOM #1	53	-	-	-
	MANUFACTURING	1,998	200	F-1	10
	UNISEX RESTROOM #2	53	-	-	-
-	SECOND FLOOR				
	CULTIVATION AREA	2,883	200	F-1	15
	UNISEX RESTROOM #3	53	-	-	-
	TOTAL				29

PER TABLE 1004.1.2 2019 CBC
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

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

Plotfile: 2/27/2021 11:25 PM (#####) File: cottonwood avenue.cup_03-01-21.dwg



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2020.12.07 CUP RESUBMITTAL
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CONTACT : Riverside Engineering

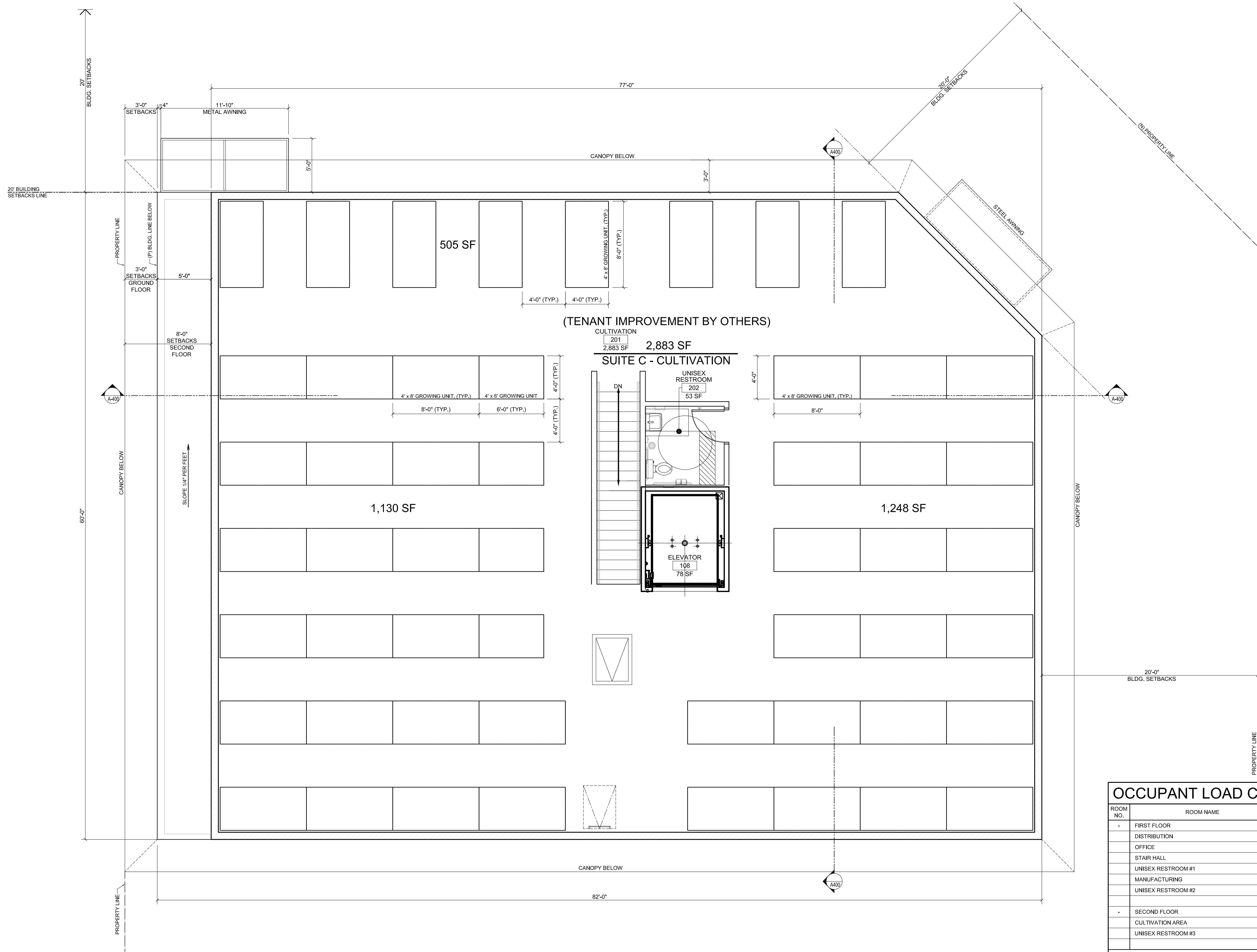
SCALE: As Noted

SECOND FLOOR PLAN

SHEET
A-200

DATE: 08/03/20

Attachment: Development Plans (Revision 2) (5535 : PEN20-0007 - Green Medication Therapy)



OCCUPANT LOAD CALCULATION

ROOM NO.	ROOM NAME	AREA (SF)	LOAD FACTOR	TYPE OF OCC.	OCC.
-	FIRST FLOOR				
	DISTRIBUTION	1,072	500	S-1	3
	OFFICE	139	200	B	1
	STAIR HALL	42	-	-	-
	UNISEX RESTROOM #1	53	-	-	-
	MANUFACTURING	1,998	200	F-1	10
	UNISEX RESTROOM #2	53	-	-	-
-	SECOND FLOOR				
	CULTIVATION AREA	2,883	200	F-1	15
	UNISEX RESTROOM #3	53	-	-	-
	TOTAL				29

PER TABLE 1004.1.2 2019 CBC
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

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



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2020.08.08 CUP RESUBMITTAL
2020.12.07 CUP RESUBMITTAL
2021.03.01 CUP RESUBMITTAL

