

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 21.1
(ID # 13764)**

MEETING DATE:

Tuesday, November 10, 2020

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on ORDINANCE NO. 348.4931, associated with CHANGE OF ZONE NO. 1900015, - CEQA Exempt pursuant to State CEQA Guidelines Section 15061(b)(3). Ordinance No. 348.4931 establishes land use regulations for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. Ordinance No. 348.4931 adds a new article to Ordinance No. 348 that establishes permitting requirements, development standards, approval and operational requirements for Industrial Hemp cultivation and manufacturing. All Districts. [\$30,000 Total Cost, \$10,000 FY 20/21 Cost - General Fund 100%]
(Continued from 11/03/2020 BOS Meeting)

RECOMMENDED MOTION: That the Board of Supervisors:

1. **FIND that Ordinance No. 348.4931** is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) based on the findings and conclusions incorporated in the staff report; and
2. **ADOPT Ordinance No. 348.4931**, associated with **Change of Zone No.1900015**, amending Ordinance No. 348 and establishing land use regulations for Industrial Hemp cultivation and manufacturing in the unincorporated areas of Riverside County, based on the findings and conclusions incorporated into this staff report.

ACTION: Policy



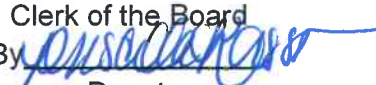
Charissa Leach, Interim TLMA Director

11/4/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended with modifications to increase the grandfathering period to two years, prohibit indoor and outdoor industrial hemp cultivation in the Sage community and on lots zoned R-R or R-A that do not currently have water service or a permitted well.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: November 10, 2020
xc: Planning, Co.Co., MC, COB

Kecia Harper
Clerk of the Board
By 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 10,000	\$ 0	\$ 30,000	\$ 0
NET COUNTY COST	\$ 10,000	\$ 0	\$ 30,000	\$ 0
SOURCE OF FUNDS: General Fund 100%			Budget Adjustment: No	
			For Fiscal Years: 19/20 & 20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Riverside County currently has no existing regulatory framework to address where Industrial Hemp can be grown or standards for size, setbacks, or operations. However, Industrial Hemp activities, which include cultivation, processing, and manufacturing, may currently operate within the unincorporated areas of Riverside County with a registration issued by the Agricultural Commission and each registration is valid for one year. Registrations to grow Industrial Hemp are generally allowed on properties that currently allow agricultural uses. As of August 2020, there are approximately 110 registered grower’s licenses and 13 registered seed breeder’s licenses issued throughout the County.

The Board of Supervisors initiated this ordinance on June 4th, 2019 with direction to establish an Industrial Hemp regulatory framework, due to the potential health and safety impacts, as well as nuisance issues associated with Industrial Hemp activities. The attached Ordinance No. 348.4931 establishes land use permitting requirements and development standards for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. Specifically, Ordinance No. 348.4931 adds a new article to Ordinance No. 348 (Land Use Ordinance) that establishes permitting requirements, zone classifications where Industrial Hemp Activities are allowed, development standards, as well as operating and manufacturing requirements for the cultivation and manufacturing of Industrial Hemp.

Ordinance No. 348.4931 includes provisions specifically listing Industrial Hemp Activities in the zone classifications set forth in Article XIXm (Industrial Hemp Activities) where Industrial Hemp Activities are permitted or conditionally permitted. Specific Plans that utilize these specific zone classifications to establish land uses and development standards within the Specific Plan would be able to include Industrial Hemp Activities on an interim basis in accordance with the permitting and approval requirements provided in Article XIXm of Ordinance No. 348. These provisions are consistent with Article XIXm.

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Project History and Timeline

- During the **June 4th, 2019** Board of Supervisors (BOS) hearing (Agenda Item 3.21), the BOS initiated a request to County staff, to prepare a draft regulatory framework for Industrial Hemp cultivation and manufacturing.
- A workshop soliciting community and industry input on Industrial Hemp cultivation and manufacturing occurred during the **December 18th, 2019** Planning Commission (“PC”) hearing (Agenda Item 5.1).
- Ordinance No. 348.4931 was first heard at the **June 3rd, 2020** PC public hearing (Agenda Item 4.2). A public hearing notice for this item was included in both the Press Enterprise and Desert Sun Newspapers.
- Ordinance No. 348.4931 was again heard for the second time at the **June 17th, 2020** PC public hearing (Agenda Item 3.1), as it was continued in order to include amendments discussed during the public hearings.
- Ordinance No. 348.4913 was heard a third time at the **August 5th, 2020** PC public hearing (Agenda Item 3.1). Staff was directed to make further changes to the draft ordinance during the previous PC public hearing.
- Ordinance No. 348.4931 was recommended by the PC for BOS approval during the **August 5th, 2020** PC public hearing, by a vote of 4 to 0, with one Commissioner absent.
- Public hearing notices for this item were again included in both the Press Enterprise and Desert Sun Newspapers, advertising a BOS public hearing, scheduled for **September 15th, 2020**.
- During the **September 15th, 2020** Board of Supervisors (BOS) hearing (Agenda Item, 21.1), Ordinance No. 348.4931, the BOS received a report, took public testimony and continued the item to the **October 20th, 2020** hearing.
- During the **October 20th, 2020** Board of Supervisors (BOS) hearing (Agenda Item, 21.1), Ordinance No. 348.4931 was continued to the **November 3rd, 2020** hearing.
- During the **November 3rd, 2020** Board of Supervisors (BOS) hearing (Agenda Item, 21.1), Ordinance No. 348.4931 was continued to the **November 10th, 2020** hearing.

Industrial Hemp Activities within Watershed Area

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This proposed Ordinance No. 348.4931 was considered at three separate Planning Commission public hearings and was recommended for Board of Supervisors approval after taking public testimony and closing the third public hearing. The attached Planning Commission staff report includes details related to each of the three hearings, and subsequent changes reflecting the Planning's Commission's recommendations. After receiving public testimony on concerns related to water issues during the third Planning Commission hearing, it was recommended to add one additional provision to Ordinance No. 348.4931, prohibiting Industrial Hemp cultivation in the Santa Margarita River Watershed ("SMRW") area. In light of the public's concerns and that the SMRW area has a heightened sensitivity related to water usage and water quality, it is appropriate to establish land use regulations prohibiting Industrial Hemp cultivation within specific areas of the SMRW. Attached to this report is a boundary map sourced from the SMRW annual report 2017-2018. The boundary for the watershed area was established by the Federal Court as part of the adjudication in *United States v. Fallbrook Pub. Util. Dist., No. 1247-SD-C (S.D. Cal. filed Jan. 25, 1951) and subsequent interlocutory judgements ("Fallbrook Case")* and has not changed since its establishment. The boundary area generally includes the communities of Anza, Aguanga, and Sage, as well as the City of Temecula and City of Wildomar. The boundary area extends south past Riverside County, into portions of both San Diego and Orange Counties.

Based on public testimony and comments from the Board of Supervisors during the September 15th public hearing, Ordinance No. 348.4931 was further revised to reflect more specifically where Industrial Hemp Activities would be prohibited within the SMRW area. The Ordinance provision was revised to restrict Industrial Hemp activities only in the communities of Anza, Aguanga, and Sage, as these communities encompass the more sensitive water basin area where water availability is of concern. The western portion of this watershed area is generally served by two water districts, including Eastern Municipal and Rancho California, which provide public water services. As provided in the September 15th report to the Board of Supervisors, the purpose of restricting Industrial Hemp cultivation in these areas remains to address the issue of water availability and water quality issues, as Industrial Hemp tends to be a heavy water consuming agricultural crop and there is no proposed limitation in grow areas, pursuant to the proposed Ordinance.

In addition to the proposed Hemp Cultivation restrictions in the Anza, Aguanga, and Sage areas, the Anza Borrego Watershed, located immediately to the east of the Santa Margarita River Watershed, is also included as a restricted area for Hemp Cultivation, for the same reasons related to water availability and water quality. Included in this BOS report package are letters from the Santa Margarita River Watershed Watermaster and also the Borrego Springs Watermaster, expressing concerns about the proposed Industrial Hemp Activities Ordinance. In summary, both letters cite that water availability in these areas is of concern and request that Hemp Cultivation be restricted.

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Riverside County Farm Bureau

Staff received letters dated **June 16, 2020** and **August 4, 2020** from Jackson Tidus, representing the Farm Bureau, expressing concerns related to the proposed Industrial Hemp Ordinance. Specifically, the letters questioned the County's ability to regulate Hemp, and asserted that the proposed Hemp Ordinance is inconsistent with the County's General Plan and Ordinance No. 625.

State and Federal laws, as currently written, do not preempt the County from establishing zoning regulations related to Industrial Hemp. Pursuant to Article XI, Section 7 of the California Constitution, the County retains its authority to regulate the location and extent of Industrial Hemp within the unincorporated areas under the County's police powers to protect health, safety and welfare. Industrial Hemp is an agricultural product, however, it also presents unique characteristics that are different from other agricultural products. These unique characteristics have the potential of creating nuisance issues and land use compatibility concerns. Therefore, it is appropriate for the County to regulate Industrial Hemp under its police powers to protect health, safety and welfare.

Additionally, establishing land use regulations and development standards for Industrial Hemp Activities furthers the County's General Plan goal to encourage retaining agriculturally designated lands where agricultural activity can be sustained at an operational scale, where it accommodates lifestyle choice, and in locations where impacts to and from potentially incompatible uses, such as residential uses, are minimized, through incentives such as tax credits (General Plan Policy LU 20.1). As provided in the purpose and intent of Ordinance No. 348.4931, the ordinance is establishing land use regulations for Industrial Hemp Activities to minimize potential negative impacts to the environment and communities. Ordinance No. 348.4931 is implementing the General Plan's goal by establishing appropriate locations for Industrial Hemp operations while also minimizing potential negative impacts.

In regards to the County's Ordinance No. 625, commonly referred to as the Right-to-Farm Ordinance, the findings in Ordinance No. 625 provides that the Riverside County Board of Supervisors finds that where non-agricultural land uses extend into agricultural areas or exist side-by-side, agricultural operations often become the subject of nuisance complaints. The findings further provide that as a result of nuisance complaints, the agricultural operations are often forced to cease or curtail operations. One of the intents of Ordinance No. 625 is to balance the rights of farmers to produce food and other agricultural products with the rights of non-farmers who own, occupy or use land within or adjacent to agricultural areas. The proposed land use regulations for Industrial Hemp Activities does not frustrate the intent of Ordinance No. 625. The land use regulations in Ordinance No. 348.4931

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establish appropriate locations and operational requirements for Industrial Hemp Activities in order to reduce land use incompatibilities between agricultural and non-agricultural uses and to reduce potential nuisance complaints, which may result in the closing of agricultural operations.

Ordinance Changes Since Last Hearing

During the September 15th, 2020 BOS hearing, staff provided a report of the proposed Ordinance and public testimony was taken. The project was subsequently continued, to the November 10, 2020 hearing in order to respond to and address several items discussed during the hearing by the BOS members as well as the community. This Ordinance as proposed, strives to achieve a balance between enabling the agricultural industry an opportunity for the establishment of Industrial Hemp activities throughout the County, but also provide sufficient safeguards for the residents. As such, the following summarizes the additional changes to the Ordinance, since the previous BOS hearing.

- 1) Entitlement Types – Staff continued to discuss the appropriate type of entitlement applications for Industrial Hemp Activities. As revised, generally when an industrial hemp cultivation facility is proposed to be located adjacent to residential zoned properties, a Conditional Use Permit would be required. If located adjacent to agricultural zoned properties, a Plot Plan would be required and, in some instances, no entitlement would be required. However, in all cases, each of the other provisions in Ordinance No. 348 (Land Use) would apply.
- 2) Setbacks – Hemp Cultivation setbacks have been changed in this proposed Ordinance multiple times, in an attempt to establish an appropriate distance between residential zoned property and hemp cultivation activities. As such, the Ordinance now proposes that a minimum 300-foot setback from the hemp cultivation area, shall be maintained, when the property is adjacent to a residential zoned property. If the site is adjacent to any other zone, then the setback is 25 feet.
- 3) Lot Sizes – Coupled with the increased setback when adjacent to a residential zone, the minimum lot size to establish hemp cultivation in the R-R and R-A zone is now proposed at 20-acres. The minimum lot size for the W-2 zone remains unchanged at 5-acres and there is no minimum lot size when located in the agricultural zones, which includes A-1, A-P, A-2, and A-D.
- 4) Industrial Hemp Cultivation within Watershed Area – As discussed during the first BOS hearing and also detailed in this report above, this proposed Ordinance contains two provisions that specifically prohibits Industrial Hemp Cultivation within the Anza, Aguanga, and Sage communities within the Santa Margarita River

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Watershed area and also within the entire Anza Borrego Watershed. The two provisions related to land use within these areas have been modified to more explicitly reflect the boundary areas and are worded as such:

Section 19.1101.D.

Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located, entirely or partially, in the communities of Anza, Aguanga, and Sage within the boundary of the Santa Margarita River Watershed, specifically located east of the Eastern Municipal Water District's and Rancho California Water District's service areas and north of Highway 79 South and managed by the Santa Margarita River Watershed Watermaster.

Section 19.1101.E.

Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located, entirely or partially, within the boundary of the Anza Borrego Watershed area within the unincorporated area of Riverside County.

Impact on Residents and Businesses

Due to the potential impact on surrounding communities related to Industrial Hemp cultivation and manufacturing, the BOS requested that staff prepare a regulatory framework amendment to Ordinance No. 348 addressing where Industrial Hemp should be grown or manufactured through the establishment of zoning classifications. In addition, the regulatory framework includes permitting and operating requirements as well as development standards. The intent of the regulatory framework is to enable the cultivation and manufacturing of Industrial Hemp throughout the County in a responsible and proactive manner, reducing community and environmental impacts.

Additional Fiscal Information

This project, an amendment to Ordinance No. 348 (Land Use), includes adding a new article establishing land use regulations for Industrial Hemp cultivation and manufacturing. This project was initiated by the Board of Supervisors on June 4th, 2019. The project was budgeted by the Board of Supervisors for \$30,000 and is funded through general funds, extending from fiscal years 19/20 to 20/21.

ATTACHMENTS:

- 1) Exhibit A – Planning Commission Staff Report
- 2) Exhibit B – Ordinance No. 348.4931

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- 3) Exhibit C – Redline Ordinance No. 348.4931
- 4) Exhibit D – ALUC Determination
- 5) Exhibit E – Public Comments 2020-06-03
- 6) Exhibit F – Public Comments 2020-06-17
- 7) Exhibit G – Public Comments 2020-08-05
- 8) Exhibit H – Public Comments 2020-11-10
- 9) Exhibit I – Riverside County Zoning Metrics
- 10) Exhibit J – Board of Supervisors Initiation
- 11) Exhibit K – Santa Margarita Watershed Boundary Map
- 12) Exhibit L – Anza Borrego Watershed Boundary Map



Jason Farin, Principal Management Analyst 11/5/2020



Gregory H. Priamos, Director County Counsel 11/5/2020

1 Article XIXm of this ordinance including, but not limited to, permit
2 processing, location, standards and approval requirements.”

3 Section 5. A new subsection F. is added to Section 10.1 of Ordinance No. 348 to read
4 as follows:

5 “F. Industrial Hemp Activities are permitted or conditionally permitted in
6 subsections A., B., or C. in Section 10.1 pursuant to the provisions set forth
7 in Article XIXm of this ordinance including, but not limited to, permit
8 processing, location, standards and approval requirements.”

9 Section 6. A new subsection H. is added to Section 11.2 of Ordinance No. 348 to read
10 as follows:

11 “H. Industrial Hemp Activities are permitted or conditionally permitted in
12 subsections A., B., or C. in Section 11.2 pursuant to the provisions set forth
13 in Article XIXm of this ordinance including, but not limited to, permit
14 processing, location, standards and approval requirements.”

15 Section 7. A new subsection H. is added to Section 11.26 of Ordinance No. 348 to read
16 as follows:

17 “H. Industrial Hemp Activities are permitted or conditionally permitted in
18 subsections A., B., or C. in Section 11.26 pursuant to the provisions set forth
19 in Article XIXm of this ordinance including, but not limited to, permit
20 processing, location, standards and approval requirements.”

21 Section 8. A new subsection I. is added to Section 12.2 of Ordinance No. 348 to read as
22 follows:

23 “I. Industrial Hemp Activities are permitted or conditionally permitted in
24 subsections A., B., or C. in Section 12.2 pursuant to the provisions set forth
25 in Article XIXm of this ordinance including, but not limited to, permit
26 processing, location, standards and approval requirements.”

27 Section 9. A new subsection F. is added to Section 13.1 of Ordinance No. 348 to read
28 as follows:

1 "F. Industrial Hemp Activities are permitted or conditionally permitted in
2 subsections A., B., or C. in Section 13.1 pursuant to the provisions set forth
3 in Article XIXm of this ordinance including, but not limited to, permit
4 processing, location, standards and approval requirements."

5 Section 10. A new subsection K. is added to Section 13.51 of Ordinance No. 348 to read
6 as follows:

7 "K. Industrial Hemp Activities are permitted or conditionally permitted in
8 subsections B., G., or H. in Section 13.51 pursuant to the provisions set forth
9 in Article XIXm of this ordinance including, but not limited to, permit
10 processing, location, standards and approval requirements."

11 Section 11. A new subsection G. is added to Section 14.1 of Ordinance No. 348 to read
12 as follows:

13 "G. Industrial Hemp Activities are permitted or conditionally permitted in
14 subsections A., B., or C. in Section 14.1 pursuant to the provisions set forth
15 in Article XIXm of this ordinance including, but not limited to, permit
16 processing, location, standards and approval requirements."

17 Section 12. A new subsection F. is added to Section 14.52 of Ordinance No. 348 to read
18 as follows:

19 "F. Industrial Hemp Activities are permitted or conditionally permitted in
20 subsections A., B., or C. in Section 14.52 pursuant to the provisions set forth
21 in Article XIXm of this ordinance including, but not limited to, permit
22 processing, location, standards and approval requirements."

23 Section 13. A new subsection I. is added to Section 15.1 of Ordinance No. 348 to read as
24 follows:

25 "I. Industrial Hemp Activities are permitted or conditionally permitted in
26 subsections A., B., C., or D. in Section 15.1 pursuant to the provisions set
27 forth in Article XIXm of this ordinance including, but not limited to, permit
28 processing, location, standards and approval requirements."

1 have a permitted onsite in-ground well existing as of the effective date of Ordinance
2 No. 348.4931.

3 F. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located,
4 entirely or partially, in the communities of Anza and Aguanga within the boundary
5 of the Santa Margarita River Watershed, specifically located east of the Eastern
6 Municipal Water District's and Rancho California Water District's service areas and
7 north of Highway 79 South.

8 G. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located,
9 entirely or partially, in the community of Sage, specifically located east and south
10 of the Eastern Municipal Water District's service area and west of Bautista Road.

11 H. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located,
12 entirely or partially, within the boundary of the Anza Borrego Watershed area within
13 the unincorporated area of Riverside County.

14 SECTION 19.1102. APPLICABILITY.

15 A. Industrial Hemp Activities shall not be allowed in the unincorporated areas of
16 Riverside County without first obtaining all required land use permits, licenses,
17 registrations or other entitlements required by local or State laws and regulations.

18 B. For the purposes of this Article, Industrial Hemp does not include Cannabis as
19 defined in this ordinance.

20 C. This Article does not apply to legally existing Outdoor Industrial Hemp Cultivation
21 in the A-1, A-P, A-2, A-D and W-2 zone classifications that is operated by an
22 Established Agricultural Research Institution as defined in Section 81000 of the
23 California Food and Agricultural Code.

24 D. Outdoor Industrial Hemp Cultivation legally operating in the A-1, A-P, A-2, A-D,
25 R-R, R-R-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,
26 R-7, C/V, C-C/V, WC-R, WC-W, WC-WE, WC-E, R-D, N-A, W-2, W-2-M, W-1,
27 W-E, M-R, M-R-A and MU zone classifications with a valid registration issued by
28 the County Agricultural Commissioner prior to the effective date of Ordinance No.

1 348.4931 may continue operating with a valid registration for a period of two years
2 from the effective date of Ordinance No. 348.4931. Upon expiration of the two year
3 period, the Outdoor Industrial Hemp Cultivation shall comply with the requirements
4 of this Article and all other applicable laws and regulations.

5 SECTION 19.1103. LOCATIONS.

- 6 A. Industrial Hemp Activities are prohibited in the following zones: R-R-O, R-1, R-1A,
7 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-
8 W, WC-WE, WC-E, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A, and MU.
- 9 B. Industrial Hemp Activities operating in accordance with this Article within approved
10 Specific Plans shall be an interim use not to exceed a maximum of 10 years.

11 SECTION 19.1104. OUTDOOR INDUSTRIAL HEMP CULTIVATION.

- 12 A. Registration and Inspection. In addition to the requirements set forth in this Article,
13 a registration shall be obtained from the County Agricultural Commissioner for the
14 approved Outdoor Industrial Hemp Cultivation. The Outdoor Industrial Hemp
15 Cultivation may be inspected two times a year by the County Agricultural
16 Commissioner to determine compliance with State and local laws and regulations.
- 17 B. Zoning. Notwithstanding any other provision of this ordinance, Outdoor Industrial
18 Hemp Cultivation is allowed as follows:
- 19 1. In the A-1, A-P, A-2 and A-D zones, Outdoor Industrial Hemp Cultivation is
20 allowed in accordance with the following:
- 21 a. On lots less than 10 gross acres and adjoining lots zoned R-R, R-R-
22 O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-
23 6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R with an approved
24 conditional use permit in accordance with Section 18.28 of this
25 ordinance.
- 26 b. On lots less than 10 gross acres and not adjoining lots zoned R-R, R-
27 R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5,
28

1 R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R with an approved
2 plot plan in accordance with Section 18.30 of this ordinance.

3 c. On lots 10 gross acres or greater but less than 20 gross acres and
4 adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3,
5 R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE,
6 WC-E, WC-R with an approved conditional use permit in accordance
7 with Section 18.28 of this ordinance.

8 d. On lots 10 gross acres or greater but less than 20 gross acres and not
9 adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3,
10 R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE,
11 WC-E, WC-R as a use by right.

12 e. On lots 20 gross acres or greater but less than 160 acres as a use by
13 right.

14 f. On lots 160 gross acres or greater with an approved conditional use
15 permit in accordance with Section 18.28 of this ordinance.

16 2. In W-2 Zone, Outdoor Industrial Hemp Cultivation is allowed in accordance
17 with the following:

18 a. On lots less than 5 gross acres, Outdoor Industrial Hemp Cultivation
19 is prohibited.

20 b. On lots 5 gross acres or greater but less than 40 gross acres with an
21 approved conditional use permit in accordance with Section 18.28 of
22 this ordinance.

23 c. On lots 40 gross acres or greater but less than 160 gross as a use by
24 right.

25 d. On lots 160 gross acres or greater with an approved conditional use
26 permit in accordance with Section 18.28 of this ordinance.

27 3. In R-R and R-A Zones, Outdoor Industrial Hemp Cultivation is allowed in
28 accordance with the following:

- a. On lots less than 20 gross acres Outdoor Industrial Hemp Cultivation is prohibited.
- b. On lots 20 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

SECTION 19.1105. INDOOR INDUSTRIAL HEMP CULTIVATION.

- A. Registration. In addition to the requirements set forth in this Article, a registration shall be obtained from the County Agricultural Commissioner for the approved Indoor Industrial Hemp Cultivation.
- B. Zoning. Notwithstanding any other provision of this ordinance, Indoor Industrial Hemp Cultivation is allowed in the following zone classifications with an approved plot plan in accordance with section 18.30 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2 and A-D.

SECTION 19.1106. INDUSTRIAL HEMP CULTIVATION STANDARDS.

In addition to the applicable permit and approval requirements provided in this Article and the development standards in the applicable zoning classification, Industrial Hemp Cultivation operations shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

- A. Location Requirements.
 - 1. Indoor and Outdoor Industrial Hemp Cultivation shall not be located within 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. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance.
 - 2. Industrial Hemp shall not be cultivated on a premises legally allowed to cultivate or process Cannabis.

1 B. Setbacks.

2 1. Indoor Industrial Hemp Cultivation: Indoor Industrial Hemp Cultivation
3 shall be within a fully enclosed building or buildings and setback from the lot
4 lines and public right-of way in accordance with the development standards
5 for the zone classification in which it is located. When an Indoor Industrial
6 Hemp Cultivation facility is located adjacent to a residentially zoned lot the
7 minimum setback shall be 25 feet from all lot lines.

8 2. Outdoor Industrial Hemp Cultivation:

- 9 a. For lots adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-
10 2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W,
11 WC-WE, WC-E, WC-R the Industrial Hemp Cultivation Area shall
12 be setback a minimum of 300 feet from the adjoining lot line,
13 otherwise the Industrial Hemp Cultivation Area shall be setback a
14 minimum of 25 feet from all lot lines and public right-of-ways.
- 15 b. The Industrial Hemp Cultivation Area shall be located a minimum of
16 50 feet from the drip line of any riparian vegetation of any
17 watercourse.

18 C. Energy Conservation Measures. All Indoor Industrial Hemp Cultivation operations
19 shall include adequate measures to address the projected energy demand for
20 Industrial Hemp Cultivation at the lot. On-site renewable energy generation shall be
21 required for all Indoor Industrial Hemp Cultivation operations. Renewable energy
22 systems for Indoor Hemp Cultivation operating entirely within an enclosed building
23 shall be designed to have a generation potential equal to or greater than 20-percent
24 of the anticipated energy demand. This subsection does not apply to greenhouses or
25 similar types of structures.

26 D. Water Conservation Measures. All Industrial Hemp Cultivation operations shall
27 include adequate measures that minimize use of water for cultivation on the lot.
28

1 Water conservation measures, water capture systems, or grey water systems shall be
2 incorporated into the operations in order to minimize use of water where feasible.

3 E. Water Availability. All Industrial Hemp Cultivation operations shall obtain a 'Will
4 Serve' letter from the applicable water purveyor, indicating agreement to supply
5 water for the Industrial Hemp Cultivation operations. The letter shall include the
6 activity proposed and any improvements required for service. Where water service
7 is not available, and in accordance with section 19.1101.E. of this ordinance, all
8 Industrial Hemp Cultivation operations shall comply with applicable Department of
9 Environmental Health requirements for a permitted onsite, in-ground well.
10 Commercial and domestic potable water supplies shall not include water transported
11 by vehicle from off-site sources.

12 F. Operations.

13 1. All Industrial Hemp Cultivation lighting shall be fully shielded, downward
14 casting and not spill over onto structures, other properties or the night sky.
15 Light shall not escape at a level that is visible from neighboring properties
16 between sunset and sunrise.

17 2. All Industrial Hemp Cultivation operations shall accumulate or store garbage
18 and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily
19 cleanable, galvanized metal or heavy plastic containers with tight fitting lids.
20 No refuse container shall be filled beyond the capacity to completely close
21 the lid. All garbage and refuse on the site shall not be accumulated or stored
22 for more than seven calendar days, and shall be properly disposed of before
23 the end of the seventh day. All waste, including but not limited to refuse,
24 garbage, green waste and recyclables, must be disposed of in accordance with
25 County and State laws and regulations. All waste generated from Industrial
26 Hemp Cultivation operations must be properly stored and secured to prevent
27 access from the public.
28

1 Manufacturing Facilities shall comply with the standards provided below. If there is an
2 inconsistency between the development standards of the zone classification and these
3 standards, the more restrictive standard applies.

4 A. General Location. Industrial Hemp Manufacturing Facilities shall not be located
5 within 1000 feet from any Child Day Care Center, K-12 school, public park, or Youth
6 Center. Distance shall be measured from the nearest point of the respective lot lines
7 using a direct straight-line measurement. A new adjacent use will not affect the
8 continuation of an existing legal use that has been established under this Article and
9 continuously operating in compliance with the plot plan or conditional use permit,
10 and local and State laws and regulations.

11 B. Setbacks.

- 12 1. Non-Volatile and Volatile Industrial Hemp Manufacturing Facilities shall be
13 setback from all lot lines a minimum of 25 feet.
- 14 2. Setbacks may be modified with an approved setback adjustment in
15 accordance with Section 18.33 of this ordinance. In no case shall a setback
16 be less than setbacks required by the State law, the California Building Code
17 or Ordinance No. 457.

18 C. Lot Size. Except for Industrial Hemp Manufacturing Facilities located in the I-P, M-
19 SC, M-M or M-H zones, the minimum lot size for Industrial Hemp Manufacturing
20 Facilities is 20 gross acres. Industrial Hemp Manufacturing Facilities located in the
21 I-P, M-SC, M-M or M-H zones shall comply with the lot size standards for the zone
22 classification in which they are located.

23 D. Operations.

- 24 1. Any compressed gases used in the manufacturing process shall not be stored
25 on any lot within in containers that exceeds the amount which is approved by
26 the Riverside County Fire Department and authorized by the conditional use
27 permit.

1 2. Closed loop systems for compressed gas extraction systems must be
2 commercially manufactured, bear a permanently affixed and visible serial
3 number and certified by an engineer licensed by the State of California that
4 the system was commercially manufactured, is safe for its intended use, and
5 was built to codes of recognized and generally accepted good engineering
6 practices.

7 3. Industrial Hemp Manufacturing Facilities shall have a training program for
8 persons using solvents or gases in a closed looped system to create hemp
9 extracts on how to use the system, to access applicable material safety data
10 sheets and to handle and store the solvents and gases safely.

11 SECTION 19.1109. PERMIT REQUIREMENTS FOR INDUSTRIAL HEMP
12 ACTIVITIES

13 Industrial Hemp Activities shall comply with the following requirements:

14 A. Application Requirements. At the time of filing the application for an Industrial
15 Hemp Activity on a form provided by the Planning Department, the applicant shall
16 also provide the applicable fee for processing the land use permit application.

17 B. Suspension, Revocation, or Termination of State License. Suspension of any
18 required license issued by the State of California, or by any State licensing authority,
19 or registration issued by the County Agricultural Commissioner shall immediately
20 suspend the ability of an Indoor or Outdoor Industrial Hemp Cultivation to operate
21 within the County until the State or County reinstates or reissues the State license or
22 County registration, as applicable. Revocation or termination of State license or
23 County registration will also be grounds to revoke or terminate any conditional use
24 permit or plot plan granted to an Indoor or Outdoor Industrial Hemp Cultivation land
25 use pursuant to this Article.

26 C. Health and Safety. Industrial Hemp Activities shall at all times be operated in such
27 a way as to ensure the health, safety, and welfare of the public. Industrial Hemp
28 Activities shall not create a public nuisance or adversely affect the health or safety

1 of the nearby residents, businesses or employees working at the Industrial Hemp
2 Activity by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic,
3 vibration, unsafe conditions or other impacts, or be hazardous due to the use or
4 storage of materials, processes, products, and runoff of water, pesticides or wastes.

- 5 D. Nuisance Odors Indoor Industrial Hemp. Indoor Industrial Hemp Activities shall be
6 sited and operated in a manner that prevents Industrial Hemp nuisance odors from
7 being detected offsite. All Indoor Industrial Hemp Activities shall provide a
8 sufficient odor absorbing ventilation and exhaust system so that odor generated
9 inside the Indoor Industrial Hemp Activity that is distinctive to its operation is not
10 detected outside of the operation's facility, anywhere on adjacent lots or public
11 rights-of-way, on or about the exterior or interior common area walkways, hallways,
12 breezeways, foyers, lobby areas, or any other areas available for use by common
13 tenants or the visiting public, or within any other unit located inside the same building
14 as the Indoor Industrial Hemp Activity. In order to control nuisances such as odors,
15 humidity and mold, Indoor Industrial Hemp Activities shall install and maintain at
16 the minimum, the following equipment, or any other equipment that can be proven
17 to be an equally or more effective method or technology to control these nuisances:
- 18 1. An exhaust air filtration system with odor control that prevents internal odors
19 from being emitted externally;
 - 20 2. An air system that creates negative air pressure between the Indoor Industrial
21 Hemp Activities' interior and exterior, so that the odors generated by the
22 Indoor Industrial Hemp Activity are not detectable on the outside of the
23 Indoor Industrial Hemp Activity.

24 This subsection does not apply to greenhouses or similar structures.

- 25 E. Relocation Of A Permitted Industrial Hemp Activity. In the event the permittee or
26 successor in interest vacates and relocates the Industrial Hemp Activity to a new
27 location, a new conditional use permit or plot plan will need to be granted by the
28 County in accordance with this ordinance prior to commencing operations at the new

1 location.

2 F. Permit and License Posting. The permittee shall post or cause to be posted at the
3 Industrial Hemp Activity all required County and State permit and licenses to
4 operate.

5 G. Inspections. Industrial Hemp Activities shall be subject to inspections by appropriate
6 local and State agencies, including, but not limited to, the Riverside County
7 Departments of Code Enforcement, Planning, Fire, Public Health, Environmental
8 Health, the Agricultural Commissioner's Office and the Sheriff's Department.

9 H. Signage. Signage for an Industrial Hemp Activity shall comply with the following:

10 1. Business identification signage for an Industrial Hemp Activity shall comply
11 with Section 19.4 of this ordinance.

12 2. No Industrial Hemp Activity shall advertise by having a person or device
13 holding a sign or an air dancer sign advertising the activity to passersby,
14 whether such person, device or air dancer is on the lot of the Industrial Hemp
15 Activity or elsewhere including, but not limited to, the public right-of-way.

16 3. No signs placed on the lot of an Industrial Hemp Activity shall obstruct any
17 entrance or exit to the building or any window.

18 4. Signage shall not be directly illuminated, internally or externally.

19 5. No banners, flags, billboards, or other prohibited signs may be used at any
20 time.

21 I. Parking. Parking shall be provided in accordance with Section 18.12 of this
22 ordinance.

23 J. Hazardous Materials. All Industrial Hemp Activities that utilize hazardous materials
24 shall comply with applicable hazardous waste generator, Riverside County
25 Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance
26 No. 651, requirements and maintain any applicable permits for these programs from
27 the Riverside County Fire Department, the Riverside County Department of
28 Environmental Health, the Riverside County Department of Waste Resources and

1 the Agricultural Commissioner.

2 K. Compliance with Local and State Laws and Regulations.

3 1. All Industrial Hemp Activities shall comply with all applicable local and
4 State laws, ordinances and regulations related to, but not limited to, the
5 following: the California Environmental Quality Act, California Building
6 Code, California Fire Code, Riverside County Ordinance No. 787, Riverside
7 County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside
8 County Ordinance No. 745, Airport Land Use Compatibility Plans, weights
9 and measures regulations, pesticide use, water quality, storm water discharge
10 and the grading of land.

11 2. All buildings and structures, including greenhouse, hoop structures, or other
12 similar structures shall comply with all applicable Building, Fire, and Safety
13 laws and regulations. All buildings and structures shall be reviewed by the
14 Riverside County Building and Safety Department in accordance with the
15 California Building Code and Riverside County Ordinance No. 457 and by
16 the Riverside County Fire Department in accordance with Riverside County
17 Ordinance No. 787 and the California Fire Code.

18 L. Multiple Industrial Hemp Activities. Multiple Industrial Hemp Activities may be
19 allowed on the same lot provided the proposed activities are allowed in the zone
20 classification and meet all requirements in this Article and State Law.

21 M. Retail Sales. Industrial Hemp Activities shall not include the retail sales of Industrial
22 Hemp or Industrial Hemp Products.

23 SECTION 19.1110. APPROVAL REQUIREMENTS FOR INDUSTRIAL HEMP
24 ACTIVITIES

25 A. No conditional use permit or plot plan for an Industrial Hemp Activity shall be
26 approved unless the following findings are made:

27 1. The permit is consistent with the General Plan and any applicable specific
28 plan.

- 1 2. The permit complies with the permit requirements of this Article and Section
- 2 18.28 or Section 18.30 of this ordinance, as applicable.
- 3 3. The permit complies with the development standards for the zoning
- 4 classification in which the Industrial Hemp Activity is located.
- 5 4. The permit will not be detrimental to the public health, safety or general
- 6 welfare.

7 B. In addition to the findings required in subsection A. of Section 19.1110 above, no
8 conditional use permit or plot plan for Indoor or Outdoor Industrial Hemp Cultivation
9 shall be approved unless the following findings are made:

- 10 1. The Industrial Hemp Cultivation complies with all the requirements of the
- 11 State and County for Industrial Hemp Cultivation.
- 12 2. The Industrial Hemp Cultivation is not located within 1,000 feet from any
- 13 Child Day Care Center, K-12 school, public park, or Youth Center or a
- 14 variance has been approved allowing a shorter distance but not less than
- 15 allowed by State law.
- 16 3. The Industrial Hemp Cultivation includes adequate measures that minimize
- 17 use of water for cultivation on the lot.
- 18 4. The Industrial Hemp Cultivation includes adequate quality control measures
- 19 to ensure cultivation meets State and County regulatory standards.
- 20 5. The Industrial Hemp Cultivation includes adequate measures that address
- 21 enforcement priorities for cultivation including restricting access to minors,
- 22 and ensuring that Industrial Hemp is not supplied to unlicensed or
- 23 unpermitted persons.
- 24 6. The Indoor Industrial Hemp Cultivation will operate in a manner that
- 25 prevents Industrial Hemp nuisance odors from being detected offsite.

26 C. In addition to the findings required in subsection A. of Section 19.1110 above, no
27 conditional use permit or plot plan for an Industrial Hemp Manufacturing Facility
28 shall be approved unless the following findings are made:

- 1 1. The facility complies with all the requirements of the State and County for
- 2 the manufacturing of Industrial Hemp.
- 3 2. The Industrial Hemp Manufacturing Facility does not pose a significant threat
- 4 to the public or to neighboring uses from explosion or from release of harmful
- 5 gases, liquids, or substances.
- 6 3. The Industrial Hemp Manufacturing Facility includes adequate quality
- 7 control measures to ensure Hemp manufactured at the facility meets industry
- 8 standards and includes a documented employee safety training program, a
- 9 Safety Data Sheet, and meets all requirements in Health and Safety Code
- 10 Section 11362.775, as it may be amended from time to time.
- 11 4. The Industrial Hemp Manufacturing Facility includes adequate measures that
- 12 address enforcement priorities for Industrial Hemp activities including
- 13 restricting access to minors, and ensuring that Industrial Hemp and Industrial
- 14 Hemp Products are obtained from and supplied only to other permitted
- 15 licensed sources within the State and not distributed out of State.
- 16 5. The Industrial Hemp Manufacturing Facility is not located within 600 feet
- 17 from any Child Day Care Center, K-12 school, public park, or Youth Center.
- 18 D. Conditional use permits and plot plans shall be subject to all conditions necessary or
- 19 convenient to assure that the Industrial Hemp Activity will satisfy the requirements
- 20 of this Article.

21 SECTION 19.1111. PUBLIC HEARING REQUIREMENTS FOR INDUSTRIAL HEMP

22 ACTIVITIES.

23 A public hearing shall be held on the application for a conditional use permit or plot plan in

24 accordance with the Section 18.28 or Section 18.30 of this ordinance, as applicable, and all

25 of the procedural requirements and rights of appeal set forth therein shall govern the public

26 hearing.

1 SECTION 19.1112. REVOCATION OF PERMIT FOR INDUSTRIAL HEMP
2 ACTIVITIES.

3 Any conditional use permit or plot plan granted under this Article may be revoked upon the
4 findings and procedures contained in Section 18.31 of this ordinance except that the Planning
5 Commission shall be the hearing body to make a determination that grounds for revocation
6 exist and provide notice of the revocation. All other procedural requirements and rights of
7 appeal set forth in Section 18.31 of this ordinance shall govern the hearing.”

