

Attachment E

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NOTICE OF APPEAL

Monterey County Code
Title 19 (Subdivisions)
Title 20 (Zoning)
Title 21 (Zoning)

RECEIVED
MONTEREY COUNTY

2020 JUN -5 AM 9:34

CLERK OF THE BOARD

JPABLO

DEPUTY

No appeal will be accepted until written notice of the decision has been given. If you wish to file an appeal, you must do so on or before June 8, 2020 (10 days after written notice of the decision has been mailed to the applicant).

Date of decision: May 13, 2020

1. Appellant Name: Andrew M. Jun, Esq. on behalf of Monterey Retail Solutions.
Address: 14 Orchard, Suite #200, Lake Forest, CA 92630
Telephone: 9498128981

2. Indicate your interest in the decision by placing a check mark below:

Applicant

Neighbor

Other (please state) Legal counsel for applicant, ~~Abundant Investments LLC~~ Monterey Retail Solutions

3. If you are not the applicant, please give the applicant's name:

Abundant Investments LLC, a Delaware limited liability company

4. Fill in the file number of the application that is the subject of this appeal below:

	Type of Application	Area
a)	Planning Commission: PC- <u>PLN190008</u>	<u>1031 N. El Camino Real (APN 133-023-042-000); North Cty.</u>
b)	Zoning Administrator: ZA- _____	_____
c)	Administrative Permit: AP- _____	_____

Notice of Appeal

5. What is the nature of your appeal?

a) Are you appealing the approval or denial of an application? Denial.

b) If you are appealing one or more conditions of approval, list the condition number and state the condition(s) you are appealing. (Attach extra sheet if necessary)
N/A.

6. Place a check mark beside the reason(s) for your appeal:

There was a lack of fair or impartial hearing X
The findings or decision or conditions are not supported by the evidence X
The decision was contrary to law X

7. Give a brief and specific statement in support of each of the reasons for your appeal checked above. The Board of Supervisors will not accept an application for an appeal that is stated in generalities, legal or otherwise. If you are appealing specific conditions, you must list the number of each condition and the basis for your appeal. (Attach extra sheets if necessary)

See Exhibit "A".

See Exhibit "B" (Traffic Study Report).

8. As part of the application approval or denial process, findings were made by the decision-making body (Planning Commission, Zoning Administrator, or Chief of Planning). In order to file a valid appeal, you must give specific reasons why you disagree with the findings made. (Attach extra sheets if necessary)

See Exhibit "A".

See Exhibit "B" (Traffic Study Report).

9. You must pay the required filing fee of \$3,540.00 (make check payable to "County of Monterey") at the time you file your appeal. (Please note that appeals of projects in the Coastal Zone are not subject to the filing fee.)

10. Your appeal is accepted when the Clerk to the Board accepts the appeal as complete and receives the required filing fee. Once the appeal has been accepted, the Clerk to the Board will set a date for the public hearing on the appeal before the Board of Supervisors.

The appeal and applicable filing fee must be delivered to the Clerk to the Board or mailed and postmarked by the filing deadline to PO Box 1728, Salinas CA 93902. A facsimile copy of the appeal will be accepted only if the hard copy of the appeal and applicable filing fee are mailed and postmarked by the deadline.

APPELLANT SIGNATURE

Date: May 29, 2020

RECEIVED SIGNATURE

Date: 6/5/2020

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EXHIBIT "A"

(Notice of Appeal; Section #7, 8)

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Lack of Fair or Impartial Hearing; Findings, Decision, Conditions Unsupported by Evidence; and Decision Contrary to Law

Monterey Retail Solutions (“**Appellant**”) on information and belief, declares the County planning commission’s (“**Commission**”) denial of its Application for a cannabis retail dispensary (“**Business**”) at 1031 N. El Camino Real, Prunedale, CA 93907, with APN 133-023-042-000 (“**Property**”) to, among other things, lack a fair determination and hearing, be unsupported by evidence, and contrary to law.

In particular, Appellant directs Monterey County’s Board of Supervisors (“**Board**”) to notice that the staff report (“**Report**”) for the hearing held on April 8, 2020 (“**Hearing 1**”) had a recommendation for the Commission *to adopt* a resolution approving the Application for (in summary) the following reasons (Report enclosed herein for Board’s convenience):

- (a) The Application (i.e., the Business), including plans and information, complied with the adopted regulations contained in Chapter 21.67 (Commercial Cannabis Activities) of the County’s municipal code (“**Code**”). Specifically, the Staff found that the Application, plans and information addressed and satisfied the “minimum standards contained in Section 21.67.040.” (*Report*, Exhibit B, Page 2.) This finding, includes but is not limited to, the following:
 - a. Proper zoning (light commercial);
 - b. More than 600 feet away from a school (grades 1 – 12), child care center, youth center, playground, and drug recovery facility;
 - c. More than 1500 feet away from another cannabis dispensary; and
 - d. Appropriate (1) record keeping policies and consent for inspection, (2) security measures, (3) delivery procedures, (4) supply chain, permitting and licensing, (5) packaging/labeling of products, and (6) restriction on possession/sale of other form of drugs, among other things.
- (b) Found that the Property is appropriately located, and consistent with the use for which the area is zoned (light commercial zoning district), which permits dispensary uses (Chapter 21.18). Moreover, the Report expressly claims that in addition to the Business’s appropriate zone/use, the “plans and information [that] have been submitted...satisfy regulatory requirements for cannabis permitting.” (*Report*, Page 2, Paragraph 3.).
- (c) Despite the letter from NMCSD (voicing concerns of proximity of school bus stop, traffic and safety concerns), RMA-Public Works, and subsequently, the Staff, dispensed of such concern in regards to traffic and safety because “the Property has been used for commercial purposes and the proposal (i.e., the Business) will not substantially change the use,” concluding that the “project will not change traffic trip generation” and therefore stating that “a traffic report was not required for this project.” (*Report*, Exhibit B, Page 3.)

Furthermore, the Report goes on to provide substantiating data from the County’s own traffic data, providing that the traffic volumes (on Prunedale South Road) have remained the same, “or even decreased” since 2016.

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Lastly, the Report dispels of the traffic and related safety concerns by citing “no reported collisions related to existing driveways along the site frontage.” *Id.*

Two (2) additional traffic concerns were raised in regards to the Application: (1) vehicles returning to Highway 101 (“**101**”), and (2) traffic diverting to Blackie Road (to reach the City of Monterey). The Report addresses these concerns, respectively:

1. 101: Per Caltrans’ recommendation to discourage vehicles returning to the 101, Appellant has been conditioned (Condition 11) to construct a raised median island at the eastern driveway intersection on Prunedale South Road, to allow only right turns to go in/out of the Property, to which Appellant has accepted such condition.
 2. Blackie Road: Staff found that with the aforementioned condition, along with the prior data/studies, the Level of Service (“**LOS**”) was acceptable, for Prunedale, Blackie, and the 101.
- (d) In regards to the safety issue to the youth/bus stop, with a public health risk measured at “6”, giving a moderate risk assessment, the Report finds that such concerns are alleviated through the Appellant’s implementation of its plans (including detailed security measures), *in addition* to the fact that the Property is properly zoned for such use; specifically, the fact that the Business is more than 600 feet away from any school, playground, or youth center, and furthermore, it is not located within 1500 feet from any other retail dispensary, consistent with the Code.

In light of the foregoing, Appellant hereby declares that the decision made by the Commission on May 13, 2020 (“**Hearing 2**”) is unfounded and unsupported by the evidence provided, and furthermore, is outright contrary to the information, finding and decision made by the County, including but not limited to, the Staff, RMA-Planning, and Caltrans, among other County agencies. This is ultimately supported by the fact that the Report only lists one (1) objection made by the County Health Department (again, all raised concerns dispelled and/or adequately met via safety precautions), and the Staff’s recommendation to the Commission to approve the Application.

In addition to the lack of evidence/finding to support the denial, the Commission’s denial is contrary to law in that Appellant’s Application is absolutely consistent with the Code’s regulations and zoning ordinances.

Lastly, Appellant asserts a lack of fair or impartial hearing in light of the lack of evidence substantiating such denial; this includes Appellant’s lack of opportunity to perform and present a traffic study report in reliance of Hearing 1’s outcome and subsequent Report, specifically stating that a “traffic report was not required for [the] project.”

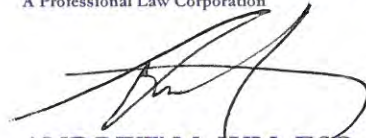
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Accordingly, Appellant had no reason to believe it had to perform one, and now after Hearing 2, the Commission overwhelmingly denies the Application against the Staff's recommendation and Report findings, primarily predicated on the issue of traffic and safety concerns. As a result, Appellant respectfully requests a continuance of two (2) weeks from the appeal deadline of June 8, 2020, to June 22, 2020 ("**Extension Date**") to thoroughly perform a traffic study as part of its appeal, and appeals the Commission's decision to deny its Application and requests that the Board review, analyze and overturn the Commission's denial and accept/approve Appellant's Application. Please confirm the Board's grant of continuance to the undersigned, as to the Extension Date at its earliest convenience; this can be done at ajun@horwitzarmstrong.com, thank you.

Regards,

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ANDREW M. JUN, ESQ.

Enclosures: *Monterey County Pre-resolution Package (Staff Report)*

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EXHIBIT “B”

(Traffic Study Report)

(TO BE FILED BY THE EXTENSION

DATE: JUNE 22, 2020)



Monterey County Planning Commission

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Agenda Item No. 2

Legistar File Number: PC 20-019

April 8, 2020

Introduced: 3/13/2020

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLN190008 - ABUNDANT INVESTMENTS

Public hearing to consider allowing a commercial cannabis retailer and delivery within an existing commercial building in a Light Commercial (LC) Zoning District.

Project Location: 1031 N. El Camino Real, Salinas Unincorporated, North County Area Plan (APN:133-023-042-000)

Proposed CEQA action: Categorically Exempt per Section 15303 of the CEQA Guidelines

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution to:

- a. Find that the project is the conversion of an existing small structure from one use to another, which qualifies for a Class 3 Categorical Exemption per Section 15303 of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and
- b. Approve an Amendment to the General Development Plan and Administrative Permit to allow a commercial cannabis retailer including delivery within an existing commercial building in addition to allowing the auto repair facility/tire shop to remain.

The attached draft resolution includes findings and evidence for consideration (**Exhibit C**). Staff recommends approval subject to 11 conditions of approval including 6 conditions with mandatory requirements per the Monterey County Code.

PROJECT INFORMATION:

Agent: Robert Dee

Property Owner: Abundant Investments

Applicant/Lessee: Monterey Retail Solutions

APN: 133-023-042-000

Parcel Size: 1.79 acres

Zoning: Light Commercial or "LC"

Plan Area: North County Area Plan

Flagged and Staked: No

SUMMARY:

The applicant has requested an amendment to the General Development Plan (GDP) and Administrative Permit to allow a commercial cannabis retailer within an existing 1,413-square foot commercial tenant space, formally occupied by Tuff Shed Storage, located at 1031 N. El Camino Real (approximately 150 feet west of Hwy 101). Tuff Shed Storage no longer occupies the retail space and the space is currently vacant (1,413 sq. ft). Robert Dee, owner of the property, is proposing to lease the property to Monterey Retail Solutions who is proposing a cannabis retail facility and delivery under the business name of Weden. The existing GDP (Resolution No. 04026) allows for

a used car sales lot. Since this lot in excess of 1 acre and the project includes more than one use, an amendment to the GDP is required. As revised, the GDP will delete the used car sales lot as a use allowed on the property and add an automotive shop (existing on the lower level of the building on the property), and a cannabis retailer use on the property.

The proposed site is located entirely within an area that is planned to be part of a Caltrans Highway 156 widening project, meaning that at some time in the future, the site may be acquired for road widening purposes and the structures will be removed. County staff has since reached out to Caltrans and was informed that Caltrans has a phased plan for improvements to the Highway 101 and 156 corridor and there is no current timeframe for the phase of improvements affecting this location. Caltrans had no comment regarding the proposal for the dispensary at the site. The owner was made aware of this expansion at the initial Development Review Committee meeting on January 29, 2019. Although the owner/applicant is aware of the potential risk, they wish to pursue the entitlement process and move forward with this application. The applicant/owner has been encouraged to contact Caltrans directly for updates on the interchange improvements.

Staff has reviewed the plans and information submitted with the application (**Exhibit C**) and has determined that the project complies with the adopted regulations contained in Chapter 21.67 of the Zoning ordinance regulating commercial cannabis uses, but also identified concerns with respect to neighborhood compatibility. The property is zoned Light Commercial which is a zone that permits commercial cannabis dispensaries and no other commercial cannabis uses exist with 1,500 feet of the site. However, the proposed dispensary is located in an area surrounded with light commercial structures and residential neighborhoods. The North Monterey County Unified School District has identified concerns with, safety, loitering and school bus stops near the proposed dispensary location. The LUAC and surrounding neighbors have concerns about traffic, the overall number of dispensaries in North County, and requested that tax dollars from North County dispensaries be earmarked for funding projects in North County. Additional discussion about concerns of the neighbors is provided in **Exhibit B**.

Staff has reviewed the concerns and found that the project is consistent with land use and zoning regulations because the proposed dispensary is located in a light commercial zoning district which permits dispensary uses and because plans and information have been submitted that satisfy regulatory requirements for cannabis permitting. This permit is subject to discretionary review and consideration of compatibility with the surrounding neighborhood. The lot is on the Highway 101 South and Prunedale South Road intersection. Other light commercial lands and uses exist south of the site along the 101 corridor with low density residential uses adjacent to and west of the site. Access to the site would be via a right turn from Highway 101 south and via the Highway 156 and Highway 101 interchange to Prunedale South Road for north bound traffic on 101.

The project was reviewed by the County of Monterey Public Health for considerations to potential public health concerns and risks for the retail operations. Based on the Risk Management Matrix, (**Exhibit E**), the retail permit for a cannabis retail facility at this site would result in a public health risk assessment score of six (6), which falls into the range of a moderate risk for increased public health impacts due to potential exposures and/or increased use by at risk groups due to normalization of cannabis. Based on this score, and thus the potential for health risk, Monterey County Health

Department does not support the issuance of a retail permit for this facility at this time.

DISCUSSION:

A more detailed discussion is provided in Exhibit B.

CEQA:

Section 15303 of the California Environmental Quality Act exempts the conversion of small structures, from one use to another, where only minor modifications are made to the exterior. The bulk of the proposed modifications will take place within the interior of the structure for the retailer. Minor modifications to the exterior will occur to allow for implementation of the proposed security measures and signage. Approval of the permit would not result in an increase to the existing square footage of the building. Therefore, the project meets the exemption for requiring environmental review, and there are no exceptions which would apply under Section 15300.2.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:


- County of Monterey Health Department
- Monterey County Environmental Health Bureau
- Monterey County Waste Management
- North County Fire Protection District
- North County Land Use Advisory Committee

North County Land Use Advisory Committee:

The proposed project was reviewed by the North County Land Use Advisory Committee (LUAC) on September 18, 2019. The LUAC recommended approval with a vote of 5-3 (Exhibit D). The votes against the project were based on traffic and safety concerns. Further recommendation noted in the minutes are to limit the number of dispensaries, traffic, nearby school bus stops, and to allocate tax dollars from North County dispensaries to remain in North County.

FINANCING:

Funding for staff time associated with this project is included in the FY20-21 Adopted Budgets for RMA-Planning.

- Prepared by: Son Pham-Gallardo, Associate Planner, x5226
Reviewed by: Craig Spencer, RMA Planning Services Manager
Approved by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and Development Services 

The following attachments are on file with the RMA:

- Exhibit A - Vicinity Map
- Exhibit B - Discussion
- Exhibit C - Draft Resolution, including:
 - Conditions of approval
 - Project Plans
- Exhibit D - North County LUAC Minutes

- Exhibit E - Letter from Health Department
- Exhibit F - Caltrans Highway 156 Expansion Map
- Exhibit G - Letter from North Monterey Co. Unified School District (NMCSD)
- Exhibit H - Response Letter from Owner to Health Dept. & NMCSD
- Exhibit I - General Development Plan
- Exhibit J - General Development Plan (PLN030439)
- Exhibit K - Operational Plan
- Exhibit L - Signage

cc: Front Counter Copy; Planning Commission, Craig Spencer, RMA Services Manager; Son Pham-Gallardo, Project Planner; North County Land Use Advisory Committee, Abundant Investments PLN190008 Owner, Monterey Retail Solutions, Applicant County of Monterey Health Department, Monterey County Environmental Health Bureau, Monterey County Waste Management, North County Fire Protection District, Project File PLN190008.

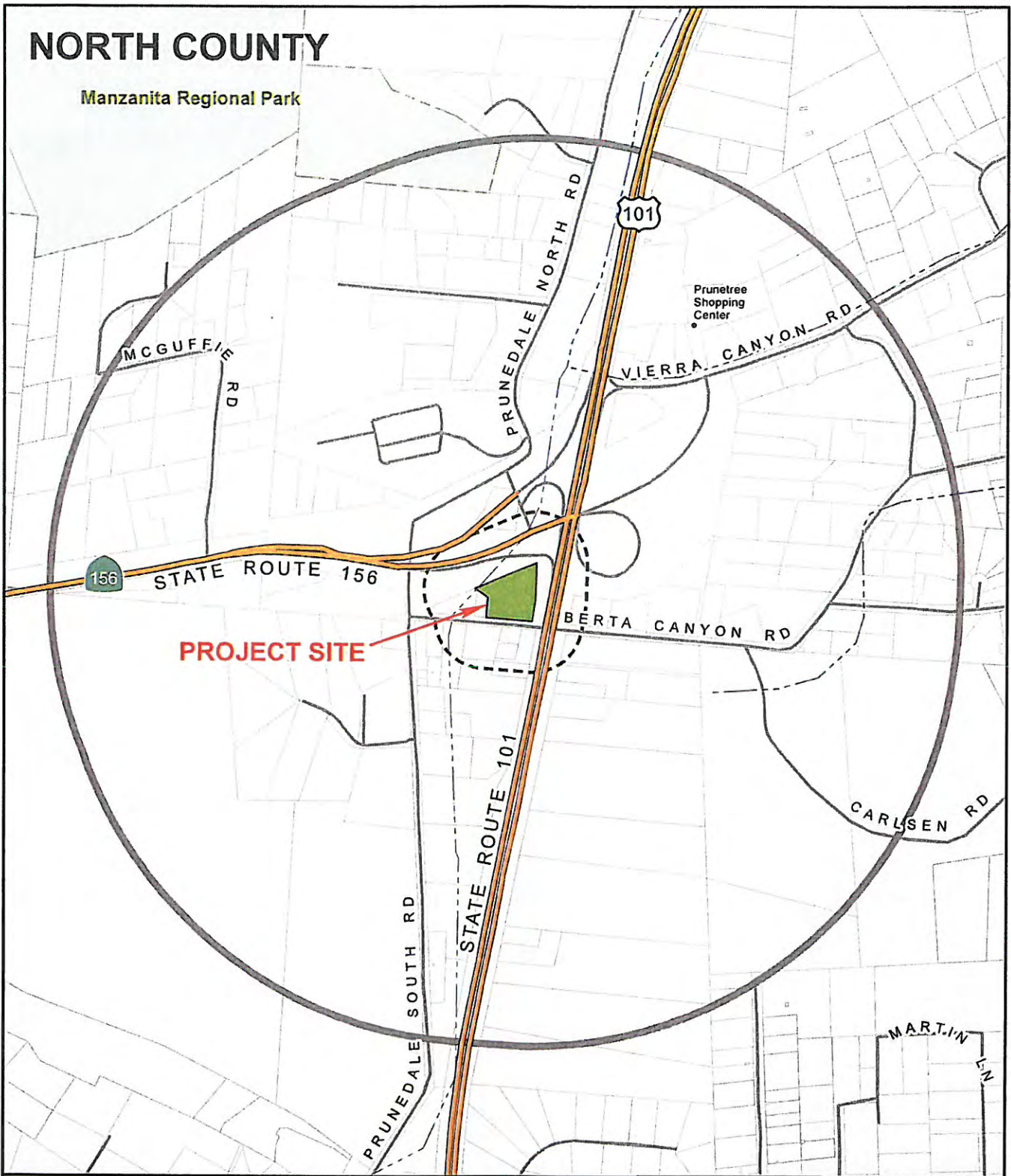
Exhibit A

Exhibit A

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NORTH COUNTY

Manzanita Regional Park

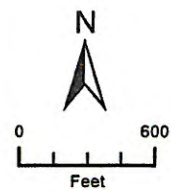


APPLICANT: ABUNDANT INVESTMENTS LLC

APN: 133-023-042-000

FILE # PLN190008

 Project Site  2500' Buffer  300' Buffer



PLANNER: PHAM-GALLARDO

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Exhibit B

1. The following information is provided for the year ended 31/12/2017:

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EXHIBIT B
PROJECT DISCUSSION
PLN190008 (Abundant Investments)

Description

Robert Dee, owner of Abundant Investments of 1031 N. El Camino Real proposes to lease a tenant space on the property to Monterey Retail Solutions, who would operate a cannabis retail facility and delivery under the business name of Weden. The business proposed is in a vacant, retail space (1,413 sq. ft) at the intersection of Highway 101 South and Prunedale South Road.

The proposed site is located entirely within the future Caltrans Highway 156 widening project (Exhibit F). The owner was made aware of this expansion at the initial Development Review Committee meeting on January 29, 2019. Although the owner/applicant is aware of the potential risk, they wish to pursue with the entitlement process and move forward with this application. County staff has since reached out to Caltrans and was informed that Caltrans has a phased plan for improvements to the Highway 101 and 156 corridor and there is no current timeframe for the phase of improvements affecting this location. Caltrans had no comment regarding the proposal for the dispensary at the site. The applicant/owner has been encouraged to contact Caltrans directly for updates on the interchange improvements.

The site is zoned Light Commercial or "LC" and development of the site is governed by the North County Area Plan, which classifies the land use designation of the property as Commercial. The applicant is applying for an Amendment to the General Development Plan (GDP) and Administrative Permit which would allow for the commercial cannabis retailer. The retailer would occupy a 1,413 square foot vacant building. There is an existing automotive shop that will continue to operate on the lower level of the property. Minor modifications are proposed to the exterior of the building including re-striping the parking lot, signage, and implementation of the proposed security measures. No other features of the building will be altered. The applicant is proposing to re-strip the parking lot yielding 34 parking spaces, which would satisfy the parking requirement of 1 parking space/250 square feet of retail space.

The proposed retailer would provide medical and adult-use commercial cannabis including delivery service from 8:00am to 8:00pm daily. Services would be provided to adults without medical authorization 21-years of age and older and to established qualified patients and primary caregiver members 18 years of age and older. The activities would occur within an existing commercial building that will be improved to meet current building code standards.

Administrative Permit Standards

Cannabis retailers are listed as a "Use Allowed with an Administrative Permit in each case" in the Light Commercial (LC) Zoning District. Standards for cannabis retailer permits are contained in Section 21.67.040 of the Inland Zoning Ordinance (Title 21). Minimum standards include:

1. Location in a commercial zoning district;
2. Location more than 600 feet from a school providing instruction in kindergarten or any grades 1 through 12, a child care center, youth center, a playground, or drug recovery facility that is in existence at the time of approval of permits by the Appropriate Authority;
3. Location more than 1,500 feet from another retailer (with exceptions);

4. Appropriate record keeping policies and consent for inspections;
5. Appropriate security measures;
6. Appropriate delivery procedures;
7. Appropriate supply chain to include permitted and licensed facilities only;
8. Appropriate packaging and labeling of products;
9. Tracking and reporting of inventory discrepancies, theft, loss or other breach of security;
10. Restriction on possession or sale of any other form of illegal drugs.

Regulatory Analysis

The applicant has submitted a Operations Plan and Procedures Manual that describes how operations will comply with the relevant standards (**Exhibit C**). The operations plan includes the hours of operation, number of employees, security protocols, customer age verifications, loitering restrictions, product safety, packaging, supply chain information, record keeping policies including track and trace system, quality control, waste disposal information, and other operational standards addressing fire, health, and safety requirements.

Staff has reviewed the plans and information submitted with the application and determined that the plans address the minimum standards contained in Section 21.67.040. Standards considered in review of the application include:

Product Tracking and Record Keeping: Monterey Retail Solutions shall maintain accurate written records of every sale made to verified patients and customers in both the storefront and via its delivery service. Monterey Retail Solutions will be required to implement the seed-to-sale tracking. Upon permit issuance, Monterey Retail Solutions Dispensary will implement Track & Trace in compliance with all local and state laws regulations. All cannabis goods received, sold, or discarded will be reported in the Track & Trace system, without exception.