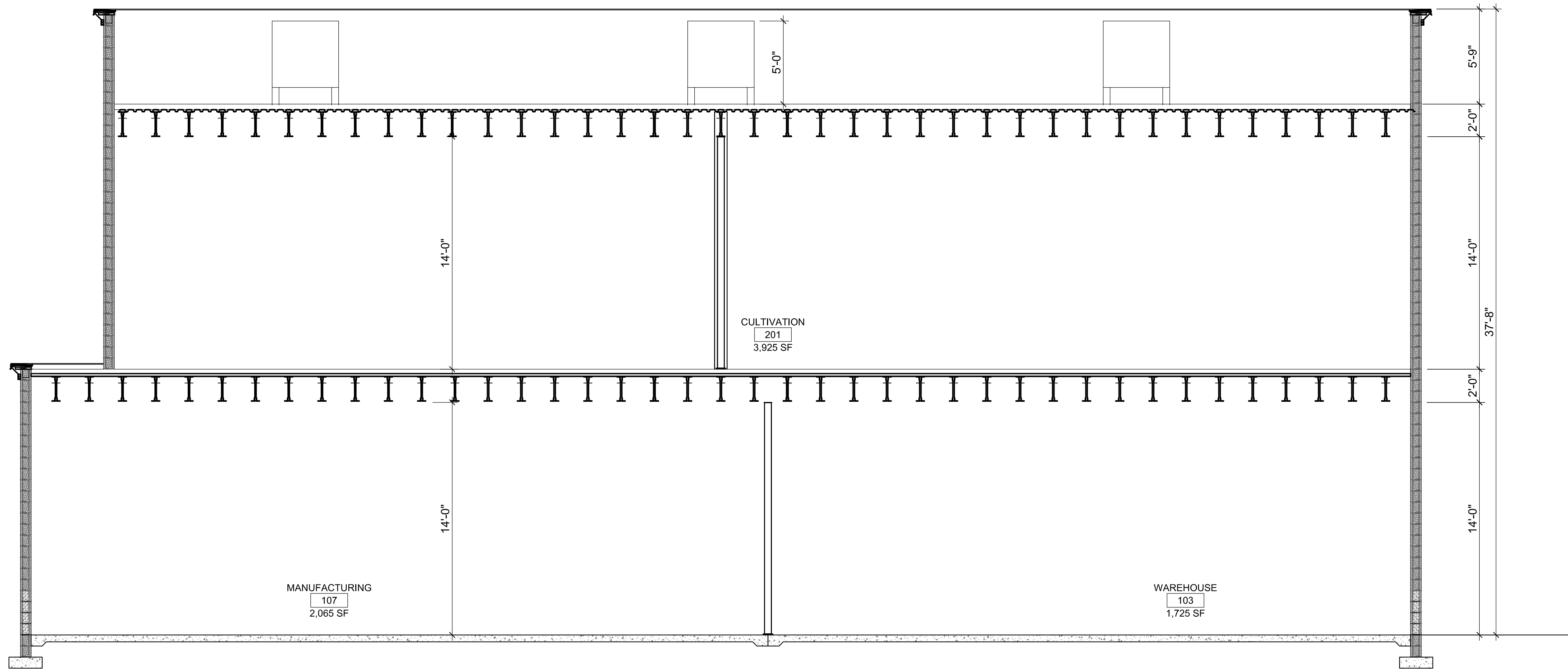
2088
CONTACT : Riverside Engineering

SCALE: As Noted

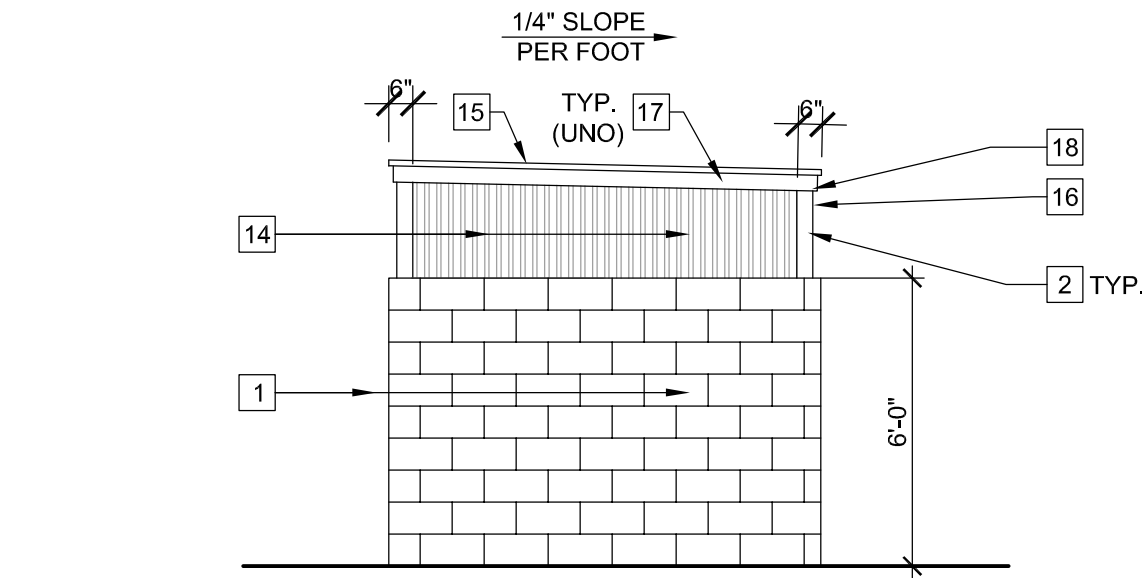
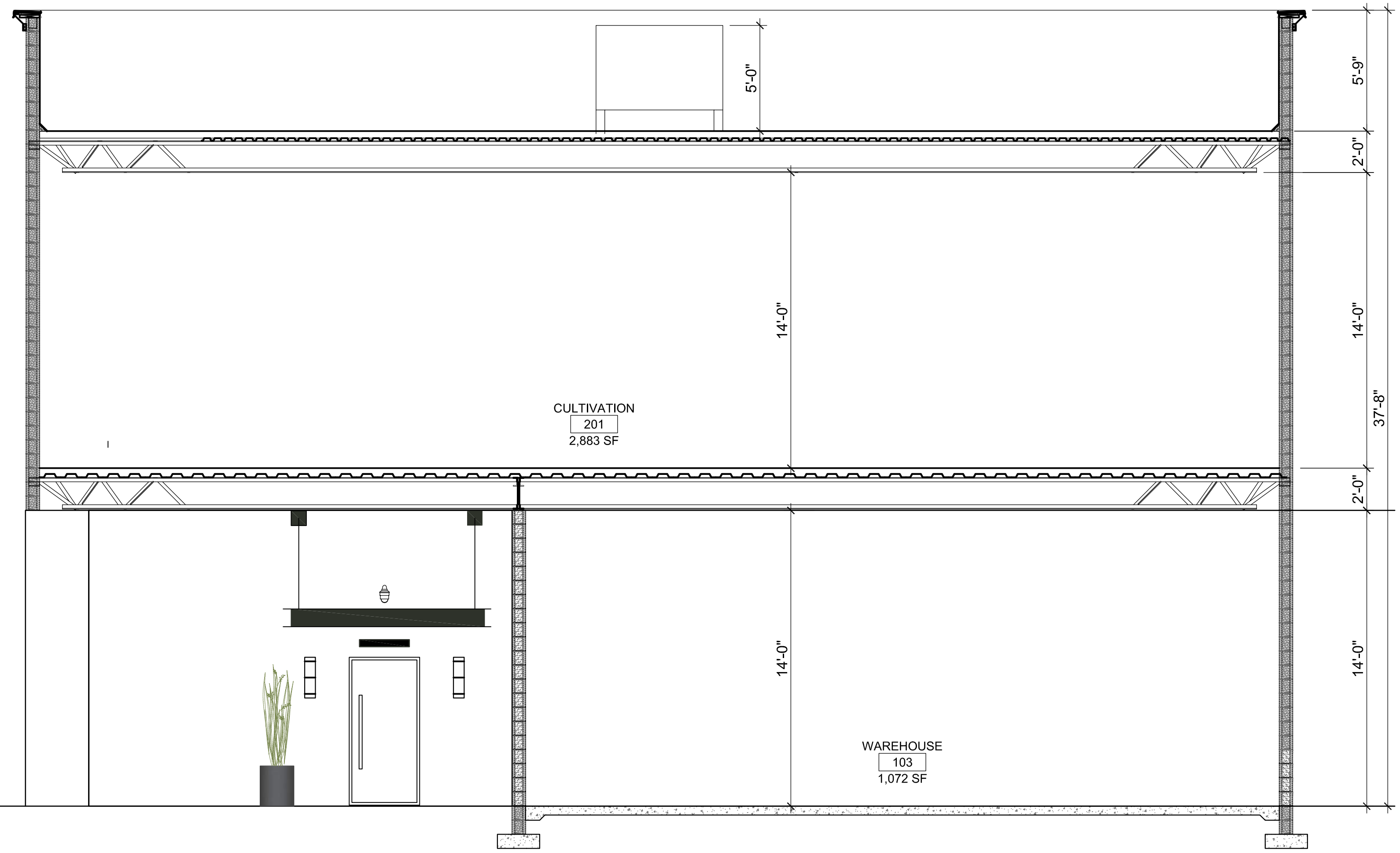
BUILDING SECTIONS
TRASH ENCLOSURE