8 Section 15. Section 21.39b of Ordinance No. 348 is amended to read as follows:

9 “Section 21.39b. INDUSTRIAL HEMP.

10 An agricultural product, whether growing or not, that is limited to types of the plant
11 Cannabis sativa L. and any part of the plant, including the seed of the plant and all
12 derivatives, extracts, the resin extracted from any part of the plant, cannabinoids,
13 isomers, acids, salts and salts of isomers, with a delta-9 tetrahydrocannabinol
14 concentration of no more than 0.3 percent on a dry weight basis. For purposes of
15 this ordinance, Industrial Hemp is not considered a field crop.”

16 Section 16. A new section 21.39c. is added to Ordinance No. 348 to read as follows:

17 “Section 21.39c. INDUSTRIAL HEMP ACTIVITY.

18 The cultivation, growing, seed breeding, possession, manufacture, distribution,
19 processing, storing, laboratory testing, packaging, labeling, transportation, delivery
20 or sale of Industrial Hemp and Industrial Hemp Products.”

21 Section 17. A new section 21.39d. is added to Ordinance No. 348 to read as follows:

22 “Section 21.39d. INDUSTRIAL HEMP CULTIVATION.

23 Any activity involving the planting, growing, harvesting, drying, curing, grading or
24 trimming of industrial hemp for commercial purposes and industrial hemp seed
25 breeders.”

26 Section 18. A new section 21.39e. is added to Ordinance No. 348 to read as follows:

27 “Section 21.39e. INDUSTRIAL HEMP CULTIVATION AREA.

28

1 The area on a lot or in a building where Industrial Hemp is planted, grown, harvested,
2 dried, cured, graded, or trimmed or that does all or any combination of these
3 activities.”

4 Section 19. A new section 21.39f. is added to Ordinance No. 348 to read as follows:

5 “Section 21.39f. INDUSTRIAL HEMP MANUFACTURING.

6 The compounding, blending, extracting, infusing, or otherwise making or preparing
7 a hemp product.”

8 Section 20. A new section 21.39g. is added to Ordinance No. 348 to read as follows:

9 “Section 21.39g. INDUSTRIAL HEMP MANUFACTURING FACILITY (NON-
10 VOLATILE).

11 A facility that processes, produces, prepares, propagates, holds, stores, packages,
12 labels or compounds hemp or hemp products either directly or indirectly or by
13 extraction and/or infusion methods, or independently by means of chemical synthesis
14 or by a combination of extraction and/or infusion and chemical synthesis, using non-
15 volatile organic compounds, at a fixed location, that packages or repackages hemp
16 or hemp products, or labels or relabels its containers. Hemp manufacturing also
17 includes any processing, preparing, holding, or storing of components and
18 ingredients.”

19 Section 21. A new section 21.39h. is added to Ordinance No. 348 to read as follows:

20 “Section 21.39h. INDUSTRIAL HEMP MANUFACTURING FACILITY
21 (VOLATILE).

22 A facility that processes, produces, prepares, propagates, holds, stores, packages,
23 labels, or compounds hemp or hemp products either directly or indirectly or by
24 extraction and/or infusion methods, or independently by means of chemical synthesis
25 or by a combination of extraction and/or infusion and chemical synthesis, using
26 volatile organic compounds, at a fixed location, that packages or repackages hemp
27 or hemp products, or labels or relabels its containers. Hemp manufacturing also
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includes any processing, preparing, holding, or storing of components and ingredients.”

Section 22. A new section 21.39i. is added to Ordinance No. 348 to read as follows:

“Section 21.39i. INDUSTRIAL HEMP PRODUCTS.

Hemp that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated hemp, or an edible or topical product containing hemp or concentrated hemp and other ingredient.”

Section 23. A new section 21.39j. is added to Ordinance No. 348 to read as follows:


“Section 21.39j. INDOOR INDUSTRIAL HEMP CULTIVATION.

The cultivation of Industrial Hemp within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate of twenty-five (25) watts per square foot.”

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Section 24. This ordinance shall take effect thirty (30) days after its publication.

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


By: 
Chairman V. MANUEL PEREZ

ATTEST:
CLERK OF THE BOARD
Kecia Harper

By: 
Deputy

(SEAL)

APPROVED AS TO FORM
December 2, 2020

By: 
MICHELLE CLACK
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 November 10, 2020, the foregoing ordinance consisting of 24 Sections was adopted by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
ABSENT: None

DATE: November 10, 2020

KECIA R. HARPER
Clerk of the Board

BY: 
Deputy

SEAL

1 Article XIXm of this ordinance including, but not limited to, permit
2 processing, location, standards and approval requirements.”

3 Section 5. A new subsection F. is added to Section 10.1 of Ordinance No. 348 to read
4 as follows:

5 “F. Industrial Hemp Activities are permitted or conditionally permitted in
6 subsections A., B., or C. in Section 10.1 pursuant to the provisions set forth
7 in Article XIXm of this ordinance including, but not limited to, permit
8 processing, location, standards and approval requirements.”

9 Section 6. A new subsection H. is added to Section 11.2 of Ordinance No. 348 to read
10 as follows:

11 “H. Industrial Hemp Activities are permitted or conditionally permitted in
12 subsections A., B., or C. in Section 11.2 pursuant to the provisions set forth
13 in Article XIXm of this ordinance including, but not limited to, permit
14 processing, location, standards and approval requirements.”

15 Section 7. A new subsection H. is added to Section 11.26 of Ordinance No. 348 to read
16 as follows:

17 “H. Industrial Hemp Activities are permitted or conditionally permitted in
18 subsections A., B., or C. in Section 11.26 pursuant to the provisions set forth
19 in Article XIXm of this ordinance including, but not limited to, permit
20 processing, location, standards and approval requirements.”

21 Section 8. A new subsection I. is added to Section 12.2 of Ordinance No. 348 to read as
22 follows:

23 “I. Industrial Hemp Activities are permitted or conditionally permitted in
24 subsections A., B., or C. in Section 12.2 pursuant to the provisions set forth
25 in Article XIXm of this ordinance including, but not limited to, permit
26 processing, location, standards and approval requirements.”

27 Section 9. A new subsection F. is added to Section 13.1 of Ordinance No. 348 to read
28 as follows:

1 “F. Industrial Hemp Activities are permitted or conditionally permitted in
2 subsections A., B., or C. in Section 13.1 pursuant to the provisions set forth
3 in Article XIXm of this ordinance including, but not limited to, permit
4 processing, location, standards and approval requirements.”

5 Section 10. A new subsection K. is added to Section 13.51 of Ordinance No. 348 to read
6 as follows:

7 “K. Industrial Hemp Activities are permitted or conditionally permitted in
8 subsections B., G., or H. in Section 13.51 pursuant to the provisions set forth
9 in Article XIXm of this ordinance including, but not limited to, permit
10 processing, location, standards and approval requirements.”

11 Section 11. A new subsection G. is added to Section 14.1 of Ordinance No. 348 to read
12 as follows:

13 “G. Industrial Hemp Activities are permitted or conditionally permitted in
14 subsections A., B., or C. in Section 14.1 pursuant to the provisions set forth
15 in Article XIXm of this ordinance including, but not limited to, permit
16 processing, location, standards and approval requirements.”

17 Section 12. A new subsection F. is added to Section 14.52 of Ordinance No. 348 to read
18 as follows:

19 “F. Industrial Hemp Activities are permitted or conditionally permitted in
20 subsections A., B., or C. in Section 14.52 pursuant to the provisions set forth
21 in Article XIXm of this ordinance including, but not limited to, permit
22 processing, location, standards and approval requirements.”

23 Section 13. A new subsection I. is added to Section 15.1 of Ordinance No. 348 to read as
24 follows:

25 “I. Industrial Hemp Activities are permitted or conditionally permitted in
26 subsections A., B., C., or D. in Section 15.1 pursuant to the provisions set
27 forth in Article XIXm of this ordinance including, but not limited to, permit
28 processing, location, standards and approval requirements.”

1 Eastern Municipal Water District's and Rancho California Water District's service
2 areas and north of Highway 79 South and managed by the Santa Margarita River
3 Watershed Watermaster. ~~boundary of the Santa Margarita River Watershed area~~
4 within the County of Riverside as established by United States v. Fallbrook Pub. Util.
5 Dist., No. 1247 SD C (S.D. Cal filed Jan. 25, 1951) and managed by the Santa
6 Margarita River Watershed Watermaster.

7 D.F. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located,
8 entirely or partially, within the boundary of the Anza Borrego Watershed area within
9 the unincorporated area of Riverside County.

10 SECTION 19.1102. APPLICABILITY.

- 11 A. Industrial Hemp Activities shall not be allowed in the unincorporated areas of
12 Riverside County without first obtaining all required land use permits, licenses,
13 registrations or other entitlements required by local or State laws and regulations.
- 14 B. For the purposes of this Article, Industrial Hemp does not include Cannabis as
15 defined in this ordinance.
- 16 C. This Article does not apply to legally existing Outdoor Industrial Hemp Cultivation
17 in the A-1, A-P, A-2, A-D and W-2 zone classifications that is operated by an
18 Established Agricultural Research Institution as defined in Section 81000 of the
19 California Food and Agricultural Code.
- 20 D. Outdoor Industrial Hemp Cultivation legally operating in the A-1, A-P, A-2, A-D,
21 R-R, R-R-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,
22 R-7, C/V, C-C/V, WC-R, WC-W, WC-WE, WC-E, R-D, N-A, W-2, W-2-M, W-1,
23 W-E, M-R, M-R-A and MU zone classifications with a valid registration issued by
24 the County Agricultural Commissioner prior to the effective date of Ordinance No.
25 348.4931 may continue operating for the period of time provided in the valid
26 registration. Upon expiration of the valid registration, the Outdoor Industrial Hemp
27 Cultivation shall comply with the requirements of this Article and all other applicable
28 laws and regulations.

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SECTION 19.1103. LOCATIONS.

- A. Industrial Hemp Activities are prohibited in the following zones: R-R-O, R-1, R-1A, 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-W, WC-WE, WC-E, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A, and MU.
- B. Industrial Hemp Activities operating in accordance with this Article within approved Specific Plans shall be an interim use not to exceed a maximum of 10 years.

SECTION 19.1104. OUTDOOR INDUSTRIAL HEMP CULTIVATION.

- A. Registration. In addition to the requirements set forth in this Article, a registration shall be obtained from the County Agricultural Commissioner for the approved Outdoor Industrial Hemp Cultivation.
- B. Zoning. Notwithstanding any other provision of this ordinance, Outdoor Industrial Hemp Cultivation is allowed as follows:
 - 1. In the A-1, A-P, A-2 and A-D zones, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:
 - a. On lots less than 10 gross acres and adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R with an approved ~~with an approved~~ conditional use permit in accordance with Section 18.28 of this ordinance.
 - b. On lots less than 10 gross acres and not adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5,

1 R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R with an approved
2 plot plan in accordance with Section 18.30 of this ordinance.

3 b.c. On lots 10 gross acres or greater but less than 20 gross acres and
4 adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3,
5 R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE,
6 WC-E, WC-R with an approved conditional use permit ~~plot plan~~ in
7 accordance with Section 18.~~30~~28 of this ordinance.

8 e.d. On lots 10 gross acres or greater but less than 20 gross acres and not
9 adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3,
10 R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE,
11 WC-E, WC-R as a use by right.

12 d.e. On lots 20 gross acres or greater but less than 160 acres as a use by
13 right.

14 e.f. On lots 160 gross acres or greater with an approved conditional use
15 permit in accordance with Section 18.28 of this ordinance.

16 2. In W-2 Zone, Outdoor Industrial Hemp Cultivation is allowed in accordance
17 with the following:

18 a. On lots less than ~~five~~5 gross acres, Outdoor Industrial Hemp
19 Cultivation is prohibited.

20 b. On lots ~~five~~5 gross acres or greater but less than 40 gross acres with
21 an approved conditional use permit in accordance with Section 18.28
22 of this ordinance.

23 c. On lots 40 gross acres or greater but less than 160 gross as a use by
24 right.

25 d. On lots 160 gross acres or greater with an approved conditional use
26 permit in accordance with Section 18.28 of this ordinance.

27 3. In R-R and R-A Zones, Outdoor Industrial Hemp Cultivation is allowed in
28 accordance with the following:

1 a. On lots less than ~~five-20~~ gross acres Outdoor Industrial Hemp
2 Cultivation is prohibited.

3 b. ~~Except as provided in subsection c. below, e~~On lots ~~five-20~~ gross
4 acres or greater with an approved conditional use permit in
5 accordance with Section 18.28 of this ordinance.

6
7
8
9 e. ~~On lots five gross acres or greater that are not adjoining any lot zoned~~
10 ~~R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-~~
11 ~~4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC- with an~~
12 ~~approved plot plan in accordance with Section 18.30 of this~~
13 ~~ordinance.~~

14 SECTION 19.1105. INDOOR INDUSTRIAL HEMP CULTIVATION.

15 A. Registration. In addition to the requirements set forth in this Article, a registration
16 shall be obtained from the County Agricultural Commissioner for the approved
17 Indoor Industrial Hemp Cultivation.

18 B. Zoning. Notwithstanding any other provision of this ordinance, Indoor Industrial
19 Hemp Cultivation is allowed in the following zone classifications with an approved
20 plot plan in accordance with section 18.30 of this ordinance: C-1/C-P, C-P-S, I-P,
21 M-SC, M-M, M-H, A-1, A-P, A-2 and A-D.

22
23 SECTION 19.1106. INDUSTRIAL HEMP CULTIVATION STANDARDS.

24 In addition to the applicable permit and approval requirements provided in this Article and
25 the development standards in the applicable zoning classification, Industrial Hemp
26 Cultivation operations shall comply with the standards provided below. If there is an
27 inconsistency between the development standards of the zone classification and these
28 standards, the more restrictive standard applies.

1 A. Location Requirements.

- 2 1. Indoor and Outdoor Industrial Hemp Cultivation shall not be located within
3 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth
4 Center. The distance shall be measured from the nearest points of the
5 respective lot lines using a direct straight-line measurement. This location
6 requirement may be modified with the approval of a variance pursuant to
7 Section 18.27 of this ordinance.
8 2. Industrial Hemp shall not be cultivated on a premises legally allowed to
9 cultivate or process Cannabis.

10 B. Setbacks.

- 11 1. Indoor Industrial Hemp Cultivation: Indoor Industrial Hemp Cultivation
12 shall be within a fully enclosed building or buildings and setback from the lot
13 lines and public right-of way in accordance with the development standards
14 for the zone classification in which it is located. When an Indoor Industrial
15 Hemp Cultivation facility is located adjacent to a residentially zoned lot the
16 minimum setback shall be 25 feet from all lot lines.
17 2. Outdoor Industrial Hemp Cultivation:
18 a. For lots adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-
19 2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W,
20 WC-WE, WC-E, WC-R the Industrial Hemp Cultivation Area shall
21 be setback a minimum of ~~100~~300 feet from the adjoining lot line,
22 otherwise the Industrial Hemp Cultivation Area shall be setback a
23 minimum of 25 feet from all lot lines and public right-of-ways.
24 b. The Industrial Hemp Cultivation Area shall be located a minimum of
25 50 feet from the drip line of any riparian vegetation of any
26 watercourse.

- 27 C. Energy Conservation Measures. All Indoor Industrial Hemp Cultivation operations
28 shall include adequate measures to address the projected energy demand for

1 Industrial Hemp Cultivation at the lot. On-site renewable energy generation shall be
2 required for all Indoor Industrial Hemp Cultivation operations. Renewable energy
3 systems for Indoor Hemp Cultivation operating entirely within an enclosed building
4 shall be designed to have a generation potential equal to or greater than 20-percent
5 of the anticipated energy demand. This subsection does not apply to greenhouses or
6 similar types of structures.

7 D. Water Conservation Measures. All Industrial Hemp Cultivation operations shall
8 include adequate measures that minimize use of water for cultivation on the lot.
9 Water conservation measures, water capture systems, or grey water systems shall be
10 incorporated into the operations in order to minimize use of water where feasible.

11 E. Water Availability. All Industrial Hemp Cultivation operations shall obtain a ‘Will
12 Serve’ letter from the applicable water purveyor, indicating agreement to supply
13 water for the Industrial Hemp Cultivation operations. The letter shall include the
14 activity proposed and any improvements required for service. Where water service
15 is not available, all Industrial Hemp Cultivation operations shall comply with
16 applicable Department of Environmental Health requirements for a permitted onsite,
17 in-ground well. Commercial and domestic potable water supplies shall not include
18 water transported by vehicle from off-site sources.

19 F. Operations.

20 1. All Industrial Hemp Cultivation lighting shall be fully shielded, downward
21 casting and not spill over onto structures, other properties or the night sky.
22 Light shall not escape at a level that is visible from neighboring properties
23 between sunset and sunrise.

24 2. All Industrial Hemp Cultivation operations shall accumulate or store garbage
25 and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily
26 cleanable, galvanized metal or heavy plastic containers with tight fitting lids.
27 No refuse container shall be filled beyond the capacity to completely close
28 the lid. All garbage and refuse on the site shall not be accumulated or stored

1 for more than seven calendar days, and shall be properly disposed of before
2 the end of the seventh day. All waste, including but not limited to refuse,
3 garbage, green waste and recyclables, must be disposed of in accordance with
4 County and State laws and regulations. All waste generated from Industrial
5 Hemp Cultivation operations must be properly stored and secured to prevent
6 access from the public.

7 3. Onsite generators are prohibited, except as a source of energy in an
8 emergencies. Onsite generators for emergency use shall be included in the
9 applicable plot plan or conditional use permit.

10 4. Supplemental lighting for Outdoor Hemp Cultivation shall not exceed 25
11 watts per square foot to be used up to one hour before sunrise or after sunset,
12 unless the building or structure is equipped with light-blocking measures to
13 ensure no light escapes from it.

14 5. Industrial Hemp Cultivation shall not include the retail sales of Industrial
15 Hemp or Industrial Hemp Products.

16 G. Signage – Outdoor Industrial Hemp Cultivation. In accordance with Section 81006
17 of the Food and Agricultural Code, Outdoor Industrial Hemp Cultivation shall have
18 a sign placed at the primary entrance of the lot indicating it is Industrial Hemp
19 Cultivation. The sign shall be a minimum of 3 foot by 3 foot.

20 SECTION 19.1107. INDUSTRIAL HEMP MANUFACTURING FACILITIES ZONES.

21 A. Notwithstanding any other provision of this ordinance, Industrial Hemp
22 Manufacturing Facilities are allowed as follows:

23 1. Non-Volatile Industrial Hemp Manufacturing Facility. Non-volatile
24 Industrial Hemp Manufacturing Facilities are allowed in the following zones
25 with an approved plot plan in accordance with Section 18.30 of this
26 ordinance: A-1, A-P, A-2, A-D, I-P, M-SC, M-M and the M-H zones.

27 2. Volatile Industrial Hemp Manufacturing Facility. Volatile Industrial Hemp
28 Manufacturing Facilities are allowed in the following zones with an approved

1 conditional use permit in accordance with Section 18.28 of this ordinance:
2 A-1, A-P, A-2, A-D, I-P, M-SC, M-M and M-H.

3 SECTION 19.1108. INDUSTRIAL HEMP MANUFACTURING FACILITIES
4 STANDARDS

5 In addition to the applicable permit and approval requirements provided in this Article and
6 the development standards for the applicable zoning classification, Industrial Hemp
7 Manufacturing Facilities shall comply with the standards provided below. If there is an
8 inconsistency between the development standards of the zone classification and these
9 standards, the more restrictive standard applies.

10 A. General Location. Industrial Hemp Manufacturing Facilities shall not be located
11 within 1000 feet from any Child Day Care Center, K-12 school, public park, or Youth
12 Center. Distance shall be measured from the nearest point of the respective lot lines
13 using a direct straight-line measurement. A new adjacent use will not affect the
14 continuation of an existing legal use that has been established under this Article and
15 continuously operating in compliance with the plot plan or conditional use permit,
16 and local and State laws and regulations.

17 B. Setbacks.
18 1. Non-Volatile and Volatile Industrial Hemp Manufacturing Facilities shall be
19 setback from all lot lines a minimum of 25 feet.
20 2. Setbacks may be modified with an approved setback adjustment in
21 accordance with Section 18.33 of this ordinance. In no case shall a setback
22 be less than setbacks required by the State law, the California Building Code
23 or Ordinance No. 457.

24 C. Lot Size. Except for Industrial Hemp Manufacturing Facilities located in the I-P, M-
25 SC, M-M or M-H zones, the minimum lot size for Industrial Hemp Manufacturing
26 Facilities is 20 gross acres. Industrial Hemp Manufacturing Facilities located in the
27 I-P, M-SC, M-M or M-H zones shall comply with the lot size standards for the zone
28 classification in which they are located.

1 D. Operations.

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

16 SECTION 19.1109. PERMIT REQUIREMENTS FOR INDUSTRIAL HEMP
17 ACTIVITIES

18 Industrial Hemp Activities shall comply with the following requirements:

- 19 A. Application Requirements. At the time of filing the application for an Industrial
20 Hemp Activity on a form provided by the Planning Department, the applicant shall
21 also provide the applicable fee for processing the land use permit application.
- 22 B. Suspension, Revocation, or Termination of State License. Suspension of any
23 required license issued by the State of California, or by any State licensing authority,
24 or registration issued by the County Agricultural Commissioner shall immediately
25 suspend the ability of an Indoor or Outdoor Industrial Hemp Cultivation to operate
26 within the County until the State or County reinstates or reissues the State license or
27 County registration, as applicable. Revocation or termination of State license or
28 County registration will also be grounds to revoke or terminate any conditional use

1 permit or plot plan granted to an Indoor or Outdoor Industrial Hemp Cultivation land
2 use pursuant to this Article.

3 C. Health and Safety. Industrial Hemp Activities shall at all times be operated in such
4 a way as to ensure the health, safety, and welfare of the public. Industrial Hemp
5 Activities shall not create a public nuisance or adversely affect the health or safety
6 of the nearby residents, businesses or employees working at the Industrial Hemp
7 Activity by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic,
8 vibration, unsafe conditions or other impacts, or be hazardous due to the use or
9 storage of materials, processes, products, and runoff of water, pesticides or wastes.

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

- 23 1. An exhaust air filtration system with odor control that prevents internal odors
24 from being emitted externally;
- 25 2. An air system that creates negative air pressure between the Indoor Industrial
26 Hemp Activities' interior and exterior, so that the odors generated by the
27 Indoor Industrial Hemp Activity are not detectable on the outside of the
28 Indoor Industrial Hemp Activity.

1 This subsection does not apply to greenhouses or similar structures.

2 E. Relocation Of A Permitted Industrial Hemp Activity. In the event the permittee or
3 successor in interest vacates and relocates the Industrial Hemp Activity to a new
4 location, a new conditional use permit or plot plan will need to be granted by the
5 County in accordance with this ordinance prior to commencing operations at the new
6 location.

7 F. Permit and License Posting. The permittee shall post or cause to be posted at the
8 Industrial Hemp Activity all required County and State permit and licenses to
9 operate.

10 G. Inspections. Industrial Hemp Activities shall be subject to inspections by appropriate
11 local and State agencies, including, but not limited to, the Riverside County
12 Departments of Code Enforcement, Planning, Fire, Public Health, Environmental
13 Health, the Agricultural Commissioner's Office and the Sheriff's Department.

14 H. Signage. Signage for an Industrial Hemp Activity shall comply with the following:
15 1. Business identification signage for an Industrial Hemp Activity shall comply
16 with Section 19.4 of this ordinance.
17 2. No Industrial Hemp Activity shall advertise by having a person or device
18 holding a sign or an air dancer sign advertising the activity to passersby,
19 whether such person, device or air dancer is on the lot of the Industrial Hemp
20 Activity or elsewhere including, but not limited to, the public right-of-way.
21 3. No signs placed on the lot of an Industrial Hemp Activity shall obstruct any
22 entrance or exit to the building or any window.
23 4. Signage shall not be directly illuminated, internally or externally.
24 5. No banners, flags, billboards, or other prohibited signs may be used at any
25 time.

26 I. Parking. Parking shall be provided in accordance with Section 18.12 of this
27 ordinance.

28 J. Hazardous Materials. All Industrial Hemp Activities that utilize hazardous materials

1 shall comply with applicable hazardous waste generator, Riverside County
2 Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance
3 No. 651, requirements and maintain any applicable permits for these programs from
4 the Riverside County Fire Department, the Riverside County Department of
5 Environmental Health, the Riverside County Department of Waste Resources and
6 the Agricultural Commissioner.

7 K. Compliance with Local and State Laws and Regulations.

8 1. All Industrial Hemp Activities shall comply with all applicable local and
9 State laws, ordinances and regulations related to, but not limited to, the
10 following: the California Environmental Quality Act, California Building
11 Code, California Fire Code, Riverside County Ordinance No. 787, Riverside
12 County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside
13 County Ordinance No. 745, Airport Land Use Compatibility Plans, weights
14 and measures regulations, pesticide use, water quality, storm water discharge
15 and the grading of land.

16 2. All buildings and structures, including greenhouse, hoop structures, or other
17 similar structures shall comply with all applicable Building, Fire, and Safety
18 laws and regulations. All buildings and structures shall be reviewed by the
19 Riverside County Building and Safety Department in accordance with the
20 California Building Code and Riverside County Ordinance No. 457 and by
21 the Riverside County Fire Department in accordance with Riverside County
22 Ordinance No. 787 and the California Fire Code.

23 L. Multiple Industrial Hemp Activities. Multiple Industrial Hemp Activities may be
24 allowed on the same lot provided the proposed activities are allowed in the zone
25 classification and meet all requirements in this Article and State Law.

26 M. Retail Sales. Industrial Hemp Activities shall not include the retail sales of Industrial
27 Hemp or Industrial Hemp Products.
28

1 SECTION 19.1110. APPROVAL REQUIREMENTS FOR INDUSTRIAL HEMP
2 ACTIVITIES

3 A. No conditional use permit or plot plan for an Industrial Hemp Activity shall be
4 approved unless the following findings are made:

- 5 1. The permit is consistent with the General Plan and any applicable specific
6 plan.
- 7 2. The permit complies with the permit requirements of this Article and Section
8 18.28 or Section 18.30 of this ordinance, as applicable.
- 9 3. The permit complies with the development standards for the zoning
10 classification in which the Industrial Hemp Activity is located.
- 11 4. The permit will not be detrimental to the public health, safety or general
12 welfare.

13 B. In addition to the findings required in subsection A. of Section 19.1110 above, no
14 conditional use permit or plot plan for Indoor or Outdoor Industrial Hemp Cultivation
15 shall be approved unless the following findings are made:

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

1 and ensuring that Industrial Hemp is not supplied to unlicensed or
2 unpermitted persons.

3 6. The Indoor Industrial Hemp Cultivation will operate in a manner that
4 prevents Industrial Hemp nuisance odors from being detected offsite.

5 C. In addition to the findings required in subsection A. of Section 19.1110 above, no
6 conditional use permit or plot plan for an Industrial Hemp Manufacturing Facility
7 shall be approved unless the following findings are made:

8 1. The facility complies with all the requirements of the State and County for
9 the manufacturing of Industrial Hemp.

10 2. The Industrial Hemp Manufacturing Facility does not pose a significant threat
11 to the public or to neighboring uses from explosion or from release of harmful
12 gases, liquids, or substances.

13 3. The Industrial Hemp Manufacturing Facility includes adequate quality
14 control measures to ensure Hemp manufactured at the facility meets industry
15 standards and includes a documented employee safety training program, a
16 Safety Data Sheet, and meets all requirements in Health and Safety Code
17 Section 11362.775, as it may be amended from time to time.

18 4. The Industrial Hemp Manufacturing Facility includes adequate measures that
19 address enforcement priorities for Industrial Hemp activities including
20 restricting access to minors, and ensuring that Industrial Hemp and Industrial
21 Hemp Products are obtained from and supplied only to other permitted
22 licensed sources within the State and not distributed out of State.

23 5. The Industrial Hemp Manufacturing Facility is not located within 600 feet
24 from any Child Day Care Center, K-12 school, public park, or Youth Center.

25 D. Conditional use permits and plot plans shall be subject to all conditions necessary or
26 convenient to assure that the Industrial Hemp Activity will satisfy the requirements
27 of this Article.
28

1 SECTION 19.1111. PUBLIC HEARING REQUIREMENTS FOR INDUSTRIAL HEMP
2 ACTIVITIES.

3 A public hearing shall be held on the application for a conditional use permit or plot plan in
4 accordance with the Section 18.28 or Section 18.30 of this ordinance, as applicable, and all
5 of the procedural requirements and rights of appeal set forth therein shall govern the public
6 hearing.

7 SECTION 19.1112. REVOCATION OF PERMIT FOR INDUSTRIAL HEMP
8 ACTIVITIES.

9 Any conditional use permit or plot plan granted under this Article may be revoked upon the
10 findings and procedures contained in Section 18.31 of this ordinance except that the Planning
11 Commission shall be the hearing body to make a determination that grounds for revocation
12 exist and provide notice of the revocation. All other procedural requirements and rights of
13 appeal set forth in Section 18.31 of this ordinance shall govern the hearing.”

14 Section 15. Section 21.39b of Ordinance No. 348 is amended to read as follows:

15 “Section 21.39b. INDUSTRIAL HEMP.

16 An agricultural product, whether growing or not, that is limited to types of the plant
17 Cannabis sativa L. and any part of the plant, including the seed of the plant and all
18 derivatives, extracts, the resin extracted from any part of the plant, cannabinoids,
19 isomers, acids, salts and salts of isomers, with a delta-9 tetrahydrocannabinol
20 concentration of no more than 0.3 percent on a dry weight basis. For purposes of
21 this ordinance, Industrial Hemp is not considered a field crop.”

22 Section 16. A new section 21.39c. is added to Ordinance No. 348 to read as follows:

23 “Section 21.39c. INDUSTRIAL HEMP ACTIVITY.

24 The cultivation, growing, seed breeding, possession, manufacture, distribution,
25 processing, storing, laboratory testing, packaging, labeling, transportation, delivery
26 or sale of Industrial Hemp and Industrial Hemp Products.”

27 Section 17. A new section 21.39d. is added to Ordinance No. 348 to read as follows:

28 “Section 21.39d. INDUSTRIAL HEMP CULTIVATION.

1 Any activity involving the planting, growing, harvesting, drying, curing, grading or
2 trimming of industrial hemp for commercial purposes and industrial hemp seed
3 breeders.”

4 Section 18. A new section 21.39e. is added to Ordinance No. 348 to read as follows:

5 “Section 21.39e. INDUSTRIAL HEMP CULTIVATION AREA.

6 The area on a lot or in a building where Industrial Hemp is planted, grown, harvested,
7 dried, cured, graded, or trimmed or that does all or any combination of these
8 activities.”

9 Section 19. A new section 21.39f. is added to Ordinance No. 348 to read as follows:

10 “Section 21.39f. INDUSTRIAL HEMP MANUFACTURING.

11 The compounding, blending, extracting, infusing, or otherwise making or preparing
12 a hemp product.”

13
14 Section 20. A new section 21.39g. is added to Ordinance No. 348 to read as follows:

15 “Section 21.39g. INDUSTRIAL HEMP MANUFACTURING FACILITY (NON-
16 VOLATILE).

17 A facility that processes, produces, prepares, propagates, holds, stores, packages,
18 labels or compounds hemp or hemp products either directly or indirectly or by
19 extraction and/or infusion methods, or independently by means of chemical synthesis
20 or by a combination of extraction and/or infusion and chemical synthesis, using non-
21 volatile organic compounds, at a fixed location, that packages or repackages hemp
22 or hemp products, or labels or relabels its containers. Hemp manufacturing also
23 includes any processing, preparing, holding, or storing of components and
24 ingredients.”

25 Section 21. A new section 21.39h. is added to Ordinance No. 348 to read as follows:

26 “Section 21.39h. INDUSTRIAL HEMP MANUFACTURING FACILITY
27 (VOLATILE).
28

1 A facility that processes, produces, prepares, propagates, holds, stores, packages,
2 labels, or compounds hemp or hemp products either directly or indirectly or by
3 extraction and/or infusion methods, or independently by means of chemical synthesis
4 or by a combination of extraction and/or infusion and chemical synthesis, using
5 volatile organic compounds, at a fixed location, that packages or repackages hemp
6 or hemp products, or labels or relabels its containers. Hemp manufacturing also
7 includes any processing, preparing, holding, or storing of components and
8 ingredients.”

9 Section 22. A new section 21.39i. is added to Ordinance No. 348 to read as follows:

10 “Section 21.39i. INDUSTRIAL HEMP PRODUCTS.

11 Hemp that has undergone a process whereby the plant material has been transformed
12 into a concentrate, including, but not limited to, concentrated hemp, or an edible or
13 topical product containing hemp or concentrated hemp and other ingredient.”

14
15 Section 23. A new section 21.39j. is added to Ordinance No. 348 to read as follows:

16 “Section 21.39j. INDOOR INDUSTRIAL HEMP CULTIVATION.

17 The cultivation of Industrial Hemp within a permanent structure using exclusively
18 artificial light or within any type of structure using artificial light at a rate of twenty-
19 five (25) watts per square foot.”

20
21
22
23
24
25
26
27 Section 24. This ordinance shall take effect thirty (30) days after its adoption.
28

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

By: _____

Chairman

ATTEST:
CLERK OF THE BOARD
Kecia Harper

By: _____

Deputy

(SEAL)

APPROVED AS TO FORM
~~August~~ November ____, 2020

By: _____

MICHELLE P. CLACK
Chief Deputy County Counsel

Maxwell, Sue

From: cob@rivco.org
Sent: Monday, November 9, 2020 8:31 AM
To: COB; gtw5@earthlink.net
Subject: Board comments web submission

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First Name: Gary
Last Name: Worobec
Address (Street, City and Zip): 59550 Evans Rd. Anza, CA, 92539
Phone: 951-763-0518
Email: gtw5@earthlink.net
Agenda Date: 11/10/2020
Agenda Item # or Public Comment: 21.1 Hemp Cultivation
State your position below: Support
Comments: I support the proposed ordinance

Thank you for submitting your request to speak. The Clerk of the Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID #864-4411-6015. Password is 20201110. You will be muted until your item is pulled and your name is called. Please dial in at 9:00 am with the phone number you provided in the form so you can be identified during the meeting.

Maxwell, Sue

From: cob@rivco.org
Sent: Monday, November 9, 2020 9:20 AM
To: COB; sky.canyon@verizon.net
Subject: Board comments web submission

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First Name: Cindy
Last Name: Domenigoni
Address (Street, City and Zip): 31851 WINCHESTER RD
Phone: 951-926-6924
Email: sky.canyon@verizon.net
Agenda Date: 11/10/2020
Agenda Item # or Public Comment: 21.1
State your position below: Oppose

Thank you for submitting your request to speak. The Clerk of the Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID #864-4411-6015. Password is 20201110. You will be muted until your item is pulled and your name is called. Please dial in at 9:00 am with the phone number you provided in the form so you can be identified during the meeting.

From: COB

Sent: Monday, November 9, 2020 1:12 PM

To: George Johnson (GAJohnson@RIVCO.ORG) <GAJohnson@RIVCO.ORG>; Perez, Juan <JCPEREZ@RIVCO.ORG>; Young, Alisa <AYoung@RIVCO.ORG>; District 4 Supervisor V. Manuel Perez (District4@RIVCO.ORG) <District4@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 <District3@Rivco.org>; District5 <District5@Rivco.org>; Supervisor Jeffries - 1st District (district1@rivco.org) <district1@rivco.org>

Cc: Hildebrand, John <JHildebr@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org>

Subject: November 10 2020 Item No 21.1 Public Comment on Hemp (Michele Staples_Farm Bureau)

Greetings,

Forwarding email received via COB as Public Comment related to November 10, 2020 Item No 21.1 (MinuteTraq No 13764).

This will be added to Agenda back-up.

With best regards,

Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951) 955-1060 Fax (951) 955-1071
cob@rivco.org
website: <http://rivcocob.org/>
<https://www.facebook.com/RivCoCOB/>



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From: Debby Tankersley <DTankersley@jacksontidus.law> On Behalf Of Michele Staples

Sent: Monday, November 9, 2020 11:39 AM

To: COB <COB@RIVCO.ORG>

Cc: sky.canyon@verizon.net; scorona@mckennaco.com; johnson@riversidecfb.com; Leach, Charissa <cleach@rivco.org>; Hildebrand, John <JHildebr@RIVCO.ORG>; Priamos, Greg <GPriamos@RIVCO.ORG>; Clack, Shellie <MClack@RIVCO.ORG>

Subject: 2020.11.09 Farm Bureau Comment Letter Re Hemp Ordinance

Ms. Harper:

Please see attached letter from Michele Staples regarding the proposed Industrial Hemp Ordinance.

If you have any questions, please contact Ms. Staples directly (mstaples@jacksontidus.law).

Thank you.

Debby Tankersley, CCLS

Assistant to Michael L. Tidus, Michele A. Staples,

Gregory P. Powers and Boyd L. Hill

dtankersley@jacksontidus.law

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Jackson Tidus is a recognized Partner in ABA-EPA's Law Office Climate Challenge

11/10/20 21-1



November 9, 2020

Direct Dial: 949.851.7409
Email: mstaples@jacksontidus.law
Reply to: Irvine Office
File No: 4672-127158

VIA EMAIL (cob@rivco.org)

Riverside County Board of Supervisors
ATTENTION: Ms. Kecia Harper, Clerk of the Board
County Administrative Center
4080 Lemon Street – Fifth Floor
Riverside, CA 92501

Re: November 10, 2020 Agenda Item No. 21.1 (Industrial Hemp Ordinance)

Dear Honorable Board Members:

1. **Introduction and Summary.**

The Riverside County Farm Bureau (“Farm Bureau”) respectfully requests that the Board include the following minor modifications as part of any approval of the proposed Industrial Hemp Ordinance in order to address the Farm Bureau’s serious concerns with the ordinance’s inconsistencies with California water rights law, Constitutional due process protections, General Plan agricultural policies and County Right to Farm Ordinance:

- 1) Add language to the “Prohibited Activities” Section 19.1101(E) and (F) to clarify that the Hemp Ordinance has no effect on the use of groundwater or issuance of well permits for uses other than Industrial Hemp Cultivation in the communities of Anza, Aguanga and Sage;
- 2) Add language to the “Purpose and Intent” Section 19.1100:
 - reaffirming the County’s Right to Farm Ordinance (County Code Sections 5.40.040 and 5.40.050(A));
 - reaffirming the General Plan policy providing for agricultural operations on land designated for other land uses (General Plan, p. LU-47, “It is upon a change from agriculture to another use or new development that the underlying land use designation would apply”); and
- 3) Require a Conditional Use Permit for only Industrial Hemp Activities of 160 acres or greater, and a Plot Plan for Industrial Hemp Activities of fewer than 160 acres.

Irvine Office
2030 Main Street, 12th Floor
Irvine, California 92614
t 949.752.8585 f 949.752.0597

Westlake Village Office
2815 Townsgate Road, Suite 200
Westlake Village, California 91361
t 805.230.0023 f 805.230.0087

www.jacksontidus.law

2. **Farm Bureau Comments and Concerns.**

As discussed in greater depth below, the draft Industrial Hemp Ordinance proposed for the Board's approval still includes overreaching restrictions inconsistent with the General Plan's agricultural land use policies and the County Right to Farm Ordinance discussed in the Farm Bureau's August 3, 2020 letter to the Planning Commission. Since then, additional prohibitions have been added to the proposed ordinance that would violate the California Constitution's water rights protections and due process protections.

