

# PROJECT REPORT

**TO: PLANNING COMMISSION**

**FROM: PLANNING AND DEVELOPMENT SERVICES**

**AGENDA DATE** July 23, 2025

**AGENDA TIME** 9:00 AM / No.4.

Conditional Use Permit #23-0018 & Variance #24-0001

PROJECT TYPE: WH Lounge, LLC SUPERVISOR DIST: #5

LOCATION: 509 Railroad Avenue APN: 056-283-006-000

Winterhaven, CA 92283 PARCEL SIZE: +/- .36-AC

GENERAL PLAN (existing) Winterhaven Urban Area Plan GENERAL PLAN (proposed) N/A

ZONE (existing) C-2 (Medium Commercial) ZONE (proposed) N/A

GENERAL PLAN FINDINGS ☒ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: 07-23-2025

☐ APPROVED

☐ DENIED

☐ OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: \_\_\_\_\_

☐ APPROVED

☐ DENIED

☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION:

HEARING DATE: 04-25-2024

INITIAL STUDY: #23-0022

☒ NEGATIVE DECLARATION

☐ MITIGATED NEG. DECLARATION

☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS

☒ NONE

☐ ATTACHED

AG

☐ NONE

☒ ATTACHED

APCD

☐ NONE

☒ ATTACHED

E.H.S.

☒ NONE

☐ ATTACHED

FIRE / OES

☐ NONE

☒ ATTACHED

SHERIFF

☐ NONE

☒ ATTACHED

OTHER

County Executive Office & Imperial Irrigation District

## REQUESTED ACTION:

STAFF RECOMMENDS THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING, HEAR ALL THE PROPONENTS AND OPPONENTS OF THE PROPOSED PROJECT, AND THEN TAKE THE FOLLOWING ACTIONS:

1. ADOPT THE NEGATIVE DECLARATION BY FINDING THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS RECOMMENDED BY THE ENVIRONMENT EVALUATION COMMITTEE (EEC) ON APRIL 25, 2024; AND,
2. APPROVE THE ATTACHED RESOLUTION AND SUPPORTING FINDINGS, FOR CONDITIONAL USE PERMIT (CUP) #23-0018, SUBJECT TO ALL THE CONDITIONS AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CONDITIONAL USE PERMIT UPON RECEIPT FROM THE PERMITTEE; AND,
3. APPROVE THE ATTACHED RESOLUTION AND SUPPORTING FINDINGS FOR VARIANCE #24-0001.

Planning & Development Services  
801 MAIN STREE, EL CENTRO, CA. 92243 442-265-1736  
JIM MINNICK, DIRECTOR

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**STAFF REPORT**  
**Planning Commission Meeting**  
**July 23, 2025**

**Project Name:**        **Conditional Use Permit #23-0018 & Variance #24-0001**

**Applicant:**            **WH Lounge, LLC**  
                              **14031 Las Palmas Road**  
                              **Jamul, CA 91935**

**Project Location:**

The proposed project site is located at 509 Railroad Avenue within the Winterhaven Urban Area Plan, Winterhaven, CA. The subject property is identified as Assessor's Parcel Number (APN) 056-283-006-000 and is further described as Lots 7, 8, 9 & 10 of Block 9 Townsite of Winterhaven, Township 16 South, Range 22 East of the San Bernardino Base & Meridian (S.B.B.M.).

**Project Summary:**

The applicant, WH Lounge, LLC, proposes the development of a cannabis dispensary featuring both delivery services and an onsite consumption lounge. The establishment will occupy the easternmost suite—scheduled for reconstruction—within a three-suite commercial building. The front portion of the suite will house the retail dispensary, including sales counters and customer service areas, while the rear section will be dedicated to a lounge space where patrons may consume cannabis products onsite in a safe and controlled environment. The proposed hours of operation are from 8:00 a.m. to 10:00 p.m., seven days a week (Monday through Sunday). The business plans to employ four (4) staff members.

The proposed project will be required to submit a comprehensive Air Quality and Odor Control Plan to the Imperial County Air Pollution Control District. This plan will address and mitigate any potential odors originating from the sales area, storage facilities, and the onsite consumption lounge, ensuring compliance with local air quality standards.

The proposed project will also be required to submit a Security Control Plan in accordance with the Commercial Cannabis Activity (CCA) licensing requirements. This plan must receive approval from the Imperial County Sheriff's Department. Additionally, prior to commencing operations, the project must secure an approved CCA license from Imperial County, as well as obtain the necessary state-level license to legally conduct commercial cannabis activities within California.

The project was initially proposed to occupy the larger westernmost suite of the existing building, formerly known as Jimmy's Market. However, this location generated parking requirements that exceeded the available spaces for all three suites combined. Consequently, the applicant elected to relocate the project to the smaller easternmost suite. While this change reduced the project's individual parking demand, the total parking requirements for all three suites still cannot be fully met due to the additional parking

needs associated with the onsite lounge, the historical parking limitations of the site, and updated parking standards applicable to the rebuilt suite.

Currently, the site provides 23 parking spaces, whereas the combined parking requirement for the three suites under current regulations is 37 spaces. The inclusion of the lounge further increases the requirement by an additional 10 spaces. In a good faith effort to address the parking shortfall, the applicant has submitted a request to Public Works for a road abandonment of the portion of "E" Street running south of the property, which would yield only two (2) additional parking spaces.

To further alleviate parking constraints, the applicant proposes that employees utilize available parking at a separate business owned by the applicant located across the street, thereby reserving onsite parking primarily for customers. Additionally, the applicant has applied for Variance #24-0001 to permit the project to operate with a maximum of 25 parking spaces, including one handicapped-accessible space, as proposed. In addition, it would permit employees to park across the street on an adjacent, paved, and striped property (APN 056-284-020-000), which is also owned by the applicant.

### **Project's Background:**

- On September 15, 2023, the applicant, WH Market, LLC, submitted a Right-of-Way Abandonment request to the Imperial County Department of Public Works, seeking the abandonment of a portion of 'E' Street located directly south of the proposed project site.
- On May 31, 2025, a Fiscal and Economic Impact Analysis was completed for WH Lounge, LLC.

### **Land Use Analysis:**

In accordance with the Imperial County General Plan, the land use designation for the proposed project is identified as part of the Winterhaven Urban Area Plan and is zoned C-2 (Medium Commercial), as shown on Zoning Map #65 of the Imperial County Title 9 Land Use Ordinance. Pursuant to Title 9, Division 5, Section 90513.02, Subsection (m) of the County's Land Use Ordinance, commercial cannabis retail sales with delivery (adult-use) are permitted within a C-2 zoned parcel, subject to the approval of a Conditional Use Permit (CUP) by the County. Such approval requires compliance with Division 4, Chapter 6 (Cannabis & Industrial Hemp Operations) of the Title 9 Land Use Ordinance, as well as Title 14 of the Imperial County Codified Ordinance. Based on these criteria, the proposed project is consistent with the Imperial County General Plan and all applicable land use regulations.

Although the proposed project aligns with the C-2 (Medium Commercial) zoning designation under an approved Conditional Use Permit (Division 5, Section 90513.02(m)), and while maintaining compliance with Division 4, Chapter 6 (Cannabis & Industrial Hemp Operations) of Title 9 of the Land Use Ordinance, as well as Title 14 of the Imperial County Codified Ordinance, its design has been determined to be inconsistent with the parking requirements set forth in Division 4, Chapter 2 (Parking). In response, and pursuant to Division 2 (General Provisions), Chapter 2 (Land Use Permits – Variance), the applicant

has submitted Variance #24-0001, requesting a minor deviation from the parking standards. Variance #24-0001 seeks to allow the project to operate with a maximum of 25 on-site parking spaces, including one handicapped-accessible space, as proposed. In addition, it would permit employees to park across the street on an adjacent, paved, and striped property (APN 056-284-020-000), which is also owned by the applicant. This request is being made due to the historical unavailability of sufficient on-site parking to meet current parking standards at the project location.

**Surrounding Land Use Ordinance:**

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Commercial Building	C-2 (Medium Commercial)	Winterhaven Urban Area Plan
North	Commercial Building	C-2 (Medium Commercial)	Winterhaven Urban Area Plan
South	Commercial Building	C-2 (Medium Commercial)	Winterhaven Urban Area Plan
East	4 Unit Apartment Building	R-3 (High Density Residential)	Winterhaven Urban Area Plan
West	Superior Court of California (Winterhaven)	C-2 (Medium Commercial)	Winterhaven Urban Area Plan

**Environmental Review:**

On April 25, 2024, the Environmental Evaluation Committee (EEC) determined that Conditional Use Permit (CUP) #23-0018 & Variance #24-0001 for the for proposed cannabis dispensary featuring both delivery services and an onsite consumption lounge in the C-2 (Medium Commercial) zone would not have a significant effect on the environment and recommended a Negative Declaration (ND) to be prepared.

The EEC Committee consists of seven (7) member panel, integrated by the Director of Environmental Health Services, Imperial County Fire Chief, Agricultural Commissioner, Air Pollution Control Officer, Director of the Department of Public Works, Imperial County Sheriff, and the Director of Planning and Development Services.

On May 1, 2024, the public notice for the Negative Declaration was filed with the Imperial County Clerk-Recorders and was posted and circulated for 25 days: a comment period from May 1, 2024, through May 27, 2024. All comments were received, reviewed and made part of this project.


**Staff Recommendation:**

It is recommended that the Planning Commission conduct a public hearing, that you hear all the opponents and proponents of the proposed project. Staff would then recommend that the Planning Commission approve Conditional Use Permit #23-0018 and Variance #24-0001, by taking the following actions:



1. Adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended by the Environment Evaluation Committee (EEC) on April 25, 2024; and,
2. Approve the attached Resolution and Supporting Findings, for Conditional Use Permit (CUP) #23-0018, subject to all the conditions and authorize the Planning & Development Services Director to sign the Conditional Use Permit upon receipt from the Permittee; and,
3. Approve the attached Resolution and Supporting Findings for Variance #24-0001.

Prepared By: Gerardo A. Quero, Project Planner



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Reviewed By: Michael Abraham, AICP, ICPDS Assistant Director



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Approved By: Jim Minnick, Planning & Development Services Director



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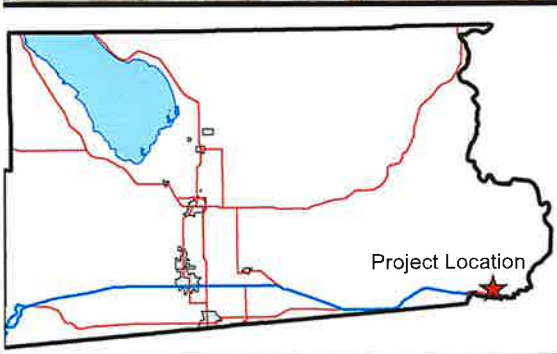
Attachments:

- A. Vicinity Map
- B. Site Plan/Plot Plan
- C. CEQA Resolution
- D. Planning Commission Resolution
- E. Conditional Use Permit #23-0018 Agreement
- F. Variance Resolution
- G. Environmental Evaluation Committee Package
- H. Application and Supporting Documents
- I. Copy of Fiscal & Economic Impact Analysis for WH Lounge, LLC
- J. Comment Letters

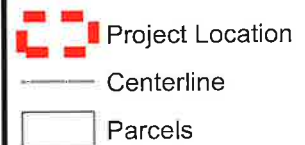
**ATTACHMENT “A”**  
**VICINITY MAP**



# PROJECT LOCATION MAP



**WH LOUNGE LLC**  
**CUP #23-0018 / IS #23-0022**  
**VARIANCE #24-0001**  
**APN 056-283-006-000**



N



**ATTACHMENT “B”**  
**SITE PLAN/PLOT PLAN**



## IONS

1	2000	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
2	2001	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
3	2002	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
4	2003	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
5	2004	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
6	2005	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
7	2006	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
8	2007	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
9	2008	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
10	2009	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
11	2010	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
12	2011	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
13	2012	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
14	2013	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
15	2014	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
16	2015	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
17	2016	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
18	2017	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
19	2018	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
20	2019	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
21	2020	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
22	2021	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
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24	2023	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
25	2024	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
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28	2027	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
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30	2029	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
31	2030	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
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35	2034	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
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41	2040	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
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137	2136	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
138	2137	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
139	2138	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
140	2139	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
141	2140	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
142	2141	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
143	2142	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
144	2143	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
145	2144	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
146	2145	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
147	2146	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
148	2147	USA	Case-control	1,000	100 mg/day	500 mg/day	100 mg/day	100 mg/day
149	2148	USA	Case-control	1,000	100 mg/day	500 mg		

# RETAIL STORE-SPACE A

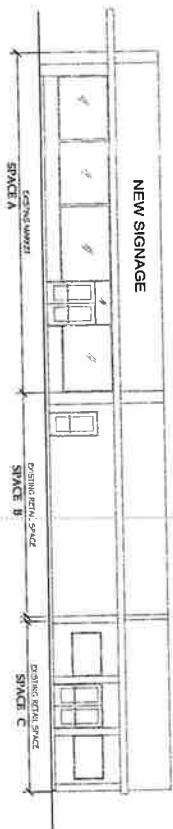
2124 WINTERHAVEN DRIVE, WINTERHAVEN, CA 92283

APN: 056-283-006-000

## GENERAL NOTES



## WOOD FRAMING NOTES



## BUILDING CODE

2022 CALIFORNIA RESIDENTIAL CODE - 2022 CALIFORNIA BUILDING CODE  
2022 CALIFORNIA ELECTRICAL CODE - 2022 CALIFORNIA PLUMBING CODE  
2022 CALIFORNIA MECHANICAL CODE - 2022 CALIFORNIA FIRE CODE  
2022 CALIFORNIA GREEN BUILDING CODE

SHEET INDEX



### PROJECT INFORMATION

[illegible]

## ENGINEER OF RECORD

PLANS PREPARED UNDER THE SUPERVISION OF

BY: \_\_\_\_\_ REM: S. 500  
R.C.F. NO. 1 \_\_\_\_\_ T2573

DATE \_\_\_\_\_



THE ENVELOPE OR SPACE CONDITIONING, LIGHTING ELECTRICAL POWER DISTRIBUTION AND WATER HEATING SYSTEMS ARE NOT BEING ALTERED.

RETAIL STORE - SPACE A  
2124 WINTERHAVEN DR., WINTERHAVEN, CA 92283  
APN: 056-283-006-000

7  
OF 2

**ATTACHMENT “C”**  
**CEQA RESOLUTION**



## **RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE “NEGATIVE DECLARATION” (INITIAL STUDY #23-0022) FOR CONDITIONAL USE PERMIT #23-0018 AND VARIANCE #24-0001 (WH LOUNGE LLC).**

**WHEREAS**, on April 12, 2024, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for April 25, 2024; and,

**WHEREAS**, a Negative Declaration and CEQA Findings were prepared in accordance with the requirements of the California Environmental Quality Act, State Guidelines, and the County’s “Rules and Regulations to Implement CEQA, as Amended”; and,

**WHEREAS**, on April 25, 2024, the Environmental Evaluation Committee heard the project and recommended the Planning Commission of the County of Imperial to adopt the Negative Declaration for Conditional Use Permit #23-0018 and Variance #24-0001; and,

**WHEREAS**, the Negative Declaration was circulated for 25 days from May 1, 2024, to May 27, 2024; and,

**WHEREAS**, the Planning Commission of the County of Imperial has been designated with the responsibility of adoptions and certifications; and,

**NOW, THEREFORE**, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

The Planning Commission has reviewed the attached Negative Declaration (ND) prior to approval of Conditional Use Permit #23-0018 and Variance #24-0001. The Planning Commission finds and determines that the Negative Declaration is adequate and was prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance and the California Environmental Quality Act (CEQA), which analyses environmental effects, based upon the following findings and determinations:

1. That the recital set forth herein are true, correct and valid; and,
2. That the Planning Commission has reviewed the attached Negative Declaration (ND) for Conditional Use Permit #23-0018 and Variance #24-0001 and considered the information contained in the Negative Declaration together with all comments received during the public review period and prior to approving the Conditional Use Permit and Variance; and,
3. That the Negative Declaration reflects the Planning Commission independent judgment and analysis.

**NOW, THEREFORE**, the County of Imperial Planning Commission **DOES HEREBY ADOPT** the Negative Declaration for Conditional Use Permit #23-0018 Variance #24-0001.

---

**Rudy Schaffner, Commissioner  
Imperial County Planning Commission**

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on July 23, 2025 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

---

**Jim Minnick, Director of Planning & Development Services  
Secretary to the Imperial County Planning Commission**

**ATTACHMENT “D”**  
**PLANNING COMMISSION**  
**RESOLUTION**

## **RESOLUTION NO.**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, TO APPROVE CONDITIONAL USE PERMIT #23-0018 AND CONDITIONS OF APPROVAL FOR WH LOUNGE, LLC.**

**WHEREAS**, WH Lounge LLC. has submitted an application for Conditional Use Permit #23-0018 and Variance #24-0001 for a proposed cannabis dispensary featuring both delivery services and an onsite consumption lounge; and,

**WHEREAS**, a Negative Declaration (ND) and Findings have been prepared in accordance with the requirements of the California Environmental Quality Act, the State Guidelines, and the County's "Rules and Regulations to Implement CEQA, as Amended"; and,

**WHEREAS**, the Planning Commission of the County of Imperial has been delegated with the responsibility of adoptions and certifications; and,

**WHEREAS**, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on July 23, 2025; and,

**NOW, THEREFORE**, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

**SECTION 1.** The Planning Commission has considered Conditional Use Permit #23-0018 and Variance #24-0001. The Planning Commission finds and determines that the Conditional Use Permit is adequate and prepared in accordance with the requirements of the Imperial County General Plan and Land Use Ordinance, and the California Environmental Quality Act (CEQA) which analyzes environmental effects, based upon the following findings and determinations.

**SECTION 2.** That in accordance with State Planning and Zoning Law and the County of Imperial, the following findings for the approval of Conditional Use Permit #23-0018 and Variance #24-0001 have been made as follows:

**A. The proposed use is consistent with the goals and policies of the adopted County General Plan.**

The project location located on property that is designated as "General Commercial" within the "Winterhaven Urban Area Plan" as per Imperial County's General Plan, Land Use Element, and it is currently zoned C-2 (Medium Commercial) by the Imperial County Land Use Ordinance. The proposed project is, therefore, consistent with the County General Plan and Land Use Ordinance, Division 2, Section 90203.01 "Conditional Use Permit" which authorizes a Conditional Use Permit when approved by the County. The proposed commercial cannabis dispensary with delivery services and lounge

is a conditionally permitted use pursuant to County's Land Use Ordinance (Section 90203.01).

**B. The proposed use is consistent with the purpose of the zone or sub-zone which the use will be used.**

The proposed project is consistent with the General Plan as the commercial cannabis dispensary with delivery service and lounge within the C-2 (Medium Commercial) zone with an approved Conditional Use Permit per the Imperial County Land Use Ordinance, Sections 90513.02.

**C. The proposed use is listed as a use within the zone or sub-zone or is found to be similar to a listed conditional use according to the procedures of Section 90203.09.**

The proposed commercial cannabis dispensary with delivery service and lounge could be found consistent with the Imperial County Land Use Ordinance as commercial cannabis sales and delivery is an allowed use within the C-2 (Medium Commercial) zone with an approved Conditional Use Permit.

**D. The proposed use meets the minimum requirements of this Title applicable to the use and complies with all applicable laws, ordinances and regulations of the County of Imperial and the State of California.**

The Conditional Use Permit & Variance will ensure that the project complies with all applicable regulations of the County of Imperial and State of California. Therefore, the proposed project will meet the minimum requirements of the Land Use Ordinance, Sections 90202.00 & 90203.00.

**E. The proposed use will not be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.**

The proposed commercial cannabis dispensary with delivery service and lounge would not result in significant impacts to surrounding properties or residents due to the conditions of approval and variance.

**F. The proposed use does not violate any other law or ordinance.**

The proposed project is conditioned to be consistent with Title 9, Codified Land Use Ordinance of the County of Imperial and CEQA. The proposed project will be subject to Conditions of Approval of Conditional Use Permit #23-0018, Variance #24-0001, current Federal, State, and Local regulations including Local and State licensing requirements for the sale and distribution of cannabis.

**G. The proposed use is not granting a special privilege.**

The project is a permitted use subject to approval of Conditional Use Permit #23-0018 & Variance #24-0001 under Land Use Ordinance, Sections 90202.00 & 90203.00, and will not grant a special privilege.

**NOW, THEREFORE**, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #23-0018 and Variance #24-0001, subject to the Conditions of Approval.

---

**Rudy Schaffner, Chairperson**  
Imperial County Planning Commission

I hereby certify that the preceding Resolution was taken by the Planning Commission at a meeting conducted on **July 23, 2025**, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

---

Jim Minnick,  
Director of Planning & Development Services  
Secretary to the Planning Commission



**ATTACHMENT “E”**  
**CONDITIONAL USE PERMIT**  
**#23-0018**

Recorded Requested by and  
When Recorded Return To:

Imperial County Planning & Development  
Services Department  
801 Main Street  
El Centro, California 92243

**AGREEMENT FOR CONDITIONAL USE PERMIT #23-0018**  
**COMMERCIAL CANNABIS DISPENSARY WITH DELIVERY SERVICE AND LOUNGE**  
**(APN: 056-283-006-000)**

Conditional Use Permit **#23-0018** was approved by the Imperial County ☐ Planning Commission ☐ Board of Supervisors and has the Effective Date of \_\_\_\_\_, 2025. This Conditional Use Permit is by and between **WH Lounge, LLC** (hereinafter referred to as "Permittee"), and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

**RECITALS**

**WHEREAS**, Permittee is the owner, lessee or successor in interest in certain land in Imperial County located at 509 Railroad Ave, Winterhaven, CA 92283, LOTS 7 8 9 & 10 BLK 9 TOWNSITE OF WINTERHAVEN S.B.B.M, with approximately 4,368 square feet for a cannabis dispensary featuring both delivery services and an onsite consumption lounge, in an unincorporated area of the County of Imperial; and,

**WHEREAS**, Permittee has applied to the County for permission to operate a cannabis dispensary with delivery service and lounge; and,

**WHEREAS**, Permittee for the cannabis dispensary with delivery service and lounge shall fully comply with of the terms and conditions of the Project as hereinafter within this Conditional Use Permit; and,

**WHEREAS**, the County, after a noticed public hearing, agreed to issue Conditional Use Permit #23-0018 to Permittee, and/or his or her successor in interest subject to the following conditions:

**NOW THEREFORE**, the County hereby issues CUP #23-0018 subject to all of the following conditions.

The rest of this page is intentionally left blank.

## GENERAL CONDITIONS:

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The "GENERAL CONDITIONS" are shown by the letter "G." These conditions are conditions that are either routinely and commonly included in all Conditional Use Permits as "standardized conditions" and/or are conditions that the Imperial County Planning Commission has established as a requirement on all CUPs for consistent application and enforcement. The Permittee is hereby advised that the General Conditions are as applicable as the SITE-SPECIFIC conditions. The General Conditions are in addition to the MMRP and any and all other requirements for the project.

### G-1 GENERAL LAWS:

The Permittee shall obtain, comply with and maintain all applicable County, State, and federal laws, rules, regulations, ordinances, and/or standards as they may pertain to this project whether specified herein or not.

### G-2 EFFECTIVE DATE:

The approved Conditional Use Permit shall not become effective until ten (10) calendar days after the decision of the Planning Director or Commission. Further the Conditional Use Permit shall not be effective until applicable conditions have been met, and the Conditional Use Permit is recorded with the County Recorder, with payment of recording fees being paid by the applicant. In the case of a decision by the Board of Supervisors there is no 10-day appeal.

### G-3 RECORDATION:

CUP #23-0018 shall **not be effective** until it is recorded at the Imperial County Recorder's Office and if no appeal has been made after approval from the hearing body. Payment of the recordation fee shall be the responsibility of the Permittee. If this CUP is not recorded within one hundred eighty (180) days from the date of approval the CUP shall be deemed null and void, without notice having to be provided to the Permittee. The Permittee may submit a written request for a recordation extension for this CUP by filing such a request with the Planning Director at least sixty (60) days prior to the one hundred eighty 180-day expiration. The Director may approve one (1) extension for a period not to exceed one hundred eighty (180) days. An extension may not be granted if the request for an extension is filed after the expiration date. Failure to record this CUP within one (1) year including the granted extension period shall deem this CUP null and void.

### G-4 COMMENCEMENT OF WORK:

If the project for which a CUP has been approved has not commenced, or permits for said project have not been issued, within one (1) year from the effective date, the CUP shall be null and void. If an applicant cannot initiate or obtain permits for the approved use during the one (1) year, the applicant may request a one (1) year extension from the Department. The request for an extension shall be in writing and

be submitted with explanation to the Planning & Development Services Department at least sixty days prior to the end of the extended one (1) year period. The Director shall have the authority to extend the initial start-up period, or commencement of work, of a CUP up to two (2) times for a maximum of two (2) years. Should the Permittee desire to continue with the project, a new application shall be submitted, and the entire process would have to begin anew.

**G-5 TIME LIMIT:**

Unless otherwise specified within the project's specific conditions, this CUP shall be limited to a maximum of five (5) years from the recordation date of the CUP. The CUP may be administratively extended for successive five (5) years by the Planning Director upon a finding by the Planning & Development Services Department that the project is in full and complete compliance with all conditions of the CUP and any applicable land use regulation(s) and extension fees of the County of Imperial. Unless specified otherwise herein, no CUP shall be extended for more than two (2) consecutive periods. If an extension is necessary or requested beyond fifteen (15) years, Permittee shall file a written request with the Planning Director for a hearing before the Planning Commission. Such request shall include the appropriate extension fee. An extension of this CUP shall not be granted if the project is in violation of any one or all of the conditions or if there is a history of non-compliance with the project conditions.

**G-6 ABANDONMENT:**

If a CUP has been unused, abandoned, discontinued, or ceased for one (1) year, the CUP shall be null and void, and be of no effect. Notice to the applicant/permittee under this division will not be required or provided by Department.

**G-7 PERMIT/LICENSE:**

The Permittee shall obtain any and all local, state, and/or federal permits, licenses, contracts, and/or other approvals for the construction and/or operation of this project. This shall include, but not be limited to Health, Building, Sanitation, APCD, Public Works, Sheriff, Regional Water Quality Control Board, Offices of Emergency Services, etc. Permittee shall likewise comply with all such permit requirements for the life of the project. **Additionally, Permittee shall submit a copy of such additional permit(s) and/or license(s) to the Planning & Development Services Department within 60-days of receipt, including amendments or alternatives thereto.**

**G-8 APPROVALS AND CONDITIONS SUBSEQUENT TO GRANTING PERMIT:**

Permittee acceptance of this CUP shall be deemed to constitute agreement with the terms and conditions contained herein. Where a requirement is imposed in this CUP that Permittee conduct a monitoring program, and where the County has reserved

1 the right to impose or modify conditions with which the Permittee must comply  
2 based on data obtained therefrom, or where the Permittee is required to prepare  
3 specific plans for County approval and disagreement arises, the Permittee, operator  
4 and/or agent, the Planning and Development Services Director or other affected  
5 party, to be determined by the Planning and Development Services Director, may  
6 request that a hearing be conducted before the Imperial County Planning  
7 Commission whereby they may state the requirements which will implement the  
8 applicable conditions as intended herein. Upon receipt of a request, the Planning  
9 Commission shall conduct a hearing and make a written determination. The  
10 Planning Commission may request support and advice from a technical advisory  
11 committee. Failure to take any action shall constitute endorsement of staff's  
12 determination with respect to implementation.

13 **G-9 CONDITION PRIORITY:**

14 This project shall be constructed/operated as described in the CUP application, the  
15 environmental documents, the project description, and as specified in these  
16 conditions. Where a conflict occurs, the CUP conditions shall govern and take  
17 precedence.

18 **G-10 INDEMNIFICATION:**

19 As part of this CUP, the Applicant/Permittee and real party in interest, if different,  
20 agrees to defend, indemnify, hold harmless, and release the County of Imperial  
21 ("County"), its agents, officers, attorneys, and employees (including consultants)  
22 from any claim, action, or proceeding brought against any of them, the purpose of  
23 which is to attack, set aside, void, or annul the approval of this application or  
24 adoption of the environmental document which accompanies it. This indemnification  
25 obligation shall include, but not be limited to, damages, costs, expenses, attorney  
26 fees, or expert witness fees that may be asserted by any person or entity, including  
27 the applicant, arising out of or in connection with the approval of this application,  
28 whether or not there is concurrent negligence on the part of the County, its agents,  
officers, attorneys, or employees (including consultants). If any claim, action, or  
proceeding is brought against the County, its agents, officers, attorneys, or  
employees (including consultants), to attack, set aside, void, or annul the approval  
of the application or adoption of the environmental document which accompanies it,  
then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of  
any claim, action or proceeding brought by an applicant challenging the County's  
action. The County, its agents, attorneys and employees (including consultants)  
shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case  
and will consult with the Applicant regularly regarding status and the plan for  
defense. The County will also consult and discuss with applicant the counsel to

1 be used by the County to defend it, either with in-house counsel, or by retaining  
2 outside counsel provided that the County shall have the final decision on the  
3 counsel retained to defend it. The Applicant shall be fully responsible for all costs  
4 incurred. Applicant shall be entitled to provide his or her own counsel to defend  
the case and said independent counsel shall work with County Counsel to  
provide a joint defense.

5 **G-11 INSURANCE:**

6 The Permittee shall take out and maintain workers compensation insurance as  
7 required by the State of California. The Permittee shall also secure liability  
8 insurance and such other insurance as required by state and/or federal law. A  
9 Certificate of Insurance is to be provided to the Planning and Development Services  
10 Department by the insurance carrier and said insurance and certificate shall be kept  
11 current for the life of the project. Certificates of Insurance shall be sent directly to  
the Planning and Development Services Department by the insurance carrier and  
shall name the Department as a recipient of both renewal and cancellation notices.

12 **G-12 RIGHT OF ENTRY:**

13 The County reserves the right to enter the premises at any time, announced or  
14 unannounced, in order to make the appropriate inspection(s) and to determine if the  
15 condition(s) of this CUP are complied with. Access by authorized enforcement  
16 agency personnel shall not be denied by the landowner, the permittee or a  
subsidiary user. The County will contact the person designated by the Permittee to  
request access to the facility. The request shall be approved within (72) seventy-two  
hours after request.

17 **G-13 SEVERABILITY:**

18 Should any condition(s) of this CUP be determined by a Court or other agency with  
19 proper jurisdiction to be invalid for any reason, such determination shall not  
invalidate the remaining provision(s) of this CUP.

20 **G-14 PROVISION TO RUN WITH LAND:**

21 The provisions of this CUP are to run with the land/project and shall bind the current  
22 and future owner(s) successor(s) of interest; assignee(s) and/or transferee(s) of  
23 said CUP. **Permittee shall not without prior notification to the Planning &  
24 Development Services Department assign, sell, or transfer, or grant control of  
CUP or any right or privilege therein.** The Permittee shall provide a minimum of  
25 60 days written notice prior to such proposed transfer becoming effective. The  
permitted use identified herein is limited for use upon this parcel described herein  
26 and may not be transferred to another parcel.

27 **G-15 COMPLIANCE/REVOCATION:**



Upon the determination by the Planning & Development Services Department that the project is or may not be in full compliance with any one or all of the conditions of this CUP, or upon the finding that the project is creating a nuisance as defined by law, the issue shall be brought immediately to the appropriate enforcement agency or to the Planning Commission for hearing to consider appropriate response including but not limited to the revocation of the CUP or to consider possible amendments to the CUP. The hearing shall be held upon due notice having been provided to the Permittee and to the public in accordance with established ordinance/policy.

**G-16 NON-COMPLIANCE (ENFORCEMENT & TERMINATION):**

Should the Permittee violate any condition herein, the County shall give written notice of such violation and actions required of the Permittee to correct such violation. If the Permittee does not act to correct the identified violation within forty-five (45) days after written notice, County may revoke the CUP. If Permittee pursues correction of such violation with reasonable diligence, the County may extend the cure period. Upon such revocation, County may, at its sole discretion, cease processing, defending any lawsuit or paying for costs associated with the Project.

**G-17 COSTS:**

Permittee shall pay any and all amounts determined by the County to defray any and all cost(s) for the review of reports, field investigations, monitoring, and other activities directly related to the enforcement/monitoring for compliance of this CUP, County Ordinance or any other applicable law. Any billing against this project, now or in the future, by the Planning & Development Services Department or any County Department for costs incurred as a result of this CUP, shall be billed through the Planning & Development Services Department.

**G-18 REPORT(S):**

Permittee shall file an annual report with the Planning and Development Services Department to show that the Permittee is in full compliance with this CUP. The report shall be filed at least sixty (60) days prior to the anniversary (recording date) of this CUP. It shall be the responsibility of the Permittee to provide all reports and to include the information about other users. The County may request information at any time from the Permittee or other users if applicable; however, it shall be the responsibility of the Permittee to assure that the County receives such information in a timely manner.

**G-19 RESPONSIBLE AGENT:**

Permittee shall maintain on file with the Planning and Development Services Department the name and phone number of the responsible agent for the site. A back-up name shall also be provided, and a phone number for twenty-four (24) hour emergency contact shall also be on file. If there are other users, the same information (as applicable) required from the Permittee shall also be made available to the County from such other users.

**G-20 WATER AND SEWER:**

Permittee shall provide water and sewer to Federal, State and County standards. Water and sewer systems shall be approved by the Environmental Health Services and the Planning & Development Services Department. Permittee shall hook up to a public water system or supplier if and when available.

**G-21 DEFINITIONS:**

In the event of a dispute, the meaning(s) or the intent of any word(s) phrase(s) and/or conditions or sections herein shall be determined by the Planning Commission of the County of Imperial. Their determination shall be final unless an appeal is made to the Board of Supervisors ten (10) days from the date of their decision.

**G-22 SPECIFICITY:**

The issuance of this CUP does not authorize the Permittee to construct or operate this project in violation of any state, federal, local law nor beyond the specified boundaries of the project as shown in the application/project description/CUP, nor shall this CUP allow any accessory or ancillary use not specified herein. This CUP does not provide any prescriptive right or use to the Permittee for future addition and/or modification to this project. The site specific use authorized by this permit is listed under the SITE SPECIFIC ("S") conditions, and only the use or uses listed shall be deemed as approved by this permit. The Permittee's application and or any support documents supplied by Permittee as part of the application shall not be used to determine allowed use(s).

**G-23 HEALTH HAZARD:**

If the County Health Officer determines that a significant health hazard exists to the public, the County Health Officer may require appropriate measures, and the Permittee shall implement such measures to mitigate the health hazard. If the hazard to the public is determined to be imminent, such measures may be imposed immediately and may include temporary suspension of the subject operations. However, within forty-five (45) days of any such suspension of operations, the measures imposed by the County Health Officer must be submitted to the Planning Commission for review and approval. Nothing shall prohibit the Permittee from

requesting a special Planning Commission meeting provided Permittee bears all costs.

**G-24 CHANGE OF OWNER/OPERATOR:**

In the event the ownership of the site or the operation of the site transfers from the current Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms and conditions of this CUP as if said successor was the original Permittee. The current Permittee shall inform the County Planning & Development Services Department in writing at least sixty (60) days prior to any such transfer. Failure of a notice of change of ownership or change of operator shall be grounds for the immediate revocation of the CUP. In the event of a change, the new Owner/Operator shall file with the Department, via certified mail, a letter stating that they are fully aware of all conditions and acknowledge that they will adhere to all.

**G-25 PERMITS OF OTHER AGENCIES INCORPORATED:**

Permits granted by other governmental agencies in connection with the Project are incorporated herein by reference. The County reserves the right to apply conditions of those permits, as the County deems appropriate; provided, however, that enforcement of a permit granted by another governmental agency shall require concurrence by the respective agency. Permittee shall provide to the County, upon request, copies and amendments of all such permits.

**G-26 MINOR AMENDMENTS:**

The Planning Director may approve minor changes or administrative extensions, as requested in writing by the Permittee, provided it does not result in additional environmental impacts and/or are generally procedural or technical and/or which may be necessary to comply with other government permit compliance requirements.

**G-27 AUDIT OF BILLS:**

Permittee shall have the right to have any bill audited for clarification or correction. In the event the Permittee request an audit or an explanation of any bill, it shall be in writing to the Planning and Development Services Department. Permittee shall bring the account current including any amount due under a "disputed" billing statement, before any audit is performed. If the amount disputed is the result of a Department other than the Planning and Development Services Department the explanation or audit shall be performed by said Department and a report provided to both the Permittee and the Planning and Development Services Dept.