SHEET
A-400
DATE: 08/03/20

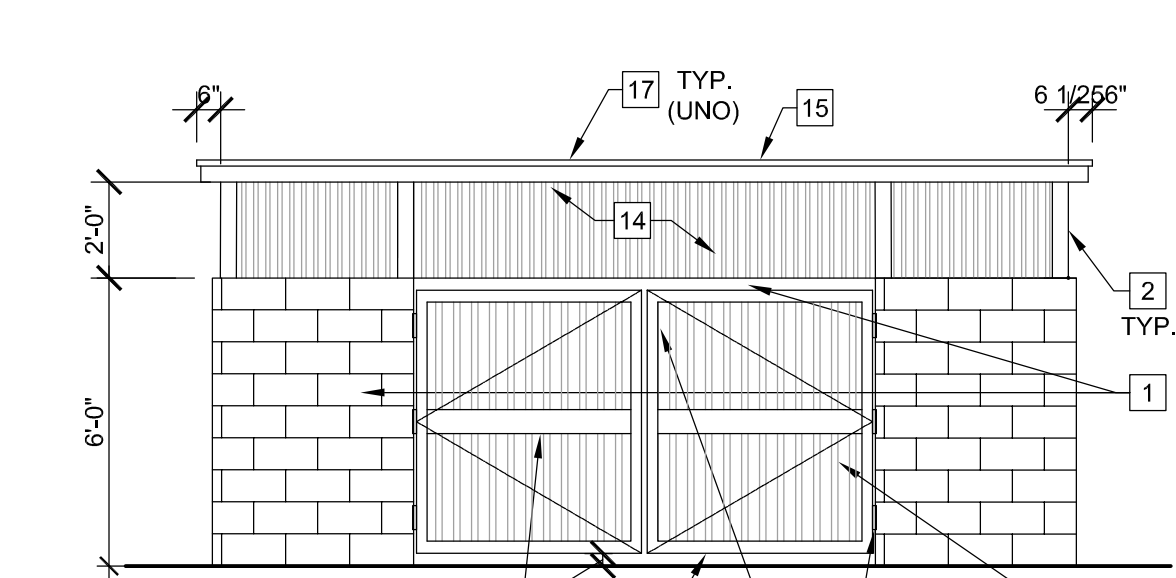
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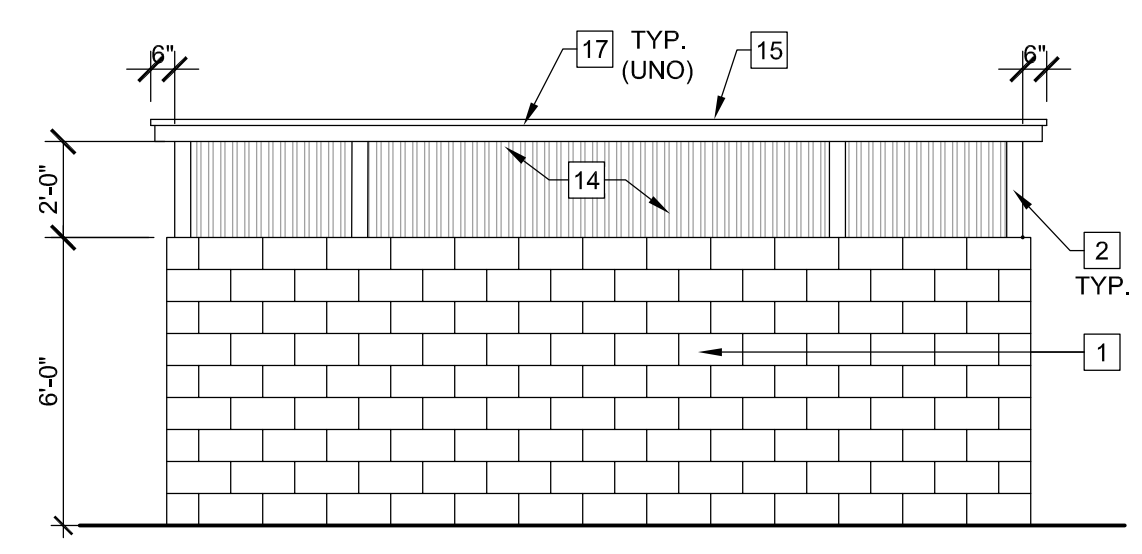
- KEY NOTES**
- 6"x8"x16" DECORATIVE CONCRETE BLOCK WALL +6'-0" HIGH FREE-STANDING
 - SQUARE TUBE STEEL POST AT WALL. GROUT FILL POST SOLID. PAINT W/ (2) COATS ZINC PRIMER & (2) COATS SATIN FINISH. PAINT TO MATCH BUILDING
 - RECYCLE BIN - 4 CUBIC YARDS
 - TRASH BIN - 4 CUBIC YARDS
 - ATTACH GATE TO GALV. POST WITH (3) HEAVY DUTY GATE HINGES.
 - FORK LATCH WITH LOCKING CAPABILITY
 - ENCLOSURE GATE: STL. TUBE FRAME WITH CORRUGATED METAL PANEL, PTD.
 - POST BAND AT 14" O.C., TYP.
 - 9 GA. TIE-WIRE TOP AND BOTTOM, TYP.
 - 6" MIN. THICK CONCRETE APRON IN FRONT OF ENCLOSURE.
 - CONCRETE SLAB PER STRUCTURAL.
 - 4" WIDE x 6" HIGH STOPS WITH 1" BEVEL TOP CUTS, SHALL BE MADE FROM RECYCLED MATERIALS (PLASTICWOOD). SECURED TO SLAB w/ 1/2" DIA. ANCHOR BOLTS @ 36" OC. MIN.
 - SANITARY SEWER CONNECTION. TO BE PROVIDED BY EMWD (EASTERN MUNICIPAL WATER DISTRICT)
 - 3/4" X 3/4" TUBE STEEL RAILING AT ALL SIDES OF TRASH ENCLOSURE
 - CORRUGATED METAL ROOF DECK: BERRIDGE STRAIGHT S-DECK. SEE STRUCTURAL PLANS FOR ATTACHMENT DETAILS
 - 4" DIA. METAL BEAM. POWDER COATED, PAINT TO MATCH BUILDING
 - 4"x6" METAL RAFTER TAILS, EQUALLY SPACED. WELD TO STEEL BEAM. POWDER COATED COLOR PT-2, OR (2) COATS ZINC PRIMER & (2) COATS SATIN FINISH PAINT
 - 3" DIA. RAFTERS / TRELLIS (CONT.) TO SUPPORT METAL DECK. WELDED TO STEEL BEAMS - PAINT TO MATCH BUILDING



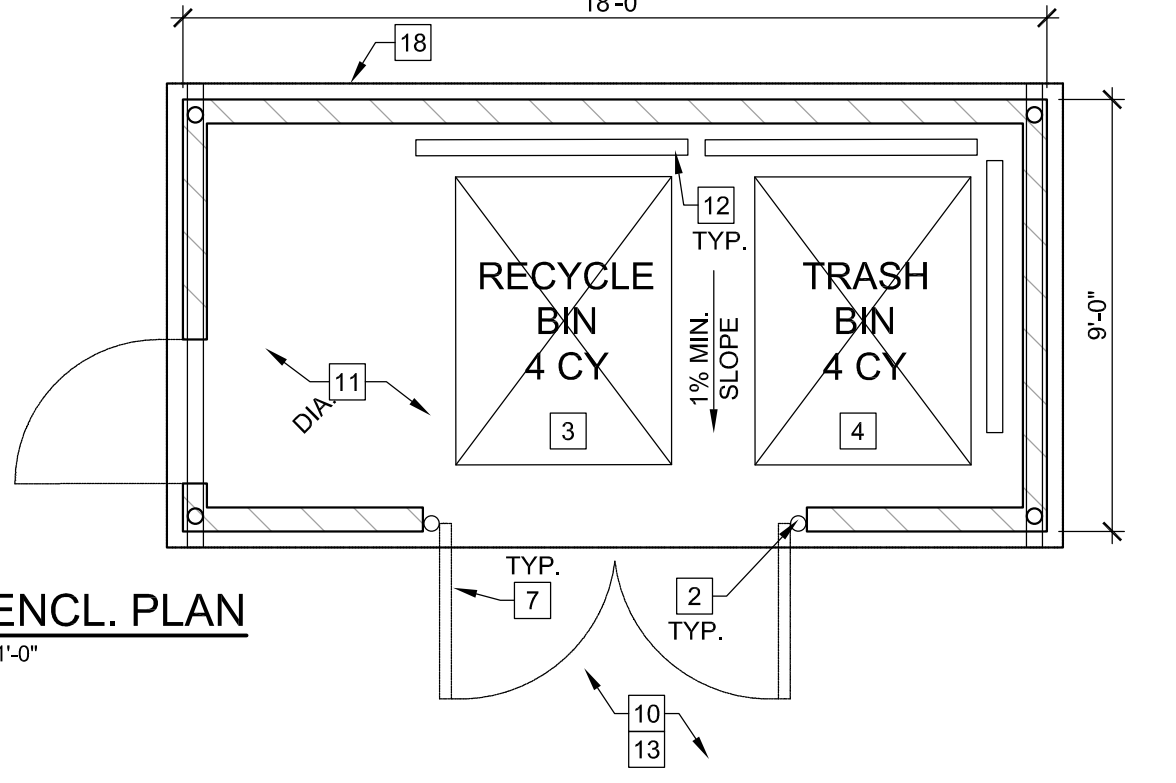
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



