

PROJECT REPORT

TO: PLANNING COMMISSION

AGENDA DATE: September 14, 2022

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME: 9:00am / No.6

PROJECT TYPE: Community Veterans of IC, LLC; CUP #21-0018 SUPERVISOR DIST. #2

LOCATION: 1073 N Imperial Highway, APN: 033-574-003

Ocotillo Wells, CA 92259 PARCEL SIZE: +/-2.6 acres

GENERAL PLAN (existing) Commercial GENERAL PLAN (proposed) NA

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

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: 09/14/2022

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/14/2022

INITIAL STUDY: #21-0026

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

IID, Quechan Indian Tribes

REQUESTED ACTION:

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING AND THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF RECOMMENDS THAT YOU TAKE THE FOLLOWING ACTION:

- 1) ADOPT THE NEGATIVE DECLARATION BY FINDING THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS RECOMMENDED BY THE ENVIRONMENTAL EVALUATION COMMITTEE (EEC) ON JULY 14, 2022;
- 2) MAKE THE DE MINIMUS FINDINGS AS RECOMMENDED AT THE JULY 14, 2022 EEC HEARING THAT THE PROJECT WILL NOT INDIVIDUALLY OR CUMULATIVELY HAVE AN ADVERSE EFFECT ON FISH AND WILDLIFE RESOURCES, AS DEFINED IN SECTION 711.2 OF THE FISH AND GAME CODE; AND
- 3) APPROVE THE RESOLUTIONS AND SUPPORTING FINDINGS APPROVING CONDITIONAL USE PERMIT #21-0018, SUBJECT TO ALL THE CONDITIONS AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CUP AGREEMENT UPON RECEIPT FROM THE APPLICANT.

Planning & Development Services

801 MAIN ST., EL CENTRO, CA 92243 442-265-1736

(Jim Minnick, Director)

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STAFF REPORT
Planning Commission
September 14, 2022

SUBJECT: Conditional Use Permit (CUP) #21-0018

PROJECT NAME: The Cake Shop - Adult Use & Medicinal Dispensary with Delivery.

APPLICANTS: Community Veterans of Imperial County, LLC.
1073 N. Imperial Highway, Ocotillo CA 92259

Project Location:

The project site is located at 1073 N. Imperial Highway, Ocotillo, CA, 92259 on APN 033-574-003-000. The legal description for this parcel is the N 200 feet, of Lot 1, Block 16, Ocotillo Unit 2, T16S, R9E, SBBM, located in the unincorporated townsite of Ocotillo, (Supervisory District #2), of the County of Imperial, State of California.

Project Summary:

The applicant, Community Veterans of Imperial County, LLC, is proposing a 1,400 square feet Adult Use/ Medicinal retail space facility for the sale of cannabis with delivery. The purpose of this dispensary will be to give county customers and medical patients a place where they can find relief and safe access to medicinal cannabis products. Community Veterans of Imperial County, LLC is expecting to hire 18 employees. The customer volume is projected to 60 to 70 customers per day (5 customers per hour). Retail hours of operation will be from 9 am to 10 pm daily, while delivery operations will be from 9 am to 9 pm based on the volume of orders (6-10 deliveries per day are projected). Waste cannabis products would be recorded, rendered unusable through composting, and if allowed by the local waste management company, disposed of with traditional waste products. Community Veterans of Imperial County, LLC will be doing business as The Cake Shop.

Land Use Analysis:

The project parcel is designated as Open Space-Recreational per Imperial County's General Plan and is zoned as C-2, (Medium Commercial). Per Imperial County Title 9, Division 5, Chapter 13, Section 90513.02(m), Commercial Cannabis Retail Sales/Delivery & a Cannabis Distribution Facility and operations may be allowed with an approved Conditional Use Permit. The proposed cannabis project is consistent with the County's Cannabis Ordinance Title 14 and Title 9, Division 4, Chapter 6.

SURROUNDING LAND USES, ZONING AND GENERAL PLAN DESIGNATIONS:

DIRECTION	CURRENT LAND	ZONING	GENERAL PLAN
Project Site	Commercial Use	(C-2)	Neighborhood Commercial
North	Commercial Use & Government / Special	(C-2) (G/S)	Neighborhood Commercial/ G/S
South	Commercial Use	(C-2)	Desert Residential
East	Residential Use	(R-1-L-40)	Desert Residential
West	Residential Use	(R-1-L-40)	Desert Residential

Environmental Review:

A Negative Declaration (ND) was prepared and certified on July 14, 2022, for this project site in accordance with CEQA Guidelines. The EEC Committee consists of a 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. The EEC members have the principal responsibility for reviewing CEQA documents for the County of Imperial. After review by the EEC members, the members recommended a Negative Declaration.

The project was publicly posted and circulated from July 19, 2022 thru August 12, 2022. All comments were received, reviewed, and made part of this project.

Staff Recommendation:

It is recommended that 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 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 Environmental Evaluation Committee (EEC) on July 14, 2022;
- 2) Make the De Minimus findings as recommended at the July 14, 2022 EEC hearing that the project will not individually or cumulatively have an adverse effect on fish and wildlife resources, as defined in section 711.2 of the fish and game code; and
- 3) Approve the Resolutions and supporting findings approving Conditional Use Permit #21-0018, subject to all the conditions and authorize the Planning & Development Services Director to sign the CUP Agreement upon receipt from the Applicant.

Prepared By: Victoria Escalante, Planner I

Sor Michelle Wh

Reviewed By: Michael Abraham, AICP, Assistant Director
Planning & Development Services

Michelle Wh

Approved By: Jim Minnick, Director
Planning & Development Services

Sor Michelle Wh

Attachments:



- A. Vicinity Map
- B. Site Plan
- C. Conditional Use Permit #21-0018 Agreement
- D. Planning Commission/CEQA Resolutions
- E. EEC Package
- F. Comment Letters

A. Vicinity Map

PROJECT LOCATION MAP

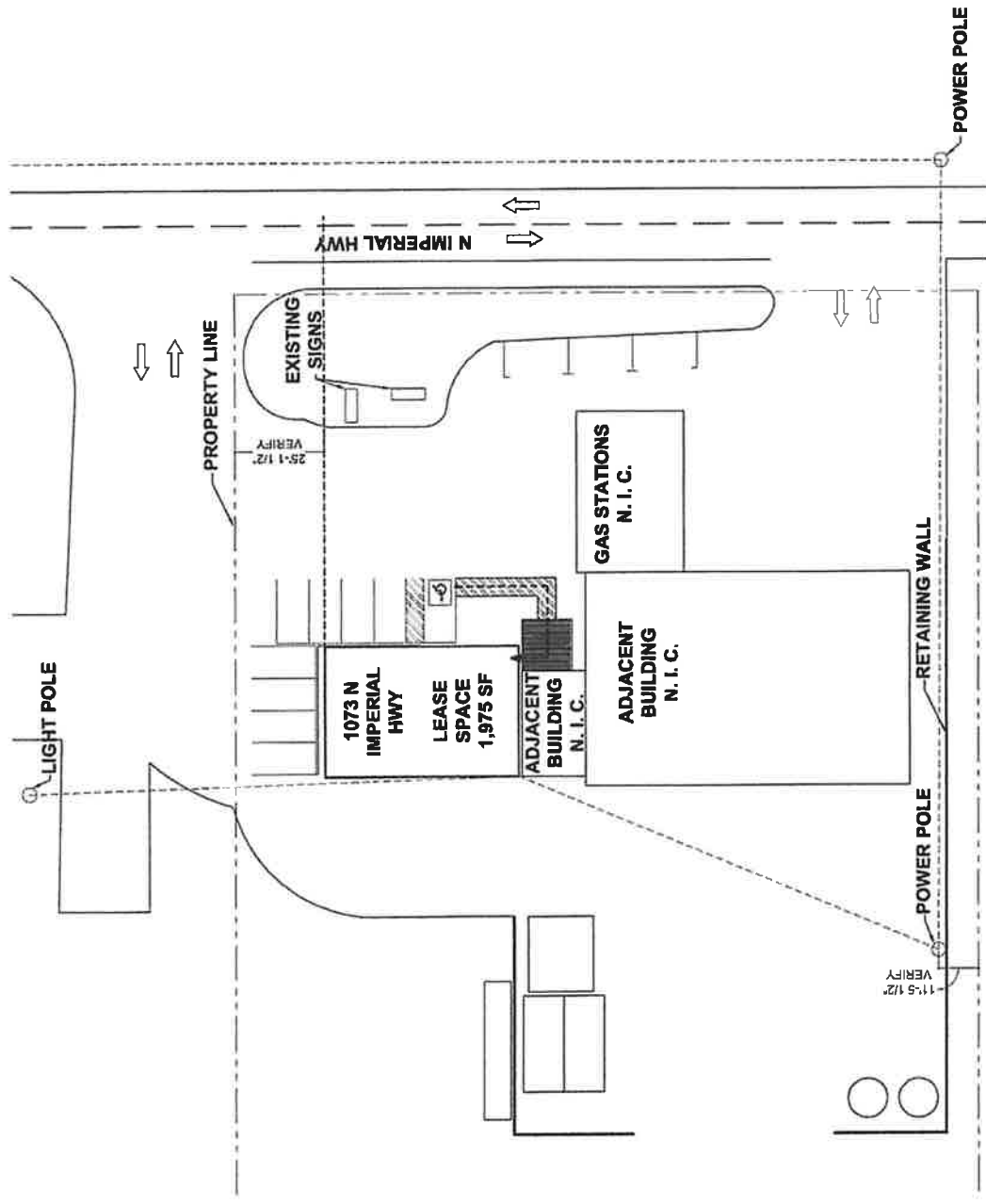


**COMMUNITY VETERANS OF
IMPERIAL COUNTY, LLC
CUP# 21-0018 / IS# 21-0026
APN# 033-574-003**

	Project Site
	Project Parcel
	Roads



B. Site Plan



--- EXISTING WATER UTILITIES

--- EXISTING ELECTRIC UTILITIES

--- ACCESSIBLE EGRESS ROUTE
FIRE EXIT FINAL APPROVAL
BY FIRE DEPARTMENT AND FIRE
MARSHAL

LEGEND



SCALE: 1/32" = 1'-0"

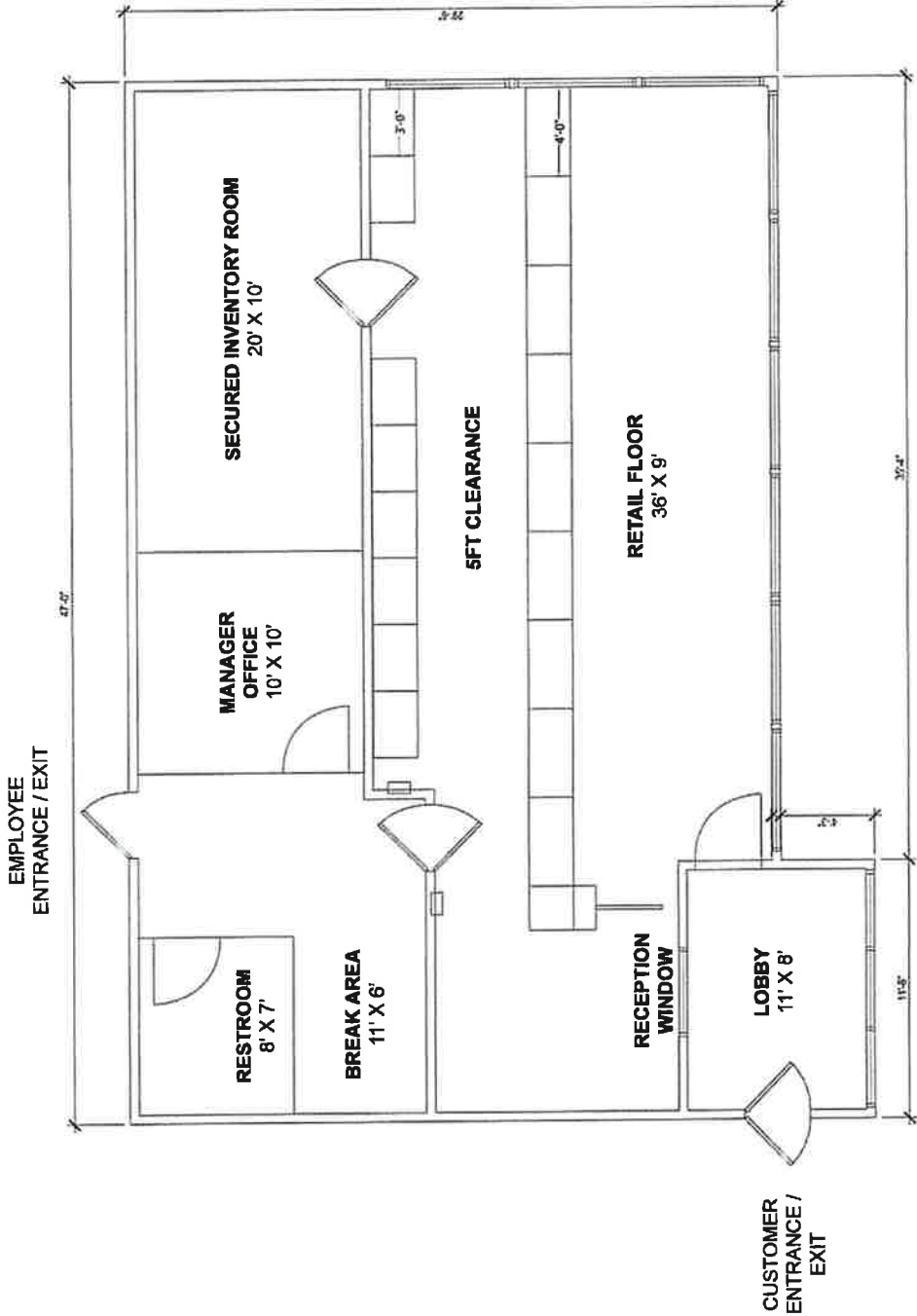


TEMEKA
CONSULTING
9073 PULSAR CT. CORONA, CA

CLIENT
CAKE
1073 N IMPERIAL HWY
OCOTILLO, CA 92259

SITE PLAN

05/12/2021



SCALE: 3/16" = 1'

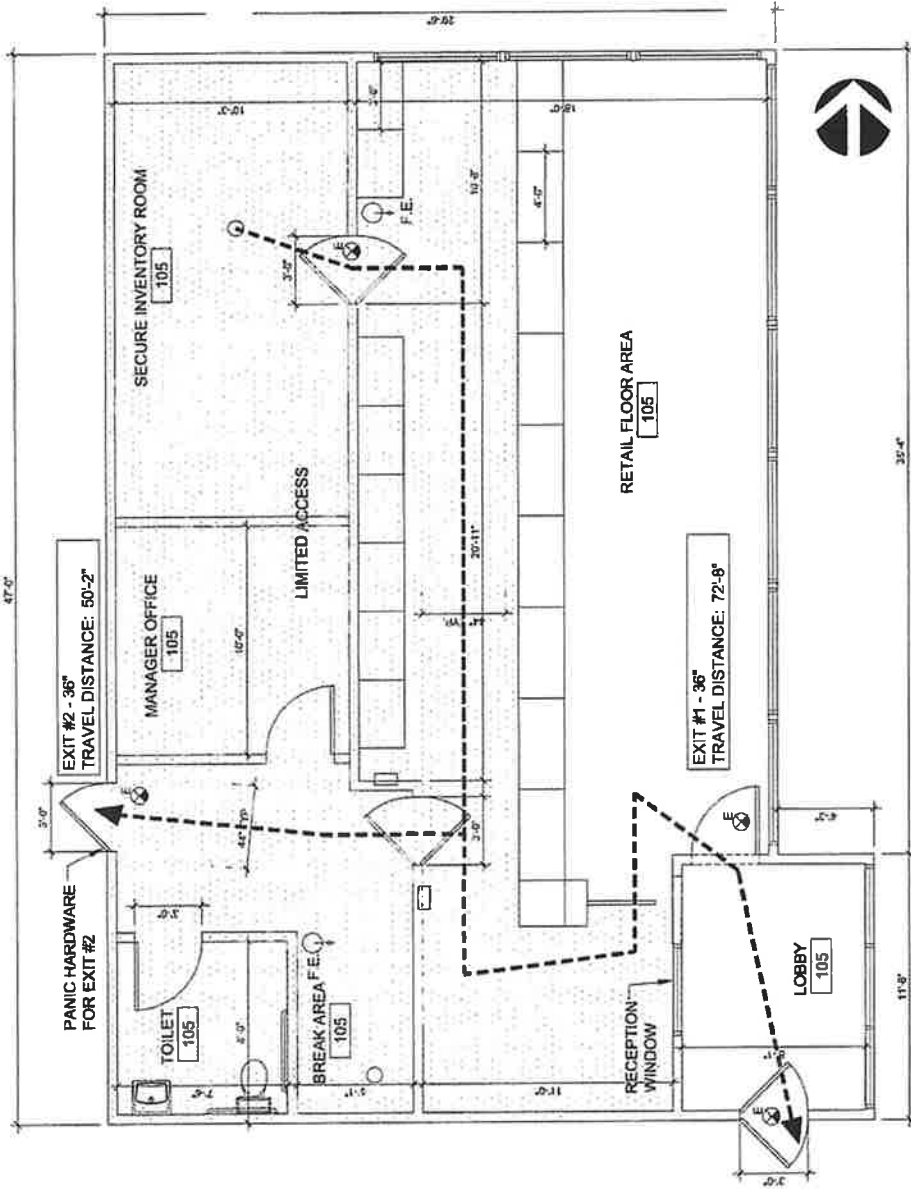
A1.02
5/3/21

FLOOR PLAN

PROJECT
1073 N. IMPERIAL HWY,
OCOTILLO, CA 92259

CLIENT
THE CAKE FACTORY

TEMEKA
9073 PULSAR CT. CORONA, CA



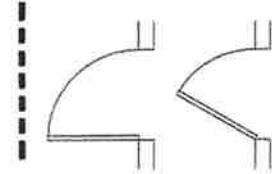
LIMITED ACCESS AREAS



EXIT SIGN - REFER TO ELECTRICAL



ACCESSIBLE EGRESS ROUTE
FIRE EXIT FINAL APPROVAL
BY FIRE DEPARTMENT AND FIRE
MARSHAL



NEW DOOR



EXISTING DOOR

CLASS ABC FIRE EXTINGUISHER
(SIZE 2A) TAGGED BY A
LICENSED PROFESSIONAL.
VERIFY LOCATION



EXISTING WALL



NEW CONSTRUCTION



LEGEND

CLIENT
CAKE

FLOOR PLAN

PROJECT
CAKE
1073 N IMPERIAL HWY
OCOTILLO, CA 92259

TEMKA
9073 PULSAR CT. CORONA, CA

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

05/12/2021

C. Conditional Use Permit #21-0018 Agreement

Recorded Requested By and
When Recorded Return To:

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

**AGREEMENT FOR CONDITIONAL USE PERMIT CUP #21-0018
Cannabis Adult Use & Medicinal Retail Space with Delivery
(Community Veterans of Imperial County, LLC.)
(033-574-003-000)
(Approved at Planning Commission September 14, 2022)**

This Agreement is made and entered into on this ____, day of _____ by Community Veterans of Imperial County (1073 N. Imperial Highway, Ocotillo, CA 92259) hereinafter referred to as Permittee, and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

WHEREAS, Permittee is the lessee or successor-in-interest of certain land in Imperial County to be developed with a cannabis dispensary at 1073 N. Imperial Highway, Ocotillo, CA 92259 with approximately 1,400 square feet for the Adult Use and Medicinal with delivery located west of the unincorporated Ocotillo area.

WHEREAS, Permittee has applied to the County of Imperial for a Conditional Use Permit #21-0018 (the "Project") for the operation of an Adult Use and Medicinal cannabis retail space with delivery.

WHEREAS, Permittee will not operate any type of use other than specified herein and within the application; and

WHEREAS, County, after reviewing of the project, after a noticed public hearing before the Planning Commission, agreed to issue Conditional Use Permit #21-0018, subject to the following conditions:

NOW THEREFORE, the County hereby issues CUP #21-0018 subject to all of the following conditions.

GENERAL CONDITIONS:

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 CUP's for consistent application and enforcement. The Permittee is advised that the General Conditions are as applicable as the SITE SPECIFIC conditions!

G-1 GENERAL LAWS

The Permittee shall comply with any and all local, state, and federal laws, rules, regulations, ordinances, and/or standards as they may pertain to this project whether specified herein or not.

G-2 COSTS

The Permittee shall pay any and all amounts as determined by the County to defray all costs for the review of reports, field inspections, enforcement, monitoring, or other activities related to compliance with this permit, County Ordinances, and/or other applicable regulations.

G3 AUDIT OF BILLS:

Permittee shall have the right to have any bill audited for clarification or correction. In the event 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-4 PERMITS/LICENSES

The Permittee shall obtain any and all local, state and/or federal permits, licenses, and/or other approvals for the construction and/or operation of the Project. This shall include, but not be limited to, local requirements by the Imperial County EHS/Health Department, Planning and Development Services Department, Imperial County Air Pollution Control District (ICAPCD), Imperial Irrigation District (IID), Imperial County Public Works Department, Imperial County Sheriff/Coroner's office, Imperial County Fire Protection/Office of Emergency Services, among others. Permittee shall likewise comply with all such permit requirements. Additionally, Permittee shall submit a copy of such additional permit and/or licenses to the Planning and Development Services Department within thirty (30) days of receipt, including amendments or alternatives thereto, when requested.

G-5 RECORDATION

This permit shall **not be effective** until it is recorded at the Imperial County Records Office, and payment of the recordation fee shall be the responsibility of the Permittee. If the Permittee fails to pay the recordation fee within six (6) months from the date of approval, and/or this permit is not recorded within 180 days from the date of approval, this permit shall be deemed null and void, without notice having to be provided to Permittee. Permittee may request a written extension by filing such a request with the Planning Director at least sixty (60) days prior to the original 180-day expiration. The Director may approve an extension for a period not to exceed 180 days. An extension may not be granted if the request for an extension is filed after the expiration date.

G-6 COMPLIANCE/REVOCAION

Upon the determination by the Planning and Development Services Department, (if necessary upon consultation with other Departments or Agency(ies) that the project is or may not be in full compliance with any one or all of the conditions of this Conditional Use Permit, or upon the finding that the project is creating a nuisance as defined by law, the PERMIT and the noted violation(s) shall be brought immediately to the attention of 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 before the Planning Commission shall be held upon due notice having been provided to the Permittee and to the public in accordance with established ordinance/policy.

G-7 PROVISION TO RUN WITH LAND

The provisions of this project are to run with the land/project and shall bind the current and future owner(s) successor(s) of interest, assignee(s) and/or transferee(s) of said project. Permittee shall not without prior notification to the Planning and Development Services Department assign, sell, or transfer, or grant control of this Permit or any right or privilege herein. The Permittee shall provide a written notice a minimum of sixty (60) calendar days prior to such proposed transfer becoming effective.

G-8 RIGHT OF ENTRY

The County reserves the right to enter the premises to make the appropriate inspection(s) at any time, announced or unannounced, in order to make appropriate inspection(s) and to determine if the condition(s) of this permit are complied with. Access to authorized enforcement agency personnel shall not be denied.

G-9 TIME LIMIT

Unless otherwise specified within the project specific conditions this project shall be limited to a maximum of (3) three years from the recordation date of the CUP. The CUP may be extended for successive three (3) 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) of the County of Imperial. Unless specified otherwise herein, no conditional use permit shall be extended for more than four (4) consecutive periods. If an extension is necessary or requested beyond fifteen (15) years, the 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 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. This time limit is contingent upon initial and continued compliance with Specific Condition S-16 "State & Local Cannabis Activities License/Permits."

G-10 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 within the required time. In this permit, the term Permittee may also apply to any other facility user whether specified by name herein or not. To the extent that this site may be used by more than one service provider other than the applicant (Permittee), all of the conditions of this permit shall be equally applicable to the other "user(s)" as if they were the "Permittee".

G-11 SPECIFICITY

The issuance of this permit 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 on the application/project description, nor shall this permit allow any accessory or ancillary use not specified herein. This permit 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.

G-12 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 Permittee from requesting a special Planning Commission meeting provided Permittee bears all costs.

G-13 REPORT(S)

Permittee shall file an annual report with the Planning and Development Services Department to show that Permittee is in full compliance with this Conditional Use Permit. The report shall be filed at least fifteen (15) days prior to the anniversary (recordation date) of this permit. 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-14 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-15 INDEMNIFICATION

As a condition of this Permit, Permittee agrees to defend, indemnify, hold harmless, and release the County, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the Permit or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys fees, or expert witness fees that may be asserted by any person or entity, including the Permittee, arising out of or in connection with the approval of this Permit, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, or employees.

G-16 CHANGE OF OWNER/OPERATOR

In the event the ownership of the site or the facilities 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 permit as if said successor was the original Permittee. Current Permittee shall inform the County Planning and Development Services Department in writing at least sixty (60) calendar 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 Planning and Development Services Department via Certified Mail, a letter stating that they are fully aware of all conditions and acknowledge that they will adhere to all conditions and/or regulations. If this permit or any subservient or associated permit requires

financial surety, the transfer of this permit shall not be effective until the new Permittee has the requisite surety on file. Furthermore, the existing surety shall not be released until a replacement surety is accepted by County Counsel's office.

G-17 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-18 CONDITION PRIORITY

This project shall be constructed and operated as described in the Conditional Use Permit application, the Environmental Assessment, the project description, and as specified in these conditions. Where a conflict occurs, the Conditional Use Permit conditions shall govern and take precedence.

G-19 SEVERABILITY

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

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 and Development Services Department.

G-21 COMMENCEMENT OF WORK

No commencement of work until all conditions pursuant to the CUP has been satisfied. Evidence that all conditions pursuant to the CUP have been satisfied shall be provided to the Planning Director prior to commencement.

G-22 FIRE PROTECTION

Permittee shall provide an adequate fire protection system and accessibility to the site in accordance with the National Fire Protection Act (NFPA), 2013 California Fire Code, and County Fire Department standards. This shall include all requirements by the Imperial County Fire Department regarding fire protection water storage and access roads. Additionally Permittee shall provide to Imperial

County Fire Department a plot plan, drawn to scale indicating the exact location and size of the water storage tanks and the access roads.

G-23 INSURANCE

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

(Total "G" Conditions are 23)

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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 medicinal and recreational cannabis retail dispensary operation with delivery services. The project will be limited to an existing 1,400 square feet building where customers will be allowed to purchase various types of cannabis products. All the recreational and medicinal dispensary products for sale will be received pre-packaged from a County and State approved Distribution Company.

S-2 ADULT USE & MEDICINAL CANNABIS FACILITY 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 closes 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 Count's Land Use Ordinance.

S-3 CANNABIS WASTE DISPOSAL:

Permittee shall not dispose of any cannabis waste on-site and all cannabis 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 LATEST CODES GOVERN

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

S-6 FIRE SAFETY

The Imperial County Fire Department shall reserve the right to inspect the premises and request additional access and fire protection systems as they deem necessary.

S-7 FIRE PROTECTION

1. An approved water supply capable of supplying the required fire flow
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 an approved automatic smoke removal system with approve filtration for cannabis operations.
5. Fire department access and gates 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.
7. 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. ¹

S-8 SECURITY PLAN

A Security Plan providing 24 hour protection, including but not limited to, electronic surveillance and alarm measures, structural (interior and exterior) lighting, perimeter fencing. 24 hours surveillance by licensed Security Officers will be required. The Security Plan will require approval by the County.

S-9 PERMITTED USE OF PROPERTY

This Permit authorizes the use of the identified project site as a medicinal and recreational cannabis retail facility with delivery services. All permitted Cannabis Activities within this project site shall be subject to the provisions of Title 9 Chapter 90406.00 regardless of whether the use existed or occurred prior to adoption of this Chapter. Commercial retail cannabis activities are allowed on Medium Commercial zoned lands (C-2) with an approved Conditional Use Permit approved by the Planning Commission.

S-10 HOURS OF OPERATION

The facility office will be allowed to open Monday through Sunday from 9:00 a.m. to 10:00 p.m. seven (7) days a week.

S-11 AESTHETICS

Permittee shall install a six (6) foot perimeter slated fence and landscaping at the public roadway frontage. The fence shall be comprised of an approved material such as chain link. The perimeter fencing and landscaping will need design approval from the County prior to installation and Permittee is responsible for maintaining the fence.

An on-site parking plan shall be prepared with county approved landscaping requirements.

S-12 AG COMMISSIONER CONDITIONS

1. Title 9 Division 3 Section 90302.4- Landscaping Standards- Commercial Uses, the applicant must follow the requirements for movement of plant material into Imperial County from other counties or from out of state. The applicant can contact with the Pest Detection and Eradication Division for any questions regarding the quarantines of movement of plant material, as there are several quarantines that must be observed.
2. Under "Customer Expectation", the applicant refers to multiple POS or Point of Sale stations that will be available to customer. 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. ²

S-13 AIR POLLUTION CONTROL DISTRICT

1. The Air District requests the submittal of an Odor Control Plan that demonstrates compliance with Title 14 of the Imperial County Code, Chapter 14.03080(F) and compliance with the guidance document *Odor Control Plan for Cannabis Operations*.

S-14 ENVIRONMENTAL HEALTH

If applicant intends to sell edible items, a plan review process will be required.⁵

S-15 IMPERIAL IRRIGATION DISTRICT

1. Please note electrical capacity in the area is limited. A circuit study may be required. Any improvements identified in the circuit study shall be financial responsibility of the applicant.
2. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can included but is not limited to electrical utility substations electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or 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 impact 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.⁴

S-16 PUBLIC WORKS

Conditional Use Permit shall not be issued until all existing improvements (i.e. structures, buildings, driveways, curb, signs, parking lots, landscaping, propane tanks, etc.) are removed from the Imperial County Gypsum Road Right-of-Way and Imperial Highway Right-of-Way. Removal of said existing improvements will require an encroachment permit to be issued. Developer may petition to have Gypsum Road Right-of-Way and Imperial Highway Right-of-Way reduced in width through an abandonment process. No building permit shall be issued until said petition has been approved. All expense associated with said petition process shall be Developers responsibility.⁶

S-17 STATE AND LOCAL CANNABIS ACTIVITIES PERMITS

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-6.

(Total "S" Conditions are 17)

1. Imperial County Fire Dept. letter dated August 30, 2021.
2. Ag Commissioner Office dated August 31, 2021
3. Imperial County Air Pollution Control District letter and email dated August 30, 2021
4. Imperial Irrigation District letter dated August 31, 2021.
5. Environmental Health letter dated August 16, 2021
6. Public Works letter dated September 16, 2021

(The balance of this page was intentionally left blank)

NOW THEREFORE, County hereby approves Conditional Use Permit #21-0018 and Permittee hereby accepts such permit upon the terms and conditions set forth herein.

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

PERMITTEE:

Community Veterans of Imperial County, LLC

By: _____
(Title)

Date _____

COUNTY OF IMPERIAL, a political subdivision of the STATE OF CALIFORNIA:

By: _____
JAMES A. MINNICK, Director
Imperial County Planning & Development Services

_____ Date

FOR PERMITTEES 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 _____ 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 _____

FOR 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 _____ 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.

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Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

D. Planning Commission Resolution

RESOLUTION NO. 2022

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE “NEGATIVE DECLARATION” FOR CONDITIONAL USE PERMITS #21-0018

WHEREAS, on June 29, 2022, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for July 14, 2022; and

WHEREAS, a Negative Declaration, CEQA findings has been 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, the Environmental Evaluation Committee recommended to the Planning Commission of the County of Imperial to adopt the Negative Declaration for Conditional Use Permits #21-0018; and

WHEREAS, the Negative Declaration was circulated for 20 days from July 19, 2022 thru August 12, 2022; and

WHEREAS, the Planning Commission of the County of Imperial has been designated 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 comments by interested parties at a public hearing held with respect to this item September 14, 2022.

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 #21-0018. The Planning Commission finds and determines that the ND is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes the project’s 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 ND for Conditional Use Permit #21-0018 and considered the information contained in the ND together with all comments received during the public review period and prior to approving the Conditional Use Permits; and,
3. That the project will not individually or cumulatively have an adverse effect on fish and wildlife resources, as defined in Section 711.2 of the Fish and Game Code; and.
4. That the ND reflects the Planning Commission independent judgment and analysis.

NOW, THEREFORE, based on the findings, the Planning Commission **DOES HEREBY ADOPT** the Negative Declaration (ND) for Conditional Use Permits #21-0018.

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 September 14, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jim Minnick, Secretary to the Planning Commission

RESOLUTION NO. 2022

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, FOR THE APPROVAL OF “CONDITIONAL USE PERMIT #21-0018,” FOR THE CAKE HOUSE (ADULT/MEDICINAL) CANNABIS RETAIL SPACE WITH DELIVERY.

