

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**19-1**

10:30 a.m. being the time set for a public hearing on Ordinance No. 348.4898 (Commercial Cannabis Activities) – CEQA Exempt, pursuant to Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Section 26055(h) of the California Business and Professions Code - REQUEST: Ordinance No. 348.4898 amends Ordinance No. 348 by replacing Article XIXh in its entirety with "COMMERCIAL CANNABIS ACTIVITIES" and establishing regulations and development standards to permit Commercial Cannabis Activities in the unincorporated areas of the County of Riverside per the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"). In addition to Amendments to Article XIXh, Ordinance No. 348.4898 also makes necessary edits to other affected sections within Ordinance No. 348, All Districts.

**RECOMMENDED MOTION:** That the Board of Supervisors

1. **FIND** that Ordinance No. 348.4898 is EXEMPT from the California Environmental Quality Act, pursuant to Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Section 26055(h) of the California Business and Professions Code based on the findings and conclusions provided herein and in the attached staff reports.
2. **ADOPT** Ordinance No. 348.4898, attached hereto as Attachment E, based upon the findings and conclusions provided herein and in the attached staff report.
3. **APPROVE** Staff's recommended framework for implementation process for Commercial Cannabis Cultivation and Commercial Cannabis Retail Sales attached hereto as Attachment F, and **DIRECT** Staff to take the necessary steps to initiate the implementation.
4. **DIRECT** Staff to bring back to the Board for consideration, a Board Policy regarding Development Agreements for Commercial Cannabis Activities, including a Development Agreement Public Benefit payment for Commercial Cannabis Activities.
5. **DIRECT** Staff to bring back to the Board for consideration, a Board Resolution setting forth the procedures and requirements for Consideration of Development Agreements for Commercial Cannabis Activities pursuant to Government Code section 65865.
6. **PROVIDE DIRECTION** to Staff on whether to further study allowing commercial cannabis cultivation in three specific zones, the R-A, R-R and the W-2 Zones and return to the Planning Commission with recommendations based on the findings from that study.

Continued on page 2

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7. **PROVIDE DIRECTION** to Staff on whether to further study allowing consumption of cannabis on the site of a permitted and licensed Commercial Cannabis Activity, and to further study including the use of tobacco, cigars and hookah on the site of a permitted business and return to the Planning Commission with recommendations based on the findings from the studies.

On motion of Supervisor Perez, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that recommendations 1 through 5 are approved as recommended and that Ordinance 348.4898 is adopted with waiver of the reading.

Ayes: Jeffries, Washington and Perez  
Nays: Tavaglione and Ashley  
Absent: None

and

On motion of Supervisor Ashley, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that staff further review recommendations 6 and 7 and report back to the Board.

Ayes: Jeffries, Washington, Perez and Ashley  
Nays: Tavaglione  
Absent: None

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I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on October 23, 2018 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: October 23, 2018  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: *Kecia Harper-Ihem* Deputy

AGENDA NO.

19-1

xc: Planning, COB

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
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**ITEM  
19.1  
(ID # 8250)**

**MEETING DATE:**

Tuesday, October 23, 2018

**FROM :** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING FOR ORDINANCE NO. 348.4898 (COMMERCIAL CANNABIS ACTIVITIES) – CEQA Exempt, pursuant to Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Section 26055(h) of the California Business and Professions Code - REQUEST: Ordinance No. 348.4898 amends Ordinance No. 348 by replacing Article XIXh in its entirety with “COMMERCIAL CANNABIS ACTIVITIES” and establishing regulations and development standards to permit Commercial Cannabis Activities in the unincorporated areas of the County of Riverside per the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”). In addition to Amendments to Article XIXh, Ordinance No. 348.4898 also makes necessary edits to other affected sections within Ordinance No. 348. – ALL DISTRICTS [\$100,900 Total cost – 100% General Fund/NCC]

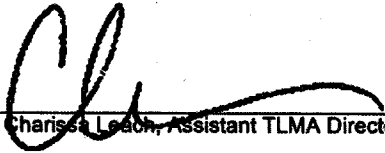
**RECOMMENDED MOTION:** That the Board of Supervisors

1. **FIND** that Ordinance No. 348.4898 is EXEMPT from the California Environmental Quality Act, pursuant to Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Section 26055(h) of the California Business and Professions Code based on the findings and conclusions provided herein and in the attached staff reports.
2. **ADOPT** Ordinance No. 348.4898, attached hereto as Attachment E, based upon the findings and conclusions provided herein and in the attached staff report.
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4. **DIRECT** Staff to bring back to the Board for consideration, a Board Policy regarding Development Agreements for Commercial Cannabis Activities, including a Development Agreement Public Benefit payment for Commercial Cannabis Activities.
5. **DIRECT** Staff to bring back to the Board for consideration, a Board Resolution setting forth the procedures and requirements for Consideration of Development Agreements for Commercial Cannabis Activities pursuant to Government Code section 65865.

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6. **PROVIDE DIRECTION** to Staff on whether to further study allowing commercial cannabis cultivation in three specific zones, the R-A, R-R and the W-2 Zones and return to the Planning Commission with recommendations based on the findings from that study.
  
7. **PROVIDE DIRECTION** to Staff on whether to further study allowing consumption of cannabis on the site of a permitted and licensed Commercial Cannabis Activity, and to further study including the use of tobacco, cigars and hookah on the site of a permitted business and return to the Planning Commission with recommendations based on the findings from the studies.

**ACTION:**



Charissa Leach, Assistant TLMA Director 10/15/2018

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 23,758	\$ 0	\$ 100,900	N/A
<b>NET COUNTY COST</b>	\$ 23,758	\$ 0	\$ 100,900	N/A
<b>SOURCE OF FUNDS:</b> 100% General Fund/NCC			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	18/19

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

With the passage of Proposition 215, known as The Compassionate Use Act of 1996, patients and defined caregivers who possessed or cultivated marijuana (Cannabis) for medical treatment were afforded a criminal defense from criminal laws which otherwise prohibit possession or cultivation of Cannabis. In 2004, the California Legislature enacted Senate Bill 420 to clarify the scope of Proposition 215, and also provided qualifying patients and primary caregivers who collectively or cooperatively cultivate marijuana for medical purposes with a limited defense to certain specified State criminal statutes.

In October 2006, the Board of Supervisors adopted Ordinance No. 348.4423 prohibiting medical marijuana dispensaries in all zone classifications. Then, in May 2015, the Board adopted Ordinance No. 348.4802 clarifying that marijuana cultivation is also prohibited in all zone classifications. That same year in June 2015, the Board adopted Ordinance No. 925 declaring marijuana cultivation to be a public nuisance and prohibited in the unincorporated areas of the County of Riverside.

In September 2015, California enacted the Medical Marijuana Regulation and Safety Act (MMRSA), which consisted of three separate bills. The approval of the MMRSA crafted a comprehensive licensing and regulatory framework for the cultivation, manufacture, transportation, storage, distribution, and sale of medical marijuana. Additionally, MMRSA added a section to the Business and Professions Code authorizing counties that choose, to impose a tax on specified medical marijuana activities.

Approximately a year later, on June 27, 2016, Governor Jerry Brown signed Senate Bill 837, changing the term "marijuana" to "Cannabis" and renaming the Medical Cannabis Regulation and Safety Act (MCRSA).

That same year, on November 8, 2016, California voters passed Proposition 64, the Adult Use of Marijuana Act (AUMA). AUMA immediately legalized the adult use and cultivation of nonmedical (adult use) Cannabis for personal consumption (allowing cultivation of up to 6 plants indoors for personal use) by adults 21 years of age or older. AUMA also legalized the commercialization and taxation of nonmedical Cannabis beginning January 1, 2018.

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Additionally, AUMA allowed the Legislature to adopt laws to license and tax commercial Cannabis activities; and allowed for local control of adult use cannabis land uses, and reasonable regulation of personal cultivation of up to six (6) cannabis plants per residence.

The Board held a workshop on March 21, 2017, to discuss Proposition 64. At the conclusion of the workshop, Supervisors Jeffries and Washington were appointed by the Chairman as an ad hoc committee to work with the County Executive Office and County departments to study and develop options for the Board to consider regarding Cannabis businesses and Cannabis activities.

Then, on June 27, 2017, the Governor approved Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). SB 94 consolidates provisions from MCRSA and AUMA and creates one regulatory system for commercial Cannabis activity. The new system under MAUCRSA prioritizes consumer safety, public safety and tax compliance. The MAUCRSA continues to recognize local control, and the state cannot approve licenses for cannabis businesses and cannabis activities if the license would not be in compliance with a local government's ordinances or regulations. The MAUCRSA continues to recognize the ability of local governments to prohibit all outdoor cultivation and any other cannabis businesses and cannabis activities. The MAUCRSA makes clear that nothing in the MAUCRSA is to be interpreted to supersede or limit the County's authority to adopt and enforce local ordinances to regulate cannabis businesses and cannabis activities licensed by the state, up to and including the County's right to ban the activity.

Commercial Cannabis activities continue to be prohibited in the unincorporated areas of Riverside County. Despite the County's prohibition of commercial Cannabis activities, multiple illegal dispensaries and cultivation sites have been established within unincorporated areas of the County. Knowing that Cannabis is a rapidly growing business industry and is currently occurring illegally in the County today, an enforcement strategy is necessary to effectively regulate this industry in the community. The Board ad hoc committee recognized that funding to properly enforce these business activities must be identified. In an effort to provide both a regulatory framework for commercial Cannabis to legally operate within the County, and a revenue source for enforcement against Cannabis operators acting outside of such a regulatory framework, on August 29, 2017, at the recommendation of the Board ad hoc committee, the Board directed staff to bring forward ordinance amendments or a new ordinance to establish a proposed comprehensive regulatory framework for Cannabis businesses and Cannabis activities subject to approval of permits issued by the County and pursuant to standards, conditions, and requirements in the proposed ordinance amendments.

Given the dynamic regulatory and legal landscape surrounding this issue, on March 20, 2018, at the request of the Board ad hoc committee, Staff presented the Board with an update to discuss progress on a regulatory framework for Cannabis related businesses. It was critical to determine if the Board desired staff to continue to work on development of an ordinance and if so, provide staff with policy direction on the regulatory requirements to be contained in the ordinance.

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Recommendations were also presented to the Board that included:

- What Cannabis related businesses should be allowed to be permitted (based on zone classification) in the unincorporated areas of Riverside County, including cultivation (indoor and mixed light, while prohibiting outdoor), manufacturing/processing, testing, distributing, and retail sales of Cannabis and Cannabis products;
- Where Cannabis related businesses should be allowed to be permitted (based on zone classifications) and buffers to existing sensitive receptors and;
- Consideration of a phase-in program and a temporary limit on first year permits so that the County can consider and process applications in an orderly manner; and
- Consideration of the approach Riverside County should take, through taxation or Development Agreements, to achieve benefits for impacted communities and recover regulatory costs from Cannabis related activities.

At that March 20, 2018, Board meeting, the Board voted to direct staff to continue to work on development of an ordinance, based on the Staff's update and report, and to bring a Request for Proposal (RFP) and Development Agreement process forward for the Board's consideration. Ordinance No.348.4898, coupled with a Board Policy regarding Development Agreements for Commercial Cannabis Activities, a Board Resolution setting forth the procedures and requirements for Consideration of Development Agreements for Commercial Cannabis Activities, and the proposed Implementation Process (Attachment 'F'), will establish a regulatory structure for the County to begin to conditionally permit Commercial Cannabis Activities in specified zoning classifications.

Although applicants can now seek a State license for Commercial Cannabis Activities as of January 1, 2018, and businesses can begin operating in California's newly-legal Commercial Cannabis market, local approval is required before such a State license can be issued. Ordinance No. 348.4898, a Board Policy regarding Development Agreements for Commercial Cannabis Activities, a Board Resolution setting forth the procedures and requirements for Consideration of Development Agreements for Commercial Cannabis Activities, and the proposed Implementation Process (Attachment 'F'), would collectively establish a regulatory structure for the County to begin to conditionally permit Commercial Cannabis Activities.

**Planning Commission Public Hearings**

The Riverside County Planning Commission considered Ordinance No. 348.4898 at a regularly scheduled public hearing held on June 20, 2018. The Staff Report for that hearing is included herein as Attachment A. At the conclusion of the hearing, the Planning Commission deliberated,

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requested further information and potential recommendations on several items, and continued the hearing to July 18, 2018.

At the continued, July 18, 2018, Planning Commission hearing, Staff addressed the Commission's inquires. The detailed responses are provided in the July 18, 2018, Planning Commission Staff Report which is included as Attachment B. These inquires included the following two items that Staff will be asking the Board for direction on:

1. *The Commission asked Staff to re-evaluate three specific zones, the R-A, R-R and the W-2 Zones for the potential for allowing Cannabis Cultivation permits in these zones.*

**Response.** The R-A, R-R and W-2 Zones are considered residential zones. Staff contends that Cannabis Cultivation within residential neighborhoods can cause numerous compatibility concerns including, offensive odors, security and safety concerns, use of hazardous materials or pesticides, unpermitted accessory electrical and building construction (causing high fire danger), light and glare, noise from fans or generators, potential damage to housing stock from mold and mildew, and reduced housing stock. Although the State has exempted local Commercial Cannabis ordinances from CEQA until July, 1 of 2019, Staff asserts that because of the nature of these residential zones and impacts that could be experienced by existing residential neighborhoods, that these primarily residential zones should be further analyzed before a decision is made to allow commercial cannabis cultivation to be permitted in these zones. It is important to emphasize that the zone itself is not the only criteria that dictates if a use may be appropriate for a property; the County General Plan and the CEQA analysis for each proposed use and property also play key roles in determining this.

For example, over 57% of R-R Zoned property, and over 49% of R-A Zoned property in the unincorporated County area exhibits a General Plan Designation of Open Space – Conservation Habitat. About 50% of W-2 Zoned property is within the Open Space – Conservation Habitat Designation and almost 30% is within the Open Space Rural Designation. These General Plan Land Use Designations are typical for areas that have limited access and a lack of services, including, electricity, water and sewer. Other key issues that Staff reviewed were:

- How commercial cannabis cultivation is different than other agricultural products that may be allowed in these zones.
- At what scale does the use become more prominent than the residential use?



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- Can Commercial Cannabis Cultivation be permitted in certain rural residential zones without negatively impacting the rural residential quality of life?
- What development guidelines could be established so that residents are not adversely impacted by a commercial business in close proximity to their home?

Staff presented the Planning Commission with alternate ordinance language that would allow limited cannabis cultivation on specified lot sizes with strict development standards. Staff also recommended that an in-depth analysis of the potential impacts to the residential quality of life should be conducted before permitting Commercial Cannabis Cultivation in these zones. After deliberations, the Planning Commission concluded that analyzing these zones in further detail could provide much needed additional data and information for the Commission to make a better informed recommendation to the Board. Although the consensus was that it most likely could work at a small scale on large lots, with appropriate standards, the Commissioners were not ready to recommend to the Board that commercial cannabis cultivation be considered in the R-A, R-R or W-2 Zones until further research is completed. At the close of the hearing, the Commission asked Staff, with support of the Board, to further explore the potential impacts to rural neighborhoods and the possibility of allowing limited Cannabis Cultivation in the R-A, R-R and W-2 Zones.

2. *The June 20, 2018, Staff-recommended Commercial Cannabis Activities Ordinance had prohibited on-site consumption of Cannabis or Cannabis products on a lot that has been permitted for a Cannabis Activity. At that June meeting the Commission asked Staff to re-evaluate the potential for on-site consumption and bring back more information on that topic.*

**Response.** Minimal information and historical data is available given the newness of regulating the Cannabis Industry and the onsite consumption component in particular. Many agencies that have experience permitting cannabis businesses have either decided to ban onsite consumption or are erring on the side of caution and have elected to take a 'wait and see' approach.

The County of Riverside Land Use Ordinance (Ordinance No. 348) currently allows tobacco and hookah shops in limited zones, but the smoking of tobacco, cigar or hookah within a commercial premises is not currently an allowed use. Because on-site consumption is not currently an allowed use listed in the County's Land Use Ordinance, impacts of this use have not been studied and should be thoroughly examined. Further research and analysis of these uses in concert with cannabis smoking lounges is warranted before Staff could make a recommendation on cannabis onsite consumption. Further, the permitting of these uses is in great flux throughout other jurisdictions that have legalized

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commercial cannabis businesses. Therefore, Staff recommended that, until further research can be performed and historical data can be collected, the 'onsite' consumption of cannabis be prohibited, as indicated in the recommended Ordinance.

The Commissioners expressed their concerns regarding the onsite consumption of cannabis given the lack of data and information available and the fact that the County's existing Land use Ordinance does not allow for the onsite consumptions of tobacco, hookah or cigars.

After some deliberation the Commission asked Staff, with concurrence of the Board, to further study the environmental impacts of onsite consumption of tobacco, hookah, cigars and cannabis and bring recommendations back to the Planning Commission for consideration.

At that hearing the Planning Commission recommended approval of the ordinance amendment regarding Commercial Cannabis Activities, as presented, by a unanimous vote (5-0).

Ordinance No. 348.4898 was formally numbered Ordinance No. 348.4862. For clerical reasons, the ordinance number was changed to 348.4898. Except as further described below, the language and content of Ordinance No. 348.4898 remains the same as that provided in Ordinance No. 348.4862. Ordinance No. 348.4898 does include the following clarifying changes:

- The effective date for the ordinance was changed from 30 days after its adoption to 60 days after its adoption.
- An integration provision was added to Section 60.
- Section 19.519.C.12. related to cannabis deliveries was updated to be consistent with proposed State regulations.

**Airport Land Use Commission Review**

As required for all Land Use Ordinance Amendments the subject ordinance amendment was submitted to the Airport Land Use Commission (ALUC) for review. Because each commercial cannabis activity requires a conditional use permit, is subject to CEQA and no standards or changes to land uses that would increase density or non-residential intensity are proposed, on July 9, 2018, the ALUC found that the ordinance amendment has no possibility for having an impact on the safety of air navigation within airport influence areas located within the unincorporated areas of the County and therefore, is consistent with all Riverside County Airport Land Use Compatibility Plans.

Ordinance No. 348.4898 is included herein as Attachment D in its entirety, and the following highlights some of the recommended definitions, development standards and operational requirements:

**1. PROHIBITED ZONES:**

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All Commercial Cannabis Activities are prohibited in the following Zones: R-R, R-R-O, R1, R-1A, R-A, R-2, R2-A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, C/V, C-C/V, WC-R, WC-R, WC-E, W-2, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A and MU Zones.

**2. TYPES OF CANNABIS ACTIVITIES GENERALLY DEFINED:**

- **Cannabis Cultivation.** Any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of Cannabis.
- **Cannabis Wholesale Nursery.** A site that produces only clones, immature plants, seeds, or other agricultural products used specifically for the planting, propagation, and cultivation of Cannabis.
- **Cannabis Retailer.** A facility where Cannabis, Cannabis products, or devices specifically for the use of Cannabis or Cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers Cannabis and Cannabis products as part of a retail sale.
- **Cannabis Microbusiness Facility.** A facility where an operator may be permitted for multiple (a minimum of 3 select, and up to 4) commercial Cannabis activities under one permit.
- **Cannabis Manufacturing Facility (Non-Volatile).** A facility that compounds Cannabis or Cannabis products either directly or indirectly or by extraction and/or infusion methods, or independently by means of chemical synthesis or by a combination of extraction and/or infusion and chemical synthesis, using non-volatile organic compounds, at a fixed location, that packages or repackages Cannabis or Cannabis products, or labels or relabels its containers.
- **Type N Cannabis Manufacturing Facilities** only produce edible or topical products or other types of Cannabis products other than extracts or concentrate using infusion processes.
- **Type P Cannabis Manufacturing Facilities** only package or repackage Cannabis products or label or relabel the Cannabis product container or wrapper.
- **Cannabis Manufacturing Facility (Volatile).** A facility that processes, produces, prepares, propagates, holds, stores, packages, labels, or compounds Cannabis or Cannabis products either directly or indirectly or by extraction and/or infusion methods, or independently by means of chemical synthesis or by a combination of extraction and/or infusion and chemical synthesis, using volatile organic compounds, (ex: butane, hexane, pentane) at a fixed location, that packages or repackages Cannabis or Cannabis products, or labels or relabels its containers.