**G-28 FIRE PROTECTION:**

1 Permittee shall provide an adequate fire protection system and accessibility to the  
2 site in accordance with the National Fire Protection Act (NFPA), 2013 California  
3 Fire Code, and County Fire Department standards. This shall include all  
4 requirements by the Imperial County Fire Department regarding fire protection  
5 water storage and access roads. Additionally, the Permittee shall provide to  
6 Imperial County Fire Department a plot plan, drawn to scale indicating the exact  
7 location and size of the water storage tanks and the access roads.

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9 (TOTAL "G" CONDITIONS are 28)  
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## **PROJECT SPECIFIC CONDITIONS:**

### **S-1 PROJECT DESCRIPTION:**

The Permittee may operate the following facilities in compliance with the Conditional Use Permit, the County's General Plan's Land Use Element, Land Use Ordinance and all other applicable local, state, and federal laws, ordinances, regulations and standards (LORS), to include any other permits which are incorporated herein by reference:

1. The operation of a commercial cannabis dispensary with delivery service and lounge. The project will be limited to an existing 4,368 square feet building where customers will be allowed to purchase various types of cannabis products and consume onsite in a designated lounge area separate from the sales area. All the dispensary products for sale will be pre-packaged from a County and State approved Distribution Company.

### **S-2 CANNABIS DISPENSARY LOCATION:**

1. Commercial cannabis activities shall not be located within 600-foot radius of a school providing instruction in Kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license issued. Horizontal distance measured in a straight line from the property line of the school to the closest property line of the commercial cannabis activities lot.
2. Commercial cannabis activities shall be conducted only in the interior of fully enclosed structures, facilities, buildings, or other fully enclosed spaces consistent with the purpose and intent of the County's Land Use Ordinance.

### **S-3 CANNABIS WASTE DISPOSAL:**

The permittee shall not dispose of any cannabis waste on-site and all solid waste shall be removed from the site and deposited in an approved solid waste site.

### **S-4 LIGHT & GLARE:**

Permittee is allowed to have security as well as operational lighting. Said lighting shall be shielded and directed to on-site areas only to minimize off-site impacts due to unacceptable levels of light or glare.

### **S-5 VARIANCE:**

In conjunction with this Conditional Use Permit, Variance No. 24-0001 has been approved to permit the project to operate with the proposed 25 available parking spaces and to allow employee parking on the adjacent property identified as Assessor's Parcel Number (APN) 056-284-020-000.

1 **S-6 PARKING AND ROAD ABANDONMENT:**

2 Following the approval of the road abandonment for a portion of 'E' Street, the  
3 parking lot shall be properly surfaced and designed to include clearly defined  
4 entrances and exits, as well as appropriate barriers and curbing along Winterhaven  
5 Drive. The implementation of the proposed project under this Conditional Use  
6 Permit (CUP) is contingent upon the successful abandonment of the specified  
7 portion of 'E' Street located directly south of the project site.

8 **S-7 LATEST CODES GOVERN:**

9 All on-site structures shall be designed and built to meet the latest edition of the  
10 applicable codes.

11 **S-8 HOURS OF OPERATION:**

12 The facility office will be allowed to open Monday through Sunday from 8:00 a.m. to  
13 10:00 p.m. seven (7) days a week.

14 **S-9 SECURITY PLAN:**

15 A Security Plan providing 24-hour protection, including but not limited to, electronic  
16 surveillance and alarm measures, structural (interior and exterior) lighting, perimeter  
17 fencing. The Security Plan will require approval by the County.

18 **S-10 AIR POLLUTION CONTROL DISTRICT:<sup>1</sup>**

19 An Odor Control Plan that demonstrates compliance with Title 14 of the Imperial  
20 County Code, Chapter 14.03.080(F) and compliance with the guidance document  
21 Odor Control Plan for Cannabis Operations is required to be submitted to the  
22 Imperial County Air Pollution Control District.

23 **S-11 AG COMMISSIONER CONDITIONS:<sup>2</sup>**

- 24 1. Title 9 Division 3 Section 90302.4- Landscaping Standards- Commercial Uses, the  
25 applicant must follow the requirements for movement of plant material into Imperial  
26 County from other counties or from out of state. The applicant can contact with the  
27 Pest Detection and Eradication Division for any questions regarding the quarantines  
28 of movement of plant material, as there are several quarantines that must be  
observed.
2. Point of Sale systems as well as commercial weighing and measuring devices must  
be registered, inspected and sealed by the Imperial County Agricultural  
Commissioner office on an annual basis. The applicant can contact the Weights and  
Measure Division to register all devices.



**S-12 IMPERIAL COUNTY FIRE DEPARTMENT:<sup>3</sup>**

1. An approved water supply capable of supplying the required fire flow as determined by the California Fire Code Appendix B.
2. All cannabis facilities shall have an approved automatic fire suppression system. All fire suppression systems will be installed and maintained to the current adapted fire code and regulations.
3. All cannabis facilities shall have an approved automatic fire detection system. All fire detection systems will be installed and maintained to the current adapted fire code and regulations.
4. All cannabis facilities shall have approved smoke removal systems installed and maintained to the current adapted fire code and regulations.
5. Gates and fire department access will be in accordance with the current adapted fire code and the facility will maintain a Knox Box for access on site.
6. Compliance with all required sections of the fire code.

**S-13 IMPERIAL COUNTY SHERRIF'S OFFICE:<sup>4</sup>**

1. The permittee shall submit a detailed security plan and security diagram be included and approved by the county prior to any activity on the premises.
2. The permittee shall contribute its proportionate share associated with the cost of training related to, but not limited to: Driving Under the Influence of Drugs (DUID), California Highway Patrol Drug Recognition Expert (DRE) certification course. Final cost and conditions shall be reasonably determined by the Sheriff's Office. The County shall be responsible for managing the reimbursement component of this condition.
3. The Imperial County Sheriff's Office requests that the applicant install license plate reading cameras at all ingress and regress locations at the project site and grant access to the Imperial County Sheriff's Office to review the data collected.

**S-14 IMPERIAL IRRIGATION DISTRICT:<sup>5</sup>**

1. Applicant shall provide a surveyed legal description and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary to accommodate the project electrical infrastructure. Rights-of-Way and easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.

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2. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/departmentsdirectory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.

9

**S-15 STATE AND LOCAL CANNABIS ACTIVITES PERMITS**

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The cannabis retail facility will require activation of an Imperial County Commercial Cannabis activities permit/license in conjunction with the issuance of a State of California License/Permit for a cannabis retail license. These license/permits must be approved before any cannabis retail activities are allowed. If the cannabis retail License/Permit is terminated, suspended, or withdrawn, all activities allowed in this permit will be suspended and the County will commence revocation process pursuant to General Condition G-15.

14

(TOTAL "S" CONDITIONS are 15)

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1. Air Pollution Control District comment letter dated September 26, 2023.  
2. AG Commissioner Comment Letter Dated September 15, 2023.  
3. Imperial County Fire Department Comment Letter Dated September 29, 2023.  
4. Imperial County Sheriff's Office Comment Letter Dated March 5, 2024.  
5. Imperial Irrigation District Comment Letter Dated September 25, 2023.

This space was intentionally left blank.

1           **NOW THEREFORE**, County hereby issues Conditional Use Permit #23-0018 and  
2 Permittee hereby accepts such permit upon the terms and conditions set forth herein.

3           **IN WITNESS THEREOF**, the parties hereto have executed this Agreement the day  
4 and year first written.

5  
6  
7  
8 **PERMITTEE:**

9  
10  
11 By: \_\_\_\_\_ Date \_\_\_\_\_  
12       WH LOUNGE, LLC

13  
14  
15 **COUNTY OF IMPERIAL**, a political subdivision of the STATE OF CALIFORNIA:

16  
17 By: \_\_\_\_\_ Date \_\_\_\_\_  
18       JAMES A. MINNICK, Director  
19       Planning & Development Services Department  
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1 **PERMITTEE NOTARIZATION**

2 A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document  
3 to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

4 STATE OF \_\_\_\_\_

5 COUNTY OF \_\_\_\_\_ } S.S.

6  
7 On \_\_\_\_\_ before me, \_\_\_\_\_  
8 a Notary Public in and for said County and State, personally appeared  
9 \_\_\_\_\_, who proved to on the basis  
10 of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within  
11 instrument and acknowledged to me that he/she/they executed the same in his/her/their  
12 authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
13 person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

14 I certify under PENALTY OF PERJURY under the laws of the State of \_\_\_\_\_ that  
15 the foregoing paragraph is true and correct.

16 WITNESS my hand and official seal

17 Signature \_\_\_\_\_

18 ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could  
19 prevent fraudulent attachment of this certificate to unauthorized document.

20 Title or Type of Document \_\_\_\_\_

21 Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_

22 Signer(s) Other Than Named Above \_\_\_\_\_

23 Dated \_\_\_\_\_

**COUNTY NOTARIZATION**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF IMPERIAL } S.S.

On \_\_\_\_\_ before me, \_\_\_\_\_  
a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature \_\_\_\_\_

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

GQ\S:\AllUsers\APN\056\283\006\CUP23-0018 IS23-0022\PC\CUP23-0018 Agreement\CUP23-0018 PC Conditions of Approval.doc

**ATTACHMENT “F”**  
**VARIANCE #24-0001**  
**RESOLUTION**

## **RESOLUTION NO.**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING VARIANCE #24-0001 TO ALLOW FOR THE USE OF PROPOSED PARKING SPACES.**

**WHEREAS**, WH Lounge LLC. has submitted an application for a Variance (#24-0001) requesting a minor deviation from the parking standards. Variance #24-0001 seeks to allow the project to operate with a maximum of 25 on-site parking spaces, including one handicapped-accessible space, as proposed. In addition, it would permit employees to park across the street on an adjacent, paved, and striped property (APN 056-284-020-000), which is also owned by the applicant. This request is being made due to the historical unavailability of sufficient on-site parking to meet current parking standards at the project location; and,

**WHEREAS**, a Negative Declaration and CEQA findings were prepared in accordance with the requirements of the California Environmental Quality Act, State Guidelines, and the County's "Rules and Regulations to Implement CEQA, as Amended"; and

**WHEREAS**, on April 25, 2024, the Environmental Evaluation Committee heard the project and recommended to the Planning Commission of Imperial County to adopt the Negative Declaration for Conditional Use Permit #23-0018 and Variance #24-0001; and

**WHEREAS**, on May 01, 2024, the Negative Declaration was posted for 25 days from May 1, 2024 to May 27, 2024; and

**WHEREAS**, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on July 23, 2025; and

**WHEREAS**, the Planning Commission of the County of Imperial has been designated with the responsibility of adoptions and certifications; and

**NOW, THEREFORE**, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

**SECTION 1.** The Planning Commission has considered Variance #24-0001 prior to approval. The Planning Commission finds and determines that the Variance is adequate and prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance and the California Environmental Quality Act (CEQA), which analyses environmental effects, based upon the following findings and determinations.

**SECTION 2.** That in accordance with State Planning and Zoning Law (California Government Code (§65906) and the County of Imperial Land Use Ordinance (§90202.08), the following findings for the approval of Variance #24-0001 have been made:

- A. Are there special circumstances applicable to the property described in the variance application that do not apply generally to the property or class of use in the same zone or vicinity?**

Requiring the proposed cannabis dispensary and lounge to adhere to parking requirements that cannot be currently met by the historically low available parking of the site would not allow the project to move forward as the project requires a Conditional Use Permit, while similar uses that do not require a Conditional Use Permit may not be hindered.

- B. Will the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or vicinity in which the property is located.**

The proposed project site with an existing building has historically low available parking that cannot meet current parking requirements. In addition, the applicant has applied for a road abandonment in an effort to add more parking. Due to the historically low available parking granting such variance will not be materially detrimental to the public welfare or injurious to the property or vicinity in which the property is located.

- C. Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, will the strict application of zoning laws deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications?**

The property has had an existing commercial building on site for several decades with a set number of parking spots that do not meet current parking requirements. Enforcing current parking requirements would not allow the proposed Conditional Use Permit (CUP #23-0018) associated with this Variance (#24-0001) to operate nor would many similar uses allowed without a CUP be able to operate onsite.

- D. Does the granting of such variance adversely affect the comprehensive General Plan?**

The proposed project is designated as general commercial within the General Plan and is an allowed use with an approved Conditional Use Permit in the C-2 zone. The project site has had an existing building on site for decades with historically low available parking that does not meet current parking requirements and is unable to do so due to physical constraints. The Variance would allow the project to continue to use the available parking regardless of current parking requirements and it is staff's finding that granting the variance would not adversely affect the comprehensive General Plan.



**NOW, THEREFORE**, based on the findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Variance #24-0001.

---

**Rudy Schaffner, Chairperson**  
**Imperial County Planning Commission**

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on **July 23, 2025** by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

---

**Jim Minnick, Director of Planning & Development Services**  
**Secretary to the Imperial County Planning Commission**

**ATTACHMENT “G”**  
**ENVIRONMENTAL EVALUATION**  
**COMMITTEE PACKAGE**

# PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE

AGENDA DATE: April 25, 2024

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 1:30 PM / No. 2

PROJECT TYPE: WH Lounge LLC  
CUP#23-0018/V#24-0001/IS #23-0022 SUPERVISOR DIST #5

LOCATION: 509 Railroad Avenue APN: 056-283-006-000

Winterhaven, CA 92283 PARCEL SIZE: .2 acres

GENERAL PLAN (existing) Urban Area (Winterhaven) GENERAL PLAN (proposed) N/A

ZONE (existing) C-2 (Medium Commercial) ZONE (proposed) N/A

GENERAL PLAN FINDINGS ☒ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: \_\_\_\_\_

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: \_\_\_\_\_

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIRONMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 04/25/24

INITIAL STUDY: #23-0022

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/> NONE	<input type="checkbox"/> ATTACHED
AG	<input checked="" type="checkbox"/> NONE	<input type="checkbox"/> ATTACHED
APCD	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> ATTACHED
E.H.S.	<input checked="" type="checkbox"/> NONE	<input type="checkbox"/> ATTACHED
FIRE / OES	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> ATTACHED
SHERIFF	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> ATTACHED
OTHER	<u>IID</u>	

REQUESTED ACTION:

(See Attached)

Planning & Development Services  
801 MAIN STREET, EL CENTRO, CA, 92243 442-265-1736  
(Jim Minnick, Director)

EEC ORIGINAL PKG

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☒ **NEGATIVE DECLARATION**  
☐ **MITIGATED NEGATIVE DECLARATION**

*Initial Study & Environmental Analysis  
For:*

**Conditional Use Permit #23-0018  
Variance #24-0001  
Initial Study #23-0022**



*Prepared By:*

**COUNTY OF IMPERIAL**  
**Planning & Development Services Department**  
801 Main Street  
El Centro, CA 92243  
(442) 265-1736  
[www.icpds.com](http://www.icpds.com)

**April, 2024**

**EEC ORIGINAL PKG**

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## SECTION 1 INTRODUCTION

### A. PURPOSE

This document is a ☐ policy-level, ☒ project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Conditional Use Permit #23-0018 and Variance #24-0001 (Refer to Exhibit "A" & "B").

### B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND THE IMPERIAL COUNTY'S GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's "CEQA Regulations Guidelines for the Implementation of CEQA, as amended", an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

☐ According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

☒ According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

☐ According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study has determined that the proposed applications will not result in any potentially significant environmental impacts and therefore, a Negative Declaration is deemed as the appropriate document to provide necessary environmental evaluations and clearance as identified hereinafter.

This Initial Study and Negative Declaration are prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State & County of Imperial's Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

Pursuant to the County of Imperial Guidelines for Implementing CEQA, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency



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which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

## **C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION**

This Initial Study and Negative Declaration are informational documents which are intended to inform County of Imperial decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study and Negative Declaration, prepared for the project will be circulated for a period of 20 days (30-days if submitted to the State Clearinghouse for a project of area-wide significance) for public and agency review and comments. At the conclusion, if comments are received, the County Planning & Development Services Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

## **D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION**

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

### **SECTION 1**

**I. INTRODUCTION** presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

### **SECTION 2**

**II. ENVIRONMENTAL CHECKLIST FORM** contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a potentially significant impact, potentially significant unless mitigation incorporated, less than significant impact or no impact.

**PROJECT SUMMARY, LOCATION AND ENVIRONMENTAL SETTINGS** describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

**ENVIRONMENTAL ANALYSIS** evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

### **SECTION 3**

**III. MANDATORY FINDINGS** presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

**IV. PERSONS AND ORGANIZATIONS CONSULTED** identifies those persons consulted and involved in

preparation of this Initial Study and Negative Declaration.

V. REFERENCES lists bibliographical materials used in preparation of this document.

## VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

## VII. FINDINGS

### SECTION 4

## VIII. RESPONSE TO COMMENTS (IF ANY)

## IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)

## E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Potentially Significant Unless Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

## F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study and Negative Declaration will be conducted under a ☐ policy-level, ☐ project level analysis. Regarding mitigation measures, it is not the intent of this document to "overlap" or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County's jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

## G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

### 1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:



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"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

## **2. Incorporation By Reference**

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the "Final Environmental Impact Report and Environmental Assessment for the "County of Imperial General Plan EIR" prepared by Brian F. Mooney Associates in 1993 and updates.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- 
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
  - These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.
  - The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

## II. Environmental Checklist

1. **Project Title:** WH Lounge LLC
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Derek Newland, Planner III, (442)265-1736, ext. 1756
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** dereknewland@co.imperial.ca.us
6. **Project location:** 509 Railroad Ave, Winterhaven, CA located on Assessor's Parcel Number 056-283-006-000
7. **Project sponsor's name and address:** WH Lounge LLC
8. **General Plan designation:** Urban Area
9. **Zoning:** C-2 (Medium Commercial)
10. **Description of project:** The project consists of a cannabis dispensary with delivery services and a lounge for onsite consumption of cannabis products as well as a variance for parking due to the historical available parking on the existing site not being able to conform to current parking requirements. The project will be located in the eastern rebuilt suite of an existing three (3) suite commercial building. The front of the suite will contain the dispensary with sales counters and the lounge area being located in the rear allowing customers to sit and consume their purchases on-site.

11. **Surrounding land uses and setting:** The project site is located within the Winterhaven Community Area Plan. The project is surrounded by commercially zoned parcels to the west and south across Winterhaven Drive and residential north and east.

12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Imperial County Air Pollution Control District (ICAPCD), Imperial County Agricultural Commissioner (ICAC), Imperial County Environmental Health Services (EHS), Imperial County Sheriff's Office (ICSF), Imperial County Fire Department (ICFD), Imperial Irrigation District (IID)

13. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentially, etc.?

The AB 52 Notice of Opportunity to consult on the proposed project letter was mailed via certified mail on September 15, 2023 to the Campo Band of Mission Indians and the Quechan Indian Tribe no response was received by either.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code, Section 21080.3.2). Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code, Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code, Section 21082.3 (c) contains provisions specific to confidentiality.



## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

## ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

After Review of the Initial Study, the Environmental Evaluation Committee has:

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

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

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

☐ Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

### EEC VOTES

PUBLIC WORKS  
ENVIRONMENTAL HEALTH SVCS  
OFFICE EMERGENCY SERVICES  
APCD  
AG  
SHERIFF DEPARTMENT  
ICPDS

YES

☒  
☒  
☒  
☒  
☒  
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☒

NO

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☐

ABSENT

☐  
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☐

*Jim Minnick*  
Jim Minnick, Director of Planning/EEC Chairman

Date: *4-25-2024*

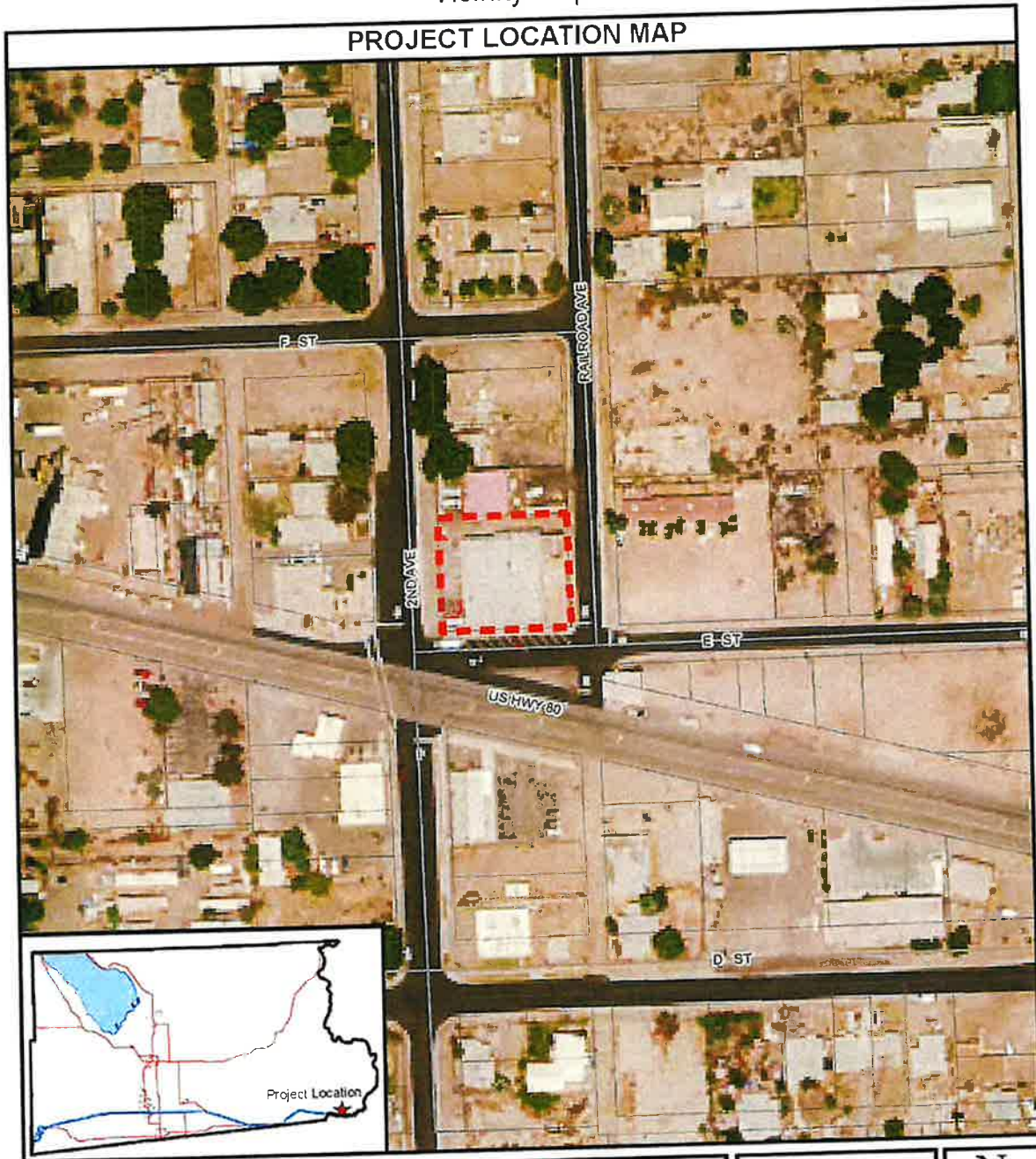
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## **PROJECT SUMMARY**

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- A. **Project Location:** The project is located at 509 Railroad Avenue, Winterhaven CA.
- B. **Project Summary:** The project consists of a cannabis dispensary with delivery service and lounge for onsite consumption, as well as, a variance for required parking due to the historical available parking for the existing commercial site.
- C. **Environmental Setting:** The project site is located within the Winterhaven Community Area Plan. The project is surrounded by commercially zoned parcels to the west and south across Winterhaven Drive and residential north and east.
- D. **Analysis:** Under the Land Use Ordinance of the Imperial County General Plan the project site is designated as "General Commercial" per the Winterhaven Community Area Plan. The parcel is classified as C-2 (Medium Commercial) under the Imperial County Land Use Ordinance and the project could be permitted in a C-2 zone with an approved Conditional Use Permit and provided is in compliance with Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance.
- E. **General Plan Consistency:** The proposed project could be found to be consistent with the General Plan as Commercial Cannabis Retail Sales require an approved Conditional Use Permit and compliance with Division 4 Chapter 6 of Title 9 Land Use Ordinance and Title 14 of the Imperial County Codified Ordinance to operate.

Exhibit "A"  
Vicinity Map



**WH LOUNGE LLC**  
**CUP #23-0018 / IS #23-0022**  
**VARIANCE #24-0001**  
**APN 056-283-006-000**

 Project Location  
 Centerline  
 Parcels



**EEC ORIGINAL PKO**



Site Plan/Tract Map/etc.

[illegible]

## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance



Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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## I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista or scenic highway?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not located within an officially designated or eligible vista or scenic highway per the Imperial County Circulation and Scenic Highways Element <sup>1</sup> , therefore, no impacts are expected.   |                          |                          |                                     |                                     |
| b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) The project is located within the townsite of Winterhaven within an existing building and is not located near a state scenic highway. Therefore, no impacts are expected.   |                          |                          |                                     |                                     |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven which is an urban area and would not conflict with applicable zoning regulations with the approval of a Conditional Use Permit as well as complying with any applicable design standards. Additionally, the project is not within a scenic corridor or highway and therefore no impacts are expected.   |                          |                          |                                     |                                     |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. Increased traffic to the area may create minimal light and glare from vehicles coming and going from the location which would not be uncommon for a commercial business. Any new exterior lighting will be required to be shielded or aim away from traffic on the adjacent streets and from shining into other properties. Any impacts would be considered to be less than significant. |                          |                          |                                     |                                     |

## II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. --Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not located on farmland nor would it convert any farmland. No impacts will occur. |                          |                          |                          |                                     |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and there are currently no active Williamson Act Contracts in                            |                          |                          |                          |                                     |

<sup>1</sup> Imperial County General Plan's Circulation and Scenic Highways Element

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
the County of Imperial. No impacts will occur.				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and will not conflict with any land zoned for forest land or timberland. No impacts will occur.				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and will not result in the loss of forest land or conversion of forest land to non-forest use. No impacts will occur.				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and will not result in the conversion of farmland to a non-agriculture use. No impacts will occur.				

### III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to the following determinations. Would the Project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and will consist of cannabis sales with come and go traffic as well as consumption of cannabis in its various forms within the lounge area. Ventilation of the site will be done for internal air quality and will be required and conditioned to comply with all Air Pollution Control District (APCD) requirements including an Odor Control Plan (OCP) as outlined in APCD's letter dated September 26, 2023 <sup>2</sup> . It is expected that with compliance with all of APCD's requirements will ensure that any impacts are less than significant. |                          |                          |                                     |                          |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) The proposed project is not expected to result in cumulatively considerable net increase of any criteria pollutant as the project will be required to adhere to APCD's rules and regulations as stated above in III-a. It is expected that compliance with APCD's requirements would bring any impact to less than significant levels.   |                          |                          |                                     |                          |
| c) Expose sensitive receptors to substantial pollutants concentrations?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) The purpose of the Odor Control Plan (OCP) is to prevent nuisance from volatile organic compounds (VOC) and resultant odors related to cannabis-dispensing business operations, therefore, it is expected that compliance with APCD's rules and regulations during the commercial cannabis activities would bring impacts to less than significant.  |                          |                          |                                     |                          |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Any odors from the proposed project would be a result of the dispensing and consumption of cannabis onsite. The implementation of the previously mentioned required OCP is expected to bring any potential impacts to less than significant.   |                          |                          |                                     |                          |

<sup>2</sup> Imperial County Air Pollution Control District Letter Dated September 26, 2023



	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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IV. **BIOLOGICAL RESOURCES** *Would the project:*

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ☐ ☐ ☒ ☐
- a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is located on disturbed and covered land. While the project site is located within the Imperial County General Plan's Conservation and Open Space Element<sup>3</sup> figure 2 "Burrowing Owl Species Distribution Model" no disturbing of previously undisturbed land is proposed. Therefore, any impacts are expected to be less than significant.
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ☐ ☐ ☐ ☒
- b) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven is not located within a riparian habitat or other sensitive natural community and therefore no impacts are anticipated.
- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ☐ ☐ ☐ ☒
- c) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven is not located in or near a protected wetlands area and therefore, no impacts are expected.
- d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ☐ ☐ ☐ ☒
- d) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and therefore is not expected to interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. No impacts are expected.
- e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance? ☐ ☐ ☐ ☒
- e) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not expected to conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance. No impacts are expected.
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☐ ☒
- f) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not expected to conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impacts are expected.

<sup>3</sup> County General Plan's Conservation and Open Space Element

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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V. **CULTURAL RESOURCES** *Would the project:*

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? ☐ ☐ ☒ ☐  
a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. The development of any previously undisturbed land is not proposed by the project and the entirety of the parcel has been developed or historically disturbed. Therefore, the project is not expected to cause a substantial adverse change in the significance of a historical resource. Additionally, an AB 52 letter was sent on September 15, 2023 to the Quechan Indian Tribe and the Campo Band of Mission Indians and no comments were received from either. Therefore, any impacts are expected to be less than significant.
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ☐ ☐ ☒ ☐  
b) As stated in V-a, the proposed project is located on disturbed and developed land, and it is not likely to cause a substantial adverse change to an archeological resource. Any impacts are expected to be less than significant.
- c) Disturb any human remains, including those interred outside of dedicated cemeteries? ☐ ☐ ☒ ☐  
c) As stated in V-a, the proposed project is located on disturbed and developed land, and it is not expected that the project will disturb any human remains, including those interred outside of dedicated cemeteries. Any impacts are expected to be less than significant.

VI. **ENERGY** *Would the project:*

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? ☐ ☐ ☒ ☐  
a) The electrical service to the property is provided by the Imperial Irrigation District (IID). The proposed project is not expected to result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Per the IID letter dated September 25, 2023<sup>4</sup>, if the project requires an increase in service the applicant is advised to contact IID to initiate an application for the increase in service and may also be a circuit study required in the case of any system improvements. Any impacts would be considered less than significant.
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ☐ ☐ ☒ ☐  
b) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not expected to conflict with or obstruct a stat or local plan or renewable energy or energy efficiency. Any impacts would be considered less than significant.

VII. **GEOLOGY AND SOILS** *Would the project:*

- a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving: ☐ ☐ ☒ ☐  
a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. The majority of the building has been in place for several decades while the eastern suite where the project is proposed was approved by building permit in 2023 under compliance with the 2022 California Building Code to replace the former suite which had demolished in the past due to damage from a fire many years ago. Being that the structure is new using the latest building code any impacts are expected to be less than significant.
- 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning ☐ ☐ ☒ ☐

<sup>4</sup> Imperial Irrigation District Letter Dated September 25, 2023



	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

1) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. The project is not located near a known earthquake fault per the California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones map<sup>5</sup>. As stated above the majority of the building has existed for decades with the eastern suite having an approved building permit in 2023 to be rebuilt under compliance with the 2022 California Building Code. Any impacts are expected to be less than significant.

- 2) Strong Seismic ground shaking? ☐ ☐ ☒ ☐
- 2) Ground shaking is expected occur since the project is located in the Imperial Valley which is seismically active. As stated in VII-1, the suite where the project is proposed to be located has an approved building permit complying with 2022 California Building Code and therefore any impacts are expected to be less than significant.
- 3) Seismic-related ground failure, including liquefaction and seiche/tsunami? ☐ ☐ ☐ ☒
- 3) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not located in a tsunami inundation or seiche zone. No impacts are expected.
- 4) Landslides? ☐ ☐ ☐ ☒
- 4) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. The project is located in a relatively flat area that is not subject to landslide activity. Therefore, no impacts are expected.
- b) Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☒ ☐
- b) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. The proposed project location has been developed and paved with the surrounding land being paved roads and developed and compacted lands. Therefore, the project will not result in substantial soil erosion or the loss of topsoil. Any impacts are expected to be less than significant.
- c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? ☐ ☐ ☒ ☐
- c) The proposed project is located on and surrounded by developed land that has been in place for decades. Therefore the project is not expected to be subject to unstable soil result in creating unstable soil that could result in on or off site landslides, lateral spreading, subsidence, liquefaction or collapse. Furthermore, any improvements to the existing structures will be required to comply with current California Building Codes and therefore, any impacts would be considered less than significant.
- d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property? ☐ ☐ ☒ ☐
- d) As stated previously, the project is located on and surrounded by land that has been developed and in place for decades. Any onsite improvements as a result of the project will be required to comply with current California Building Code and therefore, any impacts would be considered less than significant.
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? ☐ ☐ ☒ ☐
- e) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven which has an existing sewer system that will be utilized by the project. Therefore, any impacts would be expected to be less than significant.

<sup>5</sup> California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and no development of previously undisturbed or developed land is proposed. Therefore it is not expected that the project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Any impacts would be considered less than significant.				

VIII. **GREENHOUSE GAS EMISSION** *Would the project:*

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☒ ☐
- a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. While the project will create vehicle traffic from the onsite commercial business the project is not expected to create any significant greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. It is expected that compliance with any and all of APCD's requirements would limit any impacts from the project to less than significant.
- b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☒ ☐
- b) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not expected to conflict with any applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As stated previously, compliance with APCD requirements are expected to bring any impacts of the project to less than significant.

IX. **HAZARDS AND HAZARDOUS MATERIALS** *Would the project:*

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ☐ ☐ ☐ ☒
- a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and does not include the handling or storing of hazardous materials. Therefore, it is not expected that the project will create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. No impacts are expected.
- b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ☐ ☐ ☐ ☒
- b) As stated in IX-a, the proposed project does not include the use, handling, or storage of hazardous materials and therefore, is not expected to create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment. No impacts are expected.
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ☐ ☐ ☐ ☒
- c) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven with the nearest school being the San Pasqual Elementary School 2.14 miles and therefore, would not pose a risk to school facilities. No impacts are expected.
- d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ☐ ☐ ☐ ☒
- d) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not located on a list of hazardous materials sites per the



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<b>California Department of Toxic Substances Control: EnviroStor<sup>6</sup> website. Therefore, no impacts are expected.</b>				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? <b>e) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not located near a public or public use airport, therefore, no impacts are expected.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <b>f) The proposed project site is not expected to interfere with an adopted emergency response plan or emergency evacuation plan. No impact is expected.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? <b>g) The proposed project site is not located in an area susceptible to wildland fires; additionally, the project will be subject to Imperial County Fire Department requirements, as stated in ICFD's comment letter dated September 29, 2023<sup>7</sup>. It is expected that the project's compliance with the ICFD would bring any impacts to less than significant.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**X. HYDROLOGY AND WATER QUALITY** *Would the project:*

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?<br><b>a) The proposed project site has an existing building with water and sewer line connection services provided by the Winterhaven Water District, the use of the building will continue to be commercial and it is not expected to violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. No impacts are anticipated.</b>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?<br><b>b) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not expected to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Therefore, no impacts are expected.</b>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:<br><b>c) The proposed project will not substantially alter the existing drainage pattern of the site or area, as the parcel is already developed and there is an existing commercial building. Applicant will be required to submit building permits for any potential improvements on the site to the Department of Planning and Development Services for review and approval. Therefore, impacts are expected to be less than significant.</b> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (i) result in substantial erosion or siltation on- or off-site;<br><b>i) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not expected to result in substantial erosion or siltation on- or off-site. Therefore any impacts would be expected to be less than significant.</b>  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

<sup>6</sup> California Department of Toxic Substances Control: EnviroStor

<sup>7</sup> Imperial County Fire Department Letter Dated September 29, 2023



	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven on land that that is already been covered, compacted and/or paved. Therefore, is not expected that the project would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite. Any impacts would be considered less than significant.				
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not expected to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, any impacts would be considered less than significant.				
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) The project site is located on Zone X, which is "Area of Minimal Flood Hazard" under FEMA Flood Map service center <sup>8</sup> ; therefore, no impacts are expected.				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and as stated above in X-c-iv) is not located in a flooding zone, nor is it located in a tsunami or seiche zone and therefore, any impacts would be expected to be less than significant.				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and the project does not appear to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore no impacts are expected.				

**XI. LAND USE AND PLANNING** *Would the project:*

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and will not physically divide an established community. No impacts are expected.   |                          |                          |                                     |                                     |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) The project site is designated as "Urban" under the Imperial County Land Use General Plan and zoned C-2 (Medium Commercial). The proposed project would continue the commercial use of the building and property and does not appear to conflict with the General Plan or Land Use Ordinance, since cannabis retail and consumption lounges are a permitted use with an approved conditional use permit, a Commercial Cannabis Activity (CCA) License and a retail license from the California State Bureau of Cannabis Control. Therefore, any impacts are expected to be less than significant. |                          |                          |                                     |                                     |

**XII. MINERAL RESOURCES** *Would the project:*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

<sup>8</sup> Federal Emergency Management Agency (FEMA) Flood Map Service Center: Flood Insurance Rate Map

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
that would be of value to the region and the residents of the state?				
a) The proposed project will not remove mineral resources on-site; therefore, is not expected to result in the loss of availability of a known mineral resource. No impact is expected.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) The proposed project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. No impacts are expected.				