WHEREAS, Community Veterans of Imperial County, LLC. has submitted an application for Conditional Use Permit #21-0018, for a commercial cannabis retail facility with delivery services, and

WHEREAS, an “Negative Declaration (ND)” and CEQA 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 of proposed projects; 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 September 14, 2022; and

WHEREAS, on July 14, 2022, the proposed Negative Declaration was submitted to the County’s Environmental Evaluation Committee (EEC) and EEC determined the ND to be legally adequate under the California Environmental Quality Act, Section 15070, due to the fact the initial study shows that there are no substantial evidence, in light of the whole record before the EEC that the project would not have a significant effect on the environment.

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

SECTION 1. The Planning Commission has considered the proposed Conditional Use Permit #21-0018 prior to consideration of approval. 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 analyses 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 regulations, the following findings for the recommending approval of Conditional Use Permit #21-0018, has been made as follows:

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

The Imperial County General Plan designates the subject site as "Open Space/Recreational". An analysis of the projects' consistency with the General Plan goals and objectives relevant to the project is provided and considered consistent with the applicable policies. Additionally, the proposed project is consistent with Board of Supervisors Adopted Ordinance dated November 21, 2017 Title 14 permitting the commercial operation of cannabis in Imperial County as described in the Medicinal and Adult-Use Cannabis Regulation and safety Act, as defined in section 14.01.020 of the County of Imperial Codified Ordinances.

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

The Project could be found consistent with the proposed use of the zone it is located within. The purpose of the project is for the operation of an "Adult Use/Medicinal cannabis retail space with delivery." This use is permitted within the "General Commercial" zone, subject to an approved Conditional Use Permit pursuant to Title 9, Division 4, Chapter 6, Section 90406.05 (B) - Commercial Cannabis Zoning.

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 90203.00.

The proposed cannabis uses are consistent with the definition of Land Use Ordinance, Section 90406.05 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 regulation of the County of Imperial and the State of California.

The Conditions of Approval will ensure that the project complies with all applicable regulations of the County of Imperial and the State of California. Therefore, the proposed project will meet the minimum requirements of the Land Use Ordinance, Section 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 Cannabis retail facility is generally surrounded by commercial uses to the north and south; and, residential uses are located to the east and west. However, the facility will be monitored by numerous state and local agencies to insure of any sensitive sensors are not impacted. A security plan to protect the facility and surrounding public will be reviewed

and approved by county staff. An odor abatement plan will be administered and background checks using live scans will be required.

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

The proposed project is conditioned to be consistent with Imperial County, Title 9, Land Use Ordinance and State laws. The proposed project will be subject to the Conditional Use Permit and current State and Local regulations.

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

The proposed Cannabis facilities are permitted uses subject to approval of a Conditional Use Permit (Land Use Ordinance, Section 90406.00) et. seq. and will not grant a special privilege.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE OF** Conditional Use Permits #21-0018, subject to the attached Conditions of Approvals.

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 September 14, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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

E. EEC Package

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE

AGENDA DATE: July 14, 2022

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME: 1:30 PM / No. 1

PROJECT TYPE: Community Veterans of IC, LLC - CUP #21-0018 SUPERVISOR DIST #2

LOCATION: 1073 Imperial Highway, Ocotillo, CA APN: 033-574-003-000

Ocotillo, CA PARCEL SIZE: 2.6 AC.

GENERAL PLAN(existing) Community Area (ONCAP) GENERAL PLAN (proposed) N/A

ZONE (existing) C-2 (General 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

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/14/2022

INITIAL STUDY: #21-0026

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

IID, Quechan Indian Tribe

REQUESTED ACTION:

(See Attached)

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

S:\AllUsers\APN\033\574\003\CUP21-0018\EEC\CUP21-0018 PROJECT REPORT 07.14.22.docx

EEC ORIGINAL PACKAGE

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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 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 significant impact, potentially 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

can be included into this document. Tiering is defined as follows:

"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 &

II. Environmental Checklist

1. **Project Title:** The Cake House (Ocotillo) - Adult Use and Medicinal Dispensary Store, with delivery.
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Jim Minnick, Director, (442) 265-1736
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** jimminnick@co.imperial.ca.us
6. **Project location:** APN 033-574-003-000; 1073 N. Imperial Highway, Ocotillo, CA.
7. **Project sponsor's name and address:** Daniel Wise, Community Veterans of Imperial County, LLC, 1611 S. Melrose Dr. Suite A #391, Vista, CA 92081
8. **General Plan designation:** Ocotillo/Nomirage Community Area Plan (ONCAP) / Neighborhood Commercial
9. **Zoning:** C-2 (General Commercial)
10. **Description of project:** **Description of project:** The Applicant proposes Conditional Use Permits #21-0018 to allow the operation of an Adult Use & Medicinal Storefront, with delivery for the sale of cannabis, on APN #033-574-003-000. The legal description for this parcel is the North 200 feet, of Lot 1, Block 16, Ocotillo Unit 2, of Section 36, T16S, R9E, SBBM, in the unincorporated Townsite of Ocotillo, of the County of Imperial. State of California. The Permittee, will acquire, remodel and repurpose a 1,400+/- square foot building located at 1073 N. Imperial Highway, Ocotillo, CA.

Community Veterans of Imperial County, LLC is proposing a 1,400 square foot Adult Use/Medicinal cannabis retail space with delivery. The purpose of the dispensary will be to give county customers and medical patients a place where they can find relief and safe access to medicinal cannabis products. Community Veterans of Imperial County, LLC is expecting to hire 18 employees. The customer value is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation 9am-10pm Daily, while delivery operations will be from 9am to 9pm based on the volume of orders (projected are 6-10 deliveries per day). Waste cannabis products would be recorded, rendered unusable through composting and, if allowable by the local waste management company, disposed of with traditional waste products. Community Veterans of Imperial County, LLC will be doing business as The Cake Shop.
11. **Surrounding land uses and setting:** the project site is located within the Ocotillo area. Surrounding land uses includes commercial, government special public and open space residential land uses.
12. **Other public agencies whose approval is required:** (e.g., permits, financing approval, or participation agreement.): Planning Commission, Imperial County Air Pollution Control District, Imperial County Environmental Health Services, and Imperial County Fire Department. Salton City Community District Office.
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 confidentiality, etc.?**

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

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.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DE MINIMIS IMPACT FINDING: Yes No

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
PUBLIC WORKS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENVIRONMENTAL HEALTH SVCS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OFFICE EMERGENCY SERVICES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
APCD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF DEPARTMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICPDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



 Jim Minnick, Director of Planning/EEC Chairman

Date: 7-14-2022

PROJECT LOCATION MAP



**COMMUNITY VETERANS OF
IMPERIAL COUNTY, LLC
CUP# 21-0018 / IS# 21-0026
APN# 033-574-003**

-  Project Site
-  Project Parcel
-  Roads



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)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

Previously, the parcel has been impacted by commercial uses over a number of years.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

b) There are no Williamson Act contract lands on this parcel. Therefore, no impact is expected.

- 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))?

c) No Impact. The Project site is not zoned for, nor does it contain forest land or timber land. As such, the Project would not impact forest or timberlands.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?

d) No Impact. The Project site does not contain any forest land and would not convert any forest lands; therefore, the Project would not impact forest lands.

- 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?

e) The proposed site is zoned for General Commercial uses and the Ocotillo/Nomirage Community Area Plan designates the site as Neighborhood Commercial. There are no existing forestlands on or in the immediate vicinity of the Project site. Development of the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. There are adjacent commercial zoned parcels currently vacant with this use would appear to have No Impacts on expansion or conversion of any forest land.

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?

a) Less Than Significant. The permittee is proposing a 1,400 square feet space for cannabis for retail sales and delivery. The building space will include and odor abatement plan for cannabis, which may include carbon control air filtration system. The project does not appear to conflict with any air quality plan or violate any air quality standard, nor will it expose sensitive receptors to pollutants or create objectionable odors. The project will adhere to the Air District's Fugitive Dust Rules (Regulation VIII- Fugitive Dust Rules).

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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interruption, or other means?

c) **No Impact.** No wetlands or water resources are present on the Project Site; therefore, no impacts to wetland, riparian resources, or jurisdictional waters would occur as result of the Project.

d) Would the project 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) There are no federally protected wetlands, resident or migratory fish or wildlife species or corridors for wildlife on the existing site. The proposed project will not have an adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. **Therefore, less than significant impacts are projected.**

e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?

e) The proposed project is zoned for commercial type uses and not subject to and does not conflict with any local policy or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **Therefore, no impact is 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 project site is not part of any adopted Habitat Conservation Plan, Natural Community Conservation Plan or local Plans would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, **therefore, no impacts are expected.**

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 project site was previously used for general commercial uses, which is located within disturbed land. The project (which includes minor improvements) will not appear to cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; **therefore, any impacts are considered less than significant**

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

b) As mentioned under Item a) above, the proposed project site is located on previously disturbed land and it is not likely that any historical, archaeological or human remains will be discovered. **Therefore, any impacts would be less than significant.**

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
2) Strong Seismic ground shaking? 2) The proposed project is not located in a "Special Studies Zone"; however, the site would still be affected by the occurrence of seismic activity to some degree, but no more than surrounding properties. Additionally, Imperial County is classified as Seismic Zone 4 by the Uniform Building Code which requires that any structures constructed would be built to incorporate the most stringent earthquake resistant measures. The impact would be considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Seismic-related ground failure, including liquefaction and seiche/tsunami? 3) The proposed project is not located in a "Special Studies Zone"; however, the site could still be affected by the occurrence of seismic activity to some degree, but no more than surrounding properties. Additionally, Imperial County is classified as Seismic Zone 4 by the Uniform Building Code, which requires that any structures constructed would be built to incorporate the most stringent earthquake resistant measures. Detailed soil investigations shall be conducted prior to issuance of the initial building permits to assure that the proposed building is designed to withstand potential problems related to geology/soils/seismicity. Impact is considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Landslides? 4) Less than Significant (see above a)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? b) The project site is not located within an erosion susceptible area according to the Imperial County, Seismic and Public Safety Element, Figure 3; therefore, less than significant impact is expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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) Less than Significant Impacts. The project is not expected to have a significant adverse environmental impact on the existing geology and soils, nor would it result in any direct geology/soils/seismicity impacts. According to the State of California's Revised January 1, 1990, <u>Special Studies Map</u> , the proposed project is not located in a "Special Studies Zone"; however, the site would still be affected by the occurrence of seismic activity to some degree, but no more than surrounding properties. Additionally, Imperial County is classified as Seismic Zone 4 by the Uniform Building Code (Sections 1626 through 1635), which requires that any structures constructed would be built to incorporate the most stringent earthquake resistant measures	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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) The project as proposed does not appear to conflict with the geology and soils of adjacent properties. The project may be required to perform a grading and drainage plan/study and additional construction would require geotechnical work acceptable to the Imperial County Public Works Department for all future building expansion. A less than Significant Impact is anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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b) All future development shall provide proof of a hazardous materials business plan and that appropriate permits have been obtained for any hazardous materials to be hauled. **A less than significant impacts is projected.**

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) **No Impact.** The proposed project will not handle hazardous materials or waste within a one-quarter mile of an existing or proposed school site.

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) **No Impact.** The proposed project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, therefore, would not create a significant hazard to the public or environment.

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?

e) The project site is not within two miles of the Imperial County Airport or the NAF Air Station; **No impact is expected.** The proposed uses appear to be Normally Acceptable Uses per Table 2A of the Imperial County Airport Land Use Compatibility Plan on page 2-17.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

f) The proposed projects would not interfere with any adopted emergency response plan or emergency evacuation plan; therefore, no impact is expected. The permittee will meet any requirements requested by the Fire/OES Department for emergency responses and plans. **No impacts are anticipated**

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

g) The proposed project site is located within an unincorporated Local Responsibility Area classified as LRA "Unzoned" per Cal Fire Draft Fire Hazard Severity Zones in LRA for Imperial County. Therefore, it is not expected that it would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. **No impacts are anticipated**

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?

a) The project does not appear to violate any water quality standards or waste discharge orders. **Less than significant impact is anticipated.**

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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control plan or sustainable groundwater management plan?

e) The proposed project would not result in significant impacts to hydrology and water quality. Surface runoff quantities are a function of the impermeable surface area. The project will be using an existing building on site and no additional structures are anticipated. The current site has an existing structure on site and no additional structures are planned. **Less than significant impact is anticipated.**

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

- a) Physically divide an established community?

a) The proposed project is consistent with the intent of the County General Plan, Cannabis operations are allowed with an approved Conditional Use Permit in a C-2 Commercial zone, therefore once approved, **less than significant impact is anticipated**

- 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?

b) The proposed project is consistent with the intent of the County General Plan, and the County's Land Use Ordinance. The project is not located in or conflict with habitat conservation or natural community conservations area or plans. The proposed project is located in the Ocotillo Community Area designed for commercial uses and will not physically divide an established community. **Therefore, less than significant impact is anticipated.**

XII. MINERAL RESOURCES *Would the project:*

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

a) The proposed projects will not remove mineral resources on-site; **therefore, no impact 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?

b) The proposed projects will not remove mineral resources on-site; **therefore, no impact 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) The proposed operation is not expected to exceed applicable noise standards noises on local landowners. The facilities will be within an area currently in a semi-developed commercial area. **Less than significant impacts are expected.**

- b) Generation of excessive ground-borne vibration or ground-

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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code and the facility will maintain a Knox Box for access on site.

- All cannabis facilities will have an approved smoke removal system installed and maintained to the current adapted fire code and regulation any impacts are considered to be less than significant.

2) Police Protection?
 2) The project site will have 24 hour security. The site will be lighted for security for safety purposes. The CHP and sheriff's office has active patrol. The facilities will have a security plan approved by the County. **Less than significant impacts are anticipated.**

3) Schools?
 3) **No Impact.** The Project would not result in an increase in population or housing and would not require additional school services. The project site is not near any schools.

4) Parks?
 4) **No Impact.** The Project would not result in an increase in population or housing and would not increase demand/use for local parks.

5) Other Public Facilities?
 5) The Project would not appear to put an increased burden on off-site public services, including existing fire, police, school and other governmental services. Therefore, **less than significant impacts** would occur.

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 CUP's would not increase the use of the existing neighborhood and regional parks or other recreational facilities; **therefore, no impact is expected.**

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 would not appear to include or require the construction of recreational facilities; **therefore, no impact are expected.**

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 Permittee for the Conditional Use Permit CUP #21-0018 shall comply will all applicable conditions and regulations with the County's circulation plan, land use ordinance, and transportation planning. **A less than significant impact anticipated..**

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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significance of the resource to a California Native American Tribe.

(ii) The project site is zoned for general commercial uses and over the past decade was used for a number of these commercial uses. The parcel has an existing structure on site and to date no evidence of cultural resources have been seen on site. Therefore, no resources as defined in the Public Resources Code Section 5024.1 appears to be impacted. **No impacts are expected.**

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 property owners shall be required to pay all applicable development fees and improvements associated with developing their project. Based on the size of the proposed operation, i.e. the number of employees and truck/automobile drivers utilizing the project site, no additional expansion is required for the existing structure on site and no additional impacts are anticipated. The structure will utilize the existing public water system and septic system for water and sewer. **Less than significant impacts are expected.**

- 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) Based on the size of the proposed operation, i.e. the number of employees and customers utilizing the project site, no additional expansion is required for the existing structure on site and no additional impact are anticipated. The structure was previously serviced by an onsite water well and septic system for water and sewer. **Less than expected impacts are expected.**

- 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) The proposed project will be using the existing structure on site for all of its operations. No expansion of the building is proposed. **Less than significant impacts are anticipated**

- 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 size of the proposed operation, i.e. the number of employees and persons at the project site, the property owners shall be required to pay all applicable fees and improvements associated with developing their project. **The level of impacts appear to a less than significant.**

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

e) All proposed project within the County shall contract with a licensed waste hauler for waste generated by the facility. A waste management plan shall be submitted providing insight as to the waste deposition. **The**

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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Revised 2009- CEQA
 Revised 2011- ICPDS
 Revised 2016 – ICPDS
 Revised 2017 – ICPDS
 Revised 2019 – ICPDS

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
- David Black, 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

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

24) 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: Community Veterans of Imperial County, LLC Project, Conditional Use Permit CUP #21-0018

Project Applicant: Community Veterans of Imperial County, LLC, 1611 S. Melrose Dr. Suite A #391, Vista, CA 92081

Project Location: 1073 N. Imperial Highway, Ocotillo, CA

Description of Project: The Applicant proposes Conditional Use Permits #21-0018 to allow the operation of an Adult Use & Medicinal Storefront, with delivery for the sale of cannabis, on APN #033-574-003-000. The legal description for this parcel is the North 200 feet, of Lot 1, Block 16, Ocotillo Unit 2, of Section 36, T16S, R9E, SBBM, in the unincorporated Townsite of Ocotillo, of the County of Imperial, State of California. The Permittee, will acquire, remodel and repurpose a 1,400+/- square foot building located at 1073 N. Imperial Highway, Ocotillo, CA.

