TO: CITY PLANNING COMMISSION

FROM: BETTY DONAVANIK
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

JASON C. MIKAELIAN, AICP
CITY PLANNER

BY: BETTY DONAVANIK
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

APPLICATION: DEVELOPMENT AGREEMENT NO. 02-18; MEDICINAL CANNABIS CONDITIONAL USE PERMIT NOS. 07-18, 08-18, AND 09-18

LOCATION: 4400 TEMPLE CITY BOULEVARD

APPLICANT: TERESA TSAI
GSC HOLDING GROUP, LLC
19007 GARNET WAY
WALNUT, CA 91789

PROPERTY OWNER: OAKS BY THE LAKES, LLC
4400 TEMPLE CITY BOULEVARD
EL MONTE, CA 91731

ENVIRONMENTAL DETERMINATION: MITIGATED NEGATIVE DECLARATION

RECOMMENDATION: ADOPT A MOTION APPROVING PLANNING COMMISSION RESOLUTION NO. 3527 (ATTACHMENT 1) TO:

1) RECOMMEND THE CITY COUNCIL APPROVE DEVELOPMENT AGREEMENT NO. 02-18;
2) RECOMMEND THE CITY COUNCIL APPROVE MEDICINAL CANNABIS CONDITIONAL USE PERMIT NOS. 07-18, 08-18, AND 09-18 SUBJECT TO CONDITIONS; AND
3) RECOMMEND THE CITY COUNCIL ADOPT AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

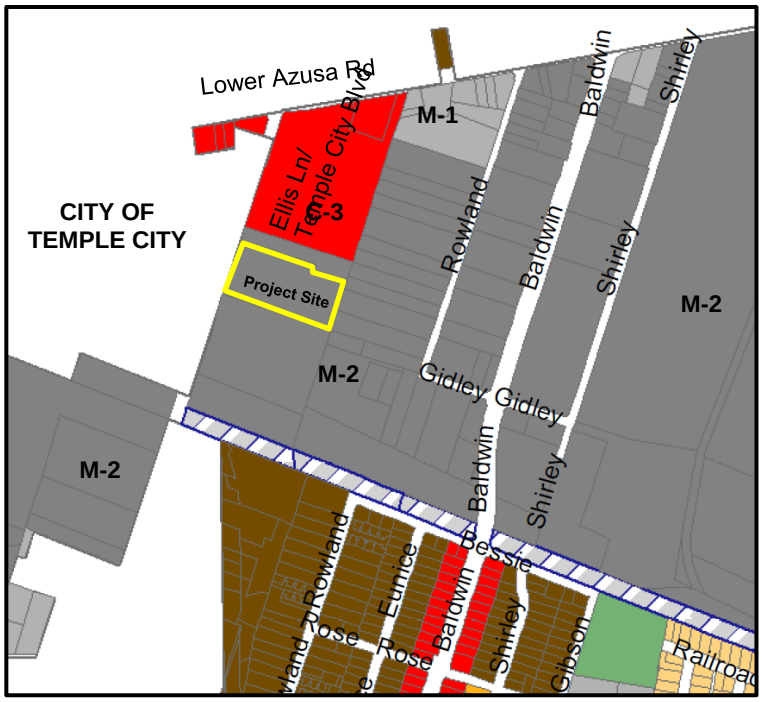
SUBJECT PROPERTY:

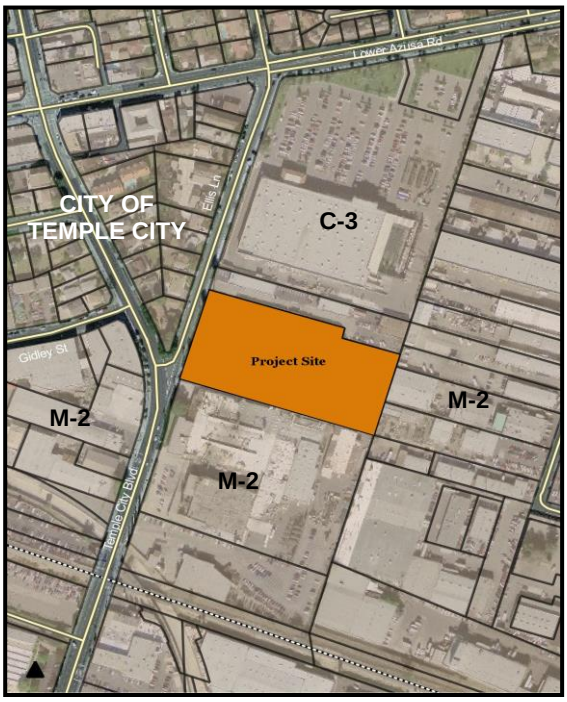
Location:	East side of Ellis Lane/Temple City Boulevard
General Plan:	Industrial/Business Park
Zone:	M-2 General Manufacturing
Street Frontage:	Temple City Boulevard: 350 feet
Size:	4.44 acres
Existing Development:	71,658 SF industrial building

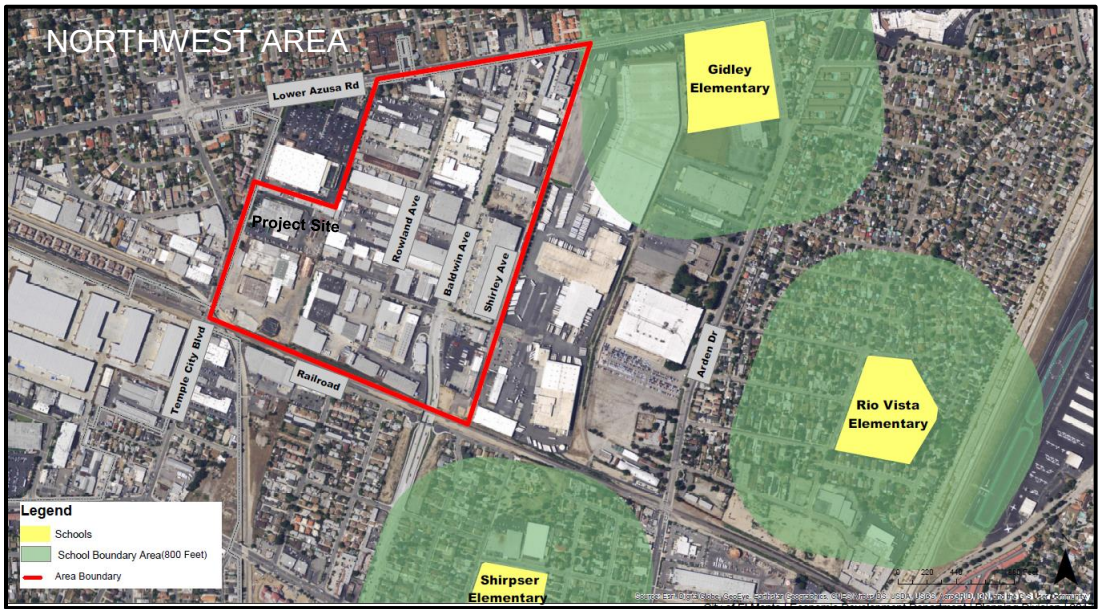
SURROUNDING PROPERTIES:

	Zoning:	General Plan:	Land Use:
North:	C-3	Regional Commercial	Commercial Center (Home Depot)
South:	M-2	Industrial/Business Park	Industrial
East:	M-2	Industrial/Business Park	Industrial
West:	Temple City	Temple City	Residential (Temple City)

ZONING AND AERIAL PHOTO







REQUEST:

The Applicant, GSC Holding Group, LLC requests to conduct a commercial medicinal cannabis operation pursuant to El Monte City Ordinance No. 2924 within an existing 71,658 square foot industrial building located in the M-2 General Manufacturing zone. The proposed project will be located on a 4.4 acre site with frontage along the east side of Ellis Lane/Temple City Boulevard. The proposal includes medicinal-only cannabis cultivation, manufacturing, and distribution operations. Medicinal and adult-use commercial cannabis *retail* activities involving the sale of cannabis and/or cannabis products are strictly prohibited in all zones under Ordinance No. 2924 and are not proposed under the proposed project. The existing building will be remodeled and the utilities will be upgraded to accommodate the proposed uses. Security features, including but not limited to, onsite security and security cameras, will be provided. A total of 93 parking spaces are proposed. Access to the project site is provided via two (2) existing driveways located on the east side of Ellis Lane/Temple City Boulevard.

The following entitlements are requested pursuant to the requirements of Chapters 5.18 (Commercial Cannabis Activities), 17.24 (Conditional Use Permits), and 17.84 (Development Agreements) of the El Monte Municipal Code (EMMC):

- **Development Agreement No. 02-18** to vest certain development rights and provide community benefits to the City;

- **Medicinal Cannabis Conditional Use Permit (MCCUP) No. 07-18** for medicinal cannabis cultivation;

- **Medicinal Cannabis Conditional Use Permit (MCCUP) No. 08-18** for medicinal cannabis manufacturing;

- **Medicinal Cannabis Conditional Use Permit (MCCUP) No. 09-18** for medicinal cannabis distribution; and

- Adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP).

Other permits will also be required, including building permits for the interior tenant improvements, new utility connections, and building occupancy. The project Applicant intends to obtain the following state licenses: TYPE 3A Cultivation Indoor Medium License, TYPE 7 Manufacturer 2, and TYPE 11 Distributor License in order to effectuate commercial medicinal cannabis cultivation, manufacturing, and distribution. The project Applicant will also be required to obtain additional licenses from the State, City, and County.

PLANNING COMMISSION REVIEW:

The Planning Commission will serve as the recommending body with the City Council making a final decision at a future public hearing. While conditional use permits traditionally are approved or denied by the Planning Commission with the City Council only providing review upon an appeal of an underlying Planning Commission meeting, conditional use permits for authorized commercial cannabis activities require City Council review pursuant to Ordinance No. 2924. Planning Commission review of proposed Development Agreements is required under El Monte Municipal Code Section 17.84.120 and state law.

STATE LICENSING REQUIREMENT:

Pursuant to the Medicinal and Adult-Use Cannabis Regulations and Safety Act, commercial cannabis activities require license from both the State and local jurisdiction in which such activities are proposed. Accordingly, any proposed commercial cannabis activity that could be potentially locally authorized by the Planning Commission cannot commence unless the Applicant applies for and obtains the necessary state licenses for such activity, which involves strict vetting and review by the State licensing authorities.

BACKGROUND:

In 1996, the California Legislature approved Proposition 215, also known as the Compassionate Use Act (the "CUA"), which was codified under Health and Safety Code Section 11262.5 et sec. and was intended to enable persons in need of medical marijuana for specified medical purposes, such as cancer, anorexia, AIDS, chronic pain, glaucoma and arthritis, to obtain and use marijuana under limited circumstances and where recommended by a physician. The CUA provides that "nothing in this section shall be construed or supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes."

In 2004, the California Legislature enacted the Medical Marijuana Program Act (Health & Saf. Code, § 11362.7 et seq.)(the "MMP"), which clarified the scope of the CUA, created a state-approved voluntary medical marijuana identification card program, and authorized cities to adopt and enforce rules and regulations consistent with the MMP.

Assembly Bill 2650 (2010) and Assembly Bill 1300 (2011) amended the MMP to expressly recognize the authority of counties and cities to "[a]dopt local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective" and to civilly and criminally enforce such ordinances.

In September 2015, the California State Legislature enacted, and Governor Brown signed into law three bills – Assembly Bill 243, Assembly Bill 266, and Senate Bill 643 – which together comprise the Medical Marijuana Regulation and Safety Act (the "MMRSA"). The MMRSA created a comprehensive dual state licensing system for the cultivation, manufacture, retail, sale, transport, distribution, delivery, and testing of medical cannabis.

On July 19, 2016, the City Council of the City of El Monte (the "City Council" of the "City") adopted Interim Urgency Ordinance No. 2889 to establish a temporary moratorium on medical "commercial cannabis activities," as defined under the MMRSA, for a period of 45 days and extended such moratorium for an additional period of 22 months and 15 days under Interim Urgency Ordinance No. 2894, on August 16, 2016.

The MMRSA was renamed the Medical Cannabis Regulation and Safety Act (the "MCRSA"), under Senate Bill 837 in June 2016, which also made included substantive changes to the applicable state laws, which affect the various state agencies involved in regulating cannabis businesses as well as potential licensees.

On November 8, 2016, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") was approved by California voters as Proposition 64 and became effective on November 9, 2016, pursuant to the California Constitution (Cal. Const., art. II, § 10(a).). Proposition 64 legalized the nonmedical use of cannabis by persons 21 years of age and over, and the personal cultivation of up to six (6) cannabis plants. AUMA also created a state regulatory and licensing system governing the commercial cultivation, testing, and distribution of nonmedical cannabis, and the manufacturing of nonmedical cannabis products.

On June 27, 2017, Governor Brown signed the Legislature-approved Senate Bill 94. SB 94 combined elements of the MCRSA and AUMA to establish a streamlined singular regulatory and licensing structure for both medical and nonmedical cannabis activities given that there were discrepancies between the MCRSA and AUMA. The new consolidated provisions under SB 94 is now known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA") to be governed by the California Bureau of Cannabis Control. MAUCRSA refers to medical cannabis as "medicinal cannabis" and nonmedical/recreational cannabis as "adult-use cannabis."

On September 16, 2017, Governor Brown signed Assembly Bill 133 into law, which provided cleanup and substantive to MAUCRSA. The Bureau of Cannabis Control was established under MAUCRSA. Title 16, Division 42, Bureau of Cannabis Control, of the California Code of Regulations contains State drafted regulations governing the use and possession of medical and recreational cannabis. Title 16, Division 42 of the California Code of Regulations outlines procedures for handling cannabis waste (refer to Section 3.9.2.A); the transport, cultivation, production, and sale of cannabis products; security; licensing; and banking. The project Applicant will be required to obtain an Annual License pursuant to Section 5002 of Title 16, Division 42.

On November 8, 2017, the City Council of the City of El Monte adopted Ordinance No. 2924, which established a ban on medicinal and adult-use cannabis dispensaries, retailers, microbusinesses, and deliveries citywide and established regulations and a permitting process

for medicinal-only cultivation, manufacturing, distribution, and laboratory testing in designated areas of the M-1 (Light Manufacturing), M-2 (General Manufacturing), C-3 (General Commercial) and O-P (Professional Office) zones (Attachment 2 – Ordinance No. 2924).

The Applicant requests the approval of Development Agreement No. 02-18; Medicinal Cannabis Conditional Use Permit (MCCUP) No. 07-18 for medicinal cannabis cultivation; MCCUP No. 08-18 for medicinal cannabis manufacturing; and MCCUP No. 09-18 for medicinal cannabis distribution; in accordance with El Monte City Ordinance No. 2924.

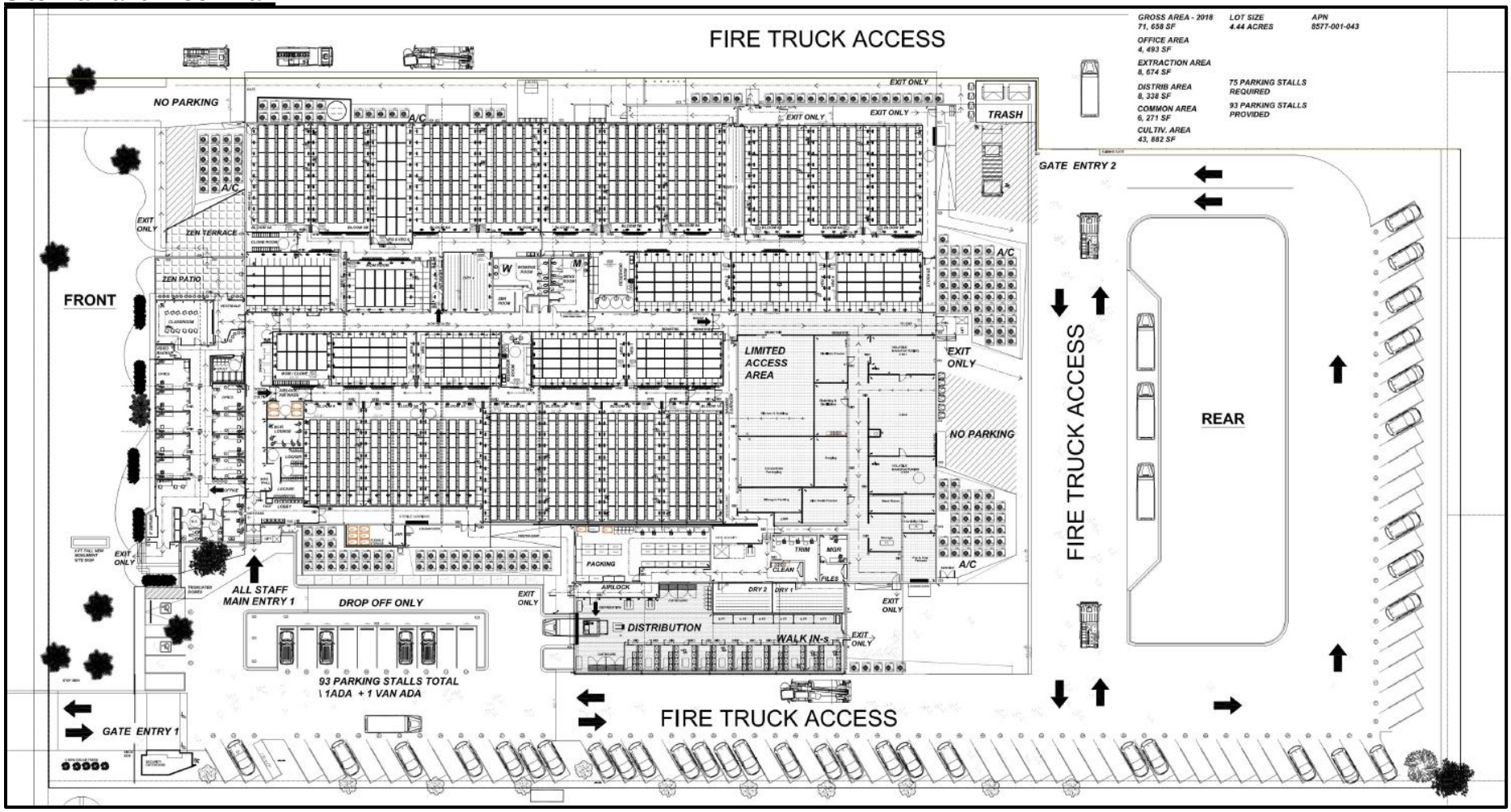
PROJECT DESCRIPTION:

The proposed project includes three (3) Medicinal Cannabis Conditional Use Permits, (one (1) for each use: cultivation, manufacturing, and distribution), and a Development Agreement (DA) for medicinal-only cannabis cultivation, manufacturing, and distribution activities within an existing, 71,658 square foot industrial building. The 4.44 acre project site is zoned M-2 General Manufacturing and is located within the Northwest Area for medicinal cannabis activities. The distribution license would allow the Applicant to distribute medicinal-only products to a state and locally-authorized licensee, including medicinal wholesaler or dispensaries. Retail deliveries for sales to end-users are prohibited. Medicinal and adult-use commercial cannabis *retail* activities involving the sale of cannabis and/or cannabis products are strictly prohibited in all zones under Ordinance No. 2924 and are not proposed under the proposed project.

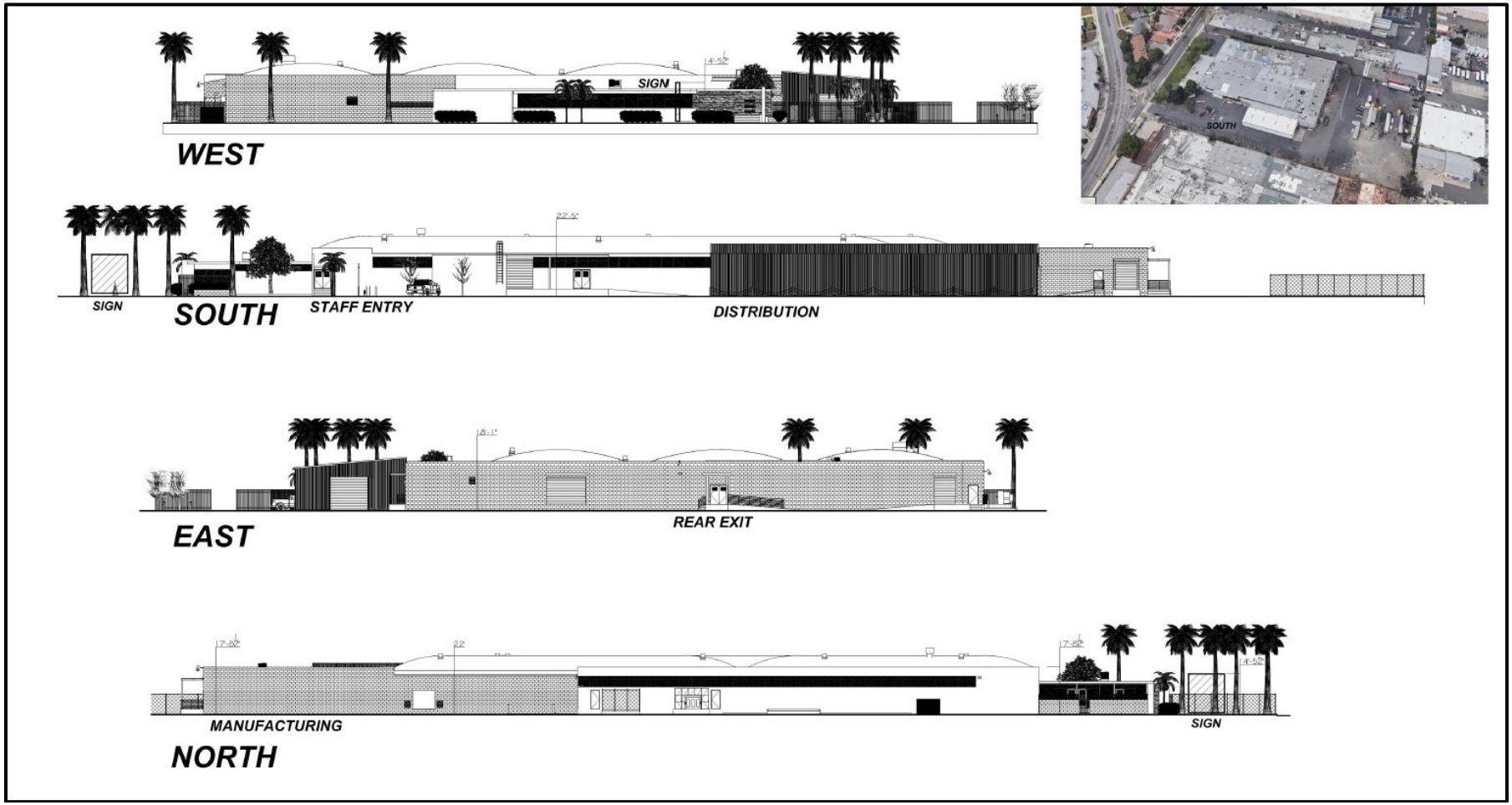
The proposed project will operate the manufacturing and cultivation facilities seven (7) days a week between the hours of 9:00 AM to 7:00 PM. The facility will be closed to the public 24 hours a day, seven (7) days a week. Non-employees will only be allowed to enter the facility with a permitted escort. Delivery hours will occur from 9:00 AM to 7:00 PM, Monday through Friday. All employees shall require employee background examinations and permits pursuant to El Monte Municipal Code Section 5.18.060 and must be at least twenty-one (21) years of age.

Project plans are provided below and attached (Attachment 3 – Project Plans)

Site Plan and Floor Plan



Elevation Plans



Landscape Plan



Site Development
The existing 71,658 square foot industrial building is currently occupied by a furniture wholesale company that is on a month-to-month lease. The land uses surrounding the project site consist of industrial uses to the north, east and south, and residential uses to the west located within the City of Temple City. Access to the project site is provided via two (2) existing driveways located on the east side of Ellis Lane/Temple City Boulevard. The access driveway to the south will maintain the existing wrought-iron fencing and gate and will have a manned security station. The driveway to the north will be exit-only. Both gates will have a Knox-box for access by the Police and Fire Departments. The project requires a total of 75 parking stalls. The Applicant proposes to repave and stripe the parking lot to provide a total of 93 parking stalls.

Landscaping
The site will be improved with new landscaping along the project frontage to include drought tolerant ground cover, five (5) 24" box cedars, and one (1) 24" box coast live oak. Existing trees, including palm trees are proposed to remain. A condition of approval will require the removal of palm trees in conflict with new proposed trees.

The southern property line includes recently planted crape myrtles to remain. The property line to the rear will include six (6) 24' box coast live oaks and shrubs. There will be an approximate 11,400 square foot landscaped area for employees with five (5) 24" box coast live oaks for shade.

Building Layout and License Types
The 71,658 square foot building will have five (5) areas consisting of two (2) cultivation areas (north cultivation area and south cultivation area) totaling 43,882 square feet, office areas, a manufacturing/extraction area, a distribution area, and common areas. The square footage of each area is provided in Table 1 below:

Table 1
Building Areas

Project Element	Description
Total Site Area	191,644 sq. ft. (4.4 acres)
Total Floor Area	71,658 sq. ft.
Office Space	4,493 sq. ft.
Manufacturing/Extraction Area	8,674 sq. ft.
Distribution Area	8,338 sq. ft.
Common Area	6,271 sq. ft
Cultivation Area	43,882 sq. ft.
Cultivation Canopy Area	12,555 sq. ft.
Parking	93 parking spaces and two (2) loading doors

Source: Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018

The office area will consist of eight (8) offices, a classroom, video back up room, restrooms, vault and security rooms. The common area will consist of an employee wifi lounge, locker rooms, and outdoor terrace and patio areas.

Cultivation

Cultivation Areas

The cultivation area will be 43,882 square feet and will be divided into two (2) sections: north cultivation area and south cultivation area with a total canopy of 12,555 square feet. The Applicant will be applying for a Type 3A Cultivation; Indoor; Medium License with the California Department of Food and Agriculture (CDFA) CalCannabis Cultivation Licensing Division. The Type 3A License will allow for a canopy area of up to 22,000 square feet. The CDFA and LA County Fire Department will inspect the facility as part of the licensing requirements. The Applicant is required to obtain the State License and receive a final inspection from both the CDFA and Fire Department prior to issuance of certificate of occupancy.

The north cultivation area will consist of a clone room, a mother room, five (5) vegetation rooms; ten (10) flower/bloom rooms with a total canopy area of 7,450 square feet; an airlock/airwash room; two (2) dry rooms; a water reservoir room; an employee room; and restrooms.

The south cultivation area will consist of a mother/clone room four (4) vegetation rooms; seven (7) flower/bloom rooms with a total canopy of 5,105 square feet; a water reservoir room; and an airlock/airwash room.

Cultivation Process

The total canopy area of 12,555 square feet is estimated to produce approximately 8,850 plants. By using efficient and advanced hydroponic cultivation techniques, the Applicant anticipates being able to harvest five (5) times per year and produce approximately 207,680 ounces of medicinal cannabis per year.

The Applicant will use organic growing methods in compliance with the Organic Foods Production Act of 1990 and will not use any fertilizers containing synthetic ingredients or any commercially blended fertilizers containing materials prohibited under the Act's organic certification program.

The Applicant will be using hydroponic cultivation techniques that are not tainted by hazardous chemicals or poisons and that do not harm the ecosystems. Best practices for the organic cultivation will include the following:

- Avoiding chemical pesticides through the use of natural pest control measures;
- Moderation of nutrient application;
- Avoid chemical pesticides through a holistic approach to pest management that emphasizes preventative measures;
- Soil-less hydroponics and incinerate all unused plant material under a limited-waste policy; and
- Adhere to strict nutrient schedules and will utilize highly efficient nutrient dosing technologies to minimize, if not eliminate, nutrient waste.

Medicinal cannabis will be cut, hang dried, trimmed and stored outside of the cultivation room. The plants will be naturally dried in a temperature-controlled room with adequate air circulation. Trimming will be done in a sterile room full of ample lighting, tables and chairs. Trimming entails cutting off any remaining plant matter (leaves, stems, etc.) from the dried medicinal plant. After the final medicine is trimmed from the plant, it will be placed in bins to remove any remaining moisture before weighing, packaging and labeling. This room where medical marijuana is dried and stored will be highly secured. After the medical marijuana has finished curing it is brought into a temperature-controlled room with minimal humidity and adequate air circulation efficient for

the safekeeping and storage of our medical cannabis. The cannabis is then weighed, packaged, labeled, stored and then shipped.

Manufacturing
The proposed manufacturing/extraction area will measure 8,674 square feet. The Applicant proposes to manufacture and distribute cannabis concentrates in the form of vape pens and cartridges, etc. to licensed medicinal cannabis retail stores and product manufacturing facilities. Retail cannabis or cannabis product retail sales, or activities to an end-user is prohibited. The Applicant will be applying for a Type 7 Manufacturer License for extractions using volatile solvent with the California Department of Public Health (CDPH) Manufactured Cannabis Safety Branch. The CDPH and LA County Fire Department will inspect the facility and all equipment as part of the licensing requirements. The Applicant is required to obtain the State License and receive a final inspection from both the CDPH and Fire Department prior to issuance of certificate of occupancy.

CO2 is used in the cannabis industry to increase plant growth and to produce concentrates. In addition to the liquid gas form, solid carbon dioxide or dry ice is also proposed for extraction processes. The manufacturing area will include a kitchen and product bottling area; a distillation room; a distillation freezer; a concentrate packaging room; a nitrogen packing room; a humidity closet; a live resin freezer; three (3) manufacturing rooms with equipment using carbon dioxide (CO2) gasses; a purging room; trim room; file room; cleaning room; janitor's closet; manager's office; and storage room.

Distribution
The proposed distribution area will measure 8,338 square feet and will consist of a packing room with scales and shelves; two (2) flower drying rooms; a trim room, an airlock/airwash room; and a distribution room. This area will also include one (1) truck loading door. The Applicant will be distributing to raw material suppliers (cultivators), other medicinal cannabis manufacturers, testing labs, other distributors, and licensed medicinal cannabis wholesalers and dispensaries. Retail cannabis or cannabis product retail sales, or activities are prohibited. Distribution and deliveries to end-users is prohibited. The Applicant will be applying for a Type 11 Distributor License with the California Bureau of Cannabis Control (CBCC). The CBCC and LA County Fire Department will inspect the facility as part of the licensing requirements. The CBCC will inspect the facility to ensure that the operations are in compliance with packaging and labeling requirements. The Applicant is required to obtain the State License and receive a final inspection from both the CBCC and Fire Department prior to issuance of certificate of occupancy.

The distribution service will transport samples to licensed testing laboratories to ensure products produced comply with all State Cannabis regulations. The distribution service will also collect and pay taxes to the State of California and City of El Monte. Labeling and packaging of products will also be done at the distribution facility to ensure all products comply with City and State regulations. The distribution center will conduct quality assurance review of cannabis goods from the cultivation and manufacturing operations to ensure they comply with all packaging and labeling requirements.

All vehicles (climate control sprinter vans) and trailers used to transport cannabis goods will be required to have a motor carrier permit pursuant to Chapter 2 of the Vehicle Code. All vehicles will be equipped with GPS tracking systems and alarms. Vehicles will be parked inside the gated secured facility overnight and shall not park on the public streets. Cannabis goods transported inside of a vehicle or trailer shall not be visible or identifiable from the outside of the vehicle or trailer. Cannabis goods will be locked in a box, container, or cage that is secured to the inside of the vehicle or trailer. The vehicle and trailer shall be locked and secured when left unattended.

Each of the vehicles shall have a valid registration and proof of insurance. Vehicles and trailers shall not contain any identifiable information on the exterior to advertise cannabis related businesses or activities.

Security Plan

The Applicant shall implement sufficient security measures 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 medicinal cannabis business. Access to the site will be controlled by a manned security station and access to the facility will require the use of key cards to unlock the doors. Individuals will only be allowed to enter the facility with a permitted escort. Individual employees will also be equipped with panic software that could be uploaded onto their phones for use in case of an emergency. Other security features include 24-hour onsite uniformed and unarmed security personnel, interior and exterior security cameras with 24-hour live-feed remote access by the El Monte Police Department, motion sensor outdoor lighting, and blacked-out windows. City issued identification badges shall visibly worn by all staff and non-staff at all times within the facility. All staff will have keycards and electronic pass codes to access the facility and restricted areas within the facility.

Surveillance cameras, sufficient to allow facial identification of anyone in or nearing the facility is proposed. All cameras shall be equipped with motion detection and will have infrared technology for low light conditions, capable of identifying activity at night or in unlit rooms. The Applicant's CCTV camera system with digital recorder include external video surveillance to cover all areas of possible ingress and egress; internal video surveillance to cover the common areas, reception office, the manufacturing rooms, cultivation rooms, and processing rooms. The cameras shall cover all areas where cannabis is present or handled, and all means of access to such areas. Video surveillance will cover external and internal areas 24/7 and will have live-feed remote access by the El Monte Police Department. The El Monte Police Department has reviewed the project plans and security plan and provided conditions of approval. The Applicant shall obtain a final inspection by the Police Department prior to issuance of certificate of occupancy.

The Applicant is also proposing an Emergency Response Plan to include contingencies for non-security related emergencies such as medical emergencies, bomb threats, fires, explosions, chemical release, and weather-related disasters to ensure an appropriate and orderly response. Emergency procedures and emergency contact numbers will be provided in writing to all employees and posted prominently in all areas of the facility.

Diversion Prevention

To prevent diversion of cannabis the Applicant proposes to implement the following measures:

- Any personnel that is aware of any such theft or diversion will result in immediate termination for failure to report the incident to both the Department and the Police Department;
- All cannabis while growing will be maintained in a secure and locked room that is accessible only to authorized persons. Cannabis that has been processed but not delivered to an authorized Manufacture will be in a compliant safe;
- Individuals who are not authorized to be on the cultivation facility and/or Manufacture premises will not be allowed access thereby reducing the threat of theft or diversion of cannabis;
- At the time of each purchase, the Applicant will verify the status of the registered Manufacture and/or delivery service in good standing with the Department;
- Implementing commercially available state-of-the-art supply chain tracking system that follows every plant from seedling to sale to prevent shrinkage within the cultivation facility.

Each plant has a barcode and if it is missing we will know that a serial number is unaccounted for;
- Compare average yields of products, whereby if products in particular areas are yielding less end product we can alert Security to a possible concern; and
- Obtain delivery confirmations for each package delivered from authorized distribution personnel, and log that information into the record keeping system.

Cash Handling
Cash payments will be directly deposited into a drop slot safe, limiting the amount of cash circulating at the facility. The money will be removed from the safe and counted daily in a locked room as the facility will not store more than $200.00 in cash reserves overnight on the premises. The cash will then proceed to the appropriate bank in a locked container each day. Access to the container will require both an electronic keypad password and a pass code.

Disposal of Surplus Cannabis
Unused or surplus cannabis and its by-products shall be incinerated and mixed with soil for disposal. All trash enclosures shall be locked at all times. All unused or surplus cannabis and its by-products shall be weighed and documented and recorded on a form for tracking.

Track and Trace System
As required under State law and Ordinance No. 2924, the Applicant shall maintain an inventory control and reporting system that accurately documents the location of Cannabis products from inception through distribution, including descriptions, weight, and quantity. The inventory control and reporting system shall comply with the track and trace program required by section 19335 of the California Business and Professions Code and regulations issued therein.

The Applicant shall employ an electronic point of sale system approved by the City, such as BioTrack THC, MJ Freeway, or similar system for all point of sales tracking from seed or inception to product distribution to other licensed medicinal cannabis facilities. Such approved system shall track all cannabis products, each edible, harvested flower, and/or manufactured concentrate, as well as gross sales (by weight and sale). BioTrack THC, MJ Freeway, or similar system shall have the capacity to produce historical transactional data in accordance with the City's requirements. In addition, the Applicant shall comply with the California Department of Food and Agriculture Bureau of Cannabis Control Track and Trace (CCTT) System using the CCTT Metrc software which uses unique identifiers for reporting the movement of cannabis and cannabis products through the licensed cannabis distribution chain.

Labor and Employment Plan
The project is anticipated to employ up to 46 people. Of the total number of jobs that will be created, approximately six (6) employees per shift will be allocated to the manufacturing facility (with a tentative maximum of two (2) shifts depending on demand); approximately ten 10 employees will be allocated per shift for the cultivation facility (two (2) shifts needed); and approximately (5) five employees will be allocated per shift for the distribution facility (with a tentative maximum of two (2) shifts depending on demand). Office/administration employees will consist of approximately four (4) support personnel.

The Applicant anticipates that it will employ 30 people in the first year of operations. The Applicant's main source of applicants will be from the San Gabriel Valley with the majority of the management team from the City of El Monte and neighboring communities. Management team will consist of a CEO/Executive Director, a chief financial officer (CFO), a medical director, and a manager. Over 90% of the employees will be local hires with a minimum of ten percent (10%) from persons residing in the City of El Monte. The Applicant proposes to pay salaries of "Living

Wage" of 150% of the minimum wage mandated by California or Federal law, whichever is greater. All hires shall be provided with comprehensive job training to ensure their success in the organization. The Applicant will also provide medical insurance for all employees and paid holidays.

Additionally, per the Development Agreement, the Applicant shall enter into a Labor Peace Agreement with a bona fide labor organization and provide the City with evidence of such Labor Peace Agreement within ninety (90) days of the issuance of certificate of occupancy. Such agreement will protect employees from interference with labor organization and protect the Applicant from potential work stoppages.

Pursuant to City Ordinance No. 2924, all employees shall obtain a commercial medicinal employee work permit from the City prior to performing any work at any commercial medicinal cannabis business. Employees shall be at least 21 years of age, and shall undergo a LiveScan background check by the El Monte Police Department. The work permit shall be valid for a twelve (12) month period from issuance and shall be renewed with a background check on an annual basis. All employees shall wear a City issued identification badge with a photograph of the employee at all times. The identification badge shall be worn approximately chest-high on their outermost garment, in a prominent and visible location.

Air Quality Plan

The project shall demonstrate that the odors and air circulation will not impact the employees' health and welfare nor the surrounding uses. The Applicant proposes the use of negative ion generators that use a negative charge to attract positively charged particles in the air. Negative air pressure and seals will be used throughout the entire exhaust system along with carbon filters, to prevent odors from escaping the building.

As a condition of approval, the Applicant shall be required to equip the facility with ventilation and exhaust systems designed to prevent odors from escaping or being detectable outside of the premises, from any adjacent property or public right-of-way, or in any common areas shared by employees or customers of other businesses. Such system shall be designed and installed by a licensed mechanical engineer, HVAC engineer or environmental engineer. Air quality is also discussed in the Environmental Review section of the staff report.

Community Relations

The Applicant shall provide the name, telephone number, and e-mail address of a community relations contact to whom notice of problems associated with the commercial medicinal cannabis business can be provided. Each commercial medicinal cannabis business shall also provide the above information to all businesses and residences located within one hundred and fifty (150) feet of the commercial medicinal cannabis business.

During the first year of operation pursuant to EMMC Chapter 5.18, the owner, manager, and community relations representative from the business shall attend a quarterly meeting with the City Manager or designee(s) and other interested parties as deemed appropriate by the City Manager or designee(s), to discuss costs, benefits, and other community issues arising as a result of the project operations. After the first year of operation, the owner, manager, and community relations representative from each such commercial medicinal cannabis business shall meet with the City Manager or designee(s) when and as requested by the City Manager or designee(s).

The Applicant shall work with the City to develop and make available to youth organizations and educational institutions a public education plan that outlines the risks of youth addiction to cannabis, and that identifies resources available to youth related to drugs and drug addiction.

DEVELOPMENT AGREEMENT AND COMMUNITY BENEFITS:

Pursuant to Ordinance No. 2924, a development agreement shall be entered into between the City and the Applicant, in accordance with Chapter 17.84 and setting forth the terms and conditions under which the medicinal cannabis facility will operate, including, but not limited to, community benefits, public outreach and education, community service, payment of fees and other charges. The draft development agreement is provided in Attachment 4.

The following provides a summary of the terms and deal points of the development agreement:

- **Term:** Ten (10) years with a maximum of two (2) ten (10) years extensions in the sole and absolute discretion of the City.

- **Community Benefits Fees:** In addition to the Applicant's obligation to compensate the City through its Regulatory Fees, the Applicant shall be obligated to provide Community Benefits as follows:

    - "Quarterly Community Benefits Fees." Within 20 days following the conclusion of each fiscal year quarter following the City's issuance of a Commercial Medicinal Cannabis Business Permit for the project, Developer make payment to the City equivalent to its percentage of Gross Receipts, or other applicable fee metric, pursuant to the following fee schedule:

Cultivation	Six Dollars ($6) per square foot of Canopy Space
Manufacturing	One and a Half Percent (1.5%) of Gross Receipts
Distribution	One Percent (1%) of Gross Receipts

    - "Annual Community Benefits Fees." Within 90 days the City's issuance of a Certificate of Occupancy for the project, the Applicant shall make a payment to the City in the amount of $175,000. Each calendar year following the calendar year in which the initial payment is made to the City, the Applicant shall make a payment to the City in the amount of $175,000 no later than January 15 of each such calendar year. The City shall deposit such payments into a separate City fund (the "Community Benefits Fund") exclusively dedicated to investment in Community Benefits related to the project.

- **Additional Community Benefits:**

    - Annual Thanksgiving Food Drive
    - Pictures with Santa Annual Toy Drive
    - Sponsorship and Collaboration with Local Charities and Organizations

- Green El Monte - donate funds to beautify and increase the green spaces in the City.
- Donations to Social Programs such as addiction treatment, family counseling, drug education, after school programs, tutoring programs, and local law enforcement programs.
- Honoring Veterans – support the City of El Monte's commitment to Veterans Day by contribution funds for the special day and provide volunteers as needed by the City.

- **Labor and Employment:**

  - The Applicant shall provide a Living Wage to its employees.

  - The Applicant shall enter into a Labor Peace Agreement, and provide the City with evidence of such Labor Peace Agreement within 90 days of the City's issuance of a certificate of occupancy.

  - The Applicant shall utilize its reasonable best efforts to ensure that at least fifteen percent (15%) of its employees residing in the City, but the Applicant warrants that at least ten percent (10%) of its employees shall be persons residing in the City.

- **Quarterly Reports:** In addition to the recordkeeping requirements set forth in El Monte Municipal Code Section 5.18.180, within 20 days following the conclusion of each fiscal year quarter following the City's issuance of a Commercial Medicinal Cannabis Business Permit for the project, Applicant shall submit a so-called "Quarterly Report" to the City showing:

  - Gross Receipts for the immediate prior fiscal quarter received by the Applicant; and

  - A calculation of Quarterly Community Benefits Fees due to the City from Applicant for the immediate prior fiscal quarter.

- **Annual Review:** Pursuant to the Development Agreement Statute, the City shall conduct an annual review of the Applicant's good faith compliance with the development agreement. The City shall make reasonable efforts to conduct such review in conjunction with any applicable renewal application for a Commercial Medicinal Cannabis Business Permit, as required under El Monte Municipal Code Sections 5.18.090 and 5.18.110.

GENERAL PLAN CONSISTENCY:

The subject property is located in Northwest Industrial District Area of the Industrial Business Park land use designation. The General Plan states that the Northwest Industrial District's strategic location near population centers, and access to railroads and I-10 offer strategic cost advantages to businesses. Surrounding residential neighborhoods can provide a labor force for employers in the area. The district's vision is to serve as the employment engine for the City, but transition to an area that attracts a balance of sustainable light manufacturing, distribution, and technology-oriented business. The proposed use of commercial medicinal only cannabis cultivation, manufacturing and distribution will further the vision of the vision of the General Plan by providing living wage jobs and community benefits to the City.

Specifically, the project is consistent with the following General Plan goals and policies:

Land Use Element:

- Goal LU-7. Establish a diversified district of sustainable manufacturing, distribution, and technology-oriented business that provides opportunity for investment, entrepreneurship, and significant creation of well-paid jobs in a sustainable environment that minimizes traffic impacts, promotes a clean environment, ensures long-term vitality, and strengthens neighborhoods.
- Policy LU-7.2 Adaptive Reuse. Work proactively with property owners of older, deteriorating industrial sites to facilitate necessary upgrades and creative adaptive reuse opportunities that meet the physical needs of modern industrial, manufacturing, and business uses.

Community Design Element:

- CD-7.12 Landscaping. Require landscaping on industrial sites to present a refined image of a modern industrial park, reduce the perceived mass of structures, and provide buffers in consideration of:
    - Landscaping of open spaces and frontage-facing streetscapes with greenery, trees, and flowers to create an inviting image for principal buildings.
    - Landscaping to define entrances to buildings, parking lots, and the edges of various land uses, and to buffer the property from adjacent properties, neighborhoods, or thoroughfares.
    - Landscaping of setbacks, berms, and other similar natural features to reduce the mass and scale of the industrial development and present a pedestrian-friendly image.
- CD-7.13 Loading. Require site loading and service areas to be as far as possible from the street front and ensure that such uses are adequately screened with high-quality articulated walls, trees, and other landscaping to present a clean finish to passersby.
- CD-7.14 Parking. Parking and paved areas should not be the dominant view of the industrial site; encourage employee and truck parking be placed to the side or behind the facility so that the dominant feature is the building architecture and landscaping frontage.
- CD-7.15 Operational Impacts. Promote a clean industrial park image and reduce the impact of uses on neighboring properties or residences by adhering to the following considerations:
    - Screen parking, storage, and service areas from public view with landscaped walls, berms, and appropriate landscaping.
    - Underground or screen utilities and utility equipment or locate and size them to be as inconspicuous as possible.
    - Reduce the impact of industrial uses on adjacent properties with walls and landscaping, locating service, delivery, and loading areas far from adjacent uses and public streets.
    - Require mitigation of noise, odor, lighting, and other impacts from affecting adjacent residential neighborhoods.

Zoning Code

The site is located within the M-2 General Manufacturing Zone. Section 17.24.040 of the EMMC requires the review and approval of a conditional use permit by the Planning Commission and the City Council for medicinal commercial cannabis activities (cultivation, distribution, manufacturing, and laboratory testing), in portions of the M-1 (Light manufacturing), M-2 (General Manufacturing), C-3 (General Commercial), and O-P (Professional Office) zones.

No such activity shall occur on a premises located within an eight hundred 800 foot radius of a public or private school (kindergarten through grade 12), day care center, or youth center, that is in existence at the time the permit is issued. The closest schools are Gidley Elementary School, 0.53 miles to the northeast and Shirpser Elementary School, located one-half mile to the southeast of the site.

No conditional use permit for such activity shall be valid without an accompanying and complementary development agreement entered into between the City and applicant, or designee, adopted in accordance with Chapter 17.84 and setting forth the terms and conditions under which the medicinal cannabis facility will operate, including, but not limited to, public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety and welfare.

The scope of the required public noticing area for this public hearing, as required under EMMC Section 17.24.020.D.2, was expanded beyond the legal requirement of 300 feet by 200 hundred additional feet to 500 feet and included property owners and occupants. Public Notices were mailed out to property owners and occupants within 500 feet of the project boundary on November 8, 2018 (Attachment 5). The mailing list included property owners and residents within the City of Temple City. Additionally, the Public Notice was published in the newspaper and two (2) notices were posted at the project site on November 8, 2018. As of the writing of this report, there were no public comments received.

CITY REVIEW PROCESS:

Planning Staff and other City Departments and Divisions have reviewed the proposed project through the City's internal application review process. This review process enables the various City Departments and Divisions (i.e., Planning, Building, Public Works/ Engineering, Police and County Fire Department) to thoroughly evaluate land use and development proposals for conformity with the provisions established in the City's Municipal and Zoning Code. Additionally, the review process ensures that each proposal is designed to be compatible with any existing land uses and structures on-site and on neighboring properties. In this way, the quality and economic health of local residential, commercial and industrial districts are appropriately maintained. Based upon the review of the project, staff believes that the proposed project conforms to the requirements of the City's General Plan and Zoning Code, and is compatible with the surrounding area. Conditions of approval are applied to the project to address potential compatibility issues and enhance the project to achieve greater consistency with the intent of the General Plan and Zoning Code.

Third-Party Review

Additionally, as part of the review process for commercial medicinal cannabis businesses, the Applicant's proposal was reviewed by the City's third-party consultant, HdL Companies whom reviewed the proposed project and rated the proposed based on a merit-based point system as required by Resolution No. 9821. HdL Companies is the only consulting firm with professionals who have direct experience regulating cannabis operations at the local and state level. The areas of review included the following: location; neighborhood compatibility; business plan; qualification of owners; community benefits; safety and security plan; air quality plan; enhanced product safety; labor and employment; local enterprise; and conservation and sustainability. Applicant team was also interviewed by HdL Companies and a representative from the City's Finance Department, the Planning Division, the Police Department, and the LA County Fire

Department. The Applicant team also underwent a thorough background investigation by HdL Companies and LiveScan through the El Monte Police Department.

State and City Permits Required
Should the Planning Commission and City Council approve the entitlements and prior to obtaining the Medicinal Commercial Cannabis Business Permit, the applicant shall apply for and receive permits for all construction related permits. Permits would include, but not be limited to electrical, plumbing, Fire, planning permits or reviews, and any other permits, licenses, or reviews as may be necessary by the relevant departments or governmental entities in charge of said permits (i.e. El Monte Building Division, El Monte Police Department, Los Angeles County Fire Department, Los Angeles County Public Health Department, utilities, El Monte Business License etc.). The following state licenses are required: Type 3A license from the California Department of Food and Agriculture CalCannabis Cultivation Licensing Division, Type 7 license from the California Department of Public Health Manufactured Cannabis Safety Branch, and Type 11 license from the California Bureau of Cannabis Control.

Once all agencies have signed off on the permits and state licenses have been obtained, the City Manager will issue the Medicinal Commercial Cannabis Business Permit ("Permit"). The Permit is valid for twelve (12) months and shall be renewed annually.

ENVIRONMENTAL REVIEW:

An Initial Study (IS) and Mitigated Negative Declaration (MND) in compliance with the requirements of the California Environmental Quality Act (CEQA) were prepared by Blodgett Baylosis Environmental Planning, a professional environmental consulting firm specializing in CEQA documentation and compliance. The IS/MND is included as Attachment 6. The IS/MND assessed the short-term, long-term and cumulative environmental impacts that could result from the proposed project. The IS/MND analyzed the effects of the project on the following environmental factors, as required by CEQA:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards/Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities/Service Systems
- Wildfire
- Mandatory Findings of Significance

Main Factors with Mitigation
Based on the evaluation of environmental impacts, mitigation measures were provided to reduce potential impacts related to Air Quality, Energy, Hazards & Hazardous Materials, to a less than significant level. All other issue areas were found to be less than significant or resulted in no impact. The following sections are descriptions of the main topic areas that required mitigation and special study.

Analysis of Environmental Impacts
The commercial medicinal cannabis use will involve cultivation, manufacturing, and distribution operations. The project will utilize an existing 71,658 square foot industrial building. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. The project's implementation will not result in a loss of scenic views. No retail cannabis or cannabis product retail sales or activities will be permitted. No adult-use commercial cannabis activities will be authorized. The entire operational structure will be conducted completely within the existing 71,658 square foot industrial building. No cultivation, manufacturing or distribution will take place outside of the building.

Air Quality
A project may be deemed to have a significant adverse environmental impact on air quality, if it results in any of the following: 1) Conflict with the obstruction of the implementation of the applicable air quality plan; 2) A violation of an air quality standard or contribute substantially to result in a cumulatively considerable net increase in an existing or projected air quality violation; 3) The exposure of sensitive receptors to substantial pollutant concentrations; or 4) the result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people.

The South Coast Air Quality Management District (SCAQMD) has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the following criteria pollutants:

- *Ozone (O_3)* is a nearly colorless gas that irritates the lungs, damages materials, and vegetation.
- *Carbon monoxide (CO)* is a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust.
- *Nitrogen dioxide (NO_2)* is a yellowish-brown gas, which at high levels can cause breathing difficulties.
- *Sulfur dioxide* (SO_2) is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels.
- *PM_{10} and $PM_{2.5}$* refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively.

The project would result in substantial emissions, such as odors or dust, adversely affecting a substantial number of people. Cannabis cultivation directly impacts air quality in two (2) predominant operations; plant growth and extraction processes. Cannabis cultivation and, to a lesser degree, the manufacturing process, are often accompanied by the generation of strong odors. The majority of the odors of cannabis come from a class of chemicals called terpenes. Terpenes are among the most common compounds produced by flowering plants and vary widely between plants. Cannabis produces over 140 different terpenes and these chemicals are found in varying concentrations in different cannabis varieties. Tetrahydrocannabinol (THC), the cannabinoid primarily responsible for cannabis' psychoactivity, has no odor whatsoever. The type and potency of cannabis odors range widely from variety to variety, as do receptors' opinions regarding whether the odor is pleasant or objectionable.

The natural growth of the cannabis plants, and other processes at cultivation facilities, emit terpenes. Terpenes, known for their strong odor, are volatile organic compounds (VOCs). The

project Applicant will employ new technologies that will be beneficial to the odor control plan as time progresses including the following:

- *Carbon Filters.* Also known as carbon scrubbers, carbon filters are historically one of the best methods for odor control. This type of filter uses charcoal pellets to trap the terpenes. Carbon filters are simple to install, effective, and reliable. Carbon filters will be installed at key locations in the facility and will be monitored and replaced by staff on a regular basis.
- *Air Filters.* Standard air filters, also referred to as air purifiers, are typically made of densely woven fiber screens. These filters trap particles as air circulates through the filter, which can either be a stand-alone unit or incorporated into a ventilation system depending on the exact specifications.
- *Negative Ion Generators.* The machines will use a negative charge to attract positively charged particles in the air. This equipment will be installed in areas that do not interfere with the production activities but instead can proactively treat the air in order to meet regulations.
- *Air-tight Seals.* The proposed facility will utilize air-tight seals throughout the facility. Predominately used in the exhaust system, these air tight seals will be used in order to keep the exhaust system efficient and effective.
- *Negative Air Pressure.* The Applicant will make use of negative air pressure in order to retain odor for treatment. This will help to serve as a safeguard of odor escaping into the ambient air until it can be treated using the techniques above. The Applicant will seal the facility, except for the intake and exhaust, which creates suction when exhaust fans are turned off. The proper use of both negative air and negative ion generators will efficiently expunge odor before leaving the facilities.
- *Staff Training.* The facility's employees will be trained regarding compliance with industry best standards and facility regulations in order to achieve successful odor control. Employees will be trained in the use of odor control methods as well as any new techniques and technologies that may be added in the future.

The project Applicant will be required to prepare an Odor Management Plan pursuant to Los Angeles County Department of Public Health construction guidelines. In addition, the entire cultivation process will occur in separate rooms. Airlock rooms are provided throughout the facility. These rooms provide additional odor suppression. The following mitigation measures will be required to control odors and to ensure that the indoor air is safe for the workers:

Mitigation Measure No. 1 (Air Quality Impacts)*.* The Applicant will be required to prepare an Odor Management Plan that must be approved by the City and Los Angeles County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.

Mitigation Measure No. 2 (Air Quality Impacts)*.* Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.

The above mitigation measures will reduce the potential impacts to levels that are less than significant.

Energy

A project may be deemed to have a significant adverse impact on the environment if it results in the following: A potentially significant environmental impact due to wasteful, inefficient, or

unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation; and; A conflict with or obstruction of a State or local plan for renewable energy or energy efficiency.

As indicated in the project description, a total of 1,900 grow lights will be installed. Each light will be 1,000 watts and the continuous load for the cultivation will be 1.68 million watts, with approximately 60% of the lights operating at one time. This translates into 1,680 kilowatts per day, which further translates into an estimated annual consumption of 613,200 kilowatts.

Because plants release water vapor through transpiration, indoor grow facilities also require substantial dehumidification to maintain approximately 50% to 60% relative humidity. If excess humidity is left unregulated, it can cause mold or mildew, potentially ruining a crop. Dehumidification is generally achieved mechanically by sub-cooling the air to remove water and then reheating the air to the desired supply air temperature through traditional dehumidification units or by absorbing moisture in the air through a desiccant dehumidifier. The indoor air conditioning will also require electrical consumption. The California Green Building Standards Code does not prevent a local jurisdiction from adopting a more stringent code as State law provides methods for local enhancements. The project Applicant will be required to closely work with the Southern California Edison Company to identify existing and future strategies that will be effective in reducing energy consumption. The following mitigations will also be required:

Mitigation Measure No. 3 (Energy Impacts). The facility must use of lighting equipment that will be energy efficient such as LED light fixtures.

Mitigation Measure No. 4 (Energy Impacts). The installation of solar panels will be required as a means to reduce energy consumption.

Mitigation Measure No. 5 (Energy Impacts). All appliances and indoor climate control equipment must be required to meet “Energy Star” ratings.

The aforementioned mitigations will be effective in reducing energy consumption and the environmental impacts to levels that are less than significant.

Hazards and Hazardous Materials

A project may be deemed to have a significant adverse impact regarding hazards or hazardous materials if it results in any of the following: The creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; The creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; The generation of hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; Locating the project on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 resulting in a significant hazard to the public or the environment; Locating the project within an area governed by an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport that would result in a safety hazard or excessive noise for people residing or working in the project area; The impairment of the implementation of, or physical interference with, an adopted emergency response plan or emergency evacuation plan; or the exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wild land fire.

The project site is currently occupied by an existing industrial building that will be "repurposed" to accommodate the proposed use. Due to the age of the on-site improvements, construction related activities related to the requisite tenant improvements could reveal lead and/or asbestos-containing materials. Additionally, the routine transport, use or disposal of hazardous materials may create a significant hazard. As a result, the following mitigation measures are required:

Mitigation Measure No. 6 (Hazardous Materials Impacts). The Applicant and the contractors must adhere to all requirements governing the handling, removal, and disposal of asbestos-containing materials, lead paint, and other hazardous substances and materials that may be encountered during tenant improvement activities. Documentation as to the amount, type, and evidence of disposal of materials at an appropriate hazardous material landfill site shall be provided to the Chief Building Official prior to the issuance of the Building Permit for the interior improvements. Any contamination encountered must be removed and disposed of in accordance with applicable laws prior to the issuance of the Building Permit.

Mitigation Measure No. 7 (Hazardous Materials Impacts). The Applicant will provide a comprehensive listing of those products and/or activities that will require the use of hazardous materials or will result in the generation of hazardous materials and/or wastes. The manner in which these materials are to be stored, handled, or disposed of must also be described. The Applicant will also be required to prepare a plan that indicates those protocols that must be adhered to in the event of an accident. This plan must be reviewed and approved by the County of Los Angeles Fire Department prior to the issuance of the Occupancy Permit.

The above referenced mitigations will ensure that the operators of the facility will comply with all pertinent requirements concerning worker safety and the storage, use, and handling of hazardous chemicals.

Traffic

The project site is presently occupied by a furniture wholesale use. The project as proposed will utilize the existing 71,658 square foot facility. No additional floor area will be added or removed. Even though the project will not increase the size of the building's footprint, the project's operational characteristics will result in different trip generation and distribution. As shown in Table 3, the existing land use currently generates 274 trips per day (refer to Table 3). Multiple service vehicles were noted during the field survey that was conducted for the project site.

Table 3
Trip Generation for the Former Use

ITE Land Use/Project Scenario	ITE Code	Unit	Daily	AM Peak Hour	PM Peak Hour
				Total	Total
Trip Rates					
Manufacturing	140	KSF	3.82	0.73	0.73
Trip Generation					
Manufacturing	71,658	KSF	274	52	52
Source: ITE 9th Edition Trip Generation Rates					

The proposed project will operate the manufacturing and cultivation facilities seven days a week between the hours of 9:00 AM to 7:00 PM. Delivery hours will occur from 9:00 AM to 7:00 PM,

Monday through Friday. The delivery vehicles will consist of commercial vans with tinted windows. The project is anticipated to employ up to 46 people. Assuming an estimated two (2) trips per employee, the project will result in a minimum of 92 daily trips. It is important to note that the project does not include retail sales or retail cannabis or cannabis product deliveries, which typically generate 402 trips per 1,000 square feet. As a result, traffic impacts will be less than significant.

QECA Document Public Review/Comment Period
A Notice of Availability and Intent to Adopt a Mitigated Negative Declaration was circulated on November 8, 2018. The public review period to provide comments on the environmental document was from November 8, 2018 to November 27, 2018. As of the date of this report, no comments have been received.

FISCAL IMPACT:
Based on the community benefits fees and contributions of the development agreement, the estimated revenue to the City is shown below:

City of El Monte Revenue	Year 1	Year 2	Year 3+	Rates
Cultivation	$19,200.00	$39,570.00	$75,330.00	$6/ SF canopy – 12,555 SF canopy
Manufacturing	$351,000.00	$386,100.00	$421,200.00	1.5% Manufacturing Gross Receipts
Distribution	$283,500.00	$354,750.00	$475,500.00	1.0% Distribution Gross Receipts
Community Benefits Contribution	$175,000.00	$175,000.00	$175,000.00	$175,000 annual contribution
Total City of El Monte Revenue	**$828,700.00**	**$955,420.00**	**$1,147,030.00**	

City monitoring and enforcement costs for permitted medicinal commercial cannabis businesses will be recovered through a separate annual medicinal commercial cannabis business permit on a cost-recovery basis. Such additional annual medicinal commercial cannabis business permit fee will be set by the City Council at a future date to cover the costs of processing the renewal permit application, together with any costs incurred by the City to administer, monitor, and enforce the medicinal commercial cannabis activities under EMMC Chapter 5.18.

RECOMMENDATION:

Staff recommends that the Planning Commission evaluate the proposal, conduct a public hearing, and consider adopting a motion approving Planning Commission Resolution No. 3527 to:

1. Recommend the City Council Approve Development Agreement No. 02-18;
2. Recommend the City Council Approve Medicinal Cannabis Conditional Use Permit Nos. 07-18, 08-18, And 09-18 subject to conditions; and
3. Recommend the City Council adopt an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring And Reporting Program

ATTACHMENTS:

1. Resolution No. 3527
2. City of El Monte Ordinance No. 2924
3. Development Plans
4. Draft Development Agreement
5. Public Hearing Notice, Radius Map and Site Posting
6. Initial Study/Mitigated Negative Declaration

RESOLUTION NO. 3527

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF DEVELOPMENT AGREEMENT NO. 02-18, MEDICINAL CANNABIS CONDITIONAL USE PERMIT NOS. 07-18, 08-18, AND 09-18. 10-17, AND RECOMMENDING THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AUTHORIZING THE MEDICINAL-ONLY CULTIVATION, MANUFACTURING, AND DISTRIBUTION OF CANNABIS ON PROPERTY LOCATED AT 4400 TEMPLE CITY BOULEVARD, EL MONTE, CALIFORNIA.

WHEREAS, on November 8, 2017, the City Council of the City of El Monte (the "City Council" of the "City") adopted Ordinance No. 2924, which established a ban on medicinal and adult-use cannabis dispensaries, retailers, microbusinesses, and deliveries citywide and established regulations and a permitting process for medicinal-only cultivation, manufacturing, distribution, and laboratory testing in designated areas of the M-1 (Light Manufacturing), M-2 (General Manufacturing), C-3 (General Commercial) and O-P (Professional Office) zones (Attachment 1 – Ordinance No. 2924);

The Planning Commission of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

SECTION 1. On September 25, 20108, GSC Holding Group, LLC, 19007 Garnet Way, Walnut, CA 91789 (Applicant) filed an application for Development Agreement No. 02-18; Medicinal Cannabis Conditional Use Permit (MCCUP) No. 07-18, 08-18, and 09-19, consisting of: 1) A Conditional Use Permit to allow medicinal cannabis cultivation; 2) A Conditional Use permit for medicinal cannabis manufacturing;

3) A Conditional Use Permit for medicinal cannabis distribution, and 4) Adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) to conduct commercial medicinal cannabis activities (the "Project") on a 4.44 acre site located at 4400 Temple City Boulevard, El Monte, California (the "Property"). Development Agreement No. 02-18, Medicinal Cannabis Conditional Use Permit (MCCUP) No. 07-18, 08-18, and 09-19 requires review and public hearings by both the City of El Monte Planning Commission (the "Planning Commission") and the City Council.

SECTION 2. This request is made pursuant to the requirements of City of El Monte Ordinance No. 2924 and El Monte Municipal Code Chapters 5.18, 17.24, and 17.84 which established regulations and a permitting process for medicinal-only cultivation, manufacturing, distribution, and laboratory testing is designated areas of the M-1 (Light Manufacturing), M-2 (General Manufacturing), C-3 (General Commercial, and O-P (Professional Office) zones . The property is located at 4400 Temple City Boulevard, El Monte, California, and described as follows, to-wit:

APN: 8577-001-043

Pursuant to which after due notice as required by law, a full and fair public hearing was held to consider Medicinal Cannabis Conditional Use Permit Nos. 07-18, 08-18, 09-18, Development Agreement No. 02-18, and a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program before this Planning Commission on November 27, 2018, at which time, all interested persons were given full opportunity to be heard and present evidence.

SECTION 3 - ZONING. That the property is located at the east side of Temple City Boulevard, within the M-2 (General Manufacturing) zone. The property is

currently improved with a 71,658 square foot industrial building. The surrounding zoning and land use of the adjacent properties are as follows:

North:	C-3:	Regional Commercial
South:	M-2:	Industrial/Business Park
East:	M-2:	Industrial/Business Park
West:	Temple City:	Residential (Temple City)

SECTION 4 - ENVIRONMENTAL. That in accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, an Initial Study (IS) and Mitigated Negative Declaration (MND) was prepared to assess the short-term, long-term and cumulative environmental impacts that could result from the proposed hotel project and identify any required mitigation measures to reduce environmental impacts to less than significant. Possible impacts identified in the IS/MND include Air Quality, Energy, Hazards & Hazardous Materials. Mitigation measures incorporated into the project, and agreed to by the Applicant, will reduce the impacts to less than significant.

SECTION 5 – GENERAL PLAN. That the 2011 El Monte General Plan land use designation for the property is Industrial/Business Park. The proposal includes medicinal-only cannabis cultivation, manufacturing, and distribution operations. The existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use, and will require the approval of a Development Agreement, Medicinal Cannabis Conditional Use Permit for cultivation, Medicinal Cannabis Conditional Use Permit for manufacturing, Medicinal Cannabis Conditional Use Permit for distribution, and adoption of a Mitigated Negative Declaration and Mitigation Monitoring Reporting Program, and such a development is consistent with the goals of the EMMC and the 2011 El Monte General Plan.

SECTION 6 – CONDITIONAL USE PERMIT FINDINGS. That all necessary findings for the granting of Conditional Use Permit Nos. 07-18, 08-18, and 09-18, pursuant to Section 17.24.050 of the El Monte Municipal Code can be made in a positive manner and are as follows:

A. The granting of such Conditional Use Permit will not be detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity.

Finding of Fact:
The proposed project is consistent with the M-2 General Manufacturing zone of the surrounding area. The M-2 General Manufacturing zone allows the proposed project to operate with the approval of the Planning Commission. The proposed project also provides adequate buffering from the adjacent residential uses through large setbacks, and landscaping. The proposed project will be required to comply with all Conditions of Approval including addressing the various operational activities on the property and reducing potential nuisance impacts between commercial uses and neighboring properties, and all Building & Safety, LA County Fire Department, Police Department, the California Department of Food and Agriculture CalCannabis Cultivation Licensing Division, the California Department of Public Health Manufactured Cannabis Safety Branch, and the California Bureau of Cannabis Control requirements. The permit and inspection process will ensure that the proposed project complies with local and state regulations and development codes. Mitigation measures for air quality, energy, hazards and hazardous materials have will be implemented to ensure that environmental impacts are reduced to a less than significant level. The property is located in a General Manufacturing zone surrounded by industrial uses to the north, east, and south and residential to the west. Conditions of approval will ensure that the granting of the conditional use permits will not be detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity.