XIII. **NOISE** *Would the project result in:*

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- a) Any potential onsite improvements including internal remodeling of the structure or paving of parking would expected to create some level of noise during the duration of construction. These noise levels shall not exceed the threshold established in the Imperial County General Plan "Noise Element"<sup>9</sup> and shall comply with the applicable regulations during construction. Adherence to these noise standards are expected to bring any impacts from onsite construction to less than significant.
- b) Generation of excessive groundborne vibration or groundborne noise levels?
- b) Ground-borne noise may be expected during any on-site improvements which would be subject to the "Noise Element" as previously mentioned. Any impacts are expected to be less than significant.
- c) For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- c) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not located within the vicinity of a private airstrip or an airport land use plan or a public airport or public use airport as shown in the Airport Land use Compatibility Plan Figure 1A<sup>10</sup>. Therefore, no impacts are expected.

XIV. **POPULATION AND HOUSING** *Would the project:*

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?
- a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. The proposed project is a commercial a historically commercial location which will continue to operate as a commercial business as a vendor and lounge for cannabis sales and onsite consumption. The project is not expected to induce substantial population growth in the area either directly or indirectly. Any impacts are expected to be less than significant.
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
- b) The proposed project is not expected to displace substantial numbers of exiting housing, necessitating the construction of replacement housing elsewhere. Any impacts are expected to be less than significant.

<sup>9</sup> Imperial County General Plan "Noise Element"

<sup>10</sup> Airport Land use Compatibility Plan

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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## XV. PUBLIC SERVICES

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

a) The proposed project is for the commercial operation of a cannabis dispensary with delivery service and lounge for onsite consumption in an existing building, and it is not expected to substantially result in adverse physical impacts associated with any new or altered governmental facilities or require the need for new or altered governmental facilities. Any impacts are expected to be less than significant.

- 1) Fire Protection? ☐ ☐ ☒ ☐
- 1) As stated earlier in IX-g) the project will be required to comply with the Imperial County Fire Departments letter, which requires improvements:

- An approved water supply capable of supplying the required fire flow as determined by the California Fire Code Appendix B.
- All cannabis facilities shall have an approved automatic fire suppression system. All fire suppression systems will be installed and maintained to the current adapted fire code and regulations.
- All cannabis facilities shall have an approved automatic fire detection system. All fire detection systems will be installed and maintained to the current adapted fire code and regulations.
- All cannabis facilities shall have approved smoke removal systems installed and maintained to the current adapted fire code and regulations.
- Gates and fire department access will be in accordance with the current adapted fire code and the facility will maintain a Knox Box for access on site.
- Compliance with all required sections of the fire code.

Compliance with ICFD's requirements is expected bring any impacts to less than significant.

- 2) Police Protection? ☐ ☐ ☒ ☐
- 2) A Safety and Security plan to be reviewed and approved by the County will be required prior to start of operations. Additionally, the project will need to comply with the Sheriff Department's requirements from their comment later dated March 05, 2024. therefore, the proposed project is not expected to result in substantial impacts on police protection. Any impacts would be less than significant.

- 3) Schools? ☐ ☐ ☐ ☒
- 3) The proposed project is not expected to result in substantial impacts to schools. Prior to entering the facility all prospective clients will need to pass the screening process and provide a valid form of identification which demonstrates that they are over the age of 21. For medical patients, an identification indicating that the individual is over 18 and accompanying physician's medical recommendation will be required. No impacts are expected.

- 4) Parks? ☐ ☐ ☐ ☒
- 4) The proposed project will not result in impacts to parks; no impacts are expected.

- 5) Other Public Facilities? ☐ ☐ ☒ ☐
- 5) The proposed project is not expected to any impacts to other public facilities. Any impacts are expected to be less than significant.

## XVI. RECREATION

- a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ☐ ☐ ☐ ☒

a) The proposed project is not expected to increase the use of the existing neighborhood and regional parks or other recreational facilities. No impacts are expected.



	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment? b) The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. **TRANSPORTATION** *Would the project:*

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? ☐ ☐ ☒ ☐  
a) The proposed project is not expected to conflict with the Imperial County General Plan's Circulation and Scenic Highways Element and/or any applicable plan, ordinance or policy related to it. Traffic impacts during construction of the project's improvements and subsequent operation of the cannabis dispensary are expected to be below the acceptable threshold by the County. Any impact is expected to be less than significant.
- b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)? ☐ ☐ ☒ ☐  
b) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and does not appear to conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b). Any impacts are expected to be less than significant.
- c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ☐ ☐ ☒ ☐  
c) The proposed cannabis dispensary and lounge is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. The applicant has a road abandonment application with Public Works to abandon the portion of E Street in front of the property. Successful abandonment of the road will create a parking lot for the commercial building creating a more defined intersection at Winterhaven Drive and 2<sup>nd</sup> Avenue than already exists. It is expected that these improvements will not substantially increase hazards due to geometric designs or incompatible uses. Any impacts are expected to be less than significant.
- d) Result in inadequate emergency access? ☐ ☐ ☐ ☒  
d) The proposed project is not expected to result in inadequate emergency access, all on-site traffic area is hard surfaced to provide all weather access for fire protection vehicles; therefore, no impact is expected.

XVIII. **TRIBAL CULTURAL RESOURCES**

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:  
a) The proposed cannabis dispensary and lounge is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. As the project site is already developed and paved it is not expected to cause a substantial change in the significance of a tribal cultural resource. A notification of opportunity to consult letter in compliance with AB-52 was sent to the Quechan Indian Tribe and Campo Band of Mission Indians on September 15, 2023 and no comments were received from either. Therefore, any impacts are expected to be less than significant.
- (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or ☐ ☐ ☒ ☐  
(i) The proposed project site is not listed under the California Historical Resources in County of Imperial nor does

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
it appear to be eligible under Public Resources Code Section 21074 or 5020.1 (k); therefore, any impact is expected to be less than significant.				

- 0 (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.
- ☐ ☐ ☒ ☐
- (ii) The proposed project site does not appear to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, nor evidence of important historical resources was associated with the site. Therefore, any impact is expected to be less than significant.

**XIX. UTILITIES AND SERVICE SYSTEMS** *Would the project:*

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?
- ☐ ☐ ☒ ☐
- a) The proposed project site is already developed and has existing utilities, including utilities connections to water and sewer provided by Winterhaven Water District, therefore, the proposed project is not expected to result in the relocation or construction of new or expand water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunications facility. Any impact is expected to be less than significant.
- b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?
- ☐ ☐ ☒ ☐
- b) The proposed cannabis dispensary and lounge is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. The project site has operated as a commercial site for years and has utility connections to water and sewer provided by Winterhaven Water District. There is no proposed excessive use of water outside of restroom facilities for staff and customers and the current development of site does not allow for much if any landscaping requiring water use. It is expected that there will be sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years. Any impacts are considered less than significant.
- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- ☐ ☐ ☒ ☐
- c) It is expected that the project will have adequate capacity to serve the projects demand. The Winterhaven County Water District was given opportunity to comment on the project and no comments were received. Any impacts are expected to be less than significant.
- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- ☐ ☐ ☒ ☐
- d) Based on the project description, the proposed project is not expected to exceed the generation of solid waste in excess of State or local standards as the use will remain commercial. Any impacts would be expected to be less than significant
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?
- ☐ ☐ ☒ ☐
- e) The proposed project shall comply with federal, state and local statues and regulations related to solid waste. Additionally, a cannabis product disposal procedure to be reviewed and approved by the County will also be required prior to start operations. Adherence to Federal, State and local regulations will bring the project to less than significant levels.



Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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## XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☒ ☐
- a) The proposed cannabis dispensary and lounge with delivery service is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven and is not located in a Fire Hazard Severity Zone per the Cal Fire: Fire Hazard Severity Zones Viewer<sup>11</sup>. Therefore, any impacts are expected to be less than significant.**
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? ☐ ☐ ☒ ☐
- b) The proposed project site topography is generally flat and therefore, any impacts due to slope, prevailing winds, and other factors, exacerbate wildfire risks are expected to be less than significant.**
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? ☐ ☐ ☒ ☐
- c) The proposed cannabis dispensary and lounge is proposed to be located in an existing commercially zoned building in the townsite of Winterhaven. The project is not expected to require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Any impacts are expected to be less than significant.**
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? ☐ ☐ ☒ ☐
- d) As mentioned above under item XX-b), the project site area is generally flat and it is not expected to expose people or structures to significant risks due to flooding or landslide as a result of runoff, post-fire slope instability or drainage changes. Any impacts are expected to be less than significant.**

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2009- CEQA  
Revised 2011- ICPDS  
Revised 2016 - ICPDS  
Revised 2017 - ICPDS  
Revised 2019 - ICPDS

<sup>11</sup> Cal Fire: Fire Hazard Severity Zones Viewer





#### **IV. PERSONS AND ORGANIZATIONS CONSULTED**

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

##### **A. COUNTY OF IMPERIAL**

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planning Division Manager
- Derek Newland, Project Planner
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services
- Sheriff's Office

##### **B. OTHER AGENCIES/ORGANIZATIONS**

- Imperial Irrigation District

*(Written or oral comments received on the checklist prior to circulation)*

## V. REFERENCES

1. Imperial County General Plan's Circulation and Scenic Highways Element  
<https://www.icpds.com/assets/planning/circulation-scenic-highway-element-2008.pdf>
2. Imperial County Air Pollution Control District Letter Dated September 26, 2023
3. County General Plan's Conservation and Open Space Element  
<https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>
4. Imperial Irrigation District Letter Dated September 25, 2023
5. California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones  
<https://gis.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=32.538703%2C-110.920388%2C6.00>
6. California Department of Toxic Substances Control: EnviroStor  
<https://www.envirostor.dtsc.ca.gov/public/>
7. Imperial County Fire Department Letter Dated September 29, 2023
8. Federal Emergency Management Agency (FEMA) Flood Map Service Center: Flood Insurance Rate Map  
<https://msc.fema.gov/portal/search?AddressQuery=851%20pitzer%20road%20heber%20ca#searchresultsancho>
9. Imperial County General Plan "Noise Element"  
<https://www.icpds.com/assets/planning/noise-element-2015.pdf>
10. Airport Land use Compatibility Plan  
<http://www.icpds.com/CMS/Media/ALUC-Compatibility-Plan-1996-Part-I.pdf>
11. Cal Fire: Fire Hazard Severity Zones Viewer  
<https://egis.fire.ca.gov/FHSZ/>

"County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.

**VI. NEGATIVE DECLARATION – County of Imperial**

*The following Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.*

**Project Name:** Conditional Use Permit #23-0018 / Variance #24-0001 / Initial Study #23-0018

**Project Applicant:** WH Lounge LLC

**Project Location:** 509 Railroad Avenue, Winterhaven CA.

**Description of Project:** The project consists of a cannabis dispensary with delivery services and a lounge for onsite consumption of cannabis products as well as a variance for parking due to the historical available parking on the existing site not being able to conform to current parking requirements. The project will be located in the eastern rebuilt suite of an existing three (3) suite commercial building. The front of the suite will contain the dispensary with sales counters and the lounge area being located in the rear allowing customers to sit and consume their purchases on-site.

## VII. FINDINGS

This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environment and is proposing this Negative Declaration based upon the following findings:

☒ The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☐ The Initial Study identifies potentially significant effects but:

- (1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
- (2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.
- (3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A MITIGATED NEGATIVE DECLARATION will be prepared.

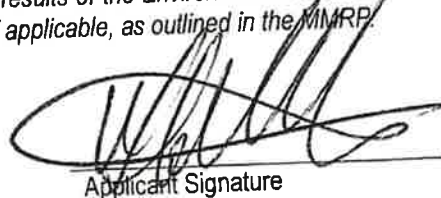
If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 (442) 265-1736.

### NOTICE

The public is invited to comment on the proposed Negative Declaration during the review period.

4-25-2024   
Date of Determination Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

  
Applicant Signature

4/25/24  
Date

## SECTION 4

### VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

**IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)**

(ATTACH DOCUMENTS, IF ANY, HERE)

# COMMENTS

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Jim Minnick  
DIRECTOR

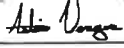
## Imperial County Planning & Development Services Planning / Building

**September 15, 2023**  
**REQUEST FOR REVIEW**  
**AND COMMENTS**

The attached project and materials are being sent to you for your review and as an early notification that the following project is being requested and being processed by the County's Planning & Development Services Department. Please review the proposed project based on your agency/department area of interest, expertise, and/or jurisdiction.

To: County Agencies	State Agencies/Other	Cities/Other
<input checked="" type="checkbox"/> County Executive Office – Rosa Lopez	<input checked="" type="checkbox"/> IC Sheriff's Office – Robert Benavidez/Fred Miramontes/Ryan Kelley	<input checked="" type="checkbox"/> IID – Donald Vargas
<input checked="" type="checkbox"/> Public Works – Carlos Yee/John Gay	<input checked="" type="checkbox"/> Board of Supervisors – John Hawk - District #5	<input checked="" type="checkbox"/> Caltrans, District 11 – Maurice Eaton/Kimberly Dodson/ Roger Sanchez
<input checked="" type="checkbox"/> Fort Yuma- Quechan Indian Tribe – Jordan D. Joaquin/ H. Jill McCormick	<input checked="" type="checkbox"/> Ag. Commissioner – /Margo Sanchez/Antonio Venegas/ Ashley Jauregui/ Jolene Jauregui	<input checked="" type="checkbox"/> IC Fire/OES Office – Andrew Loper/ Sal Flores/Robert Malek/ David Lantzer
<input checked="" type="checkbox"/> Winterhaven County Water District – Rick Miller	<input checked="" type="checkbox"/> Campo Band Of Mission Indians - Marcus Cuero/Jonathan Mesa	<input checked="" type="checkbox"/> EHS – Jeff Lamoure/Mario Salinas/ Alphonso Andrade/Jorge Perez/Vanessa R Ramirez
		<input checked="" type="checkbox"/> APCD – Monica Soucier/Belen Leon/Jesus Ramirez

From: Derek Newland Planner II - (442) 265-1736 or [dereknewland@co.imperial.ca.us](mailto:dereknewland@co.imperial.ca.us)  
Project ID: Conditional Use Permit #23-0018/Initial Study #23-0022  
Project Location: 509 Railroad Avenue, Winterhaven, CA 92283 APN 056-283-006  
Project Description: Applicant proposes to operate a cannabis dispensary and lounge located within a former market.  
Applicants: WH Lounge LLC  
Comments due by: **September 25<sup>th</sup> 2023 at 5:00PM**  
COMMENTS: *(attach a separate sheet if necessary)* (If no comments, please state below and mail, fax, or e-mail this sheet to Case Planner)  
Please see attached comment letter/packet

Name: Antonio Venegas Signature:  Title: Agricultural Biologist/Standards Specialist IV  
Date: 09/25/2023 Telephone No.: 442-265-1500 E-mail: [antoniovenegas@co.imperial.ca.us](mailto:antoniovenegas@co.imperial.ca.us)

D:\NATIS\AI\Users\APN\056\283\006\CUP23-0018\_IS23-0022 Request for Comments 9.15.23 .docx



Office of the Agricultural Commissioner  
Sealer of Weights and Measures  
852 Broadway, El Centro CA 92243

Jolene Dessert  
Commissioner / Sealer

Rachel Garewal  
Asst. Commissioner / Sealer

September 25, 2023

Derek Newland, Planner II  
Imperial County Planning & Development Services  
801 Main Street  
El Centro, CA 92243

Re: Conditional Use Permit #23-0018/Initial Study #23-0022

Mr. Newland:

Our department has reviewed the documents pertaining to CUP #23-0018/IS #23-0022 for applicant WH Lounge LLC, a company proposing a retail commercial cannabis dispensary, delivery, and lounge at 509 Railroad Avenue, Winterhaven, California.

As mentioned in the project, the applicant will use landscaping at this site. Should the project require movement of plant material into Imperial County, the applicant must follow the requirements for movement of plant material into Imperial County from other counties and/or from out of state. The applicant may contact our Pest Detection and Eradication Division for any questions regarding the quarantines for movement of plant material, as there are several quarantines that must be observed. Additionally, the applicant may contact the California Department of Food and Agriculture (CDFA) Nursery Services Program for requirements regarding movement of cannabis nursery stock and a nursery license.

Please refer to the handouts attached for more detailed information. The handouts will explain the need for the applicant to register their point-of-sale electronic pricing system(s) with our office, determining what type of scale(s), if any, are required by their operation, how to apply for a weighmaster license when applicable, and label requirements for cannabis if scales will be used. Please be advised that any commercial weighing and measuring devices are required to be type approved for commercial use and must be registered, inspected, and sealed by our office initially and on an annual basis. The applicant can also register any non-commercial scale, such as prepacking scales, with our office and have them inspected upon request for a fee.

If you or the applicant have any questions, please contact our office at (442) 265-1500.

Best regards,

A handwritten signature in blue ink, appearing to read "Jolene Dessert".

Jolene Dessert



Office of the Agricultural Commissioner  
Sealer of Weights and Measures  
852 Broadway, El Centro CA 92243

Jolene Dessert  
Commissioner / Sealer

Rachel Garewal  
Asst. Commissioner / Sealer

**Commercial Cannabis Activities Checklist**  
(May 9, 2018)

To Whom It May Concern:

For those that wish to obtain a license from the County of Imperial for the commercial production of *Cannabis sativa*, the Agricultural Commissioner's office has prepared the following checklist of potential regulatory concerns under our jurisdiction. Please review this list and consult with our office regarding those items for which a 'yes' is checked. Failure to do so may result in violations of local laws and regulations.

Description	Questions	Yes	No
<b>Nursery Stock/Seeds</b> - Incoming shipments of plant parts for production (including seed) typically require inspection by this office for plant pests/diseases and will be profiled for compliance with plant quarantines.	Do you intend to bring plants or other propagative plant parts (excluding seeds) into Imperial County?		
	Do you intend to bring seeds into Imperial County?		
<b>Pesticide Use</b> – All pesticide use is required to comply with California and Federal laws and regulations. All those that use pesticides in Imperial County for agricultural production are required to obtain an operator ID number (OIN) with our office and report pesticide usage. This OIN must be obtained prior to purchasing pesticides from a licensed pesticide dealer. Disclaimer: An OIN is not equivalent to a license to produce cannabis or a business license. The purpose is solely to come into compliance with California laws and regulations regarding pesticide use and allow for pesticide use reporting.	Do you intend to use any pesticides (including 'organic' pesticides) on your Cannabis crop?		
<b>Weights and Measures</b> – Any product sold by weight or measure is subject to state laws regarding that sale. Commercial weighing and measuring devices are required to be type approved for commercial use (please call for information prior to purchasing devices), registered, inspected, and sealed by our office. Point of Sale devices or Scanners used in retail sale transactions are also required to be registered and inspected. Furthermore, packaged products sold by weight or measure are also subject to periodic inspection by our office for compliance with state laws and regulations. <a href="https://www.cdfa.ca.gov/dms/CannabisWM.html">https://www.cdfa.ca.gov/dms/CannabisWM.html</a>	Do you intend to sell Cannabis products by weight over a scale?		
	Do you intend to sell Cannabis products by measure other than weight (for instance volume)?		
	Do you intend to sell Cannabis products with a point of sale system or scanner?		
	Do you intend to package a Cannabis product for sale by weight or measure?		



Office of the Agricultural Commissioner  
Sealer of Weights and Measures  
852 Broadway, El Centro CA 92243

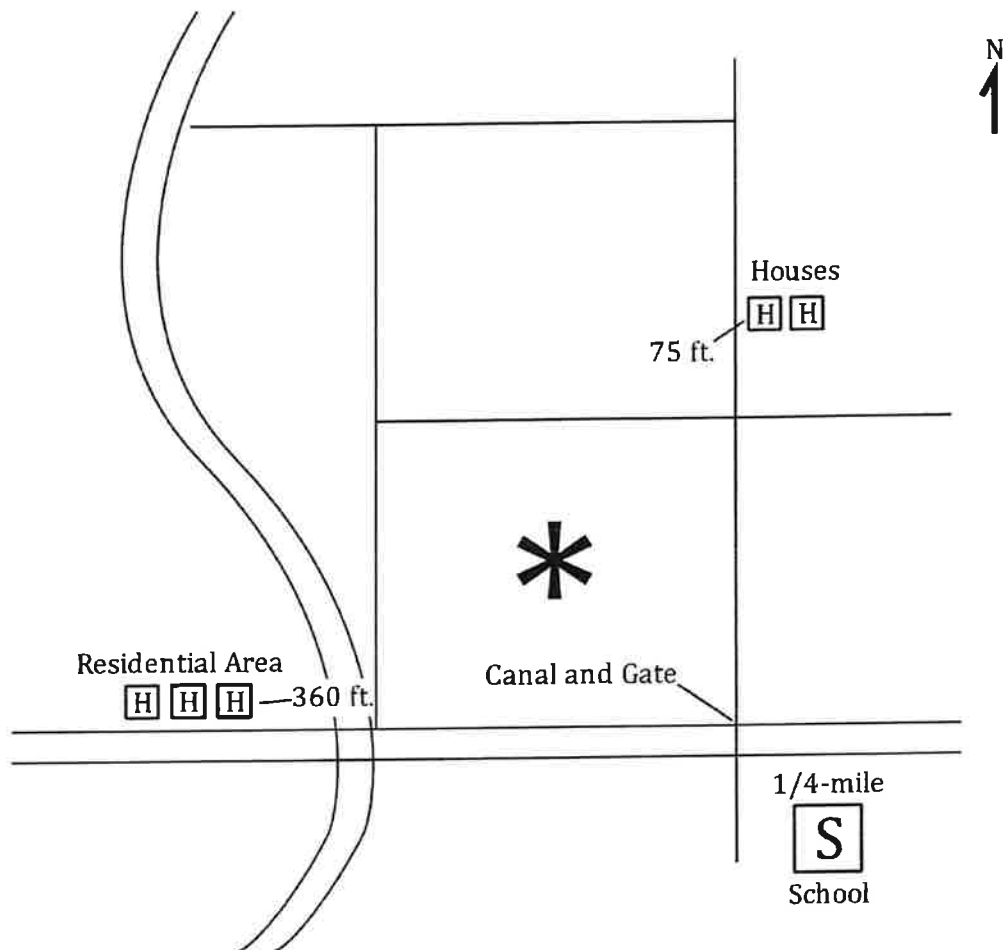
Jolene Dessert  
Agricultural Commissioner  
Sealer of Weights and Measures

## 2023-24 Operator Identification No. (OIN) Renewal Instructions

1. Fill out and sign the attached Property Operator Acknowledgement Form for each permit. It must be signed by an owner, partner, or officer of the company. An agent granted legal power of attorney, may also sign.
2. Review the attached OIN printout, including contact information, for accuracy. Please include an email address. Put a single line through any information you wish to change and write in the correct information.
  - a. Remove any sites that will not be farmed during the permit year.
  - b. Remove/correct commodities listed. For those sites that will not have a crop in the ground on July 1st or shortly after, list the commodity as "uncultivated." Note: Commodities must be specific (head lettuce, leaf lettuce, napa cabbage, etc.).
  - c. Do not include/amend site ID's.
  - d. To add a new site, write in the canal and gate, commodity, and pesticides. Use additional paper or supplement forms as needed.
3. Maps
  - a. Two clean, legible maps must be submitted for each site. Please keep a clean original to copy for each year's OIN and make updates to sensitive sites as needed. **Incorrect or rejected maps will delay the review and approval of your OIN.**
  - b. Map Criteria
    - Maps must remain legible upon faxing or photocopying in black and white.
    - Leave a one-inch margin on each side and three inches on the bottom.
    - Orient North to the top of the page.
    - Depict the field(s) and all sensitive sites or potentially impacted areas within one mile. Sensitive sites include houses, schools, churches, businesses, the international border, residential areas or cities, and bodies of water. Be sure to update changes on your maps (new residence, etc.) each year.
    - Multiple fields are allowed on one map to the extent that components remain clear and legible.
    - All crossroads must be identified by name and include the distance to the roads if not adjacent.
    - Distances from the field to the sensitive sites must be indicated and should be sufficiently accurate to allow applicators to use an appropriate buffer when needed.
    - Schools within one mile of a field must be indicated on the map.
    - Include a non-repeating map number on the lower right-hand corner and the OIN name on the top.
  - c. Likely to be rejected: plat maps, aerial imagery or color maps, illegible/blurry maps, stamped maps.
4. Return documents for review, after completing all revisions and preparing your maps, to Pesticide Use Enforcement at 852 Broadway, El Centro, CA 92243. These changes will be reviewed, then made in the CalAgPermits system. We will call the signer when the OIN is ready.
5. Note: Any supplements turned into our office in June will be automatically added to the new OIN

**Farm XYZ**

**(Sample Map)**



**Map #1**



## Restricted Materials Permit / Op-ID Questionnaire

Please provide the following information regarding your operation:

Permit Name:			
Permit Number:			
1. Do you have employees that handle pesticides?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
2a. Do you employ or contract field workers?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
2b. If you answered yes to 2a, are the field workers your employees, a farm labor contractor, or both?	<input type="checkbox"/> Employees	<input type="checkbox"/> FLC	<input type="checkbox"/> Both
3. Do you want to add or change any of the contact persons listed on your permit? (Such as dealers, pest control businesses, pest control advisers, certified applicator, etc.) If yes, please also make the corrections on your permit copy prior to submission.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
4. CalAgPermits permissions: You can grant permission for contacts (dealer, pest control business, pest control advisor, etc) to view your permit, submit pesticide use reports (PURs), or submit/amend annual school notifications (SN). If applicable, please list contact name and/or business and indicate the type of permission that you would like to grant.			
	<input type="checkbox"/> Permit Viewer	<input type="checkbox"/> PUR Submitter	<input type="checkbox"/> SN
	<input type="checkbox"/> Permit Viewer	<input type="checkbox"/> PUR Submitter	<input type="checkbox"/> SN
	<input type="checkbox"/> Permit Viewer	<input type="checkbox"/> PUR Submitter	<input type="checkbox"/> SN
	<input type="checkbox"/> Permit Viewer	<input type="checkbox"/> PUR Submitter	<input type="checkbox"/> SN
	<input type="checkbox"/> Permit Viewer	<input type="checkbox"/> PUR Submitter	<input type="checkbox"/> SN

**2023/2024**  
**Property Operator Acknowledgment and Designation of Agent**

**County of Imperial, State of California**

\_\_\_\_\_  
Operator ID/Restricted Materials Permit Name

No. 13-24-\_\_\_\_\_  
Operator ID/Restricted Materials Permit No.

**The undersigned hereby acknowledges as follows:**

1. The Operator ID/Restricted Materials permit named above is a:  
☐ corporation ☐ partnership ☐ sole proprietorship ☐ other (specify) \_\_\_\_\_
2. I am the \_\_\_\_\_ of the above named entity and have the legal authority  
(title/position)  
to grant limited power of attorney to the designated agent below on behalf of this entity.
3. I am the operator of the properties listed on the Operator ID/Restricted Materials permit identified above. I am responsible for all acts, omissions, and representations made by the designated agent. I am responsible for compliance with all laws, rules, regulations, and permit conditions.

**Designation of Agent / Limited Power of Attorney**

4. I hereby designate and appoint as my agent and attorney in fact:

\_\_\_\_\_  
Printed Name of Agent Designated to Sign the Operator ID/Restricted Materials Permit

\_\_\_\_\_  
Telephone Number

I understand that the Agricultural Commissioner is relying on this appointment and agree that I will be bound to the terms hereof until this permit expires or this appointment is revoked by me in writing. I understand and agree that this appointment authorizes the above named person to act on behalf of the permittee in any and all matters pertaining to the Operator ID/Restricted Materials permit identified above. I understand that this agreement must be renewed annually.

5. I further understand and agree that this appointment does not relieve me of my responsibilities as operator of the properties listed on the Operator ID/Restricted Materials permit identified above.

\_\_\_\_\_  
Operator Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Your Name

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
E-mail

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**Records That Property Operators/Growers Must Maintain (3CCR 6618, 6619, 6623-6627, 6723, 6723.1, 6724, 6728, and 6739, 6761.1, 6764):**

- Restricted Materials Permit (RMP) or Operator ID form, maps, and supplements (two years)
- Pesticide use reports for all pesticides applied for two years (must include the date of application, property operator, operator ID number or RMP number, site ID, crop, acres, pesticides applied-including the EPA or CA State Registration number, completion date and time, time to reentry), and records must be filed by site/field if applied by a commercial applicator.
- Any records required for employees handling pesticides, including pesticide use records with employee name and date of use for any employee handling DANGER or WARNING organophosphate/carbamate (3 years).
- Pesticide Safety Information Series (PSIS) if you have employees handling pesticides or entering treated fields.
- Safety Data Sheets (SDS) for all pesticides applied to your property

**Records That Property Operator/Growers Must Submit (3CCR 6624, 6626, and 6627):**

- Notice of Intent - 24 hours prior to the application of California restricted materials.
- Pesticide use reports for the grower application of any pesticide by the 10th of the month following the application. Two forms: one for crops and one for non-crops (i.e., ditch banks, right-of-ways, etc.). "Pesticides" include all substances/materials intended to control, destroy, repel, or mitigate a pest and adjuvants. This definition includes glyphosate, sanitizers, and organic materials, and all such use must also be reported.

**Field Worker Safety Requirements (any employee entering a "treated" field) (3CCR 6618, 6761-6776)**

- Property operators must have a method of informing employees or other contractors who may be entering a field or working within a ¼ mile of a field of ongoing applications or active restricted entry intervals (REI).
- Complete and central location display of PSIS A-9 (Hazard Communication) at work site.
- Display application-specific information at a central location with unimpeded access during hours of fieldworker operation (site ID, acreage, date and time application is completed, reentry interval, pesticide/adjuvant, and active ingredient, CA and EPA Registration numbers, and SDS).
- Do not allow any person, other than the applicator(s), to enter or remain in a treated area during an application.
- Fieldworker training - ensure that all employees working in a treated field have been trained within the last year. Training requirements of 6764 frequently change, and training material must be updated.
- Plan for emergency medical care in advance and post the location of emergency medical facilities at the work location. Immediately take all ill persons to a physician.
- Provide field worker decontamination facilities within a ¼ mile of workers - soap, water (at least one gallon per employee), and single use towels.
- Comply with pesticide REI/or early entry requirements.
- Comply with pesticide warning and posting requirements as specified on the label and in 3CCR 6776. Posting is required for all products whose REI exceeds 48 hours.

**Training Requirements for Handlers (training must be provided annually) (3CCR 6724):**

- Employees must be trained before working with pesticides and for each type of pesticide they handle.
- Written training records kept for each employee (retained for 2 years), signed by the employee and certified trainer.
- Certified Trainer – must be qualified by CA certified Train-the-Trainer, PAC, QAL, QAC, PCA, UCCE Farm Advisor, or other approved by Director.

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- Completed and centrally displayed PSIS A-8 (Hazard Communication)
- Written training program for handler employees. Training records must specifically address:  
(Note that the PSIS covers most of these topics)
  - Format and meaning of information contained in pesticide product labeling.
  - Applicator's responsibility to protect persons, animals, and property.
  - Need for limitations, appropriate use, and sanitation of personal protective equipment.
  - Safety requirements and procedures for handling, transporting, storing, and disposing of pesticides.
  - Where and in what form pesticides may be encountered (treated surfaces, residues on clothing/PPE/ application equipment, and drift)
  - Hazards of pesticides as identified in product labeling, SDS, or PSIS.
  - Routes pesticides can enter the body.
  - Signs and symptoms of overexposure.
  - Routine decontamination procedures. (1. Hand washing before eating, drinking, using the restroom, etc. 2. Shower with soap and water. 3. Changing into clean clothes. 4. Washing clothes separately from other laundry)
  - SDS contains information on hazards, emergency medical treatment, and other information
  - The location of the written hazard communication information for employees handling pesticides (PSIS A-8), other PSIS, and SDS.
  - The purposes and requirements for medical supervision, and documentation, if they fall into that category.
  - Emergency first aid and decontamination, including eye flushing for pesticide exposure.
  - How and when to obtain emergency medical care.
  - Heat-related illness prevention, recognition, and first aid training in accordance with 8CCR section 3395.
  - Requirements of the California Code of Regulations pertaining to pest control operations and environmental protection concerning pesticide safety, SDS, and PSIS.
  - Handlers must be 18 years old
  - Environmental concerns such as drift, runoff, and wildlife hazards.
  - Field posting requirements and REIs
  - Employees should not take pesticides or containers home.
  - Potential hazards to children and pregnant women. Handlers should decontaminate prior to coming into contact with family members.
  - How to report pesticide use violations
  - Employee rights (receive information about pesticides to which they may have been exposed, that a doctor or other representative is also entitled to this information, the illegality of employer retaliation for pesticide complaints and that they should report suspected violations to the Ag. Commissioner.

**Written Respiratory Protection Program – (keep records for 3 years) (3CCR 6739):**

- Know if respirators are required by reading the labels of the pesticides for the products you plan to use.
- When respirators are required, you must provide medical evaluation, fit testing, a written training program, annual respiratory protection training, annual pesticide program evaluation, and recordkeeping for these documents.



**Medical Care and Medical Monitoring Requirements – (keep records for 3 years) (3CCR 6726 and 6728):**

- Plan for emergency medical care for all employees using pesticides and post this information at the worksite (pickup, field). You must follow this plan and take staff for medical evaluation in the event of exposure or illness.
- When handling any organophosphate or N-methyl carbamate pesticide labeled DANGER or WARNING, maintain use records for each employee, which show the pesticide(s) used and date of each use.
- When an employee works with organophosphates or N-methyl carbamates labeled DANGER or WARNING for more than six days within any 30 days:
  - Employers must obtain medical supervision from an OEHHA licensed physician for employees and comply with the Doctor's Letter, which outlines the program and frequency of testing. A current copy of the medical supervision letter must be given to the Ag Commissioner's Office.
  - Employees must have cholinesterase baseline tests BEFORE they begin work, and must be retested at intervals based on 3CCR 6728 regulations and doctor's recommendation in the medical supervision letter.
  - All medical records and test results shall be kept on file by the employer.

**Protective Clothing, Safety Equipment, and Other Handler PPE Requirements (3CCR 6730-6738.4 and 6746):**

- Whenever an employee is using any pesticide - soap, water (3 gallons per handler), and single use towels must be available for washing at the worksite, in addition to an extra pair of clean coveralls.
- When the label requires eye protection, the handler must have one pint of clean water available for emergency eyewash (in the cab of the application equipment), and the mix/load site must have at least 6 gallons of water available in a manner capable of delivering gently running water for at least 15 minutes.
- PPE must be provided and maintained by the employer. Employees cannot take PPE home. The employer must also ensure the proper use and storage of PPE.
- Eye protection and rubber gloves are required for all mixing and loading, when using hand or ground spray equipment, and when cleaning or repairing equipment. (CA law; may not be mandated by label)
- Whenever protective eyewear is required, and the label does not identify a specific type, one of the following ANSI Z87.1 compliant items must be worn: 1. Safety glasses that provide front, brow, and temple protection, 2. Goggles, 3. Face shield, or a respirator with a full-face mask approved by NIOSH.
- Gloves – 3CCR 6738.3 specifies various categories of glove materials. If the label specifies a category, the gloves must correspond. All gloves must be 14 mils or thicker except barrier laminate and polyethylene materials.
- Pesticide labels may also require a respirator, chemical resistant boots, apron, head covering, or specific clothing under coveralls.
- A clean, long-sleeved shirt and long pants or coveralls may be worn instead of label required PPE when handling CAUTION materials with a closed system. Coveralls and apron may be used when handling DANGER or WARNING materials instead of label-required PPE.
- A closed system must be used by employees for mixing and loading of pesticides when required by label or by precautionary statements. Tier 1 closed system: "Fatal if absorbed through skin"; Tier 2 closed system: "May be fatal if absorbed through skin."
- When an employee works with any DANGER or WARNING pesticide, a changing area must be available where the employee can change and wash at the end of the day.
- Maintain contact with employees working alone with DANGER pesticides every 2 hours in the daytime, every 1 hour at night.

**Minimal Exposure Pesticides (MEP) – Bromoxynil, Folpet, Oxydemeton-methyl, Propargite ( 3CCR 6790-6793):**

- Must comply with user requirements in 3CCR 6793; which include a full body, chemical-resistant suit.
- Employers should have a copy of PSIS A-6 Minimal Exposure Pesticides available and ensure that

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employees handling these pesticides comply with it.

**Pesticide Use Near Schoolsites (3CCR 6690-6692):**

- Any production ag. site within ¼ mile of a schoolsite (Public K-12 and licensed daycares) is subject to application restrictions from 6:00 AM to 6:00 PM, Monday through Friday. The restrictions prohibit applications during these times based on the potential for drift created by the application method and the pesticide formulation.
- Any property operator of an ag. site within ¼ mile of a schoolsite must submit an annual notification to the schoolsite by April 30th, of all intended pesticide use for the upcoming school year. Pesticides intended to be used should be accurate for the active ingredient; however, the trade name need not be. Notifications must be amended 48 hours prior to use for unanticipated pesticides. If a property operator changes, the new property operator has 30 days to submit the notification. Notifications must be retained for 2 years.