Community Veterans of Imperial County, LLC is proposing a 1,400 square foot Adult Use/Medicinal cannabis retail space with delivery. The purpose of the dispensary will be to give county customers and medical patients a place where they can find relief and safe access to medicinal cannabis products. Community Veterans of Imperial County, LLC is expecting to hire 18 employees. The customer value is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation 9am-10pm Daily, while delivery operations will be from 9am to 9pm based on the volume of orders (projected are 6-10 deliveries per day). Waste cannabis products would be recorded, rendered unusable through composting and, if allowable by the local waste management company, disposed of with traditional waste products. Community Veterans of Imperial County, LLC will be doing business as The Cake Shop.

SECTION 4

VIII.

RESPONSE TO COMMENTS

N/A

COMMENT LETTERS



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IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Ms. Jeanine Ramos
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Community Veterans of Imperial County, LLC Cannabis Retail Operation; CUP No. 21-0018

Dear Ms. Ramos:

On August 16, 2021, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Conditional Use Permit application no. 21-0018. The applicant, Community Veterans of Imperial County, LLC, proposes to establish a cannabis retail operation at 1071 N. Imperial Hwy., Ocotillo Wells, CA (APN 033-574-003-000).

The IID has reviewed the application and has the following comments:

1. If the applicant plans on modifying or installing a new electrical service, the applicant should be advised to contact Ignacio Romo, IID Customer Project Development Planner, at (760) 482-3426 or e-mail Mr. Romo at igromo@iid.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required submit a complete set of approved project drawings (hard copy and in AutoCad file format), electrical one-line diagram, operating voltage requirement, electrical panel loads, size & location; construction schedule, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicants shall be responsible for all costs and mitigation measures related to providing electrical service to the project.
2. Please note that energy capacity is limited in the project area and a circuit study may be required. If the study indicates circuit improvements are needed to allow for electrical service to the project, the applicant shall be financially responsible for the improvements identified in the circuit study.
3. 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



COUNTY OF
IMPERIAL

DEPARTMENT OF
PUBLIC WORKS

155 S. 11th Street
El Centro, CA
92243

Tel: (442) 265-1818
Fax: (442) 265-1858

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Public Works works for the Public



09/16/2021

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

Attention: Jeanine Ramos, Planner I

SUBJECT: CUP 21-0018 Community Veterans of Imperial County, LLC
Located on 1071 N Imperial Hwy, Ocotillo Wells, CA.
APN's 033-574-003

Dear Mr. Minnick:

This letter is in response to your submittal received by this department on August 16, 2021 for the above mentioned project. The applicant proposes a cannabis dispensary.

Department staff has reviewed the package information and the following comments shall be Conditions of Approval:

- Conditional Use Permit shall not be issued until all existing improvements (i.e. structures, buildings, driveways, curb, signs, parking lots, landscaping, propane tank, etc.) are removed from Imperial County Gypsum Road Right-of-Way and Imperial Highway Right-of-Way. Removal of said existing improvements will require an encroachment permit to be issued. Developer may petition to have Gypsum Road Right-of-Way and Imperial Highway Right-of-Way to be reduced in width though an abandonment process. No building permit shall be issued until said petition has been approved. All expense associated with said petition process shall be Developers responsibility.

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this project.

Respectfully,

By:

John A. Gay, PE
Director of Public Works

GM/gv

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SEP 16 2021

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

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EEC ORIGINAL PACKAGE

Valerie Grijalva

From: Mario Salinas
Sent: Monday, August 16, 2021 4:28 PM
To: Shannon Lizarraga; Jorge Perez
Cc: Jeanine Ramos; Michael Abraham; Rosa Soto; Carina Gomez; Maria Scoville; Kimberly Noriega; Valerie Grijalva; John Robb
Subject: RE: Request for Comments CUP21-0018 Community Veterans of Imperial County

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Ms. Lizarraga,

Pertaining to CUP21-0018, if the applicant intends to sell edible items, the applicant will need to undergo a plan review with our office. Otherwise, Division of Environmental Health does not have any comments at this time.

Thank you,

Mario Salinas, MBA

Environmental Health Compliance Specialist
Imperial County Public Health Department
Division of Environmental Health
797 Main Street Suite B, El Centro, CA 92243
mariosalinas@co.imperial.ca.us
Phone: (442) 265-1888
Fax: (442) 265-1903
www.icphd.org



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IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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From: Shannon Lizarraga <ShannonLizarraga@co.imperial.ca.us>
Sent: August 16, 2021 4:09 PM
To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Matt Dessert <MattDessert@co.imperial.ca.us>; Belen Leon <BelenLeon@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Luis Plancarte <LuisPlancarte@co.imperial.ca.us>; Adam Crook <AdamCrook@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Guillermo Mendoza



Office of the
Agricultural Commissioner
Sealer of Weights and Measures

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights and Measures

Jolene Duvall
Asst. Agricultural Commissioner
Asst. Sealer of Weights and
Measures

August 31, 2021

Jeanine Ramos, Planner I
Imperial County
Planning & Development Services
801 Main Street
El Centro, CA 92243

RECEIVED

AUG 31 2021

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Re: CUP#21-0018 Community Veterans of Imperial County, LLC

Ms. Ramos:

Our department has reviewed the documents pertaining to CUP#21-0018 for applicant Community Veterans of Imperial County, LLC who proposes to use a retail space for commercial cannabis retail operations at 1071 N. Imperial Hwy in Ocotillo Wells, California with an existing C-2 Medium Commercial zone.

As it is required by Title 9 Division 3 Section 90302.04 – Landscaping standards – Commercial uses, to landscape, our office asks that if plant material is not sourced from a nursery within Imperial County, the applicant must follow the requirements for movement of plant material into Imperial County from other counties or from out of state. The applicant can contact our Pest Detection and Eradication Division for any questions regarding the quarantines of movement of plant material, as there are several quarantines that must be observed.

Regarding the commercial cannabis dispensary operations, please refer to the handouts attached. The handouts will help in determining what type of scale(s) will be required for their operations. As referred in the business and planning project, the applicant will utilize point of sale equipment and scales. 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 on an annual basis. Any point of sale devices or scanners used in retail sale transactions are also required to be registered and inspected.

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

Regards,

A handwritten signature in blue ink that reads "Carlos Ortiz".

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights & Measures



Office of the
Agricultural Commissioner
Sealer of Weights & Measures

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights & Measures

Jolene Dessert
Asst. Agricultural Commissioner
Asst. Sealer of Weights & Measures

December 7, 2020

Landscaper/Nursery Letter-

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.



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

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.

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 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.

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/CTEPInfoGuide.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/>

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.

- 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)(l)]
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)(l)]

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]

CONDITIONAL USE PERMIT

1. Name of Applicant	2. Name of Property
3. Address of Property	4. City and State
5. Description of Proposed Use	6. Zoning District
7. Date of Application	8. Name of Applicant
9. Signature of Applicant	10. Date of Application

11. Description of Proposed Use

12. Justification for Proposed Use

13. Impact on Surrounding Property

14. Public Hearing

15. Decision

APPLICATION

16. Name of Applicant

17. Address of Applicant

18. City and State

19. Description of Proposed Use

20. Justification for Proposed Use

21. Impact on Surrounding Property

22. Public Hearing

23. Decision

RECEIVED

JUN 24 2021

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**



Commercial Cannabis Business Application Prepared for Imperial County

Applicant: Community Veterans of Imperial LLC dba The Cake House

Address: 1073 N. Imperial Highway, Ocotillo, CA 92259

~~APN: 093-390-046-001~~

License: Retail Storefront

Proposal Date: June 24, 2021

Honesty | Excellence | Respect | Innovation | Stewardship | Hospitality | Customer Service

EEC ORIGINAL PACKAGE

13 BUSINESS AND OPERATION PLAN

13.1 AIR QUALITY/ODOR CONTROL PLAN

Community Veterans of Imperial believes the positive benefits of actively managing air and water quality translates to the health and wellbeing of its customers and employees. Community Veterans of Imperial wants to create a space that is comfortable for customers and free of allergens while preventing any odors from reaching the outside of the facility. It is the team's ambition to reduce the impact on the surrounding community as a whole by eliminating undesirable odors, gases, or other potential hazards with relation to air quality.

In compliance with the Imperial County Municipal Code § 14.03.080, the Community Veterans of Imperial team has crafted an odor control plan that provides details on the team's plan to implement an effective air treatment/filtration system to eliminate detection of cannabis odors from outside of the facility to be reviewed by the Imperial Air Pollution Control District (APCD). The team understands that the APCD could request additional actions and wants to assert that this is in fact a living document that will be updated and modified based on both the recommendations of the APCD and the County of Imperial.

13.1.1 Potential Sources of Odor

Community Veterans of Imperial intends to operate a cannabis retail storefront facility which will offer cannabis and cannabis infused products to customers through a delivery service. It is the intent of Community Veterans of Imperial to maintain all product in sealed, smell proof packaging. Community Veterans of Imperial does not intend to cultivate or process cannabis products, and pursuant to 16 CCR § 5412, all packages that arrive to the facility will arrive in sealed retail packaging, which should minimize cannabis odor within or around the facility. However, Community Veterans of Imperial understands that cannabis products naturally have a unique aroma that some may find offensive.

Community Veterans of Imperial will incorporate the best available odor control technology and devices in the overall design of the facility to ensure that odors from cannabis are not detectable off-site. A sufficient odor absorbing ventilation and exhaust system will be provided so that odor generated inside the premises that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as Community Veterans of Imperial's facility.

Cannabis products will be restricted to stay in limited access areas. Most cannabis and cannabis products on the premises will remain in a secured and locked vault as shown below. Daily, dispensary agents will remove only the quantity of cannabis and cannabis products necessary to meet the daily demand to the retail sales area to locked display cases to be readily available for purchase. Products not purchased throughout the day are returned to the vault at the conclusion of the day. Further, the team has designated an area for quarantined products and cannabis waste. See image below. It is the belief of the team that these areas are the biggest potential for odor emission. (Please see entire facility floor plan attached at the end of this document.) Again, while all products will be packaged in a sealed odor proof package, the team will ensure that the air exchanged throughout the facility to and from these areas are scrubbed of any potential odors.

This will be generally accomplished by utilizing multiple filtrations, odor absorption and carbon “scrubbers” to rid the system exhaust of any odors. Activated carbon is an extremely effective absorptive odor control substance. This filter uniquely allows reversal of the filter utilizing 100% of the carbon available within the filter which makes the filter both more effective and expands the filter’s life span. Below is a breakdown of the areas where Community Veterans of Imperial will ensure there are odor absorbing filters.

In order to provide an area that is safe and comfortable for customers, employees, as well as authorized visitors such as vendors, service professionals, or agents of regulatory agencies. Community Veterans of Imperial utilizes a Carrier brand HVAC system capable of filtering the air in the entire facility. This comprehensive HVAC system incorporates the use of industry specific Air District recommended activated carbon filtration, as means to achieve reductions in odor emissions, allergens, and mold. Activated carbon is an extremely effective absorptive odor control substance. However, some carbon filters utilize only 65% of the carbon available and filter only through the top section of the carbon filter resulting in a lower effectiveness. Community Veterans of Imperial will utilize Air Filters Incorporated’s Astro-Sorb™ carbon pleated filters with a proven effectiveness of removing 99.5% of odors.

Air Filters Incorporated™ Astro-Pleat™ Astro-SorbPlus™ MERV 13 carbon pleated filters provide superior odor and particulate capture by using activated carbon, combined with a non-woven polyester media. Unlike the typical coal-based carbon, the activated carbon is made with a coconut shell-based material. The carbon opens up when heated, making it more porous and giving it a larger surface area. The synthetic media is then chemically enriched with 200 grams/sq. meter of coconut-based activated carbon and will not promote the growth of bacteria, mold, mildew, or fungi in normal operating environments.

The Astro-SorbPlus™ is highly efficient while effectively capturing and removing air pollutants and odors. The Astro-SorbPlus™ captures and traps VOCs, gases, and vapors through the process of chemical adsorption. Activated carbon pleated air filters act as a “sponge” to harmful gases and vapors, effectively stopping and trapping contaminants that can bypass the human body’s natural defenses and cause illnesses. The Astro-SorbPlus™ is designed with residential and commercial HVAC industries in mind, with features including low-pressure drop, high dust holding capacity, and odor adsorption.

Filtered Airborne Contaminants										
	Particle Size Removal	Ambulance	Dial-Spot Efficiency Percent							
Best	MERV 13	< 75	> 98%	89 - 90%	Superior Residential (MERV 13 Only)	Bag Filters				
	MERV 14	75 - 85	> 98%	90 - 95% **	Superior Commercial Buildings	Pleated Filters				
	MERV 15	85 - 95	-	> 95% **	Hospital Inpatient Care	Rigid Style Bag Filters				
	MERV 16	> 95	-	- **	General Surgery					
					Smoking Lungs					

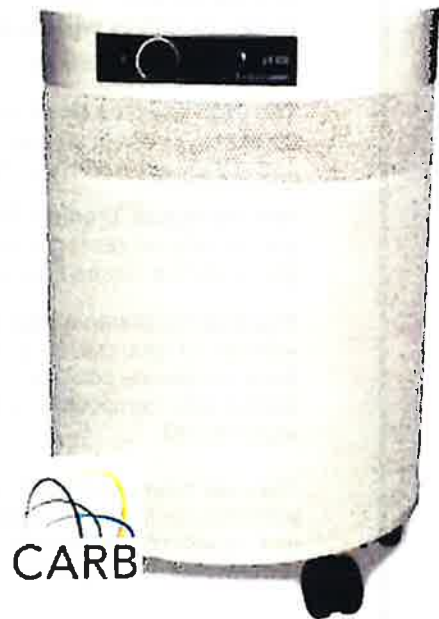
maintenance log. Appointments and required equipment, such as replacement filters will be scheduled or ordered upon the determination of next requested service date to ensure that service dates are not extended to availability issues.

13.1.6 Maintenance Log (Example)

Date	Equipment Serviced	Service Performed	Date of Next Service Required
1/1/21	HVAC System	Installation	6/1/21 – Routine Inspection
1/1/21	HVAC Filters	Installation	3/1/21 – Filter Replacement
3/1/21	HVAC Filters	Replacement	5/1/21 – Filter Replacement

13.1.7 Odor Control Contingency Plan

In the event that the above mentioned odor control equipment should fail or become inoperable, the Community Veterans of Imperial team has developed a contingency plan to help mitigate odors. Community Veterans of Imperial will have on hand portable CARB Certified air purifiers to use in each area where there is a potential for odors. The Community Veterans of Imperial team has opted to purchase the Airpura P600 air purifier as it offers complete filtration for chemicals, odors, particles & microorganisms featuring the new TitanClean photocatalytic oxidation technology resulting in healthier, safer air. The team finds that these features will also aid in the preservation of product in storage areas in the event that the facilities traditional HVAC and odor control devices should fail. This particular unit offers a coverage area of up to 2000 sq ft which is more than effective for the areas in which it may be needed.



This unit is specifically designed and recommended for use in cannabis dispensary type settings. While Community Veterans of Imperial is a non-storefront retail facility that is not open to the public, as it relates to the storage and handling of cannabis, this setting is quite similar to a retail dispensary.