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- **Shared-Use Cannabis Manufacturing Facility** is primarily operated by a Non-Volatile Manufacturer, A Volatile Manufacturer or Type N Manufacturer who may lease or share space with the holder of a Type S (shared space only) State license.
- **Cannabis Distribution Facilities.** A facility engaged in the storage of Cannabis or Cannabis products, for later distribution to permitted and licensed Cannabis Manufacturing Facilities, Cannabis Testing Facilities, or Cannabis Retailers.
- **Cannabis Testing Facility.** A laboratory, facility, or entity that offers or performs tests of Cannabis or Cannabis products.

**3. TYPES OF CANNABIS ACTIVITIES PROHIBITED:**

- Outdoor Cultivation of mature cannabis plants. (Cannabis Wholesale Nurseries may be permitted in the A-1, A-P, A-2, A-D zones.)
- Mobile Cannabis Retailers.
- Any Commercial Cannabis Activity that is not expressly provided for in both an approved conditional use permit and a valid Cannabis license issued by the State.

**4. TYPES OF CANNABIS ACTIVITIES ALLOWED:**

**CANNABIS CULTIVATION**

- **Indoor Cannabis Cultivation**, is allowed as follows and shall be within a fully enclosed building and be setback from lot lines and rights-of-ways in accordance with the development standards for the zone classification in which it is located.

<b>Indoor Cultivation</b>	<b>Cultivation Size Limits</b>	<b>Minimum Lot Size (Square Feet)</b>	<b>Allowable Zone(s)</b>
<b>Specialty Cottage</b>	500 SF	Minimum lot size per Zone	C1/CP, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
<b>Specialty</b>	5,000 SF	Minimum lot size per Zone	C1/CP, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
<b>Small</b>	10,000 SF	Minimum lot size per Zone	C1/CP, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
<b>Medium</b>	22,000 SF	Minimum lot size per Zone	I-P, M-SC, M-M, M-H

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- When an Indoor Cannabis Cultivation facility is located adjacent to a residentially zoned lot the minimum setback shall be 25 feet.
- Indoor Cannabis Cultivation requires renewable energy systems designed to have a generation potential equal to or greater than 20-percent of the anticipated energy demand.
- Indoor Cannabis Cultivation shall be setback a minimum of 1,000 feet from Child Day Care Centers, K-12 schools, public parks, or Youth Centers. Provided a variance is granted, the minimum setback may be reduced to 600 feet. **Mixed Light Cannabis Cultivation**, is allowed as follows:

<b>Mixed Light Cultivation</b>	<b>Cultivation Size Limits</b>	<b>Minimum Lot Size (Gross Acres)</b>	<b>Allowable Zone(s)</b>
<b>Specialty Cottage</b>	2,500 SF	1	A-1, A-P, A-2, A-D
<b>Specialty</b>	5,000 SF	1.5	A-1, A-P, A-2, A-D
<b>Small</b>	10,000 SF	2.5	A-1, A-P, A-2, A-D
<b>Medium</b>	22,000 SF	5	A-1, A2

- Mixed Light Cannabis Cultivation shall be within hoop structures, greenhouses and other similar structures.
- Mixed Light Cannabis Cultivation shall be setback from lot lines and rights-of-ways a minimum of 50 feet. When a Mixed Light Cannabis Cultivation facility is located adjacent to a residentially zoned lot or for any Medium Mixed Light Cultivation, the minimum setback shall be 100 feet.
- Mixed Light Cannabis Cultivation shall be setback a minimum of 1,000 feet from Child Day Care Centers, K-12 schools, public parks, or Youth Centers. Provided a variance is granted, the minimum setback may be reduced to 600 feet.

**CANNABIS WHOLESALE NURSERIES**

- **Cannabis Wholesale Nurseries**, are allowed as follows and may be outdoors, indoors or mixed light and shall be setback from lot lines and rights-of-ways a minimum of 50 feet.

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<b>Wholesale Nurseries</b>	<b>Minimum Lot Size (Gross Acres)</b>	<b>Allowable Zone(s)</b>
<b>Outdoor Wholesale Nursery</b>	2	A-1, A-P, A-2, A-D
<b>Indoor Wholesale Nursery</b>	Minimum lot size per Zone	I-P, M-SC, M-M, M-H
<b>Mixed Light Wholesale Nursery</b>	1	A-1, A-2

**CANNABIS MANUFACTURING FACILITIES**

- Cannabis Manufacturing Facilities are allowed in the I-P, M-SC, M-M and the M-H Zones.
- Consistent with the M-SC, M-M and the M-H Zones, the minimum lot size for a Cannabis Manufacturing Facility shall be 10,000 square feet. A Volatile Cannabis Manufacturing Facility shall be setback from a residential zone a minimum of 40 feet which may include and may include landscaping as required.

**CANNABIS TESTING FACILITIES**

- Cannabis Testing Facilities are allowed in the C1/C-P, C-P-S, I-P, M-SC, M-M, and M-H Zones.
- All Cannabis Testing Facilities shall comply with the setback and lot size standards for the zone classification in which they are located, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet.

**CANNABIS RETAILERS**

- Cannabis Retailers are allowed in the C-1/C-P, C-P-S, I-P, M-SC, M-M and M-H Zones.
- Cannabis Retailers – Storefront and Non-Storefront shall comply with the setback and lot size standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 40 feet.

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- Cannabis Retail Sales Activities shall be setback a minimum of 1,000 feet from Child Day Care Centers, K-12 schools, public parks, or Youth Centers. Provided a variance is granted, the minimum setback may be reduced to 600 feet.
- Cannabis Retailers shall not be located within 1,000 feet of another Cannabis Retailer or within 500 feet of a smoke shop of similar facility.
- Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle.

**CANNABIS DISTRIBUTION FACILITIES**

- Cannabis Distribution Facilities, are allowed in the C-1/C-P, C-PS, I-P, M-SC, M-M and M-H Zones.
- Cannabis Distribution Facilities shall comply with the setback and lot size standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet.
- Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities.
- Cannabis Distribution Facilities shall not be open to the public.

**CANNABIS MICROBUSINESS FACILITIES**

- Cannabis Microbusiness Facilities are allowed in the C-1/C-P, C-P-S, I-P, M-SC, M-M and M-H Zones, except in the instance that a Cannabis Microbusiness includes manufacturing uses, in which case such Cannabis Microbusiness is allowed in the I-P, M-SC, M-M and M-H Zones.
- All Cannabis Microbusiness Facilities shall comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet. In the event that a Cannabis Microbusiness Facility includes retail sales of Cannabis, then the minimum setback from residentially zoned lot lines shall be 40 feet.
- Cannabis Microbusiness Facilities shall comply with the operational requirements apply to the specified uses authorized by the approved conditional use permits, and the water and energy conservation standards as applicable to Cannabis Microbusiness Facilities that includes cultivation.

**TEMPORARY CANNABIS EVENT**

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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- Temporary Cannabis Events are allowed on County Fair Property or District Agricultural Association property, subject to approval by those entities and by issuance of a County permit.
- Temporary Cannabis Events are prohibited during the hours of 12:00 a.m. to 6:00 a.m.
- Temporary Cannabis Events shall be setback a minimum of 100 feet from lot lines.
- The sale or consumption of alcohol or tobacco is not allowed at the location of a Temporary Cannabis Event.
- Access to the area(s) where sale or consumption of Cannabis occurs is restricted to persons 21 years of age or older at all Temporary Cannabis Events.

**5. PERMIT REQUIREMENTS FOR ALL COMMERCIAL CANNABIS ACTIVITIES:**

All Commercial Cannabis Activities are subject to, but not limited to, the following requirements:

- Obtain a Conditional Use Permit from the County
- Enter into a Development Agreement with the County
- Obtain Board Approval
- After approval by the County, obtain the applicable State license(s)
- Operate in a manner that prevents nuisance odors from being detected offsite
- Implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products and to deter and prevent the theft of Cannabis or Cannabis Products at the Commercial Cannabis Activity
- Maintain clear and adequate records and documentation demonstrating that all Cannabis or Cannabis Products have been obtained from, and are provided to, other permitted and licensed Cannabis operations
- Obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the Commercial Cannabis Activity
- Comply with all applicable local and State laws, ordinances and regulations including, but not limited to:
  - The Riverside County General Plan
  - The California Environmental Quality Act
  - Building Codes
  - Fire Codes
  - Riverside County Ordinance No. 457
  - Riverside County Ordinance No. 657



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- Airport Land Use Compatibility Plans
- Weights and measures regulations
- Track and trace requirements
- Pesticide use
- Water quality
- Storm water discharge
- The grading of land

**Public Input**

This public hearing for Ordinance No. 348.4898 was advertised in the Press Enterprise Newspaper and the Desert Sun Newspaper. Since the Board's initiation of this ordinance, Staff created a website to correspond with the public and garner input using an online survey. Approximately, 338 emails have been received, including 64 completed surveys. Additionally, on March 20, 2018, the Board of Supervisors held a public meeting to receive an ordinance update from staff. At that meeting, 41 people spoke and gave input to the Board. Prior to that meeting, 121 letters and emails were received by Staff. Of the 121 letters and emails received, 41 indicated support of regulation, 34 indicated opposition of regulation, and 48 indicated a neutral position for regulation. From March 20, 2018 until the June 20, 2018 hearing before the Planning Commission, Staff received approximately 80 emails regarding the ordinance, including a 26 page report from the Anza Valley MAC – Cannabis Emergency Regulation Committee, and a number of suggestions to include in the ordinance itself. Additionally, Staff received 267 surveys from the Anza, Aguanga, Sage, and Mountain communities regarding Marijuana Cultivation and 111 letters from the Anza/Aguanga "Campaign of a 1000 Letters." At the June 20, 2018 Planning Commission hearing, 49 members of the public spoke and gave input to the Commission. The Commission closed the public hearing and voted to continue the item one month so that Staff could address questions posed by the Commission. Between that June 20, 2018 hearing and the July 18, 2018 hearing, Staff received 75 letters and 23 emails with input regarding the draft ordinance. At the July 18, 2018 Planning Commission hearing, 25 members of the public spoke. At both Planning Commission hearings, the majority of the speakers spoke in favor of a Commercial Cannabis Ordinance. While some members of the public desired more liberal regulations, particularly for cultivation, others spoke to the potential impacts to residential neighborhoods. The overwhelming majority of speakers at both hearings were from the Third District, more specifically, the Anza, Aguanga and Sage areas of the Third District. After the July 20, 2018 Planning Commission hearing, 25 emails and letters were received. The majority of those spoke in favor of not allowing Cannabis Cultivation in Rural and Residential areas. Staff copies of the recent correspondence and a detailed summary in spreadsheet format is included as part of Attachment C. Comments received prior to July 20, 2018 are included in Attachments A and B.

**Development Agreements**

Staff is recommending a Development Agreement approach to Commercial Cannabis Activity Permits based on prior Board discussion and direction. Government Code section 65864 et seq. authorizes the County to enter into binding Development Agreements. The use of negotiated

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Development Agreements allows the County to achieve public benefits in those communities where Commercial Cannabis Activities will be located and allows the County to recover the County's regulatory costs associated with these activities. A Sample Development Agreement Template is included as Attachment D. Note that this is a sample and subject to change, as these Development Agreements will be processed with each conditional use permit (CUP) and, while similar in terms in many instances, each will be negotiated and will contain some unique, project specific terms. Except for activities that include cannabis cultivation or cannabis retail sales, all other applicants considering commercial cannabis activities may submit conditional use permit applications to the Planning Department and process these for conditional use permits, concurrently with a Development Agreement once Ordinance No. 348.4898 is in effect (60 days after the Board's adoption). The implementation plan, as shown in Attachment F shall be followed for the processing of land use applications for cannabis cultivation or retail sales. Commercial Cannabis Activities that involve cannabis retail sales and cultivation activities will be required to take part in the first-year implementation process. All Commercial Cannabis Activity CUPs will be processed concurrently with a Development Agreement.

A Development Agreement is a contract entered into between a Public Agency and a development applicant, through which the Public Agency confers certain rights and privileges to an applicant in consideration of Public benefits provided by the applicant. As reflected in the draft Board policy, attached hereto as Attachment G, Staff is recommending that the County offer a five-year agreement term plus the opportunity for one five-year extension to provide the applicant with greater certainty for the operations. Any conditional use permit issued for Commercial Cannabis Activities shall also have a term consistent with the term of the Development Agreement. As part of the County's consideration of a Development Agreement, Staff is recommending that there be two levels of Public Benefit provided:

- A Baseline Public Benefit, which would be consistent across types of Commercial Cannabis Activities and which will recover the County's cost regulation and;
- An Additional Public Benefit that is unique to each project and which provides a local (community based) benefit.

The Development Agreement will dictate a Baseline Public Benefit Rate that will be calculated to account for the direct and indirect costs of regulating permitted businesses. This would be in addition to any application and permit fees applicable to the conditional use permits. These direct and indirect costs could include Code Enforcement, compliance inspections, Law Enforcement (as applicable), public education, drug treatment, and other costs for which there is a reasonable connection. As part of the land use entitlement process, applicants would also include a proposed Additional Public Benefit. The form of what and how much they propose for Additional Public Benefits would be up to the applicant, but suggestions may include funding for infrastructure, paying for the cost of specific additional sheriff patrol hours in the unincorporated area, community clean-up or beautification programs, and others. These additional Public Benefits are intended to be community based, therefore applicants will be encouraged to reach out to their communities for input.

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Should the Board approve the Commercial Cannabis Ordinance (Ordinance 348.4898) Staff recommends the following to implement the Development Agreement process:

- Staff recommends that the Board approve a Sole Source Contract with HdL (separate item on this agenda) to engage their services to assist in the implementation process, including a suggested Baseline Public Benefit Rate and;
- Once the Baseline Public Benefit Rate has been developed Staff would return to the Board for approval of a Board Policy regarding Development Agreements for Commercial Cannabis Activities, including a Development Agreement Public Benefit payments for Commercial Cannabis Activities; and
- Staff would bring to the Board, for approval, a Board Resolution setting forth the procedures and requirements for Consideration of Development Agreements for Commercial Cannabis Activities pursuant to Government Code section 65865.

It is anticipated that Staff will bring the proposed Board Policy and Board Resolution back to the Board for approval before the end of the year.

**CEQA**

Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Section 26055(h) of the California Business and Professions Code exempts from the California Environmental Quality Act (CEQA), until July 1, 2019, the adoption of a specified ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial Cannabis activity. Ordinance No. 348.4898 is the County's ordinance regulating cannabis activities and the ordinance requires discretionary review and land use permits for all Commercial Cannabis Activities. Therefore, Ordinance No. 348.4898 complies with Senate Bill 94 and Section 26055(h) of the Business and Professions Code and is exempt from CEQA.

**Framework for Implementation Process**

Staff has developed a proposed framework for an implementation process of an initial, first-year, ramp-up for processing for conditional use permits for Commercial Cannabis Cultivation and Retail Sales. Per Board discussion and direction, this implementation process will allow for 19 Commercial Cannabis Retail Sales use permits and 50 Commercial Cannabis Cultivation land use permits to be processed. Once the Ordinance No. 348.4898 is in effect (60 days after the Board's adoption), except for activities that include the cultivation or retail sales of cannabis or cannabis products, all other applicants considering commercial cannabis activities may submit land use applications to the Planning Department and process these for conditional use permits, concurrently with a Development Agreement. The Staff's recommended implementation process is included as Attachment F.

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**Impact on Residents and Businesses**

The Commercial Cannabis Ordinance has been crafted to allow for Commercial Cannabis Activities that could potentially co-exist with existing and future businesses and within reasonable development standards that would protect residential neighborhoods. Because each conditional use permit would be discretionary, include discretionary, negotiated Development Agreements, be subject to public hearings, and be required to comply with the California Environmental Quality Act (CEQA), each case will be individually reviewed and vetted by the hearing bodies and the public to ensure that the proposed permitted use is compatible with surroundings and mitigates potential impacts to residents and businesses.

**Additional Fiscal Information**

As of the writing of this report the total cost to complete this ordinance amendment is approximately \$100,900 – funded through NCC budget allocation. The Planning process for this project commenced in fiscal year 17/18.

**ATTACHMENTS:**

- Attachment A: June 20, 2018 Planning Commission Staff Report
- Attachment B: July 18, 2018 Planning Commission Staff Report
- Attachment C: Summary of Public Input & Staff Responses
- Attachment D: Sample Development Agreement Template
- Attachment E: Ordinance 348.4898
- Attachment F: Proposed Implementation Process
- Attachment G: Draft Board Policy Regarding Commercial Cannabis Activities

  
Scott Bruckner 10/16/2018

  
Gregory V. Priantos, Director County Counsel 10/16/2018

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ORDINANCE NO. 348.4898

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING

ORDINANCE NO. 348 RELATED TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. FINDINGS. The Board of Supervisors finds the following:

- a. In 1996, the voters of the State of California approved Proposition 215, The Compassionate Use Act, which was intended to decriminalize cultivation and possession of medical marijuana by a seriously ill patient, or the patient's primary caregiver, for the patient's personal use, and to create a limited defense to the crimes of possessing or cultivating cannabis. The Compassionate Use Act further provided that nothing in it shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of cannabis for non-medical purposes.
- b. In 2004, the Legislature enacted Senate Bill 420 to clarify the scope of Proposition 215, and to provide qualifying patients and primary caregivers who collectively or cooperatively cultivate marijuana for medical purposes with a limited defense to certain specified State criminal statutes.
- c. On October 17, 2006, the Riverside County Board of Supervisors adopted Ordinance No. 348.4423 prohibiting medical marijuana dispensaries in all zone classifications.
- d. On May 19, 2015, the Riverside County Board of Supervisors adopted Ordinance No. 348.4802 clarifying that marijuana cultivation is also prohibited in all zone classifications.
- e. On June 2, 2015, the Riverside County Board of Supervisors adopted Ordinance No. 925 declaring marijuana cultivation to be prohibited and a public nuisance.

- 1 f. On September 11, 2015, California enacted the Medical Cannabis Regulation and  
2 Safety Act, (MCRSA) which instituted a comprehensive State-level licensure  
3 and regulatory scheme for cultivation, manufacturing, distribution,  
4 transportation, laboratory testing, and dispensing of medical cannabis.
- 5 g. On November 8, 2016 the voters of California adopted Proposition 64 which  
6 legalized the use of cannabis for adult use and established a maximum cultivation  
7 allowance of 6 plants for personal use. Proposition 64 allows for local control of  
8 adult use cannabis land uses, and reasonable regulation of personal cultivation of  
9 up to 6 plants per residence.
- 10 h. On June 27, 2017, the Governor signed Senate Bill 94, the Medicinal and Adult-  
11 Use Cannabis Regulation and Safety Act ("MAUCRSA"). The MAUCRSA  
12 unifies both the medical regulatory scheme of the Medical Cannabis Regulation  
13 and Safety Act (2015) and the adult-use scheme of the Adult-Use of Marijuana  
14 Act (2016) to achieve a single regulatory structure at the state level. The  
15 MAUCRSA shifts from the term "marijuana" to "cannabis." The MAUCRSA  
16 continues to recognize local control and the state cannot approve licenses for  
17 cannabis businesses and cannabis activities, including deliveries, if the license  
18 would not be in compliance with a local government's ordinances or regulations.  
19 The MAUCRSA continues to recognize the ability of local governments to  
20 prohibit all outdoor cultivation and any other cannabis businesses and cannabis  
21 activities. The MAUCRSA makes clear that nothing in the MAUCRSA is to be  
22 interpreted to supersede or limit the County's authority to adopt and enforce local  
23 ordinances to regulate cannabis businesses and cannabis activities licensed by the  
24 state, up to and including the County's right to ban the activity.
- 25 i. Cannabis cultivation operations are not protected under Riverside County  
26 Ordinance No. 625, the Right to Farm ordinance, which is intended to protect  
27 agricultural operations from being considered a nuisance. The siting and  
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1 operational standards established by Ordinance No. 348.4898 do not apply to  
2 agricultural enterprises already in existence within the unincorporated areas of  
3 the County of Riverside.

4 j. Children, minors under the age of 18, are particularly vulnerable to the effects of  
5 cannabis use, and the presence of cannabis plants or products is an attractive  
6 nuisance for children, creating an unreasonable hazard in areas frequented by  
7 children including schools, parks, and other similar locations. Comprehensive  
8 regulation of cannabis activities is proper and necessary to address the risks and  
9 adverse impacts to children.

10 k. Riverside County has long had insufficient resources to bring code enforcement  
11 or nuisance actions against the vast majority of cultivation sites and dispensaries.  
12 The State's adoption of a comprehensive statewide licensing and enforcement  
13 scheme for cannabis operations could facilitate local jurisdictions to regulate  
14 cannabis at the local level, and permit fees could help pay for additional  
15 enforcement staff.