Security: The applicant has submitted a detailed Security Plan. Security systems and procedures have been reviewed by RMA-Planning and appropriate measures and systems are proposed to meet local and State security requirements. The premises are accessible by a front standard access door. Delivery will also take place from the front entrance. All cannabis goods will be separated as medical or adult-use and stored within safes contained in locked storage rooms. All transactions will be recorded by video surveillance and records in the form of shipping manifests, chain of custody, and Track & Trace. Monterey Retail Solutions Dispensary will have an on-site security guard (24/7), all personnel will be trained in security procedures by a security professional. A surveillance scheme covering the entirety of the interior space and the exterior space will be in place in accordance with all state regulatory requirements. The video will continuously monitor the premises and will notify Monterey Retail Solutions Dispensary of any failure in operation security.

Nuisances: Odor control would include carbon filters in the HVAC system. Cannabis related waste will be placed into a 1 yard locking trash bin supplied by Waste Management, accessible only by staff, the local agency, and an authorized cannabis waste hauler. Detailed records of waste will be maintained.

Delivery: Monterey Retail Solutions employees will only deliver cannabis and cannabis products to prequalified patients or adult-use customers with verified home addresses. Delivery hours are same as business hours from 8:00 am to 8:00 pm daily. Vehicles used to deliver products and drivers of those vehicles are required to comply with State and local requirements including maintaining appropriate records during transport.

Setback: The proposed site meets the 1,500 feet setback from another cannabis retailer. The closest cannabis retailer (Pacheco/PLN170478) is approximately 9,500 feet located on Reese Circle, Salinas. Another retailer has been approved on San Miguel Canyon Road north of the site. Additionally, an application for a second dispensary adjacent to the approved dispensary on Reese Circle has been deemed complete and will be considered by the Planning Commission in the near future. The nearest school is Prunedale Elementary School, which is approximately 2.5 miles away. The nearest day care is Garzas Quality Day Care which is approximately 5 miles and Door to Hope drug recovery center is 8.5 miles away.

Public Concerns

On September 18, 2019, the project was considered by the North County Land Use Advisory Committee (LUAC). (**Exhibit D**). Additionally, a letter dated February 28, 2020 was submitted by Rick Diaz with the North Monterey County School District. (**Exhibit G**). Concerns raised during review include:

- A neighbor to the dispensary was concerned that the dispensary would cause traffic impacts and increase accidents;
- A representative from the North Monterey County School District stated that there is a school bus stop just south of the proposed dispensary and requested more information about controls and restrictions on youth access;
- The LUAC suggested limiting the numbers of dispensaries in North County; and
- The LUAC requested that taxes collected from dispensaries to North County be allocated to projects in North County

Traffic

According to RMA-Public Works, a traffic report was not required for this project, in accordance with the County's Guide for the Preparation of Traffic Impact Studies. The following aspects were considered prior to not requiring a study:

- Project Trip Generation
- Volume & Speed on the road where project access is taken
- Collision History
- Sight Distance Concern

The property has been used for commercial purposes and the proposal will not substantially change the use; thus the project will not change traffic trip generation since there is no change in the land use. According to the County's traffic count data, traffic volumes on Prunedale South Road have remained the same, or even decreased, since 2016. In addition, there are no reported collisions related to existing driveways along the site frontage.

Per Caltrans' recommendation to discourage vehicles returning onto Hwy 101, the owner/applicant has been conditioned (**Condition No. 11**) to construct a raised median island at the eastern driveway intersection with Prunedale South Road to allow only right turn in/out of the property. With this minor improvement to the parking area, traffic impacts and hazards are not anticipated.

During a LUAC meeting, concerns were voiced that traffic would be diverted to Blackie Road as alternative route to reach the City of Monterey. Upon review of Prunedale South Road, Blackie Road, and Hwy 101, these areas are at acceptable Level of Service (LOS). Even if traffic used Blackie Road, this would not degrade roadways to unacceptable levels of service.

Bus Stop

A letter dated February 28, 2020 was received from North Monterey County Unified School District. The main concern is regarding the bus stop located near the proposed dispensary posing a potential safety risk to minors. Staff reached out to the school district and described the requirement for the owner to obtain security service/personnel that will be on-site 24/7 to deter minors from entering the dispensary and prevent loitering around the vicinity of the proposed dispensary. Furthermore, signage will be placed on the exterior of the building prohibiting loitering and cannabis use.

Proximity to youth

The project was reviewed by the County of Monterey Public Health Department for considerations of potential public health concerns and risks for the retail operations. Public Health developed a matrix to help assess the health impact to the public. Based on the Risk Management Matrix, (Exhibit E), the retail permit for a cannabis retail facility at this site would result in a public health risk assessment score of six (6), which falls into the range of a moderate risk for increased public health impacts due to potential exposures and/or increased use by at risk groups due to normalization of cannabis. Based on this score, and thus the potential for health risk, Monterey County Health Department does not support the issuance of a retail permit for this facility at this time.

Despite the concerns by the Monterey County Health Department, staff found that the project is consistent with land use and zoning regulations because the proposed dispensary is located in a light commercial zoning district which permits dispensary uses and because plans and information have been submitted that satisfy regulatory requirements for cannabis permitting. The dispensary is not located within 600 feet of a school, playground, or youth center and is not within 1,500 feet of another dispensary.

Tax

The Monterey County Cannabis business tax was adopted as a general tax. The tax money collected from cannabis businesses benefits the Monterey County General Fund. General Fund monies are budgeted by the Board of Supervisors each year. Through the budget process, funds are allocated for a variety of public projects and services County-wide.

Density of Dispensaries in North County

The North County area (both coastal and non-coastal areas) has been the area in which the majority of cannabis retailers are located. The following cannabis retailers have been permitted or are being considered for permitting in the North County area:

- 2329 San Miguel Canyon Road
- 10041 Reese Circle (under review)
- 10031 Reese Circle
- 8022 Moss Landing Road
- 303 San Juan Grade Road (under review)
- 19 San Juan Road, Pajaro
- 10665 Merritt Street, Castroville
- 53 Porter Drive (under review)
- 10501 Merritt Street, Castroville (under review)

Conversely, 7 applications have been submitted for dispensary uses outside the North County area. Two have been approved (in Carmel), one application was denied (in Toro area), and the others are under review. Primary reasons for discrepancies in retailer applications include availability of qualifying commercial space in the County and population centers, or lack thereof, who are served by the retailer uses.

The adopted policies for consideration of dispensaries in unincorporated areas include a specific setback distance between retailers and review of the recommendations from the Public Health Department.

Conclusion

The subject Amendment to the General Development Plan and Administrative Permit would authorize a commercial and medical cannabis retailer use and delivery at the site. The GDP and Administrative Permit runs with the land and not the business or property owner. Pursuant to Monterey County Code (MCC) Chapter 7.90, prior to beginning operation, the business operator would need to obtain a Commercial Cannabis Permit and a Business License from the County. After that, they would be required to obtain all applicable State Licenses. Condition of Approval No. 6 requires that appropriate licenses are obtained and maintained.

A draft resolution with findings and evidence for approval are provided (**Exhibit C**). As outlined below, the project has been found consistent with the requirements of Chapter 21.67 (Commercial) of Title 21.

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Exhibit C

Exhibit C

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**EXHIBIT C
DRAFT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:
ABUNDANT INVESTMENTS LLC (PLN190008)

RESOLUTION NO. —

Resolution by the Monterey County Hearing Body:

- 1) Finding the project is the conversion from one use to another, which qualifies for a Class 3 Categorical Exemption per Section 15303 of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and
- 2) Approving an Amendment to the General Development Plan and Administrative Permit to allow commercial cannabis retailer including delivery and automotive repair.

[PLN190008, Abundant Investments LLC, 1031 N. El Camino Real, North County Area Plan (APN: 133-023-042-000)]

The Abundant Investments LLC application (PLN190008) came on for public hearing before the Monterey County Planning Commission on April 8, 2020. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE:
 - a) An application for a Use Permit to allow a cannabis dispensary and delivery at 1031 N. El Camino Real, Salinas was filed on August 2, 2019 and was deemed complete on November 12, 2019.
 - b) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 2010 Monterey County General Plan;
 - North County Area Plan;
 - Monterey County Zoning Ordinance (Title 21);Communications were received during the course of review of the project indicating that site is planned to be acquired for roadway improvements in the future (by Caltrans), that a school bus stop exists in close proximity to the site, and concerns were raised with respect to traffic. These concerns have been considered and the project has been

- found consistent with the above referenced plans and policies as more fully described in the Findings and Evidence that follow.
- c) The property is located at 1031 N. El Camino Real (APN: 133-023-042-000), North County Area Plan and is zoned Light Commercial (LC). The site is 1.79 acres in size and will contain more than one use (auto repair and cannabis retailer), therefore a General Development Plan is required pursuant to Section 21.18.030 of the Inland Zoning Ordinance, Title 21. A General Development Plan was approved for the property by the Planning Commission on July 2, 2004 (Resolution No. 04026) which allowed a used car sales lot with 72 outside display parking spaces on the property. An auto repair facility/tire shop associated with the used car sales lot began operating on the site and continues to operate as of the granting of this permit. This permit would amend the previously approved General Development Plan to remove the used car sales and allow an auto repair facility/tire shop and a cannabis retailer use on the property. The parcel is zoned Light Commercial, which allows cannabis retailers and deliveries subject to the requirements of Chapter 21.67 of the Monterey County Code. Therefore, the project is an allowed land use for this site.
 - d) The proposed site is located entirely within an area that is planned to be part of a Caltrans Highway 156 widening project, meaning that at some time in the future, the site may be acquired for road widening purposes and the structures will be removed. County staff has since reached out to Caltrans and was informed that Caltrans has a phased plan for improvements to the Highway 101 and 156 corridor and there is no current timeframe for the phase of improvements affecting this location. Caltrans had no comment regarding the proposal for the dispensary at the site. The owner was made aware of this expansion at the initial Development Review Committee meeting on January 29, 2019. Although the owner/applicant is aware of the potential risk, they wish to pursue the entitlement process and move forward with this application.
 - e) There will be only minor changes to the exterior of the existing commercial building. Minor modifications are proposed to the exterior of the building including re-striping the parking lot, signage, and implementation of the proposed security measures. No other features of the building will be altered. The applicant is proposing to re-strip the parking lot yielding 34 parking spaces, which would satisfy the parking requirement of 6 spaces per Section 21.58.040 of the Monterey County Code (General Retail-1 space/250 sq. ft). The proposed signage must be less than 50 square feet, consistent with the allowable sign area in a commercial zoning district according to Section 21.60.090 of the Zoning Ordinance.
 - f) There are no cannabis retailers within 1,500 feet of the site; and therefore, the retailer would comply with the required 1,500 foot setback from another retailer. The closest cannabis retailer (Pacheco/PLN170478) is approximately 9,500 feet located on Reese Circle, Salinas. Furthermore, it meets the 600 foot radius setback from any school providing instruction in kindergarten or any grades 1 through 12, a child care center, youth center, a playground, or drug

recovery facility that is in existence at the time of approval of permits. The nearest school is Prunedale Elementary School, which is approximately 2.5 miles away. The nearest day care is Garzas Quality Day Care which is approximately 5 miles and Door to Hope drug recovery center is 8.5 miles away.

- g) An Operations Plan, which includes a Business Plan and Security Plan, has been submitted for the proposed cannabis retailer use that addresses the minimum regulations contained in Section 21.67.040.B of the Zoning Ordinance Title 21. The Operation Plan proposes the hours of operation, number of employees, security protocols, customer age verifications, loitering restrictions, product safety, packaging, supply chain information, record keeping policies including track and trace system, quality control, salvage program and other site information addressing operational standards including fire, health, and safety
- h) Accurate written records of every sale made to verified patients and customers in both the storefront and via its delivery service will be maintained according to the Operations Plan. A seed-to-sale tracking system is required and will be implemented. Upon permit issuance, Monterey Retail Solutions Dispensary will implement Track & Trace in compliance with all local and state laws regulations. All cannabis goods received, sold, or discarded will be reported in the Track & Trace system, without exception. A mandatory condition is included that requires the dispensary to allow access to Monterey County officials for inspection of the records (Condition 5).
- i) Security: The Operation Plan and Security Plan provide a detailed description of security measures to be implemented on-site. The proposed security measures have been reviewed by the RMA and include on-site security guards, 24-hour security cameras, limited access areas, alarm system, secured storage of cannabis products and cash or currency.
- j) Delivery Services: The Operation Plan states delivery will occur between business hours daily from 8:00 am to 8:00 pm. This Amendment to the General Development Plan (GDP) and Administrative Permit allows daily delivery of both personal and medical cannabis up to the ordinance limits in exception 21.67.090 (C).
- k) Supply Chain: The Operation Plan states that the retailer will purchase and make available cannabis and cannabis products that are cultivated, manufactured, transported, distributed, and tested by licensed and permitted facilities that maintain operations in full compliance with state and local regulations.
- l) Packaging and Labeling: The Operation Plan states Abundant Investments LLC and Monterey Retail Solutions would adhere to packaging and labeling requirements of the state.
- m) Business License: Any retailer business operating at the site will be required to obtain a Business Permit pursuant to Chapter 7.90 of the Monterey County Code, a Business License pursuant to Chapter 7.02 of the Monterey County Code, and retailer license(s) from the State. These other licenses and entitlements will ensure ongoing monitoring

of compliance with the plans and operational requirements. Failure to obtain and maintain all required permits, licenses, and entitlements may be ground for revocation of this permit.

- n) Traffic: The property has been used for commercial purposes and the proposal will not substantially change the use; thus the project will not change traffic trip generation since there is no change in the land use. According to the County’s traffic count data, traffic volumes on Prunedale South Road have remained the same, or even decreased, since 2016. In addition, there are no reported collisions related to existing driveways along the site frontage.

Per Caltrans’ recommendation to discourage vehicles returning onto Hwy 101, the owner/applicant has been conditioned (**Condition No. 11**) to construct a raised median island at the eastern driveway intersection with Prunedale South Road to allow only right turn in/out of the property. With this minor improvement to the parking area, traffic impacts and hazards are not anticipated.

- o) Bus stop: A letter dated February 28, 2020 was received from North Monterey County Unified School District. The main concern is regarding the bus stop located near the proposed dispensary posing a potential safety risk to minors. Staff reached out to the school district and described the requirement for the owner to obtain security service/personnel that will be on-site 24/7 to deter minors from entering the dispensary and prevent loitering around the vicinity of the proposed dispensary. Furthermore, signage will be placed on the exterior of the building prohibiting loitering and cannabis use.
- p) Despite the concerns regarding traffic, bus stop and safety. The project is consistent with land use and zoning regulations because the proposed dispensary is located in a light commercial zoning district which permits dispensary uses and because plans and information have been submitted that satisfy regulatory requirements for cannabis permitting.
- q) The proposed project was reviewed by the North County Land Use Advisory Committee (LUAC) on September 18, 2019. The LUAC recommended approval with a vote of 5-3. The LUAC noted in the minutes a desire to limit the number of dispensaries in North County and to allocate tax dollars from North County dispensaries to remain in North County. The Monterey County Cannabis business tax was adopted as a general tax. The tax money collected from cannabis businesses benefits the Monterey County General Fund. General Fund monies are budgeted by the Board of Supervisors each year. Through the budget process, funds are allocated for a variety of public projects and services County-wide.
- r) The adopted policies for consideration of dispensaries in unincorporated areas include a specific setback distance between retailers and review of the recommendations from the Public Health Department. The project was reviewed by the County of Monterey Public Health for considerations to potential public health concerns and risks for the retail operations. Based on the Risk Management Matrix, the retail permit for a cannabis retail facility at this site would

result in a public health risk assessment score of six (6), which falls into the range of a moderate risk for increased public health impacts due to potential exposures and/or increased use by at risk groups due to normalization of cannabis.

- s) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed project found in Project File PLN190008.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, County of Monterey Health Department, Environmental Health Bureau, RMA- Public Works, Environmental Services, and North County Fire Protection District. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) To address odors, the applicant proposes to install carbon filters in the HVAC system. These filters are certified with a 1500 Microparticle Performance Rating and designed to capture microscopic particulate. Cannabis related waste will be placed into a 1-yard locking trash bin supplied by Waste Management, accessible only by staff, the local agency, and an authorized cannabis waste hauler. Detailed records of waste will be maintained.
 - c) The proposed location is an existing vacant warehouse and retail tenant space in a neighborhood of mixed light industrial, commercial, and rural residential uses. The proposed retailer and delivery use would be consistent with other light commercial uses in the vicinity. Site improvements including parking re-striping to meet Parking Chapter 21.58 minimum parking requirements for the use, and other improvements for the existing commercial building are proposed.
 - d) Operational plans including security, tracking, reporting, and other relevant information are proposed to address regulatory requirements and minimize impacts at the site and in the surrounding areas (See also Finding 1 with relevant evidences)
 - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN190008.

3. **FINDING:** **HEALTH AND SAFETY** – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the RMA- Planning, County of Monterey Health Department, Environmental Health Bureau, RMA- Public Works, Environmental Services and North County Fire Protection District. The respective agencies have recommended

conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

- b) Necessary septic and well water are available or will be provided. The Monterey County Health Department inspected the well serving the property on August 28, 2019 and confirmed adequate water is available for the proposed use. Analytic testing confirmed the quality of that well water within acceptable levels. An estimate of waste water demand was performed on July 17, 2019, and a septic performance evaluation confirmed the condition of the existing septic tank and drainage system is acceptable.
- c) Operational plans including security, tracking, reporting, and other relevant information are proposed to address regulatory requirements and minimize impacts at the site and in the surrounding areas (See also Finding 1 with relevant evidences).
- d) Any retailer operating at the site will be required to obtain a Business Permit pursuant to Chapter 7.90 of the Monterey County Code, a Business License pursuant to Chapter 7.02 of the Monterey County Code, and a retailer license from the State. These other licenses and entitlements will ensure ongoing monitoring of compliance with the plans and operational requirements.
- e) The Environmental Health Bureau will require that the facilities be designed to meet or exceed the requirements of the California Health and Safety Code, Division 104, Part 7, California Retail Food Code and the Agricultural Commissioner’s Office will inspect packaging, labeling, and weighing devices used on-site.
- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN190008.

4. **FINDING:** **NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses.

EVIDENCE: a) Staff reviewed Monterey County RMA - Planning and Building Services Department records and determined that no outstanding violations exist on the property.

5. **FINDING:** **STATE AND COUNTY REQUIREMENTS** – The retailer, as proposed, has demonstrated that it can and will comply with all of the requirements of the State and County to operate a retailer use.

EVIDENCE a) Operational plans including security measures, track and trace programs, monitoring and reporting requirements, packaging and labeling standards, and other relevant information are proposed to address regulatory requirements contained in Section 21.67.040 of the Inland Zoning Ordinance Title 21 (See also Finding 1 with relevant evidences).

b) Any retailer operating at the site will be required to obtain a Business Permit pursuant to Chapter 7.90 of the Monterey County Code, a Business License pursuant to Chapter 7.02 of the Monterey County Code, and a retailer license from the State. These other licenses and entitlements will ensure ongoing monitoring of compliance with the

plans and operational requirements on the local and State level. Failure to obtain and maintain all required permits, licenses, and entitlements may be ground for revocation of this permit.

6. **FINDING:** **REQUIRED SET BACKS** – The retailer will not be located within 600 foot radius setback from any school providing instruction in kindergarten or any grades 1 through 12, a child care center, youth center, a playground, or drug recovery facility that is in existence at the time of approval of permits, or within one thousand five hundred feet of another retailer.

- EVIDENCE:**
- a) The retailer will be located at 1031 N. El Camino Real, unincorporated Salinas (Assessor’s Parcel Number: APN: 133-023-042-000).
 - b) Prunedale Elementary School is the nearest school. The school boundary is more than 2.5 miles from the proposed retailer.
 - c) The nearest day care, Garzas Quality Day Care, is more than 5 miles from the proposed retailer.
 - d) The nearest drug recovery facility, Door to Hope Addiction Services, is 8.5 miles from the proposed retailer.
 - e) No other retailer is located within 1,500 feet from the proposed retailer. The closest cannabis retailer (Pacheco/PLN170478) is approximately 9,500 feet located on Reese Circle, Salinas.

7. **FINDING:** **LESS THAN SIGNIFICANT IMPACTS** – The retailer, as approved and conditioned, will not result in significant unavoidable impacts on the environment.

- EVIDENCE:**
- a) The project would allow a commercial cannabis retailer and delivery within an existing commercial building in a Light Commercial zoning district. The limited physical improvements would include interior tenant and site improvements such as parking lot re-striping, and a new exterior sign and paint.
 - b) As proposed and conditioned, the project can be categorically exempt from the California Environmental Quality Act (See Finding 10).

8. **FINDING:** **MINIMIZE NUISANCES** - The operations plan includes adequate measures that minimize, to the extent feasible, nuisances to the immediate neighborhood and community including minimizing the detection of odor from off-site, minimizing the effects of loitering, providing adequate security measures, and not exceeding the Use Permit’s limits on hours of operation.

- EVIDENCE:**
- a) Plans and materials contained in the file (PLN190008) include measures to minimize nuisances within the area. A 24-hour contact will be available to address issues and concerns that may arise as a result of the operation.
 - b) Odor control would include carbon filters in the HVAC system.
 - c) Security measures and protocols are proposed that would minimize risk of theft, diversion, youth access, and loitering.
 - d) Procedures are proposed to ensure customers are of a legal age to purchase cannabis and cannabis products.

- e) The proposed retailer would be open seven days a week. Hours of operation and deliveries would be from 8:00 A.M. to 8:00 P.M.
- f) Ongoing monitoring and inspection for compliance with the plans and regulations will be required.

9. **FINDING:**

FEDERAL COMPLIANCE – The retailer will provide adequate measures that address the federal enforcement priorities for cannabis activities including providing for restriction on drugged driving, restricting access to minors, prohibiting use or possession of firearms for security purposes at the premises, and ensuring that cannabis and cannabis products are supplied from permitted and licensed sources.

EVIDENCE:

- a) Plans and materials contained in file PLN190008 include measures to ensure that cannabis and cannabis products are obtained from the regulated cannabis market in California. Track and Trace measures are proposed and required to ensure all products purchased, provided to, and sold at the retailer come from other permitted sources. The applicant proposes to verify the identity, age, and any other relevant information of all customers and visitors to the retailer and to limit access of products to minors through that process. On-site security is prohibited from carrying lethal weapons and the retailer is not permitted to possess, manufacture, or distribute any other controlled.
- b) Background checks of business owner(s) with 20 percent or more interest in the cannabis businesses will be conducted. Any known association with organized crime may be grounds for denial of business permits and State licenses required to operate the retailer.
- c) Any cannabis retailer and delivery business operating at the site will be required to obtain a Business Permit pursuant to Chapter 7.90 of the Monterey County Code, a Business License pursuant to Chapter 7.02 of the Monterey County Code, and a retailer license from the State. These other licenses and entitlements will ensure ongoing monitoring of compliance with the plans and operational requirements on the local and State level.
- d) Violations of Federal Enforcement priorities may be grounds for revocation of this permit.

10. **FINDING:**

CEQA (Exempt) –The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project

EVIDENCE:

- a) California Environmental Quality Act (CEQA) Guidelines Section 15303, categorically exempts the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.
- b) The project entails a change in commercial use in an approximate 1.79 acre parcel within an existing 1,413-square foot commercial building. Improvements are limited to interior tenant improvements and exterior signs, new paint, and parking lot improvements. The use of the property will change from a tuff shed retailer to a cannabis retailer.
- c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project is located within an existing structure that has adequate services available to serve the proposed

use. Other than interior building improvements, and minor lot improvements, and a new sign identifying the business and paint, there are no physical changes proposed that may cause an impact to historic resources or visual resources.

- d) The applicant has proposed appropriate operational plans, which include details to minimize nuisances in the vicinity including odor; and security measures (See the preceding Findings and Evidence).
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN190008.

11. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

- EVIDENCE:**
- a) Section 21.80.040.D of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
 - b) The project is not located in the Coastal Zone.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

1. Find the project is the conversion of an existing small structure from one use to another, which qualifies for a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and
2. Approve an Amendment to the General Development Plan and Administrative Permit to allow commercial cannabis retailer including delivery and automotive repair, subject to the attached conditions all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 8 day of April, 2020 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

John Dugan
Secretary to the Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

- 1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

- 2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.

Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN190008

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Amendment to the General Development Plan and Administrative Permit (PLN190008) allows cannabis retail business including delivery within an existing commercial building. The property is located at 1031 El Camino Real (Assessor's Parcel Number 133-023-042-000), North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"An Amendment to a General Development Plan and Administrative Permit to allow a commercial cannabis retailer including delivery within an existing commercial building (Resolution Number _____) was approved by Planning Commission for Assessor's Parcel Number 133-023-042-000 on April 8, 2020. The permit was granted subject to 11 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

3. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel-Risk Management)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

4. PDSP001-OPERATIONAL COMPLIANCE INSPECTIONS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The owner and permittees shall allow access to the premises and access to records if requested by the County, its officers, or agents, and shall pay for an annual inspection and submit to inspections from the County or its officers to verify compliance with all relevant rules, regulations, and conditions.

Compliance or Monitoring Action to be Performed: Ongoing during cannabis operations. The owner and/or permittee shall allow access to the site if requested by the County and pay any required inspection fees.

5. PDSP002 – INSPECTION OF RECORDS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant, owner, and permittees agree to submit to and pay for, inspection of the operations and relevant records or documents necessary to determine compliance with Chapter 21/20.67 from any enforcement officer of the County or their designee.

Compliance or Monitoring Action to be Performed: On-going during cannabis operations. The owner and/or permittee shall allow access to cannabis business records and pay any required inspection fees.

6. PDSP003 – COMMERCIAL CANNABIS PERMIT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Any person, business, or entity operating a commercial cannabis activity on the property shall obtain a valid and fully executed Commercial Cannabis Business Permit pursuant to Chapter 7.90 of the Monterey County Code prior to commencing commercial cannabis activities at the site and must maintain such permits in good standing in order to continue operations.

Compliance or Monitoring Action to be Performed: Within 90 days of approval of a Use Permit/Coastal Development Permit, the person, business, and/or entities operating commercial cannabis activities shall obtain all required Commercial Cannabis Business Permits.

7. PDSP004 – GROUNDS FOR REVOCATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner shall be responsible for ensuring that all commercial cannabis activities at the site operate in good standing with all permits and licenses required by the Monterey County Code and State law. Failure to take appropriate action to evict or otherwise remove permittees and persons conducting commercial cannabis activities at the site who do not maintain permits and licenses in good standing with the County and State shall be grounds for the suspension or revocation of this permit.

Compliance or Monitoring Action to be Performed: On-going during cannabis operations at the site. The owner shall ensure that all commercial cannabis operations have obtained and maintain all required permits, licenses, and entitlements or take appropriate actions to evict operators who do not maintain appropriate permits, licenses, and entitlements.

8. PDSP005 – COMPLIANCE WITH OPERATIONS PLANS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The commercial cannabis activities shall be maintained in accordance with the operation plans approved by the County.

Compliance or Monitoring Action to be Performed: On-going during cannabis operations. Cannabis activities shall comply with the operations plans attached to this permit and as may be approved under a Commercial Cannabis Business Permit.

9. PDSP006 – ODOR CONTROL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner shall ensure that any cannabis business operating on-site confirms to Section 7.90.100.A.8 of the Monterey Code, as may be amended. Odor prevention devices and techniques, such as ventilation system with a carbon filter, shall be incorporated to ensure that odors from cannabis are not detectable off-site.

Compliance or Monitoring Action to be Performed: Prior to issuance of Commercial Cannabis Business Permits, the owner/applicants shall provide plans and information to the satisfaction of the Chief of Planning, describing how odors will be controlled and how the odor control devices will be maintained.

Odor prevention devices shall be maintained in accordance with approved odor control plans during the life of the operations.

10. PWSP0001 – DRIVEWAY IMPROVEMENTS

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Owner/applicant shall construct frontage improvements along entire frontage of property and a raised median island at driveway to allow only right turns onto Prunedale South Road.

Compliance or Monitoring Action to be Performed: Design and construct frontage improvements, show all proposed improvements on site plan for the intersection of the most easterly property driveway and Prunedale South Road. Improvements are to be completed prior to occupancy or commencement of use. Encroachment permits are required for work done within the county right of way. Applicant is responsible to obtain all permits and environmental clearances.

11. PW0003 - ENCROACHMENT (RASIED MEDIAN ISLAND)

Responsible Department: RMA-Public Works

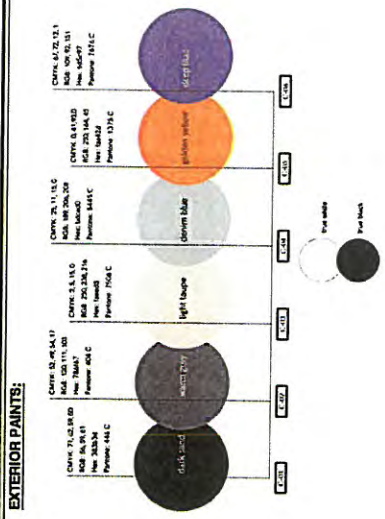
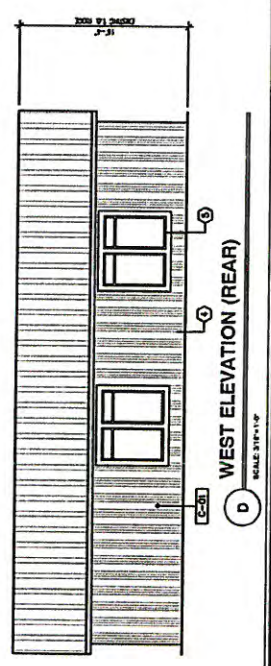
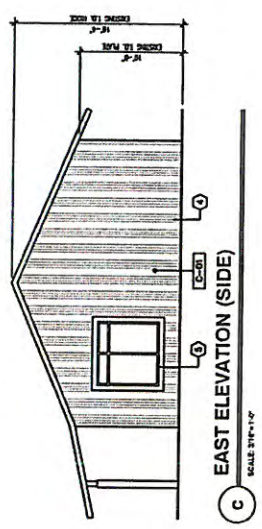
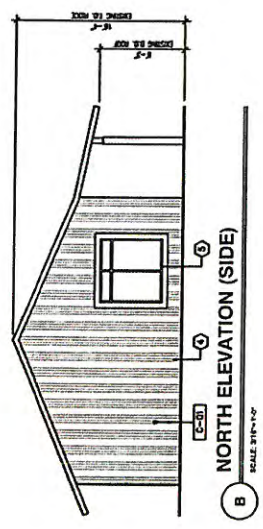
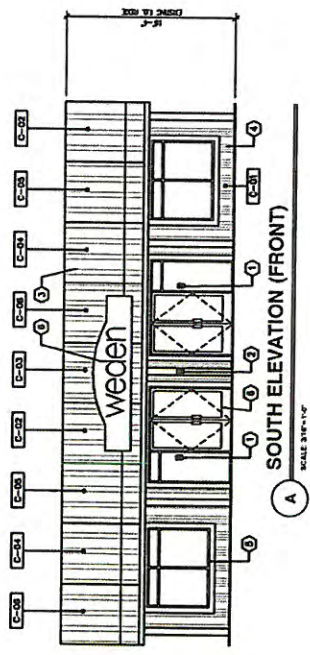
Condition/Mitigation Monitoring Measure: Obtain an encroachment permit from the Department of Public Works and construct a raised median island at the most easterly driveway of project site.

Compliance or Monitoring Action to be Performed: Prior to Building Permit Issuance or occupancy the Owner/Applicant shall obtain an encroachment permit from DPW and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.



NO.	DATE	DESCRIPTION
1	08/20/21	ISSUED FOR PERMITS
2	08/20/21	ISSUED FOR PERMITS
3	08/20/21	ISSUED FOR PERMITS
4	08/20/21	ISSUED FOR PERMITS
5	08/20/21	ISSUED FOR PERMITS
6	08/20/21	ISSUED FOR PERMITS
7	08/20/21	ISSUED FOR PERMITS
8	08/20/21	ISSUED FOR PERMITS
9	08/20/21	ISSUED FOR PERMITS
10	08/20/21	ISSUED FOR PERMITS
11	08/20/21	ISSUED FOR PERMITS
12	08/20/21	ISSUED FOR PERMITS
13	08/20/21	ISSUED FOR PERMITS
14	08/20/21	ISSUED FOR PERMITS
15	08/20/21	ISSUED FOR PERMITS
16	08/20/21	ISSUED FOR PERMITS
17	08/20/21	ISSUED FOR PERMITS
18	08/20/21	ISSUED FOR PERMITS
19	08/20/21	ISSUED FOR PERMITS
20	08/20/21	ISSUED FOR PERMITS

- KEYED NOTES:**
- 1. EXISTING METAL SIDING TO REMAIN (INDICATED IN PLACE)
 - 2. EXISTING WINDOWS TO REMAIN (INDICATED IN PLACE) (ITZ)
 - 3. EXISTING DOORS TO REMAIN (INDICATED IN PLACE) (ITZ)
 - 4. PROPOSED EXTERIOR LETTER SIGNAGE (SEE SIGNAGE BOSS SPECIFICATIONS)
 - 5. EXTERIOR WALL SIDING TO REMAIN (INDICATED IN PLACE)
 - 6. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 7. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 8. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 9. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 10. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 11. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 12. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 13. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 14. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 15. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 16. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 17. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 18. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 19. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)
 - 20. EXTERIOR WALL SIDING TO BE REPLACED (INDICATED IN PLACE)



1 PROPOSED SIGNAGE
 SCALE: 3/8"=1'-0"

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Exhibit D

2014-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000

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MINUTES
North County Land Use Advisory Committee
September 18, 2019



1. Meeting called to order by David Evans at 5:31 pm

2. Roll Call

Members Present:

John Robinett, Sherry Owen, DL Grier, David Evans, Lesley Noble, Emily Tafoya, Michael Mastroianni,
Robert MacDonald (8)

Members Absent:

None (0)

3. Approval of Minutes:

A. May 15, 2019 minutes

Motion: DL Grier (LUAC Member's Name)

Second: Michael Mastroianni (LUAC Member's Name)

Ayes: David Evans, Lesley Noble, Michael Mastroianni, Emily Tafoya, DL Grier (5)

Noes: 0

Absent: Sherry Owen, Robert MacDonald, John Robinett (3)

Abstain: 0

B. July 17, 2019 minutes

Motion: Sherry Owen (LUAC Member's Name)

Second: John Robinett (LUAC Member's Name)

Ayes: Sherry Owen, John Robinett, David Evans, Emily Tafoya, Lesley Noble (5)

Noes: 0

Absent: Robert MacDonald, Michael Mastroianni, DL Grier (3)

Abstain: 0

C. August 21, 2019 minutes

Motion: DL Grier (LUAC Member's Name)

Second: Sherry Owen (LUAC Member's Name)

Ayes: Lesley Noble, David Evans, Michael Mastroianni, DL Grier, Robert Macdonald, Sherry Owen (6)

Noes: 0

Absent: John Robinett, Emily Tafoya (2)

Abstain: 0

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

- The ineffectiveness of the Amended Noise Ordinance was briefly addressed by Lesley Noble;
- The ongoing debacles with PG&E subcontracting the repairs is causing delays and resulting issues that relate to problems that require electricity was addressed by John Robinett.

5. **Scheduled Item(s)**

6. **Other Items:**

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

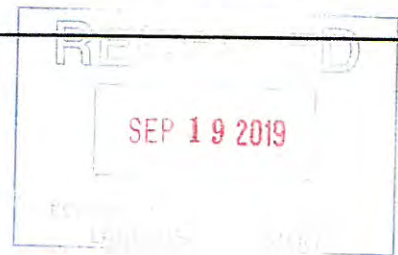
None

B) Announcements

None

7. **Meeting Adjourned:** 6:48 pm

Minutes taken by: Lesley Noble



Action by Land Use Advisory Committee Project Referral Sheet

Monterey County RMA Planning
1441 Schilling Place 2nd Floor
Salinas CA 93901
(831) 755-5025



Advisory Committee: North County

1. **Project Name:** ABUNDANT INVESTMENTS LLC
File Number: PLN190008
Project Location: 1031 N EL CAMINO REAL SALINAS
Assessor's Parcel Number(s): 133-023-042-000
Project Planner: SON PHAM-GALLARDO
Area Plan: NORTH COUNTY AREA PLAN
Project Description: Administrative Permit of a commercial cannabis business. The proposed project would include a Type 10 cannabis retailer (dispensary) within an existing building within the Light Commercial [LC] Zoning District.
Recommendation To: DIRECTOR OF RMA PLANNING

Was the Owner/Applicant/Representative present at meeting? YES X NO

(Please include the names of the those present)

Robert Dee, Kim Cruz, Stephanie Cruz

Was a County Staff/Representative present at meeting? Yasmeen Hussain (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Don & David Adams	X		Traffic Issues & more accidents
Rick Diaz, School District Director of Facilities		X	Concerns regarding School Bus stop. Applicant and Diaz to confer.

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Concerns about the number of dispensaries in North County; and the lack of benefit to North County from the tax revenue generated (John Robinett)		Dispensary tax dollars from North county dispensaries should be allotted, at least in part, to benefit North County.
The number of dispensaries allowed in North County. What is cap? too many now; saturation (Sherry Owen)		Limit the number of dispensaries
Concerns regarding more traffic being diverted to Blackie Road as a way to reach City of Monterey (DL Grier)		Applicant indicated he is/would divert the traffic back to #101 and #156. A right turn only is in the plan.

ADDITIONAL LUAC COMMENTS

None

RECOMMENDATION:

Motion by: Sherry Owen (LUAC Member's Name)

Second by: Lesley Noble (LUAC Member's Name)

Support Project as proposed

Support Project with changes

Continue the Item

Reason for Continuance: _____

Continue to what date: _____

Ayes: Sherry Owen, Lesley Noble, David Evans, Robert MacDonald, John Robinett (5)

Noes: Emily Tafoya, Michael Mastroianni, DL Grier (3)

Absent: 0

Abstain: 0

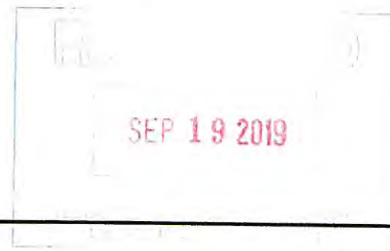


Exhibit E

CONFIDENTIAL - SECURITY INFORMATION

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COUNTY OF MONTEREY HEALTH DEPARTMENT

Elsa Jimenez, Director of Health

Administration
Behavioral Health

Clinic Services
Emergency Medical Services
Environmental Health/Animal Services

Public Health
Public Administrator/Public Guardian

MEMORANDUM

DATE: February 14, 2020

TO: Son Pham-Gallardo, Associate Planner, Monterey County Resource Management Agency

FROM: Krista Hanni, Planning, Evaluation, and Policy Manager

SUBJECT: Comments from MCHD-PEP on Cannabis retail permit application **PLN190008 Abundant Investments**

Monterey County Health Department (MCHD) Planning, Evaluation, and Policy (PEP) Unit and Public Health Bureau (PHB) have reviewed file number PLN190008, at 1031 N El Camino Real, Salinas permit application materials submitted for a commercial cannabis retail facility. The review was for potential public health concerns and risks for the retail operations. Staff used the attached review matrix (Appendix A) to develop a public health impact review for use by the Resource Management Agency in their considerations for issuing or not issuing a permit for the applicant for a proposed cannabis retail facility.

Retail Operations:

Cannabis exposure may contribute to various public health impacts. According to the National Academies of Science, while there is substantial evidence of benefit in certain medical indications, extensive review of the scientific evidence also has substantial evidence of short- and long-term negative health effects of cannabis use. There is general agreement that cannabis smoke is an important risk factor in the development of respiratory disease and there is a potential for dependence (in particular with early and frequent use). Importantly some populations (children and youth, pregnant and breastfeeding women) are in at-risk groups for more negative outcomes related to use or exposure (see all references in attached Appendix A).

Public health goals for cannabis production and use include preventing access and exposure of children and youth, identifiable packaging, protecting and informing consumers of cannabis risks, reducing environmental harms, and protecting third parties from unwanted consequences of legal cannabis use and production.

This review uses the Risk Assessment Matrix (Appendix A) to indicate if the proposed permitted facility would have low, moderate, or high public health concerns. The calculation of the score for each indicator and the total score for this review is shown in the Risk Assessment Summary Table below.

Recommendation

Based on our review (see Risk Assessment Summary Table below), the retail permit for a cannabis retail facility at **1031 North El Camino Real, Salinas** would result in a **public health risk assessment score of six (6)**, which falls into the range of a **moderate risk** for increased public health impacts due to potential exposures and/or increased use by at risk groups due to normalization of cannabis. Based on this score and thus the potential for public health risk, Monterey County Health Department does not support the issuance of a retail permit for this facility at this time.

Risk Assessment Summary Table		
Proposed location: 1031 N El Camino Real, Salinas		
Indicator	Data Source: Data	Score
Is location within a school district with frequent (≥ 10 days per month) student marijuana usage > county average?	North Monterey County Union School District (NMCUSD) kidsdata.org: traditional high school = 6.0% of 11 th graders Monterey County = 4.9% of 11 th graders	2
Is location within 2000 feet of a non-traditional high school?	NMCUSD website: There is one alternative/continuation high school (Central Bay) that is 0.8 miles (4,224 feet) away (Google Maps).	0
Is location within a school district with high school graduation rates < county average?	CDE Dataquest (www.dq.cde.ca.gov): NMCUSD traditional high school = 89.1% Monterey County = 88.1%	0
Is location within 2000 feet of a religious institution?	Google Maps: Closest church/temple is 0.6 miles (3,168 feet)	0
Is location within 2000 feet of other youth serving facility such as martial arts, dance, youth center, YMCA, public library, or skate park?	Google Maps: Creative Dance and Movement (serving children and youth) on Prunedale Road North is 0.5 mile (2,640 feet)	0
Is it in a census tract with a percentage of children (0-19 years) > county average?	https://geomap.ffiec.gov/FFIECGeocMap/GeocodeMap1.aspx , this address is located in Census Tract: 103.06 Factfinder.census.gov: 1,577 total population in this census tract; 468 who are 0-19 years of age This census tract pop 0-19 = 29.7% Monterey County = 29.4%	2
Is location in a census tract with minority residents > county average?	Factfinder.census.gov: 1,408 total population in this census tract; 587 who are non-white minority residents This census tract = 52.2% Monterey County = 69.4%	0

Is location located in a census tract with poverty rates > county average? (Source: American Community Survey)	Factfinder.census.gov: This census tract = 5.5% Monterey County = 14.7%	0
Is location situated within 1000 feet of an intersection with motor vehicle accidents in past two years?	Transportation Injury Mapping System (www.tims.berkeley.edu/tools): location is within 1,000 feet of exit ramp with numerous motor vehicle accidents in past two years. One accident in past two years within few hundred feet of highway exit for location.	1
Is the location situated in a census tract where the number of alcohol permits is at or above the state allowable limit?	California Department of Alcoholic Beverage Control (www.abc.ca.gov): There are two off and on sale licenses in this census tract of 1,408 which is a ratio of 1:704. California has a moratorium on new licenses where the ratio of off-sale is greater than 1:2,500 which would mean this area is above allowable permit limits.	1
Is location within 2000 feet of a substance abuse treatment center or provider?	Google Maps: Nothing within 2,000 feet Substance abuse treatment center is 9.2 miles away	0
Is location within 2000 feet of a mental health provider?	Google Maps: Nothing within 2,000 feet 8.4 miles to Monterey County Behavioral Health Clinic.	0
Is location within 2000 feet of a jail or other detention center?	Google Maps and searching Monterey County Sherriff website: No jails, youth centers or detention centers were located within 2,000 feet.	0
TOTAL		6

Appendix A

Monterey County Cannabis Public Health Risk Assessment Matrix Prepared by the Public Health Institute Getting it Right from the Start Project

Recognition and prevention of public health risks due to cannabis use should occur with the transition of cannabis sales to a legal market. Regulatory measures can help reduce resultant harms. Of particular concern is the impact of legalization on youth below age 25, because research suggests that use among youth carries special risks to the developing brain that are not present for older adults.¹ Those who start young and use frequently are at highest risk for addiction and ill effects, and therefore minimizing use by this group should be a key regulatory objective. Heavy use is also highest among youth of color and vulnerable youth in our state and county. For example, nearly 38% of non-traditional high school 11th graders in Monterey County reported 20-30 days of use in the past 30 days (2013-2015) as compared to 14% of 11th graders in traditional high schools (which is higher than the state average of 7.2%).² Individuals with existing substance abuse and mental health issues may also be at higher risk. While legal purchase should be reasonably accessible, cannabis should still be managed from a public health perspective as an addictive substance³ rather than as an ordinary commodity on the marketplace. While retail outlets should be available to serve all types of communities, precautions to prevent undue concentration in vulnerable communities should be in place to prevent community level effects as has been shown to happen for other addictive and commercially available substances, such as alcohol and tobacco. High concentrations of alcohol and tobacco retail facilities in low income communities have been shown to exacerbate existing health and social disparities, such as low birth weight, substance abuse, poor mental health outcomes or low high school graduation rates.

There are many risks associated with cannabis exposure and many of these are relevant in the review process for approval of cannabis retail permit applications in a given area. However, not all risks are easily adapted to a public health risk matrix. Public health indicators that have been associated with cannabis use, but are not included in this matrix include:

- Increased schizophrenia and psychoses
- Low birth weight when smoked during pregnancy - Cannabis use during pregnancy is associated with low birth weight infants⁴
- Increased respiratory disease with cannabis smoking¹

¹ The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research, The National Academies Press. <https://www.nap.edu/catalog/24625/the-health-effects-of-cannabis-and-cannabinoids-the-current-state>, Accessed Jan. 11, 2019.

² www.kidsdata.org, Marijuana use in past month by gender and grade level (2013-2015). available at <https://bit.ly/2D8WMox>

³ Budney, AJ., Borodovsky, JT, The potential impact of cannabis legalization on the development of cannabis use disorders, *Prev Med.* 2017 Nov; 104: 31-36.

⁴ Brown QL, Sarvet, AL, Schmulowitz, D., et al., Trends in marijuana use among pregnant and nonpregnant reproductive-aged women, 2002-2014. *JAMA.* 2017; 317(2): 207-209.

- Hospitalization & Emergency Room visits - There is evidence that cannabis legalization is associated with increased visits to the emergency room and hospitalization for acute marijuana intoxication.⁵
- Accidental ingestion
Researchers in Colorado looked at data between 2009 and 2015 and found that accidental exposure cases, particularly ingestion of edible forms of marijuana, rose significantly after legalization.⁶
- Emerging evidence of increases in heart disease⁷

The risk matrix provides the potential for public health impacts as criteria to consider when issuing cannabis retail facility permits for applicants seeking an exemption to the 1500-foot retail buffer requirements. When considering whether an additional dispensary should be permitted within 1500 feet of an existing dispensary, consideration must be given to the fact that excessive concentration of dispensaries is a public health risk. A recent study found that higher dispensary density in states with legal cannabis laws was associated with higher likelihood of youth ages 14-18 experimenting with cannabis vaping and edibles (OR_{vaping}: 2.68, 95% CI: 2.12, 3.38; OR_{edibles}: 3.31, 95% CI: 2.56, 4.26). Even density of legal cannabis dispensaries as low as 1/100,000 residents were associated with increases.⁸ Similarly, a review of studies of tobacco retailer density and adolescent smoking found that tobacco retailer density and proximity were correlated with adolescent lifetime smoking, past 12-month smoking, past 30-day smoking, and susceptibility to smoking.⁹ Studies have consistently found a relationship between greater alcohol outlet density with increased alcohol consumption and related harms, including medical harms, injury, crime, and violence.¹⁰

In this risk matrix, the higher the score an applicant gets using the matrix, the greater for potential public health and social risks that can be attached to that location.

Methods

A risk matrix is an organizational tool that can be used to assess potential risks facing a community, the likelihood of those risks, and possible risk reduction strategies. This matrix was developed by looking at indicators of cannabis risk as identified by peer-reviewed literature and assigning each indicator a

⁵ Kim, H., Monte, A., Colorado cannabis legalization and its effect on emergency care. *Ann. Emerg. Med.* 2016 Jul; 68(1): 71-75.

⁶ Wang, GS, LeLait, MC, Deakyne, S., Unintentional pediatric exposures to marijuana in Colorado, 2009-2015; *JAMA Pediatr.* 2016; 170(9).