B. The use applied for at the location is properly one for which a Conditional Use Permit is authorized.

Finding of Fact:
Pursuant to Section 17.24.040(37) of the El Monte Municipal Code, the proposed commercial medicinal cannabis use is permitted with the approval of a Conditional Use Permit by the City's Planning Commission and City Council and with the conditions of approval as proposed by staff. The use applied for at the location is properly one for which a Conditional Use Permit is authorized.

C. The site for the proposed use is adequate in size and shape to accommodate said uses; and that all yards, spaces, walls, fences, parking, loading, landscaping and other features required to adjust said use with the land and surrounding uses are provided.

Finding of Fact:
The proposed use will occupy an existing 71,658 square foot industrial building located on a 4.44 acre project site in the M-2 General Manufacturing zone. There is no building expansion proposed. All operations will occur within the building. The site for the proposed use is adequate in size and shape to accommodate the proposed use. The project will exceed the parking requirements of the Zoning Code, and the landscaping will be improved to comply with EMMC Chapters 17.10 Landscaping and 17.11 Water Efficiency. The project has demonstrated that it can meet the Zoning Code design intent and/or requirements. All yards, fences, parking, loading, and landscaping features proposed meet or exceed the Zoning Code requirements.

D. The site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

Finding of Fact:
Access to the site is provided by Ellis Lane/Temple City Boulevard. Currently, streets and intersections in the project area operate at acceptable Levels of Service (LOS) and are projected to operate within acceptable LOS during the peak hours with development of the proposed project and with other development and area wide growth. The streets comply with the standard design requirements set forth by the EMMC and are able to accommodate the amount of traffic that the proposed land use will generate.

E. The granting of such Conditional Use Permit will not adversely affect the purpose, goals, and policies of the El Monte General Plan of 2011.

Finding of Fact:
The subject property is located in Northwest Industrial District Area of the Industrial Business Park land use designation. The General Plan states that the Northwest Industrial District's strategic location near population centers, and access to railroads and I-10 offer strategic cost advantages to businesses. Surrounding residential neighborhoods can provide a labor force for employers in the area. The district's vision is to serve as the employment engine for the City, but transition to an area that attracts a balance of sustainable light manufacturing, distribution, and technology-oriented business. The proposed use of commercial medicinal only cannabis cultivation, manufacturing and distribution will further the vision of the vision of the General Plan by providing living wage jobs and community benefits to the City.

Specifically, the project is consistent with the following General Plan goals and policies:

Land Use Element:
- Goal LU-7. Establish a diversified district of sustainable manufacturing, distribution, and
  technology-oriented business that provides opportunity for investment, entrepreneurship, and significant creation of well-paid jobs in a sustainable environment that minimizes traffic impacts, promotes a clean environment, ensures long-term vitality, and strengthens neighborhoods.
- Policy LU-7.2 Adaptive Reuse. Work proactively with property owners of older, deteriorating industrial sites to facilitate necessary upgrades and creative

adaptive reuse opportunities that meet the physical needs of modern industrial, manufacturing, and business uses.

Community Design Element:

- CD-7.12 Landscaping. Require landscaping on industrial sites to present a refined image of a modern industrial park, reduce the perceived mass of structures, and provide buffers in consideration of:
    - Landscaping of open spaces and frontage-facing streetscapes with greenery, trees, and flowers to create an inviting image for principal buildings.
    - Landscaping to define entrances to buildings, parking lots, and the edges of various land uses, and to buffer the property from adjacent properties, neighborhoods, or thoroughfares.
    - Landscaping of setbacks, berms, and other similar natural features to reduce the mass and scale of the industrial development and present a pedestrian-friendly image.
- CD-7.13 Loading. Require site loading and service areas to be as far as possible from the street front and ensure that such uses are adequately screened with high-quality articulated walls, trees, and other landscaping to present a clean finish to passersby.
- CD-7.14 Parking. Parking and paved areas should not be the dominant view of the industrial site; encourage employee and truck parking be placed to the side or behind the facility so that the dominant feature is the building architecture and landscaping frontage.
- CD-7.15 Operational Impacts. Promote a clean industrial park image and reduce the impact of uses on neighboring properties or residences by adhering to the following considerations:
    - Screen parking, storage, and service areas from public view with landscaped walls, berms, and appropriate landscaping.
    - Underground or screen utilities and utility equipment or locate and size them to be as inconspicuous as possible.
    - Reduce the impact of industrial uses on adjacent properties with walls and landscaping, locating service, delivery, and loading areas far from adjacent uses and public streets.
    - Require mitigation of noise, odor, lighting, and other impacts from affecting adjacent residential neighborhoods.

Therefore, the proposed project meets the intent of the General Plan and the granting of such Conditional Use Permits will not adversely affect the purpose, goals, and policies of the El Monte General Plan.

SECTION 7 – DEVELOPMENT AGREEMENT. Pursuant to EMMC Section 17.84.140, the Planning Commission hereby recommends City Council approval of Development Agreement No. 02-18, subject to appropriate and reasonable

City Council modifications to the text of such agreement, based upon the following findings:

A. Development Agreement No. 02-18 is consistent with the General Plan as the Property is consistent with its land use designation of Industrial/Business Park, which is intended to allow for industrial uses as established under the General Plan. The subject property is located in Northwest Industrial District Area of the Industrial Business Park land use designation. The General Plan states that the Northwest Industrial District's strategic location near population centers, and access to railroads and I-10 offer strategic cost advantages to businesses. Surrounding residential neighborhoods can provide a labor force for employers in the area. The district's vision is to serve as the employment engine for the City, but transition to an area that attracts a balance of sustainable light manufacturing, distribution, and technology-oriented business. The proposed use of commercial medicinal only cannabis cultivation, manufacturing and distribution will further the vision of the vision of the General Plan by providing living wage jobs and community benefits to the City.

Specifically, the project is consistent with the following General Plan goals and policies:

Land Use Element:

- Goal LU-7. Establish a diversified district of sustainable manufacturing, distribution, and technology-oriented business that provides opportunity for investment, entrepreneurship, and significant creation of well-paid jobs in a sustainable environment that minimizes traffic impacts, promotes a clean environment, ensures long-term vitality, and strengthens neighborhoods.
- Policy LU-7.2 Adaptive Reuse. Work proactively with property owners of older, deteriorating industrial sites to facilitate necessary upgrades and creative adaptive reuse opportunities that meet the physical needs of modern industrial, manufacturing, and business uses.

Community Design Element:

- CD-7.12 Landscaping. Require landscaping on industrial sites to present a refined image of a modern industrial park, reduce the perceived mass of structures, and provide buffers in consideration of:
    - Landscaping of open spaces and frontage-facing streetscapes with greenery, trees, and flowers to create an inviting image for principal buildings.
    - Landscaping to define entrances to buildings, parking lots, and the edges of various land uses, and to buffer the property from adjacent properties, neighborhoods, or thoroughfares.
    - Landscaping of setbacks, berms, and other similar natural features to reduce the mass and scale of the industrial development and present a pedestrian-friendly image.
- CD-7.13 Loading. Require site loading and service areas to be as far as possible from the street front and ensure that such uses are adequately screened with

high-quality articulated walls, trees, and other landscaping to present a clean finish to passersby.

- CD-7.14 Parking. Parking and paved areas should not be the dominant view of the industrial site; encourage employee and truck parking be placed to the side or behind the facility so that the dominant feature is the building architecture and landscaping frontage.
- CD-7.15 Operational Impacts. Promote a clean industrial park image and reduce the impact of uses on neighboring properties or residences by adhering to the following considerations:
    - Screen parking, storage, and service areas from public view with landscaped walls, berms, and appropriate landscaping.
    - Underground or screen utilities and utility equipment or locate and size them to be as inconspicuous as possible.
    - Reduce the impact of industrial uses on adjacent properties with walls and landscaping, locating service, delivery, and loading areas far from adjacent uses and public streets.
    - Require mitigation of noise, odor, lighting, and other impacts from affecting adjacent residential neighborhoods.

The terms of the Development Agreement for the commercial medicinal cannabis operations will be consistent with the General Plan Land Use designation of Industrial/Business Park and the implementing M-2 (General Manufacturing) Zone.

B. Development Agreement No. 01-18 is consistent with the State Development Agreement Law and EMMC Chapter 17.84 because:

1. Development Agreement No. 02-18 contains all requisite provisions set forth therein;

2. The Project will not be detrimental to the health, safety, and general welfare through the enforcement and implementation of conditions of approval and mitigation measures. The proposed project is consistent with the M-2 General Manufacturing zone of the surrounding area. The M-2 General Manufacturing zone allows the proposed project to operate with the approval of the Planning Commission. The proposed project also provides adequate buffering from the adjacent residential uses through large setbacks, and landscaping. The proposed project will be required to comply with all Conditions of Approval including addressing the various operational activities on the property and reducing potential nuisance impacts between commercial uses and neighboring properties, and all Building & Safety, LA County Fire Department, Police Department, the California Department of Food and Agriculture CalCannabis Cultivation Licensing Division, the California Department of Public Health Manufactured Cannabis Safety Branch, and the California Bureau of Cannabis Control requirements. The permit and inspection process will ensure that the proposed project complies with local and state regulations and development codes. Mitigation measures for air quality, energy, hazards and

hazardous materials have will be implemented to ensure that environmental impacts are reduced to a less than significant level. The property is located in a General Manufacturing zone surrounded by industrial uses to the north, east, and south and residential to the west. Conditions of approval will ensure that the granting of the conditional use permits will not be detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity.

SECTION 8 – APPROVALS AND CONDITIONS. The Planning Commission does hereby recommend City Council approval of Development Agreement No. 02-18; Medicinal Cannabis Conditional Use Permit (MCCUP) No. 07-18, 08-18, and 09-19, and the adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for this project in accordance with the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines, as amended, subject to the following conditions:

General

1. The Project shall substantially conform to Development Agreement No. 02-18; Medicinal Cannabis Conditional Use Permit (MCCUP) No. 07-18, 08-18, and 09-19, (collectively the "Project Approvals") and the associated plans presented to the Planning Commission on November 27, 2018.

2. The Project Approvals shall not become valid or effective until the City Council approves the Mitigated Negative Declaration and Development Agreement No. 02-18.

3. The Project Approvals as contained herein shall expire one (1) year from the date of effective approval thereof, unless prior to such date, building permits have been issued for the implementation of the Project, a time extension has been approved by the Planning Commission or the Development Agreement specifies a different expiration date.

4. A copy of the approving resolution(s) shall be printed or attached to the development plans that are to be submitted during the plan check process.

5. All applicable conditions shall be met or deemed to have been addressed by the Community and Economic Development Director or his designee prior to final inspection, and prior to occupancy of any buildings.

6. All Planning Division, Building Division, Code Enforcement Division, Engineering Division, and Police Department, and Los Angeles County Fire Department standards and conditions shall be complied with prior to the issuance of building permits.

7. All City and LA County Fire Department standards and conditions shall be implemented prior to final inspection and prior to occupancy of any building.

8. The Applicant and property owner shall sign and submit an affidavit accepting all conditions of approval contained in the Planning Commission Resolution prior to issuance of Building Permits for the proposed project.

9. The following state licenses are required prior to issuance of the Medicinal Commercial Cannabis Business Permit: Type 3A license from the California Department of Food and Agriculture CalCannabis Cultivation Licensing Division, Type 7 license from the California Department of Public Health Manufactured Cannabis Safety Branch, and Type 11 license from the California Bureau of Cannabis Control.

10. The project shall comply with City of El Monte Ordinance No. 2924 and Chapter 5.18 Commercial Cannabis Activities of the El Monte Municipal Code.

11. The Applicant shall at all times be responsible for operating in full compliance with all applicable state and local laws and regulations, including those that may change subsequent to the Effective Date of Issuance of this Permit. Applicant's facility shall employ safety and security measures as set forth herein for the safety and security of its employees, as well as other individuals in its neighboring community.

12. In the event that state or federal laws or regulations enacted after the Date of Issuance of this Permit prevent or preclude compliance with one or more conditions of the Permit, such conditions of the Permit shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations.

13. Should any condition set forth in this Resolution No. 3527 conflict with any condition set forth in Chapter 5.18, such condition in this Resolution No. 3527 shall control.

14. Should any condition set forth in this Resolution Resolution No. 3527 be preempted with conflicting state law or its implementing regulations, such state law or regulation shall control.

Legal

15. By acceptance of the approval of the project by the City, the Applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, and employees to challenge, set aside, void or annul the approval of the project from an action which may be brought within the time period provided for such actions or

challenges under applicable law. The City shall promptly notify the Applicant of any claim, action, or proceeding and the City shall cooperate in any such defense.

16. Subject to review and applicability by the Community and Economic Development Director, Public Works Director, and the City Attorney and to ensure ongoing compliance with the conditions of approval set forth under this resolution and to ensure that the property and all improvements located thereupon are properly maintained, the Applicant (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the Applicant) shall execute a maintenance agreement with the City of El Monte which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney prior to issuance of a Certificate of Occupancy to the Applicant for the project. The maintenance agreement shall contain covenants, conditions and restrictions relating to the following:
    a. Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved project phasing etc.).
    b. Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris, and/or restrictions on certain uses, including uses determined by the Planning Commission (or the City Council upon appeal) to be incompatible or inconsistent with any authorized uses; compliance with applicable State and/or federal statutes and regulations, including but not limited to compliance with statutes and regulations regarding the appropriate operating guidelines for certain equipment (e.g., emissions standards, radio frequency emissions standards etc.);
    c. Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
    d. Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);
    e. If the Applicant and the owner of the property are different (e.g., if the Applicant is a tenant or licensee of the property or any portion thereof), both the Applicant and the owner of the property shall be signatories to the maintenance agreement and both shall be jointly and severally liable for compliance with its terms.
    f. The maintenance agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties and obligations and responsibilities set forth under the maintenance agreement.
    g. The maintenance agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City

to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City.

h. The execution and recordation of the maintenance agreement shall be a condition precedent to the issuance of final approval for any construction permit related to this entitlement.

Operations

17. Graffiti shall be removed from any interior/exterior surfaces to the structures and improvements on the property within 24 hours following the application of the graffiti or within 24 hours of applicant receiving notice of such graffiti by the City. Graffiti shall either be removed or the evidence of such vandalism painted over with a paint that has been exactly color-matched to the surface to which it is applied. If a non-painted surface, or where anti-graffiti coatings are used, graffiti may be removed with solvents or detergents, as appropriate.

18. Prior to commencing demolition and site preparation activities, the project site shall be secured with a fence to prevent unauthorized access to the site and the fence shall contain a screening material to screen construction activities from view. The temporary screening fence shall be installed to the satisfaction of the Economic Development Department and shall be maintained in good condition (free of tears, holes, crack lines, debris, etc.) at all times. At the primary entrance to the site, the screening material shall be reduced to a maximum height of four feet to provide visibility into the site at all times and for public safety purposes. The project site shall also have a minimum of 2-3 signs of quality material depicting the proposed development, which shall include renderings, project opening date, and City Council information. The signs shall be designed and installed to the satisfaction of the Economic Development Department and maintained in good condition (free of tears, graffiti, holes, cracks, fading, debris, etc.) at all times.

19. During the construction process all related activities, including but not limited to, loading, unloading, storage of equipment and materials, and parking of employee vehicles are prohibited within the public R.O.W. All such activities shall be conducted only on the project site and not in the public R.O.W.

20. All onsite activities shall comply with the City of El Monte Noise Ordinance at all times.

21. Automatic gas shut off/earthquake safety valves shall be installed for each gas meter location.

22. All trash and refuse (i.e. solid waste) shall be disposed of in dumpsters or other like containers; and all such waste shall be removed from the premises on a routine basis, as provided under EMMC Chapter 8.20, by a solid waste hauler duly franchised to provide such service to the property. Applicant shall divert fifty percent (50%) of its solid waste through recycling services provided by a solid waste hauler duly franchised to provide such service to the property. Pending completion of all construction activities upon the property, surplus construction materials shall be stored so as to be screened from view when not actually in use. All construction and demolition debris shall be removed from the property in compliance with EMMC Chapter 8.20. The removal of all solid waste arising out of the construction and demolition process shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services for construction and demolition projects within the City of El Monte. The removal of all other wastes from the property shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services to residential and commercial properties within the City of El Monte.
    a. Prior to the issuance of a Building Permit, the Applicant shall submit to the Building Safety Division, the Environmental Services Division and the City Code Enforcement Division, the name and contact information for the contracted waste hauler. It shall be the Applicant's obligation to ensure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.
    b. Prior to final approval for occupancy, and in addition to any other requirements set forth under the El Monte Municipal Code or by the Chief Building Official, the Applicant shall submit to the Building and Safety Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed and/or diverted.
    c. Except as otherwise authorized pending the completion of the construction and demolition activities authorized under this resolution, solid waste containers and bulky items may not be stored or maintained at locations designated for parking and must be maintained in those locations designated for the temporary storage of solid waste and bulky items.
    d. The site and the public R.O.W. adjacent to any portions of the site shall be maintained in a condition which is free of debris both during and after the construction, addition or implementation of the entitlements granted herein. All trash and refuse shall be disposed of in dumpsters and be removed from the premises on an as needed basis. Any surplus construction materials shall be stored so as to be screened from public view when not actually in use and be removed from the property upon completion of construction activities. The removal of all trash, debris, and refuse, whether during or subsequent to construction shall be done only by the property owner, the Applicant or by a permitted waste contractor, who has been authorized by the City to provide collection, transportation, and disposal of solid waste from residential, commercial, and construction areas within the City.
    e. Prior to issuance of a Building Permit, the Applicant shall submit to the City, the name and contact information for the contracted waste hauler. It shall be the Applicant's obligation to insure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.

f. Prior to final approval for occupancy, the Applicant shall submit to the Planning Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed.
g. Fire protection facilities; including access, must be provided prior to and during construction.

Art in Public Places

23. The project shall be required to comply with the Art in Public Places Ordinance. The project Applicant shall submit plans for the display of public art or a project place monument within the development, which shall be approved by the Art in Public Places Committee. As an alternative, the Applicant can pay the established in-lieu fee at time of building permit issuance.

Lighting

24. The Applicant shall submit a photometric plan to the Public Works Department for review and it shall provide a minimum of 1 foot-candle throughout the site. Where available and deemed necessary by the City Planner, the system must be equipped with vandal resistant covers and be shielded to direct light away from all neighboring uses, and comply with CALGreen or local ordinance, whichever is more stringent. The lighting plan shall include the design and specifications for all proposed exterior site lighting fixtures and shall be reviewed for quality, aesthetics, and illumination values.

25. The Applicant shall submit for review by the Planning Division and the Engineering Department, the design and specifications for all proposed lighting fixtures proposed for the buildings, drive aisles, parkways, parking areas, pathways, and surrounding areas within the development. The fixtures shall be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The number, location, height, style and design shall be reviewed and approved by the Planning Division and Engineering Department prior to issuance of building permits.

Operations

26. Signage for the Project and Facility shall conform to the requirements of the City's Sign Ordinance. In addition, the Applicant agrees that, except as otherwise approved by the City in writing or required by law, Project signage shall include nothing, in word or symbol, identifying the fact that the Property is used for cannabis-related activities.

27. Vehicles. No vehicle owned or operated by the Applicant, or used for the transportation of product or individuals associated with the Facility, shall include markings (in words or symbols) identifying the vehicle as a vehicle used for cannabis-related activities, unless otherwise required by law.

28. All Cannabis Businesses shall utilize a waste hauler that is franchised, contracted, licensed or otherwise authorized by the City to collect and process cannabis waste.

29. All cannabis shall be rendered unrecognizable and unusable at the time of disposal.

30. All cannabis waste shall be kept in a secured area that is inaccessible by the public until such time that it is collected by an authorized cannabis waste hauler.

31. Applicant shall allow the City or any agent or designee of the City to enter into the facility at any time during regular business hours for the purpose of inspection. Applicant shall also produce or otherwise make available any records or documents requested by the City or its agent at the time of inspection, or otherwise upon request by the City.

32. Applicant shall equip the facility with ventilation and exhaust systems designed to prevent odors from escaping or being detectable outside of the premises, from any adjacent property or public right-of-way, or in any common areas shared by employees or customers of other businesses. Such system shall be designed and installed by a licensed mechanical engineer, HVAC engineer or environmental engineer, and shall include at minimum:

    a) An exhaust air filtration system with odor control that prevents internal odors from escaping.
    b) A system that creates negative air pressure inside the cannabis facility so that odors are not detectable from the exterior of the cannabis business.

Security Plan

33. The issuance of a Regulatory Permit is conditional upon approval of the proposed security plan by the City Police Chief. The security plan shall include, at a minimum and as appropriate, provisions for video surveillance, perimeter fencing and security, protection of the building(s) from vehicle intrusion, cash handling procedures, product handling and storage procedures, visitor procedures, third party contractor security procedures, employee security procedures, and a professionally monitored alarm system. Equipment and systems used for video surveillance and building alarms shall be approved by the City. Applicant shall also obtain an assessment of site security by a qualified security consultant. The Security Plan required will not be made public, except when required by law.

34. Video surveillance shall include, at a minimum, all site and facility entrances and access points, all spaces accessible by the public, all secured areas of the facility with restricted access, all interior spaces and rooms where Cannabis products are handled and processed, shipping and receiving areas, cash storage areas, and other areas necessary to protect the safety of employees and the public and to ensure Cannabis products are received, handled, stored, packaged, shipped, and distributed in compliance with applicable local and state laws and regulations. The

video surveillance system shall be web-based with direct access provided to the City Police Department for real-time monitoring from the Police Department and through authorized smart phone devices.

35. The security system shall also include sensors to detect entry and exit from all secure areas, panic buttons in appropriate locations, and a professionally monitored alarm system with glass breakage sensors and motion detectors.

36. Applicant shall employ properly trained and licensed third-party security personnel to protect the welfare and safety of Applicant employees and to ensure public safety to the neighboring community. Applicant shall provide City with specific policies for training employees regarding security procedures. Applicant shall use security personnel 24 hours, 7 days a week. Security personnel may be armed with the prior approval of the City Police Chief. Security personnel may be subject to a background investigation by the City Police Chief. Security personnel shall not be assigned to or employed at the Applicant's facility without the prior approval by the City Police Chief.

37. All security personnel shall register and maintain valid registration status with the State of California Department of Consumer Affairs. At no time shall any security personnel register with the State at any level that is less than that of a proprietary private security officer. Proof of application and registration for all security personnel shall be maintained by the Applicant and shall consist of copies of all relevant documentation including: application forms, receipts for application fees and live scan fees, and actual proof of registration.

Possession of Firearms

38. Except for licensed security personnel approved by the City Police Chief, no person employed by the Applicant shall be in possession of any firearm while on the premises or location without having first obtained a license from the appropriate state or local agency authorizing the person to be in possession of such firearm. Every such person in possession of a firearm while on the premises or location must provide the City Manager and the City Police Chief with the following at least ten days prior to bringing the firearm onto the premises:

    i. A copy of the license issued to the person by the appropriate state or local agency authorizing him or her to possess such firearm;

    ii. A copy of his or her law enforcement identification (if he or she is employed by a law enforcement agency);

    iii. A copy of his or her California driver's license or California identification card; and

    iv. Any other information reasonably required by the City Police Chief to show that the individual is in compliance with the provisions of all laws regarding the possession and use of a firearm.

Identification Display

39. Each owner, manager, employee, and individual member engaged in the cultivation, processing, manufacturing, distribution, or transporting of Cannabis shall at all times while engaged in the duties of his or her position wear in plain sight, on his or her person and at chest level, a valid identification badge, issued by the City Police Chief and containing such information, including a suitable photograph, as the City Police Chief may require. No owner, manager, employee, or individual member engaged in the cultivation, processing, manufacturing, distribution, or transporting of Cannabis shall engage in any activities on behalf of Applicant with which he or she is employee, without first obtaining a valid identification badge. Identification badges shall expire one year after issuance. Application for renewed identification badges shall be filed with the City Police Chief no later than thirty days prior to the expiration of the current identification badge. Identification badges shall be the property of the City and shall be immediately collected by the Applicant and provided to the City Police Chief within twenty-four hours of their expiration, or within twenty-four hours of the termination of the employment.

Procedures for Inventory Control to Prevent Diversion of Cannabis

40. Only employees who receive clearance from the City Police Chief shall be permitted to enter Applicant's facility. Each employee shall have to meet a criminal background investigation conducted by the City Police Department or such other person or entity designated by the City Manager, which at a minimum shall include a LiveScan and criminal history check.

41. Applicant's collective agreement shall prohibit the use of Cannabis by its employees at its facility, in the neighborhood vicinity of its facility, and/or while driving.

42. Applicant shall take all necessary and reasonable steps to prevent the distribution of any of its cannabis products to minors; prevent revenue from the sale or distribution of its cannabis and/or infused products from going to criminal enterprises, gangs and cartels; prevent the diversion of Cannabis from California to any other state; prevent state-authorized Cannabis activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity; prevent violence and the use of firearms in the cultivation, manufacture and distribution of Cannabis; discourage and educate against drugged driving and the exacerbation of other adverse public health consequences associated with Cannabis use; disavow growing Cannabis on public lands that creates attendant public safety and environmental dangers posed by such illegal uses; and discourage and educate against Cannabis possession or use on federal property. The Applicant shall provide City with a Non-Diversion of Cannabis Plan documenting the steps Applicant will take to satisfy the requirements of this Section.

Control and Testing

43. Applicant shall utilize quality control measures and testing to ensure only the highest quality of Cannabis and infused products shall be produced or sold. Applicant shall inspect the product to ensure its identity and quantity, and shall have a State-licensed lab perform testing of random samples in accordance with applicable State law and regulations.

44. Inventory procedures shall be utilized for tracking and taxing purposes by the state. Applicant shall employ an efficient record-keeping system to make transparent its financing, testing, and adverse effect recording, as well as recall procedures. Applicant shall employ an efficient record-keeping system that shall reflect its financing, testing, and adverse effect recording and product recall procedures. Applicant shall provide City with a written plan explaining how it will satisfy the requirements of this Section.

Packaging of Cannabis and Infused Products

45. All Applicant's Cannabis products shall be packaged and labeled as required by section 19347 of the California Business and Professions Code and applicable requirements and regulations issued by the State pursuant thereto. In addition to those packaging and labeling requirements, and packaging and labeling requirements set forth in the Applicant's Regulatory Permit application, as amended or supplemented, all Cannabis products shall be packaged in an opaque childproof container which shall contain a label or be accompanied by a leaflet or inset that states, at a minimum:

    i. The name, address and telephone number of the Cannabis retailer facility to which the Cannabis product is distributed, sold, or transferred;

    ii. The amount of Cannabis in the container; and

    iii. The date the Cannabis was transferred to a Cannabis retail facility.

46. Applicant intends to produce infused products and shall secure any approval from the County Health Department required for manufacturing and handling such products. Applicant's infused products shall not be produced, manufactured, stored or packaged in private homes. All Applicant's Cannabis infused products shall be individually wrapped at the original point of preparation.

Point of Sale Tracking System

47. Applicant shall maintain an inventory control and reporting system that accurately documents the location of Cannabis products from inception through distribution, including descriptions, weight, and quantity. The inventory control and reporting system shall comply with the track and trace program required by section 19335 of the California Business and Professions Code and regulations issued therein.

48. Applicant shall employ an electronic point of donation/sale system approved by the City, such as BioTrack THC, MJ Freeway, or similar system for all point of donations/sales tracking from seed or inception to product distribution to other licensed Cannabis facilities. Such approved system shall track all Applicant Cannabis products, each edible, harvested flower, and/or manufactured concentrate, as well as gross sales (by weight and sale). BioTrack THC, MJ Freeway, or similar system shall have the capacity to produce historical transactional data in accordance with the City's requirements.

Record Keeping

49. Applicant shall maintain records for all dispensed Cannabis and/or infused products. Applicant shall comply with all records-keeping responsibilities that are set forth in Chapter 5.18 of the Municipal Code, including complete and up-to-date records regarding the amount of Cannabis cultivated, produced, manufactured, harvested, stored, or packaged at Applicant's facility.

Processing, Handling, Storing, and Distribution of Cannabis and Related Products

50. Cannabis cultivation, handling, storing, and processing shall be concealed from public view at all stages of growth and processing, and there shall be no exterior evidence of cultivation or processing occurring at the premises from a public right-of-way or from an adjacent parcel. Cannabis cultivation, handling, storing, processing, or distribution shall not create offensive odors; create excessive dust, heat, noise, smoke, traffic, or other impacts that are disturbing to people of normal sensitivity residing or present on adjacent or nearby property or areas open to the public; or be hazardous due to use or storage of materials, processes, products, or wastes.

51. Applicant shall store its Cannabis and/or Cannabis products in a locked safe room with T-card identification access for management only. The safe room shall be constructed of fire-rate walls with numerous cameras installed to view all entries and exits from the safe room, as well as all other activities performed within Applicant's facility. Applicant shall not conduct outdoor operations except as related to lawful delivery and transportation of Cannabis and infused products. Applicant shall not store Cannabis or related products in its delivery vehicle outside normal operating hours of the facility.

52. Cannabis products shall be sold or distributed only to licensed dispensaries in California. Excess or contaminated product shall be securely stored on-site until it is properly disposed. Disposal may include composting, incineration, land-fill disposal through the local waste management hauler, or other disposal methodology in accordance with state and county health and safety codes and regulations.

Odor Control

53. All structures shall have ventilation and filtration systems installed that prevent Cannabis plant odors from exiting the interior of the structure to the greatest extent

feasible. The ventilation and filtration system shall be approved by the Building Official and City Manager and installed prior to commencing cultivation or manufacturing within the allowable structure. Facility air intake, exhaust, and recirculating systems shall be of industrial grade. Activated charcoal, recirculating, closed loop aeration systems, and such other technology now available now available or developed in the future shall be utilized as necessary for effective odor control and management. Applicant acknowledges that the level of odor-control equipment and technology required may increase as new equipment and technology becomes available or equipment and technology that is presently not feasible due to its expense becomes less costly.

Description of Banking Plan

54. Applicant shall seek to open a bank account under the name of the Applicant or its associated management company to provide transparency for funds received, operational costs, including payroll, tax payments to the state and federal governments, among others. Should a bank account not be forthcoming, Applicant shall purchase and install safes to secure all daily funds received from its collective membership or other lawful cooperative corporation to which its products are sold, transferred, or distributed. If Applicant successfully opens a bank account, it shall make provisions for Applicant collective members or other lawful cooperative corporations to implement debit and credit card transactions. Applicant shall not accept personal or corporate checks.

Transportation Plan

55. Applicant shall comply with all local and state law regarding transportation, including the rules governing delivery service. Applicant shall retain a list of names and cellular contact numbers for all employees engaged in transportation of Cannabis products and provide it to the City Police Department, keeping the list current and up to date.

56. Applicant shall keep complete and up-to-date records documenting each sale or transfer of Cannabis to other licensed cannabis businesses, including the amount provided, the form or product category in which the Cannabis was provided, the date and time provided, the name of the employee making the transfer, the name and address of the other licensed cannabis business to whom delivery is made, and the amount of any monetary transaction.

Community Relations

57. Public Outreach and Education Program

    i. Applicant shall create an effective public outreach to the community, including but not limited to outreach and interface with public and private schools, youth organizations, religious organizations, health care providers, drug abuse treatment providers, and mental health and drug counseling providers.

ii. Applicant shall coordinate and cooperate with the City and other Cannabis Applicants located within the City in the establishment and implementation of appropriate public outreach and education programs. The public outreach and education programs shall be approved by the City.

58. Designation of Persons Responsible for Community Relations

i. At the time of Permit Issuance, Applicant's general manager, shall be responsible for community inquiries and complaints and on site during normal business hours.

59. Interface with City Police Department

i. Applicant's general manager shall interface with the City Police Department to ensure its operation is in compliance with local and state laws and regulations.

Local Recruitment, Hiring and Training Programs

60. Applicant is committed to making a good-faith effort to recruit, hire, and train local residents for employment by the Applicant. A good-faith effort means the Applicant shall take the following or similar actions to recruit and employee local residents: 1) Contact local recruitment sources to identify qualified individuals who are local residents, 2) Advertise for qualified local residents in trade papers and newspapers of general circulation in the area, and 3) Develop a written plan to recruit and employee local residents as a part of the its workforce.

61. Applicant shall also seek local companies to serve as its general contractor and subcontractors needed for construction and build-out improvements of the Applicant's Cannabis facilities. Additionally, local companies shall be sought to employ as licensed security guards needed once Applicant's facility is opened, as well as for ancillary services needed.

Safety Plan

62. In addition to all other requirements described in this Exhibit, Applicant shall provide City with a Safety Plan that describes the fire prevention, suppression, HVAC and alarm systems the facility will have in place. The Safety Plan shall include an assessment of the facility's fire safety by a qualified fire prevention and suppression consultant considering all possible fire, hazardous material, and inhalation issues and threats, and shall describe the written and physical mechanisms in place to deal with each specific situation.

Business Plan

63. Applicant shall provide City with a Business Plan that includes a description of day-to-day operations of the Project. The Business Plan shall include, at a minimum, a budget for construction, operation, maintenance, employee compensation, equipment costs, utility costs, and other operation costs and shall demonstrate sufficient capital in place to pay startup costs and at least three months of operating costs, as well as a description of the sources and uses of funds.

64. The Business Plan shall also contain a plan for at least three years of operations to address how the Project, including its exterior areas and surrounding public areas, will be managed, so as to avoid becoming a nuisance or impacting neighbors and the surrounding community.

65. In addition, Applicant shall provide City with proof of capitalization, in the form of documentation of cash or other liquid assets on hand and Letters of Credit or other equivalent assets.

Employment Requirements

66. Applicant shall adhere to heightened pay and benefits standards and practices, including recognition of the collective bargaining rights of employees, providing compensation to and opportunities for continuing education and training of employees, and providing a living wage to all employees.

Landscape

67. Project shall comply with EMMC 17.10 (Landscape Requirements) and 17.11 (Water Efficiency). Landscape and irrigation shall be approved separately and substantially conform to the landscape plans presented to the Planning Commission.

68. A complete documentation package that complies with water efficient standards must be submitted and approved prior to final occupancy.

69. Mulch only and other similar cover material is not an acceptable landscape material and must be used in combination with plant material unless it is proposed as part of a swale, low impact development or retention area.

70. All trees on the site shall be preserved and remain compliant with tree protection and preservation standards. ANSI A300 best management practices shall be utilized when any trimming and maintenance is conducted.

Police Department

Sight Lines

71. Avoid dead end driveways and street should be designed to increase surveillance opportunities from passing traffic and patrol.

72. Parking lots should be visible from the street and well lit (LED) with universal lighting for night shift.

Lighting

73. “LED Lighting” along entrance paths to buildings should be provided at the same level as street lighting.

74. Back lanes and loading docks should be well lit (LED) with universal lighting.

75. Internal footpaths should be well-lit and visible from buildings.

76. Lighting should illuminate entrapment areas such as the entrances to loading/ unloading areas.

77. Reporting of burnt out or vandalized lights should be encouraged.

Landscape

78. Trees and hedges along public or secondary roads should not obstruct visibility from buildings.

79. If trees are required at curb side, add hostile vegetation to prevent sitting or sleeping in that area.

80. Hedges if necessary should not become convenient hiding spaces and could be spaced out to avoid total visual obstruction. A “2’ / 6’ Rule” shall be applied to all landscaping. This also applies to internal landscaping.

81. Fencing to be uniformed throughout the property.

Parking

82. Parking lots should be visible from the street and well lit with LED lighting with universal lighting.

83. Visitor parking should be designated.

Location Of Washrooms

84. Washrooms should be well lit.

85. Entrance should be highly visible and not tucked away in inconspicuous locations.

Signs And Information

86. Exits and main routes should be clearly signed using distinctive colors and symbols.

87. Location identification signs should be provided.

88. Location identification block numbers or letters shall be marked on roof tops as previously discussed.

Bicycle Parking

89. Bicycle parking facilities shall be provided close to buildings, or located adjacent to activity areas.

90. Secure bicycle racks shall be provided.

Traffic Calming Devices

91. Traffic calming devices such as speed humps should be installed.

92. Landscaping, providing it does not obstruct lines of sight, is a useful psychological influence to slow drivers down.

Formal Surveillance

93. Refer to the attached “El Monte Police Emergency Access/Uniform Security.”

94. Additional surveillance measures should be provided in stairwells, lifts and other isolated areas.

95. Patrols by security/ maintenance staff should be encouraged.

96. The repair of broken bulbs and other common maintenance problems should be promptly undertaken by the maintenance staff, which should be trained to respond to or report emergencies.

Attendants (If Applicable)

97. Attendant booths should be located near entrances and predictable routes where there are clear sight lines.

98. Information and signs should provide guidance on how maintenance problems can be reported to attendants.

99. There should be attendants at all times who are trained to respond to emergencies.

Emergency Access

100. Nonresidential multi-tenant buildings or commercial buildings with a common area entrance and interior walkway shall provide police emergency access utilizing

an approved radio controlled entry system and approved key switch device or approved key vault which shall be installed as follows:

i. The key switch control shall be installed at a height of 42 inches from finished driveway grade and a minimum of 15 feet from the entry/exit gate, and be located on the driver's side of the road or driveway. The key switch is to be accessible in such a manner as to not require a person to exit their vehicle to reach it; nor to require any back-up movements in order to enter/exit the gate. The control housing shall consist of heavy gauge metal, and be vandal and weather resistant, and be mounted on a substantial structure such as a steel post, concrete, or masonry pedestal.

101. Key switches shall be secured to the control housing or telephone/intercom call box utilizing tamper resistant screws.

102. Vehicle gates shall be designed to open in case of a power failure.

103. All common area doors using an electrically automated type lock shall be provided with a key switch device within the building's exterior telephone/intercom call box or in a control housing as described in section above, or in a method approved by the enforcing authority and located within close proximity and in a visible area near the door mounted 4 feet above finished grade. Key switches shall be secured utilizing tamper resistant screws.

104. Exterior entry common area doors utilizing mechanical door locks shall be provided with a key vault within close proximity and in a visible area near the door mounted 4 feet above finished grade.

105. The radio controlled entry system shall be programmed to frequencies approved by the El Monte Police Department. Key switches, key vaults, padlocks, and radio controlled entry system installations shall be identifiable to approaching police personnel in a manner as approved by the police department.

106. An Emergency Access Plan shall be required when a radio controlled entry system, key switch, or key vault is required to be installed. The plan is to identify the location of each device on a site plan.

107. Key switches, key vaults, padlocks, and radio controlled entry system installations shall be identifiable to approaching police personnel in a manner as approved by the police department.

Fire Department

108. Comply with all Los Angeles County Fire Department requirements.

Mitigation Measures

Measure	Enforcement Agency	Monitoring Phase
Mitigation Measure No. 1 (Air Quality Impacts). The Applicant will be required to prepare an Odor Management Plan that must be approved by the City and Los Angeles County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.	Planning Division and the Los Angeles County Department of Public Health ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.
Mitigation Measure No. 2 (Air Quality Impacts). Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.	Planning Division, Chief Building Official, and the Los Angeles County Department of Public Health ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.
Mitigation Measure No. 3 (Energy Impacts). The facility must use of lighting equipment that will be energy efficient such as LED light fixtures.	Planning Division and Chief Building Official ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.
Mitigation Measure No. 4 (Energy Impacts). The installation of solar panels will be required as a means to reduce energy consumption.	Planning Division and Chief Building Official ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.
Mitigation Measure No. 5 (Energy Impacts). All appliances and indoor climate control equipment must be required to meet “Energy Star” ratings.	Planning Division and Chief Building Official ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.

Mitigation Measure No. 6 (Hazards & Hazardous Materials Impacts). The Applicant and the contractors must adhere to all requirements governing the handling, removal, and disposal of asbestos-containing materials, lead paint, and other hazardous substances and materials that may be encountered during tenant improvement activities. Documentation as to the amount, type, and evidence of disposal of materials at an appropriate hazardous material landfill site shall be provided to the Chief Building Official prior to the issuance of the Building Permit for the interior improvements. Any contamination encountered must be removed and disposed of in accordance with applicable laws prior to the issuance of the Building Permit.	Planning Division and Chief Building Official ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Building Permit.* ● Mitigation ends when construction is completed.
Mitigation Measure No. 7 (Hazards & Hazardous Materials Impacts). The Applicant will provide a comprehensive listing of those products and/or activities that will require the use of hazardous materials or will result in the generation of hazardous materials and/or wastes. The manner in which these materials are to be stored, handled, or disposed of must also be described. The Applicant will also be required to prepare a plan that indicates those protocols that must be adhered to in the event of an accident. This plan must be reviewed and approved by the County of Los Angeles Fire Department prior to the issuance of the Occupancy Permit.	Planning Division and Los Angeles County Fire Department ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.

SECTION 9. That the Secretary of the City Planning Commission of the City of El Monte, California, shall certify to the adoption of this resolution and shall cause a copy of the same to be forwarded to the applicant.

_____
Alfredo Nuño, Chairperson

ATTEST:

_____
Marcella Magdaleno, Secretary
El Monte City Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Marcella Magdaleno, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3527 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on November 27, 2018, by the following votes to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Marcella Magdaleno, Secretary
El Monte City Planning Commission

ORDINANCE NO. 2924

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL MONTE AMENDING TITLE 5 (BUSINESS LICENSES AND REGULATIONS) AND TITLE 17 (ZONING) OF THE EL MONTE MUNICIPAL CODE TO PROHIBIT CANNABIS RETAILERS, DISPENSARIES, MICROBUSINESSES, AND DELIVERIES CITYWIDE AND TO ESTABLISH REGULATIONS AND A DISCRETIONARY REVIEW PROCESS FOR THE PROSPECTIVE ALLOWANCE OF MEDICINAL-ONLY COMMERCIAL CANNABIS ACTIVITIES (CULTIVATION, DISTRIBUTION, MANUFACTURING, AND LABORATORY TESTING) IN PORTIONS OF THE M-1 (LIGHT MANUFACTURING), M-2 (GENERAL MANUFACTURING), C-3 (GENERAL COMMERCIAL), AND O-P (PROFESSIONAL OFFICE) ZONES

WHEREAS, in 1996, the California Legislature approved Proposition 215, also known as the Compassionate Use Act (the "CUA"), which was codified under Health and Safety Code Section 11262.5 et sec. and was intended to enable persons in need of medical marijuana for specified medical purposes, such as cancer, anorexia, AIDS, chronic pain, glaucoma and arthritis, to obtain and use marijuana under limited circumstances and where recommended by a physician. The CUA provides that "nothing in this section shall be construed or supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.";

WHEREAS, in 2004, the California Legislature enacted the Medical Marijuana Program Act (Health and Safety Code Section 11362.7 et seq.)(the "MMP"), which clarified the scope of the CUA, created a state-approved voluntary medical marijuana identification card program, and authorized cities to adopt and enforce rules and regulations consistent with the MMP. Assembly Bill 2650 (2010) and Assembly Bill 1300 (2011) amended the MMP to expressly recognize the authority of counties and cities to "[a]dopt local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective" and to civilly and criminally enforce such ordinances;

WHEREAS, California courts have found that neither the CUA nor the MMP provide medical marijuana patients with an unfettered right to obtain, cultivate, or dispense marijuana for medical purposes;

WHEREAS, in 2013, the California Supreme Court in the case of *City of Riverside v. Inland Empire Patients Health and Wellness Center* (2013) 56 Cal.4th 729, found the CUA and MMP do not preempt a city's local regulatory authority and confirmed a city's ability to prohibit medical marijuana dispensaries within its boundaries. In 2013, the California Third District Appellate Court further held that state law does "not preempt a city's police power to prohibit the cultivation of all marijuana within the city."

WHEREAS, the Federal Controlled Substances Act (21 U.S. C., § 801 et seq.) makes it unlawful under federal law for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute, or dispense marijuana. Despite such federal prohibition, on August 29, 2013, the United States Department of Justice issued a memorandum (the "Cole Memo") stating that, notwithstanding the federal classification of marijuana as a schedule 1 controlled substance, jurisdictions that have legalized marijuana in some form are less likely to be subject to federal enforcement under the Controlled Substances Act if they have implemented strong and effective regulatory and enforcement systems to follow eight guiding principles: (1) preventing the distribution of marijuana to minors; (2) preventing revenue from the sale of marijuana from going to criminal enterprises, gangs, and cartels; (3) preventing the diversion of marijuana from states where it is legal under state law in some form to other states; (4) preventing state-authorized marijuana activity from being used as a cover or

pretext for the trafficking of other illegal drugs or other illegal activity; (5) preventing violence and the use of firearms in the cultivation and distribution of marijuana; (6) preventing drugged driving and the exacerbation of other adverse public health consequences associated with marijuana use; (7) preventing the growing of marijuana on public lands and the attendant public safety and environmental dangers posed by marijuana production on public lands; and (8) preventing marijuana possession or use on federal property;

WHEREAS, in September 2015, the California State Legislature enacted, and Governor Brown signed into law three bills – Assembly Bill 243, Assembly Bill 266, and Senate Bill 643 – which together comprise the Medical Marijuana Regulation and Safety Act (the "MMRSA"). The MMRSA created a comprehensive dual state licensing system for the cultivation, manufacture, retail, sale, transport, distribution, delivery, and testing of medical cannabis;

WHEREAS, on July 19, 2016, the City Council of the City of El Monte (the "City Council" of the "City") adopted Interim Urgency Ordinance No. 2889 to establish a temporary moratorium on medical "commercial cannabis activities," as defined under the MMRSA, for a period of 45 days and extended such moratorium for an additional period of 22 months and 15 days under Interim Urgency Ordinance No. 2894, on August 16, 2016;

WHEREAS, on August 2, 2016 the El Monte City Council adopted Ordinance No. 2890 to reinforce existing permanent prohibitions on medical marijuana dispensaries and cultivation;

WHEREAS, the MMRSA was renamed the Medical Cannabis Regulation and Safety Act (the "MCRSA"), under Senate Bill 837 in June 2016, which also made included substantive changes to the applicable state laws, which affect the various state agencies involved in regulating cannabis businesses as well as potential licensees;

WHEREAS, On November 8, 2016, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") was approved California voters as Proposition 64 and became effective on November 9, 2016, pursuant to the California Constitution (Cal. Const., art. II, § 10(a).). Proposition 64 would legalized the nonmedical use of cannabis by persons 21 years of age and over, and the personal cultivation of up to six (6) cannabis plants. On November 15, 2016, the City Council adopted Urgency Ordinance No. 2902 to prohibit outdoor personal marijuana cultivation and establish regulations and a permitting process for indoor personal marijuana cultivation;

WHEREAS, AUMA also created a state regulatory and licensing system governing the commercial cultivation, testing, and distribution of nonmedical cannabis, and the manufacturing of nonmedical cannabis products. On December 6, 2016, Urgency Ordinance No. 2905 was adopted by the City Council to establish a temporary moratorium on nonmedical "commercial cannabis activities" for a period of 45 days and extended such moratorium for an additional period of 22 months and 15 days under Urgency Ordinance No. 2907, on January 10, 2017;

WHEREAS, on June 27, 2017, Governor Brown signed the Legislature-approved Senate Bill 94. SB 94 combined elements of the MCRSA and AUMA to establish a streamlined singular regulatory and licensing structure for both medical and nonmedical cannabis activities given that there were discrepancies between the MCRSA and AUMA. The new consolidated provisions under SB 94 is now known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA") to be governed by the California Bureau of Cannabis Control. MAUCRSA refers to medical cannabis as "medicinal cannabis" and nonmedical/recreational cannabis as "adult-use cannabis";

WHEREAS, on September 16, 2017, Governor Brown signed Assembly Bill 133 into law, which provided cleanup and substantive to MAUCRSA, including the removal of the requirement that licensed premises remain "separate and distinct" for each

license type; and

WHEREAS, in accordance with state law, the proposed Ordinance would allow certain medicinal-only commercial cannabis activities pursuant to MAUCRSA and locally tailored provisions pursuant to the City's police power under Section 7 of Article XI of the California Constitution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The recitals above are true and correct and incorporated herein by reference.

SECTION 2. Chapter 5.17 (Medical Marijuana Dispensaries) of Title 5 (Business Licenses and Regulations) of the El Monte Municipal Code is hereby repealed in its entirety.

SECTION 3. Section 17.06.160 (Medical Marijuana Dispensaries, Cooperatives, Collectives and Cultivation Prohibited in All Zones) of Chapter 17.06 (General Regulations) of Title 17 (Zoning) of the El Monte Municipal Code is hereby repealed in its entirety.

SECTION 4. Section 17.24.040 (Conditionally Permitted Uses in Specified Zones) of Chapter 17.24 (Conditional Use Permits) of Title 17 (Zoning) of the El Monte Municipal Code is hereby amended by the following Subsection 34, which shall read as follows:

(34) Medicinal commercial cannabis activities (cultivation, distribution, manufacturing, and laboratory testing), as permitted with City Council approval pursuant to Chapter 5.18 of this Code, in the portions of the M-1 (Light manufacturing), M-2 (General Manufacturing), C-3 (General Commercial), and O-P (Professional Office) zones, which are illustrated in Exhibit "A" to City Council Ordinance No. 2924. No such activity shall occur on a premises located within an 800 foot radius of a public or private school (kindergarten through grade 12), day care center, or youth center, that is in existence at the time the permit is issued. The distance specified in this section shall be measured in the same manner as provided in subdivision (c) of Section 11362.768 of the Health and Safety Code unless otherwise provided by law. No conditional use permit for such activity shall be valid without an accompanying and complementary development agreement entered into between the City and applicant, or designee, adopted in accordance with Chapter 17.84 and setting forth the terms and conditions under which the medicinal cannabis facility will operate, including, but not limited to, public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety and welfare. Notice for conditional use permits for commercial cannabis activities, as set forth in Section 17.24.020(D)(2), shall be expanded to five hundred (500) feet. Except as provided herein in Section 17.24.040 and Chapter 5.18, all commercial cannabis activities are prohibited throughout the City.

SECTION 5. Chapter 5.17 (Medical Marijuana Dispensaries) of Title 5 (Business Licenses and Regulations) of the El Monte Municipal Code is hereby amended by the addition of a new Chapter 5.18 (Commercial Cannabis Activities), which shall read as follows:

Chapter 5.18 – COMMERCIAL CANNABIS ACTIVITIES

Section 5.18.010 – Purpose and Intent.

It is the purpose and intent of this Chapter 5.18 to accommodate the needs of medically-ill persons in need of cannabis for medicinal purposes, as advised and recommended by their health care provider(s), and to implement state law, which

includes, but is not limited to the provisions of the Medicinal Adult-Use Cannabis Recreation and Safety Act (hereinafter, "MAUCRSA"), as may be amended and augmented under state law, while imposing regulations on the use of land to protect the City's neighborhoods, residents, and businesses from negative impacts. It is a further purpose and intent of this Chapter 5.18 to regulate the cultivation, manufacturing, processing, testing, and distribution of medicinal cannabis and medicinal cannabis-related products in a manner which is responsible, which protects the health, safety, and welfare of the residents of El Monte, and to enforce rules and regulations consistent with state law. In part to meet these objectives, an annual permit shall be required to own and/or to operate a commercial medicinal cannabis business within El Monte. Nothing in this Chapter 5.18 is intended to authorize the possession, use, or provision of cannabis for purposes which violate state or federal law. The provisions of this Chapter 5.18 are in addition to any other permits, licenses and approvals which may be required to conduct business in the City, and are in addition to any permits, licenses and approval required under state, county, or other law.

Section 5.18.020 – Legal Authority.

Pursuant to Sections 5 and 7 of Article XI of the California Constitution, and the provisions of the MAUCRSA, as may be amended and augmented under state law and any subsequent state legislation regarding the same, the City is authorized to adopt ordinances that establish standards, requirements, and regulations for local licenses and permits for medicinal cannabis and medicinal cannabis-related activity. Any standards, requirements, and regulations regarding health and safety, security, and worker protections established by the State of California, or any of its departments or divisions, shall be the minimum standards applicable in the City to medicinal cannabis, and/or medicinal cannabis-related activity.

Section 5.18.030 – Cannabis Cultivation and Commercial Medicinal Cannabis Business Activities Prohibited Unless Specifically Authorized by this Chapter.

A. Except as specifically authorized in this Chapter 5.18 and Section 17.24.040 of this Code, the cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, dispensing, distribution, delivery, and/or sale of cannabis or cannabis product is expressly prohibited in the City.

B. The following are expressly prohibited:

1. Adult-use commercial cannabis activities; and

2. Medicinal commercial cannabis delivery and/or sale, including dispensaries, and microbusinesses.

Section 5.18.040 – Compliance with Laws.

It is the responsibility of the owners and operators of the commercial medicinal cannabis business to ensure that it is, always, operating in a manner compliant with all applicable state and local laws and any regulations promulgated thereunder. Nothing in this Chapter 5.18 shall be construed as authorizing any actions which violate federal, state, or local law with respect to the operation of a commercial medicinal cannabis business. It shall be the responsibility of the owners and the operators of the commercial medicinal cannabis business to ensure that the commercial medicinal cannabis business is, at all times, operating in a manner compliant with all applicable federal, state and local laws, the 2008 Attorney General Guidelines, any subsequently enacted state law or regulatory, licensing, or certification requirements, and any specific, additional operating procedures or requirements which may be imposed as conditions of approval of the commercial medicinal cannabis business permit. Nothing in this Chapter 5.18 shall be construed as authorizing any actions which violate federal

or state law regarding the operation of a commercial medicinal cannabis business.

Section 5.18.050 – Definitions.

When used in this Chapter 5.18, the following words shall have the meanings ascribed to them as set forth herein. Any reference to California statutes includes any regulations promulgated thereunder and is deemed to include any successor or amended version of the referenced statute or regulatory provision. Definitions herein, which coincide with those set forth in MAUCRSA or other applicable state law, shall be deemed to include any successor or amended versions of such definitions.

A. "Cannabis" means all parts of the Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" also means marijuana as defined by Section 11018 of the California Health and Safety Code as enacted by Chapter 14017 of the Statutes of 1972. Cannabis does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this Chapter 5.18, cannabis does not mean industrial hemp as that term is defined by Section 81000 of the California Food and Agricultural Code or Section 11018.5 of the California Health and Safety Code.

B. "Cannabis Business Park" a park or campus is one contiguous commercial area of land which has many cannabis related businesses grouped together. Each individual business would be clearly defined, which has a unique entrance and immovable physical barriers between uniquely licensed premises.

C. "Cannabis concentrate" means cannabis that has undergone a process to concentrate one or more active cannabinoids, thereby increasing the product's potency. Resin from granular trichomes from a cannabis plant is a concentrate for purposes of this Chapter 5.18. A cannabis concentrate is not considered food, as defined by Section 109935 of the California Health and Safety Code, or drug, as defined by Section 109925 of the California Health and Safety Code.

D. "Cannabis product" means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

E. "Canopy" means all areas occupied by any portion of a cannabis plant, inclusive of all vertical planes, whether contiguous or noncontiguous on any one site.

F. "Caregiver" or "primary caregiver" has the same meaning as that term is defined in Section 11362.7 of the California Health and Safety Code.

G. "City" or "City of El Monte" means the City of El Monte, a California General Law City.

H. "Commercial cannabis activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging,

labeling, transportation, delivery or sale of cannabis and cannabis products as provided for in this Chapter 5.18

I. "Commercial medicinal cannabis business" means any business or operation which engages in medicinal commercial cannabis activity.

J. "Commercial medicinal cannabis business permit" means a regulatory permit issued by the City pursuant to this Chapter 5.18 to a commercial medicinal cannabis business and is required before any commercial cannabis activity may be conducted in the City. The initial permit and annual renewal of a commercial medicinal cannabis business permit is made expressly contingent upon the business's ongoing compliance with all of the requirements of this Chapter 5.18 and any regulations adopted by the City governing the commercial cannabis activity at issue.

K. "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

L. "Cultivation site" means a location where cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or a location where any combination of those activities may occur. Cultivation sites must be licensed by the City and state pursuant to this Chapter 5.18.

M. "Day care center" means any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and schoolage child care centers.

N. "Delivery" means the commercial transfer of cannabis or cannabis products to a customer. "Delivery" also includes the use by a retailer of any technology platform owned and controlled by the retailer.

O. "Dispensary" means a commercial medicinal cannabis business facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale, including an establishment (whether fixed or mobile) that delivers, pursuant to express authorization, cannabis and cannabis products as part of a retail sale.

P. "Dispensing" means any activity involving the retail sale of medicinal cannabis or medicinal cannabis products from a dispensary.

Q. "Distribution" means the procurement, sale, and transport of cannabis and cannabis products between persons authorized to engage in permitted commercial cannabis activities pursuant to this Chapter 5.18.

R. "Distributor" means a person engaged in the business of purchasing medicinal cannabis from a licensed cultivator or medicinal cannabis products from a license manufacturer for sale to a licensed medicinal cannabis dispensary. Distributors must be licensed by the City and state pursuant to this Chapter 5.18.

S. "Dried flower" means all dead cannabis that has been harvested, dried, cured, or otherwise processed, excluding leaves and stems.

T. "Edible cannabis product" means cannabis product that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum, but excluding products set forth in Division 15 (commencing with Section 32501) of the California Food and Agriculture Code. An edible cannabis product is not considered food, as defined by Section 109935 of the California Health and Safety Code, or drug, as defined by Section 109925 of the California Health and Safety Code. An edible cannabis product shall not

be deemed to be adulterated pursuant to Section 19347.6 of the Business and Professions Code solely because it contains cannabis.

U. "Greenhouse" means a fully enclosed permanent structure that is clad in transparent material with climate control, such as heating and ventilation capabilities and supplemental artificial lighting, and that uses a combination of natural and supplemental lighting for cultivation.

V. "Live plants" means living cannabis flowers and plants, including seeds, immature plants (including unrooted clones), and vegetative stage plants.

W. "Manufacture" means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product.

X. "Manufacturer" means a person that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container. A manufacturer may also be a person that infuses cannabis in its products but does not perform its own extraction.

Y. "Manufactured cannabis" means raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, extraction, or other manufactured product intended for internal consumption through inhalation or oral ingestion or for topical application.

Z. "Manufacturing site" means a location that produces, prepares, propagates, or compounds medicinal cannabis or medicinal cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis. Manufacturing sites must be licensed by the City and state pursuant to this Chapter 5.18.

AA. "Marijuana" means "cannabis," as that term is defined in this Chapter 5.18.

BB. "Microbusiness" means a commercial medicinal cannabis business facility of cultivation of medicinal cannabis on areas less than 10,000 square feet and also acts as a licensed distributor, manufacturer, and retailer.

CC. "Nursery" means a person that produces only clones, immature plants, seeds and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.

DD. "Owner" means any of the following:

1. A person with an aggregate ownership interest of 20% or more in the person applying for a license or a licensee, unless the interest is solely a security, lien, or encumbrance;

2. The chief executive officer of a nonprofit or other entity.

3. A member of the board of directors of a nonprofit.

4. An individual who will be participating in the direction, control, or management of the person applying for the license.

EE. "Patient" or "qualified patient" shall have the same definition as California Health and Safety Code Section 11362.7 et seq., as it may be amended, and which means a person who is entitled to the protections of California Health & Safety Code Section 11362.5.

FF. "Permittee" means the holder of a valid, City-issued commercial medicinal cannabis business permit.

GG. "Person" means an individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit and includes the plural as well as the singular number.

HH. "Person with an identification card" shall have the meaning given that term by California Health and Safety Code Section 11362.7.

II. "Premises" means the designated structure or structures and land specified in the commercial medicinal cannabis business permit application that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee.

JJ. "State License" means a permit or license issued by the State of California, or one of its departments or divisions, under MAUCRSA and any subsequent State of California legislation regarding the same to engage in commercial cannabis activity.

KK. "Testing laboratory" means a laboratory, facility, or entity in the City that offers or performs tests of medicinal cannabis or medicinal cannabis products and that is both of the following:

1. Accredited by an accrediting body that is independent from all other persons involved in the medicinal cannabis industry in the state.

2. Licensed by the Bureau of Cannabis Control and is owned and operated by a person issued a valid commercial medicinal cannabis business permit for laboratory testing from the City.

LL. "Topical cannabis" means a product intended for external application and/or absorption through the skin. A topical cannabis product is not considered a drug as defined by Section 109925 of the California Health and Safety Code.

MM. "Volatile solvent" means a solvent that is or produces a flammable gas vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures.

NN. "Youth center" means any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

Section 5.18.060 – Cannabis Employee Permit Required.

A. Any person who is an employee or who otherwise works or volunteers within a commercial medicinal cannabis business must be legally authorized to do so under applicable state law. Employees, workers, or volunteers at businesses that are permitted by the City that are operating pursuant to Health & Safety Code Section 11362.775(a) as collectives or cooperatives until that subsection is repealed must be qualified patients or primary caregivers as required by state law.

B. Any person who is an employee or who otherwise works or volunteers within a commercial medicinal cannabis business must obtain a commercial medicinal employee work permit from the City prior to performing any work at any commercial medicinal cannabis business.

C. Applications for a commercial medicinal cannabis employee work permit shall be developed and made available by the City Manager or his/her designee(s), and shall include, but not be limited to, the following information:

1. Name, address, and phone number of the applicant;

2. Age and verification of applicant. A copy of a birth certificate, driver's license, government issued identification card, passport or other proof that the applicant is at least twenty-one (21) years of age must be submitted with the application;

3. Name, address of the commercial medicinal cannabis businesses where the person will be employed, and the name of the primary manager of that business;

4. A list of any crimes enumerated in California Business and Professions Code Section 26507(b)(4) for which the applicant has been convicted;

5. Name, address, and contact person for any previous employers from which the applicant was fired, resigned, or asked to leave and the reasons for such dismissal or firing;

6. The application shall be accompanied by fingerprints and a recent photograph of the applicant in a form and manner as required by the City Manager or designee(s);

7. A signed statement under penalty of perjury that the information provided is true and correct;

8. If applicable, verification that the applicant is a qualified patient or primary caregiver; and

9. A fee paid in an amount set by resolution of the City Council in an amount necessary to cover the costs of administering the employee work permit programs. The fee is non-refundable and shall not be returned in the event the work permit is denied or revoked.

D. The City Manager or designee(s) shall review the application for completeness and shall direct the Chief of Police to conduct a background check in accordance with Section 5.18.230(L) to determine whether the applicant was convicted of a crime or left a previous employer for reasons that show the applicant:

1. Is dishonest; or

2. Has committed a felony or misdemeanor involving fraud, deceit, embezzlement; or

3. Was convicted of a violent felony, a crime of moral turpitude; or

4. The illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, except for medicinal cannabis related offenses for which the conviction occurred after the passage of the Compassionate Use Act of 1996.

Discovery of these facts showing that the applicant is dishonest or has been convicted of those types of crimes are grounds for denial of the permit. Where the applicant's sentence (including any term of probation, incarceration, or supervised release) for possession of, possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance is completed, such underlying conviction shall not be the sole ground for denial of a commercial medicinal cannabis work permit. Furthermore, an applicant shall not be denied a permit if the denial is based solely on any of the

following (i) a conviction for any crime listed in Subsection (D)(4) above for which the applicant has obtained a certificate of rehabilitation pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the California Penal Code or (ii) a conviction that was subsequently dismissed pursuant to Sections 1203.4, 1203.4a, or 1203.41 of the California Penal Code or any other provision of state law allowing for dismissal of a conviction.

E. The City Manager or designee(s) shall issue the commercial medicinal cannabis work permit or a written denial to the applicant within ninety (90) days of the date the application was deemed complete by the City, unless the applicant stipulates to an extension of the City Manager's response time. Upon the request of a commercial medicinal cannabis business and while processing the application for a work permit, the City Manager or his/her designee(s) may issue a temporary work permit for an employee if the business demonstrates to the City Manager or his/her designee(s) that the employee is necessary for the operation of the business. The temporary permit may be immediately revoked by the City Manager or his/her designee(s) upon determination that the applicant has failed the background check.

F. A work permit shall be valid for a twelve (12) month period from issuance and must be renewed on an annual basis. Renewal applications shall contain all the information required in Subsection B above including the payment of a renewal application fee in an amount to be set by resolution of the City Council.

G. In the event a person changes employment from one commercial medicinal cannabis business in the City to another, the work permit holder shall notify the City Manager or his/her designee(s) in writing of the change within ten (10) days, or the work permit shall be suspended or revoked and such person shall not be permitted to work at any commercial medicinal cannabis business in the City.

H. The City may immediately revoke the commercial medicinal cannabis work permit should the permit holder be convicted of a crime listed in Subsection C and D above or if facts become known to the City Manager or his/her designee(s) that the permit holder has engaged in activities showing that he or she is dishonest.

I. The City Manager or designee(s) is hereby authorized to promulgate all regulations necessary to implement the work permit process and requirements.

J. The applicant may appeal the denial or revocation of a commercial medicinal cannabis work permit by filing a notice of appeal with the City Clerk within ten (10) days of the date the applicant received the notice of denial, which appeal shall be conducted as set forth in this Chapter 5.18.

K. The City Manager or his/her designee(s) shall issue a permit in the form of a personal identification card that can be worn by the employee, which shall include a photograph of such employee. The personal identification card shall be worn approximately chest-high on their outermost garment, in a prominent and visible location. The identification card shall be maintained in good and readable condition at all times.

Section 5.18.070 – Commercial Medicinal Cannabis Business Permit Required to Engage in Commercial Medicinal Cannabis Business.

A. No person may engage in any commercial medicinal cannabis business or in any medicinal commercial cannabis activity within the City including cultivation, nursery, manufacture, processing, laboratory testing, transporting, or distribution, of cannabis or cannabis product unless the person (1) has a valid commercial medicinal cannabis business permit issued by the City

Manager upon City Council approval of a conditional use permit, development agreement, and any other applicable approvals, including, but not limited to, a building permit and business licenses; and (2) is currently in compliance with all applicable state and local laws and regulations pertaining to the commercial medicinal cannabis business and the commercial cannabis activities, including the duty to obtain any required state licenses.

B. Until Health & Safety Code Section 11362.775, subdivision (a), is repealed, the City intends that person's eligible to operate collectives or cooperatives under that subdivision shall be eligible to apply for a City permit to conduct commercial cannabis activities but only to the degree those activities are authorized under state law for collectives and cooperatives. When the Health & Safety Code Section 11362.775, subdivision (a), is repealed, or as soon as collectives and cooperatives are no longer permitted to engage in commercial cannabis activity under state law, any City permit holder operating a commercial medicinal cannabis business under a collective or cooperative who has not already obtained a state license for the commercial cannabis activities they are engaged in shall automatically forfeit his or her City commercial medicinal cannabis business permit. At that point, such former permit holder shall no longer be authorized to engage in any commercial cannabis activities in the City until they obtain both a City issued commercial medicinal cannabis business permit and a state license for that commercial cannabis activity.

C. The maximum number of each type of commercial medicinal cannabis business permits that shall be permitted to operate in the City, if any such maximum is desired by the City Council, shall be established by resolution of the City Council. Nothing in this Subsection creates a mandate that the City Council must issue any or all of the commercial medicinal cannabis business permits if it is determined that the applicants do not meet the standards which are established in the application requirements or further amendments to the application process.

D. Each year following the City Council's initial award of commercial medicinal cannabis business permits, if any, or at any time in the City Council's discretion, the City Council may reassess the number of commercial medicinal cannabis business permits which are authorized for issuance. The City Council, in its discretion, may determine by resolution that the number of commercial medicinal cannabis permits should stay the same or be expanded.

E. The City Council shall adopt, by resolution, an application process, and related forms, which shall provide for a point system based evaluation of applications by an independent third-party, who shall score applicants and recommend the best applicants to City staff for additional review by staff, which shall identify applicants who may apply for a conditional use permit and development agreement, in accordance with Section 17.24.040(34) of this Code. Additional points shall be awarded to applicants with 10 or more employees who commit to enter into, or demonstrate that it has already entered into, and abide by the terms of a labor peace agreement, as defined in Business and Professions Code Section 26001(x).