16 l. The unregulated cultivation of cannabis in the unincorporated area of Riverside  
17 County can adversely affect the health, safety, and well-being of the County, its  
18 residents and environment. Comprehensive regulation of lots used for cannabis  
19 cultivation is proper and necessary to reduce the risks of criminal activity,  
20 degradation of the natural environment, malodorous smells, and indoor electrical  
21 fire hazards that may result from unregulated cannabis cultivation.

22 Section 2. PURPOSE. The purpose of this ordinance is to establish regulations related to  
23 cultivation, delivery, distribution, manufacturing, possession, processing, selling, storing, testing and  
24 transporting of commercial cannabis and commercial cannabis related products in a responsible manner  
25 that protects the health, safety and welfare of the residents of Riverside County. Nothing in this ordinance  
26 is intended to authorize the use, possession or distribution of cannabis in violation of State law.

27 Section 3. AUTHORITY. Pursuant to Article XI, section 7 of the California Constitution,  
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the California Medicinal and Adult-Use Cannabis Regulation and Safety Act, Business and Professions Code sections 26055, 26080, 26090, 26200, and Health and Safety Code section 11362.83, the County of Riverside may adopt ordinances to establish standards, requirements and regulations for medical and adult-use cannabis activities.

Section 4. Section 18.12.A.2.b. of Ordinance No. 348 is amended to add the following table:

COMMERCIAL CANNABIS ACTIVITIES	PER SQUARE FOOT OR UNIT	PER EMPLOYEE	OTHER CRITERIA	FOR VEHICLE STACKING
indoor cultivation		2 spaces/ 3 employees		
mixed light cultivation		2 spaces/ 3 employees		
nursery		1 space/2 employees		
distributor		2 spaces/ 3 employees of largest shift		
manufacturing		2 spaces/ 3 employees of largest shift		
testing		2 spaces/ 3 employees of largest shift		
retailers		1 space/200 sq. ft. of gross floor area		
microbusinesses with retail sales		1 space/200 sq. ft. of gross floor area		
Microbusinesses without retail sales		2 spaces/ 3 employees		

Section 5. A new Section 1.13 is added to Article I of Ordinance No. 348 to read as follows:

“Section 1.13. TABLES.

In the event there is an inconsistency between the tables contained in this ordinance and the text of this ordinance, the ordinance text controls and shall be applied to land use permit applications.”



1            Section 6.     Section 3.3 of Ordinance No. 348 is amended to read as follows:

2            “SECTION 3.3    USES ALLOWED IN ZONE CLASSIFICATIONS.     The  
3            terminology used in Section 3.1 of this ordinance is general only and is not intended to  
4            be descriptive of all uses allowed in the zone classifications. The zone classifications  
5            are specifically set forth in subsequent articles of this ordinance to which reference  
6            should be made to determine all the uses permitted therein. When a use is not specifically  
7            listed as permitted or conditionally permitted in a zone classification, the use is  
8            prohibited unless, in circumstances where this ordinance empowers them to do so, the  
9            Planning Director makes a determination that the use is substantially the same in  
10           character and intensity as those uses permitted or conditionally permitted in the zone  
11           classification. Unless expressly authorized by this ordinance, nothing in this ordinance  
12           shall be construed to allow a use that is otherwise illegal under State law or Federal law.”

13           Section 7.     Section 3.4 of Ordinance No. 348 is repealed in its entirety.

14           Section 8.     Section 18.28.c. of this ordinance is amended to read as follows:

15           “C.    PUBLIC HEARING. A public hearing shall be held on the application for a  
16           conditional use permit in accordance with the provisions of either 18.26 or 18.26.a. of  
17           this ordinance, whichever is applicable, and all of the procedural requirements and rights  
18           of appeal as set forth therein shall govern the hearing. Notwithstanding the above, or  
19           any other provision herein to the contrary, the hearing of any conditional use permit that  
20           requires approval of general plan amendment, a specific plan amendment, a change of  
21           zone or a development agreement shall be heard in accordance with the provisions of  
22           Section 2.5, 2.6, 20.3.a. or 18.26b. of this ordinance, whichever is applicable, and all of  
23           the procedural requirements and rights of appeal as set forth therein shall govern the  
24           hearing.”

25           Section 9.     Article XIXh of Ordinance No. 348 is amended in its entirety to read as follows:

26           “Article XIXh            COMMERCIAL CANNABIS ACTIVITIES

27           SECTION 19.500.    PURPOSE AND INTENT.

1           The purpose of this Article is to protect the public health, safety, and welfare, enact  
2 strong and effective regulatory and enforcement controls in compliance with State law, protect  
3 neighborhood character, and minimize potential for negative impacts on people, communities,  
4 and the environment in the unincorporated areas of Riverside County by establishing land use  
5 regulations for commercial cannabis activities. Commercial cannabis activities includes  
6 cannabis cultivation, cannabis nurseries, cannabis manufacturing, cannabis testing facilities,  
7 cannabis retailers, and cannabis distribution, including medical and adult-use cannabis.  
8 Commercial cannabis activities require land use regulations due to the unique State legal  
9 constraints on cannabis activity, and the potential environmental and social impacts associated  
10 with cannabis activity.

11           SECTION 19.501. PROHIBITED ACTIVITIES.

- 12           A. Any Commercial Cannabis Activity that is not expressly provided for in both an  
13 approved conditional use permit and a valid Cannabis license issued by the State  
14 is prohibited in all zones and is hereby declared a public nuisance that may be  
15 abated by the County and is subject to all available legal remedies, including but  
16 not limited to civil injunctions.
- 17           B. Mobile Cannabis Retailers are prohibited in all zones and may not operate in the  
18 unincorporated area of Riverside County.
- 19           C. All Cannabis Cultivation shall be conducted in the interior of enclosed structures,  
20 facilities or buildings, and all Cannabis Cultivation operations, including all Live  
21 Cannabis Plants, at any stage of growth, shall not be visible from the exterior of  
22 any structure, facility or building containing Cannabis Cultivation. Portable  
23 greenhouses and non-permanent enclosures shall not be used for Cannabis  
24 Cultivation unless all applicable permits and licenses have been obtained  
25 including, but not limited to, land use permits, building permits and a California  
26 license has been issued for a Mixed Light Cannabis Cultivation operation.
- 27           D. Outdoor cultivation of Cannabis is prohibited in the unincorporated area of  
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1 Riverside County.

- 2 E. All Commercial Cannabis Activities within any dwelling unit, accessory  
3 dwelling unit, guest quarters, or any other residential accessory structure  
4 permitted for residential occupancy is prohibited.
- 5 F. Unless a Conditional Use Permit has been approved that includes the retail sales  
6 of Cannabis or Cannabis Products no person shall conduct any retail sales of  
7 Cannabis or Cannabis Products on or from a permitted Commercial Cannabis  
8 Activity.

9 SECTION 19.502. APPLICABILITY.

- 10 A. Except as provided in Section 19.503 of this Article, Commercial Cannabis  
11 Activities shall not be allowed in the unincorporated areas of Riverside County  
12 without first obtaining all required land use permits, licenses or other entitlements  
13 required by local or State laws and regulations.
- 14 B. Cannabis is not an agricultural commodity with respect to Ordinance No. 625,  
15 the Right-to-Farm ordinance, and is not considered Farmland or Agriculture as  
16 those terms are defined in the Riverside County General Plan or Ordinance No.  
17 625.
- 18 C. For the purposes of this Article, Cannabis does not include Industrial Hemp as  
19 defined in this ordinance.

20 SECTION 19.503. EXEMPTIONS.

21 This Article does not apply to the activities listed below which shall be accessory to  
22 a legally existing private residence and comply with all other applicable State and local laws,  
23 requirements and regulations.

- 24 A. Personal Cannabis Cultivation.

25 This Article shall not prohibit a person 21 years of age or older from engaging  
26 in the Indoor Cannabis Cultivation of six or fewer Live Cannabis Plants  
27 within a single private residence or inside a detached accessory structure  
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1 located upon the grounds of a private residence that is fully enclosed and  
2 secured, to the extent the cultivation is authorized by Health and Safety Code  
3 sections 11362.1 and 11362.2. In no event shall more than six Live Cannabis  
4 Plants be allowed per private residence. For purposes of this section, private  
5 residence means a one family dwelling, an apartment unit, a mobile home or  
6 other similar dwelling.

7 B. Cannabis Cultivation by a Primary Caregiver.

8 This Article shall not prohibit the cultivation of Cannabis by a qualified  
9 patient or primary caregiver in accordance with Riverside County Ordinance  
10 No. 925.

11 SECTION 19.504. PROHIBITED LOCATIONS.

12 Commercial Cannabis Activities are prohibited in the following zones: R-R, R-R-  
13 O, R-1, R-1A, R-A, R-2, R2-A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, C/V, C-C/V, WC-  
14 R, WC-W, WC-WE, WC-E, W-2, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A and MU.

15 SECTION 19.505. PERMIT REQUIREMENTS FOR ALL COMMERCIAL CANNABIS  
16 ACTIVITIES.

17 All Commercial Cannabis Activities shall comply with the following requirements:

18 A. APPLICATION REQUIREMENTS.

19 At the time of filing the application for a Commercial Cannabis Activity on a  
20 form provided by the Planning Department, the applicant shall also provide the  
21 applicable fee for processing the land use permit application.

22 B. STATE LICENSE REQUIRED.

23 Obtain and maintain during the life of the Commercial Cannabis Activity the  
24 applicable California license issued pursuant to California Business and  
25 Professions Code Sections 19300.7 or 26050(a) as may be amended from time to  
26 time.

27 C. SUSPENSION, REVOCATION, OR TERMINATION OF STATE LICENSE.

1 Suspension of a license issued by the State of California, or by any State licensing  
2 authority, shall immediately suspend the ability of a Commercial Cannabis  
3 Activity to operate within the County until the State, or its respective State  
4 licensing authority, reinstates or reissues the State license. Revocation or  
5 termination of a license by the State of California, or by any State licensing  
6 authority, will also be grounds to revoke or terminate any conditional use permit  
7 granted to a Commercial Cannabis Activity pursuant to this Article.

8 D. HEALTH AND SAFETY.

9 Commercial Cannabis Activities shall at all times be operated in such a way as  
10 to ensure the health, safety, and welfare of the public. Commercial Cannabis  
11 Activities shall not create a public nuisance or adversely affect the health or  
12 safety of the nearby residents, businesses or employees working at the  
13 Commercial Cannabis Activity by creating dust, glare, heat, noise, noxious  
14 gasses, odor, smoke, traffic, vibration, unsafe conditions or other impacts, or be  
15 hazardous due to the use or storage of materials, processes, products, and runoff  
16 of water, pesticides or wastes.

17 E. DEVELOPMENT AGREEMENT.

18 No approval required by this ordinance shall be given for any permit for a  
19 Commercial Cannabis Activity unless the Board of Supervisors prior to or  
20 concurrently with approves a development agreement, pursuant to Section  
21 18.26b of this ordinance, setting forth the terms and conditions under which the  
22 Commercial Cannabis Activity will operate in addition to the requirements of  
23 this ordinance, all other local ordinances and regulations, state law and such other  
24 terms and conditions that will protect and promote the public health, safety and  
25 welfare. No use or operation under any permit for a Commercial Cannabis  
26 Activity shall be allowed to begin until the development agreement is effective.

27 F. NUISANCE ODORS.

1 All Commercial Cannabis Activities shall be sited and operated in a manner that  
2 prevents Cannabis nuisance odors from being detected offsite. All Commercial  
3 Cannabis Activities shall provide a sufficient odor absorbing ventilation and  
4 exhaust system so that odor generated inside the Commercial Cannabis Activity  
5 that is distinctive to its operation is not detected outside of the operation's facility,  
6 anywhere on adjacent lots or public rights-of-way, on or about the exterior or  
7 interior common area walkways, hallways, breezeways, foyers, lobby areas, or  
8 any other areas available for use by common tenants or the visiting public, or  
9 within any other unit located inside the same building as the Commercial  
10 Cannabis Activity. In order to control nuisances such as odors, humidity and  
11 mold, Commercial Cannabis Activities shall install and maintain at the minimum,  
12 the following equipment, or any other equipment that can be proven to be an  
13 equally or more effective method or technology to control these nuisances:

- 14 1. An exhaust air filtration system with odor control that prevents internal  
15 odors from being emitted externally;
- 16 2. An air system that creates negative air pressure between the Commercial  
17 Cannabis Activities' interior and exterior, so that the odors generated by  
18 the Commercial Cannabis Activity are not detectable on the outside of the  
19 Commercial Cannabis Activity.

20 G. COMMERCIAL CANNABIS ACTIVITY OPERATOR QUALIFICATIONS.

- 21 1. All operators and all employees of a Commercial Cannabis Activity must  
22 be 21 years of age or older.
- 23 2. Operators shall be subject to background checks.
- 24 3. Permits for Commercial Cannabis Activities shall not be granted for  
25 operators with felony convictions, as specified in subdivision (c) of Section  
26 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal  
27 Code.

1 4. Applicants providing false or misleading information in the permitting  
2 process will result in rejection of the application or nullification or  
3 revocation of any permit granted pursuant to this Article.

4 H. RELOCATION OF A PERMITTED COMMERCIAL CANNABIS ACTIVITY.

5 In the event the permittee or successor in interest vacates and relocates the  
6 Commercial Cannabis Activity to a new location, a new conditional use permit  
7 will need to be granted by the County in accordance with this ordinance prior to  
8 commencing operations at the new location.

9 I. HOURS OF OPERATION.

10 A Commercial Cannabis Activity operating as a Cannabis Retailer may be open  
11 to the public seven days a week only between the hours of 6:00 A.M. and 10:00  
12 P.M. All other Commercial Cannabis Activities may operate only during the  
13 hours specified in the conditional use permit granted by the County.

14 J. INSPECTIONS.

15 A Commercial Cannabis Activity shall be subject to inspections by appropriate  
16 local and State agencies, including, but not limited to, the Riverside County  
17 Departments of Code Enforcement, Planning, Fire, Public Health, Environmental  
18 Health, the Agricultural Commissioner's Office and the Sheriff's Department.

19 K. MONITORING PROGRAM.

20 Permittees of a Commercial Cannabis Activity shall participate in the County's  
21 monitoring program to verify permit requirements such as, but not limited to,  
22 security measures, water use and State track-and-trace requirements.

23 L. RESTRICTION ON ALCOHOL AND TOBACCO SALES OR  
24 CONSUMPTION.

25 Commercial Cannabis Activities shall not allow the sale, dispensing, or  
26 consumption of alcoholic beverages or tobacco on the site of the Commercial  
27 Cannabis Activity.

28

1 M. RESTRICTION ON CONSUMPTION.

2 Cannabis shall not be consumed or used on the lot of any Commercial Cannabis  
3 Activity.

4 N. SECURITY.

5 A Commercial Cannabis Activity shall implement sufficient security measures  
6 to deter and prevent the unauthorized entrance into areas containing Cannabis or  
7 Cannabis Products, to deter and prevent the theft of Cannabis or Cannabis  
8 Products at the Commercial Cannabis Activity and to ensure emergency access  
9 in accordance with applicable Fire Code standards. Guard dogs shall not be used  
10 at the Commercial Cannabis Activity as a security measure. Security measures  
11 shall include, but not be limited to, the following:

- 12 1. A plan to prevent individuals from loitering on the lot if they are not  
13 engaging in activity expressly related to the Commercial Cannabis Activity.
- 14 2. 24 hour emergency contact information for the owner or an on-site  
15 employee which shall be provided to the County.
- 16 3. A professionally installed, maintained, and monitored alarm system.
- 17 4. Except for Live Cannabis Plants being cultivated at a cultivation facility  
18 and limited amounts of Cannabis for display purposes, all Cannabis and  
19 Cannabis Products shall be stored in a secured and locked structure and in  
20 a secured and locked safe room, safe, or vault, and in a manner as to prevent  
21 diversion, theft, and loss.
- 22 5. 24 hour security surveillance cameras to monitor all entrances and exits to  
23 a Commercial Cannabis Activity, all interior spaces within the Commercial  
24 Cannabis Activity that are open and accessible to the public, and all interior  
25 spaces where Cannabis, cash or currency is being stored for any period of  
26 time on a regular basis. The permittee for a Commercial Cannabis Activity  
27 shall be responsible for ensuring that the security surveillance camera's  
28



1 footage is accessible. Video recordings shall be maintained for a minimum  
2 of 90 days, and shall be made available to the County upon request.

- 3 6. Sensors shall be installed to detect entry and exit from all secure areas.
- 4 7. Panic buttons shall be installed in all Commercial Cannabis Activities.
- 5 8. Any bars installed on the windows or the doors of a Commercial Cannabis  
6 Activity shall be installed only on the interior of the building.
- 7 9. Security personnel must be licensed by the State of California Bureau of  
8 Security and Investigative Services.
- 9 10. A Commercial Cannabis Activity shall have the capability to remain secure  
10 during a power outage and all access doors shall not be solely controlled by  
11 an electronic access panel to ensure locks are not released during a power  
12 outage.
- 13 11. A Commercial Cannabis Activity shall cooperate with the County and,  
14 upon reasonable notice to the Commercial Cannabis Activity, allow the  
15 County to inspect or audit the effectiveness of the security plan for the  
16 Commercial Cannabis Activity.
- 17 12. The permittee for a Commercial Cannabis Activity shall notify the  
18 Riverside County Sheriff's Department immediately after discovering any  
19 of the following:
  - 20 a. Significant discrepancies identified during inventory.
  - 21 b. Diversion, theft, loss, or any criminal activity involving the  
22 Commercial Cannabis Activity or any agent or employee of the  
23 Commercial Cannabis Activity.
  - 24 c. The loss or unauthorized alteration of records related to Cannabis,  
25 registering qualifying patients, primary caregivers, or employees or  
26 agents of the Commercial Cannabis Activity.
  - 27 d. Any other breach of security.
- 28

1 13. Firearms shall not be permitted at a Commercial Cannabis Activity by an  
2 owner, manager, employee, volunteer or vendor other than those  
3 individuals authorized as a State Licensed Security Personnel.

4 14. Cannabis or Cannabis Products shall not be stored outside at any time.

5 O. PERMIT AND LICENSE POSTING.

6 The permittee shall post or cause to be posted at the Commercial Cannabis  
7 Activity all required County and State permits and licenses to operate. Such  
8 posting shall be in a central location, visible to the patrons, and in all vehicles  
9 that deliver or transport Cannabis.

10 P. SIGNAGE.

11 Signage for a Commercial Cannabis Activity shall comply with the following:

12 1. In addition to the requirements set forth in this section and California  
13 Business and Professions Code section 26152 as may be amended, business  
14 identification signage for a Commercial Cannabis Activity shall comply  
15 with Section 19.4 of this ordinance.

16 2. No Commercial Cannabis Activity shall advertise by having a person or  
17 device holding a sign or an air dancer sign advertising the activity to  
18 passersby, whether such person, device or air dancer is on the lot of the  
19 Commercial Cannabis Activity or elsewhere including, but not limited to,  
20 the public right-of-way.

21 3. No Commercial Cannabis Activity shall publish or distribute advertising or  
22 marketing that is attractive to children.

23 4. No Commercial Cannabis shall advertise or market Cannabis or Cannabis  
24 Products on motor vehicles.

25 5. Except for advertising signs inside a licensed Premises and provided that such  
26 advertising signs do not advertise or market Cannabis or Cannabis Products  
27 in a manner intended to encourage persons under 21 years of age to consume  
28

1 Cannabis or Cannabis Products, no Commercial Cannabis Activity shall  
2 advertise or market Cannabis or Cannabis Products on an advertising sign  
3 within 1,000 feet of a Child Day Care Center, a K-12 school, a public park or  
4 a Youth Center.

5 6. No signs placed on the lot of a Commercial Cannabis Activity shall obstruct  
6 any entrance or exit to the building or any window.

7 7. Each entrance to a Commercial Cannabis Activity shall be visibly posted with  
8 a clear and legible notice indicating that smoking, ingesting, or otherwise  
9 consuming Cannabis on the lot of the Commercial Cannabis Activity is  
10 prohibited.

11 8. Signage shall not be directly illuminated, internally or externally.

12 9. No banners, flags, billboards, or other prohibited signs may be used at any  
13 time.

14 Q. RECORDS.

15 1. Each owner and permittee of a Commercial Cannabis Activity shall  
16 maintain clear and adequate records and documentation demonstrating that  
17 all Cannabis or Cannabis Products have been obtained from and are  
18 provided to other permitted and licensed Cannabis operations. The County  
19 shall have the right to examine, monitor, and audit such records and  
20 documentation, which shall be made available to the County upon written  
21 request.