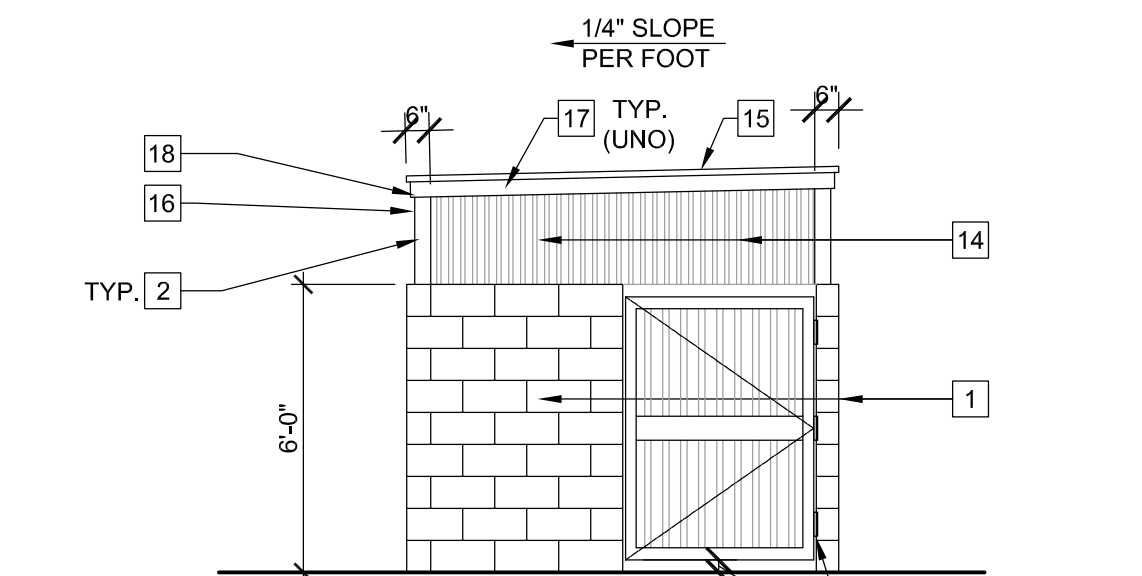
EAST ELEVATION
SCALE: 1/4" = 1'-0"



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



TRASH ENCL. PLAN
SCALE: 1/4" = 1'-0"

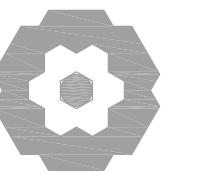


SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

- NOTES:**
- ALL METAL TO RECEIVE (1) COAT OF ZINC CHROMATE PRIMER AND (2) COATS OF MEDIUM ALKYD PAINT.
 - DECORATIVE EXTERIOR FINISH TO BE COMPATIBLE WITH BUILDING.
 - STRUCTURAL DESIGN TO WITHSTAND 110 MPH MIN. WIND LOAD.
 - SOLID ROOF TO MEET ARCHITECTURAL AND STRUCTURAL DESIGN CRITERIA FROM PLANNING AND BUILDING DEPARTMENTS.
 - INTERIOR WALLS AND FLOORING OF TRASH ENCLOSURE MUST BE SMOOTH AND SEALED WITH AN APPROVED SEALER. USE CLEAR COAT MASONRY SEALER BY OKON, INC. OR APPROVED EQUAL.
 - THE WASTE STORAGE SHALL BE GRADED SO THAT STORAGE CONTAINERS REMAIN AT REST WITHOUT AUXILIARY RESTRAINING DEVICES.
 - TRASH ENCLOSURE SHALL HAVE AN AREA DESIGNATED FOR RECYCLABLE MATERIALS (MIN. 50% OF THE WASTE STORAGE AREA).

BUILDING SECTIONS
SCALE: 1/4" = 1'-0"

Plotfile: 2/27/2021 11:49 PM (#####) E:\riverside\cottonwood_avenue_cup_03-01-21.dwg



Riverside Engineering
CONSULTING ENGINEERS

MEP
ARCHITECTURAL
STRUCTURAL
ENERGY
CONSULTANTS
Voice: 888.401.7483
Email: Info@Riv-Eng.com
www.Riv-Eng.com
11801 Pierce St., Suite 200
Riverside, California 92505
(By Appointment Only)

Project For : CUP APPLICATION: PEN 19-0096, 19-0098, 19-0099, 20-0077

GREEN MEDICATION THERAPY
COTTONWOOD AVENUE & EDMONT STREET
MORENO VALLEY, CALIFORNIA 92555
APN: 263-190-009-8

PROFESSIONAL SEAL :

REVISION LIST

2019.12.09 CUP SUBMITTAL
2020.08.08 CUP RESUBMITTAL
2020.12.07 CUP RESUBMITTAL
2021.03.01 CUP RESUBMITTAL

2088

CONTACT : Riverside Engineering

SCALE: As Noted

EXTERIOR
ELEVATIONS

SHEET
A-500

DATE: 08/03/20

Attachment: Development Plans (Revision 2) (5535 : PEN20-0007 - Green Medication Therapy)

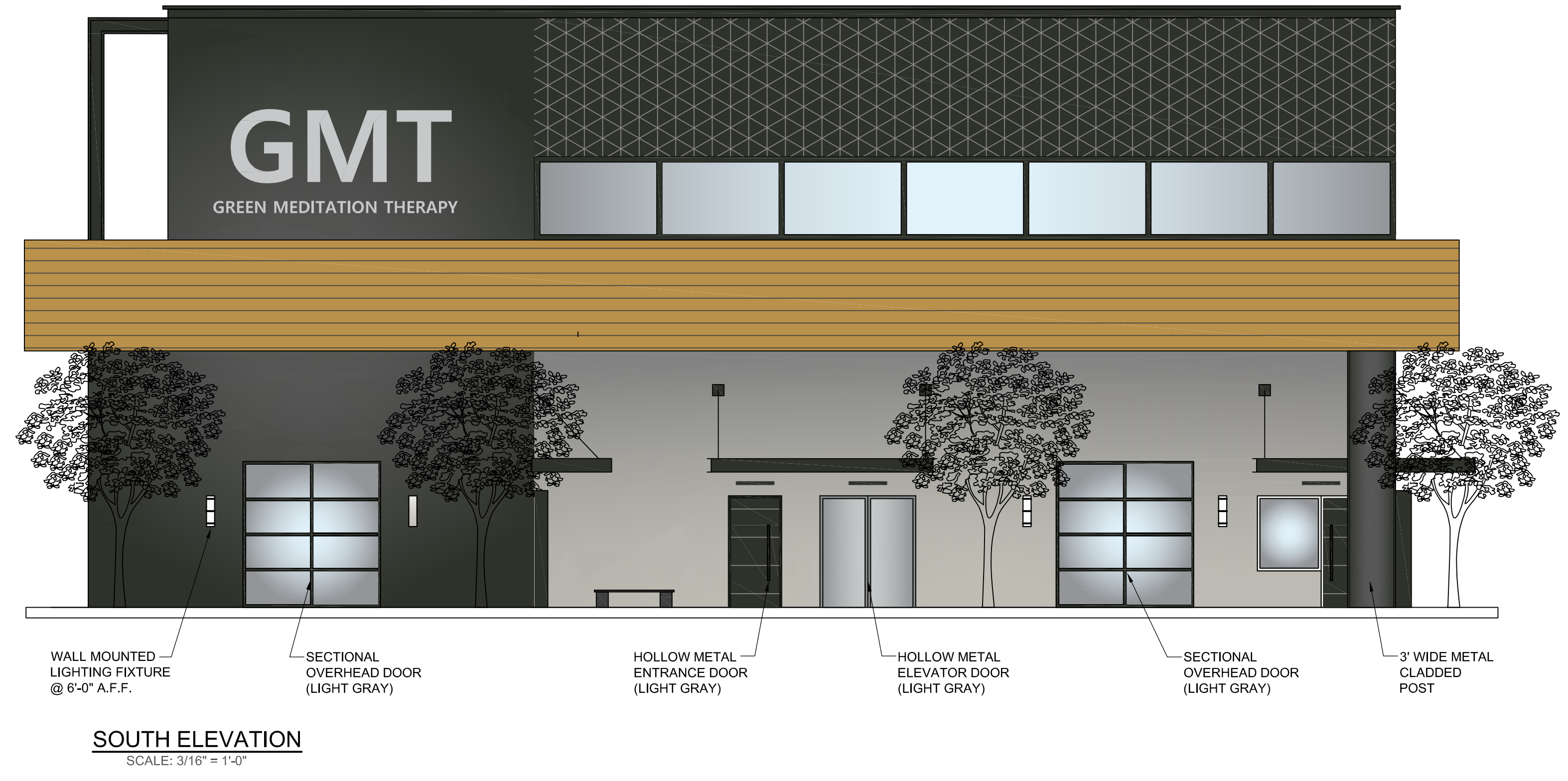


WEST ELEVATION
SCALE: 3/16" = 1'-0"

NORTH ELEVATION - (Cottonwood Ave.)
SCALE: 3/16" = 1'-0"

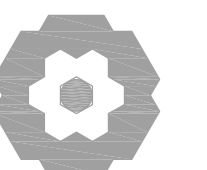


EAST ELEVATION - (Edgemont St.)
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

Plotfile: 2/28/2021 5:47 PM (#####) File: cottonwood avenue.cup_03-01-21.dwg



Riverside Engineering CONSULTING ENGINEERS

MEP ARCHITECTURAL STRUCTURAL ENERGY CONSULTANTS

Voice: 888.401.7483 Email: Info@Riv-Eng.com www.Riv-Eng.com 11801 Pierce St., Suite 200 Riverside, California 92505 (By Appointment Only)

Project For : CUP APPLICATION: PEN 19-0096, 19-0098, 19-0099, 20-0077 GREEN MEDICATION THERAPY COTTONWOOD AVENUE & EDMONT STREET MORENO VALLEY, CALIFORNIA 92555 APN: 263-190-009-8

PROFESSIONAL SEAL :

REVISION LIST table with columns for date and description of revisions.