A. The proposed ordinance violates California water rights law and Constitutional due process protections. Farm Bureau members include farmers and ranchers with overlying water rights in the Terwilliger Valley, Temecula Valley and Cahuilla Valley groundwater basins supplying water to private wells in the Anza, Aguanga and Sage communities. The draft ordinance's categorical prohibition of Industrial Hemp Cultivation within the Anza/Aguanga/Sage area on grounds of water supply concerns is too broad and restrictive, contrary to water rights law and due process, and unfair to the affected water rights holders.

The California Constitution and the Water Code make clear that the policy of this state is to put water resources to reasonable and beneficial use. Article X, Section 2 of the California Constitution provides:

It is hereby declared that because of the conditions prevailing in this State the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare.

Section 19.1101(E) and (F) of the ordinance turns California water rights law on its head by prohibiting the use of water in Anza, Aguanga and Sage for hemp cultivation based on the lack of information about the water source. (See, July 29, 2020 Santa Margarita River Watermaster letter ["Available technical information is insufficient to determine a sustainable operation in the areas of Aguanga, Sage and Anza"].) The proposed ordinance's restrictions on Industrial Hemp Cultivation on grounds of insufficient water supply are arbitrary and unlawful. There is no evidence of inadequate groundwater resources in the Anza, Aguanga and Sage communities to irrigate hemp crops or any other agricultural crops, lawns or parks. In fact, the California Department of Water Resources' ("DWR") on-line SGMA Basin Prioritization Dashboard (<https://gis.water.ca.gov/app/bp-dashboard/final/#>) categorizes the Terwilliger Valley, Cahuilla Valley and Temecula Valley groundwater basins underlying the Anza and Aguanga communities as very low priority groundwater sources not subject to critical conditions of overdraft. (See, Attachment 1 [excerpts of DWR SGMA Prioritization Dashboard].) DWR further notes that the Terwilliger and Cahuilla Valley groundwater basins underlying the Anza community have "No Documented Impacts".

The County is, in effect, misusing its police power to render hemp cultivation in Anza, Aguanga and Sage an unreasonable use of water without any evidence that the groundwater resources are inadequate and without any process to inquire into the circumstances of the water use and water supplies in the Anza, Aguanga and Sage communities, in violation of well-established water rights common law. (See, e.g., *Environmental Defense Fund v. E. Bay Mun. Util. Dist.* (1980) 26 Cal.3d 183, 194 [“what constitutes reasonable water use is dependent upon not only the entire circumstances presented but varies as the current situation changes.”].) ***Farm Bureau’s broader concern is that the Industrial Hemp Ordinance has the effect of establishing an unjustified legal precedent restricting water rights in the Anza/Aguanga/Sage area and prohibiting beneficial water uses in those communities without any evidence of insufficient water supplies and without any process whatsoever.*** Additionally, the proposed ordinance includes an inadequate description of the prohibition area. The reference to the “Anza-Borrego Watershed area” in Section 19.1101(F) (“Prohibited Activities”) is not sufficiently defined to notify affected landowners whether their parcels are subject to the prohibition. The proposed ordinance thereby violates the California Constitutional protection of maximum beneficial use of water supplies as well as Constitutional private property and due process protections. ***Farm Bureau respectfully requests that the Board modify the Section 19.1101(E) and (F) to clarify that the ordinance has no effect on the use of groundwater or issuance of well permits for uses other than Industrial Hemp Cultivation in the Anza, Aguanga and Sage communities.***

B. The proposed ordinance is inconsistent with the County General Plan’s agricultural land use policies and Right to Farm Ordinance. The General Plan allows for agriculture on land designated for other land uses, as follows: “It is upon a change from agriculture to another use or new development that the underlying land use designation would apply.” (General Plan, p. LU-47.) As a result, much of Riverside County’s vast farming industry is located on property within the zones listed in Section 19.1103(A) where Industrial Hemp Activities would be prohibited. The ordinance effectively downzones all existing agricultural acreage within the hemp-prohibition zones by prohibiting an otherwise lawful crop.

The arbitrary nature of the proposed ordinance’s zoning prohibition is highlighted by Section 19.1103(B) of the ordinance, which authorizes Industrial Hemp Activities within Specific Plans as long as the Specific Plan *allows agriculture* as an interim use, regardless of the zoning designations included in the Specific Plan and regardless whether such land is currently farmed. By the same logic, hemp cultivation and manufacturing should be appropriate on *well-established agricultural operations* that are authorized under the County’s General Plan. The County justifies the expansive prohibition on grounds including that odors and noise from Industrial Hemp Activities are inconsistent with those zones (regardless of the existing land uses within those zones). Many of the agricultural operations allowed by the General Plan land use policies and protected by the County’s Right to Farm Ordinance (County Code Sections 5.40.040 and 5.40.050(A)) also emit noise and odors.

Farm Bureau’s broader concern is that the Industrial Hemp Ordinance has the effect of establishing an unjustified legal precedent that could terminate other lawful

agricultural operations in the hemp-prohibition zones and erode the essential protections of the County's Right to Farm Ordinance. Farm Bureau respectfully requests that the Board modify the "Purpose and Intent" Section 19.1100 to reaffirm the County's Right to Farm Ordinance and General Plan policy allowing agricultural operations on land designated for other land uses in order to protect against misuse of the Industrial Hemp Ordinance as precedent to terminate other lawful agricultural in the hemp prohibition zones on grounds of nuisance or zoning incompatibility.

C. The CUP requirement for Outdoor Industrial Hemp Cultivation is too restrictive and should be limited to farmed acreage in excess of 160 acres. Section 19.1104 would require a Conditional Use Permit ("CUP") rather than a Plot Plan for Outdoor Industrial Hemp Cultivation that adjoins certain zones. The significant increased cost and timing to process a CUP makes it infeasible for smaller hemp cultivation operations to comply with the requirement. The proposed ordinance already includes specific mandates applicable to Outdoor Industrial Hemp Cultivation including prohibitions against siting within certain distances of sensitive land uses, mandatory setbacks, prohibitions against cultivating hemp on premises allowed to cultivate or process Cannabis, electricity and water requirements and conservation measures, lighting requirements, refuse management requirements, retail sales prohibitions and signage requirements. (Section 19.1106.) Among other things, the applicable mandates serve to protect against Outdoor Industrial Hemp Cultivation impacts to adjoining zone classifications, making a CUP unnecessary for operations smaller than 160 acres.

Farm Bureau respectfully requests that the Board modify the ordinance as requested on page 1 of this letter to clearly restrict its application to Industrial Hemp Activities and prevent unintended consequences to the agricultural industry that could result from the ordinance's wrongful misuse as precedent against other lawful farming activities.

Sincerely,



Michele A. Staples

Attachment

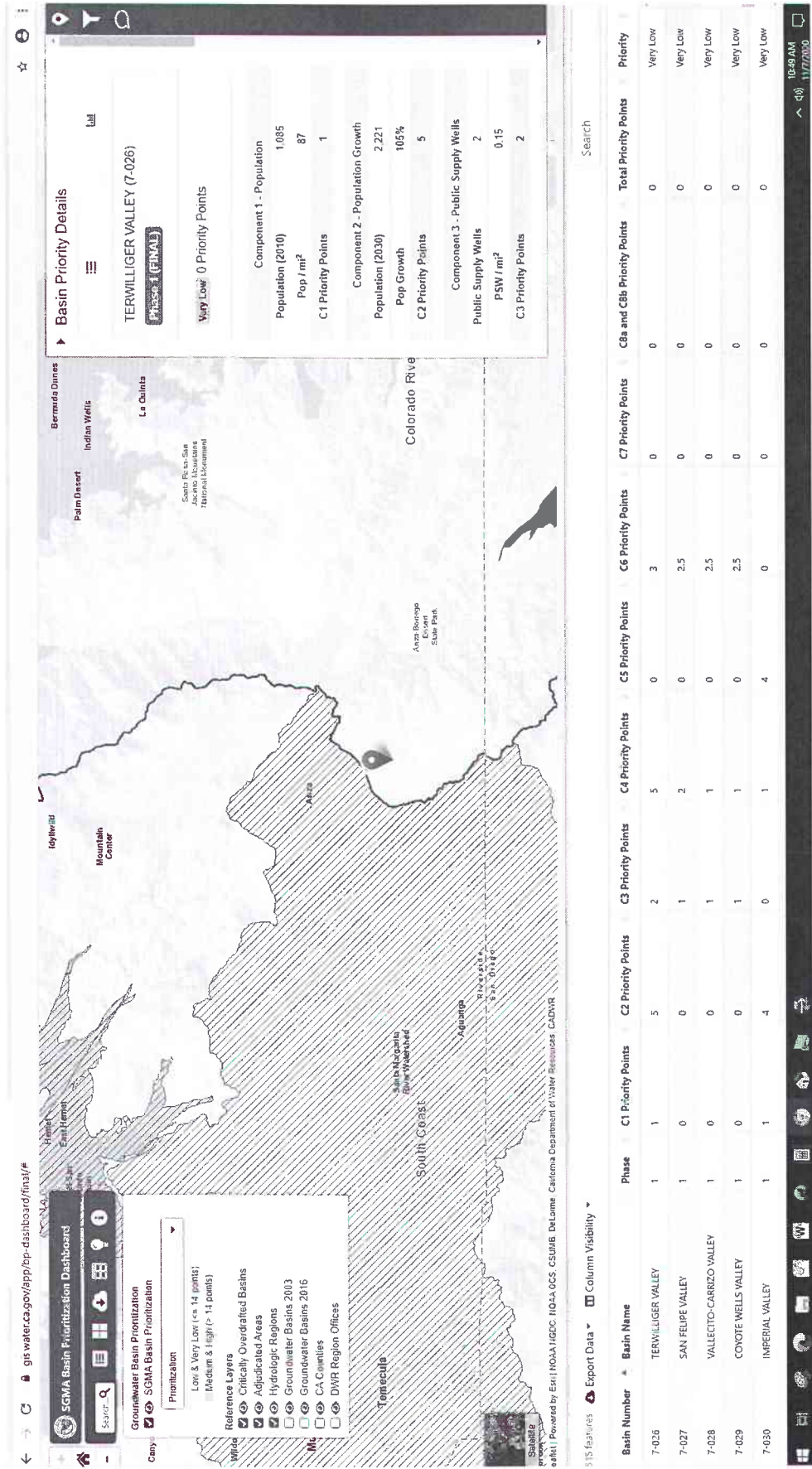
cc: Ms. Cindy Domenigoni
Mr. Stephen Corona*
Ms. Rachael Johnson*
Ms. Charissa Leach, Assistant Director of TLMA - Community Development*
Mr. John Hildebrand, Deputy Director of TLMA - Planning*
Gregory Priamos, Esq., County Counsel*
Shellie Clack, Esq., Chief Deputy County Counsel*

*Via email only, w/Attachment

ATTACHMENT 1

Riverside County Farm Bureau Comment Letter

November 10, 2020 Riverside County Board of Supervisors Agenda Item No. 21.1 (Industrial Hemp Ordinance)



gis.water.ca.gov/app/tp-dashboards/final/#

SGMA Basin Prioritization Dashboard

Groundwater Basin Prioritization

SGMA Basin Prioritization

Phase: **FINAL**

Very Low 0 Priority Points

Component 1 - Population

Population (2010) 219,083

Pop / mi² 1,598

C1 Priority Points 3

Component 2 - Population Growth

Population (2030) 323,835

Pop Growth 48%

C2 Priority Points 5

Component 3 - Public Supply Wells

Public Supply Wells 70

PSW / mi² 0.51

C3 Priority Points 4

515 features

Export Data

Column Visibility

Basin Number	Basin Name	Phase	C1 Priority Points	C2 Priority Points	C3 Priority Points	C4 Priority Points	C5 Priority Points	C6 Priority Points	C7 Priority Points	C8a and C8b Priority Points	Total Priority Points	Priority
9-005	TEMECULA VALLEY	1	3	5	4	4	1	3	0	0	0	Very Low
9-006	CARUJILLA VALLEY	1	1	3	4	5	1	3.5	0	0	0	Very Low
9-007.01	SAN LUIS REY VALLEY - UPPER SAN LUIS REY VALLEY	3	1	3	5	3	3	4	0	0	19	Medium
9-007.02	SAN LUIS REY VALLEY - LOWER SAN LUIS REY VALLEY	3	3	2	3	3	1	0	2	0	0	Very Low

Basin Priority Details

CAHUILLA VALLEY (9-006)

Phase 1 (FINAL)

Very Low 0 Priority Points

Component 1 - Population

Population (2010) 1,989

Pop / mi² 70

C1 Priority Points 1

Component 2 - Population Growth

Population (2030) 2,444

Pop Growth 23%

C2 Priority Points 3

Component 3 - Public Supply Wells

Public Supply Wells 15

PSW / mi² 0.52

C3 Priority Points 4

515 features | Export Data | Column Visibility

Basin Number	Basin Name	Phase	C1 Priority Points	C2 Priority Points	C3 Priority Points	C4 Priority Points	C5 Priority Points	C6 Priority Points	C7 Priority Points	C8a and C8b Priority Points	Total Priority Points	Priority
9-005	TEMECULA VALLEY	1	3	5	4	4	1	3	0	0	0	Very Lo
9-006	CAHUILLA VALLEY	1	1	3	4	5	1	3.5	0	0	0	Very Lo

From: cob@rivco.org <cob@rivco.org>
Sent: Monday, November 9, 2020 10:19 PM
To: COB <COB@RIVCO.ORG>; abilene149@gmail.com
Subject: Board comments web submission



First Name: Debbie
Last Name: Walsh
Address (Street, City and Zip): PO Box 2244
Phone: +19513176868
Email: abilene149@gmail.com
Agenda Date: 11/10/2020
Agenda Item # or Public Comment: 21.1 Hemp Ordinance
State your position below: Oppose
Comments: RAMV is opposed to the current hemp ordinance for the following reasons.

- Setback distance from sensitive receptors is woefully inadequate. Change to 1000 ft. minimum. Take out variance from the ordinance.
- Harmful Health impacts from large-scale hemp farms have not been analyzed. Analyze impacts to protect the millions of residents living in Riverside County especially children and the elderly.
- Water aquifers would be quickly depleted in the Greater Lake Mathews Area. WMWD uses well water from the Santa Ana Watershed to supply its customers in order to decrease the costs of imported water. Add Santa Ana Watershed to the restricted area.
- Thousands of residents in the Greater Lake Mathews area rely solely on well water. Protect residents well water. 'Will Serve' letters must be required for hemp growing
- Volatile manufacturing is extremely dangerous and will put our community at risk. Remove volatile manufacturing of hemp from the ordinance.

See attached letter

Attachments (Must be .pdf, .doc, or .docx): [hempBOS2020b.pdf](#)

Thank you for submitting your request to speak. The Clerk of the Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID #864-4411-6015. Password is 20201110. You will be muted until your item is pulled and your name is called. Please dial in at 9:00 am with the phone number you provided in the form so you can be identified during the meeting.

11/10/20 21.1

From: COB

Sent: Tuesday, November 10, 2020 7:10 AM

To: George Johnson (GAJohnson@RIVCO.ORG) <GAJohnson@RIVCO.ORG>; Perez, Juan <JCPEREZ@RIVCO.ORG>; Young, Alisa <AYoung@RIVCO.ORG>; COB-Agenda (COB-Agenda@rivco.org) <COB-Agenda@rivco.org>; District 4 Supervisor V. Manuel Perez (District4@RIVCO.ORG) <District4@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 <District3@Rivco.org>; District5 <District5@Rivco.org>; Supervisor Jeffries - 1st District (district1@rivco.org) <district1@rivco.org>

Cc: Hildebrand, John <JHildebr@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org>

Subject: November 10 2020 Item No 21.1 Web Public Comment on Hemp (Debbie Walsh-RAMV)

Good morning,

Forwarding email and attached link below received via COB Website as Public Comment related to November 10, 2020 Item No 21.1 (MinuteTraq No 13764).

This will be added to Agenda back-up.

With best regards,

Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951) 955-1060 Fax (951) 955-1071
Mail Stop #1010
cob@rivco.org
website: <http://rivcocob.org/>
<https://www.facebook.com/RivCoCOB/>



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November 1, 2020

Rural Association of Mead Valley
PO Box 2244
Perris, CA 92572

Riverside County Board of Supervisors
4080 Lemon Street
Riverside, CA

RE: Item 21.1 Ordinance 348.4931, Change of zone 1900015. Industrial Hemp.

Honorable Supervisors:

RAMV is in support of Riverside County regulating hemp. RAMV **does not** support the current proposed Hemp Ordinance for the following reasons.

- Setback distance from sensitive receptors is woefully inadequate. Change to 1000 ft. minimum. Take out variance from the ordinance.
- Harmful Health impacts from large-scale hemp farms have not been analyzed. Analyze impacts to protect the millions of residents living in Riverside County especially children and the elderly.
- Water aquifers would be quickly depleted in the Greater Lake Mathews Area. WMWD uses well water from the Santa Ana Watershed to supply its customers in order to decrease the costs of imported water. Add Santa Ana Watershed to the restricted area.
- Thousands of residents in the Greater Lake Mathews area rely solely on well water. Protect residents well water. 'Will Serve' letters must be required for hemp growing
- Volatile manufacturing is extremely dangerous and will put our community at risk. Remove volatile manufacturing of hemp from the ordinance.

The current language does not give enough distance (setback) between large-scale hemp farms and sensitive receptors. Add Residential communities, nursing homes, Community Centers, Senior Centers Libraries, hospitals and other public places where residents are most likely to spend time.

Current language:

A. Location Requirements.

1. Indoor and Outdoor Industrial Hemp Cultivation shall not be located within 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. ~~This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance.~~

"Sensitive receptors are children, elderly, asthmatics and others whose are at a heightened risk of negative health outcomes due to exposure to air pollution" (CARB).

Sensitive receptors are considered:

- ↓ Residential Communities;
- ↓ Schools;
- ↓ Parks;
- ↓ Playgrounds;
- ↓ Day care centers;
- ↓ Nursing homes;
- ↓ Hospitals;
- ↓ And other public places where residents are most likely to spend time.

E. Water Availability. All Industrial Hemp Cultivation operations shall obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the Industrial Hemp Cultivation operations. The letter shall include the activity proposed and any improvements required for service. ~~Where water service is not available, all Industrial Hemp Cultivation operations shall comply with applicable Department of Environmental Health requirements for a permitted onsite, in-ground well. Commercial and domestic potable water supplies shall not include water transported by vehicle from off-site sources.~~

Remove strike through language. Require "Will Serve" letters.

Impacts from large-scale hemp farms currently exist. A large 10-acre hemp farm in Lake Mathews is creating adverse health impacts to the neighbors living nearby.

"A large hemp farm was placed close to my home, I can no longer open my windows or go outside. My house gets stuffy with no breeze being allowed in. The smell is horrendous. My car stinks because it comes in through the vents. Everything in my garage reeks. My husband and my allergies have skyrocketed. He has been to the doctor multiple times due to cough and chest pains but they just keep telling him its allergies. It gets worse if we do try to open our windows. We spend so much money in over the counter allergy meds and decongestants. No one seems to care. We have lived here for ten years and now we are a prisoner of our own home. My poor daughter can't go outside and play as much as she would like because the air quality and stench is terrible. No one in the neighborhood got notification" (S. Clark).

This is an example of one large hemp farm using local well water. If hundreds of acres of hemp is grown in our area the health impacts would be catastrophic, wells would dry up, hundreds would move out of the area and property values would plummet.

Similar to residents of Sage and Anza, large hemp farms would quickly deplete the Gavilan Hills aquifer. As noted and documented in previous letters from the Santa Margarita Watermaster this is a huge problem. Hemp requires enormous amounts of water which would completely dry up the aquifer for the Greater Lake Mathews area within a year with no way of replenishment.

Hemp is grown on a large scale, which increases the harmful health consequences to residents who, under the current proposal, will be living just 25 feet away. All hemp operations should be a minimum of 1000 feet from any sensitive receptor. Will Serve letters must be required. Lake Mathews and Mead Valley have thousands of residents whose sole source of water comes from wells. Similar to Anza, the area has a limited underground aquifer that would be quickly depleted if used to supply water for large hemp farms. Area residents who have wells as their sole source of water for years must be a priority.

The Lake Mathews and Mead Valley area wells are already going dry and many residents have had to drill deeper wells to supply their needs. **The aquifer is already under extreme stress.**

RA and RR zoning should continue to be restricted from hemp growing and A-1 zoning should be included in restricting hemp farms from residential communities such as Mead Valley where the majority of homes are on one-acre lots zoned A-1. These are small ranches where residents raise horses, goats, sheep and livestock.

The Agriculture Department stated at the recent Planning Commission meeting hemp is the same plant as cannabis. This leads to crime.

There are thousands of small ranches on one-acre lots zoned A-1 throughout Riverside County. Cherry Valley, Mead Valley, Nuevo and French Valley. What is the situation of the underground aquifers for all of those areas? Studies must be performed to save our underground water sources.

There are a large number of areas zoned A-1 that would be appropriate for growing hemp that is far away from sensitive receptors. Please increase the buffer area between hemp farms in RR, RA and A-1 zoning from 25 feet to 1000 feet. All hemp farms must have will serve letters from local water districts such as EMWD or WMWD. Well water must be a priority for residents who need it for necessities such as bathing, washing, and water for their animals.

Add Santa Ana Watershed area to the following language.

D. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located, entirely or partially, within the boundary of the Santa Margarita River Watershed area within the County of Riverside as established by United States v. Fallbrook Pub. Util. Dist., No. 1247-SD-C (S.D. Cal filed Jan. 25, 1951) and managed by the Santa Margarita River Watershed Watermaster.

“Non Volatile and Volatile Industrial Hemp Manufacturing Facilities on lots zone A-1 shall be setback a minimum of 300 feet from a residential dwelling unit.” Now we see this is just 25 feet and in all zones. This is unacceptable. Hemp manufacturing must be allowed in the commercial zone areas only. No volatile Industrial Manufacturing Facilities should be allowed. **Using Butane to manufacture hemp oil is extremely dangerous.** The recent massive fire at the Amazon warehouse in Redlands shows just how powerful an explosion can be that destroyed a 600,000-foot warehouse that has the most modern fire suppressant system. Cars traveling along the I-10 freeway could feel the heat from that fire. Also, the massive warehouse fire in LA where a number of firefighters were severely injured in an explosion where volatile manufacturing of cannabis oil was taking place. That type of facility should NOT be allowed in a residential neighborhood. No volatile hemp manufacturing should be allowed. We have tens of thousands of residential homes located in the A-1 zoned areas of the County. **Please consider our safety first. There are thousands of acres to grow hemp away from homes, schools, and other sensitive receptors.**

Sincerely,

Debbie Walsh
President, RAMV

From: Kelly Hayes <khayes@murchisonlaw.com>
Sent: Tuesday, November 10, 2020 8:11 AM
To: COB <COB@RIVCO.ORG>; Hildebrand, John <JHildebr@RIVCO.ORG>
Cc: Saneida R. Slayton <sslayton@murchisonlaw.com>
Subject: Item No. 21.1 - Industrial Hemp Ordinance No. 348.4931

Dear Riverside County Board of Supervisors,

I am writing to you to strongly urge you to revise the current draft of the Hemp Ordinance so that it is consistent with other agricultural crops and products grown within Riverside County.

This Ordinance attempts to change the definition of Industrial Hemp, by expanding the definition by stating it is "not a field crop." This is inconsistent with state and federal laws. State and federal law classifies Industrial Hemp as an agricultural crop. The expansion of the definition is a discriminatory attempt at restricting these farmers from growing their agricultural field crops within zones that currently permit this use. The new prohibitions within the Watershed and other Zones that currently allow for similar agricultural crops - is also without basis. There's no rational basis to prohibit Industrial Hemp while other agricultural crops such as: wine grapes, avocados, citrus, and wheat - are all permitted to grow within those zones and areas. The imposed setbacks and unfounded locational requirements away from schools, day cares, and parks are also without basis. Industrial Hemp is a *legal agricultural crop* and it is to be regulated as one.

These farmers have been issued Registrations by the County Agricultural Commissioner in accordance with State Law and in accordance with the current Riverside County Zoning Ordinance. That Ordinance allows these farmers to grow field crops within these zones. These farmers have incurred significant costs to get their farms up and running. They've spent money on equipment, maintenance, and have entered into contracts with other businesses.

This Ordinance before you, provides no relief to these existing farmers. Their Registrations are valid for 1 year. Once that Registration expires the Farmer will now be required to obtain a Discretionary Permit – that is IF they are in a compliant zone under this new Ordinance. Most of them will not be located in a compliant zone, and they will be forced to shut down, or worse, they will operate in an illicit market.

It's encouraging that the County wants to regulate Industrial Hemp, but this Ordinance will strip these farmers of their property rights. I implore you to reconsider these unreasonable zoning requirements within this Ordinance. Allow these farmers to continue growing their field crops in the current zones that allow for field crops to grow, or at least provide them with a five-year grandfather clause.

Thank you for your consideration.

Sincerely,

Kelly Hayes

**MURCHISON
& CUMMING** LLP

LOS ANGELES
IRVINE
SAN DIEGO
SAN FRANCISCO
LAS VEGAS
ONTARIO



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Visit our COVID-19 task force website for more information on how we can help your business. www.covidlegalservice.com

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11/10/20 21.1

From: COB

Sent: Tuesday, November 10, 2020 8:46 AM

To: George Johnson (GAJohnson@RIVCO.ORG) <GAJohnson@RIVCO.ORG>; Perez, Juan <JCPEREZ@RIVCO.ORG>; Priamos, Greg <GPriamos@RIVCO.ORG>; North, Tiffany <TNorth@RIVCO.ORG>; District 4 Supervisor V. Manuel Perez (District4@RIVCO.ORG) <District4@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 <District3@Rivco.org>; District5 <District5@Rivco.org>; Supervisor Jeffries - 1st District (district1@rivco.org) <district1@rivco.org>

Cc: Hildebrand, John <JHildebr@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org>

Subject: November 10 2020 Item No 21.1 Public Comment on Hemp (Kelly Hayes)

Greetings,

Forwarding email received via COB as Public Comment related to November 10, 2020 Item No 21.1 (MinuteTraQ No 13764).

This will be added to Agenda back-up.

With best regards,

Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951) 955-1060 Fax (951) 955-1071
Mail Stop #1010
cob@rivco.org
website: <http://rivcocob.org/>
<https://www.facebook.com/RivCoCOB/>



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Maxwell, Sue

From: cob@rivco.org
Sent: Tuesday, November 10, 2020 9:12 AM
To: COB; dtmanagement2002@yahoo.com
Subject: Board comments web submission

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First Name: Nghia
Last Name: Dang
Address (Street, City and Zip): 50750 Misty Meadow Dr
Phone: +17145897688
Email: dtmanagement2002@yahoo.com
Agenda Date: 11/10/2020
Agenda Item # or Public Comment: Hemp Cultivation restrictions
State your position below: Oppose
Comments: I would like to oppose the proposed restrictions on hemp cultivation in Aguanga

Thank you for submitting your request to speak. The Clerk of the Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID #864-4411-6015. Password is 20201110. You will be muted until your item is pulled and your name is called. Please dial in at 9:00 am with the phone number you provided in the form so you can be identified during the meeting.



PROOF OF PUBLICATION

**STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE**

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST

RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non paniel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

08/26/2020

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.. Executed on this 26th of August 2020 in Green Bay, WI, County of Brown.

Lana Kunitz

DECLARANT

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN ORDINANCE AND ASSOCIATED CHANGE OF ZONE IN THE COUNTYWIDE LOCATION, ALL SUPERVISORIAL DISTRICTS

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, September 15, 2020 at 10:00 A.M. or as soon as possible thereafter, to consider the Planning Department's recommended adoption of Ordinance No. 348.4931, associated with the Change of Zone No. 1900015, amending the County's Land Use Ordinance, Ordinance No. 348, to add a new section Article XIXm, Industrial Hemp Activities. The purpose of this ordinance amendment is to establish a regulatory framework for the cultivation and manufacturing of Hemp, in the unincorporated areas of Riverside County. The new section sets forth permitting requirements, establishes allowable zones and development regulations, and provides operating provisions for cultivation and manufacturing Hemp. This project is located Countywide in all Supervisorial Districts.

The Riverside County Planning Department recommends that the Board of Supervisors consider Adopting Ordinance No. 348.4931, and approving Change of Zone No. 1900015.

The Planning Department's report package for the project may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT JOHN HILDEBRAND, PROJECT PLANNER, AT (951)-955-1888 OR EMAIL JHildebr@RIVCO.ORG.

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Department or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1063, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, and Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: August 20, 2020

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

Published: 8/26/2020

*TLMA/Planning
Item 21.1 of 09/15/20*

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



21.1
(MT 13260)

On motion of Supervisor Jeffries, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Transportation Department regarding to Public hearing on ORDINANCE NO. 348.4931, associated with CHANGE OF ZONE NO. 1900015, - CEQA Exempt pursuant to State CEQA Guidelines Section 15061(b)(3). Ordinance No. 348.4931 establishes land use regulations for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. Ordinance No. 348.4931 adds a new article to Ordinance No. 348 that establishes permitting requirements, development standards, approval and operational requirements for Industrial Hemp cultivation and manufacturing. All Districts., is continued to Tuesday, November 10, 2020 at 9:30 a.m. or as soon as possible thereafter.


Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on November 3, 2020 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: November 3, 2020
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.
21.1

xc: COB

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 21.1
(ID # 13260)

MEETING DATE:
Tuesday, November 03, 2020

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public hearing on ORDINANCE NO. 348.4931, associated with CHANGE OF ZONE NO. 1900015, - CEQA Exempt pursuant to State CEQA Guidelines Section 15061(b)(3). Ordinance No. 348.4931 establishes land use regulations for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. Ordinance No. 348.4931 adds a new article to Ordinance No. 348 that establishes permitting requirements, development standards, approval and operational requirements for Industrial Hemp cultivation and manufacturing. All Districts. [\$30,000 Total Cost, \$10,000 FY 20/21 Cost - General Fund 100%]
(Continue to the November 10, 2020 BOS Meeting)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Continue the item to the November 10, 2020, regularly scheduled Board of Supervisors Public Meeting.

ACTION:Policy

Charissa Leach, Assistant TLMA Director

9/1/2020

MINUTES OF THE BOARD OF SUPERVISORS

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 10,000	\$ 0	\$ 30,000	\$ 0
NET COUNTY COST	\$ 10,000	\$ 0	\$ 30,000	\$ 0
SOURCE OF FUNDS: General Funds			Budget Adjustment: No	
			For Fiscal Years: 19/20 & 20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Riverside County currently has no existing regulatory framework to address where Industrial Hemp can be grown or standards for size, setbacks, or operations. However, Industrial Hemp activities, which include cultivation, processing, and manufacturing, may currently operate within the unincorporated areas of Riverside County with a registration issued by the Agricultural Commission and each registration is valid for one year. Registrations to grow Industrial Hemp are generally allowed on properties that currently allow agricultural uses. As of August 2020, there are approximately 110 registered grower’s licenses and 13 registered seed breeder’s licenses issued throughout the County.

The Board of Supervisors initiated this ordinance on June 4th, 2019 with direction to establish an Industrial Hemp regulatory framework, due to the potential health and safety impacts, as well as nuisance issues associated with Industrial Hemp activities. The attached Ordinance No. 348.4931 establishes a regulatory framework for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. Ordinance No. 348.4931 adds a new article to Ordinance No. 348 (Land Use Ordinance) that establishes permitting requirements, zone classifications where Industrial Hemp Activities are allowed, development standards, as well as operating and manufacturing requirements.

This proposed Ordinance No. 348.4931 was considered at three separate Planning Commission public hearings, and was recommended for Board approval after taking public testimony and closing the third public hearing. The attached Planning Commission staff report includes details related to each of the three hearings, and subsequent changes reflecting the Planning’s Commission’s recommendations. After receiving public testimony on concerns related to water issues during the third Planning Commission hearing, it was recommended to add one additional provision the Ordinance No. 348.4931, prohibiting Industrial Hemp cultivation in the Santa Margarita River Watershed (“SMRW”) area. The SMRW area has a heightened sensitivity related to water usage and water quality, resulting

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

in a greater need to ensure that large-scale ground water extraction is better managed. Attached to this report is a boundary map sourced from the SMRW annual report 2017-2018. The boundary for the watershed area was established by the Federal Court as part of the adjudication in *United States v. Fallbrook Pub. Util. Dist., No. 1247-SD-C (S.D. Cal. filed Jan. 25, 1951) and subsequent interlocutory judgements ("Fallbrook Case")* and has not changed since its establishment. The boundary area generally includes the communities of Anza, Aguanga, and Sage, as well as the City of Temecula and City of Wildomar. The boundary area extends south past Riverside County, into portions of both San Diego and Orange Counties. The attached redline Ordinance No. 348.4931 shows this additional language along with clarifying language that Industrial Hemp Activities would be an interim land use in Specific Plans. Additionally, minor formatting revisions were made to Ordinance No. 348.4931.

Pursuant to Ordinance No. 348 (Land Use), Cannabis cultivation is not restricted from the SMRW area. Cannabis cultivation is limited to a maximum grow area of one-acre per lot, whereas Industrial Hemp cultivation, as proposed under Ordinance No. 348.4931 has no limitation in grow area. The purpose of restricting Industrial Hemp cultivation in this watershed area is to address the issue of water availability, as Industrial Hemp tends to be a heavy water consuming agricultural crop and there is no proposed limitation in grow areas.

Furthermore, restricting Industrial Hemp Cultivation (both indoor and outdoor) in this watershed area, will also address water quality issues. The Santa Margarita River Water Quality Improvement Plan ("WQIP") is a requirement of updated stormwater regulations adopted by the Regional Water Quality Control Board, pursuant to *Order No. R9-2013-0001* and as amended by *Order Nos. R9 2015-0001 and R9-2015-0100*. The ultimate goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies. These improvements in water quality will be accomplished through an adaptive planning and management process that identifies the highest priority water quality conditions within the watershed and implements strategies to address them. Due to the potential large-scale Industrial Hemp Cultivations that would be allowed under this proposed ordinance and their use of pesticides, restricting Industrial Hemp cultivation in the watershed area will result in furthering the WQIP implementation, through reduction in pesticides use.

Project History and Timeline

- During the **June 4th, 2019** Board of Supervisors (BOS) hearing (Agenda Item 3.21), the BOS initiated a request to County staff, to prepare a draft regulatory framework for Industrial Hemp cultivation and manufacturing.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

- A workshop soliciting community and industry input on Industrial Hemp cultivation and manufacturing occurred during the **December 18th, 2019** Planning Commission (“PC”) hearing (Agenda Item 5.1).
- Ordinance No. 348.4931 was first heard at the **June 3rd, 2020** PC public hearing (Agenda Item 4.2). A public hearing notice for this item was included in both the Press Enterprise and Desert Sun Newspapers.
- Ordinance No. 348.4931 was again heard for the second time at the **June 17th, 2020** PC public hearing (Agenda Item 3.1), as it was continued in order to include amendments discussed during the public hearings.
- Ordinance No. 348.4913 was heard a third time at the **August 5th, 2020** PC public hearing (Agenda Item 3.1). Staff was directed to make further changes to the draft ordinance during the previous PC public hearing.
- Ordinance No. 348.4931 was recommended by the PC for BOS approval during the **August 5th, 2020** PC public hearing, by a vote of 4 to 0, with one Commissioner absent.
- Public hearing notices for this item were again included in both the Press Enterprise and Desert Sun Newspapers, advertising a BOS public hearing, scheduled for **September 15th, 2020**.

Impact on Residents and Businesses

Due to the potential impact on surrounding communities related to Industrial Hemp cultivation and manufacturing, the BOS requested that staff prepare a regulatory framework amendment to Ordinance No. 348 addressing where Industrial Hemp should be grown or manufactured through the establishment of zoning classifications. In addition, the regulatory framework includes permitting and operating requirements as well as development standards. The intent of the regulatory framework is to enable the cultivation and manufacturing of Industrial Hemp throughout the County in a responsible and proactive manner, reducing community and environmental impacts.

Additional Fiscal Information

This project, an amendment to Ordinance No. 348 (Land Use), includes adding a new article addressing Industrial Hemp cultivation and manufacturing. This project was initiated by the Board of Supervisors on June 4th, 2019. The project was budgeted by the Board of Supervisors for \$30,000 and is funded through general funds, extending from fiscal years 19/20 to 20/21.

ATTACHMENTS:

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

- 1) Exhibit A – Planning Commission Staff Report
- 2) Exhibit B – Ordinance No. 348.4931
- 3) Exhibit C – ALUC Determination
- 4) Exhibit D – Public Comments 2020-06-03
- 5) Exhibit E – Public Comments 2020-06-17
- 6) Exhibit F – Public Comments 2020-08-05
- 7) Exhibit G – Riverside County Zoning Metrics
- 8) Exhibit H – Board of Supervisors Initiation
- 9) Exhibit I – Santa Margarita Watershed Boundary Map
- 10) Exhibit J – Redline Ordinance No. 348.4931



Jason Farin, Principal Management Analyst

9/9/2020



Gregory V. Prietos, Director County Counsel

9/3/2020

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



21.1
(MT 13260)

On motion of Supervisor Jeffries, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Planning Department regarding the public hearing on Ordinance No. 348.4931, associated with CHANGE OF ZONE NO. 19000215, - CEQA Exempt pursuant to State CEQA Guidelines Section 15061(b)(3), is continued to Tuesday, November 03, 2020 at 9:30 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on October 20, 2020 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: October 20, 2020
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: *Kecia R. Harper* Deputy

AGENDA NO.
21.1

xc: COB

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 21.1
(ID # 13260)

MEETING DATE:
Tuesday, October 20, 2020

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public hearing on ORDINANCE NO. 348.4931, associated with CHANGE OF ZONE NO. 1900015, - CEQA Exempt pursuant to State CEQA Guidelines Section 15061(b)(3). Ordinance No. 348.4931 establishes land use regulations for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. Ordinance No. 348.4931 adds a new article to Ordinance No. 348 that establishes permitting requirements, development standards, approval and operational requirements for Industrial Hemp cultivation and manufacturing. All Districts. [\$30,000 Total Cost, \$10,000 FY 20/21 Cost - General Fund 100%]
(Continued to 11/3/2020 BOS Meeting)

RECOMMENDED MOTION: That the Board of Supervisors:

FIND that **Ordinance No. 348.4931** is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) based on the findings and conclusions incorporated in the staff report; and,

ADOPT Ordinance No. 348.4931, associated with **Change of Zone No.1900015**, amending Ordinance No. 348 and establishing land use regulations for Industrial Hemp cultivation and manufacturing in the unincorporated areas of Riverside County, based on the findings and conclusions incorporated into this staff report.

ACTION:Policy

Charissa Leach, Assistant TLMA Director

9/1/2020

MINUTES OF THE BOARD OF SUPERVISORS

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 10,000	\$ 0	\$ 30,000	\$ 0
NET COUNTY COST	\$ 10,000	\$ 0	\$ 30,000	\$ 0
SOURCE OF FUNDS: General Funds			Budget Adjustment: No	
			For Fiscal Years: 19/20 & 20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Riverside County currently has no existing regulatory framework to address where Industrial Hemp can be grown or standards for size, setbacks, or operations. However, Industrial Hemp activities, which include cultivation, processing, and manufacturing, may currently operate within the unincorporated areas of Riverside County with a registration issued by the Agricultural Commission and each registration is valid for one year. Registrations to grow Industrial Hemp are generally allowed on properties that currently allow agricultural uses. As of August 2020, there are approximately 110 registered grower’s licenses and 13 registered seed breeder’s licenses issued throughout the County.

The Board of Supervisors initiated this ordinance on June 4th, 2019 with direction to establish an Industrial Hemp regulatory framework, due to the potential health and safety impacts, as well as nuisance issues associated with Industrial Hemp activities. The attached Ordinance No. 348.4931 establishes a regulatory framework for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. Ordinance No. 348.4931 adds a new article to Ordinance No. 348 (Land Use Ordinance) that establishes permitting requirements, zone classifications where Industrial Hemp Activities are allowed, development standards, as well as operating and manufacturing requirements.