- Download [Airpura UV Performance Report.](#)
- Download [Airpura Activated Carbon Absorbency Ratings.](#)
- Download [Airpura KCL Test Report.](#)

Another appeal to this unit is the low maintenance operation. Manufacture Estimated Maintenance Schedule is as follows:

Pre-filter	Pre-filter 3-6 months (clean), 6-12 months (change)
Activated carbon	2 yrs. max depending on usage & contaminants
HEPA filter	5 yrs. max depending on usage & contaminants
UVGI lamps	Up to 16,000 hours
TitanClean Reflectors	Every 18 months depending on use

Airpura AIR PURIFIERS

P600 Photocatalytic Oxidization

Technical Specifications

TitanClean™
 Photocatalytic Oxidization reflector
 US patent pending #29249549
 Titanium Dioxide (TiO₂) coated reflector surface

UV Germicidal Lamp
 20 watts 30,000 um per sec²

Odor & chemical filtration
 18 lbs activated carbon
 13" x 13" x 9"

Carbon bed
 2" deep x 570 sq" surface

Particle removal
 40 sq ft true HEPA
 (Measured 1 side only)
 10 pleats per inch
 Pleats warm rolled with separators

Air Flow 560 cfm
 More cfm than any other home unit available

Pre-filter
 570 sq in x 1in deep

Housing
 Powder coat steel

Size
 23" x 15"

Weight
 45lbs total

Voltage Options
 115 or 220 volts

Watts
 120 on high 40 on low

Sound Level
 28.1 db on low (at 6 feet)
 62.3 db on high (560 cfm)
 (Room level 25 1 db)

ETL Certified
 Conforms to ANSI / UL 507 and
 CSA C22 2 no 113

Your Airpura Dealer

Titanium Dioxide Photocatalytic Oxidization

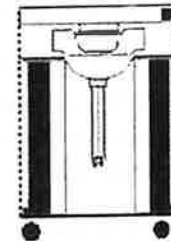
- Developed and used in space technology laboratories for both air and water purification the Photocatalytic Oxidation (PCO) process is simple and elegant.
- A metal surface coated with a metal oxide is irradiated with UV light to produce hydroxyl radicals and super-oxide ions.
- The hydroxyl radicals and super-oxide ions break the molecular bonds of chemicals they come into contact with and slice them into smaller compounds, that are further broken down until only carbon dioxide and water vapor are left.
- For maximum efficiency, the process requires a sufficient surface area of reflective metal coated with a metal oxide to be positioned at a critical distance from the UV lamp while still allowing a good flow of air to bring the airborne chemicals into contact with the resulting hydroxyl radicals and super-oxide ions.

The Airpura TitanClean Reflector

- The TitanClean Reflector provides a large amount of TiO₂ coated surface area (115% of the width of the UV lamp)
- The angled reflector design maximizes the range of photo-catalytic oxidation within the filter chamber and increases the germicidal effect of the lamp.
- The UV germicidal lamp maintains 98% of its direct irradiation intensity due to the interior position of the TitanClean reflector
- The location of the TitanClean reflector and the UV light in the center of the filter chamber allows them to work in concert with the HEPA filter.
- Particulate pollution is stopped by the Hepa filter before reaching the reflector. This keeps the coated surface cleaner and more effective.
- The diffusion of the germicidal dosage from the UV lamp is enhanced in the confined chamber.
- Contact time of airborne chemicals is increased as they slow down passing through the Hepa.
- The TitanClean Catalytic Oxidizer combined with the 18lb Activated Carbon filter offers the most complete airborne chemical and VOC abatement available today



The TitanClean reflector positioned in the center of the filter chamber



The Airpura P600+ Premium Titanium Dioxide Coating

The Airpura P600+ model features a premium titanium dioxide coated surface area. The specially coated Hepa filter offers an additional 3 times the photocatalytic capacity to deal with especially heavy concentrations of airborne chemicals.

The Most Complete Chemical and VOC Filtration Available Today

procedures for usable cannabis products. To protect the quality of product, Community Veterans of Imperial will conduct an inspection upon receipt to ensure that testing has been complete, products are properly packaged, and are accompanied by certified approval from a licensed testing facility. Any products missing testing results will be refused at time of delivery.

Packaging Guidelines

Community Veterans of Imperial will ensure all cannabis, cannabis products, and cannabis accessories sold by Community Veterans of Imperial will be packaged, labeled, and placed in tamper-evident packaging which at least meets the requirements of the MAUCRSA and all state implementing rules and regulations.

As a retailer, Community Veterans of Imperial will not package or label cannabis goods or accept, possess, or sell cannabis goods that are not packaged as they would be for final sale pursuant to 16 CCR § 5412.

In accordance with 16 CCR § 5406, Community Veterans of Imperial will not make any cannabis goods available for sale to a customer unless:

1. The cannabis goods were received from a licensed distributor or licensed microbusiness authorized to engage in distribution;
2. Community Veterans of Imperial has verified that the cannabis goods have not exceeded their best-by, sell-by, or expiration date if one is provided;
3. In the case of manufactured cannabis products, the product complies with all requirements of Business and Professions Code section 26130 and California Code of Regulations, Title 3, Division 8 and Title 17, Division 1, Chapter 13;
4. The cannabis goods have undergone laboratory testing as required by local and state law;
5. The batch number is labeled on the package of cannabis goods and matches the batch number on the corresponding certificate of analysis for regulatory compliance testing; and

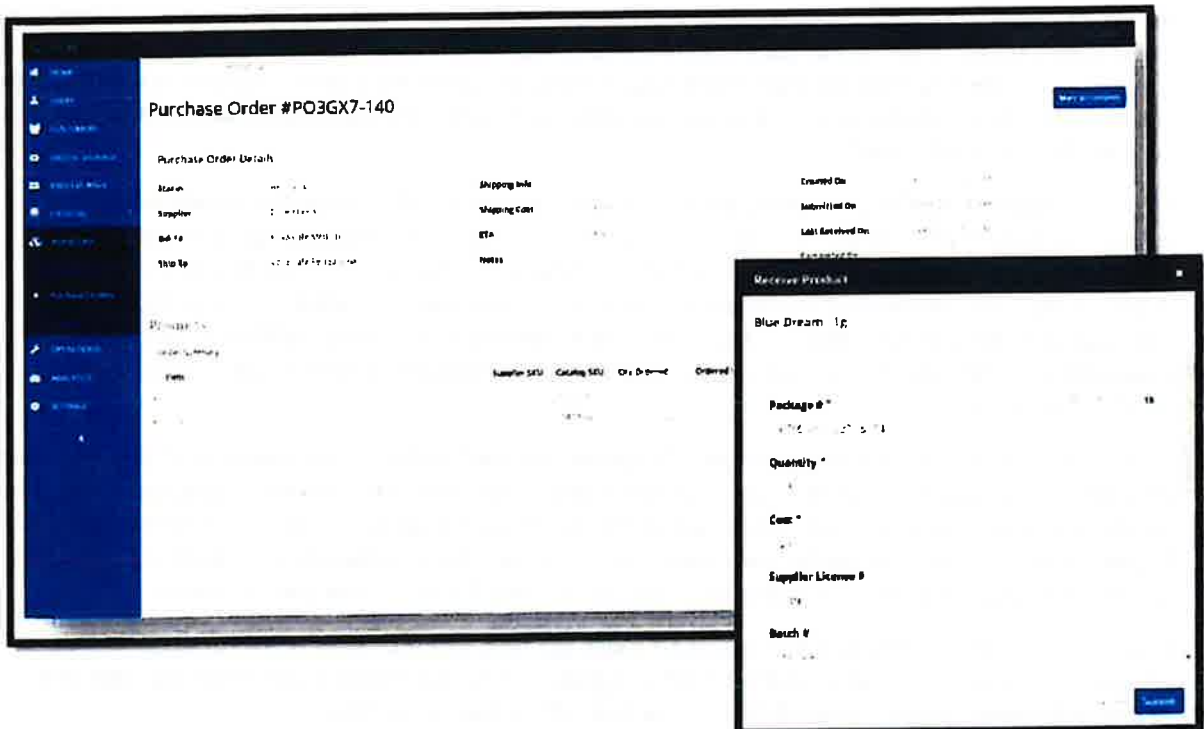
The packaging and labeling of the cannabis goods comply with Business and Professions Code Section 26120 and all applicable regulations. Community Veterans of Imperial's Inventory Control Agent will regularly review the state guidelines to ensure all cannabis products are packaged in accordance with the rules set forth by the BCC. If the products are not packaged to standards, the distributor will be contacted to coordinate a return. To ensure compliance with these regulations, Community Veterans of Imperial will print and laminate the packaging requirements and keep it in the receiving bay for regular reference for the Inventory Control Agent.

Recording Incoming Inventory

In accordance with 16 CCR § 5049(a), once inventory has passed complete inspection for all packaging and labeling requirements and is deemed compliant and acceptable, all incoming inventories will be scanned into Community Veterans of Imperial's COVA Inventory Management System and the State Track and Trace System. The Inventory Control Specialist will physically count and scan each cannabis product into inventory, capturing all product details electronically pursuant to 16 CCR § 5049(b), including, but not limited to, the following:

- 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, including:
 - a. The name, license number, and licensed premises address of the originating licensee.
 - b. The name, license number, and licensed premises address of the licensee transporting the cannabis goods.
 - c. The name, license number, and licensed premises address of the destination licensee receiving the cannabis goods into inventory or storage.
 - d. The date and time of departure from the licensed premises and approximate date and time of departure from each subsequent licensed premises, if any.
 - e. Arrival date and estimated time of arrival at each licensed premises.
 - f. Driver license number of the personnel transporting the cannabis goods, and the make, model, and license plate number of the vehicle used for transport.

The Inventory Control Specialist will compare the shipping manifest and the physical inventory with the purchase order on file and scan all products listed on the purchase order. This process eliminates errors in receiving inventory eliminating unaccounted shortages or overages in inventory. Below is an example of system generated purchase orders and the process of receiving inventory into the COVA system.



POS Equipment

Community Veterans of Imperial will be purchasing the below equipment to support retail operations.¹



Track-and-Trace

Standard operating procedures include detailed California Cannabis Track-and-Trace (CCTT) procedures as outlined by the State.

Track and Trace Account Manager

Pursuant to 16 CCR § 5048, Community Veterans of Imperial will designate one individual to own the management of the track and trace system. This individual may authorize other owners or employees as track and trace system users and shall ensure that all users are trained on the track and trace system prior to use. The Track and Trace Account Manager will adhere to the following rules:

1. The account manager shall attend and successfully complete all required track and trace system training, including any orientation and continuing education.
2. If the account manager did not complete the required track and trace system training prior to receiving their annual license, the account manager shall sign up for and complete state mandated training, as prescribed by the Bureau, within 10 business days of license issuance.
3. The account manager and each user shall be assigned a unique log-on, consisting of a username and password. The account manager or each user accessing the track and trace system shall only do so under his or her assigned log-on and shall not use or access a log-on of any other individual. No account manager or user shall share or transfer his or her log-on, username, or password, to be used by any other individual for any reason.
4. The account manager shall maintain a complete, accurate, and up-to-date list of all track and trace system users, consisting of their full names and usernames.
5. A licensee shall monitor all compliance notifications from the track and trace system, and timely resolve the issues detailed in the compliance notification.
6. The track and trace account manager will be responsible for training Shift managers, Retail Sales Associates, and Inventory Control Agents.

Mandated Bi-Weekly Inventories

Pursuant to 16 CCR § 5051(a), at intervals not exceeding 14 days, the Inventory Control Agent will conduct and document an audit of the inventory that is accounted for according to generally accepted accounting principles.

Any unexplained shrinkage will be documented and trigger a review of electronic security and surveillance data. When Community Veterans of Imperial determines where the shrinkage occurred, appropriate corrective

¹ Detailed specs can be found here: <https://www.covasoftware.com/hardware/us/pos>

Notification of Theft, Loss, and Criminal Activity

Pursuant to 16 CCR § 5051(b), Community Veterans of Imperial will notify the City Manager or his/her designee(s), the Bureau of Cannabis Control, and local law enforcement within 24 hours of discovery of any of the following situations:

1. The licensee discovers a significant inventory discrepancy.
 - a. A significant discrepancy in inventory means a difference in actual inventory compared to records pertaining to inventory of at least \$5,000 or 2 percent of the average monthly sales of the licensee, whichever is less.
2. The licensee discovers theft, loss, or any other criminal activity pertaining to the operations of the licensee.
3. The licensee discovers theft, loss, or any other criminal activity by an agent or employee of the licensee pertaining to the operations of the licensee.
4. The licensee discovers loss or unauthorized alteration of records related to cannabis goods, clients, or the licensee's employees or agents.
5. The licensee discovers any other breach of security.

In the case that one of the activities above is discovered by the licensee, the licensee will follow the below procedure.

1. Notify local law enforcement.
2. Record the date and time of the loss.
3. Record a description of the incident and where applicable the items that were taken or lost.

Recordkeeping

Community Veterans of Imperial will maintain accurate books and records in an electronic format specified in the § 16 of the MAUCRSA and will make the same available for inspection and examination of the local licensing authority or its duly authorized representatives during standard business hours of the licensed facility or at any other reasonable time. As specified by 16 CCR § 5037(a), Community Veterans of Imperial will exercise due diligence in preserving and maintaining all following records related to its commercial cannabis activity for at least seven years:

- Financial records including, but not limited to, bank statements, sales invoices, receipts, tax records, and all records required by the California Department of Tax and Fee Administration (formerly Board of Equalization) under title 18, California Code of Regulations, sections 1698 and 4901, detailing all of the revenues and expenses of the business, and all of its assets and liabilities.
- Personnel records, including each employee's full name, social security or individual taxpayer identification number, date employment begins, and date of termination of employment if applicable. (Training records including, but not limited to, the content of the training provided and the names of the employees that received the training.
- Contracts with other licensees regarding commercial cannabis activity.
- Permits, licenses, and other local authorizations to conduct the licensee's commercial cannabis activity.
- Security records, except for surveillance recordings required pursuant to section 5044 of this division.
- Records relating to the composting or destruction of cannabis goods.
- Documentation for data or information entered into the track and trace system.
- All other documents prepared or executed by an owner or his employees or assignees in connection with the licensed commercial cannabis business.

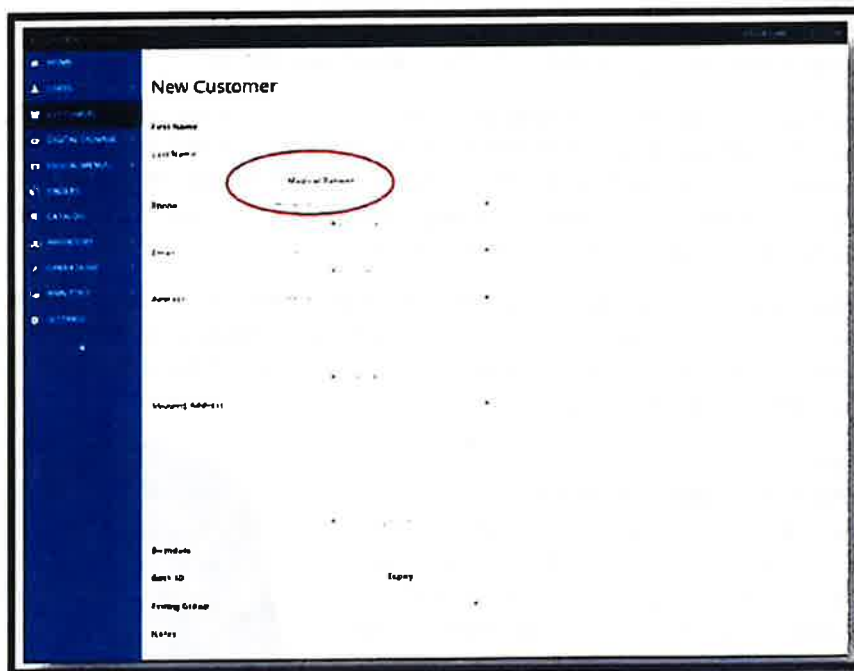
On no less than an annual basis (at or before the time of the renewal of a commercial cannabis business permit issued pursuant to this Article), or at any time upon reasonable request of the city, Community Veterans of Imperial will file a sworn statement detailing the number of sales by the commercial cannabis business or

- 8 grams of concentrated cannabis as defined in Business and Professions Code section 26001, including concentrated cannabis contained in cannabis products.
- 6 immature cannabis plants.

Medical Purchase Limits

- 8 ounces of medicinal cannabis in the form of dried mature flowers or the plant conversion as provided in Health and Safety Code section 11362.77.

The COVA Inventory Management and Point-of-Sale System will help employees monitor and adhere to purchase limits. Each transaction will be conducted under a unique customer profile that will log daily purchases. The system further captures what type of customer it is, medical or adult use, which will look for preset purchase limits based on customer type. Should a customer exceed the purchase limit, the system will notify the sales associate and not allow the transaction to be finalized until the overages are corrected.



The Community Veterans of Imperial team will ensure only the quantity of cannabis and cannabis products necessary to meet the daily demand will be readily available for sale on-site in the retail sales area.

To further ensure customers do not have access to cannabis products, Community Veterans of Imperial will implement the use of physical barriers (walls and doors), electronic measures and employee procedures in order to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products, and to deter and prevent the theft of cannabis or cannabis products at the commercial cannabis business.

All points of access to the business will be controlled with electronic access controls, keypads, key cards, and remote electronic lock (buzz-in) features. Individuals who are not engaging in an activity related to the permitted operations of the commercial cannabis business will not be allowed to remain on the premises.