F. Any person intending to open and to operate a commercial medicinal cannabis business shall provide sufficient evidence of the legal right to occupy and to use the proposed location of such business. In the event the proposed location will be leased from another person, the applicant shall be required to provide a signed and notarized statement from the owner of such property, acknowledging that the property owner has read this Chapter 5.18 and consents to the operation of the commercial medicinal cannabis business on the owner's property.

G. At the time of filing, each applicant shall pay an application fee established by resolution of the City Council to cover all costs incurred by the City in the application process.

H. THE CITY'S RESERVATION OF RIGHTS:

The City reserves the right to reject any or all applications received by the City for of commercial medicinal cannabis business permits. The City may also modify, postpone, or cancel any request for applications, or the entire program under this Chapter 5.18, at any time without liability, obligation, or commitment to any party, firm, or organization. Persons submitting applications assume the risk that all or any part of the program, or any particular category of permit potentially authorized under this Chapter 5.18, may be cancelled at any time prior to permit issuance. The City further reserves the right to request and obtain additional information from any candidate submitting an application for a of commercial medicinal cannabis business permit. In addition to any other justification provided a failure to comply with other requirements in this Chapter 5.18, an application RISKS BEING REJECTED for any of the following reasons:

1. Proposal received after designated time and date.

2. Proposal not containing the required elements, exhibits, nor organized in the required format.

3. Proposal considered not fully responsive to this request for permit application.

4. Proposal contains excess or extraneous material not called for in the request for permit application.

Section 5.18.080 – Limitations on City's Liability.

To the fullest extent permitted by law, the City shall not assume any liability whatsoever with respect to having issued a commercial medicinal cannabis business permit pursuant to this Chapter 5.18 or otherwise approving the operation of any commercial medicinal cannabis business. As a condition to the approval of any commercial medicinal cannabis business permit, the applicant shall be required to meet all of the following conditions before they can receive the commercial medicinal cannabis business permit:

A. They must execute an agreement, in a form approved by the city attorney, agreeing to indemnify, defend (at applicant's sole cost and expense), and hold the City, and its officers, officials, employees, representatives, and agents, harmless, from any and all claims, losses, damages, injuries, liabilities or losses which arise out of, or which are in any way related to, the City's issuance of the commercial medicinal cannabis business permit, the City's decision to approve the operation of the commercial medicinal cannabis business or activity, to process used by the City in making its decision, or the alleged violation of any federal, state, or local laws by the commercial medicinal cannabis business or any of its officers, employees, or agents.

B. Maintain insurance at coverage limits, and with conditions thereon determined necessary and appropriate from time to time by the City Attorney.

C. Reimburse the City for all costs and expenses, including but not limited to attorney's fees and costs and court costs, which the City may be required to pay as a result of any legal challenge related to the City's approval of the applicant's commercial medicinal cannabis business permit or related to the City's approval of a medicinal commercial cannabis activity. The City, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve any of the obligations imposed hereunder.

Section 5.18.090 – Expiration of Commercial Medicinal Cannabis Business Permits.

Each commercial medicinal cannabis business permit issued pursuant to this Chapter 5.18 shall expire twelve (12) months after the date of its issuance. Commercial medicinal cannabis permits may be renewed as provided in Section 5.18.110.

Section 5.18.100 – Revocation of Commercial Medicinal Cannabis Business Permits.

Commercial medicinal cannabis business permits may be revoked for any violation of any law and/or any rule, regulation, and/or standard adopted pursuant to this Chapter 5.18.

Section 5.18.110 – Renewal Applications for Commercial Medicinal Cannabis Business Permits.

A. An application for renewal of a commercial medicinal cannabis business permit shall be filed at least sixty (60) calendar days prior to the expiration date of a valid, current commercial medicinal cannabis business permit.

B. The renewal application shall contain all the information required for new applications.

C. The applicant shall pay a fee in an amount to be set by the City Council to cover the costs of processing the renewal permit application, together with any costs incurred by the City to administer the program created under this Chapter 5.18.

D. An application for renewal of a commercial medicinal cannabis business permit shall be rejected if any of the following exists:

   1. The application is filed less than sixty (60) days before its expiration.

   2. The commercial medicinal cannabis business permit is suspended or revoked at the time of the application.

   3. The commercial medicinal cannabis business has not been in regular and continuous operation in the four (4) months prior to the renewal application.

   4. The commercial medicinal cannabis business has failed to conform to the requirements of this Title, or of any regulations adopted pursuant to this Title.

   5. The permittee fails or is unable to renew its State of California license.

   6. If the City or state has determined, based on substantial evidence, that the permittee or applicant is in violation of the requirements of this Chapter 5.18, of the City's Municipal Code, or of the state rules and regulations, and the City or state has determined that the violation is grounds for termination or revocation of the commercial medicinal cannabis business permit.

E. The City Manager or designee(s) is authorized to make all decisions concerning the issuance of a renewal permit. In making the decision, the City Manager or his/her designee(s) is authorized to impose additional conditions to a renewal permit, if it is determined to be necessary to ensure compliance with state or local laws and regulations or to preserve the public health, safety or welfare. Appeals from the decision of the City Manager or his/her designee(s) shall be handled pursuant to Chapter 5.18.130.

F. If a renewal application is rejected, a person may file a new application pursuant to this Chapter 5.18 no sooner than one (1) year from the date of the rejection.

Section 5.18.120. – Effect of State License Suspension, Revocation, or Termination.

Suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a commercial medicinal cannabis business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a commercial medicinal cannabis business, such revocation or termination shall also revoke or terminate the ability of a commercial medicinal cannabis business to operate within the City.

Section 5.18.130. – Appeals Regarding Commercial Medicinal Business License Permits.

A. Within ten (10) calendar days after the date of a decision of the City Manager or his/her designee(s) to revoke, suspend or deny a permit, or to add conditions to a permit, an aggrieved party may appeal such action by filing a written appeal with the City Clerk setting forth the reasons why the decision was not proper.

B. At the time of filing the appellant shall pay the designated appeal fee, established by resolution of the City Council from time to time.

C. Upon receipt of the written appeal, the City Clerk shall set the matter for a hearing before the City Council. The City Council shall hear the matter de novo, and shall conduct the hearing pursuant to the procedures set forth by the City.

D. The appeal shall be held within a reasonable time after the filing the appeal, but in no event later than ninety (90) days from the date of such filing. The City shall notify the appellant of the time and location at least ten (10) days prior to the date of the hearing.

E. At the hearing, the appellant may present any information they deem relevant to the decision appealed. The formal rules of evidence and procedure applicable in a court of law shall not apply to the hearing.

F. At the conclusion of the hearing the City Council may affirm, reverse or modify the decision appealed. The decision of the City Council shall be final.

5.18.140 – Change in Location; Updated Registration Form.

A. Any time the business location specified in the commercial medicinal cannabis business permit is changed, the applicant shall require a new commercial medicinal cannabis business permit in accordance with Section 5.18.070(A).

B. Within fifteen (15) calendar days of any other change in the information provided in the registration form or any change in status of compliance with the provisions of this chapter, including any change in the commercial medicinal cannabis business ownership or management members, the applicant shall file an updated registration form with the City Manager or designee(s) for review along with a registration amendment fee.

Section 5.18.150 – Transfer of Commercial Medicinal Cannabis Business Permit.

A. The owner of a commercial medicinal cannabis business license permit shall not transfer ownership or control of such permit to another person or entity

unless and until the transferee obtains an amendment to the permit from the City Manager or designee(s) stating that the transferee is now the permittee. Such an amendment may be obtained only if the transferee files an application with the City Manager accompanied by a transfer fee in an amount set by resolution of the City Council (or if not set, shall be the same amount as the commercial medicinal cannabis business license permit application fee), and the City Manager or designee(s) determines that the transferee passed the background check required for permittees and meets all other requirements of this Chapter 5.18.

B. Commercial medicinal cannabis business permits issued through the grant of a transfer by the City Manager or designee(s) shall be valid for a period of one (1) year beginning on the day the City Manager or designee(s) approves the transfer of the permit. Before the transferee's permit expires, the transferee shall apply for a renewal permit in the manner required by this Chapter 5.18.

C. Changes in ownership of a permittee's business structure or a substantial change in the ownership of a permittee business entity (changes that result in a change of more than 51% of the original ownership), must be approved by the City Council through the transfer process contained in this Subsection A, above. Failure to comply with this provision is grounds for commercial medicinal cannabis business license permit.

D. A permittee may change the form of business entity without applying to the City Manager or designee(s) for a transfer of permit, provided that either:

1. The membership of the new business entity is substantially similar to original permit holder business entity (at least 51% of the membership is identical), or

2. If the original permittee is a cooperative or collective and then transitions to a new business entity to comply with Section 5.18.070(B), provided that the original operator(s) of the original permittee business are the same, and the only change is removing collective/cooperative members from the ownership of the new business entity.

Although a transfer is not required in these two circumstances, the permittee is required to notify the City Manager in writing of the change within ten (10) days of the change. Failure to comply with this provision is grounds for permit revocation.

E. No commercial medicinal cannabis business permit may be transferred when the City Manager or Police Chief has notified the permittee that the permit has been or may be suspended or revoked.

F. Any attempt to transfer a commercial medicinal cannabis business permit either directly or indirectly in violation of this Section 5.18.150 is hereby declared void, and such a purported transfer shall be deemed a ground for revocation of the permit.

Section 5.18.160 – City Business License.

Prior to commencing operations, a commercial medicinal cannabis business shall obtain a City of El Monte business license, pursuant to Chapter 5.04.

Section 5.18.170 – Building Permits and Inspection.

Prior to commencing operations, a commercial medicinal cannabis business shall be subject to a mandatory building inspection and must obtain all required permits and approvals which would otherwise be required for any business of the same size and intensity operating in the zone in which the business proposes to be located. These includes but are not limited to building permits, fire department

approvals, health and safety approvals, zoning approvals, including those set forth in Section 17.24.040(34).

Section 5.18.180 – Records and Recordkeeping.

A. Each owner and operator of a commercial medicinal cannabis business shall maintain accurate books and records in an electronic format, which detail all revenues and expenses of the business, including, but not limited to, all of its assets and liabilities. On no less than an annual basis (at or before the time of the renewal of a commercial medicinal cannabis business permit issued pursuant to this Chapter 5.18), or at any time upon reasonable request of the City, each commercial medicinal cannabis business shall file a sworn statement detailing the number of sales by the commercial medicinal cannabis business during the previous 12-month period (or shorter period based upon the timing of the request) detailing sales for each month within such period in question. The statement shall also include gross sales for each month and all applicable taxes paid or due to be paid. On an annual basis, each owner and operator shall submit to the City a financial audit of the business's operations conducted by an independent certified public accountant. Each permittee shall be subject to a regulatory compliance review and financial audit as determined by the City Manager or designee(s).

B. Each owner and operator of a commercial medicinal cannabis business shall maintain a current register of the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in the commercial medicinal cannabis business and, separately, the same contact information of all officers, managers, employees, agents, and volunteers currently employed or otherwise engaged by the commercial medicinal cannabis business. The register required by this paragraph shall be provided to the City Manager or designee(s) upon a reasonable request.

C. Each commercial medicinal cannabis business shall maintain a record of all distributions of cannabis and cannabis products to other commercial medicinal cannabis businesses authorized by state law for a period of no less than four (4) years.

D. All commercial medicinal cannabis businesses shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the growing, production, manufacturing, laboratory testing, and/or distribution, or other commercial cannabis activity processes until purchase or distribution for medicinal purpose as set forth under state law, as may subsequently be amended.

E. Subject to any restrictions under the Health Insurance Portability and Accountability Act (HIPPA) regulations, each commercial medicinal cannabis business shall grant City officials access to the business's books, records, accounts, together with any other data or documents relevant to its permitted commercial medicinal cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents shall be produced no later than twenty-four (24) hours after receipt of the City's request for such data, unless otherwise stipulated by the City. The City may require the materials to be submitted in an electronic format that is compatible with the City's software and hardware.

Section 5.18.190 – Security Measures.

A. A permitted commercial medicinal cannabis business shall implement sufficient security measures 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 medicinal cannabis business. Except as may otherwise be determined by the Chief of

Police or designee(s), these security measures shall include, but are not limited to, all of the following:

1. Preventing individuals from remaining on the premises of the commercial medicinal cannabis business if they are not engaging in an activity directly related to the permitted operations of the commercial medicinal cannabis business.

2. Establishing limited access areas accessible only to authorized commercial medicinal cannabis business personnel.

3. Except for live growing plants, which are being cultivated at a cultivation facility, all cannabis and cannabis products shall be stored in a secured and locked room, safe, or vault. All cannabis and cannabis products, including live plants which are being cultivated, shall be kept in a manner designed to prevent diversion, theft, and loss.

4. Installing 24-hour security surveillance cameras of at least HD-quality to monitor all entrances and exits to and from the premises, all interior spaces within the commercial medicinal cannabis business, which are open and accessible to the public, all interior spaces where cannabis, cash or currency, is being stored for any period of time on a regular basis, and all interior spaces where diversion of cannabis could reasonably occur. The commercial medicinal cannabis business shall be responsible for ensuring that the security surveillance camera's footage is remotely accessible by the Chief of Police or designee(s), and that it is compatible with the City's software and hardware. In addition, remote and real-time, live access to the video footage from the cameras shall be provided to the Chief of Police or designee(s). Video recordings shall be maintained for a minimum of forty-five (45) days and shall be made available to the Chief of Police or designee(s) upon request. Video shall be of sufficient quality for effective prosecution of any crime found to have occurred on the site of the commercial medicinal cannabis business.

5. Sensors shall be installed to detect entry and exit from all secure areas.

6. Panic buttons shall be installed in all commercial medicinal cannabis businesses.

7. Having a professionally installed, maintained, and monitored alarm system.

8. Any bars installed on the windows or the doors of the commercial medicinal cannabis business shall be installed only on the interior of the building.

9. Security personnel shall be on-site 24 hours a day or alternative security as authorized by the Police Chief or designee(s). Security personnel must be licensed by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the Chief of Police or designee(s), which shall not be unreasonably withheld.

10. Each commercial medicinal cannabis business shall install standby generators and have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.

11. Additional security measures may be added through the review of the conditional use permit and development agreement process.

B. Each commercial medicinal cannabis business shall identify a designated security representative/liaison to the City, who shall be reasonably available

to meet with the Chief of Police or designee(s) regarding any security related measures or and operational issues.

C. As part of the application and permitting process each commercial medicinal cannabis business shall have a storage and transportation plan and currency management plan, which describes in detail the procedures for safely and securely storing, disposing and transporting all cannabis, cannabis products, and any currency.

D. The commercial medicinal cannabis business shall cooperate with the City whenever the Chief of Police or designee(s) makes a request, upon reasonable notice to the commercial medicinal cannabis business, to inspect or audit the effectiveness of any security plan or of any other requirement of this Title.

E. A commercial medicinal cannabis business shall notify the Chief of Police or designee(s) within twenty-four (24) hours after discovering any of the following:

1. Significant discrepancies identified during inventory. The level of significance shall be determined by the regulations promulgated by the Chief of Police or designee(s).

2. Diversion, theft, loss, or any criminal activity involving the commercial medicinal cannabis business or any agent or employee of the commercial medicinal cannabis business.

3. The loss or unauthorized alteration of records related to cannabis, registering qualifying patients, primary caregivers, or employees and/or agents of the commercial medicinal cannabis business.

4. Any other breach of security.

Section 5.18.200 – Restriction on Alcohol Sales.

No person shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on or about the premises of the commercial medicinal cannabis business.

Section 5.18.210 – Compliance with Laws.

It is the responsibility of the owners and operators of the commercial medicinal cannabis business to ensure that it is, at all times, operating in a manner compliant with all applicable state and local laws and any regulations promulgated and applicable thereunder. Nothing in this Chapter 5.18 shall be construed as authorizing any actions which violate state law or local law with respect to the operation of a commercial medicinal cannabis business. It shall be the responsibility of the owners and the operators of the commercial medicinal cannabis business to ensure that the commercial medicinal cannabis business is, at all times, operating in a manner compliant with all applicable state and local laws, the 2008 Attorney General Guidelines any subsequently enacted state law or regulatory, licensing, or certification requirements, and any specific, additional operating procedures or requirements which may be imposed as conditions of approval of the commercial medicinal cannabis business permit. Nothing in this Chapter 5.18 shall be construed as authorizing any actions which violate state law with regard to the operation of a commercial medicinal cannabis business.

Section 5.18.220 – Fees and Charges.

A. No person may commence or continue any medicinal commercial cannabis activity in the City without timely paying in full all fees and charges required for the operation of a commercial cannabis activity. Fees and charges associated with the operation of such activity shall be established by resolution of the City Council which may be amended from time to time.

B. All commercial medicinal cannabis businesses authorized to operate under this Title shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees required under federal, state and local law. Each commercial medicinal cannabis business shall cooperate with City with respect to any reasonable request to audit the commercial medicinal cannabis business' books and records for the purpose of verifying compliance with this section, including, but not limited to, a verification of the amount of taxes required to be paid during any period.

Section 5.18.230 – Miscellaneous Operating Requirements.

A. Commercial medicinal cannabis businesses may operate only during the hours specified in the commercial medicinal cannabis business permit issued by the City and must comply with state law at all times.

B. Restriction on Consumption of Cannabis. Cannabis shall not be consumed on the premises of any commercial medicinal cannabis businesses or elsewhere in the City other than within private residences.

C. No cannabis or cannabis products or graphics depicting cannabis or cannabis products shall be visible from the exterior of any property issued a commercial medicinal cannabis business permit or on any of the vehicles owned or used as part of the commercial medicinal cannabis business. No outdoor storage of cannabis or cannabis products is permitted at any time.

D. Reporting and Tracking of Product and of Gross Sales. Each commercial medicinal cannabis business shall have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the commercial medicinal cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the City. The commercial medicinal cannabis business shall ensure that such information is compatible with the City's record-keeping systems. In addition, the system must have the capability to produce historical transactional data for review. Furthermore, any system selected must be approved and authorized by the City Manager or designee(s) prior to being used by the permittee.

E. Each commercial medicinal cannabis business shall install standby generators and have the capability to remain operational during a power outage.

F. All cannabis and cannabis products sold, distributed, and/or manufactured shall be cultivated, manufactured, and distributed by licensed facilities that maintain operations in full conformance with the state and local regulations.

G. There shall not be a physician located in or around any commercial medicinal cannabis business at any time for the purpose of evaluating patients for the issuance of a medicinal cannabis prescription or card where applicable.

H. Emergency Contact. Each commercial medicinal cannabis business shall provide the City Manager or designee(s) with the name, telephone number (both land line and mobile, if available) of an on-site employee or owner to whom emergency notice can be provided at any hour of the day.

I. Signage and Notices.

1. In addition to the requirements otherwise set forth in this section, business identification signage for a commercial medicinal cannabis business shall conform to the requirements of the El Monte Municipal Code, including, but not limited to, seeking the issuance of a City sign permit.

2. No signs placed on the premises of a commercial medicinal cannabis business shall obstruct any entrance or exit to the building or any window.

3. Each entrance to a commercial medicinal cannabis business shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises, or in the areas adjacent to the premises, is prohibited.

4. The entrance to the commercial medicinal cannabis business shall be clearly and legibly posted with a notice that no person under the age of twenty-one (21) years of age is permitted to enter upon the premises of the commercial medicinal cannabis business.

5. Business identification signage shall be limited to that needed for identification only, and shall not contain any logos or information that identifies, advertises, or lists the services or the products offered. No commercial medicinal cannabis business shall advertise by having a person holding a sign and advertising the business to passersby, whether such person is on the premises of the commercial medicinal cannabis business or elsewhere including, but not limited to, the public right-of-way.

6. Signage shall not be directly illuminated, internally or externally. No banners, flags, billboards, or other prohibited signs may be used at any time.

7. Holders of commercial medicinal cannabis business permits agree that, as an express and ongoing condition of permit issuance and subsequent renewal, the holder of the permit shall be prohibited from advertising any commercial medicinal cannabis business located in the City utilizing a billboard (fixed or mobile), bus shelter, placard, aircraft, or other similar forms of advertising, anywhere in the state. This paragraph is not intended to place limitations on the ability of a commercial medicinal cannabis business to advertise in other legally authorized forms, including on the internet, in magazines, or in other similar ways.

J. Minors. Persons under the age of twenty-one (21) years shall not be allowed on the premises of a commercial medicinal cannabis business and shall not be allowed to serve as a driver for a transport service. It shall be unlawful and a violation of this Chapter 5.18 for any person to employ any person at a commercial medicinal cannabis business who is not at least twenty-one (21) years of age.

K. Odor Control. Odor control devices and techniques shall be incorporated in all commercial medicinal cannabis businesses to ensure that odors from cannabis are not detectable off-site. Commercial medicinal cannabis businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the commercial medicinal cannabis business 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 the commercial medicinal cannabis business. As such, commercial medicinal cannabis businesses must install and maintain the following equipment, or any other equipment which the Economic Development Director or designee(s) determine is a more effective method or technology:

1. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;

2. An air system that creates negative air pressure between the commercial medicinal cannabis business's interior and exterior, so that the odors generated inside the commercial medicinal cannabis business are not detectable on the outside of the commercial cannabis business.

L. Display of Permit and City Business License. The original copy of the commercial medicinal cannabis business permit issued by the City pursuant to this Chapter 5.18 and the City issued business license shall be posted inside the commercial medicinal cannabis business in a location readily-visible to the public.

M. Background Check. Pursuant to California Penal Code Sections 11105(b)(11) and 13300(b)(11), which authorizes City authorities to access state and local summary criminal history information for employment, licensing, or certification purposes; and authorizes access to federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation, every person listed as an owner, manager, supervisor, employee or volunteer, of the commercial medicinal cannabis business must submit fingerprints and other information deemed necessary by the Chief of Police or his/her designee(s) for a background check by the El Monte Police Department. Pursuant to California Penal Code Sections 11105(b)(11) and 13300(b)(11), which requires that there be a requirement or exclusion from employment, licensing or certification based on specific criminal conduct on the part of the subject of the record. No person shall be issued a permit to operate a commercial medicinal cannabis business or a related work permit unless they have first cleared the background check, as determined by the Chief of Police or designee(s), as required by this Chapter 5.18. A fee for the cost of the background investigation, which shall be the actual cost to the City to conduct the background investigation as it deems necessary and appropriate, shall be paid at the time the application for a commercial medicinal cannabis business permit is submitted.

N. Loitering. The owner and/or operator of a commercial medicinal cannabis business shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.

O. Additional operating requirements may be added through the review of the conditional use permit and development agreement process.

P. If a commercial medicinal cannabis business permittee is operating as a collective or cooperative under Health and Safety Code Section 11362.775, subdivision (a), members of the applicant authorized to possess cannabis shall sign an agreement with the commercial medicinal cannabis business which states that members shall not distribute cannabis or cannabis products to non-members or in violation of the "Memorandum for all United States Attorneys," issued by the United States Department of Justice, from James M. Cole, Deputy Attorney General and any other applicable state and federal laws, regulations, or guidelines.

Q. If the commercial medicinal cannabis business permittee is operating as a collective or cooperative under Health and Safety Code Section 11362.775, subdivision (a), the commercial medicinal cannabis business shall terminate the membership of any member violating any of the provisions of this Title.

Section 5.18.240 – Additional Operational Requirements.

The City Manager or designee may develop additional commercial medicinal cannabis business operational requirements or regulations as are determined to be necessary to protect the public health, safety and welfare.

Section 5.18.250 – Operating Requirements for Cultivation Facilities.

A. Cultivation facilities must operate at all times in accordance with state law.

B. Cultivation facilities may locate within appropriate areas as described in Section 17.24.040(34), subject to the regulations set forth in this Chapter

5.18, and subject to whatever additional regulations may be promulgated hereunder by the City Council or designee.

C. Outdoor Cultivation Prohibited. The cultivation of all cannabis must occur indoors. All outdoor cultivation is prohibited.

D. In no case, shall cannabis plants be visible from the facility's parking lot, a public or private road, sidewalk, park, or any common public viewing area.

E. Commercial medicinal cannabis cultivation in this City shall only be allowed to cultivate within canopy space limitations under state law.

F. Cannabis cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.

G. Pesticides and fertilizers shall be properly labeled and stored to avoid contamination through erosion, leakage or inadvertent damage from pests, rodents or other wildlife.

H. In no case shall any hazardous, flammable, or explosive substances be used to process or manufacture cannabis products on site, unless a separate medicinal commercial cannabis permit is issued for the premises, which allows the use of such substances (e.g. manufacturing).

I. The cultivation of cannabis shall at all times be operated in such a way as to ensure the health, safety, and welfare of the public, the employees working at the commercial medicinal cannabis business, visitors to the area, neighboring properties, and the end users of the cannabis being cultivated, to protect the environment from harm to streams, fish, and wildlife; to ensure the security of the cannabis being cultivated; and to safeguard against the diversion of cannabis.

J. All applicants for a medicinal cannabis cultivation permit shall submit the following in addition to the information generally otherwise required for a commercial medicinal cannabis business:

1. A cultivation and operations plan that meets or exceeds minimum legal standards for water usage, conservation, and use; drainage, runoff, and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of the cultivation activities (indoor, mixed-light) and schedule of activities during each month of growing and harvesting, or explanation of growth cycles and anticipated harvesting schedules for all-season harvesting (indoor, mixed-light).

2. A description of a legal water source, irrigation plan, and projected water use.

3. Identification of the source of electrical power and plan for compliance with applicable Building Codes and related regulations, codes, and/or rules.

4. Plan for addressing odor and other public nuisances which may derive from the cultivation site.

K. Additional operating requirements may be added through the review of the conditional use permit and development agreement process.

Section 5.18.260 – Cannabis Manufacturing: Edibles and Other Cannabis Products; Sale or Distribution of Edible and Other Cannabis Products.

The manufacturing of food or other products infused with or which otherwise contain cannabis may be manufactured within the appropriate areas as set forth

in Section 17.24.040(34), subject to state law, the regulations set forth in this Chapter 5.18, and whatever additional regulations may be promulgated hereunder by an the City Council or designee.

Section 5.18.270 – Packaging and Labeling.

A. The packaging and labeling of edible cannabis or edible cannabis products shall comply at all times with state law.

B. Before a commercial medicinal cannabis manufacturer prepares any edible cannabis or edible cannabis product for retail sale, it shall be labeled and placed in tamper-evident packaging which at least meets the requirements of California Business and Professions Code Section 19347, as the same may be amended from time-to-time or superseded or replaced by subsequent state legislation or by any department or division of the State of California.

C. All items to be sold or distributed shall be individually wrapped at the original point of preparation by the business permitted as a commercial cannabis manufacturer.

D. Labeling must include a warning if nuts or other known allergens are used, and must include the total weight (in ounces or grams) of cannabis in the package.

E. A warning that the item is a medication and not a food must be clearly legible on the front of the package and/or must comply with state packing requirements.

F. The package must have a label warning that the product is to be kept away from children.

G. The label must also state that the product contains cannabis and must specify the date of manufacture and the manufacturer's information, including, but not limited to, address, phone number, and commercial medicinal cannabis business permit number.

H. Any edible cannabis product that is made to resemble a typical food product must be in a properly labeled opaque (non-see-through) package before it leaves the commercial cannabis manufacturing business.

I. Distributions must be in a properly labeled opaque package when distributed.

J. The City Council, or designee, may impose additional packaging and labeling requirements on cannabis or cannabis products.

Section 5.18.280 – Operating Requirements for Cannabis Manufacturing (Levels One and Two), Extraction, and the Like

A. Cannabis manufacturing facilities shall comply with state law at all times.

B. Cannabis manufacturing facilities requiring a Type-6 or Type-7 state license (using non-volatile and volatile solvents) as defined in California Business and Professions Code Section 19341, may be permitted to operate within those areas as set forth in Section 17.24.040(34).

C. Any compressed gases used in the manufacturing process shall not be stored on any property within the City in containers that exceeds the amount which is approved by the Fire Department and authorized by the regulatory permit. Each site or parcel subject to a commercial medicinal cannabis business permit shall be limited to a total number of tanks as authorized by the Fire Department on the property at any time.

D. Cannabis manufacturing facilities may use the hydrocarbons N-butane, isobutane, propane, or heptane or other solvents or gases exhibiting low to

minimal potential human-related toxicity approved by the City. These solvents must be of at least ninety-nine percent purity and any extraction process must use them in a professional grade closed loop extraction system designed to recover the solvents, work an environment with proper ventilation, controlling all sources of ignition where a flammable atmosphere is or may be present.

E. If an extraction process uses a professional grade closed loop CO_2 gas extraction system where every vessel is certified by the manufacturer for its safe use as referenced in Subsection F of this Section, he CO_2 must be of at least ninety-nine percent purity.

F. Closed loop systems for compressed gas extraction systems must be commercially manufactured and bear a permanently affixed and visible serial number.

G. Certification from an engineer licensed by the State of California must be provided to the Economic Development Department for a professional grade closed loop system used by any commercial cannabis manufacturing manufacturer to certify that the system was commercially manufactured, is safe for its intended use, and was built to codes of recognized and generally accepted good engineering practices, including but not limited to:

   1. The American Society of Mechanical Engineers (ASME);

   2. American National Standards Institute (ANSI);

   3. Underwriters Laboratories (UL); or

   4. The American Society for Testing and Materials (ASTM).

   5. The certification document must contain the signature and stamp of the professional engineer and serial number of the extraction unit being certified.

H. Professional closed loop systems, other equipment used, the extraction operation, and facilities must be approved for their use by the Fire Department and meet any required fire, safety, and building code requirements specified in the California Building Codes.

I. Cannabis manufacturing facilities may use heat, screens, presses, steam distillation, ice water, and other methods without employing solvents or gases to create keef, hashish, bubble hash, or infused dairy butter, or oils or fats derived from natural sources, and other extracts.

J. Cannabis manufacturing facilities may use food grade glycerin, ethanol, and propylene glycol solvents to create or refine extracts. All Ethanol must be removed from the extract in a manner to recapture the solvent and ensure that it is not vented into the atmosphere.

K. Cannabis manufacturing facilities creating cannabis extracts must develop standard operating procedures, good manufacturing practices, and a training plan prior to producing extracts for the marketplace.

L. Any person using solvents or gases in a closed looped system to create cannabis extracts must be fully trained on how to use the system, have direct access to applicable material safety data sheets and handle and store the solvents and gases safely.

M. Parts per million for one gram of finished extract cannot exceed state standards for any residual solvent or gas when quality assurance tested.

N. Additional manufacturing requirements may be added through the review of the conditional use permit and development agreement process.

Section 5.18.290 – Promulgation of Regulations, Standards and Other Legal Duties

A. In addition to any regulations adopted under state law or by the City Council, the City Manager or designee is authorized to establish any additional rules, regulations, and standards governing the issuance, denial or renewal of commercial medicinal cannabis business permits, the ongoing operation of commercial medicinal cannabis businesses and the City's oversight, or concerning any other subject determined to be necessary to carry out the purposes of this Chapter 5.18.

B. Regulations shall be published on the City's website.

C. Regulations promulgated by the City Manager shall become effective upon date of publication. Commercial medicinal cannabis businesses shall be required to comply with all state and local laws and regulations, including but not limited to any rules, regulations or standards adopted by the City Manager or designee(s).

D. Testing Labs and distribution facilities shall be subject to state law and shall be subject to additional regulations as determined from time to time as more regulations are developed pursuant to this Chapter 5.18.

Section 5.18.300 – Community Relations.

A. Each commercial medicinal cannabis business shall provide the name, telephone number, and e-mail address of a community relations contact to whom notice of problems associated with the commercial medicinal cannabis business can be provided. Each commercial medicinal cannabis business shall also provide the above information to all businesses and residences located within one hundred and fifty (150) feet of the commercial medicinal cannabis business.

B. During the first year of operation pursuant to this Chapter 5.18, the owner, manager, and community relations representative from each commercial medicinal cannabis business holding a permit issued pursuant to this Chapter 5.18 shall attend a quarterly meeting with the City Manager or designee(s) and other interested parties as deemed appropriate by the City Manager or designee(s), to discuss costs, benefits, and other community issues arising as a result of implementation of this Chapter 5.18. After the first year of operation, the owner, manager, and community relations representative from each such commercial medicinal cannabis business shall meet with the City Manager or designee(s) when and as requested by the City Manager or designee(s).

C. Commercial medicinal cannabis businesses to which a permit is issued pursuant to this Chapter 5.18 shall develop and make available to youth organizations and educational institutions a public education plan that outlines the risks of youth addiction to cannabis, and that identifies resources available to youth related to drugs and drug addiction.

Section 5.18.310 – Fees Deemed Debt to City of El Monte.

The amount of any fee, cost or charge imposed pursuant to this Chapter 5.18 shall be deemed a debt to the City that is recoverable via authorized processes as set forth in the El Monte Municipal Code or available through any court of competent jurisdiction.

Section 5.18.320 – Permit Holder Responsible for Violations.

The person to whom a permit is issued pursuant to this Chapter 5.18 shall be responsible for all violations of the laws of the State of California or of the regulations and/or the ordinances of the City, whether committed by the permittee or any employee or agent of the permittee, which violations occur in or

about the premises of the commercial medicinal cannabis business whether or not said violations occur within the permit holder's presence.

Section 5.18.330 – Inspection and Enforcement.

A. The City Manager, Chief of Police, or designee(s) charged with enforcing the provisions of the El Monte Municipal Code, or any provision thereof, may enter the location of a commercial medicinal cannabis business at any time, without notice, and inspect the location of any commercial medicinal cannabis business as well as any recordings and records required to be maintained pursuant to this Chapter 5.18 or under applicable provisions of state law.

B. It is unlawful for any person having responsibility over the operation of a commercial medicinal cannabis business, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection, review or copy records, recordings, or other documents required to be maintained by a commercial medicinal cannabis business under this Chapter 5.18 or under state or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a commercial medicinal cannabis business under this Chapter 5.18 or under state or local law.

C. The City Manager, Chief of Police, or designee(s) charged with enforcing the provisions of this Chapter 5.18 may enter the location of a commercial medicinal cannabis business at any time during the hours of operation and without notice to obtain samples of the cannabis to test for public safety purposes. Any samples obtained by the City shall be logged, recorded, and maintained in accordance with the El Monte Police Department standards for evidence.

Section 5.18.340 – Concurrent Regulation with State.

It is the stated intent of this Chapter 5.18 to regulate commercial medicinal cannabis activity in the City of El Monte concurrently with the State of California.

Section 5.18.350 – Violations Declared a Public Nuisance.

Each and every violation of the provisions of this Chapter 5.18 is hereby deemed unlawful and a public nuisance.

Section 5.18.360 – Each Violation a Separate Offense.

Each and every violation of this Chapter 5.18 shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by the El Monte Municipal Code. Additionally, as a nuisance per se, any violation of this Chapter 5.18 shall be subject to injunctive relief, any permit issued pursuant to this Chapter 5.18 being deemed null and void, disgorgement and payment to the City of any monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or in equity. The City may also pursue any and all remedies and actions available and applicable under state and local laws for any violations committed by the commercial medicinal cannabis business or persons related to, or associated with, the commercial medicinal cannabis activity. Additionally, when there is determined to be an imminent threat to public health, safety or welfare, the City Manager, Chief of Police, or designee(s), may take immediate action to temporarily suspend a commercial medicinal cannabis business permit issued by the City, pending a hearing before the City Council.

Section 5.18.370 – Criminal Penalties.

Each and every violation of the provisions of this Chapter 5.18 may be prosecuted as a misdemeanor and upon conviction be subject to a fine not to exceed one thousand dollars ($1,000) or imprisonment in the county jail for a period of not more than six (6) months, or by both such fine and imprisonment.

Each day a violation is committed or permitted to continue shall constitute a separate offense.

Section 5.18.380 – Remedies cumulative and not exclusive.

The remedies provided herein are not to be construed as exclusive remedies. The City is authorized to pursue any proceedings or remedies provided by law.

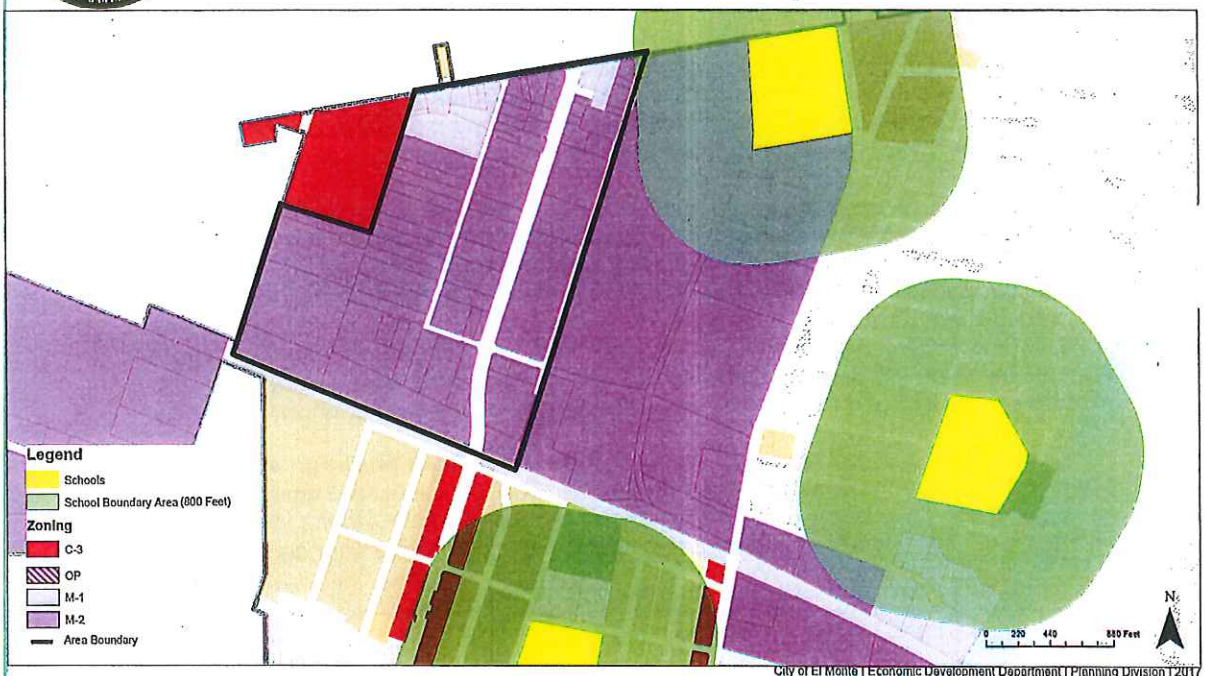
SECTION 6. Inconsistent Provisions. Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Ordinance.

SECTION 7. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

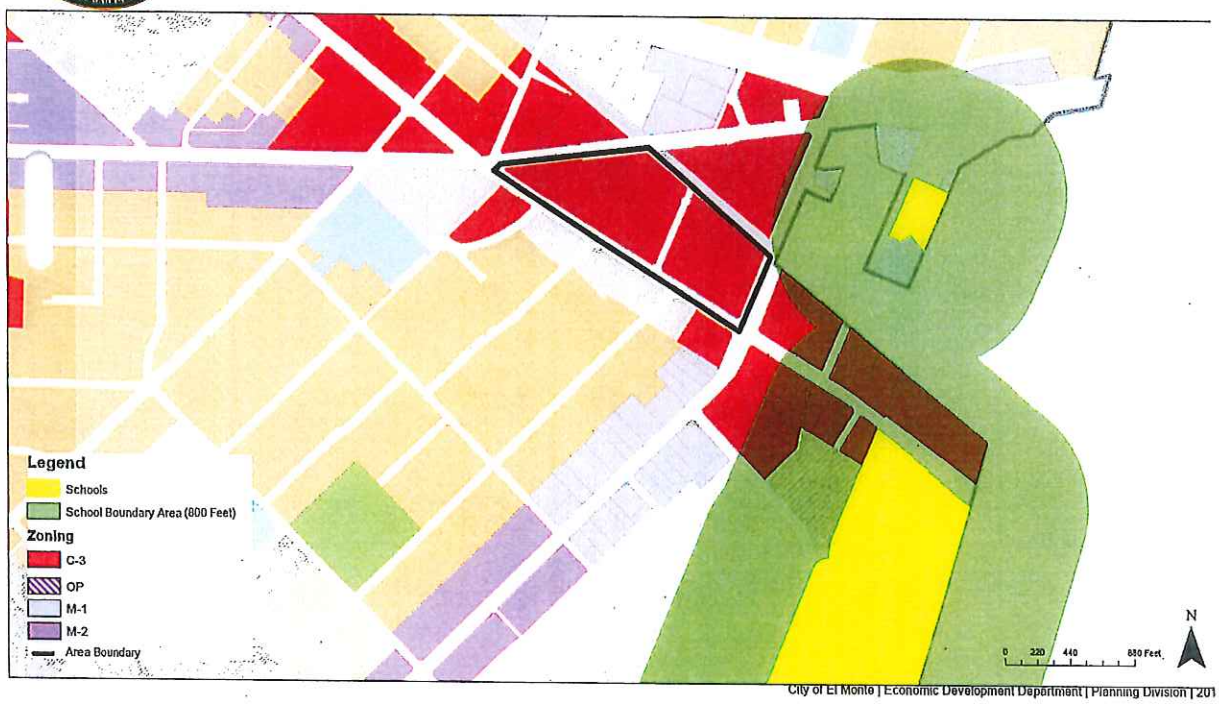
SECTION 8. Publication and Effective Date. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in a newspaper of general circulation within fifteen (15) days after its adoption. This Ordinance shall become effective thirty (30) days after adoption.

EXHIBIT "A"

Medicinal-Only Commercial Cannabis
Northwest Area



Medicinal-Only Commercial Cannabis
East Valley Entryway Area



City of El Monte | Economic Development Department | Planning Division | 201

Medicinal-Only Commercial Cannabis
Flair Park Area



PASSED, APPROVED AND ADOPTED by the City Council of the City of El Monte at the regular meeting of this 8th day of November, 2017.

Andre Quintero, Mayor
City of El Monte

ATTEST:

Jonathan Hawes, City Clerk
City of El Monte

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Jonathan Hawes, City Clerk of the City of El Monte, hereby certify that the foregoing Ordinance No. 2924 was introduced for a first reading on the 3rd day of October, 2017 and approved for a second reading and adopted by said Council at its regular meeting held on the 8th day of November, 2017 by the following vote, to-wit:

AYES: Mayor Quintero, Mayor Pro Tem Velasco, Councilmember Martinez

NOES: None

ABSTAIN: None

ABSENT: Councilmembers Gomez and Macias

for
Jonathan Hawes, City Clerk
City of El Monte



EL MONTE MMJ PARK

1 LEVEL PROPOSED BUILDING T.I. / SITE PLAN

1/16" SCALE = 1 '-0" - DO NOT SCALE PLAN IF SHEET IS NOT 24 X 36
FOR CITY PLANNING AND PLAN CHECK REVIEW ONLY

Waiver:
This drawing indicates a schematic design interior layout. The drawing does not show pre-existing conditions and is not issued for construction. The drawing was prepared for the owner only and is not to be used as a instrument against architect or builder. The property was not surveyed to meet earthquake codes. No structural inspections were observed and no reports are documented to indicate previous building permit applications. This is a "AS-IS" design floor and site plan. The Purpose is to indicate a possible planning approval- March 1 2018. None can ever sue for more than contract service fee. Architect is not a GC and does not control phases, means, or methods for executing the work. THIS CAD WORK CAME FROM GREENCOAST AND WAS NOT FIELD VERIFIED CAUSE OWNER TI DID NOT HAVE ACCESS- CONTENT ON THIS SHEET IS A FOR GRAPHIC PURPOSES , NOT CONSTRUCTION

LEGEND

- WALL TO REMAIN
- NEW WALL
- NEW SECURITY CAMERA PER SPEC MODEL
- NEW PANIC BUTTON
- NEW FLOOR/ CEILING LIGHT
- NEW NVR- VIDEO RECORDING
- MOTION DETECTION ALARM
- ALARM PANEL
- DOOR CONTACTS
- BIOMETRIC ACCESS
- NEW LIGHTING PER PHOTOMETRIC PLAN
- STANDARD FIRST AID KIT + AED
- TYPE ABC FIRE EXISTING, PER LAFD
- RADIO FREQ. ID ACCESS CONTROL
- AUTOMATIC EXTERNAL DEFIB

NOTES

2018 PROGRAM

- Cultivation 3A,
- Manufacturing Type 7,
- Distribution Type 11

robco2D
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rob@robmothershed.net
cell: 310-972-0973
architect rob mothershed - C34114

Project Address:
4400 TEMPLE CITY BLVD

client:
TERESA

	ISSUE DATE
1	SEPT 24 2018 - CUP

A0.1

MEP : NEW HVAC EQUIPMENT SCREENS



SECURITY STATION :



BIOMETRIC :



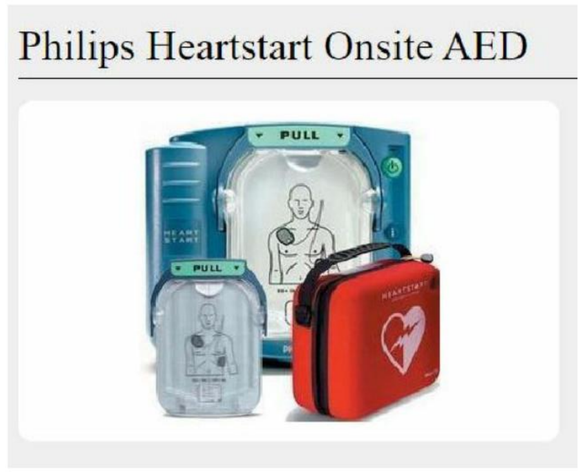
PANIC SOFTWARE :



ADA : LIFT



AED :



SOLAR GARDEN MOTION LIGHT :



FENCE :



RFID :



INTERIOR CAMERA :



Arecont SurroundVideo Omni G2 Series
AV12276DN-28 - panoramic camera

EXTERIOR CAMERA :



T24 LIGHT POLE :



T24 LIGHT BOLLARD :



FIRE EXTINGUISHER :



NEW SUPORT FACILITY SYSTEMS

1 LEVEL

EL MONTE MMJ PARK

PROPOSED BUILDING T.I. / SITE PLAN

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ARMORTECH SECURITY

LICENSED ARCHITECT
ROBERT I. MOTHERSHED
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Exp. 08-31-2019
STATE OF CALIFORNIA

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architect rob mothershed - C34114

Project Address:
4400 TEMPLE CITY BLVD

client:
TERESA

ISSUE DATE	
1	SEPT 24 2018 - CUP

A0.2

NORTH SIDE








EAST SIDE








SOUTH SIDE










WEST SIDE







EL MONTE MMJ PARK

PROPOSED BUILDING T.I. / SITE PLAN

1 LEVEL

DO NOT SCALE
FOR CITY PLANNING AND PLAN CHECK REVIEW ONLY

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GSC

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C-34114
Exp. 12-31-18
STATE OF CALIFORNIA

Project Address:
4400 TEMPLE CITY BLVD

client:
TERESA

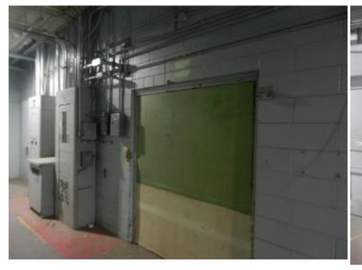
ISSUE DATE	
1	SEPT 24 2018 - CUP

A0.3

SITE INFRASTRUCTURE - EXISTING



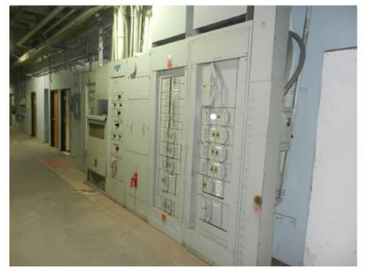







Edison stated that there is a 1000 kva transformer and max can push to 1300 kva







SEWER

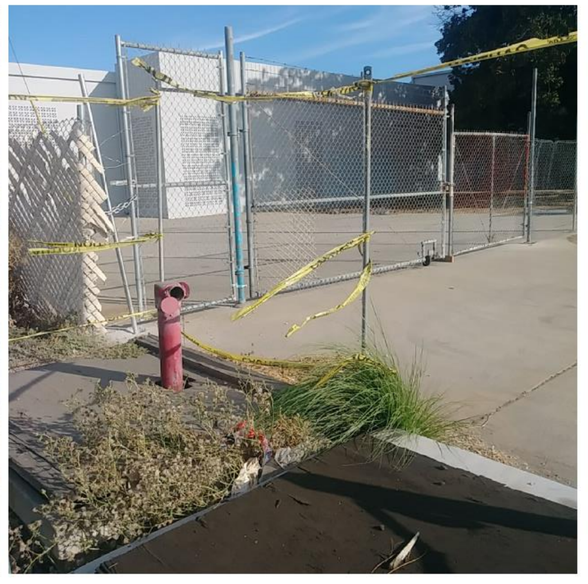


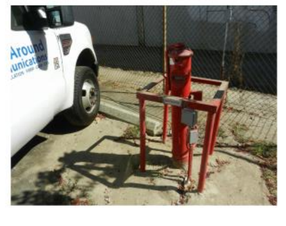
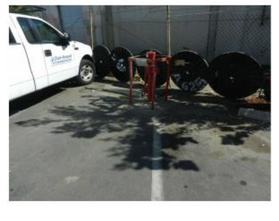
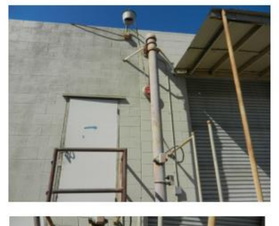
USPS

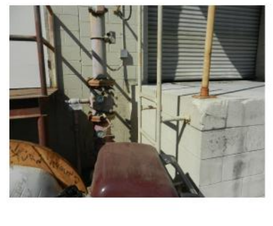
SITE INFRASTRUCTURE - FIRE

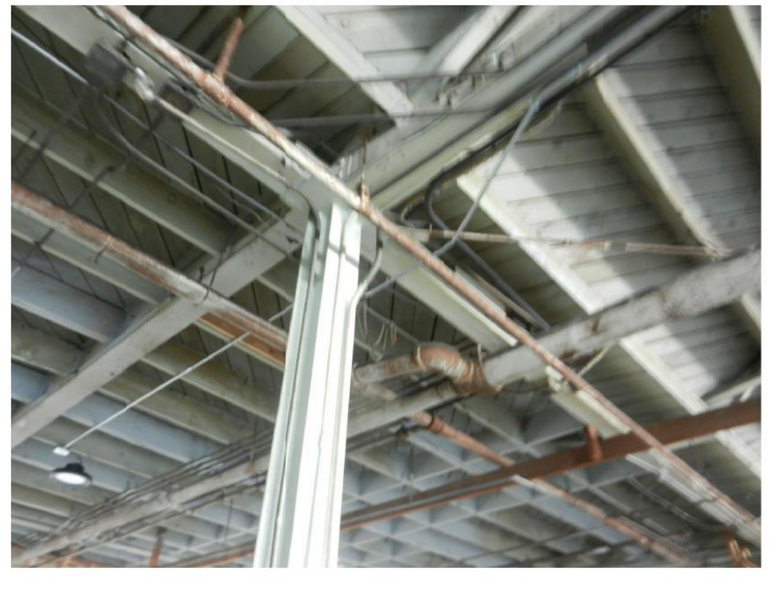









EL MONTE MMJ PARK

PROPOSED BUILDING T.I. / SITE PLAN

1 LEVEL

DO NOT SCALE

FOR CITY PLANNING AND PLAN CHECK REVIEW ONLY

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LICENSED ARCHITECT
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C-34114
Exp. 8-31-2019
STATE OF CALIFORNIA

Project Address:
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client:
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1	SEPT 24 2018 - CUP

A0.4

NO PARKING

GATE

A/C

EXIT ONLY

EXIT ONLY

EXIT ONLY

TRASH

A/C

EXIT ONLY

ZEN TERRACE

FIXED ABLE

BLOOM 5A

BLOOM 5B

VEG 6 VEG 6

BLOOM 6A

BLOOM 6B

BLOOM 7A

BLOOM 7B

BLOOM 8A

DRY 3

BLOOM 8B

BLOOM 9A

BLOOM 9B

CLONE ROOM

ZEN PATIO

MOM ROOM

VEG 5

AIRLOCK AIR WASH

DRY 4

W

WOMENS ROOM

ZEN ROOM

M

MENS ROOM

JAN

RESERVOIR ROOM

VEG 7

VEG 8

VEG 9

STORAGE

A/C

VESTIBULE

CLASSROOM

NORTH CULTIV

MANUF

TO EXIT

LIFT

VIDEO BACKUP

OFFICE

VAULT

OFFICE

SNACK

MOM / CLONE

VEG 4

VEG 3

VEG 2

VEG 1

RESERVOIR ROOM

BIOMETRIC

BIOMETRIC

LIMITED ACCESS AREA

BIOMETRIC

BIOMETRIC

SOUTH CULTIV

AIRLOCK / AIR WASH

BLOOM 4

BLOOM 3B

BLOOM 3A

BLOOM 2B

BLOOM 2A

BLOOM 1B

BLOOM 1A

SHARED CORRIDOR

Distillate Freezer

VOLATILE MANUFACTURING C1D1

Finishing & Distillation

Kitchen & Bottling

C1D2

NO PARKING

WI-FI LOUNGE

LOCKER

Purging

LOADING DOCK

Concentrate Packaging

VOLATILE MANUFACTURING C1D1

LIBRARY

OFFICE

INFO WALL

LOCKER

Nitrogen Packing

Live Resin Freezer

Mech Room

NEW HALLWAY

IT SERVER

FACP

LOBBY

SECURITY

KEY PASS

FDC

STERILE CORRIDOR

LOADING DOCK

JAN

Humidity Closet

15

Storage

13

TLT

TLT

AED

LIFT

FLEXIBLE STORAGE

EXISTING RAMP

NEW ADA LIFT

TRIM

MGR

Pre & Post Process

SERVICE

A/C

8 FT TALL NEW MONUMENT SITE SIGN

EXIT ONLY

PACKING

CLEAN

FILES

TRUNCATED DOMES

ALL STAFF MAIN ENTRY 1

DROP OFF ONLY

EXIT ONLY

AIRLOCK

DRY 2

DRY 1

EXIT ONLY

DISTRIBUTION

OUTBOUND

6 FT

6 FT

6 FT

6 FT

6 FT

6 FT

DISTRIBUTION

WALK IN-s

EXIT ONLY

OUTBOUND

01

02

03

04

05

06

07

08

09

10

11

12

13

STOP SIGN

93 PARKING STALLS TOTAL

EL MONTE MMJ PARK - BUILDING- OVERALL

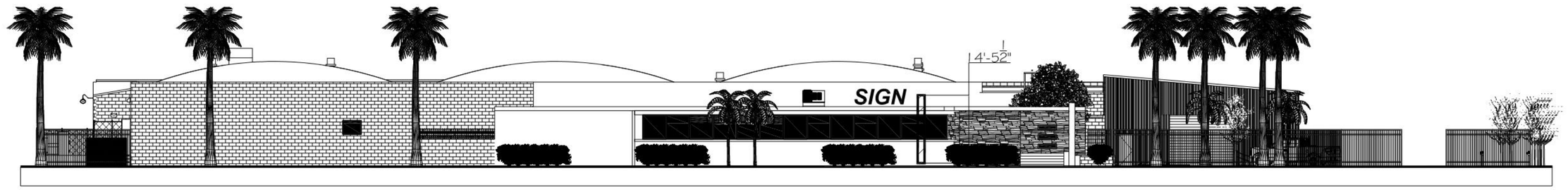
1 LEVEL

DO NOT SCALE PLAN

FOR CITY PLANNING AND PLAN CHECK REVIEW ONLY

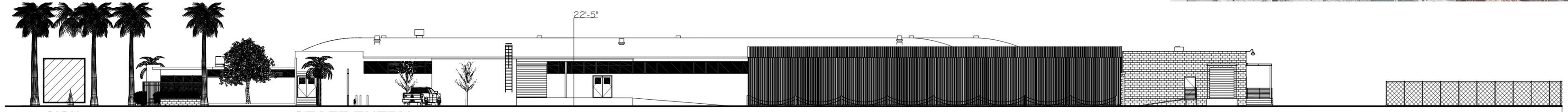
NOT FOR CONSTRUCTION

B1.0

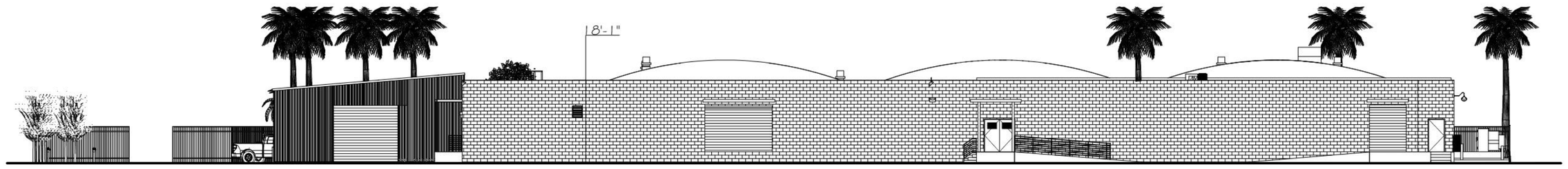


WEST

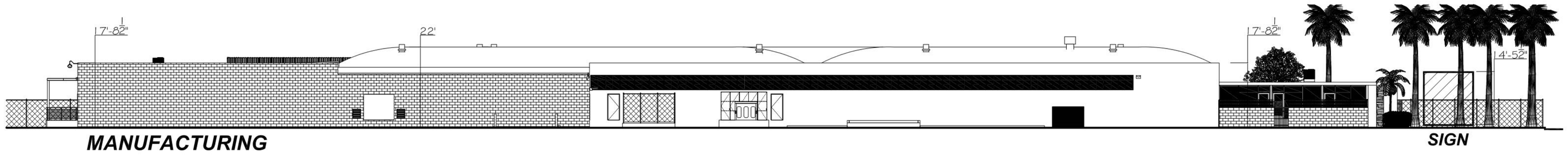




SOUTH



EAST



NORTH

EXISTING ELEVATIONS
EL MONTE MMJ PARK

1 LEVEL

1/16" SCALE = 1 '-0" - DO NOT SCALE PLAN IF SHEET IS NOT 24 X 36
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LEGEND

- WALL TO REMAIN
- NEW WALL
- NEW SECURITY CAMERA PER SPEC MODEL
- NEW PANIC BUTTON
- NEW FLOOR/ CEILING LIGHT
- NETWORK VIDEO RECORDING
- MOTION DETECTION ALARM
- ALARM PANEL
- DOOR CONTACTS
- BIOMETRIC ACCESS
- NEW LIGHTING PER PHOTOMETRIC PLAN
- STANDARD FIRST AID KIT + AED
- TYPE ABC FIRE EXINTING, PER LAFD
- RADIO FREQ.ID ACCESS CONTROL
- AUTOMATIC EXTERNAL DEFIB

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TERESA

	ISSUE DATE
1	SEPT 24 2018 - CUP

ELV1.0

(E) FIRE HOOKUP

(E) ADJ. STRUCT

(E) ADJ. STRUCT

N

(E) ACESS ROAD

(E) FENCE

(E) PARKING

(E) GATE

(E) TRANSFORMER

(E) PROPERTY LINE 445.44'

CONC

FLAT ROOF
WAREHOUSE

(E) FENCE

190.00'

(E) PROPERTY LINE

ASPHALT

UNIT -A3

BOW TRUSS
WAREHOUSE
UNIT -C

CMU

(E) RAMP

GYP

GYP

OFFICE

(E) RAMP

GYP

OFFICE
UNIT -A1

FLAT ROOF

GYP

GYP

UNIT -A2

*EXISTING SEPT. 2018

(E) PROPERTY LINE 320.00'

(E) FLAG
POLE

BOW TRUSS

WAREHOUSE
UNIT -B

FLAT ROOF

CONC

CMU

(E) RAMP

CMU

USPS

(E) PARKING

(E) TREES

METAL STRUCT
WAREHOUSE
UNIT -A4

ASPHALT

(E) PROPERTY LINE
287.85'

(E) GATE

(E) PARKING

(E) FIRE HOOKUP

(E) PROPERTY LINE 635.55'

(E) FENCE

(E) ADJACENT BUILDING

4400 EL MONTE - BASE PLAN

EXISTING BUILDING PLAN - 2018

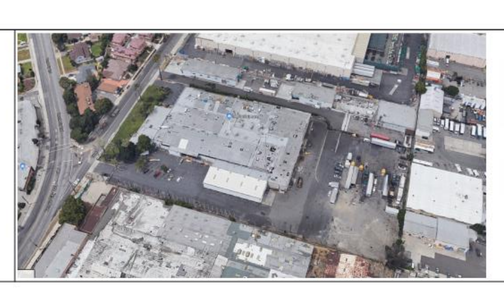
1 LEVEL

1" ENGINEERING SCALE = 20 '-0" - DO NOT SCALE PLAN IF SHEET IS NOT 24 X 36
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LEGEND

- WALL TO REMAIN
- NEW WALL
- NEW SECURITY CAMERA PER SPEC MODEL
- NEW PANIC BUTTON
- NEW FLOORI CEILING LIGHT
- NETWORK VIDEO RECORDING
- MOTION DETECTION ALARM
- ALARM PANEL
- DOOR CONTACTS
- BIOMETRIC ACCESS
- NEW LIGHTING PER PHOTOMETRIC PLAN
- STANDARD FIRST AID KIT + AED
- TYPE ABC FIRE EXINTING, PER LAFD
- RADIO FREQ. ID ACCESS CONTROL
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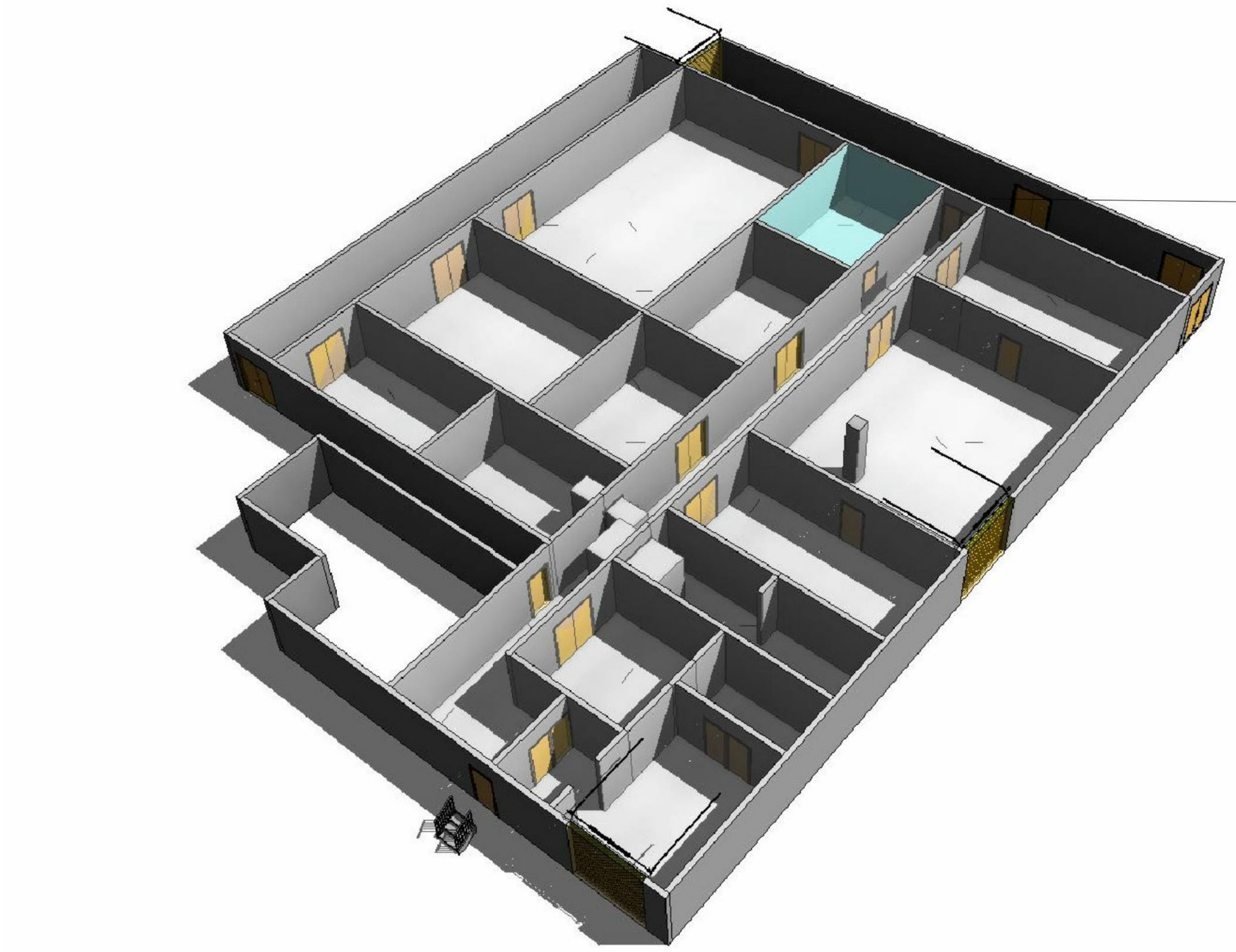
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EX1.0

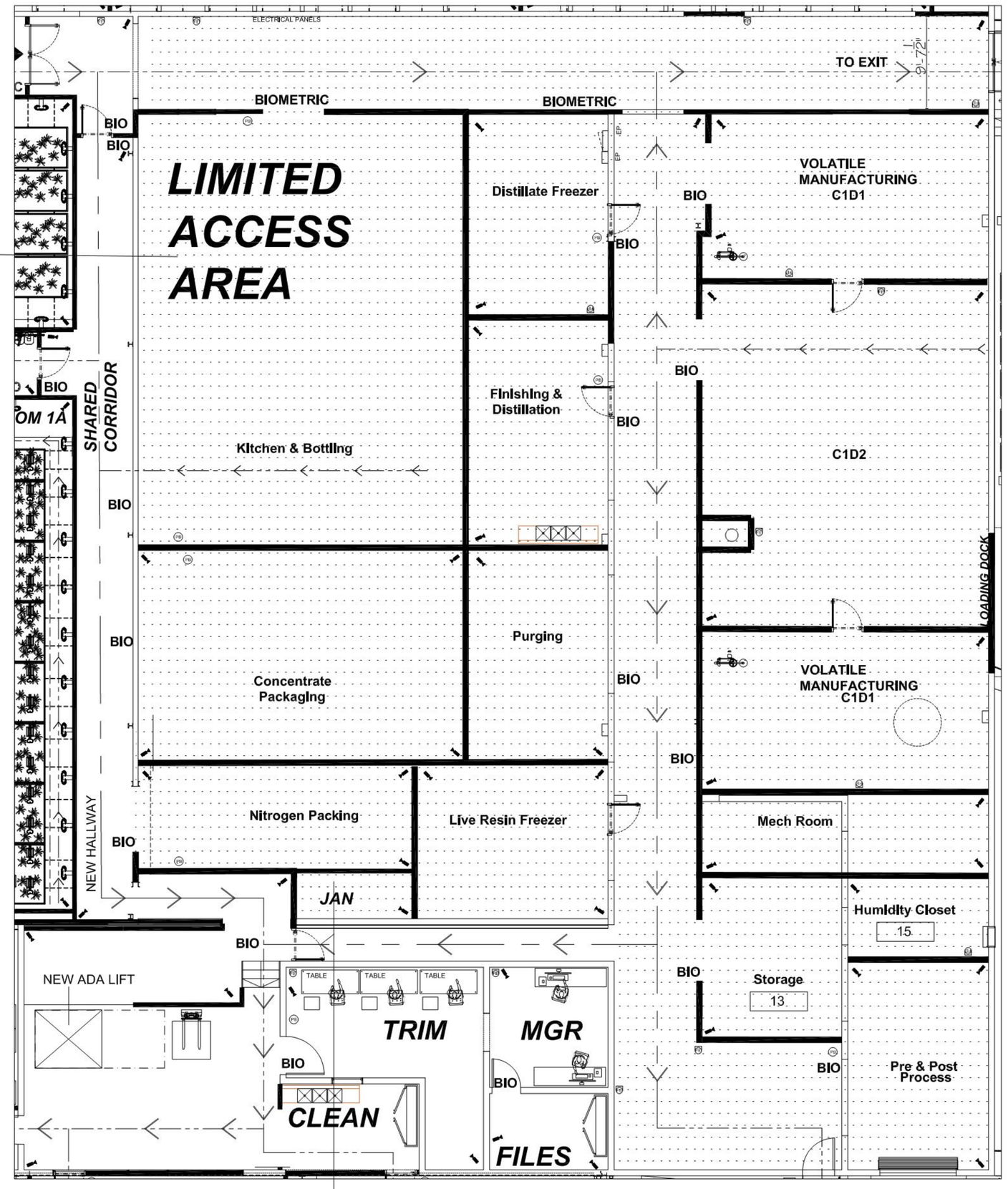
PURESTAR EXTRACTION











N

EL MONTE MMJ PARK

PROPOSED BUILDING T.I. / SITE PLAN

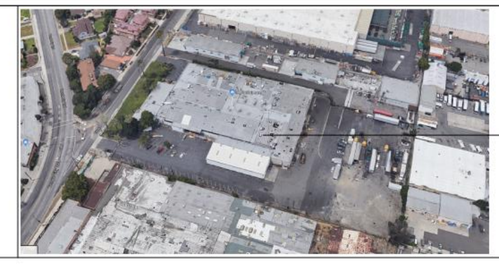
1 LEVEL

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LEGEND

	WALL TO REMAIN
	NEW WALL
	NEW SECURITY CAMERA PER SPEC MODEL
PB	NEW PANIC BUTTON
	NEW FLOOR/ CEILING LIGHT
DVR	NETWORK VIDEO RECORDING
MD/AP	MOTION DETECTION ALARM ALARM PANEL
DC	DOOR CONTACTS
BA	BIOMETRIC ACCESS
NL	NEW LIGHTING PER PHOTOMETRIC PLAN
FAK	STANDARD FIRST AID KIT + AED
FE	TYPE ABC FIRE EXTINTIVA, PER LAFD
RFID	RADIO FREQ./ID ACCESS CONTROL
AED	AUTOMATIC EXTERNAL DEFIB