This proposed Ordinance No. 348.4931 was considered at three separate Planning Commission public hearings, and was recommended for Board approval after taking public testimony and closing the third public hearing. The attached Planning Commission staff report includes details related to each of the three hearings, and subsequent changes reflecting the Planning’s Commission’s recommendations. After receiving public testimony on concerns related to water issues during the third Planning Commission hearing, it was recommended to add one additional provision the Ordinance No. 348.4931, prohibiting Industrial Hemp cultivation in the Santa Margarita River Watershed (“SMRW”) area. The SMRW area has a heightened sensitivity related to water usage and water quality, resulting

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

in a greater need to ensure that large-scale ground water extraction is better managed. Attached to this report is a boundary map sourced from the SMRW annual report 2017-2018. The boundary for the watershed area was established by the Federal Court as part of the adjudication in *United States v. Fallbrook Pub. Util. Dist., No. 1247-SD-C (S.D. Cal. filed Jan. 25, 1951) and subsequent interlocutory judgements ("Fallbrook Case")* and has not changed since its establishment. The boundary area generally includes the communities of Anza, Aguanga, and Sage, as well as the City of Temecula and City of Wildomar. The boundary area extends south past Riverside County, into portions of both San Diego and Orange Counties. The attached redline Ordinance No. 348.4931 shows this additional language along with clarifying language that Industrial Hemp Activities would be an interim land use in Specific Plans. Additionally, minor formatting revisions were made to Ordinance No. 348.4931.

Pursuant to Ordinance No. 348 (Land Use), Cannabis cultivation is not restricted from the SMRW area. Cannabis cultivation is limited to a maximum grow area of one-acre per lot, whereas Industrial Hemp cultivation, as proposed under Ordinance No. 348.4931 has no limitation in grow area. The purpose of restricting Industrial Hemp cultivation in this watershed area is to address the issue of water availability, as Industrial Hemp tends to be a heavy water consuming agricultural crop and there is no proposed limitation in grow areas.

Furthermore, restricting Industrial Hemp Cultivation (both indoor and outdoor) in this watershed area, will also address water quality issues. The Santa Margarita River Water Quality Improvement Plan ("WQIP") is a requirement of updated stormwater regulations adopted by the Regional Water Quality Control Board, pursuant to *Order No. R9-2013-0001* and as amended by *Order Nos. R9 2015-0001 and R9-2015-0100*. The ultimate goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies. These improvements in water quality will be accomplished through an adaptive planning and management process that identifies the highest priority water quality conditions within the watershed and implements strategies to address them. Due to the potential large-scale Industrial Hemp Cultivations that would be allowed under this proposed ordinance and their use of pesticides, restricting Industrial Hemp cultivation in the watershed area will result in furthering the WQIP implementation, through reduction in pesticides use.

Project History and Timeline

- During the **June 4th, 2019** Board of Supervisors (BOS) hearing (Agenda Item 3.21), the BOS initiated a request to County staff, to prepare a draft regulatory framework for Industrial Hemp cultivation and manufacturing.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

- A workshop soliciting community and industry input on Industrial Hemp cultivation and manufacturing occurred during the **December 18th, 2019** Planning Commission (“PC”) hearing (Agenda Item 5.1).
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- Ordinance No. 348.4931 was recommended by the PC for BOS approval during the **August 5th, 2020** PC public hearing, by a vote of 4 to 0, with one Commissioner absent.
- Public hearing notices for this item were again included in both the Press Enterprise and Desert Sun Newspapers, advertising a BOS public hearing, scheduled for **September 15th, 2020**.

Impact on Residents and Businesses

Due to the potential impact on surrounding communities related to Industrial Hemp cultivation and manufacturing, the BOS requested that staff prepare a regulatory framework amendment to Ordinance No. 348 addressing where Industrial Hemp should be grown or manufactured through the establishment of zoning classifications. In addition, the regulatory framework includes permitting and operating requirements as well as development standards. The intent of the regulatory framework is to enable the cultivation and manufacturing of Industrial Hemp throughout the County in a responsible and proactive manner, reducing community and environmental impacts.

Additional Fiscal Information

This project, an amendment to Ordinance No. 348 (Land Use), includes adding a new article addressing Industrial Hemp cultivation and manufacturing. This project was initiated by the Board of Supervisors on June 4th, 2019. The project was budgeted by the Board of Supervisors for \$30,000 and is funded through general funds, extending from fiscal years 19/20 to 20/21.

ATTACHMENTS:

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

- 1) Exhibit A – Planning Commission Staff Report
- 2) Exhibit B – Ordinance No. 348.4931
- 3) Exhibit C – ALUC Determination
- 4) Exhibit D – Public Comments 2020-06-03
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- 6) Exhibit F – Public Comments 2020-08-05
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- 8) Exhibit H – Board of Supervisors Initiation
- 9) Exhibit I – Santa Margarita Watershed Boundary Map
- 10) Exhibit J – Redline Ordinance No. 348.4931



Jason Farin, Principal Management Analyst

9/9/2020



Gregory V. Priamos, Director County Counsel

9/3/2020

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



21.1
(MT 13260)

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Planning Department regarding Public hearing on ORDINANCE NO. 348.4931, associated with CHANGE OF ZONE NO. 1900015, is continued to Tuesday, October 20, 2020 at 9:30 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, and Perez
Nays: None
Away: Hewitt

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on September 15, 2020 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: September 15, 2020
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.
21.1

xc: COB

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 21.1
(ID # 13260)

MEETING DATE:

Tuesday, September 15, 2020

FROM: TLMA-PLANNING:


SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public hearing on ORDINANCE NO. 348.4931, associated with CHANGE OF ZONE NO. 1900015, - CEQA Exempt pursuant to State CEQA Guidelines Section 15061(b)(3). Ordinance No. 348.4931 establishes land use regulations for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. Ordinance No. 348.4931 adds a new article to Ordinance No. 348 that establishes permitting requirements, development standards, approval and operational requirements for Industrial Hemp cultivation and manufacturing. All Districts. [\$30,000 Total Cost, \$10,000 FY 20/21 Cost - General Fund 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

FIND that **Ordinance No. 348.4931** is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) based on the findings and conclusions incorporated in the staff report; and,

ADOPT Ordinance No. 348.4931, associated with **Change of Zone No.1900015**, amending Ordinance No. 348 and establishing land use regulations for Industrial Hemp cultivation and manufacturing in the unincorporated areas of Riverside County, based on the findings and conclusions incorporated into this staff report.

ACTION: Policy


Charissa Leach, Assistant TLMA Director 9/1/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: September 15, 2020
xc: Planning

Kecia R. Harper
Clerk of the Board
By: _____
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 10,000	\$ 0	\$ 30,000	\$ 0
NET COUNTY COST	\$ 10,000	\$ 0	\$ 30,000	\$ 0
SOURCE OF FUNDS: General Funds			Budget Adjustment: No	
			For Fiscal Years: 19/20 & 20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Riverside County currently has no existing regulatory framework to address where Industrial Hemp can be grown or standards for size, setbacks, or operations. However, Industrial Hemp activities, which include cultivation, processing, and manufacturing, may currently operate within the unincorporated areas of Riverside County with a registration issued by the Agricultural Commission and each registration is valid for one year. Registrations to grow Industrial Hemp are generally allowed on properties that currently allow agricultural uses. As of August 2020, there are approximately 110 registered grower’s licenses and 13 registered seed breeder’s licenses issued throughout the County.

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This proposed Ordinance No. 348.4931 was considered at three separate Planning Commission public hearings, and was recommended for Board approval after taking public testimony and closing the third public hearing. The attached Planning Commission staff report includes details related to each of the three hearings, and subsequent changes reflecting the Planning’s Commission’s recommendations. After receiving public testimony on concerns related to water issues during the third Planning Commission hearing, it was recommended to add one additional provision the Ordinance No. 348.4931, prohibiting Industrial Hemp cultivation in the Santa Margarita River Watershed (“SMRW”) area. The SMRW area has a heightened sensitivity related to water usage and water quality, resulting in a greater need to ensure that large-scale ground water extraction is better managed.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Attached to this report is a boundary map sourced from the SMRW annual report 2017-2018. The boundary for the watershed area was established by the Federal Court as part of the adjudication in *United States v. Fallbrook Pub. Util. Dist., No. 1247-SD-C (S.D. Cal. filed Jan. 25, 1951) and subsequent interlocutory judgements ("Fallbrook Case")* and has not changed since its establishment. The boundary area generally includes the communities of Anza, Aguanga, and Sage, as well as the City of Temecula and City of Wildomar. The boundary area extends south past Riverside County, into portions of both San Diego and Orange Counties. The attached redline Ordinance No. 348.4931 shows this additional language along with clarifying language that Industrial Hemp Activities would be an interim land use in Specific Plans. Additionally, minor formatting revisions were made to Ordinance No. 348.4931.

Pursuant to Ordinance No. 348 (Land Use), Cannabis cultivation is not restricted from the SMRW area. Cannabis cultivation is limited to a maximum grow area of one-acre per lot, whereas Industrial Hemp cultivation, as proposed under Ordinance No. 348.4931 has no limitation in grow area. The purpose of restricting Industrial Hemp cultivation in this watershed area is to address the issue of water availability, as Industrial Hemp tends to be a heavy water consuming agricultural crop and there is no proposed limitation in grow areas.

Furthermore, restricting Industrial Hemp Cultivation (both indoor and outdoor) in this watershed area, will also address water quality issues. The Santa Margarita River Water Quality Improvement Plan ("WQIP") is a requirement of updated stormwater regulations adopted by the Regional Water Quality Control Board, pursuant to *Order No. R9-2013-0001* and as amended by *Order Nos. R9 2015-0001 and R9-2015-0100*. The ultimate goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies. These improvements in water quality will be accomplished through an adaptive planning and management process that identifies the highest priority water quality conditions within the watershed and implements strategies to address them. Due to the potential large-scale Industrial Hemp Cultivations that would be allowed under this proposed ordinance and their use of pesticides, restricting Industrial Hemp cultivation in the watershed area will result in furthering the WQIP implementation, through reduction in pesticides use.

Project History and Timeline

- During the **June 4th, 2019** Board of Supervisors (BOS) hearing (Agenda Item 3.21), the BOS initiated a request to County staff, to prepare a draft regulatory framework for Industrial Hemp cultivation and manufacturing.
- A workshop soliciting community and industry input on Industrial Hemp cultivation and manufacturing occurred during the **December 18th, 2019** Planning Commission ("PC") hearing (Agenda Item 5.1).

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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- Ordinance No. 348.4931 was first heard at the **June 3rd, 2020** PC public hearing (Agenda Item 4.2). A public hearing notice for this item was included in both the Press Enterprise and Desert Sun Newspapers.
- Ordinance No. 348.4931 was again heard for the second time at the **June 17th, 2020** PC public hearing (Agenda Item 3.1), as it was continued in order to include amendments discussed during the public hearings.
- Ordinance No. 348.4913 was heard a third time at the **August 5th, 2020** PC public hearing (Agenda Item 3.1). Staff was directed to make further changes to the draft ordinance during the previous PC public hearing.
- Ordinance No. 348.4931 was recommended by the PC for BOS approval during the **August 5th, 2020** PC public hearing, by a vote of 4 to 0, with one Commissioner absent.
- Public hearing notices for this item were again included in both the Press Enterprise and Desert Sun Newspapers, advertising a BOS public hearing, scheduled for **September 15th, 2020**.

Impact on Residents and Businesses

Due to the potential impact on surrounding communities related to Industrial Hemp cultivation and manufacturing, the BOS requested that staff prepare a regulatory framework amendment to Ordinance No. 348 addressing where Industrial Hemp should be grown or manufactured through the establishment of zoning classifications. In addition, the regulatory framework includes permitting and operating requirements as well as development standards. The intent of the regulatory framework is to enable the cultivation and manufacturing of Industrial Hemp throughout the County in a responsible and proactive manner, reducing community and environmental impacts.

Additional Fiscal Information

This project, an amendment to Ordinance No. 348 (Land Use), includes adding a new article addressing Industrial Hemp cultivation and manufacturing. This project was initiated by the Board of Supervisors on June 4th, 2019. The project was budgeted by the Board of Supervisors for \$30,000 and is funded through general funds, extending from fiscal years 19/20 to 20/21.

ATTACHMENTS:

- 1) Exhibit A – Planning Commission Staff Report
- 2) Exhibit B – Ordinance No. 348.4931
- 3) Exhibit C – ALUC Determination

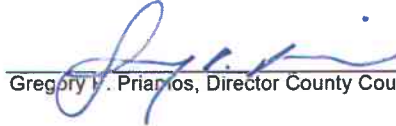
**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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- 4) Exhibit D – Public Comments 2020-06-03
- 5) Exhibit E – Public Comments 2020-06-17
- 6) Exhibit F – Public Comments 2020-08-05
- 7) Exhibit G – Riverside County Zoning Metrics
- 8) Exhibit H – Board of Supervisors Initiation
- 9) Exhibit I – Santa Margarita Watershed Boundary Map
- 10) Exhibit J – Redline Ordinance No. 348.4931



Jason Farin, Principal Management Analyst

9/9/2020



Gregory V. Priamos, Director County Counsel

9/3/2020

1 Article XIXm of this ordinance including, but not limited to, permit
2 processing, location, standards and approval requirements.”

3 Section 5. A new subsection F. is added to Section 10.1 of Ordinance No. 348 to read
4 as follows:

5 “F. Industrial Hemp Activities are permitted or conditionally permitted in
6 subsections A., B., or C. in Section 10.1 pursuant to the provisions set forth
7 in Article XIXm of this ordinance including, but not limited to, permit
8 processing, location, standards and approval requirements.”

9 Section 6. A new subsection H. is added to Section 11.2 of Ordinance No. 348 to read
10 as follows:

11 “H. Industrial Hemp Activities are permitted or conditionally permitted in
12 subsections A., B., or C. in Section 11.2 pursuant to the provisions set forth
13 in Article XIXm of this ordinance including, but not limited to, permit
14 processing, location, standards and approval requirements.”

15 Section 7. A new subsection H. is added to Section 11.26 of Ordinance No. 348 to read
16 as follows:

17 “H. Industrial Hemp Activities are permitted or conditionally permitted in
18 subsections A., B., or C. in Section 11.26 pursuant to the provisions set forth
19 in Article XIXm of this ordinance including, but not limited to, permit
20 processing, location, standards and approval requirements.”

21 Section 8. A new subsection I. is added to Section 12.2 of Ordinance No. 348 to read as
22 follows:

23 “I. Industrial Hemp Activities are permitted or conditionally permitted in
24 subsections A., B., or C. in Section 12.2 pursuant to the provisions set forth
25 in Article XIXm of this ordinance including, but not limited to, permit
26 processing, location, standards and approval requirements.”

27 Section 9. A new subsection F. is added to Section 13.1 of Ordinance No. 348 to read
28 as follows:

1 “F. Industrial Hemp Activities are permitted or conditionally permitted in
2 subsections A., B., or C. in Section 13.1 pursuant to the provisions set forth
3 in Article XIXm of this ordinance including, but not limited to, permit
4 processing, location, standards and approval requirements.”

5 Section 10. A new subsection K. is added to Section 13.51 of Ordinance No. 348 to read

6 as follows:

7 “K. Industrial Hemp Activities are permitted or conditionally permitted in
8 subsections B., G., or H. in Section 13.51 pursuant to the provisions set forth
9 in Article XIXm of this ordinance including, but not limited to, permit
10 processing, location, standards and approval requirements.”

11 Section 11. A new subsection G. is added to Section 14.1 of Ordinance No. 348 to read

12 as follows:

13 “G. Industrial Hemp Activities are permitted or conditionally permitted in
14 subsections A., B., or C. in Section 14.1 pursuant to the provisions set forth
15 in Article XIXm of this ordinance including, but not limited to, permit
16 processing, location, standards and approval requirements.”

17 Section 12. A new subsection F. is added to Section 14.52 of Ordinance No. 348 to read

18 as follows:

19 “F. Industrial Hemp Activities are permitted or conditionally permitted in
20 subsections A., B., or C. in Section 14.52 pursuant to the provisions set forth
21 in Article XIXm of this ordinance including, but not limited to, permit
22 processing, location, standards and approval requirements.”

23 Section 13. A new subsection I. is added to Section 15.1 of Ordinance No. 348 to read as

24 follows:

25 “I. Industrial Hemp Activities are permitted or conditionally permitted in
26 subsections A., B., C., or D. in Section 15.1 pursuant to the provisions set
27 forth in Article XIXm of this ordinance including, but not limited to, permit
28 processing, location, standards and approval requirements.”

1 SECTION 19.1102. APPLICABILITY.

- 2 A. Industrial Hemp Activities shall not be allowed in the unincorporated areas of
3 Riverside County without first obtaining all required land use permits, licenses,
4 registrations or other entitlements required by local or State laws and regulations.
- 5 B. For the purposes of this Article, Industrial Hemp does not include Cannabis as
6 defined in this ordinance.
- 7 C. This Article does not apply to legally existing Outdoor Industrial Hemp Cultivation
8 in the A-1, A-P, A-2, A-D and W-2 zone classifications that is operated by an
9 Established Agricultural Research Institution as defined in Section 81000 of the
10 California Food and Agricultural Code.
- 11 D. Outdoor Industrial Hemp Cultivation legally operating in the A-1, A-P, A-2, A-D,
12 R-R, R-R-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,
13 R-7, C/V, C-C/V, WC-R, WC-W, WC-WE, WC-E, R-D, N-A, W-2, W-2-M, W-1,
14 W-E, M-R, M-R-A and MU zone classifications with a valid registration issued by
15 the County Agricultural Commissioner prior to the effective date of Ordinance No.
16 348.4931 may continue operating for the period of time provided in the valid
17 registration. Upon expiration of the valid registration, the Outdoor Industrial Hemp
18 Cultivation shall comply with the requirements of this Article and all other applicable
19 laws and regulations.

20 SECTION 19.1103. LOCATIONS.

- 21 A. Industrial Hemp Activities are prohibited in the following zones: R-R-O, R-1, R-1A,
22 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-
23 W, WC-WE, WC-E, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A, and MU.
- 24 B. Industrial Hemp Activities operating in accordance with this Article within approved
25 Specific Plans shall be an interim use not to exceed a maximum of 10 years.
- 26
27
28

1 SECTION 19.1104. OUTDOOR INDUSTRIAL HEMP CULTIVATION.

2 A. Registration. In addition to the requirements set forth in this Article, a registration
3 shall be obtained from the County Agricultural Commissioner for the approved
4 Outdoor Industrial Hemp Cultivation.

5 B. Zoning. Notwithstanding any other provision of this ordinance, Outdoor Industrial
6 Hemp Cultivation is allowed as follows:

7 1. In the A-1, A-P, A-2 and A-D zones, Outdoor Industrial Hemp Cultivation is
8 allowed in accordance with the following:

9 a. On lots less than 10 gross acres with an approved conditional use
10 permit in accordance with Section 18.28 of this ordinance.

11 b. On lots 10 gross acres or greater but less than 20 gross acres and
12 adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3,
13 R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE,
14 WC-E, WC-R with an approved plot plan in accordance with Section
15 18.30 of this ordinance.

16 c. On lots 10 gross acres or greater but less than 20 gross acres and not
17 adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3,
18 R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE,
19 WC-E, WC-R as a use by right.

20 d. On lots 20 gross acres or greater but less than 160 acres as a use by
21 right.

22 e. On lots 160 gross acres or greater with an approved conditional use
23 permit in accordance with Section 18.28 of this ordinance.

24 2. In W-2 Zone, Outdoor Industrial Hemp Cultivation is allowed in accordance
25 with the following:

26 a. On lots less than five gross acres, Outdoor Industrial Hemp
27 Cultivation is prohibited.
28

- b. On lots five gross acres or greater but less than 40 gross acres with an approved conditional use permit in accordance with Section 18.28 of this ordinance.
- c. On lots 40 gross acres or greater but less than 160 gross as a use by right.
- d. On lots 160 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

3. In R-R and R-A Zones, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:

- a. On lots less than five gross acres Outdoor Industrial Hemp Cultivation is prohibited.
- b. Except as provided in subsection c. below, on lots five gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.
- c. On lots five gross acres or greater that are not adjoining any lot zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC- with an approved plot plan in accordance with Section 18.30 of this ordinance.

SECTION 19.1105. INDOOR INDUSTRIAL HEMP CULTIVATION.

- A. Registration. In addition to the requirements set forth in this Article, a registration shall be obtained from the County Agricultural Commissioner for the approved Indoor Industrial Hemp Cultivation.
- B. Zoning. Notwithstanding any other provision of this ordinance, Indoor Industrial Hemp Cultivation is allowed in the following zone classifications with an approved plot plan in accordance with section 18.30 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2 and A-D.

1 SECTION 19.1106. INDUSTRIAL HEMP CULTIVATION STANDARDS.

2 In addition to the applicable permit and approval requirements provided in this Article and
3 the development standards in the applicable zoning classification, Industrial Hemp
4 Cultivation operations shall comply with the standards provided below. If there is an
5 inconsistency between the development standards of the zone classification and these
6 standards, the more restrictive standard applies.

7 A. Location Requirements.

- 8 1. Indoor and Outdoor Industrial Hemp Cultivation shall not be located within
9 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth
10 Center. The distance shall be measured from the nearest points of the
11 respective lot lines using a direct straight-line measurement. This location
12 requirement may be modified with the approval of a variance pursuant to
13 Section 18.27 of this ordinance.
- 14 2. Industrial Hemp shall not be cultivated on a premises legally allowed to
15 cultivate or process Cannabis.

16 B. Setbacks.

- 17 1. Indoor Industrial Hemp Cultivation: Indoor Industrial Hemp Cultivation
18 shall be within a fully enclosed building or buildings and setback from the lot
19 lines and public right-of way in accordance with the development standards
20 for the zone classification in which it is located. When an Indoor Industrial
21 Hemp Cultivation facility is located adjacent to a residentially zoned lot the
22 minimum setback shall be 25 feet from all lot lines.
- 23 2. Outdoor Industrial Hemp Cultivation:
- 24 a. For lots adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-
25 2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W,
26 WC-WE, WC-E, WC-R the Industrial Hemp Cultivation Area shall
27 be setback a minimum of 100 feet from the adjoining lot line,
28

1 otherwise the Industrial Hemp Cultivation Area shall be setback a
2 minimum of 25 feet from all lot lines and public right-of-ways.

- 3 b. The Industrial Hemp Cultivation Area shall be located a minimum of
4 50 feet from the drip line of any riparian vegetation of any
5 watercourse.

6 C. Energy Conservation Measures. All Indoor Industrial Hemp Cultivation operations
7 shall include adequate measures to address the projected energy demand for
8 Industrial Hemp Cultivation at the lot. On-site renewable energy generation shall be
9 required for all Indoor Industrial Hemp Cultivation operations. Renewable energy
10 systems for Indoor Hemp Cultivation operating entirely within an enclosed building
11 shall be designed to have a generation potential equal to or greater than 20-percent
12 of the anticipated energy demand. This subsection does not apply to greenhouses or
13 similar types of structures.

14 D. Water Conservation Measures. All Industrial Hemp Cultivation operations shall
15 include adequate measures that minimize use of water for cultivation on the lot.
16 Water conservation measures, water capture systems, or grey water systems shall be
17 incorporated into the operations in order to minimize use of water where feasible.

18 E. Water Availability. All Industrial Hemp Cultivation operations shall obtain a 'Will
19 Serve' letter from the applicable water purveyor, indicating agreement to supply
20 water for the Industrial Hemp Cultivation operations. The letter shall include the
21 activity proposed and any improvements required for service. Where water service
22 is not available, all Industrial Hemp Cultivation operations shall comply with
23 applicable Department of Environmental Health requirements for a permitted onsite,
24 in-ground well. Commercial and domestic potable water supplies shall not include
25 water transported by vehicle from off-site sources.

26 F. Operations.

- 27 1. All Industrial Hemp Cultivation lighting shall be fully shielded, downward
28 casting and not spill over onto structures, other properties or the night sky.

1 Light shall not escape at a level that is visible from neighboring properties
2 between sunset and sunrise.

3 2. All Industrial Hemp Cultivation operations shall accumulate or store garbage
4 and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily
5 cleanable, galvanized metal or heavy plastic containers with tight fitting lids.
6 No refuse container shall be filled beyond the capacity to completely close
7 the lid. All garbage and refuse on the site shall not be accumulated or stored
8 for more than seven calendar days, and shall be properly disposed of before
9 the end of the seventh day. All waste, including but not limited to refuse,
10 garbage, green waste and recyclables, must be disposed of in accordance with
11 County and State laws and regulations. All waste generated from Industrial
12 Hemp Cultivation operations must be properly stored and secured to prevent
13 access from the public.

14 3. Onsite generators are prohibited, except as a source of energy in an
15 emergencies. Onsite generators for emergency use shall be included in the
16 applicable plot plan or conditional use permit.

17 4. Supplemental lighting for Outdoor Hemp Cultivation shall not exceed 25
18 watts per square foot to be used up to one hour before sunrise or after sunset,
19 unless the building or structure is equipped with light-blocking measures to
20 ensure no light escapes from it.

21 5. Industrial Hemp Cultivation shall not include the retail sales of Industrial
22 Hemp or Industrial Hemp Products.

23 G. Signage – Outdoor Industrial Hemp Cultivation. In accordance with Section 81006
24 of the Food and Agricultural Code, Outdoor Industrial Hemp Cultivation shall have
25 a sign placed at the primary entrance of the lot indicating it is Industrial Hemp
26 Cultivation. The sign shall be a minimum of 3 foot by 3 foot.

27 SECTION 19.1107. INDUSTRIAL HEMP MANUFACTURING FACILITIES ZONES.

28 A. Notwithstanding any other provision of this ordinance, Industrial Hemp

1 Manufacturing Facilities are allowed as follows:

- 2 1. Non-Volatile Industrial Hemp Manufacturing Facility. Non-volatile
3 Industrial Hemp Manufacturing Facilities are allowed in the following zones
4 with an approved plot plan in accordance with Section 18.30 of this
5 ordinance: A-1, A-P, A-2, A-D, I-P, M-SC, M-M and the M-H zones.
- 6 2. Volatile Industrial Hemp Manufacturing Facility. Volatile Industrial Hemp
7 Manufacturing Facilities are allowed in the following zones with an approved
8 conditional use permit in accordance with Section 18.28 of this ordinance:
9 A-1, A-P, A-2, A-D, I-P, M-SC, M-M and M-H.

10 SECTION 19.1108. INDUSTRIAL HEMP MANUFACTURING FACILITIES
11 STANDARDS

12 In addition to the applicable permit and approval requirements provided in this Article and
13 the development standards for the applicable zoning classification, Industrial Hemp
14 Manufacturing Facilities shall comply with the standards provided below. If there is an
15 inconsistency between the development standards of the zone classification and these
16 standards, the more restrictive standard applies.

17 A. General Location. Industrial Hemp Manufacturing Facilities shall not be located
18 within 1000 feet from any Child Day Care Center, K-12 school, public park, or Youth
19 Center. Distance shall be measured from the nearest point of the respective lot lines
20 using a direct straight-line measurement. A new adjacent use will not affect the
21 continuation of an existing legal use that has been established under this Article and
22 continuously operating in compliance with the conditional use permit, and local and
23 State laws and regulations.

24 B. Setbacks.

- 25 1. Non-Volatile and Volatile Industrial Hemp Manufacturing Facilities shall be
26 setback from all lot lines a minimum of 25 feet.
- 27 2. Setbacks may be modified with an approved setback adjustment in
28 accordance with Section 18.33 of this ordinance. In no case shall a setback

1 be less than setbacks required by the State law, the California Building Code
2 or Ordinance No. 457.

3 C. Lot Size. Except for Industrial Hemp Manufacturing Facilities located in the I-P, M-
4 SC, M-M or M-H zones, the minimum lot size for Industrial Hemp Manufacturing
5 Facilities is 20 gross acres. Industrial Hemp Manufacturing Facilities located in the
6 I-P, M-SC, M-M or M-H zones shall comply with the lot size standards for the zone
7 classification in which they are located.

8 D. Operations.

9 1. Any compressed gases used in the manufacturing process shall not be stored
10 on any lot within in containers that exceeds the amount which is approved by
11 the Riverside County Fire Department and authorized by the conditional use
12 permit.

13 2. Closed loop systems for compressed gas extraction systems must be
14 commercially manufactured, bear a permanently affixed and visible serial
15 number and certified by an engineer licensed by the State of California that
16 the system was commercially manufactured, is safe for its intended use, and
17 was built to codes of recognized and generally accepted good engineering
18 practices.

19 3. Industrial Hemp Manufacturing Facilities shall have a training program for
20 persons using solvents or gases in a closed looped system to create hemp
21 extracts on how to use the system, to access applicable material safety data
22 sheets and to handle and store the solvents and gases safely.

23 SECTION 19.1109. PERMIT REQUIREMENTS FOR INDUSTRIAL HEMP
24 ACTIVITIES

25 Industrial Hemp Activities shall comply with the following requirements:

26 A. Application Requirements. At the time of filing the application for an Industrial
27 Hemp Activity on a form provided by the Planning Department, the applicant shall
28 also provide the applicable fee for processing the land use permit application.

1 B. Suspension, Revocation, or Termination of State License. Suspension of any
2 required license issued by the State of California, or by any State licensing authority,
3 or registration issued by the County Agricultural Commissioner shall immediately
4 suspend the ability of an Indoor or Outdoor Industrial Hemp Cultivation to operate
5 within the County until the State or County reinstates or reissues the State license or
6 County registration, as applicable. Revocation or termination of State license or
7 County registration will also be grounds to revoke or terminate any conditional use
8 permit or plot plan granted to an Indoor or Outdoor Industrial Hemp Cultivation land
9 use pursuant to this Article.

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

17 D. Nuisance Odors Indoor Industrial Hemp. Indoor Industrial Hemp Activities shall be
18 sited and operated in a manner that prevents Industrial Hemp nuisance odors from
19 being detected offsite. All Indoor Industrial Hemp Activities shall provide a
20 sufficient odor absorbing ventilation and exhaust system so that odor generated
21 inside the Indoor Industrial Hemp Activity that is distinctive to its operation is not
22 detected outside of the operation's facility, anywhere on adjacent lots or public
23 rights-of-way, on or about the exterior or interior common area walkways, hallways,
24 breezeways, foyers, lobby areas, or any other areas available for use by common
25 tenants or the visiting public, or within any other unit located inside the same building
26 as the Indoor Industrial Hemp Activity. In order to control nuisances such as odors,
27 humidity and mold, Indoor Industrial Hemp Activities shall install and maintain at
28 the minimum, the following equipment, or any other equipment that can be proven

1 to be an equally or more effective method or technology to control these nuisances:

- 2 1. An exhaust air filtration system with odor control that prevents internal odors
- 3 from being emitted externally;
- 4 2. An air system that creates negative air pressure between the Indoor Industrial
- 5 Hemp Activities' interior and exterior, so that the odors generated by the
- 6 Indoor Industrial Hemp Activity are not detectable on the outside of the
- 7 Indoor Industrial Hemp Activity.

8 This subsection does not apply to greenhouses or similar structures.

9 E. Relocation Of A Permitted Industrial Hemp Activity. In the event the permittee or

10 successor in interest vacates and relocates the Industrial Hemp Activity to a new

11 location, a new conditional use permit or plot plan will need to be granted by the

12 County in accordance with this ordinance prior to commencing operations at the new

13 location.

14 F. Permit and License Posting. The permittee shall post or cause to be posted at the

15 Industrial Hemp Activity all required County and State permit and licenses to

16 operate.

17 G. Inspections. Industrial Hemp Activities shall be subject to inspections by appropriate

18 local and State agencies, including, but not limited to, the Riverside County

19 Departments of Code Enforcement, Planning, Fire, Public Health, Environmental

20 Health, the Agricultural Commissioner's Office and the Sheriff's Department.

21 H. Signage. Signage for an Industrial Hemp Activity shall comply with the following:

- 22 1. Business identification signage for an Industrial Hemp Activity shall comply
- 23 with Section 19.4 of this ordinance.
- 24 2. No Industrial Hemp Activity shall advertise by having a person or device
- 25 holding a sign or an air dancer sign advertising the activity to passersby,
- 26 whether such person, device or air dancer is on the lot of the Industrial Hemp
- 27 Activity or elsewhere including, but not limited to, the public right-of-way.
- 28

3. No signs placed on the lot of an Industrial Hemp Activity shall obstruct any entrance or exit to the building or any window.
4. Signage shall not be directly illuminated, internally or externally.
5. No banners, flags, billboards, or other prohibited signs may be used at any time.

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

J. Hazardous Materials. All Industrial Hemp Activities that utilize hazardous materials shall comply with applicable hazardous waste generator, Riverside County Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance No. 651, requirements and maintain any applicable permits for these programs from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources and the Agricultural Commissioner.

K. Compliance with Local and State Laws and Regulations.

1. All Industrial Hemp Activities shall comply with all applicable local and State laws, ordinances and regulations related to, but not limited to, the following: the California Environmental Quality Act, California Building Code, California Fire Code, Riverside County Ordinance No. 787, Riverside County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside County Ordinance No. 745, Airport Land Use Compatibility Plans, weights and measures regulations, pesticide use, water quality, storm water discharge and the grading of land.
2. All buildings and structures, including greenhouse, hoop structures, or other similar structures shall comply with all applicable Building, Fire, and Safety laws and regulations. All buildings and structures shall be reviewed by the Riverside County Building and Safety Department in accordance with the California Building Code and Riverside County Ordinance No. 457 and by

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

3 L. Multiple Industrial Hemp Activities. Multiple Industrial Hemp Activities may be
4 allowed on the same lot provided the proposed activities are allowed in the zone
5 classification and meet all requirements in this Article and State Law.

6 M. Retail Sales. Industrial Hemp Activities shall not include the retail sales of Industrial
7 Hemp or Industrial Hemp Products.

8 SECTION 19.1110. APPROVAL REQUIREMENTS FOR INDUSTRIAL HEMP
9 ACTIVITIES

10 A. No conditional use permit or plot plan for an Industrial Hemp Activity shall be
11 approved unless the following findings are made:

- 12 1. The permit is consistent with the General Plan and any applicable specific
13 plan.
- 14 2. The permit complies with the permit requirements of this Article and Section
15 18.28 or Section 18.30 of this ordinance, as applicable.
- 16 3. The permit complies with the development standards for the zoning
17 classification in which the Industrial Hemp Activity is located.
- 18 4. The permit will not be detrimental to the public health, safety or general
19 welfare.

20 B. In addition to the findings required in subsection A. of Section 19.1110 above, no
21 conditional use permit or plot plan for Indoor or Outdoor Industrial Hemp Cultivation
22 shall be approved unless the following findings are made:

- 23 1. The Industrial Hemp Cultivation complies with all the requirements of the
24 State and County for Industrial Hemp Cultivation.
- 25 2. The Industrial Hemp Cultivation is not located within 1,000 feet from any
26 Child Day Care Center, K-12 school, public park, or Youth Center or a
27 variance has been approved allowing a shorter distance but not less than
28 allowed by State law.

- 1 3. The Industrial Hemp Cultivation includes adequate measures that minimize
2 use of water for cultivation on the lot.
- 3 4. The Industrial Hemp Cultivation includes adequate quality control measures
4 to ensure cultivation meets State and County regulatory standards.
- 5 5. The Industrial Hemp Cultivation includes adequate measures that address
6 enforcement priorities for cultivation including restricting access to minors,
7 and ensuring that Industrial Hemp is not supplied to unlicensed or
8 unpermitted persons.
- 9 6. The Indoor Industrial Hemp Cultivation will operate in a manner that
10 prevents Industrial Hemp nuisance odors from being detected offsite.

11 C. In addition to the findings required in subsection A. of Section 19.1110 above, no
12 conditional use permit or plot plan for an Industrial Hemp Manufacturing Facility
13 shall be approved unless the following findings are made:

- 14 1. The facility complies with all the requirements of the State and County for
15 the manufacturing of Industrial Hemp.
- 16 2. The Industrial Hemp Manufacturing Facility does not pose a significant threat
17 to the public or to neighboring uses from explosion or from release of harmful
18 gases, liquids, or substances.
- 19 3. The Industrial Hemp Manufacturing Facility includes adequate quality
20 control measures to ensure Hemp manufactured at the facility meets industry
21 standards and includes a documented employee safety training program, a
22 Safety Data Sheet, and meets all requirements in Health and Safety Code
23 Section 11362.775, as it may be amended from time to time.
- 24 4. The Industrial Hemp Manufacturing Facility includes adequate measures that
25 address enforcement priorities for Industrial Hemp activities including
26 restricting access to minors, and ensuring that Industrial Hemp and Industrial
27 Hemp Products are obtained from and supplied only to other permitted
28 licensed sources within the State and not distributed out of State.

1 5. The Industrial Hemp Manufacturing Facility is not located within 600 feet
2 from any Child Day Care Center, K-12 school, public park, or Youth Center.

3 D. Conditional use permits and plot plan shall be subject to all conditions necessary or
4 convenient to assure that the Industrial Hemp Activity will satisfy the requirements
5 of this Article.

6 SECTION 19.1111. PUBLIC HEARING REQUIREMENTS FOR INDUSTRIAL HEMP
7 ACTIVITIES.

8 A public hearing shall be held on the application for a conditional use permit or plot plan in
9 accordance with the Section 18.28 or Section 18.30 of this ordinance, as applicable, and all
10 of the procedural requirements and rights of appeal set forth therein shall govern the public
11 hearing.

12 SECTION 19.1112. REVOCATION OF PERMIT FOR INDUSTRIAL HEMP
13 ACTIVITIES.

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

19 Section 15. Section 21.39b of Ordinance No. 348 is amended to read as follows:

20 “Section 21.39b. INDUSTRIAL HEMP.

21 An agricultural product, whether growing or not, that is limited to types of the plant
22 Cannabis sativa L. and any part of the plant, including the seed of the plant and all
23 derivatives, extracts, the resin extracted from any part of the plant, cannabinoids,
24 isomers, acids, salts and salts of isomers, with a delta-9 tetrahydrocannabinol
25 concentration of no more than 0.3 percent on a dry weight basis. For purposes of
26 this ordinance, Industrial Hemp is not considered a field crop.”

27 Section 16. A new section 21.39c. is added to Ordinance No. 348 to read as follows:

28 “Section 21.39c. INDUSTRIAL HEMP ACTIVITY.

1 The cultivation, growing, seed breeding, possession, manufacture, distribution,
2 processing, storing, laboratory testing, packaging, labeling, transportation, delivery
3 or sale of Industrial Hemp and Industrial Hemp Products.”

4 Section 17. A new section 21.39d. is added to Ordinance No. 348 to read as follows:

5 “Section 21.39d. INDUSTRIAL HEMP CULTIVATION.

6 Any activity involving the planting, growing, harvesting, drying, curing, grading or
7 trimming of industrial hemp for commercial purposes and industrial hemp seed
8 breeders.”

9 Section 18. A new section 21.39e. is added to Ordinance No. 348 to read as follows:

10 “Section 21.39e. INDUSTRIAL HEMP CULTIVATION AREA.

11 The area on a lot or in a building where Industrial Hemp is planted, grown, harvested,
12 dried, cured, graded, or trimmed or that does all or any combination of these
13 activities.”

14 Section 19. A new section 21.39f. is added to Ordinance No. 348 to read as follows:

15 “Section 21.39f. INDUSTRIAL HEMP MANUFACTURING.