**Beekeeper Notification Requirements for Pesticides Toxic to Bees (3CCR 6982 and 6983):**

- Applicators must perform a beecheck in BeeWhere prior to applying toxic pesticides to blossoming plants. If an apiary is listed within one mile of the application site, they must be notified 48 hours in advance.
- Follow specific pesticide label requirements for bees and bloom in all cases.

**I have received a copy of these requirements and understand that the California Food and Agricultural Code establishes that violations of pesticide use and worker safety requirements are subject to civil penalties of up to \$5,000 per violation.**

\_\_\_\_\_ **Initial to acknowledge that you have read and understood the information in this document.**

MAILING ADDRESS (Number and Street, City, State, ZIP Code)

LOCATION	SEC	TWN	RNG	COMMODITY	ACRES/UNIT	SITE IDENTIFICATION NUMBER
----------	-----	-----	-----	-----------	------------	----------------------------

[illegible]

LIST ADDITIONAL COUNTIES AND OPERATOR IDENTIFICATION NUMBERS WHERE PESTICIDES MAY BE APPLIED:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

SIGNATURE	TITLE	DATE
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	PREPARED BY	DATE
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Office of the Agricultural Commissioner  
Sealer of Weights and Measures  
852 Broadway, El Centro CA 92243

Jolene Dessert  
Commissioner / Sealer

Rachel Garewal  
Asst. Commissioner / Sealer

June 21, 2023

**Landscaper/Nursery**

This letter is to remind you of the requirements you must follow for movement of plant material into Imperial County. There are many quarantines which must be observed. The most complex is for the glassy-winged sharpshooter and detailed directions for compliance follow. However, there are a few other quarantines that you should be aware of and they are listed at the end of this letter.

There is a State Interior Quarantine in place to prevent artificial movement of the glassy-winged sharpshooter (GWSS). The GWSS is a hardy insect which feeds on many common landscape plants and crops. It carries and spreads *Xylella fastidiosa*, a bacterium which is deadly to many plants. Imperial County is the only Southern California County that is not infested with the glassy-winged sharpshooter, and is designated as an enforcing county.

A summary of the quarantine requirements for entry of GWSS-host nursery stock from infested counties:

- Nursery stock must be purchased from a nursery that is under Compliance Agreement with the Agricultural Commissioner's office in that County. The plants should enter Imperial County with paperwork that includes the GWSS Compliance Agreement Number stamp, the required blue tag (see below), and Certificate of Quarantine Compliance (CQC) if applicable.
- Every shipment of nursery stock from an infested county must be accompanied by a Warning Hold for Inspection Certificate also known as a blue tag. As stated on the blue tag, this requires the receiver to hold the shipment off sale upon arrival and call our office for an inspection. It is very important that we be notified immediately upon arrival of the plant shipment. You must not commingle the new shipment with previously-released nursery stock until released by our office. Our office hours are Monday through Friday, 8:00 AM to 5:00 PM. Please call as early as possible. If you intend to bring in plants on a Saturday or Holiday, you must notify our office in advance.
- Landscapers that have their own growing ground or holding yard where they store nursery stock are required to be licensed as a nursery. Landscapers that do not hold or store that stock prior to its delivery to the planting site do not need a license.
- All landscapers must comply with the requirements listed above for every shipment brought into the County. You also must hold the stock at its destination (preferably away from other plants) and call our office for an inspection - you may not plant any of the nursery stock until the plants have been inspected and released by our office. If you are buying and transporting nursery stock into Imperial County, it is your responsibility to obtain the required documents from the origin nursery and call for the inspection upon arrival.
- For every shipment, you must have a proof of ownership document for the nursery stock.

Penalties for failure to comply with the quarantine requirements listed above:

- Any violation of quarantine requirements is an infraction punishable by a fine of \$1,000 for the first offense. For a second or subsequent offense within three years, the violation is punishable as a misdemeanor (Food and Ag Code, Section 5309).
- In lieu of any civil action, the Agricultural Commissioner may levy a civil penalty for up to \$2,500 for each violation (Food and Ag Code, Section 5311).
- In addition to any other action taken, any violation of these requirements may be liable civilly in an amount not to exceed \$10,000 for each violation (Food and Ag Code, Section 5310).
- Anyone that negligently or intentionally violates any quarantine regulation and imports a GWSS-infested plant that results in an infestation, or the spread of an infestation, may be civilly liable in an amount up to \$25,000 for each violation (Food and Ag Code, Section 5028(c)).

Other restricted plant materials (if you intend to bring in any of the following commodities from outside Imperial County please contact us before the shipment date):

- Citrus species – All Citrus species are restricted from most locations within California.
- Phoenix palms – All palms of the Phoenix genus (this includes *Phoenix roebelinii*, a common landscape plant) originating in California are prohibited, unless it is from certain portions of Riverside County.
- Florida nursery stock- Must comply with California State Interior Quarantine CCR. 3271 Burrowing and Reniform Nematodes, RIFA federal Quarantine and other quarantines may apply.
- Arizona nursery stock- Must comply with California State Interior Quarantine CCR. 3261 Ozonium Root Rot.
- Also, if you intend to remove any plants from the soil and ship them out of Imperial County you must be certified free from Ozonium Root Rot. To do so you must be part of our program and you should contact our office.

If you have any questions please contact our office at (442) 265-1500.

Sincerely,



Nelson Perez  
Deputy Agricultural Commissioner  
Pest Detection and Eradication

EEC ORIGINAL PKG



## **CANNABIS BUSINESSES: WHEN DO I NEED TO LICENSE AS A WEIGHMASTER?**

On January 16, 2019, permanent cannabis regulations became effective for three licensing authorities in California:

- California Department of Food and Agriculture, CalCannabis Division  
(CDFA CalCannabis Division)  
[California Code of Regulations, Title 3, Division 8](#)
- California Department of Public Health, Manufactured Cannabis Safety Branch  
(CDPH MCSB)  
[California Code of Regulations, Title 17, Division 1, Chapter 13](#)
- California Department of Consumer Affairs, Bureau of Cannabis Control  
(CDCA BCC)  
[California Code of Regulations, Title 16, Division 42](#)

**You need a weighmaster license** if you have a license issued by CDFA CalCannabis Division and/or CDPH MCSB.

**You do not need a weighmaster license** if you only have one license, and that license was issued by CDCA BCC.



## HOW DO I OBTAIN A WEIGHMASTER LICENSE?

Weighmaster licenses are issued by CDFA, Division of Measurement Standards, Weighmaster Program.

Go to the Weighmaster Program [webpage](https://www.cdca.ca.gov/dms/programs/wm/wm.html) where you can find Frequently Asked Questions, licensing information, and an application. (<https://www.cdca.ca.gov/dms/programs/wm/wm.html>)

When filling out your application, choose the classification(s) that correctly describes your cannabis business.

### Business Classification by Commodity

CANNABIS-RELATED ACTIVITIES		
Adult Use. Cultivator (nurseries, growers, and processors)	Medicinal Use. Cultivator (nurseries, growers, and processors)	Cannabis (other businesses Not Elsewhere Classified)
Adult Use. Distributors/Transporter (Agents who supply products to other businesses, businesses that transport cannabis products from one point to another and/or provide quality assurance)	Medicinal Use. Distributors/Transporter (Agents who supply products to other businesses, businesses that transport cannabis products from one point to another and/or provide quality assurance)	Hemp (Cannabis plant fiber)
Adult Use. Manufacturers (extractions, infusions, packaging, and labeling)	Medicinal Use. Manufacturers (extractions, infusions, packaging, and labeling)	
Adult Use. Microbusiness (business that engages in cultivation, manufacturing, distribution, and retail sale under one license)	Medicinal Use. Microbusiness (business that engages in cultivation, manufacturing, distribution, and retail sale under one license)	

You may submit your application and payment electronically or print and fill out a paper version and submit with your payment.

Weighmaster laws are in the California Business and Professions Code, Division 5. Weights and Measures, Chapter 7, Weighmasters.

You may access these from the [California Legislative Information website](http://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=BPC&division=5.&title=&part=&chapter=7.&article=)

[http://leginfo.ca.gov/faces/codes\\_displayText.xhtml?lawCode=BPC&division=5.&title=&part=&chapter=7.&article=](http://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=BPC&division=5.&title=&part=&chapter=7.&article=)

Weighmaster regulations are in the California Code of Regulations (CCR), Title 4, Division 9, Chapter 9.

You may access these from the [WESTLAW](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I519487C0D45911DEA95CA4428EC25FA0&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)) website at:

[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I519487C0D45911DEA95CA4428EC25FA0&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I519487C0D45911DEA95CA4428EC25FA0&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

## WHO HAS TO ISSUE WEIGHMASTER CERTIFICATES?

Each state agencies' regulations are slightly different [California Code of Regulations (CCR)].

**You must issue a weighmaster certificate** if you have a license from CDFA CalCannabis Division.

### **CCR Title 3 § 8213. Requirements for Weighing Devices and Weighmasters.**

(a) Weighing devices used by a licensee shall be approved, registered, tested, and sealed pursuant to chapter 5 (commencing with section 12500) of division 5 of the Business and Professions Code and its implementing regulations and registered with the county sealer consistent with chapter 2 (commencing with section 12240) of division 5 of the Business and Professions Code and its implementing regulations. Approved, registered, tested, and sealed devices shall be used whenever any one or more of the following apply:

- (1) Cannabis and nonmanufactured cannabis products are bought or sold by weight or count;
- (2) Cannabis and nonmanufactured cannabis products are packaged for sale by weight or count;
- (3) Cannabis and nonmanufactured cannabis products are weighed or counted for entry into the track-and-trace system; or
- (4) The weighing device is used for commercial purposes as defined in section 12500 of the Business and Professions Code.

(b) In any county in which a sealer is unable or not required to approve, register, test, and seal weighing devices used by a licensee, the department may perform the duties of the county sealer in the same manner, to the same extent, and with the same authority as if it had been the duly appointed sealer in such county. In those instances, the department shall charge a licensee for its services using the schedule of fees established in Business and Professions Code section 12240.

(c) For the purposes of this chapter a licensee must use wet weight or net weight. Wet weight and net weight shall be measured, recorded, and reported in U.S. customary units (e.g., ounce or pound); or International System of Units (e.g., kilograms, grams, or milligrams).

(d) For the purposes of this chapter, "count" means the numerical count of the individual cannabis plants, seeds, or nonmanufactured cannabis product units.

**(e) Any licensee weighing or measuring cannabis or nonmanufactured cannabis product in accordance with subsection (a) shall be licensed as a weighmaster.**

**(f) A licensed weighmaster shall issue a weighmaster certificate whenever payment for the commodity or any charge for service or processing of the commodity is dependent upon the quantity determined by the weighmaster in accordance with section 12711 of the Business and Professions Code and shall be consistent with the requirements in chapter 7 (commencing with section 12700) of division 5 of the Business and Professions Code.**

**You may have to issue a weighmaster certificate** if you have a license from CDPH MCSB, but not if the measurement is only to be entered into the Track-and-Trace System.

**CCR Title 17 § 40277. Weights and Measures.**

(a) Weighing devices used by a licensee shall be approved, tested, and sealed in accordance with the requirements in Chapter 5 (commencing with section 12500) of Division 5 of the Business and Professions Code, and registered with the county sealer consistent with Chapter 2 (commencing with section 12240) of Division 5 of the Business and Professions Code. Approved and registered devices shall be used whenever:

- (1) Cannabis or cannabis product is bought or sold by weight or count;
  - (2) Cannabis or cannabis product is packaged for sale by weight or count;
  - (3) Cannabis or cannabis product is weighed or counted for entry into the track-and-trace system;
- and
- (4) The weighing device is used for commercial purposes as defined in section 12500 of the Business and Professions Code.

(b) For the purposes of this chapter, "count" means the numerical count of the individual cannabis product units.

**(c) Whenever the licensee is determining the weight, measure, or count of cannabis and cannabis products for the purposes specified in subsection (a), the weight, measure, or count shall be determined by a licensed weighmaster as required by Chapter 7 (commencing with section 12700) of Division 5 of the Business and Professions Code. The weighmaster certificate required under section 12711 of the Business and Professions Code shall not be required when cannabis or cannabis products are weighed for entry into the track-and-trace system.**

**You do not have to issue a weighmaster certificate if you are licensed only by CDCA BCC.**

**CCR Title 16 § 5049. Track and Trace Reporting.**

(a) A licensee shall record in the track and trace system all commercial cannabis activity, including:

- (1) Packaging of cannabis goods.
- (2) Sale and transfer of cannabis goods.
- (3) Transportation of cannabis goods to a licensee.
- (4) Receipt of cannabis goods.
- (5) Return of cannabis goods.
- (6) Destruction and disposal of cannabis goods.
- (7) Laboratory testing and results.
- (8) Any other activity as required pursuant to this division, or by any other licensing authority.

(b) The following information shall be recorded for each activity entered in the track and trace system:

- (1) Name and type of the cannabis goods.
- (2) Unique identifier of the cannabis goods.

**(3) Amount of the cannabis goods, by weight or count, and total wholesale cost of the cannabis goods, as applicable.**

(4) Date and time of the activity or transaction.

(5) Name and license number of other licensees involved in the activity or transaction.

(6) If the cannabis goods are being transported:

(A) The licensee shall transport pursuant to a shipping manifest generated through the track and trace system, that includes items (1) through (5) of this subsection, as well as:

- (i) The name, license number, and licensed premises address of the originating licensee.
- (ii) The name, license number, and licensed premises address of the licensee transporting the cannabis goods.
- (iii) The name, license number, and licensed premises address of the destination licensee receiving the cannabis goods into inventory or storage.
- (iv) The date and time of departure from the licensed premises and approximate date and time of departure from each subsequent licensed premises, if any.
- (v) Arrival date and estimated time of arrival at each licensed premises.
- (vi) Driver license number of the personnel transporting the cannabis goods, and the make, model, and license plate number of the vehicle used for transport.

(B) Upon pick-up or receipt of cannabis goods for transport, storage, or inventory, a licensee shall ensure that the cannabis goods received are as described in the shipping manifest, and shall record acceptance or receipt, and acknowledgment of the cannabis goods in the track and trace system.

(C) If there are any discrepancies between the type or quantity of cannabis goods specified in the shipping manifest and the type or quantity received by the licensee, the licensee shall record and document the discrepancy in the track and trace system and in any relevant business record.

(7) If cannabis goods are being destroyed or disposed of, the licensee shall record in the track and trace system the following additional information:

(A) The name of the employee performing the destruction or disposal.

- (B) The reason for destruction and disposal.
- (C) The entity disposing of the cannabis waste.
- (8) Description for any adjustments made in the track and trace system, including, but not limited to:
  - (A) Spoilage or fouling of the cannabis goods.
  - (B) Any event resulting in damage, exposure, or compromise of the cannabis goods.
- (9) Any other information as required pursuant to this division, or by any other applicable licensing authorities.
- (c) Unless otherwise specified, all transactions must be entered into the track and trace system within 24 hours of occurrence.
- (d) Licensees shall only enter and record complete and accurate information into the track and trace system and shall correct any known errors entered into the track and trace system immediately upon discovery.



## SCALES USED FOR COMMERCIAL PURPOSES

All scales used for commercial purposes must meet strict standards for accuracy and customer visibility in the California Code of Regulations. Appropriate and suitable scales must be of a type approved by the Division of Measurement Standards and issued either a California Type Evaluation Program (CTEP) Certificate of Approval or a National Type Evaluation Program (NTEP) Certificate of Conformance before commercial use. This process is known as "Type Evaluation." See the CTEP Information Guide at: <https://www.cdfa.ca.gov/dms/programs/ctep/CTEInfoGuide.pdf>

- Step 1: Selecting a suitable scale to meet your business needs.
- Step 2: Setting up your scale.
- Step 3: Using and maintaining your scale.
- Step 4: Notifying your County Weights and Measures Office.

### Step 1: Selecting a suitable scale to meet your business needs.

Consider:

- Range of weighing (minimum and maximum capacities)
- Division (increment) size
- Precision (i.e., scales that comply with Accuracy Class I & II parameters)

Legal-for-trade scales purchased from a scale dealer or purchased online will require calibration before use. A Registered Service Agency (RSA) can assist you in the selection of a type approved and suitable scale. They will ensure the scale is accurate and correct, install and place the scale into commercial use pending inspection by a local weights and measures official, and can assist in the scale registration process. [RSAs listings](#) can be found at <https://www.cdfa.ca.gov/dms/programs/rsa/rsa.html> or via online searches.

### Step 2: Setting up your scale.

- Scales must be installed and operated per the manufacturer's instructions and California laws and regulations.
- Scales must be placed on a level solid surface and properly used and maintained (refer to owner's manual).
- Legal-for-trade scales must be "inspected, tested and sealed" by a County Weights and Measures Office.
- Precision scales may need to be verified and recalibrated when moved to another location within a production facility or retail establishment.

### Step 3: Using and maintaining your scale.

- Use the scale according to the owner's reference manual.
- Deduct "TARE" (packaging, wrappings, containers, labels etc.) to determine "NET" weight (NET = GROSS – TARE).
- The owner or user is responsible for ensuring the accuracy and proper maintenance of a commercial scale.
- EVERYBODY benefits from an accurate scale. The customer is not cheated, and the seller is protected by weights and measures officials who ensure a level playing field for all competing businesses.

### Step 4: Register a scale with your county.

- Most California counties have local ordinances requiring annual registration of commercial scales.
- Find your County Weights and Measures Office at: <https://www.cdfa.ca.gov/exec/county/countymap/>

## SCALES USED FOR CANNABIS

**For Harvest Weights, Bulk Packaging, Net Weight Verification and Weight Verification for Track and Trace Reporting.**

Typical Class I & II Scale Capacities		Maximum Scale Division Size (Increments)*	
Metric Units kilogram (kg)	US Standard Units pound (lb)	Metric Units gram (g)	US Standard Units pound (lb)
0.5 kg (500 g)	1 lb	0.5 g	0.001 lb
5 kg	10 lb	5 g	0.01 lb
50 kg	100 lb	50 g	0.1 lb
50 kg +	100 lb +	500 g +	1.0 lb +
*EXAMPLES: Capacity = 100 kg: min. div. can be (0.001 kg, 0.002 kg, 0.005 kg or smaller) Capacity = 5000 lb: min. div. can be (1 lb, 0.2 lb, 0.5 lb, or smaller)			

**For Retail Packaging, Net Weight Verification, and Retail Sales from Bulk.**

Typical Weighing Range	Maximum Scale Division Size (Increments)
0-1 gram (g)	0.01 g
Between 1-10 g	0.01 g
Between 10-100 g	0.1 g
Between 100-1,000 g	1 g
Between 1/8 ounce (oz) to 1/2 oz	0.0005 oz (0.00002 lb) (0.01 g)*
Between 1/2+ oz to 1 oz	0.005 oz (0.0002 lb) (0.1 g)*
Greater than 1 oz	0.05 oz (0.002 lb) (1 g)*

\*Conversions rounded to nearest legal division size.

### Additional Resources

California Weights and Measures Laws and Regulations	<a href="http://www.cdfa.ca.gov/dms/publications.html">www.cdfa.ca.gov/dms/publications.html</a>
Buying Legal-for-Trade Scales Online	<a href="http://ncwm.net/resource/consumer-information">ncwm.net/resource/consumer-information</a>
National and California Type Evaluation Program - Certificate Search Database	<a href="http://ncwm.net/ntep/cert_search">ncwm.net/ntep/cert_search</a> and <a href="http://cdfa.ca.gov/dms/ctep.html">cdfa.ca.gov/dms/ctep.html</a>
California Weighmaster Requirements	<a href="https://www.cdfa.ca.gov/dms/programs/wm/wm.html">https://www.cdfa.ca.gov/dms/programs/wm/wm.html</a>

### SALES BY WEIGHT:

A business needs to determine weight of:

- containers/packages of trimmings,
- containers/packages of product, and
- packages of dried flower.

These different types of containers and packages will likely require scales of different capacities and division sizes due to basic suitability requirements.

Scale 1: For weighing 1 lb net weight packages the grower could use a 1 kg x 0.001 kg scale (1000 g x 1 g).

Scale 2: For weighing 1 gram net weight packages the grower could use a 500 g x 0.01 g scale.

This may include, but is not limited to packages of:

- Usable cannabis (buds, flowers)
- Edibles
- Topicals (ointments, creams, balms, emollients)
- Shatter (cannabis concentrate)

### SALES BY VOLUME:

Cannabis products in liquid form are sold by volume, e.g., milliliters (ml) and fluid ounces (fl oz).

This may include, but is not limited to packages of:

- Oils
- Tinctures
- Extracts



For additional information, go online at <https://www.cdfa.ca.gov/dms/> or send an email to [DMS@cdfa.ca.gov](mailto:DMS@cdfa.ca.gov).

## CALIFORNIA WEIGHTS AND MEASURES LABEL REQUIREMENTS

Cannabis products sold in California must also meet the labeling requirements for the California Department of Public Health. Contact the appropriate agency for specific requirements.

This is a brief summary of regulations adopted by the State of California, pursuant to the Fair Packaging and Labeling Act, for packages in general. For complete requirements, consult the [California Code of Regulations \(CCR\), Title 4](#). Other agencies may have different or additional labeling requirements (e.g., ingredient, nutritional labeling, pharmacological, safety related). Those requirements are not covered in this guide.

Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons.

The **three basic requirements** are:

1. A declaration of **identity** that is the common or usual name of the commodity.
2. A declaration of **responsibility** that includes the **name, address, and zip code** of the manufacturer, packer, or distributor. A street address is required if the name is not listed in a current directory, which can include an online source. The connection of a distributor must be shown (e.g., "packed for, distributed by"). This statement is not required to be on the principal display panel.
3. A declaration of the **quantity** of the commodity in the lower 30% of the principal display panel area, in a size depending upon the area of the principal display panel.

Units of Weight or Measure: Both SI (metric) and inch-pound units are **required** for most consumer packages. SI units may appear first and the converted value must not overstate the net contents. Exceptions include: labels printed before February 14, 1994, random weight packages, foods packed at retail, camera film, audio and video recording media. There may be different requirements for the following federally regulated commodities: meat, poultry, alcoholic beverages, drugs, cosmetics, insecticides, fungicides, rodenticides, and tobacco products.

## CONSUMER PACKAGES

Principal Display Panel Area Determination: This area, not the area of the label, determines the minimum height requirement of the declaration of quantity (see table).

1. A rectangular package where an entire side is the principal display panel - height times width.
2. A cylindrical or nearly cylindrical container - 40% of the product of the height times the circumference.
3. Other shaped containers - 40% of the entire square area of the container.
4. Obvious principal display panels - the actual square area of the panel.

Determination of the principal display panel shall exclude tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars.

Minimum Height of Numbers and Letters for Principal Display Panel		
Area of Principal Display Panel	Minimum Height of Numbers and Letters (Printer)	Minimum Height Label Information (Blown or Molded)
32 cm <sup>2</sup> (5 in <sup>2</sup> ) or less	1.6 mm (1/16 in)	3.2 mm (1/8 in)
Over 32 cm <sup>2</sup> (5 in <sup>2</sup> ) to 161 cm <sup>2</sup> (25 in <sup>2</sup> )	3.2 mm (1/8 in)	4.8 mm (3/16 in)
Over 161 cm <sup>2</sup> (25 in <sup>2</sup> ) to 645 cm <sup>2</sup> (100 in <sup>2</sup> )	4.8 mm (3/16 in)	6.4 mm (1/4 in)
Over 645 cm <sup>2</sup> (100 in <sup>2</sup> ) to 2581 cm <sup>2</sup> (400 in <sup>2</sup> )	6.4 mm (1/4 in)	7.9 mm (5/16 in)
Over 281 cm <sup>2</sup> (400 in <sup>2</sup> )	12.7 mm (1/2 in)	14.3 mm (9/16 in)

**Proportion:** Letters of a declaration of quantity must not be more than three (3) times as high as they are wide. Except for blown or molded declarations, the style of type or lettering shall be bold, clear, and conspicuous against its background.

**A Free Area:** A free area, equal to at least the height of the lettering, is required above and below the quantity declaration. At each end, the free area must be equal to twice the width of the capital "N" of the style and size of type used.

**Decimal Fractions:** Decimal fractions may be carried to three places. SI unit declarations may contain only decimal fractions. Decimal fractions are permitted in inch-pound declarations.

**Common Fraction:** Common fraction use is restricted to inch-pound units and is normally limited to halves, quarters, eighths, sixteenths, and thirty-seconds to the lowest term. Each number of a fraction in a declaration of quantity must be at least 1/2 the minimum height.

**Abbreviations:**

**Inch-pound:** avdp, lb, oz, gal, qt, pt, yd, ft, in, sq, **and** cu

**SI units:** kg, g, mg, L **or** l, mL **or** ml, m, cm, mm, m, m<sup>2</sup>, dm<sup>2</sup>, cm<sup>2</sup>, m<sup>3</sup>, dm<sup>3</sup>, **and** cm<sup>3</sup>

**Both systems may use:** wt, fl, liq, dr, dia, pc, ea, **and** ct

Periods and plural forms are not recommended for inch-pound units and are prohibited for metric.

**Rule of 1000 for SI Units:** Numerical values should be between 1 and 1000 (e.g., 500 g not 0.5 kg; 1.96 kg not 1960 g; 750 ml not 0.75 l; 750 mm or 75 cm not 0.75 meters).

**Weight Declarations:** The words "net mass" or "net weight" are optional.

**Less than 1 kilogram:** must be stated in grams, decimals of a gram or milligrams.

**1 kilogram or more:** kilograms and decimals of a kilogram up to three places.

**Less than 1 pound:** must be stated as ounces or fraction of ounces.

**1 pound or more:** in pounds, with remainder in fractions of pounds, or ounces and fractions of ounces.

**Fluid Declarations:** The words "net" or "net contents" are optional. "Fluid" is required with ounces (e.g., 12 fl oz) unless the meaning is obvious by association (e.g., 1 pint 4 ounces).

**Less than 1 liter:** must be stated in milliliters.

**1 liter or more:** liters and decimal fractions of a liter up to three places.

**Less than 1 pint:** fluid ounces and fractions of an ounce.



- 1 pint to less than 1 gallon:** largest whole unit (quarts or pints as appropriate), with remainder in ounces, fractions of a pint or a quart. (2 quarts may be stated as 1/2 gallon)
- 1 gallon or more:** gallons and fractions of a gallon.

Supplementary Declarations: Non-required quantity declarations are not permitted on the principal display panel.

Qualifying Statements: Quantity declarations containing qualifying words are not permitted. Words such as "minimum," "approximately," "when packed," or any words that tend to exaggerate are considered qualifying words.

Multi-Unit, Combination or Variety Packages: Consult California Code of Regulations, Title 4, for specific requirements.

### **NONCONSUMER PACKAGES**

Nonconsumer Package: This term applies to any package other than a consumer package, and particularly a package intended solely for industrial or institutional use or for wholesale distribution.

Basic Requirements: A declaration of identity of the commodity, the name, address, and zip code of the packer, and a declaration of quantity shall be prominently and conspicuously displayed on the outside of the package.

Declaration of Quantity: The declaration of quantity shall be in the largest whole unit. SI and inch-pound units may be used, individually or together.

### **EXEMPTIONS FROM LABELING REQUIREMENTS**

Bulk Foods Repacked and Sold by Retailer - Food and Drug Administration (FDA) Retail Food Labeling Exemptions

FDA regulations specify that foods **received by retailers in bulk quantities that are repackaged by the retailer and displayed for sale on the premises**, are exempt from:

1. Net content statements - if it is obvious that they are to be weighed, measured, or counted, within view of the customer or in compliance with the customer's order. [21 CFR § 1.24(a)(1)]
2. Identity statements - if a placard, counter card, or the master container bears the identity statement. [21 CFR § 101.100(b)(3)]
3. Responsibility statements. [21 CFR § 101.100(b)(1)]

Commodities Packed and Sold on the Same Premises

A package sold on the same premises where it was packed is not required to have a declaration of responsibility (i.e., name and address of the manufacturer, packer, or distributor).  
[CCR § 4510 UPLR 5]

However, the package must still have the declarations of quantity and identity.  
[CCR § 4510 UPLR 3, 4, 6, 7]



### Random Weight Packages

These are packages from a lot having identical labels **except** for the net weight. An example would be packages of bricks of cheese labeled: *Extra Sharp Cheddar, Audry Cheese Company, Sell by April 25 '18*, each package having a different net weight ranging from 0.94 to 1.64 lb.

As of January 1, 2000, a random weight package must bear a label conspicuously declaring:

- a) the net weight
- b) unit price
- c) the total price

[CCR § 4510 UPLR 6.16, 11.1]

### Exemptions

1. If the random weight package is packaged for sale at another location, the unit price and total price may be omitted providing they are on the package at the time of sale. [CCR § 4510 UPLR 6.16]
2. Random weight packages are not required to be labeled with the net weight if they are "sold intact and intended to be weighed and marked with the correct quantity statement prior to or at the point of retail sale." For this exemption, no quantities can be represented on the package prior to being weighed or measured at the time of sale. The outside container is required to bear a label declaration of the total net weight. [CCR § 4510 UPLR 11.26]

A random weight package will have a conspicuous label stating:

- a) net weight
- b) price per pound
- c) total sales price

It is exempt from the requirements for:

- a) SI (Metric) quantity labeling
- b) type size
- c) placement in the lower 30% of the principal display panel free area

[CCR § 4510 UPLR 11.1]

3. If the random weight package does not state the net weight, price per pound and total sales on the same label at the time of sale, it must conform to all package labeling requirements. This includes placement, letter size, color contrast, prominence, etc., unless it is done as an indirect sale. [CCR § 4510 UPLR 11.1 and 11.1.1]
4. Indirect sales, such as internet orders, shall be exempt from the labeling requirements of unit price and total price when at the time of delivery, the package is marked with a statement of net weight and all of the following requirements are met:
  - (a) the unit price is set forth and established in the initial product offering
  - (b) the maximum possible net weight, unit price, and maximum possible price are provided to the customer by order confirmation when the product is ordered
  - (c) at delivery, the customer receives a receipt bearing the following information: identity, declared net weight, unit price, and the total price. [CCR § 4510 UPLR 11.1.1]



Office of the Agricultural Commissioner  
Sealer of Weights and Measures  
852 Broadway, El Centro CA 92243

Jolene Dessert  
Commissioner / Sealer

Rachel Garewal  
Asst. Commissioner / Sealer

## POINT-OF-SALE SCANNERS & ELECTRONIC PRICING DEVICES

The Imperial County Weighing and Measuring Devices and Point-of-Sale Systems ordinance (Chapter 5.68) requires businesses to register with the Imperial County Sealer of Weights and Measures Department and pay an annual registration fee. Registration certificate fees are based on the number of point of sale stations at each retail location. This registration certificate is required in addition to any other certificate, license or permit which may be required by the county, cities, or any public entity. Any registration certificate for which fees have not been paid within forty –five (45) days from the date that such payment is due, will be subject to a twenty percent (20%) penalty. See the attached fee schedule for reference.

All retail locations that utilize a point of sale system are subject to the county ordinance. Such systems include Universal Product Code (UPC) scanners, price look-up codes, or any other system that relies on the retrieval of electronically stored information to complete a transaction. Per the ordinance, all systems shall be available for testing and inspection by the county sealer of weights and measures.

The Imperial County Weights and Measures Office enforces the California Business and Professions Code as well as the California Code of Regulations as it pertains to point-of-sale systems. Below is a summary of applicable code sections:

In accordance to the California Business and Professions Code § 12024.2 and § 12024.6, it is unlawful for any person, at the time of sale of a commodity, to do any of the following:

- Charge an amount greater than the price, or to compute an amount greater than a true extension of a price per unit, that is then advertised, posted, marked, displayed, or quoted for that commodity.
- Charge an amount greater than the lowest price posted on the commodity itself or on a shelf tag that corresponds to the commodity, notwithstanding any limitation of the time period for which the posted price is in effect.

- No person, firm, corporation, or association shall advertise, solicit, or represent by any means, a product for sale or purchase if it is intended to entice a customer into a transaction different from that originally represented.

In accordance to the California Business and Professions Code sections § 13300-13303 and § 12024.6:

- Any business that uses a point-of-sale system must have a display of the prices charged visible to the customer from a reasonable and typical position
- When a price reduction or discount regarding an item is advertised, the checkout system customer indicator shall display either the discounted price for that item, or alternatively, the regular price and a credit or reduction of the advertised savings
- Any surcharges and the total value to be charged for the overall transaction also shall be displayed for the consumer at least once before the consumer is required to pay for the goods or services
- "Point-Of-Sale System" means any computer or electronic price look-up system that retrieves the price of the item being purchased

The Imperial County Sealer of Weights and Measures is authorized to levy a civil penalty against a person violating any provision of this law or regulation adopted pursuant to this law, of not more than one thousand dollars (\$1,000) for each violation.

Please remember that it is the responsibility of the owner/operator of a business to obtain a current registration from the Sealer's Office before using an electronic point-of-sale checkout system. Our office is open to the public from 8:00AM to 5:00PM, Monday through Friday. If you have any questions or need assistance, please contact us at (442) 265-1500. We will be happy to assist you.

Sincerely,



Margo Sanchez  
Deputy Sealer of Weights & Measures  
Special Projects Division

**EEC ORIGINAL PKG**



Office of the Agricultural Commissioner  
Sealer of Weights and Measures  
852 Broadway, El Centro CA 92243

Jolene Dessert  
Commissioner / Sealer

Rachel Garewal  
Asst. Commissioner / Sealer

## ANNUAL REGISTRATION/RENEWAL APPLICATION (expires December 31, 2023 )

**Registration No.:**

*Please update any outdated or missing information.*

**Company Headquarters:**

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

**Physical Location:**

Business Name: \_\_\_\_\_ Primary Contact: \_\_\_\_\_  
Physical Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

Device Type	Location Fee	Quantity	Fee per Device	Device Fee Subtotal	DMS Fee per Device	DMS Fee Subtotal	Device Total
TOTAL FEES DUE:							

<b>For Department Use Only</b>	<b>Make check or money order payable to:</b>
DMS Receipt #: _____ DMS Date: _____	IMPERIAL COUNTY WEIGHTS & MEASURES
Deposit #: _____ Deposit Date: _____	852 Broadway
	El Centro, CA 92243

I CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION IS TRUE AND CORRECT.

**Print Name of Authorized Representative**

**Signature**

**Date**

We gladly accept checks.  
If your check is returned unpaid, your account will be debited electronically for the original amount and electronically or via paper for the state's maximum allowable service fee.  
Payment by check constitutes authorization of these transactions. You may revoke this authorization by calling (800) 666-5222, ext. 2, to arrange payment for any outstanding checks and service fees due. [www.fiserv.com](http://www.fiserv.com)

## County of Imperial Division of Weights and Measures

Registration Fees = Location fee + Device fee + DMS fee (State Surcharge)

Fees are based on a statewide fee structure approved by the State Legislature and Governor. Fees partially offset the cost of administering the commercial weighing and measuring program, and are based on the number and type(s) in use per location. These fees have been adopted in the Imperial County Ordinance Chapter 5.68 and are authorized by the California Business and Professions Code: Device Fees Section 12240(f)-(t); Location Fee Section 12240(u); State Administrative Fee: Section 12241 and California Code of Regulations Title 4, Division 9, Chapter 3, Article 3, Section 4075.

All fees are due and payable by January 1st. Any registration paid after forty-five (45) days will be considered delinquent and be subject to penalties. The penalties are twenty percent (20%) of total device registration fee and location fee accruing each forty-five (45) days in arrears.

Device Location Fee: Each location (scanner/point-of-sale excluded) is charged a location fee of \$100. A location is considered a business with one or more types of devices that require specialized testing equipment that will necessitate more than one trip. Additionally, if a commercial device is installed on a vehicle, each vehicle is considered a single location.

