

ATTACHMENT F.1

EXHIBIT “A”

Ordinance No. XXX

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ORDINANCE NO. 2025-XXX

AN ORDINANCE OF THE CITY OF COVINA APPROVING AND ADOPTING A DEVELOPMENT AGREEMENT (DA) 25-001 BETWEEN RILANO COVINA INC, (“RILANO”) AND THE CITY OF COVINA, RELATED TO A PROPOSAL TO APPROVE 3,443 SQUARE FOOT CANNABIS RETAIL ESTABLISHMENT WITHIN THE MIXED-USE OVERLAY DISTRICT (MUOD) / COMMERCIAL (REGIONAL OR COMMUNITY SHOPPING CENTER) C-3A ZONE, LOCATED AT 216 EAST ROWLAND STREET, (APN: 8451-001-019).

WHEREAS, to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Government Code Sections 65864 *et seq.* (the Development Agreement Statute) which authorizes cities to enter into agreements for the development of real property in order to establish certain development rights in such property; and

WHEREAS, pursuant to Government Code Section 65865 the City has adopted rules and regulations establishing procedures and requirements for consideration of development agreements; and

WHEREAS, Rilano Covina Inc. c/o Hank Casillas, Richard Probst, Jian Barazim and Bernardina Caeti, co-owner of the cannabis retail business located 216 E. Rowland Street. The business owners proposing a Cannabis Retail Establishment (“Rilano”), expand an existing 2,137 square-foot commercial retail space an additional 1,306 square feet, totaling 3,443 square feet of cannabis retail space, and associated tenant improvements, within the Mixed-Use Overlay District (MUOD) / Commercial (Regional or Community Shopping Center) C-3A zone, located at 216 E Rowland St, Covina, CA, 91723 (APN: 8451-001-019); and

WHEREAS, a copy of the proposed Development Agreement (DA) 25-001 is attached hereto and incorporated herein as Exhibit “A” to this Ordinance; and

WHEREAS, the project is categorically exempt pursuant to CEQA Guidelines 15301(e)(1), for “additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet.” The proposed expansion is less than 50 percent, with an addition of 1,306 square feet to an existing 2,137-square-foot tenant space, totaling 3,443 square feet and occupying only 49.60% of the commercial center’s floor area. The project involves interior improvements and upgrades. No structural additions are proposed.

WHEREAS, pursuant to the Development Agreement Statute, the Planning Commission held a duly noticed public hearing on June 24, 2025, on the proposed Project and has found that the proposed Development Agreement is consistent with objectives of the General Plan, compatible with the uses authorized for the project area, in conformity with public convenience and beneficial to the public welfare, and will not adversely impact the orderly development of property; and

WHEREAS, the City Council, after published notice, held a public hearing on _____,

2025 concerning the proposed Project, and has considered the reports and documents presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

WHEREAS, on 2025, the City Council of the City of Covina held a noticed public hearing to review the Project pursuant to the California Environmental Quality Act, Cal. Pub. Res. Code § 21000 et seq. ("CEQA"), and the State CEQA Guidelines, 14 C. C.R. 15000 et seq. and considered information presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

WHEREAS, on , 2025, the City Council of the City of Covina considered the proposed Project including Conditional Use Permit (CUP) 25-003 and Site Plan Review (SPR) 25-032 at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the proposed Project prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA DOES ORDAIN AS FOLLOWS:

SECTION 1. Based on the full record of these proceedings, the City Council hereby finds the Development Agreement:

1. Is consistent with the General Plan and the City Council finds that the proposed project as conditioned, complies with all applicable provisions of the General Plan;
2. Is in conformity with public conveniences and good land use practices as the project approvals, mitigation monitoring program and development agreement will guarantee adequate infrastructure for the development and land uses that are compatible with their surroundings;
3. Will not be detrimental to the health, safety and general welfare as the project approvals, mitigation monitoring program and development agreement will guarantee adequate infrastructure, safety measures and public services such as police, fire, utilities, and sanitation;
4. Will not adversely affect the orderly development of property or the preservation of property values because the proposed development is conditioned to be consistent with the General Plan and compatible with surrounding land uses; and
5. Is consistent with the provisions of Government Code 65864 through 65869. 5.

SECTION 2. Based upon the aforementioned findings, the City Council hereby approves the Development Agreement between Rilano, Covina, Inc. c/o Hank Casillas, Richard Probst, Jian Barazim and Bernardina Caeti, co-owners of the cannabis retail business and the City of Covina attached hereto as Exhibit" A" and incorporated herein by reference.

SECTION 3. CEQA. The proposed expansion is less than 50 percent, with an addition of 1,306 square feet to an existing 2,137-square-foot tenant space, totaling 3,443 square feet and occupying only 49.60% of the commercial center's floor area. The project involves interior improvements and upgrades. No structural additions are proposed. Planning Department Staff has

determined that the Project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines pursuant to CEQA Guidelines Section 15301 (e)(1) "Existing Facilities" because the addition to existing structures will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet. The City Council has reviewed the Planning Department Staff's determination of exemption, and concur in Staff's determination that the Project is exempt from CEQA.

SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The Mayor is authorized to execute the Development Agreement on behalf of the City once this Ordinance is effective. The executed development agreement shall be recorded against the title to the property.

SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings and this Ordinance are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 6. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Covina hereby declare that they would have adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance shall become effective within thirty (30) days after its adoption.

SECTION 8. Publication. The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the City Clerk shall cause to be published once the Ordinance, or a summary of thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City of Covina.

SECTION 9. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall enter the same in the Book of Original Ordinances.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2025.

VICTOR LINARES, MAYOR

ATTEST:

FABIAN VELEZ, CHIEF DEPUTY CITY CLERK

APPROVED AS TO FORM:

City Attorney

CERTIFICATION

I, Fabian Velez, Chief Deputy City Clerk of the City of Covina, do hereby certify that Ordinance No. _____ was introduced for first reading at a special meeting on the ____ day of _____, 2025. Thereafter, said Ordinance was duly approved and adopted at a regular meeting of said City Council on the ____ day of _____, 2025, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Dated:

FABIAN VELEZ
CHIEF DEPUTY CITY CLERK