22 2. Each owner and permittee of a Commercial Cannabis Activity shall  
23 maintain a current register of the names and contact information, including  
24 name, address, and telephone number, of anyone owning or holding an  
25 ownership interest in the Commercial Cannabis Activity, and of all the  
26 officers, managers, employees, agents and volunteers currently employed  
27 or otherwise engaged by the Commercial Cannabis Activity. The County  
28

1 shall have the right to examine, monitor, and audit such records and  
2 documentation, which shall be made available to the County upon request.

- 3 3. All Commercial Cannabis Activities shall maintain an inventory control  
4 and reporting system that accurately documents the present location,  
5 amounts, and descriptions of all Cannabis and Cannabis Products for all  
6 stages of the growing and production or manufacturing, laboratory testing  
7 and distribution processes until purchase by or distribution to a qualified  
8 patient, primary caregiver for medical purpose or an adult 21 years of age  
9 or older who qualifies to purchase adult-use Cannabis.

10 R. WATER.

11 All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the  
12 applicable water purveyor, indicating agreement to supply water for the  
13 Commercial Cannabis Activity. The letter shall include the activity proposed  
14 and any improvements required for service. For Commercial Cannabis Activities  
15 where water service is not available, conditions from the Department of  
16 Environmental Health for a permitted onsite, in-ground well will be required for  
17 the conditional use permit. Irrigation and domestic water supplies shall not  
18 include water transported by vehicle from off-site sources.

19 S. WASTE WATER.

20 All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the  
21 applicable sanitary sewer purveyor, indicating agreement to supply sewer for the  
22 Commercial Cannabis Activity. The letter shall include the activity proposed  
23 and any improvements required for service. For Commercial Cannabis Activities  
24 where sewer service is not available, conditions from the Department of  
25 Environmental Health will be required for the conditional use permit. Where  
26 sanitary sewer is not available, the applicant shall obtain clearance from the  
27 appropriate regional water quality control board.  
28

1 T. PARKING.

2 Parking shall be provided in accordance with Section 18.12 of this ordinance.

3 U. VISIBILITY.

4 In no case shall Live Cannabis Plants be visible from a public or private road,  
5 sidewalk, park or common public viewing area.

6 V. HAZARDOUS MATERIALS.

7 All Commercial Cannabis Activities that utilize hazardous materials shall comply  
8 with applicable hazardous waste generator, Riverside County Ordinance No. 615,  
9 and hazardous materials handling, Riverside County Ordinance No. 651,  
10 requirements and maintain any applicable permits for these programs from the  
11 Riverside County Fire Department, the Riverside County Department of  
12 Environmental Health, the Riverside County Department of Waste Resources  
13 and the Agricultural Commissioner.

14 W. COMPLIANCE WITH LOCAL AND STATE LAWS AND REGULATIONS.

15 1. All Commercial Cannabis Activities shall comply with all applicable local  
16 and State laws, ordinances and regulations related to, but not limited to, the  
17 following: the California Environmental Quality Act, California Building  
18 Code, California Fire Code, Riverside County Ordinance No. 787, Riverside  
19 County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside  
20 County Ordinance No. 745, Airport Land Use Compatibility Plans, weights  
21 and measures regulations, track and trace requirements, pesticide use, water  
22 quality, storm water discharge and the grading of land.

23 2. All buildings and structures, including greenhouse, hoop structures, or other  
24 similar structures shall comply with all applicable Building, Fire, and Safety  
25 laws and regulations. All buildings and structures shall be reviewed by the  
26 Riverside County Building and Safety Department in accordance with the  
27 California Building Code and Riverside County Ordinance No. 457 and by  
28

1 the Riverside County Fire Department in accordance with Riverside County  
2 Ordinance No. 787 and the California Fire Code.

3 X. MATERIAL ALTERATIONS TO PREMISES.

4 No physical change, alteration, or modification shall be made to a Premises  
5 without first obtaining the appropriate approvals from the County, including but  
6 not limited a substantial conformance or revised permit and all other necessary  
7 permits. Alterations or modifications requiring approval include, without  
8 limitation: (i) the removal, creation, or relocation of a common entryway,  
9 doorway, passage, or a means of public entry or exit, when such common  
10 entryway, doorway, or passage alters or changes limited-access areas within the  
11 Premises; (ii) the removal, creation, addition, or relocation of a Cultivation Area;  
12 (iii) or the addition or alteration of a water supply. The requirement of this  
13 Section is in addition to compliance with any other applicable State or local law  
14 or regulation pertaining to approval of building modifications, zoning, and land  
15 use requirements. In the event that the proposed modification requires a new or  
16 modified conditional use permit such permit must be obtained prior to issuance  
17 of building permits.

18 Y. MULTIPLE COMMERCIAL CANNABIS ACTIVITIES.

19 Multiple Commercial Cannabis Activities may be allowed on the same lot  
20 provided the proposed activities are allowed in the zone classification and meet  
21 all requirements in this Article and State Law.

22 SECTION 19.506. PUBLIC HEARING AND REQUIREMENTS FOR APPROVAL.

23 A. A public hearing shall be held on the application for a conditional use permit in  
24 accordance with the provisions of Section 18.26 of this ordinance and all of the  
25 procedural requirements and rights of appeal set forth therein shall govern the  
26 public hearing.

27 B. No conditional use permit for a Commercial Cannabis Activity shall be approved  
28

1 unless the following findings are made:

- 2 1. The permit is consistent with the General Plan and any applicable specific  
3 plan.
- 4 2. The permit complies with the requirements of Sections 18.28, 19.505,  
5 19.511, 19.513, 19.515, 19.517, 19.519, 19.521 and 19.523, as applicable,  
6 of this ordinance.
- 7 3. The permit complies with the development standards for the zoning  
8 classification in which the Commercial Cannabis Activity is located.
- 9 4. The permit will not be detrimental to the public health, safety or general  
10 welfare.

11 C. Conditional use permits shall be subject to all conditions necessary or convenient  
12 to assure that the Commercial Cannabis Activity will satisfy the requirements of  
13 this Article.

14 SECTION 19.507. PERMIT EXPIRATION.

- 15 A. All conditional use permits granted for a Commercial Cannabis Activity shall be  
16 conditioned for the permittee to obtain a valid Cannabis license from the State of  
17 California within 6 months of the conditional use permit's approval date. In the  
18 event the condition of approval is not complied with, the conditional use permit  
19 will automatically become null and void on the 6 month anniversary date of the  
20 conditional use permit's approval.
- 21 B. All conditional use permits issued for a Commercial Cannabis Activity shall  
22 expire as provided in each permit's conditions of approval and development  
23 agreement. No less than 6 months from the expiration date, the permittee may  
24 request the conditional use permit to be renewed as provided in the development  
25 agreement. Any request for renewal shall be in writing to the Planning  
26 Department and in conjunction with a revised permit application. The renewal  
27 request and revised permit application shall be processed in accordance with the  
28

1 procedures for processing the original permit, including any requirements for  
2 public hearing, notice of hearing and all rights of appeal. If all obligations  
3 detailed within the development agreement associated with the permit are not  
4 met, the revised permit application and renewal request will be recommended for  
5 denial. If a request for renewal is not requested or is not granted the conditional  
6 use permit shall be deemed expired on the date set forth in the permit's conditions  
7 of approval and development agreement.

8 SECTION 19.508. OUTDOOR CANNABIS CULTIVATION PROHIBITED.

9 Notwithstanding any other provision of this ordinance, Outdoor Cannabis Cultivation  
10 of Mature Cannabis Plants is prohibited in all zone classifications.

11 SECTION 19.509. INDOOR (ARTIFICIAL LIGHT) CANNABIS CULTIVATION.

12 A. ZONING.

13 Notwithstanding any other provision of this ordinance, Indoor Cannabis  
14 Cultivation is allowed as follows:

15 1. Specialty Cottage Indoor Cannabis Cultivation.

16 Specialty Cottage Indoor Cannabis Cultivation is allowed in the following  
17 zone classifications with an approved conditional use permit in accordance  
18 with section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-  
19 H, A-1, A-P, A-2 and A-D.

20 2. Specialty Indoor Cannabis Cultivation.

21 Specialty Indoor Cannabis Cultivation is allowed in the following zone  
22 classifications with an approved conditional use permit in accordance with  
23 section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H,  
24 A-1, A-P, A-2 and A-D.

25 3. Small Indoor Cannabis Cultivation.

26 Small Indoor Cannabis Cultivation is allowed in the following zone  
27 classifications with an approved conditional use permit in accordance with  
28



1 section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H,  
2 A-1, A-P, A-2, and A-D.

3 4. Medium Indoor Cannabis Cultivation.

4 Medium Indoor Cannabis Cultivation is allowed on lots one gross acre or  
5 more in the following zone classifications with an approved conditional use  
6 permit in accordance with section 18.28 of this ordinance: I-P, M-S-C, M-  
7 M and M-H.

8 B. SIZE LIMITATIONS.

9 1. All Indoor Cannabis Cultivations shall not exceed the Canopy size  
10 threshold established by State law.

11 2. The Canopy size on a single lot for a Specialty Cottage Indoor Cannabis  
12 Cultivation shall not exceed 500 square feet.

13 3. The Canopy size on a single lot for a Specialty Indoor Cannabis Cultivation  
14 shall not exceed 5,000 square feet.

15 4. The Canopy size on a single lot for a Small Indoor Cannabis Cultivation  
16 shall not exceed 10,000 square feet.

17 5. The Canopy size on a single lot for a Medium Indoor Cannabis Cultivation  
18 shall not exceed 22,000 square feet except as provided for in 19.509.B.6.  
19 below.

20 6. Multiple Indoor Cannabis Cultivations may operate on a single lot  
21 provided all the following is complied with:

22 a. A conditional use permit has been granted for Indoor Cannabis  
23 Cultivation and specifies the number and size of each proposed  
24 licensed Premises.

25 b. The individual Canopy size for each Indoor Cannabis Cultivation  
26 operation complies with State law, and the cumulative Canopy area  
27 for all the Indoor Cannabis Cultivation operations on one lot does not  
28

1 exceed the total amount of 43,560 square feet.

2 SECTION 19.510. MIXED LIGHT CANNABIS CULTIVATION.

3 A. ZONES.

4 Notwithstanding any other provision of this ordinance, Mixed Light Cannabis  
5 Cultivation is allowed as follows:

6 1. Specialty Cottage Mixed Light Cannabis Cultivation.

7 Specialty Cottage Mixed Light Cannabis Cultivation is allowed on lots one  
8 gross acre or more in the following zone classifications with an approved  
9 conditional use permit in accordance with Section 18.28 of this ordinance:  
10 A-1, A-P, A-2 and A-D.

11 2. Specialty Mixed Light Cannabis Cultivation.

12 Specialty Mixed Light Cannabis Cultivation is allowed on lots one and one-  
13 half gross acres or more in the following zone classifications with an  
14 approved conditional use permit in accordance with Section 18.28 of this  
15 ordinance: A-1, A-P, A-2 and A-D.

16 3. Small Mixed Light Cannabis Cultivation.

17 Small Mixed Light Cannabis Cultivation is allowed on lots two and one-  
18 half gross acres in the following zone classifications with an approved  
19 conditional use permit in accordance with section 18.28 of this ordinance:  
20 A-1, A-P, A-2 and A-D.

21 4. Medium Mixed Light Cannabis Cultivation.

22 Medium Mixed Light Cannabis Cultivation is allowed on lots five gross  
23 acres or more in the following zone classifications with an approved  
24 conditional use permit in accordance with Section 18.28 of this ordinance:  
25 A-1, A-2.

26 B. SIZE LIMITATIONS.

27 1. A Mixed Light Cannabis Cultivation shall not exceed the Canopy size

1 threshold established by State law.

- 2 2. The Canopy size on a single lot for a Specialty Cottage Mixed Light  
3 Cannabis Cultivation shall not exceed 2,500 square feet.
- 4 3. The Canopy size on a single lot for a Specialty Mixed Light Cannabis  
5 Cultivation shall not exceed 5,000 square feet.
- 6 4. The Canopy size on a single lot for a Small Mixed Light Cannabis  
7 Cultivation shall not exceed 10,000 square feet.
- 8 5. The Canopy size on a single lot for a Medium Mixed Light Cannabis  
9 Cultivation shall not exceed 22,000 square feet except as provided for in  
10 19.510.B.6. below.
- 11 6. Multiple Mixed Light Cannabis Cultivation operations may operate on a  
12 single lot provided all the following is complied with:
- 13 a. A conditional use permit has been granted for Mixed Light Cannabis  
14 Cultivation and specifies the number and size of each proposed  
15 licensed Premises.
- 16 b. The individual Canopy size for each Mixed Light Cannabis  
17 Cultivation operation complies with State law and the cumulative  
18 Canopy area for all the Mixed Light Cannabis Cultivation operations  
19 does not exceed the total amount of 43,560 square feet.

20 SECTION 19.511. CANNABIS CULTIVATION STANDARDS.

21 In addition to the approval requirements in Section 19.506 of this ordinance and the  
22 development standards in the applicable zoning classification, Cannabis Cultivation operations  
23 shall comply with the standards provided below. If there is an inconsistency between the  
24 development standards of the zone classification and these standards, the more restrictive  
25 standard applies.

26 A. LOCATION REQUIREMENTS.

- 27 1. Indoor and Mixed Light Cannabis Cultivation shall not be located within  
28

1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth Center. The distance shall be measured from the nearest points of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance. In no case shall the distance be less than allowed by State law.

2. Indoor and Mixed Light Cannabis Cultivation are not allowed in an established agricultural preserve or on a lot under a land conservation contract pursuant to the Williamson Act. Indoor and Mixed Light Cannabis Cultivation shall not be considered agriculture for the purposes of Ordinance No. 625 the County's Right-to-Farm Ordinance.
3. All Cannabis Cultivation is prohibited on natural slopes 25% or greater.

**B. MINIMUM LOT SIZE.**

1. **Minimum lot size for Indoor Cannabis Cultivation.** The minimum lot size for Indoor Cannabis Cultivation is provided below:

<b>Commercial Cannabis Activity</b>	<b>Minimum Lot Size (Square Feet)</b>	<b>Allowable Zone(s)</b>
<b>Specialty Cottage</b>	Minimum lot size per Zone	C1/CP, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
<b>Specialty</b>	Minimum lot size per Zone	C1/CP, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
<b>Small</b>	Minimum lot size per Zone	C1/CP, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
<b>Medium</b>	Minimum lot size per Zone	I-P, M-SC, M-M, M-H

2. **Minimum lot size for Mixed Light Cannabis Cultivation.** The minimum lot size for Mixed Light Cannabis Cultivation is provided below:

<b>Commercial Cannabis Activity</b>	<b>Minimum Lot Size (Gross Acres)</b>	<b>Allowable Zone(s)</b>
<b>Specialty Cottage</b>	1	A-1, A-P, A-2, A-D
<b>Specialty</b>	1.5	A-1, A-P, A-2, A-D
<b>Small</b>	2.5	A-1, A-P, A-2, A-D
<b>Medium</b>	5	A-1, A2

C. **MINIMUM LOT DIMENSIONS.**

The minimum average lot width for Mixed Light Cannabis Cultivation lots shall be 150 feet.

D. **SETBACKS.**

1. **Indoor Cannabis Cultivation:**

Indoor Cannabis Cultivation shall be within a fully enclosed building or buildings and setback from the lot lines and public right-of way in accordance with the development standards for the zone classification in which it is located. When an Indoor Cannabis Cultivation facility is located adjacent to a residentially zoned lot the minimum setback shall be 25 feet.

2. **Mixed Light Cannabis Cultivation:**

a. Except for Medium Mixed Light Cannabis Cultivation, the Cannabis Cultivation Area for Mixed Light Cannabis Cultivation shall be setback a minimum of 50 feet from all lot lines and public right-of-ways.

b. The Cannabis Cultivation Area for Medium Mixed Light Cannabis Cultivation shall be setback a minimum of 100 feet from all lot lines and public right-of-ways.

c. The Cannabis Cultivation Area for all Mixed Light Cannabis Cultivation shall be located a minimum of 50 feet from the drip line of any riparian vegetation of any watercourse.

1 d. All hoop structures, greenhouses and other similar structures used for  
2 all Mixed Light Cannabis Cultivation shall be separated by a  
3 minimum of 6 feet.

4 e. When adjacent to a residentially zoned lot, the Cannabis Cultivation  
5 Area for all Mixed Light Cannabis Cultivation shall be setback a  
6 minimum of 100 feet from the adjacent residentially zoned lot lines.

7 3. Setback adjustments may be made in accordance with Section 18.33 of this  
8 ordinance, except in no event shall setbacks be less than the setbacks  
9 required by the State of California Department of Food and Agriculture.

10 E. SCREENING AND FENCING.

11 All Mixed Light Cannabis Cultivation shall occur within a secure fence at least  
12 6 feet in height that fully encloses the Cannabis Cultivation Premises or Cannabis  
13 Cultivation area and prevents easy access to the Cannabis Cultivation Area. The  
14 fence must be solid, durable and include a lockable gate(s) that is locked at all  
15 times, except for during times of active ingress and egress. Fences shall be  
16 separated by a minimum of six feet from all cultivation structures, providing a  
17 clear six foot path. The fence shall comply with all other applicable County  
18 ordinances, policies, and design standards related to height, location, materials,  
19 or other fencing restrictions. Cannabis Cultivation Areas shall not be secured by  
20 fences with barbed wire or screened with plastic sheeting on chain link. Chain  
21 link with slats is allowed.

22 F. ENCLOSURES.

23 1. Cannabis Cultivation operations shall occur within a fully enclosed  
24 permitted building, greenhouse, hoop structure, or other similar structure.  
25 Mixed light supplemental lighting shall not exceed 25 watts per square foot  
26 to be used up to one hour before sunrise or after sunset, unless the building  
27 or structure is equipped with light-blocking measures to ensure that no light  
28

1 escapes.

- 2 2. All greenhouses, hoop structures, or other similar structures shall comply  
3 with Section 19.505.W. of this article

4 G. ENERGY CONSERVATION MEASURES.

5 All Cannabis Cultivation operations shall include adequate measures to address  
6 the projected energy demand for Cannabis cultivation at the lot. On-site  
7 renewable energy generation shall be required for all Indoor Cannabis  
8 Cultivation operations. Renewable energy systems shall be designed to have a  
9 generation potential equal to or greater than 20-percent of the anticipated energy  
10 demand.

11 H. WATER CONSERVATION MEASURES.

12 All Cannabis Cultivation operations shall include adequate measures that  
13 minimize use of water for cultivation on the lot. Water conservation measures,  
14 water capture systems, or grey water systems shall be incorporated into the  
15 operations in order to minimize use of water where feasible.

16 I. OPERATIONS.

17 1. All Cannabis Cultivation lighting shall be fully shielded, downward casting  
18 and not spill over onto structures, other properties or the night sky. All Indoor  
19 and Mixed Light Cannabis Cultivation operations shall be fully contained so  
20 that little to no light escapes. Light shall not escape at a level that is visible  
21 from neighboring properties between sunset and sunrise.

22 2. All Cannabis Cultivation operations shall accumulate or store garbage and  
23 refuse in a nonabsorbent, water-tight, vector resistant, durable, easily  
24 cleanable, galvanized metal or heavy plastic containers with tight fitting lids.  
25 No refuse container shall be filled beyond the capacity to completely close  
26 the lid. All garbage and refuse on the site shall not be accumulated or stored  
27 for more than seven calendar days, and shall be properly disposed of before  
28

1 the end of the seventh day. All waste, including but not limited to refuse,  
2 garbage, green waste and recyclables, must be disposed of in accordance with  
3 County and State laws and regulations. All waste generated from Cannabis  
4 Cultivation operations must be properly stored and secured to prevent access  
5 from the public.

- 6 3. Onsite generators are prohibited, except as a source of energy in an  
7 emergencies. Onsite generators for emergency use shall be included in the  
8 conditional use permit.
- 9 4. Cannabis Cultivation within the A-1, A-P, A-2, and A-D Zones shall not  
10 include the retail sales of Cannabis or Cannabis Products.