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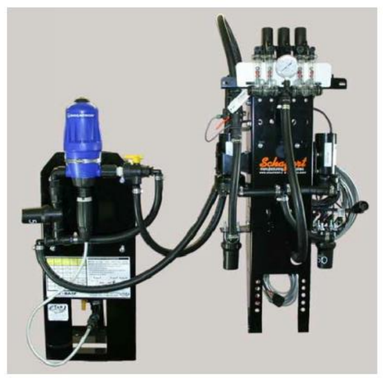
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4400 TEMPLE CITY BLVD

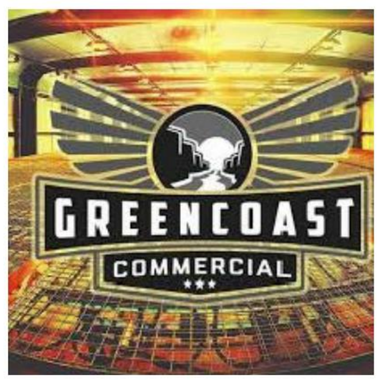
client:
TERESA

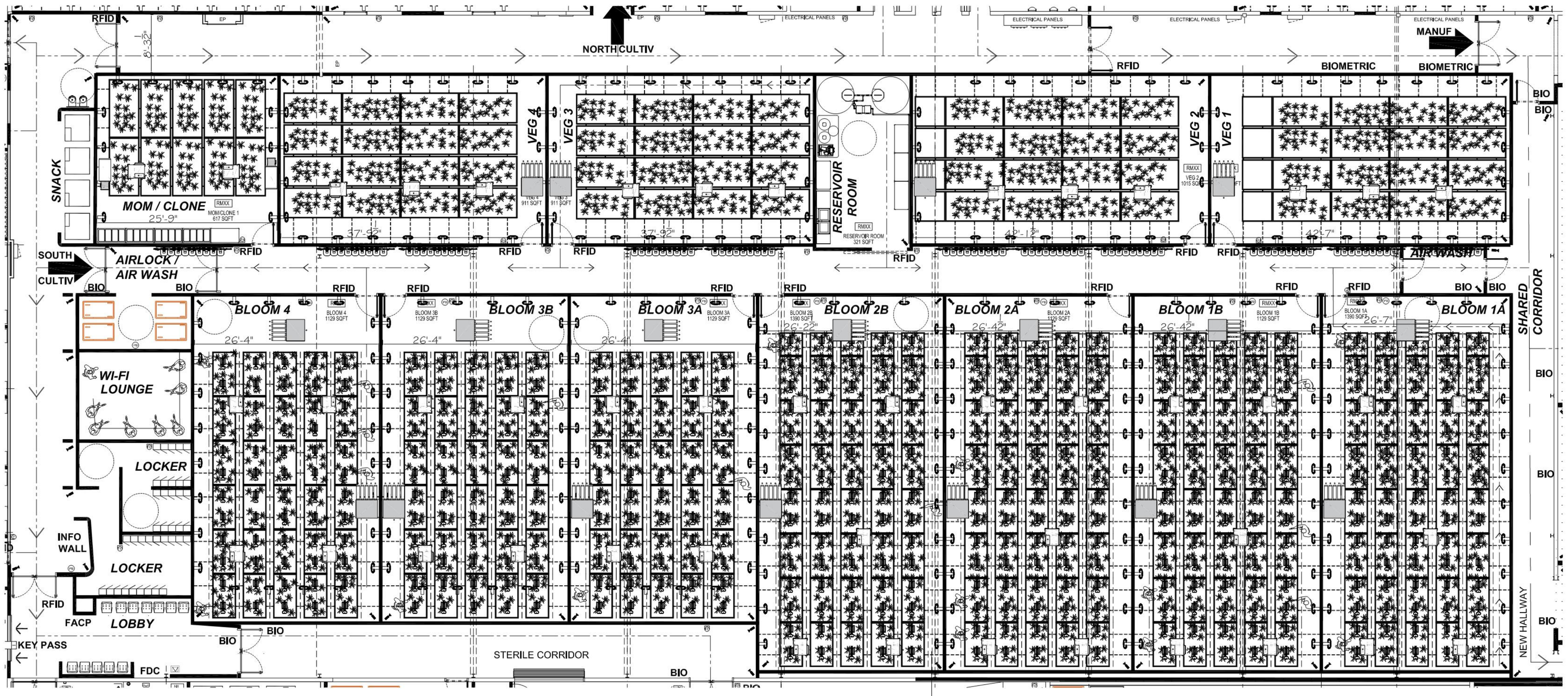
ISSUE DATE	
1	SEPT 24 2018 - CUP

FP.1







Bloom:
Tray Square Footage = 12,570
Tray w/ Overhang Square Footage = 16,300

Veg:
Tray Square Footage = 5,766

Mothers:
Tray Square Footage = 730

N

SOUTH CULTIVATION

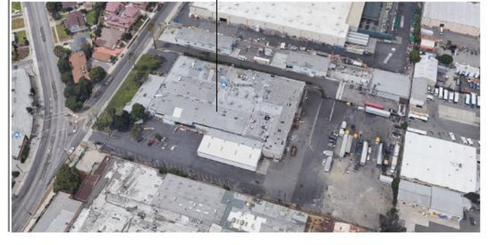
1 LEVEL

EL MONTE MMJ PARK
PROPOSED BUILDING T.I. / SITE PLAN

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LEGEND
- WALL TO REMAIN
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- NEW SECURITY CAMERA PER SPEC MODEL
- NEW PANIC BUTTON
- NEW FLOOR/ CEILING LIGHT
- NVR — NETWORK VIDEO RECORDING
- MOTION DETECTION ALARM
- ALARM PANEL
- DC — DOOR CONTACTS
- BIO — BIOMETRIC ACCESS
- NEW LIGHTING PER PHOTOMETRIC PLAN
- FAS — STANDARD FIRST AID KIT + AED
- FE — TYPE ABC FIRE EXINTING, PER LAFD
- RFID — RADIO FREQ. ID ACCESS CONTROL



LICENSED ARCHITECT — ROBERT I. MOTHERSHED — C-34114 — Exp. 8-31-19 — STATE OF CALIFORNIA

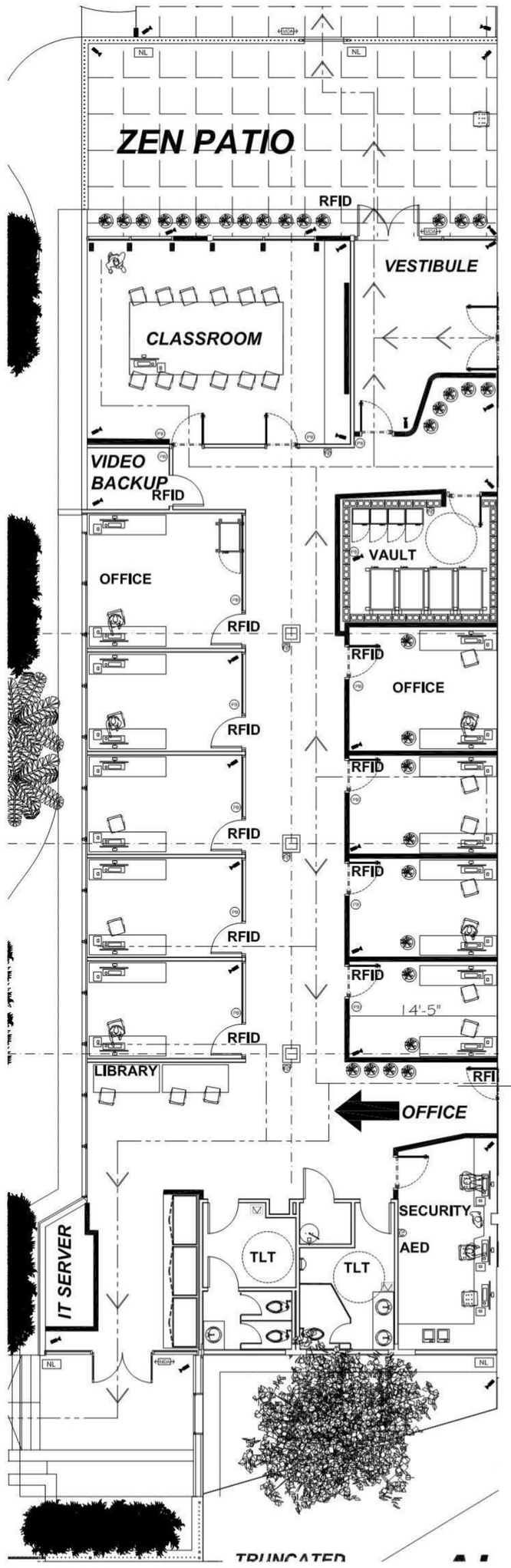
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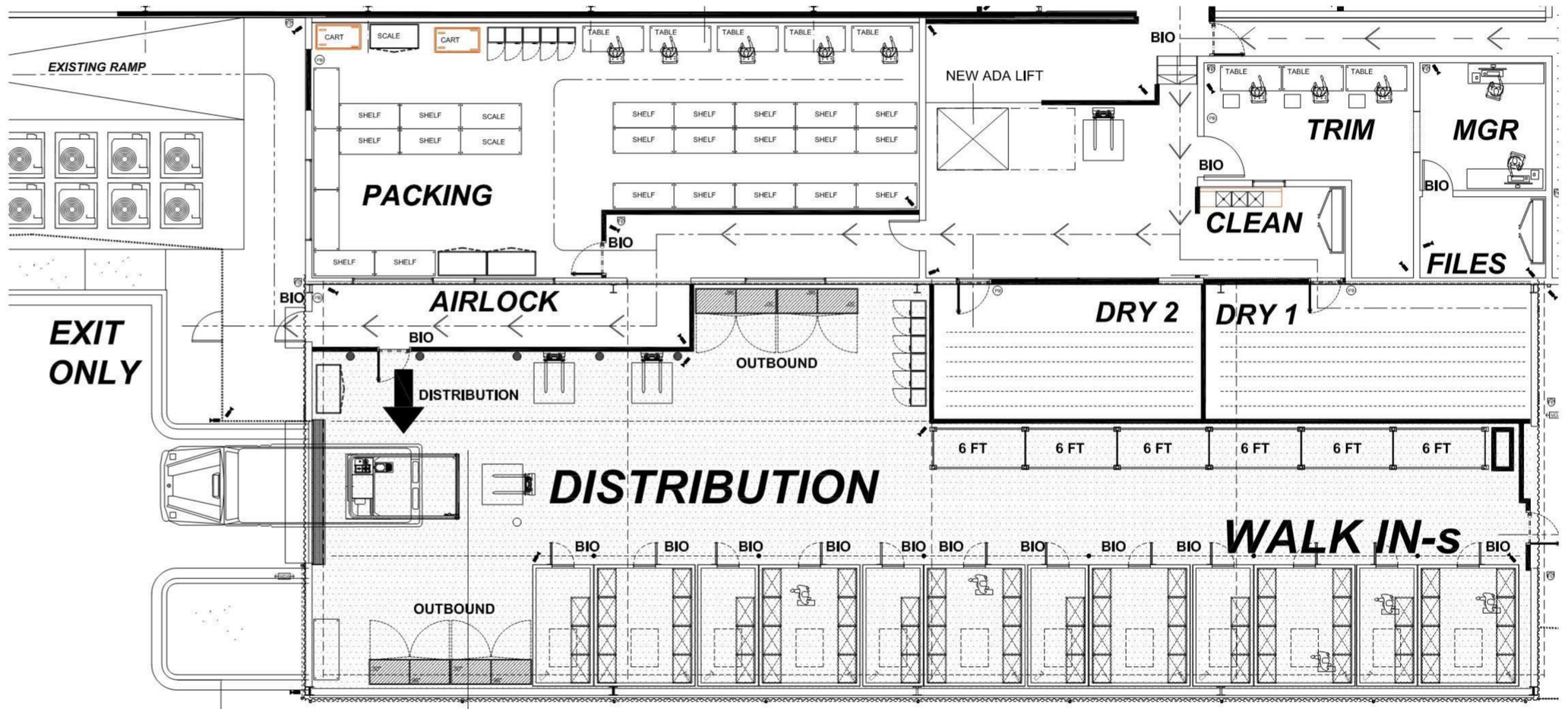
FP2.0



OFFICE







DISTRIBUTION





EL MONTE MMJ PARK

PROPOSED BUILDING T.I. / SITE PLAN

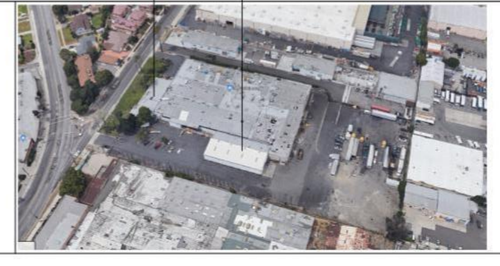
1 LEVEL

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LEGEND

- WALL TO REMAIN
- NEW WALL
- NEW SECURITY CAMERA PER SPEC MODEL
- NEW PANIC BUTTON
- NEW FLOOR/ CEILING LIGHT
- NVR — NETWORK VIDEO RECORDING
- MOTION DETECTION ALARM
- ALARM PANEL
- DC — DOOR CONTACTS
- BIO — BIOMETRIC ACCESS
- NL — NEW LIGHTING PER PHOTOMETRIC PLAN
- FAK — STANDARD FIRST AID KIT + AED
- FE — TYPE ABC FIRE EXINTING, PER LAFD
- RFID — RADIO FREQUENCY ID ACCESS CONTROL
- AED — AUTOMATIC EXTERNAL DEFIB



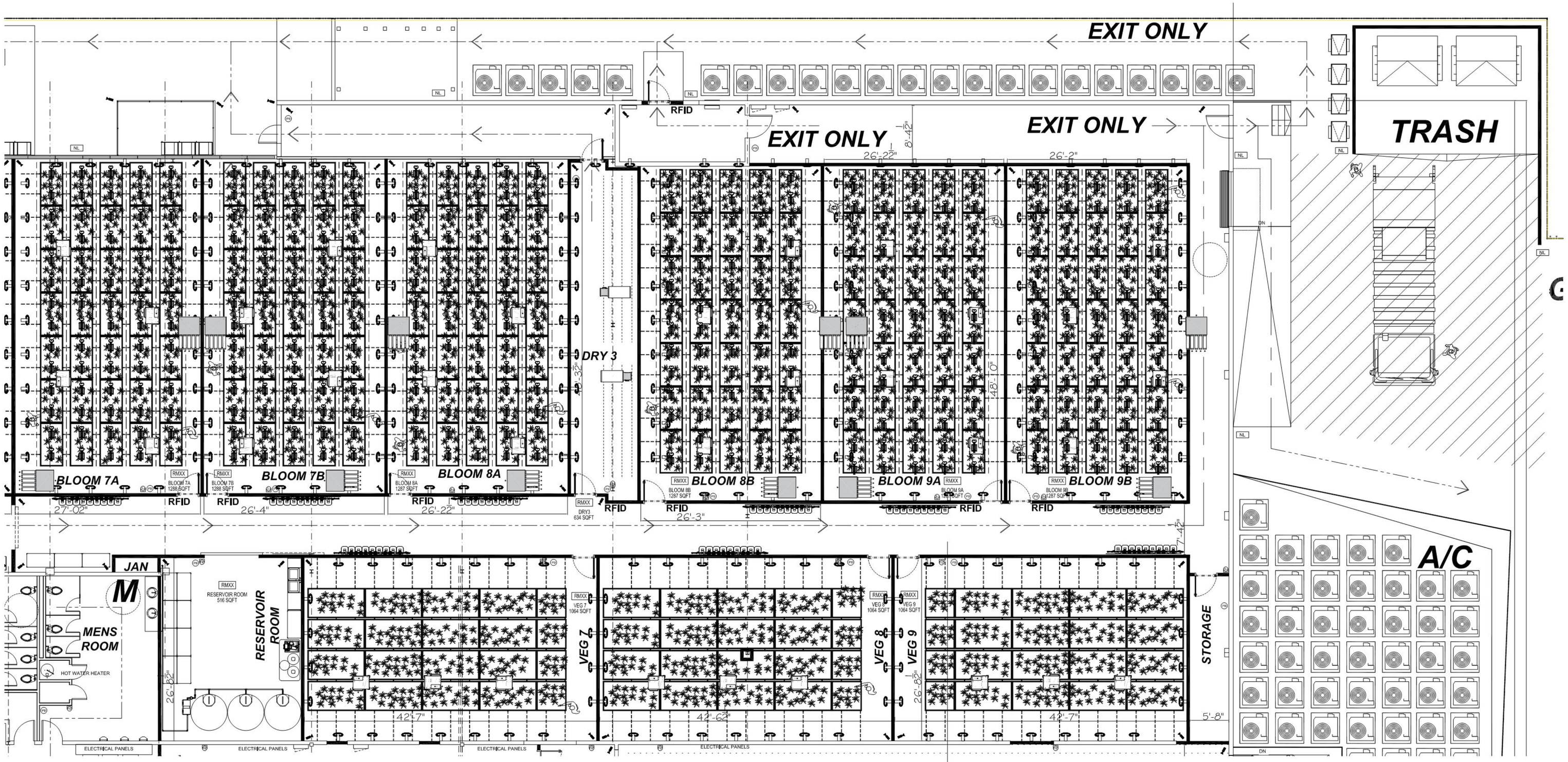
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cell: 310-972-0973
architect rob mothershed - C34114

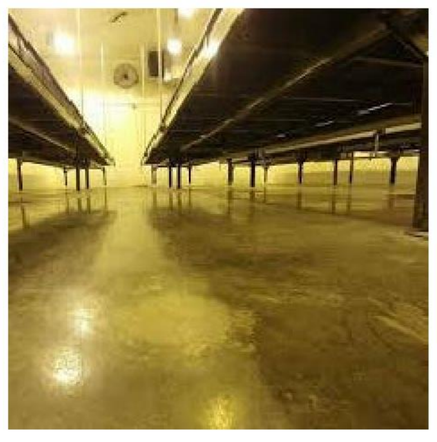
Project Address:
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client:
TERESA

ISSUE	DATE
1	SEPT 24 2018 - CUP

FP3.0





NORTH CULTIVATION EAST

EL MONTE MMJ PARK

PROPOSED BUILDING T.I. / SITE PLAN

1 LEVEL

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LEGEND
- WALL TO REMAIN
- NEW WALL
- NEW SECURITY CAMERA PER SPEC MODEL
- NEW PANIC BUTTON
- NEW FLOOR/ CEILING LIGHT
- NEW DVR NETWORK VIDEO RECORDING
- MOTION DETECTION ALARM
- ALARM PANEL
- DOOR CONTACTS
- BIOMETRIC ACCESS
- NEW LIGHTING PER PHOTOMETRIC PLAN
- STANDARD FIRST AID KIT + AED
- TYPE ABC FIRE EXINTING, PER LAFD
- RADIO FREQ ID ACCESS CONTROL
- AUTOMATIC EXTERNAL DEFIB



LICENSED ARCHITECT ROBERT L. MOTHERSHED C-34114 Exp. 8-31-19 STATE OF CALIFORNIA

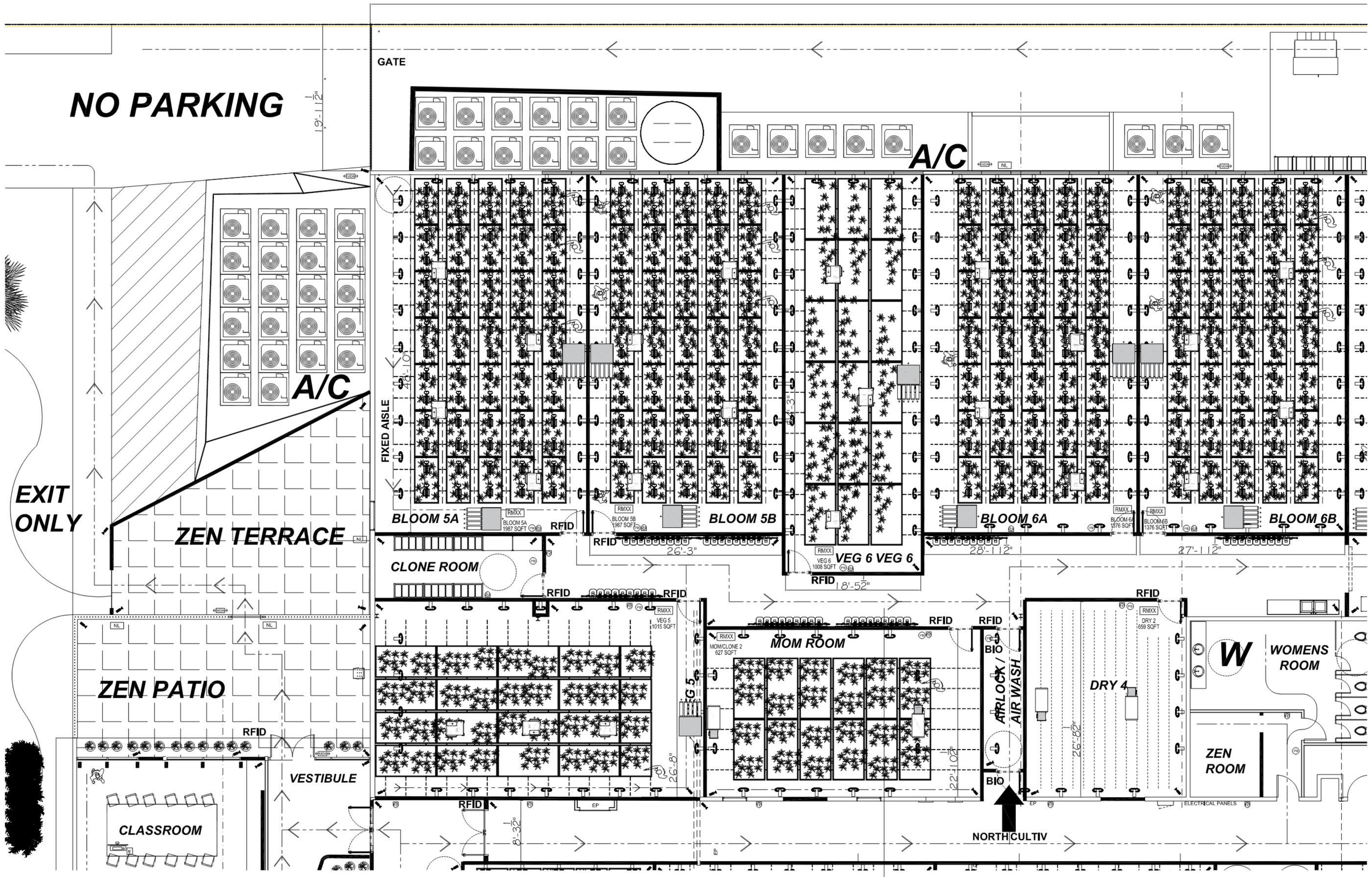
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http://ro2328.wixsite.com/robco
rob@robmothershed.net
cell: 310-972-0973
architect rob mothershed - C34114

Project Address:
4400 TEMPLE CITY BLVD

client:
TERESA

	ISSUE DATE
1	SEPT 24 2018 - CUP

FP4.0









NORTH CULTIVATION WEST

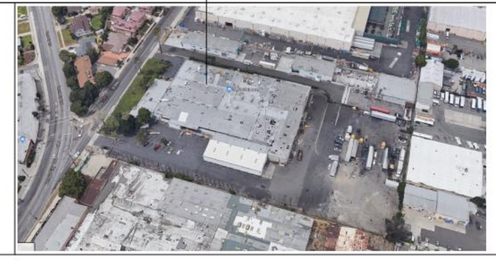
1 LEVEL

EL MONTE MMJ PARK
PROPOSED BUILDING T.I. / SITE PLAN

1/8" SCALE = 1 '- 0" - DO NOT SCALE PLAN IF SHEET IS NOT 24 X 36
FOR CITY PLANNING AND PLAN CHECK REVIEW ONLY

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- NEW LIGHTING PER PHOTOMETRIC PLAN
- STANDARD FIRST AID KIT + AED
- TYPE ABC FIRE EXINTING, PER LAFD
- NEW RADIO FREQ. ID ACCESS CONTROL
- NEW AUTOMATIC EXTERNAL DEFIB



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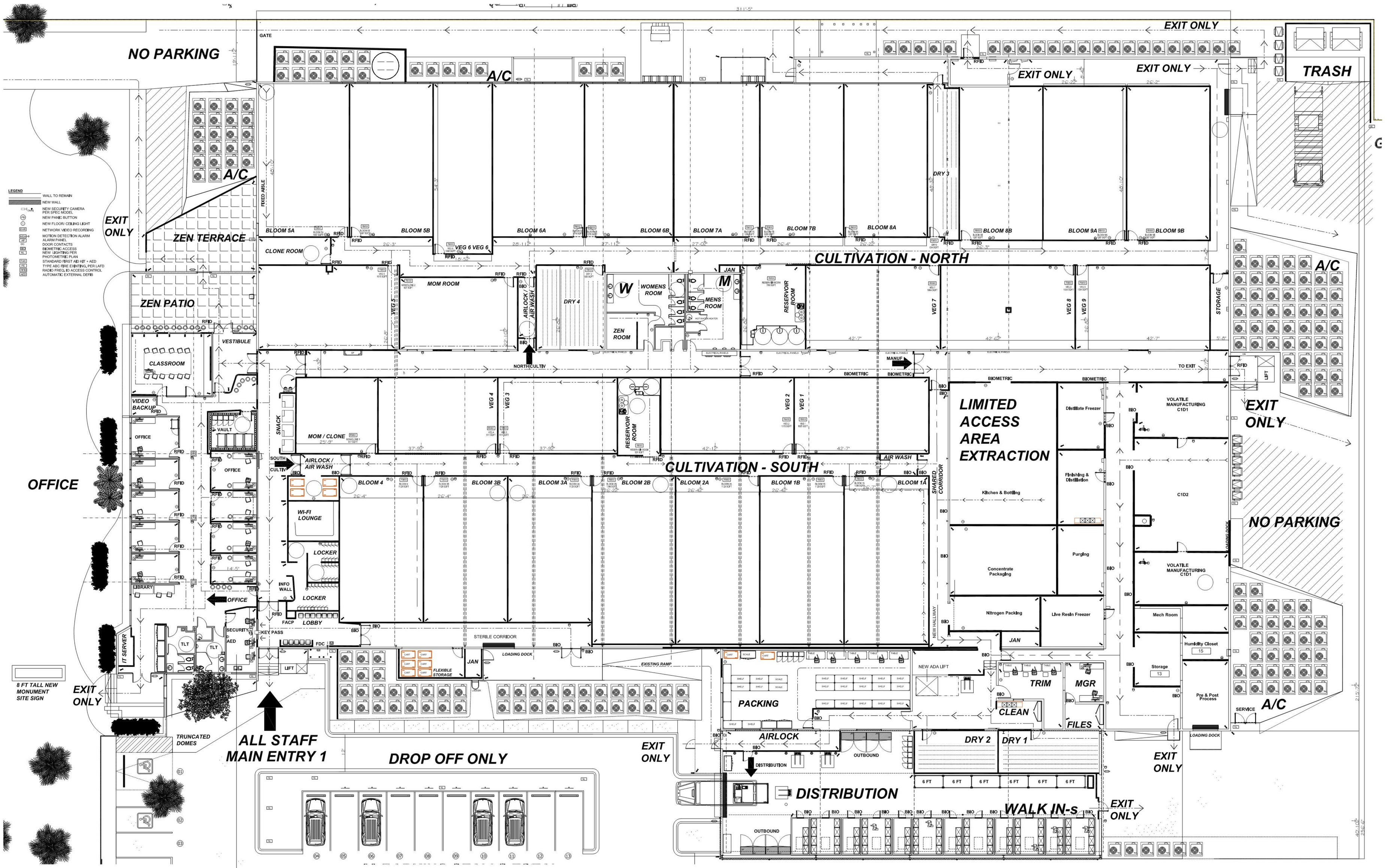
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client:
TERESA

ISSUE DATE	
1	SEPT 24 2018 - CUP

FP5.0



1 LEVEL

EL MONTE MMJ PARK - CAMERAS

DO NOT SCALE PLAN
FOR CITY PLANNING AND PLAN CHECK REVIEW ONLY

ARMORTECH SECURITY

NOT FOR CONSTRUCTION

S1.0

FIRE TRUCK ACCESS

GROSS AREA - 2018
71, 658 SF

OFFICE AREA
4, 493 SF

EXTRACTION AREA
8, 674 SF

DISTRIB AREA
8, 338 SF

COMMON AREA
6, 271 SF

CULTIV. AREA
43, 882 SF

LOT SIZE
4.44 ACRES

75 PARKING STALLS REQUIRED

93 PARKING STALLS PROVIDED

APN
8577-001-043

NO PARKING

EXIT ONLY

A/C

TRASH

ZEN TERRACE

ZEN PATIO

FRONT

CLASSROOM

VESTIBULE

VIDEO BACKUP

OFFICE

VAULT

SNACK

MOM / CLONE

AIRLOCK AIR WASH

WI-FI LOUNGE

LOCKER

INFO WALL

LOBBY

SECURITY

SEC PASS

FDC

LIFT

T.V. SERVER

TLT

AED

STERILE CORRIDOR

LOADING DOCK

FLEXIBLE STORAGE

JAN

EXISTING RAMP

NEW ADA LIFT

PACKING

AIRLOCK

DISTRIBUTION

OUTBOUND

DRY 2

DRY 1

TRIM

MGR

CLEAN

FILES

WALK IN-s

STORAGE

LIMITED ACCESS AREA

BIOMETRIC

TO EXIT

MANUAL

VOLATILE MANUFACTURING C101

VOLATILE MANUFACTURING C102

Kitchen & Bottling

Finishing & Distribution

Concentrate Packaging

Purging

Nitrogen Packing

Ultra Freeze Freezer

Mech Room

Humidity Closet

Storage

Prep & Post Process

SERVICE

LOADING DOCK

BLOOM 5A

BLOOM 5B

BLOOM 6A

BLOOM 6B

BLOOM 7A

BLOOM 7B

BLOOM 8A

BLOOM 8B

BLOOM 9A

BLOOM 9B

VEG 6 VEG 5

CLONE ROOM

BLOOM 4

BLOOM 3B

BLOOM 3A

BLOOM 2B

BLOOM 2A

BLOOM 1B

BLOOM 1A

DRY 4

DRY 3

ZEN ROOM

WOMENS ROOM

MENS ROOM

RESERVOIR ROOM

NORTH CULTIV

SOUTH CULTIV

CORRIDOR

6 FT TALL NEW MONUMENT SITE SIGN

TRUNCATED DOMES

ALL STAFF MAIN ENTRY 1

DROP OFF ONLY

93 PARKING STALLS TOTAL
\ 1ADA + 1 VAN ADA

STOP SIGN

GATE ENTRY 1

6 NEW CEDAR TREES

KNOX BOX

SECURITY GATEHOUSE

LANDSCAPE

GATE ENTRY 2

SLIDING GATE

FIRE TRUCK ACCESS

REAR

FIRE TRUCK ACCESS

N

SOUTH SIDE

EL MONTE MMJ PARK - M2 ZONE

PROPOSED BUILDING T.I. / SITE PLAN

1 LEVEL

1" SCALE = 20 '-0" - DO NOT SCALE PLAN IF SHEET IS NOT 24 X 36
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- NEW WALL
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- NEW PANIC BUTTON
- NEW FLOOR/ CEILING LIGHT
- NETWORK VIDEO RECORDING
- MOTION DETECTION ALARM
- ALARM PANEL
- DOOR CONTACTS
- BIOMETRIC ACCESS
- NEW LIGHTING PER PHOTOMETRIC PLAN
- STANDARD FIRST AID KIT + AED
- TYPE ABC FIRE EXINTING, PER LAFD
- RADIO FREQU ID ACCESS CONTROL
- AUTOMATIC EXTERNAL DEFIB



2018 PROGRAM

- Cultivation 3A,
- Manufacturing Type 7,
- Distribution Type 11

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http://ro2328.wixsite.com/robco
rob@robmothershed.net
cell: 310-972-0973
architect rob mothershed - C34114

Project Address:
4400 TEMPLE CITY BLVD

client:
TERESA

ISSUE	DATE
1	SEPT 24 2018 - CUP

SP-1.0

FIRE TRUCK ACCESS

GROSS AREA - 2018
71, 658 SF

OFFICE AREA
4, 493 SF

EXTRACTION AREA
8, 674 SF

DISTRIB AREA
8, 338 SF

COMMON AREA
6, 271 SF

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43, 882 SF

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93 PARKING STALLS PROVIDED

APN
8577-001-043

NO PARKING

EXIT ONLY

A/C

TRASH

GATE ENTRY 2

ZEN TERRACE

ZEN PATIO

FRONT

EXIT ONLY

NO PARKING

FIRE TRUCK ACCESS

REAR

8 FT TALL NEW MONUMENT SITE SIGN

EXIT ONLY

TRUNCATED DOMES

ALL STAFF MAIN ENTRY 1

DROP OFF ONLY

EXIT ONLY

EXIT ONLY

EXIT ONLY

93 PARKING STALLS TOTAL
\ 1ADA + 1 VAN ADA

STOP SIGN

GATE ENTRY 1

6 NEW CEDAR TREES

SECURITY GATEHOUSE

FIRE TRUCK ACCESS

N

SOUTH SIDE

EL MONTE MMJ PARK - M2 ZONE

PROPOSED BUILDING T.I. / SITE PLAN

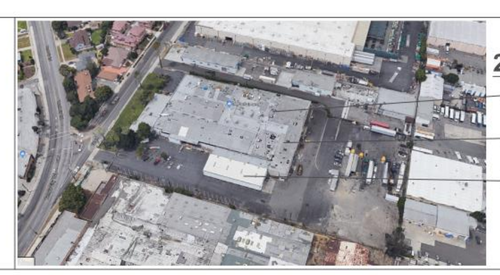
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- NVR — NETWORK VIDEO RECORDING
- MOTION DETECTION ALARM
- ALARM PANEL
- DOOR CONTACTS
- BIO — BIOMETRIC ACCESS
- NEW LIGHTING PER PHOTOMETRIC PLAN
- FA20 — STANDARD FIRST AID KIT + AED
- FE2 — TYPE ABC FIRE EXINTING, PER LAFD
- KP20 — RADIO FREQ.ID ACCESS CONTROL
- AED — AUTOMATIC EXTERNAL DEFIB



2018 PROGRAM

- Cultivation 3A,
- Manufacturing Type 7,
- Distribution Type 11

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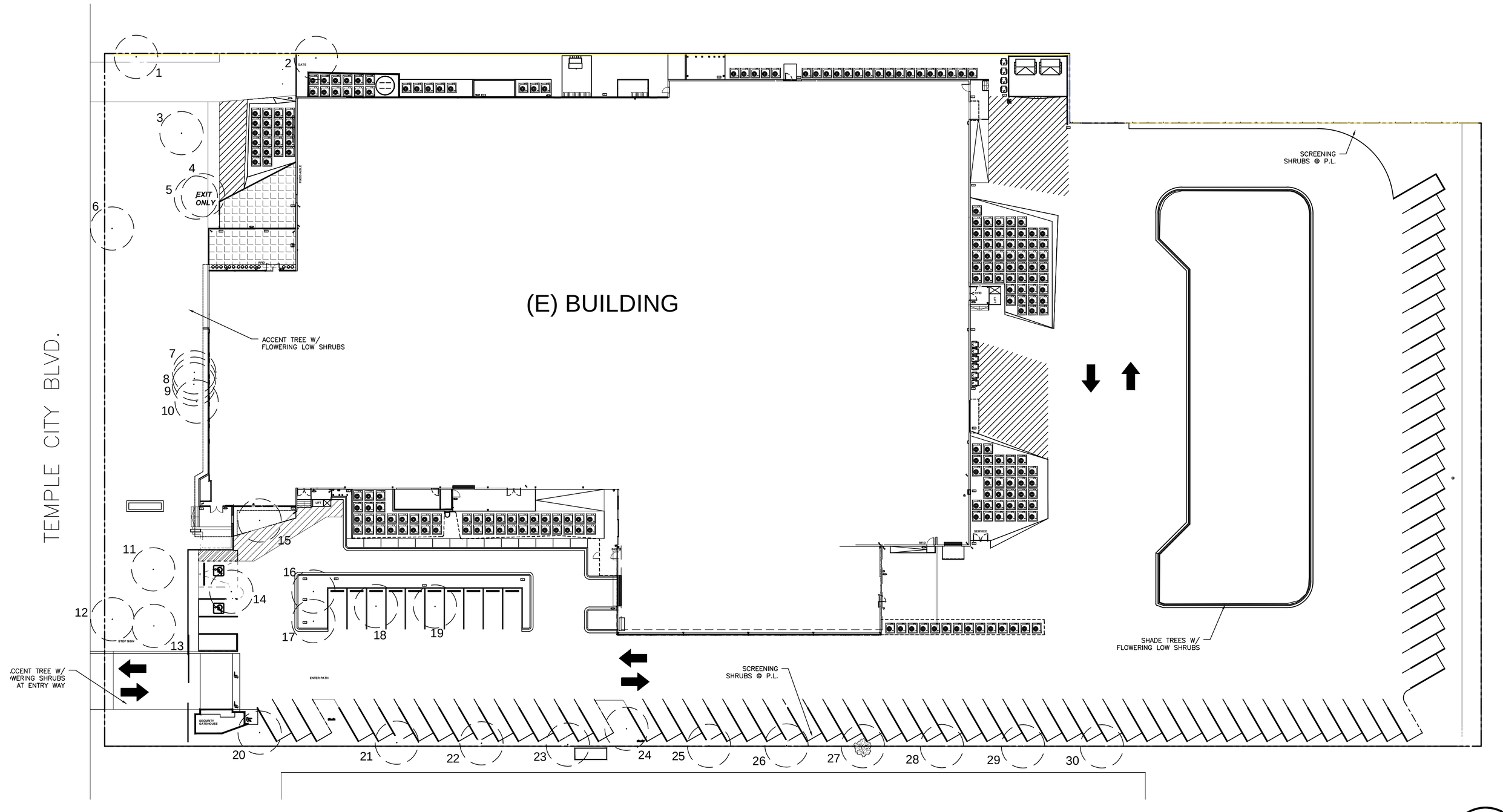
client:
TERESA

ISSUE	DATE
1	SEPT 24 2018 - CUP

SP-2.0

EXISTING TREES PLANT LEGEND

TREE #	BOTANICAL NAME	COMMON NAME	DBH (inches)	HEIGHT (feet)		REMARKS
1	Phoenix canariensis	Canary Island Palm	36	65		TO REMAIN
2	Ailanthus altissima	Tree of Heaven	4	24		TO REMAIN
3	Ligustrum lucidum	Glossy Privet	7	18		TO REMAIN
4	Ligustrum lucidum	Glossy Privet	5	20		TO REMAIN
5	Ficus carica	Common Fig	5	16		TO BE REMOVED
6	Phoenix canariensis	Canary Island Palm	5	17		TO REMAIN
7	Syagrus romanzoffiana	Queen Palm	12	25		TO REMAIN
8	Syagrus romanzoffiana	Queen Palm	16,16	26		TO REMAIN
9	Syagrus romanzoffiana	Queen Palm	12	25		TO REMAIN
10	Cupaniopsis anacardioides	Carrotwood	3	10		TO BE REMOVED
11	Syagrus romanzoffiana	Queen Palm	16	35		TO REMAIN
12	Washingtonia filifera	California Fan Palm	34	58		TO REMAIN
13	Washingtonia filifera	California Fan Palm	32	54		TO REMAIN
14	Washingtonia filifera	California Fan Palm	36	58		TO REMAIN
15	Avocado	Avocado	24	35		TO REMAIN
16	Syagrus romanzoffiana	Queen Palm	10,6	20		TO REMAIN
17	Syagrus romanzoffiana	Queen Palm	12,12	20		TO REMAIN
18	Morus	Mulberry	2	10		TO REMAIN
19	Tristania conferta	Brisbane Box	6	18		TO REMAIN
20	Lagerstroemia indica	Crepe Myrtle	2	10		TO REMAIN
21	Lagerstroemia indica	Crepe Myrtle	2	12		TO REMAIN
22	Lagerstroemia indica	Crepe Myrtle	2	12		TO REMAIN
23	Lagerstroemia indica	Crepe Myrtle	2	10		TO REMAIN
24	Lagerstroemia indica	Crepe Myrtle	2	10		TO REMAIN
25	Lagerstroemia indica	Crepe Myrtle	2	10		TO REMAIN
26	Lagerstroemia indica	Crepe Myrtle	2	10		TO REMAIN
27	Lagerstroemia indica	Crepe Myrtle	2	10		TO REMAIN
28	Lagerstroemia indica	Crepe Myrtle	2	12		TO REMAIN
29	Lagerstroemia indica	Crepe Myrtle	2	12		TO REMAIN
30	Lagerstroemia indica	Crepe Myrtle	2	12		TO REMAIN



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REVISIONS	BY

PHIL MAY
LANDSCAPE
ARCHITECT

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Upland, CA 91786

Phone: 909 373 1959
Fax: 909 373 1958

pmay@philmaydesign.com
www.philmaydesign.com

REGISTERED LANDSCAPE ARCHITECT
PHILIP S. MAY 3104
SIGNATURE
05-31-19
RENEWAL DATE
DATE
STATE OF CALIFORNIA

TREE INVENTORY

EL MONTE MMJ PARK
4400 TEMPLE CITY BLVD.
EL MONTE, CA 91731

DRAWN	R.S.
CHECKED	P.M.
DATE	9/21/2018
SCALE	1"=30'-0"
JOB NO.	18088
SHEET	L-1
OF	2 SHEETS

TREES



Coast Live Oak



Deodar Cedar

SHRUBS



Rosenka Bougainvillea



Yellow Lantana



Natal Plum



Tasman Flax Lily

GROUNDCOVER



Prostrate Myoporum

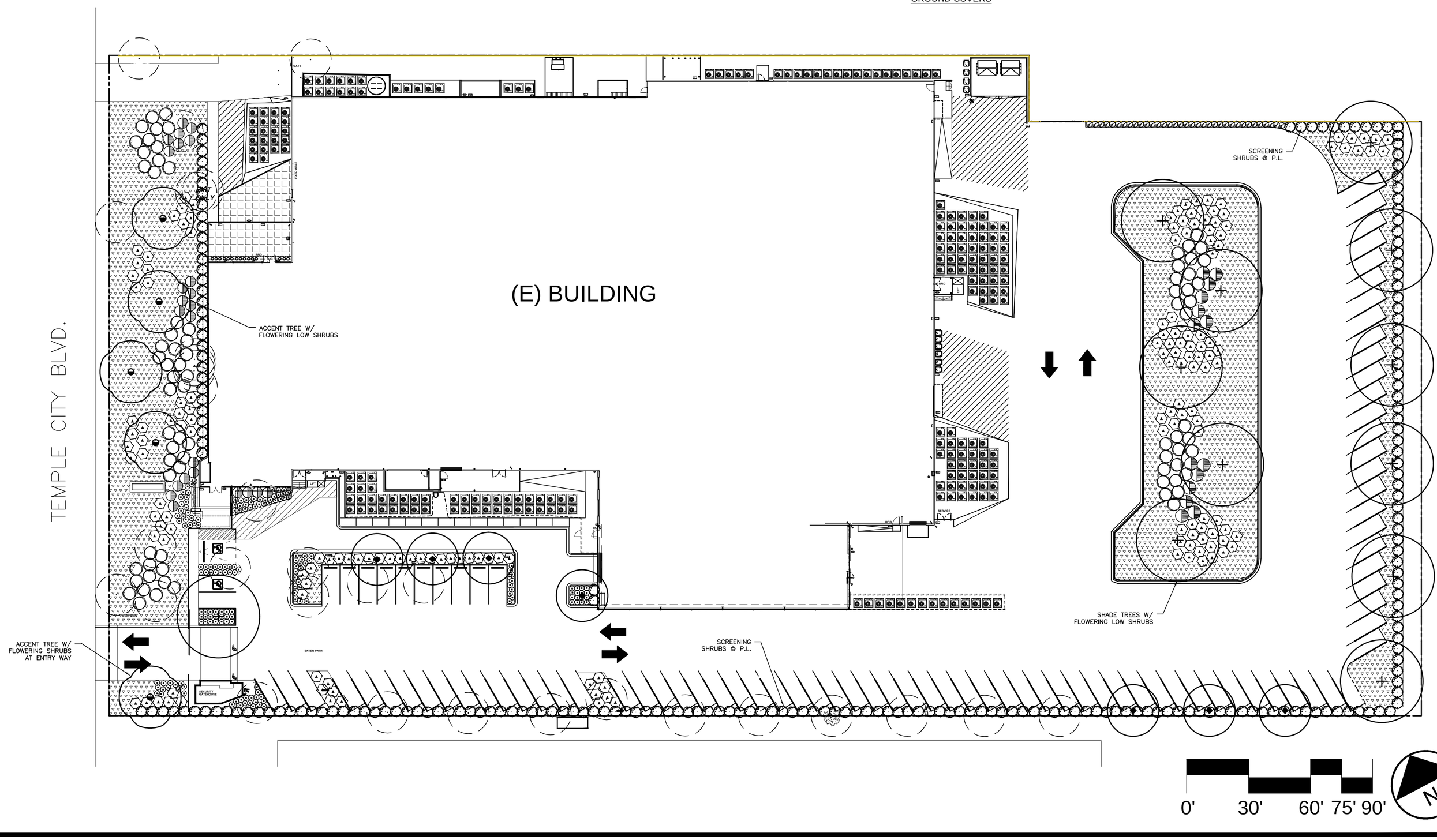


Lowboy Pyracantha

NOTE:
ALL PROPOSED LANDSCAPE AREAS WILL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION CONTROLLER SYSTEM

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WUCOLS FACTOR
	TREES					
	Cedrus deodara	Deodar Cedar	24" box	5	Standard trunk	Moderate
	Lagestroemia i. 'Tuscarora'	Crape Myrtle	24" box	17	Standard trunk	Moderate
	Quercus agrifolia	Coast Live Oak	24" box	17	Standard trunk	Moderate
	EXISTING TREES					
	SHRUBS					
	Bougainvillea 'Rosenka'	Rosenka Bougainvillea	5 gal	34		Moderate
	Dietes bicolor	Fortnight Lily	5 gal	98		Moderate
	Carissa macrocarpa	Natal Plum	5 gal	98		Moderate
	Lantana camara	Lantana	5 gal	56		Moderate
	PERENNIALS					
	Dianella Tasmanica	Tasman Flax Lily	1 gal	205		Moderate
	GROUND COVERS					



REVISIONS | BY

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REGISTERED LANDSCAPE ARCHITECT
PHILIP S. MAY 3104
SIGNATURE
05-31-19
RENEWAL DATE
DATE
STATE OF CALIFORNIA

PRELIMINARY
LANDSCAPE PLAN

EL MONTE MMJ PARK
4400 TEMPLE CITY BLVD.
EL MONTE, CA 91731

DRAWN: R.S.
CHECKED: P.M.
DATE: 9/21/2018
SCALE: 1"=30'-0"
JOB NO.: 18088
SHEET: L-2
OF 2 SHEETS

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TREES



Coast Live Oak

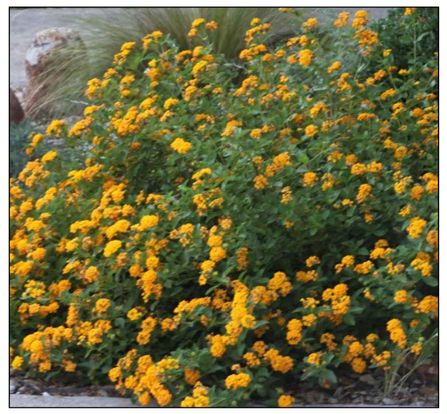


Deodar Cedar

SHRUBS



Rosenka Bougainvillea



Yellow Lantana



Natal Plum



Tasman Flax Lily

GROUNDCOVER



Prostrate Myoporum

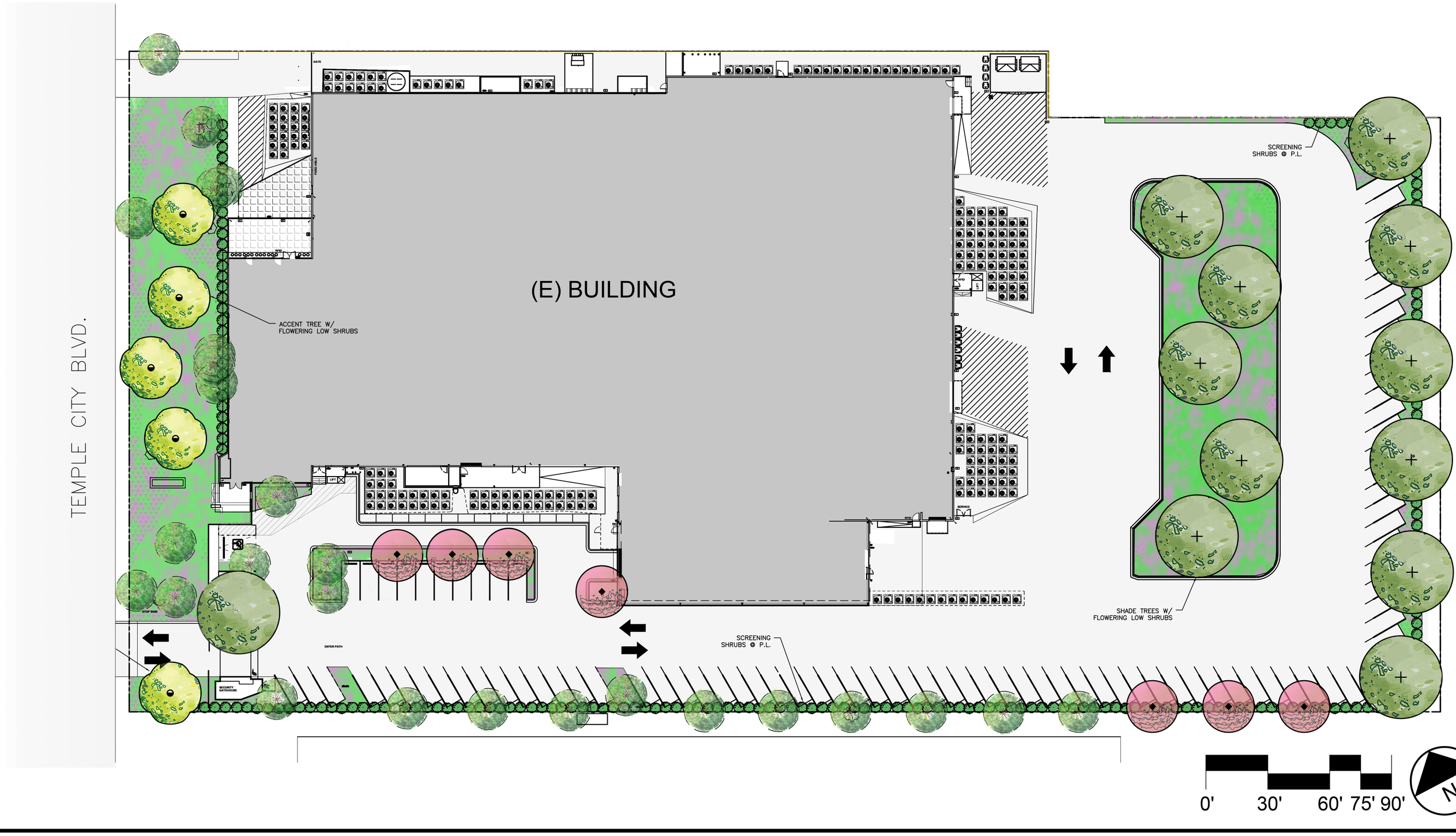


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	TREES					
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	EXISTING TREES					
	SHRUBS					
	Bougainvillea 'Rosenka'	Rosenka Bougainvillea	5 gal	34		Moderate
	Dietes bicolor	Fortnight Lily	5 gal	98		Moderate
	Carissa macrocarpa	Natal Plum	5 gal	98		Moderate
	Lantana camara	Lantana	5 gal	56		Moderate
	PERENNIALS					
	Dianella Tasmanica	Tasman Flax Lily	1 gal	205		Moderate
	GROUND COVERS					



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REGISTERED LANDSCAPE ARCHITECT
Phil P. May 3104
SIGNATURE
05-31-19
RENEWAL DATE
DATE
STATE OF CALIFORNIA

PRELIMINARY LANDSCAPE PLAN

EL MONTE MMJ PARK
4400 TEMPLE CITY BLVD.
EL MONTE, CA 91731

DRAWN	R.S.
CHECKED	P.M.
DATE	9/21/2018
SCALE	1"=30'-0"
JOB NO.	18088
SHEET	L-2
OF	2 SHEETS

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:
City of El Monte
City Hall - West
11333 Valley Boulevard
El Monte, California 91731
Attn: Office of the City Attorney

(Space above Line for Use by Recorder)

This document is exempt from the payment of a recording fee pursuant to Government Code Section 27383

DEVELOPMENT AGREEMENT BETWEEN THE CITY OF EL MONTE AND GSC HOLDING GROUP, LLC

This **DEVELOPMENT AGREEMENT** ("Agreement") is dated as of November 19, 2018 by and among the CITY OF EL MONTE ("City") and GSC HOLDING GROUP, LLC, a LIMITED LIABILITY COMPANY ("Developer") and Oaks by the Lake, LLC (the "Property Owner"). This Agreement shall take effect on the "Effective Date," as this term is hereafter defined. City, Developer and the Property Owner may each be referred to herein individually as a "Party" or collectively as the "Parties."

RECITALS

WHEREAS, in 1996, the California Legislature approved Proposition 215, also known as the Compassionate Use Act ("CUA"), which was codified under Health and Safety Code Section 11262.5 et sec. and was intended to enable persons in need of medical marijuana for specified medical purposes, such as cancer, anorexia, AIDS, chronic pain, glaucoma and arthritis, to obtain and use marijuana under limited circumstances and where recommended by a physician. The CUA provides that "nothing in this section shall be construed or supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.";

WHEREAS, in 2004, the California Legislature enacted the Medical Marijuana Program Act (Health & Saf. Code, § 11362.7 et seq.) ("MMP"), which clarified the scope of the CUA, created a state-approved voluntary medical marijuana identification card program, and authorized cities to adopt and enforce rules and regulations consistent with the MMP. Assembly Bill 2650 (2010) and Assembly Bill 1300 (2011) amended the MMP to expressly recognize the authority of counties and cities to "[a]dopt local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective" and to civilly and criminally enforce such ordinances;

WHEREAS, on October 9, 2015, Governor Jerry Brown signed three bills into law (Assembly Bill 266, Assembly Bill 243, and Senate Bill 643) which are collectively referred to as the Medical Cannabis Regulation and Safety Act ("MCRSA"). MCRSA establishes a statewide regulatory system for the cultivation, processing, transportation, testing, manufacturing, and distribution of medical marijuana to qualified patients and their primary caregivers;

WHEREAS, in September 2015, the California State Legislature enacted, and Governor Brown signed into law three bills – Assembly Bill 243, Assembly Bill 266, and Senate Bill 643 – which together comprise the Medical Marijuana Regulation and Safety Act (the "MMRSA"). The MMRSA created a comprehensive dual state licensing system for the cultivation, manufacture, retail, sale, transport, distribution, delivery, and testing of medical cannabis;

WHEREAS, on July 19, 2016, the City Council of the City (the "City Council") adopted Interim Urgency Ordinance No. 2889 to establish a temporary moratorium on medical "Commercial Cannabis Activities," as defined under the MMRSA and in Section 1.4 of this Agreement, for a period of 45 days and extended such moratorium for an additional period of 22 months and 15 days under Interim Urgency Ordinance No. 2894, on August 16, 2016;

WHEREAS, on August 2, 2016 the City Council adopted Ordinance No. 2890 to reinforce existing permanent prohibitions on medical marijuana dispensaries and cultivation;

WHEREAS, the MMRSA was renamed the Medical Cannabis Regulation and Safety Act

(the "MCRSA"), under Senate Bill 837 in June 2016, which also made included substantive changes to the applicable state laws, which affect the various state agencies involved in regulating cannabis businesses as well as potential licensees;

WHEREAS, On November 8, 2016, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") was approved California voters as Proposition 64 and became effective on November 9, 2016, pursuant to the California Constitution (Cal. Const., art. II, § 10(a).). Proposition 64 legalized the nonmedical use of cannabis by persons 21 years of age and over, and the personal cultivation of up to six (6) cannabis plants. On November 15, 2016, the City Council adopted Urgency Ordinance No. 2902 to prohibit outdoor personal marijuana cultivation and establish regulations and a permitting process for indoor personal marijuana cultivation;

WHEREAS, AUMA also created a state regulatory and licensing system governing the commercial cultivation, testing, and distribution of nonmedical cannabis, and the manufacturing of nonmedical cannabis products. On December 6, 2016, Urgency Ordinance No. 2905 was adopted by the City Council to establish a temporary moratorium on nonmedical Commercial Cannabis Activities for a period of 45 days and extended such moratorium for an additional period of 22 months and 15 days under Urgency Ordinance No. 2907, on January 10, 2017;

WHEREAS, on June 27, 2017, Governor Brown signed the Legislature-approved Senate Bill 94. SB 94 combined elements of the MCRSA and AUMA to establish a streamlined singular regulatory and licensing structure for both medical and nonmedical cannabis activities given that there were discrepancies between the MCRSA and AUMA. The new consolidated provisions under SB 94 is now known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA") to be governed by the California Bureau of Cannabis Control. MAUCRSA refers to medical cannabis as "medicinal cannabis" and nonmedical/recreational cannabis as "adult-use cannabis";

WHEREAS, on September 16, 2017, Governor Brown signed Assembly Bill 133 into law, which provided cleanup and substantive to MAUCRSA, including the removal of the requirement that licensed premises remain "separate and distinct" for each license type;

WHEREAS, MAUCRSA grants local jurisdictions discretion over whether businesses engaged in Commercial Cannabis Activity may operate in a particular jurisdiction and, if authorized, where within such jurisdiction;

WHEREAS, on November 8, 2017, the City Council approved Ordinance No. 2824 to: (i) prohibit all adult-use Commercial Cannabis Activities in the City; (ii) prohibit medicinal commercial cannabis retailers, dispensaries, microbusinesses, and deliveries; (iii) establish regulations and a discretionary review process for medicinal-only Commercial Cannabis Activities, including cultivation, distribution, manufacturing, and laboratory testing in portions of the M-1 (light manufacturing), M-2 (general manufacturing), and O-P (professional office) zones;

WHEREAS, Ordinance No. 2924 allows persons to engage in permissible medicinal Commercial Cannabis Activities upon the City's issuance of a "Commercial Medicinal Cannabis Business Permit," which requires City approval of a conditional use permit, development

agreement, and other applicable approvals for each proposed Commercial Cannabis Activity project;

WHEREAS, Developer seeks to improve, develop, and/or use real property to operate a Commercial Medicinal Cannabis, Manufacturing, and Distribution business in the City, in strict accordance with the California Cannabis Laws and the El Monte Municipal Code, as each may be amended from time to time (the "Project");

WHEREAS, to strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic risk of development, the California Legislature adopted Government Code Section 65864 et seq. (the "Development Agreement Statute"), which authorizes City and an individual with an interest in real property to enter into a development agreement that establishes certain development rights in real property;

WHEREAS, consistent with the requirements of the Development Agreement Statute, City adopted El Monte Municipal Code Chapter 17.84, ("City Development Agreement Ordinance") authorizing the use of and establishing the procedures and requirements for the consideration of development agreements within the City;

WHEREAS, Government Code Section 65865 requires that an applicant for a development agreement hold a legal or equitable interest in the real property that is the subject of the development agreement;

WHEREAS, Developer has a leasehold interest in that certain real property located at 4400 Temple City Blvd, El Monte, CA 91731 in the City of El Monte, County of Los Angeles, State of California, Assessor's Parcel Number 8577-001-043, upon which Developer intends to implement the Project (the "Site");

WHEREAS, the Site is more particularly described in the legal description attached hereto as **Exhibit "A,"** the Site Plan attached hereto as **Exhibit "B**,**"** and the Floor Plan attached hereto as **Exhibit "C"**;

WHEREAS, the Site is located within the LIGHT INDUSTRIAL Zone in the City where Medicinal Cannabis Cultivation, Medicinal Cannabis Manufacturing, and Medicinal Cannabis Distribution are allowed;

WHEREAS, Developer affirms that it has a leasehold interest in the Site pursuant to a lease with the owner of the Site Oaks by the Lake, LLC (the "Property Owner") for the purpose of carrying out the Project;

WHEREAS, the legal owner of the Site has provided notarized written consent to: (1) all terms of this Agreement, including, but not limited to, Sections 6.1 and 9.6 of this Agreement; and (2) and recordation of this Agreement against the title of the Site. Such written consent agreement is attached hereto as **Exhibit "D."**

WHEREAS, Government Code Section 65867.5 and the City Development Agreement Ordinance require the El Monte Planning Commission ("Planning Commission") to conduct a public hearing to review a proposed development agreement;

WHEREAS, on November 27, 2018, the Planning Commission, in a duly noticed and conducted public hearing, considered recommendation of approval of this Agreement to the City Council;

WHEREAS, on November 27, 2018, the Planning Commission recommended City Council approval of this Agreement, which would allow Developer to operate the Project at the Site;

WHEREAS, on [DATE], pursuant to Government Code Section 65867.5 and the City Development Agreement Ordinance, the City Council, following a duly noticed and conducted public hearing, reviewed, considered, and adopted approved Conditional Use Permit No. [NUMBER] and reviewed, considered, and adopted a first reading of Ordinance No. [NUMBER], and on [DATE], the City Council approved for second reading and adopted Ordinance No. [NUMBER], authorizing the City's entrance into this Agreement;

WHEREAS, this Agreement is entered into pursuant to the Development Agreement Statute and the City Development Agreement Ordinance;

WHEREAS, the City and Developer desire to enter into this Agreement to (i) facilitate the orderly development of the Site; (ii) create a physical environment that is consistent with and complements City's goals and visions; (iii) protect natural resources from adverse impacts; (iv) improve, upgrade, and create additional community facilities and infrastructure, enhance services, and assist in implementing the goals of the General Plan; and (vi) reduce the economic risk of development of the Site to both City and Developer; and

WHEREAS, the Parties intend through this Agreement to allow Developer to develop and operate the Project in accordance with the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

AGREEMENT

ARTICLE 1
GENERAL PROVISIONS

Section 1.1. Findings. City hereby finds and determines that entering into this Agreement furthers the public health, safety, and general welfare and is consistent with City's General Plan, including all text and maps in the General Plan.

Section 1.2. Recitals. The Recitals above are true and correct and are hereby incorporated into and made a part of this Agreement. In the event of any inconsistency between the Recitals and the provisions of Articles 1 through 9 of this Agreement, the provisions of Articles 1 through 9 shall prevail.