16 The compounding, blending, extracting, infusing, or otherwise making or preparing
17 a hemp product.”

18 Section 20. A new section 21.39g. is added to Ordinance No. 348 to read as follows:

19 “Section 21.39g. INDUSTRIAL HEMP MANUFACTURING FACILITY (NON-
20 VOLATILE).

21 A facility that processes, produces, prepares, propagates, holds, stores, packages,
22 labels or compounds hemp or hemp products either directly or indirectly or by
23 extraction and/or infusion methods, or independently by means of chemical synthesis
24 or by a combination of extraction and/or infusion and chemical synthesis, using non-
25 volatile organic compounds, at a fixed location, that packages or repackages hemp
26 or hemp products, or labels or relabels its containers. Hemp manufacturing also
27 includes any processing, preparing, holding, or storing of components and
28 ingredients.”

1 Section 21. A new section 21.39h. is added to Ordinance No. 348 to read as follows:

2 “Section 21.39h. INDUSTRIAL HEMP MANUFACTURING FACILITY
3 (VOLATILE).

4 A facility that processes, produces, prepares, propagates, holds, stores, packages,
5 labels, or compounds hemp or hemp products either directly or indirectly or by
6 extraction and/or infusion methods, or independently by means of chemical synthesis
7 or by a combination of extraction and/or infusion and chemical synthesis, using
8 volatile organic compounds, at a fixed location, that packages or repackages hemp
9 or hemp products, or labels or relabels its containers. Hemp manufacturing also
10 includes any processing, preparing, holding, or storing of components and
11 ingredients.”

12 Section 22. A new section 21.39i. is added to Ordinance No. 348 to read as follows:

13 “Section 21.39i. INDUSTRIAL HEMP PRODUCTS.

14 Hemp that has undergone a process whereby the plant material has been transformed
15 into a concentrate, including, but not limited to, concentrated hemp, or an edible or
16 topical product containing hemp or concentrated hemp and other ingredient.”

17 Section 23. A new section 21.39j. is added to Ordinance No. 348 to read as follows:

18 “Section 21.39j. INDOOR INDUSTRIAL HEMP CULTIVATION.

19 The cultivation of Industrial Hemp within a permanent structure using exclusively
20 artificial light or within any type of structure using artificial light at a rate of twenty-
21 five (25) watts per square foot.”

1 Section 24. This ordinance shall take effect thirty (30) days after its adoption.

2
3 BOARD OF SUPERVISORS OF THE COUNTY
4 OF RIVERSIDE, STATE OF CALIFORNIA

5 By: _____
6 Chairman

7
8 ATTEST:
9 CLERK OF THE BOARD
10 Kecia Harper

11 By: _____
12 Deputy

13
14 (SEAL)

15
16
17 APPROVED AS TO FORM
18 August 29, 2020

19
20 By: 
21 MICHELLE P. CLACK
22 Chief Deputy County Counsel



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

3.1

Planning Commission Hearing: August 5, 2020

PROPOSED PROJECT

Case Number(s): Ord No. 348.4931 (CZ1900015)


Environmental: CEQA Categorical Exemption

Supervisory District: County-wide

Project Planner: John Hildebrand

Applicant: County Initiated

Continued From: June 3rd, 2020 & June 17th, 2020


Charissa Leach, P.E.
Assistant TLMA Director

PROJECT DESCRIPTION AND LOCATION

ORDINANCE NO. 348.4931, associated with **CHANGE OF ZONE NO. 1900015** establishes a regulatory framework for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. The new article to Ordinance No. 348 sets forth the permitting requirements, zone classifications, development standards, and operating requirements for Hemp cultivation and manufacturing.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

FIND that Ordinance No. 348.4931 is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) based on the findings and conclusions incorporated in the staff report; and,

ADOPT Ordinance No. 348.4931, associated with **Change of Zone No.1900015**, based on the findings and conclusions incorporated into this staff report.

PROJECT BACKGROUND AND ANALYSIS

Background:

Hemp activities, which include cultivation, processing, and manufacturing, are currently allowed within the unincorporated areas of Riverside County. The County has no existing regulatory framework to address where hemp can be grown or requirements for size, setbacks, or operations. Hemp activities can be established by registering the property through the Agricultural Commissioner, prior to operations and each registration is valid for one year. Currently, there are approximately 103 registered grower's licenses and 13 registered seed breeder's licenses issued throughout Riverside County. Due to the potential health

and safety impacts, as well as nuisance issues associated with Hemp activities, a proposed Hemp ordinance has been drafted.

Industrial Hemp Activities Ordinance:

The attached draft amendment to Ordinance No. 348 establishes a regulatory framework for the cultivation and manufacturing of Industrial Hemp in the unincorporated areas of Riverside County. The new article to Ordinance No. 348 sets forth the permitting requirements, zone classifications where Industrial Hemp Activities are allowed with an approved conditional use permit, development standards as well as operating and manufacturing requirements.

In summary of the zoning and permitting requirements, the following is proposed:

All Industrial Hemp activities are restricted in the following zones:

- R-R, R-R-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-R, WC-W, WC-WE, WC-E, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A, SP and MU.

Outdoor industrial Hemp Cultivation is allowed in the **A-1, A-P, A-2** and **A-D** zones and is subject to the following provisions and application types:

- On lots less than 10 gross acres with an approved **conditional use permit** in accordance with Section 18.28 of this ordinance.
- On lots 10 gross acres or greater but less than 20 gross acres with an approved **Plot Plan** in accordance with Section 18.30 of this ordinance.
- On lots 20 gross acres or greater but less than 160 acres as a **use by right**.
- On lots 160 gross acres or greater with an approved **conditional use permit** in accordance with Section 18.28 of this ordinance.

Outdoor industrial Hemp Cultivation is allowed in the **W-2** zone, subject to the following provisions and application types:

- On lots less than 10 gross acres, Outdoor Industrial Hemp Cultivation is **prohibited**.
- On lots 10 gross acres or greater but less than 40 gross acres with an approved **conditional use permit** in accordance with Section 18.28 of this ordinance.
- On lots 40 gross acres or greater but less than 160 gross acres as a **use by right**.
- On lots 160 gross acres or greater with an approved **conditional use permit** in accordance with Section 18.28 of this ordinance.

Indoor industrial Hemp Cultivation is allowed as follows:

- Allowed in the following zone classifications with an approved **plot plan** in accordance with section 18.30 of this ordinance: **C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2** and **A-D**.

Industrial Hemp Manufacturing Facilities are allowed as follows:

- Non-volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved **Plot Plan** in accordance with Section 18.30 of this ordinance: **A-1, A-P, A-2, A-D, I-P, M-SC, M-M** and the **M-H** zones.
- Volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved **conditional use permit** in accordance with Section 18.28 of this ordinance: **A-1, A-P, A-2, A-D, I-P, M-SC, M-M** and **M-H**.

Additional Change Considerations:

Between the time the draft Industrial Hemp Activities ordinance was released for public review and comment, and leading up to preparation of this Planning Commission report, staff continued to evaluate the Industrial Hemp Activities ordinance, as well as accept public comments. Based upon feedback from the public and other agencies, the following additional items are being requested to be considered by the Planning Commission for possible incorporation into the draft ordinance:

- 1) Industrial Hemp as interim use in Specific Plans.
 - a. Include under Zoning that Hemp is allowed to be grown as a temporary / interim use within approved specific plans, for an initial term of up to 5-years, with an additional 5-year term, for a maximum of 10-years.
 - b. The property needs to have an adopted Specific Plan that allows for agriculture as an interim use.

- 2) Industrial Hemp activities in the Residential Agricultural (R-A) and the Rural Residential (R-R) zones under the following provisions:
 - On lots less than 20 gross acres in the R-A and R-R zones, Outdoor Industrial Hemp Cultivation is **prohibited**.
 - On lots 20 gross acres or greater but less than 40 gross acres in the R-A and R-R zones, Outdoor Industrial Hemp Cultivation is allowed with an approved **conditional use permit**.
 - On lots 40 gross acres or more in the R-A and R-R zones Outdoor Industrial Hemp Cultivation is **prohibited**.

- 3) Potential cost recovery provisions for staff to enforce illegal hemp activities.

June 3rd, 2020 Planning Commission:

During the June 3rd 2020 hearing, the Planning Commission heard a staff presentation, took public testimony, considered a number of additions requests, and finally took action to continue this project to the June 17th, 2020 hearing. As a result of the public testimony and discussion with staff during the hearing, the Planning Commission directed staff to add the following additional items to the draft ordinance:

- 1) Add a provision to allow Hemp Cultivation in Specific Plans that already allow row crops as an allowed / interim use.
 - a. Additional language to the draft Industrial Hemp Activities Ordinance is being crafted and will include provisions to allow Hemp Cultivation in Specific Plans consistent with approved Specific Plans and Ordinance No. 348.
 - b. Hemp Cultivation will be allowed in Specific Plan Planning Areas that utilize the zoning classifications set forth in Ordinance No. 348.4931 as a base zone that establishes the allowed uses in the Specific Plan Planning Areas. The proposed Hemp cultivation will still need to comply with the requirements and development standards established by this ordinance.
 - c. Hemp Cultivation in Specific Plan areas is intended to be allowed as an interim use. To ensure future compatibility, Hemp Cultivation will be allowed with 5-year increments of time, requiring timely renewal of the permit.

- 2) Allow Hemp Cultivation in the Rural Residential (R-R) and Residential Agricultural (R-A) zones.

- a. On lots less than 20 gross acres in the R-R and R-A zones, Outdoor Industrial Hemp Cultivation is prohibited.
 - b. On lots 20 gross acres or greater, Outdoor Industrial Hemp Cultivation is allowed in the R-R and R-A zones, with an approved Conditional Use Permit.
- 3) Revise Section 19.1106.E "Energy Conservation Measures"
- a. Clarify that the requirement to establish on-site energy reduction measures equal to or greater than 20% is intended to be applied when an Industrial Hemp Activity is located inside a wholly enclosed building and does not apply to greenhouses or other types of similar mixed-light structures.
- 4) Revise the following Hemp Cultivation setback requirements
- a. Section 19.1106.C "Setbacks"
 - i. ~~2.a Except when adjacent to residentially zoned lot lines, t~~The Industrial Hemp Cultivation Area shall be setback a minimum of ~~400~~ 25 feet from all lot lines and public right-of-ways.
 - ii. ~~2.c When adjacent to a residentially zoned lot, the Industrial Hemp Cultivation Area shall be setback a minimum of 500 feet from the adjacent residentially zoned lot lines.~~ (Remove provision)
- 5) Revise the following Hemp Manufacturing setback requirements
- a. Section 19.1108.B "Setbacks"
 - i. ~~1. Non-Volatile and Volatile Industrial Hemp Manufacturing Facilities located on lots zoned A-1, A-P, A-2 or A-D shall be setback from all property lines a minimum of 300 feet.~~
 - ii. ~~2. Volatile Industrial Hemp Manufacturing Facilities located on lots zoned I-P, M-SC, M-M and M-H shall comply with the setback standards for the zone classification in which they are located, except when adjacent to a residential zone where the minimum setback from the residentially zone lot lines shall be 40 feet.~~
 - iii. ~~3. Non-Volatile Industrial Hemp Manufacturing Facilities located on lots zoned I-P, M-SC, M-M and M-H shall be comply with the setback 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.~~
 - iv. All Non-Volatile and Volatile Industrial Hemp Manufacturing Facilities shall be setback a minimum of 25 feet from all property lines. (Replace provisions 1, 2, & 3 with this)
- 6) Include a new provision to prohibit sales of Hemp products in conjunction with cultivation and manufacturing.
- a. Section 19.1109.M Retail Sales Industrial Hemp Activities shall not include the retail sales of Industrial Hemp or Industrial Hemp Products.

June 17th, 2020 Planning Commission:

The project was again continued to the August 5th Planning Commission hearing. During the June 17th 2020 hearing, the Planning Commission heard an updated staff presentation, which addressed each of the change requests, stated during the previous hearing. The Commission also took public testimony and heard feedback and further comments related to the Ordinance. At the conclusion of the staff presentation

and public testimony, the Commission discussed the proposed Ordinance and recommended the following additional changes:

- 1) **Air Filtration / Odor Abatement:** The Planning Commissioners discussed the requirement for odor abatement. As currently drafted, odor abatement systems are intended to be required and utilized when Hemp is being grown within a fully enclosed building, not outdoors or within greenhouse structures. To better distinguish between these situations and types of structures, the following provision has been added:

Section 19.1109.D – “Nuisance Odors Indoor Industrial Hemp”

- This subsection does not apply to greenhouses or similar structures.

- 2) **Fencing:** There is a provision in the draft Hemp Ordinance requiring Hemp cultivation to be screened with a minimum 6-foot tall fence that fully encloses the entire cultivation area. Upon discussion between the Planning Commissioners and public, the Commission felt that requiring fencing for a potentially large area should not be a requirement. As a result, Section 19.1106.D – Screening and Fencing, has been removed in its entirety.

- 3) **Water Usage:** The County's Land Use Ordinance (Ord No. 348) does not specifically address water usage and/or water quality issues. Typically, proof of water accessibility is required by the Environmental Health Department who requires “Will Serve” letters to be obtained during the entitlement review process or demonstrate that an onsite well system could be constructed. Water quality issues are generally reviewed under the Transportation Department, who manages site specific WQMPs or if it's a regional concern, Riverside County Flood Control would review. However, similar to the provision in the Cannabis Ordinance, the following has been added to the Hemp Ordinance:

Section 19.1106. INDUSTRIAL HEMP CULTIVATION STANDARDS.

G. Water Availability. All Industrial Hemp Cultivation operations shall obtain a ‘Will Serve’ letter from the applicable water purveyor, indicating agreement to supply water for all Industrial Hemp Cultivation operations. The letter shall include the activity proposed and any improvements required for service. For all Industrial Hemp Cultivation operations where water service is not available, conditions from the Department of Environmental Health for a permitted onsite, in-ground well will be required. Irrigation and domestic water supplies shall not include water transported by vehicle from off-site sources.

- 4) **Hemp in Specific Plan Areas:** The intent is to provide an opportunity for Hemp to be grown in Specific Plan areas, which allow agricultural development as an interim use, until the properties are built-out. Most of the County's Specific Plans include an adopting Ordinance, which defers development standards and uses back to Ordinance No. 348, rather than establishing new standards and/or uses within the SP itself. To address this and to accommodate the use, the same zones that are proposed to allow Industrial Hemp Cultivation and Manufacturing, as identified in this ordinance amendment, are proposed to also be amended throughout Ordinance No. 348 to explicitly allow Hemp, subject to the same requirements. Of note, Specific Plans that also have a Development Agreement (“DA”), may NOT be allowed to grow Hemp, as the DA typically locks in a specific version of Ordinance No. 348 for the term length of the DA. An Amendment to the DA would be necessary.

- 5) **Lighting:** During the last hearing, discussions around the types of lighting (HID, LED, etc...), lumens, and power output, associated with Indoor Hemp Cultivation were discussed. Ordinance No. 348 (Land Use) does not specifically address the types of lighting technology that is required or appropriate for any particular use. The County's Ordinance No. 655 (Regulating Light Pollution) and Ordinance No. 915 (Regulating Outdoor Lighting) more appropriately address the types of lighting technologies and should be referenced instead. Ordinance No 348 does however include a provision in the draft Hemp section regarding Energy Conservation Measures, requiring a 20% reduction in consumption when Hemp is Cultivated within an enclosed building.
- 6) **Setbacks:** Additional setback requirements have been added when cultivating Hemp on a residential zone, to address potential compatibility issues. The following setbacks for all Outdoor Hemp Cultivation are now proposed:
2. Outdoor Industrial Hemp Cultivation:
 - a. For lots adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R the Industrial Hemp Cultivation Area shall be setback a minimum of 100 feet from the adjoining lot line, otherwise the Industrial Hemp Cultivation Area shall be setback a minimum of 25 feet from all lot lines and public right-of-ways.
- 7) **R-A & R-R:** After a lengthy discussion about the appropriateness of allowing Hemp Cultivation in the R-A and R-R Zone and under what conditions should it be allowed, staff is proposing the following new provisions to address Hemp in the these two residential zones. Pursuant to the draft Ordinance, Section 19.1104.B.3:
3. In R-R and R-A Zones, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:
 - a. On lots less than five gross acres Outdoor Industrial Hemp Cultivation is prohibited.
 - b. Except as provided in subsection c. below, on lots five gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.
 - c. On lots five gross acres or greater that are not adjoining any lot zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC- with an approved an approved plot plan in accordance with Section 18.30 of this ordinance.
- 8) **Other Zones:** In addition to changes with the R-R and R-A lot sizes and processing requirements, changes to the other zones and lot sizes were also made in Section 19.1104.B.1 and B.2, pursuant to the following::
1. In the A-1, A-P, A-2 and A-D zones, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:
 - a. On lots less than 10 gross acres with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

- b. On lots 10 gross acres or greater but less than 20 gross acres and adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R with an approved Plot Plan in accordance with Section 18.30 of this ordinance.
 - c. On lots 10 gross acres or greater but less than 20 gross acres and not adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R as a use by right.
 - d. On lots 20 gross acres or greater but less than 160 acres as a use by right.
 - e. On lots 160 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.
2. In W-2 Zone, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:
- a. On lots less than five gross acres, Outdoor Industrial Hemp Cultivation is prohibited.
 - b. On lots five gross acres or greater but less than 40 gross acres with an approved conditional use permit in accordance with Section 18.28 of this ordinance.
 - c. On lots 40 gross acres or greater but less than 160 gross as a use by right.
 - d. On lots 160 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

Ordinance No. 348.4931, associated with Change of Zone No.1900015, has been determined to be categorically exempt from CEQA, pursuant to State CEQA Guidelines Section 15061(b)(3)(Common Sense Exemption). Section 15061(b)(3) provides that an "activity 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." The scope of this ordinance amendment includes establishing zoning, permitting, and operating requirements for Industrial Hemp Activities in the unincorporated areas of Riverside County. No new construction is proposed in conjunction with this amendment and it is limited to text changes only, in Ordinance No. 348 (Land Use). The activity of growing Industrial Hemp is a similar activity as most other agricultural uses, which are primarily allowed as a by-right use. Currently, Riverside County does not require entitlement approval for Industrial Hemp activities, but does require that a property be registered with the Agricultural Commissioner, prior to conducting operations. This ordinance amendment will result in the establishment of a regulatory framework which provides permitting and operating requirements for Industrial Hemp Activities. A combination of entitlement processing and by-right implementation of Industrial Hemp Activities is proposed under this ordinance amendment. Each request to establish a new Industrial Hemp Activity within the County would be analyzed on a case-by-case basis to determine the appropriate level of environment analysis. As a

result, this ordinance amendment, which establishes an Industrial Hemp Activities regulatory framework, will not cause a significant impact to the environment.

FINDINGS AND CONCLUSIONS

In order for the County to approve the proposed project, the following findings are required to be made:

1. Ordinance No. 348.4931, associated with Change of Zone No.1900015, applies to all unincorporated areas of Riverside County.
2. Ordinance No. 348.4931, associated with Change of Zone No.1900015, adds a new Industrial Hemp Activities article to Ordinance No. 348 (Land Use).
3. Ordinance No. 348.4931, associated with Change of Zone No.1900015, sets forth the permitting requirements, development standards, and zone classifications for Industrial Hemp Activities.
4. Ordinance No. 348.4931, associated with Change of Zone No.1900015, is consistent with and in conformance with all elements of the Riverside County General Plan.

Specifically, General Plan Policy LU 20.2. states, "Protect agricultural uses, including those with industrial characteristics (dairies, poultry, hog farms, etc.) by discouraging inappropriate land division in the immediate proximity and allowing only uses and intensities that are compatible with agricultural uses." The cultivation and manufacturing of Hemp provides for a unique line of products that will now have the opportunity to be regulated for quality assurance and also be allowed through an entitlement and permitting process.

Additionally, the General Plan Vision statement for Agricultural Lands (5) states, "Agricultural operations of varying sizes and types are accommodated under the Plan in response to prevailing market opportunities. In some cases this has resulted in expanding the lands devoted to agriculture." The cultivation and manufacturing of Hemp has become a large economic force and the demand for appropriate agricultural land has grown substantially. The County is providing for this newer market opportunity by establishing zoning, permitting, and operating regulations for Hemp activities.

5. Ordinance No. 348.4931, associated with Change of Zone No.1900015, is internally consistent with the provisions of Ordinance No. 348 (Land Use).
6. Ordinance No. 348.4931, associated with Change of Zone No.1900015, was reviewed by the Riverside County Airport Land Use Commission ("ALUC") and was determined to be consistent with their plans, having no impacts.

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

A public hearing notice was included in a publication of the Press Enterprise and Desert Sun newspapers, prior to the initial June 3rd Planning Commission hearing.

The draft ordinance was made available to the general public for review and comment, approximately 30-days prior the initial Planning Commission hearing of June 3rd. Additionally, staff conducted a Hemp workshop during the December 18, 2019 Planning Commission hearing, whereby staff took comments from the general public regarding the proposed ordinance.

During the time of initial staff report preparation and prior to the first Planning Commission hearing on June 3rd, staff received a number of comments from both the general public as well as external agencies. Those comments have been included with the staff report as exhibits and some comments are being recommended to be included in the Ordinance.

Between each of the Planning Commission hearings starting June 3rd, then June 17th, and leading up to the August 5th hearing, staff received multiple letters both in support and in opposition of the proposed Ordinance. Those letters are included as exhibits in the report package.

Also, each iteration of changes to the draft Ordinance, have been made publicly available on the Planning Department's website, prior to the next hearing.

Industrial Hemp Activities Ordinance

**Airport Land Use Commission (“ALUC”)
Determination**

May 28th, 2020

Ordinance No. 348.4931
(Change of Zone No. 1900015)

AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



May 28, 2020

CHAIR
Russell Betts
Desert Hot Springs

VICE CHAIR
Steven Stewart
Palm Springs

COMMISSIONERS

Arthur Butler
Riverside

John Lyon
Riverside

Steve Manos
Lake Elsinore

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Riverside CA 92501
(VIA HAND DELIVERY)

**RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW –
DIRECTOR’S DETERMINATION**

File No.: ZAP1049RG20
Related File No.: CZ1900015 (Ordinance No. 348 Amendment)
APN: Countywide

Dear Mr. Hildebrand:

As authorized by the Riverside County Airport Land Use Commission (ALUC) pursuant to its Resolution No. 2011-02, as ALUC Director, I have reviewed County of Riverside amendment to Land Use Ordinance No. 348, a proposal to add a new Article addressing Industrial Hemp Activities and amending Article XXI providing for additional definitions.

All industrial hemp cultivation requires registration with the County Agricultural Commissioner. Indoor industrial hemp cultivation would be allowed with approval of a plot plan in the C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-2, A-P, and A-D zones.

Outdoor industrial hemp cultivation would be allowed as a use by right in the A-1, A-2, A-P, and A-D zones on lots at least 20 gross acres but less than 160 acres in size, with approval of a plot plan on lots at least 10 gross acres but less than 20 gross acres in size, and with a conditional use permit on lots at least one-half acre but less than 10 gross acres in size, and on lots at least 160 gross acres in size. Outdoor industrial hemp cultivation in the W-2 zone would require a minimum lot size of 10 gross acres and would require an approved conditional use permit on lots at least 10 gross acres but less than 40 gross acres in size, and on lots at least 160 gross acres in size. Outdoor industrial hemp cultivation would be allowed as a use by right in the W-2 zone on lots at least 40 gross acres in size, but less than 160 gross acres in size.

Outdoor industrial hemp cultivation activities that are legally operating in these and other zones with a valid registration issued by the County Agricultural Commissioner may continue to operate for the period of time provided in the valid registration, but, upon expiration of said valid registration, would be required to comply with the requirements set forth in the proposed ordinance amendment, except for those in the A-1, A-2, A-P, A-D, and W-2 zones operated by an Established Agricultural Research Institution as defined in Section 81000 of the California Food

AIRPORT LAND USE COMMISSION

and Agriculture Code.

Non-volatile industrial hemp manufacturing facilities would be allowed with an approved plot plan in the A-1, A-2, A-P, A-D, I-P, M-SC, M-M, and M-H zones, while volatile industrial hemp manufacturing facilities would be allowed with an approved conditional use permit in those same zones. The minimum lot size for either type of industrial hemp manufacturing facility in the A-1, A-2, A-P, and A-D zones would be 20 gross acres.

The proposed Article also establishes locational, setback, lot width, screening, fencing, energy and water conservation, operations, and signage requirements, requirements for approval, and permit processes. Applications for industrial hemp activities on lots smaller than 20 acres in gross area will require discretionary actions by the Planning Department, which will then prompt ALUC review if within an Airport Influence Area.

Industrial hemp is not considered to be a bird attractant, and the proposed amendment does not involve changes in development standards or allowable land uses that would increase residential density or non-residential intensity. Therefore, this amendment has no possibility for having an impact on the safety of air navigation within airport influence areas located within the unincorporated areas of Riverside County.

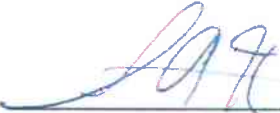
As ALUC Director, I hereby find the above-referenced project CONSISTENT with all Riverside County Airport Land Use Compatibility Plans.

This determination of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of the proposed amendment.

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Simon A. Housman, ALUC Director

cc: ALUC Case File

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ORDINANCE NO. 348.xxxx
AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE
PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS.
ARTICLE xxxx INDUSTRIAL HEMP ACTIVITIES

ARTICLE xxxx INDUSTRIAL HEMP ACTIVITIES

SECTION 19.XXX. PURPOSE AND INTENT.

The purpose of this Article is to protect the public health, safety, and welfare, enact effective regulatory and enforcement controls in compliance with State law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment in the unincorporated areas of Riverside County by establishing land use regulations for industrial hemp activities. Industrial hemp activities includes industrial hemp cultivation, industrial hemp manufacturing and processing. Industrial hemp activities require land use regulations due to the potential environmental and social impacts associated with industrial hemp activities.

SECTION 19.XXX. PROHIBITED ACTIVITIES.

- A. Any Industrial Hemp Activity that is not expressly exempted from this Article or provided for in an approved conditional use permit or plot plan and a registration with the County Agricultural Commissioner is prohibited in all zones and is hereby declared a public nuisance that may be abated by the County and is subject to all available legal remedies, including but not limited to civil injunctions.
- B. All Industrial Hemp Activities are prohibited within any dwelling unit, accessory dwelling unit, guest quarters, or any other residential accessory building permitted for residential occupancy.
- C. The cultivation of Industrial Hemp, either outdoors or indoors, is prohibited on acreage less than one-half of an acre.
- D. Outdoor Industrial Hemp Cultivation is prohibited in the W-2 Zone on lots less than 10 gross acres.

SECTION 19.XXX APPLICABILITY.

- A. Industrial Hemp Activities shall not be allowed in the unincorporated areas of Riverside County without first obtaining all required land use permits, licenses, registrations or other entitlements required by local or State laws and regulations.
- B. For the purposes of this Article, Industrial Hemp does not include Cannabis as defined in this ordinance.
- C. This Article does not apply to legally existing Outdoor Industrial Hemp Cultivation in the A-1, A-P, A-2, A-D and W-2 zone classifications that is operated by an Established Agricultural Research Institution as defined in Section 81000 of the California Food and Agricultural Code.
- D. Outdoor Industrial Hemp Cultivation legally operating in the A-1, A-P, A-2, A-D, R-R, R-R-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-

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R, WC-W, WC-WE, WC-E, R-D, N-A, W-2, W-2-M, W-1, W-E, M-R, M-R-A and MU zone classifications with a valid registration issued by the County Agricultural Commissioner prior to the effective date of Ordinance No. 348.XXX may continue operating for the period of time provided in the valid registration. Upon expiration of the valid registration, the Outdoor Industrial Hemp Cultivation shall comply with the requirements of this Article and all other applicable laws and regulations.

SECTION 19.XXX. PROHIBITED LOCATIONS.

Industrial Hemp Activities are prohibited in the following zones: R-R, R-R-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, CV, C-CV, WC-R, WC-W, WC-WE, WC-E, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A, SP and MU.

SECTION 19.XXX OUTDOOR INDUSTRIAL HEMP CULTIVATION

A. **REGISTRATION.** In addition to the requirements set forth in this Article, a registration shall be obtained from the County Agricultural Commissioner for the approved outdoor industrial hemp cultivation.

B. **ZONING.**

Notwithstanding any other provision of this ordinance, Outdoor Industrial Hemp Cultivation is allowed as follows:

1. In the A-1, A-P, A-2 and A-D zones, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:
 - a. On lots less than 10 gross acres with an approved conditional use permit in accordance with Section 18.28 of this ordinance.
 - b. On lots 10 gross acres or greater but less than 20 gross acres with an approved Plot Plan in accordance with Section 18.30 of this ordinance.
 - c. On lots 20 gross acres or greater but less than 160 acres as a use by right.
 - d. On lots 160 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

2. In W-2 Zone, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:
 - a. On lots less than 10 gross acres, Outdoor Industrial Hemp Cultivation is prohibited.
 - b. On lots 10 gross acres or greater but less than 40 gross acres with an approved conditional use permit in accordance with Section 18.28 of this ordinance.
 - c. On lots 40 gross acres or greater but less than 160 gross as a use by right.
 - d. On lots 160 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

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SECTION 19.XXX INDOOR INDUSTRIAL HEMP CULTIVATION.

- A. **REGISTRATION.** In addition to the requirements set forth in this Article, a registration shall be obtained from the County Agricultural Commissioner for the approved Indoor Industrial Hemp Cultivation.
- B. **ZONING.**

Notwithstanding any other provision of this ordinance, Indoor Industrial Hemp Cultivation is allowed as follows:

Indoor Industrial Hemp Cultivation is allowed in the following zone classifications with an approved plot plan in accordance with section 18.30 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2 and A-D.

SECTION 19.XXX INDUSTRIAL HEMP CULTIVATION STANDARDS.

In addition to the applicable permit and approval requirements provided in this Article and the development standards in the applicable zoning classification, Industrial Hemp Cultivation operations shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. **LOCATION REQUIREMENTS.**

- 1. Indoor and Outdoor Industrial Hemp Cultivation shall not be located within 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. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance.
- 2. Industrial Hemp shall not be cultivated on a premises legally allowed to cultivate or process Cannabis.

B. **MINIMUM LOT DIMENSIONS.**

The minimum average lot width for Indoor Industrial Hemp Cultivation lots shall be 150 feet.

C. **SETBACKS.**

- 1. **Indoor Industrial Hemp Cultivation:**

Indoor Industrial Hemp 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 Industrial Hemp Cultivation facility is located adjacent to a residentially zoned lot the minimum setback shall be 25 feet.

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2. Outdoor Industrial Hemp Cultivation:

- a. The Industrial Hemp Cultivation Area shall be setback a minimum of 100 feet from all lot lines and public right-of-ways.
- b. The Industrial Hemp Cultivation Area shall be located a minimum of 50 feet from the drip line of any riparian vegetation of any watercourse.
- c. When adjacent to a residentially zoned lot, the Industrial Hemp Cultivation Area shall be setback a minimum of 300 feet from the adjacent residentially zoned lot lines.

D. SCREENING AND FENCING.

Outdoor Industrial Hemp Cultivation on lots 20 gross acres or less shall occur within a secure fence at least 6 feet in height that fully encloses the Industrial Hemp Cultivation Area and prevents easy access to the Industrial Hemp Cultivation Area. The fence must be solid, durable and include a lockable gate(s) that is locked at all times, except for during times of active ingress and egress. Fences shall be separated by a minimum of six feet from all cultivation structures, providing a clear six foot path. The fence shall comply with all other applicable County ordinances, policies, and design standards related to height, location, materials, or other fencing restrictions. Industrial Hemp Cultivation Area shall not be secured by fences with barbed wire or screened with plastic sheeting on chain link. Chain link with slats is allowed. Fencing directly facing any Child Day Care Center, K-12 school, public park, or Youth Center shall be opaque.

E. ENERGY CONSERVATION MEASURES.

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

F. WATER CONSERVATION MEASURES.

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

G. OPERATIONS.

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1. All Industrial Hemp Cultivation lighting shall be fully shielded, downward casting and not spill over onto structures, other properties or the night sky. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.
2. All Industrial Hemp Cultivation operations shall accumulate or store garbage and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on the site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of before the end of the seventh day. All waste, including but not limited to refuse, garbage, green waste and recyclables, must be disposed of in accordance with County and State laws and regulations. All waste generated from Industrial Hemp Cultivation operations must be properly stored and secured to prevent access from the public.
3. Onsite generators are prohibited, except as a source of energy in an emergencies. Onsite generators for emergency use shall be included in the Plot Plan.
4. Supplemental lighting for Outdoor Hemp Cultivation shall not exceed 25 watts per square foot to be used up to one hour before sunrise or after sunset, unless the building or structure is equipped with light-blocking measures to ensure no light escapes from it.
5. Industrial Hemp Cultivation shall not include the retail sales of Industrial Hemp or Industrial Hemp Products.

H. SIGNAGE – OUTDOOR INDUSTRIAL HEMP CULTIVATION

In accordance with Section 81006 of the Food and Agricultural Code, Outdoor Industrial Hemp Cultivation shall have a sign placed at primary entrance of the lot indicating it is Industrial Hemp Cultivation. The sign shall be a minimum of 3 foot by 3 foot and provide a valid phone number of the operators for the Outdoor Industrial Hemp Cultivation.

SECTION 19.XXX. INDUSTRIAL HEMP MANUFACTURING FACILITIES.

ZONES. Notwithstanding any other provision of this ordinance, Industrial Hemp Manufacturing Facilities are allowed as follows:

1. Non-Volatile Industrial Hemp Manufacturing Facility.

Non-volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved Plot Plan in accordance with Section 18.30 of this ordinance: A-1, A-P, A-2, A-D, I-P, M-SC, M-M and the M-H zones.

2. Volatile Industrial Hemp Manufacturing Facility.

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Volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: A-1, A-P, A-2, A-D, I-P, M-SC, M-M and M-H.

SECTION 19.XXX. INDUSTRIAL HEMP MANUFACTURING FACILITIES STANDARDS.

In addition to the applicable permit and approval requirements provided in this Article and the development standards for the applicable zoning classification, Industrial Hemp Manufacturing Facilities shall comply with the standards provided below. If there is an inconsistency between the development standards of the zone classification and these standards, the more restrictive standard applies.

A. GENERAL LOCATION.

Industrial Hemp Manufacturing Facilities shall not be located within 600 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. 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.

B. SETBACKS.

1. Non-Volatile and Volatile Industrial Hemp Manufacturing Facilities located on lots zoned A-1, A-P, A-2 or A-D shall be setback from all property lines a minimum of 300 feet.
2. Volatile Industrial Hemp Manufacturing Facilities located on lots zoned I-P, M-SC, M-M and M-H shall comply with the setback standards for the zone classification in which they are located, except when adjacent to a residential zone where the minimum setback from the residentially zone lot lines shall be 40 feet.
3. Non-Volatile Industrial Hemp Manufacturing Facilities located on lots zoned I-P, M-SC, M-M and M-H shall be comply with the setback 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.
4. 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 law, the California Building Code or Ordinance No. 457.

C. LOT SIZE.

Except for Industrial Hemp Manufacturing Facilities located in the I-P, M-SC, M-M or M-H zones, the minimum lot size for Industrial Hemp Manufacturing Facilities is 20 gross

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acres. Industrial Hemp Manufacturing Facilities located in the I-P, M-SC, M-M or M-H zones shall comply with the lot size standards for the zone classification in which they are located.

D. OPERATIONS.

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

SECTION 19.xxx. PERMIT REQUIREMENTS FOR INDUSTRIAL HEMP ACTIVITIES.

Industrial Hemp Activities shall comply with the following requirements:

A. APPLICATION REQUIREMENTS.

At the time of filing the application for an Industrial Hemp Activity on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the land use permit application.

B. SUSPENSION, REVOCATION, OR TERMINATION OF STATE LICENSE.

Suspension of any required license issued by the State of California, or by any State licensing authority, or registration issued by the County Agricultural Commissioner shall immediately suspend the ability of an Indoor or Outdoor Industrial Hemp Cultivation to operate within the County until the State or County reinstates or reissues the State license or County registration, as applicable. Revocation or termination of State license or County registration will also be grounds to revoke or terminate any conditional use permit or plot plan granted to an Indoor or Outdoor Industrial Hemp Cultivation land use pursuant to this Article.

C. HEALTH AND SAFETY.

Industrial Hemp Activities shall at all times be operated in such a way as to ensure the health, safety, and welfare of the public. Industrial Hemp Activities shall not create a public nuisance or adversely affect the health or safety of the nearby residents, businesses or

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employees working at the Industrial Hemp Activity by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, unsafe conditions or other impacts, or be hazardous due to the use or storage of materials, processes, products, and runoff of water, pesticides or wastes.

D. NUISANCE ODORS INDOOR INDUSTRIAL HEMP.

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

1. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;
2. An air system that creates negative air pressure between the Industrial Hemp Activities' interior and exterior, so that the odors generated by the Industrial Hemp Activity are not detectable on the outside of the Industrial Hemp Activity.

E. RELOCATION OF A PERMITTED INDUSTRIAL HEMP ACTIVITY.

In the event the permittee or successor in interest vacates and relocates the Industrial Hemp Activity to a new location, a new conditional use permit or plot plan will need to be granted by the County in accordance with this ordinance prior to commencing operations at the new location.

F. PERMIT AND LICENSE POSTING.

The permittee shall post or cause to be posted at the Industrial Hemp Activity all required County and State permit and licenses to operate.

G. INSPECTIONS.

Industrial Hemp Activities shall be subject to inspections by appropriate local and State agencies, including, but not limited to, the Riverside County Departments of Code Enforcement, Planning, Fire, Public Health, Environmental Health, the Agricultural Commissioner's Office and the Sheriff's Department.

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H. SIGNAGE.

Signage for an Industrial Hemp Activity shall comply with the following:

1. Business identification signage for an Industrial Hemp Activity shall comply with Section 19.4 of this ordinance.
2. No Industrial Hemp Activity shall advertise by having a person or device holding a sign or an air dancer sign advertising the activity to passersby, whether such person, device or air dancer is on the lot of the Industrial Hemp Activity or elsewhere including, but not limited to, the public right-of-way.
3. No signs placed on the lot of an Industrial Hemp Activity shall obstruct any entrance or exit to the building or any window.
4. Signage shall not be directly illuminated, internally or externally.
5. No banners, flags, billboards, or other prohibited signs may be used at any time.

I. PARKING.

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

J. HAZARDOUS MATERIALS.

All Industrial Hemp Activities that utilize hazardous materials shall comply with applicable hazardous waste generator, Riverside County Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance No. 651, requirements and maintain any applicable permits for these programs from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources and the Agricultural Commissioner.

K. COMPLIANCE WITH LOCAL AND STATE LAWS AND REGULATIONS.

1. All Industrial Hemp Activities shall comply with all applicable local and State laws, ordinances and regulations related to, but not limited to, the following: the California Environmental Quality Act, California Building Code, California Fire Code, Riverside County Ordinance No. 787, Riverside County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside County Ordinance No. 745, Airport Land Use Compatibility Plans, weights and measures regulations, pesticide use, water quality, storm water discharge and the grading of land.
2. All buildings and structures, including greenhouse, hoop structures, or other similar structures shall comply with all applicable Building, Fire, and Safety laws and regulations. All buildings and structures shall be reviewed by the Riverside County Building and Safety Department in accordance with the California Building Code and

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Riverside County Ordinance No. 457 and by the Riverside County Fire Department in accordance with Riverside County Ordinance No. 787 and the California Fire Code.

L. MULTIPLE INDUSTRIAL HEMP ACTIVITIES.

Multiple Industrial Hemp Activities may be allowed on the same lot provided the proposed activities are allowed in the zone classification and meet all requirements in this Article and State Law.