11 J. FINDINGS.

12 In addition to the requirements for approval in Section 19.506 of this ordinance,  
13 no conditional use permit shall be approved or conditionally approved unless the  
14 following findings are made:

- 15 1. The Indoor or Mixed Light Cannabis Cultivation complies with all the  
16 requirements of the State and County for Cannabis Cultivation.
- 17 2. The Indoor or Mixed Light Cannabis Cultivation is not located within  
18 1,000 feet from any Child Day Care Center, K-12 school, public park,  
19 or Youth Center or a variance has been approved allowing a shorter  
20 distance but not less than allowed by State law.
- 21 3. The Indoor or Mixed Light Cannabis Cultivation includes adequate  
22 measures that minimize use of water for cultivation on the lot.
- 23 4. The Indoor or Mixed Light Cannabis Cultivation includes adequate  
24 quality control measures to ensure cultivation on the lot meets State and  
25 County regulatory standards.
- 26 5. The Indoor or Mixed Light Cannabis Cultivation includes adequate  
27 measures that address enforcement priorities for cultivation including  
28



1 restricting access to minors, and ensuring that Cannabis is not supplied  
2 to unlicensed or unpermitted persons.

3 6. For Indoor and Mixed Light Cannabis Cultivation lots with verified  
4 Cannabis related violations within the last 12 months prior to the  
5 adoption date of Ordinance No. 348.4898, the proposed use will not  
6 contribute to repeat violations on the lot and all applicable fees have  
7 been paid.

8 7. The Indoor or Mixed Cannabis Cultivation will operate in a manner that  
9 prevents Cannabis nuisance odors from being detected offsite.

10 SECTION 19.512. CANNABIS WHOLESALE NURSERIES.

11 A. APPLICABILITY.

12 Notwithstanding any other provision of this ordinance, Cannabis Wholesale  
13 Nurseries are allowed as follows:

14 1. Outdoor Cannabis Wholesale Nurseries.

15 Outdoor Cannabis Wholesale Nurseries are allowed on lots larger than or  
16 equal to two gross acres in the following zone classifications with an  
17 approved conditional use permit in accordance with Section 18.28 of this  
18 ordinance: A-1, A-P, A-2 and A-D.

19 2. Indoor Cannabis Wholesale Nurseries.

20 Indoor Cannabis Wholesale Nurseries are allowed in the following zone  
21 classifications with an approved conditional use permit in accordance with  
22 Section 18.28 of this ordinance: I-P, M-SC, M-M and M-H.

23 3. Mixed Light Cannabis Wholesale Nurseries.

24 Mixed Light Cannabis Wholesale Nurseries are allowed on lots larger than  
25 or equal to one gross acre in the following zone classifications with an  
26 approved conditional use permit in accordance with Section 18.28 of this  
27 ordinance: A-1, A-P, A-2 and A-D.

1 B. NO MULTIPLE USE PERMITS.

2 No other Commercial Cannabis Activity shall be allowed on a lot that has an  
3 approved conditional use permit for a Cannabis Wholesale Nursery.

4 SECTION 19.513. CANNABIS WHOLESALE NURSERIES STANDARDS.

5 In addition to the approval requirements in Section 19.506 of this ordinance and the  
6 development standards for the applicable zoning classification, Cannabis Wholesale Nurseries  
7 shall comply with the standards provided below. If there is an inconsistency between the  
8 development standards of the zone classification and these standards, the more restrictive  
9 standard applies.

10 A. GENERAL LOCATION.

11 Cannabis Wholesale Nurseries shall not be located within 600 feet from any  
12 Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall  
13 be measured from the nearest point of the respective lot lines using a direct  
14 straight-line measurement. A new adjacent use will not affect the continuation of  
15 an existing use that has been established under this Article and continuously  
16 operating in compliance with the conditional use permit, and local and State laws  
17 and regulations.

18 B. MINIMUM LOT SIZE.

19 1. **Minimum lot size for Outdoor Cannabis Wholesale Nurseries.** The  
20 minimum lot size for Outdoor Cannabis Wholesale Nurseries is listed  
21 below:

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23

Activity	Minimum Lot Size (Gross Acres)	Allowable Zone(s)
Outdoor Cannabis Wholesale Nursery	2	A-1, A-P, A-2, A-D

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- 1  
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7
2. **Minimum lot size for Indoor Cannabis Wholesale Nurseries.** The minimum lot size for Indoor Cannabis Wholesale Nurseries is listed below:

<b>Activity</b>	<b>Minimum Lot Size (Gross Acres)</b>	<b>Allowable Zone(s)</b>
<b>Indoor Cannabis Wholesale Nursery</b>	Minimum lot size per Zone	I-P, M-SC, M-M, M-H

- 8  
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10
3. **Minimum lot size for Mixed Light Cannabis Wholesale Nurseries.** The minimum lot size for Mixed Light Cannabis Wholesale Nurseries is listed below:

<b>Activity</b>	<b>Minimum Lot Size (Gross Acres)</b>	<b>Allowable Zone(s)</b>
<b>Mixed Light Cannabis Wholesale Nursery</b>	1	A-1, A-2

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C. **MINIMUM LOT DIMENSIONS.**

The minimum average lot width for Cannabis Wholesale Nurseries shall be 150 feet.

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D. **SETBACKS.**

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1. The Premises for all Cannabis Wholesale Nurseries shall be setback a minimum of 50 feet from the lot lines and public right-of ways.
  2. The Premises for all Outdoor and Mixed Light Cannabis Wholesale Nurseries shall be setback a minimum of 50 feet from the drip line of any riparian vegetation of any watercourse.
  3. Setbacks may be modified with the approval of a setback adjustment pursuant to Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department of Food and Agriculture.

1 E. SCREENING AND FENCING.

2 Live Cannabis Plants shall not be visible from outside of the lot for a Cannabis  
3 Wholesale Nursery. All Cannabis Nursery activities shall occur within a secure  
4 fence at least six feet in height that fully encloses the Premises of the Cannabis  
5 Wholesale Nursery and prevents easy access to the Premises. The fence must be  
6 solid, durable and include a lockable gate(s) that is locked at all times, except for  
7 during times of active ingress and egress. Fences shall be separated by a  
8 minimum of six feet from all Cannabis Wholesale Nursery structures, providing  
9 a clear six foot path. The fence shall comply with all other applicable County  
10 ordinances, policies, and design standards related to height, location, materials,  
11 or other fencing restrictions. Cannabis Wholesale Nursery Premises shall not be  
12 secured by fences with barbed wire or screened with plastic sheeting on chain  
13 link. Chain link with slats is allowed.

14 F. MATURE CANNABIS PLANTS.

15 Mature Cannabis Plants as defined by the California Department of Food and  
16 Agriculture are not allowed to be grown, kept, stored or sold at any Cannabis  
17 Wholesale Nursery.

18 G. ENCLOSURES.

- 19 1. Except for outdoor Cannabis Wholesale Nurseries, operations shall occur  
20 within a fully enclosed permitted building, greenhouse, hoop structure, or  
21 other similar structure. Mixed light supplemental lighting shall not exceed  
22 25 watts per square foot to be used up to one hour before sunrise or after  
23 sunset, unless the building or structure is equipped with light-blocking  
24 measures to ensure that no light escapes.
- 25 2. All greenhouses, hoop structures, or other similar structures shall comply  
26 with Section 19.505.W. of the Article.

27 H. ENERGY CONSERVATION MEASURES.

1 Cannabis Wholesale Nurseries shall include adequate measures to address the  
2 projected energy demand for Cannabis cultivation on the lot. On-site renewable  
3 energy generation shall be required for all Indoor Cannabis Wholesale Nursery  
4 operations. Renewable energy systems shall be designed to have a generation  
5 potential equal to or greater than 20-percent of the anticipated energy demand.

6 I. WATER CONSERVATION MEASURES.

7 Cannabis Wholesale Nursery operations shall include adequate measures that  
8 minimize use of water for Cannabis cultivation at the site. Water conservation  
9 measures, water capture systems, or grey water systems shall be incorporated into  
10 Cannabis cultivation in order to minimize use of water where feasible.

11 J. FINDINGS.

12 In addition to the requirements for approval in Section 19.506 of this ordinance,  
13 no conditional use permit shall be approved or conditionally approved unless the  
14 following findings are made:

- 15 1. The Cannabis Wholesale Nursery complies with all the requirements of  
16 the State and County for the cultivation of Cannabis.
- 17 2. The Cannabis Wholesale Nursery is not within 600 feet from any Child  
18 Day Care Center, K-12 school, public park, or Youth Center.
- 19 3. The Cannabis Wholesale Nursery includes adequate measures that  
20 minimize use of water for activities at the site.
- 21 4. The Cannabis Wholesale Nursery includes adequate quality control  
22 measures to ensure Cannabis kept on the lot meets State regulatory  
23 standards.
- 24 5. The Cannabis Wholesale Nursery includes adequate measures that  
25 address enforcement priorities for Cannabis activities including  
26 restricting access to minors, and ensuring that Cannabis and Cannabis  
27 Products are not supplied to unlicensed or unpermitted persons within  
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1 the State and not distributed out of State.

- 2 6. For Cannabis Wholesale Nurseries lots with verified Cannabis-related  
3 violations within the last 12 months prior to the adoption date of  
4 Ordinance No. 348.4898, the use will not contribute to repeat violations  
5 on the lot and all applicable fees have been paid.
- 6 7. The Cannabis Wholesale Nursery will operate in a manner that prevents  
7 cannabis nuisance odors from being detected offsite.

8 SECTION 19.514. CANNABIS MANUFACTURING FACILITIES.

9 A. APPLICABILITY.

10 Notwithstanding any other provision of this ordinance, Cannabis  
11 Manufacturing Facilities are allowed as follows:

12 1. Non-Volatile Cannabis Manufacturing Facility.

13 Non-volatile Cannabis Manufacturing Facilities for extractions using  
14 mechanical methods or using non-volatile solvents, requiring a Type 6 State  
15 license, are allowed in the following zones with an approved conditional  
16 use permit in accordance with Section 18.28 of this ordinance: I-P, M-SC,  
17 M-M and the M-H zones. These facilities may also conduct infusion  
18 operations and packaging and labeling of cannabis products.

19 2. Type N Cannabis Manufacturing Facilities.

20 Cannabis Manufacturing Facilities that produce edible or topical products  
21 using infusion processes, or other types of cannabis products other than  
22 extracts or concentrates, requiring a Type N State license, are allowed in  
23 the following zones with an approved conditional use permit in accordance  
24 with Section 18.28 of this ordinance: I-P, M-SC, M-M and the M-H. These  
25 facilities may also package and label cannabis products.

26 3. Type P Cannabis Manufacturing Facilities.

27 Cannabis Manufacturing Facilities that only package or repackage cannabis  
28

1 products or label or relabel the cannabis product container or wrapper,  
2 requiring a Type P State license, are allowed in the following zones with an  
3 approved conditional use permit in accordance with Section 18.28 of this  
4 ordinance: I-P, M-SC, M-M and the M-H.

5 4. Volatile Cannabis Manufacturing Facility.

6 Cannabis Manufacturing Facilities involving volatile processes or  
7 substances, requiring a Type 7 volatile manufacturing State license, are  
8 allowed in the following zones with an approved conditional use permit in  
9 accordance with Section 18.28 of this ordinance: I-P, M-SC, M-M and M-  
10 H. A Volatile Cannabis Manufacturing Facility may also conduct  
11 extractions using nonvolatile solvents or mechanical methods, conduct  
12 infusion operations and conduct packaging and labeling of cannabis  
13 products.

14 5. Shared-Use Cannabis Manufacturing Facility.

15 A Shared-Use Cannabis Manufacturing Facility is allowed in the following  
16 zones with an approved conditional use permit in accordance with Section  
17 18.28 of this ordinance: I-P, M-SC, M-M and M-H. A Shared-Use  
18 Cannabis Manufacturing Facility may include the following facilities: a  
19 non-volatile manufacturing facility, an infusion only manufacturing facility  
20 or a volatile manufacturing facility. The conditional use permit for a  
21 Shared-Use Cannabis Manufacturing Facility shall identify the types of  
22 facilities operating at the Shared-Use Cannabis Manufacturing Facility.

23 SECTION 19.515. CANNABIS MANUFACTURING FACILITIES STANDARDS.

24 In addition to the approval requirements in Section 19.506 of this ordinance and the  
25 development standards for the applicable zoning classification, Cannabis Manufacturing  
26 Facilities shall comply with the standards provided below. If there is an inconsistency between  
27 the development standards of the zone classification and these standards, the more restrictive  
28

1 standard applies.

2 A. GENERAL LOCATION.

3 Cannabis Manufacturing Facilities shall not be located within 600 feet from any  
4 Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall  
5 be measured from the nearest point of the respective lot lines using a direct  
6 straight-line measurement. A new adjacent use will not affect the continuation of  
7 an existing legal use that has been established under this Article and continuously  
8 operating in compliance with the conditional use permit, and local and State laws  
9 and regulations.

10 B. MINIMUM LOT SIZE.

11 The minimum lot size for a Cannabis Manufacturing Facility shall be 10,000  
12 square feet.

13 C. SETBACKS.

14 1. Except for a Volatile Cannabis Manufacturing Facility, Cannabis  
15 Manufacturing Facilities shall comply with the setback standards for the  
16 zone classification they are located in, except when adjacent to a residential  
17 zone where the minimum setback from the residentially zoned lot lines shall  
18 be 25 feet. A Volatile Cannabis Manufacturing Facility shall be setback  
19 from a residential zone a minimum of 40 feet which may include and may  
20 include landscaping as required.

21 2. Setbacks may be modified with an approved setback adjustment in  
22 accordance with Section 18.33 of this ordinance. In no case shall a setback  
23 be less than setbacks required by the State of California Bureau of Cannabis  
24 Control, the California Building Code or Ordinance No. 457.

25 D. LIMITATION ON THE MANUFACTURING OF CANNABIS EDIBLE  
26 PRODUCTS.

27 Cannabis Manufacturing Facilities shall not manufacture Cannabis edible  
28



1 products in the shape of animals, people, insects, or fruit.

2 E. OPERATIONS.

- 3 1. Any compressed gases used in the manufacturing process shall not be  
4 stored on any lot within in containers that exceeds the amount which is  
5 approved by the Riverside County Fire Department and authorized by the  
6 conditional use permit.
- 7 2. Closed loop systems for compressed gas extraction systems must be  
8 commercially manufactured, bear a permanently affixed and visible serial  
9 number and certified by an engineer licensed by the State of California  
10 that the system was commercially manufactured, is safe for its intended  
11 use, and was built to codes of recognized and generally accepted good  
12 engineering practices.
- 13 3. Cannabis Manufacturing Facilities shall have a training program for  
14 persons using solvents or gases in a closed looped system to create  
15 cannabis extracts on how to use the system, to access applicable material  
16 safety data sheets and to handle and store the solvents and gases safely.

17 F. FINDINGS.

18 In addition to the requirements for approval in Section 19.506 of this ordinance,  
19 no conditional use permit shall be approved or conditionally approved unless the  
20 following findings are made:

- 21 1. The Cannabis Manufacturing Facility complies with all the requirements of  
22 the State and County for the manufacturing of Cannabis.
- 23 2. The Cannabis Manufacturing Facility does not pose a significant threat to  
24 the public or to neighboring uses from explosion or from release of harmful  
25 gases, liquids, or substances.
- 26 3. The Cannabis Manufacturing Facility includes adequate quality control  
27 measures to ensure Cannabis manufactured at the facility meets industry  
28

1 standards and includes a documented employee safety training program, a  
2 Materials Data Safety Sheet, and meets all requirements in Health and  
3 Safety Code Section 11362.775, as it may be amended from time to time.

- 4 4. The Cannabis Manufacturing Facility includes adequate measures that  
5 address enforcement priorities for Cannabis activities including restricting  
6 access to minors, and ensuring that Cannabis and Cannabis Products are  
7 obtained from and supplied only to other permitted licensed sources within  
8 the State and not distributed out of State.
- 9 5. The Cannabis Manufacturing Facility is not located within 600 feet from  
10 any Child Day Care Center, K-12 school, public park, or Youth Center.

11 SECTION 19.516. CANNABIS TESTING FACILITIES.

12 A. APPLICABILITY.

13 Notwithstanding any other provision of this ordinance, Cannabis Testing  
14 Facilities are allowed in the following zone classifications with an approved  
15 conditional use permit in accordance with Section 18.28 of this ordinance: C-  
16 1/C-P, C-P-S, I-P, M-SC, M-M, and M-H.

17 B. NO MULTIPLE USE PERMITS.

18 No other Commercial Cannabis Activity shall be allowed on a lot that has an  
19 approved conditional use permit for a Cannabis Testing Facility.

20 SECTION 19.517. CANNABIS TESTING FACILITIES STANDARDS.

21 In addition to the approval requirements in Section 19.506 of this ordinance and the  
22 development standards for the applicable zoning classification, Cannabis Testing Facilities shall  
23 comply with the standards provided below. If there is an inconsistency between the development  
24 standards of the zone classification and these standards, the more restrictive standard applies.

25 A. GENERAL LOCATION.

26 Cannabis Testing Facilities shall not be located within 600 feet from any Child  
27 Day Care Center, K-12 school, public park, or Youth Center. Distance shall be  
28

1 measured from the nearest point of the respective lot lines using a direct straight-  
2 line measurement. A new adjacent use will not affect the continuation of an  
3 existing legal use that has been established under this Article and continuously  
4 operating in compliance with the conditional use permit, and local and State laws  
5 and regulations.

6 **B. SETBACKS.**

- 7 1. All Cannabis Testing Facilities shall comply with the setback standards  
8 for the zone classification they are located in, except when adjacent to a  
9 residential zone where the minimum setback from the residentially zoned  
10 lot lines shall be 25 feet.
- 11 2. Setbacks may be modified with an approved setback adjustment in  
12 accordance with Section 18.33 of this ordinance. In no case shall a  
13 setback be less than setbacks required by the State of California Bureau of  
14 Cannabis Control, the California Building Code or Ordinance No. 457.

15 **C. OPERATIONS.**

- 16 1. Cannabis Testing Facilities shall be required to conduct all testing in a  
17 manner pursuant to Business and Professions Code Section 26100 and shall  
18 be subject to State and local law and regulations.
- 19 2. Cannabis Testing Facilities shall not be open to the public.

20 **D. FINDINGS.**

21 In addition to the requirements for approval in Section 19.506 of this ordinance,  
22 no conditional use permit shall be approved or conditionally approved unless the  
23 following findings are made:

- 24 1. The Cannabis Testing Facility complies with all the applicable  
25 requirements of the State and County for the testing of Cannabis.
- 26 2. The owners, permittees, operators, and employees of the Cannabis  
27 Testing Facility are not associated with any other Commercial Cannabis  
28

1 Activity.

- 2 3. The Cannabis Testing Facility is accredited by an appropriate  
3 accrediting agency as approved by the State and in compliance with  
4 Health and Safety Code Section 5238, which may be amended from  
5 time to time.
- 6 4. The Cannabis Testing Facility's operating plan demonstrates proper  
7 protocols and procedures for statistically valid sampling methods and  
8 accurate certification of Cannabis and Cannabis Products for potency,  
9 purity, pesticide residual levels, mold, and other contaminants  
10 according to adopted industry standards.
- 11 5. The Cannabis Testing Facility includes adequate measures that address  
12 enforcement priorities for Cannabis activities including restricting  
13 access to minors, and ensuring that Cannabis and Cannabis Products are  
14 obtained from and supplied only to other permitted licensed sources  
15 within the State and not distributed out of state.
- 16 6. The Cannabis Testing Facility is not located within 600 feet from any  
17 Child Day Care Center, K-12 school, public park, or Youth Center.
- 18 7. For Cannabis Testing Facilities lots with verified cannabis-related  
19 violations within the last 12 months prior to the adoption date of  
20 Ordinance No. 348.4898, the use will not contribute to repeat violation  
21 on the lot and all applicable fees have been paid.

22 SECTION 19.518. CANNABIS RETAILER.

23 A. APPLICABILITY.

24 Notwithstanding any other provision of this ordinance, Cannabis Retailers are  
25 allowed as follows:

- 26 1. Cannabis Retailer – Non-Storefront

27 Non-storefront Cannabis Retailers within a permanent structure are allowed  
28

1 in the following zone classifications with an approved conditional use  
2 permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-  
3 S, I-P, M-SC, M-M and M-H.

4 2. Cannabis Retailer – Storefront

5 Storefront Cannabis Retailers within a permanent structure are allowed in  
6 the following zones with an approved conditional use permit in accordance  
7 with Section 18.28 of this ordinance: C-1/C-PC-P-S, I-P, MS-C, M-M and  
8 M-H.

9 3. Mobile Cannabis Retailers are prohibited in all zone classifications.