2088 CONTACT : Riverside Engineering SCALE: As Noted

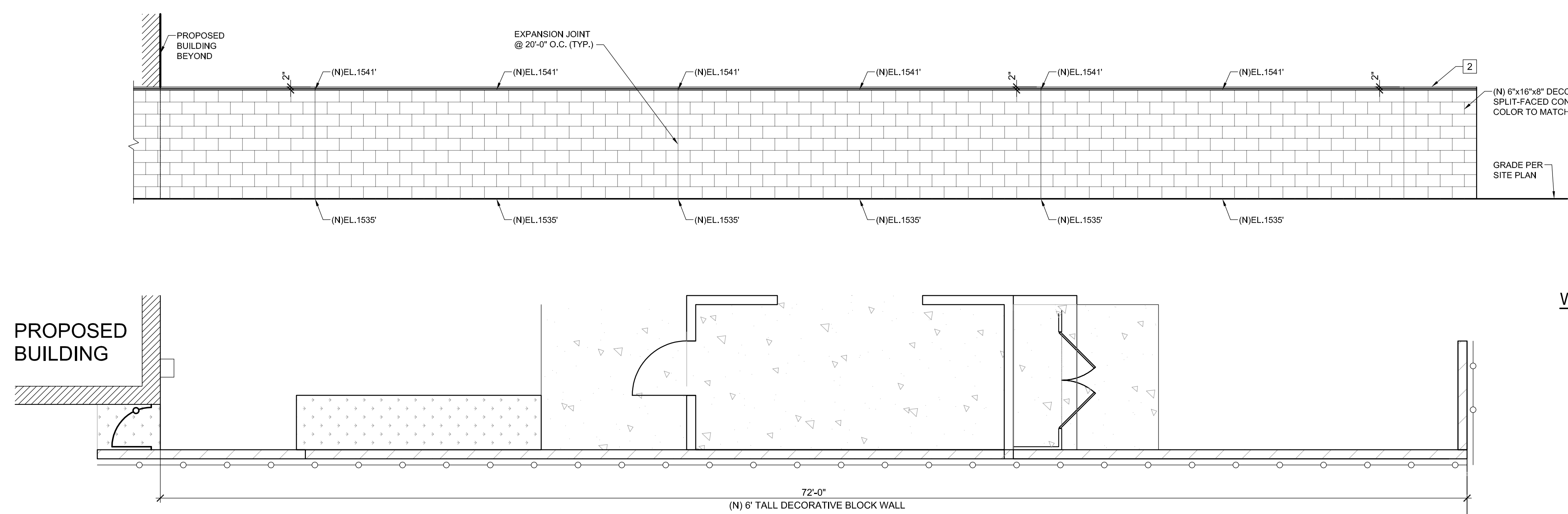
PERIMETER WALL ELEVATIONS

SHEET A-600

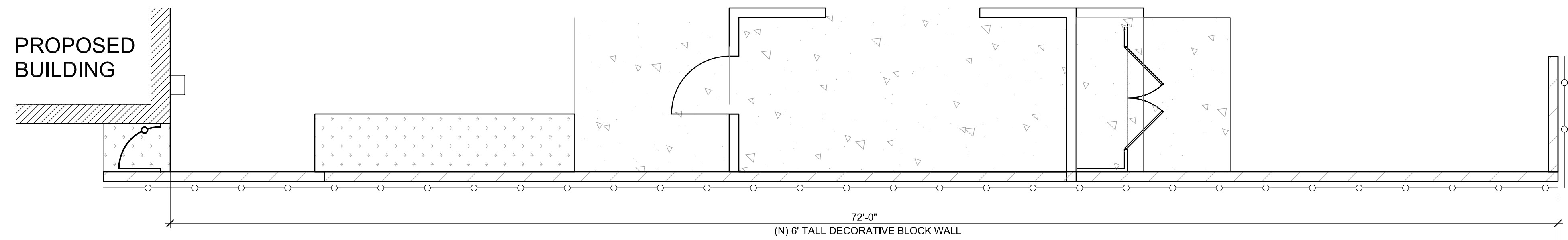
DATE: 08/03/20

Attachment: Development Plans [Revision 2] (5535 : PE1920-0007 - Green Medication Therapy)

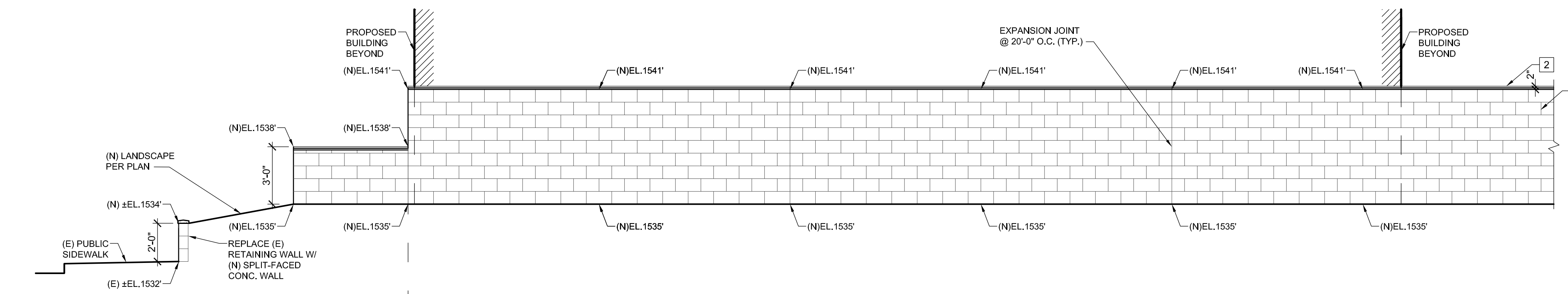
KEY NOTES and NOTES section with numbered list items and descriptive text.



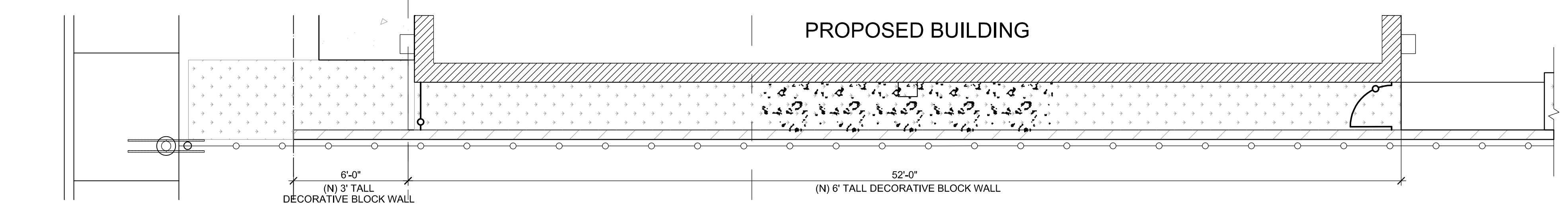
WEST WALL - ELEVATION SCALE: 1/4" = 1'-0" NORTH