Device Registration Fees	Fee per Device	DMS fee per Device
CNG Meter	\$20.00	\$16.00
Computing Scales <2,000#	\$20.00	\$2.20
Counter Scale < 2,000#	\$50.00	\$2.20
Electric Submeter	\$3.00	\$0.50
Fabric/Cord/Wire	\$20.00	\$2.20
Hanging Scale < 2,000#	\$50.00	\$2.20
Hanging Scale 2,000-10,000#	\$150.00	\$16.00
Hopper & Tank > 10,000#	\$250.00	\$24.00
Hopper & Tank 2,000-10,000#	\$150.00	\$16.00
L.P.G. Meter	\$185.00	\$16.00
Livestock Scale > 10,000#	\$150.00	\$24.00
Livestock Scale 2,000-10,000#	\$100.00	\$16.00
Misc. Measuring Devices	\$20.00	\$2.20
Misc. Weighing Devices < 2,000#	\$50.00	\$2.20
Monorail/Meat < 2,000#	\$50.00	\$2.20
Monorail/Meat 2,000-10,000#	\$150.00	\$16.00
Odometers	\$60.00	\$2.20
Platform/Dormant <2,000#	\$50.00	\$2.20
Platform/Dormant > 10,000#	\$250.00	\$16.00
Platform/Dormant 2,000-10,000#	\$150.00	\$16.00
Class II Scale (Non-prescription/jewelry)	\$20.00	\$2.20
Pres/Jewel Scale <2,000#	\$80.00	\$2.20
Railway Scale > 10,000#	\$250.00	\$24.00
Retail Meter Fuel (Gas pumps)	\$20.00	\$2.20
Retail Water Meter (Dispensers, Vending)	\$20.00	\$2.20
Vehicle Meter (Any vehicle mounted meter)	\$75.00	\$2.20
Vehicle Scale > 10,000#	\$250.00	\$24.00
Water Submeters	\$2.00	\$0.50
Wholesale Meter (Stationary Hi-volume sale)	\$75.00	\$2.20
<b>Scanner/Point of Sale Registration Fees</b>	<b>Fee per Scanners</b>	<b>DMS Fee per Scanners</b>
Scanners (1-3)	\$89.00	\$0.00
Scanners (4-16)	\$129.00	\$0.00
Scanners (17-30)	\$190.00	\$0.00
Scanners (31 or more)	\$240.00	\$0.00

Please note that some device types cap at \$1,000 per location. If you have any questions please call the Division of Weights and Measures at (442) 265-1500.

**EEC ORIGINAL PKG**



AIR POLLUTION CONTROL DISTRICT



September 26, 2023

**RECEIVED**

By Imperial County Planning & Development Services at 9:58 am, Sep 26, 2023

Jim Minnick  
Planning & Development Services Director  
801 Main Street  
El Centro, CA 92243

SUBJECT: Conditional Use Permit 23-0018 – WH Lounge LLC

Dear Mr. Minnick:

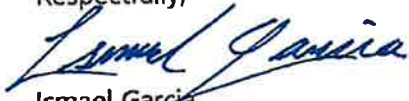
The Imperial County Air Pollution Control District (Air District) appreciates the opportunity to review and comment on Conditional Use Permit (CUP) 23-0018 (Project). The project proposes to operate a cannabis dispensary and lounge within a former market. The project is located at 509 Railroad Ave., Winterhaven also identified as Assessor's Parcel Number 056-283-006.

Title 14 of the Imperial County Code of Ordinances requires that all commercial cannabis activities comply with Chapter 14.03, Subsection 14.03.080(F) which states, "An odor control plan providing air treatment/filtration systems to eliminate the cannabis operation detection from outside the facility shall be submitted for county of Imperial Air Pollution Control District (APCD)." To assist applicants in developing an adequate OCP the Air District has developed an informational "white paper", which will be included as an attachment, explaining the requirements of an adequate OCP. The project packet does not include an Odor Control Plan (OCP), therefore, the Air District is requesting the applicant submit an OCP to the Air District for review. The Air District, recommends the applicant contact the Air District's Planning and Monitoring Division to discuss any questions regarding the development and requirements of the OCP. The Air District also advises the applicant that a site visit will be required for the finalization of the OCP.

Finally, the Air District is requesting a copy of the draft CUP prior to recording for review.

For your convenience the Air District's rules and regulations can be accessed online at <https://apcd.imperialcounty.org/rules-and-regulations>. Should you have any questions or concerns please feel free to contact the Air District for assistance at (442) 265-1800.

Respectfully,



Ismael Garcia  
Environmental Coordinator



Reviewed by,  
Monica N. Soucier  
APC Division Manager



## AIR POLLUTION CONTROL DISTRICT

### WHITE PAPER

#### ODOR CONTROL PLAN FOR

**RECEIVED**

By Imperial County Planning & Development Services at 9:59 am, Sep 26, 2023

#### **PURPOSE**

This paper provides guidance to operators of Cannabis Facilities (cultivation, processing, and otherwise) when developing and implement an **Odor Control Plan** (OCP). The intent of an OCP is for the reduction or elimination of the discharge from any source whatsoever of such quantities of air contaminants or other material that may cause a nuisance or annoyance.<sup>1</sup> The pertinent information contained in an OCP is specific to your operation and should reflect the actual practices and customs of the operation.

The OCP is a living document intended for the **life of the project**; however, as operations change updates to the OCP will be necessary to maintain the reduction or elimination of the discharge of air contaminants. An initial site visit maybe necessary to confirm the elements of a draft OCP before the Air District can finalize its review. Once the OCP is finalized, additional site visits may occur to confirm project operations have not caused additional unforeseeable discharges from any source whatsoever of air contaminants or other material that cause a nuisance or annoyance.

#### **MINIMUM REQUIRED ELEMENTS**

While the details and specifications of each OCP will vary depending on the type, size, purpose and location of project operations, all OCP's must contain the following minimum elements:

- 1) The OCP must be on company letterhead, dated and signed by an authorizing agent of the facility
- 2) The OCP must indicate the version; draft vs final or revision
- 3) The OCP must contain sufficient information as to identify the legal owner by name, company name, location, headquarters etc.
- 4) The OCP must contain the identity and contact information of all responsible agents, and personnel involved in the day-to-day operations at the site.
  - This section must identify the primary contact for the implementation of the OCP, etc.

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<sup>1</sup> Imperial County Rules and Regulations Rule 407 Nuisances, Revised 09/14/1999



## WHITE PAPER

### ODOR CONTROL PLAN FOR CANNABIS OPERATIONS

- This section must contain a commitment to notify the Air District of any personnel changes within 48 hours of the change.
- 5) The OCP must contain a description, with drawings if appropriate or available, of the project operations and must identify the current existing sources of odor and potential reasonably foreseeable potential sources of odor. This section is specific to the functions of the facility and should reference or include documents that provide sufficient information to identify sources of odors and the mitigation measures or technologies that reduce or eliminate those sources.
  - Identify those processes that cause odors.
    - ❖ This section should describe the odor-emitting activities or processes (e.g., cultivation, drying, etc.) that take place at the facility, including the source(s) (e.g., processing of cannabinoids, etc.) of those odors, and the location(s) from where the odors originate. This is not necessarily limited to inside the facility. For instance, outside composting activities can and do produce odors
    - ❖ This section should describe the phases of the odor-emitting activities that take place at the facility (both inside and outside), and the length and frequency of those activities. For instance, cultivation may be continuous, while another activity (e.g., drying) may take place periodically for days or hours.
  - Identify the mitigation measures that will reduce or eliminate the potential existing and reasonably foreseeable odors and describe any contingency measures should primary mitigation measures fail.
    - ❖ This section should specify and describe any control technology utilized at the facility. The Air District recommends industry-specific best control technologies that achieve reductions in odor emissions, such as carbon filtration systems.
    - ❖ This section must provide assurances that all engineering controls for the identified odor sources are sufficient to mitigate odors. This section must also provide assurances that the control technology is installed correctly and properly operating. This can be accomplished by meeting any one of the below:



## WHITE PAPER

### ODOR CONTROL PLAN FOR CANNABIS OPERATIONS

◇ *Sufficient to demonstrate mitigation of odors*

Provide documentation that attests to the effectiveness of the technology to mitigate the identified odors. Such as a certification from professional engineers.

Provide documentation of the approval by any one of the 38 Air Districts in California of the odor control technology as a suitable technology for odor control.

Provide documentation describing the system design and the technical processes

◇ *Sufficient to demonstrate technology is correctly installed and properly operating*

Provide documentation of the installation, including date of installation and the location of the technology within the facility.

Provide a Maintenance Plan

The maintenance plan is critical to ensure that technology is properly maintained and serviced. A description of the maintenance activities that are to be performed, the frequency with which such activities are performed, and the role/title(s) of the personnel responsible for maintenance activities should be included here. The activities should serve to maintain the odor mitigation systems and optimize performance (e.g., the schedule for regularly changing carbon filters as recommended by best engineering control practices).

#### 6) Contingency Measures

- This section should specify the measures the facility will implement in the event installed technology or other administrative controls fail.

#### 7) Notice and Record Keeping

- This section should describe all noticing measures and recordkeeping measures.





**IMPERIAL COUNTY SHERIFF'S OFFICE**  
**FRED MIRAMONTES**  
**SHERIFF-CORONER-MARSHAL**



Chief Deputy Ryan Kelley  
328 Applestill Road  
El Centro, Ca. 92243  
(442) 265-2003  
[rkelly@icso.org](mailto:rkelly@icso.org)

March 5, 2024

Imperial County Planning & Development Services  
801 Main Street  
El Centro, Ca. 92243  
(442) 265-1736

Planning & Development Services,

The Imperial County Sheriff's Office is the Chief Law Enforcement agency in Imperial County. The Sheriff's Office provides general law enforcement, detention and court services for the residents, business owners and visitors of Imperial County. We have a service area of approximately 4,597 square miles bordering Mexico to the South, Riverside County to the North, San Diego County to the West, and the State of Arizona to the East.

The Imperial County Sheriff's Office appreciates this opportunity to provide comments. This response is in regards to WH Lounge LLC, a cannabis dispensary (CUP#23-0018) proposing a cannabis dispensary and lounge located within a former market at 509 Railroad Avenue in Winterhaven, California.

The Imperial County Sheriff's Office has reviewed the project description. The Imperial County Sheriff's Office request that a detailed security plan and security diagram be included and approved by the county prior to any activity on the premises.

It is the position of the Imperial County Sheriff's Office to prevent or deter criminal activity that could potentially be associated with the approval of a cannabis facility in our area of responsibility. The project site will see a large volume of commercial and passenger vehicles. The Imperial County Sheriff's Office requests that the applicant install license plate reading cameras at all ingress and regress locations at the project site and grant access to the Imperial County Sheriff's Office to review the data collected. It is requested that these cameras be included in the security plan.

The Imperial County Sheriff's Office requests that the Imperial County Planning and Development Services also include the below language in the conditional use permit (CUP). This request is in consideration of the potential hazards to the Imperial County Sheriff's Office

**EEC ORIGINAL PKG**

employees associated with responding to emergencies originating at a cannabis dispensary and lounge:

The County of Imperial is committed to being a partner and provide effective and consistent patrolling to such projects. Thus, the Imperial County Sheriff's Office will require WH Lounge LLC to contribute its proportionate share associated with the cost of training related to, but not limited to: Driving Under the Influence of Drugs (DUID), California Highway Patrol Drug Recognition Expert (DRE) certification courses. Final cost and conditions shall be reasonably determined by the Sheriff's Office.

- (a) The County shall be responsible for managing the reimbursement component of this condition.

The Imperial County Sheriff's Office is available to discuss our concerns with the advancement of CUP# 23-0018.

If you have any questions, please contact the Imperial County Sheriff's Office at (442)265-2003.

Sincerely,

Chief Deputy Ryan Kelley  
Imperial County Sheriff's Office

**EEC ORIGINAL PKG**

**ADMINISTRATION / TRAINING**

1078 Dogwood Road  
Heber, CA 92249

**Administration**

Phone: (442) 265-6000  
Fax: (760) 482-2427

**Training**

Phone: (442) 265-6011

**OPERATIONS / PREVENTION**

2514 La Brucherie Road  
Imperial, CA 92251

**Operations**

Phone: (442) 265-3000  
Fax: (760) 355-1482

**Prevention**

Phone: (442) 265-3020

September 29, 2023

RE: Conditional Use Permit #23-0018,  
WH Lounge LLC  
509 Railroad Ave. Winterhaven CA 92283

**RECEIVED**

By Imperial County Planning & Development Services at 9:58 am, Sep 29, 2023

Imperial County Fire Department would like to thank you for the opportunity to review and comments on CUP #23-0018, Cannabis dispensary and lounge located at 509 Railroad Ave, Winterhaven CA 92283

Imperial County Fire Department has the following comments and/or requirements for Cannabis operations.

- An approved water supply capable of supplying the required fire flow as determined by the California Fire Code Appendix B.
- All cannabis facilities shall have an approved automatic fire suppression system. All fire suppression systems will be installed and maintained to the current adapted fire code and regulations.
- All cannabis facilities shall have an approved automatic fire detection system. All fire detection systems will be installed and maintained to the current adapted fire code and regulations.
- All cannabis facilities shall have approved smoke removal systems installed and maintained to the current adapted fire code and regulations.
- Gates and fire department access will be in accordance with the current adapted fire code and the facility will maintain a Knox Box for access on site.
- Compliance with all required sections of the fire code.
- Further requirement shall be required for cultivation and manufacturing process.

Imperial County Fire Department reserves the right to comment and request additional requirements pertaining to this project regarding fire and life safety measures, California Building and Fire Code, and National Fire Protection Association standards at a later time as we see necessary.

If you have any questions, please contact the Imperial County Fire Prevention Bureau at 442-265-3020 or 442-265-3021.

Sincerely  
Andrew Loper

Lieutenant/Fire Prevention Specialist

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

**EEC ORIGINAL PKG**

**ADMINISTRATION / TRAINING**

1078 Dogwood Road  
Heber, CA 92249

**Administration**

Phone: (442) 265-6000  
Fax: (760) 482-2427

**Training**

Phone: (442) 265-6011

**OPERATIONS / PREVENTION**

2514 La Brucherie Road  
Imperial, CA 92251

**Operations**

Phone: (442) 265-3000  
Fax: (760) 355-1482

**Prevention**

Phone: (442) 265-3020

Imperial County Fire Department  
Fire Prevention Bureau

CC

David Lantzer

Fire Chief

Imperial County Fire Department

Robert Malek

Deputy Fire Marshal

Imperial County Fire Department

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

**EEC ORIGINAL PKG**



# IID

*A century of service.*

www.iid.com

*Since 1911*

September 25, 2023

**RECEIVED**

*By Imperial County Planning & Development Services at 9:16 am, Sep 25, 2023*

Mr. Derek Newland  
Planner II  
Planning & Development Services Department  
County of Imperial  
801 Main Street  
El Centro, CA 92243

SUBJECT: Cannabis Dispensary Project (CUP23-0018, IS23-0022)

Dear Mr. Newland:

On September 15, 2023, the Imperial Irrigation District received from the Imperial County Planning & Development Services Dept. a request for agency comments on WH Lounge LLC cannabis project (Conditional Use Permit No. 23-0018, Initial Study No. 23-0022). The applicant proposes to establish a cannabis dispensary and lounge within a former market at 509 Railroad Avenue, Winterhaven, CA 92283 (APN 056-283-006).

The IID has reviewed the project information and has the following comments:

1. If the proposed project requires additional electrical service to the location's existing one, the applicant should be advised to contact Joel Lopez, IID project development service planner, at (760) 482-3444 or e-mail Mr. Lopez at [jflopez@iid.com](mailto:jflopez@iid.com) to initiate the customer service application process. In addition to submitting a formal application (available for download at the district website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit an AutoCAD file of site plan, approved electrical plans, electrical panel size and location, operating voltage, electrical loads, project schedule, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicant shall be responsible for all costs and mitigation measures related to providing electrical service to the project.
2. Electrical capacity is limited in the project area. A circuit study may be required. Any system improvements or mitigation identified in the circuit study to enable the provision of electrical service to the project shall be the financial responsibility of the applicant.
3. Applicant shall provide a surveyed legal description and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary

**EEC ORIGINAL PKG**



to accommodate the project electrical infrastructure. Rights-of-Way and easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.

4. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.
5. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, water deliveries, canals, drains, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at [dvargas@iid.com](mailto:dvargas@iid.com). Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas  
Compliance Administrator II

Jamie Asbury – General Manager  
Mike Pacheco – Manager, Water Dept.  
Matthew H Smelser – Manager, Energy Dept.  
Geoffrey Holbrook – General Counsel  
Michael P. Kemp – Superintendent General, Fleet Services and Reg. & Environ. Compliance  
Laura Cervantes – Supervisor, Real Estate  
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.

**EEC ORIGINAL PKG**

# APPLICATION

EEC ORIGINAL PKG

# CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.  
801 Main Street, El Centro, CA 92243 (442) 265-1736

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME WH Market LLC	EMAIL ADDRESS maddocks@greencp.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 14031 Las Palmas Rd, Jamul, CA	ZIP CODE 91935	PHONE NUMBER 619-955-9433
3. APPLICANT'S NAME WH Lounge LLC	EMAIL ADDRESS maddocks@greencp.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 14031 Las Palmas Rd, Jamul, CA	ZIP CODE 91935	PHONE NUMBER 619-955-9433
4. ENGINEER'S NAME Kersi Sekhon	CA. LICENSE NO. RCE NO: 72537	EMAIL ADDRESS kesisekhon@yahoo.com
5. MAILING ADDRESS (Street / P O Box, City, State) 7072 Cordgrass Ct., Carlsbad, CA	ZIP CODE 92011	PHONE NUMBER 858-395-1143
6. ASSESSOR'S PARCEL NO. 056-283-006-001	SIZE OF PROPERTY (in acres or square foot) 16,250	ZONING (existing) C-2
7. PROPERTY (site) ADDRESS 509 Railroad Avenue, Winterhaven, CA 92283		
8. GENERAL LOCATION (i.e. city, town, cross street) City of Winterhaven; Cross Streets of Winterhaven Drive and Railroad Avenue		
9. LEGAL DESCRIPTION Lot Number 10; Block 9; Brief Description: Lots 7, 8, 9, and 10 BLK 9 TOWNSITE OF WINTERHAVEN		

## PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	Commercial Cannabis Retailer and Lounge (Medical and Adult-Use)
11. DESCRIBE CURRENT USE OF PROPERTY	Market
12. DESCRIBE PROPOSED SEWER SYSTEM	Utilize existing approved building sewer line and connection
13. DESCRIBE PROPOSED WATER SYSTEM	Utilize existing approved building water line and connection
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	Utilize existing approved fire alarm and extinguishers (upgrade to code if necessary)
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? 4-6

## REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	_____
B. FEE	_____
C. OTHER	_____
D. OTHER	_____

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY  
CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN  
IS TRUE AND CORRECT.

Stewart Namao  
Print Name  
Signature  
Vince Hallak  
Print Name  
Signature

09-26-2023  
Date  
09-26-2023  
Date

APPLICATION RECEIVED BY: \_\_\_\_\_  
APPLICATION DEEMED COMPLETE BY: \_\_\_\_\_  
APPLICATION REJECTED BY: \_\_\_\_\_  
TENTATIVE HEARING BY: \_\_\_\_\_  
FINAL ACTION: ☐ APPROVED ☐ DENIED

DATE \_\_\_\_\_  
DATE \_\_\_\_\_  
DATE \_\_\_\_\_  
DATE \_\_\_\_\_  
DATE \_\_\_\_\_

REVIEW / APPROVAL BY  
OTHER DEPT'S required  
☐ P W  
☐ E H S  
☐ A P C D  
☐ O E S  
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EEC ORIGINAL PKG

## PROJECT DESCRIPTION

WH LOUNGE LLC

### SUMMARIZE THE PROPOSED USE

WH Lounge, LLC has secured the property zoned C-2 at APN: 056-283-006-000. WH Lounge, LLC is committed to community improvement; the operating plan demonstrates serious measures to mitigate any potential nuisances, the security plan suggests the immediate neighborhood will benefit from an increased security presence, the site plans show compliant parking and ingress and egress, and the overall proposal constitutes a pledge to site clean-up and neighborhood revitalization.

WH Lounge, LLC's proposed location is well over 600 ft from any sensitive uses as proposed by Imperial County. The closest school is San Pasqual Valley Elementary, which is more than 2 miles from the proposed location. Yuma's West Wetlands Park, the closest park to the facility, is over 2,650 feet away. WH Lounge, LLC's site is 1.19 miles from the nearest youth center, Martin Luther King Youth Career Center. The closest day care, Helping Hands Head Start, is located 1.25 miles from the proposed dispensary location.

Site Address: 509 Railroad Ave., Winterhaven, CA 92283

**Closest Park:** West Wetland Park (2,650 feet)  
282 N 12<sup>th</sup> Ave, Yuma, AZ 85364

**Closest Youth Center:** Martin Luther King Youth Center (1.19 miles)  
300 S 13<sup>th</sup> Avenue, Yuma, AZ 85364

**Closest School:** San Pasqual Elementary School (2.14 miles)  
Rt 1 676 Baseline Rd, Winterhaven, CA

**Closest Day Care:** Helping Hands Head Start (1.25 miles)  
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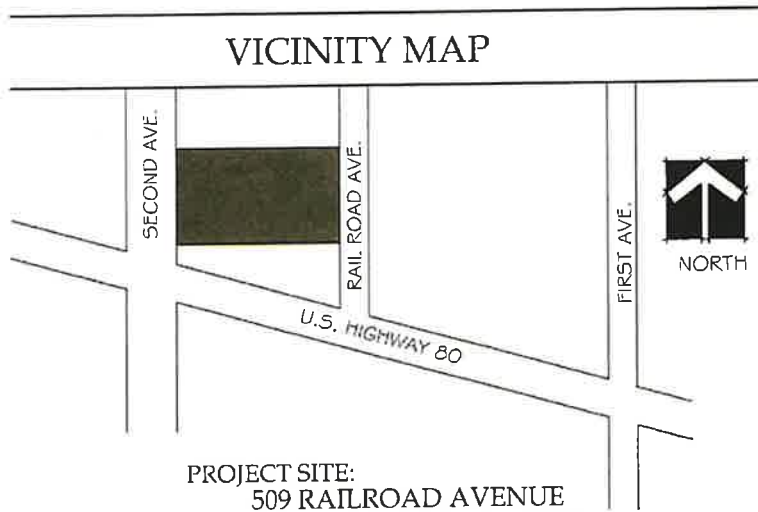
EEC ORIGINAL PKC



PROJECT DESCRIPTION

WH LOUNGE LLC

VICINITY MAP



PROJECT SITE:  
509 RAILROAD AVENUE  
WINTERHAVEN, CA 92283



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**PROJECT DESCRIPTION**

**WH LOUNGE LLC**

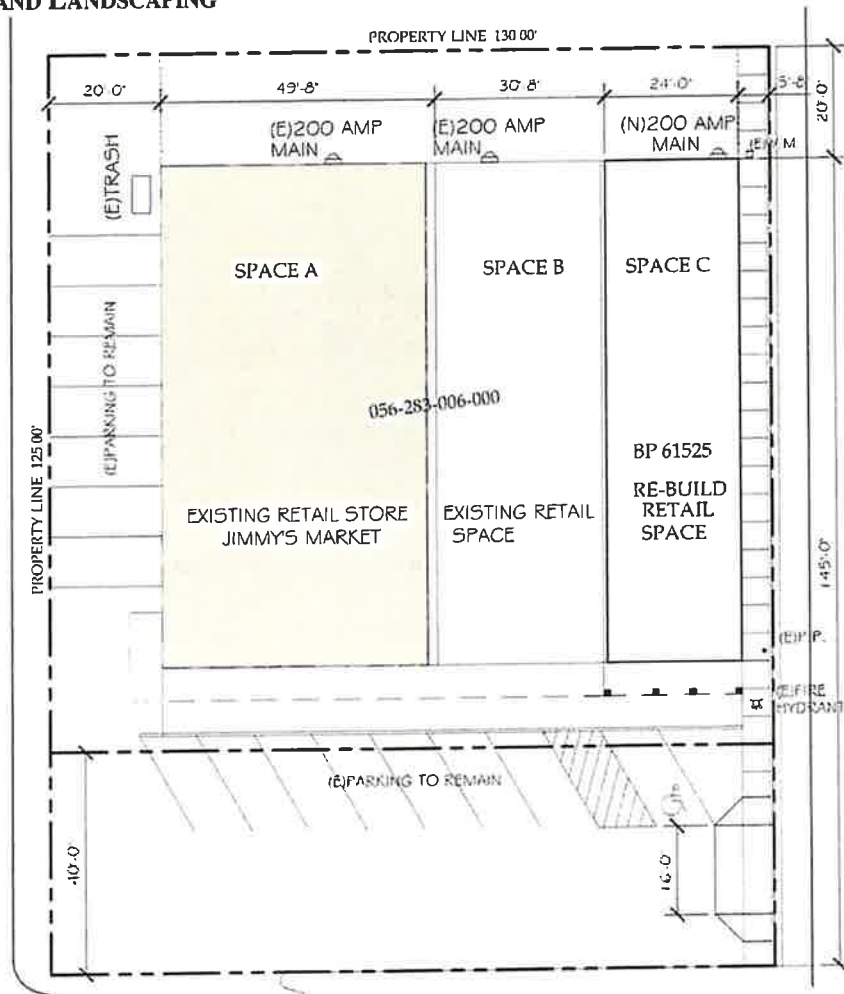


**EEC ORIGINAL PKG**

## PROJECT DESCRIPTION

WH LOUNGE LLC

### PARKING AND LANDSCAPING



**Parking:** WH Lounge LLC's proposed dispensary location located at 509 Railroad Ave., Winterhaven Drive, CA 92283 features ample off-street parking for customers and employees. The roughly 4,300ft<sup>2</sup> facility conveniently located off Winterhaven Dr and features 28 parking spaces, which exceeds Imperial County's parking rate requirement of 1 space per 250ft<sup>2</sup> of the gross building area for retail facilities (ICCO §90402.01(G)(1)). The parking lot is accessible from Winterhaven Drive and has been designed in a way to restrict traffic congestion. Handicap parking and ADA compliant walkways will permit all patrons accessibility to the facility.

The Lounge portion of the premises requires one space per 75 sq. ft., which is calculated separately from the Retail, Lobby, Security Check-In and other portions of the premises. The chart below provides a detailed breakdown of compliance with Imperial County's parking requirements:

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**PROJECT DESCRIPTION****WH LOUNGE LLC****PARKING REQUIREMENTS**

RM #	DESCRIPTION	S.F.	1/SF REQ.	SPACES REQ.
100	LOBBY	385.2	1/250	1.54
101	SECURITY CHECK IN	277.3	1/250	1.10
102	DISPLAY	592.9	1/250	2.37
103	BREAK AREA	555.8	1/250	2.22
104	RESTROOM	87	N/A	N/A
105	OFFICE	346.6	1/250	1.38
106	STORAGE	435.5	1/250	1.74
107	DISPLAY	232.7	1/250	0.93
108	LOUNGE AREA	1072.17	1/75	14.29
109	WOMEN'S RESTROOM	87	N/A	N/A
110	MEN'S RESTROOM	87	N/A	N/A

TOTAL REQUIRED PARKING

25.57  
(28 PROVIDED)

**Traffic:** We have based our customer-related traffic projections on our estimated transactions per day, which is 55 daily transactions in Year One and 100 daily transactions in Year 2. Our Delivery-related traffic projections are based on an estimated 30 daily deliveries in Year One and 75 daily deliveries in Year Two. We have based our staff-related traffic projections on four (4) day-to-day employees, including one (1) Cannabis Specialists, one (1) Screeners, one (1) Delivery Drivers, one (1) Dispatcher. We have anticipated our Distributor-related traffic projections on the expectation that we will have at least one (1) incoming delivery per day. We anticipate the following trips generated by each respective group on daily basis:

**Customers (passenger vehicles)**

Year One: ~22 trips per day

Year Two: ~40 trips per day

**Staff/employees (passenger vehicles):**

Year One: ~6 trips per day

**EEG ORIGINAL PKG**

## PROJECT DESCRIPTION

WH LOUNGE LLC

Year Two: ~11 trips per day

### **Delivery Vehicles (commercial vehicles)**

Year One: ~4 trips per day

Year Two: ~8 trips per day

### **Distribution (commercial vehicles)**

Year One: ~1 trips per day

Year Two: ~1 trips per day

*Landscaping* will be employed to the fullest extent permitted by our location. The County of Imperial requires that landscaping consist of a minimum of 10% of the total developed lot or parcel (ICCO §90302.04(A)). California's temperate environment can sustain a wide variety of landscaping, but California natives will be emphasized in order to reduce watering needs and reflect the area's natural flora. The Landscaping plan will incorporate xeriscaping for the selected drought tolerant local species. Landscaping will be extended throughout the parking area to create a cohesive exterior theme.

Both entrances and exits to the parking area will be adorned with planters featuring shrubs and trees. Additionally, a newly proposed planter will be built at the corner of Winterhaven Drive and Railroad Ave.

## NEIGHBORHOOD COMPATIBILITY

The proposed location is in the C2 Commercial Zoning District. The immediate neighborhood consists of other commercial activities including retailers and residential uses. Nonetheless, frosted privacy glass that meets all relevant security standards will prevent public sight lines from the exterior of the entire property. The property will blend in with the surrounding neighborhood, and its overall appearance will provide an improved aesthetic within the general vicinity and to the current state of the nearby area. Further, WH Lounge's security plans include round the clock surveillance, which will help maintain and increase the safety of the nearby area. The dispensing operations will comply with all setback requirements and building regulations, and accordingly WH Lounge, LLC will comply with all Imperial County zoning and buffer requirements.

The following screenshots indicate high neighborhood compatibility: APN: 056-283-006-000

EEG ORIGINAL PKG



## PROJECT DESCRIPTION

WH LOUNGE LLC



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EEC ORIGINAL PKG



## **PROJECT DESCRIPTION**

**WH LOUNGE LLC**

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Rt 1 676 Baseline Rd, Winterhaven, CA

**Closest Day Care:** Helping Hands Head Start (1.25 miles)  
384 S 13<sup>th</sup> Avenue, Yuma AZ 85364

## **HOURS OF OPERATION**

<b>Monday:</b>	<b>8:00AM – 10:00PM (14 hours)</b>
<b>Tuesday:</b>	<b>8:00AM – 10:00PM (14 hours)</b>
<b>Wednesday:</b>	<b>8:00AM – 10:00PM (14 hours)</b>
<b>Thursday:</b>	<b>8:00AM – 10:00PM (14 hours)</b>
<b>Friday:</b>	<b>8:00AM – 10:00PM (14 hours)</b>
<b>Saturday:</b>	<b>8:00AM – 10:00PM (14 hours)</b>
<b>Sunday:</b>	<b>8:00AM – 10:00PM (14 hours)</b>

**EEC ORIGINAL PKG**



# GREEN BUILDING STANDARDS: NON-RESIDENTIAL MANDATORY MEASURES:

1. The building owner shall ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings. The building owner shall also ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings.

## DIVISION 51 - PLANNING & DESIGN

1. The building owner shall ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings. The building owner shall also ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings.

## DIVISION 53 - WATER EFFICIENCY AND CONSERVATION

1. The building owner shall ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings. The building owner shall also ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings.

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# DIVISION 54 - MATERIAL CONSERVATION & RESOURCE EFFICIENCY

1. The building owner shall ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings. The building owner shall also ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings.

## DIVISION 55 - ENVIRONMENTAL QUALITY

1. The building owner shall ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings. The building owner shall also ensure that the building is designed and constructed to meet the minimum requirements of the Green Building Standards Code (GBSC) for non-residential buildings.

### REQUIREMENTS

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### COMMENTS

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### REMARKS

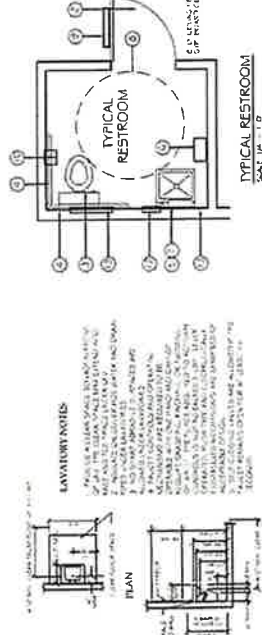
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ROOM SCHEDULE	NO.	NAME	AREA	TYPE	STATUS
LOBBY	1	LOBBY	100	LOBBY	OK
OFFICE	2	OFFICE	200	OFFICE	OK
RESTROOM	3	RESTROOM	50	RESTROOM	OK

WINDOW SCHEDULE	NO.	NAME	AREA	TYPE	STATUS
WINDOW	1	WINDOW	100	WINDOW	OK
DOOR	2	DOOR	50	DOOR	OK

WALL LEGEND	NO.	NAME	AREA	TYPE	STATUS
WALL	1	WALL	100	WALL	OK
CEILING	2	CEILING	100	CEILING	OK

DOOR SCHEDULE	NO.	NAME	AREA	TYPE	STATUS
DOOR	1	DOOR	100	DOOR	OK
WINDOW	2	WINDOW	100	WINDOW	OK



**DOOR NOTES**

1. ALL DOORS SHALL BE 28" MIN. CLEARANCE.
2. ALL DOORS SHALL BE 28" MIN. CLEARANCE.
3. ALL DOORS SHALL BE 28" MIN. CLEARANCE.
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**DOOR ELEVATION**

28" MIN. CLEARANCE

LEGEND	
1	1. ALL DOORS SHALL BE 28" MIN. CLEARANCE.
2	2. ALL DOORS SHALL BE 28" MIN. CLEARANCE.
3	3. ALL DOORS SHALL BE 28" MIN. CLEARANCE.
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EXIT ANALYSIS LEGEND	
1	1. ALL DOORS SHALL BE 28" MIN. CLEARANCE.
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AREA SUMMARY	
NO.	NAME
1	LOBBY
2	OFFICE
3	RESTROOM
4	STORAGE
5	DISPLAY AREA
6	RETAIL SALES FLOOR

**K.R. KEYNOTES:**

1. ALL DOORS SHALL BE 28" MIN. CLEARANCE.
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**SOURCE ATTACHMENT NOTE**

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**DOOR NOTES**

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**DOOR ELEVATION**

28" MIN. CLEARANCE

**WINDOW ELEVATION**

28" MIN. CLEARANCE

**DOOR ELEVATION**

28" MIN. CLEARANCE

**WINDOW ELEVATION**

28" MIN. CLEARANCE

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**DOOR ELEVATION**









































28" MIN. CLEARANCE

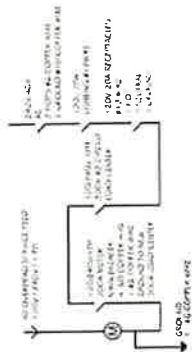
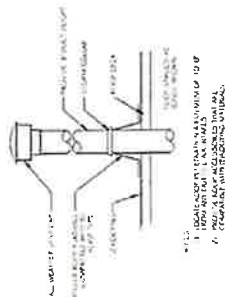
**WINDOW ELEVATION**

28" MIN. CLEARANCE

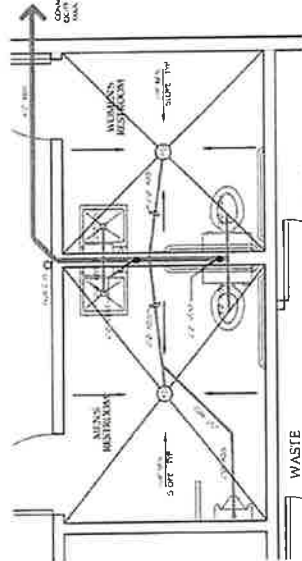
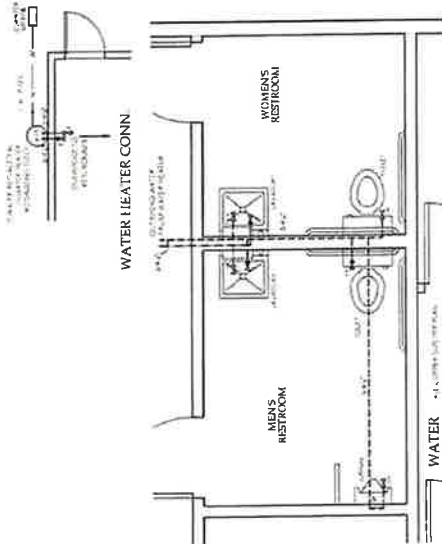


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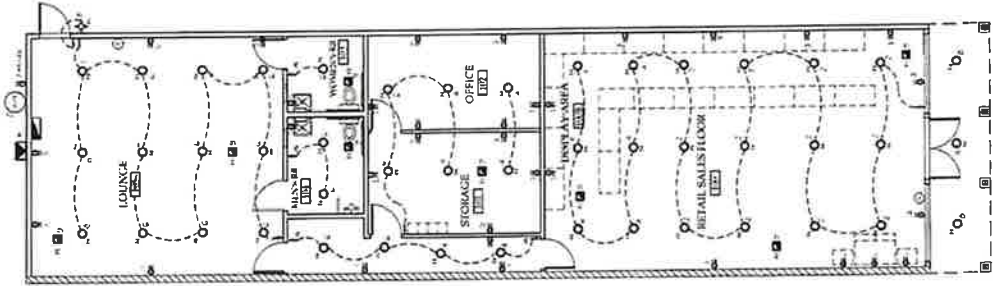
LIGHT FIXTURE / ACCESSORY SCHEDULE									
SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
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	1' x 2' SURFACE MOUNT		2' x 2' SURFACE MOUNT		4' x 2' SURFACE MOUNT		6' x 2' SURFACE MOUNT		8' x 2' SURFACE MOUNT
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## EXHAUST HOSE PENETRATION