⁷ Jouanjus, E., Lapeyre-Mestre, M, Micallef, J., et al., Cannabis use: signal of increasing risk of serious cardiovascular disorders, *JAMA* 2014;3(2). Available at: <https://www.ahajournals.org/doi/full/10.1161/jaha.113.000638>

⁸ Borodovsky JT, Lee DC, Crosier BS, Gabrielli JL, Sargent JD, Budney AJ. (2017). U.S. cannabis legalization and use of vaping and edible products among youth. *Drug Alcohol Depend.* 0(0). doi:10.1016/j.drugalcdep.2017.02.017.

⁹ Gwon SH, DeGuzman PE, Kulbok PA, Jeong S (2017). Density and Proximity of Licensed Tobacco Retailers and Adolescent Smoking. *J Sch Nurs.* 33(1):18-29. doi: 10.1177/1059840516679710.

¹⁰ Grubestic TH¹, Pridemore WA, Williams DA, Philip-Tabb L. (2013). Alcohol outlet density and violence: the role of risky retailers and alcohol-related expenditures. *Alcohol & Alcoholism*, 48(5):613-9. doi: 10.1093/alcalc/agt055. Epub 2013 Jun 23.

numerical risk value. The starting point for finding appropriate literature was the comprehensive review of the health risks associated with cannabis and cannabis-derived products prepared by the National Academies of Science, Engineering and Medicine. This 400-plus page review examined nearly 10,000 scientific abstracts to reach its conclusions. In addition to relying on this report, primary sources were identified in the report as well as reviewing additional peer-reviewed literature obtained from PubMed.

After identifying indicators of harm, indicators were given a scoring range of 0 through 1 while those that posed the greatest risk to the community were provided a scoring range of 0 through 2. A score of 0 on any indicator means that the location under consideration is not a risk for that particular indicator. A score of 1 or 2 means that the location is a risk for the particular indicator.

The scores for all the indicators are summed to create an overall score. An overall score between 0 and 3 are considered "low risk," those between 4 and 6 are "moderate risk" and those that score 7 and above are "high risk." When evaluating whether a proposed location should be licensed, the preferred score will be 3 and below.

A variety of publicly-available sources is used to determine whether a proposed location poses a risk on any given indicator. Locations can be pinpointed using county maps and/or Google maps, which also reveal whether certain potentially risky facilities or organizations are nearby (for instance, churches or schools). If a map search indicates the presence of shopping centers the facility website is researched to determine whether there are any youth-serving facilities (dance instruction, martial arts, educational tutoring) in that center. Local area maps are also used to determine whether a proposed location is near a substance abuse treatment center, jail, bail bonds center or other higher-risk facility.

Demographic census data is obtained from www.statisticalatlas.com and www.uscensus.gov. These sites also allow for comparisons with the county and state.

Data on marijuana usage among high school students in the state, county and school district is obtained from www.kidsdata.org, which serves as a collective repository for numerous databases and relies primarily on the California Healthy Kids Survey

California Business and Professional Code §23817.5 mandates a moratorium on new alcohol licenses when off-sale permits in a census tract are greater than 1 per 2,500 inhabitants. The California Department of Alcoholic Beverage Control (www.abc.ca.gov) provides data on the current number of alcohol permits per census tract.

TABLE OF INDICATORS FOR MONTEREY COUNTY CANNABIS RETAILER PERMIT APPLICATION PROCESS (EXCEPTIONS APPLICATIONS) (DEC 2018)

Indicator	Reasons	Score
<p>Is location within a school district with frequent (>10 days per month) student marijuana usage > county average? (Source: www.kidsdata.org; California Healthy Kids Survey)</p>	<p>The brain does not complete development until approximately age 25, and data from the field of alcohol use reflect that substance use exposure during this period when the brain undergoes rapid transformation could have a more lasting impact on cognitive performance. This interference in cognitive function during adolescence could very well interfere with these individuals' ability to optimally perform in school and other educational settings.⁹</p> <p>Higher cannabis dispensary density is associated with younger age of onset of cannabis vaping.¹¹</p> <p>From tobacco we know that among high school students there is a "small but nonetheless significant relationship between the density of retailers within 1 mile of a school and students' reports of smoking initiation."¹²</p> <p>Tobacco retailer density surrounding schools is related to student cigarette access behaviors.¹³</p>	<p>No = 0 Yes = 2</p>
<p>Is location within 2000 feet of a non-traditional high school? (Source: School District Data; Google Maps)</p>	<p>Nearly 38% of non-traditional high school 11th graders report 20-30 days of use in the past 30 days (2013-2015) as compared to 14% of 11th graders in traditional high schools.¹⁴</p> <p>Prevalence of adolescent tobacco smoking is highest in communities with highest tobacco outlet density and proximity to schools.¹⁵</p>	<p>No = 0 Yes = 2</p>
<p>Is location within a school district with</p>	<p>Evidence of an association between poor school outcomes and frequent cannabis use.</p>	<p>No = 0 Yes = 2</p>

¹¹ Borodovsky, JT, Lee, DC, Crosier BS, Gabrieli, JL, Sargent, JD, Budney, AJ., U.S. cannabis legalization and the use of vaping and edible products among youth. *Drug Alcohol Depend.* 2017;Aug 1; 177: 299-306.

¹² McCarthy WJ, Mistry R, Lu Y, Patel M, Zheng H, Dietsch B. Density of tobacco retailers near schools: effects on tobacco use among students. *Am J Public Health.* 2009;99(11):2006-2013. doi:10.2105/AJPH.2008.145128.

¹³ Leatherdale ST, Strath JM. Tobacco retailer density surrounding schools and cigarette access behaviors among underage smoking students. *Annals of Behavioral Medicine.* 2007;33(1):105-111.

¹⁴ Data on Youth Alcohol, Tobacco, and Other Drug Use, www.Kidsdata.org; Accessed Jan. 11, 2019.

¹⁵ Henriksen, L., Feighery, EC., Schleicher, NC., et al., Is adolescent smoking related to the density and proximity of tobacco outlets and retail advertising near schools?, *Prev Med.*, 2008 Aug;47(2):210-4.

high school graduation rates lower than county average? (Source: CDE California School Dashboard; CDE Dataquest)	Teens who smoke daily were 60% less likely to graduate high school. ¹⁶	
Is location within 2000 feet of a religious institution? (Source: Google Maps; Site evaluation)	Families should not have to expose their children to the normalization of cannabis to attend religious services, afterschool or Sunday school type activities, or take their children to normal activities. Cannabis and other substance use during youth may incur relatively greater interference in neural, social and academic functioning as compared to later developmental periods (i.e. Adulthood). ⁹ Higher cannabis dispensary density is associated with younger age of onset of cannabis vaping. ¹³	No = 0 Yes = 1
Is location within 2000 feet of other youth serving facility such as martial arts, dance, youth center, YMCA, public library, or skate park? (Source: Goolge maps, Site evaluation, local business permits)	Families should not have to expose their children to the normalization of cannabis to take their children to normal activities. Cannabis and other substance use during the adolescent period may incur relatively greater interference in neural, social and academic functioning as compared to later developmental periods (i.e. Adulthood). ⁹ Higher cannabis dispensary density is associated with younger age of onset of cannabis vaping. ¹³	No = 0 Yes = 1
Is it in a census tract with a high percentage of children? (Source: US Census)	Studies of tobacco retailer density and adolescent smoking have found that tobacco retailer density and proximity were correlated with adolescent lifetime smoking, past 12-month smoking, past 30-day smoking, and susceptibility to smoking. ¹⁷	No = 0 Yes = 2
Is location in an area with minority residents (Hispanic, Non-Hispanic African American, Native	In Monterey County, African Americans high school students are more than twice as likely to report frequent cannabis use (20-30 times in the past 30 days) as Non-Hispanic Whites. ¹⁴	No = 0 Yes = 1

¹⁶ Silins, E, Horwood, LJ, Patton, GC, et al. Young adult sequelae of adolescent cannabis use: an integrative analysis. *Lancet Psychiatry* 2014; 1(4); 286-293.

¹⁷ Gwon SH, DeGuzman PB, Kulbok PA, Jeong S (2017). Density and Proximity of Licensed Tobacco Retailers and Adolescent Smoking. *J Sch Nurs.* 33(1):18-29. doi: 10.1177/1059840516679710.

<p>American) > county average? (Source: California Healthy Kids Survey. California Department of Education (Jul. 2017).</p>	<p>Hispanic high school students in Monterey County are also more likely to report frequent cannabis use than Non-Hispanic Whites. Hispanic high school student frequent use is also higher in Monterey County (3.6%) than statewide (2.7%).¹⁸</p> <p>Based on known data of higher risk groups by race, we are focusing on Hispanic, Non-Hispanic African American, Native American and Alaskan Native data.</p>	
<p>Is location located in a census tract with poverty rates higher than county average? (Source: American Community Survey)</p>	<p>Low income is associated with higher marijuana usage. There is concern that greater concentration of marijuana dispensaries in low-income or disadvantaged communities can exacerbate marijuana use among vulnerable populations.¹⁰</p> <p>From alcohol, we know that lower income communities are already commonly overburdened with alcohol outlets, making lower income people disproportionately exposed to risks related to alcohol outlets.¹⁹</p>	<p>No =0 Yes =1</p>
<p>Is location situated within 1000 feet of an intersection with motor vehicle accidents in past two years? (Source: Transportation Injury Mapping System, UC Berkeley)</p>	<p>There is substantial evidence of a statistical association between cannabis use and increased risk of motor vehicle crashes. (NASEM); Cannabis use alone was associated with a four-fold increased odds of a MVC.²⁰</p>	<p>No= 0 Yes = 1</p>
<p>Is the location situated where the number of alcohol permits is at or above the state allowable limit? (Source: California</p>	<p>Some literature has shown that alcohol may be a gateway substance to the use of marijuana; thus, "therefore the higher likelihood of marijuana stores locating in neighborhoods with higher</p>	<p>No=0 Yes=1</p>

¹⁸ www.Kidsdata.org, Marijuana use in past month, by race/ethnicity (2013-2015).

¹⁹ Morrison, C., Gruenwald, P., Ponicki, W., Socioeconomic determinants of exposure to alcohol outlets, *J Stud Alcohol Drugs*, 2015 May; 76 (3). 439-446.

²⁰ Asbridge, M., Mann, R., Cuisimano, MD, et al., Cannabis and traffic collision risk: findings from a case-crossover study of injured drivers presenting to emergency departments, *Intl. J. Pub Health*, 2014 Apr; 59(2): 395-404.

<p>Alcohol Beverage Control license database)</p>	<p>densities of alcohol outlets could have implications for uptake of marijuana.”²¹</p> <p>There is an additive effect of alcohol and marijuana on driving and crash risk. Drivers who test positive for both substances have significantly increased outcomes over drivers using either substance alone.²²</p> <p>Among 12th graders that use alcohol and marijuana, the majority use them simultaneously.²³</p>	
<p>Is location within 2000 feet of a substance abuse treatment center or provider? (Source: Behavioral Health; Google maps))</p>	<p>There is substantial evidence for a statistical association between increases in cannabis use frequency and progression to development of problem cannabis use.⁹</p> <p>There is also moderate evidence that exposure to the combined use of abused drugs is a risk factor for problem cannabis use.⁹</p> <p>For those suffering from substance use disorders, environments with high accessibility to tobacco, alcohol, and illicit drugs can not only facilitate the acquisition of substances but can also contain environmental cues that trigger substance craving.²⁴</p>	<p>No = 0 Yes = 2</p>
<p>Is location within 2000 feet of a mental health provider? (Source: Behavioral Health)</p>	<p>There is moderate evidence that major depressive disorder is a risk factor for the development of problem cannabis use.⁹</p> <p>Cannabis use is likely to increase the risk of developing schizophrenia and other psychoses.⁹</p>	<p>No = 0 Yes = 1</p>

²¹ Yuyan, S., Meseck, K., Jankowska, M., Availability of medical and recreational stores and neighborhood characteristics in Colorado, *J. Addic.*, 2016; 2016: 7193740.

²² Chihuri, S., Guohua, L, Chen, Q., Interaction of marijuana and alcohol on motor vehicle crash risk: a case-control study, *Inj. Epidemiology*, 2017 Dec;4:8.

²³ Patrick, M., Kloska, D., Terry-McElrath, Y, et al., Patterns of simultaneous and concurrent alcohol and marijuana use among adolescents, *Amer. Jnl. Drug & Alcohol Abuse*, 2018 44(4).

²⁴ Mennis, J., Stahler, G., Mason, M.. Risky substance use environments and addiction: a new frontier for environmental justice research., *Int J. Environ Res Pub Health*., 2016 Jun; 13(6); 607.

	<p>For individuals with bipolar disorder, near daily cannabis use may be linked with greater symptoms of bipolar disorder.⁹</p> <p>Heavy cannabis users are more likely to report thoughts of suicide than nonusers.⁹</p> <p>Regular cannabis use is likely to increase the risk of developing social anxiety disorder.⁹</p>	
<p>Is location within 2000 feet of a jail or other detention center? (Source: Local Data)</p>	<p>More than half of state prisoners and two-thirds of sentenced jailed inmates met the criteria for drug dependence or abuse as compared with 5% of the general population over age 18.²⁵</p> <p>For those suffering from substance use disorders, environments with high accessibility to tobacco, alcohol, and illicit drugs can not only facilitate the acquisition of substances but can also contain environmental cues that trigger substance craving.²⁴</p>	<p>No = 0 Yes = 2</p>

²⁵ US Department of Justice Bureau of Justice Statistics, Special Report: Drug Use, Dependence, and Abuse Among State Prisoners and Jail Inmates, 2007-2009, (June 2017) available at: <https://www.bjs.gov/content/pub/pdf/dudaspi0709.pdf>

Exhibit F

and not otherwise specified

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Route 156 West Corridor

In Monterey County, on State Route 156 from 0.18 mile east of the State Route 156/183 Separation to the U.S. Route 101/State Route 156 Separation and on U.S. Route 101 from 0.1 mile north of Pesante Road to 0.2 mile north of Messick Road

05-MON-156-PM R1.6/T5.2

05-MON-101-PM 94.6/96.8

05-316000

Project ID 0500000497

SCH# 1999111063

Final Environmental Impact Report/ Environmental Assessment with Finding of No Significant Impact



Prepared by the
State of California Department of Transportation

Volume I of II

The environmental review, consultation, and any other action required in accordance with applicable federal laws for this project is being, or has been, carried out by the Caltrans under its assumption of responsibility pursuant to 23 U.S. Code 327.

January 2013





Figure B-6 Alternative 11—U.S. Route 101/State Route 156 interchange near Vierra Canyon Road and Berta Canyon Road

Exhibit G

Auto 1 - [illegible]

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North Monterey County Unified School District

8142 Moss Landing Rd.
Moss Landing, CA 95039
(831) 633-3343
www.nmcusd.org

February 28, 2020

Son Pham-Gallardo
Monterey County Resource Management Agency

RE: *PLN190008-Abundant Investment (Dispensary on El Camino)*

Ms. Gallardo,

North Monterey County Unified School District has concerns about the proposed location of the dispensary named above. Our Transportation department has a bus stop located on El Camino Real near the proposed location that currently services two students (1 in 4th grade & 1 in 9th grade). I want to be sure that appropriate safety measures are in place to protect students from any potential safety issues that may present due to the location of the dispensary. Issues including but not limited to; increased auto traffic near the bus stop, increased pedestrian traffic at the location, loitering and tobacco use in the area, and potential for students to enter the dispensary facility. Please let me know what mitigation procedures and practices will be implemented to address these concerns.

Respectfully,

A handwritten signature in blue ink that reads "RICK DIAZ".

Rick Diaz
Director of Facilities Planning & Construction
North Monterey County Unified School District

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Exhibit H

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Letter to North Monterey County Unified School District

Abundant Investments, LLC (“Applicant”) has received and reviewed the concerns of the North Monterey County Unified School District (the “School District”). Applicant takes the School District’s concerns seriously and intends to avoid any negative consequences from Applicant’s proposed use.

First, Applicant’s cannabis retail business will only be permitted to operate from 8:00AM to 8:00PM based on the local ordinances. As such, any additional vehicle and/or pedestrian traffic should not impact the two local students on their way to school as it appears the local elementary schools begin class around 7:55AM and the local high school begins class at 7:20AM, meaning students will be on the bus well before Applicant’s operations commence at 8:00AM. Applicant will monitor any additional vehicle and/or pedestrian traffic in the afternoon/evening drop-off times and will immediately respond to any complaints received from the community.

Second, Applicant intends to prevent loitering and/or tobacco and cannabis use in the area by tasking Applicant’s employees and security personnel to monitor its property and immediate surroundings and perform frequent inspections of the exterior and perimeter of its property. Applicant will also post signage on the exterior of its property stating that loitering and/or tobacco and cannabis use on or around its property is strictly prohibited. In the event that Applicant receives complaints about loitering and/or tobacco and cannabis use, Applicant will communicate directly with customers to explain the issue and attempt to prevent any subsequent occurrences.

Third, Applicant will comply with all local and state regulations regarding sales to underage persons. Applicant takes underage usage of cannabis products seriously and will implement the following security precautions to avoid Applicant’s products ending up in the hands of local students. Applicant will comply with local and state regulations by checking the ID of potential customers before they enter the sales area or have any access to cannabis products, and again at the point of sale, in order to prevent sales to underage persons. Furthermore, Applicant will also supply its employees with ID guides that explain the security features for many forms of government ID, such as the unique features of each state’s driver license. These guidebooks will assist Applicant’s employees in detecting fake IDs to prevent any inadvertent sales to underage persons. All delivery orders will also be handled with two-factor authentication by requiring a form of ID before dispatching a delivery order and then verifying that ID in person before providing cannabis products to a customer.

Lastly, Applicant will comply with all local and state regulations regarding advertising in order to avoid attracting underage persons to its business. Specifically, Applicant will not broadcast any communications (i) using depictions of underage persons, or (ii) using objects, such as toys, inflatables, movie characters, cartoon characters, or include any other display, depiction, or image designed in any manner likely to be appealing to underage persons. Applicant will also verify the age of all persons whom Applicant intends to send direct marketing messages to prior to disseminating any such marketing materials.

Applicant hopes these explanations help ease the School District’s concerns regarding Applicant’s proposed use. Applicant is willing to enter a dialogue with the School District to monitor these concerns and attempt to immediately address any potential issues that may arise.

Letter to Monterey County Health Department

Abundant Investments, LLC (“Applicant”) has received and reviewed the recommendations and risk criteria provided by the Monterey County Health Department (“MCHD”). This letter is meant to serve as Applicant’s response to the risk assessment points given by MCHD in an effort to ease the public health concerns regarding Applicant’s proposed cannabis retail use. Applicant takes MCHD’s concerns seriously and intends to avoid any negative consequences from Applicant’s proposed use, including, without limitation, the potential health impacts of exposing underage persons to cannabis smoke and the use of cannabis products.

To reduce the risk of exposing underage persons to cannabis smoke, Applicant intends to prevent loitering and/or tobacco and cannabis use in the area by tasking Applicant’s employees and security personnel to monitor its property and immediate surroundings and perform frequent inspections of the exterior and perimeter of its property. Applicant will also post signage stating that loitering and/or tobacco and cannabis use on or around its property is strictly prohibited. In the event that Applicant receives complaints about loitering and/or tobacco and cannabis use, Applicant will communicate directly with customers to explain the issue and attempt to prevent any subsequent occurrences. Applicant will take active steps to prevent consumption on or around its property in an effort to avoid potential concerns with the use of cannabis products in conjunction with alcohol, which Applicant believes will allow it to avoid contributing to additional motor vehicle accidents around its property.

Furthermore, Applicant will implement the following security precautions to reduce the risk of exposing underage persons to the use of cannabis products. Applicant will comply with local and state regulations by checking the ID of potential customers before they enter the sales area or have any access to cannabis products, and again at the point of sale, to prevent sales to underage persons. Furthermore, Applicant will also supply its employees with ID guides that explain the security features for many forms of government ID, such as the unique features of each state’s driver license. These guidebooks will assist Applicant’s employees in detecting fake IDs to prevent any inadvertent sales to underage persons. All delivery orders will also be handled with two-factor authentication by requiring a form of ID before dispatching a delivery order and then verifying that ID in person before providing cannabis products to a customer.

Applicant will also comply with all local and state regulations regarding advertising in order to avoid attracting underage persons to its business. Specifically, Applicant will not broadcast any communications (i) using depictions of underage persons, or (ii) using objects, such as toys, inflatables, movie characters, cartoon characters, or include any other display, depiction, or image designed in any manner likely to be appealing to underage persons. Applicant will also verify the age of all persons whom Applicant intends to send direct marketing messages to prior to disseminating any such marketing materials.

Applicant hopes these explanations will help ease MCHD’s concerns regarding Applicant’s proposed use. Applicant is willing to enter a dialogue with MCHD to monitor these concerns and attempt to immediately address any potential issues that may arise.

Exhibit I

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Proposed General Development Plan

for the Abundant Investments, LLC property,
located at 1031 El Camino Real.

County Planning File Number PLN1900008.

Requested uses (Drawn from the applicable Code Section for the Zoning District)

- Type 10 Cannabis Retail Operation (Storefront Dispensary and Delivery)
- Auto Repair Facility (Tire Shop)

Uses not to be considered

- None

Description of Proposed Site Improvements (Attach written descriptions *and* graphic details for each component below)

- **Formal Site plan** (include existing and proposed square footage, footprints, site coverage, access points, and adjacent streets and highways)

Included in RMA application and attached drawings.

- **Materials and Colors** (Include elevations, roof plans, color samples, and treatments)

See attached proposed design for new storefront. Color palette provided. Materials will consist of outdoor paint and acrylic signage.

- **Parking Areas** (including ADA, truck, trailer and bus spaces as necessary)

Included in RMA application and attached drawings.

- **Exterior Lighting** (include cut sheets and model numbers. Locations of fixtures may be indicated on the Formal Site Plan)

There are no plans to alter the existing exterior lighting configuration. See attached survey for existing lighting locations.

- **Trash and Recycling Bin enclosures** (include materials and colors. Locations of enclosures may be indicated on the Formal Site Plan)

Existing trash enclosures to remain. Included in RMA application and attached drawings.

- **Landscaping Plan** (include tree replacement areas and mitigation areas if applicable)

Minor alterations are necessary to planters adjacent to Prunedale South Rd based on Public Works requirements. Shown in attached plan.

For Industrial Sites and Uses

- **Hazardous Materials Disclosure** (Contact the Environmental Health Department)

Uses are non-industrial, though applicable Haz Mat issues addressed in RMA and EHD permit applications.

- **Operational Emissions** (Such as may be for a dry cleaners, or oil production)

Uses are non-industrial. No emissions.

- **Applicable Performance Standards** (Local, Regional or State requirements and permitting disclosure)

Addressed in RMA application.

Address the Long-Range Development and Operation of the Facilities: (Attach written descriptions *and* graphic details for each component below.)

- **Physical Expansion and New Development**
Minor interior remodel planned.
- **Operational Changes**
Detailed plans regarding the operation of the new retail cannabis space is provided in the RMA application.
- **Circulation Or Transportation Improvements**
New raised island to be installed at exit to South Prundale Rd. Plan attached.
- **Alternative Development Opportunities**
None planned
- **Environmental Considerations**
Continuing to follow Monterey County EHD guidance and sampling requirements for El Camino WS#7 located on site.
- **Potential Mitigation of Adverse Environmental Impacts, and**
Planned use has no foreseen potential for any adverse impacts.
- **Conformance to the Policies of the Local Area Plan.**
Development plans conform to all currently published Land Use Plans.

Sign Program (include elevations, dimensions, materials and color details for individual business identification, center identification and on-site directional signs. Locations of signs can be indicated on the Formal Site Plan)

See attached figures.

Proposed Number of Employees: 4

Operations

Hours of Operation: 8am – 8pm

Delivery Hours: 8am – 8pm

Exhibit J

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APPLICANT'S GENERAL DEVELOPMENT PLAN / BUSINESS PROPOSAL

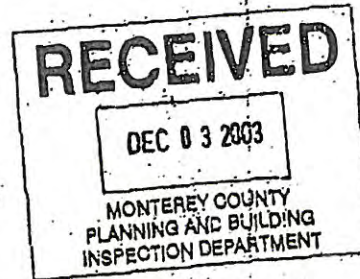
Three Amigos Auto Center, Inc
301 Mitchell Road
Modesto, CA 95354
(209) 523-5600

November 5, 2003

County of Monterey
Monterey, CA

Re: Proposed Auto Dealership - Three Amigos Auto Center, Inc

Dear Sirs:



We are looking forward to opening our used car agency located in your area. Plans for our business operations are outlined below.