13.2.3 Delivery Service Procedures

Community Veterans of Imperial intends to make full use of its cannabis retail license and create the most attractive business model that fits the needs of all potential customers. Therefore, Community Veterans of Imperial will offer patrons the opportunity to have cannabis or cannabis products delivered. Community Veterans of Imperial will only deliver cannabis in a city or county that does not expressly prohibit it by ordinance.

Delivery Service Procedures

Community Veterans of Imperial will limit the hours of operation for delivery activities to the hours of 9:00 a.m. through 9:00 p.m. seven days a week or a reduced duration as stipulated through the discretionary permit.

OnFleet – Delivery Dispatch

Community Veterans of Imperial will utilize the high-end Onfleet software for driver and delivery dispatch. This will track deliveries to customers real time for full transparency and security.



The Onfleet platform is considered the best in the industry for final mile delivery services. The company was founded by a team of engineers from Stanford University and funded by some of Silicon Valley's top investors. Onfleet provides dispatchers with visibility to all deliveries in transit by tracking the GPS thru the phone of each driver. Using Onfleet and COVA, our transportation capabilities will boast the following features:

1. Ability to create shipping manifests which will contain the following:
 - a. A unique Purchase Order number to track system receipts;
 - b. Name, license number, and premises address for:
 - i. The licensee who possesses the cannabis goods;
 - ii. The licensee transporting the cannabis goods;
 - iii. The licensee receiving the cannabis goods;
 - c. Name and license number of any licensee involved in the activity or transaction who is not shipping, transporting, or receiving the cannabis goods;
 - d. Date and time of activity;
 - e. Date and time of departure from first premises, and estimated time of departure for subsequent premises if cannabis goods are being shipped from multiple premises in one transport vehicle;
 - f. Estimated date and time of arrival at each receiving premises;
 - g. Driver license number for any person driving the transport vehicles;
 - h. Make, model, and license plate number of transport vehicles; and
 - i. Name and type of cannabis goods to be transported.
2. Ability to produce and store package and product tracking numbers.

- a. The licensee who possesses the cannabis goods;
 - b. The licensee transporting the cannabis goods; and
 - c. The licensee receiving the cannabis goods;
3. Name and license number of any licensee involved in the activity or transaction who is not shipping, transporting, or receiving the cannabis goods;
 4. Date and time of activity;
 5. Date and time of departure from first premises, and estimated time of departure for subsequent premises if cannabis goods are being shipped from multiple premises in one transport vehicle;
 6. Estimated date and time of arrival at each receiving premises;
 7. Driver license number for any person driving the transport vehicle;
 8. Make, model, and license plate number of transport vehicle; and
 9. Name and type of cannabis goods to be transported.

Upon receipt of cannabis goods for transport, storage, or inventory, the company employee shall ensure that the cannabis goods received are as described in the shipping manifest and shall record acceptance and acknowledgment of the cannabis goods in the track and trace system.

If there are any discrepancies between the type or quantity specified in the shipping manifest, whether by 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.

The shipping manifest will be completed by the distributor and transmitted in the track and trace system to the Bureau and receiving licensee.

Delivery Rules

Community Veterans of Imperial will adhere to the following rules regarding the vehicle used for delivery as aligned with both local and state laws regarding cannabis operations:

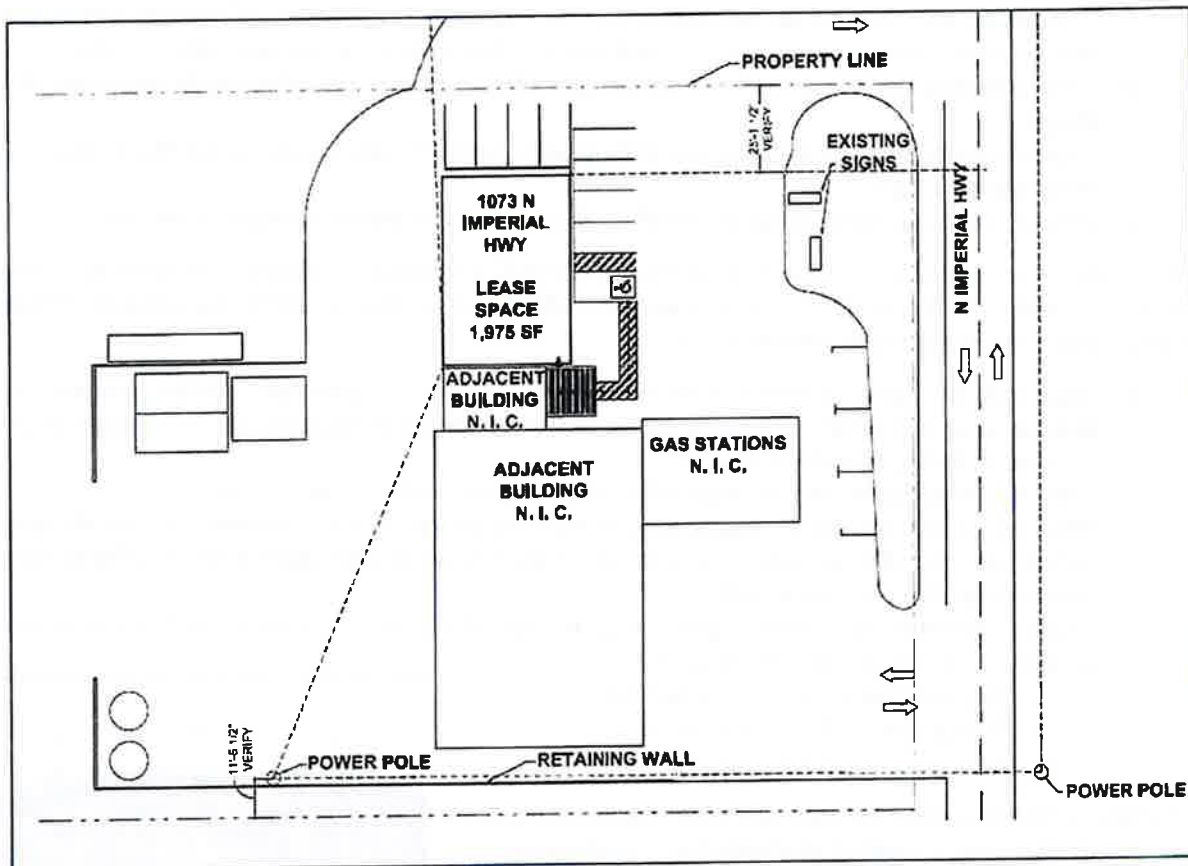
- Delivery employees who are carrying cannabis goods for delivery, will only travel in an enclosed motor vehicle where goods are locked in the trunk of the vehicle.
- While carrying cannabis goods for delivery, delivery employees shall ensure the cannabis goods are not visible to the public.
- All of Community Veterans of Imperial's delivery vehicles will be unmarked with no indication that the vehicle is transporting cannabis or cannabis products.
- Delivery employees will not leave cannabis goods in an unattended motor vehicle unless the motor vehicle is locked and equipped with an active vehicle alarm system.
- Pursuant to 16 CCR § 5417(d), a vehicle used for the delivery of cannabis goods shall be outfitted with a dedicated GPS device. A dedicated GPS device must be owned by the licensee and used for delivery only.
- The device shall be either permanently or temporarily affixed to the delivery vehicle and shall remain active and inside of the delivery vehicle at all times during delivery.
- Using Onfleet technology, Community Veterans of Imperial will be able to identify the geographic location of all delivery vehicles that are making deliveries for the retailer and shall provide that information to the BCC upon request.
- Prior to commencing delivery operations, and prior to the use of any new car in delivery operations, Community Veterans of Imperial will provide the City and State regulating agencies with the following information for all vehicles that will be used to deliver cannabis or cannabis products: proof of ownership or a valid lease; the year, make model, color, license plate number, and Vehicle Identification Number and proof of insurance. The permittee shall notify the City in writing of any changes to this information within 30 calendar days of a change.

13.3 PARKING AND LANDSCAPING PLAN

Community Veterans of Imperial has already secured a location and has scoped the work required to create an esthetically pleasing and safe retail cannabis business within Imperial County. As the goal of the team is to seamlessly integrate into the community as well as advance community priorities and initiatives, the Community Veterans of Imperial team has worked to combine aesthetics and sustainability to create an environmentally friendly and efficient facility. The Community Veterans of Imperial facility will include features that supports and promotes the long range strategy of achieving a more sustainable community. Built into the design plans for the Community Veterans of Imperial's facility are adequate parking complimented with professional landscaping designed to be both attractive and long lasting.

13.3.1 Parking

The site will provide newly surfaced and ample parking around the building. Community Veterans of Imperial's proposed facility will offer gives it 9 off-street regular parking spaces and 1 ADA accessible space, such that those with handicap placards will easily be able to park their vehicles and safely access the facility.



13.3.2 Landscaping

Community Veterans of Imperial plans to utilize drought resistant landscaping around the facility. The benefits of utilizing drought resistant plants is the inherent reduction in the use of water to maintain the attractive appearance of a professionally landscaped facility. Additionally, drought resistant plants tend to have deeper roots which helps stabilize slopes and reduces soil erosion.

All plants used in the landscaping plan surrounding the facility will also be chosen based on their size at maturity. Plants that are very dense or could act as a hiding place or create blind spots for facility surveillance will be avoided.



on the dispensary site to be visible from the public right-of-way, the unsecured areas surrounding the buildings on the site, or the site's main entrance and lobby.

13.5 LIST AND NUMBER OF EMPLOYEES

Community Veterans of Imperial understands that the organizational structure is important in creating standard practices and operating procedures throughout its facilities. The organizational structure allows Community Veterans of Imperial to clearly define the role and responsibilities for each of its team members and staff to drive accountability and empowerment for each and every staff member. Below is an overview of the intended organizational structure, highlights of each role and its assigned responsibilities. In accordance with Imperial County Municipal Code § 14.03.080(Q) and 16 CCR § 5031, Community Veterans of Imperial will not allow an individual less than twenty-one (21) years of age to work within the licensed premises or handle cannabis and/or cannabis products.

Upon the start of operations, Community Veterans of Imperial intends to hire 16 people consisting of:

Position/Title	Employee Count	Minimum Wage to be Earned
Retail Store Manager	2	\$28.00
Shift Leader	2	\$25.00
Retail Sales Associate	8	\$18.00
Inventory Control Specialist	2	\$18.00
Delivery Driver	2	\$18.00

13.5.1 Retail Store Manager

The Retail Store Manager will manage Community Veterans of Imperial's retail store. As such, the Retail Store Manager will have a variety of responsibilities. To illustrate, the Retail Store Manager is responsible for hiring potential employees, collecting, and returning agent identification cards, and ensuring all agents complete all Program Training within 90 days of employment. Additionally, the Retail Store Manager will train all agents on inventory, sales, security, sales, and operation procedures. Each day, the Retail Store Manager will open and close the retail store, conduct beginning of day inventory audit, oversee sales and operations, and conduct end of day inventory audit. In addition, the Retail Store Manager is responsible for maintaining facility records, inspecting and accepting deliveries, disposing of cannabis waste, reconcile inventory discrepancies as needed, review surveillance equipment and footage, and well as maintain contain contact with the Department and the State/Local Police in the event of an emergency.

13.5.2 Shift Leader

The Shift Leader will work directly under the Retail Store Manager. The Shift Leader will assist the Retail Store Manager of the management of retail operations by overseeing and facilitating sales, supporting retail sales associates as needed, retrieving cannabis and cannabis products from restricted access areas, and ensuring that the appropriate number of customers have access to the retail area. In addition to overseeing sales, the Shift Leader will create employee retail sales associate work schedules and maintain the interior cleanliness of Community Veterans of Imperial's retail facility during business hours.

13.5.3 Retail Sales Associate

Each Retail Sales Associate will facilitate sales within Community Veterans of Imperial's store. During each sale, each Retail Sales Associate will engage and develop a relationship with the customer. Each Retail Sales Associate will get to know each customer to make adequate cannabis and cannabis product recommendations. During each sale, each Retail Sales Associate will educate each customer about the product the customer intends to purchase or the product the customer does in fact purchase. Subsequently, the Retail Sales Associate will create an inventory record for each sale conducted in Community Veterans of Imperial's store.



different living wages for individuals with children, and individuals who also have another adult living with them. Below are the findings from MIT for those living in Imperial County.²

	1 ADULT				2 ADULTS (1 WORKING)				2 ADULTS (BOTH WORKING)			
	0 Children	1 Child	2 Children	3 Children	0 Children	1 Child	2 Children	3 Children	0 Children	1 Child	2 Children	3 Children
Living Wage	\$14.25	\$33.91	\$41.91	\$53.62	\$26.55	\$52.07	\$36.05	\$59.05	\$13.28	\$18.54	\$23.04	\$27.04
Poverty Wage	\$6.15	\$8.29	\$10.44	\$12.60	\$8.29	\$10.44	\$12.60	\$14.75	\$4.14	\$5.22	\$6.30	\$7.38
Minimum Wage	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00

Anticipated Employee Pay Rates

Community Veterans of Imperial’s objective is to retain loyal employees who will provide a lot of value to Community Veterans of Imperial customers. To ensure Community Veterans of Imperial retains the most talented employees, Community Veterans of Imperial will pay each member of its team competitively. Looking towards the living wage for Imperial County minimum wage, Community Veterans of Imperial agents will be paid much higher than is required for living. Community Veterans of Imperial agents who have households with 1 adult and 0 children will make a premium of 126-196% of the Imperial County recommended living wage, and a premium of 150-233% of California’s minimum wage as illustrated below.

Employee Title	Hourly Rate	Percentage of Living Wage	Percentage of Minimum Wage
Retail Store Manager	\$28.00	196%	233%
Shift Leader	\$25.00	175%	208%
Retail Sales Associate	\$18.00	126%	150%
Inventory Control Specialist	\$18.00	126%	150%
Delivery Driver	\$18.00	126%	150%

Paid Time Off (PTO)

In addition to competitive wages, the Community Veterans of Imperial team will provide all full-time employees who regularly work 40 or more hours per week on a continuing basis earn paid vacation time after each annual service anniversary with the Company. Part-time and On-Call employees are not eligible for paid vacation time. Employees will be eligible for PTO only after 180 day of employment.

- It is the Company’s position that employees need time off to rest, so pay in lieu of vacation time is not permitted.
- Vacation time must be taken each year, or the vacation time will be forfeited. Vacation time cannot be accumulated from year to year.
- Vacation requests should be in writing and approved in advance by the manager based upon business conditions. A request for time off, paid, or unpaid is not authorized until signed and approved by management.
- Upon separation from the Company, associates will be paid any earned and unused vacation time.
- PTO can be used for Personal/Sick days after an absence as long as the employee has followed the proper call-off procedure (call and speak to supervisor at least two hours in advance). It is the responsibility of the employee to complete the appropriate paperwork and to obtain approval after their absence to ensure payment of this benefit.

² <https://livingwage.mit.edu/counties/06025>

Section: Business and Operations
Subsection: List and Number of Employees



- Are caring for a loved one who suffered serious injuries during active military service; or
- Require prenatal care or are suffering from pregnancy-related illnesses or complications

Requesting Medical Leave

For employees to receive benefits, they need to first make Community Veterans of Imperial aware of their situation and their need for leave. Employees are required to give at least a 30-day notice ahead of their leave if possible. If the necessity for leave is not foreseeable, then the notice should be provided "as soon as practicable." Employees will be required to:

1. Submit a doctor's note that clearly establish a medical condition or reason for the employee's inability to continue work.
2. Provide all available information directly to the Human Resources Department.

13.5.7 Commitment to Local Hiring Practices

As previously communicated, the Community Veterans of Imperial team wishes to bring meaningful employment opportunities to the residents of Imperial County. Community Veterans of Imperial aims to develop a workforce comprised 100% of Imperial County residents.

Recruiting practices will look for professionally qualified individuals that possess a passion for delivering an exceptional customer experience. The Community Veterans of Imperial will look for individuals who reside within the Imperial County community providing preference to qualified individuals who are local to the facility. The Community Veterans of Imperial believes that by hiring employees who are local to the facility not only positively boosts the local economy, but also provides the type of environment that the company strives for. Typically, local employees have established relationships with others within the community and it is these types of relationships and friendliness that creates the overall family feel within a retail environment.

SUMMARY/OVERVIEW

Dr. Gantt is an experienced **Safety Engineer and Board-Certified Safety Professional (CSP)** with an extensive background as both a regulator and in private practice encompassing over 40 years. He is experienced in many areas of occupational and construction safety, safety systems and programs, multi-employer worksites, fire and life safety, workplace and premises evaluation and liability, general safety practices, OSHA and Cal-OSHA health and safety regulations, and Fire and Building Code safety and health requirements. He has considerable experience inspecting and evaluating construction sites, occupational settings, and conducting safety assessments in a broad range of public and private facilities. Additionally, his expertise includes the delivery of training programs with the ability to explain complex regulations, hazards, and practices in an easy-to-understand manner that can be essential in testimony and reports. He is a nationally recognized speaker in many areas related to occupational health and safety, fire safety, premises safety, and regulatory compliance.