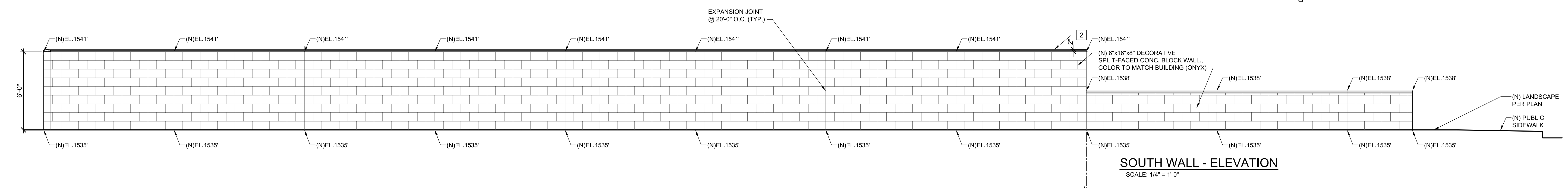
WEST WALL - PLAN VIEW



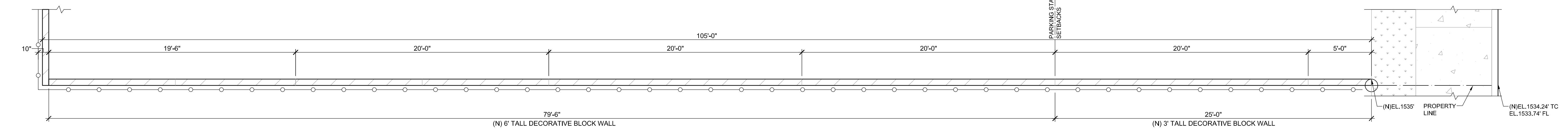
WEST WALL - ELEVATION SCALE: 1/4" = 1'-0"



WEST WALL - PLAN VIEW SCALE: 1/4" = 1'-0" NORTH



SOUTH WALL - ELEVATION SCALE: 1/4" = 1'-0"



SOUTH WALL - PLAN VIEW SCALE: 1/4" = 1'-0" NORTH

Plotfile: 2/28/2021, 11:22 AM (#####) File: cottonwood avenue.cup_03-01-21.dwg



Riverside Engineering
CONSULTING ENGINEERS

Vicki Cheng
Green Medication Therapy, LLC
1408 Indian Wells Dr
Diamond Bar, CA 91765
Conditional Use Permit (PEN19-0096)

Parking Justification for 'Green Medication Therapy' dated 09-23-2021

The following information is to be used to help understand why 11 on-site parking spaces are adequate to meet the needs of the facility. There are six primary items to consider before any final ruling can be made:

1. The business operations, unlike a typical retail establishment, does not have consistent and frequently patronizing clientele. Since the business does not operate in a manner that results in regular customers, a reduction of up to 50% can be granted and we request the maximum percentage allowable.
2. Space in the building that is unoccupiable under typical operations are generally considered in the entire area. If we deduct areas such as elevators, mechanical rooms and the like, we reduce the entire area thus deducting 2 parking spaces from the entire amount needed. As this is a 2-story building the amount of usable space is reduced due to the need to provide an elevator and a stairwell to 6,568 square feet. This would reduce the parking down to 13 spaces.
3. Per Section 9.11.070.B, 'Shared Parking' – point 1, the facility contains three different functions but is managed by one group. Each of those functions has overlapping employees, so the entirety of the complex doesn't require that the formal parking requirements be adhered to... the spaces are used by the same employees. So, the entire operation may have a maximum of nine employees and the proposed parking allows for eleven spaces shared between the various functions of the businesses. The shared parking encouragement is allowable here as a means of facilitating the development of the property.
4. Per section 9.11.070.4.b - There is a bus stop within a two-block walking distance of the facility at the intersection of Day and Eucalyptus allowing for ease of access to those who have no vehicle. Business operations will allow employees to have a fifteen-to-twenty-minute window for arriving or leaving thus facilitating the use of alternative means of transportation. Special incentives such as paid days off, tickets to local entertainment, and local vendor discounts at the discretion of HR and the Business Manager will be provided to those who choose to carpool.
5. Per section 9.11.070.4.c – Uses within the building are Cultivation or Growing, Extraction and Distribution. So, for each use, there is a coherency and homogeneity in overlapping functions where employees may fill in once responsibilities in any of the respective areas are met. As an example, the grow operation doesn't always require operators to be performing tasks. Once responsibilities are handled for the day, the employee of necessity can meet other functions and other needs. The process is tiered and hierarchical and requires waiting time for plants to grow. Extraction can only happen for fully grown plants. Distribution can only occur after both other uses have been accomplished. A proper functioning business following this operations model

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can successfully cross-train employees so that there is no down-time per function. Therefore, because the uses are complementary, there is a decreased need for stratification of the workforce. The workers are sufficiently skilled to meet different responsibilities and multi-task. Therefore, parking to accommodate many lower skilled individuals is unnecessary.

- 6. Per Parking policy is determined by the Municipal code, which per § 22.30.040. table 3-10 distinguishes between uses of wholesale and distribution operations not used exclusively for storage at 1/1000 and Manufacturing at 2 spaces per 1000. The area breakdown at 1/1000 yields 6 required spaces and for Manufacturing, 4 spaces. We have provided a total of 11 compared with the needed 10 based on an itemization of used space.

Therefore, and based on the above considerations, we request that the formal requirement for 15 spaces be waived and the more accurate use of 11 spaces be deemed sufficient for the real-world conditions the space will actually encounter.

Should you have any questions, do not hesitate to reach out to our office.

Respectfully,

Charles Matthews
Senior Architect
Riverside Engineering Inc.



Attachment: Parking Reduction Justification Memorandum (5535 : PEN20-0007 - Green Medication Therapy)

Business Park (BP) District



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

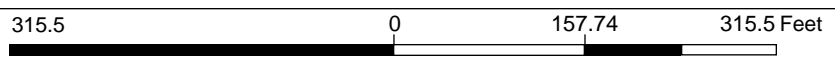
Road Labels

- Parcels
- City Boundary
- Sphere of Influence

Image Source: Nearmap

Notes:

- PEN20-0077 – Master Plot Plan
- PEN19-0096 – Cannabis Cultivation
- PEN19-0098 – Cannabis Distribution
- PEN19-0099 – Cannabis Manufacturing



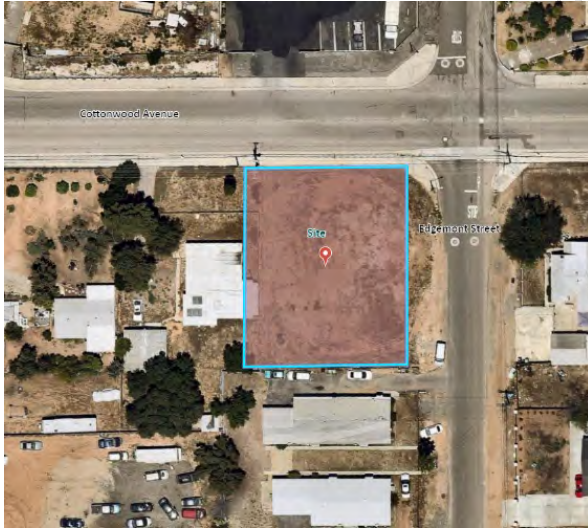
DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and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

Attachment: Zoning Map (5535 : PEN20-0007 - Green Medication Therapy)



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: September 23, 2021 at 7:00 P
 Moreno Valley Council Chamber, 14177 Frederick Street

PROJECT LOCATION: The southwest corner of Cottonwood Avenue and Edgemont Street, District 1

CASE NUMBER(s): Master Plot Plan PEN20-0077, Conditional Use Permits PEN19-0096, PEN19-0098, and PEN19-0099

CASE PLANNER: Nader Khalil, Contract Planner (951) 413 3206
khalil@moval.org

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

Attachment: Mailing Notice (5535 : PEN20-0007 - Green

NOTICE OF PUBLIC HEARING

1.h

PROPOSAL: The Applicant, Green Medicine Therapy, LLC, is requesting approval of the following: 1) a Plot Plan (PEN20-0077) for a new 7,058 square foot two-story building; 2) a Conditional Use Permit for the operation of a 2,883 square foot cannabis cultivation business (PEN19-0096); 3) a 1,072 square foot cannabis distribution business (PEN19-0098); and 4) a 1,948 square foot cannabis manufacturing business (PEN19-0099), on a 13,650 square foot vacant lot in the Business Park (BP) District.