We plan on maintaining a staff of six individuals, which include office and sales personnel as well as management. Our scheduled hours of operation will be seven days a week from 9:00 a.m. to 9:00 p.m.

We will have an intercom system, which will include outside speakers. This will be used for the purpose of paging our employees.

The vehicles will be delivered by car carriers and scheduled for delivery during the hours of 8:00 p.m. and 9:00 p.m. There will be a designated area located on the lot for the car carrier to unload the vehicles.

Our objective is to sell approximately forty (40) vehicles per month, which will include detailing of those vehicles. The vehicles on the lot will be rinsed twice a week in order to maintain a well-kept look to the car lot.

Our objectives and goals are to present a used car lot like no other. We plan on maintaining our car lot like the larger dealerships but with one difference. We want to be a part of the neighborhood at a much smaller scale.

We know we will be a welcome addition to the community.

Sincerely,

Hesham Khaco
President

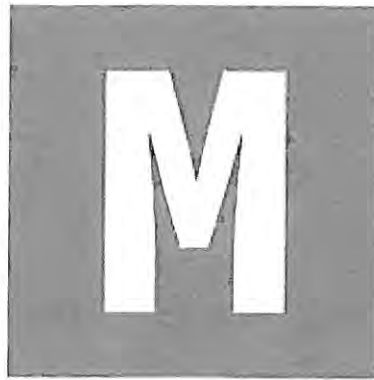
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Exhibit K

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Monterey Retail Solutions, LLC



Monterey Retail Solutions, LLC

Standard Operating Procedures Manual – Dispensary

Index:

4 - Executive Summary

4 - Project Location

9 - Compliance with Monterey Ordinance 21.67.040

10 - Storage

10 - Display of Cannabis Dispensary Permit

10 - Signs

11 - Dispensary Site Restrictions

11 - Compliance With Building, Fire Code and Permitting Requirements

11 - Products to be Sold

12 - Labor and Employment Practices

14 - Surety Bond

14 - Detailed Day to Day Operations

15 - General Procedures, Practices and Guidelines

16 - Delegation of Duties

18 - Ongoing Diligence in Product Safety

19 - Packaging and Labeling

21 - Quality Control and Salvage Program

22 - Samples

22 - Employee Training

23 - Cash Management

24 - Product Complaints

25 - Community Benefits

Additional Documentation

Security Plan

Operating Hours

Hazardous Materials, Waste Disposal and Returned Inventory

Customer Verification Practices

Product Supply Chain

Inventory Control and Monitoring to Prevent Diversion

Record Retention Plan

Odor Prevention

Parking Plan

Property Owner Authorization

Owner Employee Information

Onsite Water Plan

North County Fire Response

Executive Summary

Handling a commercial cannabis operation (“Commercial Cannabis Activity”) is a task that only an experienced group of professionals such as those at Monterey Retail Solutions, LLC (“MONTEREY RETAIL SOLUTIONS” or “Applicant”) and its established clientele can successfully accomplish. The County of Monterey (“County”) and the new California state licensing program finally present an opportunity for the lawful cultivation of quality cannabis. Currently, this industry is an opportunity for Monterey and Monterey Retail Solutions to set the standard of excellence.

Applicant seeks to obtain a Type 10 cannabis retailer (dispensary) license with the County. The following project description and subsequent operational characteristics are with respect to our proposed dispensary operations.

We are a craft cannabis company whose sole purpose is to provide customers with the best possible overall experience. From the moment they walk in the door, they will understand that we are not an ordinary store front. We will have a high end feel that Monterey citizens can feel proud of.

Our products will be held to the highest standards on the market with an emphasis on becoming self-sustainable with local product lines. Our mission is to have every member come away with a positive and educated experience, which will in turn lead to long-term sustainability.

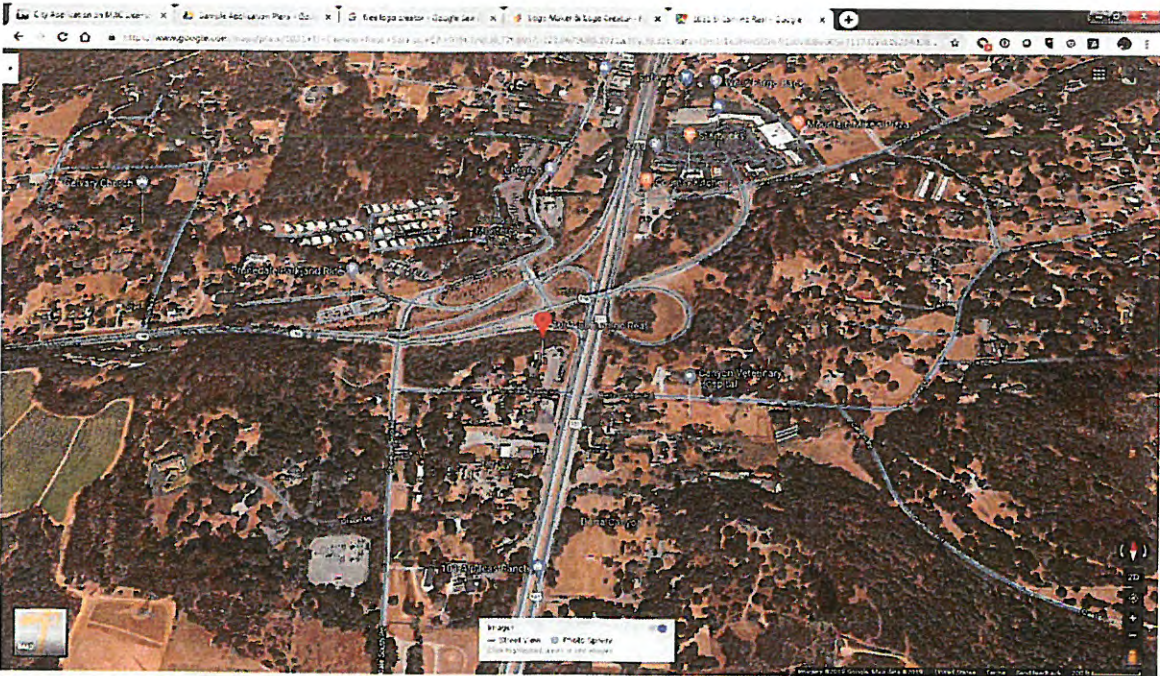
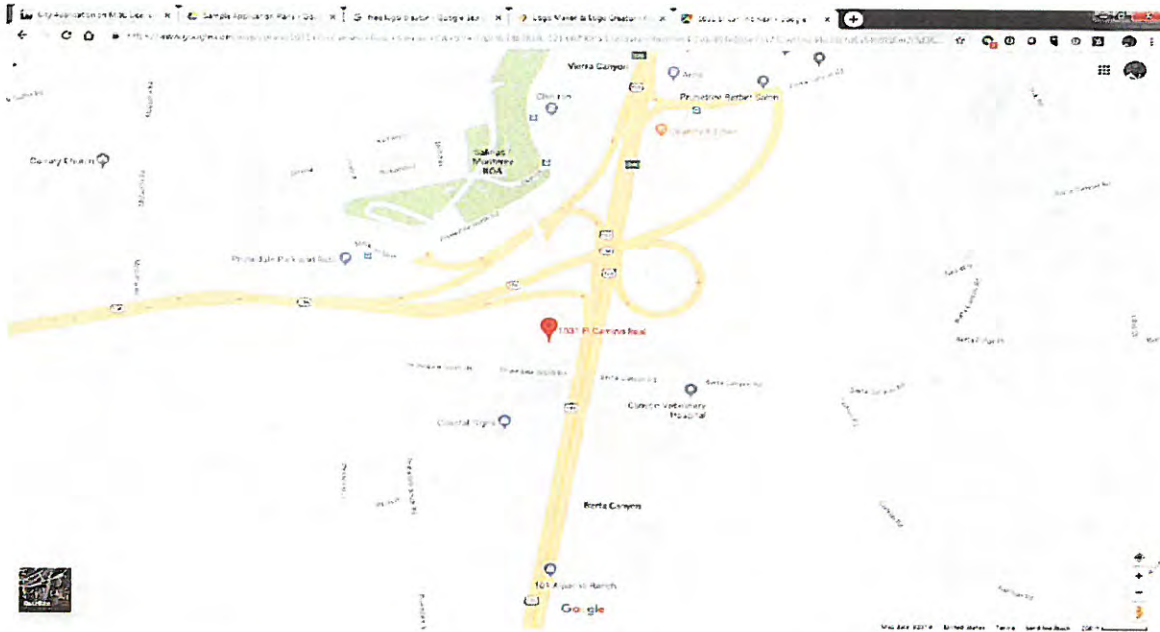
Project Location

The proposed business location for our operations is 1031 El Camino Real, Salinas, CA 93907. The assessor’s parcel number is 133-023-042-000. The location is in the Light Commercial (LC) Zoning District.

A true and correct copy of the Lease documents are attached hereto.

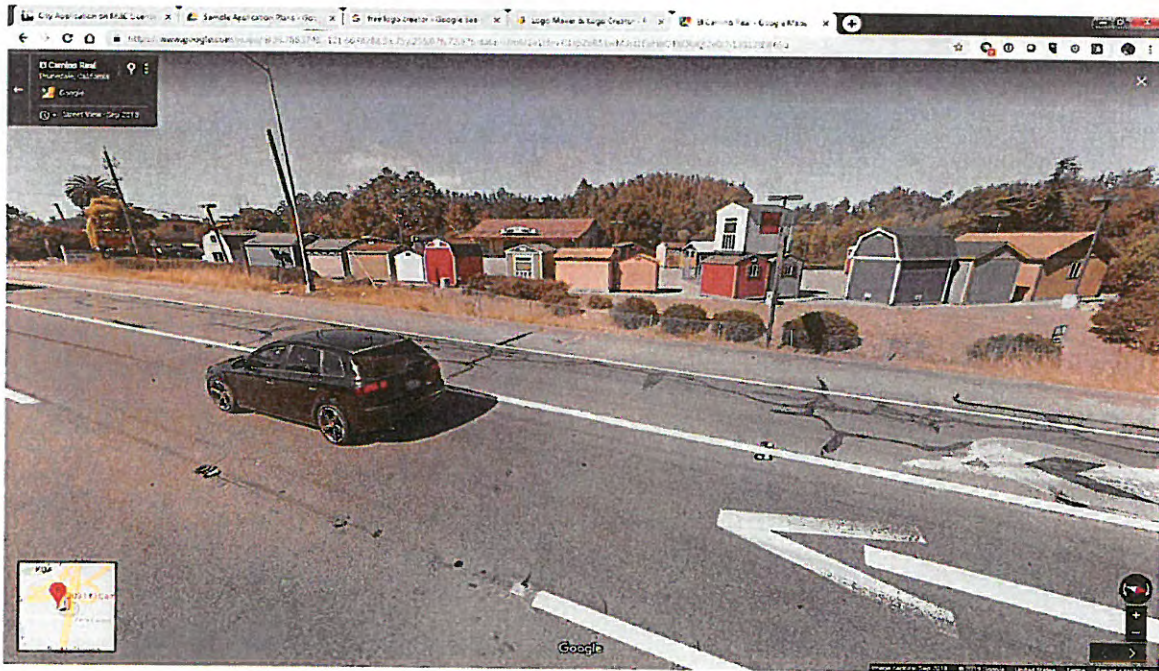
Below is a Google Maps screen grab of our property:

Monterey Retail Solutions, LLC – Standard Operating Procedures (Dispensary)

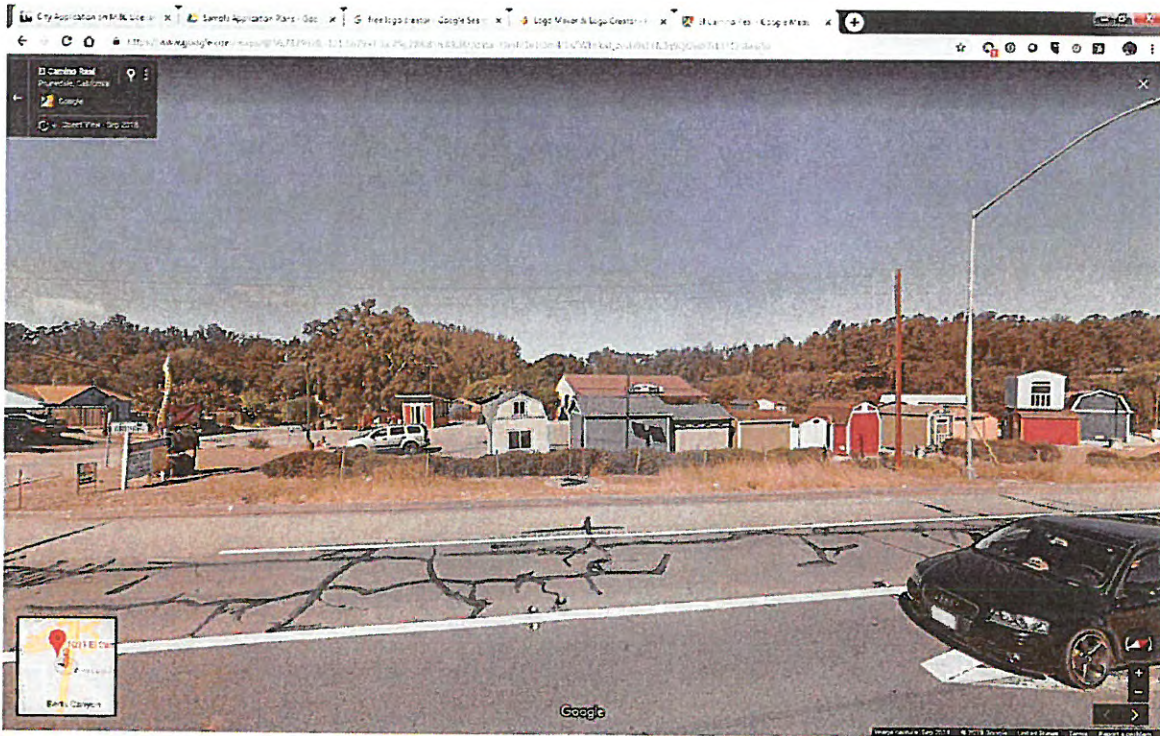


Below are photos of the proposed business location:

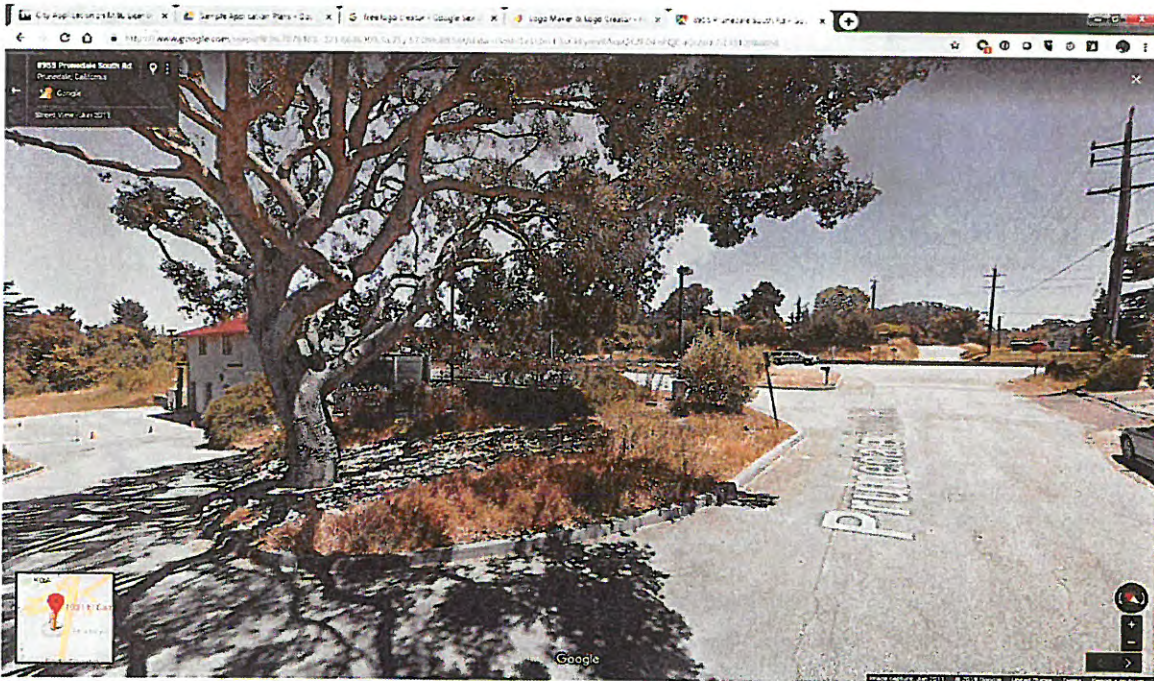
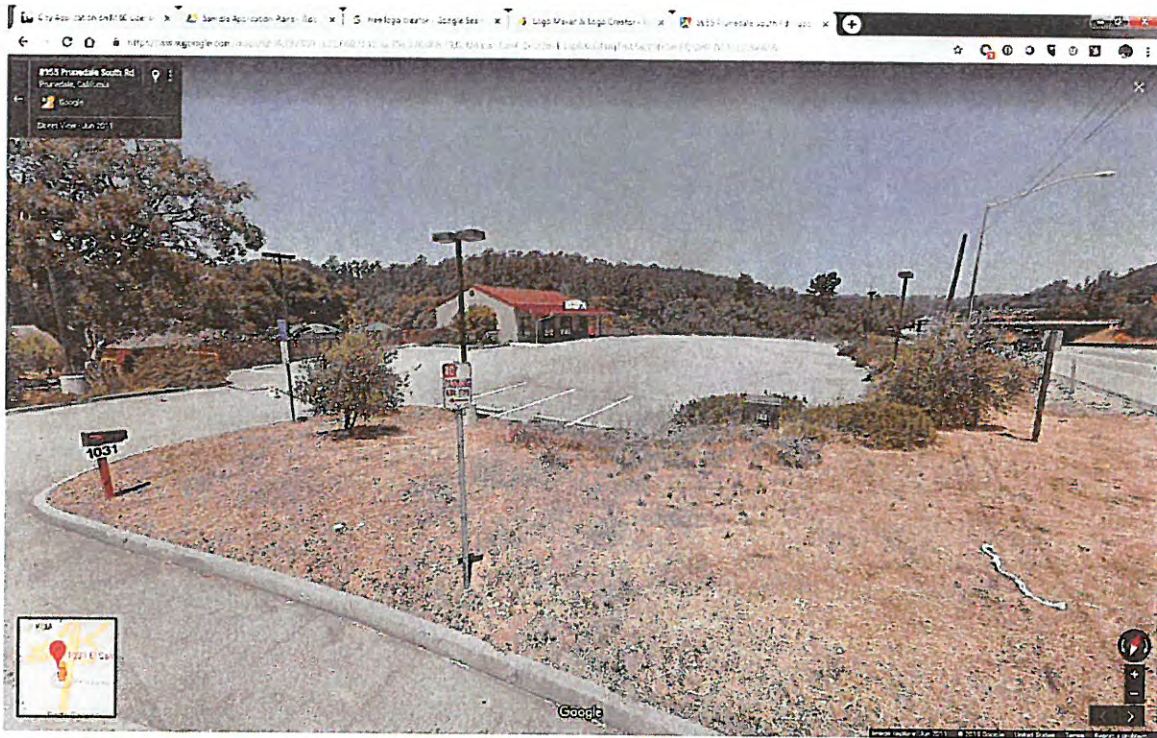
Monterey Retail Solutions, LLC – Standard Operating Procedures (Dispensary)



Monterey Retail Solutions, LLC – Standard Operating Procedures (Dispensary)



Monterey Retail Solutions, LLC – Standard Operating Procedures (Dispensary)





Operational Characteristics

The proposed cannabis dispensary operation will be recreational in nature.

The size of the proposed building is 1,413 square feet, and is currently a Tuff Shed Storage retail store.

Compliance with Monterey Ordinance §21.67.040 – “Regulations for cannabis retailers”

In accordance with §21.67.040, MONTEREY RETAIL SOLUTIONS will ensure compliance with the following County requirements:

- (a) Our location is zoned Light Commercial (LC) which is the permissible zone for our proposed retail operations.
- (b) Our facility is not located within a 600 foot radius of any schools, child care centers, youth centers, playgrounds or drug recovery facilities.
- (c) Our facility is not located within 1,500 feet of another approved retail facility.
- (d) We will only work with other licensed and permitted facilities who maintain operations in full conformance with state and local regulations, and will not distribute any cannabis or cannabis product unless they are labeled and in a tamper-evident package in compliance with Section 26120 of the California Business and Professions Code and any additional rules promulgated by the licensing authority.
- (e) In the event of a significant discrepancy identified during inventory, diversion, theft, loss, or any criminal activity involving the dispensary or any agent or employee of the retailer, the loss or unauthorized alteration of records related to cannabis, patients, or retailer’s employees or agents, or any other breach of security, we shall notify the Monterey County Sheriff’s Office within 24 hours of discovery.
- (f) We shall keep accurate records of all business operations and provide such records for inspection consistent with Section 26160 of the California Business and Professions Code.

- (g) Our security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products shall exceed section 26070 of the California Business and Professions Code and any rules promulgated by the licensing authority.
- (h) Our dispensary operations shall only occur when we have obtained a valid Administrative permit, Land Use/Development Project Approval, Commercial Cannabis Business Permit and Monterey County Business License.
- (i) On-site smoking, ingestion, and consumption of cannabis or alcohol shall be prohibited.
- (j) All employees shall carry a copy of the documentation listed below when making deliveries. This information shall be provided upon request to law enforcement officers and to employees of state and local agencies:
 - a. A copy of the retailer's current permits, licenses, and entitlements authorizing them to provide delivery services;
 - b. The employee's government-issued identification;
 - c. A copy of the delivery request; and
 - d. Chain of custody records for all goods being delivered.

Storage

Our dispensary facility shall have adequate locked storage on the property, identified and approved as part of our security plan, for after-hours storage of cannabis. Cannabis shall be stored in secured rooms that are completely enclosed, or in a safe that is bolted to the floor.

Display of Cannabis Dispensary Permit

Our operation shall display our current valid cannabis dispensary permit, issued in accordance with this chapter, inside the lobby or waiting area of the main entrance to the cultivation site. The permit shall be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the distribution site.

Signs

We shall post in the lobby of our site signs that state the following:

- 1) "Smoking, ingesting, or consuming cannabis on or within 20 feet of this site is prohibited."
- 2) "Juveniles are prohibited from entering this property unless they are a qualified patient or a primary caregiver and they are in the presence of their parent or legal guardian."
- 3) "Neither the County of Monterey, nor any other governmental agency has tested or inspected any cannabis product for pesticides, or other regulated contaminants, distributed at this location."

Each sign shall be at least 8 inches by 10 inches in size, and shall be displayed at all times in a conspicuous place visible to members and customers in the normal course of a transaction. The signs shall not obstruct the entrance or windows of the facility.

Dispensary Site Restricted

Our business shall adhere to the following measures with respect to restricting access to the premises:

- (a) All entrances into the building shall be locked from the exterior at all times, with entry controlled by our personnel.
- (b) A manager shall be on the site at all times that, any other person except for security guards, is on the site.
- (c) While on the site, managers and staff of our facility shall wear their County-issued cannabis dispensary identification badge at all times.
- (d) Any other person other than managers or staff shall be escorted by a manager at all times while in the dispensary building.

Furthermore, some general specifications about our business that are in accordance with the County of Monterey's requirements include:

- (a) **Juveniles Prohibited.** Juveniles shall be prohibited from the site, and no juvenile shall operate in any capacity, including, but not limited to: as a manager, staff, employee, contractor, or volunteer..
- (b) **Cannabis Consumption Prohibited.** No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within 20 feet of the site.
- (c) **Alcohol Prohibited.** None of our staff shall cause or permit the sale, distribution, or consumption of alcoholic beverages on the property; hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages; or operate a business on or adjacent to the property that sells alcoholic beverages. No alcoholic beverages shall be allowed or stored on the property.
- (d) **Criminal History.** None of our existing owners have, nor will we employ any future team members, who have felony convictions, or are currently on parole or probation for the sale or distribution of a controlled substance.
- (e) **Hours of Operation.** The maximum hours of operation for our dispensary facility shall be from 8:00am to 8:00pm, unless more restrictive hours are imposed as a condition of the business and/or conditional use permit.