SECTION 19.XXX APPROVAL REQUIREMENTS FOR INDUSTRIAL HEMP ACTIVITIES

- A. No conditional use permit or plot plan for an Industrial Hemp Activity shall be approved unless the following findings are made:**
1. The permit is consistent with the General Plan and any applicable specific plan.
 2. The permit complies with the permit requirements of this Article and Section 18.28 or Section 18.30 of this ordinance, as applicable.
 3. The permit complies with the development standards for the zoning classification in which the Industrial Hemp Activity is located.
 4. The permit will not be detrimental to the public health, safety or general welfare.
- B. In addition to the findings required in subsection A. of Section 19.XXX, above, no conditional use permit or plot plan for Indoor or Outdoor Industrial Hemp Cultivation shall be approved unless the following findings are made:**
1. The Industrial Hemp Cultivation complies with all the requirements of the State and County for Hemp Cultivation.
 2. The Industrial Hemp Cultivation is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or a variance has been approved allowing a shorter distance but not less than allowed by State law.
 3. The Industrial Hemp Cultivation includes adequate measures that minimize use of water for cultivation on the lot.
 4. The Industrial Hemp Cultivation includes adequate quality control measures to ensure cultivation meets State and County regulatory standards.
 5. The Industrial Hemp Cultivation includes adequate measures that address enforcement priorities for cultivation including restricting access to minors, and ensuring that Hemp is not supplied to unlicensed or unpermitted persons.
 6. The Indoor Industrial Hemp Cultivation will operate in a manner that prevents Hemp nuisance odors from being detected offsite.

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- C. In addition to the findings required in subsection A. of Section 19.XXX, above, no conditional use permit or plot plan for an Industrial Hemp Manufacturing Facility shall be approved unless the following findings are made:
1. The complies with all the requirements of the State and County for the manufacturing of Industrial Hemp.
 2. The Industrial Hemp Manufacturing Facility does not pose a significant threat to the public or to neighboring uses from explosion or from release of harmful gases, liquids, or substances.
 3. The Industrial Hemp Manufacturing Facility includes adequate quality control measures to ensure Hemp manufactured at the facility meets industry standards and includes a documented employee safety training program, a Materials Data Safety Sheet, and meets all requirements in Health and Safety Code Section 11362.775, as it may be amended from time to time.
 4. The Industrial Hemp Manufacturing Facility includes adequate measures that address enforcement priorities for Hemp activities including restricting access to minors, and ensuring that Hemp and Hemp Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State.
 5. The Industrial Hemp Manufacturing Facility is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center
- D. Conditional use permits and plot plan shall be subject to all conditions necessary or convenient to assure that the Industrial Hemp Activity will satisfy the requirements of this Article.

SECTION 19.XXX PUBLIC HEARING REQUIREMENTS FOR INDUSTRIAL HEMP ACTIVITIES

A public hearing shall be held on the application for a conditional use permit or plot plan in accordance with the Section 18.28 or Section 18.30 of this ordinance, as applicable, and all of the procedural requirements and rights of appeal set forth therein shall govern the public hearing.

SECTION 19.xxx. REVOCATION OF PERMIT FOR INDUSTRIAL HEMP ACTIVITIES.

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

ORDINANCE NO. 348.4896
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ARTICLE XX AMENDMENTS AND CHANGE OF ZONE

SECTION 21.XX INDUSTRIAL HEMP.

An agricultural product, whether growing or not, that is limited to types of the plant *Cannabis sativa* L. and any part of the plant, including the seed of the plant and all derivatives, extracts, the resin extracted from any part of the plant, cannabinoids, isomers, acids, salts and salts of isomers, with a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis. For purposes of this ordinance, Industrial Hemp is not considered a field crop.

SECTION 21.XXX INDUSTRIAL HEMP ACTIVITY.

The cultivation, growing, seed breeding, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of Industrial Hemp and Industrial Hemp Products.

SECTION 21.XXX INDUSTRIAL HEMP CULTIVATION.

Any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of industrial hemp for commercial purposes and industrial hemp seed breeders.

SECTION 21.xxx INDUSTRIAL HEMP CULTIVATION AREA.

The area on a lot or in a building where Industrial Hemp is planted, grown, harvested, dried, cured, graded, or trimmed or that does all or any combination of these activities.

ORDINANCE NO. 348.4896
AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE
PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS.
ARTICLE XXI DEFINITIONS

SECTION 21.xxx INDUSTRIAL HEMP MANUFACTURING.

The compounding, blending, extracting, infusing, or otherwise making or preparing a hemp product.

SECTION 21.xxx INDUSTRIAL HEMP MANUFACTURING FACILITY (NON-VOLATILE).

A facility that processes, produces, prepares, propagates, holds, stores, packages, labels or compounds hemp or hemp 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 hemp or hemp products, or labels or relabels its containers. Hemp manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.

SECTION 21.XXX INDUSTRIAL HEMP MANUFACTURING FACILITY (VOLATILE).

A facility that processes, produces, prepares, propagates, holds, stores, packages, labels, or compounds hemp or hemp 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, at a fixed location, that packages or repackages hemp or hemp products, or labels or relabels its containers. Hemp manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.

SECTION 21.XXX INDUSTRIAL HEMP PRODUCTS.

Hemp that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated hemp, or an edible or topical product containing hemp or concentrated hemp and other ingredient.

SECTION 21.XXX INDOOR INDUSTRIAL HEMP CULTIVATION.

The cultivation of Industrial Hemp within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate of twenty-five (25) watts per square foot.

Industrial Hemp Activities Ordinance

Public Comments

Planning Commission – Agenda Item 4.2

June 3rd, 2020

Ordinance No. 348.4931
(Change of Zone No. 1900015)



83300 58th Avenue Thermal, CA 92274

April 24, 2020

John Hildebrand, Deputy Director of TLMA - Planning
Riverside County Planning Department
4080 Lemon St., 12th Floor
Riverside, CA 92501
(951) 955-1888

Re: Draft Hemp Ordinance

Dear Mr. Hildebrand,

Thank you for your leadership on the draft hemp ordinance. We appreciate the Planning Department's efforts to study the issue and to listen to the public's comments. While many of our concerns have been addressed in the new draft, there are a few provisions that we believe merit further attention.

Setbacks

The draft ordinance stipulates a 100-foot setback for outdoor cultivation activities regardless of location or proximity to sensitive receptors. The setback does not provide any consideration for properties that are operated adjacent to compatible uses. For example, if outdoor cultivation occurs on agriculturally zoned land and my neighbor is also agriculturally zoned, a 100-foot setback is an inefficient use of productive land that will not adversely impact my neighbor. In this case, we would recommend that the setback be minimized.

Energy Conservation Measures

We support energy conservation measures. However, requiring existing buildings or structures like greenhouses to install solar would place an undue economic burden on many farmer's operations. Many greenhouses are not designed to support solar installations. We recommend that solar only be required when new buildings and/or structures are approved so that the building can be designed with solar from the beginning.

Water Conservation Measures

We support water conservation measures. We currently employ water conservation methodologies such as drip irrigation and micro emitters. We are happy to consult with Imperial Valley Irrigation District on best practices for water conservation and can support utilizing grey water for landscaping and water capture systems where appropriate. However, grey water can cause unintended consequences especially with agricultural commodities grown in greenhouses unless treated at a public tertiary wastewater facility.

Nuisance Odors Indoor Industrial Hemp

The proposed measures for odor mitigation may be the most concerning area in the draft ordinance at this time. The measures are far too restrictive and impractical for hemp cultivated on agriculturally zoned land especially in greenhouses. The ordinance should seek to promote cultivation in agricultural zones away from sensitive receptors. The mitigation measures should therefore consider location more carefully.

We also do not believe that air filtration or air pressure systems are appropriate for a greenhouse in an agricultural zone. Greenhouses are open by their very nature such that air may circulate depending on conditions. Odor mitigation technology is rapidly evolving and the ordinance should contemplate continued innovation. Fogco, a leader in industrial leader in odor control, has adapted its products for waste management to serve the hemp industry. Fogco systems eliminate the odor and are a cost effective solution. We believe that Fogco represents a more viable alternative especially for greenhouse environments.

Genflora intends to invest millions of dollars into the facility at Thermal provided the County's hemp ordinance encourages continued investment. In order for Genflora to continue to make investments in facilities and people, it's imperative that we have visibility and certainty under the draft Riverside County hemp ordinance that is currently being developed to achieve our business plan objectives now and in the immediate future.

Riverside County can become a leader in the industrial hemp market with your support. We appreciate your consideration and thank you for your service. We look forward to working with the County, Ag Commissioner, Planning Staff and the Sheriff's office on this exciting opportunity.

Sincerely,



Shawn A. Milligan
Genflora, LLC

NUEVO DEVELOPMENT COMPANY, LLC

1156 N. Mountain Ave.
Upland, CA 91785

January 24, 2020

Mr. Larry Ross
Principal Planner
County of Riverside, California
4080 Lemon Street, 12th Floor
Riverside, CA 92502

RE: Comments to Proposed Industrial Hemp Ordinance

Dear Mr. Ross:

Please accept this letter into the public comments regarding the County's proposed Industrial Hemp Activities Ordinance.

We have two concerns about the ordinance and a comment about composting. We hope you will take them into consideration as you work to draft the final ordinance to be adopted by the Board of Supervisors.

The first concern is the prohibition of either indoor or outdoor industrial hemp cultivation within the SP zone. The second is the requirement that industrial hemp manufacturing facilities be in the I-P, M-SC, M-M and M-H zones. Further, we would like you to consider allowing the import and processing of green waste in the A-1 zone.

Industrial Hemp Cultivation within the SP Zone

There are thousands of acres of land in the San Jacinto Valley within approved specific plans currently farmed and permitted for interim A-1 agricultural uses under Article XIII of Ordinance 348. These lands provide food crops such as vegetables and feed crops such as alfalfa. When these specific plans were approved, the county recognized certain properties may not be fully developed for 20 or 30 years and allowed the land owner to continue to farm until development within specific planning areas commence.

The proposed ordinance allows industrial hemp to be grown in the A-1 agricultural zone, however the proposed ordinance prohibits industrial hemp to be grown in SP zones, even if the SP has an interim A-1 use. This would deprive the large land owner within an SP zone to grow higher value industrial hemp on their property, even though they are permitted by their conditions for A-1 agricultural uses.

We request the county consider revising the prohibited locations section of the proposed ordinance to delete SP and make further modifications to the proposed ordinance to allow industrial hemp farming in the SP zone provided interim uses in the SP zone included those allowed in the A-1, A-P, A-2 and A-D zones. The text of the proposed changes is redlined below:

NUEVO DEVELOPMENT COMPANY, LLC

1156 N. Mountain Ave.
Upland, CA 91785

SECTION 19.XXX.

PROHIBITED LOCATIONS.

Industrial Hemp Activities are prohibited in the following zones: R-R, R-R-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, CN, C-CN, WC-R, WC-W, WC-WE, WC-E, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A, **SP** and MU.

SECTION 19.XXX

OUTDOOR INDUSTRIAL HEMP CULTIVATION

A. REGISTRATION. In addition to the requirements set forth in this Article, a registration shall be obtained from the County Agricultural Commissioner for the approved outdoor industrial hemp cultivation.

B. ZONING.

Notwithstanding any other provision of this ordinance, Outdoor Industrial Hemp Cultivation is allowed as follows:

1. In the A-1, A-P, A-2, ~~and A-D~~ and SP zone only if the allowed uses in the SP include those use allowed in the A-1, A-P, A-2 and A-D zones, Outdoor Industrial Hemp Cultivation is allowed in accordance with the following:

- a. On lots less than 10 gross acres with an approved conditional use permit in accordance with Section 18.28 of this ordinance.
- b. On lots 10 gross acres or greater but less than 20 gross acres with an approved Plot Plan in accordance with Section 18.30 of this ordinance.
- c. On lots 20 gross acres or greater but less than 160 acres as a use by right.
- d. On lots 160 gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

SECTION 19.XXX

INDOOR INDUSTRIAL HEMP CULTIVATION.

A. REGISTRATION. In addition to the requirements set forth in this Article, a registration shall be obtained from the County Agricultural Commissioner for the approved Indoor Industrial Hemp Cultivation.

B. ZONING.

Notwithstanding any other provision of this ordinance, Indoor Industrial Hemp Cultivation is allowed as follows:

Indoor Industrial Hemp Cultivation is allowed in the following zone classifications with an approved plot plan in accordance with section 18.30 of this ordinance: C-1/C-P, CP-

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S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, ~~and~~ A-D and in the SP zone only if the allowed uses in the SP include those use allowed in the A-1, A-P, A-2 and A-D zones.

Industrial Hemp Manufacturing Facilities

There are many existing agricultural facilities in the San Jacinto Valley that are shut down or underutilized and suitable for manufacturing industrial hemp into a finished product. Utilizing existing facilities makes sense not only from a proximity standpoint but will also bring back manufacturing and agricultural jobs to the area. Some of the issues you may want to consider are listed below:

1. Onsite manufacturing ensures the finished product stays within Riverside County and the County receives its share of sales tax revenue. Once the product is shipped offsite, there is no guarantee the product will be processed in the County, in fact much of the manufacturing is currently done outside Riverside County.
2. Requiring industrial hemp farmers to ship their product off the farm for processing adds significantly to the cost of producing the end product. It is estimated logistics costs for raw hemp from farm to processors to average \$27.00 per acre or approximately 7% of the cost to cultivate and acre according to the USDA.
3. Onsite manufacturing decreases freight traffic on County roadways, which is always a concern of local residents.
4. Growing and processing the product at the same location decreases oversite costs for the County, State and Federal regulators for the plant from seed to sale.
5. Utilizing existing facilities significantly reduces the capital investment required to start up a processing facility.
6. Existing agricultural facilities can easily meet the setback requirements outlined in the proposed Ordinance.

Some suggested modifications to the manufacturing section of the ordinance are shown below:

SECTION 19.XXX. INDUSTRIAL HEMP MANUFACTURING FACILITIES.

ZONES. Notwithstanding any other provision of this ordinance, Industrial Hemp Manufacturing Facilities are allowed as follows:

1. Non-Volatile Industrial Hemp Manufacturing Facility.

Non-volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved Plot Plan in accordance with Section 18.30 of this ordinance: A-1, A-P, A-2, A-D, 1-P, MSC, M-M ~~and the~~ M-H zones and in the SP zone only if the allowed uses in the SP include those use allowed in the A-1, A-P, A-2 and A-D zones.

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2. Volatile Industrial Hemp Manufacturing Facility.

Volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: A-1, A-P, A-2, A-D I-P, M-SC, M-M and M-H and in the SP zone only if the allowed uses in the SP include those use allowed in the A-1, A-P, A-2 and A-D zones.

Green Waste Composting

Some existing sites in the San Jacinto valley included composting facilities for the processing of manure into fertilizer. With the changing laws regarding green waste in landfills and the fact hemp farming produces significant green waste it would be beneficial for future hemp farmers and manufacturers to be able to be able to compost generated and imported green waste onsite. This too will provide many benefits to the county including new jobs and decreased truck traffic on the roads.

It appears the A-1 zone allows composting of waste products generated onsite, but not imported waste. Perhaps a provision could be added to the proposed ordinance allowing the import and composting of green material onsite.

We appreciate your time and consideration of these suggestions. If you have any questions, please feel free to contact me via email or the number below.

Sincerely,

Nuevo Development Company, LLC



Tim McGinnis
Authorized Representative

Email: Tim.McGinnis@lewismc.com

Phone: 909-946-7525

Proposed additions for industrial hemp Ordinance for Riverside County.

County Permits and Licenses

From Tulare County-

5-10-040 Permits Required

A. No Person, including an Established Agricultural Research Institution, shall cultivate Industrial Hemp in the unincorporated areas of Tulare County without first obtaining a permit issued by the Agricultural Commissioner to Cultivate Industrial Hemp as provided in this Chapter. A permit for Cultivation may be issued to an Established Agricultural Research Institution only if it meets the definition of Established Agricultural Research Institution stated in section 5-10-020 of this Chapter. A permit issued under this Chapter does not grant any interest in real property or create any interest of value and is not transferable.

B. No Person, including an Established Agricultural Research Institution shall process Industrial Hemp in the unincorporated areas of Tulare County without first obtaining a permit issued by the Agricultural Commissioner to Process Industrial Hemp as provided in this Chapter. A permit for Processing may be issued to an Established Agricultural Research Institution only if it meets the definition of Established Agricultural Research Institution stated in section 5-10-020 of this Chapter. A permit issued under this Chapter does not grant any interest in real property or create any interest of value and is not transferable.

Notes- This may be better enforced by code enforcement or building health and safety, not sure we want to deal with the processing end of this, as we would be solely responsible with no current laws governing this.

5-10-150 County's Right to Revocation of Permit

A. Any Person who violates this Chapter knowingly and willfully, shall be stripped of their Permit and ability to apply for a Permit to Cultivate or Process Industrial Hemp within the County of Tulare for three (3) years from the date of the final decision of the Agricultural Commissioner that a violation has been made knowingly and willfully.

B. The District Attorney shall have the right to petition the Tulare County Board of Supervisors for revocation of a Hemp Cultivation Permit or Processing Permit upon a showing of good cause

Notes- Do we want full responsibility to revoke or should another party be involved?

Kings County has a very similar wording however they do not specify enforcement for removal of the permit.

Land use and security for abatement costs

From Tulare County:

5-10-050 Permit Requirements

A permit for the Cultivation and/or Processing of Industrial Hemp may be issued only if each of the following requirements are met:

A. Applicants shall submit an application in accordance with the application process established by the Agricultural Commissioner. A single permit may be issued for multiple sites.

B. An applicant shall be the owner and/or record holder of title of the land upon which Hemp is to be cultivated, or provide written consent in a notarized form acceptable to the Agricultural Commissioner, from the owner and/or record holder of title of granting permission for the cultivation of Industrial Hemp on the specified parcel(s).

E. Before a permit is issued under this Chapter, and if the Applicant is not the owner of the property upon which Industrial Hemp shall be cultivated, the Applicant shall submit a bond or other form of security acceptable to the Agricultural Commissioner in the amount of one hundred (100) percent of the estimated cost to fully abate a crop of Industrial Hemp that does not meet requirements for legal harvest under applicable laws and regulations. The financial security provided shall be released to the Applicant after the Agricultural Commissioner determines that the security is no longer needed to secure the abatement of a non-compliant hemp crop.

H. Each permit issued under this Chapter shall expire one year from the date of its issuance.

5-10-090 Destruction of Non-Compliant Industrial Hemp Crops

An Industrial Hemp crop that does not comply with the provisions of this Chapter and all applicable provisions of California State law, and associated regulations, shall be destroyed. Crop destruction shall proceed as provided for in all applicable laws and regulations, which includes Food and Agricultural Code section 81006 and California Code of Regulations, title 3, sections 4950 and 4950.1. The grower of the Industrial Hemp crop shall submit a destruction plan to the Agricultural Commissioner at least twenty-four (24) hours prior to the start of the destruction. The Agricultural Commissioner shall approve the method of destruction. An Industrial Hemp grower that fails to destroy an Industrial Hemp crop as required shall forfeit the financial security provided under section 5-10-050, subsection D, and the Agricultural Commissioner shall proceed to destroy the non-compliant crop.

5-10-130 Cost Recovery

The County shall be reimbursed for all time, services, and materials needed to implement, administer and enforce any section of this Chapter, including destruction of non-compliant crops of Industrial Hemp, inspections necessitated by reports of non-compliant Industrial Hemp crops, and other enforcement actions as necessary. All fees applied by the Agricultural Commissioner shall be listed in a document stored at the Agricultural Commissioner's Office and available upon request of the Agricultural Commissioner in a master fee schedule

Notes- Again not sure we want to deal with processing.

Other departments should be listed as well to cover their costs.

From Kings county:

14-196 Terms and Conditions of Permits.

Permit holders shall comply with the following terms and conditions:

C. In order to maintain the public health, safety, and welfare, permit holders shall allow monitoring and inspection of any hemp cultivation site by drones operated by the Kings County Sheriff's Office or any other department of the County of Kings. Permit holders shall be responsible for payment of the actual costs, including, but not limited to, the costs of staff time, for monitoring and inspection activities.

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

E. Hemp cultivation shall be in compliance with all state and local laws and regulations, including, but not limited to, any rules, regulations or standards adopted by the Agricultural Commissioner-Sealer.

Notes- I Really like this part, making the permit holder responsible for all county costs associated with monitoring.

Begin forwarded message:

From: claude troutd <troutd@hotmail.com>
Date: January 14, 2020 at 11:51:12 AM PST
To: "Ross, Larry" <LROSS@RIVCO.ORG>, "Perez, Juan" <JCPEREZ@RIVCO.ORG>, "esarabia@rivo.org" <esarabia@rivo.org>, Supervisor Jeffries - 1st District <district1@RIVCO.ORG>, District2 <District2@Rivco.org>, "supervisorchuckwashington.com" <supervisorchuckwashington.com@mx0a-003c2e01.pphosted.com>, supervisorjeffhewitt.com.@mx0a-003c2e01.pphosted.com, "rivco4.org" <rivco4.org@mx0a-003c2e01.pphosted.com>, "riversidesheriff.org" <riversidesheriff.org@mx0a-003c2e01.pphosted.com>
Cc: "Busch, Barry" <bbusch@RIVCO.ORG>, "Arroyo, Ruben" <ruarroyo@rivco.org>, "Shannon, Boomer" <BShannon@rivco.org>, "Garai, Mario" <MGarai@rivco.org>, "mlocke@calrualwater.org" <mlocke@calrualwater.org>
Subject: Suggested Cannabis Grow Requirements

Suggested Cannabis Grow Requirements

Applicants, property owners and workers be required to pass criminal background checks.

Law enforcement background checks to be paid by applicants.

Nonresident applicants, property owners and workers be required to have and show U.S. work permits/ visas.

Property tax must be up to date.

A financial bond for crop destruction, in the county's name, for the total number of acres on the application. This is to cover any county expense if applicant is unable to fulfill the requirements.

All water wells be equipped with backflow devices.

All water used must be metered, including in an adjudicated basin.

Restroom/sanitation facilities must be on site and maintained. Portable restroom facilities must be maintained by a commercial sanitation facilities provider.

All applicable employer/employee taxes, SSI and Workers Compensation Insurance to be paid by employer.

All private contractors must provide proof of Workers Compensation Insurance.

Electricity/power producing generators/machines must not be used within 2,000 feet of habitable space.

2,000 feet be required to any property line of habitable space on outside grows.

Seed cultivar permits/license must be for seed production only. (No surplus seeds for CBD sale. This is a huge loophole.)

All grows must display signage with type of crop and emergency contact information.

All indoor grows must have "Air Scrubbers".

One mile distance required to property lines of all daycare, public and private schools (all grades), parks and public libraries from indoor/outdoor grows.

One mile distance required to property lines of all established healthcare facilities.

One mile distance required to property lines of established commercial businesses.

If these requirements seem strict, it's due to the grow permit issued to the "10th Street" grow in our town of Nuevo. Without strict requirements/restrictions, cannabis growers lose their common sense when it comes to established resident's right to a healthy, happy life. A large number of conscientious California cities and counties have placed moratoriums and bans on hemp production. Since Riverside County has no restrictions, growers from other cities, counties, states and even countries are finding Riverside County very advantageous. We understand that California voters approved recreational marijuana and the federal government approved Hemp production, but we also expect the protection of our Rights as citizens. We expect the County Supervisors, County Planning Department, County Health and Code Enforcement and especially Law Enforcement to see that our Rights are their first priority. We hear the constant rhetoric of poor excuses from our county officials at MAC and other community meetings.

These are the remarks,

It's legal, It's zoned for agriculture, Talk to the Federal government, A field of Garlic would smell too, A dead skunk in the road stinks, Talk to the Ag commissioner (Code Enforcement), Talk to Code Enforcement (Ag commission office) We don't have control over Ag (Code Enforcement).

When respiratory issues were brought up at a community meeting regarding cannabis pollen and a close neighbor to the 10th street grow, Mark Smith, the property owner of the Nuevo 10th street grow, had this to say, "**I can't be held responsible for other people's health issues.**" Decades ago in Riverside County, when the ag zoning was determined, homes and schools weren't a big factor and hemp/cannabis laws weren't even thought of.

The buck passing has to stop. It's time for the county government to protect all county residents and tax payers, not just a few.

I'd be happy to discuss any of this, at any time, with any of you. Thank you for your time, Claude Troutd

Industrial Hemp Activities Ordinance

Public Comments

Planning Commission – Agenda Item 3.1

June 17th, 2020

**Ordinance No. 348.4931
(Change of Zone No. 1900015)**



Direct Dial: 949.851.7409
Email: mstaples@jacksontidus.law
Reply to: Irvine Office
File No: 2294.00178

June 16, 2020

VIA E-MAIL (jhildebr@rivco.org; esarabia@rivco.org)

Riverside County Planning Commission
c/o John Hildebrand, Project Planner and
Elizabeth Sarabia, TLMA Commission Secretary
County Administrative Center
4080 Lemon Street, 12th Floor
Riverside, CA 92501

**RE: June 17, 2020 Agenda Item No. 3.1, Change of Zone No. 1900015 –
Cultivation and Manufacturing of Hemp**

Dear Honorable Planning Commissioners and Mr. Hildebrand:

We represent the Riverside County Farm Bureau (“**Farm Bureau**”). As discussed in greater depth below, the proposed change to Riverside County Zoning Ordinance No. 348 regulating the cultivation and manufacturing of hemp (“**Hemp Ordinance**”) is inconsistent with the County’s General Plan, other agricultural provisions of the County Code, including the County’s Right-to-Farm Ordinance (County Code Chapter 5.40), and state and federal laws. The Farm Bureau respectfully requests that the Planning Commission reject the proposed Hemp Ordinance and continue the matter further to allow an opportunity for dialogue with the Farm Bureau to cooperatively develop a workable ordinance that addresses the County’s legitimate concerns consistent with the County’s longstanding agricultural policies and recent state and federal laws.

1. The Proposed Hemp Ordinance Violates State and Federal Law.

Hemp is an agricultural crop under state and federal laws. The Agricultural Improvement Act of 2018 (“**2018 Farm Bill**”) removed hemp from the federal Controlled Substances Act and created a framework to support hemp as an agricultural crop. According to the California Food and Agricultural Code, industrial hemp is explicitly defined as being an “agricultural product.” (Food & Agr. Code, § 81000, subd. (a)(6).) The California Health and Safety Code also defines industrial hemp as a “crop” and clarifies that it is not subject to state cannabis rules:

“Industrial hemp shall not be subject to the provisions of this division or of Division 10 (commencing with Section 26000) of the Business and Professions Code, but instead shall be regulated by the Department of Food and Agriculture in accordance with the provisions of Division 24 (commencing with Section 81000) of the Food and Agricultural Code, inclusive.” (Health & Saf. Code, § 11018.5, subd. (b).)

Irvine Office
2030 Main Street, 12th Floor
Irvine, California 92614
t 949.752.8585 f 949.752.0597

Westlake Village Office
2815 Townsgate Road, Suite 200
Westlake Village, California 91361
t 805.230.0023 f 805.230.0087

www.jacksontidus.law

Zoning Ordinance No. 348 currently defines “Industrial Hemp” in accordance with the definitions provided under the Food and Agricultural Code and the Health and Safety Code. (Ord. No. 348, § 21.39(b).) However, the proposed Hemp Ordinance would change this definition to add that “Industrial Hemp is not considered a field crop.”

The proposed revision to the definition of industrial hemp is inconsistent with state and federal law, which both classify hemp as an agricultural crop. The California Legislature has clarified that hemp is to be treated similar to other agricultural uses for purposes of the Williamson Act and has specifically included industrial hemp in the definition of “agricultural commodity.” (Gov. Code, § 51201.) State law requires only that industrial hemp growers and breeders register with the County Agricultural Commissioner prior to cultivation and to renew their registration annually. The issuance of a hemp cultivation license by the County Agricultural Commissioner is a ministerial act. (Food & Agr. Code, § 81003, subd. (b).) However, the proposed Hemp Ordinance would require either a conditional use permit or plot plan, both discretionary approvals, simply to grow hemp. Existing license holders would additionally be required to process a zone change to grow hemp after the expiration of their current annual registration, after investing in hemp farming improvements.

2. The Proposed Hemp Ordinance is Inconsistent with the County’s General Plan.

In addition, the proposed Hemp Ordinance conflicts with the General Plan and would create inconsistencies between Zoning Ordinance No. 348 and the General Plan’s land use policies. (See, Attachment 1, attached.) Although hemp cultivation is an agricultural use, the County proposes to preclude hemp-related activities in 30 of the County’s zones. However, the General Plan and Zoning Ordinance permit agricultural uses in many of these zones. The Hemp Ordinance also conflicts with the General Plan’s policy of protecting agricultural operations on land currently used for agriculture throughout the County:

“Agricultural uses that exist on land designated for other land uses, such as residential, are allowed to continue as set forth in policy LU 1.1. *It is upon a change from agriculture to another use or new development that the underlying land use designation would apply.*” (General Plan, p. LU-47, emphasis added.)

Regardless of how the land is designated in the General Plan, the underlying land use designation does not apply until there is a “change from agriculture to another use or new development.” Further, General Plan Policy LU 20.10 says that agricultural uses should not be subject “to any discretionary permit requirements other than those in existence at the time of adoption of the General Plan.” The proposed Hemp Ordinance violates this policy by imposing new discretionary permit requirements, which require hemp growers to obtain a conditional use permit or plot plan and would permit hemp cultivation only in restricted zones. The zone change proposed by the Hemp Ordinance is inconsistent with the General Plan policies adopted by the Board of Supervisors to protect and encourage continued agricultural operations.

3. **The Proposed Hemp Ordinance Makes the Zoning Ordinance Internally Inconsistent.**

The Staff Report for the Planning Commission's hearing on June 3, 2020, acknowledges that industrial hemp cultivation is "a similar activity as most other agricultural uses, which are primarily allowed as a by-right use" (Staff Report, p. 3). However, the proposed Hemp Ordinance results in hemp crops being treated differently from other agricultural crops. The proposed amendments to Zoning Ordinance No. 348 would create significant zoning restrictions and discretionary permitting requirements for hemp cultivation and processing that are prohibited for other agricultural crops.

The proposed Hemp Ordinance amendments further conflict with other agricultural provisions in the County's Zoning Ordinance No. 348 because hemp cultivation falls squarely within the Zoning Ordinance's definition of "Agricultural Crop":

"Any cultivated crop grown and harvested for commercial purposes, except cannabis and other controlled substances, which are defined and classified separately." (Ord. No. 348, § 21.3.)

The Hemp Ordinance contradicts the County's definition of an agricultural crop and effectively treats hemp as a controlled substance.

Hemp cultivation is also protected under state Right-to-Farm law (Civ. Code. § 3482.5) and the County's Right-to-Farm Ordinance (Ordinance No. 625, County Code Chapter 5.40, Attachment 2). The County's Right-to-Farm Ordinance is meant to limit the circumstances under which agricultural operations may be considered a nuisance:

"No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years if it was not a nuisance at the time it began." (County Code, § 5.40.050(A).)

Because hemp is considered an agricultural commodity under state law, industrial hemp cultivation is a protected agricultural activity under the Right-to-Farm Ordinance, which includes the "cultivation, growing, and harvesting of any agricultural commodity." (County Code, § 5.40.040.) Zoning Ordinance No. 348 specifically notes that *cannabis* is not an agricultural commodity with respect to the Right-to-Farm Ordinance, but does not include exclude hemp. (Ord. No. 348, § 19.502(B).) To the contrary, the Zoning Ordinance explicitly says that "Cannabis does not include Industrial Hemp." (Ord. No. 348, § 19.502 (C).)

Additionally, the protections under the Right-to-Farm Ordinance for agricultural operations on existing farms apply regardless of the underlying zoning. However, the County's proposed Hemp Ordinance would declare any hemp activities that are not in compliance with the Hemp Ordinance to be a "public nuisance." This would put the Hemp Ordinance at direct odds with the County's Right-to-Farm Ordinance.

4. **There is No Legitimate Basis to Distinguish Hemp From Other Agricultural Field Crops.**

The Staff Report attempts to justify the County's sweeping new regulations on hemp farming based on unspecified health and safety impacts and nuisance issues (Staff Report, p. 1) and potential environmental and social impacts (Hemp Ordinance, p. 1). However, public statements made by County officials indicate that the County's health and safety issues really concern illegitimate cannabis cultivation, not hemp. The County's stated nuisance issues associated with odor are likewise unfounded. Odor is associated with many agricultural uses including onion and garlic crops, fertilizers, dairies and poultry farms.

There is no evidence to support the County distinguishing hemp crops from other legitimate farming operations on health and safety or nuisance grounds. In fact, the Staff Report acknowledges that the activity of growing hemp is similar to most other agricultural uses that the County allows by right, and allows hemp cultivation in areas with approved specific plans where interim agricultural uses are allowed, regardless of the land use designation and zoning. (Staff Report, p. 2.)

County officials also mention the desire to receive notice confirming planting of hemp crops in order to focus code enforcement activities as needed to root out illegitimate cannabis planting. Such a notice could easily be provided by registered growers upon planting hemp without the need for the broad restrictions and discretionary approvals that would be required by the proposed Hemp Ordinance.

5. **The Proposed Hemp Ordinance Should be Rejected as Currently Drafted.**

The proposed Hemp Ordinance is contrary to state and federal law and conflicts with the County's agricultural policies and protections in the General Plan, Zoning Ordinance No. 348 and the Right-to-Farm Ordinance. The County's attempt to distinguish hemp from other agricultural crops based on unspecified health and safety and nuisance concerns is not grounded in reality. The Hemp Ordinance would be subject to invalidation as an arbitrary action.

There are common sense solutions to address the County's legitimate cannabis concerns and code enforcement administration concerns. The Riverside County Farm Bureau respectfully requests that the Planning Commission deny the proposed Hemp Ordinance as currently drafted, and continue the matter to provide an opportunity for further dialog with the Farm Bureau to develop a workable proposal consistent with state and federal law and longstanding County agricultural policies and protections.

Riverside County Planning Commission
c/o Mr. John Hildebrand, Principal Planner
June 16, 2020
Page 5

Please contact me if you have any questions or would like to discuss the comments above in greater depth.

Sincerely,



Michele A. Staples

Attachments:

1. County General Plan excerpts
2. County Right-to-Farm Ordinance

cc: Juan Perez, TLMA Director*
Charissa Leach, Assistant TLMA Director*
Michelle Clack, Chief Deputy County Counsel*
Nedda Mahrou, Jackson Tidus*

*via email only, with Attachments

1489851.4

Attachment 1
General Plan Excerpts

The General Plan policy and implementation item reference system:

LU 1.3: Identifies which element contains the Policy, in this case the Land Use Element, and the sequential number.

AI 1 and AI 4: Reference to the relevant Action Items contained in the Implementation Program found in Appendix K.

Policies:

- | | |
|--------|--|
| LU 1.1 | Allow for the continued occupancy, operation, and maintenance of legal uses and structures that exist at the time of the adoption of the General Plan and become non-conforming due to use, density, and/or development requirements. |
| LU 1.2 | Encourage existing non-conforming uses to transition into conformance with the new land use designation and/or policy. |
| LU 1.3 | The County will notify city planning departments about new proposed discretionary projects that are located adjacent to cities or within their spheres of influence, with sufficient advance notice to allow for City-County coordination and city comments at public hearings. The County is willing to consider entering into intergovernmental agreements with cities and other governmental entities to address matters of mutual concern relating to land use, infrastructure, the environment, and other subjects relating to development activity in both the County and the cities or other governmental entities. |
- LU 1.4 Require that annexations allow the County of Riverside to maintain a sufficient tax base or other revenue base to pay for their necessary services.
- LU 1.5 The County of Riverside shall participate in regional efforts to address issues of mobility, transportation, traffic congestion, economic development, air and water quality, watershed and habitat management with cities, local and regional agencies, stakeholders, Indian nations, and surrounding jurisdictions. (AI 4, 16)
- LU 1.6 Coordinate with local agencies, such as LAFCO, service providers and utilities, to ensure adequate service provision for new development. (AI 4)
- LU 1.7 During every General Plan Review Cycle all Specific Plans that have been in effect for 20 or more years shall be analyzed in order to determine whether the types and intensities of proposed development remain appropriate for undeveloped areas within the Specific Plan boundaries. In conjunction with each Foundation General Plan Amendment (eight-year) cycle, prepare a report on Specific Plan implementation addressing all Specific Plans, with particular attention to Specific Plans that have reached their twentieth anniversary during that eight-year period. (AI 7)
- LU 1.8 As required by the Airport Land Use Law, submit certain proposed actions to the Riverside County Airport Land Use Commission for review. Such actions include proposed amendments to the General Plan, area plans, or specific plans, as well as proposed revisions to the zoning ordinance and building codes. (AI 4)
- LU 1.9 In the event that an existing property is smaller in area than would be required by the General Plan, zoning that recognizes the existing lot size may be applied. (AI 1)
- LU 1.10 The Area Plan designations of properties within adopted Specific Plans are provided for informational and illustrative purposes only. The actual designations of land are as specified in the applicable Specific Plan document.

Policies:

LU 7.1 Require land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts. (AI 1, 3)

LU 7.2 Notwithstanding the Public Facilities designation, public facilities shall also be allowed in any other land use designation except for the Open Space-Conservation and Open Space- Conservation Habitat land use designations. For purposes of this policy, a public facility shall include all facilities operated by the federal government, the State of California, the County of Riverside, any special district governed by or operating within the County of Riverside or any city, and all facilities operated by any combination of these agencies.

LU 7.3 Consider the positive characteristics and unique features of the project site and surrounding community during the design and development process. (AI 3)

LU 7.4 Retain and enhance the integrity of existing residential, employment, agricultural, and open space areas by protecting them from encroachment of land uses that would result in impacts from noise, noxious fumes, glare, shadowing, and traffic. (AI 3)

LU 7.5 Require buffering to the extent possible between urban uses and adjacent rural/equestrian oriented land uses. (AI 3)

LU 7.6 Require buffering to the extent possible and/or the maintaining of a natural edge for proposed development directly adjacent to National Forests. (AI 3)

LU 7.7 Require buffers to the extent possible between development and watercourses, including their associated habitat.

LU 7.8 Require new developments in Fire Hazard Severity Zones to provide for a fuel clearance/modification zone, as required by the Fire Department.

LU 7.9 Require buffers between urban uses and adjacent solid waste disposal facilities.

LU 7.10 The proponent for new development proposals on forested lands with at least 10% coverage of mature conifer trees, forest land or timber in which three or more acres of forested lands will be cleared (removed) of trees must demonstrate to the County of Riverside compliance with any/all applicable state regulations regarding the protection and operation of said forest resources. As used here, the term, "native trees," shall only apply to naturally-occurring conifers growing above 5,000 feet AMSL elevation. Additionally, replacement trees



It is the intent of the General Plan that new and encroaching uses shall provide a mitigation or buffer between existing uses where potential adverse impacts could occur.



For the purposes of the Forestry section, the following definitions apply:

Forest Land is defined as land supporting at least 10% native tree cover of any species, including hardwoods, under natural conditions that allows for management of one or more forest resources, including timber.

Timber is defined pursuant to the California Timberland Productivity Act, California Government Code section 51100 et seq.

Agriculture



Please see the **Multipurpose Open Space Element** for additional policies regarding agricultural uses.