Section 1.3. Exhibits. The following "Exhibits" are attached to and incorporated into this Agreement:

Exhibit “A”:	Legal Description
Exhibit “B”:	Site Plan
Exhibit “C”:	Floor Plan
Exhibit “D”	Property Owner Consent
Exhibit “E”	Additional Community Benefits

Section 1.4. Definitions. In this Agreement, unless the context otherwise requires, the terms below have the following meanings:

a. “Additional Insureds” has the meaning set forth in Section 5.1 of this Agreement.

b. “Additional City Approvals” means all ministerial and discretionary permits, licenses, or other similar entitlements that must be secured by the Developer in order to develop the Project on the Site, in addition to the Conditional Use Permit and the Commercial Medicinal Cannabis Business Permit.

c. “Agreement” means this Development Agreement and all Exhibits attached hereto.

d. “Annual Community Benefits Fees” has the meaning set forth in Section 4.2 of this Agreement.

e. “AUMA” has the meaning as set forth in the Recitals, above.

f. “California Building Standards Codes" means the California Building, Mechanical, Plumbing, Electrical, Fire or other similar codes set forth in the California Code of Regulations, as may adopted by the City, with amendments, and set forth in the El Monte Municipal Code.

g. “California Cannabis Laws” means AUMA, MAUCRSA, CUA, MMP, and the regulations adopted and promulgated by the State Licensing Authorities pursuant to such laws, as such laws and regulations may be amended from time to time.

h. “Cannabis” means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this division, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the Health and Safety Code. Cannabis and the term "marijuana" may be used interchangeably.

i. “Cannabis Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of Medicinal cannabis.

j. “Cannabis Distribution” means the procurement, sale, and transport of Medicinal cannabis and/or Medicinal cannabis products between those persons with requisite state and local government licenses to conduct permissible Commercial Cannabis Activities.

k. “Cannabis Manufacturing” means the production, preparation, propagation, or compounding of Medicinal cannabis or Medicinal cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages Medicinal cannabis or Medicinal cannabis products or labels or relabels its container.

l. “Cannabis product” means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

m. “Canopy Space” means all areas occupied by any portion of a cannabis plant, inclusive of all vertical planes, whether contiguous or noncontiguous on any one site. For example, if Developer has a cultivation area of 1,000 square feet located above another cultivation area of 1,000 square feet, Developer’s total Canopy Space shall be 2,000 square feet, even though the total cultivation area may only occupy 1,000 square feet of ground space.

n. “CEQA” means the California Environmental Quality Act, as set forth in Division 13 (Commencing with Section 21000) of the California Public Resources Code, and the CEQA Guidelines as set forth in Title 14 (Commencing with Section 15000) of the California Code of Regulations.

o. ““City” means the City of El Monte, a municipal corporation and general law city.

p. “City Council” means the City of El Monte City Council as described in El Monte Municipal Code Chapter 2.04.

q. “City Development Agreement Ordinance” has the meaning set forth in the Recitals, above.

r. “City Manager” means the City Manager of the City of El Monte, or his or her designee.

s. "Commercial Cannabis Activity,” plural, “Commercial Cannabis Activities,” includes cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, delivery, or sale of cannabis or a cannabis product that requires a state license pursuant to MAUCRSA.

t. “Commercial Medicinal Cannabis Business Permit” means the City permit, as defined in El Monte Municipal Code Section 5.18.050, authorizing permissible Medicinal Commercial Cannabis Activity issued by the City Manager, which can only be issued upon City approval of a conditional use permit, development agreement, and Additional City Approvals for each proposed Medicinal Commercial Cannabis Activity project;

u. “Community Benefits” has the meaning set forth in Section 4.1 of this Agreement.

v. “Community Benefits Fees” has the meaning set forth in Section 4.2 of this Agreement.

w. “Community Benefits Fund” has the meaning set forth in Section 4.2 of this Agreement.

x. “Complaining Party” has the meaning set forth in Section 8.2 of this Agreement.

y. “Conditional Use Permit” means a conditional use permit issued by the City to Developer pertaining to Developer’s development of the Project, pursuant to El Monte Municipal Code Chapter 17.24 and Section 17.24.040. In the event that the Conditional Use Permit may not have been issued to the Developer as of the Effective Date, the City hereby reserves its discretion under the police power to approve, conditionally approve, or deny the issuance of the Conditional Use Permit.

z. “CUA” has the meaning set forth in the Recitals, above.

aa. “Defaulting Party” has the meaning set forth in Section 8.2 of this Agreement.

bb. “Developer” means GSC Holding Group, LLC, which shall reflect the owner or owners listed on the application for Commercial Medicinal Cannabis Business Permit.

cc. “Development Agreement Statute” has the meaning set forth in the Recitals, above.

dd. “Effective Date” has the meaning set forth in Section 1.6 of this Agreement.

ee. “Exhibits” has the meaning set forth in Section 1.3 of this Agreement.

ff. “Gross Receipts” means total revenue received or receivable by the Developer from any Commercial Cannabis Activity on the Site or from operation of the Project on the Site, including: all sales; the total amount of compensation received or receivable for the performance of any act or service, of whatever nature it may be, for which a charge is made or credit whether or not such act or service is done as part of or in connection with the sale of materials, goods, wares, or merchandise; and gains realized from trading in stocks or bonds, interest discounts, rents, royalties, fees, commissions, dividends, or other remunerations, however designated. Included in "gross receipts" shall be all receipts, cash, credits, and property of any kind or nature, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, or losses or other expenses whatsoever, except that the following shall be excluded therefrom:

1. Cash discounts allowed and taken on Commercial Cannabis Activity sale;

2. Credit allowed on property accepted as part of the purchase price Commercial Cannabis Activity and which property may later be sold, at which time the payment of the credit balance on such property shall be included as "gross receipts";

3. Any tax required by law to be included in or added to the purchase price Commercial Cannabis Activity and collected from the consumer or purchaser;

4. Such part of the sale price of property returned by purchasers in any Commercial Cannabis Activity upon rescission of a contract of sale as is refunded either in cash or by credit;

5. Receipts of refundable deposits in any Commercial Cannabis Activity, except that such deposits when forfeited and taken into income of the business shall not be excluded.

The intent of this definition is to ensure that in calculating the payments required under Article 4 of this Agreement, all sales related to Commercial Cannabis Activity or any other cannabis and cannabis products at the Site or through the Project are captured. This definition shall therefore be given the broadest possible interpretation consistent with this intent.

gg. "Labor Peace Agreement" means an agreement between the Developer and any bona fide labor organization that, at a minimum, prohibits labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with the Developer's business. This agreement means that the Developer has agreed not to disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent, the Developer's employees. The agreement shall provide a bona fide labor organization access at reasonable times to areas in which the Developer's employees work, for the purpose of meeting with employees to discuss their right to representation, employment rights under state law, and terms and conditions of employment. This type of agreement shall not mandate a particular method of election or certification of the bona fide labor organization.

hh. "Living Wage" means one hundred fifty percent (150%) more than the applicable amount of the hourly minimum wage mandated by California state or federal law, whichever is greater.

ii. "Property Owner" has the meaning as set forth in the Recitals, above.

jj. "Major Amendment" means an amendment that shall have a material effect on the terms of the Agreement. A Major Amendment also has the meaning set forth in Section 1.9 of this Agreement. Major Amendments shall require approval by the City Council.

kk. "Marijuana" has the same meaning as cannabis and those terms may be used interchangeably.

ll. "MAUCRSA" means the Medicinal and Adult-Use Cannabis Regulation and Safety Act, codified as Business and Professions Code Section 26000 et seq., as may be amended from time to time, and as additionally set forth in the Recitals, above.

mm. "MCRSA" has the meaning set forth in the Recitals, above.

nn. "Medicinal" with regard to cannabis or cannabis products means cannabis or cannabis products, respectively, intended to be sold or used pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of Health and Safety Code, by a medicinal cannabis patient in California who possesses a physician's recommendation.

oo. "Minor Amendment" means a clerical amendment to the Agreement that shall not materially affect the terms of the Agreement and any amendment described as minor herein. A Minor Amendment also has the meaning set forth in Section 1.9 of this Agreement.

pp. "Mortgage" has the meaning set forth in Section 6.1 of this Agreement.

qq. "Non-Payment Penalty" has the meaning set forth in Section 4.5 of this Agreement.

rr. "Notice of Non-Payment Penalty" has the meaning set forth in Section 4.5 of this Agreement.

ss. "Planning Commission" means the City of El Monte Planning Commission as described in El Monte Municipal Code Chapter 2.24.

tt. "Project" has the meaning set forth in the Recitals, above.

uu. "Quarterly Community Benefits Fees" has the meaning set forth in Section 4.2 of this Agreement.

vv. "Quarterly Report" has the meaning set forth in Section 4.4 of this Agreement.

ww. "Regulatory Fees" mean charges owed by the Developer to the City for the City's costs incurred in processing applications related to the Project, administering its cannabis-related ordinance with regard to the Project, and monitoring legal compliance of the Project on the Site, including, but not limited to building and safety-related inspections by the City.

xx. "Site" has the meaning as set forth in the Recitals, above.

yy. "State Cannabis Licenses" means licenses to conduct Commercial Cannabis Activities issued by a State Licensing Authority to Developer for the Development of the Project on the Site.

zz. "State Licensing Authority" means the state agency responsible for the issuance, renewal, or reinstatement of State Cannabis Licenses, or the state agency authorized to take disciplinary action against a business licensed under the California Cannabis Laws.

aaa. "Term" has the meaning set forth in Section 1.7 of this Agreement.

Section 1.5. Project is a Private Undertaking. The Parties agree that the Project is a private development and that City has no interest therein, except as authorized in the exercise of its governmental functions. City shall not for any purpose be considered an agent of Developer or the Project.

Section 1.6. Effective Date of Agreement. This Agreement shall become effective (the "Effective Date") upon the date when all of the following conditions have been satisfied: (i) the City ordinance approving this Agreement becomes effective; (ii) this Agreement has been fully executed by the Parties; and (iii) the evidence of insurance coverage in favor of the City has been provided to the City as set forth in Article 5 of this Agreement.

Section 1.7. Term. The term of this Agreement (the "Term") shall be ten (10) years commencing from the Effective Date. This Agreement may be extended upon the conclusion of such ten-year period for a maximum of two (2) ten (10) years extension terms, in the sole and absolute discretion of the City, provided that the City issues written notice of its intent to so extend this Agreement no less than one hundred eighty days (180) days before the expiration of the initial 10-year period or any ten-year extension term. Nothing in this Section 1.7 shall prohibit or otherwise restrict the termination of this Agreement in accordance with Section 1.8.

Section 1.8. Termination. This Agreement shall terminate upon the occurrence of any of the following events:

a. the expiration of the Term;

b. the Developer no longer has a possessory, legal or other equitable interest in the Site;

c. the Developer has ceased all operations related to the Project on the Site;

d. mutual written consent of the Parties;

e. abandonment of Developer's Conditional Use Permit applicable to the Project pursuant to El Monte Municipal Code Section 17.24.090 including the failure of the Developer to commence operation of the Project on the Site within the time presented following the approval of the Conditional Use Permit;

f. revocation of Developer's Conditional Use Permit pursuant to El Monte Municipal Code Section 17.24.100;

g. revocation of Developer's Commercial Medicinal Cannabis Business Permit for the Project, if not appealed by Developer;

h. City Council upholding of the revocation of Developer's Commercial Medicinal Cannabis Business Permit for the Project, if an initial revocation finding by the City Manager is appealed to the City Council by Developer;

i. unauthorized assignment of interest of the Developer in the Project or n the Site pursuant to Section 9.1 of this Agreement; or

j. as set forth in Section 8.4 of this Agreement.

The rights and obligations of the Parties set forth in Sections 5.4, 9.2, 9.3, 9.4, and 9.6 of this Agreement and any right or obligation of the Parties in this Agreement, which, by its express terms or nature and context is intended to survive termination of this Agreement, will survive any such termination.

Section 1.9. Amendment of Agreement. This Agreement shall be amended only by mutual consent of the Parties. All amendments shall be in writing. The City Council hereby expressly authorizes the City Manager to approve a Minor Amendment to this Agreement, upon notification to the City Council. A Major Amendment to this Agreement must be approved by the City Council in accordance with El Monte Municipal Code Section 17.84.300. The City Manager shall, upon consultation with the City Attorney, have the discretion to determine if an amendment is a Minor Amendment or a Major Amendment. Nothing in this Agreement shall be construed as requiring a noticed public hearing for an amendment of this Agreement, unless required by law.

Section 1.10. Fees. Developer agrees to pay all Regulatory Fees, Community Benefit Fees, and any other applicable fees to the City related to Developer's development and operation of the Project on the Site, including, but not limited to those fees referenced in Article 4 of this Agreement.

ARTICLE 2
DEVELOPMENT OF THE PROPERTY

Section 2.1. Right to Develop. During the Term, Developer shall have the right to develop the Project on the Site, consistent with California Cannabis Laws, this Agreement, the Conditional Use Permit, Additional City Approvals if any, the Commercial Medicinal Cannabis Business Permit, the El Monte Municipal Code, and State Cannabis Licenses.

Section 2.2. Permitted Uses and Operational Requirements. Developer shall be permitted to develop, construct, and use the Site to carry out the Project, including Medicinal Cannabis Cultivation, Medicinal Cannabis Manufacturing, and Medicinal Cannabis Distribution business activities, consistent with California Cannabis Laws, this Agreement, the Conditional Use Permit, Additional City Approvals, the Commercial Medicinal Cannabis Business Permit, the El Monte Municipal Code, and State Cannabis Licenses.

Section 2.3. Additional Entitlements, Approvals, and Permits. Successful implementation of the Project may require the Developer to obtain additional approvals and permits from City and other local and state agencies. In connection with the consideration and issuance of any such Additional City Approval which is not ministerial in nature, the City reserves its discretion under the police power to approve, conditionally approve, or deny the issuance of each City Additional Approval. City shall comply with CEQA in the administration of all Additional City Approvals.

Section 2.4. Conditional Use Permit. Pursuant to El Monte Municipal Code Chapter 17.24 and Section 17.24.040, Developer shall not engage in the permitted uses set forth above pertaining to the Project on the Site without first obtaining the Conditional Use Permit for the conduct of Medicinal Cannabis Cultivation, Medicinal Cannabis Manufacturing, and Medicinal Cannabis Distribution business activities.

Section 2.5. Commercial Medicinal Cannabis Business Permit. Pursuant to El Monte Municipal Code Section 5.18.070(A), no person may engage in Commercial Cannabis Activity in the City without obtaining a Commercial Medicinal Cannabis Business Permit issued upon City approval of a Development Agreement, Conditional Use Permit, and Additional City Approvals.

Section 2.6. State Cannabis Licenses. Pursuant to California Cannabis Laws, Developer shall not engage in the permitted uses set forth above pertaining to the Project on the Site without first obtaining State Cannabis Licenses to conduct Medicinal Cannabis Cultivation, Medicinal Cannabis Manufacturing, and Medicinal Cannabis Distribution business activities on the Site.

ARTICLE 3
APPLICABLE RULES, REGULATIONS, AND OFFICIAL POLICIES

Section 3.1. Rules on Permitted Uses. Unless otherwise provided in this Agreement, the City's ordinances, resolutions, rules, regulations, and official policies governing the permitted uses of the Site and the maximum height, bulk, and size of proposed buildings related to the Project on the Site shall be those in force and effect at the time of the City's issuance of the Commercial Medicinal Cannabis Business Permit for the development of the Project at the Site.

Section 3.2. Rules on Design and Construction. Unless otherwise provided in this Agreement, the ordinances, resolutions, rules, regulations, and official policies governing the design, improvement, improvement, and construction standards and specifications applicable to the Project shall be those in force and effect at the time of the City's issuance of the Commercial Medicinal Cannabis Business Permit for the development of the Project at the Site.

Section 3.3. Uniform Codes Applicable. Unless otherwise provided in this Agreement, the Project shall be improved and constructed in accordance with the provisions of the California Building Standards Codes in effect at the time as of the time of the City's consideration of approval of the relevant permit sought by Developer for the Project.

Section 3.4. Changes mandated by Federal or State Law. The Site and Project shall be subject to subsequently enacted state or federal laws or regulations that may preempt the El Monte Municipal Code, or mandate the adoption or amendment of local regulations, or are in conflict with this Agreement or local rules or guidelines associated with the Cannabis Business Pilot Program. As provided in Section 65869.5 of the Development Agreement Statute, in the event state or federal laws or regulations enacted after the Effective Date prevent or preclude compliance with one or more provisions of this Agreement, such provisions shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations. Upon discovery of a subsequently enacted federal or state law meeting the requirements of this Section, City or Developer shall provide the other Party with written notice of the state or federal law or regulation, and a written statement of the conflicts thereby raised with the provisions of the Patterson Municipal Code or this Agreement. Promptly thereafter, City and Developer shall meet and confer in good faith in a reasonable attempt to modify this Agreement, as necessary, to comply with such federal or state law or regulation provided City shall not be obligated to agree to any modification materially increasing its obligations or materially adversely affecting its rights and benefits hereunder. In such discussions, City and Developer will attempt to preserve the terms of this Agreement and the rights of Developer derived from this Agreement to the maximum feasible extent while resolving the conflict. If City, in its judgment, determines it necessary to modify this Agreement to address such conflict, City shall have the right and responsibility to do so, and shall not have any liability to Developer for doing so or be considered in breach or default of this Agreement. City also agrees to process, in accordance with the provisions of this Agreement, Developer' proposed changes to the Project that are necessary to comply with such federal or state law and that such proposed changes shall be conclusively deemed to be consistent with this Agreement without further need for any amendment to this Agreement.

Section 3.5. Health and Safety Emergencies. In the event that any future public health and safety emergencies arise with respect to the development contemplated by this Agreement, City agrees that it shall attempt, if reasonably possible as determined by City in its discretion, to address such emergency in a way that does not have a material adverse impact on the Project. If City determines, in its discretion, that it is not reasonably possible to so address such health and safety emergency, to select that option for addressing the situation which, in City's discretion, minimizes, so far as reasonably possible, the impact on development and use of the Project in accordance with this Agreement, while still addressing such health and safety emergency in a manner acceptable to City.

Section 3.6. Reservation of Authority. Any other provision of this Agreement to the contrary notwithstanding, the development of the Project shall be subject to new or modified ordinances, resolutions, rules, regulations, and official policies related to the following:

a. Regulatory Fees imposed on the Developer by the City, which are charged by the City to cover its actual and reasonable expenses incurred in processing permits, licenses, and other entitlements related to the Project, administering its cannabis-related ordinance

with regard to the Project, and monitoring legal compliance of the Project on the Site, including, but not limited to building and safety-related inspections by the City;

b. Procedural regulations related to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals, and other similar procedural matters; and

c. Regulations, including, but not limited to, the California Building Standards Codes, necessary to protect the public health and safety so long as such regulations are generally applicable and do not impose a severe and significant financial burden on the Developer or materially delay the development or carrying out of the Project as contemplated in this Agreement.

ARTICLE 4
COMMUNITY BENEFITS, RECORDKEEPING, REPORTING, AND PROCESSING

Section 4.1. Intent. The Parties acknowledge and agree that this Agreement confers substantial private benefits on the Developer that will place burdens on City infrastructure, services, and neighborhoods and that the private benefits provided to the developer should be balanced with commensurate public benefits for the community ("Community Benefits"). The Parties agree that the payment of Community Benefits Fees are proportionate to the amount Developer would pay in the form of an applicable tax on Commercial Cannabis Activities in the City related to the Project.

Section 4.2. Community Benefits Fees. In addition to Developer's obligation to compensate the City through its Regulatory Fees, Developer shall be obligated to provide Community Benefits as follows, which shall collectively be referred to as "Community Benefit Fees":

a. "Quarterly Community Benefits Fees." Within twenty (20) days following the conclusion of each fiscal year quarter following the City's issuance of a Commercial Medicinal Cannabis Business Permit for the Project, Developer make payment to the City equivalent to its percentage of Gross Receipts, or other applicable fee metric, pursuant to the following fee schedule:

Cultivation	Six Dollars ($6) per square foot of Canopy Space
Manufacturing	One and a Half Percent (1.5%) of Gross Receipts
Distribution	One Percent (1%) of Gross Receipts

Should the Developer cease one (1) of the three (3) Commercial Cannabis Activities referenced above, the Developer shall notify the City in writing within five (5) days of such cessation and the Developer shall make payments of Quarterly Community Benefits Fees to the City in accordance with the following schedule:

Cultivation/Manufacturing	Twelve Dollars ($12) per square foot of Canopy Space/Four Percent (4%) of Gross Receipts
Cultivation/Distribution	Twelve Dollars ($12) per square foot of Canopy Space/One and One-Half Percent (1.5%) of Gross Receipts
Manufacturing/Distribution	Four Percent (4%) of Gross Receipts/One and One-Half Percent (1.5%) of Gross Receipts

Should the Developer cease two (2) of the three (3) Commercial Cannabis Activities referenced above, the Developer shall notify the City in writing within five (5) days of such cessation and the Developer shall make payments of Quarterly Community Benefits Fees to the City in accordance with the following schedule:

Cultivation	Twelve Dollars ($12) per square foot of Canopy Space
Manufacturing	Six Percent (6%) of Gross Receipts
Distribution	Two and One-Half Percent (2.5%) of Gross Receipts

The City reserves the right to deem the Developer's cessation of Cannabis Cultivation, Cannabis Manufacturing, or Cannabis Distribution as a default of this Agreement subject to Article 8 of this Agreement, notwithstanding the City's acceptance of Quarterly Community Benefits Fees.

b. "Annual Community Benefits Fees." Within ninety (90) days the City's issuance of a Certificate of Occupancy for the Project, Developer shall make a payment to the City in the amount of One Hundred Seventy-Five Thousand Dollars ($175,000). Each January 15th following the calendar year in which the initial One Hundred Seventy Five Thousand Dollar ($175,000) payment referred to in the preceding sentence is made to the City, the Project Developer shall make a payment to the City in the amount of One Hundred Seventy- Five Thousand Dollars ($175,000) no later than January 15 of each such calendar year. The City shall deposit such payments into a separate City fund (the "Community Benefits Fund") exclusively dedicated to investment in Community Benefits related to the Project, including, but not limited to those Community Benefits discussed with the Developer in Phase 3 of the City's approved application process.

Section 4.3. Additional Community Benefits.

a. Developer agrees to provide additional Community Benefits as set forth in **Exhibit "E"** to this Agreement, including, but not limited to those Community Benefits discussed with the Developer in Phase 3 of the City's approved application process; and

b. The additional Community Benefits referenced in Subsection (a) of Section 4.3 and contained in **Exhibit "E"** shall include the following labor and employment-related elements:

1. The Developer's shall provide a Living Wage (as defined in the Recitals, above) to its employees;

2. If Developer employs ten (10) or more employees, it shall enter into a Labor Peace Agreement, as defined in the Recitals, above, and provide the City with evidence of such Labor Peace Agreement within ninety (90) days the City's issuance of a Certificate of Occupancy for the Project; and

3. The Developer shall utilize its reasonable best efforts to ensure that at least fifteen percent (15%) of its employees are persons domiciled in the City, but the Developer warrants that at least ten percent (10%) of its employees shall be persons domiciled in the City.

Section 4.4. Quarterly Reports. In addition to the recordkeeping requirements set forth in El Monte Municipal Code Section 5.18.180, within twenty (20) days following the conclusion of each fiscal year quarter following the City's issuance of a Commercial Medicinal Cannabis Business Permit for the Project, Developer shall submit a so-called "Quarterly Report" to the City showing:

a. Gross Receipts for the immediate prior fiscal quarter received by the Developer; and

b. A calculation of Quarterly Community Benefits Fees due to the City from Developer for the immediate prior fiscal quarter.

Section 4.5. Penalty. If Developer fails to make a payment concerning Community Benefits Fees, as required by this Agreement, the City may impose a "Non-Payment Penalty." A Non-Payment Penalty of one percent (1%) shall be applied to all past due Community Benefits Fees. The City shall deliver to Developer a "Notice of Non-Payment Penalty." Payment of the Non-Payment Penalty shall be in a single installment due on or before a date fifteen (15) days following delivery of the Non-Payment Penalty.

Section 4.6. Interest on Unpaid Non-Performance Penalty. If Developer fails to pay the Non-Performance Penalty after City has delivered the Notice of Non-Performance Penalty, then, in addition to the principal amount of the Non-performance Penalty, Developer shall pay City interest at the rate of eighteen percent (18%) per annum, computed on the principal amount of the Non-Performance Penalty, from a date fifteen (15) days following delivery of the Notice of Non-performance Penalty.

Section 4.7. Recordkeeping. Records shall be maintained in accordance with El Monte Municipal Code Section 5.18.180 and the California Cannabis Laws.

Section 4.8. City Cannabis Tax. Should the City voters enact a tax or taxes applicable to the Developer with regard to its carrying out of Cannabis Cultivation, Cannabis Manufacturing, or Cannabis Distribution business in the City, the parties shall meet and confer in good faith to amend this Article in light of such tax, pursuant to Section 1.9 of this Agreement.

ARTICLE 5
INSURANCE AND INDEMNIFICATION

Section 5.1. General Liability Insurance. Developer shall maintain comprehensive general liability insurance issued by a California admitted insurance courier whose Best Insurance Guide, current edition insurance rating is not less than "B+(vii)" with a per-occurrence combined single limit of not less than Two Million Dollars ($2,000,000) with a claim deduction not more than One Hundred Thousand Dollars ($100,000) per claim. Such insurance policy shall name the City and City's elected and appointed councils, boards, commissions, legislative bodies, officials, employees, and representatives as "Additional Insureds" by endorsement with respect to the performance of this Agreement and shall include either a severability of interest clause or cross-liability endorsement and other customary and reasonable endorsements and provisions approved by the City's risk manager.

Section 5.2. Workers' Compensation Insurance. Developer shall maintain workers' compensation insurance for all its employees employed at or on the Project. Developer shall require each contractor and subcontractor working at or on the Project to provide workers' compensation insurance for its respective employees. Developer indemnification of City set forth in Section 5.4 of this Agreement shall apply to Developer's failure to maintain any such insurance.

Section 5.3. Evidence of Insurance. Evidence of the insurance in favor of the City required under Section 5.1 shall be provided to the City as of the Effective Date. Thereafter no Commercial Medicinal Cannabis Business Permit for the Project shall be valid unless and until Developer furnishes satisfactory evidence of the other insurance required in Article 5 of this Agreement. In each case, the evidence of insurance provided to the City shall include satisfactory evidence that the insurance carrier shall give the City at least fifteen (15) days' prior notice of the cancellation or reduction in coverage of each policy of insurance required in Article 5 of this Agreement.

Section 5.4. Indemnification. The Developer agrees to indemnify, defend with counsel acceptable to City, and hold harmless the City and City's elected and appointed councils, boards, commissions, legislative bodies, officials, employees, and representatives from any and all claims, costs (including legal fees and costs), or liabilities of any kind arising out of or connected to any act or omission of Developer or Developer's contractor, subcontractor, agent, or representative related to its establishment or operation of the Project or arising out of or related to the approval or issuance of any permit, license, or approval by the City for the Project, except to the extent such claims, costs, and liabilities are caused by the sole negligence or willful misconduct of the City. The Developer agrees that it shall be responsible for all costs incurred by the City in the event of a third-party challenge related to such claims, costs, or liabilities.

Section 5.5. Failure to Indemnify. The Developer's failure to indemnify the City, when required by this Agreement, shall constitute a material breach of this Agreement and of any applicable Conditional Use Permit, Commercial Medicinal Cannabis Business Permit, and Additional City Approvals, which shall entitle the City to all remedies available under law, including, but not limited to, specific performance and damages. Failure to indemnify shall

constitute grounds upon which the City may rescind its approval of any entitlement, permit, or license related to the Project, or any portion thereof, and a waiver of Developer's right to file a claim, action, or proceeding against the City and City's elected and appointed councils, boards, commissions, legislative bodies, officials, employees, and representatives based upon the City's rescission or revocation of any applicable Conditional Use Permit, Commercial Medicinal Cannabis Business Permit, and Additional City Approvals, or City's failure to defend any claim, action, or proceeding based upon Developer's failure to indemnify the City.

Section 5.6. Waiver of Damages; Referendum. Notwithstanding anything in this Agreement to the contrary, the Parties acknowledge that City would not have entered into this Agreement had it been exposed to liability for damages from the Developer and, therefore, the Developer hereby waive all claims for damages against City for breach of this Agreement. The Developer further acknowledge that under the Development Agreement Statute, land use approvals (including development agreements) must be approved by the City Council and that, under law, the City Council's discretion to vote in any particular way may not be constrained by contract. The Developer therefore waives all claims for damages against City in the event that this Agreement or any Project approval is: (1) not approved by the City Council or (2) is approved by the City Council, but with new changes, amendments, conditions, or deletions to which Developer is opposed. Developer further acknowledge that, as an instrument which must be approved by ordinance, a development agreement is subject to referendum; and that, under law, the City Council's discretion to avoid a referendum by rescinding its approval of the underlying ordinance may not be constrained by contract, and Developer waive all claims for damages against City in this regard.

Section 5.7. Bankruptcy. The obligations of this Agreement shall not be dischargeable in bankruptcy.

ARTICLE 6
MORTGAGEE PROTECTION

Section 6.1. Mortgagee Protection. This Agreement, once executed and recorded, shall be superior and senior to any lien placed upon the Site and any portion thereof following recordation of this Agreement, including the lien of any deed of trust or mortgage ("Mortgage"). Notwithstanding the foregoing, no breach hereof shall defeat, render invalid, diminish, or impair the lien of any Mortgage made in good faith and for value.

ARTICLE 7
ANNUAL REVIEW

Section 7.1. Timing of Annual Review. Pursuant to the Development Agreement Statute, the City shall conduct an annual review of Developer's good faith compliance with this Agreement. The City shall make reasonable efforts to conduct such review in conjunction with any applicable renewal application for a Commercial Medicinal Cannabis Business Permit, as required under El Monte Municipal Code Sections 5.18.090 and 5.18.110.

Section 7.2. Initiation of Review. The City Manager, or his or her designee, shall initiate the annual review by providing the Developer with thirty (30) days' written notice that the City intends to undertake such review. The Developer shall provide evidence in support of its good faith compliance with this Agreement to the City Manager, or his or her designee, no less than ten (10) business days prior to the hearing on the annual review. The City shall not waive its

right to conduct its right to review this Development Agreement for failure to provide timely notice of the initiation of such annual review.

Section 7.3. Staff Reports. To the extent practical, the City shall deliver to the Developer a copy of all staff reports and related exhibits concerning the Developer's performance under the Agreement at least five (5) days prior to any annual review.

Section 7.4. Fee for Annual Review. The reasonable cost for the City's annual review of this Agreement shall be paid by Developer, not to exceed the actual costs incurred by the City in connection with such review.

ARTICLE 8
DEFAULT, REMEDIES, AND ESTOPPEL CERTIFICATES

Section 8.1. Default. The failure of either Party to perform any obligation or duty under this Agreement within the time required by this Agreement shall be a default and after the giving of notice and the passage of the applicable amount of time, such a default shall constitute an event of default.

Section 8.2. Notice. The "Complaining Party" may not asset that an event of default has occurred against the "Defaulting Party" unless the Complaining Party has first given written notice to the Defaulting Party, specifying the nature of the default and the manner in which the default may be cured, if known to the Complaining Party. Any failure or delay by the Complaining Party in giving such notice shall not waive such default or waive any of the Complaining Party's remedies.

Section 8.3. Cure. The Defaulting Party shall have thirty (30) days from the receipt of notice to cure the default except as provided in the next sentence. In the case of a monetary default (e.g. failure to make the payments of fees required under this Ordinance), any such default must be cured by the payment of the amount demanded within such thirty (30) day period. In the case of non-monetary defaults, if the default cannot be reasonably cured within such time, the default shall be deemed cured if:

a. The cure is commenced at the earliest practicable date following receipt of notice;

b. The cure is diligently prosecuted to completion;

c. At the earliest practicable date (but in no event later than thirty (30) days after receiving the notice of default), the Defaulting Party provides written notice to the Complaining Party that the cure cannot be reasonably completed within such thirty (30) day period; and

d. The default is cured at the earliest practicable date, but in no event later than sixty (60) days after receipt of the first notice of default.

Section 8.4. Remedies. If the Defaulting Party fails to cure a default in accordance with the foregoing, an event of default shall be deemed to have occurred and the Complaining Party shall have the right to seek all appropriate remedies, at law or in equity, including specific penalty or termination of this Agreement without further or separate notice to the Defaulting Party.

Section 8.5. Estoppel Certificates.

a. City shall, upon not less than thirty (30) days prior written notice, execute, acknowledge, and deliver to Developer, Developer's lender, potential investors, or assignees an estoppel certificate in writing which certifies that this Agreement is in full force and effect, that there are no breaches or defaults under the Agreement except as described in such estoppel certificate, and that the Agreement has not been modified or terminated and is enforceable in accordance with its terms and conditions.

b. The City may recover its actual and reasonable costs and attorneys' fees in connection with the timely dealing of any such estoppel certificate, in an amount not to exceed $2,500 per estoppel certificate.

ARTICLE 9
ADDITIONAL GENERAL/MISCELLANEOUS PROVISIONS

Section 9.1. Assignment. Developer shall not have the right to sell, assign, or transfer all or any part of its rights, title, and interests in all or a portion of Site, or Project, subject to or a part of this Agreement, to any person, firm, corporation, or entity during the Term of this Agreement without the advance written consent of the City Manager. This assignment prohibition applies to the corporate and business entities of Developer that are a Party to this Agreement. Any assignment or transfer prohibited by this Agreement will be considered an immediate breach of this Agreement and City may elect to immediately terminate this Agreement.

Section 9.2. Notices. All notices permitted or required under this Agreement shall be given to the respective Parties at the following addresses, or at such other address as the respective Parties may provide in writing for this purpose:

DEVELOPER:
GSC Holding Group, LLC
19007 Garnet Way
Walnut, CA 91789
Attn: Teresa Tsai, Principal
(626) 841-8842
Peabrain1224@hotmail.com

CITY:
City of El Monte
Economic Development Department
11333 Valley Boulevard
El Monte, California 91731
Attn: Betty Donavanik, Senior Planner
(626) 580-2056
bdonavanik@elmonteca.gov

Section 9.3. Governing Law and Venue. This Agreement shall be interpreted and governed according to the laws of the State of California. In the event of litigation between the Parties, venue, without exception, shall be in the Los Angeles County Superior Court of the State of California. If, and only if, applicable law requires that all or part of any such litigation be tried exclusively in federal court, venue, without exception, shall be in the Central District of California located in the City of Los Angeles, California.

Section 9.4. Severability. If this Agreement in its entirety is determined by a court to be invalid or unenforceable, this Agreement shall automatically terminate as of the date of final entry of judgment. If any term or provision of this Agreement shall be determined by a court to be invalid and unenforceable, or if any term or provision of this Agreement is rendered invalid or unenforceable according to the terms of any federal or state statute, any provisions that are not invalid or unenforceable shall continue in full force and effect and shall be construed to give effect to the intent of this Agreement. The Parties expressly agree that

each Party is strictly prohibited from failing to perform any and all obligations under this Agreement on the basis that this Agreement is invalid, unenforceable, or illegal. By entering into this Agreement, each Party disclaims any right to tender an affirmative defense in any arbitration or court of competent jurisdiction, that performance under this Agreement is not required because the Agreement is invalid, unenforceable, or illegal.

Section 9.5. Constructive Notice and Acceptance. Every person who after the Effective Date and recording of this Agreement owns or acquires any right, title, or interest to any portion of the Site is and shall be conclusively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Site, and all rights and interests of such person in the Site shall be subject to the terms, requirements, and provisions of this Agreement.

Section 9.6. Joint and Several Liability. Developer and Property Owner shall be jointly and severally liable for any amount due under this Agreement. Developer and Property Owner agree that the City may impose a lien and seek foreclosure on any parcel of the Site due to any default by Developer. Such consent is additionally set forth in **Exhibit "D"** to this Agreement.

Section 9.7. Waiver. A waiver by any Party of any breach of any term, covenant, or condition herein contained or a waiver of any right or remedy of such Party available hereunder, at law or in equity, shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition herein contained or of any continued or subsequent right to the same right or remedy. No Party shall be deemed to have made any such waiver unless it is in writing and signed by the Party so waiving.

Section 9.8. Integration. This Agreement, together with its specific references, attachments, and Exhibits, constitutes all of the agreements, understandings, representations, conditions, warranties, and covenants made by and between the Parties hereto. Unless set forth herein, no Party to this Agreement shall be liable for any representations made, express or implied.

Section 9.9. Captions. The captions of this Agreement are for convenience and reference only and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Agreement.

Section 9.10. Mandatory and Permissive. "Shall" and "will" and "agrees" are mandatory. "May" or "can" are permissive.

Section 9.11. Counterparts. This Agreement may be executed simultaneously and in several counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument.

Section 9.12. Other Documents. The Parties agree that they shall cooperate in good faith to accomplish the objectives of this Agreement and, to that end, agree to execute and deliver such other instruments or documents as may be necessary and convenient to fulfill the purposes and intentions of this Agreement.

Section 9.13. Authority. All Parties to this Agreement warrant and represent that they have the power and authority to enter into this Agreement and the names, titles, and capacities herein stated on behalf of any entities, persons, states, or firms represented or purported to be represented by such entities, persons, states, or firms and that all former requirements necessary or required by state or federal law in order to enter into this

Agreement had been fully complied with. Further, by entering into this Agreement, no Party hereto shall have breached the terms or conditions of any other contract or agreement to which such Party is obligated, which such breach would have a material effect hereon.

Section 9.14. Advice of Legal Counsel. Each Party acknowledges that it has reviewed this Agreement with its own legal counsel and, based upon the advice of that counsel, freely entered into this Agreement.

Section 9.15. Attorneys' Fees and Costs. Unless otherwise provided in this Agreement, if any action at law or in equity, including action for declaratory relief, is brought to enforce or interpret provisions of this Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and costs, which may be set by the court in the same action or in a separate action brought for that purpose, in addition to any other relief to which such Party may be entitled.

Section 9.16. Calculation of Time Period. All time referenced in this Agreement shall be calendar days, unless the last day falls on a legal holiday, Saturday, or Sunday, in which case the last day shall be the next business day.

Section 9.17. Recordation of Development Agreement. The City Clerk shall cause a copy of this Agreement to be recorded against title of the Site within ten (10) business days of the Effective Date.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed as evidenced by the signatures of the authorized officers of each of them which appear below.

CITY

City of El Monte, a municipal corporation

By:_____
City Manager

Date:_____

DEVELOPER

GSC HOLDING GROUP, LLC

By:_____

Name:____Teresa Tsai_____

Title:_____Principal_____

Date:_____

PROPERTY OWNER

OAKS BY THE LAKE, LLC

By:_____

Name:_____

Title:_____

Date:_____

[NOTARIZED SIGNATURES REQUIRED]

EXHIBIT "A"
LEGAL DESCRIPTION OF SITE

Fidelity National Title Company

634 Diamond Bar Blvd. • Diamond Bar, CA 91765
(909) 612-2500 • FAX (909) 612-1771

Please Sign and Return

TO: Marty Clinkaberry
Fidelity National Title
634 Diamond Bar Blvd.
Diamond Bar, CA 91765

DATE: March 25, 2009
ESCROW NO: 34014276-MC
PROPERTY ADDRESS:
4400 Temple City Boulevard, El Monte, CA 91731

PRELIMINARY REPORT APPROVAL

I have read the Preliminary Report dated March 20, 2009, covering the property described in your above numbered escrow, and approve the Policy of Title Insurance to be issued to me as required by my instructions to include as encumbrances therein Item Nos. A,C-13 of said report, in addition, to those specific items described in my escrow instructions or created by me.

I hereby acknowledge receipt of copy of said Preliminary Report.

Mladen Grbavac

(Rev. 6/95)

EXHIBIT "B"
SITE PLAN



EXHIBIT "C"
FLOOR PLAN

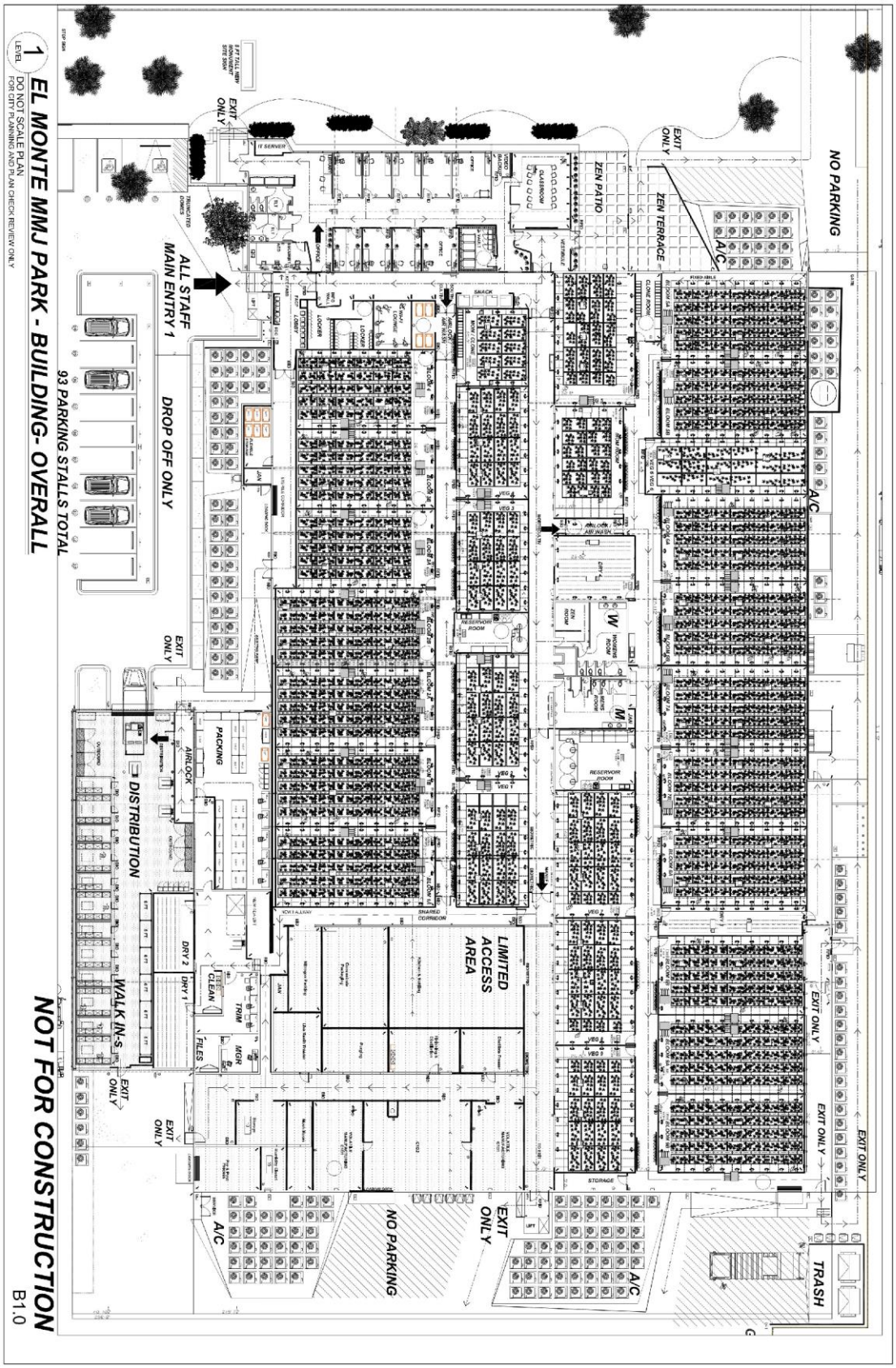


EXHIBIT "D"
PROPERTY OWNER'S CONSENT AGREEMENT

STATEMENT OF OWNER

I, Don Palmer declare as follows:

1. I am and was over the age of eighteen at all times referenced herein. I have personal knowledge of the following facts and if called as a witness, could and would competently testify thereto.

2. I am an authorized agent vested with authority by Oaks by the Lake, LLC, the owner of property located at 4400 Temple City Blvd, in the City of El Monte, California 91731 (the "Property"). The Owner has executed a lease agreement with GSG Green Group Holding LLC for use of the Property for a marijuana business as allowed by California State law and the City of El Monte Municipal Code and Ordinances. I am aware that GSG Green Group Holding LLC is submitting and application(s) to the City of El Monte for licenses for the use of the Property for medical marijuana cultivation, manufacturing and transportation operations. I am submitting this notarized Statement of Owner in support of the application(s).

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 15th day of December, 2017 in the City of El Monte, California.

Don Palmer, Authorized Agent

See Attachment

This document contains the Community Benefits for GSC Holding Group LLC pertinent to the Cannabis-Business license application in the City of El Monte.

GSC HOLDING GROUP LLC

Community Benefits Plan

SECTION I. PURPOSE

The purpose of the Community Benefits Plan for the GSC Holding Group LLC ("GSC") El Monte Project is to provide for a concerted and coordinated effort on the part of the City of El Monte and the operator to maximize the benefits of the project to the City of El Monte community.

GSC Holding Group LLC believes that any business coming into a new area has an obligation to be a "good neighbor" and provide benefits to the community as part of their mission. GSC strives to improve upon, add value, and benefit the communities where GSC does business. GSC's mission is to have a critical role in benefiting the local community in the City of El Monte. GSC views the City of El Monte as its "partner" and desires to benefit the local community as much as possible. As set forth in this Plan, GSC will do so in variety ways and will also attend the Community Benefits Committee meeting and revise this Plan, where necessary, to better serve the City and its residents. As GSC continues to grow within the community, we will continue to expand and add to these initiatives.

GSC's management will have a dedicated liaison to the City of El Monte to ensure that this Community Benefits Plan is implemented according to the needs of the City. GSC will support the Plan at the highest level of the organization. The senior management of GSC will be responsible for overseeing the implementation of the Plan along with representative from the City. GSC will allocate the necessary resources and evaluate on a regular basis, with input from the City, to provide the best benefits possible to the City.

1.1 Annual Food Drive

The Thanksgiving Holiday is a time to be grateful for what we have and give back to the local community. If afforded by the City of El Monte to be a business partner in the City, GSC will host an annual food drive specifically designed to benefit those in need. GSC will obtain sponsorships from vendors and collect food and monetary donations. All items collected will be distributed locally in partnership with local charities and other organizations. One of the core missions of GSC is assist those in need and the Thanksgiving Food Drive will provide a platform for our organization to give back.

1.2 Taking Picture with Santa and Annual Toy Drive

One of the most memorable and exiting holidays for children is Christmas, and the City of El Monte hosts picture with Santa during the month of December to give the kids something to remember. GSC plans to assist the City of El Monte both with contributions and volunteers to make sure the children in the City of El Monte have great memories of Christmas. GSC will obtain sponsorships from vendors and collect toys and monetary donations on behalf of the City. The toys will be distributed locally,

in partnership with local charities, local schools, local hospitals and other organizations to ensure the children of El Monte have a fun and fulfilled Christmas.

1.3 Sponsorship and Collaboration with Local Charities and Organizations.

GSC plans on sitting on the boards and sponsor multiple local charities and organizations. GSC will help guide contributions for charities and make regular monetary donations. With the help of the City of El Monte, GSC will identify specific charities to sponsor and support. Charities for children, police and fire departments, military and Veterans, performing arts centers, and drug prevention programs are top priorities for our organization.

1.4 Green El Monte

The City of El Monte is transforming to become the prominent center for the San Gabriel Valley; it is a beautiful place to live and work and the community continues to grow. One of GSC's objectives is to sponsor projects, at the discretion of the City, to further enhance and beautify the community. GSC will strive to make El Monte an even more beautiful place to live and work by donating funds to beautify and increase the green spaces in the City.

1.5 Donations to Social Programs

GSC has created a business philosophy and culture of volunteering to assist and donating to various social programs, such as addiction treatment, family counseling, drug education, after school programs, tutoring programs, and local law enforcement. GSC will, in collaboration with the City of El Monte, volunteer to assist and donate to various social programs in the City. GSC will gladly contribute to these organizations and charities and add value for the City of El Monte and its citizens.

1.6 Honoring the Veterans

In recognition of Veteran's Day, the City of El Monte has a longstanding tradition to honor and recognize those who serve the country. Each year, the City of El Monte has held a Veteran's Day celebration along with local business partners to recognize the sacrifices made by our brave men and women who serve the country. GSC will contribute and support the City of El Monte's commitment to Veterans Day by contribution funds for the special day and provide volunteers as needed by the City.

1.7 Donation to the City of El Monte

GSC plans to donate $50,000.00 annually to the City of El Monte to be used for Community Benefits. GSS will donate to a community investment fund to be monitored by the City Council and any committee designated by the City Council to oversee the expenditure of the funds.

CITY OF EL MONTE
NOTICE OF INTENT TO ADOPT AN
INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION
AND NOTICE OF PLANNING COMMISSION PUBLIC HEARING

Hablamos Español favor de hablar con
Marcella Magdaleno (626) 258-8626

TO: All Interested Parties

FROM: City of El Monte Planning Division

APPLICATIONS: Development Agreement (DA) No. 02-18, Medicinal Cannabis Conditional Use Permit (MCCUP) Nos. 07-18, 08-18 and 09-18

PROPERTY LOCATION: 4400 Temple City Boulevard / APN 8577-001-043 (A full legal description of the properties are on file in the office of the El Monte Planning Division.)

REQUEST: The Applicant is requesting to conduct commercial medicinal cannabis activities ("project") pursuant to El Monte City Ordinance No. 2924 within an existing 71,658 square foot industrial building located in the M-2 General Manufacturing zone. The proposed project will be located on a 4.4 acre site with frontage along the east side of Ellis Lane/Temple City Boulevard. The proposal includes medicinal-only cannabis cultivation, manufacturing, and distribution operations. No retail cannabis or cannabis product retail sales or activities will be permitted. The existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. Security features, including but not limited to, onsite security and security cameras, will be provided. A total of 93 parking spaces are proposed. Access to the project site is provided via two (2) existing driveways located on the east side of Ellis Lane/Temple City Boulevard.

This request is made pursuant to the requirements of Chapters 5.18, 17.24, and 17.84 of the El Monte Municipal Code (EMMC).

The Planning Commission will serve as the recommending body with the City Council making a final decision at a future public hearing.

APPLICANT:
Teresa Tsai
GSC Holding Group, LLC
19007 Garnet Way
Walnut, CA 91789

PROPERTY OWNER:
Oaks by the Lakes, LLC
4400 Temple City Boulevard
El Monte, CA 91731

ENVIRONMENTAL DOCUMENTATION: An Initial Study was prepared for the project and determined that there will be less than significant impacts to the environment because mitigation measures will be incorporated into the project. Therefore, a Mitigated Negative Declaration (MND) has been prepared. Mitigation measures are provided to lessen potential impacts related to air quality, energy, and hazards and hazardous materials.

The Initial Study and Mitigated Negative Declaration may be viewed at the City's Website at: http://ca-elmonte.civicplus.com/499/Current-Projects and at the Planning Division Public Counter at El Monte City Hall West. The Initial Study and Mitigated Negative Declaration is available for public comment from November 8, 2018 through November 27, 2018.

(SEE REVERSE SIDE)

INITIAL STUDY
&
MITIGATED NEGATIVE DECLARATION

GSC HOLDING GROUP, LLC
4400 TEMPLE CITY BOULEVARD

DEVELOPMENT AGREEMENT NO. 02-18
MEDICINAL CANNABIS CONDITIONAL USE PERMIT NO. 07-18;
MEDICINAL CANNABIS CONDITIONAL USE PERMIT NO. 08-18;
MEDICINAL CANNABIS CONDITIONAL USE PERMIT NO. 09-18

LEAD AGENCY:

CITY OF EL MONTE
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION
11333 VALLEY BOULEVARD
EL MONTE, CALIFORNIA 91731

REPORT PREPARED BY:

BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING
2211 SOUTH HACIENDA BOULEVARD, SUITE 107
HACIENDA HEIGHTS, CALIFORNIA 91745

NOVEMBER 9, 2018

ELMT 023

THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.

MITIGATED NEGATIVE DECLARATION

PROJECT NAME: GSC Holding Group, LLC – 4400 Temple City Boulevard

PROJECT ADDRESS: 4400 Temple City Boulevard, El Monte, California

APPLICANT: GSC Holding Group, LLC

CITY AND COUNTY: El Monte, Los Angeles County

DESCRIPTION: The City of El Monte, in its capacity as Lead Agency, is considering an application to conduct commercial medicinal cannabis activities pursuant to El Monte City Ordinance No. 2924 within an existing 71,658 square foot industrial building located in the M-2 General Manufacturing zone. The proposed project will be located on a 4.4 acre site with frontage along the east side of Ellis Lane/Temple City Boulevard. The proposal includes medicinal-only cannabis cultivation, manufacturing, and distribution operations. No retail cannabis or cannabis product retail sales or activities will be permitted. The existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. Security features, including but not limited to, onsite security cameras, will be provided. A total of 93 parking spaces are proposed. Access to the project site is provided via two (2) existing driveways located on the east side of Ellis Lane/Temple City Boulevard. Discretionary approvals required as part of the proposed project's implementation include the following:

- Development Agreement No. 02-18;
- Medicinal Cannabis Conditional Use Permit (MCCUP) No. 07-18 for medicinal cannabis cultivation;
- Medicinal Cannabis Conditional Use Permit (MCCUP) No. 08-18 for medicinal cannabis manufacturing;
- Medicinal Cannabis Conditional Use Permit (MCCUP) No. 09-18 for medicinal cannabis distribution; and,
- Approval of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP).

Other permits will also be required, including building permits for the interior tenant improvements, new utility connections, and building occupancy. The project Applicant intends to obtain TYPE 3A Cultivation License, TYPE 7 Manufacture with Volatile Solvents License, and TYPE 11 Distribution License in order to effectuate commercial medicinal cannabis cultivation, manufacturing, and distribution. The project Applicant will also be required to obtain additional licenses from the State, City, and County.

FINDINGS: The environmental analysis provided in the attached Initial Study indicates that the proposed project will not result in any significant adverse environmental impacts. For this reason, the City of El Monte determined that a *Mitigated Negative Declaration* is the appropriate CEQA document for the proposed project. The following findings may also be made based on the analysis contained in the attached Initial Study:

- The proposed project *will not* have the potential to degrade the quality of the environment.

- The proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.

- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the City.

- The proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly.

The environmental analysis is provided in the attached Initial Study prepared for the proposed project. The project is also described in greater detail in the attached Initial Study.

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SECTION 1 INTRODUCTION

1.1 PURPOSE OF THE INITIAL STUDY

The City of El Monte, in its capacity as Lead Agency, is considering an application to conduct commercial medicinal cannabis activities pursuant to El Monte City Ordinance No. 2924 within an existing 71,658 square foot industrial building in the M-2 General Manufacturing zone. The proposed project will be located on a 4.4 acre site with frontage along the east side of Ellis Lane/Temple City Boulevard. The proposal includes medicinal-only cannabis cultivation, manufacturing, and distribution operations. No retail cannabis or cannabis product retail sales or activities will be permitted. The existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. The project will require the approval of a Development Agreement and Conditional Use Permits. In addition, the Applicant intends to obtain TYPE 3A Cultivation License, TYPE 7 Manufacture with Volatile Solvents License, and TYPE 11 Distribution License in order to effectuate commercial medicinal cannabis cultivation, manufacturing, and distribution[1]. The project proponent is GSC Holding Group, LLC.

As part of the proposed project's environmental review, the City of El Monte authorized the preparation of this Initial Study.[2] Although this Initial Study was prepared with consultant support, the analysis, conclusions, and findings made as part of its preparation fully represent the independent judgment and analysis of the City of El Monte, in its capacity as the Lead Agency. The primary purpose of CEQA is to ensure that decision-makers and the public understand the environmental impacts of the proposed project and that decision-makers have considered such impacts before considering approval of the project. Pursuant to the CEQA Guidelines, purposes of this Initial Study include the following:

- To provide the City information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration;
- To facilitate the project's environmental assessment early in the design and development of the project and to eliminate unnecessary EIRs;
- To determine the nature and extent of any impacts associated with the proposed project; and,
- To enable modification of the project to mitigate adverse impacts of the project.

The City also determined, as part of this Initial Study's preparation, that a Mitigated Negative Declaration is the appropriate environmental document for the project's environmental review pursuant to CEQA. This Initial Study and the *Notice of Intent to Adopt a Mitigated Negative Declaration* will be forwarded to responsible agencies, trustee agencies, and the public for review and comment. A 20-day public review period will be provided to allow these agencies and other interested parties to comment on the proposed project and the findings of this Initial Study.[3]

[1] Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018

[2] (CEQA Guidelines) § 15050.

[3] California, State of. *California Public Resources Code. Section 21091 (b).*

Questions and/or comments should be submitted to the following individual:

Betty Donavanik, Director of Community & Economic Development
City of El Monte, Economic Development Department
11333 Valley Boulevard
El Monte, California 91731
626-580-2056

1.2 INITIAL STUDY'S ORGANIZATION

The following annotated outline summarizes the contents of this Initial Study:

- *Section 1 Introduction,* provides the procedural context surrounding this Initial Study's preparation and insight into its composition. This section also includes a checklist that summarizes the findings of this Initial Study.

- *Section 2 Project Description,* provides an overview of the existing environment as it relates to the project site and describes the proposed project's physical and operational characteristics.

- *Section* 3 *Environmental Analysis,* includes an analysis of potential impacts associated with the proposed project's construction and the subsequent operation.

- *Section 4 Findings,* indicates the conclusions of the environmental analysis and the Mandatory Findings of Significance. In addition, this section includes the Mitigation Monitoring and Reporting Program (MMRP).

- *Section 5 References,* identifies the sources used in the preparation of this Initial Study.

1.3 INITIAL STUDY CHECKLIST

The environmental analysis provided in Section 3 identified the scope and extent of the proposed project's environmental effects. The analysis indicated that for the environmental issues analyzed, one of the following outcomes would be possible:

- *No Impact* applies where a project does not create an impact in that category. A "No Impact" answer indicates that an impact simply does not apply to proposed project.

- *Less Than Significant Impact* applies where the project creates no significant impacts, only Less Than Significant impacts.

- *Less than Significant Impact with Mitigation* applies where mitigation measures will be required to reduce potential impacts to levels that are less than significant.

- *Potentially Significant Impact* is appropriate if there is substantial evidence that an effect may be significant.

The findings of this Initial Study are summarized in Table 1-1 provided on the following pages.

Table 1-1
Initial Study Checklist

Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
SECTION 3.1 AESTHETICS				
3.1.A. Would the project have a substantial adverse effect on a scenic vista?				**X**
3.1.B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				**X**
3.1.C. Would the project substantially degrade the existing visual character or quality of public view of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				**X**
3.1.D. Would the project create a new source of substantial light or glare which would adversely affect day- or night-time views in the area?			**X**	
SECTION 3.2 AGRICULTURE AND FORESTRY RESOURCES				
3.2.A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				**X**
3.2.B. Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?				**X**
3.2.C. Would the project 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))?				**X**
3.2.D. Would the project result in the loss of forest land or the conversion of forest land to a non-forest use?				**X**
3.2.E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in the conversion of farmland to non-agricultural use or the conversion of forest land to a non-forest use?				**X**
SECTION 3.3 AIR QUALITY				
3.2.A. Would the project conflict with or obstruct implementation of the applicable air quality plan?				**X**
3.2.B. Would the project violate any air quality standard or contribute substantially to result in a cumulatively considerable net increase in an existing or projected air quality violation?			**X**	
3.3.C. Would the project expose sensitive receptors to substantial pollutant concentrations?			**X**	
3.3.D. Would the project result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?		**X**		

Table 1-1
Initial Study Checklist

Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
SECTION 3.4 BIOLOGICAL RESOURCES				
3.4.A. Would the project, either directly or through habitat modifications, have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service?				**X**
3.4.B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				**X**
3.4.C. Would the project have a substantial adverse effect on State or Federally protected wetlands as defined (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				**X**
3.4.D. Would the project interfere substantially with the movement of any native resident or migratory fish, wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				**X**
3.4.E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				**X**
3.4.F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans?				**X**
SECTION 3.5 CULTURAL RESOURCES				
3.5.A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines?				**X**
3.5.B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?			**X**	
3.5.C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?				**X**
SECTION 3.6 ENERGY				
3.6.A. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy, resources, during project construction or operation?		**X**		
3.6.B. Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?			**X**	
SECTION 3.7 GEOLOGY AND SOILS				
3.7.A. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides?			**X**	

Table 1-1
Initial Study Checklist

Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
3.7.B. Would the project result in substantial soil erosion or the loss of topsoil?			**X**	
3.7.C Would the project be located on a soil or geologic unit that is unstable, or that would become unstable as a result of the project, and potentially result in on–site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			**X**	
3.7.D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2012) creating substantial direct or indirect risks to life or property?			**X**	
3.7.E. Would the project be located on soils that are incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				**X**
3.7.F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?				**X**
SECTION 3.8 GREENHOUSE GAS EMISSIONS				
3.8.A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			**X**	
3.8.B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases?			**X**	
SECTION 3.9 HAZARDS & HAZARDOUS MATERIALS				
3.9.A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		**X**		
3.9.B. Would the project create a significant hazard to the public or the environment or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			**X**	
3.9.C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?				**X**
3.9.D. Would the project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code §65962.5, and as a result, would it create a significant hazard to the public or the environment?				**X**
3.9.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 a public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				**X**
3.9.F. Would the project impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				**X**

Table 1-1
Initial Study Checklist

Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
3.9.G. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				**X**
SECTION 3.10 HYDROLOGY & WATER QUALITY				
3.10.A. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			**X**	
3.10.B. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			**X**	
3.10.C. Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows?			**X**	
3.10.D. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				**X**
3.10.E. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				**X**
SECTION 3.11 LAND USE & PLANNING				
3.11.A. Would the project physically divide an established community?				**X**
3.11.B. Would the project cause a significant environmental impact die to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			**X**	
SECTION 3.12 MINERAL RESOURCES				
3.12.A. Would the project 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?				**X**
3.12.B. Would the project 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?				**X**
SECTION 3.13 NOISE				
3.13.A. Would the project result in 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?			**X**	
3.13.B. Would the project result in generation of excessive ground-borne vibration or ground borne noise levels?			**X**	

Table 1-1
Initial Study Checklist

Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
SECTION 3.14 POPULATION & HOUSING				
3.14.A. Would the project induce substantial unplanned population growth in an area, either directly or indirectly?				**X**
3.14.B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				**X**
SECTION 3.15 PUBLIC SERVICES				
3.15.A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in *fire protection services?*			**X**	
3.15.B. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in *police protection services?*			**X**	
3.15.C. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in *school services?*			**X**	
3.15.D. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in o*ther public facilities?*			**X**	
SECTION 3.16 RECREATION				
3.16.A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			**X**	
3.16.B. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				**X**
SECTION 3.17 TRANSPORTATION				
3.17.A. Would the project conflict with a plan, ordinance, or policy establishing measures addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?			**X**	
3.17.B. For a land use project, would the project conflict or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)(1)?			**X**	

Table 1-1
Initial Study Checklist

Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
3.17.C. For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)(2)?				**X**
3.17.D. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			**X**	
3.17.E. Would the project result in inadequate emergency access?				**X**
SECTION 3.18 TRIBAL CULTURAL RESOURCES				
3.18.A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?			**X**	
3.18.B. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.?			**X**	
SECTION 3.19 UTILITIES AND SERVICE SYSTEMS				
3.19.A. Would the project require or result in the relocation or construction of new or expanded water or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental impacts?			**X**	
3.19.B. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?			**X**	
3.19.C. Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			**X**	
3.19.D. Would the project generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?			**X**	
3.19.E. Would the project negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?				**X**
3.19.F. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?				**X**

Table 1-1
Initial Study Checklist

Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
SECTION 3.20 WILDFIRE				
3.20.A. If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project impair an adopted emergency response plan or emergency evacuation plan?				**X**
3.20.B. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			**X**	
3.20.C. Would the project require the installation of maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			**X**	
3.20.D. Would the project expose people or structure to significant risks, including down slope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				**X**
SECTION 3.21 MANDATORY FINDINGS OF SIGNIFICANCE				
3.21.A. The approval and subsequent implementation of the proposed project *will not* have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below selfo-sustatining levels, threaten to eliminate a plan or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				**X**
3.21.B. The approval and subsequent implementation of the proposed project *will not* have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and other effects or probable future projects)?				**X**
3.21.C. The approval and subsequent implementation of the proposed project *will not* have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.				**X**

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SECTION 2 PROJECT DESCRIPTION

2.1 PROJECT OVERVIEW

The City of El Monte, in its capacity as Lead Agency, is considering an application to conduct commercial medicinal cannabis activities pursuant to El Monte City Ordinance No. 2924 within an existing 71,658 square foot industrial building in the M-2 General Manufacturing zone. The proposed project will be located on a 4.4 acre site with frontage along the east side of Ellis Lane/Temple City Boulevard. The proposal includes medicinal-only cannabis cultivation, manufacturing, and distribution operations. No retail cannabis or cannabis product retail sales or activities will be permitted. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use.[4] The project will require the approval of three (3) separate Conditional Use Permits, a separate approval for each proposed use of cultivation, manufacturing, and distribution. In addition, the Applicant intends to obtain TYPE 3A Cultivation License, TYPE 7 Manufacture with Volatile Solvents License, and TYPE 11 Distribution License in order to effectuate commercial medicinal cannabis cultivation, manufacturing, and distribution[5]. The project is described in greater detail in Section 2.4.

2.2 PROJECT LOCATION

The project site is located within the northwest corner of the City of El Monte and occupies frontage along the east side of Temple City Boulevard. The City is located in the San Gabriel Valley, which is located approximately 13.0 miles east of Downtown Los Angeles. El Monte is bounded on the north by Arcadia and Temple City; on the west by Rosemead; on the east by Irwindale, Baldwin Park, Industry, and unincorporated areas of Los Angeles County; and on the south by South El Monte. Major physiographic features located in the vicinity of the City include the Eaton Wash (located 550 feet southwest of the project site), the Rio Hondo River (located approximately one mile to the east), the San Gabriel River (located three miles to the east), the Puente Hills (located 4.43 miles to the southeast), and the San Gabriel Mountains (located 5.21 miles to the north).[6]

Regional access to El Monte is possible from three (3) area freeways: the San Bernardino Freeway (I-10), which traverses the City in an east-west orientation; the San Gabriel River Freeway (I-605), which extends along the City's east side in a north-south orientation; and the Pomona Freeway (SR-60), which extends along the City's south side in an east-west orientation. The location of El Monte in a regional context is shown in Exhibit 2-1. A citywide map is provided in Exhibit 2-2 and a local map is provided in Exhibit 2-3. The project site's legal address is 4400 Temple City Boulevard. The site's corresponding Assessor Parcel Number (APN) is: 8577-001-043. Major roadways in the vicinity of the project site include: Lower Azusa Road, located 750 feet to the north of the project site; Valley Boulevard, located 0.40 miles to the south; Baldwin Avenue, located 972 feet to the southeast; and, Rosemead Boulevard, located one mile to the west of the project site.

[4] Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018.

[5] GSC Holding Group LLC. *Business Operations Plan*.

[6] Google Earth. Website accessed September 26, 2018.