OCCUPATIONAL EXPERIENCE

January 1991 to Present:

President & Founder

Safety Compliance Management, Inc San Ramon, California

Owner and operator of a tenured and successful private business that provides solutions in the areas of evaluating and implementing occupational health and safety systems and programs, emergency management and response, and safety programs (training, consultation, compliance, and written programs) to a range of clients in both the private and public sectors.

Safety and Regulatory Compliance Consulting/Expert Witness

Provides regulatory and litigation (Expert Witness) consultation services in areas involving regulatory compliance, safety systems, fire and life safety, construction safety, Fire and Building Code compliance, and premises liability matters. He has provided testimony in the areas of safety program development and implementation, multi-employer worksites, construction safety, and the application of safety regulations both occupationally and generally.

Safety Programs – Development, Training, Evaluation, and Consultation

Provides services in the design and delivery of a range of safety program/systems that include training and inspection programs in the areas of general industry safety and construction safety. Evaluates current programs to ensure compliance and develops organizational-specific Injury and Illness Prevention Programs (IIPP), Code of Safe Practices, Fall Protection Programs, and other regulatory required programs as needed. Oversees and participates in inspection programs at a range of general industry, private/public facilities, and construction projects. Assists with accident investigation, risk assessment, and evaluation of workplace and property hazards. Represents clients with OSHA issues including citations, site audits, and permits. Provides and coordinates the delivery of numerous safety training programs to a range of clients in all aspects of OSHA and Cal-OSHA required programs including Fall Protection, CPR/First Aid, Confined Space Operations, Energy Control (Lock Out/Tag Out), Fire Safety, Excavation Safety, Hazardous Materials, and other safety topics.

Accident and Incident Reporting Procedures

Fire and Life Safety Coordinator

Community Veterans of Imperial has designated Daniel Wise as the Fire and Life Safety Coordinator for the organization.

The Fire and Life Safety coordinator is responsible for the planning, evaluation, and execution of the EAFPP and should perform the following duties:

1. Review and update the EAFPP annually or as needed.
2. Conduct annual facility evacuation drills. Know the location of all fire extinguishers; pull alarms, and first aid kits. Ensure evacuation routes are posted and walkways remain clear at all times.
3. When an emergency alarm has been sounded, systematically check all areas to assure everyone has been evacuated.
4. If needed, post assistants along the evacuation route to guide people to the Assembly Area.
5. Take roll call at the assembly area following a site evacuation to ensure the safety of all employees.
6. Assist mobility impaired persons to evacuate safely.
7. Keep people calm and informed.
8. Report to the Co-Presidents, Security Manager, or the on-scene Incident Commander.
9. If ordered by on-scene Incident Commander, move all people to the Assembly Area and inform people when it is safe to re-enter buildings. After a major earthquake, a person may not re-enter buildings until cleared by a qualified building inspector.
10. After the emergency incident has concluded, the Safety Coordinator will distribute and collect After Action Report Forms completed by employees and determine potential improvements for the EAFPP.

The Fire and Life Safety Coordinator directs the day-to-day prevention and safety activities at Community Veterans of Imperial. The Fire and Life Safety Coordinator is responsible for the following:

- The regular inspection and maintenance of all emergency lighting, alarm, detection and suppression equipment according to manufacturer's specifications.
- Assigning someone to The Fire and Life Safety Coordinator will be familiar with:
 - Major workplace hazards.
 - Requirements to maintain aisles and exits.
 - Proper handling and storage practices of potential flammable and combustible materials, and ignition sources.
 - Community Veterans of Imperial's Emergency Action Plan.
 - Laws and local codes relating to fire prevention.
 - All fire protection equipment.

The Fire and Life Safety Coordinator is responsible to ensure all employees are trained on fire prevention housekeeping procedures and the parts of this plan that apply to them.

Reporting an Emergency

Call 9-1-1 or (559) 244-5911 from a cell phone.

For any emergency, whether at work or home, employees should be prepared to provide the emergency operator with the following information:

- Type of emergency.
- Scope of emergency (number of people involved, size of the problem).
- Location of the emergency (be as specific as possible).
- Caller's name and phone number.
- Any other details emergency response personnel should be aware of.

Stay on the line until the emergency operators indicate they have all the necessary information. Let the emergency operators be the first to hang up.

OSHA Reporting Requirements

In the event of a serious occupational injury or illness, or the death of an employee as a result of an occupational condition or incident, the Labor Code requires that CAL/OSHA be notified of the occurrence by telephone immediately, no more than eight hours after the incident, or as soon as it is known the employee will be hospitalized for more than 24 hours for other than observation. The only exception would be when the person making the report can demonstrate that exigent circumstances existed, and that, even with diligent inquiry, the information for the report was not available in the required time frame.

The local Cal/OSHA office number is (559) 445-5302. The following information must be reported:

- Date and time of the incident.
- Employer's name, address, and telephone number.
- Name and job title of the person making the report.
- Address of the site of the accident or event.
- Names of the injured/ill employee, the person making the report, and the employer.
- Nature of the injury/illness.
- Location to where the injured employee(s) was (were) moved.
- List and identify of other law enforcement agencies present at the site of the accident.
- Description of the accident and whether the accident scene had been altered.

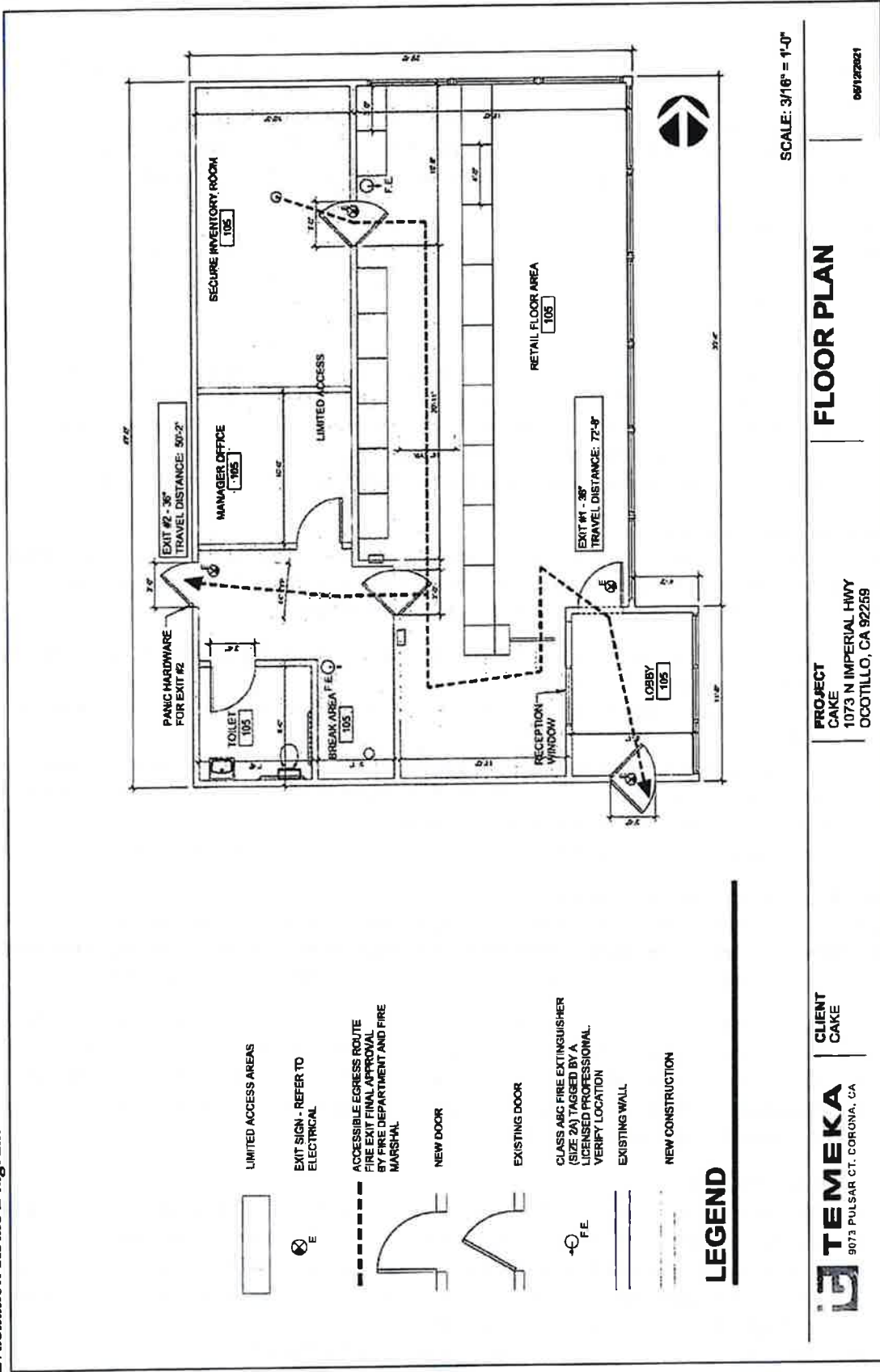
A serious injury or illness is defined in Title 8, Section 330(h) and occurs when any of the following occur:

- A fatality.
- An employee suffers a loss of any member of the body.
- An employee suffers a serious degree of permanent disfigurement.
- An employee is hospitalized for "other than medical observation."
- A significant injury or illness diagnosed by a physician or other licensed health care professional.

Section Business and Operation Plan
Subsection: List and Number of Employees



Evacuation Route Diagram



Section: Business and Operation
Subsection: List and Number of Employees



- Any fire protection equipment including fire extinguishers, shall not be blocked.
- All combustible storage shall be stored in a manner to prevent the spread of fire.
- All combustible waste shall be stored in approved waste containers.
- All work areas will be kept free of excess accumulations of waste.
- Smoking will only be allowed in designated areas. Whenever smoking materials are discarded, they should be placed in appropriate, designated containers.

Aisles and Exits.

All aisles and exits shall conform to minimum standards as outlined by fire and building codes applicable to the facility.

The Fire and Life Safety Coordinator will ensure that all workers assist in the maintenance of aisles and exits in their respective workplaces. It is the responsibility of the Fire and Life Safety Coordinator to ensure that aisles and exits remain free of obstructions at all times.

- Storage is not permitted in emergency exit paths even on a temporary basis.
- Any operation that blocks or makes an emergency exit inoperable must receive the approval of the Fire and Life Safety Coordinator or his designee. Special arrangements shall be made to ensure adequate exiting during the temporary operation.
- Exit signs shall be posted above all emergency exits. Signs that are designed to be illuminated shall be maintained in proper working order at all times.
- Cords and cables shall not lay across aisles where they might present a tripping hazard.
- Aisles in the office area shall be maintained at a minimum of 36 inches wide.
- Spills of any liquids in aisles should be cleaned up as soon as possible.
- Door hardware, including locks, bolts, chains, etc., shall not be added to any exit door without the approval of the Fire and Life Safety Coordinator.
- Exit doors and hardware shall be inspected as part of the regular Safety Inspection.

Additionally, while not required, training in the following areas has been identified for the firm's occupational safety and health training matrix.

Training	Description	Employees
Cardiopulmonary Resuscitation (CPR) and First Aid	Training in accordance with 8 CCR §3400 to provide CPR and First Aid in accordance with the guidelines of the American Heart Association.	Emergency Response Team (ERT) members
Automatic External Defibrillator (AED)	Training in accordance with 8 CCR §3400 to use an AED in accordance with the guidelines of the American Heart Association.	Emergency Response Team (ERT) members
Portable fire extinguisher use/Incipient Fire Control	Training in accordance with 8 CCR §6151 on the use of portable fire extinguishers including requirements for notification and evacuation prior to use, selection of the proper type of extinguisher, inspection/service requirements, and proper use.	Emergency Response Team (ERT) members

Inspection Programs

As safety systems are implemented, inspection and testing programs are required to ensure that the equipment and systems are properly maintained and useable. Required inspections are as follows.

Equipment/System	Frequency
Portable fire extinguishers	Visual inspection monthly by site personnel. Annual service by a licensed vendor.
Emergency lighting systems	Testing for 30 seconds monthly by site personnel. 90-minute test annually by site personnel.
First Aid Kits	Regular inspections of inventory by site personnel or a vendor.
Portable ladders (if used)	Regular inspections – recommended quarterly.
Detection and alarm systems	Maintained and tested in accordance with manufacturer's and CCR Title 19 requirements.

Recordkeeping

To ensure ongoing compliance within the safety systems, records will be developed and maintained in compliance with Cal-OSHA requirements found in 8 CCR §§3203 and 3204, and other equipment-specific sections. Following is a list of the records that may be required. As with some of the other required safety elements, these are similar to those that are required and identified in the report.

- Personnel safety training records.
- Equipment inspection records.
- Facility inspection records.
- Operational and facility inspection records.
- Emergency equipment inspection records (e.g., alarms, detectors, fire extinguishers, emergency lighting, etc.).
- OSHA Log 300 and 300A.



13.7 FICTITIOUS BUSINESS NAME



CHUCK STOREY – Imperial County Clerk/Recorder
 940 W. Main Street, Suite 202, El Centro, CA 92243
 Telephone: (442)265-1076 Fax: (442)265-1091
www.imperialcounty.org

FEE SCHEDULE	
Filing (includes one certified copy):	\$35.00
Each Additional Registrant(s):	\$ 5.00
Each Additional Business Name(s):	\$ 5.00
Plain Copies:	\$ 2.00
Additional Certified Copies:	\$ 7.00

FICTITIOUS BUSINESS NAME STATEMENT FILING
This is NOT a Business License Type or Print Clearly – MUST BE LEGIBLE

New Filing/Amend **Re File (No Changes)**

AGENT INFORMATION – Person filing FBN Statement on behalf of the registrant

Agent's Name	Daniel Wise	Phone Number	(512) 745-3242
Agent's Address	1611 Melrose Drive STE A #391 Vista, CA 92081		

1. FICTITIOUS BUSINESS NAME (S)

PRINT FBN NAME
 The Cake House
 PRINT FBN NAME

2. LOCATION

PHYSICAL BUSINESS ADDRESS (P.O. Box or PMB *not acceptable*) – City, State, Zip Code, County
 1073 N. Imperial Highway, Ocotillo, CA 92259 Phone Number (512) 745-3242
 MAILING ADDRESS (if different from above) – City, State & Zip Code (P.O. Box Acceptable)
 1611 Melrose Drive STE A #391 Vista, CA 92081

3. REGISTRANT INFORMATION

Full Name & Complete Residence Address of each business owner (P.O. Box or PMB *not acceptable*)
 If a Corporation/LLC, Corporation/LLC name & address as registered with Secretary of State (include State where incorporated)
 FULL NAME COMMUNITY VETERANS OF IMPERIAL COUNTY LLC If a Corporation/LLC – State of Incorporation California
 STREET ADDRESS, CITY, STATE & ZIP CODE 3400 Cottage Way, Ste G2 #2792 Sacramento, California 95825 United States PHONE NUMBER (512) 745-3242
 FULL NAME _____ If a Corporation/LLC – State of Incorporation _____
 STREET ADDRESS, CITY, STATE & ZIP CODE _____ PHONE NUMBER _____

4. THIS BUSINESS IS CONDUCTED BY (Check one)

- An Individual General Partnership Unincorporated Association other than a Partnership
- Co-Partners Limited Liability Partnership Corporation
- Married Couple State or Local Registered Domestic Limited Partnership
- Joint Venture Trust Limited Liability Company

5. DATE began using business name – Cannot be a future date

MM/DD/YYYY _____ Not applicable – if you have not begun conducting business

6. SIGNATURES

I declare that all information in this statement is true and correct (A registrant who declares as true information, which the registrant knows to be false, is guilty of a misdemeanor.)