Compliance with Building, Fire Code, and Permitting Requirements

We shall ensure that any usage of equipment shall comply with all applicable building and fire code requirements adopted by the County. We shall further ensure that we obtain all permits required for such installation.

Dispensary Site Security

Please see our Security Plan, attached hereto, for specifications on our dispensary site security.

Our Products; Estimated Range of Quantity to Be Produced Annually; To be Sold Via Retail

We project our operations will produce revenues according to the following schedule:

- Quarter 2 shall produce revenues of \$622,333,
- Quarter 3 shall produce revenues of \$1,294,667, and

- Quarter 4 shall produce revenues of \$1,294,667

For a total projected annual revenue of \$3,211,667.

We will sell our premium strains of cannabis flower and premium oil and manufactured products extracted from our cannabis flower. We will also sell select cannabis goods from third-parties such as the following.

- Flower – All cannabis flowers, shake, or pre-rolls will be pre-packaged, either by licensed, permitted cannabis cultivating and manufacturing facilities, or by Applicant as permitted by MAUCRSA. There will be no at-purchase weighing of loose flower. The only unpackaged flower allowed on the showroom floor will be a small sample to show quality.
- Vaporizers – All vaping products will be sold in original packaging and sourced from licensed, permitted cannabis manufacturing facilities.
- Concentrates – All concentrate products will be sold in original packaging and sourced from licensed, permitted cannabis manufacturing facilities.
- Edibles - All edible products will be sold in original packaging and sourced from licensed, permitted cannabis manufacturing facilities.

Labor & Employment Practices

MONTEREY RETAIL SOLUTIONS will implement and adhere to heightened compensation and benefit standards and practices briefly set forth in this section.

On the Job Training Opportunities

- Job skill development in a new and thriving industry.
- Team Members will be trained in the proper methods cannabis handling.
- Team members will be encouraged and required to continuously refine their craft by attending workshops and continuing education seminars at no cost to them.

Employment Opportunities

- During construction and after, for local residents.
- Employees will receive a minimum Living Wage in excess of the minimum required in the application and estimated at approximately 200% of the Federal Poverty Level (for a family of two):
 - o Wages of at least \$20.50 per hour with health benefits; or
 - o The payment of at least \$23.80 per hour if no health benefits are provided as a base pay.

MONTEREY RETAIL SOLUTIONS appreciates the need for a proper shut-down process and procedures to give the County, our customer, and creditors clear notice of our business's closure. To effectuate the closure of our commercial cannabis business we shall take the following steps.

1. Notify the County of our intentions to cease operations.
2. Notify the Bureau of Cannabis Control of our intention to cease operations.
3. Collect outstanding accounts receivable.
4. We will remove all equipment, chemicals and office furniture. All equipment shall include all machine, HVAC, safe, pre-fab walls, and safe shall be removed by professional contractors.
5. Sell off inventory; consider a "going out of business" sale.
6. Properly notifying creditors (suppliers, lenders, service providers, and utilities) so as to limit the amount of time a creditor can ask pursue debts.
7. Notify customers and deal with any remaining contractual obligations. Return any deposits or payments for goods not delivered or services not rendered.
8. Terminate commercial lease Provide landlord the required notice and locate replacement tenant to mitigate damages.
9. Notify and pay employees providing as much notice as possible. If necessary, engage legal counsel to help wind-up the business. Plan to pay employees their last paychecks on their last day, with the value of accrued, unused vacation as prescribed by the Employment Code.
10. Liquidate business assets in an orderly fashion.
11. Settle or pay debts to the extent possible, prioritized to protect personal liability -- money owed to landlord, bank, suppliers, utilities, and service providers. Request letters confirming that bills are settled as we pay off each creditor.
12. Pay final federal and state payroll deposits.
13. Submit final sales tax forms and funds due up to the closeout date.
14. Cancel business credit cards and subscriptions.
15. Comply with "bulk sales laws," if required.
16. Close business bank account and any other accounts.
17. Cancel state or county permits and licenses, including seller's permit, business license, and fictitious or assumed business name.
18. File final employment-related tax returns:
 - o IRS Form 940
 - o IRS Form 941
 - o state tax withholding and wage reporting forms.
19. File final income tax returns, checking the box stating that this is our final return.

20. Upon the sale of business assets, file IRS Form 4797, *Sales of Business Property* or, if we sell the bulk of our business assets to one buyer, file IRS Form 8594, *Asset Acquisition Statement*.
21. Leave contact information with former business contacts, colleagues, and employees, and forwarding address with landlord and US Postal Office.
22. Carefully distribute any remaining assets to equity partners pursuant to governance documents.
23. Dissolve the entity by filing a "certificate of dissolution" with CA Secretary of State.

Remediation

We only use nutrients and nonhazardous chemicals which are in containers and will be taken with us when we leave the facility.

Estimate Cost

The estimated cost of Closure and remediation is approximately \$225,000, which shall include winding-up the business, attorney's fees, contractors, and cleaning up and contamination albeit unlikely.

Post-Closure

Post-closure care costs including long-term maintenance and care of the facility; however, pursuant to the Closure Plan, we do not intend to occupy the facility without a license. As a licensed commercial cannabis operator we are required to maintain commercial records for a period not less seven years which will shall store at our other licensed facilities without additional costs.

Surety Bond

We are in the process of obtaining a surety bond from a surety company that shall be submitted to County upon receipt and maintained throughout the life of the cannabis business permit ensuring that all closure and post-closure care requirements are fulfilled.

Detailed Day to Day Operations

- ✓ Coordination of transport of upcoming deliveries with local distribution networks.
- ✓ Data entry of Seed to Sale Tracking Manifest of incoming and outgoing product.
- ✓ Verification that all products on the manifest have been received. Entry into inventory system with assignment of batch number.
- ✓ When product has been moved into the available product inventory into storage, the Dispensary Area can be stocked for retail sale.
- ✓ Confirm employee/volunteer compliance with dispensary standard operating procedures.
- ✓ Daily verification of product inventory for shrinkage.
- ✓ Website updates of available products and pricing.
- ✓ Daily security system testing.

General Procedures, Practices and Guidelines—Basic Standards

The dispensary will implement the following basic operating standards, in addition to other standards as promulgated by State regulations – “CCB” stands for “commercial cannabis business:”

- Information will be posted in a conspicuous place at or near the primary secured entrance/ lobby to the premises, as follows:
 - A copy of the dispensary’s CCB license;
 - The dispensary’s hours of operation
 - The name and telephone number of the dispensary’s Manager who is authorized to receive service of process and respond to complaints or concerns about its operations.
- The flow of components, product containers, closures, labels, in-process materials and cannabis will be designed to prevent contamination.
- Operations will be performed within specifically defined areas of adequate size, and which does not emit an odor that is detectable from outside the facility.
- There will be separate or defined areas or such other control systems for the operations as are necessary to prevent contamination or miscalculation or misuse of any component in any step of the control, packaging, labeling or distribution of cannabis during the course of the following procedures:
 - Receipt, identification, storage and withholding from use of components, product containers, closures and labels, pending the appropriate sampling, testing or examination by the quality control unit before release for manufacturing, processing or packaging;
 - Holding rejected components, product containers, closures and labels before disposition;
 - Storage of released components, product containers, closures and labels;
 - Storage of in-process materials;
 - Processing operations;
 - Packaging and labeling operations;
 - Quarantine storage before the release of cannabis or cannabis products;
 - Storage of cannabis or cannabis products after release; and
- Cannabis products will not be dispensed until required Quality Assurance (QA) Procedures have been completed; the product will not be not treated or adulterated with any compound that alters its appearance, color, weight or smell.
- Each person who is engaged in processing, packaging or holding cannabis practices good sanitation and health habits, wears clean clothing appropriate for the duties he or she performs and, as necessary to prevent contamination, dons protective apparel, such as head, face, hand and arm coverings.
- Prohibition of consumption of cannabis, tobacco, and alcohol on the premises pursuant to the Ordinance.

- Job descriptions and employment contracts will be provided that, included provisions relating to the Delegation of Duties set forth below.
- Maintenance of business records such as manual/computerized records of assets and liabilities, monetary transactions, journals, ledgers and supporting documents, including agreements, checks, invoices and vouchers.
- Development of education and support materials, including with regard to:
 - The availability of different strains of cannabis and the purported effects of the different strains;
 - Information about the purported effectiveness of various methods, forms and routes of administering cannabis; and
 - Prohibition on the smoking of cannabis in public places, places open to the public and places exposed to public view;
 - Use of proper sanitation methods and techniques, including with regard to:
 - Assigning responsibility for sanitation;
 - Describing the cleaning schedules, methods, equipment and materials be used in cleaning the buildings and facilities of the cannabis establishment.
 - Identifying the use of appropriate rodenticides, insecticides, fungicides, fumigating agents and cleaning and sanitizing agents;
 - Ensuring that all sanitation procedures apply to work performed by contractors or temporary employees and work performed by full-time and regular employee during the ordinary course of operations.
- Recording transactions, including purchases, denials of sale, any delivery options, confidentiality and retention through an encrypted electronic verification system (“EVS”).
- Restricting access to areas containing cannabis to persons authorized to be in those areas and requiring that such persons provide authorizing identification.
- Prevention/discouragement of loitering.
- Security procedures and apparatuses sufficient to prevent and detect unauthorized entrance into the Dispensary (See also Security Plan) which include:
 - Conducting electronic monitoring in and about the premises which includes the use of automatic or electronic notification to alert local law enforcement agencies of an unauthorized breach of security;
 - Devices or a series of devices to detect unauthorized intrusion, which may include a signal system interconnected with a radio frequency method, such as cellular or private radio signals, or other such device;
 - Exterior lighting to facilitate surveillance;
 - Electronic video monitoring surveillance.

Delegation of Duties

The day-to-day duties of dispensary shall be delegated to certain employees of the dispensary will be broken down as detailed below.

Manager:

- Responsible for managing the daily activities of the dispensary providing advice about health issues, symptoms and medications in response to patient enquiries.
- Responsible for recruiting, training and managing staff.
- Responsible for meeting representatives
- Responsible for managing the organizations' budgets Responsible for keeping statistical and financial records.
- Responsible for preparing publiCounty materials and displays
- Handles marketing services.
- Interfaces with third – party providers (vendors).
- Controls the sales floor inventory.
- Supervises the entire sales staff and workforce.
- Manages external research and coordinates all the internal sources of information to retain the CCB's best customers and attract new ones.
- Models demographic information and analyzes the volumes of transactional data generated by customer purchases.
- Sources for clients for the CCB.
- Responsible for promoting and maintaining the CCB's image.
- Responsible for creating marketing and sales strategies, etc.
- Represents the CCB in strategic business meetings.
- Handles any other duty as assigned by the CEO.

Merchandise Manager/ Sales Agents

- Manages vendor relations, market visits, and the ongoing education and development of the CCB' buying teams.
- Helps to ensure consistent quality of products on the sales floor.
- Responsible for the purchase of goods and products for CCB.
- Responsible for planning sales, monitoring inventory, selecting the merchandise, and writing and pricing orders to vendors.
- Ensures that the dispensary operates within stipulated budget.
- Ensures that the store facility is in immaculate condition and conducive enough to welcome customers (This includes turning on equipment such as computers, scales, printers and fax machines).
- Ensures that goods and products are properly arranged and front-faced.
- Responsible for sterilizing the counter tops, scales, pill counting trays, and other medication measuring devices.
- Handles administrative and bookkeeping tasks, inventory control, stocking shelves, and data entry.
- Performs monthly inventory counts, file paperwork, and stock inventory.
- Handles any other duty as assigned by the manager.

Detailed Standard Operating Procedures to Ensure Enhanced Product Safety

Product safety involves several aspects: testing of the product itself; the manner in which the product is handled and packaged, the manner in which it is stored, the environment in which all of the foregoing occurs, and information concerning the use of the product. The CCB's policies and procedures address each of these areas in detail.

Prior to receipt by the CCB all cannabis will have been subjected to testing by a State certified and registered Testing Laboratory. If not already packaged and/or labelled, upon receipt, the released product will be weighed, packaged and labeled. Packaged and labeled products will be examined for visual defects in the packaging or obvious deficiencies in the product. This is also part of CCB inventory control process and procedures. Defective products will be segregated for either return to the vendor supplying the product or disposal. Personnel handling the cannabis will be required to adhere to all common pharmaceutical practices for sanitary products.

Through its Manager, the CCB will investigate an appropriate array of certified Testing Laboratories and identify the most qualified facilities. The dispensary will concurrently conduct due diligence of its product suppliers to ensure that the cannabis soled has been verified by qualified Testing Laboratories.

Ongoing Diligence in Product Safety: CCB personnel will include a person, who will have the following responsibilities:

- Development of information-sharing and research relationships in the industry and scientific community concerning the various strains of cannabis, the effects of such strains and the THC/CBD constituents therein, and the ongoing state of research into the field of cannabis.
- As to Testing Laboratories to which CCB's suppliers submit their products for testing:
 - Developing knowledge of, and performing due diligence in determining compliance with, laboratory standards of practice, standard operating procedures, chain of custody protocols, quality control and quality assurance and proficiency standards and results;
 - Determining, from information available whether the Testing Laboratory has been subjected to discipline or has rated an unsatisfactory result in proficiency testing;
 - The Testing Laboratory's procedures and methods for testing of cannabis;
- As to suppliers from which CCB obtains cannabis products:
 - Determine the standard operating procedures & good manufacturing practices the suppliers;
 - Develop knowledge of, and perform due diligence in determining compliance with regulatory standards regarding the processing of edibles and infused products, including use of the methods, equipment, solvents, gases and mediums specified therein;
 - Develop knowledge of, and performing due diligence in determining compliance with standards regarding the sourcing and handling of non-cannabis ingredients and cannabis;
 - Ascertain the identity of the Testing Laboratory or laboratories with which they do business;
 - Conduct, where permitted, an on-site inspection of the premises in order to effectuate the foregoing;
- The CCB will further designate a person, who will be responsible for coordinating with the dispensary's Quality Control Officer and Purchasing Agent to ensure an uninterrupted supply of

cannabis and cannabis products that meets the needs of CCB's customer base. That person will also be responsible for implementing and overseeing the dispensary's consumer needs' plan;

- The CCB will also conduct its own random testing to validate results provided by its suppliers.

Packaging, Labelling and Signage – Format and Specifications: The CCB shall adhere to, and will ensure adherence by its suppliers to, the following packaging and labeling specifications for information placed on the labels of its products. MONTEREY RETAIL SOLUTIONS shall ensure compliance with the specifications for exit packaging and labeling, as promulgated by the Bureau of Cannabis Control regulations.

- For Cannabis Flower products:
 - o The CCB business name and address;
 - o The lot and/or batch number;
 - o The date and quantity dispensed, including the net weight measured in ounces and grams or by volume, as appropriate;
 - o The cannabinoid/terpinoid profile;
 - o The THC and CBD potency;
 - o A warning that states: "This product may have intoxicating effects and may be habit forming."
 - o The statement: "This product may be unlawful outside of the State of California."
- For edible and infused products:
 - o Monterey Retail Solutions, LLC, business name and address;
 - o The lot and/or batch number(s) of all cannabis used to create the product;
 - o The date and quantity dispensed, including the net weight in ounces and grams or by volume, as appropriate;
 - o If the product is perishable, a suggested use-by date;
 - o The terpinoid and THC profile in milligrams;
 - o A list of all ingredients and all major food allergens identified in 21 U.S.C. 343;
 - o A warning that states: "Caution: When eaten or swallowed, the intoxicating effects of this drug may be delayed by 2 or more hours;"
 - o A warning that states: "This product may have intoxicating effects and may be habit forming;"
 - o A statement that: "This product may be unlawful outside of the State of California;"
- In addition to the labeling to be affixed to packages containing cannabis, the dispensary will also provide, with all cannabis dispensed, accompanying material that discloses any pesticides applied to the marijuana plants and growing medium during production and processing and contains the following warnings in at least 12 point font without italics:
 - o "Warning: This product may have intoxicating effects and may be habit forming. Smoking is hazardous to your health;"
 - o "There may be health risks associated with consumption of this product;"
 - o "Should not be used by women who are pregnant or breast feeding;"
 - o "For use only by the person named on the label of the dispensed product. Keep out of reach of children;"
 - o "Marijuana can impair concentration, coordination and judgment. Do not operate a vehicle or machinery under the influence of this drug;"

- In addition to the labeling to be affixed to packages containing cannabis, the dispensary will also provide, with all edibles and infused products it dispenses, specific accompanying material, printed in at least 12 point font without italics, that:
 - Discloses any pesticides applied to the marijuana plants and growing medium during production of the marijuana used to create the extract added to the edible marijuana products or marijuana-infused products;
 - The type of extraction method used, including the identification of solvents, gases or other chemicals or compounds used to produce or that are added to the extract;
 - Contains the following warnings:
 - “There may be health risks associated with consumption of this product;”
 - “This product contains or is infused with marijuana or active compounds of cannabis;”
 - “Should not be used by women who are pregnant or breast feeding;”
 - “For use only by the person named on the label of the dispensed product. Keep out of the reach of children;”
 - “Products containing marijuana can impair concentration, coordination and judgment. Do not operate a vehicle or machinery under the influence of this drug;”
 - “Caution: When eaten or swallowed, the intoxicating effects of this drug may be delayed by 2 or more hours;”
- In addition to the foregoing packaging and labeling protocols, the dispensary will:
 - Exercise of strict control over labeling materials issued for use in labeling operations;
 - Carefully examine labeling materials issued for a batch for identity and conformity to the labeling specified in the applicable production or control records;
 - Carefully examine packaged and labeled products during finishing operations to assure that the containers and packages have the correct labels;
 - Collect a representative sample of units at the completion of finishing operations and ensure that the samples are visually examined for correct labeling;
 - Record the results of any examinations performed the applicable production or control records;
- In addition to the foregoing packaging and labeling protocols, the dispensary will post a placard at least 8 inches tall by 11 inches wide in a 48 point font, in a conspicuous place on the premises, that states, for edible and infused products, the following:
 - Edible and Marijuana Infused Products: There may be health risks associated with consumption of edible marijuana products or marijuana infused products;
 - Edible products and marijuana infused products contain marijuana or active compounds of marijuana;
 - Edible products and marijuana infused products should not be used by women who are pregnant or breastfeeding;
 - When eaten or swallowed, the intoxicating effects of edible products and marijuana infused products can be delayed two or more hours;
 - Follow all recommended dosage and serving guidelines and recommendations;
 - **KEEP CANNABIS PRODUCTS OUT OF REACH OF CHILDREN;**

- In addition to the foregoing, the dispensary will post a placard at least 8 inches tall by 11 inches wide in a 48 point font, in a conspicuous place on the premises, that states the following:
 - CALIFORNIA PROP. 65 WARNING: Smoking cannabis and cannabis-derived products will expose you and those in your immediate vicinity to cannabis smoke. Cannabis smoke is known by the State of California to cause cancer;
 - The sale or diversion of cannabis or marijuana without a permit issued by the County of Maywood is a violation of state law and the Maywood Municipal Code.
 - Secondary sale, barter, or distribution of cannabis or marijuana purchase from MONTEREY RETAIL SOLUTIONS, LLC. is a crime and can lead to arrest.
 - Patrons must immediately leave the dispensary and not consume cannabis or marijuana until at home or in an equivalent private location. Staff shall monitor the location and vicinity to ensure compliance.
 - The use of cannabis or marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.
 - Forgery of documents is a felony crime. Entry into the premises by persons under the age of twenty-one (21) is prohibited unless they are qualified patients and accompanied by a licensed attending physician, parent, or legal guardian.

Quality Control & Salvage Program: the CCB shall adhere to guidelines for production, quality control and salvage operations that include the following protocols:

- The establishment of a Quality Control (QC) unit with responsibilities to ensure:
 - That the QC Unit has the responsibility and authority to approve or reject all components, product containers, closures, in-process materials, packaging materials, labeling and cannabis products;
 - That the QC Unit has the authority to review production records to assure that no errors have occurred or, if errors have occurred, that they have been fully investigated and resolved;
 - That the QC Unit is responsible for approving or rejecting products manufactured, processed, packaged or held under contract by third parties; and
 - That the QC Unit is responsible for approving or rejecting all procedures or specifications which may impact the identity, strength, quality and purity of the products.
- That the products have the identity, strength, quality and purity they purport or are represented to possess.
- With respect to cannabis products that may have been subjected to improper storage conditions, including extremes in temperature, humidity, smoke, fumes, pressure, age or radiation due to natural disasters, fires, accidents or equipment failures, the dispensary will ensure that:
 - Such products are not salvaged and returned to the marketplace where it is determined that they have, in fact, been exposed to improper storage conditions;
 - Whenever it is unclear whether such products have been subjected to improper storage conditions, the dispensary will conduct salvaging operations only if there is:
 - Evidence from laboratory tests and assays that the products meet all applicable standards of identity, strength, quality and purity;
 - Evidence from inspection of the premises that the products and their associated packaging were not subjected to improper storage conditions as a result of the disaster or accident, if any;

- Where any such products have been subjected to salvaging operations, the dispensary must document such operations by identifying the name, lot number and disposition of such products.

Further Disclosures: The CCB shall provide the following additional disclosures to its customers, upon request, a writing received from any cultivation facility from which it obtains product disclosing:

- All soil amendments, fertilizers and other crop production aids applied to the growing medium or cannabis plant included in the lot; and
- The name of the Testing Laboratory which performed the required quality assurance tests and the results of the required quality assurance tests for the lot.

Samples: To the extent permitted by law or regulation, the dispensary may make samples available to its consumers for visual inspection and to smell, as follows:

- The sample will be packaged in a jar protected by a plastic or metal mesh screen;
- The sample jar will contain no more than 3 1/2 grams of usable cannabis;
- The sample will remain in the custody of the Dispensary at all times during inspection.

Employee Training: Trained employees are an important aspect of product safety. The CCB will provide instruction/training to its employee that relate to its basic operating procedure (as discussed immediately above) plus the following areas:

- The proper use of security measures and controls that have been adopted by the Dispensary for the security of the facility and to prevent diversion, theft or loss of cannabis;
- Procedures and instructions for responding to an emergency;
- State and federal statutes and regulations regarding confidentiality of information related to the use of cannabis;
- The different strains of cannabis produced or sold by the CCB;
- The different methods of using cannabis, edible cannabis products and cannabis infused products; and
- Signs of medicine abuse or instability in the use of cannabis by a consumer.
- Proper sanitation as to the handling of cannabis products, including:
 - Avoiding bare hand and arm contact with exposed, finished cannabis products;
 - The use of suitable utensils such as deli tissue, spatulas, tongs, single-use gloves or dispensing equipment when handling exposed, finished edibles or infused products;
 - Keeping his or her hands and the exposed portions of his or her arms clean;
 - Cleaning hands and exposed portions of his or her arms (or, as applicable surrogate prosthetic devices for hands and arms), during the following times and circumstances:
 - Immediately before working with usable cannabis or other cannabis products prior to packaging;
 - After touching bare human body parts other than clean hands and exposed portions of arms;
 - After using the toilet;
 - After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating or drinking;
 - After handling soiled equipment;
 - As often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks;
 - Keeping his or her fingernails trimmed, filed and maintained so that the edges and surfaces are cleanable;

- Unless wearing intact gloves in good repair, avoiding the use of fingernail polish or artificial fingernails on his or her fingernails;
 - Wearing clean clothing appropriate to the tasks assigned to him or her.
- Proper washing techniques, as follows:
 - Taking at least 20 seconds to complete the washing procedure, using a handwashing sink and cleaning compound;
 - Rinsing under clean, running warm water;
 - Applying an amount of cleaning compound recommended by the manufacturer of the compound;
 - Rubbing together vigorously for at least 15 seconds while paying particular attention to removing soil from underneath the fingernails and creating friction on the surfaces of the hands and arms, fingertips and areas between the fingers;
 - Thoroughly rinsing under clean, running warm water;
 - Thoroughly drying the washed body part.
 - The different strains of cannabis produced or sold;
 - The different methods of using cannabis, edible cannabis products and cannabis infused products;
 - Signs of medicine abuse or instability in the use of cannabis by a consumer;
 - The prohibition on transacting cannabis with another Dispensary;
 - Understanding the difference between topical products, edible cannabis products and cannabis-infused products, as applicable to the operations of the facility for the production of edible cannabis products or cannabis-infused products;
 - The procedures used by the facility for the production of edible cannabis products or cannabis-infused products to create edible cannabis products or cannabis-infused products; and
 - The proper procedures for handling edible cannabis products or cannabis-infused products, including, without limitation, the procedures used to prepare, produce, package and store such products as required by the provisions of the governing statute and related regulations.