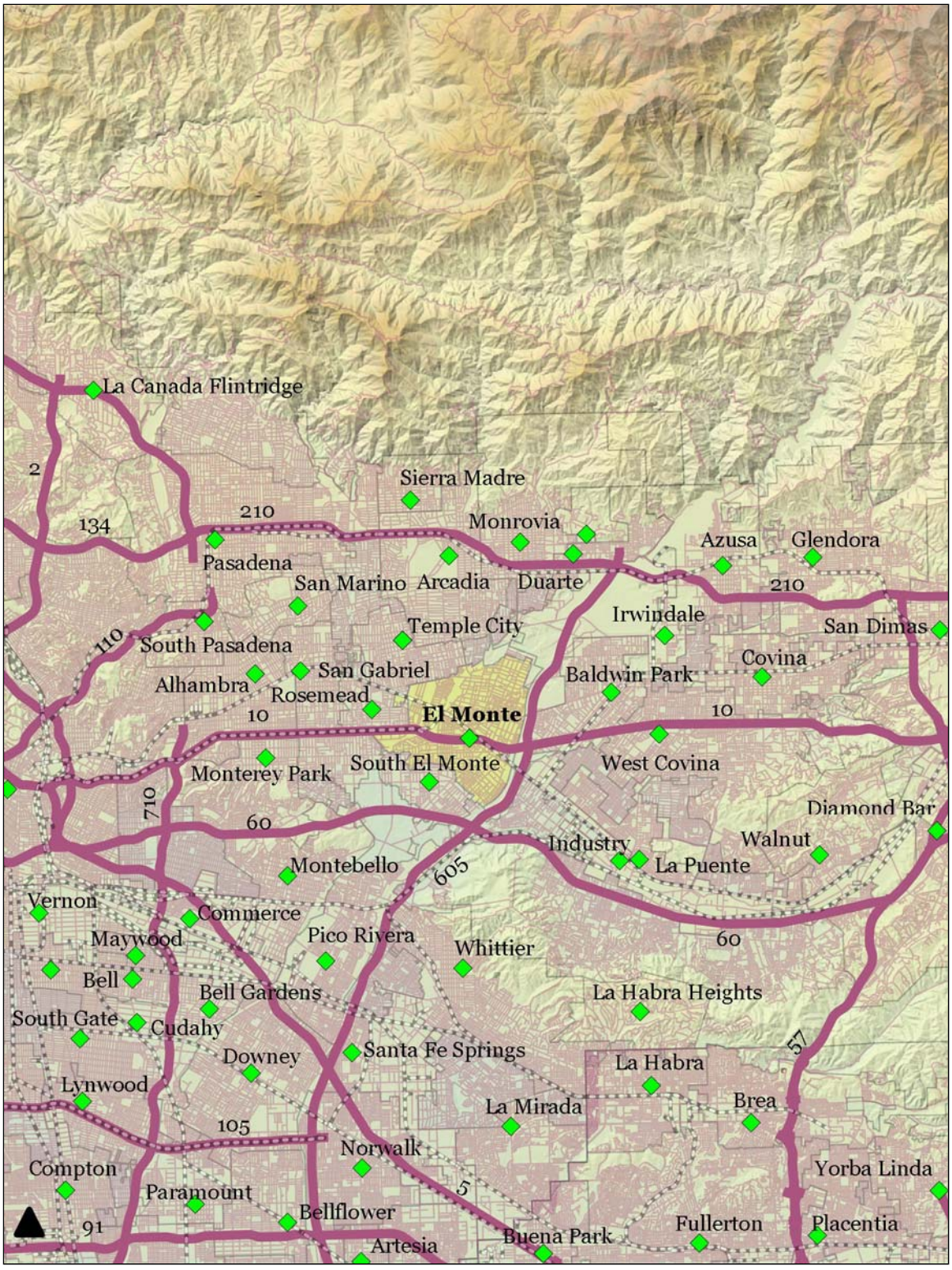


EXHIBIT 2-1
REGIONAL MAP
SOURCE: QUANTUM GIS

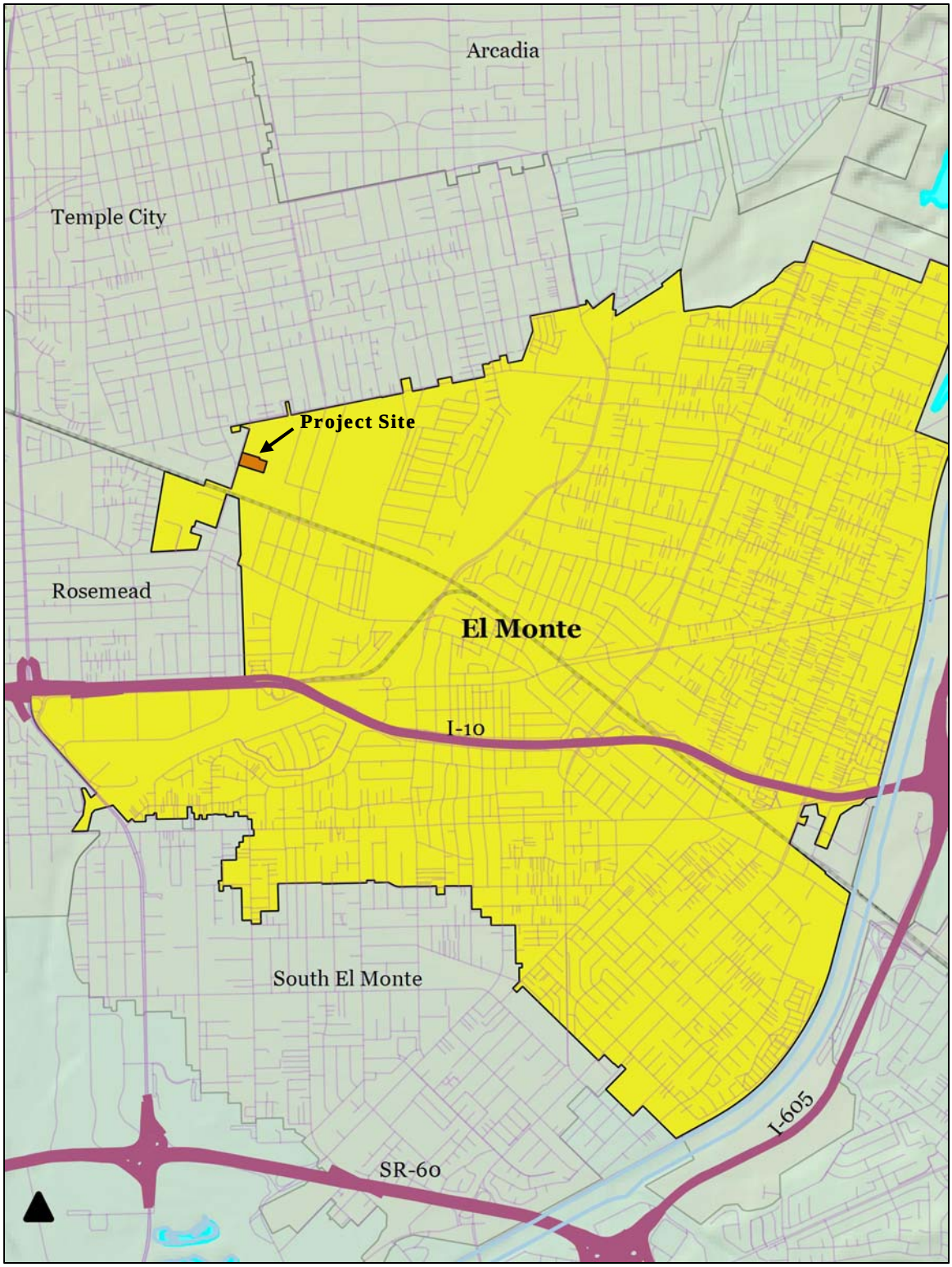


EXHIBIT 2-2
CITYWIDE MAP
SOURCE: QUANTUM GIS

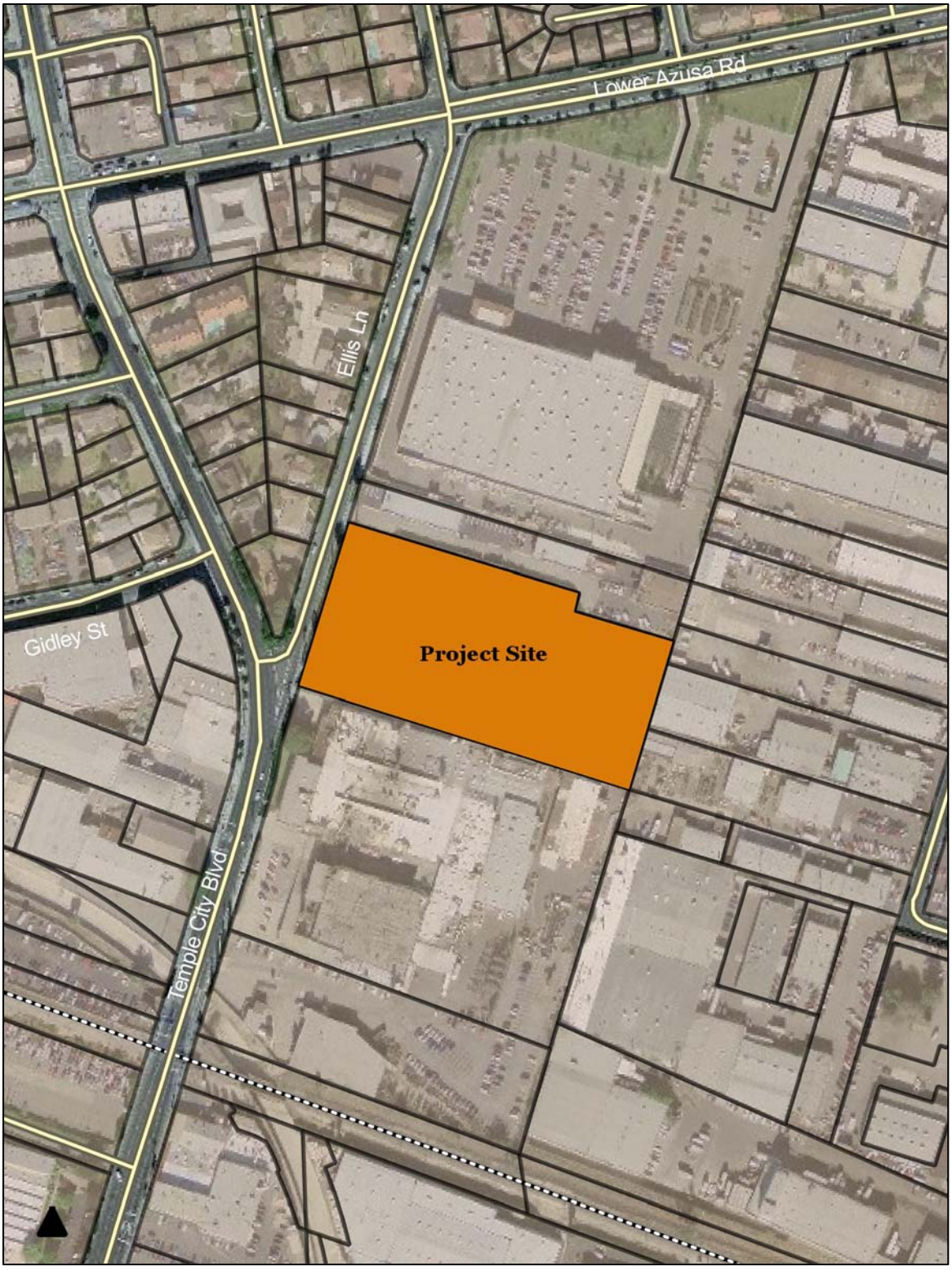


EXHIBIT 2-3
VICINITY MAP
SOURCE: QUANTUM GIS

2.3 ENVIRONMENTAL SETTING

2.3.1 PHYSICAL SETTING

The project site is located within an urbanized area. An aerial photograph depicting the project site and the immediate area is provided in Exhibit 2-4. Existing uses found in the vicinity of the project site are summarized below:

- *North of the project site.* Valley TV, an electronics store, abuts the project site to the north. The site address for this business is 4410 Ellis Lane. A Home Depot store is located further north along the south side of Lower Azusa Road.[7] The address for the Home Depot is 9700 Lower Azusa Road.

- *South of the project site.* A vacant industrial building abuts the project site to the south.[8] This building's address is 4350 Temple City Boulevard.

- *East of the project site.* An industrial building occupied by Selective Stone, Inc, a countertop retailer, abuts the project site to the east. This building occupies frontage along the west side of Rowland Avenue, which is located approximately 545 feet further east of the site.[9] The legal address for this building is 4323 Temple City Boulevard.

- *West of the project site.* Temple City Boulevard/Ellis Lane is located along the site's western property line. Temple City Boulevard extends in a southwest to northeast orientation throughout the City. Ellis Lane separates from Temple City Boulevard around the site's southern driveway. Ellis Lane continues to extend in a southwest to northeast orientation. From there, Temple City Boulevard extends in a southwest to northeast orientation. Temple City's corporate boundaries extend along the west side of Ellis Lane. In addition, residential development occupies frontage along the west side of Ellis Lane, opposite the project site.[10]

The project site is presently occupied by Flat Fair, a furniture store and by Turnaround Communication, a telecommunications company. Landscaping is provided along the site's frontage with Ellis Lane. However, a majority of the project site is occupied by hardscape surfaces (concrete and asphalt). The existing business will vacate the premises so as to accommodate the proposed project. Other notable uses in the vicinity of the project site include: Gidley Elementary School, 0.53 miles to the northeast; Rosemead Park, located 0.70 miles to the west; Gibson Mariposa Park, located 0.40 miles to the southeast of the project site; and, Shirpser Elementary School, located one-half mile to the southeast of the site.

[7] Blodgett Baylosis Environmental Planning. *Site survey*. Survey was conducted on September 3, 2018.

[8] Ibid.

[9] Ibid.

[10] Ibid.

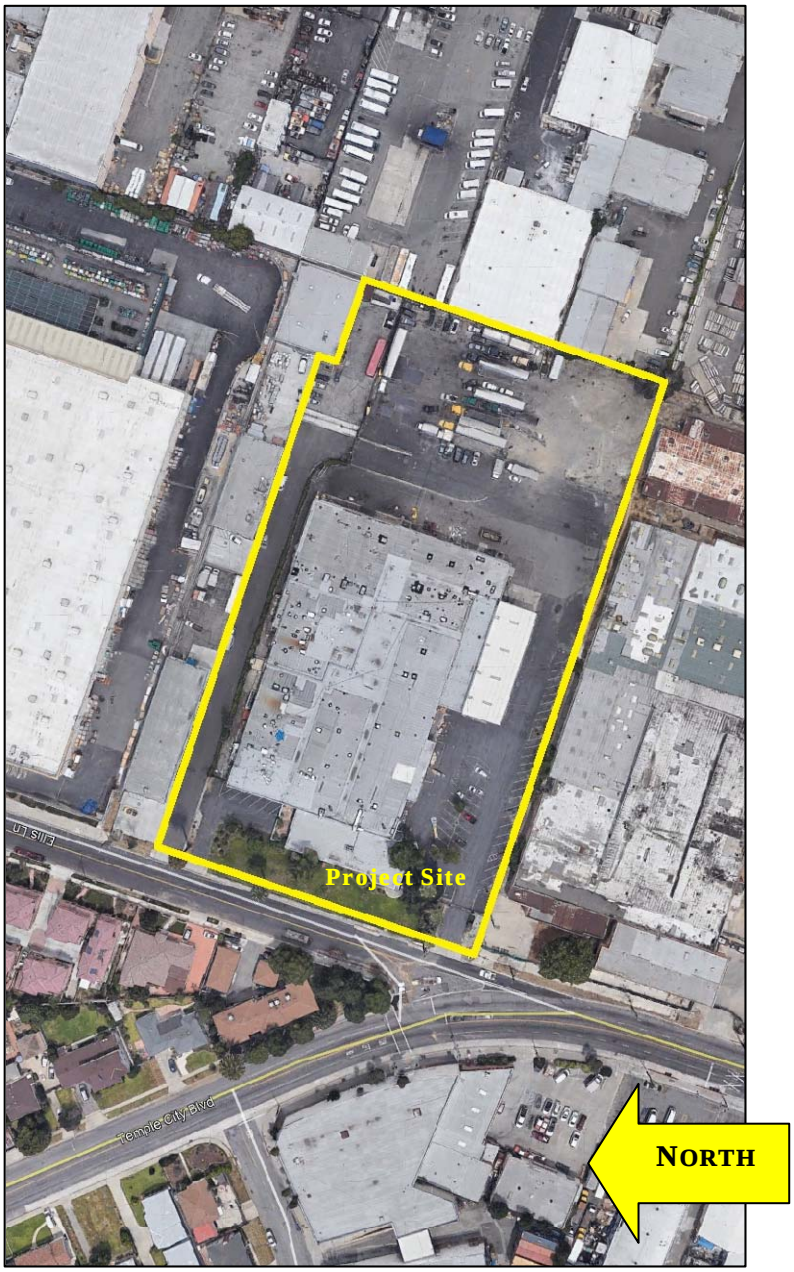


EXHIBIT 2-4
AERIAL PHOTOGRAPH
SOURCE: GOOGLE MAPS

2.3.2 REGULATORY SETTING

California Regulations

In 1996, the California Legislature approved Proposition 215, also known as the Compassionate Use Act (the "CUA"), which was codified under Health and Safety Code Section 11262.5 et sec. and was intended to enable persons in need of medical marijuana for specified medical purposes, such as cancer, anorexia, AIDS, chronic pain, glaucoma and arthritis, to obtain and use marijuana under limited circumstances and where recommended by a physician. The CUA provides that "nothing in this section shall be construed or supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes." In 2004, the California Legislature enacted the Medical Marijuana Program Act (Health & Saf. Code, § 11362.7 et seq.)(the "MMP"), which clarified the scope of the CUA, created a state-approved voluntary medical marijuana identification card program, and authorized cities to adopt and enforce rules and regulations consistent with the MMP. Assembly Bill 2650 (2010) and Assembly Bill 1300 (2011) amended the MMP to expressly recognize the authority of counties and cities to "[a]dopt local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective" and to civilly and criminally enforce such ordinances.

In September 2015, the California State Legislature enacted, and Governor Brown signed into law three bills – Assembly Bill 243, Assembly Bill 266, and Senate Bill 643 – which together comprise the Medical Marijuana Regulation and Safety Act (the "MMRSA"). The MMRSA created a comprehensive dual state licensing system for the cultivation, manufacture, retail, sale, transport, distribution, delivery, and testing of medical cannabis. On July 19, 2016, the City Council of the City of El Monte (the "City Council" of the "City") adopted Interim Urgency Ordinance No. 2889 to establish a temporary moratorium on medical "commercial cannabis activities," as defined under the MMRSA, for a period of 45 days and extended such moratorium for an additional period of 22 months and 15 days under Interim Urgency Ordinance No. 2894, on August 16, 2016. The MMRSA was renamed the Medical Cannabis Regulation and Safety Act (the "MCRSA"), under Senate Bill 837 in June 2016, which also made included substantive changes to the applicable state laws, which affect the various state agencies involved in regulating cannabis businesses as well as potential licensees. On November 8, 2016, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") was approved California voters as Proposition 64 and became effective on November 9, 2016, pursuant to the California Constitution (Cal. Const., art. II, § 10(a).). Proposition 64 legalized the nonmedical use of cannabis by persons 21 years of age and over, and the personal cultivation of up to six (6) cannabis plants. AUMA also created a state regulatory and licensing system governing the commercial cultivation, testing, and distribution of nonmedical cannabis, and the manufacturing of nonmedical cannabis products.

On June 27, 2017, Governor Brown signed the Legislature-approved Senate Bill 94. SB 94 combined elements of the MCRSA and AUMA to establish a streamlined singular regulatory and licensing structure for both medical and nonmedical cannabis activities given that there were discrepancies between the MCRSA and AUMA. The new consolidated provisions under SB 94 is now known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA") to be governed by the California Bureau of Cannabis Control. MAUCRSA refers to medical cannabis as "medicinal cannabis" and nonmedical/recreational cannabis as "adult-use cannabis." On September 16, 2017, Governor Brown

signed Assembly Bill 133 into law, which provided cleanup and substantive to MAUCRSA. The Bureau of Cannabis Control was established under MAUCRSA. Title 16, Division 42, Bureau of Cannabis Control, of the California Code of Regulations contains State drafted regulations governing the use and possession of medical and recreational cannabis. Title 16, Division 42 of the California Code of Regulations outlines procedures for handling cannabis waste (refer to Section 3.9.2.A); the transport, cultivation, production, and sale of cannabis products; security; licensing; and banking. The project Applicant will be required to obtain an Annual License pursuant to Section 5002 of Title 16, Division 42.

Los Angeles County Regulations

The Los Angeles County Department of Public Health, Environmental Health Division (DPH-EH) Cannabis Compliance and Enforcement Program regulate cannabis businesses within Los Angeles County. The DPH-EH Cannabis Compliance and Enforcement Program contains construction and remodel guidelines that are mandatory for all cannabis businesses within the County. In addition, any commercial buildings or tenant space that handles cannabis products will need to submit detailed plans to the Los Angeles County Fire Department (Department) Special Occupancy Inspection Unit for review.

City of El Monte Regulations

Title 5 Business Licenses and Regulations, Chapter 5.18 Commercial Cannabis Activities of the City of El Monte's Municipal Code governs commercial cannabis regulations within the City. Title 17 Zoning, Chapter 17.24 Conditional Use Permits and Chapter 17.84 Development Agreements details conditional use permits and development agreements required for commercial cannabis uses within the City.

2.4 PROJECT DESCRIPTION

2.4.1 PHYSICAL CHARACTERISTICS OF THE PROPOSED PROJECT

The proposed project is an application to operate a comprehensive commercial medicinal-only cannabis use within an existing 71,658 square foot industrial building. The proposed project will consist of the following elements:

- *Project Site*. The project site has a total land area of 4.4 acres (191,644 square feet). The site has a lot depth (east to west) of 635 feet and a maximum lot width (north to south) of 320 feet. The project site is currently occupied by an existing 71,658 square-foot industrial building. This building will be remodeled to accommodate the proposed use.[11]

- *Building Layout*. The building will contain five (5) distinct sections catering to the various activities that will be performed within the facility. The project will feature two (2) cultivation areas (referred to herein as the north cultivation area and south cultivation area); an office area; manufacturing space; and a distribution area.[12]

[11] Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018.

[12] Ibid

- *Office Space*. Office space totaling 4,493 square-feet will be located within the western portion of the building. A total of eight (8) individual offices will be provided. Other features include a classroom, video back-up room, restrooms, vault, and security room.[13]

- *Extraction Area*. An 8,674 square-foot extraction area will be provided. The production of vaporizer oil will occur within this area. Elements include a kitchen and product bottling area; a distillation room; a distillation freezer; a concentrate packaging room; a nitrogen packing room; a humidity closet; a live resin freezer; three manufacturing rooms; a purging room; trim room; file room; cleaning room; janitor's closet; manager's office; and storage room. In addition, a loading door will be provided in this area. Remnants of harvested cannabis will be converted into cannabis oil, packaged, and stored in this area.[14]

- *Distribution Area*. A distribution area consisting of 8,338 square-feet will be provided. This area will include a packing room; two flower drying rooms; 23 shelves; 12 unspecified rooms; an airlock room; and a distribution room. This area will also include one truck door.[15]

- *Common Area*. A 6,271 square-foot common area will be provided. This common area will consist of a work place rest area, which will be used by employees for a break.[16]

- *Cultivation Area*. A 43,882 square-foot cultivation area will be provided. This area will be divided into two sections: the north cultivation area and the south cultivation area. The north cultivation area will contain ten bloom rooms; four vegetation rooms; a clone room; mother room; airlock; dry room; a reservoir room; an employee room; and two restrooms. The south cultivation area will feature four vegetation rooms; a mother/clone room; seven bloom rooms; a reservoir room; and an airlock room.[17] The total cultivation canopy area will be 12,555 square feet.

- *Security Features*. Access to the proposed project will be controlled and enforcement will be strict. Individuals will only be allowed to enter the facility with a permitted escort. Access to the site will be controlled by a manned security station and access to the facility will require the use of key cards to unlock the doors. Individual employees will also be equipped with panic software that could be uploaded onto their phones for use in case of an emergency. Other security features include onsite security, interior and exterior security cameras, motion sensitive outdoor lighting, and blacked-out windows.[18]

- *Miscellaneous Features*. The project will include numerous features designed to control the interior environment. These features consist of cooling systems to maintain interior temperatures and humidity that will optimize plant growth; water collection systems to re-use water and capture

[13] Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018.

[14] Ibid.

[15] Ibid.

[16] Ibid.

[17] Ibid.

[18] Ibid.

rainwater; intelligent lighting systems to replicate the sunlight spectrum and light deprivation mechanisms; air filtration and circulation systems to control heat buildup from lighting systems and eliminate exhaust odors; and a computer controlled environment management by room. This will be designed to maintain the specific nutrients, lights, air circulation, humidity, and temperature requirements for the different cultivation chambers.[19]

- *Parking and Access.* A total 93 parking spaces will be provided. In addition, the two (2) existing loading doors will continue to be used. Access to the project site will be provided by two (2) existing driveways located along the west side of the project site.[20]

The site plan is shown in Exhibit 2-5. Conceptual elevations for the project are shown in Exhibit 2-6. A summary table is shown in Table 2-1. Photographs of similar cannabis operations are provided in Exhibit 2-7.

Table 2-1
Project Summary Table

Project Element	Description
Total Site Area	191,644 sq. ft. (4.4 acres)
Total Floor Area	71,658 sq. ft.
Office Space	4,493 sq. ft.
Extraction Area	8,674 sq. ft.
Distribution Area	8,338 sq. ft.
Common Area	6,271 sq. ft
Cultivation Area	43,882 sq. ft.
Cultivation Canopy Area	12,555 sq. ft.
Parking	93 parking spaces and two loading doors

Source: Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018

[19] Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018. .

[20] Ibid.

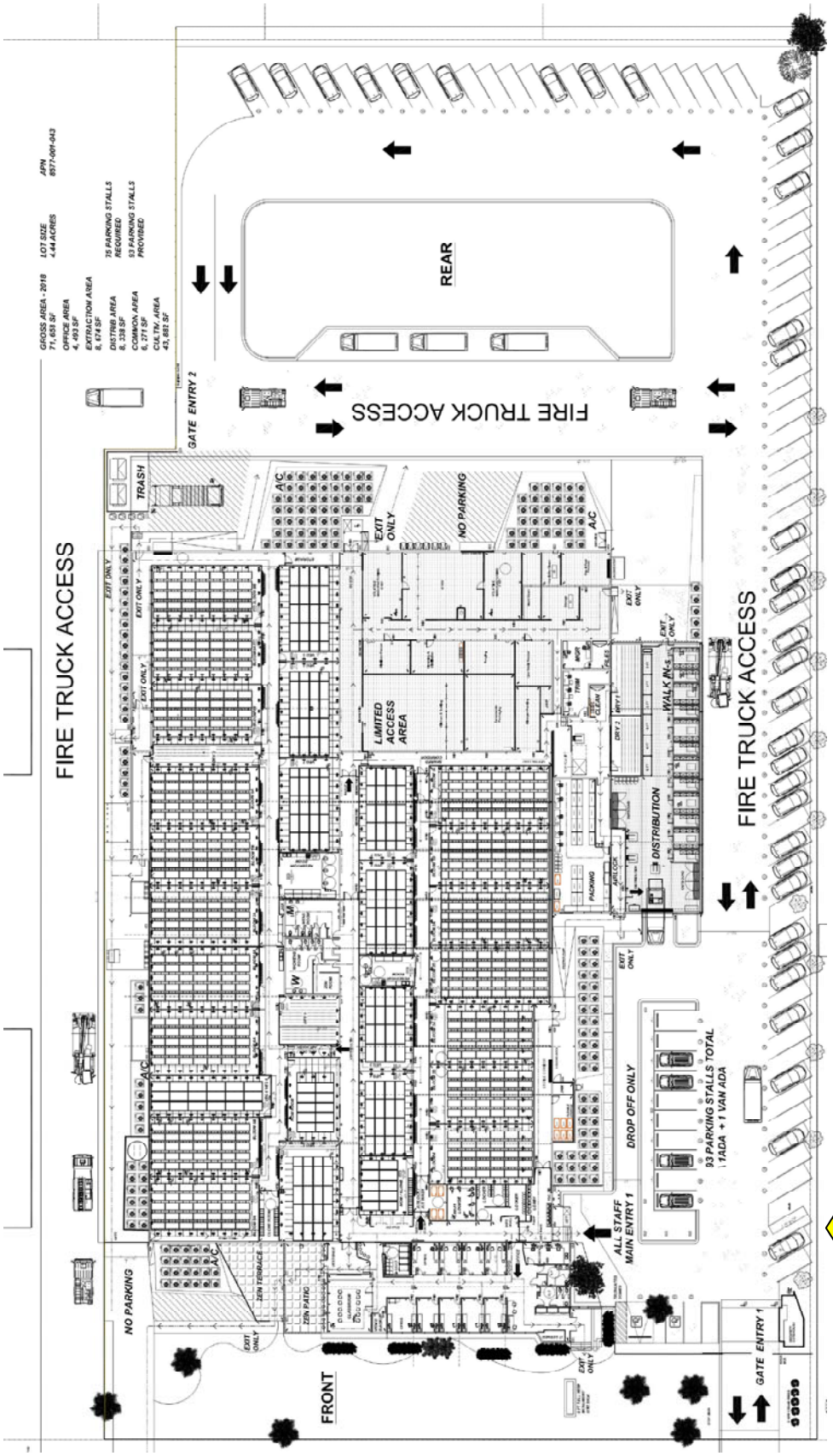


EXHIBIT 2-5
SITE PLAN
Source: Architect Bob Mothershed

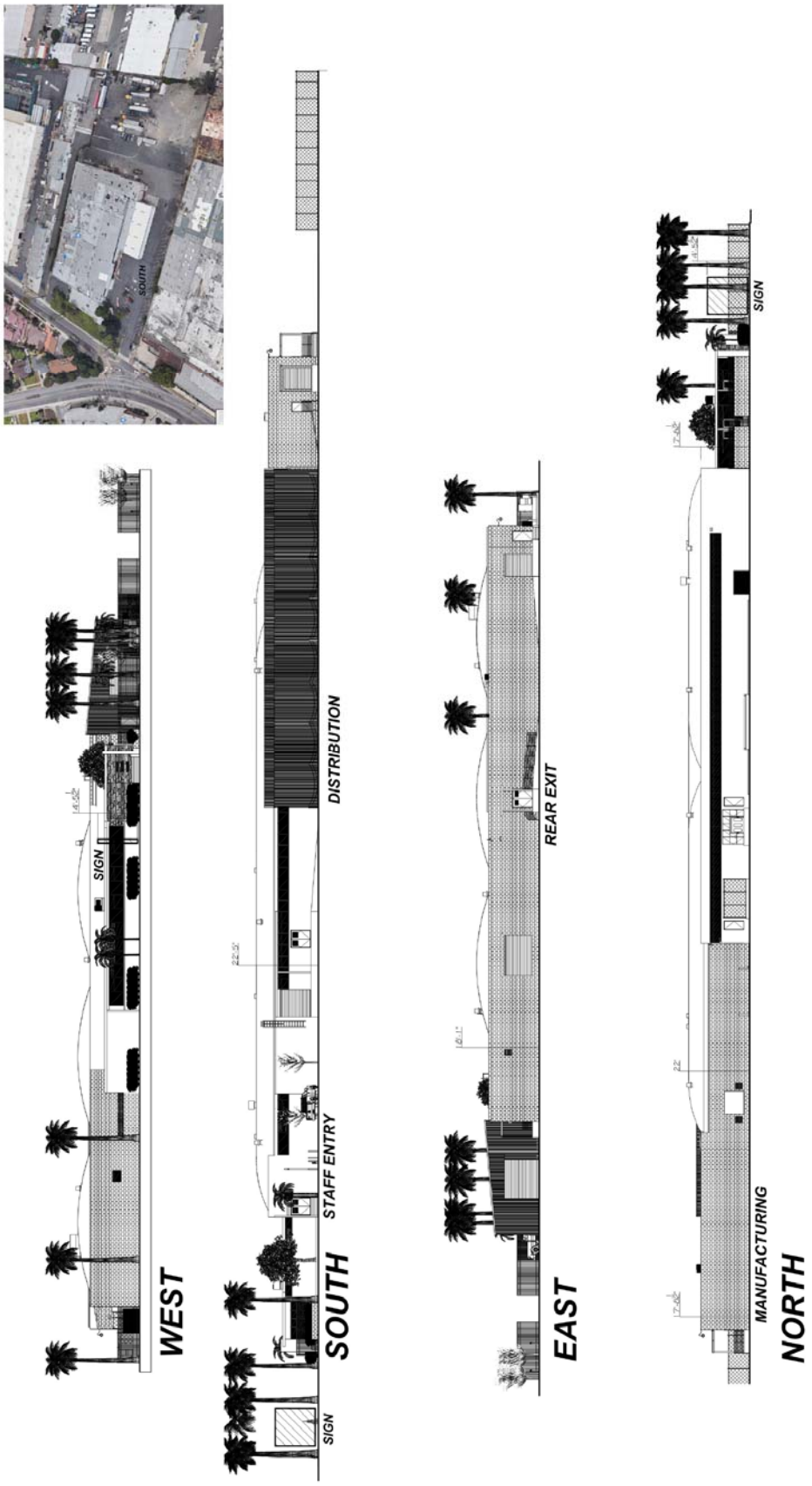


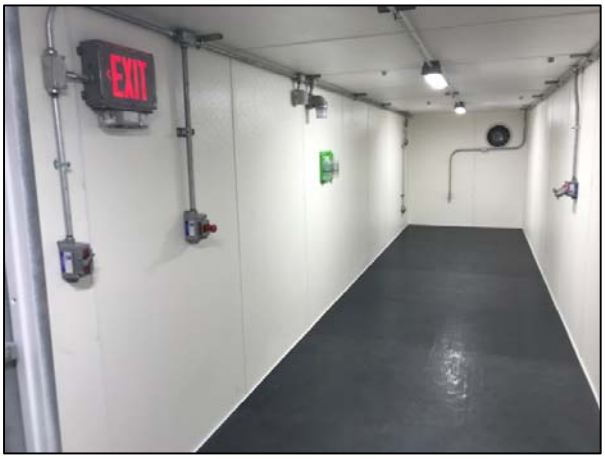
EXHIBIT 2-6
CONCEPTUAL ELEVATIONS
Source: Architect Bob Mothershed



Example of a vegetation room



Example of a bloom room



Example of an airlock

EXHIBIT 2-7
EXAMPLE PHOTOGRAPHS
Source: GSC Holding Group LLC

2.4.2 OPERATIONAL CHARACTERISTICS

Hours of Operation and Employment

The proposed project will operate the manufacturing and cultivation facilities seven (7) days a week between the hours of 9:00 AM to 7:00 PM. The facility will be closed to the public 24 hours a day, seven (7) days a week. Non-employees will only be allowed to enter the facility with a permitted escort. Delivery hours will occur from 9:00 AM to 7:00 PM, Monday through Friday. The delivery vehicles will consist of commercial vans with tinted windows. The project is anticipated to employ up to 46 people. Of the total number of jobs that will be created, five (5) to six (6) employees per shift will be allocated to the manufacturing facility (with a tentative maximum of two (2) shifts depending on demand); between eight (8) to 10 employees will be allocated per shift for the cultivation facility (two (2) shifts needed); between three (3) to (5) five employees will be allocated employees per shift for the distribution facility (with a tentative maximum of two shifts depending on demand). Finally, another three (3) to four (4) support employees (office/ administration).

Plant Growth and Production

As indicated previously, the project is a comprehensive medicinal cannabis facility. Cannabis will be grown, harvested, dried, packaged, stored, and shipped from this facility. In addition, harvested cannabis will be processed into cannabis oil and concentrated cannabis and will be packaged into vaporizer cartridges. The psychoactive compounds will be extracted from the cannabis flowers using volatile solvents. According to Title 17 Division 1 Chapter 13 - Manufactured Cannabis Safety Subchapter of the California Code of Regulations, "Volatile solvents" include any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include, but are not limited to, butane, hexane, and propane.

The two (2) main components of the cultivation operation include water delivery and lighting. The plants will be watered using a drip system which recycles condensation water from the air conditioning units. A total of 1,900 grow lights will be installed. Of the total number of grow lights that will be used, 1,200 lights will be used for flowering and 700 lights will be used for the vegetation phase. Each light will be 1,000 watts and the continuous load for the cultivation will be 1.68 million watts, with approximately 60% of the lights operating at one time.[21]

2.4.3 CONSTRUCTION CHARACTERISTICS

The construction phase for the proposed project would take approximately five (5) months to complete. The key construction phases are outlined below:

- *Site Preparation*. The project site will be readied for the construction of the proposed project. This phase will take approximately one (1) month to complete.

[21] Email communication with Mr. Robert C of GSC Holding Group LLC. Email dated September 26, 2018.

- *Remodel.* The existing building will be remodeled to accommodate the proposed use. This phase will take approximately two (2) months to complete.

- *Paving*. The parking areas and internal drive aisles will be paved during this phase. Equipment used on-site during this phase would include cement and motor mixers, pavers, rollers, and other paving equipment. This phase will take approximately one (1) month to complete.

- *Landscaping and Finishing*. This phase will involve the planting of landscaping, painting of the warehouses, and the completion of the on-site improvements. This phase will last approximately one (1) month.

2.5 DISCRETIONARY ACTIONS

A Discretionary Action is an action taken by a government agency (for this project, the government agency is the City of El Monte) that calls for an exercise of judgment in deciding whether to approve a project. The proposed project will require the approval of the following discretionary actions:

- Development Agreement No. 02-18;

- Medicinal Cannabis Conditional Use Permit (MCCUP) No. 07-18 for medicinal cannabis cultivation;

- Medicinal Cannabis Conditional Use Permit (MCCUP) No. 08-18 for medicinal cannabis manufacturing;

- Medicinal Cannabis Conditional Use Permit (MCCUP) No. 09-18 for medicinal cannabis distribution; and,

- Approval of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP).

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SECTION 3 ENVIRONMENTAL ANALYSIS

This section of the Initial Study prepared for the proposed project analyzes the potential environmental impacts that may result from the proposed project's implementation. The issue areas evaluated in this Initial Study include the following:

- Aesthetics (Section 3.1);
- Agriculture and Forestry Resources (Section 3.2);
- Air Quality (Section 3.3);
- Biological Resources (Section 3.4);
- Cultural Resources (Section 3.5);
- Energy (Section 3.6);
- Geology and Soils (Section 3.7);
- Greenhouse Gas Emissions (Section 3.8);
- Hazards and Hazardous Materials (Section 3.9);
- Hydrology and Water Quality (Section 3.10);
- Land Use and Planning (Section 3.11);
- Mineral Resources (Section 3.12);
- Noise (Section 3.13);
- Population and Housing (Section 3.14);
- Public Services (Section 3.15);
- Recreation (Section 3.16);
- Transportation (Section 3.17);
- Tribal Cultural Resources (Section 3.18);
- Utilities and Service Systems (Section 3.19);
- Wildfire (Section 3.20); and,
- Mandatory Findings of Significance (Section 3.21).

Under each issue area, a description of the thresholds of significance is provided. These thresholds will assist in making a determination as to whether there is a potential for significant impacts on the environment. The analysis considers both the short-term (construction-related) and long-term (operational) impacts associated with the proposed project's implementation, and where appropriate, the cumulative impacts. To each question, there are four possible responses:

- *No Impact*. The proposed project will not result in any adverse environmental impacts.

- *Less than Significant Impact*. The proposed project may have the potential for affecting the environment, although these impacts will be below levels or thresholds that the City of El Monte or other responsible agencies consider to be significant.

- *Less than Significant Impact with Mitigation*. The proposed project may have the potential to generate a significant impact on the environment. However, the level of impact may be reduced to levels that are less than significant with the implementation of the recommended mitigation measures.

- *Potentially Significant Impact*. The proposed project may result in environmental impacts that are significant. This finding will require the preparation of an environmental impact report (EIR).

3.1 AESTHETICS

3.1.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant aesthetic impact if it results in any of the following:

- A substantial adverse effect on a scenic vista;
- Substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantial degrading of the existing visual character or quality of public views of the site and its surroundings; If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; or,
- A new source of substantial light and glare that would adversely affect day-time or night-time views in the area.

3.1.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project have a substantial adverse effect on a scenic vista? ● No Impact.

The commercial medicinal cannabis use will involve cultivation, manufacturing, and distribution operations. The project will utilize an existing 71,658 square foot industrial building. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. The project's implementation will not result in a loss of scenic views.[22] The predominant view-sheds in the area include the Puente Hills (located 4.43 miles to the southeast) and the San Gabriel Mountains (located 5.21 miles to the north).[23] The existing streetscape and development presently obstructs views of these features. This conclusion is supported by the field survey that was conducted for the project. The proposed project will utilize the existing building, though improvements in terms of security, utilities, and building design will be made to accommodate the proposed use. In addition, new landscaping will be installed and the building's exterior will be painted. No changes to the building's height will occur and the existing building size (floor area) will remain unchanged. All of the proposed tenant improvements will be interior tenant improvements. As a result, no impacts will occur.

B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? ● No Impact.

According to the California Department of Transportation (Caltrans), Temple City Boulevard, Lower Azusa Road, and Ellis Lane are not designated as scenic highways.[24] Furthermore, the City of El Monte

[22] Blodgett Baylosis Environmental Planning. *Site survey*. Survey was conducted on September 3, 2018.

[23] Google Earth. Website accessed September 26, 2018.

[24] California Department of Transportation. *Official Designated Scenic Highways*. www.dot.ca.gov.

General Plan does not include any scenic highways designations. However, Lower Azusa Road is identified in the City's Community Design Element as an Enhanced Corridor.[25] The project site is not readily visible from this latter roadway. In addition, the vegetation present on-site consists of ornamental species and the project site does not contain any scenic rock outcroppings.[26] Lastly, the project site does not contain any buildings listed in the State or National registrar (refer to Section 3.5). As a result, no impacts will occur.

C. *Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? ● No Impact.*

The site is presently developed and is occupied by an existing industrial building. Once complete, the project will represent a visual improvement over the existing conditions due to the proposed cosmetic improvements to the site that will include repainting the building exterior, the installation of the new landscaping, and the repaving of the parking and circulation areas. Lastly, the size and mass of the proposed development will be consistent with the other commercial and industrial buildings located in the site's vicinity. As a result, no impacts will occur.

D. *Would the project create a new source of substantial light or glare that would adversely affect day- or night-time views in the area? ● Less than Significant Impact.*

Exterior lighting can be a nuisance to adjacent land uses that are sensitive to this lighting. This nuisance lighting is referred to as *light trespass* which is typically defined as the presence of unwanted light on properties located adjacent to the source of lighting. The closest light sensitive receptors to the project site are the residential units located 118 feet to the west along the west side of Ellis Lane.[27] The predominant source of light impacts will be related to light emanating from vehicular headlights, parking area lighting, security lighting, and bollard lighting. All new lighting will be installed in accordance with City and Part 11 of the California Title 24 Green Building standards. In addition, a total of 1,900 grow lights will be installed. Light emanating from these grow lights will not be visible from the building's exterior. The Applicant will black out the windows and the cannabis will be grown in separate rooms, thus providing additional light attenuation. Moreover, evening lighting will not affect the nearby sensitive receptors.

The proposed project will operate the manufacturing and cultivation facilities seven (7) days a week between the hours of 9:00 AM to 7:00 PM. Delivery hours will occur from 9:00 AM to 7:00 PM, Monday through Friday. As indicated in the previous paragraph, outdoor light sources will be installed in accordance with Part 11 of the California Title 24 Green Building standards.[28]

[25] City of El Monte. *Community Design Element* Page CD-7.

[26] Blodgett Baylosis Environmental Planning. *Site Survey*. Survey was conducted on May 3, 2018.

[27] Google Earth. Site accessed September 27, 2018.

[28] Part 11 of Title 24.

Glare is related to light trespass and is defined as visual discomfort resulting from high contrast in brightness levels. Glare-related impacts can adversely affect day or nighttime views. As with lighting trespass, glare is of most concern if it would adversely affect sensitive land use or driver's vision. The exterior façade would consist of non-reflective materials, such as concrete. In addition, the windows would be blacked out.[29] As a result, no daytime glare-related impacts are anticipated. In conclusion, the project will not introduce new sources of light and/or glare since all outdoor lighting will be required to be aimed away from nearby sensitive receptors pursuant to City and State requirements. As a result, no mitigation is required since the potential impacts are considered to be less than significant.

3.1.3 MITIGATION MEASURES

The preceding analysis indicated that the proposed project will not result in any significant impacts with respect to aesthetics.

3.2 AGRICULTURE & FORESTRY RESOURCES

3.2.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant impact on agriculture and forestry resources if it results in any of the following:

- The conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance;
- A conflict with existing zoning for agricultural use or a Williamson Act Contract;
- A conflict with existing zoning for, or cause rezoning of, forest land (as defined in *Public Resources Code section §12220(g)),* timberland (as defined by *Public Resources Code section §4526),* or timberland zoned Timberland Production (as defined by *Government Code section §51104(g))*;
- The loss of forest land or the conversion of forest land to a non-forest use; or,
- Changes to the existing environment that due to their location or nature may result in the conversion of farmland to non-agricultural use or the conversion of forestland to a non-forest use.

[29] Email communication with Mr. Robert C of GSC Holding Group LLC. Email dated September 26, 2018.

3.2.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ● No Impact.

According to the California Department of Conservation, the City of El Monte does not contain any areas of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.[30] The entire City is urban and there are no areas within the City that are classified as "Prime Farmland." Since the implementation of the proposed project will not involve the conversion of prime farmland, unique farmland, or farmland of statewide importance to urban uses, no impacts will occur.

B. Would the project conflict with existing zoning for agricultural use or a Williamson Act Contract? ● No Impact.

For purposes of this analysis, the term "agriculture" refers to the cultivation of land and breeding of animals and plants to provide food, fiber, medicinal plants, and other products to sustain and enhance life. The proposed project will involve the cultivation, manufacturing, and distribution of medicinal cannabis which meets the aforementioned definition. In the context of this CEQA analysis, the concern is with the loss of productive land and soils that are considered to be "prime farmland."

The project site and the adjacent properties do not contain any agricultural land. Furthermore, no agriculture zones exist within the City's zoning code nor do any other zoning designations in the City's zoning code permit agricultural uses.[31] In addition, according to the California Department of Conservation Division of Land Resource Protection, the project site is not subject to a Williamson Act Contract.[32] As a result, no impacts on existing Williamson Act Contracts will result from the proposed project's implementation.

C. Would the project 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))? ● No impact.

The City of El Monte and the project site are located in the midst of a larger urban area and no forest lands are located within the City. As a result, no impacts on forest land or timber resources will result from the proposed project's implementation.

[30] California Department of Conservation, Division of Land Resource Protection, Farmland Mapping, and Monitoring Program. *Los Angeles County Important Farmland.* ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/los16.pdf

[31] City of El Monte. *Zoning Ordinance.* Section 17.30.010.

[32] California Department of Conservation. *State of California Williamson Act Contract Land.* ftp://ftp.consrv.ca.gov/pub/dlrp/WA/2012%20Statewide%20Map/WA_2012_8x11.pdf

D. Would the project result in the loss of forest land or the conversion of forest land to a non- forest use? ● No Impact.

No forest lands are located within or in the vicinity of the project site. The project site is currently occupied by an existing industrial building. As a result, no loss or conversion of forest lands to urban uses will result from the proposed project's implementation and no impacts will occur.

E. Would the project involve other changes in the existing environment that, due to their location or nature, may result in conversion of Farmland to non-agricultural use or the conversion of forest land to a non-forest use? ● No Impact.

The project would not involve the disruption or damage of the existing environment that would result in a loss of farmland to nonagricultural use or conversion of forest land to non-forest use because the project site is not located in close proximity to farm land or forest land. As a result, no impacts will result from the implementation of the proposed project.

3.2.3 MITIGATION MEASURES

The analysis of agricultural and forestry resources indicated that no impacts on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

3.3 AIR QUALITY

3.3.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse environmental impact on air quality, if it results in any of the following:

- A conflict with the obstruction of the implementation of the applicable air quality plan;
- A violation of an air quality standard or contribute substantially to result in a cumulatively considerable net increase in an existing or projected air quality violation;
- The exposure of sensitive receptors to substantial pollutant concentrations; or,
- The result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people.

The South Coast Air Quality Management District (SCAQMD) has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the following criteria pollutants:

- *Ozone (O_3)* is a nearly colorless gas that irritates the lungs, damages materials, and vegetation. Ozone is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight).

- *Carbon monoxide (CO)* is a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust.

- *Nitrogen dioxide (NO_2)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NO_2 is formed when nitric oxide combines with oxygen.

- *Sulfur dioxide* (SO_2) is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms and difficulty in breathing for children.

- *PM_{10} and $PM_{2.5}$* refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation.

Projects in the South Coast Air Basin (SCAB) generating construction-related emissions that exceed any of the following emissions thresholds are considered to be significant under CEQA:

- 75 pounds per day of reactive organic compounds;
- 100 pounds per day of nitrogen dioxide;
- 550 pounds per day of carbon monoxide;
- 150 pounds per day of PM_{10};
- 55 pounds per day of $PM_{2.5}$; or,
- 150 pounds per day of sulfur oxides.

A project would have a significant effect on air quality if any of the following operational emissions thresholds for criteria pollutants are exceeded:

- 55 pounds per day of reactive organic compounds;
- 55 pounds per day of nitrogen dioxide;
- 550 pounds per day of carbon monoxide;
- 150 pounds per day of PM_{10};
- 55 pounds per day of $PM_{2.5}$; or,
- 150 pounds per day of sulfur oxides.

3.3.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project conflict with or obstruct the implementation of the applicable air quality plan?
● No Impact.

The project site and the City of El Monte are located within the South Coast Air Basin, which covers a 6,600 square-mile area within Los Angeles, the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County.[33] Measures to improve regional air quality are outlined in the

[33] South Coast Air Quality Management District, *Final 2016 Air Quality Plan*. Adopted March 2017.

SCAQMD's Air Quality Management Plan (AQMP).[34] The most recent AQMP was adopted in 2017 and was jointly prepared with the California Air Resources Board (CARB) and the Southern California Association of Governments (SCAG).[35] The AQMP will help the SCAQMD maintain focus on the air quality impacts of major projects associated with goods movement, land use, energy efficiency, and other key areas of growth.

Key elements of the 2016 AQMP include enhancements to existing programs to meet the 24-hour $PM_{2.5}$ Federal health standard and a proposed plan of action to reduce ground-level ozone. The primary criteria pollutants that remain non-attainment in the local area include $PM_{2.5}$ and ozone.

Specific criteria for determining a project's conformity with the AQMP is defined in Section 12.3 of the SCAQMD's CEQA Air Quality Handbook. The Air Quality Handbook refers to the following criteria as a means to determine a project's conformity with the AQMP: *Consistency Criteria 1* refers to a proposed project's potential for resulting in an increase in the frequency or severity of an existing air quality violation or its potential for contributing to the continuation of an existing air quality violation and *Consistency Criteria 2* refers to a proposed project's potential for exceeding the assumptions included in the AQMP or other regional growth projections relevant to the AQMP's implementation.[36]

In terms of Criteria 1, the proposed project's long-term (operational) airborne emissions will be below levels that the SCAQMD considers to be a significant impact (refer to the analysis included in the next section where the long-term stationary and mobile emissions for the proposed project are summarized in Table 3-2). In addition, the project's operational emissions will be well within the emissions projections identified in the most recent AQMP. As shown in Table 3-5 of the Final 2016 AQMP, the future 2031 daily operational emissions *with* the estimated population, employment, and VMT growth projections are estimated to be: 345 tons per day of VOCs; 214 tons per day of NOx; 1,188 tons per day of CO; 18 tons per day of SOx; and 65 tons per day of $PM_{2.5}$. The project's operational emissions will be well within the emissions projections estimated in the AQMP.

The proposed project will also conform to Consistency Criteria 2 since it will not significantly affect any regional population, housing, and employment projections prepared for the City of El Monte. Projects that are consistent with the projections of employment and population forecasts identified in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by SCAG are considered consistent with the AQMP growth projections, since the RTP/SCS forms the basis of the land use and transportation control portions of the AQMP. According to the Growth Forecast Appendix prepared by SCAG for the 2016-2040 RTP, the City of El Monte is projected to add a total of 7,700 new jobs through the year 2040.[37] The project is anticipated to employ up to 46 people.[38] The projected number of new jobs is well within SCAG's employment projections for the City of El Monte.

[34] South Coast Air Quality Management District, *Final 2016 Air Quality Plan*. Adopted March 2017.

[35] Ibid.

[36] South Coast Air Quality Management District. *CEQA Air Quality Handbook*. April 1993.

[37] Southern California Association of Governments. *Demographics & Growth Forecast. Regional Transportation Plan 2016-2040*. April 2016.

[38] Email communication with Mr. Robert C of GSC Holding Group LLC. Email dated September 26, 2018.

The City's General Plan includes Air Quality sections within the Public Health and Safety Element, and the Health and Wellness Element. In these sections, the following policies related to air quality are identified:[39]

- *Goal PHS-3 (Public Health and Safety):* Clean and healthful air through the implementation of responsive land use practices, enhancement to the natural landscape, pollution reduction strategies, and cooperation with regional agencies.

  - *PHS-3.1, Land Use:* As a condition for siting or expanding operations in El Monte, require air pollution emitters to evaluate and fully mitigate the impacts of their operations on schools, homes, medical facilities, child care centers, and other sensitive receptors.

  - *PHS-3.2, Sensitive Receptors:* Utilize CARB recommendations to evaluate the siting of dry cleaners, chrome platers, large gas stations, freeways, and other high pollutant sources near residences, health care facilities, schools, and other sensitive land uses.

  - *PHS-3.3, Community Forest:* As prescribed in the Parks and Recreation Element, enhance the City's community forest by planting trees along all roadways as a means to help filter air pollutants, clean the air, and provide other health benefits to the community.

  - *PHS-3.4, Transportation:* Encourage alternative modes of travel to work and school by maximizing transit service, purchasing alternative fuel vehicles, completing all sidewalks, and creating a network of multiuse trails and bicycle paths.

  - *PHS-3.6, Health Risk Assessment:* Require that projects for new industries or expansion of industries that produce air pollutants conduct a health risk assessment and establish appropriate mitigation prior to approval of new construction, rehabilitation, or expansion permits.

- *Goal HW-12 (Health and Wellness):* Land use patterns reduce driving, enhance air quality, and improve respiratory health.

  - *HW-12.1, Walking, Cycling, and Transit Use:* Promote land use patterns that reduce driving rates and promote walking, cycling, and transit use.

  - *HW-12.2, Truck Routes:* Discourage locating truck routes on primarily residential streets.

  - *HW-12.5, Air Pollution Mitigation:* Use landscaping, ventilation systems, double paned windows, or other mitigation measures to achieve healthy indoor air quality and noise levels in sensitive land uses.

  - *HW-12.8, Air Quality Policies:* Support policies that reduce emissions of pollutants from stationary and mobile sources such as industrial facilities, motor vehicles, and trains.

[39] City of El Monte. *Vision El Monte General Plan*. http://elmonteca.gov/LinkClick.aspx?fileticket=lynL7WlS6f4%3d&tabid=101. June 2011.

The proposed project will not restrict or otherwise preclude the policies outlined above relating to air quality and greenhouse gas emissions. Based on the findings made above, no impacts related to an air quality plan will occur.

B. Would the project violate any *air quality standard or contribute substantially to result in a cumulatively considerable net increase in an existing or projected air quality violation? ● Less than Significant Impact.*

The proposed project will involve commercial medicinal cannabis cultivation, manufacturing, and distribution operations. The project will utilize an existing 71,658 square foot industrial building. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. The entire construction period for the proposed project is expected to last for approximately five (5) months (refer to Section 2.4.3) and would include interior and exterior remodeling, the planting of new landscaping, resurfacing of the pavement, and the application of new exterior coatings. The analysis of daily construction and operational emissions was prepared utilizing the California Emissions Estimator Model (CalEEMod V.2016.3.2). The assumptions regarding the construction phases and the length of construction followed those identified herein in Section 2.4.3. As shown in Table 3-1, daily construction emissions are not anticipated to exceed the SCAQMD's significance thresholds.

Table 3-1
Estimated Daily Construction Emissions

Construction Phase	ROG	NO_2	CO	SO_2	PM_{10}	$PM_{2.5}$
Site Preparation (on-site)	1.75	21.53	11.91	0.02	1.06	0.80
Site Preparation (off-site)	0.03	0.02	0.35	--	0.09	0.02
Total Site Preparation	**1.78**	**21.55**	**12.26**	**0.02**	**1.15**	**0.82**
Building Construction (on-site)	2.55	18.91	15.25	0.02	1.09	1.04
Building Construction (off-site)	0.29	2.21	2.56	0.01	0.64	0.18
Total Building Construction	**2.84**	**21.12**	**17.81**	**0.03**	**1.73**	**1.22**
Paving	1.35	12.56	11.85	0.01	0.73	0.67
Paving	0.07	0.05	0.67	--	0.16	0.04
Total Paving	**1.42**	**12.61**	**12.52**	**0.01**	**0.89**	**0.71**
Architectural Coatings (on-site)	29.59	1.83	1.84	--	0.12	0.12
Architectural Coatings (off-site)	0.04	0.03	0.40	--	0.10	0.02
Total Architectural Coatings	**29.63**	**1.86**	**2.24**	**--**	**0.22**	**0.14**
Maximum Daily Emissions	**29.64**	**21.56**	**17.81**	**0.03**	**1.73**	**1.23**
Daily Thresholds	**75**	**100**	**55o**	**150**	**150**	**55**
Significant Impact?	**No**	**No**	**No**	**No**	**No**	**No**

Source: California Air Resources Board CalEEMod [computer program].

Long-term emissions refer to those air quality impacts that will occur once the proposed project has been constructed and is operational. These impacts will continue over the operational life of the project. The two (2) main sources of operational emissions include mobile emissions and area emissions related to cleaning products and landscaping equipment. Table 3-2 (shown below) depicts the estimated project operational emissions related to the project's operation during the summer months.

Table 3-2
Estimated Operational Emissions in lbs/day (Summer)

Emission Source	ROG	NO_2	CO	SO_2	PM_{10}	$PM_{2.5}$
Area-wide (lbs/day)	1.61	--	0.01	--	--	--
Energy (lbs/day)	0.03	0.34	0.29	--	0.02	0.02
Mobile (lbs/day)	1.14	6.02	17.06	0.05	4.76	1.31
Total (lbs/day)	**2.79**	**6.36**	**17.37**	**0.06**	**4.78**	**1.33**
Daily Thresholds	**55**	**55**	**55o**	**15o**	**15o**	**55**
Significant Impact?	**No**	**No**	**No**	**No**	**No**	**No**

Source: California Air Resources Board CalEEMod [computer program].

As indicated in Table 3-2, the projected long-term emissions are below thresholds considered to represent a significant impact, and, as a result, less than significant impacts are anticipated to occur.

C. Would the project expose sensitive receptors to substantial pollutant concentrations? ● Less than Significant Impact.

Most vehicles generate carbon monoxide (CO) as part of the tail-pipe emissions and high concentrations of CO along busy roadways and congested intersections are a concern. The areas surrounding the most congested intersections are often found to contain high levels of CO that exceed applicable standards and are referred to as *hot-spots*. Three (3) variables influence the creation of a CO hot-spot: traffic volumes, traffic congestion, and the background CO concentrations for the source receptor area. Typically, a CO hot-spot may occur near a street intersection that is experiencing severe congestion (a LOS E or LOS F) where idling vehicles result in ground level concentrations of carbon monoxide. However, within the last decade, decreasing background levels of pollutant concentrations and more effective vehicle emission controls have significantly reduced the potential for the creation of hot-spots. The SCAQMD stated in its CEQA Handbook that a CO hot-spot would not likely develop at an intersection operating at LOS C or better. Since the Handbook was written, there have been new CO emissions controls added to vehicles and reformulated fuels are now sold in the SCAB. These new automobile emissions controls, along with the reformulated fuels, have resulted in a lowering of both ambient CO concentrations and vehicle emissions. The proposed use will not involve a doubling in the number of vehicle trips (refer herein to Section 3.18). This volume of traffic will not result in a decline of any intersection's Level of Service (LOS) beyond a LOS of E. Therefore, the project's impacts would be less than significant with respect to CO hot-spots.

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality and typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate.[40] These population groups are generally more sensitive to poor air quality. The closest sensitive receptors to the project site include the residential units located 118 feet to the west along the west side of Ellis Lane. These nearby sensitive receptors are shown in Exhibit 3-1.

[40] South Coast Air Quality Management District. *CEQA Air Quality Handbook, Appendix 9*. As amended 2017.

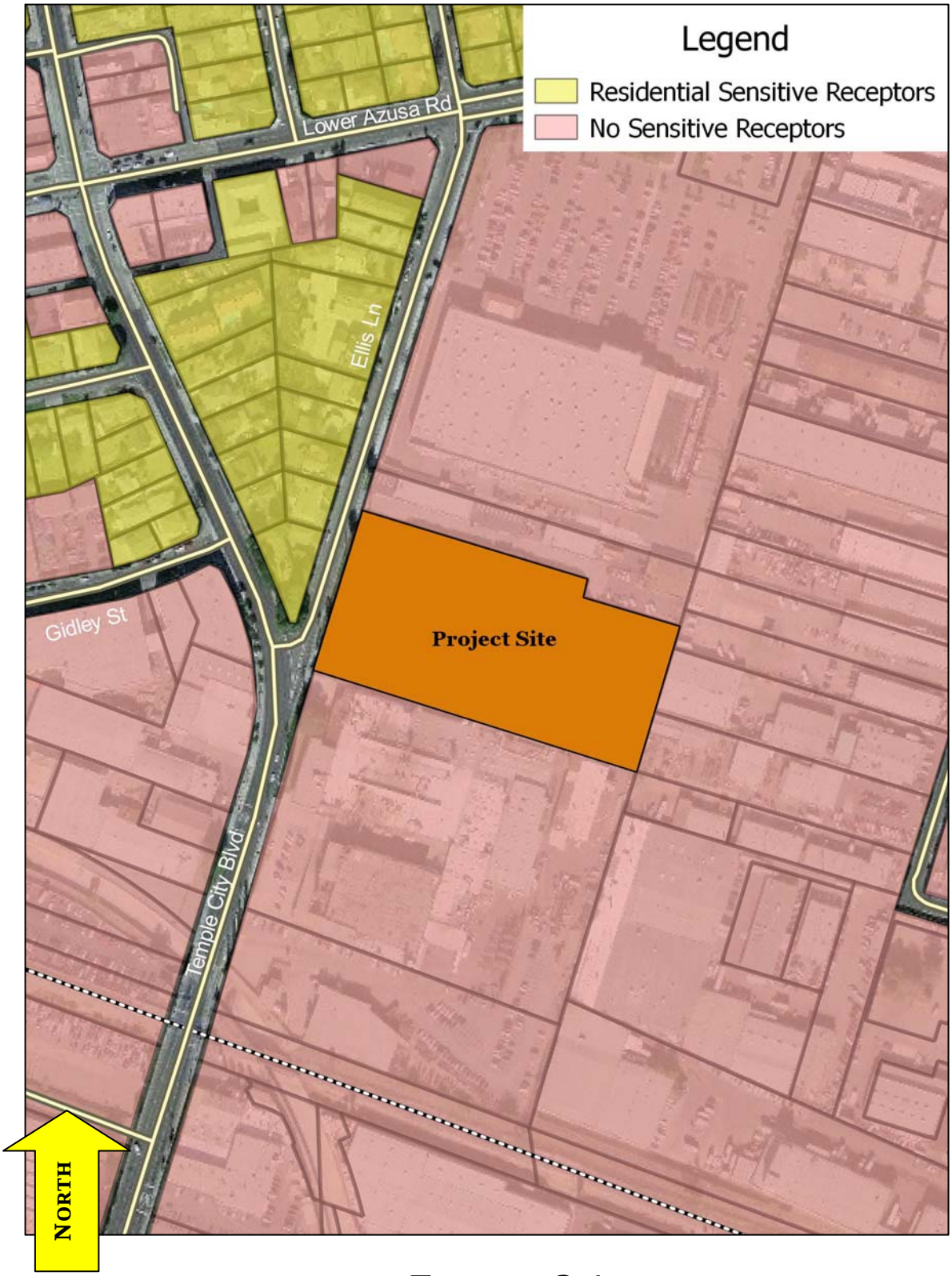


EXHIBIT 3-1
SENSITIVE RECEPTORS MAP
SOURCE: QGIS

The SCAQMD requires that CEQA air quality analyses indicate whether a proposed project will result in an exceedance of *localized emissions thresholds* or localized standard thresholds (LSTs). LSTs apply to long-term (operational) emissions at a fixed location and do not include off-site or area-wide emissions. The pollutants that are the focus of the LST analysis include the conversion of NO_x to NO_2; carbon monoxide (CO) emissions from construction; PM_{10} emissions from construction; and $PM_{2.5}$ emissions from construction. For purposes of the LST analysis, the receptor distance used was 25 meters. The thresholds for five (5) acres were selected for the project even though the project site encompasses 4.4 acres.

The emissions generated by the construction of the proposed project will not exceed the LSTs identified in Table 3-3. Only minor revisions to the building's interior, exterior, and infrastructure will be required to accommodate the project. As a result, the potential impacts are considered to be less than significant.

Table 3-3
Local Significance Thresholds Exceedance SRA 9 for 5 Acres of Disturbance

Emissions	Emissions (lbs/day)	Type	Allowable Emissions Threshold (lbs/day) and a Specified Distance from Receptor (in meters)				
			25	5o	100	200	500
NO_x	21.56	Construction	**203**	227	286	368	584
CO	17.81	Construction	**1,733**	2,299	3,680	7,600	25,558
PM_{10}	1.73	Construction	**14**	43	63	105	229
$PM_{2.5}$	1.23	Construction	**8**	11	17	35	116

Source: CalEEMod Version 2016.3.2.

D. Would the project result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people? ● Less than Significant Impact with Mitigation.

Cannabis cultivation directly impacts air quality in two (2) predominant operations; plant growth and extraction processes. Cannabis cultivation and, to a lesser degree, the manufacturing process, are often accompanied by the generation of strong odors. The majority of the odors of cannabis come from a class of chemicals called terpenes. Terpenes are among the most common compounds produced by flowering plants and vary widely between plants.[41] Cannabis produces over 140 different terpenes and these chemicals are found in varying concentrations in different cannabis varieties. Tetrahydrocannabinol (THC), the cannabinoid primarily responsible for cannabis' psychoactivity, has no odor whatsoever. The type and potency of cannabis odors range widely from variety to variety, as do receptors' opinions regarding whether the odor is pleasant or objectionable.[42]

[41] Terpenes are responsible for the fragrance of nearly all flowers.

[42] Cannabis Environmental Best Management Practices Draft Section for Review: Air Quality August 9, 2018.

The natural growth of the cannabis plants, and other processes at cultivation facilities, emit terpenes. Terpenes, known for their strong odor, are volatile organic compounds (VOCs). At facilities such as that being considered, the evaporation of solvents, and other processes in the production cycle also result in VOC emissions. The project Applicant will employ new technologies that will be beneficial to the odor control plan as time progresses including the following:

- *Carbon Filters.* Also known as carbon scrubbers, carbon filters are historically one of the best methods for odor control. This type of filter use pellets of charcoal to trap the terpenes. Carbon filters are simple to install, effective, and reliable. Carbon filters will be installed at key locations in the facility and will be monitored and replaced by staff on a regular basis.[43]

- *Air Filters.* Standard air filters, also referred to as air purifiers, are typically made of densely woven fiber screens. These filters trap particles as air circulates through the filter, which can either be a stand-alone unit or incorporated into a ventilation system depending on the exact specifications.[44]

- *Negative Ion Generators.* The machines will use a negative charge to attract positively charged particles in the air. This equipment will be installed in areas that do not interfere with the production activities but instead can proactively treat the air in order to meet regulations.[45]

- *Air-tight Seals.* The proposed facility will utilize air-tight seals throughout the facility. Predominately used in the exhaust system, these air tight seals will be used in order to keep the exhaust system efficient and effective.[46]

- *Negative Air Pressure.* The Applicant will make use of negative air pressure in order to retain odor for treatment. This will help to serve as a safeguard of odor escaping into the ambient air until it can be treated using the techniques above. GSC Holding Group, LLC. will seal the facility, except for the intake and exhaust, which creates suction when exhaust fans are turned off. The proper use of both negative air and negative ion generators will efficiently expunge odor before leaving the facilities.[47]

- *Staff Training*. The facility's employees will be trained regarding compliance with industry best standards and facility regulations in order to achieve successful odor control. Employees will be trained in the use of odor control methods as well as any new techniques and technologies that may be added in the future.[48]

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[43] GSC Holding Group, LLC *Application for Medical Commercial Application for Medical Commercial Cannabis Business License in the City of El Monte, CA*. (Odor Control Plan) No date.

[44] Ibid.

[45] Ibid.

[46] Ibid.

[47] Ibid.

[48] Ibid.

The project Applicant will be required to prepare an Odor Management Plan pursuant to Los Angeles County Department of Public Health construction guidelines. In addition, the entire cultivation process will occur in separate rooms. Airlock rooms are provided throughout the facility. These rooms provide additional odor suppression. The following mitigation measures will be required to control odors and to ensure that the indoor air is safe for the workers:

- The Applicant will be required to prepare an Odor Management Plan that must be approved by the City and Los Angeles County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.

- Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.

The above mitigation will reduce the potential impacts to levels that are less than significant.

3.3.3 MITIGATION MEASURES

The analysis of air quality impacts indicated that the projected emissions would be below the SCAQMD's thresholds of significance. However, the following mitigation would be required to address potential odor impacts:

Mitigation Measure No. 1 (Air Quality Impacts). The Applicant will be required to prepare an Odor Management Plan that must be approved by the City and Los Angeles County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.

Mitigation Measure No. 2 (Air Quality Impacts). Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.

3.4 BIOLOGICAL RESOURCES

3.4.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse impact on biological resources if it results in any of the following:

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

- A substantial adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;

- A substantial adverse effect on State or federally protected wetlands as defined (including, but not limited to, marsh, vernal, pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

- A substantial interference with the movement of any native resident or migratory fish, or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites;

- A conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or,

- A conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans.

3.4.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project either directly or through habitat modifications, have a substantial adverse effect on* any *species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ● No Impact.*

The proposed project is an application to operate a comprehensive commercial medicinal within an existing 71,658 square foot industrial building in the M-2 General Manufacturing zone. The proposed project will be located on a site that encompasses 4.4 acres and occupies frontage along the east side of Temple City Boulevard and Ellis Lane. The proposed use will include cultivation, manufacturing, and distribution operations. The existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use.[49] A review of the California Department of Fish and Wildlife California Natural Biodiversity Database (CNDDB) Bios Viewer for the El Monte Quadrangle indicated that there are 11 federally- or State-recognized threatened or endangered species located within the El Monte Quadrangle.[50] The majority of these threatened or endangered species are not likely to be found on-site due to the lack suitable habitat. These species include:

- The *coastal California gnatcatcher* is a bird species not likely to be found on-site due to the lack of coastal sage scrub, the species primary habitat.[51]

- The *least Bell's vireo* is not likely to be found on-site due to the lack of riparian habitat. Furthermore, the majority of the bird species live in San Diego County.[52]

[49] Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018

[50] California Department of Fish and Wildlife. *Bios Viewer*. https://map.dfg.ca.gov/bios/?tool=cnddbQuick.