One of Riverside County's most important land uses in terms of historic character and economic strength is widespread and diverse agriculture lands. Agriculture production is one of the largest industries in terms of dollar value in the county and competes successfully in the global economy. It is clear that agricultural uses provide important employment opportunities for many Riverside County residents. Agricultural uses also preserve a lifestyle choice that is synonymous with a part of Riverside County's history and character. In fact, it is agriculture that defines the unique character of many communities in Riverside County, and helps to define the edges of and provide separation between developed areas. Many people are drawn to Riverside County for the

very character that agricultural uses provide and there is a solid commitment to ensuring that these uses remain an integral part of Riverside County's future. The importance of agricultural uses and the sensitivity of development in and around agricultural areas is reflected in the RCIP Vision:

"Agricultural land that remains economically viable, either as a permanent or temporary economic resource, is well protected by policies, ordinances and design regulations applicable to new development that may be planned nearby."

However, as mentioned in this Vision Statement, there is a potential for agricultural uses to conflict with adjacent uses. This is due to mounting growth pressures near and within significant agricultural regions. Many existing agricultural areas have been or are in danger of being encroached upon by uses that are negatively impacted by some agricultural operations, such as residences and schools. As agricultural lands become less productive or are encroached upon, there is a danger of these uses becoming less economically viable, becoming subdivided, or converting to other uses. The acknowledgment of pressures upon agricultural areas and the desire to continue this use is evident in the following statement from the RCIP Vision:

"Agriculture remains a strong component of the County's economy. Even though some agricultural land has been urbanized, there has also been expansion in other locations. The place of agriculture in the community remains strong and conflicts between agricultural operations and nearby development are rare. The Riverside County agricultural industry is a strong competitor in the global agricultural market."



It is the expressed intent of this General Plan that new uses encroaching upon existing agricultural operations shall provide some type of buffering to mitigate any compatibility issues.

The intent of the General Plan Agriculture Foundation Component and associated policies is to identify and preserve areas where agricultural uses are the long term desirable use, as stated in the General Plan Principles; ***"Provide for the continued and even expanded production of agricultural products by conserving areas appropriate for agriculture and related infrastructure and supporting services."*** In addition, the intent of these policies is to minimize the conflicts between agricultural and urban/suburban uses.

Agriculture Area Plan Designation

As shown on the Land Use Designation Key (Figure LU-5), the Agriculture Foundation Component consists of one area plan land use designation of the same name.

Agriculture (AG) - The Agriculture land use designation has been established to help conserve productive agricultural lands within the county. These include row crops, nurseries, citrus groves and vineyards, dairies, ranches, poultry and hog farms, and other agricultural related uses. Areas designated for Agriculture generally lack an infrastructure that is supportive of urban development.

Residential density is permitted at one dwelling unit per parcel provided that the parcel is 10 acres in size or larger. An additional dwelling unit may be allowed for each additional 10 acres being farmed for use by the owner, operator or employees, up to five total dwelling units per parcel. Additional dwellings for farm worker housing may be permitted as described below.

Policies:

The following policies apply to properties designated as Agriculture on the General Plan and area plan land use maps.

- LU 20.1 Encourage retaining agriculturally designated lands where agricultural activity can be sustained at an operational scale, where it accommodates lifestyle choice, and in locations where impacts to and from potentially incompatible uses, such as residential uses, are minimized, through incentives such as tax credits.
- LU 20.2 Protect agricultural uses, including those with industrial characteristics (dairies, poultry, hog farms, etc.) by discouraging inappropriate land division in the immediate proximity and allowing only uses and intensities that are compatible with agricultural uses. (AI 3)
- LU 20.3 Permit farm-workers housing as an interim land use under the following circumstances: (AI 31)
- The area in which the proposal is located appears to be predominantly agricultural in nature and does not appear it will change in the near future.
 - The proposal is an interim use (5 to 10 years) and will not substantially affect the existing character of the area.
 - Adequate infrastructure exists in the area to ensure safe, sound, and decent housing for farm workers.
 - The proposal will not create any significant land use incompatibilities.
 - The proposal will not jeopardize public health, safety, and welfare.



Agricultural uses that exist on land designated for other land uses, such as residential, are allowed to continue as set forth in policy LU 1.1. It is upon a change from agriculture to another use or new development that the underlying land use designation would apply.



Farm worker housing includes mobile home or travel trailer park for rental by agricultural workers wherein not less than 80% of the trailer sites are restricted to rental by migrant agricultural workers, as defined by County Ordinance No. 348, for a period of time not to exceed nine months in any twelve month period. The remainder of the sites are restricted to rental by permanent agricultural workers, and occupancy by the owner or operator of the trailer park.

- LU 20.4 Encourage conservation of productive agricultural lands. Preserve prime agricultural lands for high-value crop production.
- LU 20.5 Continue to participate in the California Land Conservation Act (the Williamson Act) of 1965.
- LU 20.6 Require consideration of state agricultural land classification specifications when a 2.5-year Agriculture Foundation amendment to the General Plan is reviewed that would result in a shift from an agricultural to a non-agricultural use. (AI 8)



Riverside County Ordinance No. 625, the Right-to-Farm Ordinance: the intent of this ordinance is to reduce the loss of agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance.

LU 20.7 Adhere to Riverside County’s Right-to-Farm Ordinance.

LU 20.8 Encourage educational and incentive programs in coordination with the Riverside County Agricultural Commissioner’s Office, the University of California Cooperative Extension Service, and the Riverside County Farm Bureau, that convey the importance of conserving watercourses and their associated habitat, as well as protective buffers for domestic and farm livestock grazing.

LU 20.9 Weigh the economic benefits of surface mining with the preservation/conservation of agriculture when considering mineral excavation proposals on land classified for agricultural uses.

LU 20.10 Allow agriculturally related retail uses such as feed stores and permanent produce stands in all areas and land use designations. It is not the County’s intent pursuant to this policy to subject agricultural related uses to any discretionary permit requirements other than those in existence at the time of adoption of the General Plan.

- LU 20.11 The County of Riverside shall pursue the creation of new incentive programs, such as tax credits, that encourage the continued viability of agricultural activities. (AI 1)
- LU 20.12 Support and participate in ongoing public education programs by organizations such as the County Agricultural Commissioner’s Office, University of California Cooperative Extension, Farm Bureau, and industry organizations to help the public better understand the importance of the agricultural industry.

Rural

Another of Riverside County’s most important land uses in terms of historic character and lifestyle choice is its rural areas and rural communities. Rural areas comprise one of the most distinctive and attractive segments of the county, and are the expressed lifestyle choice for many residents. Rural uses include a range of choices, from agricultural, to equestrian, to estate, to remote cabins and resorts. Like agricultural uses, rural uses define the unique character of many communities in Riverside County, and help to define their edges by providing separation between developed areas. Rural areas are also valuable in providing important wildlife habitat and habitat linkages as well as cultural preservation goals such as historic landscapes. Many visitors are drawn to Riverside County to enjoy the rural atmosphere. The importance of the rural character to Riverside County is reflected in the following RCIP Vision statements:

Attachment 2
County Right-to-Farm Ordinance

Chapter 5.40 - RIGHT TO FARM REGULATIONS

Sections:

5.40.010 - Short title.

This chapter may be cited as the "Riverside County right-to-farm ordinance."

(Ord. 625.1 § 1, 1994)

5.40.020 - Findings.

The Riverside County board of supervisors finds that where nonagricultural land uses extend into agricultural areas or exist side-by-side, agricultural operations often become the subject of nuisance complaints. As a result, some agricultural operations are forced to cease or curtail operations, others are discouraged from making investments in farm improvements, and efficient agricultural production is generally discouraged due to burdensome litigation against farmers.

(Ord. 625.1 § 2, 1994)

5.40.030 - Intent.

It is the intent of Riverside County to conserve, protect and encourage the development, improvement, and continued viability of its agricultural land and industries for the long-term production of food and other agricultural products, and for the economic well-being of the county's residents. It is also the intent of the county to balance the rights of farmers to produce food and other agricultural products with the rights of non-farmers who own, occupy or use land within or adjacent to agricultural areas. It is the intent of this chapter to reduce the loss to the county of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance. Nothing in this chapter shall be construed to limit the right of any owner of real property to request that the county consider a change in the zoning classification of his or her property in accordance with the procedures set forth in the Riverside County Land Use Ordinance, Ordinance No. 348 (Title 17 of this code).

(Ord. 625.1 § 3, 1994)

5.40.040 - Definitions.

For the purposes of this chapter, the following words and phrases are defined and shall be construed as having the following meanings:

"Agricultural activity, operation or facility, or appurtenances thereof" includes, but is not limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodity, including timber, viticulture, apiculture or horticulture, the raising of livestock, fur bearing animals, fish or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

"Land zoned for primarily agricultural purposes" means any land lying within any one of the following zone classification established by the Riverside County Land Use Ordinance, Ordinance No. 348:

1. A-1 zone (light agriculture);
2. A-P zone (light agriculture with poultry);
3. A-2 zone (heavy agriculture);

4. A-D zone (agriculture-dairy);
5. C/V zone (citrus/vineyard).

(Ord. 625.1 § 4, 1994)

5.40.050 - Policy.

- A. No agricultural activity, operation or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about, the locality, after the same has been in operation for more than three years if it was not a nuisance at the time it began.
- B. This section shall not invalidate any provision contained in the Health and Safety Code, Fish and Game Code, Food and Agricultural Code, or Division 7 (commencing with Section 13000) of the Water Code of the state of California, if the agricultural activity, operation, or facility, or appurtenances thereof, constitutes a nuisance, public or private, as specifically defined or described in any such provision.
- C. This section is not to be construed so as to modify or abridge the state law set out in the California Civil Code relative to nuisances, but rather it is only to be utilized in the interpretation and enforcement of the provisions of county ordinances and regulations.

(Ord. 625.1 § 5, 1994)

5.40.060 - Notice to buyers of land.

- A. The planning director shall cause the following notice to be included on an Environmental Constraints Sheet, pursuant to Riverside County Ordinance No. 460, for any tentative land division proposed that lies partly or wholly within, or within three hundred (300) feet of any land zoned for primarily agricultural purposes:

Lot(s) No. _____, as shown on this map, is (are) located partly or wholly within, or within 300 feet of, land zoned for primarily agricultural purposes by the County of Riverside. It is the declared policy of the County of Riverside that no agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes in the unincorporated area of the County, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years, if it was not a nuisance at the time it began. The term "agricultural activity, operation, or facility, or appurtenances thereof" includes, but is not limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity, including timber, viticulture, apiculture, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.
- B. The road commissioner shall cause the notice described, in subsection A of this section to be included on an environmental constraints sheet, pursuant to Riverside County Ordinance No. 460, for any final land division proposed for recordation that lies partly or wholly within, or within three hundred (300) feet of, any land zoned for primarily agricultural purposes.

(Ord. 625.1 § 6, 1994)



Sage Town Hall Association

31805 Temecula Pkwy #218 Temecula, CA 92592-9804

Commissioner Thornhill,

Thank you for taking our call this morning. As I explained we have a real water issue in the Sage, Aguanga and Anza area of Riverside County. That issue is that the entire Santa Margarita Watershed is subject to a lawsuit called US vs Fallbrook. that case has gone on since the 1950s with no end in sight. The judge can't make a final ruling without water quantification. That means that nobody, (including the Planning Commission), knows how much groundwater is in this area, or what level of agriculture it will support.

We are all aware of what happened in the Paso Robles area when the indiscriminate increases were allowed in wineries, without verifying that enough groundwater existed to support that expansion. Let's not duplicate that error here.

I have attached some studies showing the water demands of Industrial Hemp. They are staggering and may only be exceeded by crops such as rice. We don't grow rice in Riverside County because it takes 33" of rain to grow rice (one of the most water demanding crops). Yet the Planning Commission is considering approving Industrial Hemp (at almost the same water demand) for growing in Riverside County without doing any water qualification of the available ground water

The Hemp Lobby says Hemp requires 12-15" of water during the growing season. Riverside County rarely gets more than 1" of rain during that growing season. 12-15" is often our annual total. The balance of that water will need to be pumped out of the ground.

<https://www.votehemp.com/wp-content/uploads/.../09/hempinfo.pdf>

But other studies indicate that the Hemp Lobby is grossly misrepresenting the actual water demands of Industrial Hemp, when grown for biomass.

Purdue University's Hemp Project reports that most varieties of Hemp need about 25-30 inches of rain a year, especially in the early weeks of life.

<https://hempindustrydaily.com/myth-busting-hemp-needs-more.../>

Another study by Robert Nelson concluded that Hemp required 20-30" of rainfall during the growing season.

<https://www.hempbasics.com/hhusb/hh2cul.htm>

Mature grape vines consume a similar amount of water per plant as Hemp but there are far fewer grape vines per acre than Industrial Hemp, grown for biomass. If you follow the recommended spacing for grape vines you can fit 1,089 vines per acre. However, Industrial Hemp can fit 400,000 plants per acre. **That is 367 times the water requirements of a vineyard.**

Sage Town Hall Association

31805 Temecula Pkwy #218 Temecula, CA 92592-9804

The way to prevent Riverside County from repeating the same mistake made in San Luis Obispo County, would be to require that any commercial agricultural production either have a will-serve-letter from a public water utility or a well which is drawing water from a quantified water basin, that has been shown to have enough water to support that agriculture. We are not saying that farmers do not have a right to grow. We both know that they do but we are saying that growing must be done in compliance with the Sustainable Groundwater Act.

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), collectively known as the Sustainable Groundwater Management Act (SGMA). For the first time in its history, California has a framework for sustainable, groundwater management - "management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results." It is the Planning Commission's responsibility to consider the proper management of our groundwater in any Ordinance they propose.

The following link will show you how much of Riverside County is covered by adjudicated water basins. The Santa Margarita River Water Shed is adjudicated but not quantified. <https://sgma.water.ca.gov/webgis/index.jsp?appid=adjbasin>. Without quantification, it would be irresponsible to place the level of demand on this watershed, Industrial Hemp creates.

Gary Worobec raised several other issues. The illegal Cannabis issue has had a negative effect on home values and the quality of life in this area. To introduce a virtual twin crop without first eradicating the illegal Cannabis production would seem to exacerbate those negative consequences. Industrial Hemp is physically indistinguishable from, Cannabis upon visual inspection. Until the illegal Cannabis problem is solved, allowing its twin to be grown seems to create insurmountable problems for both Law Enforcement and Code Enforcement. How could they determine whether a grow is legal or illegal, without massive testing of the plants within that grow? Would the County be required to pay for that testing?

Many area residents complain of allergic reactions to the overpowering smell of the massive illegal Cannabis production. One Hemp Farmer cleared and planted 120 acres of Hemp along Highway 371 in Anza. Had he not planted before the final snow storm of the season the people in Anza would have those 48,000,000 hemp plants to add to the smell. That was just from a single Hemp Registration.

Respectfully,
Bill Donahue, President



Sage Town Hall Association

Medina, Esmeralda

From: Leach, Charissa
Sent: Tuesday, June 16, 2020 1:07 PM
To: Medina, Esmeralda
Subject: FW: Hemp Ordinance

Please include for PC tomorrow

From: Audrey Turpin [mailto:upacreekranch1@gmail.com]
Sent: Tuesday, June 16, 2020 1:14 PM
To: Leach, Charissa <cleach@rivco.org>
Subject: Hemp Ordinance

Again, the valley of Anza and Aguanga residential homes are under attack from commercial enterprises . Now the county of Riverside is considering the farming of hemp in our neighborhoods. Our homes and community have been under the attack of commercial cannabis growers from out of state and have been eroding our quality of life for the last six years. Riverside county for the first few years had almost ignored our plight against these illegal cannabis farmers and allowed them to grow illegal cannabis to a point of saturation with thousands of illegal farms across our valley. It was not until Sheriff Bianco was elected did we see that any one in our county cared about our plight with these illegal commercial grows in our residential community. Even with Sheriff Biancos hard work and enforcement we are still dealing with 1000's of grows within our area.

The problems we encounter with these ILLEGAL commercial cannabis grows are numerous.

1. The water they use from the water table. This is a high desert in which we have wells. Cannabis (and HEMP) is a high water using crop. County won't even permit a legal commercial business (such as a restaurant) in our town because of our water usage. Yet you want to consider commercial hemp.
2. The pesticides and poisons that destroy our water table and soil.
3. Our dirt roads are not maintained by the county. The residents maintain them out of our own pocket. Yet the illegal commercial cannabis growers destroy our roads with their daily, nightly, hourly trips with water trucks, u haul trucks and the employees speedy down the roads.
4. The SMELL we are suffering with all the time. We cannot enjoy our homes outside . Hemp is just as bad smelling.
5. The trash we have to pick up after. It litters our road and fills up our transfer station. A lot of these illegal cannabis growers do not have a permitted structure on their farms so no, they do not pay to use the dump. WE DO!
6. The murders and crime we have had to endure because of the illegal cannabis grows and what criminals they attract.

7. The officers of Code Enforcement cannot even keep up with the illegal, non permitted commercial cannabis grows we have now. How in the heck are they going to be able to maintain Hemp Grows. Don't even think the Cannabis growers are not going to be hiding their Illegal Cannabis in so called Hemp grows.

Why? Why do you continue to allow our community and valley to be raped, pillaged and destroyed . Why do you continue to be sold off on illegal cannabis and now commercial hemp??????? Most of these growers are from out of state and maybe out of the country and we supply them with the opportunity to make thousands of dollars, off of our water resources and the land with NOTHING BUT GRIEF in return. This is wrong. This is a residential, country, family community and has no business in allowing commercial hemp or commercial cannabis here. We are fighting mad about this. We are constantly fighting for our way of COUNTRY LIFE and you keep trying to shove more crap down our throats.

Maybe do an emergency hire and hire 10-15 code enforcement officers and get rid of these illegal commercial grows. Seize illegal commercial grow properties and you would be able to afford it.

I hope you will reconsider this ordinance and step up the enforcement on the illegal commercial cannabis. We are tired of dealing with this and beg of you to fix and find a solution. This area is some of the last open spaces of riverside county and should not be spoiled by illegal commercial enterprises.

Audrey Turpin
43820 Scrub Oak
Aguanga, Ca. 92536
951-852-1708

Hildebrand, John

From: Gary Worobec <garytwmw@gmail.com>
Sent: Monday, June 15, 2020 6:05 PM
To: Leach, Charissa; Hildebrand, John
Cc: Michelle DeArmond; District3; District2
Subject: Sustainable Groundwater Management Act

Ms. Leach,

I viewed your presentation to the BOS regarding code enforcement. While we appreciate your efforts you in no way offered any relief to the hundreds, if not thousands of residents of the Anza, Sage, and Aguanga communities regarding illegal marijuana cultivation. Your latest caper involving hemp cultivation in our RR and RA properties shows how out of touch you are with your rural employers.

The water issue for hemp cultivation is serious. On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319(Pavley), collectively known as the Sustainable Groundwater Management Act (SGMA). For the first time in its history, California has a framework for sustainable, groundwater management - "management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results."

"It is the Planning Commission's responsibility to consider the proper management of our groundwater in any Ordinance they propose"

The Santa Margarita Watershed that encompasses Anza, Aguanga and parts of Sage has never been quantified for water use. How is it that our Agricultural Commissioner can hand out hemp permits like halloween candy without quantifying the the amount of water available in the Santa Margarita Watershed?

We hope that you and Mr. Hildebrand will be educating yourselves on the state requirements and water inequities but most importantly on the input from Riverside County families.

As always, we appreciate your consideration for the rural areas of Riverside County but this issue needs further study.

I have attached a document from Bill Donahue, President of the Sage Town Hall Assc. For your review,

We have a real water issue in the Sage, Aguanga and Anza area of Riverside County. That issue is that the entire Santa Margarita Watershed is subject to a lawsuit called US vs Fallbrook. that case has gone on since the 1950s with no end in sight. The judge can't make a a final ruling without water quantification. That means that nobody, (including the Panning Commission), knows how much groundwater is in this area, or what level of agriculture it will support.

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But other studies indicate that the Hemp Lobby is grossly misrepresenting the actual water demands of Industrial Hemp, when grown for biomass.

Purdue University's Hemp Project reports that most varieties of Hemp need about 25-30 inches of rain a year, especially in the early weeks of life. <https://hempindustrydaily.com/myth-busting-hemp-needs-more.../>

Another study by Robert Nelson concluded that Hemp required 20-30" of rainfall during the growing season.

<https://www.hempbasics.com/hhusb/hh2cul.htm>

Mature grape vines consume a similar amount of water per plant as Hemp but there are far fewer grape vines per acre than Industrial Hemp, grown for biomass. If you follow the recommended spacing for grape vines you can fit 1,089 vines per acre. However, Industrial Hemp can fit 400,000 plants per acre. **That is 367 times the water requirements of a vineyard.**

SageTownHall@Gmail.com <http://www.sagetownhallassociation.com>

Sage Town Hall Association

31805 Temecula Pkwy #218 Temecula, CA 92592-9804

The way to prevent Riverside County from repeating the same mistake made in San Luis Obispo County, would be to require that any commercial agricultural production either have a will-serve-letter from a public water utility or a well which is drawing water from a quantified water basin, that has been shown to have enough water to support that agriculture. We are not saying that farmers do not have a right to grow. We both know that they do but we are saying that growing must be done in compliance with the Sustainable Groundwater Act.

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), collectively known as the Sustainable Groundwater Management Act (SGMA). For the first time in its history, California has a framework for sustainable, groundwater management - "management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results." It is the Planning Commission's responsibility to consider the proper management of our groundwater in any Ordinance they propose.

The following link will show you how much of Riverside County is covered by adjudicated water basins. The Santa Margarita River Water Shed is adjudicated but not quantified.

<https://sgma.water.ca.gov/webgis/index.jsp?appid=adjbasin>. Without quantification, it would be irresponsible to place the level of demand on this watershed, Industrial Hemp creates.

Gary Worobec raised several other issues. The illegal Cannabis issue has had a negative effect on home values and the quality of life in this area. To introduce a virtual twin crop without first eradicating the illegal Cannabis production would seem to exacerbate those negative consequences. Industrial Hemp is physically indistinguishable from Cannabis upon visual inspection. Until the illegal Cannabis problem is solved, allowing its twin to be grown seems to create insurmountable problems for both Law Enforcement and Code Enforcement. How could they determine whether a grow is legal or illegal, without massive testing of the plants within that grow? Would the County be required to pay for that testing?

Many area residents complain of allergic reactions to the overpowering smell of the massive illegal Cannabis production. One Hemp Farmer cleared and planted 120 acres of Hemp along Highway 371 in Anza. Had he not planted before the final snow storm of the season the people in Anza would have those 48,000,000 hemp plants to add to the smell. That was just from a single Hemp Registration.

Respectfully,
Bill Donahue, President

Sage Town Hall Association



SageTownHall@gmail.com <http://www.sagetownhallassociation.com>

Hildebrand, John

From: Gary Worobec <gtw5@earthlink.net>
Sent: Friday, June 12, 2020 5:37 AM
To: Hildebrand, John; Leach, Charissa
Cc: DeArmond, Michelle; District3
Subject: Hemp Ordinance

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Charissa and John,

Very sad to see the Planning Department selling out to the hemp lobby. To allow outdoor hemp cultivation in RR and RA properties over 20 acres is a complete violation of the public trust. I'm not sure what part of this you do not understand. The ranches, the hobby farms, the farm to table produce people and most all of our other residents do not want the smell of hemp to continue to foul our air just as does the 1000 illegal marijuana farms which have been let to flourish because our code enforcement is so lax. We don't want heavy trucks tearing up our dirt roads because we have to pay for the maintenance not the county. Hemp is an industrial product and has no place in RR and RA zoning. We have hundreds of 2 1/2 and 5 acre properties adjacent to many parcels 20 and 40 acres and you expect us to put up with an industrial hemp operation right next door.

I'm extremely disappointed in both of you for even considering this and not standing up for the hardworking, taxpaying residents of rural Riverside County. You have sold us out. Hopefully the BOS has more sense and will kill this nonsensical change to what was a sensible ordinance.

You can expect serious opposition to this come next Wednesday.

Gary Worobec
www.takebackkanza.org
951-763-0518



Gary Worobec

1 min

Through pressure from the commercial hemp lobbyists the county may allow hemp cultivation in RR and RA zoning in parcels over 20 acres. Many of us have properties over 20 acres and many of us have smaller properties that are adjacent to these large parcels. We don't need the smell of hemp further permeating our air nor do we want the traffic that will come from an industrial operation next door. If you do not want an industrial hemp operation next door to you then send an email to our Planning Commission before Wednesday, June 17th and register your opposition. Hemp cultivation in any RR and RA zoning makes no sense for rural communities. Send your email to Elizabeth Sarabia, TLMA Commission Secretary ESarabia@RIVCO.ORG

NO INDUSTRIAL



**in RR and RA
Zoning**

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Tuesday, June 16, 2020 10:27 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Revisions To The Proposed Hemp Ordinance
Attachments: Ltr-Commission.pdf

From: Sage Town Hall Association <sagetownhall@gmail.com>
Sent: Monday, June 15, 2020 5:49 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Revisions To The Proposed Hemp Ordinance

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Elizabeth,

While Sage Town Hall Association had taken no position on the original version of the proposed Hemp Ordinance the recent suggested changes have caused us to revisit the issue. I spoke with Commissioner Thornhill by telephone this morning and followed up with the attached correspondence. Please consider this letter our official opposition to Hemp Ordinance as currently written. The failure to address the water consumption issue is too egregious to ignore.

Respectfully,
Bill Donahue

Hildebrand, John

From: Leach, Charissa
Sent: Monday, June 15, 2020 4:39 PM
To: Allison Renck
Cc: ali9591@aol.com; Hellweg, Opal; krenck76@gmail.com; Sarabia, Elizabeth; Hildebrand, John
Subject: RE: Hemp Ordinance

Thank you Ms. Renck – I will make sure your comments are included for the Commission's review.

Charissa Leach, P.E.

Transportation &
Land Management Agency
Assistant Director/Planning & Land Use
Riverside County
Phone: (951) 955-6097
Fax: (951) 955-1811
email: cleach@rivco.org



TOGETHER, *Everybody Counts!*



[How are we doing?](#) Click the link to tell us

From: Allison Renck [mailto:ali9591@aol.com]
Sent: Monday, June 15, 2020 2:55 PM
To: Leach, Charissa <cleach@rivco.org>
Cc: ali9591@aol.com; Hellweg, Opal <OHellweg@RIVCO.ORG>; krenck76@gmail.com
Subject: Re: Hemp Ordinance

Hello Ms. Leach,
Thank you for taking the time to read my email in regards to my position against the Hemp Ordinance.

Today I did volunteer trail work in the Beauty Mountain Wilderness and as I worked I thought about our beautiful Anza and Aguanga Area as I looked at the views. But I was also very sad because everyday I live with the illegal irresponsible cannabis cultivators that have swarmed this beautiful area to only make a profit. Now it appears that Riverside County believes that Hemp is a better way to go and thus the ordinance that you have crafted. What will make this different? It will just help the illegal cannabis cultivators have another smoke screen to put out, which then will just make it harder to even enforce the rules we have. With this Covid -19 there will be no money for any enforcement and since when the grows are busted now there is no accountability and no one is punished thus it just keeps happening. Riverside County has obtained much of its protected habitat in our area, yet the destruction that is occurring on properties in the HANS area is done and code can only cite them, but the destruction will take years to overcome. We don't have unlimited water and as I write this email I have watched the water truck go out for its 3rd trip and that person is selling the water and he was arrested a month ago and is back. No accountability for destruction/selling water

illegally/no conditional use permits/paying no dump fees on undeveloped properties/illegal cultivation/non-permitted structures/and living in a travel trailer where only god knows where the sewage goes.

Thank you for your time,
Allison L. Renck
52090 Elder Creek Rd
Aguanga, California 92536
951-663-5452

Hildebrand, John

From: Tim McGinnis <Tim.McGinnis@lewismc.com>
Sent: Tuesday, June 16, 2020 2:10 PM
To: Hildebrand, John
Subject: Comments To Proposed Hemp Ordinance - PC Meeting 6-17-20

Dear John:

Please relay to the Planning Commission we support the Additional Change Considerations allowing Industrial Hemp as an interim use in the Specific Plan zone and request they consider our modification proposed below.

As you know, the Villages of Lakeview Specific Plan encompasses approximately 3,000 acres of land of which approximately 2,000 acres are farmed. With 8,725 homes approved in the Specific Plan it is likely the buildout of the community will take 20 to 30 years.

Because of this, we would ask County Staff and the Planning Commission consider deleting the 10 year maximum outlined in the Additional Change Considerations. The County could simply allow Industrial Hemp as an interim use in 5 year increments with a conditional use permit. That way the County can use its discretion on the issuance of the permit and the landowner isn't economically disadvantaged developing a long term project.

Thank you for your help and consideration.

Sincerely,
Nuevo Development Company,
Tim McGinnis
Authorized Representative

Tim McGinnis
Vice President Regional Planned Communities
Lewis Management Corp.
1156 N. Mountain Avenue
Upland, CA 91786
Tim.McGinnis@lewismc.com
(909) 946-7525 Direct/Fax
(949) 632-4396 Mobile
www.LewisGroupOfCompanies.com / www.LewisCareers.com

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Hildebrand, John

From: Valdivia, Mickey
Sent: Friday, June 12, 2020 1:49 PM
To: Robert Hardesty
Cc: Hildebrand, John; Shenghur, Halimah
Subject: FW: Preparation for Wednesday June 17th Public Hearing

Dr. Hardesty,
Is this the email your referring to? If yes, then Mr. Hildebrandt is in receipt.
Thanks,

--

Mickey Valdivia
Legislative Assistant to
Supervisor **Jeff Hewitt**
County of Riverside, 5th District
4080 Lemon St., 5th Floor
Riverside, CA. 92502
951.955.1050 office
951.318.2998 cell
mivaldivia@rivco.org

From: Robert Hardesty <rhardestymd@gmail.com>
Date: Friday, June 12, 2020 at 12:11 PM
To: "Leach, Charissa" <cleach@rivco.org>, "billsanchez760@gmail.com" <billsanchez760@gmail.com>, "cbshaffer73@gmail.com" <cbshaffer73@gmail.com>, "erica@ashley-kroebecke.com" <erica@ashley-kroebecke.com>, "gthornhill17@yahoo.com" <gthornhill17@yahoo.com>, "leonardla@earthlink.com" <leonardla@earthlink.com>, "mclack@rivco.com" <mclack@rivco.com>
Cc: "Shannon, Boomer" <BShannon@rivco.org>, "Hildebrand, John" <JHildebr@RIVCO.ORG>, "Hewitt, Jeff" <JHewitt@rivco.org>, MIKLOS CAMPUZANO Canabis Cannabis Real Estate Consultants CREC <miklos@crec.us>, "Mickey R. Valdivia" <Mivaldivia@rivco.org>, Sasha Barber <sasha@guidedrealty.com>, "Shenghur, Halimah" <HSHENGHU@RIVCO.ORG>
Subject: Preparation for Wednesday June 17th Public Hearing

Dear Commissioners, Ms. Leach and Ms. Clack

I forgot to include you in the email sent Mr. John Hildebrandt earlier today.

I am trying to better understand "the process" and work within the Riv. County System in a effective and efficient manner.

Please comment or I am totally open to your advice on the best way for me to present my concerns and requests regarding the new proposed hemp 348 ordinance.

Thank you,

Bob Hardesty

Email sent earlier today to John Hildebrandt:

Thank you John, Mickey and Halimah for the informative discussion last night.

My first presentation at a Public hearing was 10 days ago!

I learned a lot. Democracy and civics in action.

I don't believe I successfully got my concerns or suggestions recognized, understood and reached the level of the planning commissioners to recommend staff action.

John, I do have some other areas that I want you to confirm, clarify and advise me on. I have underlined your name and questions for ease of reply. Please reply under each question for ease of reference.

The process

If I understand the process correctly:

- John and his staff can **only** act on issues regarding hemp and ordinance 348 as directed by the planning commissioners.
- my only pathway to have my concerns/suggestions to be incorporated in the proposed hemp 348 ordinance is to again, as I previously did is to:
 - Present my concerns/suggestion at the public hearing
 - Provide material to the commissioners
 - Provide materials to be included in documents at the Public Hearing
- Then if the commissioners moves/directs to include my suggestions back to the planning staff the planning staff will do so and re-present to the commissioners.
- once the commissioners recommendations are approved they are then forwarded to the Riv. County Bd. of Supervisors (BOS) for their approval.

John, is my understanding correct?

Current status of Hemp

-Hemp is Federally legal and with a specific Riv. County agriculture permit (which I currently have) hemp can be cultivated, manufactured, distributed and retail (micro business) in Riverside County in zone W-2.

Current proposed Hemp Ordinance 348

- current proposed hemp ordinance 348 as written would restrict hemp to cultivation ONLY in zone W-2. Specifically in W-2 zones manufacture or microbusiness will not be allowed.
- currently there is no flexibility or provision in the proposed hemp 348 ordinance to request "a exception to such limitations on a case by case basis".

John, is the above correct?

Options to have Hemp microbusiness on my W-2 zoned 138 acre rural property

- include W-2 zone in designated zones where a hemp microbusiness can be included.
- create a provision/methodology in the proposed hemp 348 ordinance to request a exception to such limitations on a "case by case basis".

John,

-are there any other options or suggestions?

-Based in your experience what term would you use for the "flexibility provision based on a case by case" provision I will be asking to incorporate in the proposed hemp 348 Ordinance?

Materials and power point presentation

I can turn into your office on Tuesday afternoon June 16, 2020 to be included in the public hearing documents, given to each commissioner and be able to present in the public hearing.

John, is the above correct?

John, I again thank you for time and help in clarifying my understanding on how the "process works" and your help as how as a land owner I can make my concerns/suggestions be known and hopefully incorporated into the Riv. County Planning Commission recommendations to the BOA.

I look forward to your reply.

My best regards,

Bob Hardesty

Allin, Jason

From: Robert Mayo <rmayoca@gmail.com>
Sent: Tuesday, June 16, 2020 10:10 AM
To: Allin, Jason
Subject: I Am For Hemp Farming on RA Zoning

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DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jason,
You have been very nice, Thank you for you help.

Please post this following letter to the 3.1 Hemp Record For tomorrow's planning Meeting. Thanks—Bob...

I am a little guy, not a millionaire. I am all for allowing outdoor Hemp Farming, so are my Only 2 neighbors in Cabazon.

We want commerce , we want business.

But Generations of Riverside Politics

Have created our mess in Cabazon.

Cabazon has Zero, Zilch, Nothing to show for small family land owners.

After Cannabis was voted in California and became legal, RIVCO planning down zoned our W-2 Zoning to RA in Cabazon. That down zoning was blatantly designed to stifle cannabis and hemp farmers after cannabis legalization.

It's time to make decisions that HELP RR and RA Zoning and small families in Cabazon And the county.

Don't push us around like little guys.

Don't force Conditional Use Permits
down our throats.

Don't make Hemp just like cannabis, for millionaires only.

Just let us pay a simple Hemp Tax on our harvest, like all other farmers.

Allow The little guys and small families with RR and RA 5 acre parcels and up a chance at the American Dream.

Don't step on our throats, Let us breath.

—Bob Mayo

Cabazon

6-17-2020

.....,

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:22 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Anza Hemp Farms

From: Carl Virden <c.virden@verizon.net>
Sent: Friday, June 12, 2020 6:53 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Anza Hemp Farms

Please do not allow large hemp growing operations on large properties in Anza. Quality of life will suffer for those of us who bought our properties just to enjoy life and breath fresh air. The additional noise of traffic to and from these grows will bring unwanted pollution.

We have limited water to support these types of operations also.

Leave Anza alone!

Sent from my iPhone

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:23 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: No Industrial Hemp

From: Elizabeth Bascetta <elizabethbascetta@yahoo.com>
Sent: Friday, June 12, 2020 7:20 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: No Industrial Hemp

Good morning,

I'm writing to toss my name in along with many others. I own a parcel larger than 20 acres. I don't want Hemp on or near my property. We moved to Anza for the peace, and fresh air not afforded to us in the city. Not so we can wake up to the smell of marijuana or the ugliness and criminal activity that tags along. Even legal grows attract the unregistered firearms, the theft of resources, vehicles, tools, and dangerous people.

Please help us keep our farms simple, and clean by not allowing industrial cultivation of hemp.

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:21 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: No hemp

From: Roseann Hamilton <roseannpaul1@gmail.com>
Sent: Friday, June 12, 2020 6:44 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: No hemp

No hemp in RR and RA zoning areas!

I live on the Cahuilla Reservation and growing of marijuana is out of control the "growers" contaminate and dump waste, bring in armed individuals with criminal activities and the smell that our children have to live with is unbearable. Stop the waste of water on marijuana.

Rose Ann Hamilton

Sent from my iPhone

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:20 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: No to hemp Anza

From: Daryl Parker <longdistancerider.parker@gmail.com>
Sent: Friday, June 12, 2020 6:43 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: No to hemp Anza

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No rural hemp growing in Anza Ca

Sent from my iPhone

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:28 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Hemp growing

From: michael mcalister <mcmcc11@msn.com>
Sent: Friday, June 12, 2020 8:04 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp growing

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Do not allow grows in RA and RR. The smell is suffocating . I am already surrounded on all 4 sides by growers and can't even breathe st times.

Sent from my iPhone

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Tuesday, June 16, 2020 10:26 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Hemp & MJ in RR

From: Sean Mccullock <smccullock@gmail.com>
Sent: Monday, June 15, 2020 3:20 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp & MJ in RR

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Hi,
Large scale hemp and mj grows should be on 100 acres or more if at all. With a buffer zone for neighbors.

We have to find a way to co exist.
24 plant's should be sufficient for most needs. Personal use is not the issue.

I live on 20 acres and I am surround by legal and large illegal grows.
20 acres is not a large enough buffer!!
The stink is horrible, the chemical bottles I find Littered on our road are illegal.
The people flying up and down the road daily are dangerous.

The open fires at their camps are dangerous and not legal!!

They have blocked the road while holding rifles as they truck out their harvest.

During harvest it feels like a 3rd world country in Sage.

We pay lots of taxes. Have poured our life savings into our homes.
Specifically bought in RR so we would not be around commercial operations.

Residents rights should come first before growing drugs and textile agriculture.

Thank you for your time.

Sent from my iPhone

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:30 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Industrial Hemp in RR

From: Sean McCulloch <smcculloch@gmail.com>
Sent: Friday, June 12, 2020 8:17 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Industrial Hemp in RR

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No GOD NO!
it's bad enough with the large illegal grows with camps of people, pesticides etc.
we are on wells, don't need pesticides and fertilizers in our water!

Also I bought specifically in an RR because it said no hemp or MJ cultivation.

The county should have to buy out everyone if zoning changes.

I've invested my life savings into a dream home and property!

Thanks.
Richard McCulloch.

Sent from my iPhone

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:25 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Commercial hemp

From: John Cumming <big.ol.john69@gmail.com>
Sent: Friday, June 12, 2020 7:35 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Commercial hemp

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DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Sarabia, you're seeing the problem that the marijuana is causing at the 6-12-24 level can you not imagine the problem we will have if you permit commercial size hemp?

I've had to replace my 73 year old mother's well plump already 2 times in 5 years because we have 3 grows, at least, around us and every time they purge their water tanks it drops the water level below our pump level. It's not fair and not right.

Thank you

John Cumming
9513319287

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:27 AM
To: Medina, Esmeralda; Hildebrand, John

From: Nancy <nancysongwriter@gmail.com>
Sent: Friday, June 12, 2020 8:02 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject:

CAUTION: This email originated externally from the **Riverside County** email system.
DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Please Read..we moved to Anza to retire. We're both Disabled and my husband has a serious untreatable lung disease. IF u approve any grows over 20 acres the property in front of us will put a grow in immediately. It will be directly in front of our porch!! Behind us there is also a guy who bought it several years ago..put a well in and us just waiting to grow..To move away after settling here 8 years ago will take any savings we have and hurt us physically. The property in front of us is just before beautiful Federal land and Cahuilla Mountain They already have several old tarp covered trailers and alot of traffic and an additional well put in several years ago.Anza was SAVED when you stopped alot of grows starting up..Both of these grows had put in wells BUT abandoned putting in vast grows when you voted to NOT allow grows. Sheriff Bianco also discouraged them greatly.