PLUMBING PLANS - CA: 17 - 1.0

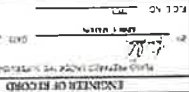


SPACE 3  
ELECTRICAL PLAN  
SCALE 3/16" = 1'-0"

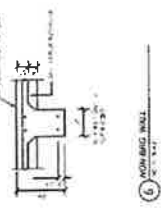
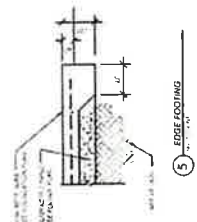
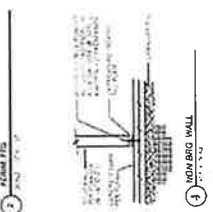
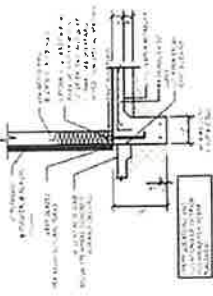
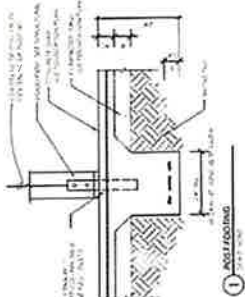
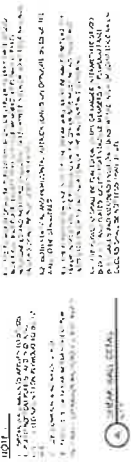
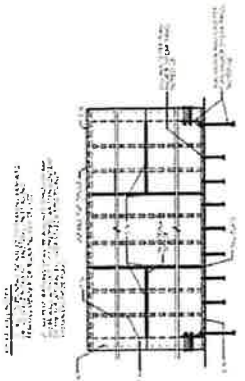
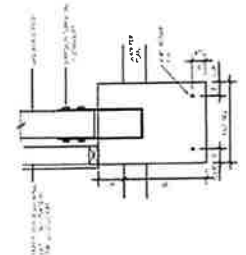
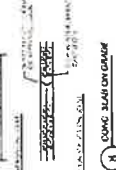
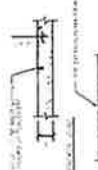
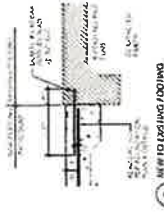
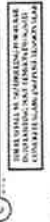
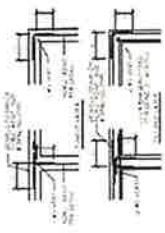
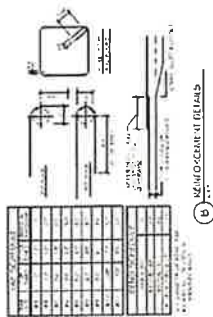
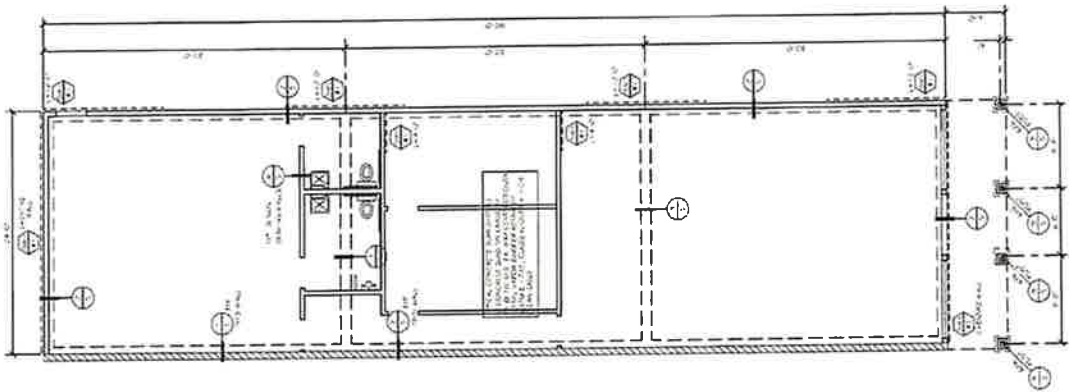




APN: 056-283-006-000



姓名		性别		年龄	
职业		文化程度		婚姻状况	
住址					
联系电话					
电子邮箱					
其他信息					



## FOUNDATION NOTES

**STUDY OBJECTIVES:**

[illegible]

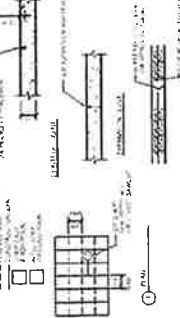
THE UNIVERSITY OF CHICAGO  
 DIVISION OF THE PHYSICAL SCIENCES  
 DEPARTMENT OF CHEMISTRY  
 5708 SOUTH ELLIS AVENUE  
 CHICAGO, ILLINOIS 60637  
 TEL: 773/936-5000  
 FAX: 773/936-5000  
 WWW: WWW.CHEM.UCHICAGO.EDU

1.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
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**CONCERNING SITE NOTES:**

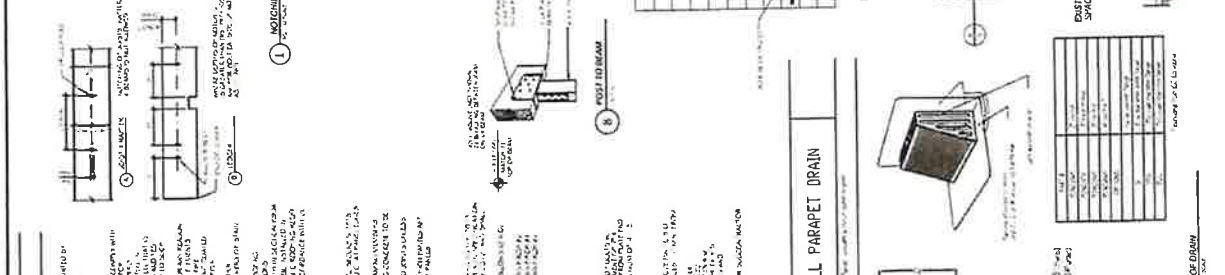
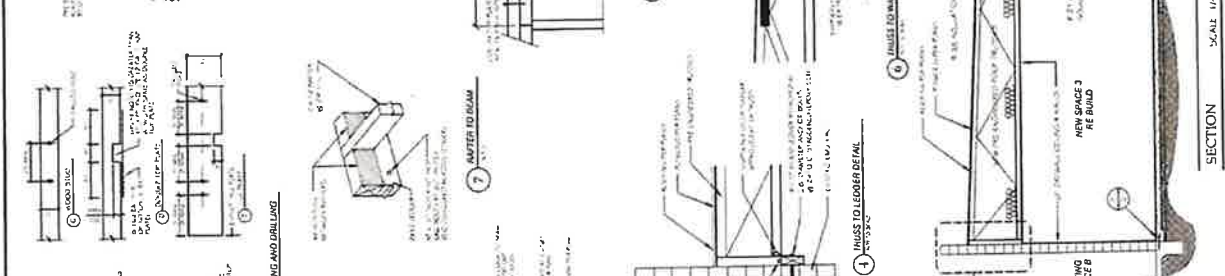
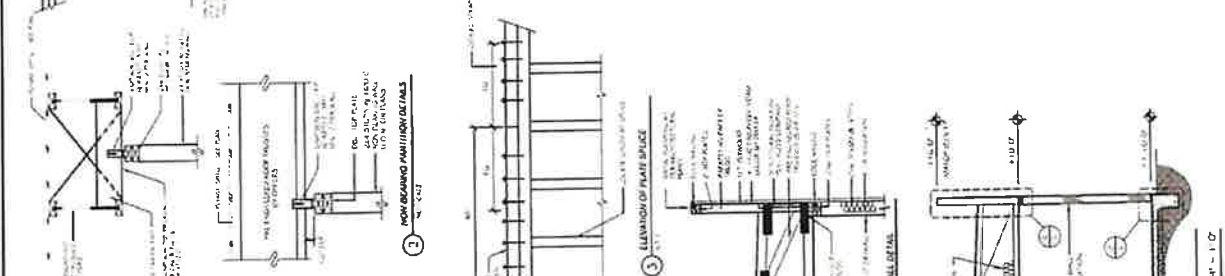
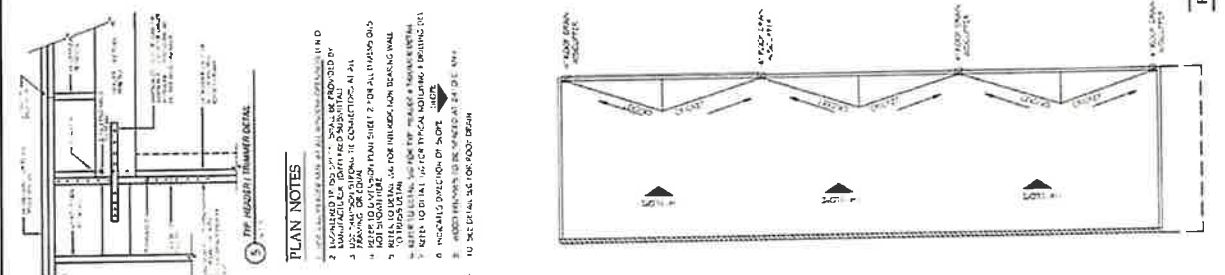
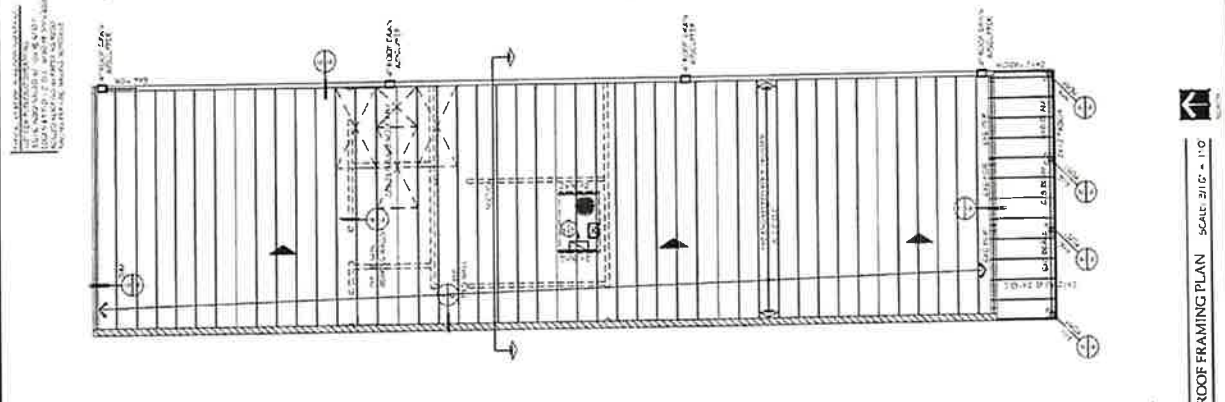
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~~EEC ORIGINAL PKG~~





# VARIANCE

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.  
801 Main Street, El Centro, CA 92243 (442) 265-1736

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME WH MARKET LLC	EMAIL ADDRESS cg4557600@gmail.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 509 Railroad Ave., Winterhaven, CA. SP. 3	ZIP CODE 92283	PHONE NUMBER 760-455-7600
3. ENGINEERS NAME KESRI S. SEKHON	CA. LICENSE NO. 72573	EMAIL ADDRESS KESISEKHON@YAHOO.COM
4. MAILING ADDRESS (Street / P O Box, City, State) 7072 Cordgrass Court, Carlsbad, CA	ZIP CODE 92011	PHONE NUMBER 858-395-1143
5. ASSESSOR'S PARCEL NO. 056-283-006-000	ZONING (existing) C2	
6. PROPERTY (site) ADDRESS 509 Railroad Ave., Winterhaven, CA. 92283	SIZE OF PROPERTY (in acres or square foot) 16,250 S.F.	
7. GENERAL LOCATION (i.e. city, town, cross street) WINTERHAVEN		
8. LEGAL DESCRIPTION LOTS 7,8,9 & 10BLK 9 TOWNSITE OF WINTERHAVEN		
8. DESCRIBE VARIANCE REQUESTED (i.e. side yard set-back reduction, etc.) EXISTING PARKING IS INSUFFICIENT, ALL EMPLOYEES WILL PARK ACROSS THE STREET ON OWNERS OTHER PROPERTY PAVED AND STRIPPED		
9. DESCRIBE REASON FOR, OR WHY VARIANCE IS NECESSARY : EXISTING LOT NEVER HAD ENOUGH PARKING WHEN BUILDING WAS BUILT DOING AN ABANDONMENT OF PARTIAL E STREET, CAN ONLY FIT TWO ADDITIONAL SPACES		
10. DESCRIBE THE ADJACENT PROPERTY East APARTMENTS & ABONDONED LIQUOR STORE West COURT HOUSE North SINGLE FAMILY RESIDENCE South COMMERCIAL LOTS, SEVERAL DIFFERENT BUSINESS & POST OFFICE		

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY  
CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN  
IS TRUE AND CORRECT.

VINCE HALLAK

Print Name

Signature

01-12-2024

Date

Print Name

Signature

Date

## REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN ☒

B. FEE 3,000.00

C. OTHER

D. OTHER

APPLICATION RECEIVED BY: 

APPLICATION DEEMED COMPLETE BY:

APPLICATION REJECTED BY:

TENTATIVE HEARING BY:

FINAL ACTION: ☐ APPROVED ☐ DENIED

DATE

DATE

DATE

DATE

DATE

REVIEW / APPROVAL BY  
OTHER DEPT'S required

☐ P W

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V #

24-0001

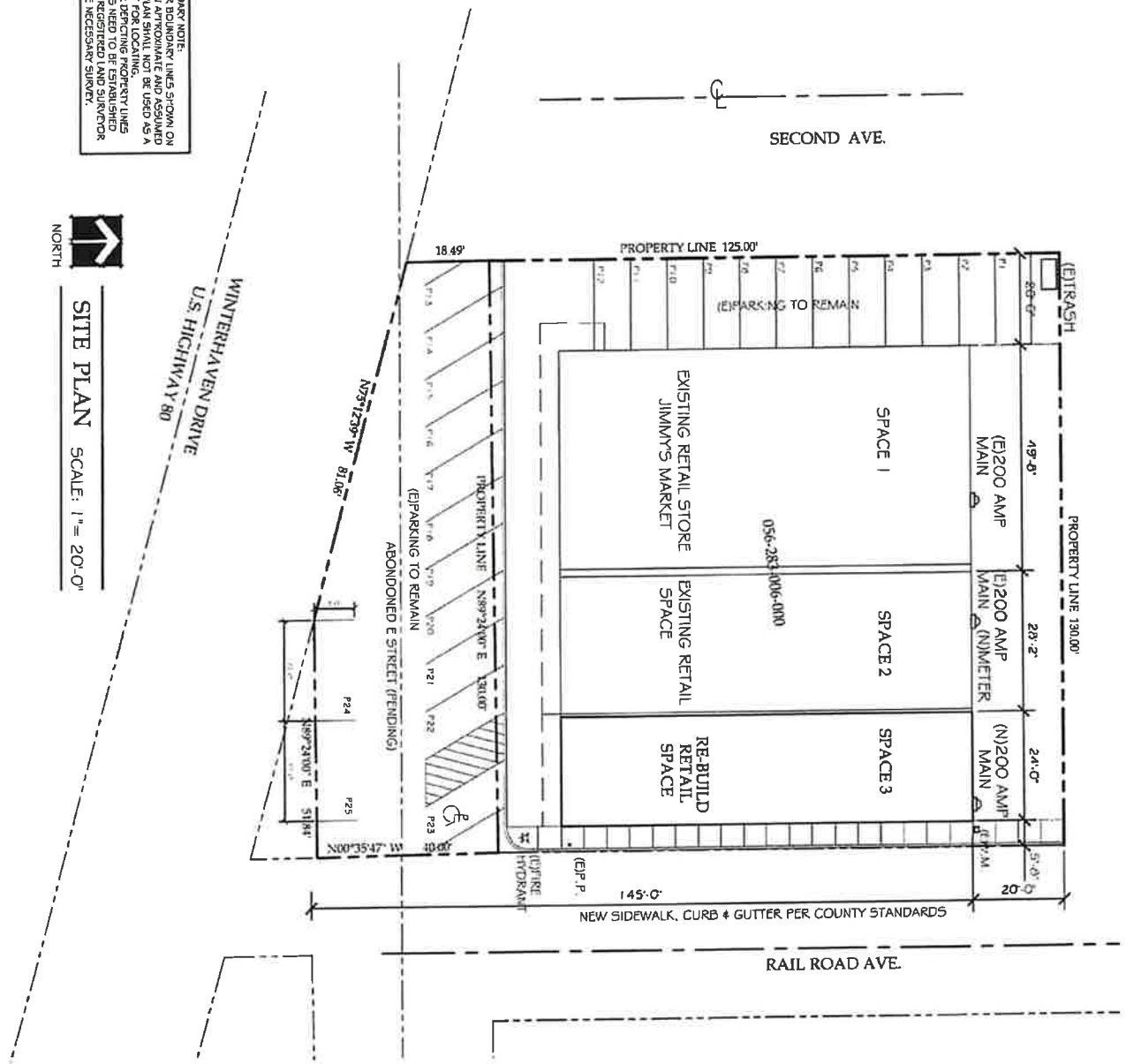
EEC ORIGINAL PKG

PROPERTY BOUNDARY NOTE:  
 THE PROPERTY OR BOUNDARY LINES SHOWN ON THIS PLAN ARE AN APPROXIMATE AND ASSUMED LOCATION AND ARE NOT TO BE USED AS A LEGAL DOCUMENT FOR LOCATING, ESTABLISHING OR DEPICTING PROPERTY LINES OR IDENTIFIED, A REGISTERED LAND SURVEYOR WILL PREPARE THE NECESSARY SURVEY.



NORTH

SITE PLAN SCALE: 1" = 20'-0"



EEC ORIGINAL PKG

**ATTACHMENT “H”**  
**APPLICATION & SUPPORTING**  
**DOCUMENTS**



# CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.  
801 Main Street, El Centro, CA 92243 (442) 265-1736

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME WH Market LLC	EMAIL ADDRESS maddocks@greencp.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 14031 Las Palmas Rd, Jamul, CA	ZIP CODE 91935	PHONE NUMBER 619-955-9433
3. APPLICANT'S NAME WH Lounge LLC	EMAIL ADDRESS maddocks@greencp.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 14031 Las Palmas Rd, Jamul, CA	ZIP CODE 91935	PHONE NUMBER 619-955-9433
4. ENGINEER'S NAME Kersi Sekhon	CA. LICENSE NO. RCE NO: 72537	EMAIL ADDRESS kesisekhon@yahoo.com
5. MAILING ADDRESS (Street / P O Box, City, State) 7072 Cordgrass Ct., Carlsbad, CA	ZIP CODE 92011	PHONE NUMBER 858-395-1143
6. ASSESSOR'S PARCEL NO. 056-283-006-001	SIZE OF PROPERTY (in acres or square foot) 16,250	ZONING (existing) C-2
7. PROPERTY (site) ADDRESS 509 Railroad Avenue, Winterhaven, CA 92283		
8. GENERAL LOCATION (i.e. city, town, cross street) City of Winterhaven; Cross Streets of Winterhaven Drive and Railroad Avenue		
9. LEGAL DESCRIPTION Lot Number 10; Block 9; Brief Description: Lots 7, 8, 9, and 10 BLK 9 TOWNSITE OF WINTERHAVEN		

## PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) (Medical and Adult-Use)	Commercial Cannabis Retailer and Lounge
11. DESCRIBE CURRENT USE OF PROPERTY	Market
12. DESCRIBE PROPOSED SEWER SYSTEM	Utilize existing approved building sewer line and connection
13. DESCRIBE PROPOSED WATER SYSTEM	Utilize existing approved building water line and connection
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	Utilize existing approved fire alarm and extinguishers (upgrade to code if necessary)
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? 4-6

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY  
CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN  
IS TRUE AND CORRECT.

Stewart Namao

Print Name

Signature

Vince Hallak

Print Name

Signature

Date

Date

## REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN

B. FEE

C. OTHER

D. OTHER

APPLICATION RECEIVED BY:

APPLICATION DEEMED COMPLETE BY:

APPLICATION REJECTED BY:

TENTATIVE HEARING BY:

FINAL ACTION:

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REVIEW / APPROVAL BY  
OTHER DEPT'S required

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CUP #

**SUMMARIZE THE PROPOSED USE**

WH Lounge, LLC has secured the property zoned C-2 at APN: 056-283-006-000. WH Lounge, LLC is committed to community improvement; the operating plan demonstrates serious measures to mitigate any potential nuisances, the security plan suggests the immediate neighborhood will benefit from an increased security presence, the site plans show compliant parking and ingress and egress, and the overall proposal constitutes a pledge to site clean-up and neighborhood revitalization.

WH Lounge, LLC's proposed location is well over 600 ft from any sensitive uses as proposed by Imperial County. The closest school is San Pasqual Valley Elementary, which is more than 2 miles from the proposed location. Yuma's West Wetlands Park, the closest park to the facility, is over 2,650 feet away. WH Lounge, LLC's site is 1.19 miles from the nearest youth center, Martin Luther King Youth Career Center. The closest day care, Helping Hands Head Start, is located 1.25 miles from the proposed dispensary location.

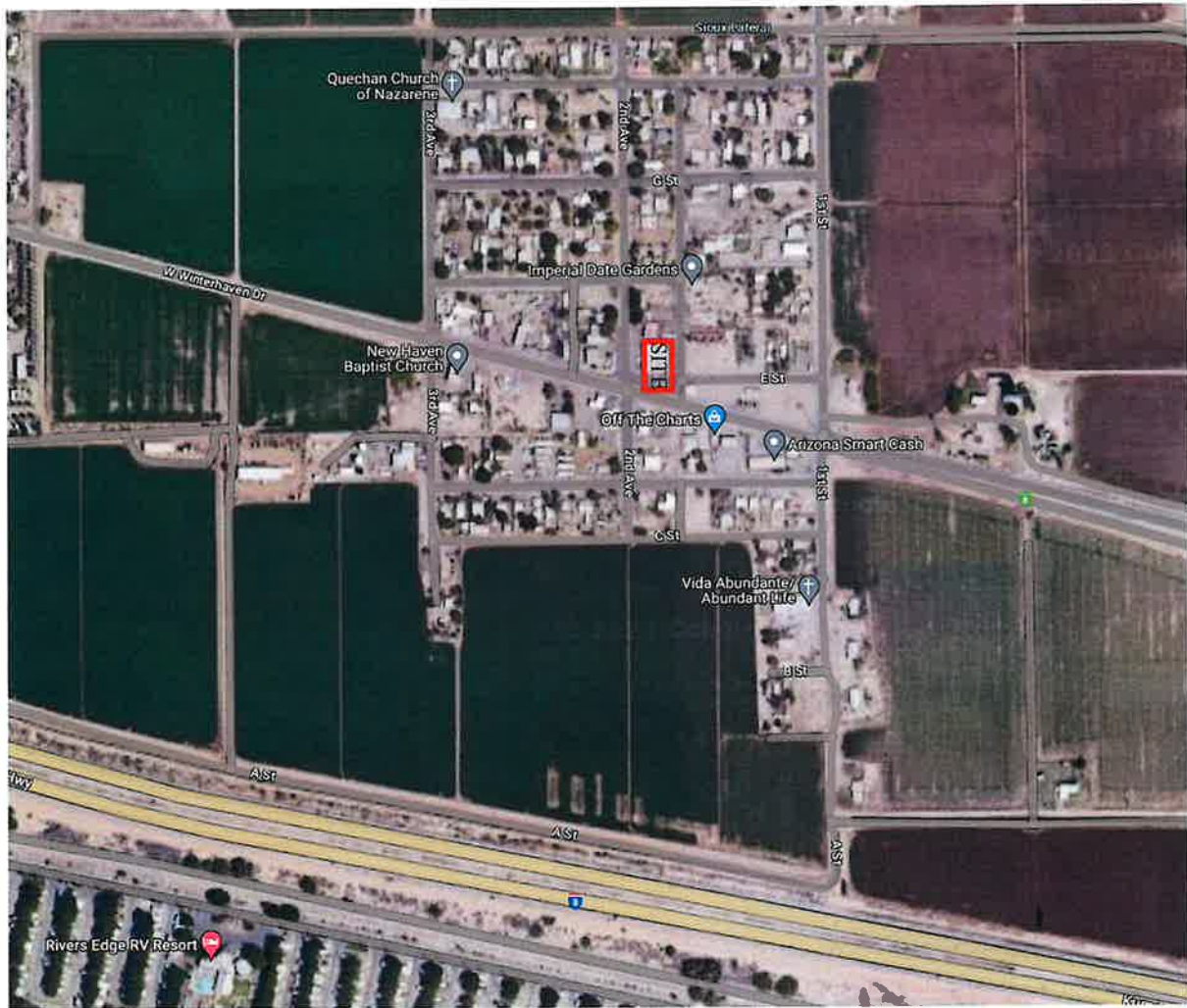
Site Address: 2124 Winterhaven Dr, Winterhaven, CA 92283

- Closest Park:** West Wetland Park (2,650 feet)  
282 N 12<sup>th</sup> Ave, Yuma, AZ 85364
- Closest Youth Center:** Martin Luther King Youth Center (1.19 miles)  
300 S 13<sup>th</sup> Avenue, Yuma, AZ 85364
- Closest School:** San Pasqual Elementary School (2.14 miles)  
Rt 1 676 Baseline Rd, Winterhaven, CA
- Closest Day Care:** Helping Hands Head Start (1.25 miles)  
384 S 13<sup>th</sup> Avenue, Yuma AZ 85364

# VICINITY MAP



PROJECT SITE:  
2124 WINTERHAVEN DR.  
WINTERHAVEN, CA 92283



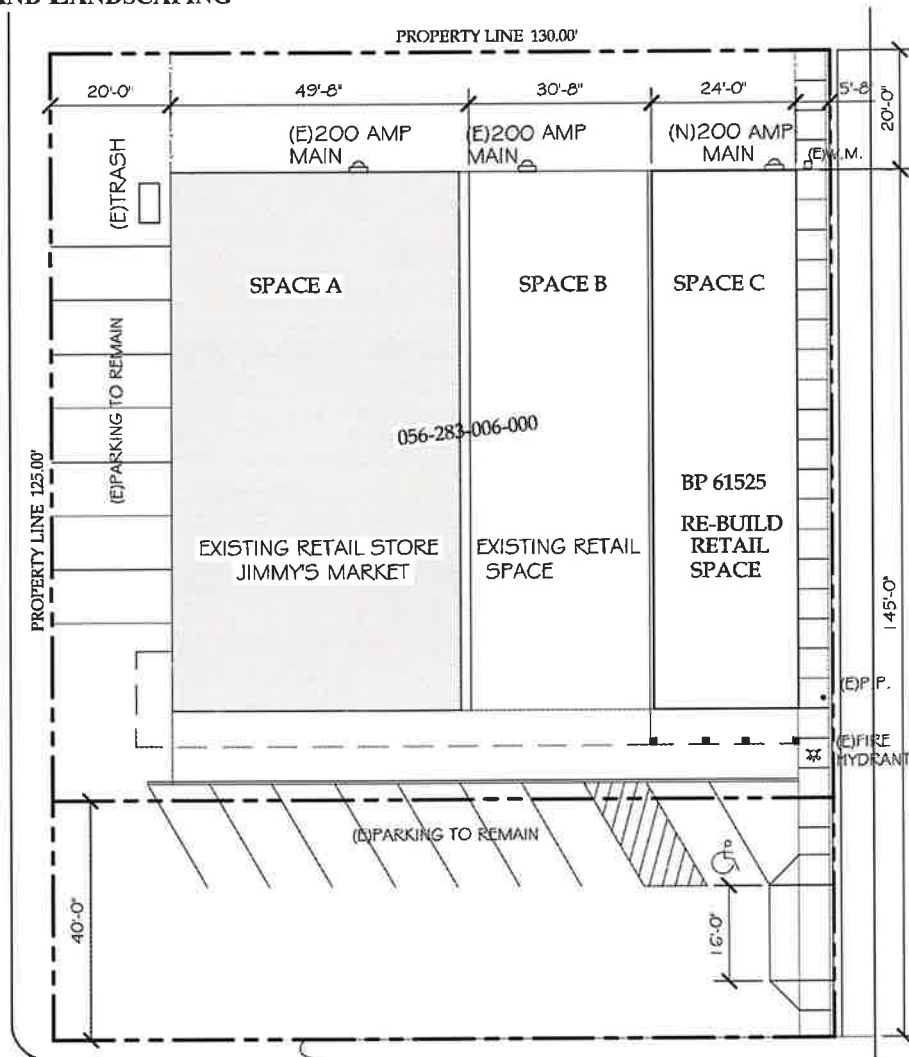




## PROJECT DESCRIPTION

WH LOUNGE LLC

### PARKING AND LANDSCAPING



**Parking:** WH Lounge LLC's proposed dispensary location located at 2124 Winterhaven Dr, Winterhaven Drive, CA 92283 features ample off-street parking for customers and employees. The roughly 4,300ft<sup>2</sup> facility conveniently located off Winterhaven Dr and features 18 parking spaces, or 1 parking space per 238ft<sup>2</sup>, which exceeds Imperial County's parking rate requirement of 1 space per 250ft<sup>2</sup> of the gross building area for retail facilities (ICCO §90402.01(G)(1)). The parking lot is accessible from Winterhaven Drive and has been designed in a way to restrict traffic congestion. Handicap parking and ADA compliant walkways will permit all patrons accessibility to the facility.

**Traffic:** We have based our customer-related traffic projections on our estimated transactions per day, which is 55 daily transactions in Year One and 100 daily transactions in Year 2. Our Delivery-related traffic projections are based on an estimated 30 daily deliveries in Year One and 75 daily deliveries in Year Two. We have based our staff-related traffic projections on four (4) day-to-day employees, including one (1)



## **PROJECT DESCRIPTION**

**WH LOUNGE LLC**

Cannabis Specialists, one (1) Screeners, one (1) Delivery Drivers, one (1) Dispatcher. We have anticipated our Distributor-related traffic projections on the expectation that we will have at least one (1) incoming delivery per day. We anticipate the following trips generated by each respective group on daily basis:

### **Customers (passenger vehicles)**

Year One: ~22 trips per day

Year Two: ~40 trips per day

### **Staff/employees (passenger vehicles):**

Year One: ~6 trips per day

Year Two: ~11 trips per day

### **Delivery Vehicles (commercial vehicles)**

Year One: ~4 trips per day

Year Two: ~8 trips per day

### **Distribution (commercial vehicles)**

Year One: ~1 trips per day

Year Two: ~1 trips per day

**Landscaping** will be employed to the fullest extent permitted by our location. The County of Imperial requires that landscaping consist of a minimum of 10% of the total developed lot or parcel (ICCO §90302.04(A)). California's temperate environment can sustain a wide variety of landscaping, but California natives will be emphasized in order to reduce watering needs and reflect the area's natural flora. The Landscaping plan will incorporate xeriscaping for the selected drought tolerant local species. Landscaping will be extended throughout the parking area to create a cohesive exterior theme.

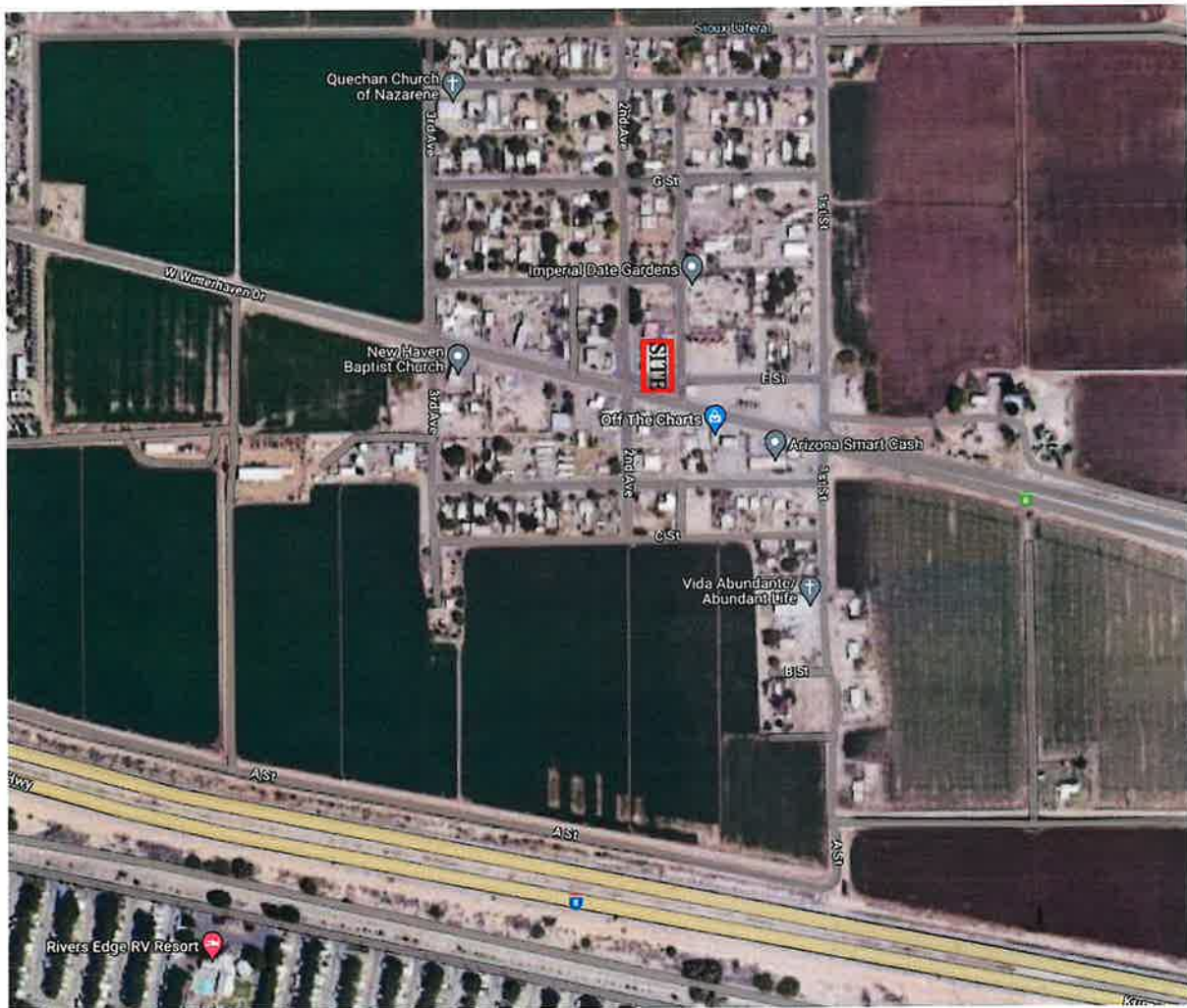
Both entrances and exits to the parking area will be adorned with planters featuring shrubs and trees. Additionally, a newly proposed planter will be built at the corner of Winterhaven Drive and Railroad Ave.

## **NEIGHBORHOOD COMPATIBILITY**

The proposed location is in the C1 Commercial Zoning District. The immediate neighborhood consists of other commercial activities including retailers and residential uses. Nonetheless, frosted privacy glass that meets all relevant security standards will prevent public sight lines from the exterior of the entire property.

**WH LOUNGE LLC**

The following screenshots indicate high neighborhood compatibility: APN: 056-283-006-000



WH Lounge, LLC's proposed location is well over 600 ft from any sensitive uses as proposed by Imperial County. The closest school is San Pasqual Valley Elementary, which is more than 2 miles from the proposed location. Yuma's West Wetlands Park, the closest park to the facility, is over 2,650 feet away. WH Lounge,

## PROJECT DESCRIPTION

WH LOUNGE LLC

LLC's site is 1.19 miles from the nearest youth center, Martin Luther King Youth Career Center. The closest day care, Helping Hands Head Start, is located 1.25 miles from the proposed dispensary location.