[51] Center for Biological Diversity. *Coastal California Gnatcatcher*. http://www.biologicaldiversity.org/species/birds/coastal_California_gnatcatcher/.

[52] California Partners in Flight Riparian Bird Conservation Plan. *Least Bell's Vireo (Vireo bellii pusillus)*. http://www.prbo.org/calpif/htmldocs/species/riparian/least_bell_vireo.htm.

- The *Santa Ana sucker* is a fish species that will not be found on-site because there are no bodies of water located on-site.[53]

- The *bank swallow* is a bird species not likely to be found on-site due to the lack of riparian habitat.[54]

- The *willow flycatcher* is a bird species not likely to be found on-site due to the lack of marsh, brushy fields, and willow thickets.[55]

- The *Southwestern Willow flycatcher* is a bird species not likely to be found on-site due to the lack of dense riparian habitat.[56]

- The *Western yellow-billed cuckoo* is an insect-eating bird not likely to be found on-site due to the lack of riparian woodland habitat.[57]

- The *Nevin's barberry* is a flowering shrub bird species not likely to be found on-site due to the lack of chaparral habitat that exists among inland canyons and foothills.[58]

- The *Swainson's hawk* is not likely to be found on-site due to the lack of plains and farmland.[59]

- The *tricolored blackbird* is a bird species not likely to be found on-site due to the lack of marshes, fields, and farms.[60]

- The *light-footed Ridgway's rail* is a bird species not likely to be found on-site due to the lack of salt marshes and lagoons.[61]

The project site and surrounding areas are not conducive to the survival of the aforementioned species due to the lack of suitable habitat. An additional search was conducted using the California Native Plant Society's Inventory of Rare and Endangered Plants to ascertain any rare or endangered plant species which may occur in the El Monte Quadrangle. The following eight plants have been identified in the El Monte Quadrangle: Nevin's barberry; intermediate mariposa lily; southern tarplant; many-

[53] Blodgett Baylosis Environmental Planning. *Site Survey.* Survey was completed on September 3, 2018.

[54] Audubon. *Bank Swallow (Riparia riparia).* https://www.audubon.org/guia-de-aves/ave/bank-swallow.

[55] Audubon. *Willow Flycatcher (Empidonax traillii).* http://birds.audubon.org/birds/willow-flycatcher.

[56] United State Geological Survey. *Southwestern Willow Flycatcher Habitat.* http://sbsc.wr.usgs.gov/cprs/research/projects/swwf/wiflhab.asp.

[57] US Fish and Wildlife Service. *Sacramento Fish and Wildlife Office, Public Advisory.* http://www.fws.gov/sacramento/outreach/ Public-Advisories/WesternYellow-BilledCuckoo/outreach_PA_Western-Yellow-Billed-Cuckoo.htm.

[58] California Native Plant Society. *Nevin's Barberry (Berberis nevinii).* http://calscape.org/Berberis-nevinii-(Nevin's-Barberry).

[59] Audubon. *Swainson's Hawk (Buteo swainsoni).* http://www.audubon.org/field-guide/bird/swainsons-hawk.

[60] Audobon Guide to North American Birds. *Tricolored Blackbird.* http://www.audubon.org/field-guide/bird/tricolored-blackbird.

[61] U.S. Fish & Wildlife Service. *Light-footed Ridgway's Rail.* https://www.fws.gov/refuge/san_diego_bay/wildlife_and_habitat/Light-footed_Ridgways_Rail.html.

stemmed Dudley; mesa horkelia; Brand's star phacelia; Parish's gooseberry; Southern mountains skullcap.[62] None of these plants were encountered during the site survey. As indicated previously, the only vegetation that is present on-site consists of non-native introduced species typically used as ornamental landscaping. As a result, no impacts on any candidate, sensitive, or special status species will result.

B. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ● No Impact.*

The field survey that was conducted for this project indicated that there are no wetlands or riparian habitat present on-site or in the surrounding areas. This conclusion is also supported by a review of the U.S. Fish and Wildlife Service National Wetlands Inventory, Wetlands Mapper.[63] In addition, there are no designated "blue line streams" located within the project site. As a result, no impacts on natural or riparian habitats will result from the proposed project's implementation.

C. *Would the project have a substantial adverse effect on State or federally protected wetlands as defined (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ● No Impact.*

As indicated in the previous subsection, the project site and adjacent developed properties do not contain any natural wetland and/or riparian habitat.[64] As a result, the proposed project will not impact any protected wetland area or designated blue-line stream and no impacts will occur.

D. *Would the project interfere substantially with the movement of* any *native resident or migratory fish, wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? ● No Impact.*

The site is surrounded by development and lacks suitable habitat for wildlife habitat.[65] Furthermore, the site contains no natural hydrological features. Constant disturbance (noise and vibration) from vehicles travelling on the adjacent roadways limit the site's utility as a migration corridor. Since the site is surrounded by development on all sides and lacks suitable habitat, the site's utility as a migration corridor is restricted. Therefore, no impacts will result from the implementation of the proposed project.

[62] California Native Plant Society, Rare Plant Program. 2018. *Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39)*. Website http://www.rareplants.cnps.org [accessed 27 September 2018].

[63] United States Fish and Wildlife Service. *National Wetlands Inventory*. https://www.fws.gov/Wetlands/data/Mapper.html

[64] Ibid.

[65] Blodgett Baylosis Environmental Planning. *Site survey*. Survey was conducted September 3, 2018.

E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ● No Impact.

Title 14 (Sustainable Development) Chapter 14.03 (Tree Protection and Preservation) of the City of El Monte municipal code serves as the City's "Tree Ordinance."[66] The tree ordinance establishes strict guidelines regarding the removal or tampering of trees located within any public right-of-way (such as streets and alleys).

There are no trees located within the public right-of-way adjacent to the project site. Nevertheless, the project's implementation will require the removal of all of the vegetation on-site, including the mature trees located within the western portion of the site and within the parking areas. Over 50 trees and shrubs will be planted. The proposed project's landscaping plan is illustrated in Exhibit 3-2. This new landscaping will be drought tolerant. As a result, no impacts will occur.

F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans? ● No Impact.

The City is located within an urbanized setting, and no natural habitat is located within the project site.[67] The proposed project site is located approximately 2.72 miles north of the Whittier Nature Center and the Whittier Narrows Dam County Recreation Area Significant Ecological Area (SEA) No. 42, as designated by the Los Angeles Department of Recreation and Parks. As a result, no impacts on local, regional, or State habitat conservation plans would result from the implementation of the proposed project.

3.4.3 MITIGATION MEASURES

The analysis of biological resources impacts indicated that no impacts on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

3.5 CULTURAL RESOURCES

3.5.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may have a significant adverse impact on cultural resources if it results in any of the following:

- A substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the State CEQA Guidelines;

- A substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the State CEQA Guidelines; or,

[66] El Monte, City of, Municipal Code. *Title 14 Sustainable Development, Chapter 14.03 Tree Protection and Preservation.*

[67] U.S. Fish and Wildlife Service. National Wetlands Inventory. *Wetlands Mapper.* http://www.fws.gov/.



EXHIBIT 3-2
LANDSCAPE PLAN
Source: Architect Bob Mothershed

- The disturbance of any human remains, including those interred outside of dedicated cemeteries.

3.5.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the State CEQA Guidelines? ● No Impact.*

Historic structures and sites are defined by local, State, and Federal criteria. A site or structure may be historically significant if it is locally protected through a local general plan or historic preservation ordinance. A site or structure may be historically significant according to State or Federal criteria even if the locality does not recognize such significance.

The State, through the State Historic Preservation Office (SHPO), maintains an inventory of those sites and structures that are considered to be historically significant. Finally, the U.S. Department of Interior has established specific Federal guidelines and criteria that indicate the manner in which a site, structure, or district is to be defined as having historic significance and in the determination of its eligibility for listing on the National Register of Historic Places.[68]

State historic preservation regulations include the statutes and guidelines contained in the California Environmental Quality Act (CEQA) and the Public Resources Code (PRC). A historical resource includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript, that is historically or archaeologically significant. The State regulations that govern historic resources and structures include Public Resources Code (PRC) Section 5024.1 and CEQA Guidelines Sections 15064.5(a) and 15064.5(b). According to Section 5024.1(c) of the State Public Resources Code: Specific criteria include the following:

- Districts, sites, buildings, structures, and objects that are associated with the lives of significant persons in the past;

- Districts, sites, buildings, structures, and objects that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,

- Districts, sites, buildings, structures, and objects that have yielded or may be likely to yield, information important in history or prehistory.

Ordinarily, properties that have achieved significance within the past 50 years are not considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;

[68] U.S. Department of the Interior, National Park Service. *National Register of Historic Places.* http://nrhp.focus.nps.gov. 2010.

- Districts, sites, buildings, structures, and objects that are associated with events that have made a significant contribution to the broad patterns of our history;

- A building or structure removed from its original location that is significant for architectural value, or which is the surviving structure associated with a historic person or event;

- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;

- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;

- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;

- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,

- A property achieving significance within the past 50 years if it is of exceptional importance.[69]

The State has established *California Historical Landmarks* that include sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. *California Points of Historical Interest* have a similar definition, except they are deemed of local significance. A search of the California Office of Historic Preservation online list of California Historical Landmarks yielded the following State-designated landmarks in the City:[70]

- *California Register of Historical Resources No. 975 - El Monte First Southern California Settlement by Immigrants from the United States.* This settlement was located on the banks of the San Gabriel River and played a significant role in California's early pioneer history. The settlement was initially an encampment along the Old Spanish Trail and was an extension of the trail from Missouri to Santa Fe. This historical site is located at Santa Fe Trail Historical Park, near the southwest corner of Valley Boulevard and Santa Anita Avenue.

- *California Point of Historical Interest No. LAN-047 – Old El Monte Jail, Pioneer Park.* The El Monte Jail was constructed by William Dodson and donated to the town in 1880. The original jail was a one room wooden structure and was utilized as a jail until 1922. This historical site is located at Pioneer Park, also near the southwest corner of Valley Boulevard and Santa Anita Avenue.

[69] U. S. Department of the Interior, National Park Service. *National Register of Historic Places*. http://focus.nps.gov/nrhp. Website accessed May 16, 2016.

[70] California Department of Parks and Recreation. *California Historical Resources*. http://ohp.parks.ca.gov/ListedResources. Website accessed September 28, 2018.

The project site does not contain any historic structures listed in the National or California Registrar.[71] Furthermore, the building that occupies the site does not meet any of the criteria of a historic structure identified above. The building is currently used by FlatFair and no historical events have occurred the building. No persons of significance currently reside within the property, or have resided within the property. Furthermore, the proposed project will be restricted to the designated property and the project's construction will not affect the two local landmarks. As a result, no impacts to historic resources will occur.

B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ● Less than Significant Impact.

The proposed project is an application to operate a comprehensive commercial medicinal-only cannabis use within an existing 71,658 square foot industrial building. The proposed use will include cultivation, manufacturing, and distribution operations. The existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use.[72] The El Monte area was previously inhabited by the Gabrieleño people, named after the San Gabriel Mission. The Gabrieleño tribe has lived in this region for around 7,000 years.[73] Prior to Spanish contact, approximately 5,000 Gabrieleño people lived in villages throughout the Los Angeles Basin.[74] Villages were typically located near major rivers such as the San Gabriel, Rio Hondo, or Los Angeles Rivers. As indicated previously, the project will utilize the existing the industrial building. The minor improvements will require shallow excavations at most since no new building construction will occur; thereby, limiting the possibility of encountering significant archaeological resources.

Nevertheless, in the unlikely event that remains are uncovered by construction crews, all construction activities shall be halted, and the City of El Monte Police Department will be contacted (the Department will then contact the County Coroner). Title 14; Chapter 3; Article 5; Section 15064.5 of CEQA and California Health and Safety Code Section 7050.5(b) will apply in terms of the identification of significant archaeological resources and their salvage. Adherence to the abovementioned mitigation will reduce potential impacts to levels that are less than significant.

C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries? ● No Impact.

No dedicated cemeteries are located within the project site or in the vicinity of the project site. The nearest cemetery to the site is Savannah Cemetery and it is located 0.71 miles southwest of the project site in the City of Rosemead.[75] The proposed project will be restricted to the designated project site and will not affect the aforementioned cemetery. In addition, the proposed construction is anticipated to

[71] California Department of Parks and Recreation. *California Historical Resources*. http://ohp.parks.ca.gov/ListedResources. Website accessed September 28, 2018.

[72] Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018

[73] Tongva People of Sunland-Tujunga. *Introduction*. http://www.lausd.k12.ca.us/Verdugo_HS/classes/multimedia/intro.html.

[74] Rancho Santa Ana Botanical Garden. *Tongva Village Site*. http://www.rsabg.org/component/k2/item/453-tongva-village-site.

[75] Google Earth. Website accessed September 27, 2018.

neither discover nor disturb any on-site burials due to past disturbance of the project site that was needed to accommodate the previous development. Furthermore, the project's implementation will require minor alterations to the existing building and project site. The minor improvements will require shallow excavations at most since no new building construction will occur; thereby, limiting the possibility of encountering significant archaeological resources. As a result, no impacts are expected.

3.5.3 MITIGATION MEASURES

The preceding analysis indicated that the proposed project will not result in significant impacts to cultural resources that would require any mitigation.

3.6 ENERGY

3.6.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse impact on the environment if it results in the following:

- A potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation; and,

- A conflict with or obstruction of a State or local plan for renewable energy or energy efficiency.

3.6.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? ● Less than Significant Impact with Mitigation.*

Cultivation of cannabis is an agricultural production process where space conditions, temperature, and humidity are tightly controlled to optimize the quality of the cannabis plants and to reduce crop loss. The quality and amount of light provided is the primary variable affecting crop yield and quality once air temperature and humidity needs are met. In commercial operations, growers clone mother plants by taking small cuttings. The seedlings are then grown in racks stacked vertically with fluorescent lighting (T5HO) until they are mature enough to be repotted and placed in grow rooms with high-intensity discharge (HID) fixtures. The plants are then grown in a vegetative state for 18 to 24 hours per day until the photoperiod is shortened, which induces the plant to begin flowering. A full cycle from clone to harvested plant takes three to four months but can vary depending on the particular strain of cannabis.[76]

[76] Jesse Remillard, PE, and Nick Collins, PE, ERS *Trends and Observations of Energy Use in the Cannabis Industry*. ACEEE Summer Study on Energy Efficiency in Industry. 2017

As indicated in the Project Description (Section 2), a total of 1,900 grow lights will be installed. Each light will be 1,000 watts and the continuous load for the cultivation will be 1.68 million watts, with approximately 60% of the lights operating at one time.[77] This translates into 1,680 kilowatts per day, which further translates into an estimated annual consumption of 613,200 kilowatts.

Because plants release water vapor through transpiration, indoor grow facilities also require substantial dehumidification to maintain approximately 50% to 60% relative humidity. If excess humidity is left unregulated, it can cause mold or mildew, potentially ruining a crop. Dehumidification is generally achieved mechanically by sub-cooling the air to remove water and then reheating the air to the desired supply air temperature through traditional dehumidification units or by absorbing moisture in the air through a desiccant dehumidifier. The indoor air conditioning will also require electrical consumption. The California Green Building Standards Code does not prevent a local jurisdiction from adopting a more stringent code as State law provides methods for local enhancements. The project Applicant will be required to closely work with the Southern California Edison Company to identify existing and future strategies that will be effective in reducing energy consumption. The following mitigations will also be required:

- The use of lighting equipment that will be energy efficient such as LED light fixtures;
- Installing solar panels to reduce energy consumption; and,
- All appliances and indoor climate control equipment must be required to meet "Energy Star" ratings.

The aforementioned mitigations will be effective in reducing energy consumption and the environmental impacts to levels that are less than significant.

B. Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency? ● Less than Significant Impact.

On January 12, 2010, the State Building Standards Commission adopted updates to the California Green Building Standards Code (Code) which became effective on January 1, 2011. The California Code of Regulations (CCR) Title 24, Part 11: California Green Building Standards (Title 24) became effective to aid efforts to reduce GHG emissions associated with energy consumption. Title 24 now require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials. The 2016 version of the standards became effective as of January 1, 2017. The 2016 version addresses additional items such as clean air vehicles, increased requirements for electric vehicle charging infrastructure, organic waste, and water efficiency and conservation. The California Green Building Standards Code does not prevent a local jurisdiction from adopting a more stringent code as state law provides methods for local enhancements.

[77] Email communication with Mr. Robert C of GSC Holding Group LLC. Email dated September 26, 2018.

As indicated previously, the proposed project will be in accordance with the City's Building Code requirements and with Part 6 and Part 11 of Title 24 of the California Code of Regulations. The project will include new light standards and fixtures that will be used as operational and security lighting. This lighting will conform to all state and local building code and lighting regulations. As a result, the potential impacts are considered to be less than significant.

3.6.3 MITIGATION MEASURES

The project Applicant will be required to closely work with the Southern California Edison Company to identify existing and future strategies that will be effective in reducing energy consumption. The following mitigation will also be required:

Mitigation Measure No. 3 (Energy Impacts). The facility must use of lighting equipment that will be energy efficient such as LED light fixtures.

Mitigation Measure No. 4 (Energy Impacts). The installation of solar panels will be required as a means to reduce energy consumption.

Mitigation Measure No. 5 (Energy Impacts). All appliances and indoor climate control equipment must be required to meet "Energy Star" ratings.

3.7 GEOLOGY & SOILS

3.7.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant impact on the environment if it results in the following:

- Direct or indirect cause of potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault (as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault), strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides;

- Substantial soil erosion resulting in the loss of topsoil;

- The exposure of people or structures to potential substantial adverse effects, including location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;

- Locating a project on an expansive soil, as defined in the California Building Code, creating substantial direct or indirect risks to life or property;

- Locating a project in, or exposing people to potential impacts, including soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or,

- Direct or indirect destruction of a unique paleontological resource or site or unique geological feature.

3.7.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault (as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault), strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides? ● Less than Significant Impact.

The City of El Monte is located in the seismically active region of Southern California. Many major and minor local faults traverse the entire Southern California region, posing a threat to millions of residents, including those who reside in the City of El Monte. Earthquakes from several active and potentially active faults in the Southern California region could affect the proposed project site. In 1972, the Alquist-Priolo Earthquake Zoning Act was passed in response to the damage sustained in the 1971 San Fernando Earthquake.[78] The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults.[79] A list of cities and counties subject to the Alquist-Priolo Earthquake Fault Zones is available on the State's Department of Conservation website. The City of El Monte is not on the list.[80] Nevertheless, the site is within a seismically active region prone to occasional damaging earthquakes. The City of El Monte is not on the list.[81] However, the project site is located between the Whittier Fault and the Sierra Madre Fault.

The commercial medicinal-only cannabis use will involve cultivation, manufacturing, and distribution operations. The project will utilize an existing 71,658 square foot industrial building. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. The potential impacts from fault rupture are considered no greater for the project site than for the surrounding areas. The potential impacts in regards to ground shaking would also be considered to be less than significant. The intensity of ground shaking depends on the intensity of the earthquake, the duration of shaking, soil conditions, type of building, and distance from epicenter or fault.

[78] California Department of Conservation. *What is the Alquist-Priolo Act*. http://www.conservation.ca.gov/cgs/rghm/ap/Pages/main.aspx.

[79] Ibid.

[80] California Department of Conservation. *Table 4, Cities and Counties Affected by Alquist Priolo Earthquake Fault Zones as of January 2010.* http://www.conservation.ca.gov/cgs/rghm/ap/Pages/affected.aspx

[81] Ibid.

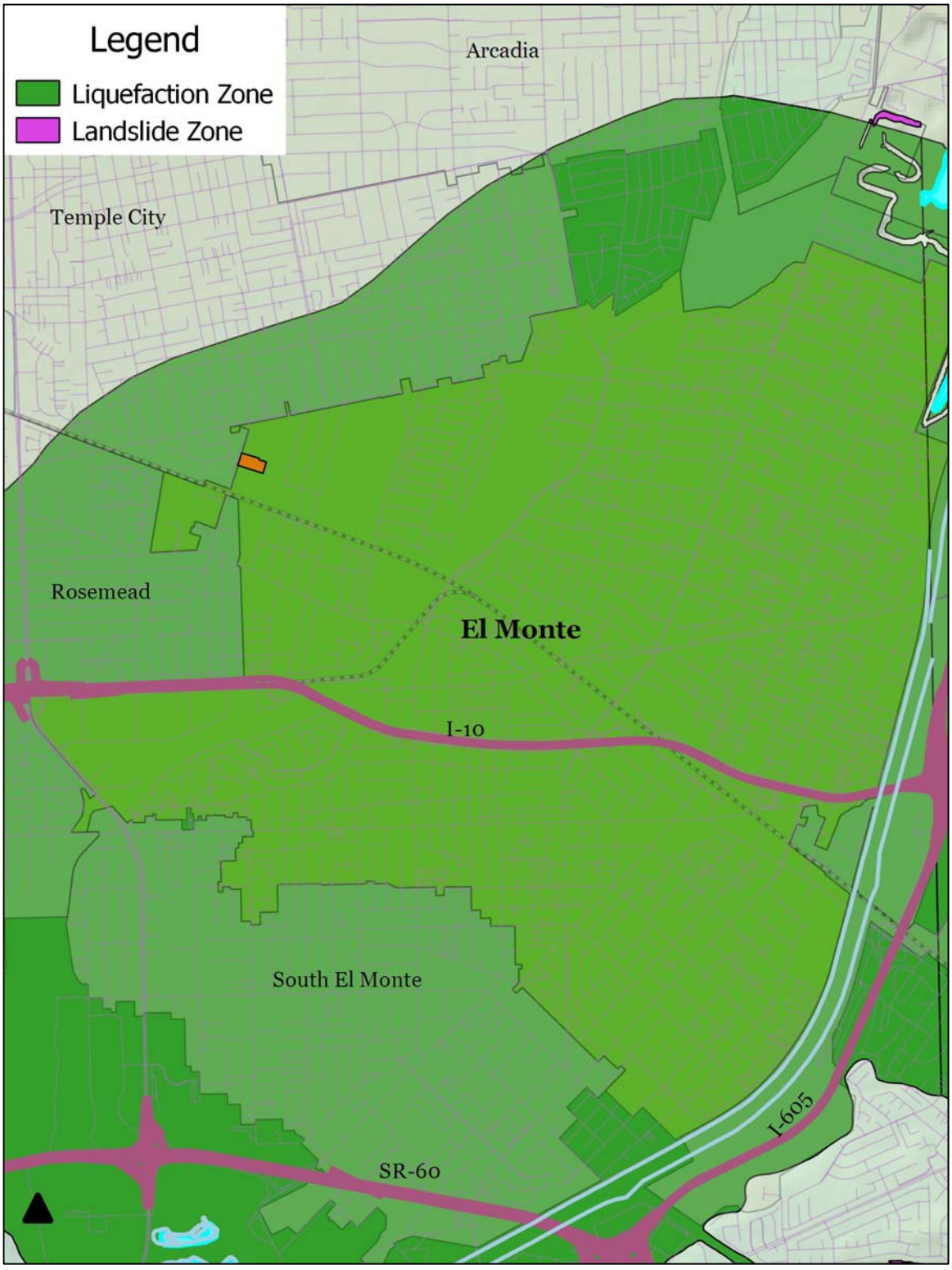


EXHIBIT 3-3
SEISMIC HAZARDS MAP
SOURCE: CALIFORNIA DEPARTMENT OF CONSERVATION

Other potential seismic issues include ground failure, liquefaction, and lateral spreading. Ground failure is the loss in stability of the ground and includes landslides, liquefaction, and lateral spreading. The project site is located in an area that is subject to liquefaction (refer to Exhibit 3-3). According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. Essentially, liquefaction is the process by which the ground soil loses strength due to an increase in water pressure following seismic activity. The potential impacts in regards to liquefaction are considered to be less than significant since the project will utilize the existing building. Lastly, the project site is not subject to the risk of landslides (refer to Exhibit 3-2). Lateral spreading is a phenomenon that is characterized by the horizontal, or lateral, movement of the ground. Lateral spreading could be liquefaction induced or can be the result of excess moisture within the underlying soils.

Liquefaction induced lateral spreading would not affect the proposed development since the project will utilize the existing facility. The underlying soils are not prone to shrinking and swelling (refer to Section 3.6.2.D). As a result, the potential impacts in regards to liquefaction and landslides are less than significant.

B. Would the project result in substantial soil erosion or the loss of topsoil? ● Less than Significant Impact.

The United States Department of Agriculture's (USDA) Web Soil Survey was consulted to determine the nature of the soils that underlie the project site. According to the USDA Web Soil Survey, the site is underlain by Urban Land-Pico Metz complex soils.[82] The site is, and will continue to be level and no slope failure or landslide impacts are anticipated to occur. Once operational, the project site will continue to be paved over and landscaped, which will minimize soil erosion.

The project Applicant will be required to prepare a Stormwater Pollution Prevention Program (SWPPP) pursuant to Federal NPDES regulations since the project would connect to the City's Municipal Separate Storm Sewer System (MS4) Permit. The SWPPP is required to apply for an NPDES General Industrial Activities Storm Water Permit (GIASP). The SWPPP will contain construction best management practices (BMPs) that will restrict the discharge of sediment into the streets and local storm drains. In addition, the project's contractors must adhere to any construction BMPs identified in the City's development construction program. As a result, the impacts will be less than significant.

C. Would the project expose people or structures to potential substantial adverse effects, including location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? ● Less than Significant Impact.

The commercial medicinal cannabis use will involve cultivation, manufacturing, and distribution operations. The project will utilize an existing 71,658 square foot industrial building. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. The proposed project will not destabilize the underlying soils since the project will utilize the existing

[82] United States Department of Agriculture. *Web Soil Survey*. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

industrial facility. The minor improvements that will take place will require shallow excavations at most since no new building construction will occur; thereby, limiting the possibility of destabilizing the underlying soils. The surrounding area is relatively level and is at no risk for landslides (refer to Exhibit 3-2). Lateral spreading is a phenomenon that is characterized by the horizontal, or lateral, movement of the ground. Lateral spreading could be liquefaction induced or can be the result of excess moisture within the underlying soils. Liquefaction induced lateral spreading will not affect the proposed project since the project will utilize the existing industrial building. Therefore, lateral spreading caused by liquefaction will not affect the project.

The soils that underlie the project site possess a low potential for shrinking and swelling. Soils that exhibit certain shrink swell characteristics become sticky when wet and expand according to the moisture content present at the time. Since the soils have a low shrink-swell potential, lateral spreading resulting from an influx of groundwater is slim. The likelihood of lateral spreading will be further reduced since the project's implementation will not require grading and excavation that would extend to depths required to encounter groundwater. In addition, the project will not result in the direct extraction of groundwater located below ground surface (BGS) since the project will continue to be connected to the City's water system.

The soils that underlie the project site are not prone to subsidence. Subsidence occurs via soil shrinkage and is triggered by a significant reduction in an underlying groundwater table, thus causing the earth on top to sink.[83] As stated previously, the underlying soils possess a low shrink swell potential. No groundwater will be drained to accommodate the construction of the proposed project. Moreover, the project will not result in the direct extraction of groundwater located below ground surface (BGS). Lastly, the proposed project will not expose future employees to seismic risks involving collapsible soils. Collapsible soils consist of loose, dry, low-density materials that collapse and compact under the addition of water or excessive loading.[84] The proposed project will utilize the existing building. The soils have and will continue to support the proposed project. As a result, the potential impacts are considered to be less than significant.

D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial direct or indirect risks to life or property? ● Less than Significant Impact.

The commercial medicinal cannabis use will involve cultivation, manufacturing, and distribution operations. The project will utilize an existing 71,658 square foot industrial building. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. The underlying soils consist of Urban Land-Pico Metz complex soils.[85] The urban land component consists of non-native fill materials, while the Pico and Metz complex soils consist of sandy loam. According to the U.S. Department of Agriculture, the components of the Urban Land-Pico Metz complex soils

[83] Subsidence Support. *What Causes House Subsidence?* http://www.subsidencesupport.co.uk/what-causes-subsidence.html

[84] Association of Environmental & Engineering Geologists. *Expansive and Collapsible Soils*. http://www.aegweb.org/.

[85] UC Davis. *SoilWeb: Soil Survey Browser*. https://casoilresource.lawr.ucdavis.edu/gmap/. *And* UC Davis. *SoilWeb: Soil Survey Browser*. *https://casoilresource.lawr.ucdavis.edu/gmap/*

possess a low shrink swell potential.[86] The shrinking and swelling of soils is influenced by the amount of clay present in the underlying soils.[87] If soils consist of expansive clay, damage to foundations and structures may occur. A minimal amount of clay is present in Urban Land-Pico Metz complex soils. As a result, the potential impacts are considered to be less than significant.

E. Would the project be located on soils that are incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? ● No Impact.

No septic tanks will be used as part of proposed project. The project will continue to be connected to the existing sanitary sewer system. As a result, no impacts associated with the use of septic tanks will occur as part of the proposed project's implementation.

F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature? ● No Impact.

The underlying soils are alluvial in nature and are classified as Older Sandy Alluvium (Qos).[88] Alluvial deposits are typically quaternary in age (from two million years ago to the present day) and span the two most recent geologic epochs, the Pleistocene and the Holocene.[89] Older Sandy Alluvium (Qos) Deposits are Pleistocene aged.[90] The commercial medicinal-only cannabis use will involve cultivation, manufacturing, and distribution operations. The project will utilize an existing 71,658 square foot industrial building. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use.

The proposed project's implementation is not anticipated to result in the discovery or disturbance of any paleontological resources. Furthermore, the project's implementation will require minor alterations to the existing building and project site. The minor improvements will require shallow excavations at most since no new building construction will occur; thereby, limiting the possibility of encountering significant archaeological resources. As a result, no impacts are expected.

3.7.3 MITIGATION MEASURES

The preceding analysis indicated that the proposed project will not result in any significant impacts that would require mitigation.

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[86] United States Department of Agriculture. *Web Soil Survey*. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.

[87] Natural Resources Conservation Service Arizona. *Soil Properties Shrink/Swell Potential.* *http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/az/soils/?cid=nrcs144p2_065083*

[88] California Department of Transportation. *SR-710 North Study Paleontological Identification and Evaluation Report, Figure 6-3 BRT Alternative Project Area Geology*. Report prepared March 14, 2014.

[89] United States Geological Survey. *What is the Quaternary?* http://geomaps.wr.usgs.gov/sfgeo/quaternary/stories/what_is.html

[90] California State University, Northridge. *Dibblee Wall Map Legend.* http://www.csun.edu/~met23704/dibble%20map%20legend.pdf

3.8 GREENHOUSE GAS EMISSIONS

3.8.1 THRESHOLDS OF SIGNIFICANCE

A project may be deemed to have a significant adverse impact on greenhouse gas emissions if it results in any of the following:

- The generation of greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and,

- The potential for conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

3.8.2 ENVIRONMENTAL ANALYSIS

A. *Would the project generate greenhouse gas emissions, either directly or indirectly, that* may *have a significant impact on the environment? ● Less than Significant Impact.*

The State of California requires CEQA documents to include an evaluation of greenhouse gas (GHG) emissions or gases that trap heat in the atmosphere. GHG are emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). The SCAQMD has established multiple draft thresholds of significance. These thresholds include 1,400 metric tons of CO_2E ($MTCO_2E$) per year for commercial projects, 3,500 $MTCO_2E$ per year for residential projects, 3,000 $MTCO_2E$ per year for mixed-use projects, and 7,000 $MTCO_2E$ per year for industrial projects.

The commercial medicinal-only cannabis use will involve cultivation, manufacturing, and distribution operations. The project will utilize an existing 71,658 square foot industrial building. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. Carbon dioxide equivalent, or CO_2E, is a term that is used for describing different greenhouses gases in a common and collective unit. As indicated in Table 3-4, the CO_2E total for the project is 6,485 pounds per day or 2.94 $MTCO_2E$ per day. This translates into an annual emission of 1,073 $MTCO_2E$, which is below the aforementioned thresholds. The GHG emissions estimates reflect what an industrial cannabis facility of the same location and description would generate once fully operational. The type of activities that may be undertaken once the project is operational have been predicted and accounted for in the model for the selected land use type. It is important to note that the project is an "infill" development, which is seen as an important strategy in combating the release of GHG emissions. The project will require minor alterations to the existing facility's exterior, interior, and infrastructure. These renovations will release a nominal amount of GHG. Most of the operational GHG emissions will be related to emissions from VOCs used in the manufacturing process.

Table 3-4
Greenhouse Gas Emissions Inventory

Source	GHG Emissions (lbs/day)			
	CO_2	CH_4	N_2O	CO_2E
Long-Term – Area Emissions	0.03	--	--	0.03
Long-Term - Energy Emissions	418.05	--	--	420.53
Long-Term - Mobile Emissions	6,058.02	0.29	--	6,065.30
Long-Term - Total Emissions	**6,476.11**	**0.29**	**--**	**6,485.88**
Total Construction Emissions	**3,352.59**	**0.77**	**--**	**3,365.86**
Construction Emissions Amortized Over 30 Years				**18.49 $MTCO_2E$**
Total Operational Emissions with Amortized Construction Emissions				**1,091 $MTCO_2E$**
Significance Threshold				**7,000 $MTCO_2E$**

Infill development provides a regional benefit in terms of a reduction in Vehicle Miles Traveled (VMT) since the project is consistent with the regional and State sustainable growth objectives identified in the State's Strategic Growth Council (SGC).[91] Infill development reduces VMT by recycling existing undeveloped or underutilized properties located in established urban areas. When development is located in a more rural setting, such as further east in the desert areas, employees, patrons, visitors, and residents may have to travel farther since rural development is often located a significant distance from employment, entertainment, and population centers. Consequently, this distance is reduced when development is located in urban areas since employment, entertainment, and population centers tend to be set in more established communities. As a result, the potential impacts are considered to be less than significant.

B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases? ● Less than Significant Impact.

AB-32 requires the reduction of GHG emissions to 1990 levels, which would require a minimum 28% in "business as usual" GHG emissions for the entire State. Additionally, Governor Edmund G. Brown signed into law Executive Order (E.O.) B-30-15 on April 29, 2015, the Country's most ambitious policy for reducing Greenhouse Gas Emissions. Executive Order B-30-15 calls for a 40% reduction in greenhouse gas emissions below 1990 levels by 2030.[92] The proposed project will not involve or require any variance from an adopted plan, policy, or regulation governing GHG emissions. The City of El Monte does not have an adopted Climate Action Plan. However, the City's General Plan includes Air Quality sections within the Public Health and Safety Element, and the Health and Wellness Element.[93]

[91] California Strategic Growth Council. http://www.sgc.ca.gov/Initiatives/infill-development.html. Promoting and enabling sustainable infill development is a principal objective of the SGC because of its consistency with the State Planning Priorities and because infill furthers many of the goals of all of the Council's member agencies.

[92] Office of Governor Edmund G. Brown Jr. *New California Goal Aims to Reduce Emissions 40 Percent Below 1990 Levels by 2030*. http://gov.ca.gov/news.php?id=18938

[93] City of El Monte. *Vision El Monte General Plan*. http://elmonteca.gov/LinkClick.aspx?fileticket=lynL7WlS6f4%3d&tabid=101. June 2011.

The policies are listed within Section 3.3.2.A herein and the proposed project is consistent with those aforementioned policies. The proposed project will not involve or require any variance from the aforementioned policies. Furthermore, the proposed project will not involve or require any other variance from the adopted plan, policy, or regulation governing GHG emissions. As a result, no potential conflict with an applicable greenhouse gas policy plan, policy, or regulation will occur and the potential impacts are considered to be less than significant.

3.8.3 MITIGATION MEASURES

The preceding analysis concluded that no mitigation will be required.

3.9 HAZARDS & HAZARDOUS MATERIALS

3.9.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse impact regarding hazards or hazardous materials if it results in any of the following:

- The creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- The creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- The generation of hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Locating the project on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section §65962.5 resulting in a significant hazard to the public or the environment;
- Locating the project within an area governed by an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport that would result in a safety hazard or excessive noise for people residing or working in the project area;
- The impairment of the implementation of, or physical interference with, an adopted emergency response plan or emergency evacuation plan; or,
- The exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wild land fire.

3.9.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ● Less than Significant Impact with Mitigation.

The proposed project involves the operation of a commercial medicinal-only cannabis use within an existing 71,658 square foot industrial building. The proposed project will include the cultivation, manufacturing, and distribution of medical cannabis. No retail cannabis or cannabis product retail sales or activities will be permitted. The existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. Security features such as onsite security, blacked out windows and security cameras, among others, will also be provided. One Cortese site is located in the City of El Monte and it is the San Gabriel Groundwater Basin.[94] The San Gabriel Valley has been under environmental investigation since 1979 when groundwater contaminated with volatile organic compounds (VOCs) was first identified. The groundwater contamination resulted from the historic use and improper handling and disposal of chlorinated solvents (such as tetrachloroethene (PCE) and trichloroethene (TCE)) and other chemicals (other VOCs, 1,4-dioxane, perchlorate, NDMA). USEPA believes that the contamination initially stemmed from an increase in industrial activity during World War II, followed by rapid post-war industrialization.

In May 1984, USEPA listed four broad areas of regional-scale groundwater contamination within the Basin on the National Priorities List (NPL) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Since listing the San Gabriel Valley Superfund Sites, the United States Environmental Protection Agency (USEPA) has been working to address the groundwater contamination on a regional scale through installation and operation of groundwater extraction systems that control the contaminant migration. Extracted groundwater is treated to safe levels and, if feasible, is reused for drinking water supply. Although the groundwater cleanup activities started in the 1990's, and progress has been made, the groundwater contamination in the San Gabriel Valley is extensive and will require multiple decades to remediate.

The project site is currently occupied by an existing industrial building that will be "repurposed" to accommodate the proposed use. Due to the age of the on-site improvements, construction related activities related to the requisite tenant improvements could reveal lead and/or asbestos-containing materials. As a result, the following mitigation is required:

- The Applicant and the contractors must adhere to all requirements governing the handling, removal, and disposal of asbestos-containing materials, lead paint, and other hazardous substances and materials that may be encountered during tenant improvement activities. Documentation as to the amount, type, and evidence of disposal of materials at an appropriate hazardous material landfill site shall be provided to the Chief Building Official prior to the issuance of the Building Permit for the interior improvements. Any contamination encountered must be removed and disposed of in accordance with applicable laws prior to the issuance of the Building Permit.

[94] CalEPA. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*. http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

The aforementioned mitigation would reduce the potential impact to levels that are considered to be less than significant. Furthermore, the mitigation measures outlined in Section 3.9 (Hydrology & Water Quality) will ensure that construction activities do not lead to any contamination of surface water runoff.

B. Would the project create a significant hazard to the public or the environment, or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ● Less than Significant Impact.

The proposed project involves the operation of a commercial medicinal-only cannabis use within an existing 71,658 square foot industrial building. The proposed project will include the cultivation manufacturing, and distribution of medical cannabis. The potentially hazardous materials that are often associated with medical cannabis facilities are outlined below.

- *Mold.* Cannabis production requires increased levels of humidity and this increased humidity in the presence of organic material, promotes the growth of mold. Previous studies of illegal indoor cultivation operations have reported elevated levels of airborne mold spores, especially during activities such as plant removal by law enforcement personnel. Physiological effects include allergic reactions, hypersensitivity, and anaphylaxis to cannabis.

- *Skin Sensitivity*. Skin contact through personal handling of plant material or occupational exposure has been associated with hives, itchy skin, and swollen or puffy eyes. As with most sensitizers, initial exposure results in a normal response, but over time, repeated exposures can lead to progressively strong and abnormal responses.

- *Carbon dioxide (CO_2).* CO_2 is used in the cannabis industry to increase plant growth and to produce concentrates. In addition to the liquid gas form, solid carbon dioxide or dry ice can be used for extraction processes. Compressed gases can present a physical hazard and has additional safety regulations that must be adhered to.

- *Carbon monoxide (CO).* CO is a colorless, odorless, toxic gas which interferes with the oxygen-carrying capacity of blood. At elevated concentrations, CO can overcome persons without warning. Sources of carbon monoxide exposure include furnaces, hot water heaters, portable generators/generators in buildings; concrete cutting saws, compressors; forklifts, power trowels, floor buffers, space heaters, welding, and gasoline powered pumps.

- *Indoor Air Quality*. Workers may encounter ozone as a product of the chemical reaction of nitrogen oxides and volatile organic compounds (e.g., terpenes emitted from the cannabis plant) present inside a cultivation facility. Terpenes and nitric oxides are associated with eye, skin, and mucous irritation. Ozone generators may also be found in facilities for odor control. Ozone can cause decreased lung function and/or exacerbate pre-existing health effects, especially in workers with asthma or other respiratory complications.

- *Pesticides*. Cannabis cultivation facilities may have insecticides and fungicides used within the facility. Some pesticides, including pyrethrins and neem oil are non-persistent and have low volatility. However, these pesticides have been associated with dermal and respiratory toxicity for the workers who apply them. Depending on the pesticide, requirements from 40 CFR Part 170 also known as the EPA's Agricultural Worker Protection Standard or WPS may need to be implemented.

- *Nutrients and Corrosive Chemicals*. Cultivation facilities may encounter corrosive chemicals in the mixing of nutrients used for plant growth. Corrosives are materials that can attack and chemically destroy exposed body tissues. Corrosive materials can severely irritate, or in some cases, burn the eyes. Skin can become badly burned or even blister on contact with corrosive chemicals. Respiratory hazards may also occur from breathing in corrosive vapors or particles that irritate or burn the inner lining of the nose, throat, and lungs.

The following mitigation will ensure that the operators of the facility must comply with all pertinent requirements concerning worker safety and the storage, use, and handling of hazardous chemicals.

- The Applicant will provide a comprehensive listing of those products and/or activities that will require the use of hazardous materials or will result in the generation of hazardous materials and/or wastes. The manner in which these materials are to be stored, handled, or disposed of must also be described. The Applicant will also be required to prepare a plan that indicates those protocols that must be adhered to in the event of an accident. This plan must be reviewed and approved by the County of Los Angeles Fire Department prior to the issuance of the Occupancy Permit.

The former occupant of the existing building was Miller Dial Corporation that was engaged in the manufacturing of nameplates, panels, product identification, membrane switches, dials, and instruments. The business opened in 1953. The manufacturing processes included photo lab, anodizing, etching, and painting among others. The operation were conducted in an 85,000 square-foot, one story concrete block building. The facility was equipped with degreasers in the metal decoration area, paint storage inside north end of building, and chemical storage area outside to the east of building. A Sump was located southwest of the chemical storage area. In February 1995, several potential source areas, such as, a clarifier, paint room, former vapor degreaser, storage and fotofoil areas were identified. The processes known to use solvents are silk screening, spray coating, roller coating, resist stripping, handwipe cleaning, equipment cleaning, and equipment lubrication.

The DTSC required the use of vapor extraction wells to remove the volatile organic contaminants (VOCs) from the groundwater. The Applicant has prepared an interior improvement plan and site plan that maintains the integrity of the existing wells while indicating the location and extent of new wells. As a result, the impacts will be less than significant.

C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ● No Impact.

There are no schools located within ¼ mile of the project site. The closest schools are Gidley Elementary School, 0.53 miles to the northeast and Shirpser Elementary School, located one-half mile to the southeast of the site. As a result, no impacts will result.

D. Would the project be located on a site, which is included on a list of hazardous material 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? ● No Impact.

The *Cortese List*, also referred to as the Hazardous Waste and Substances Sites List or the California Superfund List, is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. California Government Code section 65962.5 requires the California Environmental Protection Agency to develop and update the Cortese List on annually basis. The list is maintained as part of the DTSC's Brownfields and Environmental Restoration Program referred to as EnviroStor.

One Cortese site is located in the City of El Monte and it is the San Gabriel Groundwater Basin. The San Gabriel Valley has been under environmental investigation since 1979 when groundwater contaminated with volatile organic compounds (VOCs) was first identified. The groundwater contamination resulted from the historic use and improper handling and disposal of chlorinated solvents (such as tetrachloroethene (PCE) and trichloroethene (TCE)) and other chemicals (other VOCs, 1,4-dioxane, perchlorate, NDMA). USEPA believes that the contamination initially stemmed from an increase in industrial activity during World War II, followed by rapid post-war industrialization. The proposed project will not impede the ongoing remediation of this existing Superfund site and no impacts will occur.

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 a public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? ● No Impact.

The project site is located approximately one mile west of the San Gabriel Valley Airport.[95] However, the site is not located within the designated Runway Protection Zone and the existing industrial building does not penetrate the airport's 20-1 slope.[96] The 20-1 ratio refers to the slope of an airplane's descent as it approaches the runway. The Federal Aviation Administration (FAA) regulations require a clear approach path with no penetrating obstructions within a maximum of 10,000 feet, depending on the length of the runway. The industrial building currently has a maximum height of 25 feet, which is

[95] Google Earth. Website accessed October 1, 2018.

[96] Los Angeles County Department of Regional Planning. *Los Angeles County Airport Land Use Commission (ALUC), Airport Layout Plan*. http://planning.lacounty.gov/assets/upl/project/aluc_elmonte-plan.pdf

not a sufficient height to penetrate this 20-1 (five percent) slope. Furthermore, the project site is not located within any 65, 70, or 75 Community Noise Equivalent Level (CNEL) boundaries.[97]

The proposed project will utilize the existing industrial building, which is exempt from Federal Aviation Administration (FAA) lighting requirements per FAA AC 70/7460-1L – Obstruction Marking and Lighting with Change. According to Federal Aviation Administration (FAA) and International Civil Aviation Organization (ICAO) tower lighting requirements, all structures exceeding 200 feet above ground level (AGL) must be appropriately marked with tower lights or tower paint. In addition, the Federal Communications Commission governs monitoring requirements. As a result, the proposed project will not present a safety or noise hazard related to aircraft or airport operations at a public use airport to people residing or working in the project area and no impacts will occur.

F. *Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? ● No Impact.*

At no time will Ellis Lane or Temple City Boulevard be completely closed to traffic since the project will require minor alterations to the site and existing industrial building. As a result, no impacts are associated with the proposed project's implementation.

G. *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wild land fire? ● No Impact.*

As indicated previously, the adjacent properties are urbanized and there are no areas of native or natural vegetation found within the vicinity of the project site. There is no chaparral present on-site or within the adjacent properties that would result in a heightened wild land fire risk. The project site is located outside of any wildfire risk designation area.[98] As a result, no risk from wildfire is anticipated with the approval and subsequent occupation of the proposed project.

3.9.3 MITIGATION MEASURES

The project site is currently occupied by an existing industrial building that will be "repurposed" to accommodate the proposed use. Due to the age of the on-site improvements, construction related activities related to the requisite tenant improvements could reveal lead and/or asbestos-containing materials. As a result, the following mitigation is required:

> *Mitigation Measure No. 6 (Hazardous Materials Impacts).* The Applicant and the contractors must adhere to all requirements governing the handling, removal, and disposal of asbestos-containing materials, lead paint, and other hazardous substances and materials that may be encountered during tenant improvement activities. Documentation as to the amount, type, and evidence of disposal of materials at an appropriate hazardous material landfill site shall be provided to the Chief Building Official prior to the issuance of the Building Permit for the interior

[97] Los Angeles County Department of Regional Planning. *Los Angeles County Airport Land Use Commission (ALUC), Airport Layout Plan*. http://planning.lacounty.gov/assets/upl/project/aluc_elmonte-plan.pdf

[98] Cal Fire. *Fire Hazard Severity Zone in SRA for Los Angeles County*. http://frap.fire.ca.gov/webdata/maps/los_angeles/fhszs_map.19.pdf

improvements. Any contamination encountered must be removed and disposed of in accordance with applicable laws prior to the issuance of the Building Permit.

The following mitigation will ensure that the operators of the facility must comply with all pertinent requirements concerning worker safety and the storage, use, and handling of hazardous chemicals.

Mitigation Measure No. 7 (Hazardous Materials Impacts). The Applicant will provide a comprehensive listing of those products and/or activities that will require the use of hazardous materials or will result in the generation of hazardous materials and/or wastes. The manner in which these materials are to be stored, handled, or disposed of must also be described. The Applicant will also be required to prepare a plan that indicates those protocols that must be adhered to in the event of an accident. This plan must be reviewed and approved by the County of Los Angeles Fire Department prior to the issuance of the Occupancy Permit.

3.10 HYDROLOGY & WATER QUALITY

3.10.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse environmental impact on hydrology and water quality if it results in any of the following:

- A violation of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality;
- A substantial decrease of groundwater supplies or interference with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
- A substantial alteration of the existing drainage pattern of the site or area through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner that would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows;
- Flood hazard, tsunami, or seiche zones risk release of pollutants due to project inundation; or,
- Conflicts with or obstruction of implementation of a water quality control plan or sustainable groundwater management plan.

3.10.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? ● Less than Significant Impact.

Chapter 13.16 (Stormwater Management and Discharge Control and Chapter 13.20 – Stormwater and Urban Runoff Control) of the City of El Monte Municipal Code regulates construction and post-construction stormwater runoff for all land uses throughout the City. The construction and subsequent occupation of the proposed project will not result in a violation of water quality standards or waste discharge requirements, nor will the project degrade surface or ground water quality. The project Applicant will be required to prepare a Stormwater Pollution Prevention Program (SWPPP) pursuant to Federal NPDES regulations since the project would connect to the City's MS4. The SWPPP is required to apply for an NPDES General Industrial Activities Storm Water Permit (GIASP). The SWPPP will contain construction best management practices (BMPs) that will restrict the discharge of sediment into the streets and local storm drains. Thus, the project's construction will not result in the generation and discharge of contaminated runoff since the project Applicant will be required to implement the construction BMPs identified in the SWPPP. The preparation of the SWPPP is required in order to comply with the City's NPDES requirements.

In addition, the project Applicant will be required to prepare a Low Impact Development report pursuant to Section 13.20.020 of the City's Municipal Code. The LID report must demonstrate compliance with the City's Low Impact Development (LID) requirements. The mandatory SUSMP will identify post-construction Best Management Practices (BMPs) that would both reduce the volume of water discharged into the local storm drains and filter out any contaminants present in the stormwater runoff. Adherence to the aforementioned City mandated requirements would ensure that all potential impacts remain at a level that is less than significant.

B. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge in such a way that the project may impede sustainable groundwater management of the basin? ● Less than Significant Impact.*

The minimal amount of grading that will be done will not extend to depths required to encounter groundwater. Therefore no direct construction related impacts to groundwater supplies, or groundwater recharge activities will occur. The project will continue to be connected to the City's water lines and will not result in a direct decrease in underlying groundwater supplies. Furthermore, the project Applicant will be required to install the post-construction BMPs identified in the LID in order to obtain a Certificate of Occupancy. These post-construction BMPs may facilitate the filtration and percolation of runoff into the local groundwater system. Therefore, the project's implementation may be beneficial in terms of promoting groundwater recharge. As a result, the impacts are anticipated to be less than significant.

C. *Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows? ● Less than Significant Impact.*

The site's drainage characteristics will remain unchanged following the completion of the proposed project. Water will continue to drain off-site into the existing storm drain located along Ellis Lane. Residual runoff may also percolate into the ground or be discharged into the local storm drains in a controlled manner. The project site is located Eaton Wash (located 550 feet southwest of the project site), the Rio Hondo River (located approximately one mile to the east), and the San Gabriel River (located three miles to the east).[99] Construction activities will be restricted to the project site and will not alter the course of the three concrete-lined waterways.

As indicated previously, the project Applicant will be required to install various stormwater controls identified in the mandatory LID report. These BMPs will either promote the percolation of excess runoff into the ground, or will facilitate the control discharge of excess runoff into the local storm drains. Therefore, the risk of off-site erosion and/or siltation will be minimal given the reduced water runoff and the lack of pervious surfaces outside of the project site. Thus, the project's implementation will not substantially increase the rate or amount of surface runoff; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; or provide additional sources of polluted runoff. As a result, the potential impacts are considered to be less than significant.

D. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? ● No Impact.

According to the Federal Emergency Management Agency (FEMA) flood insurance map obtained from the Los Angeles County Department of Public Works, the proposed project site is located in Zone X.[100] This flood zone has an annual probability of flooding of less than 0.2% and represents areas outside the 500-year flood plain. Thus, properties located in Zone X are not located within a 100-year flood plain.[101] The project site is not located in an area that is subject to inundation by seiche or tsunami. A seiche in the concrete-lined Eaton Wash is not likely to happen due to the current level of channelization and volume of water present. In addition, the project site is not located within the tsunami risk zones identified by the California Department of Conservations.[102] As a result, no impacts with regards to flooding, tsunamis, seiches, or dam inundation will occur.

E. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? ● No Impact.

The proposed project will be in compliance with Chapter 13.16 – Stormwater Management and Discharge Control and Chapter 13.20 – Stormwater and Urban Runoff Control the City of El Monte Municipal Code. Chapters 13.16 and 13.20 regulate construction and post-construction stormwater runoff for all land uses throughout the City. These two chapters of the City of El Monte Municipal Code are responsible for implementing the NPDES and MS4 stormwater runoff requirements. In

[99] Google Earth. Website accessed September 27, 2018.

[100] Los Angeles County Department of Public Works. *Flood Zone Determination Website*. http://dpw.lacounty.gov/wmd/floodzone/

[101] FEMA. *Flood Zones, Definition/Description*. http://www.fema.gov/floodplain-management/flood-zones

[102] California Department of Conservation.

addition, the project's construction and operation will not interfere with any groundwater management or recharge plan. As a result, no impacts are anticipated.

3.10.3 MITIGATION MEASURES

The analysis indicated that the proposed project would not result in any hydrological, stormwater runoff, or water quality impacts. As a result, no mitigation is required.

3.11 LAND USE & PLANNING

3.11.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant impact on land use and planning if it results in any of the following:

- The physical division of an established community; or,

- Causing 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.

3.11.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project physically divide an established community? ● No Impact.

The project site is located within a built-up area. Existing uses found in the vicinity of the project site are summarized below:

- *North of the project site.* Valley TV, an electronics store, abuts the project site to the north. The site address for this business is 4410 Ellis Lane. A Home Depot store is located further north along the south side of Lower Azusa Road.[103] The address for the Home Depot is 9700 Lower Azusa Road.

- *South of the project site.* A vacant industrial building abuts the project site to the south.[104] This building's address is 4350 Temple City Boulevard.

- *East of the project site.* An industrial building occupied by Selective Stone, Inc., a countertop retailer, abuts the project site to the east. This building occupies frontage along the west side of Rowland Avenue, which is located approximately 545 feet further east of the site.[105] The legal address for this building is 4323 Temple City Boulevard.

[103] Blodgett Baylosis Environmental Planning. *Site survey*. Survey was conducted on September 3, 2018.

[104] Ibid.

[105] Ibid.

- *West of the project site*. Temple City Boulevard/Ellis Lane is located along the site's western property line. Temple City Boulevard extends in a southwest to northeast orientation throughout the City. Ellis Lane separates from Temple City Boulevard around the site's southern driveway. Ellis Lane continues to extend in a southwest to northeast orientation. From there, Temple City Boulevard extends in a southwest to northeast orientation. The City of Temple City's corporate boundaries extend along the west side of Ellis Lane. In addition, residential development occupies frontage along the west side of Ellis Lane, opposite the project site.[106]

The granting of the requested entitlements and subsequent construction of the proposed project will not result in any expansion of the use beyond the current boundaries. As a result, the project will not lead to any division of the adjacent neighborhood and no impacts will occur.

B. Would the project 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? ● Less than Significant Impact.

The project site is currently zoned as *General Manufacturing* (M-2) (refer to Exhibit 3-4 for the zoning map). The project site's General Plan land use designation is *Industrial/Business Park (*refer to Exhibit 3-5 for the General Plan land use map). The project site is located within the "Northwest Area Medicinal-only Commercial Cannabis" area under EL Monte City Ordinance No. 2924. Discretionary approvals required as part of the proposed project's implementation include the following:

- Development Agreement No. 02-18
- Medicinal Cannabis Conditional Use Permit (MCCUP) No. 07-18 for medicinal cannabis cultivation;
- Medicinal Cannabis Conditional Use Permit (MCCUP) No. 08-18 for medicinal cannabis manufacturing; and,
- Medicinal Cannabis Conditional Use Permit (MCCUP) No. 09-18 for medicinal cannabis distribution.

The proposed project will utilize the existing building and no additional floor area will be added. The project's implementation will require remodeling the building and improving the existing utilities to accommodate the cultivation and manufacturing activities. Cannabis operations are governed by Chapter 5.18 Commercial Cannabis Activities and Section 17.24.040.37 – Conditionally Permitted Uses. Chapter 5.18 primarily focuses on regulating operations, while Section 17.24.040.37 contains a specific land use regulation outlined below:

> *"No such activity shall occur on a premises located within an eight hundred (800) foot radius of a public or private school (kindergarten through grade 12), day care center, or youth center that is in existence at the time the permit is issued."*

[106]Blodgett Baylosis Environmental Planning. *Site survey*. Survey was conducted on September 3, 2018.

The closest schools are Gidley Elementary School, 0.53 miles to the northeast and Shirpser Elementary School, located one-half mile to the southeast of the site. In addition, the proposed project conforms to the requirements outlined in Chapter 5.18 of the City's Municipal Code. As a result, the potential impacts are considered to be less than significant.

3.11.3 MITIGATION MEASURES

The analysis determined that no significant impacts on land use and planning would result from the implementation of the proposed project. As a result, no mitigation measures are required.

3.12 MINERAL RESOURCES

3.12.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The loss of availability of a known mineral resource that would be of value to the region and the residents of the State; or,

- 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.

3.12.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project 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? ● No Impact.

The project site is not located in a Significant Mineral Aggregate Resource Area (SMARA) nor is it located in an area with active mineral extraction activities. A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located on-site.[107] According to SMARA, study area maps prepared by the California Geological Survey, the City of El Monte is located within the larger San Gabriel Valley SMARA (identified as the Portland cement concrete-grade aggregate).[108] However, as indicated in the San Gabriel Valley P-C region MRZ-2 map, the project site is not located in an area where there are significant aggregate resources present.[109] As a result, no impacts to mineral resources will occur.

[107] California, State of. Department of Conservation. *California Oil, Gas, and Geothermal Resources Well Finder*. *https://maps.conservation.ca.gov/doggr/wellfinder/#close*

[108] California Department of Conservation. *San Gabriel Valley P-C Region Showing MRZ-2 Areas and Active Mine Operations.* ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_209/Plate%201.pdf

[109] Ibid.

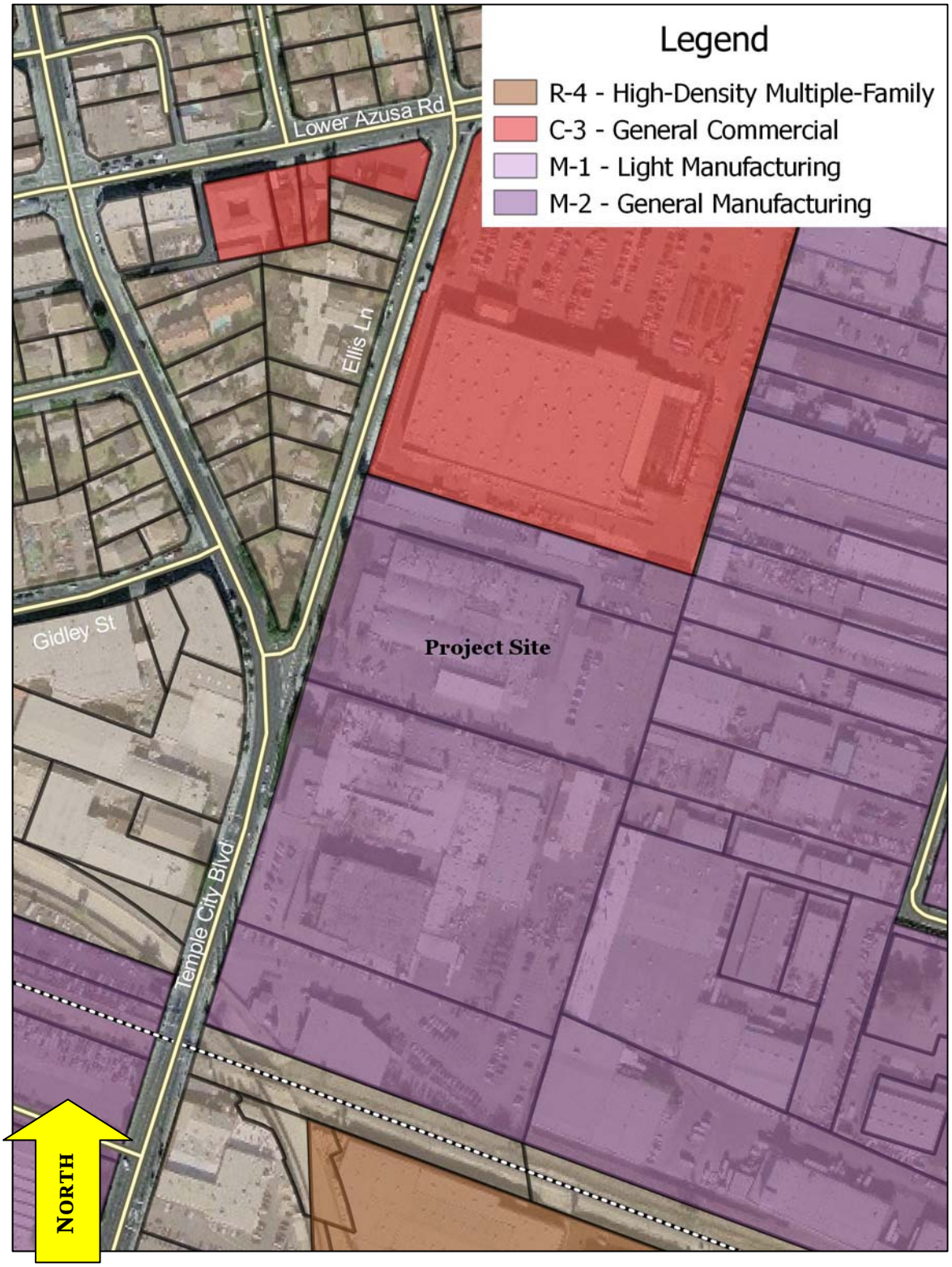


EXHIBIT 3-4
ZONING MAP
SOURCE: CITY OF EL MONTE

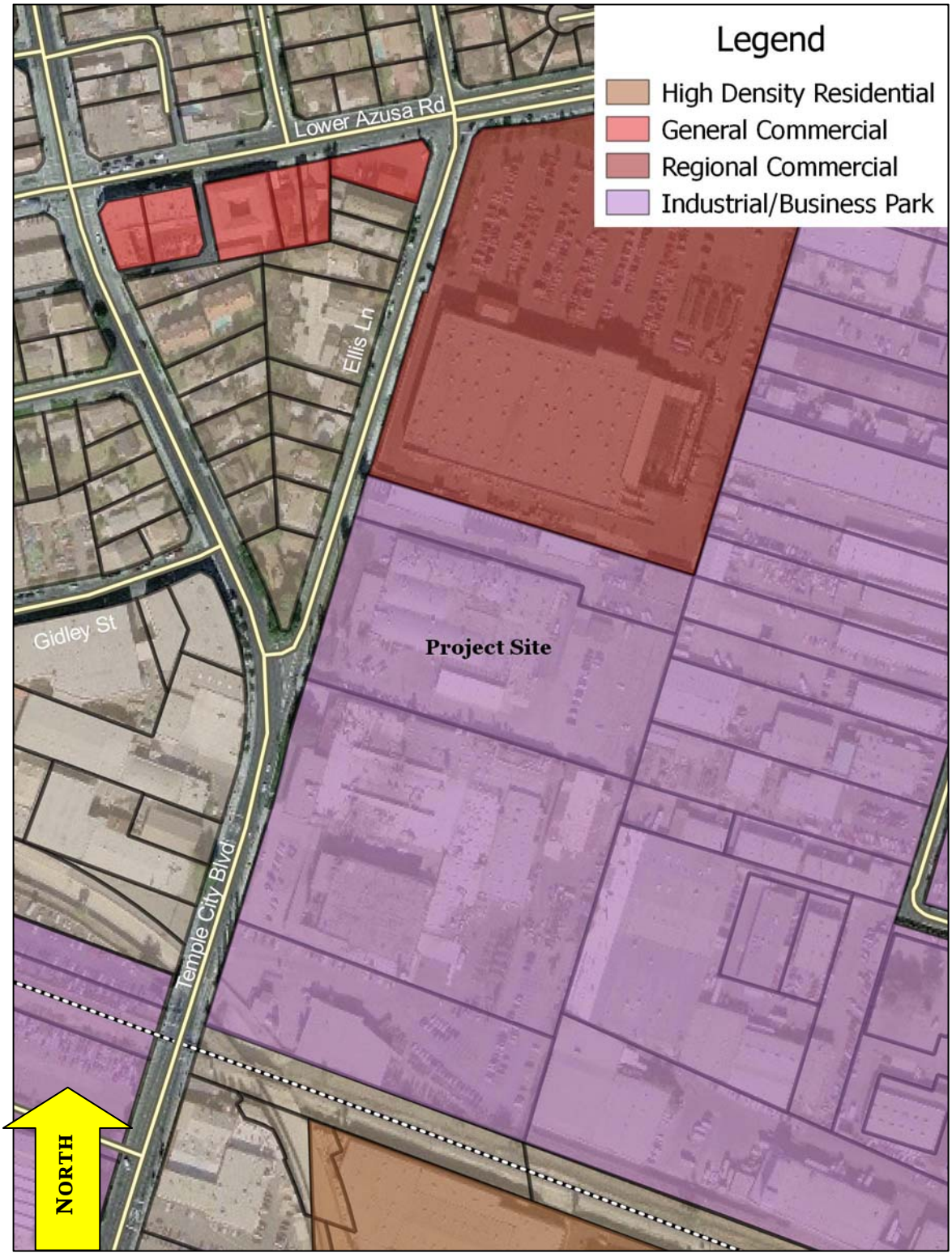


EXHIBIT 3-5
GENERAL PLAN MAP
SOURCE: CITY OF EL MONTE

B. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? ● No Impact.

As previously mentioned, no mineral, oil, or energy extraction and/or generation activities are located within the project site. Moreover, the proposed project will not interfere with any resource extraction activity. Therefore, no impacts will result from the implementation of the proposed project.

3.12.3 MITIGATION MEASURES

The analysis of potential impacts related to mineral resources indicated that no impacts would result from the proposed project and no mitigation measures are required.

3.13 NOISE

3.13.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant impact on the environment if it results in any of the following:

- The 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; or,

- The generation of excessive vibration or ground-borne noise levels.

3.13.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ● Less than Significant Impact.

The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. In other words, increases in ambient noise levels of 3.0 dB or less are not generally perceptible to persons with average hearing abilities.[110] Noise levels that are associated with common, everyday activities are illustrated in Exhibit 3-6. Composite construction noise is best characterized in a study prepared by Bolt, Beranek, and Newman. In the study, the noisiest phases of construction are anticipated to be 89 dBA as measured at a distance of 50 feet from the construction activity. Noise levels associated with various types of construction equipment are summarized in Exhibit 3-7.

[110] Bugliarello, et. al., *The Impact of Noise Pollution,* Chapter 127, 1975.