1. SIGNATURE OF REGISTRANT	Daniel Wise	TITLE	CRP
2. SIGNATURE OF AGENT	Daniel Wise	TITLE	CRP

In accordance with Section 17920 (a), a Fictitious Business Name Statement generally expires five years from the date it was filed with the County Clerk, except as provided in Section 17920 (b), where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in the residence address of a registered owner. A new Fictitious Business Name Statement must be filed before the expiration. The filing of this Statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under Federal, State, or common law (Section 14411 et seq. of the Business and Professions Code)



**California Secretary of State
Electronic Filing**

FILED
Secretary of State
State of California

LLC Registration – Articles of Organization

Entity Name: COMMUNITY VETERANS OF
IMPERIAL COUNTY LLC

Entity (File) Number: 202106311386

File Date: 03/01/2021

Entity Type: Domestic LLC

Jurisdiction: California

Detailed Filing Information

1. **Entity Name:** COMMUNITY VETERANS OF IMPERIAL
COUNTY LLC

2. **Business Addresses:**
 - a. **Initial Street Address of
Designated Office in California:** 3400 Cottage Way, Ste G2 #2792
Sacramento, California 95825
United States

 - b. **Initial Mailing Address:** 3400 Cottage Way, Ste G2 #2792
Sacramento, California 95825
United States

3. **Agent for Service of Process:** LEGALINC REGISTERED AGENTS, INC.
(C4249298)

4. **Management Structure:** More than One Manager

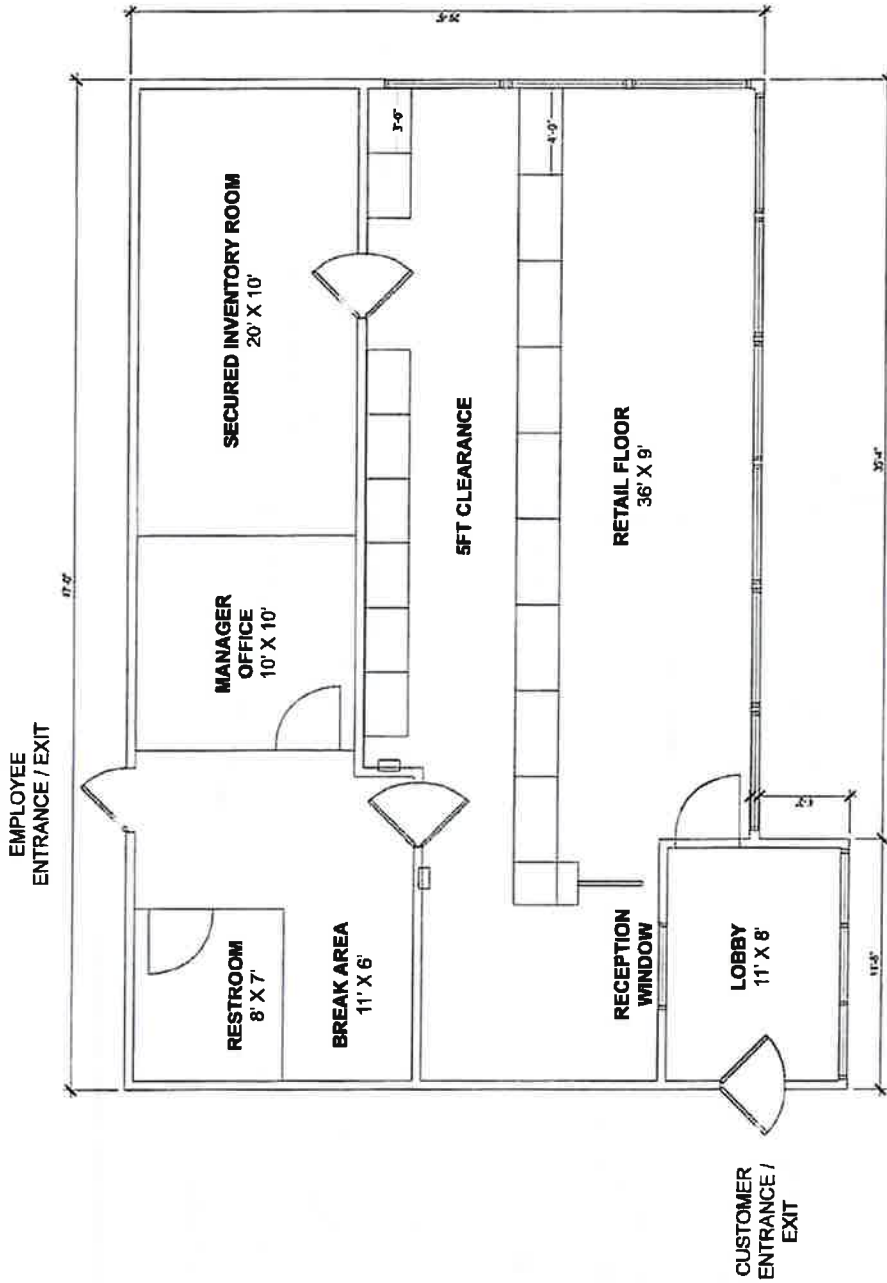
5. **Purpose Statement:** The purpose of the limited liability
company is to engage in any lawful act
or activity for which a limited liability
company may be organized under the
California Revised Uniform Limited
Liability Company Act.

Electronic Signature:

The organizer affirms the information contained herein is true and correct.

Organizer: DANIEL WISE

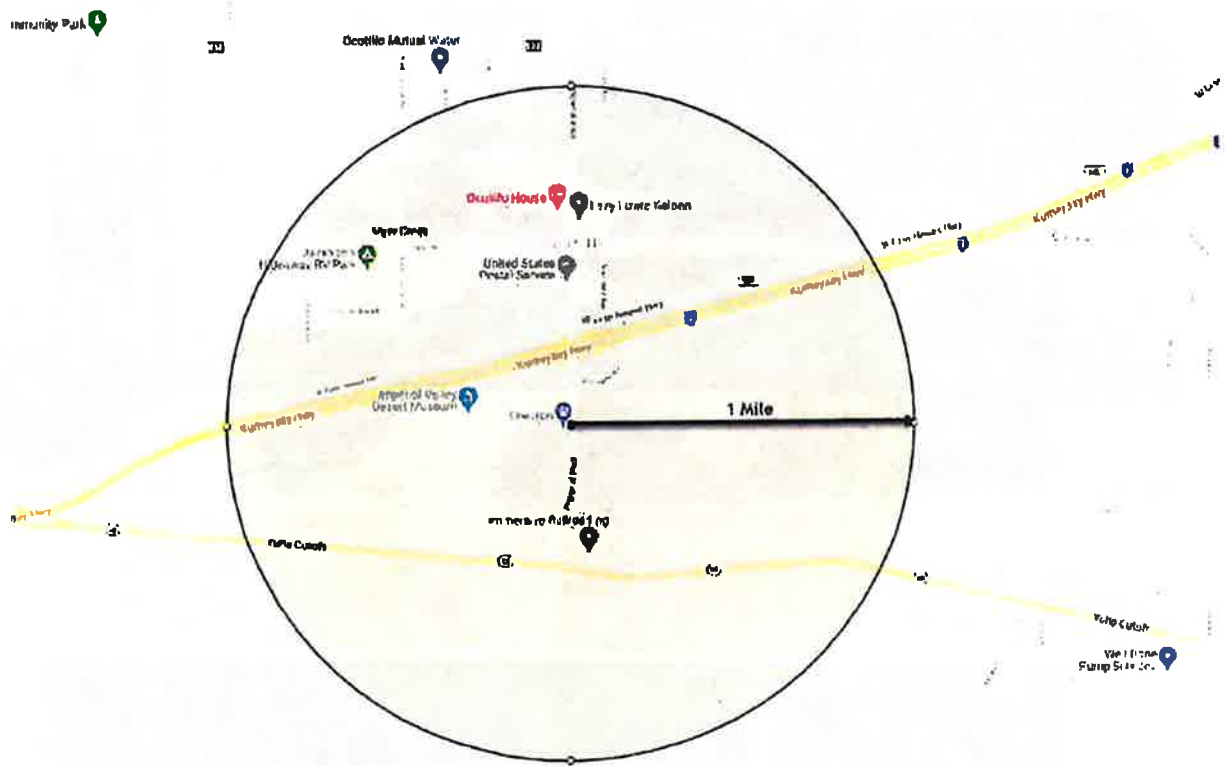
Use bizfile.sos.ca.gov for online filings, searches, business records, and resources.



SCALE: 3/16" = 1'

 <p>TEMEKA 8073 PULSAR CT. CORONA, CA</p>	<p>CLIENT THE CAKE FACTORY</p>	<p>PROJECT 1073 N. IMPERIAL HWY, OCOTILLO, CA 92259</p>	<p>FLOOR PLAN</p>	<p>A1.02 5/3/21</p>
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2 VICINITY MAP



NOTICE OF PUBLIC HEARING & SCHEDULED HEARING DATE(S)

ATTENTION PROPERTY OWNER:

You are receiving this notice because you MAY have property within 1,000 feet of the proposed project.

This notice is to advise you, (the recipient of this notice), that the **PROJECT** identified below, or attached hereto is currently being reviewed and processed by the County and will be heard by one or several of the below identified public hearing bodies. As an interested person or agency, you have the opportunity to comment on this project by visiting the Department to review the file, or by calling the Department for further information, or by submitting written documentation to the Department or by appearing at the public hearing. Through the guidance of our Public Health Officer, California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID-19 virus, we are following these recommendations: 1. You are strongly encouraged to listen to the live audio and video stream of the Environmental Evaluation Committee meetings at the link mentioned below. 2. Should you wish to provide public comment on a specific item on the agenda and/or general public comment, please submit your comment via email to the Environmental Evaluation Committee clerk at icpdscommentletters@co.imperial.ca.us no later than 2:00 p.m. on the Wednesday prior to the Environmental Evaluation Committee meeting. If you are planning to attend the Environmental Evaluation Committee meeting in person you will be required to maintain appropriate social distancing i.e. maintain a six-foot distance between yourself and other individuals. All supporting documentation is available for public review in the office of the Planning & Development Services Department located at 801 Main Street, El Centro, CA. 92243 during regular business hours, 8:00 a.m. - 5:00 p.m., Monday through Friday, excluding holidays. Please remember to shut off all cell phones or electronic devices upon entering the Board Chambers.

Environmental Evaluation Committee Meeting Live Video/Audio Streaming Link
http://imperial.granicus.com/ViewPublisher.php?view_id=2.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE ON THIS PROJECT, SO PLEASE NOTE THE DATE (S).

(This Notice was mailed June 28, 2022).

Environmental Evaluation Committee (EEC) [1:30pm] July 14, 2022

LOCATION of all HEARINGS (unless noted otherwise):

County Administration Center
Board Chambers, 940 Main Street, El Centro, CA

PROJECT LOCATION: (see attached or reverse side for map(s))

Assessor's Parcel Number 033-574-003-000
1073 N. Imperial Highway, Ocotillo, CA. 92259

This project is location on property legally described as APN 033-574-003-000, on the North 200 feet, of Lot 1, Block 16, Ocotillo Unit 2, of Section 36, T16S, R9E, SBBM, in the unincorporated Townsite of Ocotillo, of the County of Imperial, State of California.

PROJECT DESCRIPTION: (see attached or reverse side for more information)

Community Veterans of Imperial County, LLC (The Cake House)
Conditional Use Permit #21-0018
Initial Study #21-0026

The applicant proposes Conditional Use Permits #21-0018 to allow the operation of a 1,400 square foot Adult Use & Medicinal Storefront Dispensary (with delivery) for the sale of cannabis.

STAFF CONTACT: Jim Minnick, Planning Director

PHONE: (442) 265-1736, ext.1776

EMAIL: jimminnick@co.imperial.ca.us

NOTE: *This is the only notice you will receive unless there is a change in the schedule. If you have questions on the project or wish to review the project file, please contact the Department for an appointment. (442) 265-1736.*

Si usted requiere esta información en español, favor de llamar al (442) 265-1736.

J:\M\rs\S:\AllUsers\APN\033\574\003\CUP21-0018\EEC\CUP21-0018 EEC Pubnote 07 14 22.doc

Planning & Development Services Dept., County of Imperial, 801 Main St., El Centro, CA, 92243
(442) 265 - 1736 planninginfo@co.imperial.ca.us Jim Minnick, Director of Planning & Development Services

EEC ORIGINAL PACKAGE

F. Comment Letters



IID

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July 20, 2022

Mr. Jim Minnick
Director
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: NOI for the Preparation of an ND for Community Veterans of Imperial County Cannabis Retail Project CUP #21-0018

Dear Mr. Minnick:

On July 19, 2022, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on the Notice of Intent for the preparation of Negative Declaration for Conditional Use Permit Application No. 21-0018. The applicant, Community Veterans of Imperial County, LLC, proposes to establish a cannabis retail operation at 1073 N. Imperial Hwy., Ocotillo Wells, CA (APN 033-574-003-000).

IID has reviewed the project information and found that the comments provided in the August 31, 2022 district letter (see attached letter) continue to apply.

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

Respectfully,

Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Jamie Asbury – Manager, Energy Dept.
Constance Bergmark – Deputy Mgr. Energy Dept., Energy Business, Regulatory & Transactions Admin.
Geoff Holbrook - Interim General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.



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August 31, 2021

Ms. Jeanine Ramos
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Community Veterans of Imperial County, LLC Cannabis Retail Operation; CUP No. 21-0018

Dear Ms. Ramos:

On August 16, 2021, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Conditional Use Permit application no. 21-0018. The applicant, Community Veterans of Imperial County, LLC, proposes to establish a cannabis retail operation at 1071 N. Imperial Hwy., Ocotillo Wells, CA (APN 033-574-003-000).

The IID has reviewed the application and has the following comments:

1. If the applicant plans on modifying or installing a new electrical service, the applicant should be advised to contact Ignacio Romo, IID Customer Project Development Planner, at (760) 482-3426 or e-mail Mr. Romo at igromo@iid.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required submit a complete set of approved project drawings (hard copy and in AutoCad file format), electrical one-line diagram, operating voltage requirement, electrical panel loads, size & location; construction schedule, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicants shall be responsible for all costs and mitigation measures related to providing electrical service to the project.
2. Please note that energy capacity is limited in the project area and a circuit study may be required. If the study indicates circuit improvements are needed to allow for electrical service to the project, the applicant shall be financially responsible for the improvements identified in the circuit study.
3. 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

Jeanine Ramos
August 31, 2021
Page 2

<http://www.ild.com/departments/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.

4. 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 CEQA and/or 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 dvgargas@ild.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Marilyn Del Bosque Gilbert – Manager, Energy Dept.
Constance Bergmark – Mgr. of Planning & Eng./Chief Elect. Engineer, Energy Dept.
Jamil Asbury – Assoc. General Counsel
Vance Taylor – Asst. General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.

Victoria Escalante

From: Quechan Historic Preservation Officer <historicpreservation@quechantribe.com>
Sent: Wednesday, July 20, 2022 9:12 AM
To: Leslie Martinez; Jim Minnick
Cc: ICPDSComentLetters
Subject: RE: Notice of Intent- CUP #21-0018

CAUTION: This email originated outside our organization; please use caution.

This email is to inform you that we have no comments on this project.

From: Quechan Historic Preservation [mailto:historicpreservation@quechantribe.com]
Sent: Wednesday, July 20, 2022 7:34 AM
To: historicpreservation@quechantribe.com
Subject: FW: Notice of Intent- CUP #21-0018

From: Leslie Martinez [mailto:lesliemartinez@co.imperial.ca.us]
Sent: Tuesday, July 19, 2022 4:01 PM
To: Carlos Ortiz; Sandra Mendivil; Jolene Dessert; Margo Sanchez; Matt Dessert; Belen Leon; Monica Soucier; Luis Plancarte; Adam Crook; Esperanza Colio; Vanessa Ramirez; Alphonso Andrade; Jorge Perez; Mario Salinas; Robert Menvielle; Robert Malek; Andrew Loper; John Gay; Guillermo Mendoza; rbenavidez@icso.org; scottsheppard@icso.org; Donald Vargas; mmansfield@saltoncsd.ca.gov; slaverly@chp.ca.gov; beth.landrum@dot.ca.gov; csahagun@blm.gov; marybeth.dreusike@navy.mil; historicpreservation@quechantribe.com; tribalsecretary@quechantribe.com; Thomas.tortez@torresmartinez-nsn.gov
Cc: Michael Abraham; Jim Minnick; Rosa Soto; Allison Galindo; Aimee Trujillo; John Robb; Gerardo Quero; Victoria Escalante
Subject: Notice of Intent- CUP #21-0018

Good afternoon,

In an effort to increase the efficiency at which information is distributed and reduce paper usage, please find attached Results Agenda, and Notice of Intent for Initial Study #21-0026 Community Veterans of Imperial County LLC.

Please feel free to view the EEC Original Hearing Package by clicking on the following link:
<https://www.icpds.com/hearings/environmental-evaluation-committee>

Should you have any questions regarding this project, please feel free to contact Jim Minnick, Director at (442)265-1736 or at Jimminnick@co.imperial.ca.us.

Thank you,

Leslie Martinez

Administrative Secretary
Imperial County Planning & Development Services
801 Main Street