10 SECTION 19.519. CANNABIS RETAILER MINIMUM STANDARDS.

11 In addition to the approval requirements in Section 19.506 of this ordinance and  
12 development standards for the applicable zoning classification, Cannabis Retailers shall comply  
13 with the standards provided below. If there is an inconsistency between the development  
14 standards of the zone classification and these standards, the more restrictive standard applies.

15 A. GENERAL LOCATION.

- 16 1. Cannabis Retailers shall not be located within 1,000 feet from any Child  
17 Day Care Center, K-12 school, public park, or Youth Center. Distance shall  
18 be measured from the nearest point of the respective lot lines using a direct  
19 straight-line measurement. A new adjacent use will not affect the  
20 continuation of an existing legal use that has been established under this  
21 Article and continuously operating in compliance with the conditional use  
22 permit, and local and State laws and regulations. This location requirement  
23 may be modified with the approval of a variance pursuant to Section 18.27  
24 of this ordinance. In no case shall the distance be less than allowed by State  
25 law.
- 26 2. Cannabis Retailers shall not be located within 1,000 feet of any other  
27 Cannabis Retailer.

1 3. Cannabis Retailers shall not be located within 500 feet of a smoke shop or  
2 similar facility.

3 4. Cannabis Retailers shall not be located on a lot containing a residential  
4 dwelling unit.

5 B. SETBACKS.

6 1. All Cannabis Retailers shall comply with the setback standards for the zone  
7 classification they are located in, except when adjacent to a residential zone  
8 where the minimum setback from the residentially zoned lot lines shall be  
9 40 feet.

10 2. Setbacks may be modified with an approved setback adjustment in  
11 accordance with Section 18.33 of this ordinance. In no case, shall a setback  
12 be less than setbacks required by the State of California Bureau of Cannabis  
13 Control, California Building Code or Ordinance No. 457.

14 C. OPERATIONS.

15 1. Entrances into the retail location of the Cannabis Retailer shall be  
16 separate from the reception area and locked at all times with entry strictly  
17 controlled. An electronic or mechanical entry system shall be utilized to  
18 limit access and entry to the retail location.

19 2. Cannabis Retailers may include the sale of Medical Cannabis, requiring  
20 an M-License from the State. Cannabis Retailers selling only Medical  
21 Cannabis shall verify consumers who enter the Premises are at least 18  
22 years of age and that they hold a valid Physician's Recommendation.

23 3. Cannabis Retailers may include the sale of Adult Use Cannabis, requiring  
24 an A-license from the State. Cannabis Retailers selling only Adult Use  
25 Cannabis shall verify that consumers who enter the Premises are at least  
26 21 years of age.

27 4. A Cannabis Retailers may include the sale of both Medical and Adult use  
28

1 Cannabis requiring both an A-License and an M-License from the State.  
2 All Cannabis Retailers selling both Medical and Adult Use Cannabis shall  
3 verify that consumers who enter the premises are at least 18 years of age  
4 and that they hold a valid Physician's Recommendation or are at least 21  
5 years of age.

- 6 5. Display areas shall include the smallest amount of Cannabis and Cannabis  
7 Products reasonably anticipated to meet sales during operating hours.
- 8 6. Cannabis and Cannabis Products not in the display area shall be  
9 maintained in a locked secure area.
- 10 7. Not more than 10% of the Cannabis Retailer floor area, up to a maximum  
11 of 50 square feet, shall be used for the sale of incidental goods such as,  
12 but not limited to, clothing, posters, or non-cannabis goods.
- 13 8. Restroom facilities shall be locked and under the control of the Cannabis  
14 Retailer.
- 15 9. Cannabis Retailers shall ensure that all Cannabis and Cannabis Products  
16 held for sale by the Cannabis Retailer are cultivated, manufactured,  
17 transported, distributed, and tested by California licensed and permitted  
18 facilities that are in full conformance with State and local laws and  
19 regulations.
- 20 10. Cannabis Retailers shall not distribute any Cannabis or Cannabis Product  
21 unless such products are labeled and in a tamper-evident package in  
22 compliance with the California Business and Professions Code and any  
23 additional rules promulgated by a licensing authority.
- 24 11. Cannabis Retailers shall not provide free samples of any type, including  
25 Cannabis Products, to any person and shall not allow any person to  
26 provide free samples on the Cannabis Retailer's lot.
- 27 12. Deliveries shall be conducted in accordance with California Business and  
28

1 Professions Code Section 26090 or as may be amended and all state  
2 regulations pertaining to delivery of Cannabis Products.

3 13. Cannabis or Cannabis Products shall not be sold or delivered by any  
4 means or method to any person within a motor vehicle.

5 14. Cannabis Retailers shall not include a drive-in, drive-through or walk up  
6 window where retail sales of Cannabis or Cannabis Products are sold to  
7 persons or persons within or about a motor vehicle.

8 D. MOBILE DELIVERIES.

9 Cannabis Retailers with an approved conditional use permit may provide  
10 deliveries of Cannabis Products consistent with State law.

11 E. FINDINGS.

12 In addition to the requirements for approval in Section 19.506 of this ordinance,  
13 no conditional use permit shall be approved or conditionally approved unless the  
14 following findings are made:

15 1. The Cannabis Retailer complies with all the requirements of the State and  
16 County for the selling of Cannabis.

17 2. The non-storefront Cannabis Retailer is not open to the public.

18 3. The Cannabis Retailer is not located within 1,000 feet from any Child Day  
19 Care Center, K-12 school, public park, or Youth Center or a variance has  
20 been approved allowing a shorter distance but not less than allowed by State  
21 law.

22 4. The Cannabis Retailer includes adequate measures that address  
23 enforcement priorities for Commercial Cannabis Activities including  
24 restricting access to minors, and ensuring that Cannabis and Cannabis  
25 Products are obtained from and supplied only to other permitted licensed  
26 sources within the State and not distributed out of State.

27 5. For Cannabis Retailer lots with verified cannabis-related violations within  
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1 the last 12 months prior to the adoption date of Ordinance No. 348.4898,  
2 the use will not contribute to repeat violation on the lot and all applicable  
3 fees have been paid.

4 SECTION 19.520. CANNABIS DISTRIBUTION FACILITIES.

5 APPLICABILITY.

6 Notwithstanding any other provision of this ordinance, Cannabis Distribution  
7 Facilities are allowed in the following zone classifications with an approved conditional use  
8 permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M  
9 and M-H.

10 SECTION 19.521. CANNABIS DISTRIBUTION FACILITIES STANDARDS.

11 In addition to the approval requirements in Section 19.506 of this ordinance and  
12 development standards for the applicable zoning classification, Cannabis Distribution Facilities  
13 shall comply with the standards provided below. If there is an inconsistency between the  
14 development standards of the zone classification and these standards, the more restrictive  
15 standard applies.

16 A. GENERAL LOCATION.

17 Cannabis Distribution Facilities shall not be located within 600 feet from any  
18 Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall  
19 be measured from the nearest point of the respective lot lines using a direct  
20 straight-line measurement. A new adjacent use will not affect the continuation of  
21 an existing legal use that has been established under this Article and continuously  
22 operating in compliance with the conditional use permit, and local and State laws  
23 and regulations.

24 B. SETBACKS.

25 1. All Cannabis Distributions Facilities shall comply with the setback  
26 standards for the zone classification they are located in, except when  
27 adjacent to a residential zone where the minimum setback from the  
28

1 residentially zoned lot lines shall be 25 feet.

- 2 2. Setbacks may be modified with an approved setback adjustment in  
3 accordance with Section 18.33 of this ordinance. In no case shall a setback  
4 be less than setbacks required by the State of California Bureau of Cannabis  
5 Control, the California Building Code or Ordinance No. 457.

6 C. OPERATIONS.

- 7 1. Cannabis and Cannabis Products shall only be transported between permitted  
8 and licensed Commercial Cannabis Activities.
- 9 2. In addition to the requirements of Section 19.505.Q. the following record  
10 keeping measures are required to be implemented for all Cannabis  
11 Distribution Facilities:
- 12 a. Prior to transporting Cannabis or Cannabis Products, a shipping  
13 manifest shall be completed as required by state law and regulations.
  - 14 b. A copy of the shipping manifest shall be maintained during  
15 transportation and shall be made available upon request to law  
16 enforcement or any agents of the State or County charged with  
17 enforcement.
  - 18 c. Cannabis Distribution Facilities shall maintain appropriate records of  
19 transactions and shipping manifests that demonstrate an organized  
20 method of storing and transporting Cannabis and Cannabis Products  
21 to maintain a clear chain of custody.
- 22 3. Cannabis Distribution Facilities shall ensure that appropriate samples of  
23 Cannabis or Cannabis Products are tested by a permitted and licensed testing  
24 facility prior to distribution and shall maintain a copy of the test results in its  
25 files.
- 26 4. Cannabis Distribution Facilities shall not be open to the public.
- 27 5. Cannabis Distribution Facilities shall not transport or store non-cannabis  
28

1 goods.

2 D. FINDINGS.

3 In addition to the requirements for approval in Section 19.506 of this ordinance,  
4 no conditional use permit shall be approved or conditionally approved unless the  
5 following findings are made:

- 6 1. The Cannabis Distribution Facility complies with all the requirements of  
7 the State and County for the distribution of Cannabis.
- 8 2. The Cannabis Distribution Facility's operating plan demonstrates proper  
9 protocols and procedures that address enforcement priorities for Cannabis  
10 related activities including restricting access to minors, and ensuring that  
11 Commercial Cannabis Activities and Cannabis Products are obtained from  
12 and supplied only to other permitted and licensed sources and not  
13 distributed out of State.
- 14 3. The Cannabis Distribution Facility is not within 600 feet from any Child  
15 Day Care Center, K-12 school, public park, or Youth Center.
- 16 4. The Cannabis Distribution Facility is not open to the public.
- 17 5. For Cannabis Distribution Facility lots with verified cannabis-related  
18 violations within the last 12 months prior to the adoption date of Ordinance  
19 No. 348.4898, the use will not contribute to repeat violations on the lot and  
20 the all applicable fees have been paid.

21 SECTION 19.522. CANNABIS MICROBUSINESS FACILITIES.

22 APPLICABILITY.

23 Notwithstanding any other provision of this ordinance, Cannabis Microbusiness  
24 Facilities are allowed in the following zone classifications with an approved conditional use  
25 permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M  
26 and M-H except in the instance that a Cannabis Microbusiness Facility includes manufacturing  
27 uses where such Cannabis Microbusiness Facility is only allowed in the I-P, M-SC, M-M and  
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1 M-H zones.

2 SECTION 19.523. CANNABIS MICROBUSINESS FACILITIES STANDARDS.

3 In addition to the approval requirements in Section 19.506 of this ordinance and  
4 development standards for the applicable zoning classification, Cannabis Microbusiness  
5 Facilities shall comply with the standards provided below. If there is an inconsistency between  
6 the development standards of the zone classification and these standards, the more restrictive  
7 standard applies.

8 A. GENERAL LOCATION.

- 9 1. Cannabis Microbusiness Facilities shall not be located within 600 feet from  
10 any Child Day Care Center, K-12 school, public park, or Youth Center.  
11 Distance shall be measured from the nearest point of the respective lot lines  
12 using a direct straight-line measurement. A new adjacent use will not affect  
13 the continuation of an existing legal use that has been established under this  
14 Article and continuously operating in compliance with the conditional use  
15 permit, and local and State laws and regulations.
- 16 2. Cannabis Microbusiness Facilities that include a Cannabis retail competent  
17 shall not be located within 1,000 feet from any Child Day Care Center, K-12  
18 school, public park, or Youth Center. Distance shall be measured from the  
19 nearest point of the respective lot lines using a direct straight-line  
20 measurement. A new adjacent use will not affect the continuation of an  
21 existing legal use that has been established under this Article and  
22 continuously operating in compliance with the conditional use permit, and  
23 local and State laws and regulations. This location requirement may be  
24 modified with the approval of a variance pursuant to Section 18.27 of this  
25 ordinance. In no case shall the distance be less than allowed by State law.

26 B. SETBACKS.

- 27 1. All Cannabis Microbusiness Facilities shall comply with the setback  
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standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet. In the event that a Cannabis Microbusiness Facility includes retail sales of Cannabis, then the minimum setback from residentially zoned lot lines shall be 40 feet.

2. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Bureau of Cannabis Control, the California Building Code or Ordinance No. 457.

C. ACTIVITIES.

1. Cannabis Microbusiness Facilities shall not transport or store non-cannabis goods.
2. Cannabis Microbusiness Facilities may distribute, manufacture (without volatile solvents) and dispense Cannabis under a single Cannabis Microbusiness Facilities license issued by the State.
3. Cannabis Microbusiness Facilities may cultivate Cannabis indoors in an area less than 10,000 square feet.
4. Cannabis Microbusiness Facilities shall include at least three of the following Commercial Cannabis Activities, which shall be set forth in the conditional use permit:
  - a. Indoor Cultivation up to 10,000 square feet
  - b. Manufacturing (with non-volatile solvents)
  - c. Distribution
  - d. Retail sales

D. OPERATIONS.

Cannabis Microbusiness Facilities shall comply with the operational requirements set forth in this Article that apply to the specified uses authorized

1 by the approved conditional use permits, and the water and energy conservation  
2 standards as applicable to Cannabis Microbusiness Facilities that includes  
3 cultivation.

4 E. FINDINGS.

5 In addition to the requirements for approval in Section 19.506 of this ordinance,  
6 no conditional use permit shall be approved or conditionally approved unless the  
7 following findings are made:

- 8 1. The Cannabis Microbusiness Facility complies with all the requirements of  
9 the State and local laws and regulations.
- 10 2. The Cannabis Microbusiness Facility's operating plan demonstrates proper  
11 protocols and procedures that address enforcement priorities for Cannabis  
12 activities including restricting access to minors, and ensuring that Cannabis  
13 and Cannabis Products are obtained from and supplied only to other  
14 permitted and licensed sources within the State and not distributed out of  
15 State.
- 16 3. The Cannabis Microbusiness Facility is not located within 1,000 feet from  
17 any Child Day Care Center, K-12 school, public park, or Youth Center or a  
18 variance has been approved allowing a shorter distance but not less than  
19 recommended by State law.
- 20 4. For Cannabis Microbusiness Facility lots with verified cannabis-related  
21 violations within the last 12 months prior to the adoption date of Ordinance  
22 No. 348.4898, the use will not contribute to repeat violation on the site and  
23 all applicable fees have been paid.

24 SECTION 19.524. TEMPORARY CANNABIS EVENT.

25 A. REQUIREMENTS FOR APPROVAL.

26 The Planning Director shall approve an application for a temporary Cannabis  
27 event permit if all of the following are met:  
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1. The temporary Cannabis event will take place on County Fair property or District Agricultural Association property.
2. The temporary Cannabis event is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement.
3. The temporary Cannabis event will not occur during the hours of 12:00 a.m. to 6:00 a.m.
4. The temporary Cannabis event is setback a minimum of 100 feet from lot lines.
5. The sale of Cannabis Products shall be performed by a Cannabis Retailer or Cannabis Microbusiness that possesses both an approved conditional use permit and a valid Cannabis license from the State, which shall be included in the permit application.
6. The sale or consumption of alcohol or tobacco is not allowed at the location of the temporary Cannabis event.
7. The event organizer for the temporary Cannabis will obtain a valid State event organizer license authorizing the retail sale of Cannabis goods and the temporary Cannabis event.
8. Access to the area(s) where sale or consumption of Cannabis occurs is restricted to persons 21 years of age or older.
9. Cannabis consumption is not visible from any public place or non-age-restricted area.
10. Security shall be present at the temporary Cannabis event.
11. A condition of approval shall be applied to all temporary Cannabis event permits requiring the event organizer to obtain a valid State license as an event organizer and for the temporary event at least 10 calendar days before

1 the event's first day. If this condition of approval is not met, the temporary  
2 Cannabis event permit becomes null and void.

3 B. APPLICATION.

4 No less than 120 days from the event's first day, an event organizer shall apply  
5 for and obtain a temporary Cannabis event permit in accordance with Section  
6 18.30 of this ordinance. All the procedural provisions of Section 18.30 shall  
7 apply to the application, except subsection c. thereof relating to requirements for  
8 approval, subsection e. thereof relating to appeals and subsection f. thereof  
9 relating to the use of the permit after the application is approved.

10 C. REVOCATION.

11 A temporary Cannabis event permit may be revoked pursuant to and in  
12 accordance with Section 19.525 of this ordinance.

13 SECTION 19.525. REVOCATION OF PERMITS FOR COMMERCIAL CANNABIS  
14 ACTIVITIES.

15 Any conditional use permit granted under this Article may be revoked upon  
16 the findings and procedures contained in Section 18.31 of this ordinance except that the  
17 Planning Commission shall be the hearing body to make a determination that grounds for  
18 revocation exist and provide notice of the revocation. All other procedural requirements  
19 and rights of appeal set forth in Section 18.31 of this ordinance shall govern the hearing.”

20 Section 10. Section 21.1 of Ordinance No. 348 is amended to read as follows:

21 “Section 21.1. A-LICENSE. A State license issued for Cannabis or cannabis products  
22 that are intended for adults who are 21 years of age and older and who do not possess  
23 a physician's recommendation.”

24 Section 11. The existing Section 21.1. is renumbered as 21.1.a.

25 Section 12. Section 21.3 of Ordinance No. 348 is amended to read as follows:

26 “SECTION 21.3. AGRICULTURAL CROP.

27 Any cultivated crop grown and harvested for commercial purposes, except  
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1 cannabis and other controlled substances, which are defined and classified separately.”

2 Section 13. A new Section 21.3a is added to Article XXI of Ordinance No. 348 to read as  
3 follows:

4 “SECTION 21.3a. AGRICULTURAL CULTIVATION.

5 The act of preparing the soil for the raising of agricultural crops.”

6 Section 14. The existing Section 21.3 is renumbered Section 21.3.b.

7  
8 Section 15. Section 21.19e. of Ordinance No. 348 is deleted in its entirety.

9 Section 16. Section 21.19f. of Ordinance No. 348 is deleted in its entirety.

10 Section 17. The existing Section 21.19g. of Ordinance No. 348 is renumbered as Section  
11 21.19e.

12 Section 18. A new Section 21.19f. is added to Ordinance No. 348 to read as follows:

13 “Section 21.19f. CANNABIS CULTIVATION AREA.

14 The area on a lot where Cannabis is planted, grown, harvested, dried, cured, graded, or  
15 trimmed or that does all or any combination of these activities.”

16 Section 19. The existing Section 21.19h of Ordinance No. 348 is renumbered as Section  
17 21.19g.

18 Section 20. A new Section 21.19h is added to Ordinance No. 348 to read as follows:

19 “Section 21.19h. CANNABIS DISTRIBUTION FACILITIES. A facility engaged in  
20 the storage of Cannabis or cannabis products, for later distribution to permitted and  
21 licensed Cannabis Manufacturing Facilities, Cannabis Testing Facilities, or Cannabis  
22 Retailers.”

23 Section 21. Section 21.19j. of Ordinance No. 348 amended to read as follows:

24 “Section 21.19j. CANNABIS MANUFACTURING FACILITY (NON-VOLATILE).

25 A facility requiring a Type 6, Type N, Type P or Type S State manufacturing license,  
26 that processes, produces, prepares, propagates, holds, stores, packages, labels or  
27 compounds cannabis or cannabis products either directly or indirectly or by extraction  
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1 and/or infusion methods, or independently by means of chemical synthesis or by a  
2 combination of extraction and/or infusion and chemical synthesis, using non-volatile  
3 organic compounds, at a fixed location, that packages or repackages cannabis or  
4 cannabis products, or labels or relabels its containers. Cannabis manufacturing also  
5 includes any processing, preparing, holding, or storing of components and  
6 ingredients.”

7 Section 22. Section 21.19k. of Ordinance No. 348 is amended to read as follows:

8 “Section 21.19k. CANNABIS MANUFACTURING FACILITY (VOLATILE).

9 A facility requiring a Type 7 state manufacturing license that processes, produces,  
10 prepares, propagates, holds, stores, packages, labels, or compounds Cannabis or  
11 cannabis products either directly or indirectly or by extraction and/or infusion methods,  
12 or independently by means of chemical synthesis or by a combination of extraction  
13 and/or infusion and chemical synthesis, using volatile organic compounds, at a fixed  
14 location, that packages or repackages cannabis or cannabis products, or labels or  
15 relabels its containers. Cannabis manufacturing also includes any processing,  
16 preparing, holding, or storing of components and ingredients.”