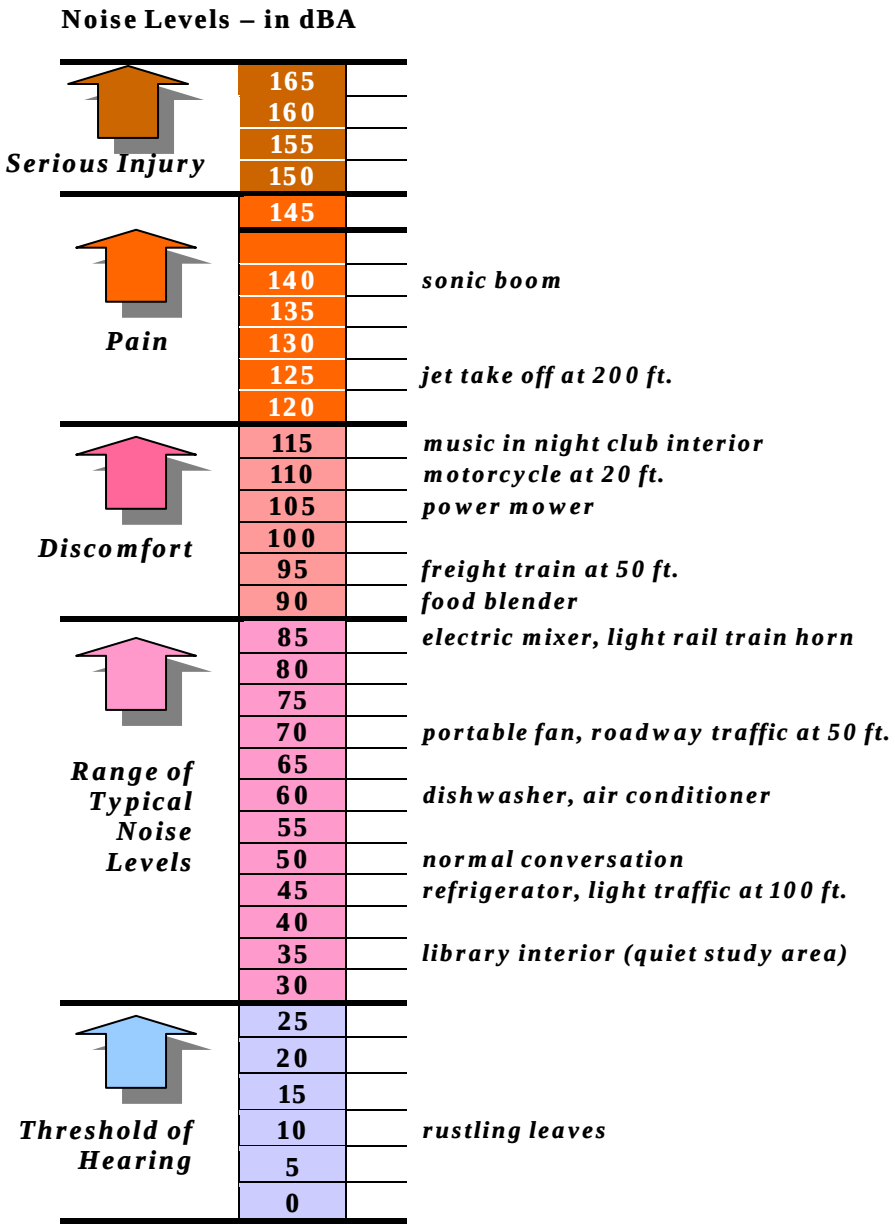


EXHIBIT 3-6
TYPICAL NOISE SOURCES AND LOUDNESS SCALE
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

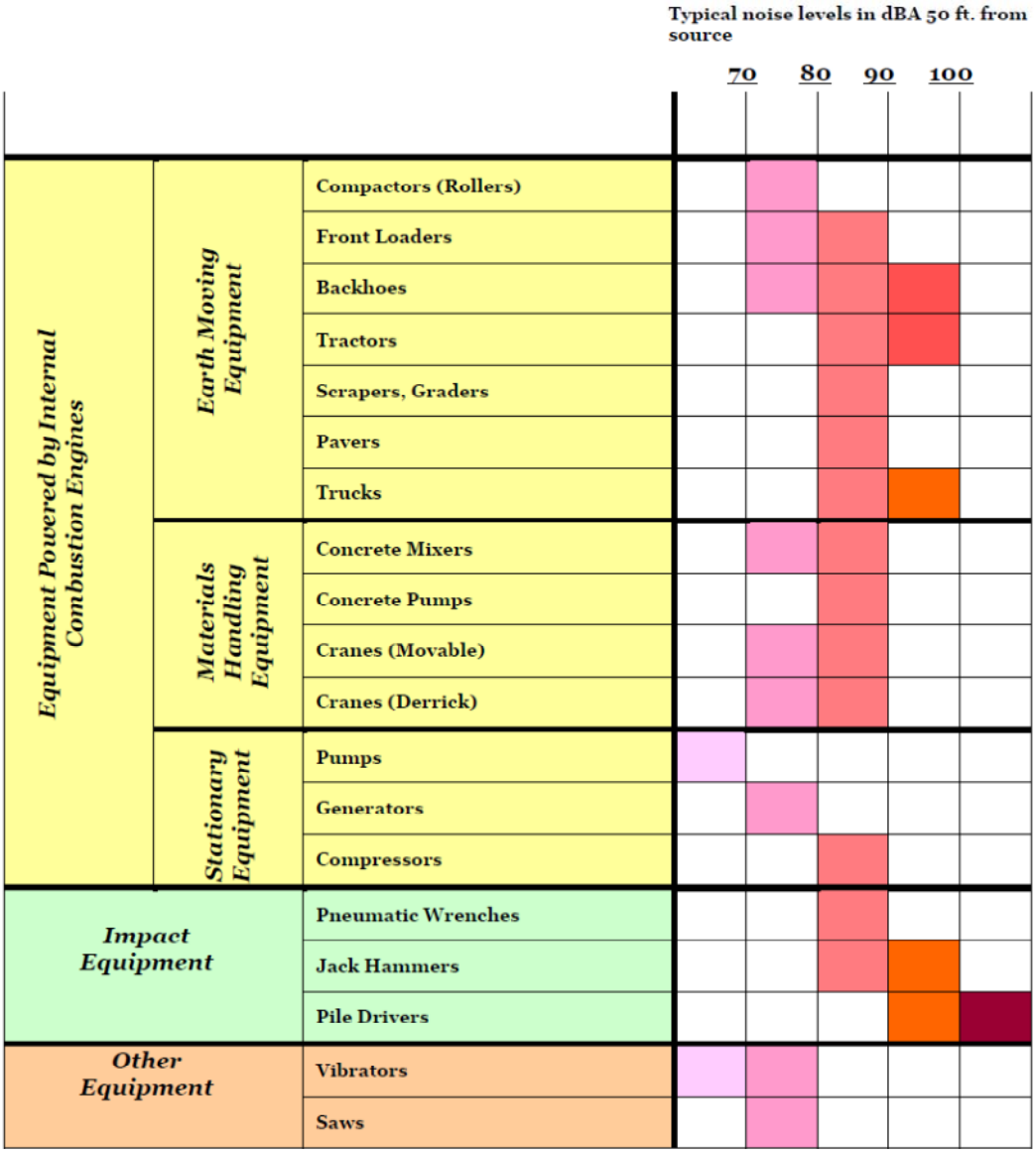


EXHIBIT 3-7
TYPICAL CONSTRUCTION NOISE LEVELS
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

The noise levels are those that would be expected at a distance of 50 feet from the noise source. The nearest noise sensitive receptors are the residential units located 118 feet to the west along the west side of Ellis Lane.[111] As indicated previously, the proposed project will utilize the existing building and no additional floor area will be added. The project's implementation will require remodeling the building and improving the existing utilities to accommodate the cultivation and manufacturing activities. The construction is anticipated to last for four months since these alterations are minor in scope. The project's construction noise levels were estimated using the Federal Highway Administration's (FHWA) Roadway Construction Noise Model Version 1.1. The pieces and number of equipment that will be utilized was taken from the CalEEMod worksheets prepared for this project. The distance used between the construction activity and the nearest sensitive receptors varied depending on the individual equipment. As indicated by the model, the project's construction will result in ambient noise levels of up to 78.1 dBA at the nearest sensitive receptor. The model accounted for the distance between the site's western property line and the nearest sensitive receptors and the distance between the existing facility and the nearest sensitive receptors. The model also reflects the limited number of equipment that will be required to accommodate the proposed use. The project Applicant will be required to adhere to all pertinent noise control regulations outlined by the City. As a result, construction noise is anticipated to generate impacts that are considered to be less than significant.

The California Occupational Noise Control Standards contained in the California Code of Regulations, Title 8, Industrial Relations, Chapter 4, outline permissible noise exposure at a workplace which include a maximum noise exposure level of 90 dBA for more than eight hours in any workday. Finally, the project Applicant must comply with all Occupation Health and Safety Administration (OSHA) requirements regarding noise control. Adherence to the above-mentioned operational regulations will protect employees from excessive noise levels.

Future sources of noise generated on-site will include noise from vehicles traveling to and from the project and noise emanating from back-up alarms and other equipment. All of the cultivation and manufacture of cannabis products will occur indoors. The operation of the proposed project will not expose future employees to excessive noise levels because the project is not considered to be a noise sensitive land use. In addition, the operation of the facility will not expose the nearby sensitive receptors along the west side of Ellis Lane to excessive noise since interior noise will be further attenuated by the building's exterior shell. Additionally, the distance between the building and the nearby sensitive receptors will naturally aid the reduction of noise levels since noise levels decrease with distance. As a result, the proposed project will not expose sensitive receptors to excessive noise levels and the potential impacts are considered to be less than significant.

B. Would the project result in the generation of excessive ground-borne vibration or ground-borne noise levels? ● Less than Significant Impart.

As indicated previously, the proposed project will require minor alterations to the existing facility. These alterations will generate noise and vibration. Nevertheless, the distance between the nearby sensitive receptors will aid in the reduction of noise and vibration levels due to the principles of

[111] Google Earth. Site accessed September 27, 2018.

spreading loss. In addition, many of the alterations will occur indoors and will last no longer than five months. Furthermore, the traffic associated with the proposed project will not be great enough to result in a measurable or perceptible increase in traffic noise (it typically requires a doubling of traffic volumes to increase the ambient noise levels to 3.0 dBA or greater). As a result, the traffic noise impacts resulting from the proposed project's occupancy are deemed to be less than significant.

3.13.3 MITIGATION MEASURES

The preceding analysis concluded that the proposed project will not require any mitigation.

3.14 POPULATION & HOUSING

3.14.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant impact on housing and population if it results in any of the following:

- A substantial growth in the unplanned population within an area, either directly (for example by proposing new homes or businesses) or indirectly (for example, through extension of new homes or infrastructure) related to a project; or,

- The displacement of a substantial number of existing people or housing units, necessitating the construction of replacement housing.

3.14.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project induce substantial unplanned population growth in an area, either directly (for example by proposing new homes or businesses) or indirectly (for example, through extension of new homes or infrastructure related to a project)? ● No Impact.

Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area. Growth-inducing impacts include the following:

- *New development in an area presently undeveloped and economic factors which may influence development.* The site is currently occupied by an existing industrial building.

- *Extension of roadways and other transportation facilities.* The project will utilize the existing roadways, driveways, and sidewalks.

- *Extension of infrastructure and other improvements.* The project will utilize the existing infrastructure, though new utility lines will be installed. The installation of these new utility lines will not lead to subsequent development.

- *Major off-site public projects (treatment plants, etc.).* The project is a proposal to operate a cannabis cultivation and manufacture. The project's increase in demand for utility services can be accommodated without the construction or expansion of public infrastructure.

- *The removal of housing requiring replacement housing elsewhere.* The site is occupied by an existing industrial building and there are no housing units located on-site.

- *Additional population growth leading to increased demand for goods and services.* The project will not lead to any direct increase in the City's population since no housing will be provided.

- *Short-term growth-inducing impacts related to the project's construction.* The project will result in temporary employment during the construction phase.

The proposed project is an infill development that will utilize an existing building, roadway, and infrastructure. The new utility lines that will be provided will not extend into undeveloped areas and will not result in unplanned growth. According to the Growth Forecast Appendix prepared by SCAG for the 2016-2040 RTP, the City of El Monte is projected to add a total of 7,700 new jobs through the year 2040.[112] The project is anticipated to employ up to 46 people.[113] The number of new jobs that will be created is within the employment generation estimated by SCAG. As a result, no impacts will occur.

B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ● No Impact.

No housing units will be displaced as a result of the proposed project's implementation. The site is occupied by an existing industrial building and there are no housing units located on-site. Therefore, no impacts will result.

3.14.3 MITIGATION MEASURES

The analysis of potential population and housing impacts indicated that no significant impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.15 PUBLIC SERVICES

3.15.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse impact on public services if it results in any of the following:

- A substantial adverse physical impact associated with the provision of new or physically altered

[112] Southern California Association of Governments. *Demographics & Growth Forecast. Regional Transportation Plan 2016-2040.* April 2016.

[113] Email communication with Mr. Robert C of GSC Holding Group LLC. Email dated September 26, 2018.

governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to *fire protection services*;

- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to *police protection services*;

- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to *school services*; or,

- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to other *public facilities*.

3.15.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to fire protection services*? ● Less than Significant Impact.*

The Los Angeles County Fire Department (LACFD) provides fire protection services in the City of El Monte. The City is located within the service boundaries of Battalion 10. The first response station to the project site is Station No. 166 located at 3615 Santa Anita Avenue in the City of El Monte, approximately 1.04 miles southeast of the project site.[114] This station has one fire engine/ladder truck, a utility truck, and one paramedic squad and a total daily staff of six firefighters.

The proposed project involves the operation of a commercial medicinal-only cannabis use within an existing 71,658 square foot industrial building. The proposed project will include the cultivatoin, manufacturing, and distribution of medical cannabis. The two largest threats to fire safety include the concentration of flammable plants in individual grow rooms as well as the use of VOCs as part of the extraction/oil production process.

The Los Angeles County Fire Department requires multiple fire safety features including sprinklers, gas detection alarms, ventilation systems, and specific signage. The entire building will be equipped with new or upgraded sprinklers. In addition, the Department restricts the location of where tanks filled with compressed gas may be placed. The proposed project's implementation will result in an

[114] Google Earth. Site accessed October 1, 2018.

incremental increase in the demand for police and fire service calls. However, the Development Agreement will ensure any cost to the Fire Department will be provided by the Applicant. The proposed project will also be required to adhere to all pertinent site and building design regulations. As a result, the impacts to fire protection service will be less than significant.

B. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to* police protection services*? ● Less than Significant Impact.*

Law enforcement services within the City are provided by the El Monte Police Department which serves the community from one police station. The station is located at 11333 Valley Boulevard.[115] Access to the proposed project will be controlled and enforcement will be strict. Individuals will only be allowed to enter the facility with a permitted escort. Access to the site will be controlled by a manned security station and access to the facility will require the use of key cards to unlock the doors. Individual employees will also be equipped with panic software that could be uploaded onto their phones for use in case of an emergency. Other security features include onsite security, interior and exterior security cameras, motion sensitive outdoor lighting, and blacked-out windows.[116] Furthermore, no retail cannabis or cannabis product retail sales or activities will be permitted within the facility.

The Police Department will review the development plan to ensure the proposed project conforms to the Department's security regulations. However, the Development Agreement will ensure any cost to the Fire Department will be provided by the Applicant. In addition, the Applicant will be required to prepare a security plan pursuant to local and State regulations. As a result, the proposed project's law enforcement service impacts are less than significant.

C. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios or other performance objectives relative to s*chool services*? ● Less than Significant Impact.*

Due to the nature of the proposed project , no direct enrollment impacts regarding school services will occur. The proposed project will not directly increase demand for school services. Any potential population growth that would lead to an increase in demand for school services will be indirect and will result from permanent employment growth. As a result, less than significant school-related impacts are anticipated to occur.

[115] City of El Monte. *Police*. http://www.ci.el-monte.ca.us/209/Police.

[116] Architect Rob Mothershed. *Site Plan Package*. Plans dated September 24, 2018.

D. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in other governmental services*? ● Less than Significant Impact.*

No new governmental services will be needed, and the proposed project is not expected to have any impact on existing governmental services. The proposed project will not directly increase demand for governmental services. As a result, less than significant impacts are anticipated.

3.15.3 MITIGATION MEASURES

The analysis determined that the proposed project would not result in any significant impact on public services. As a result, no mitigation is required.

3.16 RECREATION

3.16.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse impact on the environment if it results in any of the following:

- The use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or,

- The construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

3.16.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ● Less than Significant Impact.

The City of El Monte's Parks and Recreation Division is responsible for recreational services in the City. There are 12 City facilities available to City residents.[117] Due to the industrial nature of the proposed project, no significant increase in the use of City parks and recreational facilities is anticipated to occur. No parks are located adjacent to the site. The nearest park to the project site is Gibson Mariposa Park, located 0.40 miles to the southeast of the project site.[118] The proposed project would not result in any development that would potentially significantly physically alter any public park facilities and services. As a result, the impacts anticipated are less than significant.

[117] City of El Monte. *Community Park Information.* http://www.ci.el-monte.ca.us/Government/ParksandRecreation/ParksRecreation.aspx.

[118] Google Earth. Website accessed October 1, 2018.

B. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? ● No Impact.

The proposed project will not result in a direct demand for park facilities. In addition, the project will not provide any recreational facilities. As a result, no changes in the demand for local parks and recreation facilities are anticipated and no impacts are anticipated.

3.16.3 MITIGATION MEASURES

The analysis determined that the proposed project would not result in any significant impact on recreational facilities and services. As a result, no mitigation is required.

3.17 TRANSPORTATION & CIRCULATION

3.17.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may have a significant adverse impact on traffic and circulation if it results in any of the following:

- A conflict with a plan, ordinance, or policy establishing measures for addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths;
- A conflict or inconsistency with CEQA Guidelines §15064.3 subdivision (b)(1) for a land use project;
- A conflict with or inconsistency with CEQA Guidelines §15064.3 subdivision (b)(2) for a transportation project;
- Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or,
- Results in inadequate emergency access.

LOS is a qualitative measure used to describe the condition of traffic flow on the street system, ranging from excellent conditions at LOS A to overloaded conditions at LOS F. Two of three study intersections are signalized, and one is unsignalized. The following analyses were used based on the requirements for the jurisdiction of each intersection location. LOS definitions for all methodologies are provided in Table 3-5, Table 3-6, and Table 3-7. Table 3-5 provides the definitions for signalized intersections using ICU.

Table 3-5
Level of Service Definitions For Signalized Intersections - ICU

Level of Service	Intersection Capacity Utilization	Definition
A	0.000-0.600	**EXCELLENT.** No vehicle waits longer than one light and no approach phase is fully used.
B	0.601-0.700	**VERY GOOD.** An occasional approach phase is fully utilized; many drivers begin to feel somewhat restricted within groups of vehicles.
C	0.701-0.800	**GOOD.** Occasionally drivers may have to wait through more than one red light; backups may develop behind turning vehicles.
D	0.801-0.900	**FAIR.** Delays may be substantial during portions of the rush hours, but enough lower volume period occur to permit clearing of developing lines, preventing excessive backups.
E	0.901-1.000	**POOR.** Represents the most vehicles intersection approaches can accommodate; may be long line of waiting vehicles through several signal cycles.
F	> 1.000	**FAILURE**. Backups from nearby locations or on cross streets may restrict or prevent movement of vehicles out of the intersection approaches. Tremendous delays with continuously increasing queue lengths

Table 3-7 on the following page provides the definitions for signalized intersections using HCM.

Table 3-6
Level of Service Definitions
For Signalized Intersections - HCM

Level of Service	Average Total Delay (seconds/vehicle)
A	$\leq$ 10.0
B	> 10.0 and $\leq$ 20.0
C	> 20.0 and $\leq$ 35.0
D	> 35.0 and $\leq$ 55.0
E	> 55.0 and $\leq$ 80.0
F	> 80.0

Finally, Table 3-7 provides the definitions for un-signalized intersections using HCM.

Table 3-7
Level of Service Definitions
For Un-Signalized Intersections - HCM

Level of Service	Average Total Delay (seconds/vehicle)
A	≤ 10.0
B	> 10.0 and ≤ 15.0
C	> 15.0 and ≤ 25.0
D	> 25.0 and ≤ 35.0
E	> 35.0 and ≤ 50.0
F	> 50.0

3.17.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project cause a conflict with a plan, ordinance, or policy establishing measures of effectiveness addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths? ● Less than Significant Impact.

The project site is presently occupied by a furniture outlet. The project as proposed will utilize the existing 71,658 square foot facility. No additional floor area will be added or removed. Even though the project will not increase the size of the building's footprint, the project's operational characteristics will result in different trip generation and distribution. As shown in Table 3-8, the existing land use currently generates 274 trips per day (refer to Table 3-8). Multiple service vehicles were noted during the field survey that was conducted for the project site.

Table 3-8
Trip Generation for the Former Use

ITE Land Use/Project Scenario	ITE Code	Unit	Daily	AM Peak Hour	PM Peak Hour
				Total	Total
Trip Rates					
Manufacturing	140	KSF	3.82	0.73	0.73
Trip Generation					
Manufacturing	71,658	KSF	274	52	52

Source: ITE 9th Edition Trip Generation Rates

The proposed project will operate the manufacturing and cultivation facilities seven days a week between the hours of 9:00 AM to 7:00 PM. Delivery hours will occur from 9:00 AM to 7:00 PM, Monday through Friday. The delivery vehicles will consist of commercial vans with tinted windows. The project is anticipated to employ up to 46 people. Assuming an estimated two trips per employee,

the project will result in a minimum of 92 daily trips. It is important to note that the project does not include retail sales, which typically generate 402 trips per 1,000 square feet.[119] As a result, the impacts will be less than significant.

B. For a land use project, would the project conflict or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)(1)? ● Less than Significant Impact.

According to CEQA Guidelines *§15064.3 subdivision (b)(1),* vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact.

The proposed project is a request to operate a commercial medicinal-only cannabis use within an existing industrial building. It is important to note that the project is an "infill" development, which is seen as an important strategy in combating the release of GHG emissions. Infill development provides a regional benefit in terms of a reduction in Vehicle Miles Traveled (VMT) since the project is consistent with the regional and State sustainable growth objectives identified in the State's Strategic Growth Council (SGC).[120] As a result, the potential impacts are considered to be less than significant.

C. For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)(1)? ● No Impact.

According to CEQA Guidelines *§15064.3 subdivision (b)(1),* vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact. The proposed project is a request to operate a commercial medicinal-only cannabis use and no transportation infrastructure will be constructed. The existing street has capacity to accommodate the proposed traffic. As a result, no impacts will occur.

D. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ● Less than Significant Impact.

Access to the project site will be provided by two existing driveways located along the west side of the project site.[121] The southernmost driveway provides both ingress and egress. However, a pork chop precludes vehicles from making left turns into the project site from southbound Ellis Lane. This pork

[119] ITE 9th Edition Trip Generation Rates.

[120] California Strategic Growth Council. http://www.sgc.ca.gov/Initiatives/infill-development.html.

[121] Iblid

chop also precludes vehicles from executing left-turns from the southern driveway. Access via the northern driveway is un-obstructed. The proposed project will not expose future workers to dangerous intersections or sharp curves and the proposed project will not introduce incompatible equipment or vehicles to the adjacent roads. The delivery vehicles will consist of vans and not trucks. As a result, the potential impacts are considered to be less than significant.

E. Would the project result in inadequate emergency access? ● No Impact.

The project would not affect emergency access to any adjacent parcels. At no time will any local streets or parcels be closed to traffic. As a result, the proposed project's implementation will not result in any impacts.

3.17.3 MITIGATION MEASURES

The analysis indicated the proposed project would not result in any significant traffic and circulation impacts. As a result, no mitigation is required.

3.18 TRIBAL CULTURAL RESOURCES

3.18.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse impact on tribal cultural resources if it results in any of the following:

- A substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or,

- A substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is a resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

3.18.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? ● Less than Significant Impact.

A Tribal Resource is defined in Public Resources Code section 21074 and includes the following:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "non-unique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

AB-52 requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation. The project site is located within the cultural area that was formerly occupied by the Gabrieleño-Kizh. Nevertheless, the project will utilize the existing building and will require minor alterations to the site and facility. These minor improvements will not require grading that extends more than three (3) feet into the underlying soil. As a result, adherence to the standard condition presented in Section 3.5.2.B will minimize potential impacts to levels that are less than significant.

B. Would the project cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is a resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? ● Less than Significant Impact.

AB-52 requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation. The project site is located within the cultural area that was formerly occupied by the Gabrieleño-Kizh. Nevertheless, the project will utilize the existing building and will require minor alterations to the site and facility. These minor improvements will not require grading that extends more than three (3) feet into the underlying soil. As a result, adherence to the standard condition presented in Section 3.5.2.B will minimize potential impacts to levels that are less than significant.

3.18.3 MITIGATION MEASURES

The analysis of tribal cultural resources indicated that no significant impacts would result with the implementation of the mitigation measure provided in Section 3.5.2.B. As a result, no additional mitigation is required.

3.19 UTILITIES & SERVICE SYSTEMS

3.19.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse impact on utilities if it results in any of the following:

- The relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities or relocation of which could cause significant environmental impacts;

- Insufficient water supplies to serve the project and the reasonably foreseeable future development during normal, dry, and multiple dry years;

- A determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand;

- The generation of solid waste in excess of State or local standards or in excess of the capacity of local infrastructure;

- A negative impact on the provision of solid waste services or impair the attainment of solid waste reduction goals; or,

- Compliance with Federal, State, and local management and reduction statutes and regulations related to solid waste.

3.19.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities or relocation of which could cause significant environmental impacts? ● Less than Significant Impact.

The project site is presently occupied by an industrial building. There are no existing water or wastewater treatment plants, electric power plants, telecommunications facilities, natural gas facilities, or stormwater drainage infrastructure located on-site. Therefore, the project's implementation will not require the relocation of any of the aforementioned facilities. In addition, the increase in demand for waste disposal, water, and wastewater treatment services can be adequately handled and no expansion of these services is required (refer to the following subsections). As a result, the potential impacts are considered to be less than significant.

B. Would the project have sufficient water supplies available to serve the project and the reasonably foreseeable future development during normal, dry, and multiple dry years? ● Less than Significant Impact.

The project site is located within the service boundaries of California American Water Company.[122] According to the 2015 Urban Water Management Plan prepared by the City's Water Department, the City is anticipated to have a surplus of 49 million gallons of water during a normal year by the year 2035.[123] However, the City would not have enough supplies to meet projected demand during a single dry-year or multiple dry-year scenario.[124]

As stated in Section 2.4, the plants will be watered using a drip system which recycles condensation water from the air conditioning units. The Applicant indicated that similar cannabis activities have an average water consumption of 2,543 gallons per day.[125] The existing water supply facilities and infrastructure will be able accommodate this additional demand. In addition, the project will be equipped with water efficient fixtures and drought tolerant landscaping will be planted throughout the project site. As a result, the impacts are considered to be less than significant.

[122] City of El Monte. *Urban Water Management Plan*. Plan dated February 2017.

[123] Ibid.

[124] Ibid.

[125] Water Bill Provided by the Applicant. Bill received October 9, 2018.

C. Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ● Less than Significant Impact.

Wastewater collection facilities that serve the City are owned, operated, and maintained by the City of El Monte Public Works Department. The City's present wastewater system includes a total of 135 miles of pipeline, six pump stations, and 2,697 manholes. A limited number of residences are also on septic tanks. El Monte is one of 17 jurisdictions that are signatory to the Joint Outfall Agreement. The agreement provides for a regional interconnected system of facilities and an inter-jurisdictional agreement to own, operate, and maintain sewers, pumping plants, treatment plants, and other facilities collectively called the Joint Outfall System. Wastewater treatment is provided to El Monte by the Sanitation Districts of Los Angeles County (LACSD) at three treatment plants.

The future development is projected to generate 3,241 gallons of effluent on a daily basis.[126] The Whittier Narrows Water Reclamation Plant has a total treatment capacity of 15 million gallons per day (mgd) and a residual capacity of approximately seven MGD. The proposed project's wastewater generation will not result in the remaining capacity being exceeded. In addition, the City's sewer system has sufficient capacity to accommodate the proposed project. As a result, the impacts are anticipated to be less than significant.

D. Would the project generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure? ● Less than Significant Impact.

El Monte is served by four waste management companies through nonexclusive franchise agreements. All four waste haulers—American Reclamation, Phoenix Waste and Recycling, Valley Vista Services, and Waste Management—provide waste collection and recycling services for the commercial sector. Valley Vista and Phoenix Waste provide curbside residential collection and recycling services. American Reclamation and Phoenix Waste collect and recycle trash from the multiple family residential (apartments, town-homes, etc.) developments. Valley Vista and Waste Management provide temporary roll-off services.[127] In previous years, solid waste generated within the City of El Monte was disposed at the Puente Hills landfill prior to the landfill's closure on October 31, 2013. The Puente Hills Landfill was permanently closed in October 2013 and is only currently accepting clean dirt. Upon the landfill's closure, the Los Angeles County Sanitation District selected the Mesquite Regional Landfill in Imperial County as the new target destination for the County's waste. The Mesquite Regional Landfill in Imperial County has a 100-year capacity at 8,000 tons per day.[128] In addition, the nearby Puente Hills Transfer Station/Materials Recovery Facility (MRF) is able to accept 4,440 tons per day of solid waste. As indicated in Table 3-9, the future daily solid waste generation is projected to be 430 pounds per day. The proposed project will contribute a limited amount to the waste stream. As a result, less than significant impacts on solid waste generation are anticipated.

[126] Effluent generation is assumed to be 100% of water consumption rates for industrial uses, according to the City Engineer.

[127] City of El Monte. Model Water Efficient Landscape Ordinance (MWELO). http://www.ci.el-monte.ca.us/DocumentCenter/View/1271.

[128] City of El Monte (and Planning Center). *General Plan and Zoning Code Update and EIR Existing Conditions Report*. Final. May 2011.

Table 3-9
Solid Waste Generation (pounds/day)

Use	Unit	Factor	Generation
Manufacturing	71,658 square feet	6.0 lbs/day/1,000 sq. ft.	430 lbs/day

Source: City of Los Angeles CEQA Thresholds Guide.

The proposed project will generate project specific waste including cannabis waste and residual solvents. All cannabis waste and residual solvents will be secured and disposed of in specially designated waste receptacles. As a result, the potential impacts are considered to be less than significant.

E. Would the project negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals? ● No Impact.

The proposed use, like all other development in the City, would be required to adhere to all pertinent ordinances related to waste reduction and recycling. As a result, no impacts on the existing regulations pertaining to solid waste generation would result from the proposed project's implementation and no mitigation is required.

F. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste? ● No Impact.

AB 341 establishes a policy goal for the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020. The proposed use, like all other development in the City, would be required to adhere to all pertinent ordinances related to waste reduction and recycling. As a result, no impacts on the existing regulations pertaining to solid waste generation would result from the proposed project's implementation and no mitigation is required.

3.19.3 MITIGATION MEASURES

The analysis of utilities impacts indicated that no significant impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.20 WILDFIRE

3.20.1 THRESHOLDS OF SIGNIFICANCE

According to the City of El Monte, acting as Lead Agency, a project may be deemed to have a significant adverse impact on utilities if it results in any of the following located in or near State responsibility areas or lands classified as very high fire hazard severity zones:

- Impairment of an adopted emergency response plan or emergency evacuation plan;
- Due to slope, prevailing winds, and other factors, exacerbation of wildfire risks, and thereby

exposure to project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;

- The requirement of the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or,

- Exposure of people or structures to significant risks, including down slope of downstream flooding or landslides, as a result of runoff, post-fire slops instability or drainage changes.

3.20.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project impair an adopted emergency response plan or emergency evacuation plan? ● No Impact.*

The proposed project site is located within an urbanized area and no areas containing natural vegetation is located near the project site. Furthermore, the proposed project would not involve the closure or alteration of any existing evacuation routes that would be important in the event of a wildfire. As a result, no impacts will occur.

B. *Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? ● Less than Significant Impact.*

The project site and the adjacent properties are urbanized and there are no areas of native or natural vegetation found within the vicinity of the project area. The Puente Hills (located 4.43 miles to the southeast) and the San Gabriel Mountains (located 5.21 miles to the north) are the closest mountains ranges to the project site. The proposed project may be exposed to criteria pollutant emissions generated by wildland fires due to the project site's proximity to fire hazard severity zones. However, the potential impacts would not be exclusive to the project site since criteria pollutant emissions from wildland fires may affect the entire City as well as the surrounding cities and unincorporated county areas. As a result, the potential impacts are considered to be less than significant.

C. *Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? ● Less than Significant Impact.*

There is no risk from wildfire within the project site or the surrounding area given the project site's distance from any area that may be subject to a wildfire event. Medical cannabis will be grown and cannabis products will be manufactured on-site. The plants themselves as well as the VOCs that will be used to produce cannabis oil may exacerbate fire risk in the absence of mitigation or standard conditions. Each individual grow room will be fully sprinkled to prevent the risk of a fire breaking out and spreading. The project will require the use of volatile solvents during the manufacturing phase.

The Los Angeles County Fire Department will require the installation of gas detection systems as well as the use of labeled containers. Lastly, the proposed project, like most development in the City, may be subject to pollutant concentrations from industrial, gas line, or chemical fires due to the project site's proximity to active industrial users. Adherence to the Fire Department's conditions will ensure that the project does not create additional fire risk. As a result, the potential impacts are considered to be less than significant.

D. Would the project expose people or structures to significant risks, including down slope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? ● No Impact.

There is no risk from wildfire within the project site or the surrounding area given the project site's distance from any area that may be subject to a wildfire event. The project site and surrounding areas are developed and are covered over in pavement and concrete. Therefore, the project will not expose future employees to flooding or landslides facilitated by runoff flowing down barren and charred slopes and no impacts will occur.

3.20.3 MITIGATION MEASURES

The analysis of wildfires impacts indicated that no significant impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

- *The approval and subsequent implementation of the proposed project will not have the potential to degrade the quality of the environment.* The proposed project will not have the potential to degrade the quality of the environment with the implementation of the mitigation measures identified throughout Section 3. The project's air quality emissions will be below the thresholds of significance outlined by the SCAQMD. No impacts to protected species or habitat will result with the implementation of the proposed project. Furthermore, the best management practices identified in the preliminary LID will filter out contaminants of concern present in stormwater runoff. The addition of project trips will not negatively impact any local intersection. Lastly, the project will include energy and water efficient appliances and fixtures.

- *The approval and subsequent implementation of the proposed project will not have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.* The proposed project is an infill development, which is seen as an important strategy in combating the release of GHG emissions. Infill development provides a regional benefit in terms of a reduction in Vehicle Miles Traveled (VMT) since the project is consistent with the regional and State sustainable growth objectives identified in the State's Strategic Growth Council (SGC). Infill development reduces VMT by recycling existing undeveloped or underutilized properties located in established urban areas.

- *The approval and subsequent implementation of the proposed project will not have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity.* The project's cumulative air quality emissions will be below the thresholds of significance established by the SCAQMD.

- *The approval and subsequent implementation of the proposed project will not have environmental effects that will adversely affect humans, either directly or indirectly.* Daytime and nighttime light and glare from both the proposed project would not contribute any significant impacts since both projects must comply with City regulations regarding lighting and light trespass. In addition, the project will include blacked out windows. The project's operational air quality impacts would be less than significant. Lastly, the addition of the project's traffic would not result in a deterioration of any intersection's level of service or the creation of a CO hot-spot. As a result, the potential impacts are considered to be less than significant with adherence to the required mitigation measures.

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SECTION 4 CONCLUSIONS

4.1 FINDINGS

The Initial Study determined that the proposed project is not expected to have significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *will not* have a significant effect on the environment.
- The proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity.
- The proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly.
- A Mitigation Reporting and Monitoring Program *will be* required.

4.2 MITIGATION MONITORING & REPORTING PROGRAM

4.2.1. OVERVIEW OF THE PROJECT

The City of El Monte, in its capacity as Lead Agency, is considering an application to operate a comprehensive commercial medicinal-only cannabis use within an existing 71,658 square foot industrial building that is located in the M-2 General Manufacturing zone. The proposed project will be located on a site that encompasses 4.4 acres and occupies frontage along the east side of Ellis Lane/Temple City Boulevard. The commercial medicinal-only cannabis use will include cultivation, manufacturing, and distribution operations. No retail cannabis or cannabis product retail sales or activities will be permitted. This existing building will be remodeled and the utilities will be upgraded to accommodate the proposed use. Security features, including but not limited to, onsite security, and security cameras, will be provided. A total of 93 parking spaces will be provided. Access to the project site is provided by two (2) existing driveways located on the east side of Ellis Lane/Temple City Boulevard.

4.2.2. FINDINGS RELATED TO MITIGATION MONITORING

Section 21081(a) of the Public Resources Code states that findings must be adopted by the decision-makers coincidental to the approval of a Mitigated Negative Declaration. These findings shall be incorporated as part of the decision-maker's findings of fact, in response to AB-3180. In accordance

with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the following additional findings may be made:

- A mitigation reporting or monitoring program will be required;
- Site plans and/or building plans, submitted for approval by the responsible monitoring agency, shall include the required standard conditions; and,
- An accountable enforcement agency or monitoring agency shall be identified for the mitigations adopted as part of the decision-maker's final determination.

4.2.3. MITIGATION MEASURES

The analysis of air quality impacts indicated that the projected emissions would be below the SCAQMD's thresholds of significance. However, the following mitigation would be required to address potential odor impacts:

Mitigation Measure No. 1 (Air Quality Impacts). The Applicant will be required to prepare an Odor Management Plan that must be approved by the City and Los Angeles County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.

Mitigation Measure No. 2 (Air Quality Impacts). Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.

In regards to energy, the following mitigation is required:

Mitigation Measure No. 3 (Energy Impacts). The facility must use of lighting equipment that will be energy efficient such as LED light fixtures.

Mitigation Measure No. 4 (Energy Impacts). The installation of solar panels will be required as a means to reduce energy consumption.

Mitigation Measure No. 5 (Energy Impacts). All appliances and indoor climate control equipment must be required to meet "Energy Star" ratings.

Due to the age of the on-site improvements, construction related activities related to the requisite tenant improvements could reveal lead and/or asbestos-containing materials. As a result, the following mitigation is required:

Mitigation Measure No. 6 (Hazards & Hazardous Materials Impacts). The Applicant and the contractors must adhere to all requirements governing the handling, removal, and disposal of asbestos-containing materials, lead paint, and other hazardous substances and materials that may

be encountered during tenant improvement activities. Documentation as to the amount, type, and evidence of disposal of materials at an appropriate hazardous material landfill site shall be provided to the Chief Building Official prior to the issuance of the Building Permit for the interior improvements. Any contamination encountered must be removed and disposed of in accordance with applicable laws prior to the issuance of the Building Permit.

The following mitigation will ensure that the operators of the facility must comply with all pertinent requirements concerning worker safety and the storage, use, and handling of hazardous chemicals.

Mitigation Measure No. 7 (Hazards & Hazardous Materials Impacts). The Applicant will provide a comprehensive listing of those products and/or activities that will require the use of hazardous materials or will result in the generation of hazardous materials and/or wastes. The manner in which these materials are to be stored, handled, or disposed of must also be described. The Applicant will also be required to prepare a plan that indicates those protocols that must be adhered to in the event of an accident. This plan must be reviewed and approved by the County of Los Angeles Fire Department prior to the issuance of the Occupancy Permit.

4.2.4. MITIGATION MONITORING

The monitoring and reporting on the implementation of these measures, including the period for implementation, monitoring agency, and the monitoring action, are identified in Table 4-1 provided below and on the following pages.

TABLE 4-1
MITIGATION-MONITORING PROGRAM

Measure	Enforcement Agency	Monitoring Phase	Verification
Mitigation Measure No. 1 (Air Quality Impacts). The Applicant will be required to prepare an Odor Management Plan that must be approved by the City and Los Angeles County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.	Planning Division and the Los Angeles County Department of Public Health ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.	Date: Name & Title:
Mitigation Measure No. 2 (Air Quality Impacts). Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.	Planning Division, Chief Building Official, and the Los Angeles County Department of Public Health ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.	Date: Name & Title:

TABLE 4.1
MITIGATION-MONITORING PROGRAM

Measure	Enforcement Agency	Monitoring Phase	Verification
Mitigation Measure No. 3 (Energy Impacts). The facility must use of lighting equipment that will be energy efficient such as LED light fixtures.	Planning Division and Chief Building Official ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.	Date: Name & Title:
Mitigation Measure No. 4 (Energy Impacts). The installation of solar panels will be required as a means to reduce energy consumption.	Planning Division and Chief Building Official ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.	Date: Name & Title:
Mitigation Measure No. 5 (Energy Impacts). All appliances and indoor climate control equipment must be required to meet "Energy Star" ratings.	Planning Division and Chief Building Official ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.	Date: Name & Title:
Mitigation Measure No. 6 (Hazards & Hazardous Materials Impacts). The Applicant and the contractors must adhere to all requirements governing the handling, removal, and disposal of asbestos-containing materials, lead paint, and other hazardous substances and materials that may be encountered during tenant improvement activities. Documentation as to the amount, type, and evidence of disposal of materials at an appropriate hazardous material landfill site shall be provided to the Chief Building Official prior to the issuance of the Building Permit for the interior improvements. Any contamination encountered must be removed and disposed of in accordance with applicable laws prior to the issuance of the Building Permit.	Planning Division and Chief Building Official ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Building Permit.* ● Mitigation ends when construction is completed.	Date: Name & Title:
Mitigation Measure No. 7 (Hazards & Hazardous Materials Impacts). The Applicant will provide a comprehensive listing of those products and/or activities that will require the use of hazardous materials or will result in the generation of hazardous materials and/or wastes. The manner in which these materials are to be stored, handled, or disposed of must also be described. The Applicant will also be required to prepare a plan that indicates those protocols that must be adhered to in the event of an accident. This plan must be reviewed and approved by the County of Los Angeles Fire Department prior to the issuance of the Occupancy Permit.	Planning Division and Los Angeles County Fire Department ● *(Applicant is responsible for implementation)*	*Prior to the issuance of a Certificate of Occupancy.* ● Mitigation ends when construction is completed.	Date: Name & Title:

SECTION 5 REFERENCES

5.1 PREPARERS

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(626) 336-0033

Marc Blodgett, Project Manager
Bryan Hamilton, Project Planner
Liesl Sullano, Project Planner

5.2 REFERENCES

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APPENDICES

Air Quality Worksheets

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El Monte MMJ Park

South Coast AQMD Air District, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Light Industry	71.66	1000sqft	1.65	71,658.00	0
Parking Lot	93.00	Space	0.84	37,200.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	31
Climate Zone	9			**Operational Year**	2020
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	702.44	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use -

Construction Phase - Construction times are estimated.

Energy Use - A total of 1,900 grow lights will be installed. Each light will be 1,000 watts and the continuous load for the cultivation will be 1.68 million watts, which translates into 1,680 kilowatts per day. The annual consumption from the grow lights is anticipated to be 613,200 kilowatts per year.

Energy Mitigation -

Water Mitigation -

El Monte MMJ Park - South Coast AQMD Air District, Summer

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	10.00	23.00
tblConstructionPhase	NumDays	220.00	41.00
tblConstructionPhase	NumDays	10.00	21.00
tblConstructionPhase	NumDays	3.00	23.00
tblConstructionPhase	PhaseEndDate	1/10/2020	10/31/2019
tblConstructionPhase	PhaseEndDate	12/13/2019	3/31/2019
tblConstructionPhase	PhaseEndDate	12/27/2019	9/30/2019
tblConstructionPhase	PhaseStartDate	12/28/2019	10/1/2019
tblConstructionPhase	PhaseStartDate	2/9/2019	2/1/2019
tblConstructionPhase	PhaseStartDate	12/14/2019	9/1/2019
tblConstructionPhase	PhaseStartDate	1/29/2019	1/1/2019
tblEnergyUse	LightingElect	3.10	8.55
tblGrading	AcresOfGrading	34.50	4.50

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2019	29.6416	21.5659	17.8193	0.0351	0.6294	1.1078	1.7372	0.1695	1.0617	1.2312	0.0000	3,352.5959	3,352.5959	0.7707	0.0000	3,365.8681
Maximum	**29.6416**	**21.5659**	**17.8193**	**0.0351**	**0.6294**	**1.1078**	**1.7372**	**0.1695**	**1.0617**	**1.2312**	**0.0000**	**3,352.5959**	**3,352.5959**	**0.7707**	**0.0000**	**3,365.8681**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2019	29.6416	21.5659	17.8193	0.0351	0.6294	1.1078	1.7372	0.1695	1.0617	1.2312	0.0000	3,352.5959	3,352.5959	0.7707	0.0000	3,365.8681
Maximum	**29.6416**	**21.5659**	**17.8193**	**0.0351**	**0.6294**	**1.1078**	**1.7372**	**0.1695**	**1.0617**	**1.2312**	**0.0000**	**3,352.5959**	**3,352.5959**	**0.7707**	**0.0000**	**3,365.8681**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.6184	1.6000e-004	0.0169	0.0000		6.0000e-005	6.0000e-005		6.0000e-005	6.0000e-005		0.0360	0.0360	1.0000e-004		0.0385
Energy	0.0383	0.3484	0.2926	2.0900e-003		0.0265	0.0265		0.0265	0.0265		418.0531	418.0531	8.0100e-003	7.6600e-003	420.5374
Mobile	1.1401	6.0213	17.0609	0.0596	4.7028	0.0580	4.7608	1.2584	0.0545	1.3129		6,058.0275	6,058.0275	0.2911		6,065.3052
Total	**2.7968**	**6.3698**	**17.3704**	**0.0617**	**4.7028**	**0.0846**	**4.7874**	**1.2584**	**0.0810**	**1.3394**		**6,476.1166**	**6,476.1166**	**0.2992**	**7.6600e-003**	**6,485.8811**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.6184	1.6000e-004	0.0169	0.0000		6.0000e-005	6.0000e-005		6.0000e-005	6.0000e-005		0.0360	0.0360	1.0000e-004		0.0385
Energy	0.0383	0.3484	0.2926	2.0900e-003		0.0265	0.0265		0.0265	0.0265		418.0531	418.0531	8.0100e-003	7.6600e-003	420.5374
Mobile	1.1401	6.0213	17.0609	0.0596	4.7028	0.0580	4.7608	1.2584	0.0545	1.3129		6,058.0275	6,058.0275	0.2911		6,065.3052
Total	**2.7968**	**6.3698**	**17.3704**	**0.0617**	**4.7028**	**0.0846**	**4.7874**	**1.2584**	**0.0810**	**1.3394**		**6,476.1166**	**6,476.1166**	**0.2992**	**7.6600e-003**	**6,485.8811**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/1/2019	1/31/2019	5	23	
2	Building Construction	Building Construction	2/1/2019	3/31/2019	5	41	
3	Paving	Paving	9/1/2019	9/30/2019	5	21	
4	Architectural Coating	Architectural Coating	10/1/2019	10/31/2019	5	23	

Acres of Grading (Site Preparation Phase): 4.5

Acres of Grading (Grading Phase): 0

Acres of Paving: 0.84

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 107,487; Non-Residential Outdoor: 35,829; Striped Parking Area: 2,232 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	1	8.00	9	0.56
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Cranes	1	8.00	231	0.29
Building Construction	Forklifts	2	7.00	89	0.20
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	8.00	130	0.42
Paving	Rollers	2	8.00	80	0.38
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Paving	Paving Equipment	1	8.00	132	0.36
Site Preparation	Scrapers	1	8.00	367	0.48
Building Construction	Welders	3	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	3	8.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	8	46.00	18.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	9.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Site Preparation - 2019

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.2075	0.0000	0.2075	0.0224	0.0000	0.0224			0.0000			0.0000
Off-Road	1.7557	21.5386	11.9143	0.0245		0.8537	0.8537		0.7854	0.7854		2,426.5408	2,426.5408	0.7677		2,445.7341
Total	**1.7557**	**21.5386**	**11.9143**	**0.0245**	**0.2075**	**0.8537**	**1.0612**	**0.0224**	**0.7854**	**0.8078**		**2,426.5408**	**2,426.5408**	**0.7677**		**2,445.7341**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0392	0.0273	0.3595	9.5000e-004	0.0894	7.0000e-004	0.0901	0.0237	6.4000e-004	0.0244		94.4791	94.4791	2.9500e-003		94.5530
Total	**0.0392**	**0.0273**	**0.3595**	**9.5000e-004**	**0.0894**	**7.0000e-004**	**0.0901**	**0.0237**	**6.4000e-004**	**0.0244**		**94.4791**	**94.4791**	**2.9500e-003**		**94.5530**

3.2 Site Preparation - 2019

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.2075	0.0000	0.2075	0.0224	0.0000	0.0224			0.0000			0.0000
Off-Road	1.7557	21.5386	11.9143	0.0245		0.8537	0.8537		0.7854	0.7854	0.0000	2,426.5408	2,426.5408	0.7677		2,445.7341
Total	**1.7557**	**21.5386**	**11.9143**	**0.0245**	**0.2075**	**0.8537**	**1.0612**	**0.0224**	**0.7854**	**0.8078**	**0.0000**	**2,426.5408**	**2,426.5408**	**0.7677**		**2,445.7341**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0392	0.0273	0.3595	9.5000e-004	0.0894	7.0000e-004	0.0901	0.0237	6.4000e-004	0.0244		94.4791	94.4791	2.9500e-003		94.5530
Total	**0.0392**	**0.0273**	**0.3595**	**9.5000e-004**	**0.0894**	**7.0000e-004**	**0.0901**	**0.0237**	**6.4000e-004**	**0.0244**		**94.4791**	**94.4791**	**2.9500e-003**		**94.5530**

3.3 Building Construction - 2019

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.5581	18.9103	15.2545	0.0250		1.0901	1.0901		1.0449	1.0449		2,312.1454	2,312.1454	0.4810		2,324.1705
Total	**2.5581**	**18.9103**	**15.2545**	**0.0250**		**1.0901**	**1.0901**		**1.0449**	**1.0449**		**2,312.1454**	**2,312.1454**	**0.4810**		**2,324.1705**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0694	2.0596	0.4979	4.6700e-003	0.1152	0.0136	0.1289	0.0332	0.0131	0.0462		497.1955	497.1955	0.0329		498.0179
Worker	0.2253	0.1568	2.0670	5.4600e-003	0.5142	4.0000e-003	0.5182	0.1364	3.6900e-003	0.1401		543.2550	543.2550	0.0170		543.6797
Total	**0.2947**	**2.2164**	**2.5649**	**0.0101**	**0.6294**	**0.0176**	**0.6470**	**0.1695**	**0.0167**	**0.1863**		**1,040.4504**	**1,040.4504**	**0.0499**		**1,041.6976**

3.3 Building Construction - 2019

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.5581	18.9103	15.2545	0.0250		1.0901	1.0901		1.0449	1.0449	0.0000	2,312.1454	2,312.1454	0.4810		2,324.1705
Total	**2.5581**	**18.9103**	**15.2545**	**0.0250**		**1.0901**	**1.0901**		**1.0449**	**1.0449**	**0.0000**	**2,312.1454**	**2,312.1454**	**0.4810**		**2,324.1705**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0694	2.0596	0.4979	4.6700e-003	0.1152	0.0136	0.1289	0.0332	0.0131	0.0462		497.1955	497.1955	0.0329		498.0179
Worker	0.2253	0.1568	2.0670	5.4600e-003	0.5142	4.0000e-003	0.5182	0.1364	3.6900e-003	0.1401		543.2550	543.2550	0.0170		543.6797
Total	**0.2947**	**2.2164**	**2.5649**	**0.0101**	**0.6294**	**0.0176**	**0.6470**	**0.1695**	**0.0167**	**0.1863**		**1,040.4504**	**1,040.4504**	**0.0499**		**1,041.6976**

3.4 Paving - 2019

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.2453	12.5685	11.8507	0.0178		0.7301	0.7301		0.6728	0.6728		1,746.2432	1,746.2432	0.5418		1,759.7870
Paving	0.1048					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.3501**	**12.5685**	**11.8507**	**0.0178**		**0.7301**	**0.7301**		**0.6728**	**0.6728**		**1,746.2432**	**1,746.2432**	**0.5418**		**1,759.7870**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0735	0.0511	0.6740	1.7800e-003	0.1677	1.3000e-003	0.1690	0.0445	1.2000e-003	0.0457		177.1484	177.1484	5.5400e-003		177.2869
Total	**0.0735**	**0.0511**	**0.6740**	**1.7800e-003**	**0.1677**	**1.3000e-003**	**0.1690**	**0.0445**	**1.2000e-003**	**0.0457**		**177.1484**	**177.1484**	**5.5400e-003**		**177.2869**

3.4 Paving - 2019

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.2453	12.5685	11.8507	0.0178		0.7301	0.7301		0.6728	0.6728	0.0000	1,746.2432	1,746.2432	0.5418		1,759.7870
Paving	0.1048					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.3501**	**12.5685**	**11.8507**	**0.0178**		**0.7301**	**0.7301**		**0.6728**	**0.6728**	**0.0000**	**1,746.2432**	**1,746.2432**	**0.5418**		**1,759.7870**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0735	0.0511	0.6740	1.7800e-003	0.1677	1.3000e-003	0.1690	0.0445	1.2000e-003	0.0457		177.1484	177.1484	5.5400e-003		177.2869
Total	**0.0735**	**0.0511**	**0.6740**	**1.7800e-003**	**0.1677**	**1.3000e-003**	**0.1690**	**0.0445**	**1.2000e-003**	**0.0457**		**177.1484**	**177.1484**	**5.5400e-003**		**177.2869**

3.5 Architectural Coating - 2019

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	29.3311					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2664	1.8354	1.8413	2.9700e-003		0.1288	0.1288		0.1288	0.1288		281.4481	281.4481	0.0238		282.0423
Total	**29.5975**	**1.8354**	**1.8413**	**2.9700e-003**		**0.1288**	**0.1288**		**0.1288**	**0.1288**		**281.4481**	**281.4481**	**0.0238**		**282.0423**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0441	0.0307	0.4044	1.0700e-003	0.1006	7.8000e-004	0.1014	0.0267	7.2000e-004	0.0274		106.2890	106.2890	3.3200e-003		106.3721
Total	**0.0441**	**0.0307**	**0.4044**	**1.0700e-003**	**0.1006**	**7.8000e-004**	**0.1014**	**0.0267**	**7.2000e-004**	**0.0274**		**106.2890**	**106.2890**	**3.3200e-003**		**106.3721**

3.5 Architectural Coating - 2019

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	29.3311					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2664	1.8354	1.8413	2.9700e-003		0.1288	0.1288		0.1288	0.1288	0.0000	281.4481	281.4481	0.0238		282.0423
Total	**29.5975**	**1.8354**	**1.8413**	**2.9700e-003**		**0.1288**	**0.1288**		**0.1288**	**0.1288**	**0.0000**	**281.4481**	**281.4481**	**0.0238**		**282.0423**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0441	0.0307	0.4044	1.0700e-003	0.1006	7.8000e-004	0.1014	0.0267	7.2000e-004	0.0274		106.2890	106.2890	3.3200e-003		106.3721
Total	**0.0441**	**0.0307**	**0.4044**	**1.0700e-003**	**0.1006**	**7.8000e-004**	**0.1014**	**0.0267**	**7.2000e-004**	**0.0274**		**106.2890**	**106.2890**	**3.3200e-003**		**106.3721**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.1401	6.0213	17.0609	0.0596	4.7028	0.0580	4.7608	1.2584	0.0545	1.3129		6,058.0275	6,058.0275	0.2911		6,065.3052
Unmitigated	1.1401	6.0213	17.0609	0.0596	4.7028	0.0580	4.7608	1.2584	0.0545	1.3129		6,058.0275	6,058.0275	0.2911		6,065.3052

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
General Light Industry	499.46	94.59	48.73	1,670,471	1,670,471
Parking Lot	0.00	0.00	0.00		
Total	499.46	94.59	48.73	1,670,471	1,670,471

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
General Light Industry	16.60	8.40	6.90	59.00	28.00	13.00	92	5	3
Parking Lot	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
General Light Industry	0.547828	0.043645	0.199892	0.122290	0.016774	0.005862	0.020637	0.032653	0.002037	0.001944	0.004777	0.000705	0.000956
Parking Lot	0.547828	0.043645	0.199892	0.122290	0.016774	0.005862	0.020637	0.032653	0.002037	0.001944	0.004777	0.000705	0.000956

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Install High Efficiency Lighting

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0383	0.3484	0.2926	2.0900e-003		0.0265	0.0265		0.0265	0.0265		418.0531	418.0531	8.0100e-003	7.6600e-003	420.5374
NaturalGas Unmitigated	0.0383	0.3484	0.2926	2.0900e-003		0.0265	0.0265		0.0265	0.0265		418.0531	418.0531	8.0100e-003	7.6600e-003	420.5374

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
General Light Industry	3553.45	0.0383	0.3484	0.2926	2.0900e-003		0.0265	0.0265		0.0265	0.0265		418.0531	418.0531	8.0100e-003	7.6600e-003	420.5374
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0383**	**0.3484**	**0.2926**	**2.0900e-003**		**0.0265**	**0.0265**		**0.0265**	**0.0265**		**418.0531**	**418.0531**	**8.0100e-003**	**7.6600e-003**	**420.5374**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
General Light Industry	3.55345	0.0383	0.3484	0.2926	2.0900e-003		0.0265	0.0265		0.0265	0.0265		418.0531	418.0531	8.0100e-003	7.6600e-003	420.5374
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0383**	**0.3484**	**0.2926**	**2.0900e-003**		**0.0265**	**0.0265**		**0.0265**	**0.0265**		**418.0531**	**418.0531**	**8.0100e-003**	**7.6600e-003**	**420.5374**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.6184	1.6000e-004	0.0169	0.0000		6.0000e-005	6.0000e-005		6.0000e-005	6.0000e-005		0.0360	0.0360	1.0000e-004		0.0385
Unmitigated	1.6184	1.6000e-004	0.0169	0.0000		6.0000e-005	6.0000e-005		6.0000e-005	6.0000e-005		0.0360	0.0360	1.0000e-004		0.0385

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1848					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	1.4320					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	1.5900e-003	1.6000e-004	0.0169	0.0000		6.0000e-005	6.0000e-005		6.0000e-005	6.0000e-005		0.0360	0.0360	1.0000e-004		0.0385
Total	**1.6184**	**1.6000e-004**	**0.0169**	**0.0000**		**6.0000e-005**	**6.0000e-005**		**6.0000e-005**	**6.0000e-005**		**0.0360**	**0.0360**	**1.0000e-004**		**0.0385**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1848					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	1.4320					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	1.5900e-003	1.6000e-004	0.0169	0.0000		6.0000e-005	6.0000e-005		6.0000e-005	6.0000e-005		0.0360	0.0360	1.0000e-004		0.0385
Total	**1.6184**	**1.6000e-004**	**0.0169**	**0.0000**		**6.0000e-005**	**6.0000e-005**		**6.0000e-005**	**6.0000e-005**		**0.0360**	**0.0360**	**1.0000e-004**		**0.0385**

7.0 Water Detail

7.1 Mitigation Measures Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

PLACE OF HEARING: Pursuant to State Law, the Planning Commission will hold a public hearing to receive testimony, orally and in writing, on the proposed project. The public hearing is scheduled for:

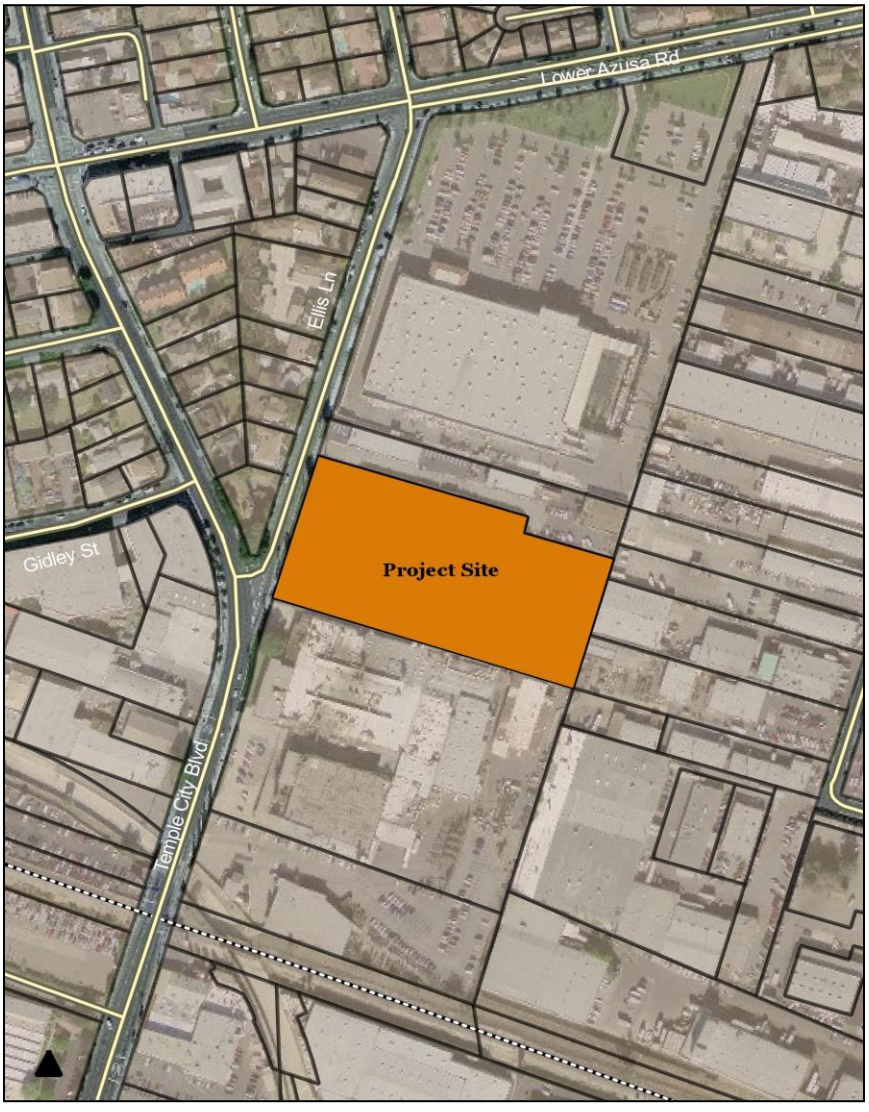
Date: Tuesday, November 27, 2018
Time: 7:00 p.m.
Place: El Monte City Hall East – Council Chambers
11333 Valley Boulevard, El Monte, California

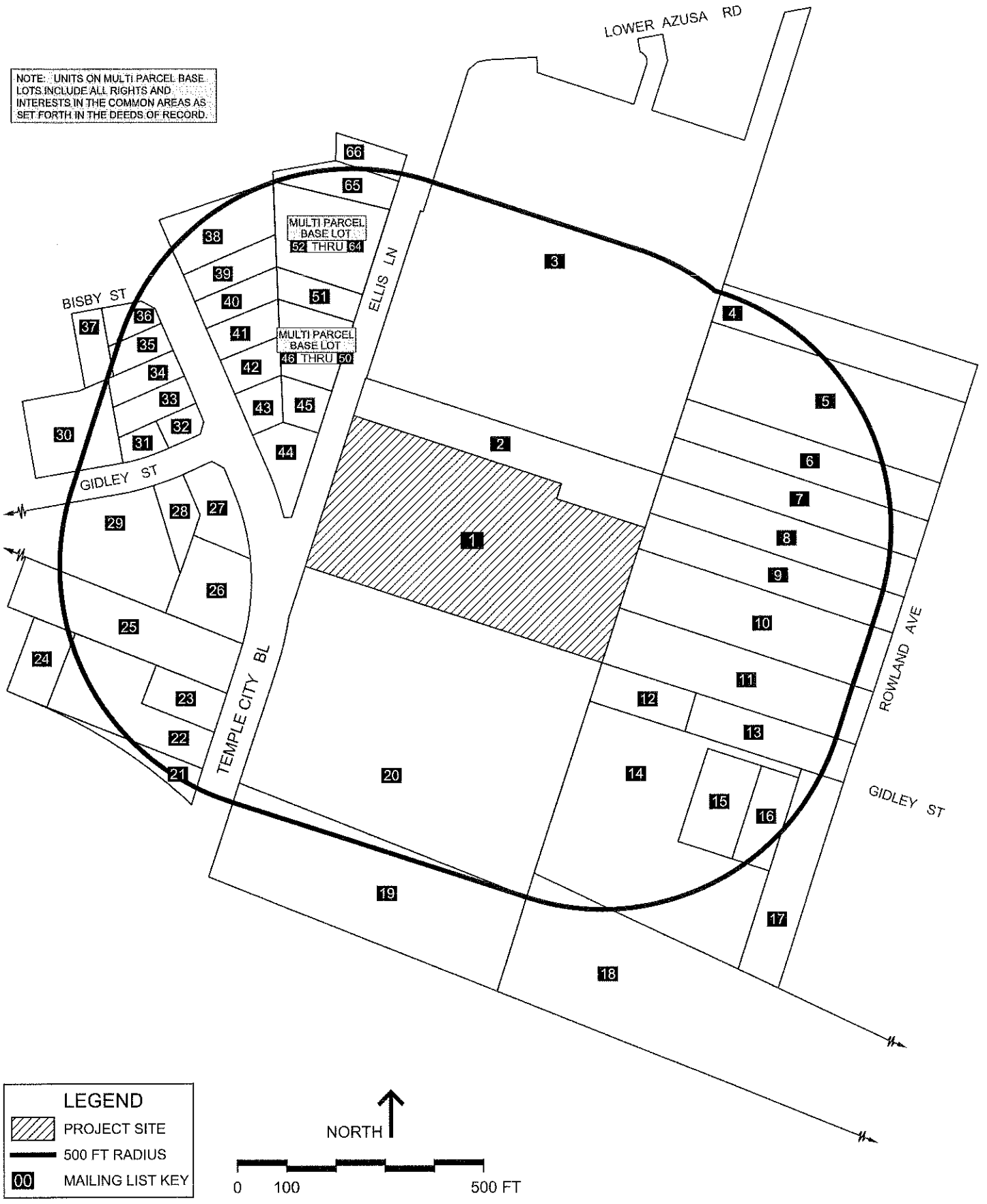
Persons wishing to comment on the environmental documentation or proposed application may do so orally or in writing at the public hearing or in writing prior to the meeting date. Written comments shall be sent to Betty Donavanik; El Monte City Hall West; 11333 Valley Boulevard; El Monte, CA 91731 or at bdonavanik@elmonteca.gov. If you challenge the decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Planning Commission at, or prior to, the public hearing. For further information regarding this application, please contact Betty Donavanik at (626) 258-8626 Monday through Thursday, except legal holidays, between the hours of 7:30 a.m. and 5:30 p.m. For further information regarding this application, please contact the Planning Division at (626) 258-8626 Monday through Thursday, except legal holidays, between the hours of 7:30 a.m. and 5:30 p.m.

Published and mailed on: Thursday, November 8, 2018

City of El Monte Planning Commission
Marcella Magdaleno, Planning Commission Secretary

VICINITY MAP





RADIUS MAP 500 FT ON ASSESSOR'S PARCEL BASE	PROJECT SITE 4400 TEMPLE CITY BL EL MONTE, CA 91731 AIN/APN: 8577-001-043	APPLICANT GSC HOLDING GROUP, LLC	REQUESTING AGENCY CITY OF EL MONTE	5/24/18	PREPARED BY CITY RADIUS MAPS ROBERT SIMPSON 818-850-3382 P 18282A Copyright CRM

STORE CLOSING

EVERYTHING MUST GO!

FURNITUR

CLOSING

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SAL

BIG CLEARANCE SALE

NOTICE OF
PUBLIC HEARING

DO NOT REMOVE

NOTICE OF
PUBLIC HEARING

CITY OF EL MONTE ECONOMIC DEVELOPMENT DEPARTMENT

DO NOT REMOVE

SMITTYS SIGNWORKS 626-443-2164