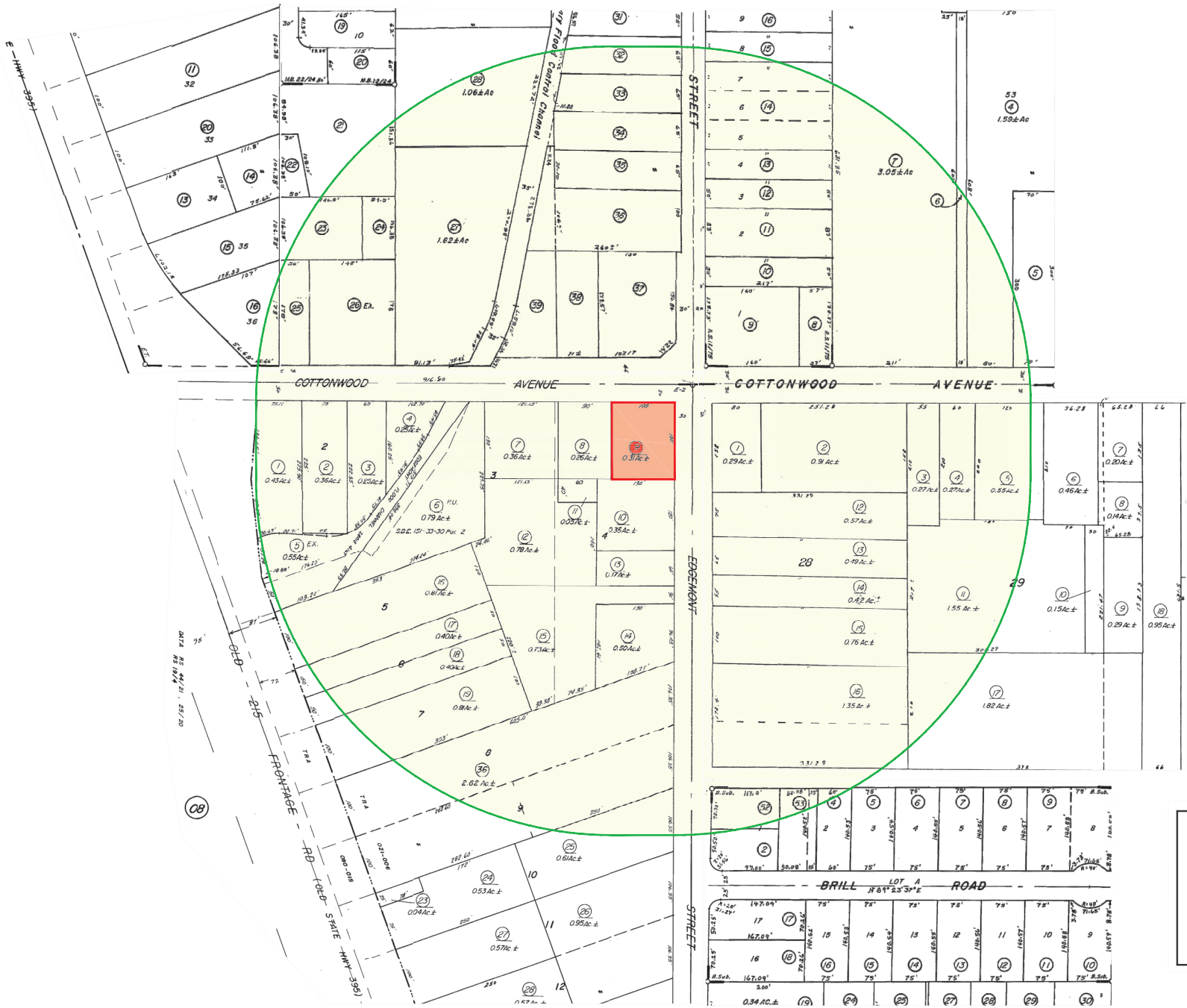
ENVIRONMENTAL DETERMINATION: Staff recommends that the Planning Commission find that the proposed project (CUP) is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 32 Exemption (Section 15332, In-Fill Development Projects). Pursuant to the California Code of Regulations a Class 32 exemption can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services. The proposed project (CUP) has been found to meet all of the conditions of the Class 32 exemption as the project is consistent with the applicable General Plan designation and policies; is located on a site less than five acres in size; contains no valuable habitat; will not result in significant environmental effects; and is adequately served by utilities and public services.

PUBLIC HEARING: All interested parties will be provided an opportunity to submit oral testimony during the Public Hearing and/or provide written testimony during or prior to the Public Hearing. The application file and related 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. Friday).

PLEASE NOTE: The Planning Commission may consider and approve changes to the proposed items under consideration during the Public Hearing.

GOVERNMENT CODE § 65009 NOTICE: If you challenge any of the proposed actions taken by the Planning Commission in court you may be limited to raising only those issues you or someone else raised during the Public Hearing described in this notice, or in written correspondence delivered to the Planning Division of the City of Moreno Valley during or prior to, 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 James Verdugo, ADA Coordinator, at 951.413.3350 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.



RADIUS-AREA MAP

- Subject Area
- 600FT Radius
- Within Radius

liberty church

September 21, 2021

Dear Planning Commission,

I am writing this letter in opposition to the proposed Cannabis building that the Planning Commission is considering for the corner of Cottonwood and Edgemont Street in Moreno Valley.


As Pastor of Liberty Baptist Church, 13630 Edgemont St., I am well aware of the problems of the Edgemont neighborhood such as gang activity, alcohol and drug abuse, homelessness and a myriad of other problems and I believe that this type of enterprise would just continue to add to the difficulties and problems that we face in the neighborhood. I understand the profitability of these type of businesses, surely, we can find a more suitable plan for this property.

I'm also concerned about the water, sewage, traffic, parking problems, and the smell that could come from the manufacturing of Marijuana.

Again, Liberty Baptist Church stands in opposition to this proposal. I appreciate the Planning Commission and all they do to facilitate in building a safe, and desirable community in which to live.

If you have any questions, please contact me at (951) 992-2808.

Sincerely,



Pastor Mark Beigle



Roger Berg
Trustee/ Facilities Manager
Liberty Baptist Church
13360 Edgemont Street
Moreno Valley, CA 92553

22 Sept 2021

RECEIVED

SEP 22 2021

CITY OF MORENO VALLEY
Planning Division

Moreno Valley Planning Commission
14177 Frederick St
Moreno Valley CA 92553 (Delivered VIA Hand Delivery 22 Sept 2023)

Subject: Letter of opposition to Proposed Cannabis Distribution/ Manufacturing/ Cultivation Business at the SW corner of Cottonwood and Edgemont Streets PEN 20-0077, PEN 19-0096 and PEN 19-0098.

I am writing this letter to formally oppose the approval of this facility and the three Conditional Use Permits associated with it. Please be advised that our church did not receive the required written notification from the Planning Dept regarding this hearing and only found out about it when a neighbor advised us of the sign placed on the property. I am familiar with the difficult decisions you have to make and the time that you take away from your families and your work to volunteer your time as I was a planning commission in the City of Beaumont for 6 years and on the Beaumont City Council for 22 years. I also am a past director for the Box Springs Mutual Water Company. Listed below are my concerns why this type of business is not a good fit for the people and business in the Edgemont Community.

1. The area is low income socially disadvantaged community. The location for this facility is right next to residential homes. This type facility does not serve the needs of the immediate community. Although the city rezoned the property Business Park many years ago, they did not take into consideration of the existing homes and business in this area. There was similar area in the City of Beaumont many years ago where residential residents, due to the zoning change could not get permits for additions to the homes and or replacement. This was not right and the city changed it. They created a special area in this commercial manufacturing area that protected their homes and kept any new commercial manufacturing businesses away from the homes. It would be nice if the City of Moreno did the same to respect the rights of these residents.
2. The city of Moreno Valley assisted and applied and received a CDBG grant from HUD to replace sewer lines in this community, which I believe included repairs and re-paving of the streets. This property had the sewer lines and the street replaced on both sides of it. I believe this work was done in 2019. The applicant (Vicki Cheng) for this business, purchased this property in 2018 and immediately formed a LLC with this address on the document, stating this was the business address of Green Medication Therapy. My understanding of Federal Funds, based upon my previous experience on the City Council and as an employee of the US Army Corps of Engineers for 40 years, federal money cannot be spent on projects that violate the law, including Federal statutes. This is why Marijuana dispensaries could not receive the Paycheck Protection Act monies. I believe

the money you received and the monies received by the Sewer Services District may have to be returned to the federal government as your city knew of the intentions of the property owner who purchased this property made application for this business while the sewer/ street work was being done. It would be better to move this business to an area outside of the area that benefited from the CDBG funding.