17 Section 23. A new Section 21.19l. is added to Ordinance No. 348 to read as follows:

18 “Section 21.19l. CANNABIS OWNER. A Cannabis Owner is any of the following:

- 19 1. A person with an aggregate ownership interest of 20 percent or more in the  
20 Commercial Cannabis Activity for which a license or permit is being sought,  
21 unless the interest is solely a security, lien, or encumbrance.
- 22 2. The chief executive officer of a nonprofit or other entity.
- 23 3. A member of the board of directors of a nonprofit.
- 24 4. An individual who will be participating in the direction, control, or management  
25 of the person applying for Commercial Cannabis Activity permit or license.”

26 Section 24. A new Section 21.19m. is added to Ordinance No. 348 to read as follows:

27 “Section 21.19m. CANNABIS PACKAGE. Any container or receptacle used for  
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1 holding cannabis or cannabis products.”

2 Section 25. The existing Section 21.19j. of Ordinance No. 348 is renumbered Section 21.19n.

3 Section 26. A new Section 21.19o. is added to Ordinance No. 348 to read as follows:

4 “Section 21.19o. CANNABIS RETAILER. A facility where Cannabis, cannabis  
5 products, or devices specifically for the use of Cannabis or cannabis products are  
6 offered, either individually or in any combination, for retail sale, including an  
7 establishment that delivers cannabis and cannabis products as part of a retail sale.  
8 Cannabis retailers may include mobile delivery but shall not include mobile  
9 dispensaries. Cannabis Retailers were formerly known as cannabis dispensaries. Non-  
10 store front Cannabis Retailers are not open to the public. Store front Cannabis Retailers  
11 are open to the public.”

12 Section 27. The existing Section 21.19k of Ordinance No. 348 is amended to read as follows:

13 “Section 21.19p. CANNABIS TESTING FACILITY. A laboratory, facility, or entity  
14 that offers or performs tests of cannabis or cannabis products.”

15 Section 28. A new Section 21.19q. is added to Ordinance No. 348 to read as follows:

16 “Section 21.19q. CANNABIS TRANSPORT. The transfer of Cannabis or cannabis  
17 products from the permitted Commercial Cannabis Activity location of one licensee to  
18 the permitted Commercial Cannabis Activity location of another licensee, for the  
19 purposes of conducting Commercial Cannabis Activities authorized pursuant to the  
20 California Business & Professions Code Sections 19300, et seq. and 26000.”

21 Section 29. A new Section 21.19r. added to Ordinance No. 348 to read as follows:

22 “Section 21.19r. CANNABIS WHOLESALE NURSERY. A site that produces only  
23 clones, immature plants, seeds, or other agricultural products used specifically for the  
24 planting, propagation, and cultivation of Cannabis. Cultivation as a Cannabis  
25 Wholesale Nursery may be considered outdoor, indoor or mixed-light cultivation.”

26 Section 30. A new Section 21.19s. is added to Ordinance No. 348 to read as follows:

27 “Section 21.19. CANOPY. For purposes of Article XIXh only, the designated area or  
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1 areas at a licensed Premises that will contain Mature Plants at any point in time.  
2 Canopy shall be calculated in square feet and measured using clearly identifiable  
3 boundaries of all areas that will contain Mature Plants at any point in time, including  
4 all of the spaces within the boundaries.”

5 Section 31. A new Section 21.19t. is added to Ordinance No. 348 to read as follows:

6 “Section 21.19t. COMMERCIAL CANNABIS ACTIVITY. The cultivation,  
7 possession, manufacture, distribution, processing, storing, laboratory testing,  
8 packaging, labeling, transportation, delivery or sale of Cannabis and cannabis products  
9 as provided for in this division.”

10 Section 32. Section 21.25e. of Ordinance No. 348 is amended to read as follows:

11 “Section 21.25e. DELIVERY. For purposes of Article XIXh only, the commercial  
12 transfer of Cannabis or cannabis products to a customer. ”

13 Section 33. The existing Section 21.25e of Ordinance No. 348 is renumbered Section 21.25f.

14 Section 34. A new Section 21.31.b. is added to Ordinance No. 348 to read as follows:

15 “Section 21.31.b. EDIBLE PRODUCT. Manufactured cannabis product that is  
16 intended to be used, in whole or in part, for human consumption, including, but not  
17 limited to, chewing gum, but excluding products set forth in Division 15 (commencing  
18 with Section 32501) of the Food and Agricultural Code. An edible cannabis product is  
19 not considered food, as defined by Section 109935 of the Health and Safety Code, or  
20 a drug, as defined by Section 109925 of the Health and Safety Code.”

21 Section 35. A new Section 21.37.a. is added to Ordinance No. 348 to read as follows:

22 “Section 21.37.a. HOOP STRUCTURE. A plastic or fabric covered structure with  
23 open ends and no other framing, which is not more than 12 feet in height and does not  
24 have vertical sides exceeding 6 feet in height. Hoop structures in residential zones  
25 shall not exceed 120 cumulative square-feet of floor area. For the purposes of this  
26 Article, and for the purposes of obtaining licenses, cannabis cultivation within hoop  
27 structures is considered Mixed Light Cultivation.”

1            Section 36.    A new Section 21.39.a. is added to Ordinance No. 348 to read as follows:

2            “Section 21.39.a. INDOOR CANNABIS CULTIVATION.    The cultivation of  
3            Cannabis within a permanent structure using exclusively artificial light or within any  
4            type of structure using artificial light at a rate of twenty-five (25) watts per square  
5            foot.”

6            Section 37.    A new Section 21.39.b. is added to Ordinance No. 348 to read as follows:

7            “Section 21.39.b. INDUSTRIAL HEMP.    As defined by Section 81000 of the Food  
8            and Agricultural Code or Section 11018.5 of the Health and Safety Code, as they may  
9            be amended.”

10           Section 38.    A new Section 21.41.a. is added to Ordinance No. 348 to read as follows:

11           “Section 21.41.a. LABELING.    Any label or other written, printed, or graphic matter  
12           upon a cannabis product, upon its container or wrapper, or that accompanies any  
13           cannabis product.”

14           Section 39.    A new Section 21.43b. is added to Ordinance No. 348 to read as follows:

15           “Section 21.43b. LIVE CANNABIS PLANTS.    Living cannabis flowers and plants,  
16           including seeds, immature plants, and vegetative stage plants.”

17           Section 40.    Section 21.51i in Ordinance No. 348 is amended to read as follows:

18           “Section 21.51i. M-LICENSE.    A State license issued for Commercial Cannabis  
19           Activity involving medicinal cannabis.”

20           Section 41.    A new Section 21.51j. is added to Ordinance No. 348 to read as follows:

21           “Section 21.51j. MATURE CANNABIS PLANT.    Mature Cannabis Plants as defined  
22           by the California Department of Food and Agriculture.”

23           Section 42.    A Section 21.51k. of Ordinance No 348 is amended to read as follows:

24           “Section 21.51k. MIXED LIGHT CANNABIS CULTIVATION.    The cultivation of  
25           Mature Cannabis Plants in a greenhouse, hoop structure, glasshouse, conservatory,  
26           hothouse, or other similar structure using light deprivation or one of the artificial  
27           lighting models described below:

1. Mixed-light Tier 1 – the use of artificial light at a rate of six (6) watts per square foot or less.
2. Mixed-light Tier 2 – the use of artificial light at a rate above six (6) and below or equal to twenty-five (25) watts per square foot.”

Section 43. Section 21.51l. of Ordinance No. 348 is amended to read as follows:

“Section 21.51l. MOBILE DELIVERY. The commercial transfer of Cannabis or cannabis products from a Cannabis Retailer, up to an amount allowed by the Bureau of Cannabis Control or its successor, to a primary caregiver, qualified patient, or customer and requires a Type 9 State license.”

Section 44. Section 21.51m. of Ordinance No. 348 is amended to read as follows:

“Section 21.51m. MOBILE RETAILER. The commercial transfer of Cannabis or cannabis products from an outdoor location or mobile structure (e.g. food truck or food cart).”

Section 45. A new Section 21.55a. is added to Ordinance No. 348 to read as follows:

“Section 21.55a. OUTDOOR CANNABIS CULTIVATION. The cultivation of Mature Cannabis Plants without the use of artificial lighting in a Canopy area at any point in time. The growing of only immature cannabis plants at a legally permitted Cannabis Wholesale Nursery is not considered Outdoor Cannabis Cultivation.”

Section 46. A new Section 21.59g. is added to Ordinance No. 348 to read as follows:

“Section 21.59g. PHYSICIAN’S RECOMMENDATION. A recommendation by a physician and surgeon that a patient use cannabis provided in accordance with the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code.”

Section 47. A new Section 21.59h. is added to Ordinance No. 348 to read as follows:

“Section 21.59h. PREMISES. For purposes of Article XIXh only, the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or licensee where the Commercial

1 Cannabis Activity will be or is conducted. The Premises shall be a contiguous area and  
2 shall only be occupied by one licensee.”

3 Section 48. A new Section 21.59i. is added to Ordinance No. 348 to read as follows:

4 “Section 21.59i. PRIMARY CAREGIVER. The individual, designated by a qualified  
5 patient or by a person with an identification card, who has consistently assumed  
6 responsibility for the housing, health, or safety of that patient or person, further defined  
7 in Section 11362.7 of the California Health and Safety Code.”

8 Section 49. A new Section 21.62j. is added to Ordinance No. 348 to read as follows:

9 “Section 21.62j. SELL/SALE/TO SELL (CANNABIS). Any transaction whereby,  
10 for any consideration, title to Cannabis or cannabis products is transferred from one  
11 person to another, and includes the delivery of Cannabis or cannabis products pursuant  
12 to an order placed for the purchase of the same and soliciting or receiving an order for  
13 the same, but does not include the return of Cannabis or cannabis products by a licensee  
14 to the licensee from whom the cannabis or cannabis product was purchased.”

15 Section 50. A new Section 21.62k. is added to Ordinance No. 348 to read as follows:

16 “Section 21.62k. SPECIALTY INDOOR CANNABIS CULTIVATION.  
17 Indoor cultivation using exclusively artificial lighting with a total canopy size on one  
18 Premises that does not exceed 5,000 square feet.”

19 Section 51. A new Section 21.62l. is added to Ordinance No. 348 to read as follows:

20 “Section 21.62l. SPECIALTY COTTAGE INDOOR CANNABIS  
21 CULTIVATION. Indoor cultivation using exclusively artificial lighting with a total  
22 canopy size on one Premises that does not exceed 500 square feet”

23 Section 52. A new Section 21.62m. is added to Ordinance No. 348 to read as follows:

24 “Section 21.62m. SMALL INDOOR CANNABIS CULTIVATION.  
25 Indoor cultivation using exclusively artificial lighting with a total canopy size on one  
26 Premises that does not exceed 10,000 square feet.”

27 Section 53. A new Section 21.62n. is added to Ordinance No. 348 to read as follows:

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1                   “Section 21.62n. MEDIUM INDOOR CANNABIS CULTIVATION.

2                   Indoor cultivation using exclusively artificial lighting with a total canopy size on one  
3                   Premises that does not exceed 22,000 square feet.”

4                   Section 54.     A new Section 21.62o. is added to Ordinance No. 348 to read as follows:

5                   “Section 21.62o. SPECIALTY COTTAGE MIXED LIGHT CULTIVATION.

6                   Cultivation using a combination of natural and supplemental artificial lighting with  
7                   a total canopy size on one Premises that does not exceed 2,500 square feet.”

8                   Section 55.     A new Section 21.62p. is added to Ordinance No. 348 to read as follows:

9                   “Section 21.62p. SPECIALTY MIXED LIGHT CULTIVATION. Cultivation using

10                  a combination of natural and supplemental artificial lighting with a total canopy size  
11                  on one Premises that does not exceed 5,000 square feet.”

12                  Section 56.     A new Section 21.62q. is added to Ordinance No. 348 to read as follows:

13                  “Section 21.62q. SMALL MIXED LIGHT CULTIVATION. Cultivation using a

14                  combination of natural and supplemental artificial lighting with a total canopy size  
15                  on one Premises that does not exceed 10,000 square feet.”

16                  Section 57.     A new Section 21.62r. is added to Ordinance No. 348 to read as follows:

17                  “Section 21.62r. MEDIUM MIXED LIGHT CULTIVATION. Cultivation using a

18                  combination of natural and supplemental artificial lighting with a total canopy size  
19                  on one Premises that does not exceed 22,000 square feet.”

20                  Section 58.     A new Section 21.74e. is added to Ordinance No. 348 to read as follows:

21                  “SECTION 21.74e. WHOLESALE NURSERY. An establishment engaged in

22                  the propagation of trees, shrubs and horticultural and ornamental plants grown under  
23                  cover or outdoors for sale to the public. Includes commercial scale greenhouses and  
24                  establishments for the sale of plant materials, lawn and garden supplies, and related  
25                  items. A Wholesale Nursery does not include Cannabis Wholesale Nurseries which  
26                  are classified separately.”

27                  Section 59.     A new Section 21.79 is added to Ordinance No. 348 to read as follows:

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1                   “SECTION 21.79. YOUTH CENTER. Any public or private facility that is  
2 primarily used to host recreational or social activities for minors, including, but not  
3 limited to, private youth membership organizations or clubs, social service teenage  
4 club facilities, video arcades, or similar amusement park facilities.”

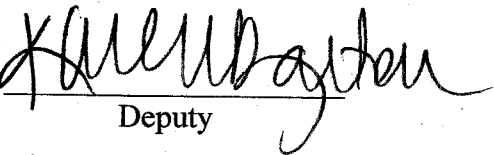
5                   Section 60. INTEGRATION. Ordinance No. 348.4898 is part of a comprehensive,  
6 integrated legislative program which includes the adoption of a Board of Supervisors Policy related to  
7 Commercial Cannabis Activities. The Board of Supervisors declares that it would not have adopted  
8 Ordinance No. 348.4898 unless the Board of Supervisors Policy related to Commercial Cannabis  
9 Activities was also adopted and effective. In the event that any provision of Ordinance No. 348.4898 or  
10 the Board of Supervisors Policy related to Commercial Cannabis Activities is determined to be invalid or  
11 unenforceable, in whole or in part, by a court of competent jurisdiction, then Ordinance No. 348.4898 and  
12 the Board of Supervisors Policy related to Commercial Cannabis Activities shall be deemed invalid in  
13 their entirety and shall have no further force or effect.

1            Section 61.    EFFECTIVE DATE. This ordinance shall take effect sixty (60) days after its  
2 adoption.

3  
4            BOARD OF SUPERVISORS OF THE COUNTY  
5 OF RIVERSIDE, STATE OF CALIFORNIA

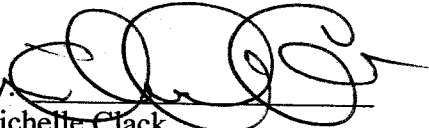
6            By:   
7                                  Chairman, Board of Supervisors

8  
9            ATTEST:  
10            CLERK OF THE BOARD

11            By:   
12                                  Deputy

13  
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15            (SEAL)

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20            APPROVED AS TO FORM  
21            October 30, 2018

22  
23            By:   
24                                  Michelle Clack  
25                                  Chief Deputy County Counsel


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STATE OF CALIFORNIA        )  
  )  
COUNTY OF RIVERSIDE        )        SS

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on October 23, 2018, the foregoing ordinance consisting of 61 Sections was adopted by the following vote:

AYES:                       Jeffries, Washington and Perez  
NAYS:                       Tavaglione and Ashley  
ABSENT:                    None

DATE:            October 23, 2018

KECIA HARPER-IHEM  
Clerk of the Board  
BY:   
Deputy

SEAL

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

11/5/18  
Date

DB -  
Initial

### NOTICE OF EXEMPTION

September 20, 2018

To: County Clerk  
County of Riverside  
4080 Lemon Street, 1<sup>st</sup> Floor  
Riverside, CA 92501

From: Riverside County  
c/o Clerk of the Board  
4080 Lemon Street  
Riverside, CA 92501

**Project Title:** Ordinance No. 767.22 – Renewal of Annual Delegation of Investment Authority to the County Treasurer

**Project Location:** Not site specific.


**Description of Project:** Ordinance No. 767.22 renews the annual delegation of authority for the County Treasurer to invest and keep safe funds of the County and other depositors in the County Treasury.

**Name of Public Agency Approving Project:** Riverside County Board of Supervisors

**Name of person or Agency Carrying Out Project:** Riverside County Treasurer-Tax Collector

**Exempt Status:** California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3)

**Reasons Why Project is Exempt:** Adoption of Ordinance No. 767.22 is exempt from CEQA pursuant to CEQA Guidelines, Section 15061(b)(3). Adoption of Ordinance No. 767.22 merely renews the annual delegation of authority for the County Treasurer to invest and keep safe funds of the County and other depositors in the County Treasury. The adoption of Ordinance No. 767.22 is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because it can be seen with certainty that there is no possibility that the annual renewal of delegation of investment and safe keeping authority to the County Treasurer may have a significant effect on the environment, the adoption of Ordinance No. 767.22 is exempt from CEQA.

Signed:   
David M. McCarthy  
Deputy County Counsel  
Office of County Counsel, County of Riverside

Date: 21 Sept 2018

OCT 30 2018

3.22

**BOYDD, April**

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**From:** B H <benjaminhynes@gmail.com>  
**Sent:** Tuesday, October 23, 2018 8:23 AM  
**To:** COB-Agenda; Cann Planning; Supervisor Jeffries - 1st District; District2; District3; District 4 Supervisor V. Manuel Perez; District5  
**Subject:** RR Cannabis Cultivation

Dear Board of Supervisors, Planning Department and Clerk of the Board,

I am writing to you today to express my strong opposition to excluding rural residential zoned properties from Ordinance No. 348. There are hundreds, if not thousands, of people dependent on equal opportunity to participate in the legal commercial cannabis industry, many of whom have spoken up at various meetings over the past two years. Now, the Board seeks to exclude the very same people from participating who keep this industry alive. Thousands of patients are dependent on these cultivators ability to continue operations. These growers practice environmentally and sustainable cultivation with minimal impact on the environment.

You must allow for cultivators to operate on R-R zoned lands. The land use laws already allow for commercial cultivation on these properties. Excluding mixed light and indoor cultivation on these properties is nonsensical and hurts the local economy.

I urge you to amend Ordinance No. 348 to include R-R as an approved zone for mixed light and indoor commercial cannabis cultivation.

Thank you.

**BOYDD, April**

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**From:** Vivian Archambeau <varchambeau@cox.net>  
**Sent:** Monday, October 22, 2018 1:55 PM  
**To:** COB-Agenda; Cann Planning; Supervisor Jeffries - 1st District; District2; District3; District 4 Supervisor V. Manuel Perez; District5  
**Subject:** Ordinance No. 348

Dear Board of Supervisors, Planning Department and Clerk of the Board,

I am writing to you today to express my strong opposition to excluding rural residential zoned properties from Ordinance No. 348. There are hundreds, if not thousands, of people dependent on equal opportunity to participate in the legal commercial cannabis industry, many of whom have spoken up at various meetings over the past two years. Now, the Board seeks to exclude the very same people from participating who keep this industry alive. Thousands of patients are dependent on these cultivators ability to continue operations. These growers practice environmentally and sustainable cultivation with minimal impact on the environment.

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I urge you to amend Ordinance No. 348 to include R-R as an approved zone for mixed light and indoor commercial cannabis cultivation.

Thank you,

Vivian Archambeau

To Whom It May Concern:

I just wanted to make a few comments regarding the Riverside County Medical Cannabis regulations as a medical practitioner and educator in various settings for nearly 20 years.

I've been a patient provider in Primary and Secondary Healthcare in various settings from Hospitals, to multi disciplinary health clinics, to very small privately owned clinics and I currently work in this capacity. Roughly 90% of my clinical time is spent with folks in rural Riverside County, the other 10% in downtown San Diego and Coronado Island.

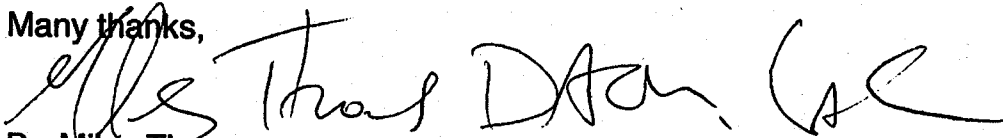
I'm specifically writing to you today so you can understand that from my vantage point as a healthcare provider in Southern California, I can see quite clearly, that when it comes to accessing Medical Cannabis, the disadvantages my patients here in rural Riverside County have are so much greater than those of my more urban patients in San Diego county.