Site Address: 2124 Winterhaven Dr, Winterhaven, CA 92283

- Closest Park:** West Wetland Park (2,650 feet)  
282 N 12<sup>th</sup> Ave, Yuma, AZ 85364
- Closest Youth Center:** Martin Luther King Youth Center (1.19 miles)  
300 S 13<sup>th</sup> Avenue, Yuma, AZ 85364
- Closest School:** San Pasqual Elementary School (2.14 miles)  
Rt 1 676 Baseline Rd, Winterhaven, CA
- Closest Day Care:** Helping Hands Head Start (1.25 miles)  
384 S 13<sup>th</sup> Avenue, Yuma AZ 85364

## HOURS OF OPERATION

**Monday:** 8:00AM – 10:00PM (14 hours)  
**Tuesday:** 8:00AM – 10:00PM (14 hours)  
**Wednesday:** 8:00AM – 10:00PM (14 hours)  
**Thursday:** 8:00AM – 10:00PM (14 hours)  
**Friday:** 8:00AM – 10:00PM (14 hours)  
**Saturday:** 8:00AM – 10:00PM (14 hours)  
**Sunday:** 8:00AM – 10:00PM (14 hours)

[illegible]

**PROJECT SITE:**  
509 RAIL ROAD AVE  
WINTERHAVEN, CA 92383



SPACE 3 - APN: 056-283-006-000

## BUILDING CODE

1. THE SHEET SIZE (A1, NOTES, ELEVATION)  
 2. THE SHEET NUMBER (1 OF 1)  
 3. ELECTRICAL PLAN NUMBER (EPLAN)  
 4. ELECTRICAL PLAN  
 5. FOUNDATION PLAN, NOTES & DETAILS  
 6. ROOF PLAN, NOTES & DETAILS

[illegible]

PLANS PREPARED UNDER THE SUPERVISION OF

FORM PREPARED UNDER THE SUPERVISION OF  
 BY *W. H. H.* DATE 1-19-  
 LISA S. HARRISON  
 R.C.E. NO. 72971

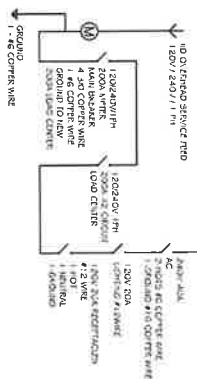


APN: 056-283-006-000



## ELECTRICAL NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2014 NATIONAL ELECTRICAL CODE (NEC) AND THE 2014 CALIFORNIA ELECTRICAL CODE (CEC).
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2014 NATIONAL ELECTRICAL CODE (NEC) AND THE 2014 CALIFORNIA ELECTRICAL CODE (CEC).
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2014 NATIONAL ELECTRICAL CODE (NEC) AND THE 2014 CALIFORNIA ELECTRICAL CODE (CEC).
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10. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2014 NATIONAL ELECTRICAL CODE (NEC) AND THE 2014 CALIFORNIA ELECTRICAL CODE (CEC).
11. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2014 NATIONAL ELECTRICAL CODE (NEC) AND THE 2014 CALIFORNIA ELECTRICAL CODE (CEC).
12. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2014 NATIONAL ELECTRICAL CODE (NEC) AND THE 2014 CALIFORNIA ELECTRICAL CODE (CEC).
13. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2014 NATIONAL ELECTRICAL CODE (NEC) AND THE 2014 CALIFORNIA ELECTRICAL CODE (CEC).



ELECTRICAL SINGLE LINE

PANEL 200A 1 PHASE 120/240V

NO.	DESCRIPTION	AMPS	VOLTS	PHASES	WIRE SIZE	WIRE TYPE	TERMINAL	NOTES
1	MAIN SERVICE	100	240	1	4	THHN	1	
2	120V/240V/1PH	100	240	1	4	THHN	1	
3	120V/240V/1PH	100	240	1	4	THHN	1	
4	120V/240V/1PH	100	240	1	4	THHN	1	
5	120V/240V/1PH	100	240	1	4	THHN	1	
6	120V/240V/1PH	100	240	1	4	THHN	1	
7	120V/240V/1PH	100	240	1	4	THHN	1	
8	120V/240V/1PH	100	240	1	4	THHN	1	
9	120V/240V/1PH	100	240	1	4	THHN	1	
10	120V/240V/1PH	100	240	1	4	THHN	1	
11	120V/240V/1PH	100	240	1	4	THHN	1	
12	120V/240V/1PH	100	240	1	4	THHN	1	
13	120V/240V/1PH	100	240	1	4	THHN	1	
14	120V/240V/1PH	100	240	1	4	THHN	1	
15	120V/240V/1PH	100	240	1	4	THHN	1	

## PLUMBING NOTES:

1. BUILDING WATER SUPPLY SYSTEMS WHERE QUICK-ACTING VALVES ARE INSTALLED SHALL BE PROVIDED WITH WATER HAMMER ARRESTORS TO ABSORB HIGH PRESSURES RESULTING FROM THE QUICK CLOSING OF THESE VALVES. WATER HAMMER ARRESTORS SHALL BE INSTALLED AS CLOSE AS POSSIBLE TO QUICK-ACTING VALVES.
2. HOT WATER SUPPLY TO A PUBLIC USE LAVATORY IS LIMITED TO A MAXIMUM TEMPERATURE POTENTIAL OF 110 DEGREES F BY A DEVICE THAT COMBINES TO AISE TEMPERATURE AND PRESSURE LIMITING. THE WATER INLET TO THE THERMOSTAT MAY NOT BE USED FOR COMBUSTION.
3. SLOPE OF NOT LESS THAN 1/4" PER FOOT (2.08 MM OR 2 PERCENT) TOWARD THE STREET SINKER. TO THE STRUCTURAL FEATURES OR TO THE ASSIGNMENT OF A BUILDING OR STRUCTURE TO OBTAIN A SLOPE OF 1/4" PER FOOT (2.08 MM OR 2 PERCENT) SLOPE THE DRAINING 1/4" INCH (6.35 MM) OR LARGER IN DIAMETER SHALL BE PRESENT WHERE THEY ARE APPROVED BY THE AUTHORITY HAVING JURISDICTION BY CEC 710.1.

## LIGHT FIXTURE / ACCESSORY SCHEDULE

SYMBOL	MANUFACTURER	DESCRIPTION	ROOM #	QTY	UNIT	REMARKS
1	1	RECESSED DOWNLIGHT 4" DIA.	1	4	CLING	REMARK: 1
2	2	RECESSED DOWNLIGHT 6" DIA.	2	2	CLING	REMARK: 2
3	3	RECESSED DOWNLIGHT 8" DIA.	3	2	CLING	REMARK: 3
4	4	RECESSED DOWNLIGHT 10" DIA.	4	2	CLING	REMARK: 4
5	5	RECESSED DOWNLIGHT 12" DIA.	5	2	CLING	REMARK: 5
6	6	RECESSED DOWNLIGHT 14" DIA.	6	2	CLING	REMARK: 6
7	7	RECESSED DOWNLIGHT 16" DIA.	7	2	CLING	REMARK: 7
8	8	RECESSED DOWNLIGHT 18" DIA.	8	2	CLING	REMARK: 8
9	9	RECESSED DOWNLIGHT 20" DIA.	9	2	CLING	REMARK: 9
10	10	RECESSED DOWNLIGHT 22" DIA.	10	2	CLING	REMARK: 10
11	11	RECESSED DOWNLIGHT 24" DIA.	11	2	CLING	REMARK: 11
12	12	RECESSED DOWNLIGHT 26" DIA.	12	2	CLING	REMARK: 12
13	13	RECESSED DOWNLIGHT 28" DIA.	13	2	CLING	REMARK: 13
14	14	RECESSED DOWNLIGHT 30" DIA.	14	2	CLING	REMARK: 14
15	15	RECESSED DOWNLIGHT 32" DIA.	15	2	CLING	REMARK: 15
16	16	RECESSED DOWNLIGHT 34" DIA.	16	2	CLING	REMARK: 16
17	17	RECESSED DOWNLIGHT 36" DIA.	17	2	CLING	REMARK: 17
18	18	RECESSED DOWNLIGHT 38" DIA.	18	2	CLING	REMARK: 18
19	19	RECESSED DOWNLIGHT 40" DIA.	19	2	CLING	REMARK: 19
20	20	RECESSED DOWNLIGHT 42" DIA.	20	2	CLING	REMARK: 20
21	21	RECESSED DOWNLIGHT 44" DIA.	21	2	CLING	REMARK: 21
22	22	RECESSED DOWNLIGHT 46" DIA.	22	2	CLING	REMARK: 22
23	23	RECESSED DOWNLIGHT 48" DIA.	23	2	CLING	REMARK: 23
24	24	RECESSED DOWNLIGHT 50" DIA.	24	2	CLING	REMARK: 24
25	25	RECESSED DOWNLIGHT 52" DIA.	25	2	CLING	REMARK: 25
26	26	RECESSED DOWNLIGHT 54" DIA.	26	2	CLING	REMARK: 26
27	27	RECESSED DOWNLIGHT 56" DIA.	27	2	CLING	REMARK: 27
28	28	RECESSED DOWNLIGHT 58" DIA.	28	2	CLING	REMARK: 28
29	29	RECESSED DOWNLIGHT 60" DIA.	29	2	CLING	REMARK: 29
30	30	RECESSED DOWNLIGHT 62" DIA.	30	2	CLING	REMARK: 30
31	31	RECESSED DOWNLIGHT 64" DIA.	31	2	CLING	REMARK: 31
32	32	RECESSED DOWNLIGHT 66" DIA.	32	2	CLING	REMARK: 32
33	33	RECESSED DOWNLIGHT 68" DIA.	33	2	CLING	REMARK: 33
34	34	RECESSED DOWNLIGHT 70" DIA.	34	2	CLING	REMARK: 34
35	35	RECESSED DOWNLIGHT 72" DIA.	35	2	CLING	REMARK: 35
36	36	RECESSED DOWNLIGHT 74" DIA.	36	2	CLING	REMARK: 36
37	37	RECESSED DOWNLIGHT 76" DIA.	37	2	CLING	REMARK: 37
38	38	RECESSED DOWNLIGHT 78" DIA.	38	2	CLING	REMARK: 38
39	39	RECESSED DOWNLIGHT 80" DIA.	39	2	CLING	REMARK: 39
40	40	RECESSED DOWNLIGHT 82" DIA.	40	2	CLING	REMARK: 40
41	41	RECESSED DOWNLIGHT 84" DIA.	41	2	CLING	REMARK: 41
42	42	RECESSED DOWNLIGHT 86" DIA.	42	2	CLING	REMARK: 42
43	43	RECESSED DOWNLIGHT 88" DIA.	43	2	CLING	REMARK: 43
44	44	RECESSED DOWNLIGHT 90" DIA.	44	2	CLING	REMARK: 44
45	45	RECESSED DOWNLIGHT 92" DIA.	45	2	CLING	REMARK: 45
46	46	RECESSED DOWNLIGHT 94" DIA.	46	2	CLING	REMARK: 46
47	47	RECESSED DOWNLIGHT 96" DIA.	47	2	CLING	REMARK: 47
48	48	RECESSED DOWNLIGHT 98" DIA.	48	2	CLING	REMARK: 48
49	49	RECESSED DOWNLIGHT 100" DIA.	49	2	CLING	REMARK: 49
50	50	RECESSED DOWNLIGHT 102" DIA.	50	2	CLING	REMARK: 50
51	51	RECESSED DOWNLIGHT 104" DIA.	51	2	CLING	REMARK: 51
52	52	RECESSED DOWNLIGHT 106" DIA.	52	2	CLING	REMARK: 52
53	53	RECESSED DOWNLIGHT 108" DIA.	53	2	CLING	REMARK: 53
54	54	RECESSED DOWNLIGHT 110" DIA.	54	2	CLING	REMARK: 54
55	55	RECESSED DOWNLIGHT 112" DIA.	55	2	CLING	REMARK: 55
56	56	RECESSED DOWNLIGHT 114" DIA.	56	2	CLING	REMARK: 56
57	57	RECESSED DOWNLIGHT 116" DIA.	57	2	CLING	REMARK: 57
58	58	RECESSED DOWNLIGHT 118" DIA.	58	2	CLING	REMARK: 58
59	59	RECESSED DOWNLIGHT 120" DIA.	59	2	CLING	REMARK: 59
60	60	RECESSED DOWNLIGHT 122" DIA.	60	2	CLING	REMARK: 60
61	61	RECESSED DOWNLIGHT 124" DIA.	61	2	CLING	REMARK: 61
62	62	RECESSED DOWNLIGHT 126" DIA.	62	2	CLING	REMARK: 62
63	63	RECESSED DOWNLIGHT 128" DIA.	63	2	CLING	REMARK: 63
64	64	RECESSED DOWNLIGHT 130" DIA.	64	2	CLING	REMARK: 64
65	65	RECESSED DOWNLIGHT 132" DIA.	65	2	CLING	REMARK: 65
66	66	RECESSED DOWNLIGHT 134" DIA.	66	2	CLING	REMARK: 66
67	67	RECESSED DOWNLIGHT 136" DIA.	67	2	CLING	REMARK: 67
68	68	RECESSED DOWNLIGHT 138" DIA.	68	2	CLING	REMARK: 68
69	69	RECESSED DOWNLIGHT 140" DIA.	69	2	CLING	REMARK: 69
70	70	RECESSED DOWNLIGHT 142" DIA.	70	2	CLING	REMARK: 70
71	71	RECESSED DOWNLIGHT 144" DIA.	71	2	CLING	REMARK: 71
72	72	RECESSED DOWNLIGHT 146" DIA.	72	2	CLING	REMARK: 72
73	73	RECESSED DOWNLIGHT 148" DIA.	73	2	CLING	REMARK: 73
74	74	RECESSED DOWNLIGHT 150" DIA.	74	2	CLING	REMARK: 74
75	75	RECESSED DOWNLIGHT 152" DIA.	75	2	CLING	REMARK: 75
76	76	RECESSED DOWNLIGHT 154" DIA.	76	2	CLING	REMARK: 76
77	77	RECESSED DOWNLIGHT 156" DIA.	77	2	CLING	REMARK: 77
78	78	RECESSED DOWNLIGHT 158" DIA.	78	2	CLING	REMARK: 78
79	79	RECESSED DOWNLIGHT 160" DIA.	79	2	CLING	REMARK: 79
80	80	RECESSED DOWNLIGHT 162" DIA.	80	2	CLING	REMARK: 80
81	81	RECESSED DOWNLIGHT 164" DIA.	81	2	CLING	REMARK: 81
82	82	RECESSED DOWNLIGHT 166" DIA.	82	2	CLING	REMARK: 82
83	83	RECESSED DOWNLIGHT 168" DIA.	83	2	CLING	REMARK: 83
84	84	RECESSED DOWNLIGHT 170" DIA.	84	2	CLING	REMARK: 84
85	85	RECESSED DOWNLIGHT 172" DIA.	85	2	CLING	REMARK: 85
86	86	RECESSED DOWNLIGHT 174" DIA.	86	2	CLING	REMARK: 86
87	87	RECESSED DOWNLIGHT 176" DIA.	87	2	CLING	REMARK: 87
88	88	RECESSED DOWNLIGHT 178" DIA.	88	2	CLING	REMARK: 88
89	89	RECESSED DOWNLIGHT 180" DIA.	89	2	CLING	REMARK: 89
90	90	RECESSED DOWNLIGHT 182" DIA.	90	2	CLING	REMARK: 90
91	91	RECESSED DOWNLIGHT 184" DIA.	91	2	CLING	REMARK: 91
92	92	RECESSED DOWNLIGHT 186" DIA.	92	2	CLING	REMARK: 92
93	93	RECESSED DOWNLIGHT 188" DIA.	93	2	CLING	REMARK: 93
94	94	RECESSED DOWNLIGHT 190" DIA.	94	2	CLING	REMARK: 94
95	95	RECESSED DOWNLIGHT 192" DIA.	95	2	CLING	REMARK: 95
96	96	RECESSED DOWNLIGHT 194" DIA.	96	2	CLING	REMARK: 96
97	97	RECESSED DOWNLIGHT 196" DIA.	97	2	CLING	REMARK: 97
98	98	RECESSED DOWNLIGHT 198" DIA.	98	2	CLING	REMARK: 98
99	99	RECESSED DOWNLIGHT 200" DIA.	99	2	CLING	REMARK: 99
100	100	RECESSED DOWNLIGHT 202" DIA.	100	2	CLING	REMARK: 100
101	101	RECESSED DOWNLIGHT 204" DIA.	101	2	CLING	REMARK: 101
102	102	RECESSED DOWNLIGHT 206" DIA.	102	2	CLING	REMARK: 102
103	103	RECESSED DOWNLIGHT 208" DIA.	103	2	CLING	REMARK: 103
104	104	RECESSED DOWNLIGHT 210" DIA.	104	2	CLING	REMARK: 104
105	105	RECESSED DOWNLIGHT 212" DIA.	105	2	CLING	REMARK: 105
106	106	RECESSED DOWNLIGHT 214" DIA.	106	2	CLING	REMARK: 106
107	107	RECESSED DOWNLIGHT 216" DIA.	107	2	CLING	REMARK: 107
108	108	RECESSED DOWNLIGHT 218" DIA.	108	2	CLING	REMARK: 108
109	109	RECESSED DOWNLIGHT 220" DIA.	109	2	CLING	REMARK: 109
110	110	RECESSED DOWNLIGHT 222" DIA.	110	2	CLING	REMARK: 110
111	111	RECESSED DOWNLIGHT 224" DIA.	111	2	CLING	REMARK: 111
112	112	RECESSED DOWNLIGHT 226" DIA.	112	2	CLING	REMARK: 112
113	113	RECESSED DOWNLIGHT 228" DIA.	113	2	CLING	REMARK: 113
114	114	RECESSED DOWNLIGHT 230" DIA.	114	2	CLING	REMARK: 114
115	115	RECESSED DOWNLIGHT 232" DIA.	115	2	CLING	REMARK: 115
116	116	RECESSED DOWNLIGHT 234" DIA.	116	2	CLING	REMARK: 116
117	117	RECESSED DOWNLIGHT 236" DIA.	117	2	CLING	REMARK: 117
118	118	RECESSED DOWNLIGHT 238" DIA.	118	2	CLING	REMARK: 118
119	119	RECESSED DOWNLIGHT 240" DIA.	119	2	CLING	REMARK: 119
120	120	RECESSED DOWNLIGHT 242" DIA.	120	2	CLING	REMARK: 120
121	121	RECESSED DOWNLIGHT 244" DIA.	121	2	CLING	REMARK: 121
122	122	RECESSED DOWNLIGHT 246" DIA.	122	2	CLING	REMARK: 122
123	123	RECESSED DOWNLIGHT 248" DIA.	123	2	CLING	REMARK: 123
124	124	RECESSED DOWNLIGHT 250" DIA.	124	2	CLING	REMARK: 124
125	125	RECESSED DOWNLIGHT 252" DIA.	125	2	CLING	REMARK: 125
126	126	RECESSED DOWNLIGHT 254" DIA.	126	2	CLING	REMARK: 126
127	127	RECESSED DOWNLIGHT 256" DIA.	127	2	CLING	REMARK: 127
128	128	RECESSED DOWNLIGHT 258" DIA.	128	2	CLING	REMARK: 128
129	129	RECESSED DOWNLIGHT 260" DIA.	129	2	CLING	REMARK: 129
130	130	RECESSED DOWNLIGHT 262" DIA.	130	2	CLING	REMARK: 130
131	131	RECESSED DOWNLIGHT 264" DIA.	131	2	CLING	REMARK: 131
132	132	RECESSED DOWNLIGHT 266" DIA.	132	2	CLING	REMARK: 132
133	133	RECESSED DOWNLIGHT 268" DIA.	133	2	CLING	REMARK: 133
134	134	RECESSED DOWNLIGHT 270" DIA.	134	2	CLING	REMARK: 134
135	135	RECESSED DOWNLIGHT 272" DIA.	135	2	CLING	REMARK: 135
136	136	RECESSED DOWNLIGHT 274" DIA.	136	2	CLING	REMARK: 136
137	137	RECESSED DOWNLIGHT 276" DIA.	137	2	CLING	REMARK: 137
138	138	RECESSED DOWNLIGHT 278" DIA.	138	2	CLING	REMARK: 138
139	139	RECESSED DOWNLIGHT 280" DIA.	139	2	CLING	REMARK: 139
140	140	RECESSED DOWNLIGHT 282" DIA.	140	2	CLING	REMARK: 140
141	141	RECESSED DOWNLIGHT 284" DIA.	141	2	CLING	REMARK: 141
142	142	RECESSED DOWNLIGHT 286" DIA.	142	2	CLING	REMARK: 142
143	143	RECESSED DOWNLIGHT 288" DIA.	143	2	CLING	REMARK: 143
144	144	RECESSED DOWNLIGHT 290" DIA.	144	2	CLING	REMARK: 144
145	145	RECESSED DOWNLIGHT 292" DIA.	145	2	CLING	REMARK: 145
146	146	RECESSED DOWNLIGHT 294" DIA.	146	2	CLING	REMARK: 146
147	147	RECESSED DOWNLIGHT 296" DIA.	147	2	CLING	REMARK: 147
148	148	RECESSED DOWNLIGHT 298" DIA.	148	2	CLING	REMARK: 148
149	149	RECESSED DOWNLIGHT 300" DIA.	149	2	CLING	REMARK: 149
150	150	RECESSED DOWNLIGHT 302" DIA.	150	2	CLING	REMARK: 150
151	151	RECESSED DOWNLIGHT 304" DIA.	151	2	CLING	REMARK: 151
152	152	RECESSED DOWNLIGHT 306" DIA.	152	2	CLING	REMARK: 152
153	153	RECESSED DOWNLIGHT 308" DIA.	153	2	CLING	REMARK: 153
154	154	RECESSED DOWNLIGHT 310" DIA.	154	2	CLING	REMARK: 154
155	155	RECESSED DOWNLIGHT 312" DIA.	155	2	CLING	REMARK: 155
156	156	RECESSED DOWNLIGHT 314" DIA.	156	2	CLING	REMARK: 156
157	157	RECESSED DOWNLIGHT 316" DIA.	157	2	CLING	REMARK: 157
158	158	RECESSED DOWNLIGHT 318" DIA.	158	2	CLING	REMARK: 158
159	159	RECESSED DOWNLIGHT 320" DIA.	159	2	CLING	REMARK: 159
160	160	RECESSED DOWNLIGHT 322" DIA.	160	2	CLING	REMARK: 160
161	161	RECESSED DOWNLIGHT 324" DIA.	161	2	CLING	REMARK: 161
162	162	RECESSED DOWNLIGHT 326" DIA.	162	2	CLING	REMARK: 162
163	163	RECESSED DOWNLIGHT 328" DIA.	163	2	CLING	REMARK: 163
164	164	RECESSED DOWNLIGHT 330" DIA.	164	2	CLING	REMARK: 164
165	165	RECESSED DOWNLIGHT 332" DIA.	165	2	CLING	REMARK: 165
166	166	RECESSED DOWNLIGHT 334" DIA.	166	2	CLING	REMARK: 166
167	167	RECESSED DOWNLIGHT 336" DIA.	167	2	CLING	REMARK: 167
168	168	RECESSED DOWNLIGHT 338" DIA.	168	2	CLING	REMARK: 168
169	169	RECESSED DOWNLIGHT 340" DIA.	169	2	CLING	REMARK: 169
170	170	RECESSED DOWNLIGHT 342" DIA.	170	2	CLING	REMARK: 170
171	171	RECESSED DOWNLIGHT 344" DIA.	171	2	CLING	REMARK: 171
172	172	RECESSED DOWNLIGHT 346" DIA.	172	2	CLING	REMARK: 172
173	173	RECESSED DOWNLIGHT 348" DIA.	173	2	CLING	REMARK: 173
174	174	RECESSED DOWNLIGHT 350" DIA.	174	2	CLING	REMARK: 174
175	175	RECESSED DOWNLIGHT 352" DIA.	175	2	CLING	REMARK: 175
176	176	RECESSED DOWNLIGHT 354" DIA.	176	2	CLING	REMARK: 176
177	177	RECESSED DOWNLIGHT 356" DIA.	177	2	CLING	REMARK: 177
178	178	RECESSED DOWNLIGHT 358" DIA.	178	2	CLING	REMARK: 178
179	179	RECESSED DOWNLIGHT 360" DIA.	179	2	CLING	REMARK: 179
180	180	RECESSED DOWNLIGHT 362" DIA.	180	2	CLING	REMARK: 180
181	181	RECESSED DOWNLIGHT 364" DIA.	181	2	CLING	REMARK: 181
182	182	RECESSED DOWNLIGHT 366" DIA.	182	2	CLING	REMARK: 182
183	183	RECESSED DOWNLIGHT 368" DIA.	183	2	CLING	REMARK: 183
184	184	RECESSED DOWNLIGHT 370" DIA.	184	2	CLING	REMARK: 184
185	185	RECESSED DOWNLIGHT 372" DIA.	185	2	CLING	REMARK: 185
186	186	RECESSED DOWNLIGHT 374" DIA.	186	2</		

**2022 CALIFORNIA BELL HONORARY FELLOWSHIP**  
The following are general requirements of the fellowship awards based on the 2021 FPG Ranking of sites. This handbook is intended to provide only general information; for further information, consult the handbook of Testing Procedures.

MECHANICAL NOTES

1) THESE DRAWINGS ARE A GENERAL GRAPHIC PRESENTATION OF THE WORK, DUCTWORK, PIPING AND EQUIPMENT AS SHOWN ARE SCHEMATIC. FABRICATE AND INSTALL BASED ON ACTUAL FIELD MEASUREMENT. COORDINATE

ABBREVIATIONS	
ENVF	ENVIRONMENTAL FORUM
FI	FINLAND
FR	FRANCE
GR	GERMANY
HA	HOLLAND
IR	IRELAND
ITA	ITALY
JA	JAPAN
UK	UNITED KINGDOM
US	UNITED STATES
W	WEST
WORLD	WORLDWIDE

	<b>ENGINEER OF RECORD</b>	
	PLANS PREPARED UNDER THE SUPERVISION OF	
	DESIGNED BY <u><i>[Signature]</i></u>	DATE <u>1-12-24</u>
	CHECKED BY <u>ADARSH K. DEBENDRA</u>	
	R.C.E. NO. <u>7523</u>	

4

SHEET CONTINUOUS  
MECHANICAL PLASMA





### 3. MARKET-DRIVEN VS. MARKET-ORIENTED

- [illegible]

## AT 200 AT INTELLECTUAL PROPERTY

1. DETERMINE THE SPECIES IDENTIFICATION CODE FILE TO BE USED BASED ON THE NORTH ATLANTIC REGION.
  2. DETERMINE THE SPECIES IDENTIFICATION CODE FILE TO BE USED BASED ON THE NORTH ATLANTIC REGION.
  3. DETERMINE THE SPECIES IDENTIFICATION CODE FILE TO BE USED BASED ON THE NORTH ATLANTIC REGION.
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  5. DETERMINE THE SPECIES IDENTIFICATION CODE FILE TO BE USED BASED ON THE NORTH ATLANTIC REGION.
- TIMBER NOTES:**
- 5-DOWN LOGGING DURING PE CONDUITS ARE USUALLY CONSIDERED TO BE

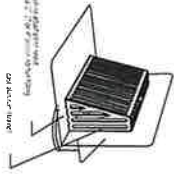
2. WALL STUDS

- DESIGN LOADS:**  
ROOF AND RAO-12.7 kPa  
LIVE LOADS AND ROOF SAFETY  
BEAMS, HEADERS AND FLOORS

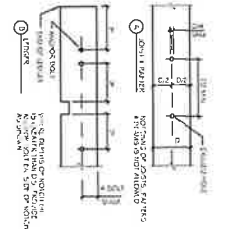
3.03.14- FINE WASHER, MOUNTED  
LOCATED 101153 MEH-1 AND

21. OR, GASEOUS N<sub>2</sub> IS OBTAINED BY HEATING A SOLUTION OF 1.00 g OF DIMETHYLHYDRAZINE, (CH<sub>3</sub>)<sub>2</sub>N-NH<sub>2</sub>.

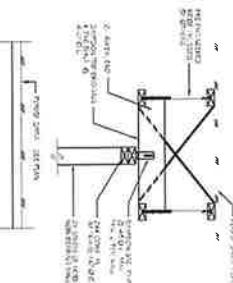
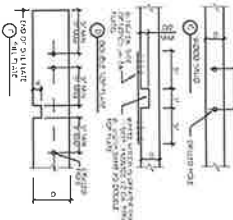
18. *Journal of the American Medical Association*, 273:1225-1230 (1995).



Year	Population	Population Density	Population Growth Rate	Population Growth Rate
1990	1,000,000	100	1.0%	1.0%
2000	1,200,000	120	2.0%	2.0%
2010	1,400,000	140	3.0%	3.0%
2020	1,600,000	160	4.0%	4.0%
2030	1,800,000	180	5.0%	5.0%
2040	2,000,000	200	6.0%	6.0%
2050	2,200,000	220	7.0%	7.0%
2060	2,400,000	240	8.0%	8.0%
2070	2,600,000	260	9.0%	9.0%
2080	2,800,000	280	10.0%	10.0%
2090	3,000,000	300	11.0%	11.0%
2100	3,200,000	320	12.0%	12.0%



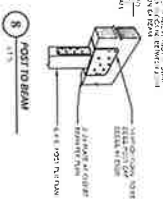
bioRxiv preprint doi: <https://doi.org/10.1101/012488>; this version posted November 12, 2014. The copyright holder for this preprint (which was not certified by peer review) is the author/funder, who has granted bioRxiv a license to display the preprint in perpetuity. It is made available under aCC-BY-NC-ND 4.0 International license.



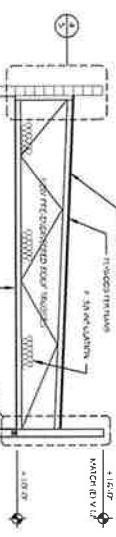
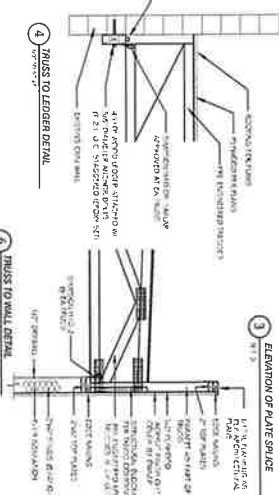
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## PLAN NOTES

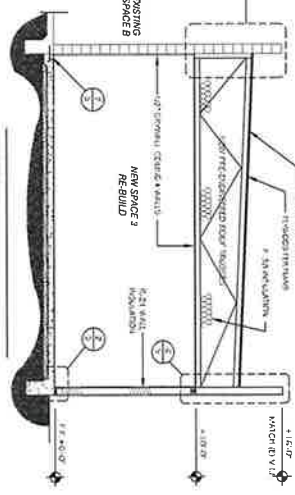
1. USE 48" RATED VINYL AT ALL JOINTS/OPENINGS 2" L/O
2. ALL JOINTS/OPENINGS SHOULD BE PROTECTED BY MANUFACTURER'S LISTED PROTECTIVE MATERIAL
3. USE 3/8" X 3/8" OR EQUIV. CONNECTORS AT ALL FINISHING JOINTS
4. REFER TO DIMENSIONED PLAN SHEET 2 FOR ALL DIMENSIONS NOT SHOWN HERE
5. REFER TO DETAIL 26 FOR INTERIOR NON-BEARING WALL
6. REFER TO DETAIL 26 FOR PERIMETER / EXTERIOR DETAIL
7. REFER TO DETAIL 26 FOR INTERIOR NONFINISHING PLUMBING
8. HURCALS PROTECTION OF SLOPE SLOPE
9. WOOD FRAMES TO BE SPACED AT 24" O.C. MAX
10. SEE DETAIL 26C FOR DOOR FRAM



1000

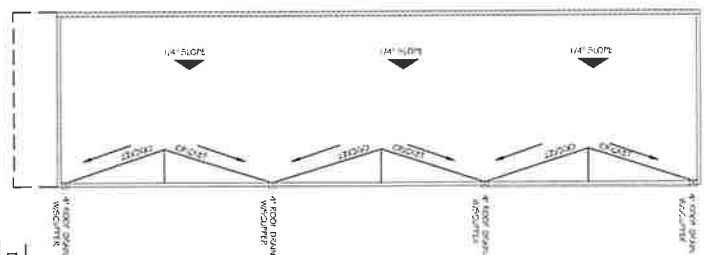


## SPACE B

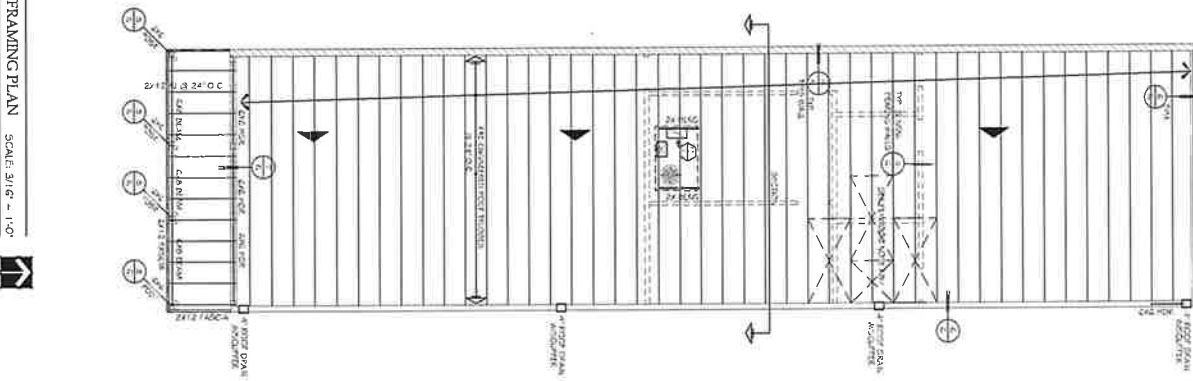


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SCALE: 1/4" = 1'-0"



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# VARIANCE

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.  
801 Main Street, El Centro, CA 92243 (442) 265-1736

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME WH MARKET LLC	EMAIL ADDRESS cg4557600@gmail.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 509 Railroad Ave., Winterhaven, CA. SP. 3	ZIP CODE 92283	PHONE NUMBER 760-455-7600
3. ENGINEERS NAME KESRI S. SEKHON	CA. LICENSE NO. 72573	EMAIL ADDRESS KESISEKHON@YAHOO.COM
4. MAILING ADDRESS (Street / P O Box, City, State) 7072 Cordgrass Court, Carlsbad, CA	ZIP CODE 92011	PHONE NUMBER 858-395-1143
5. ASSESSOR'S PARCEL NO. 056-283-006-000	ZONING (existing) C2	
6. PROPERTY (site) ADDRESS 509 Railroad Ave., Winterhaven, CA. 92283	SIZE OF PROPERTY (in acres or square foot) 16,250 S.F.	
7. GENERAL LOCATION (i.e. city, town, cross street) WINTERHAVEN		
8. LEGAL DESCRIPTION LOTS 7,8,9 & 10BLK 9 TOWNSITE OF WINTERHAVEN		
8. DESCRIBE VARIANCE REQUESTED (i.e. side yard set-back reduction, etc.) EXISTING PARKING IS INSUFFICIENT, ALL EMPLOYEES WILL PARK ACROSS THE STREET ON OWNERS OTHER PROPERTY PAVED AND STRIPPED		
9. DESCRIBE REASON FOR, OR WHY VARIANCE IS NECESSARY : EXISTING LOT NEVER HAD ENOUGH PARKING WHEN BUILDING WAS BUILT DOING AN ABANDONMENT OF PARTIAL E STREET, CAN ONLY FIT TWO ADDITIONAL SPACES		
10. DESCRIBE THE ADJACENT PROPERTY East APARTMENTS & ABONDONED LIQUOR STORE West COURT HOUSE North SINGLE FAMILY RESIDENCE South COMMERCIAL LOTS, SEVERAL DIFFERENT BUSINESS & POST OFFICE		

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY  
CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN  
IS TRUE AND CORRECT.

VINCE HALLAK

01-12-2024

Print Name

Date

Signature

Print Name

Date

Signature

## REQUIRED SUPPORT DOCUMENTS

- A. SITE PLAN ☒ X  
B. FEE 3,000.00  
C. OTHER  
D. OTHER

APPLICATION RECEIVED BY:

DATE

2/27/24

REVIEW / APPROVAL BY  
OTHER DEPT'S required

APPLICATION DEEMED COMPLETE BY:

DATE

APPLICATION REJECTED BY:

DATE

TENTATIVE HEARING BY:

DATE

FINAL ACTION:

☐

APPROVED

☐

DENIED

DATE

- ☐ P.W.  
☐ E.H.S.  
☐ A.P.C.D.  
☐ O.E.S.  
☐

V #

24-0001



# **ATTACHMENT “I”**

**COPY OF FISCAL & ECONOMIC  
IMPACT ANALYSIS FOR WH  
LOUNGE, LLC**

# Development Management Group, Inc.

economic development ■ fiscal & economic analysis ■ development management



## WH Lounge, LLC



Economic Impact Analysis (EIA)  
Employment (Jobs) Impact Analysis (JIA)  
Fiscal Impact Analysis (FIA)

Completed for:



Draft Report of Findings  
May 31, 2025







## Development Management Group, Inc.

economic development ■ fiscal & economic analysis ■ development management

May 31, 2025

Ms. Rebecca Terrazas-Baxter, Assistant County Executive Officer  
Ms. Rosa Lopez-Solis, Executive Office Budget and Program Administrator  
940 West Main Street, Suite 208  
El Centro, CA 92243

**RE: DRAFT ECONOMIC/JOB/FISCAL IMPACT ANALYSIS:  
PROPOSED WH LOUNGE, LLC (CANNABIS-RELATED RETAIL FACILITY)**

Dear Ms. Terrazas-Baxter and Ms. Lopez-Solis:

On behalf of Development Management Group, Inc. (DMG, Inc.), I am honored to provide you with an independent analysis of the economic and fiscal impacts of the proposed WH Lounge, LLC (WHL, LLC) cannabis-related facility in Imperial County, CA. The purpose of this cover letter is to provide you with a brief explanation of each of the analyses contained in this report and a summary. The proposed use is a retail cannabis facility (dispensary) in a to be remodeled existing building in Winterhaven, CA. The facility will be about 4,320 square feet in size on a 15,188 square foot lot. DMG, Inc. (in communication with WHL, LLC) believes there will be about 7 full-time equivalent employees.