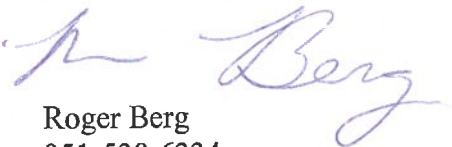
3. We have a problem with gang and criminal activity in this neighborhood. We also have a drug problem. We don't need another place where criminal activity will increase due to break ins and robbery of this facility as they can only take cash payments due to them not being able to get a business bank account due to the fact that these type of facilities are violation of federal law.
4. The location is right across from a major school bus stop. The Edgemont Community Center is located down the street on Cottonwood. Edgemont Elementary is located nearby. In addition the facility is right down the street from our church where we have numerous programs for children throughout the week. This is not a good fit for our community. The city has the ability to regulate where Hookah Lounges are located. The city has the ability to regulate where liquor licenses are allowed in the city. Our country and state has spent millions of dollars to regulate the use of tobacco products for children and to educate the public on the health hazards of these products. Why would you allow such a facility to be placed where child pass and live on a daily basis to get home. There are other commercial manufacturing locations throughout the city where this type of facility could be placed, instead of being placed right in the middle of a residential area.
5. Conditions of Approval and a site plan were not available for review prior to this meeting. I have reviewed the recommendation for other Marijuana facilities in the community that you have approved. While you require the use of carbon based filters to mask the odors from marijuana along with a negative air system, you have not regulation in place to determine parameters and testing to make sure they are working. Air curtains on the exterior doors will not adequately control this problem. In addition since this is a manufacturing facility adequate ventilation is needed to bring in fresh air and exhaust to control humidity in the facility. The only way to insure negative air to have enclosed room, with doors on each side that cannot be opened at the same time. This is done to keep negative air is kept in the facility such as you would have in a hospital. The question I have is who is going to inspect this system on a daily basis to make sure it is working? Who is going to inspect the carbon filters? I suggest that whenever you approve a facility like this, requirements for inspection by a licensed HVAC Contractor with those results and any required repairs be done and reported to the City, South Coast Air Management District and the County Health Dept.
6. Water is a big issue for the residents served by the Box Springs Mutual Water Company. They have a high TDS problem and have to blend purchased water from Western Mutual to lower the TDS levels to comply with State Water Quality Standards. Agricultural use upstream of their wells years ago caused this problem. I am concerned with this type of facility draining waste agricultural water into our aquifer. Due to the many different type

of fertilized used in the operation, onsite containment and removal via vacuum trucks should be required and a manifest provided that this water was disposed in an approved facility.

7. Finally, due lack of proper notification to affected property owners and the need to discuss this with our congregation and to get feedback from community. I understand that your staff is requesting a continuance of this matter until the Oct 14th 2021 meeting at the request of the project proponent. I request that you delay the hearing for this facility until your February 2022 so the community can review your recommendations. I need time to discuss this with our congregation and the immediate community. It is my understanding that this proposal has been known by the city since 2018 when the applicant formed the LLC with the address of the proposed development. In addition your own case numbers indicate that the project was applied for back in 2019. Our church and other neighbors did not find out about this project until this week. In order to expedite our review I would like your office to provide digital copies of all correspondence, approvals and documents for this project that you have under the Public Records Act.

In conclusion I would like to thank you for taking the time to read my letter and consider my concerns with this proposed development. You have an important job to do as you represent the citizens of Moreno Valley and most importantly the people in the Edgemont Area. I would ask you to consider if you would you want a facility such as this next to your home, your business, your children's school and or your church. Please consider this as you review this proposed project.

Sincerely



Roger Berg
951-538-6334

10/1/2021

Dear Planning Commission Members of Moreno Valley,

We as a neighborhood became aware that there are possible plans for a 7,058 sq foot two story warehouse on Cottonwood Ave and Edgemont St (Plot Plan Pen20-0077). We are against the idea of a warehouse popping up in the midst of our backyards. If you look at the area surrounding this plot of empty land it is an established and growing community of residential homes along with a mom and pop convenience store, community center, and church. This kind of manufacturing and warehouse building would be better suited along the outskirts of the community, one street over along Old 215 Frontage Road as there are already several warehouses along the street and several empty plots to build a new warehouse.

If a business were to come into the plot of land on Cottonwood and Edgemont, we as a community would much rather prefer a business that would benefit and beautify the neighborhood such as a daycare center that would benefit the children and working parents in the neighborhood, or laundromat, or office/business spaces for small business (i.e. accounting, ice cream shops, small restaurants the neighborhood can enjoy). We urge the commission board members to consider how it would feel if their own property and area surrounding their homes was rezoned without their approval and a manufacturing warehouse were to pop up in the middle of their backyards, much less a cannabis cultivating, manufacturing, and distribution facility that will attract criminals to the area and provide opportunity for them to scope out our neighborhood. Also, let us not be disillusioned for a minute on the false claims of increased security for the neighborhood that these Cannabis businesses state that they will provide. In truth these claims of security does not extend to the community and outside its business, but is provided to only secure their own business from theft.

We earnestly urge the board members and all to hear out the pleas and desires of the community and reconsider plans for such a building and business being built in the center of a residential community. There are other better locations for such a building and business if such a business would even be a long term benefit for the city of Moreno Valley or if it will only attract criminals to the area.

Sincerely the Citizens of Moreno Valley
(50 signatures attached)

Petition opposing plans for a Cannabis cultivating, manufacturing, distribution facility on Cottonwood Ave and Edgemont St. (Plot Plan Pen20-0077)

Name	Signature	Address
JAN CIELUCHA	[Signature]	13315 NICHOLSON BLVD
Juan Carlos Ochoa	[Signature]	21768 Cottonwood Ave M.V.
Erika Bañuelos	[Signature]	21875 Eucalyptus Ave sec Moreno Valley
Martha Lase	[Signature]	21875 Eucalyptus Ave SP17
Omanka Mustafa	[Signature]	13456 Edgemont Street Apt 1 M.V.
Fernando Lopez	[Signature]	21718 Dracaea Ave, M.V.
HECTOR JISIAS	[Signature]	22039 Cottonwood Ave M.V.
EZEQUIEL ORTIZ	[Signature]	13363 HILDEGARDE ST M.V.
[Signature]	[Signature]	11320 Hildagard
[Signature]	[Signature]	13394 ALYX DR.
[Signature]	[Signature]	13128 Edgemont St.
Ricardo Q	[Signature]	22277 Bay Ave.
Fgusto Perez	[Signature]	21960 Brill Rd
Jerry Doss	[Signature]	13457 Edgemont
Juanke Ancar	[Signature]	21857 Dracaea Ave
STEVEN NAVARRO	[Signature]	21956 Brill Rd Ave.
Juan Anevaldo	[Signature]	13540 Edgemont
Juan torres	[Signature]	7235 old 215
Miguel Garcia	[Signature]	22384 Cottonwood Ave M
Anthony S	[Signature]	21761 Cottonwood Ave
Sesus Alvarez	[Signature]	21772 Dracaea Ave
[Signature]	[Signature]	1909 13760 old 215 Franklin Rd
Jaime Oveas	[Signature]	9514885353
Jorge Rosales	[Signature]	9517530-7727
Huis Ramirez	[Signature]	
Gustavo Flores	[Signature]	21775 Cottonwood Av
Sonia Torres	[Signature]	21775 Cottonwood
NIVAS S	[Signature]	21761 Cottonwood Ave M.V.
Julio castelo	[Signature]	13331 Hildigard St 92553 Moreno Valley Ca
Chris Suela	[Signature]	21691 Cottonwood Ave M.V. Ca 92553
[Signature]	[Signature]	13371 Hildigard St M.V. CA 92553
[Signature]	[Signature]	22277 Bay Ave M.V. CA 92553
[Signature]	[Signature]	22397 Cottonwood AV 92553

Attachment: Letters received after 09232021 PC Meeting [Revision 1] (5535 : PEN20-0007 - Green Medication Therapy)