I am urging you to please strongly consider updating your current policies so that all patients in the state of California have reliable and EQUAL access to their medication. I can tell you first hand that these policies, as they are currently written, affect those who need it most....the elderly, the disabled, etc. Those who DO NOT HAVE reliable transportation are unable to get the medicine they need and that they have been prescribed.

While providing the necessary laws to put a Medical Cannabis Dispensary within easy distance from every patient might be difficult, providing regulations that would allow for mobile dispensaries or deliveries to these rural areas, *where access is most affected*, would be most helpful.

I would be happy to come and speak either publicly or privately to help clarify these matters if that is helpful in any way. Please feel free to contact me at the numbers below.

Many thanks,

  
Dr. Miles Thomas  
951.659.2500 (Office)  
619.379.6359 (Text)

Supervisor Chuck Washington  
Riverside County Board of Supervisors  
4080 Lemon Street  
Riverside, CA 92502

October 22, 2018

Mr. Washington-

Regarding the discussion to amend Ordinance 348.4988, we respectfully submit the following testimonial.

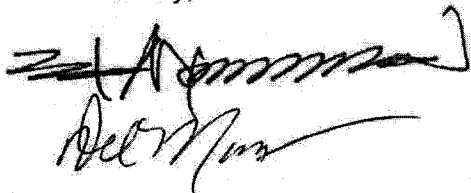
My wife, Del, has suffered from Multiple Sclerosis for nearly 30 years. While hers has been in remission more often than not, the daily tolls are still evident, ranging from random pain and lack of coordination to insomnia. She has benefitted from weekly injections of interferon, a once experimental medication which, while not a cure, has reduced her exacerbations and has dramatically improved her condition and overall quality of life.

After a recent mishap left Del with a torn meniscus in her knee, a friend suggested topical application of CBD (cannabidiol) oil to help alleviate pain and inflammation while she waited for an appointment with her orthopedist. While helpful, we found that using THC (tetrahydrocannabinol) oil provided more immediate and longer-lasting relief than anything else, even the narcotic pain relievers she'd been prescribed during our visit to the emergency room.

It's important to clarify here that though she was a child of the sixties, my wife did not use marijuana, and in fact, was fairly certain that she did not want to have anything to do with any of its byproducts, either. Her feelings were based partly on fear, partly on ignorance, and a bit on not wanting to be thought of as a pothead. Fear and ignorance are not uncommon in such circumstances, as the discourse about cannabis in general tends to be misleading, with its emphasis on equivalency to Schedule I controlled substances such as heroin, ecstasy and LSD, while at the same time widely ignoring its therapeutic benefits. Thankfully, based on her experience with interferon, Del kept a cautiously open mind toward experimental remedies.

I was more skeptical. While I am a strong believer in alternative medical and health practices, I am also cynical toward their presentation as magical remedies which can cure everything. The mounting scientific evidence opened my mind a bit more toward the realities, which become more clear each day. As you are likely aware, study after study has found that cannabis has very real medical, physical and psychological therapeutic benefits, while the hysterical false alarms of prior generations have been found to be largely unfounded. I'll add that, while anecdotal, our experience has been extraordinary. Del was finally able to see her orthopedist about her knee, and was advised to postpone surgery and continue "whatever it was that she was doing". Hearing that from an orthopedic surgeon was quite eye opening, but the fact is that many skeptics are coming around to the fact that cannabis products can serve as safer, effective alternatives to currently adopted treatments. This has certainly been our experience, and we feel that it should be within the rights of all the citizens of Riverside County to share reasonable access to all viable forms of care.

Most sincerely,

The block contains two handwritten signatures. The top signature is in black ink and appears to be 'Erik Marcussen'. The bottom signature is in blue ink and appears to be 'Del Marcussen'.

Erik and Del Marcussen  
Idyllwild



## **BOYDD, April**

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**From:** ALEX RUIZ <avpalex@gmail.com>  
**Sent:** Monday, October 22, 2018 8:41 PM  
**To:** COB-Agenda; Cann Planning; Supervisor Jeffries - 1st District; District2; District3; District 4 Supervisor V. Manuel Perez; District5  
**Subject:** RR Zoned Land/Ordinance 348

Dear Board of Supervisors, Planning Department and Clerk of the Board,

I am writing to you today to express my strong opposition to excluding rural residential zoned properties from Ordinance No. 348. There are hundreds, if not thousands, of people dependent on equal opportunity to participate in the legal commercial cannabis industry, many of whom have spoken up at various meetings over the past two years.

Now, the Board seeks to exclude the very same people from participating who keep this industry alive. Thousands of patients are dependent on these cultivators ability to continue operations. These growers practice environmentally and sustainable cultivation with minimal impact on the environment.

You must allow for cultivators to operate on R-R zoned lands. The land use laws already allow for commercial cultivation on these properties. Excluding mixed light and indoor cultivation on these properties is nonsensical and hurts the local economy.

I urge you to amend Ordinance No. 348 to include R-R as an approved zone for mixed light and indoor commercial cannabis cultivation.

Thank you,

AR

Sent from my iPhone

**BOYDD, April**

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**From:** Dr. John L. MINNELLA-Romano <drjminnella@yahoo.com>  
**Sent:** Monday, October 22, 2018 10:21 PM  
**To:** COB; Supervisor Jeffries - 1st District; District2; District3; District5; District 4 Supervisor V. Manuel Perez; Hildebrand, John; COB-Agenda; Perez, Juan; Perez, Juan  
**Subject:** RAGLM Position on Proposed Ordinance 348.4898; October 23, 2018 Agenda Item 19



**RESIDENTS ASSOCIATION OF GREATER LAKE MATHEWS**

3410 La Sierra Avenue, Unit F41, Riverside, California 92503. 714/543-9005.

October 22, 2018

Board of Supervisors  
COUNTY OF RIVERSIDE  
Attention: Clerk of the Board  
County Administration Building  
Riverside, California 92502

Via Email: [cob@rivco.org](mailto:cob@rivco.org)

**Re: RAGLM Position on Proposed Ordinance 348.4898; October 23, 2018 Agenda Item 19.**

Honorable Supervisors:

The Residents Association of Greater Lake Mathews ("RAGLM") has carefully reviewed and considered proposed Ordinance 348.4898 presently before the Board of Supervisors as Agenda item 19, and hereby respectfully submits its comments for your consideration. Our review and consideration also involved input and exchange of ideas with affiliated community groups of Riverside County.

We begin by thanking all of those who so diligently worked on this massive project. It is clear that an incredible amount of labor, time, professionalism and creativity were expended by the County Planning Department, Planning Commissioners, and other County staff, and the Board of Supervisors and their staffs, in a very controversial and complicated undertaking. Those efforts are very much appreciated by the community.

RAGLM supports passage of this proposed Ordinance as at least a foundation for some immediate protection of the community from otherwise unregulated cannabis activities. We believe this proposed ordinance will require more refinement in the very near future but is necessary in the meanwhile. Our preference would have been something similar to that adopted by the City of Riverside but we recognize that such an ordinance is likely impossible and that the presently proposed ordinance is better than the present lack of any regulation.

We strongly implore you to include A-1 zoning to the list of Prohibited Locations for Commercial Cannabis Activities (section 19.504), and to remove A-1 zoning from sections 19.509, 19.510, and 19.512, because A-1

zoning is clearly a residential zone and therefore inappropriate for commercial cannabis related activities. That would be consistent with the County staff recommendation that "no cannabis activities be allowed in any residential zone."

We strongly oppose allowing commercial marijuana cultivation in Agricultural A-1, Rural Residential and Rural Agricultural zoned properties. Our peace and security will be permanently lost to large scale illegal commercial marijuana cultivation if commercial cultivation is allowed in A-1, RR and RA residential zones.

Along with the nuisance effects of commercial marijuana cultivation including odor, environmental concerns, water use, noise from generators and unsightly structures, marijuana is a high value product that lends itself to theft, organized crime and accompanying violence. It will alter the character of our community and present us with a never-ending feeling of anxiety every time a vehicle comes down our roads.

An NBC news article dated May 29, 2018 reports that "[w]hile California and Washington have mainly seen organized criminals from China buying homes and converting them into grow houses, Colorado has largely been grappling with Cuban and Mexican-led cartels, said Sheriff Bill Elder of the El Paso County Sheriff's Office in Colorado." "They have found that it's easier to grow and process marijuana in Colorado, ship it throughout the United States, than it is to bring it from Mexico or Cuba," Elder said. "The suspects are targeting states that have already legalized marijuana "in an attempt to shroud their operations in our legal environment here and then take the marijuana outside of the state," said Mike Hartman, executive director of the Colorado Department of Revenue, which regulates and licenses the cannabis industry. Authorities say they've seen an increase in these "home grows" since the launch of recreational pot sales in Colorado."

<https://www.nbcnews.com/news/us-news/foreign-cartels-embrace-home-grown-marijuana-pot-legal-states-n875666>.

Thus, we ask that A-1 zoning (which is virtually the same as RR (Rural Residential) and RA (Rural Agriculture) zoning in rural areas be added to the list of excluded zones from commercial marijuana cultivation.

We are further opposed to cannabis lounges and temporary cannabis events that include onsite consumption and sales at any venue in the unincorporated areas of the County.

We join other local groups in urging you to create a study group, especially after new Board members are elected and installed, to promptly visit Colorado to determine that location's experience with commercial cannabis businesses; the impact on code enforcement, law enforcement, criminal incarceration, homelessness and increased crime; and the likely real cost to our communities and County government.

Respectfully submitted,

**THE RESIDENTS ASSOCIATION OF  
GREATER LAKE MATHEWS ("RAGLM")**

[signed]

John L. Minnella  
President

JLM:bs

This e-mail is confidential and may contain attorney client or otherwise privileged or private information. Unless you are an intended or authorized recipient, you may not use, copy or disclose this message or any information contained herein. If you have received this message in error, please advise us by reply email to: [drjminnella@yahoo.com](mailto:drjminnella@yahoo.com) and/or [minnellalaw@sbcglobal.net](mailto:minnellalaw@sbcglobal.net); and delete the message and any attachments. Thank you.

## **BOYDD, April**

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**From:** Bean Fiend <beanfiendgenetics@gmail.com>  
**Sent:** Monday, October 22, 2018 11:08 PM  
**To:** COB-Agenda; Cann Planning; Supervisor Jeffries - 1st District; District2; District3; District 4 Supervisor V. Manuel Perez; District5  
**Subject:** Amend Ordinance No. 348

Dear Board of Supervisors, Planning Department and Clerk of the Board,

I am writing to you today to express my strong opposition to excluding rural residential zoned properties from Ordinance No. 348. There are hundreds, if not thousands, of people dependent on equal opportunity to participate in the legal commercial cannabis industry, many of whom have spoken up at various meetings over the past two years. Now, the Board seeks to exclude the very same people from participating who keep this industry alive. Thousands of patients myself included are dependent on these cultivators ability to continue operations. Large majority of these growers practice environmentally and sustainable cultivation with minimal impact on the environment.

On top of their upkeep of the land and their service to thousands who seek health benefits from this plant. Having been across the globe seeking and studying different varieties of this plant; the microclimate provided in rural riverside county that has for hundreds of years proved great for farming is one of the best there is for indoor and mixed light cannabis cultivation

You must allow cultivators to operate on R-R zoned lands! The land use laws already allow for commercial cultivation on these properties. Excluding mixed light and indoor cultivation on these properties is nonsensical and will only hurt the local economy.

I urge you all to amend Ordinance No. 348 to include R-R as an approved zone for mixed light and indoor commercial cannabis cultivation.

Thank you.

## **BOYDD, April**

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**From:** Preston Stoye <prestonstoye@gmail.com>  
**Sent:** Monday, October 22, 2018 11:13 PM  
**To:** COB-Agenda; Cann Planning; Supervisor Jeffries - 1st District; District2; District3; District 4 Supervisor V. Manuel Perez; District5  
**Subject:** Rural Residential

Dear Board of Supervisors, Planning Department and Clerk of the Board,

I am writing to you today to express my strong opposition to excluding rural residential zoned properties from Ordinance No. 348. There are hundreds, if not thousands, of people dependent on equal opportunity to participate in the legal commercial cannabis industry, many of whom have spoken up at various meetings over the past two years. Now, the Board seeks to exclude the very same people from participating who keep this industry alive. Thousands of patients are dependent on these cultivators ability to continue operations. These growers practice environmentally and sustainable cultivation with minimal impact on the environment.

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I urge you to amend Ordinance No. 348 to include R-R as an approved zone for mixed light and indoor commercial cannabis cultivation.

Thank you.



October 23, 2018

Riverside County  
Board of Supervisors  
County Administrative Center  
First Floor Board Chambers  
4080 Lemon Street, Riverside, CA 92501

**Re: Letter to Board of Supervisors regarding  
Riverside County Draft Cannabis Ordinances**

Dear Board Members,

I have read the draft ordinances and stated comments and notes with input of a Union Rep, CEO Cannabis Operator, Cannabis Chemist, and Cultivation Director. I believe that as Riverside County moves forward in regulating cannabis, it is important to recognize that many communities were disproportionately impacted negatively by the war and drugs. While it is important to establish a strong foundation for the cannabis industry in Riverside County, it is equally as important to ensure a pathway to ownership and job security for residents within your communities. Allowing your residents in RR and RA zones to participate with bring them out the shadows and into compliance. The city of Los Angeles, Oakland and Sacramento are the only jurisdictions that have implemented an equity program in their ordinances to help members of its communities have a stake in ownership and ensure their involvement at least as employees. These jurisdictions also are eligible the only ones that can access \$10,000,000.00 through SP 1294. SB 1294 authorizes local jurisdictions, who have established a cannabis equity program, to apply for grants. The funding from these grants will be used for business loans, capital improvements, regulatory compliance, licensing fee waivers, technical assistance and administration to assist local equity programs and participants. It is also important for Riverside County to establish a cannabis department or committee with resident appointed positions to ensure compliance and oversight of the industry in its application and operation phases. Many cities and counties are having trouble regulating and enforcing their newly drafted ordinances. Cities with scored applications are struggling to grade in a uniform and unbiased manner. The application and scoring procedures need to follow a strict and comprehensive rubric in which they are approved. Please find below my notes, comments, and summary of an equity program that can be implemented here in Riverside County:

- G-2 background check. How much and where? Some cities have charged over \$200 for what can be done at UPS for more than half the price. The county will have to set up a code that correlates to the cannabis activity.
- G-3 permits will not be permitted to applicants with felony convictions:
  - This goes above and beyond the state regulations. Allow for rehabilitation and also gives special acceptance to non-violent felonies especially if convictions were related to cannabis. Individuals with cannabis convictions should not be barred entering.

CannaBiz Consulting Group  
78060 Calle Estado, Suite 11  
CannaBizCG.com  
(760) 899-8025

19.1

**SOCIAL EQUITY PROGRAM (pulled from the city of Los Angeles)**  
**Social Equity Applicants should receive priority processing**

**Tier 1 Social Equity Applicants shall receive priority processing for Retailer**

- a) **Commercial Cannabis Activity Licenses (Types 9 and 10) and for Microbusiness Commercial Cannabis Activity Licenses that include retail (Type 12) on a 2:1 ratio with all non-Social Equity Applicants (including Applicants issued Licenses pursuant to Section 104.07). Tiers 1 through 3 Social Equity Applicants shall receive priority processing for all non-retail License types on a 1:1 ratio with all non-Social Equity Applicants (excluding Applicants issued Licenses pursuant to Section 104.08) based on License type category.**
- b) **The following definitions shall be applicable in this Section:**
  - a) **“Low Income” means 80 percent or below of Area Median Income for the City based on the 2016 American Community Survey and updated with each decennial census.**
  - b) **“California Cannabis Conviction” means a Cannabis-related crime that occurred prior to November 8, 2016, and could have been prosecuted as a misdemeanor or citation under current California law.**
  - c) **“Disproportionately Impacted Area” this would require an analysis of arrests in different zip codes.**
- c) **A Tier 1 Social Equity Applicant shall meet the following criteria at time of applying for a License: 1. Low Income and prior California Cannabis Conviction; or 2. Low Income and a minimum of five years cumulative residency in a Disproportionately Impacted Area. A Tier 1 Social Equity Applicant shall own no less than a 51 percent equity share of the business that would benefit from the issuance of the License. A Tier 1 Social Equity Applicant shall receive the following benefits: 1. business, licensing and compliance assistance; 2. expedited renewal processing; 3. program site specific conditions; 4. the potential for fee deferrals if the County adopts a fee deferral program; and 5. access to an Industry Investment Fund if established.**
- d) **A Tier 2 Social Equity Applicant shall meet the following criteria at time of applying for a License: 1. Low Income and a minimum of five years cumulative residency in a Disproportionately Impacted Area; or 2. a minimum of 10 years cumulative residency in a Disproportionately Impacted Area. A Tier 2 Social Equity Applicant shall own no less than a 33 1/3 percent equity share of the business that would benefit from issuance of the License. A Tier 2 Social Equity Applicant shall enter into a Social Equity Agreement with the City to provide business, licensing and compliance assistance to Tier 1 Social Equity Program participants. A Tier 2 Social Equity Applicant shall receive the following benefits: 1. business, licensing and compliance assistance; 2. expedited renewal processing; and 3. program site specific conditions.**
- e) **A Tier 3 Social Equity Applicant shall enter into a Social Equity Agreement with the County to provide capital, leased space, business, licensing and compliance assistance to Persons who meet the criteria to be a Tier 1 or Tier 2 Social Equity Applicant. A Tier 3 Social Equity Applicant shall provide Tier 1 Social Equity Applicants access to property with no rent and with prorated utilities for a minimum of two years. The minimum requirements of the property provided to the Tier 1 Social Equity Applicant shall be: 1. Cultivation - minimum 500 square feet or 10 percent of Tier 3 Social Equity Applicant’s**



Business Premises, whichever is greater; 2. Manufacturing - minimum 800 square feet or 10 percent of Tier 3 Social Equity Applicant's Business Premises, whichever is greater; 3. Testing - minimum 1,000 square feet or 10 percent of Tier 3 Social Equity Applicant's Business Premises; 4. Distributor - minimum 1,000 square feet or 10 percent of Tier 3 Social Equity Applicant's Business Premises; 5. Nonstorefront retail - minimum 1,000 square feet or 10 percent of Tier 3 Social Equity Applicant's Business Premises; 6. Storefront retail - minimum 1,000 square feet or 10 percent of Tier 3 Social Equity Applicant's Business Premises, whichever is greater; 7 Microbusiness - minimum 800 square feet or 10 percent of Tier 3 Social Equity Applicant's Business Premises, whichever is greater.

- f) A Tier 3 Social Equity Applicant shall receive the following benefits: 1. expedited renewal processing; and 2. program site specific conditions.
- g) Social Equity Applicants Tiers 1 and 2 shall make a good faith effort to have no less than 50 percent of the weekly hours of the Licensee's workforce performed by Employees whose primary place of residence is within a three-mile radius of the Business Premises. Of those Employees, 20 percent shall be Social Equity Workers and 10 percent Transitional Workers. Social Equity Applicant Tier 3 shall make a good faith effort to have no less than 50 percent of the weekly hours of the Licensee's workforce performed by Employees whose primary place of residence is within a five mile radius of the Business Premises. Of those Employees, 30 percent shall be Social Equity Workers and 10 percent Transitional Workers. Social Equity Worker is a Person who is: 1. Low Income and has a prior California Cannabis conviction or 2. Low Income and a minimum of five years cumulative residency in a Disproportionately Impacted Area. At a minimum, a Licensee is required to contact local community-based organizations, Work Centers of Riverside County, and other such similar organizations to facilitate job outreach, development, and placement services. A Licensee is required to provide a detailed semiannual report on the first business day of January and the first business day of July every year that provides evidence of its outreach efforts, including the number of persons interviewed, and details on who was hired to satisfy the good faith requirement.

Thank you for the opportunity to assist with reviewing the draft ordinances and to use my cannabis knowledge to provide an assessment of what is needed. I hope the information provided is found insightful and useful in the implementation of the cannabis ordinances.

Kindest Regards,



Christopher Martinez



Cannabis Consultant  
CannaBiz Consulting Group  
Website: [CannaBizcg.com](http://CannaBizcg.com)  
Email: [christopher@cannabizcg.com](mailto:christopher@cannabizcg.com)

**(THE LEGALIZATION  
OF MARIJUANA IN  
COLORADO  
THE IMPACT  
VOLUME 2  
PAGE 138 & 140)  
CRIMINAL  
ORGANIZATIONS  
EXPLOITING  
LEGAL  
RECREATIONAL  
MARIJUANA**