Cash Management

- Cash will be stored in a safe located at the Proposed Business Location. The safe will be secure, checked by security, and monitored by video.
- Any cash that is acquired by the company will come through an armored car transportation service.
- Transport of the cash will be seen once the car service comes through the loading bay and to the safe. All points of transport inside the building will be monitored by video.
- Ultimately, once the seed-to-sale tracking vendor is engaged a cash management system will be implemented that functions similar to an automated teller machine (ATM) kiosk where the customer inserts cash directly to the kiosk where it is counterfeit-checked, locked, and exchange change provided, if necessary, without employees ever handling the money. These systems

provide full control and transparency of all transactions as every customer, employee, dollar, and gram is tracked.

Further Cash Management Precautions

- MONTEREY RETAIL SOLUTIONS will keep the minimum amount of cash on hand required for daily distribution operations. Cash in excess of this amount will be moved off-premises on a daily basis.
- It is the intention of MONTEREY RETAIL SOLUTIONS to move to a cashless system of operation as soon as the County of Monterey identifies preferred cashless system vendors. We work with several vendors in this space and will be happy to provide recommendations.
- All cash will be stored in a locked fire and waterproof safe inside a secure room accessible only by authorized personnel.
- The cash safe(s) will be monitored 24/7 with a camera and monitoring service.
- The cash will be stored in a vault room with one (1) large fire and waterproof safe that will house and store all cannabis products and cash from this location after hours. This room is to be considered limited access and will only be for authorized managers with the proper access key card.

Auditing

- Every withdrawal and/or deposit will be tracked by our accounting software.
- All sales will be tracked and connected with our sales management software which will then be connected with our accounting software.
- All withdrawals and deposits will be authorized and accounted by the facility manager.

Product Complaints

Process for submittal of a product complaint to the operation:

- Client who has an issue will submit their complaint using the product complaint form which comprises of:
 - The form number, name of the complaint holder/customer, address, and phone number.
 - The client will describe the nature of their complaint (poor quality/low performance/price related) and will then provide details of the product complaint.
 - How many times has the client registered the complaint with the business, and did the concerned department take any course of action?
 - Does the client possess the packaging and contents of the product and when did the issue arise?
 - Signature of complaint holder/customer.

Identification of the minimum data elements to record for a product complaint:

- Product Complaint minimum is one product.

Review of product complaints by a qualified person:

- Operations Manager or designated department.

A procedure for the review and approval of the findings and follow-up action of any investigation performed:

- Depending on the severity of the product complaint, the product will then be put through the recall process.
- At this point, the complaint holder/customer would be refunded their money.

Product Rejection/Recall Plan

The dispensary shall develop and implement a recall plan addressing at a minimum:

Factors which necessitate a recall procedure;

- ✓ If the product is not tested properly or packaging has been opened.

Personnel responsible for a recall;

- ✓ Operation Manager or Specified Department.

Notification protocols:

- ✓ Through the customer complaint form.

The business shall establish a policy for communicating a recall of cannabis that has been shown to present a probability that the use of or exposure to the product will cause serious adverse health consequences, or could cause temporary or medically reversible adverse health consequences.

This policy should include:

A mechanism to contact all customers who have, or could have, obtained the cannabis from the dispensary operation, which communication must include information on the policy for return or proper disposal of the recalled product;

- Through the sales and client management software.
- We will track seed to sale which will help operations regulate the recall process.
- By overseeing the distribution network and the collectives, dispensaries, or transportation clients.

Communication and outreach via media, as necessary and appropriate.

- Communication and outreach will be overseen through our media and sales team. This team will manage our brand and image to help insure a positive reputation in the community.

Any recalled cannabis that is returned to the dispensary must be disposed of in a manner that ensures that it cannot be salvaged and will not be used by a compliant individual or by any other person. The disposal process will take place in our secure trash loading bay.

Our dispensary operation will periodically conduct a mock recall to assess the effectiveness of the recall plan. If any issues are to occur during these periodical mock recalls, we will reevaluate our process to make the process as optimal as possible.

Community Benefits & Involvement

As with any major business enterprise, the community and people from that community become vital resources. In return, the Monterey community will benefit with:

- **Increased Local Business Revenue**
 - Utilization of local contractors and supply stores.
 - Reducing the local unemployment rate and replacing it with disposable income.
- **Increased Sales Tax**
 - Revenue for the County from increased consumer spending at local businesses (a direct result of employment opportunities).
- **Increased Property Tax Valuations** at the developed property.
- **Increased Property Tax Revenue**
- **Increased funding for vital County services**
 - The anticipated tax revenues generated by the Commercial Cannabis Activity will also contribute to local government efforts to maintain and improve its public services such as parks and community centers. Applicant will also offer a slate of additional programs and services to help boost the community through services to aid and support our citizens. These ancillary services will focus partnerships with local non-profits and community support organizations, price supports to seniors, the terminally ill, low income individuals and veterans, and an eviction defense program assisting persons who have lost their homes to foreclosure.
- **Substance Abuse Education**
 - Applicant will support and partner with substance abuse, misuse, and overuse, organizations. Given the recent opioid epidemic, Applicant is dedicated to combat dependency any way it can.
- **Decreased Crime**
 - The presence of Applicant will decrease vagrancy and crime in the immediate area.
- **Participation in Community Service**
 - We want to give back to the community in a positive way and we feel the youth is the first step. One of the constant negatives against the cannabis industry is the industry's impact on youth. We want to change that perception with our own time and charitable contributions.
 - Contributing to/supporting domestic violence prevention programs.
 - Partnering with local food banks by gathering donations via patient discounts for donating food and clothing to be collected at our facility.
 - Contributing to/supporting Parks and Recreation Centers, libraries, or funding for arts, culture, and environmental programs.
 - Contributing to/supporting children/youth programs and intervention services.
 - Contributing to/supporting substance abuse education and rehabilitation programs.
 - Funding foreclosure prevention and foreclosure abatement programs, including eviction defense following foreclosure.
 - Providing high quality cannabis to low income members.
 - Developing a Care Package program which includes but is not limited to free medicine to qualified members.

Monterey Retail Solutions, LLC – Standard Operating Procedures (Dispensary)

- o Developing partnerships with Senior Care Facilities to provide high quality medicine and education to their residents.
- o Offering Senior and Veteran discounts and support groups.
- o Engaging in other neighborhood improvement projects as they arise.

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

Security Plan - RMA Response

Security Plan

This document contains the Security Plan for the planned commercial cannabis operations in the County of Monterey pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”) and the regulations promulgated thereunder, by professionals at MONTEREY RETAIL SOLUTIONS.

As set forth in greater detail in MONTEREY RETAIL SOLUTIONS’ operations plan submitted to the County, MONTEREY RETAIL SOLUTIONS intends to manage and execute a licensed and fully-compliant commercial cannabis (adult use and medicinal) storefront and non-storefront delivery operations at the facility located at 1031 El Camino Real, Salinas, CA 93907, zone Light Commercial (LC).

Although the security system being implemented is designed to prevent the theft or diversion of commercial cannabis and commercial cannabis-based products (collectively, the “Products”), the protection of MONTEREY RETAIL SOLUTIONS and employees and public safety is our top priority. In the event of an armed intrusion or robbery attempt, access will be limited, preventing a Premises takeover event, and will provide first responders with real-time data. MONTEREY RETAIL SOLUTIONS have designed the security system and measures to exceed industry and or local standards and to comply with Section 17.33.030(B)(8).

Physical Barriers and Other Measures: The systems will include physical barriers to secure perimeter access and all points of entry. These systems will include features such as:

- Locking primary entrances and limited access areas with commercial grade, non-residential door locks;
- Fencing around the grounds, driveway, and any secondary entrances including windows, roofs, or ventilation systems.

Non-Employees: Individuals who are not engaged in activity expressly related to the relevant Operations at the applicable Premises will not be permitted into the Premises. Likewise, individuals who are engaged in activity expressly related to the relevant Operations at the applicable Premises will be escorted from such Premises as soon as their presence is no longer necessary to the function for which they were admitted. All individuals who are not employees of the relevant Operations (including customers and any outside vendors, contractors, or other individuals conducting business that require access to the applicable Premises) will be escorted at all times while on the applicable Premises.

Limited-Access Areas: The entire premises will be treated as limited-access areas, and thus will be accessible only to authorized personnel and employees..

Finished Products: All finished Products will be stored in a secured and locked room, safe, or vault, and in a manner that prevents diversion, theft, and loss. All finished Products will contain tamper proof and tamper evident packaging.

Employee Badge: All agents, officers, or other persons acting for or employed by MONTEREY RETAIL SOLUTIONS will display a laminated or plastic-coated identification badge issued by us at all times while engaging in activities, as applicable. The identification badge shall, include our “doing business as” name and license number, the employee’s first name, an employee number exclusively assigned to that employee for identification purposes, and a color photograph of the employee that clearly shows the full front of the employee’s face and that is at least 1 inch in width and 1.5 inches in height.

Alarm Management System: MONTEREY RETAIL SOLUTIONS will employ a centrally monitored alarm management system, such as a MILESTONE security server. This system will be installed by Safe and Sound Security, which will also maintain, monitor, and respond to the system. This system will include:

- Single-user interface access control system
- CCTV and IP cameras configured with night vision and motion detection for video management, intrusion deterrence and remote access to law enforcement
- Web-based alarm and event management
- Integrated duress (panic) alarm. The duress event will automatically record local video while security and law enforcement are en route to respond to the incident location.
- MILESTONE Server (90 days stored recorded video at continuous recording 24 hours per day)
- 2MP HD cameras
 - 15 Cameras (with night vision, outdoor weather proof and vandal proof)

Customized Security Procedures: MONTEREY RETAIL SOLUTIONS's security system will include the following customized security measures:

- Zone authentication (swipe card, pin number, biosecurity) for secure areas that contain any Products;
- Time delay entry to any areas that contain any Products. Time delays are programmable in the system and prevent doors from being accessed immediately holding the door for a period of time. This feature is used to prevent a forced entry to rooms with product and would allow security personnel and police to respond before the room is accessed; and
- Area restriction based upon an individual employee's security level; entry will be limited to their specific area of assignment and based upon the time of day, and security operations protocol.

Employee or Vendor Database Management: MONTEREY RETAIL SOLUTIONS will employ an on-site database that includes, for vendors (e.g., contractors or other industry professionals who would require entry to maintain or support the Operations) or employees, the below information:

- Employee or vendor photograph;
- City issued work permit;
- Emergency contact;
- Copy of city or state issued personal identification;
- Vehicle identification information;
- Method of transportation;
- Security clearance levels;
- Areas of access within the facility

The employee database will provide easily accessible verification credentials to MONTEREY RETAIL SOLUTIONS to prevent unauthorized access into the Premises.

Cash Transactions: All cash transactions will occur within the designated Transaction Area of the Premises. All cash transactions will be (i) monitored by MONTEREY RETAIL SOLUTIONS management and/or security personnel, (ii) recorded either digitally or on paper and in accordance with the TAT system, and (iii) be done in full view of surveillance cameras.

Secured Rooms: The Premises will contain a secured office. For the secured room:

- At the end of each operating day, Products that are vulnerable to diversion or theft will be stored securely in the security room, and all high-value Products and cash will be secured inside a floor safe that meets, or exceeds, all applicable requirements of the applicable state or local laws and regulations (“Safe”), to which only authorized MONTEREY RETAIL SOLUTIONS personnel will have access.
- MONTEREY RETAIL SOLUTIONS will utilize best-in-class, high-definition video surveillance and video storage equipment to record and monitor all activity in their respective Premises.
- Security footage will be recorded at all times and all cameras will employ infrared capabilities.
- Security equipment will be compliant with all applicable requirements of the applicable state or local laws or regulations for resolution and storage capacity and will be stored in a dedicated, secure location in the security rooms of the respective Premises with access by authorized MONTEREY RETAIL SOLUTIONS management and security personnel only.
- Security personnel will ensure that all security equipment is functioning properly at the beginning of each shift and a minimum of two times during each shift. This includes verifying that all cameras are recording and that footage is being stored as required by law.
- Security footage will be stored in the security rooms of the respective Premises for a minimum of 90 days and will be used for investigative analysis in connection with any theft or other possible criminal or malicious activity.
- The security room will contain a wireless activator allowing for silent notification to the Monterey Police Department in the event of a robbery or other emergency situation within the security rooms of the respective Premises.

Reporting Features: The security systems will enable facility management, security and City-appointed staff to have immediate access to the following:

- Customizable event reports with associated video instant replay and monitoring of alarm activation incidents as they occur;
- Automatic report generation for specific dates and times;
- Administrative event logs for filing of incident reports with management and the local police department as required by any existing or future ordinance; and
- Web based remote access to generate and view reports.

Video Surveillance Equipment: MONTEREY RETAIL SOLUTIONS intend to install video surveillance recording systems that will be operational at all times. Surveillance system will include technology (cameras and software) that will allow for generating images capable of capturing facial detail in designated areas. The systems will be equipped with failure notification systems that will provide, within 1 hour, notification to MONTEREY RETAIL SOLUTIONS of any prolonged surveillance interruption or failure. The systems will have sufficient battery backup to support itself the event of a power outage. The systems will also meet the following City and State requirements:

- The digital video surveillance systems will all cameras shall have minimum resolution of 1280 x 720 pixels and record at 15 fps (frames per second) and shall record continuously 24 hours per day.

- The surveillance-system storage devices or the cameras shall be transmission control protocol (TCP) capable of being accessed remotely through the Internet.
- The video surveillance systems will at all times be able to effectively and clearly record images of the areas under surveillance.
- Each camera shall be permanently mounted and in a fixed location. Each camera shall be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit on the licensed premises and allows for the clear and certain identification of any person and activities in all areas required to be filmed. To the extent reasonably possible, all video surveillance cameras will be installed in a manner that prevents intentional obstruction, tampering with, and/or disabling.
- The video surveillance system shall at all times record: (1) areas where Products are stored, and unloaded for transportation, or moved within the premises; (2) limited-access areas; (3) security rooms; (4) areas storing a surveillance-system storage device with at least one camera recording the access points to the secured surveillance recording area; and (5) entrances and exits to the premises, which shall be recorded from both indoor and outdoor vantage points.
- Cameras will be placed in rooms with exterior windows, exterior walls, roof hatches, or skylights and storage rooms, including those that may contain safes.
- Coverage of security room in which the server and network infrastructure are located.
- All cameras will be placed so that they capture clear and certain images of any individual and activity occurring within 20 feet both inside and outside of all points of entry to and exit from the licensed premises; and anywhere within secure or limited-access areas in the licensed facility.
- The physical media or storage device on which surveillance recordings are stored shall be secured in a manner to protect the recording from tampering or theft.
- Recorded images shall clearly and accurately display the time and date. Time is to be measured in accordance with the United States National Institute Standards and Technology standards.
- The video surveillance system shall be equipped with a failure notification system that provides notification to MONTEREY RETAIL SOLUTIONS, as applicable, of any interruption or failure of the video surveillance system or video surveillance-system storage device.
- Electronic records will be secured and/or backed up in a manner that prevents unauthorized access and that ensures the integrity of the records is maintained.
- All archived required records not stored electronically shall be stored in a locked storage area. Current records may be kept in a locked cupboard or desk outside the locked storage area during hours when the licensed business is open.
- Archive video recordings in a format that ensures authentication of the recording as a legitimately-captured video and guarantees that no alterations of the recorded image have taken place. Videos can be easily accessed for viewing from security, law enforcement, or an employee upon request.
- Surveillance system will be equipped with redundancy and/or offsite backup to mitigate any risk of tampering with video footage. Video surveillance records and recordings available immediately upon request.

- Surveillance system will be equipped to retain a minimum of 90 days of continuous recording data from every camera installed at the licensed premises. Data will be easily accessible in the event that footage is requested.
- If MONTEREY RETAIL SOLUTIONS has been notified in writing by the BCC or DPH (wherever applicable) or its authorized agents, law enforcement or other federal, state or local government officials of a pending criminal or administrative investigation for which a recording may contain relevant information, licensed operators shall retain an unaltered copy of the recording until the investigation or proceeding is closed or the entity conducting the investigation or proceeding notifies the licensed operator that it is not necessary to retain the recording.
- Surveillance recordings are subject to inspection by the BCC and shall be kept in a manner that allows the Bureau to view and obtain copies of the recordings at the licensed premises immediately upon request. We shall also send or otherwise provide copies of the recordings to the Bureau upon request within the time specified by the Bureau..

Third Party Security Policies:

1. Security services will be provided by a third-party state licensed Security Company that operates in accordance with all local and state laws. We plan to engage Warner Safe Guard, Inc, PPO License #17601. Security equipment and installation will be provided by Valley Video Security.

Theft Prevention

1. Inventory systems will be employed to track Products and the personnel responsible for processing it throughout the manufacturing process;
2. Access of personnel within the premises will be limited to those areas necessary to complete job duties, and to those time-frames specifically scheduled for completion of job duties;
3. Tasks or processes with high potential for diversion (including the loading and unloading of transportation vehicles) will be supervised and recorded; and
4. Designated areas will be provided for personnel to store and access personal items.

Investigations

1. Any breach or theft shall be investigated internally; included by interviewing employees and (where possible) other third parties. Any evidence of a breach or theft shall be kept pending the investigation.
2. Procedures shall be set up to notify the Monterey Police Department immediately after discovering any of the following: (a) diversion, theft, loss, or any criminal activity; (b) the loss or unauthorized alteration of business records related to employees or agents of the business; (c) significant discrepancies identified during inventory; or (d) any other breach of security.
3. MONTEREY RETAIL SOLUTIONS acknowledge that inspections shall be scheduled by the Monterey police chief whenever deemed necessary by the police chief. Inspections shall take place at a reasonable time with prior notice to MONTEREY RETAIL SOLUTIONS. Upon request, MONTEREY RETAIL SOLUTIONS shall timely provide the police chief with records related to

the business, including, but not limited to, utility bills from the commercial energy provider for the premises. MONTEREY RETAIL SOLUTIONS acknowledge that this section shall not limit any inspection authorized under any other provision of law or regulation.

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

Operating Hours - RMA Response

Operating Hours

Monterey Retail Solutions shall operate only in accordance with the operating plans reviewed and approved by the County. The County shall limit the hours of operation for a retail facility to begin no earlier than eight a.m. and to end no later than eight p.m.

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

*Hazardous Materials, Waste Disposal and Returned Inventory
- RMA Response*

Hazardous Materials, Waste Disposal, and Returned Inventory

Purpose: This document describes responsibilities that shall be implemented by all members of Monterey Retail Solutions as a condition of employment regarding the disposal of waste. The purpose of this document is to ensure all employees follow the Waste Disposal policies and procedures. Monterey Retail Solutions has no intention or plans for use of potentially hazardous waste or other agricultural chemical additives.

Policy: In accordance with the California Health and Safety Code and the U.S. Environmental Protection

Agency's Worker Protection Standard, hazardous wastes will be used, handled, stored, and disposed of in a manner conforming to the manufacturer's Safety Data Sheet and labeling guidelines. Policy Citation: 3-8-8307(b)(1). Monterey Retail Solutions will not mix, prepare, over-apply, or dispose of hazardous waste in any location where they may enter the riparian setback or waters of California. Policy Citation: 3-8-8307(b)(8); 3-8-8307(b)(9).

Hazardous Materials:

Monterey Retail Solutions as a retail store does not anticipate any hazardous material on or stored within the premises.

1. As we do not anticipate any hazardous materials we do not have a requirement to upload any hazardous materials information into the CA environmental reporting system database.
2. Monterey Retail Services will have 2 above-ground water tanks, and a septic tank below ground. Human waste, and other ordinary retail waste, will be the primary form of waste to be generated onsite.

Returned Product:

Monterey Retail Solutions will accept returns of cannabis goods that were previously sold on-site. We will not resell cannabis goods that have been returned. We shall treat any cannabis goods abandoned on the Business Premises as a return. We shall destroy all cannabis goods that have been returned to us, as required by the State of California and the DCR.

Waste>Returns Disposal:

- A) Monterey Retail Solutions disposes of cannabis waste in a secured waste receptacle on the licensed premises
- B) Any waste that is disposed of is removed from its packaging, deemed not hazardous, and is made unusable and unrecognizable by the waste management service.
- C) When cannabis products are disposed of, Monterey Retail Solutions will create and maintain a record of the date, type and quantity disposed of, the manner of disposal, and the persons present during the disposal, with their signatures. Info is entered into the track and trace system and disposal records are kept for a minimum of 7 years.

- a. Cannabis waste is considered non-recycleable, and will be disposed of in a 1 - 1 yard locking trash bin supplied by Waste Management.

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

Customer Verification Practices - RMA Response

Proposed Customer Verification Practices

1. **Relevant statutes - Monterey Retail Solutions will comply with all laws regarding product sales and customer age/identity verification as follows:**
 - a. *Except as otherwise provided by state law, access to the Business Premises shall be limited to individuals who are at least 21 years old and have a bona fide business reason for entering the Business Premises. An individual younger than 21 years of age may enter the Business Premises to purchase medical cannabis goods only if the individual is a medical cannabis patient. Any medical cannabis patient younger than 18 years old shall be accompanied by his or her parent, legal guardian, or primary caregiver. (Violation Type – Serious)*
 - b. *Individuals shall only be granted access to the area to purchase medical cannabis goods after the Licensee has identified the individual as a medical cannabis patient or a primary caregiver. Prior to identifying an individual as a medical cannabis patient or a primary caregiver, a Licensee shall verify that the individual has valid proof of identification as required by the State of California. In the case of a primary caregiver, valid written documentation containing the signature and the printed name of the medical cannabis patient designating the individual as a primary caregiver for a medical cannabis patient is required. A Licensee shall only sell medical cannabis goods to medical cannabis patients or the primary caregivers of medical cannabis patients once identification is verified. (Violation Type – Serious)*
 - c. *All deliveries of cannabis goods must be performed by a delivery employee of a Licensee conducting Delivery for Retailer Commercial Cannabis Activity. Each delivery employee of a Licensee shall be at least 21 years of age. Only authorized employees of the Licensee can be in the delivery vehicle during the time of delivery. A Licensee may use the services of an independent contractor or courier service to deliver cannabis goods if the State of California permits this type of delivery method. (Violation Type – Moderate)*
 - d. *EFFECTIVE AS REVISED JULY 23, 2018 22 3. All deliveries of cannabis goods shall be made in person, pre-ordered, packaged for sale, labeled, and placed in exit packaging prior to being dispatched for delivery. A delivery of cannabis goods shall not be made through the use of an unmanned vehicle. A Licensee may only deliver cannabis goods to a physical address within the boundaries of the County of Monterey. A Licensee may only deliver outside of the County of Monterey with the approval of DCR and the affected jurisdiction. A Licensee shall not deliver cannabis goods to an address located on publicly owned land or any address on land or in a building leased by a public agency.*
 - e. *Electronic age verification shall be utilized to determine the age of any individual attempting to purchase Cannabis goods for delivery and shall be required at each point-of-sales location. All employees shall be instructed in its use. Cannabis products shall not be sold to the public without electronic age verification.*

2. Proposed Customer Verification Practices for Retail Customers

The typical customer workflow will consist of:

- a. Prospective customers presenting their identification at front desk check-in.
- b. Monterey Retail Services will confirm the customer's eligibility for purchase based on their possession of a government-issued ID demonstrating they are over 21 years of age.
- c. Staff will allow the customer into the showroom.
- d. Monterey Retail Services will assist the customers with any product inquiries they may have, guide them through the payment process, and then direct them off-site.

3. Verification for Medical Cannabis Patients

Verifying customers for non-medical retail sales will consist of checking for valid government-issued identification proving customers are over the age of 21. For medical-side patients, however, the process could be somewhat less clear. Medical patients may be under the age of 21, for instance, and in any case will need to be able to demonstrate they are a medical marijuana patient or authorized caregiver.

Pursuant to these regulations, Monterey Retail Solutions will lean on the Medical Marijuana Identification Card Program (MMICP) to verify patient status for any medical cannabis purchases. ID cards issued through this program can only be obtained by patients or their legal representatives if an applicant is diagnosed with a serious medical condition for which the medical use of marijuana is appropriate. They must be able to prove residency within the county where they apply for the MMIC; provide valid government-issued proof of identity at the time they submit their application; and have a copy of written documentation contained in medical records from their physician (medical doctor, osteopath or podiatrist) stating that they have a serious medical condition and that the medical use of marijuana is appropriate. The MMIC card typically lasts for one year before expires and must be renewed.