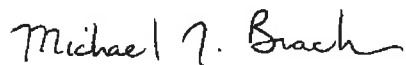
An ***Economic Impact Analysis*** calculates the predicted impact to a community or region as a result of a project or activity. This includes all known direct (and indirect) expenditures as a result of both construction and operation for a given time period or life of a facility/project. With respect to WHL, LLC's proposed facility, the economic impact to the region is projected to be \$24.52 million over a thirty (30) year period.

An ***Employment or Jobs Impact Analysis*** calculates the total amount of construction and operational jobs on the project site. DMG, Inc. estimates that the development will generate the equivalent of 1.07 short-term full-time equivalent construction jobs and seven (7) full-time equivalent operation jobs.

A ***Fiscal Impact Analysis*** calculates the predicted costs to a community as a result of hosting a particular use/development or facility. Using the methodology and limitations described in the full report (attached), DMG, Inc. has determined that the proposed use will generate about \$6.2 million ***more*** in revenue over a thirty-year period for the County of Imperial than it will cost to support the facility and its employees/dependents.

A complete report of findings along with a list of sources/detailed calculations are contained within the report that follows. Please contact me with any questions you may have at (760) 272-9136 or by email at [michael@dmgeconomics.com](mailto:michael@dmgeconomics.com)

Sincerely,

A handwritten signature in black ink that reads "Michael J. Bracken". The signature is written in a cursive, flowing style.

Michael J. Bracken  
Managing Partner

## **Introduction**

Development Management Group, Inc. (DMG) has been retained by the County of Imperial to provide an Economic Impact Analysis (EIA) and Fiscal Impact Analysis (FIA) for a proposed Retail Cannabis Facility (dispensary) within the County of Imperial. This report covers WH Lounge, LLC (legal name). For purposes of readability, the proposed project shall be referred to as "WHL, LLC" or "WHL" for the remainder of this report. This economic impact analysis shall cover a total of thirty (30) with year one (FY 25/26) accounting for both construction (tenant improvement build-out) and operation. This allows for whole year comparisons and projections.

## **Information Regarding WH Lounge, LLC**

Vince Hallack  
5909 Railroad Avenue  
Winterhaven, CA 92283  
(619) 884-9947 \* vincehallack@gmail.com

## **Information Regarding County of Imperial**

Ms. Rebecca Terrazas-Baxter, Assistant County Executive Officer  
Ms. Rosa Lopez-Solis, Executive Office Budget and Program Administrator  
940 West Main Street, Suite 208  
El Centro, CA 92243  
(442) 265-1013 \* rosalopez@co.imperial.ca.us

## **Information Regarding Development Management Group, Inc.**

Mr. Michael J. Bracken, Managing Partner  
Development Management Group, Inc.  
41-625 Eclectic Street, Suite D-2  
Palm Desert, CA 92260  
(760) 346-8820 / (760) 346-8887 (fax) / (760) 272-9136 (mobile)  
Michael@dmgeconomics.com \* www.dmgeconomics.com

## **Statement of Independence**

The County of Imperial has provided a joint contractual obligation with Development Management Group, Inc. regarding independence of conclusions regarding economic impacts. Therefore, WH Lounge, LLC has not provided editorial comment or direction regarding the conclusions contained herein. Additionally, DMG has provided a certification of independence as Section 10 (Page 12) of this Economic Impact Analysis / Fiscal Impact Analysis.

## **Contents of Community and Economic Impact Analysis:**

1. References Utilized in Analysis
2. Qualifications of Consultant
3. Description of Economic Multiplier
4. Limitations/Assumptions of Economic Analysis and Disclosures
5. Host Community Information (County of Imperial, California)
6. Project Description of WH Lounge, LLC (WHL, LLC)
7. Regional Economic Impacts from Construction/Operation of WHL, LLC
8. Fiscal Impact Analysis of WHL, LLC
9. Conclusion/Recommendations
10. Certification
11. Exhibit A: Consumer Price Index Calculations 1995-2024
12. Exhibit B: Construction/Operation Regional Impacts
13. Exhibit C: Governmental Revenues
14. Exhibit D: County of Imperial Taxing Organization Benefit Chart
15. Exhibit E: County of Imperial Tax Benefit (Consolidated)
16. Exhibit F: Local Taxing Jurisdiction Tax Allocation Estimate
17. Exhibit G: County of Imperial FY 24/25 Budget (General Government Services)
18. Exhibit H: Projected Costs for County to Host WH Lounge, LLC
19. Exhibit I: Fiscal Impact Analysis: Projected Revenue (to County) Versus Expenses



## **1. References Utilized for Analysis:**

1. American Community Survey
2. Building Industry Association
3. California Association for Local Economic Development
4. California Department of Tax and Fee Administration
5. California Employment Development Department
6. California State Department of Finance
7. County of Imperial, California
8. Energy Information Administration (United States Federal Government)
9. Environics Analytics
10. Implan Group, Inc.
11. Marijuana Business Factbook
12. Natelson Company, Inc.
13. RAND Corporation
14. United States Census Bureau
15. United States Bureau of Economic Analysis (BEA) RIMS II 2007/2013
16. United States Census
17. University of California Irvine
18. WH Lounge, LLC

## **2. Qualifications of Consultant**

Development Management Group, Incorporated (DMG, Inc.) specializes in services related to economic development and redevelopment. Such services include site selection and analysis, economic development strategic planning and implementation, development management, market/development feasibility, economic analysis, entitlement/permit processing and project financing. DMG has completed over two hundred (200) Fiscal and Economic Impact Analysis projects for both the private and public sector and serves as a contract economist for the Southern California Association of Governments.

Over the past twenty (20) years, DMG, Inc. has assisted over five dozen companies with their site selection and entitlement/permit processing. These companies have created over 2,500 new jobs and invested tens of millions of dollars within the communities where they are located. In addition, DMG, Inc. has assisted a number of public agencies and economic development corporations with economic impact analysis, strategic planning, marketing and other business recruitment projects creating the administrative and operational infrastructure to enable them to grow their economies.

The company founder, Michael Bracken, brings over 30 years of local, regional and state government experience in the fields of economic development, redevelopment, housing and sales and use tax administration. Before founding Development Management, Inc., Bracken completed four years as the President and Chief Executive Officer of the Coachella Valley Economic Partnership where he led a regional business recruitment team that generated tens of millions of dollars of economic investment for the Palm Springs Region of Southern California.

Bracken holds a Bachelor's Degree in Business Administration and a Master's Degree in Public Administration from The California State University San Bernardino (CSUSB). He co-designed CSUSB's Master's level course titled *Management of Local Economic Development*, which trains economic development professionals in business recruitment and effective use of financial and tax incentives. He is also a former City Councilman and Vice-Chairman of a Community Redevelopment Agency providing unique and beneficial prospective to local governments.

### **3. Description of Economic Multiplier**

There are two types of multipliers that are generally utilized by economists. These include spending multipliers and job creation multipliers. Simply stated, spending multipliers is the calculation of the number of times a dollar is expected to be spent through the regional economy. Economic multipliers differ based on the origination of that particular dollar. For example, labor multipliers are higher than material multipliers as labor dollars are paid directly to personnel and generally spent more locally. Dollars spent on materials (for example, construction materials) are more likely to leave the regional economy as they are used to pay suppliers located elsewhere.

Economists often provide the example of a gold mining town when describing the concept of economic multipliers. Imagine a gold miner with money paying various people within the town for a place to sleep, equipment to mine, food and entertainment. The recipients of these dollars then utilize the money they received for their own purchases (including a place to sleep, supplies for their businesses, food and entertainment). Economic multipliers are the basis of understanding how a particular business or use will impact a regional economy.

There is disagreement between individual economists and government authorities regarding appropriate economic multipliers. More aggressive economists often argue for higher economic multipliers stating that dollars continually circulate through an economy. Conservative economists believe that multipliers are lower, and that the circulation has an ending point (and therefore a new beginning point) in the spending cycle. In an effort to provide the greatest amount of accuracy to an analysis of this nature, Development Management Group, Inc. utilizes the RIMS II model, which most economists consider to be a more conservative estimate of economic multipliers.

The RIMS II model is based on work by the United States Bureau of Economic Analysis. DMG, Inc. is utilizing the latest RIMS II Model (2012/2020). Use is also made of the California Economic Strategy Panel 2009. They published a study titled “Using Multipliers to Measure Economic Impacts”. This publication looks at hundreds of industry types. Multipliers for Imperial County typically are in the range of 1.0 to 2.0.

Employment multipliers help predict the number of additional jobs that are created elsewhere in the economy for each job of a certain type. For example, if a certain type of job (let us say one involving full-service restaurants which has a multiplier of 1.1346, for each job directly attached to retail, an additional .13 (or about 1/7) of a job is created elsewhere in the economy). DMG, Inc. applies the use of economic multipliers in the following pages to help present potential economic, employment and fiscal impacts.

#### **4. Limitations/Assumptions of Economic Analysis and Disclosures**

There are a few items in which cannot be reasonably calculated for this analysis. The following are included in this group:

- A. Development Management Group, Inc. does not forecast whether the proposed use is the “highest and best use” of the subject property.
- B. Business license fees to the County of Imperial are not included. Such revenue source is generally minor (though the tracking of businesses within a community is needed for regulatory, compliance and licensing purposes).
- C. Sales are estimated to increase by 2.5467% per annum, which is the 30-Year Consumer Price Index. Note that in previous analysis of this industry, DMG, Inc. utilized a rate that was twice the 30-year CPI. Now that the cannabis industry is reaching a point of maturity, a lower growth rate is more appropriate.
- D. Increases in property taxes (at build-out) shall be set at 2.00% per annum, which is the legal limit in California under Proposition 13.
- E. This Analysis is based on conservative assumptions under the directive that at no time is the County of Imperial (as a municipal governmental entity) or its residents (as taxpayers) to subsidize the operations or the fiscal impacts of a cannabis-related entity operating within City limits. This means that the Fiscal Impact Analysis is based on a 100% cost recovery approach based on working population and household support.
- F. There are "unintended consequences" of the cannabis industry that cannot be calculated at this time. The legalization of the industry in the State of California (recreationally) is within its first decade and it is not known what the long-term impacts are public safety services, educational attainment and workforce productivity (positive or negative).
- G. County of Imperial budget expenditures do not account for reimbursement/disbursement from other governmental entities as most revenue streams are not constitutionally guaranteed to local jurisdictions.



- H. DMG, Inc. is not and shall not be engaged in the active recruitment of cannabis related businesses in the County of Imperial, nor any other jurisdiction that we represent. Our work is simply the analysis of the potential existence and operation of such businesses and the economic and fiscal impacts of such on a particular jurisdiction or community. DMG, Inc. acknowledges that the cultivation, distribution and /or sale of cannabis is a violation of Federal Law and we are not encouraging the existence of such businesses in the County of Imperial. We have agreed to model the impacts and recommend remuneration by the governmental entity (County of Imperial) if they choose to approve such use/operations within the County jurisdiction.
- I. DMG, Inc. has copyrighted each and every page of this report along with accompanying Exhibits A-J (inclusive). The purpose of the Copyright is to protect our analysis and report structure as it is considered intellectual property of DMG, Inc. This said, the County of Imperial is granted unlimited use of **this** report (in Final Report status) for their own purposes so long as it is not reverse engineered, nor its format used for subsequent project(s). Further it is understood that this report may be entered into the public record through the County of Imperial, CA, which is an accepted use of this report. Any other use by anyone or entity other than the County of Imperial without the express written and/or licensed permission of Development Management Group, Inc. is prohibited.

##### **5. Host Community/Region Information (County of Imperial, CA)**

The County of Imperial, California (Imperial County) is located in the southeast corner of California. The population of the County is approximately 186,499 (2025 California Department of Finance) The California Employment Development Department (EDD) shows as of April, 2025 that the unemployment rate for Imperial County is 16.4% with 73,000 available in the workforce, 61,000 employed and 12,000 currently unemployed. As of February, 2024 Total Farm Payroll totaled 9,400 workers (last full quarter micro-employment analysis available).

## **6. Project Description**

WH Lounge, LLC is proposing to complete a substantial remodel and repositioning of an existing 4,320 square foot building on approximately 15,188 square feet of land (Assessor's Parcel Number 056-283-006) in Winterhaven, California (an unincorporated community within Imperial County). Winterhaven is located about 60 miles east of the City of El Centro and about two (2) miles west of the City of Yuma, Arizona along Interstate 8. The facility will be used as a retail dispensary for cannabis product(s).

Utility usage will largely be limited to small business service for water and electricity. Water usage is generally described as minimal-domestic type service. Electricity will be used to power lighting, climate control and similar uses. The operator has not disclosed any commercial production (grow) or processing (testing/manufacturing) operations within the facility.

## **7. Regional Economic Impacts from Construction and Operations (Exhibit A-G)**

An Economic Impact Analysis (EIA) predicts the impact an industry or operation will have on the overall economy as a result of production, sales, employment and other activities. An EIA does not predict the costs to a community as a result of said activities, therefore these are considered "gross" calculations.

### ***Construction***

WHL, LLC estimates that they will invest approximately \$200,000 into the rehabilitation of an existing building in Winterhaven, CA that they purchased for about \$700,000. About 45% of the rehabilitation will be labor costs, while the balance is for construction materials and fixtures. Using RIMS II Modeling, this investment is expected to have an overall impact on the regional economy (one-time) of about \$100,000. This is based on labor coming from the region and most materials coming from outside Imperial County. DMG. Inc. estimates it will take about 2,227 craft hours to complete the remodel based on the information provided by WHL. This translates to 1.07 full-time equivalent persons. In actuality the remodel should likely take 2-4 months as multiple persons are typically working on a facility of this size at the same time.

## ***Operation***

Operation of the retail (dispensary) facility will generate both jobs and tax revenue. WHL indicates that seven (7) full-time equivalent persons will be hired to operate the facility. The persons will be paid between \$17 and \$20 per hour. Overall, this produces an annual payroll inclusive of 20% for taxes and benefits of about \$319,500. Labor costs are scheduled to increase by an average of 5% per annum in the analysis.

Overall, it is estimated that the construction and operation of the retail (dispensary) will have an overall economic impact of about \$24.5 million on the regional economy over a twenty (20) year period. This scenario does contemplate that employees primarily live in Imperial County.

## ***Tax Revenue***

Using Year 1 as an example year, it is estimated that the facility will generate a total of \$9,000 in property taxes. Of this, 32.2% (or \$2,898) will go to the County of Imperial. The balance goes to a variety of taxing entities throughout Imperial County including the local school districts.

During the same sample year (Year 1), WHL, LLC projects that they will sell \$2.5 million of product (increasing by the 30-year average Consumer Price Index increase of 2.5467% each year thereafter). Cannabis product is subject to Sales & Use Tax in the State of California (a net amount of about 2.33% goes to the County of Imperial). Additionally, the voters of Imperial County elected to impose an additional 8% tax on retail cannabis products through Measure Y passed in June, 2018. Combined, Sales & Use Tax and Measure Y will generate an estimated \$254,125 in local taxes to the County of Imperial (Year 1).

In total, the first thirty (30) years of operation are estimated to generate a total of \$10.48 million in tax revenue benefiting the County of Imperial. This is comprised of \$10.36 million in Sales & Use Tax / Measure Y revenue and \$117,566 in net to the County property tax revenue.

It is noted that taxing jurisdictions such as the San Pascual Unified School District will see about \$150,000 and Imperial Community College will see about \$47,918 in property tax revenue over the thirty (30) year period.

#### Employment/Job Impacts

As stated previously, the development (rehabilitation) of the retail facility will generate about 1.07 full-time equivalent direct jobs (2,227 craft hours). Additionally, the operation of the facility will generate 7 full-time equivalent jobs. Each direct job also creates a portion of an additional job based on the industry (these are known as job or employment multipliers). For each direct construction job, an additional .2619 (or about  $\frac{1}{4}$  of 1 job) is generated elsewhere in the economy. For each direct operation job, an additional .1621 (or about  $\frac{1}{6}$ <sup>th</sup> of 1 job) is generated elsewhere in the economy.

During the first year, which includes construction and operations, the WHL facility will generate a total (direct, indirect and induced) of 9.62 jobs while from Year 2 on, it is anticipated that the WHL facility will generate a total (direct, indirect and induced) of 8.13 jobs.

### **8. Fiscal Impact Analysis (Exhibits H, I & J)**

Exhibits H, I & J are the focus of the Fiscal Impact Analysis. A Fiscal Impact Analysis answers what are the potential costs to the County of Imperial for hosting a cannabis-related facility. As stated in the Assumptions portion of this Analysis, The County of Imperial has instructed DMG, Inc. to provide for 100% cost recovery under (known) conservative scenarios.

To begin, Exhibit C shows the annual expenditures of the County of Imperial (selected departments/operations) from FY 24/25. The purpose of this exhibit is to calculate the average cost per capita to provide essential services.

A. Calculations are based on actual and do not include needed, recommended or desired levels of staffing and provision of service. Many cities/counties in California adjusted staffing levels during the economic downturn to reflect financial resources and have not adjusted to previous levels. In some cases, especially in public safety services, these communities are considered "underserved".



B. Calculations do not include needed increases for known (and unknown) pension liability in current/future years.

C. Calculations do not include specific items to support the cannabis industry as said expenditures for "unintended consequences" are unknown as recreational-use cannabis laws are less than a decade old.

In FY 24/25, the County of Imperial is scheduled to spend about \$3,617.41 per person within its jurisdiction. This is shown from the calculations contained in Exhibit H.

Exhibit I provides a thirty-year look at the cost for the County of Imperial to provide basic services (per the budget) for persons working at the proposed WH Lounge, LLC and their dependents. On average each job in Imperial County supports 3.81 people (the job holder and an additional 2.81 persons). This means that in Year 1 (which includes construction) that the facility will need to produce enough revenue to support 30.75 people. Starting in Year 2, the operation of the facility and the corresponding 7 direct jobs will generate the need for County services to support 26.67 persons. This figure holds for the balance of the thirty-year analysis.

In Exhibit I, it shows that in Year 1, the cost to the County of Imperial to provide basic services to the project is \$111,223 while in Year 2, it is \$98,933. This Exhibit is a base document for Exhibit J which shows a year-by-year reconciliation.

Exhibit J, the final exhibit reconciles the revenue the facility will generate (combination of property taxes and cannabis production related taxes (as approved by the voters of Imperial County) versus projected expenses to the County of Imperial to provide services. In Year 1 there is a surplus to the County of about \$145,800. By the end of Year 30, it is projected that the WH Lounge, LLC cannabis-related business will generate about \$6.2 million more than it will cost the County to support it.

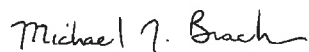
## **9. Conclusion and Recommendation(s)**

The County of Imperial has tasked DMG, Inc. with determining the minimum (conservative) cost to the local government (County of Imperial) for hosting the WHL, LLC facility. This facility is anticipated to host both cultivation and retail activities. The overall impact to the regional economy is calculated to be \$24.52 million (over thirty (30) years (based on the information provided by WHL, LLC). Further, the facility is scheduled to generate seven (7) full-time jobs paying between \$35,000 and \$42,000 per annum.

The County of Imperial will incur expenses in providing basic government services to WHL, LLC, its employees and customers. In this regard, it is anticipated in Year 2 (stabilized) that said costs will be a minimum of \$98,933. Over a thirty-year period, the project is anticipated to generate about \$6.2 million more than it will cost to support it.

## **10. Certification**

I certify that my engagement to prepare this report was not contingent upon developing or reporting predetermined results. The statements of fact contained herein and the substance of this report are based on public records, data provided by WH Lounge, LLC, the County of Imperial and other sources as described in the reference section of this report. This report reflects my personal, unbiased professional analyses, opinions and conclusions. If any of the underlying assumptions related to this report change after the date of this report (May 31, 2025), then the undersigned reserves the professional privilege to modify the contents and/or conclusions of this report.



---

Michael J. Bracken, Managing Partner  
Development Management Group, Inc.  
41-625 Eclectic Street, Suite D-2  
Palm Desert, CA 92260  
(760) 346-8820 (office) / (760) 272-9136 (mobile)  
Michael@dmgeconomics.com /www.dmgeconomics.com

<b>Exhibit A</b>			
<b>Consumer Price Index Calculation (30-Years) 1995-2024</b>			
	<b>#</b>	<b>Year</b>	<b>CPI %</b>
	1	1995	2.8
	2	1996	3.0
	3	1997	2.3
	4	1998	1.6
	5	1999	2.2
	6	2000	3.4
	7	2001	2.8
	8	2002	1.6
	9	2003	2.3
	10	2004	2.7
	11	2005	3.4
	12	2006	3.2
	13	2007	2.8
	14	2008	3.8
	15	2009	-0.4
	16	2010	1.6
	17	2011	3.2
	18	2012	2.1
	19	2013	1.5
	20	2014	1.6
	21	2015	0.1
	22	2016	1.3
	23	2017	2.1
	24	2018	1.9
	25	2019	2.3
	26	2020	1.4
	27	2021	7.0
	28	2022	6.5
	29	2023	3.4
	30	2024	2.9
	Gross		76.4
	Average		2.5467
Average Increase in Consumer Prices = 2.5467% annually			
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**Exhibit C**

**Governmental Revenues: (Years 1-30)**

**WH Lounge, LLC: Imperial County, California**

WH Lounge, LLC: Imperial County, California

[illegible]





Exhibit E				
County of Imperial Taxing Organization Benefit Chart				
Consolidated Property Tax Revenues (by allocation) Years 1-30				
WH Lounge, LLC: Imperial County, CA				
Taxing Entity	Est. Total Property Tax Generation	Approximate % to Taxing Entity	Total Property Taxes	
County of Imperial-General Fund (Gross)	\$365,113	0.25954844	\$94,765	
County of Imperial-General Fund (Net)*	\$365,113	0.143714567	\$52,472	
County Library*	\$365,113	0.00979911	\$3,578	
Fire Protection*	\$365,113	0.16849752	\$61,521	
Total Net Property Taxes to County			<b>\$117,570</b>	
Notes:				
1. County General Fund Amounts are Reduced by about 46% to Account for ERAF (Education Revenue Augmentation Fund)				
2. Total Property Tax Generation taken from Exhibit B				
3. Tax Rate Area Schedules 94-006				
* Denotes those items that are part of funding available to pay for General County Services				
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Exhibit F			
Local Taxing Jurisdiction Tax Allocation Estimate			
WH Lounge, LLC: Imperial County, CA			
	TRA 94-006	Percentage	Amount
	Allocated Base Tax Amount (Exhibit D)	100%	\$365,113
1	County General Fund*	0.25954844	\$94,765
2	County Library	0.00979911	\$3,578
3	Fire Protection	0.16849752	\$61,521
4	Winterhaven Fire	0	\$0
5	Winterhaven Water	0.15461246	\$56,451
6	Imperial Community College	0.06424186	\$23,456
7	San Pascual Unified	0.3278324	\$119,696
8	Childrens Inst Tuition	0.00089897	\$328
9	Physically Handicapped	0.00475836	\$1,737
10	Trainable Severely Mentally Retarded	0.00175327	\$640
11	Juvenile Hall	0.00029681	\$108
12	Aurally Handicapped	0.00231137	\$844
13	County Superintendent of Schools	0.0034566	\$1,262
14	Development Center	0.00199283	\$728
	Add-On Allocations (Special Taxes Voter Approved)		
15	San Pascual VUSD 2016 Series A	0.0521	\$19,022
16	San Pascual VUSD 2016 Series B	0.0308	\$11,245
17	Imperial Community College BD 2004	0.067	\$24,463
18	Total "Add-On" (Voter Approved) Property Taxes	0.14990	\$54,730
19	Total Property Tax Rate (Base Level Plus Add-On)	1.1499%	\$419,843
	Projected Total Benefit to Local Taxing Jurisdictions**		
20	County General Fund*		\$94,765
21	County Library		\$3,578
22	Fire Protection		\$61,521
23	Winterhaven Fire		\$0
24	Winterhaven Water		\$56,451
25	Imperial Community College		\$47,918
26	San Pascual Unified		\$149,964
27	Childrens Inst Tuition		\$328
28	Physically Handicapped		\$1,737
29	Trainable Severely Mentally Retarded		\$640
30	Juvenile Hall		\$108
31	Aurally Handicapped		\$844
32	County Superintendent of Schools		\$1,262
33	Development Center		\$728
34	Total		\$419,843
	Notes:		
1	TRA 94-006		
2	*County General Fund allocation is reduced by 46% for Educational Revenue Augmentation Fund Allocation (County is Negative ERAF Jurisdiction and ERAF funds reallocated by State of California directly)		
3	Shown in full 30 years, though tax issue/bonds likely expire prior to end of 30-year life of WH Lounge, LLC		
4	Total Base Level Tax Generation (Exhibits D & E):	\$365,113	
5	**Includes All-Ons		
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**Projected Employment Impacts of Subject Site**  
**WH Lounge, LLC: Imperial County, CA**

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Exhibit H			
Projected Costs for County to Provide General Government Services to Population			
County of Imperial, California			
#	Department/Unit	Item	2024-25 Adopted Budget
	General Government		
1	Administration	Entire Section	\$10,285,723
2	Legislative and Admin	Entire Section	\$7,263,735
3	Finance	Entire Section	\$8,200,281
4	County Counsel	Entire Section	\$2,885,326
5	Personnel	Entire Section	\$2,897,297
6	Equal Employment Opportunity	Entire Section	\$142,297
7	Elections	Entire Section	\$1,802,673
8	Property/Facility Management	Entire Section	\$7,879,759
9	Plant Acquisition	Entire Section	\$1,661,325
10	Other General	Entire Section	\$4,465,692
11	Other Protection	Entire Section	\$10,435,467
12	Recreational Facilities	Entire Section	\$724,742
13	Other Assistance	Entire Section	\$3,983,652
	Public Protection		
14	Administration	Entire Section	\$52,450
15	Judicial	Entire Section	\$24,054,818
16	Police Protection	Entire Section w/Adjustment	\$25,654,202
17	Detention and Correction	Entire Section	\$31,250,554
18	Fire Protection	Entire Section w/Adjustment	\$8,051,425
19	Protective Inspection	Entire Section	\$7,896,732
20	Other Protection	Entire Section	\$38,902,079
21	Resource Conservation	Entire Section	\$23,175
	Public Ways & Facilities		
22	Public Ways & Facilities	Entire Section	\$19,209,396
	Health and Sanitation		
24	Administrative	Entire Section	\$1,239,446
25	Health	Entire Section	\$197,818,450
26	Sanitation	Entire Section	\$11,225,700
	Public Assistance		
27	Administration-Workforce Development	Entire Section	\$9,527,116
28	Security-Sheriff	Entire Section	\$2,693,098
29	Health	Entire Section	\$385,269
30	Administration-Social Services	Entire Section	\$61,743,325
31	Categorical AIDS	Entire Section	\$81,431,241
32	General Relief	Entire Section	\$248,562
33	Veterans Services	Entire Section	\$340,484
34	Other Assistance	Entire Section	\$72,680,241
35	Education		
36	Health	Entire Section	\$421,992
37	Agriculture Education	Entire Section	\$461,506
38	Library Services	Entire Section	\$1,561,776
39	Other Education	Entire Section	\$110,510
	Recreation		
40	Recreation Facilities	Entire Section	\$891,957
	Contingency		
41	Contingency	Entire Section	\$326,010
	Personnel		
42	Officer Wellness	Entire Section	\$3,904
	Special Districts		
43	Administration	Entire Section	\$722,169
Total of Governmental Expenditures/Responsibilities			\$661,555,556
Total Number of Residents of Imperial County (2024 CA Dept. of Finance E-1)			182,881
Total Spending Per Resident of Imperial County			\$3,617.41
Notes:			
A	Item 16 Net of City of Holtville Police Contract (\$967,000) Pre Adjustment Figure: \$26,621,202		
B	Item 18 Net of City of Imperial Fire Contract (\$1,450,000) Pre Adjustment Figure: \$9,501,425		
C	Based on Schedule 8 of County of Imperial Government Funds Detail of Financing Uses by Function, Activity and Budget Unit		
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**Exhibit J**

**Projected Revenue Versus Expenses  
WH Lounge, LLC: Imperial County, CA**

**Years 1-30**

#	Item	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
1	Projected Sales Tax Income (State-Local Share and Measure Y)	\$254,125	\$260,597	\$265,809	\$271,125	\$276,547	\$282,078	\$287,720	\$293,474	\$299,344	\$305,331
2	Projected Property Tax Income (Net)	\$2,898	\$2,956	\$3,015	\$3,075	\$3,137	\$3,200	\$3,264	\$3,329	\$3,395	\$3,463
3	Total Projected Income for General Government Services	\$257,023	\$263,553	\$268,824	\$274,200	\$279,684	\$285,278	\$290,984	\$296,803	\$302,739	\$308,794
4	Projected Costs to Provide General Government Services	\$111,223	\$98,933	\$101,453	\$104,036	\$106,686	\$109,403	\$112,189	\$115,046	\$117,976	\$120,980
5	Estimated Revenue Surplus (Deficit) (Annual)	\$145,800	\$164,620	\$167,371	\$170,164	\$172,999	\$175,875	\$178,795	\$181,757	\$184,763	\$187,814
6	Aggregate Revenue Surplus (Deficit)	\$145,800	\$310,420	\$477,791	\$647,955	\$820,954	\$996,829	\$1,175,624	\$1,357,381	\$1,542,144	\$1,729,958
7	Projected Sales Tax Income (State-Local Share and Measure Y)	\$311,437	\$317,666	\$324,019	\$330,500	\$337,110	\$343,852	\$350,729	\$357,744	\$364,898	\$372,196
8	Projected Property Tax Income (Net)	\$3,533	\$3,603	\$3,675	\$3,749	\$3,824	\$3,900	\$3,978	\$4,058	\$4,139	\$4,222
9	Total Projected Income for General Government Services	\$314,970	\$321,269	\$327,695	\$334,249	\$340,934	\$347,752	\$354,707	\$361,801	\$369,037	\$376,418
10	Projected Costs to Provide General Government Services	\$124,061	\$127,221	\$130,461	\$133,783	\$137,190	\$140,684	\$144,267	\$147,941	\$151,708	\$155,572
11	Estimated Revenue Surplus (Deficit) (Annual)	\$190,909	\$194,049	\$197,234	\$200,465	\$203,743	\$207,068	\$210,440	\$213,861	\$217,329	\$220,846
12	Aggregate Revenue Surplus (Deficit)	\$1,920,867	\$2,114,915	\$2,312,149	\$2,512,615	\$2,716,358	\$2,923,427	\$3,133,867	\$3,347,728	\$3,565,057	\$3,785,903
13	Projected Sales Tax Income (State-Local Share and Measure Y)	\$379,640	\$387,233	\$394,978	\$402,877	\$410,935	\$419,154	\$427,537	\$436,087	\$444,809	\$453,705
14	Projected Property Tax Income (Net)	\$4,306	\$4,392	\$4,480	\$4,570	\$4,661	\$4,754	\$4,850	\$4,947	\$5,045	\$5,146
15	Total Projected Income for General Government Services	\$383,947	\$391,626	\$399,458	\$407,447	\$415,596	\$423,908	\$432,386	\$441,034	\$449,855	\$458,852
16	Projected Costs to Provide General Government Services	\$159,534	\$163,597	\$167,763	\$172,036	\$176,417	\$180,910	\$185,517	\$190,241	\$195,086	\$200,055
17	Estimated Revenue Surplus (Deficit) (Annual)	\$224,413	\$228,029	\$231,695	\$235,412	\$239,179	\$242,998	\$246,869	\$250,793	\$254,768	\$258,797
18	Aggregate Revenue Surplus (Deficit)	\$4,010,315	\$4,238,344	\$4,470,039	\$4,705,451	\$4,944,630	\$5,187,628	\$5,434,498	\$5,685,290	\$5,940,059	\$6,198,856
19	<b>Net Revenues (Deficits) to County of Imperial</b>	<b>\$6,198,856</b>									
20	Local Sales Tax Revenue (State & Measure Y)										
21	Net to County Property Tax Revenue		\$10,363,257								
22	Total Projected Revenue to County (Sales/Use Tax + Property Tax)		\$117,566								
23	Cost of County Government Services		\$4,281,968								
24	<b>Projected Revenue to County over Expenses</b>		<b>\$6,198,856</b>								
	<b>Note:</b>										
	Property Tax available for General Government Services Includes General Fund, Library and Fire Protection										

**ATTACHMENT “J”**  
**COMMENT LETTERS**

COUNTY EXECUTIVE OFFICE

**Miguel Figueroa**  
County Executive Officer  
[miguelfigueroa@co.imperial.ca.us](mailto:miguelfigueroa@co.imperial.ca.us)  
[www.co.imperial.ca.us](http://www.co.imperial.ca.us)




County Administration Center  
940 Main Street, Suite 208  
El Centro, CA 92243  
Tel: 442-265-1001  
Fax: 442-265-1010

**RECEIVED**

By Imperial County Planning & Development Services at 11:59 am, Jun 05, 2024

May 07, 2024

TO: Derek Newland, Planning and Development Services Department

FROM: Rosa Lopez, Executive Office 

SUBJECT: Requirement Comments – WH Lounge, LLC / CUP 18-0018; APN 056-283-006-000

The County of Imperial Executive Office is submitting comments for: WH Lounge, LLC / CUP 18-0018; APN 056-283-006-000. The Executive Office would like to inform the developer of conditions and responsibilities of the applicant seeking a Conditional Use Permit (CUP). The conditions commence prior to the approval of an initial grading permit and subsequently continue throughout the permitting process. This includes, but not limited to:

- At developers cost, the County Executive Office shall hire a third-party consultant to produce a Fiscal and Economic Impact Analysis & Job and Employment Analysis (FEIA & JEIA) prior to project being placed on Planning Commission meeting.

Should there be any concerns and/or questions, do not hesitate to contact me.

**AIR POLLUTION CONTROL DISTRICT**



May 24, 2024

**RECEIVED**

*By Imperial County Planning & Development Services at 4:55 pm, May 24, 2024*

Jim Minnick  
Planning & Development Services Director  
801 Main Street  
El Centro, CA 92243

**SUBJECT:** Notice of Intent for a Negative Declaration for Conditional Use Permit 23-0018 – WH Lounge LLC.

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) appreciates the opportunity to review and comment on the Notice of Intent (NOI) for a Negative Declaration (ND) for Conditional Use Permit (CUP) 23-0018 (Project). The project proposes a cannabis dispensary with delivery services and a lounge for onsite consumption of cannabis products. The project is located at 509 Railroad Ave., Winterhaven also identified as Assessor's Parcel Number 056-283-006.

The Air District previously submitted comments for the project in a letter dated September 26, 2023 requesting the applicant submit an Odor Control Plan (OCP) citing Title 14 of the Imperial County Code of Ordinances Chapter 14.03, Subsection 14.03.080(F) which states, "An odor control plan providing air treatment/filtration systems to eliminate the cannabis operation detection from outside the facility shall be submitted for county of Imperial Air Pollution Control District (APCD)." The Air District also provided an informational "white paper" explaining the requirements of an adequate OCP. As of writing, the Air District does not have records of receiving an OCP for review or have records of discussions with the applicant regarding development and requirements of the OCP. Therefore, the Air District repeats its request that the applicant submit an OCP to our office for review and provides another copy of the white paper. The Air District also reminds the applicant that a site visit will be required for finalization of the OCP.

Finally, the Air District requests a copy of the draft CUP prior to recording for review.

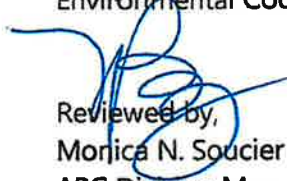


For convenience, all Air District rules and regulations can be accessed online at <https://apcd.imperialcounty.org/rules-and-regulations>. Should you have any questions or concerns please feel free to contact the Air District by calling into our office at (442) 265-1800.

Respectfully,



Ismael Garcia  
Environmental Coordinator II



Reviewed by,  
Morica N. Soucier  
APC Division Manager