The MMIC program establishes a data repository of card verification through the development of a web-based system that ensures information security through the use of protected firewalls and assigned user IDs and passwords to county health departments. The MMIC further collects and reports application information entered by counties or their designees; assigns unique card identification numbers, and prints MMICs and send them to county programs. This allows immediate access for the verification of the MMIC by law enforcement officials and others.

In this manner, the MMIC program provides a framework for ensuring integrity in the medical marijuana retail process.

In the event that a patient does not present a medical patient card, Monterey Retail Solutions will also accept a valid doctor's recommendation on prescription pad.

- a. Prospective medical patients will present their identification and doctor's recommendation and/or caregiver's documentation at front desk check-in.
- b. Monterey Retail Services will confirm the customer's eligibility for purchase based on their possession of a valid doctor's recommendation, which must be verified in the physician's database.
- c. Upon verification of doctor's recommendation and/or caregiver's documentation, Staff will allow the customer into the showroom.
- d. Monterey Retail Services will assist the customers with any product inquiries they may have, guide them through the payment process, and then direct them off-site.

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

Product Supply Chain - RMA Response

Monterey Retail Solutions Product Supply Chain

Monterey Retail Solutions will be a Type 10 cannabis retailer (dispensary) and delivery service operating at 1031 El Camino Real, Salinas CA 93907.

Cannabis retail storefronts sell cannabis goods to customers at its premises and/or by delivery. A retailer must have a licensed physical location (premises), including an address where commercial cannabis activities are conducted. Licensed cannabis retailers may only sell cannabis goods, cannabis accessories, and licensees' branded merchandise or promotional materials.

Cannabis retailers must adhere to all of the requirements for Commercial Cannabis Licensees that involve storage of inventory, record keeping, security, surveillance requirements, and compliance with the Track and Trace program. Additional requirements that are specific to retailers include highly regulated areas such as retail location, hours of operation, goods display, selling of live plants, daily limits on sale, packaging, labeling, returns, inventory documentation and more

As a licensed retailer may only receive cannabis goods for sale from a licensed distributor Monterey Retail Solutions will only stock and sell inventory items from licensed distributors. Prior to receiving any inventory from a licensed distributor, Monterey Retail Solutions will ensure that the distributor's license is current, that all cannabis goods comply with all packaging and labeling requirements, and that no cannabis goods being purchased from a distributor are expired.

Retailers must meet compliance requirements for their operations concerning hours of operation, packaging, and strict delivery regulations. Retailers cannot accept, possess, or sell cannabis goods if they are not packaged as they will be sold at final sale.

Monterey Retail Solutions, LLC

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Inventory Control and Monitoring to Prevent Diversion

- RMA Response

Inventory Control Plan for Monterey:

INVENTORY CONTROL & MONITORING TO PREVENT DIVERSION

As our goal is to demonstrate full compliance with the Bureau's Cannabis Regulations, in advance of their full implementation, MONTEREY RETAIL SOLUTIONS will require seed-to-sale tracking with each of the locally licensed cannabis operations as a condition of sale. There are multiple Seed-to-sale tracking systems available. The system selected must adhere to the specifications listed herein; however, final contract award to a specific vendor has not been made.

At all times during operations we shall maintain an active and functional account within the track-and-trace system prior to engaging in any commercial cannabis activity, including the purchase, sale, packaging, transfer, return, destruction, or disposal of any cannabis goods.

Track-and-Trace Monitoring

MONTEREY RETAIL SOLUTIONS shall comply with Article 2 of Subchapter 5 of the CDPH's Manufacturing Regulations that govern Track-and-Trace System requirements. Specifically, MONTEREY RETAIL SOLUTIONS shall designate one individual owner as the track-and-trace account manager. The account manager may authorize additional owners or employees as track-and-trace system users and shall ensure that each user is trained on the track-and-trace system prior to its access or use. The account manager and each user shall be assigned a unique log-on, consisting of a username and password. The account manager or each user accessing the track-and-trace system shall only do so under his or her assigned log-on credentials. Log-on, username, or password shall not be transferred between individuals for any reason. The account manager shall maintain a complete, accurate, and up-to-date list of all track-and-trace system users, consisting of full names and usernames.

MONTEREY RETAIL SOLUTIONS shall monitor all compliance notifications from the track-and-trace systems, and timely resolve issues detailed in the compliance notification. MONTEREY RETAIL SOLUTIONS shall keep a record, independent of the track-and-trace system, of all compliance notifications received from the track-and-trace system, and how and when compliance was achieved. If MONTEREY RETAIL SOLUTIONS is unable to resolve a compliance notification within three business days of receiving the notification, the licensee shall notify the Bureau immediately. MONTEREY RETAIL SOLUTIONS shall be accountable for all actions its owners or employees take while logged into or using the track-and-trace system, or otherwise while conducting track-and-trace activities.

Further, MONTEREY RETAIL SOLUTIONS shall comply with the reporting requirements enumerated in §40512, which include:

- (a) A system account manager or user shall record all of the following activities in the track-and-trace system within 24 hours of the activity:
 - (1) Receipt of cannabis material.
 - (2) The transfer to or receipt of cannabis products for further manufacturing from another licensed manufacturer
 - (3) All changes in the disposition of cannabis or cannabis products. A change in disposition includes, but is not limited to:
 - (A) Processing of the cannabis or further processing of the cannabis product;
 - (B) Packaging cannabis products.

- (4) Transfer of cannabis products to a distributor.
- (5) Any other activity required by the track-and-trace system to be captured.
- (b) The following information shall be recorded for each activity entered into the track-and-trace system:
 - (1) The licensed entity from which the cannabis material or product is received, including that entity's license number, and the licensed entity to which the cannabis product is transferred, including that entity's license number.
 - (2) The name and license number of the distributor that transported the cannabis material or cannabis product.
 - (3) The type of cannabis material or cannabis product received, processed, manufactured, or transferred.
 - (4) The weight or count of the cannabis material or cannabis product received, processed, packaged, or transferred.
 - (5) The date of receipt, processing, packaging, or transfer.
 - (6) The unique identifier assigned to the cannabis material or cannabis product.
 - (7) Any other information required by other applicable licensing authorities.

MONTEREY RETAIL SOLUTIONS shall order UID tags within 5 business days of receiving access to the track-and-trace system, and further comply with UID tag requirements per §40517.

Should MONTEREY RETAIL SOLUTIONS lose access to the track-and-trace system for any reason, we will follow the procedures outlined in §40513.

Further, with respect to inventory control of our cannabis and cannabis products, MONTEREY RETAIL SOLUTIONS shall establish and implement a written inventory control plan capable of tracking the location and disposition of all cannabis and cannabis products at the licensed premises, in compliance with §40482. MONTEREY RETAIL SOLUTIONS will also conduct the following procedures in accordance with the Regulations:

- A licensee shall reconcile the on-hand inventory of cannabis and cannabis products at the licensed premises with the records in the track-and-trace database least once every thirty (30) calendar days. Reconciliation shall be performed by one person and independently verified by a second person.
- If a licensee finds a discrepancy between the inventory and the track-and-trace database, the licensee shall conduct an audit.
- The licensee shall notify the Department within 24 hours if an audit reveals a discrepancy that is not within five percent of the documented inventory.
- If a licensee finds evidence of suspected theft or diversion, the licensee shall immediately report the suspected theft or diversion to the Department.

Monterey Retail Solutions, LLC

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Record Retention Plan - RMA Response

Record Retention Plan

General (Applicable to all Licensees)

Under MAUCRSA, each licensee shall keep and maintain the following records related to commercial cannabis activity for at least seven years:

(1) Financial records including, but not limited to, bank statements, sales invoices, receipts, tax records, and all records required by the California Department of Tax and Fee Administration (formally Board of Equalization) under Title 18 California Code of Regulations sections 1698 and 4901.

(2) Personnel records, including each employee's full name, social security or individual tax payer identification number, date employment begins, and date of termination of employment if applicable.

(3) Training records, including but not limited to the content of the training provided, and the names of the employees that received the training.

(4) Contracts with other licensees regarding commercial cannabis activity.

(5) Permits, licenses, and other local authorizations to conduct the licensee's commercial cannabis activity.

(6) Security records, (except for surveillance recordings required pursuant to section 5044 of this division).

(7) Records relating to the composting or destruction of cannabis goods.

(8) Documentation for data or information entered into the track and trace system.

(9) All other documents prepared or executed by an owner or his employees or assignees in connection with the licensed commercial cannabis business.

Records shall be kept in a manner that allows the records to be produced for the Bureau at the licensed premises in either hard copy or electronic form, whichever the Bureau requests.

A licensee may contract with a third party to provide custodial or management services of the records. Such a contract shall not relieve the licensee of the licensee's responsibilities under this section.

Distribution Records (Applicable to Distributors)

In addition to the general record retention requirements of all licensees, Distributors shall maintain the following records:

(1) Inventory logs and records;

(2) Vehicle and trailer ownership records;

(3) Quality-assurance records;

(4) Records relating to destruction of cannabis goods;

(5) Records relating to tax payments collected and paid under Sections 34011 and 34012 of the Revenue and Tax Code.

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

Odor Prevention Plan - RMA Response

Odor Prevention

As our facility will be a retail, our architectural and design specifications shall ensure that any odors emitted within the areas of operations will be contained to such areas.

Overview

Monterey Retail Solutions, will serve as a licensed dispensary for cannabis products in the state of California. There will be no cultivation, extraction, manufacturing or packaging of cannabis products. As such "open product" and other "odor-emitting activities" are not part of the operational plan of the facility. Because of the intended use, almost no odor should emanate from the facility. However, in the spirit of local and state compliance, as well as being a good employer and good neighbor, we take Odor Mitigation seriously and provide the following plan for The County of Monterey review.

Odor Control and Air Purification

HVAC (Heating Ventilation Air Conditioning) Design

1. Building Environmental Controls

a. The building HVAC system will include standard building environment controls for the rooms in the facility.

2. Odor Control

a. There will be no open product allowed on our premises, which will eliminate the possibility of offensive cannabis odor.

3. HVAC Fire Alarm Interface and HVAC Automatic Shutoff

a. Per the 2013 California Mechanical Code Section 608.0 and California Fire Code, all air moving systems over 2,000 CFM or a combined service area must have an automatic shut down in the event of fire. Automatic shut off shall be accomplished by interrupting the power source of air moving equipment upon detection of smoke in the main supply-air duct or after activation of the sprinkler monitoring system.

b. Smoke detectors shall be factory installed in the air moving equipment as per California State Fire Marshall requirements and installed in accordance with the manufacturer's recommendations.

c. Centrally monitored Carbon Monoxide detectors will be placed strategically throughout the facility to monitor and maintain a safe Carbon Monoxide level in the facility.

The minimum outdoor airflow rate shall comply with the requirements of the County. The air removed by the mechanical exhaust system shall be discharged outdoors at a point where it will not cause a nuisance and not less than the distances specified by the County. The air shall be discharged to a location from which it cannot again be readily drawn in a by a ventilation system.

1. The HVAC system air handling units will be outfit with active carbon filters from the Camfil commercial line. These filters are certified with a 1500 Microparticle Performance Rating (MPR) and designed to not only filter airborne dust, allergens, bacteria and viruses, but are electrostatically charged to capture microscopic particulate. Camfil filters also provide:

a. Reduced energy costs during the entire life of the air filter. Camfil air filters optimize efficiency and energy use reducing HVAC energy costs by up to 50 percent. The media

type coupled with the innovative media configurations deliver lower pressure drops over the life of the air filters -- and a significantly reduction in energy use.

- b. Lower carbon footprint because Camfil air filters perform more efficiently, use less energy and require less-frequent change outs. Using fewer filters means fewer dollars spent on fuel at every step – from raw material acquisition and processing to filter manufacturing, distribution, transportation to users, and ultimately, transport to a landfill, and recycling. The lower amounts of energy consumed at every stage contributes substantially to a reduced carbon footprint.
 - c. Waste reduction is typically reduced 30% to 75% – lowering the frequency of filter replacements means fewer filters go to the landfills.
 - d. Higher IAQ (Indoor Air Quality) rating than is required for hospitals and laboratories. Our air filtration systems operate at a Minimum Efficiency Reporting Value (MERV) certified level 13.
2. Air filters will be changed more frequently than directed by the manufacturer (typically every 90 days) to insure proper odor confinement.
 3. Fresh air will be brought in through the HVAC filtration/ventilation system.

Building Environmental Controls

1. The building HVAC system will include standard building environment controls for the office, lobby, offices, restrooms and all common areas.

Code and Safety Considerations

1. Automatic power interruption shall occur upon the immediate detection of smoke anywhere in the facility.
2. Smoke detectors shall be factory installed in the air moving equipment as per California State Fire Marshall requirements and installed in accordance with the manufacturer's recommendations.
3. Centrally monitored Carbon Monoxide detectors will be placed strategically throughout the facility to monitor and maintain a safe Carbon Monoxide level in the facility.

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

Parking Plan - RMA Response

Parking Plan

Property Location: 1031 El Camino Real, Salinas, CA 93907

The current parking plan for Monterey Retail Solutions includes 8 existing striped parking spots on the upper portion of the premise. With consideration to the size of our upper lot, we are anticipating an additional 34 parking stalls to be striped. The total number of parking spots for Monterey Retail Solutions will be 42. Please see the attached diagram for parking stall layout.

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

Property Owner Authorization - RMA Response

**PROPERTY OWNER/LANDLORD AUTHORIZATION FOR INSPECTION
AND RIGHT TO OPERATE A COMMERCIAL CANNABIS OPERATION**

I, Abundant Investments LLC, am the owner of the property located at 1031 El Camino Real, Salinas, CA 93907.

I authorize the commercial cannabis business entitled **Monterey Retail Solutions, LLC**, to operate a commercial cannabis business at the property – as permitted by the County of Monterey – for the specific uses of: sales and dispensing of cannabis, cannabis products, and cannabis related products, and allow the County of Monterey to enter the property for inspection of the property.

I declare under penalty of perjury that the foregoing information is true and correct.

Executed this 6th day of June 2019.



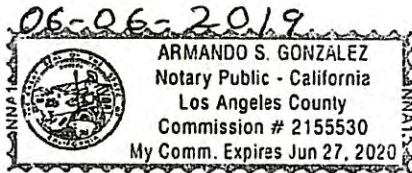
ABUNDANT INVESTMENTS, LLC,
a Delaware limited liability company

By: Abundant Investments Manager, LLC,
a California limited liability company

Its: Managing Member

By: Robert Dec
Its: Managing Member

By:


Robert Dec

1 CA ACK ATTACHED

ACKNOWLEDGMENT

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

State of California
County of LOS ANGELES)

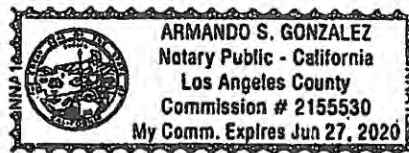
On 06-06-2019 before me, ARMANDO S GONZALEZ, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared ROBERT L. AZZELIO-DEE
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature [Signature] (Seal)



Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

Owner/Employee Information - RMA Response

Monterey Retail Solutions - Owner/Employee Information

Name	Address
Robert Dee	4001 Inglewood Ave. Bldg. 101, Ste. 751, Redondo Beach, CA 90278
Pierre Rouleau	26401 La Traviata, Laguna Hills, CA 92653
Dmitry Gordeychev	11347 Nebraska Avenue #302, Los Angeles, CA 90025
Sturges Karban	1755 Argyle Avenue #1209, Los Angeles, CA 90028

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

***Wastewater Onsite Treatment Systems - RMA
Response***

On Friday, August 30, 2019, well #7 at 1031 El Camino Real was inspected by Consolidated Chemistry Laboratory. The lab ran a sample test collected from the property for Nitrate Nitrogen and No3 (Nitrate) levels, and issued the following comments: Routing drinking water. Copy forwarded to Monterey County Environmental Health and Central Coast Water sampling. Receiving temperature blank 6.0 degrees Celsius. Report attached.

Notes to Environmental Health:

EHRIS: Existing Onsite wastewater treatment system (OWTS) permitted for 200 gallons per day. OWTS was evaluated July 17, 2019 and both the tank and dispersal system were found to be acceptable. Proposed total number of visitors/ employees with access to restrooms will be 6 and access will be restriction from the public.

DWPS: Proposed project served by El Camino WS #7. Historical sampling for Nitrate has been at or under MCL. Quarterly monitoring will be required as a condition of CNB. Recent results for Nitrate as N, sampled August 28, 2019, were 9.2 ppm and below MCL of 10 ppm. Recent Bacteriological testing was requested but not completed. Updated Nitrate and Bacteriological testing will likely be required prior to CNB issuance with continued Nitrate monitoring.

OTHER: Additional EHB Cannabis Program plan check will be required to be completed prior to CP/ CNB review and/ or issuance. Please see attached guidance.



MONTEREY COUNTY HEALTH DEPARTMENT

Consolidated Chemistry Laboratory

1270 Natividad Road Salinas, CA 93906
Phone (831)755-4516 Fax (831) 755-4652

ELAP Certification Number: 1395

Manifest Seven
5800 S. Eastern Ave.
Commerce, CA 90040

Attn: Tom Ritchie

Friday, August 30, 2019

Lab Number: AC26658

Client code: ELCAMINO7

Sample Site: EL CAMINO WS #7 - WELL
Source Code :
Other ID:

Collection Date/Time: 8/28/2019 11:35
Submittal Date/Time: 8/28/2019 11:50
Sample Collector: CRYER D

Sample Comments: Routine Drinking Water. Copy forwarded to Monterey County Environmental Health and Central Coast Water Sampling. Receiving temperature blank 6.0°C.

Analyte	Method	Unit	Result	DLR	MCL	PQL	Analysis Start Date/Time
Nitrate Nitrogen	EPA300.0	mg/L	9.2	0.4	10	0.1	8/28/2019 12:30
NO3 (Nitrate)	EPA300.0 REV	mg/L	41	2.0	45*	0.5	8/28/2019 12:30

Report approved by:

Donna Ferguson, Ph.D, P.H.M
Laboratory Director

mg/L : Milligrams per liter (=ppm)
PQL : Practical Quantitation Limit
DLR : Detection Limit for Reporting

ug/L : Micrograms per liter (=ppb)
MCL : Maximum Contaminant Level
ND : Not Detected N/A : Not Applicable

* : Primary Standards
** : Secondary Standards
*** : Action Level

1 2 3

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

North County Fire Protection District - RMA Response

Monterey Retail Solutions, LLC

1031 El Camino Real, Salinas 93907

North County Fire Protection District - RMA Response

North County Fire Protection District Response

Property Location: 1031 El Camino Real, Salinas, CA 93907

Monterey Retail Solutions will be a storefront dispensary and delivery service providing customers with the highest quality cannabis available. Our products will be held to the highest standards on the market, we will have a high end feel that Monterey citizens can feel proud of. Our mission is to have every member come away with a positive and educated experience, which will in turn lead to long-term sustainability.

Historical uses of the property include that of a Tuff Shed retail store and automotive repair. Tuff Shed's activities are to have ceased prior to August 1, 2019, the automotive repair shop will continue to operate on the lower level of the property. The change of operations will have minimal impact on the business activities taking place on the property, which will be in compliance with all California Building and Fire codes.

There currently exists a fire alarm system in the Tuff Shed that will be integrated with the security system. Portable fire extinguishers are installed onsite. We have also purchased a KNOX Box for the property. There will be no security devices (or other) that could obscure means of egress from the building.

25 606

Exhibit L

2004-2005 Annual Report of the Board of Directors

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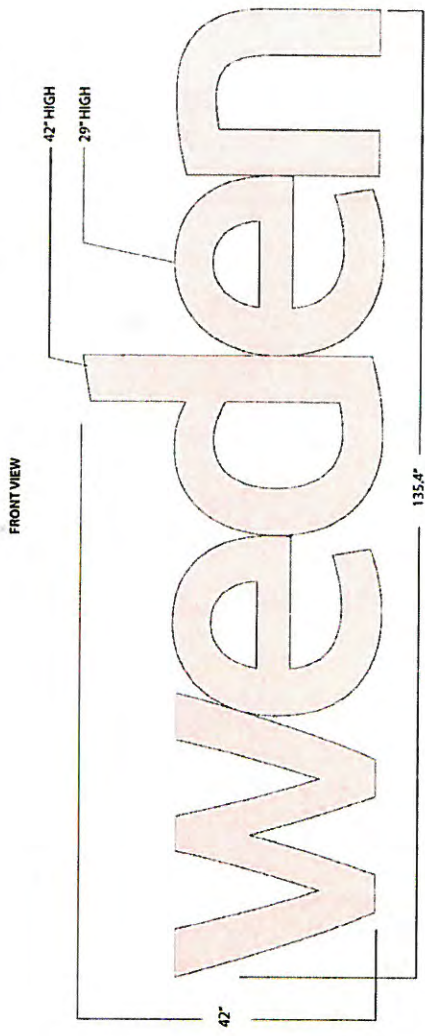
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werelax
wethrive
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WE

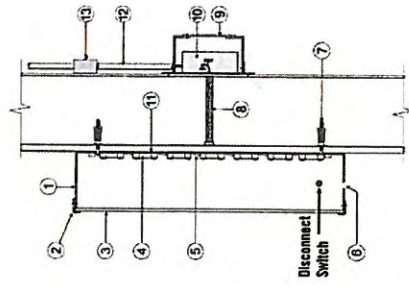
weden

Sign Specifications



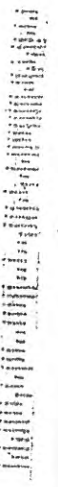
- 3.5" DEEP CHANNEL LETTERS WITH ALUMINUM HOUSING, BLACK TRIM & BLACK RETURNS
- 3/16" ACRYLIC FACE WITH PRINT TO MATCH PMS 7506C
- FLUSH MOUNTED ON WALL
- SIGN AREA: 39.5 SQ FT
- LINEAL FOOTAGE: 60'
- 12V DC, 60 WATT POWER SUPPLIES
- UL LISTED SIGN/COMPONENTS

SIDE VIEW DETAIL



LEGEND

1	.050 Aluminum letter return color: Black
2	Trim cap: 3/4" Black
3	3/16" Acrylic
4	Internally Illuminated using White LEDs
5	14 AWG wire
6	1/4" ø Drain Holes (Min. 2 per letter)
7	#10 screws with anchors (Min. 3 per letter)
8	Condall
9	Transformer Housing
10	Power Supply
11	.063 Aluminum Letter Backs
12	Primary Electrical Source
13	Weather Proof Disconnect Switch



MONTEREY COUNTY
 RESOURCE MANAGEMENT AGENCY
 LAND USE AND COMMUNITY DEVELOPMENT
 1441 SCHILLING PLACE - SOUTH, 2ND FLOOR
 SALINAS, CA 93901-4527

TO:

ABUNDANT INVESTMENTS LLC
 ATTN: DEE ROBERT
 4001 INGLEWOOD AVE BLDG # 101
 STE 751
 REDONDO BEACH CA 90278

THIS ENVELOPE IS NOT TO BE OPENED

REGISTERED MAIL
 04/02/2020
 \$00

ORIGIN ID: NZJA (949) 540-6540
JAMES MURPHY
HORWITZ, CRON & ARMSTRONG
14 ORCHARD SUITE 200
LAKE FOREST, CA 92630
UNITED STATES US

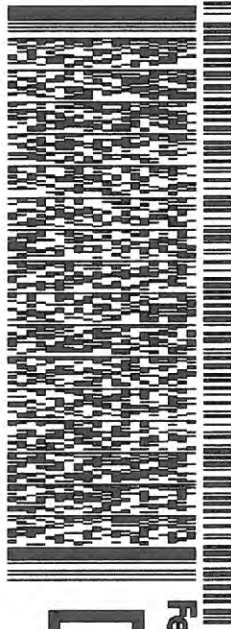
SHIP DATE: 04JUN20
ACTWGT: 3.00 LB
CAD: 103021072IN/ET4220

BILL SENDER

TO **JOEL PABLO**
COUNTY OF MONTEREY
168 W ALISAL ST, FIRST FLR

SALINAS CA 93901
(949) 540-6540
REF: DEEL MONTEREY APPEAL
PO. DEPT.

56BJ1/C7DD/FE4A



J201120042401uv

TRK# 7706 3067 1666
0201

FRI - 05 JUN 10:30A
PRIORITY OVERNIGHT

83 MRYA

93901
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2020 JUN -5 AM 9:34
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