PLEASE don't force us to move again!!! Please keep Anza Safe!!! We moved here because it was inexpensive on our small retirement..we give up alot to live here, drive far for basic staples and are good citizens.We used to own a business in Riv.County and provided jobs..we are retired.. PLEASE help US. NO GROWS.

Nancy Phillips Murray Hills Rd Anza Ca. 951 331 0482.

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:51 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: No hemp in RR

From: mary g <bayjet@yahoo.com>
Sent: Sunday, June 14, 2020 12:41 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: No hemp in RR

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I wrote to you a couple of days ago. I neglected to say that I own in Reed Valley, Aguanga. Please stop the cultivation of hemp in RR. This is residential! We are here for peace and quiet, not the smell, sight, noise, light and traffic pollution that will follow the planting of hemp. We do not need the runoff onto our properties that the Agriculture dept has allowed with the permitting process allowing grading with no restrictions. Please keep the rural areas rural! Please allow us to continue the character of a country environment which is why we live here.

Thank-you,
Mary Gillham
Reed Valley, Aguanga

[Sent from Yahoo Mail on Android](#)

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:37 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Hemp

From: mary g <bayjet@yahoo.com>
Sent: Friday, June 12, 2020 1:40 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp

CAUTION: This email originated externally from the **Riverside County** email system.
DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Please vote NO hemp allowed in RR or RA in Riverside County. WE DO NOT NEED THE RUNOFF onto our properties, due to their haphazard grading allowed by the Agriculture department in that no grading permits are necessary, or the loss of quiet enjoyment of our own land with noise, light and odor pollution. We property owners have rights, too! And, we live in these rural areas for peace!

These hemp growers, in cahoots with the Agricultural Commission, should not be allowed to just do as they please with NO consideration for the neighbors, as well as the land that they are will-nilly just grading and tearing up. No concern for the environment. They have torn out environmentally sensitive flora in Reed Valley. Remember the legal right to Quiet Enjoyment belongs to all property owners in California. And that supercedes the Agricultural Commission.

Thank-you,
Mary Gillham

[Sent from Yahoo Mail on Android](#)

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:30 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: NO GROWHEMP

From: Barry Shankman <voiceofmemphismusic@gmail.com>
Sent: Friday, June 12, 2020 9:37 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: NO GROWHEMP

CAUTION: This email originated externally from the **Riverside County** email system.
DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

My wife and I have lived in Anza for over 20 years Please do ot allow any industrial cultivation of HEMP in our area...



*)o(*b,shankman..



**Voice of Memphis Music
American Heritage Music Preservation
Cotton Row Music Records**

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Thank you.

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:30 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Hemp zoning

From: Michael Kus <mkus87@icloud.com>
Sent: Friday, June 12, 2020 9:28 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp zoning

CAUTION: This email originated externally from the Riverside County email system. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Hello I'm glad to see you guys do the right thing and allow hemp in rr and ra zones, I just think it would be more fair to the rest of us if it were allowed on smaller parcels thank you for your consideration. I think hemp is going to be huge for riverside county in every way imaginable as far as revenue and jobs, it's about time we're ahead of the curve not behind it.... have a blessed day.☺

Sent from my iPhone

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:51 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Hemp growing on RR or RA zoned land.

From: Dona Phillips <flygo51@gmail.com>
Sent: Saturday, June 13, 2020 6:24 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp growing on RR or RA zoned land.

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NO, PLEASE!! I live in Anza Ca. In Terwilliger Valley to be precise. We've had the UNPLEASANT experience of living in the middle of large scale illegal cannabis grows for 5 yrs now!! The sheriff is doing his best to clear them out. (He needs more help)

We have 18 acres and have lived here 45 yrs come this 4th of July. We worked our entire lives to own this piece of paradise. In the past 5 yrs neighbors have left in despair or fear, others in this rural neighbourhood wait, wait on promises made year after year to clear these growers out.

The air smells ungodly from June through November as it would with hemp!

We're now retired and want to sit on our front porch and smell the star jasmine, the roses and the sweet sage after a rain. Instead we smell cannabis, its so strong that it overtakes all other smells, as would hemp. When we turn on our swamp cooler it's smell comes in through the vents into our home.

The three properties that border ours with cannabis grows have all had second wells dug...what might that mean for our water supply? Water Is Life!!

We used to hear birds, quail, coyotes, the screech of a hawk. For years we've endured the sound of their guard dogs barking and fighting each other, as they grow in number because they do not spay and neuter them.. Its a crime what's happened to this once pristine wilderness area, one of the last in southern California. PLEASE PRESERVE IT from further abuse.

From the land in between the Beauty Mountain Wilderness area and the Anza Borrego State Park we send you best wishes and the hope that you'll PROTECT US, surely we've endured enough!!

Donna Moughan Phillips

Kevin Moughan

Sara Moughan

Jeff Moughan &

Tom Moughan

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:50 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Hemp cultivation.

From: Greg Sandling <sluggogreg@me.com>
Sent: Saturday, June 13, 2020 11:31 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp cultivation.

CAUTION: This email originated externally from the Riverside County email system. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Hello and good morning. Thank you for the opportunity to voice my displeasure of comercial hemp being grown in arial Anza Ca.

My name is Greg Sandling I live on paved Bautista and have been surrounded buy illeagal pto farms. All three sides behind and even across the street. The smell is atrocious as well as it gives us head aches when they spray fertilizer. So if they are gonna Comercaly grow hemp I would like to say please give it a lot of consideration that it has caused us a huge crime problem a neighbor was attacked and killed by three pit bulls two lots over from us those dogs belonged to growers. Please think of us folks up here as humans and keep the hemp and pot out.

Sincerely GREG Sandling.

Sent from my iPhone

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:38 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Hemp Cultivation

From: Andres Cardona <cardonaandres@hotmail.com>
Sent: Friday, June 12, 2020 3:45 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp Cultivation

Elizabeth,

My name is Andres Cardona, I live at 47825 Centennial, Aguanga CA 92536. I oppose the new Hemp Regulations. My wife and I purchased out property almost 20 years ago. When we first purchased our home, the community was quiet and peaceful. Over the last five years, there has been an increase in illegal marijuana grows. This has created somewhat stressful conditions with all the strangers going up and down the road with their shipments of marijuana.

For parts of the year, our home smells like marijuana because of several marijuana grows around us. If hemp cultivation is allowed, it would create much more marijuana smells. It also create worst environmental conditions within our community because of all the chemicals used to grow. We have had several wells become toxic because of the chemicals used for marijuana, if hemp is allowed to grow, it will make it much worse.

Feel free to call me with any questions you may have. I can be reached at 949-285-6260

Andres Cardona

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:37 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: No To Hemp

From: John Walter <john121981@gmail.com>
Sent: Friday, June 12, 2020 2:03 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: No To Hemp

I live in Mead Valley where they want to put that industrial hemp operation and i DO NOT WANT IT here its to close to the high school and to close to homes the smell would be bad and dont get me started on the traffic Cajalco RD is already bad we dont need that shit out this way

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:32 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: No to hemp cultivation in RR and RA zoning

From: Joann Lazo <jalisah@gmail.com>
Sent: Friday, June 12, 2020 12:49 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: No to hemp cultivation in RR and RA zoning

Hi,

Please register our opposition - we are against hemp cultivation in RR and RA zoning in parcels over 20 acres. Many of us have properties over 20 acres and many of us have smaller properties that are adjacent to these large parcels. We don't need the smell of hemp further permeating our air nor do we want the traffic that will come from an industrial operation next door. We do not want want this.

Thank you

JoAnn and Thomas Eldred
19569 Rocky Summit dr
Perris CA 92570

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Tuesday, June 16, 2020 10:23 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Meeting on the 17th

From: claude troudt <troudt@hotmail.com>
Sent: Monday, June 15, 2020 12:39 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Meeting on the 17th

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Good Afternoon,

I understand there's going to be a Panning Department meeting on hemp regulations on Wednesday the 17th. If so, is this meeting open to the public and is it in the Riverside?

Thank you so much and take care,
Claude Troudt

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Tuesday, June 16, 2020 10:27 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: Hemp farms

From: garciadana98 <garciadana98@yahoo.com>
Sent: Monday, June 15, 2020 6:35 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp farms

I live in Nuevo and I do not want Hemp cultivation in my area. What is here already is bad enough we don't want more.

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

Medina, Esmeralda

From: Sarabia, Elizabeth
Sent: Monday, June 15, 2020 10:47 AM
To: Medina, Esmeralda; Hildebrand, John
Subject: Fw: No to hemp

From: amy strawn <dovecry55@yahoo.com>
Sent: Friday, June 12, 2020 10:41 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: No to hemp

To whom it may concern,

I live in the rural town of Anza,CA and I do not want hemp or any form of pot growing in my area.

Sincerely Amy

Industrial Hemp Activities Ordinance

Public Comments

Planning Commission – Agenda Item 3.1

August 5th, 2020

**Ordinance No. 348.4931
(Change of Zone No. 1900015)**



Riverside County Planning Commission
P.O. Box 1409 14080 Lemon St. 12th Floor
Riverside, CA 92501-1409

July 31, 2020

Re: Agenda Item 3.1-Hemp Ordinance August 5th PC Meeting

Commissioners,

You have been sent letters from:

1. Michael Preszler, Federal Watermaster for the Santa Margarita River Watershed,
2. State Senator Melissa Melendez 28th Senate District
3. Assemblyman Randy Voepel 71st Assembly District
4. Phil Canaday, President, Anza Mutual Water Company
5. Pam Nelson, Chairwoman, Santa Margarita Group of the Sierra Club
6. Bill Donahue, President, Sage Town Hall Association.

All of these 6 letters plus letters from residents express concern for the future viability of the Santa Margarita River Watershed (SMRW) specifically the unquantified area of the watershed containing the towns of Anza, Aguanga and Sage. The USGS has also weighed in with a report¹ that also indicates a concern for water sustainability in this valley.

Over the last 8 months hemp cultivation permits have been handed out within the Santa Margarita River Watershed with no regard for the environmental impact within the unquantified area (see map below). To hand out these permits without due consideration for the water resources was thoughtless on the part of the Planning Department and the County Agricultural Commissioner especially since we are now in the middle of a process to develop an ordinance. Would we let a developer go ahead and build housing and then develop an ordinance?. I don't think so.

The hundreds of illegal marijuana operations within the SMRW are already taxing the water supply with many residents reporting a deterioration of both water quality and quantity. To now add hemp in both Ag and commercial zoning plus anything over 5 acres of RR and RA zoning that appears on the latest version of the ordinance is nothing less than negligent.

The proposed new ordinance also calls for a "will serve" letter as follows:

- *Water Availability. All Industrial Hemp Cultivation operations shall obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the All Industrial Hemp Cultivation operations. The letter shall include the activity proposed and any improvements required for service. For All Industrial Hemp Cultivation operations where water service is not available, conditions from the Department of Environmental Health for a permitted onsite, in-ground well will be required. Irrigation and domestic water supplies shall not include water transported by vehicle from off-site sources.*

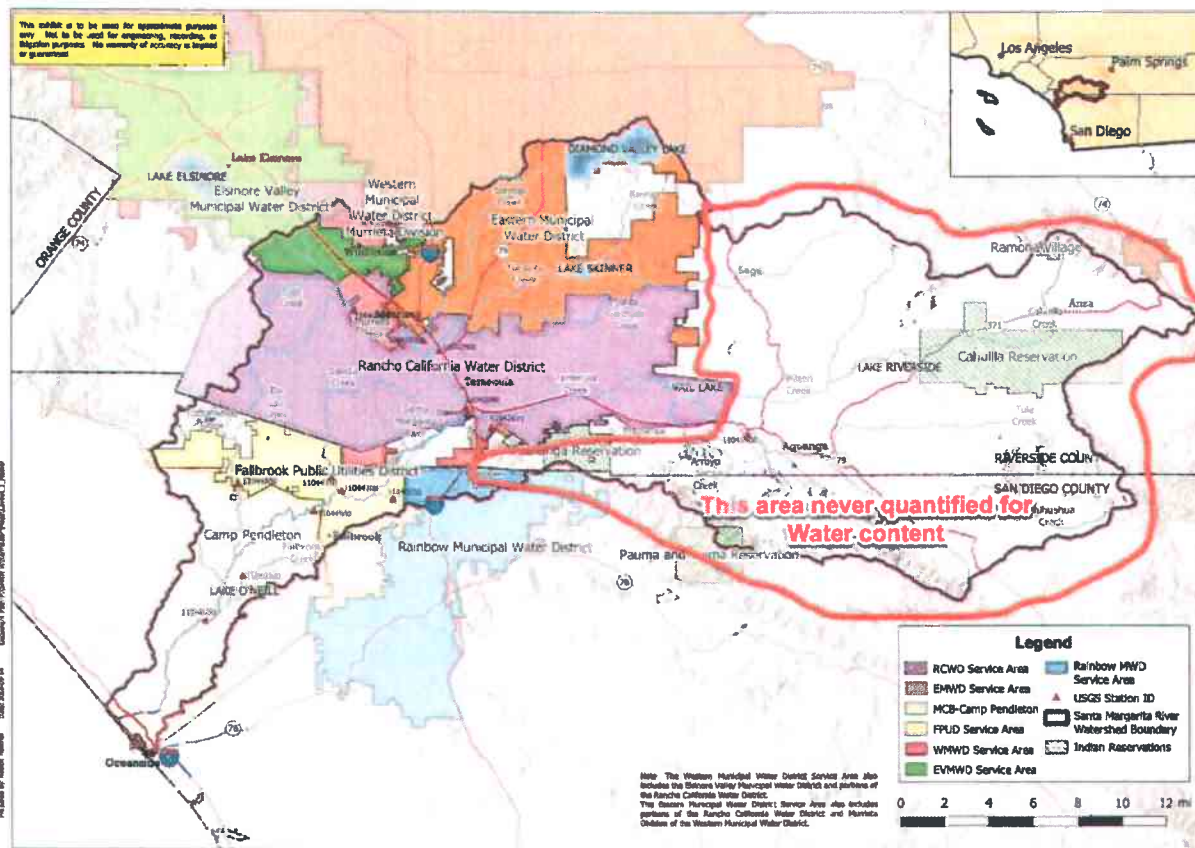
¹https://www.usgs.gov/centers/ca-water/science/evaluation-groundwater-resources-anza-terwilliger-area-anza-california?qt-science_center_objects=0#qt-science_center_objects

The SMRW Watermaster Michael Preszler who adjudicates the entire watershed DOES NOT have the authority under his charter to provide or deny a “will serve” request. This would now fall to the Riverside County Department of Environmental Health which in consideration of what has happened with the issuing of hemp permits over the last 8 months is a rather scary thought.

In closing, takebackanza.org strongly requests that a moratorium be placed on permits for hemp cultivation within the unquantified area of the Santa Margarita River Watershed and the Anza-Terwilliger Ground Water Basin as defined by the USGS study until a thorough water study has been done. In addition current hemp permits should allowed to run until expiration and not renewed until a proper water study has been done.

Respectfully submitted

Gary Worobec
 Founder- www.takebackanza.org



Santa Margarita River Watershed
Major Water Purveyors



Santa Margarita River Watershed

WATERMASTER

July 29, 2020

Charissa Leach, P.E.
Transportation & Land Management Agency - Assistant Director/Planning & Land Use
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1629

RE: Proposed Hemp Ordinance No. 348.4931, associated with Change of Zone No. 1900015 as an amendment to the County's Land Use Ordinance No. 348.

Dear Ms. Leach:

As the Watermaster appointed by the Federal Court as part of the adjudication in *U.S.A. v. Fallbrook Public Utility District, et al.*, Civil No. 51-cv-1247-GPC-RBB ("*Fallbrook Case*"), this letter serves to provide formal comments regarding the Riverside County Proposed Hemp Ordinance No. 348.4931, associated with Change of Zone No. 1900015 as an amendment to the County's Land Use Ordinance No. 348. Review of the proposed ordinance suggests that essentially, it would expand allowable Industrial Hemp operations to include Rural-Residential and Residential-Agricultural zones on lots greater than 20 acres in size. Many of these parcels are located in the unincorporated areas of the County including the communities of Aguanga, Sage and Anza where the Federal Court has continuing jurisdiction.

Available technical information is insufficient to determine a sustainable operation in the areas of Aguanga, Sage and Anza. As such, increasing production in these areas by growing Hemp, which requires a considerable amount of water, constitutes a potential threat to the sustainability of the groundwater basins.

One of the responsibilities of the Watermaster is to file with the Court an annual Report pursuant to the U.S. District Court Order dated March 13, 1989. The Report lists concerns (Section 9.3) about groundwater overdraft conditions in the Anza Valley groundwater area. The Report covering water year 2019 is being drafted now and includes stronger recognition pertaining to the threat of overdraft in the unincorporated areas of Riverside County due to increasing water production due to continued water demand growth. The 2019 Report is expected to be submitted to the Court in the near future.

Additionally, a process is currently underway to quantify water entitlements in the Anza area, including entitlements for the Cahuilla Band of Indians. Cahuilla Band of

Indians' Second Amended Complaint in Intervention (Docket No. 5182) requests the Court to enjoin defendants (property owners) from diverting surface water and withdrawing groundwater in the sub-basin underlying the Cahuilla Reservation that is in conflict with the senior Federal Reserved Water Rights of the Cahuilla Tribe and its members as declared in Interlocutory Judgment No. 41 (*Fallbrook Case*). The Ramona Band of Cahuilla filed a similar Second Amended Complaint in Intervention (Docket No. 5181) for the Ramona Reservation. It is noted, the proceedings for these complaints are presently subject to a Stay of Litigation to permit continued settlement efforts.

In summary, in my role as Watermaster, I am concerned about actions that will potentially and significantly increase groundwater production in the unincorporated areas of the Santa Margarita River Watershed located within Riverside County. My concerns include potential affects to water supply reliability to current users as well as overall basin sustainability.

Feel free to give me a call at (916) 542-7895 or email at mpreszler@smrwm.org if you have any questions or would like to discuss this letter.

Very truly yours,

A handwritten signature in black ink that reads "Michael J. Preszler". The signature is written in a cursive, flowing style.

Michael Preszler, P.E.
Santa Margarita River Watermaster

cc: William J. Brunick, Esq.

STATE CAPITOL
SACRAMENTO, CA 95814
TEL (916) 651-4028

MURRIETA DISTRICT OFFICE
25186 HANCOCK AVE.
SUITE 320
MURRIETA, CA 92562
TEL (951) 894-3530

INDIO DISTRICT OFFICE
45-126 SMURR STREET
SUITE B
INDIO, CA 92201
TEL (760) 398-6442

California State Senate

SENATOR
MELISSA A. MELENDEZ
TWENTY-EIGHTH SENATE DISTRICT



COMMITTEES
HEALTH
VICE CHAIR
HUMAN SERVICES
TRANSPORTATION

SUBCOMMITTEE
BUDGET
SUBCOMMITTEE #3
ON HEALTH & HUMAN
SERVICES

July 30, 2020

Charissa Leach, P.E.
Assistant Director of TLMA - Community Development
Riverside County Administrative Center
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1629

Dear Ms. Leach,

My office has received several inquiries regarding the issuance of new permits for industrial hemp cultivation in Riverside County within the Santa Margarita River Watershed, which includes Anza, Aguanga and parts of Sage.

In consideration of the fact that hundreds of illegal marijuana operations are present in this area, and continue to use unmonitored quantities of water, it would seem that the issuance of additional permits for industrial hemp cultivation would greatly add to the overall depletion of the aquifer. Though hemp is a valuable product, it is a high water use plant and requires as much as 1.3 billion gallons of water per growing season.

Similarly, a Grand Jury in Santa Barbara County admonished County Supervisors for similar actions regarding the marijuana/hemp industry as putting profits ahead of the public's health and well-being as a "cautionary tale for other counties in the State of California on what *not* to do." I am also aware of the ongoing Federal water rights litigation involving this area of the Watershed and the absence of a formal study to evaluate the aquifer and the amount of water contained therein.

I would respectfully request the County cease issuing new permits for hemp cultivation within the watershed until a study can show whether the aquifer can be a reliable source of water for the thousands of residents in this area and any future industrial hemp cultivation.

Please do not hesitate to contact my office should you have any additional concerns.

Sincerely,

A handwritten signature in cursive script that reads "Melissa Melendez".

MELISSA A. MELENDEZ
California State Senate - District 28

STATE CAPITOL, ROOM 4009
P.O. BOX 942849
SACRAMENTO, CA 94249-0071
(916) 319-2071
FAX (916) 319-2171

DISTRICT OFFICE
8760 CUYAMACA STREET, SUITE 201
SANTEE, CA 92071
(619) 258-7737
FAX (619) 258-7739

E-MAIL
Assemblymember.Voepel@assembly.ca.gov

Assembly California Legislature



RANDY VOEPEL
ASSEMBLYMEMBER, SEVENTY-FIRST DISTRICT

COMMITTEES
VICE CHAIR: AGING AND LONG-TERM CARE
VICE CHAIR: PUBLIC EMPLOYMENT AND RETIREMENT
VICE CHAIR: VETERANS AFFAIRS
EDUCATION
INSURANCE
LOCAL GOVERNMENT
JOINT LEGISLATIVE AUDIT

July 31, 2020

Charissa Leach, P.E.
Assistant Director of TLMA – Community Development
Riverside County Administrative Center
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1629

Dear Ms. Leach,

My office has also received several inquiries, much like Senator Melendez's office, regarding hemp cultivation in Riverside County within the Santa Margarita River Watershed, which includes Anza, Aguanga and parts of Sage. These areas are within my district's boundaries and have already had to deal with an outrageous number of illegal marijuana grows on a consistent basis. Those grows are a constant drain on the watershed and there is no monitoring on just how much water they are using.

With this watershed already under the Federal Courts jurisdiction, and until sustainability studies have been completed, and quantification has been determined, it would seem to be potentially dangerous to add more demands on the aquifer by allowing hemp cultivation.

I would also respectfully request that the County of Riverside cease issuing new permits for hemp cultivation within the watershed for the reasons stated above.

Please feel free to contact my office if you have any concerns or questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Voepel", written over a horizontal line.

RANDY VOEPEL
Assemblyman, 71st District

P. O. Box 390117
Anza, CA 92539
951-809-7604
phil@sat2u.com

**Anza Mutual Water
Company**
Philip Canaday - President

July 30, 2020

Christina Leach, P.E.
Assistant Director of TLMA – Community Development
Riverside County Administrative Center
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1629

Re: Proposed Hemp Ordinance No. 348.4931, associated with Change of Zone No. 1900015 as an amendment to the County's Land Use Ordinance No. 348.

Dear Ms. Leach:

As President of Anza Mutual Water Company for 25 years, and representing the interests of those dependent upon us for their water, let it be known that I strongly oppose the proposed hemp ordinance No. 348.4931 and any other consideration that would bring additional stress upon the Santa Margarita River Watershed at this time.

This watershed is currently under the Federal Courts jurisdiction, and until sustainability studies have been completed, and quantification has been determined, I recommend any land use that would add additional stresses to the watershed be avoided.

This proposed change would place the Anza Valley and other areas within the Santa Margarita River Watershed in jeopardy of being placed into an overdraft condition by depleting the groundwater basin beyond its ability to recover.

It would be reasonable to anticipate significant impact to thousands of people, as wells would begin to fail if ground water levels drop.

In my opinion it would be irresponsible, and potentially dangerous to the communities water supply to approve new activities that substantially increase groundwater pumping, and thereby leave the watershed in danger of having draw down in excess of its ability to recharge itself

Please do not move forward with this ill advised proposal.

Sincerely,


Philip Canaday President
Anza Mutual Water Company



Santa Margarita Group

July 8, 2020

Charissa Leach, P.E.
Transportation & Land Management Agency
Assistant Director/Planning & Land Use

Dear, Charissa Leach,

I'd like to comment on behalf of the Santa Margarita Group of the Sierra Club. Our Group watches events in our name-sake watershed in regards to its health as an ecosystem. We have concerns about the proposed Hemp Ordinance No. 348.4931, associated with Change of Zone No. 1900015 as an amendment to the County's Land Use Ordinance, Ordinance No. 348. It would add a new Industrial Hemp Activities article. While the purpose of this amendment is to protect the public health, safety, and welfare and enact effective regulatory and enforcement controls in compliance with State law, it neglects the issue of water availability in a specific region of the unincorporated areas of Riverside County, namely, Anza.

The Anza aquifer presents a particularly fragile situation. I've studied this area since early 2000, then as a Director on the EMA Resource Conservation District (now called TEAMRCD) working with Supervisor Jeff Stone. At this time, a proposed USGS study enlightened the community to the complexity of this 5-basin system and the extreme sensitivity of their water supply and quality. Although the County never funded this study which would've prevented the Cahuilla lawsuit, much was learned. Since the lawsuit and the study, Anza has been under a sort of moratorium placed by the Federal judge that limits the number of commercial wells that can be drilled. This is due to the lack of understanding of the aquifer system and the lawsuit's request for quantification of the supply. The County has had similar language about individual wells, as well.

It appears that the Riverside County Agricultural Commissioner has not been apprised of these policies specific to Anza. He has been handing out permits to grow commercial hemp and other agricultural endeavors putting the community in danger of overdraw of its aquifers. I am afraid this new ordinance will encourage more permits to be allowed.

This basin is in need of a thorough water study. I'm hoping the lawsuit will determine this and a study as proposed by the USGS will be undertaken so that the Anza community can finally move to a balanced and healthy economy and quality of life.

Please review this Ordinance and the process of agricultural permit procedures before Anza's aquifers are irreversibly damaged.

Thank you for your consideration of our comments and recommendations.

Sincerely,
Pam Nelson
Chair, Santa Margarita Group/Sierra Club



Sage Town Hall Association

31805 Temecula Pkwy #218 Temecula, CA 92592-9804

Commissioner Thornhill,

Thank you for taking our call this morning. As I explained we have a real water issue in the Sage, Aguanga and Anza area of Riverside County. That issue is that the entire Santa Margarita Watershed is subject to a lawsuit called US vs Fallbrook. that case has gone on since the 1950s with no end in sight. The judge can't make a final ruling without water quantification. That means that nobody, (including the Planning Commission), knows how much groundwater is in this area, or what level of agriculture it will support.

We are all aware of what happened in the Paso Robles area when the indiscriminate increases were allowed in wineries, without verifying that enough groundwater existed to support that expansion. Let's not duplicate that error here.

I have attached some studies showing the water demands of Industrial Hemp. They are staggering and may only be exceeded by crops such as rice. We don't grow rice in Riverside County because it takes 33" of rain to grow rice (one of the most water demanding crops). Yet the Planning Commission is considering approving Industrial Hemp (at almost the same water demand) for growing in Riverside County without doing any water qualification of the available ground water

The Hemp Lobby says Hemp requires 12-15" of water during the growing season. Riverside County rarely gets more than 1" of rain during that growing season. 12-15" is often our annual total. The balance of that water will need to be pumped out of the ground.

<https://www.votehemp.com/wp-content/uploads/.../09/hempinfo.pdf>

But other studies indicate that the Hemp Lobby is grossly misrepresenting the actual water demands of Industrial Hemp, when grown for biomass. Purdue University's Hemp Project reports that most varieties of Hemp need about 25-30 inches of rain a year, especially in the early weeks of life.

<https://hempindustrydaily.com/myth-busting-hemp-needs-more.../>

Another study by Robert Nelson concluded that Hemp required 20-30" of rainfall during the growing season.

<https://www.hempbasics.com/hhusb/hh2cul.htm>

Mature grape vines consume a similar amount of water per plant as Hemp but there are far fewer grape vines per acre than Industrial Hemp, grown for biomass. If you follow the recommended spacing for grape vines you can fit 1,089 vines per acre. However, Industrial Hemp can fit 400,000 plants per acre. **That is 367 times the water requirements of a vineyard.**

Sage Town Hall Association

31805 Temecula Pkwy #218 Temecula, CA 92592-9804

The way to prevent Riverside County from repeating the same mistake made in San Luis Obispo County, would be to require that any commercial agricultural production either have a will-serve-letter from a public water utility or a well which is drawing water from a quantified water basin, that has been shown to have enough water to support that agriculture. We are not saying that farmers do not have a right to grow. We both know that they do but we are saying that growing must be done in compliance with the Sustainable Groundwater Act.

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), collectively known as the Sustainable Groundwater Management Act (SGMA). For the first time in its history, California has a framework for sustainable, groundwater management - "management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results." It is the Planning Commission's responsibility to consider the proper management of our groundwater in any Ordinance they propose.

The following link will show you how much of Riverside County is covered by adjudicated water basins. The Santa Margarita River Water Shed is adjudicated but not quantified. <https://sgma.water.ca.gov/webgis/index.jsp?appid=adjbasin>. Without quantification, it would be irresponsible to place the level of demand on this watershed, Industrial Hemp creates.

Gary Worobec raised several other issues. The illegal Cannabis issue has had a negative effect on home values and the quality of life in this area. To introduce a virtual twin crop without first eradicating the illegal Cannabis production would seem to exacerbate those negative consequences. Industrial Hemp is physically indistinguishable from, Cannabis upon visual inspection. Until the illegal Cannabis problem is solved, allowing its twin to be grown seems to create insurmountable problems for both Law Enforcement and Code Enforcement. How could they determine whether a grow is legal or illegal, without massive testing of the plants within that grow? Would the County be required to pay for that testing?

Many area residents complain of allergic reactions to the overpowering smell of the massive illegal Cannabis production. One Hemp Farmer cleared and planted 120 acres of Hemp along Highway 371 in Anza. Had he not planted before the final snow storm of the season the people in Anza would have those 48,000,000 hemp plants to add to the smell. That was just from a single Hemp Registration.

Respectfully,
Bill Donahue, President


Sage Town Hall Association

California Water Science Center

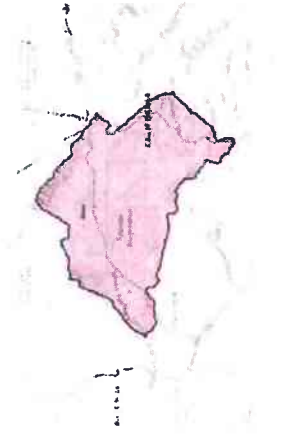
Evaluation of groundwater resources of the Anza-Terwilliger area, Anza, California



Overview [Publications](#) [Data and Tools](#) [Maps](#) [Multimedia](#) [Partners](#)

Groundwater is the sole source for water use to the rural community and two Native American tribes in the Cahuilla Valley and Terwilliger Valley groundwater basins, which are located approximately 35 miles southwest of Palm Springs, California. The characteristics and sustainable yield of the basins are not well understood and are threatened by increasing water use and potential changes in water sustainability related to climate change. The study area encompasses the rural community in and around the town of Anza, the Cahuilla Band of Indians Reservation, and the Ramona Band of Cahuilla Reservation; it is located in the headwaters of the Santa Margarita River Watershed in Riverside County. The hydrologic system of this area comprises a fractured bedrock aquifer and an alluvial aquifer. Interactions between these aquifers are not fully understood and the increase in groundwater use has raised concerns of potential changes in water sustainability.

Status - Active



Hildebrand, John

From: Gary Worobec <garytwmw@gmail.com>
Sent: Thursday, July 9, 2020 4:53 PM
To: Hildebrand, John
Cc: Wheeler, Timothy
Subject: Re: Hemp ordinance
Attachments: Anza water-county letter Sierra Club.pdf; Anza water shortage regarding commercial hemp cultivation.pdf

CAUTION: This email originated externally from the **Riverside County** email system.
DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

John, thank you,

As you know we are very concerned about the water use issue regarding commercial hemp operations within the unquantified area of the Santa Margarita Watershed, namely Anza, Aguanga and parts of Sage.. We have been in contact with Senator Melendez's office, Assemblyman Voepel, the Sierra Club and the TEAMRCD group. As you know the Watermaster from the Santa Margarita Watershed, Michael Preszler has reached out to Jeff Johnson, Deputy Director Environmental Protection and Oversight Diversion Riverside County regarding this issue as well as the Cahuilla and Ramona Bands

We will accept nothing less than a complete ban on commercial hemp cultivation within the unquantified areas of the Santa Margarita Watershed.

Our Agricultural Commissioner has been completely negligent in handing out hemp permits like candy at Halloween without an Ordinance. This is a gross violation of the public trust.

Please find attached a letter from the Sierra Club supporting our position as well as a letter to Jeff Horseman from the Press Enterprise who was considering an article on the water issue.

John, frankly you can expect far more resistance to this issue than you have even seen regarding illegal marijuana. If we lose water in the Anza Valley it will cost residents \$20,000 for a new well. If you think they are going to put up with this assault on our water table you need to rethink the ordinance.

Thanks

Gary Worobec
www.takebackanza.org
951-763-0518

Cc:
Caufield & James, LLP
2851 Camino Del Rio South
Suite 410
San Diego, CA 92108

From: Gary Worobec gtw5@earthlink.net
Subject: Anza water shortage regarding commercial hemp cultivation
Date: July 7, 2020 at 7:31 PM
To: Jeff Horseman jhorseman@scng.com
Cc: Bill Donahue sagetownhall@gmail.com

Hi Jeff

Not sure if this will make your highlight reel but let me fill you in on some happenings here in Anza. (Some of this is cut from Wikipedia)

The Federal Government passed the Hemp Farming Act of 2018 a proposed law to remove [hemp](#) (defined as [cannabis](#) with less than 0.3% THC) from [Schedule I controlled substances](#) and making it an ordinary agricultural commodity. Its provisions were incorporated in the [2018 United States farm bill](#) that became law on December 20, 2018.

Subsequent to that. The California Industrial Hemp Farming Act (Senate Bill 566, Chapter 398, Statutes of 2013) was signed into law to authorize the commercial production of industrial hemp in California. The Act became effective on January 1, 2017, due to a provision in the Adult Use of Marijuana Act (Proposition 64, November 2016).

Since that time the County has proposed Ordinance No. 348.4931, associated with Change of Zone No. 1900015 is an amendment to the County's Land Use Ordinance, Ordinance No. 348, to add a new Industrial Hemp Activities article. The purpose of this amendment is to protect the public health, safety, and welfare, enact effective regulatory and enforcement controls while in compliance with State law, protecting neighborhood character, and minimize potential for negative impacts on people, communities, and the environment in the unincorporated areas of Riverside County by establishing land use regulations for industrial hemp activities.

The Riverside County Agricultural Commissioner Ruben Arroyo has been handing out permits to grow commercial hemp like candy at halloween without an ordinance in place. Unfortunately the Planning Department is in the process of developing this ordinance to control hemp operations. The second version of this new ordinance comes before the Planning Commission August 5th. Our group [takebackanza.org](#), the Sage Town Hall Assc. and others from Mead Valley and Lake Mathews were able to get a continuation of the proposal from the last meeting. We have an issue both with the water use in our area as well as allowing commercial hemp cultivation on Rural Residential zoning.

While water is concern everywhere in California, it is specifically an issue in this part of Riverside County. We have no issue with commercial hemp in Coachella or Blythe, or anywhere else but here in the Anza Valley we have a serious water use issue. As you know there is a lawsuit continuing between the Cahuilla Tribe and Fallbrook et al concerning water rights in the unquantified area of the Santa Margarita Watershed (see attached map). This lawsuit prevents any new commercial wells to be drilled within this unquantified area. Yet, we are seeing dozens of permits issued for hemp biomass cultivation within the Anza Valley. To date there are 34 hemp operations in the Anza Valley. My colleague Bill Donahue (whom you interviewed) did some calculations based on a recent study from Purdue University <https://hempindustrydaily.com/myth-busting-hemp-needs-more-water-than-many-think/>. The 34 hemp operations in Anza if being biomass related consume some 1.3 Billion gallons of water over the growing season.

Another study by Robert Nelson Hemp Basics concluded that Hemp required 20-30" of rainfall during the growing season.
<https://www.hempbasics.com/hhusb/hh2cul.htm>

Mature grape vines consume a similar amount of water per plant as Hemp but there are far fewer grape vines per acre than Industrial Hemp, grown for biomass. If you follow the recommended spacing for grape vines you can fit 1,089 vines per acre. However, Industrial Hemp can fit 400,000 plants per acre. That is 367 times the water requirements of a vineyard.

The Hemp Lobby claims that Hemp requires 12-15" of rainfall during each growing season but independent studies such as the one done by Purdue University concluded that those numbers are understated by 50%. With our mild seasons in Southern California Hemp farmers might be able to get two growing seasons in each year. Riverside County rarely gets more than 1" of rain during that growing season. 12-15" is often our annual total. The balance of that water will need to be pumped out of the ground.
<https://www.votehemp.com/wp-content/uploads/.../09/hempinfo.pdf>

At this point we have alerted our Watermaster, Michael Preszler who adjudicates the entire Santa Margarita Watershed. (see attached map). Mr. Preszler has been in contact with Jeff Johnson, the Assistant Director of the Riverside County Department of Environmental Health. Mr. Preszler has also contacted the Environmental Departments of the Cahuilla and the Ramona Band drawing their attention to Hemp permitting.

In a nutshell we do not know how much water we have in the unquantified area of Anza, Aguanga and Sage. In consideration of the the 1000 illegal marijuana operations we have here plus the influx of hemp cultivation will place an increasing burden on our aquifer which will have far reaching effects in Temecula and beyond. We have already seen

Wells gone dry because of the illegal marijuana cultivation.

We cannot understand why the county would continue to issue permits for hemp cultivation within the boundaries of the unquantified area of the Santa Margarita Watershed without adhering to CEQA rules or doing an environmental impact study to determine water availability. This is a complete violation of the public trust.

Thank you for your consideration. I hope this issue is important enough for your interest.

Gary Worobec

www.takebackanza.org

951-763-0518

Contact information:

Bill Donahue, President, Sage Town Hall Assoc.

sagetownhall@gmail.com

951-288-0903

Michael Preszler, Watermaster, Santa Margarita Watershed

mpreszler@smrwm.org

530-368-6343

Andrea Candelaria, Environmental Officer,

Cahuilla Band

environmental@cahuilla.net

(951)763-5549

Jeff Johnson, Assistant Director, Riverside County Environmental Health

(951) 955-8980



August 4, 2020

Direct Dial: 949.851.7409
Email: mstaples@jacksontidus.law
Reply to: Irvine Office
File No: 4672-127158

VIA E-MAIL (jhildebr@rivco.org; esarabia@rivco.org)

Riverside County Planning Commission
c/o John Hildebrand, Project Planner and
Elizabeth Sarabia, TLMA Commission Secretary
County Administrative Center
4080 Lemon Street, 12th Floor
Riverside, CA 92501

**RE: August 3, 2020 Agenda Item No. 3.1, Change of Zone No. 1900015 –
Cultivation and Manufacturing of Hemp**

Dear Honorable Planning Commissioners and Mr. Hildebrand:

We represent the Riverside County Farm Bureau (“**Farm Bureau**”). Thank you for the opportunity to comment on the proposed change to Riverside County Zoning Ordinance No. 348 regulating the cultivation and manufacturing of hemp (“**Hemp Ordinance**”). This letter supplements our June 16, 2020 comment letter and proposes revisions to address the Hemp Ordinance’s inconsistencies with the County’s General Plan and internal inconsistency with the Zoning Ordinance’s definition of “Agricultural Crop” discussed in our June 16 letter in a responsible manner that allows for County monitoring and enforcement.

When the County adopted the General Plan, it provided for agriculture as an interim use on land designated for other land uses. “It is upon a change from agriculture to another use or new development that the underlying land use designation would apply.” (General Plan, p. LU-47.) We ask the Planning Commission to consider the revisions below to allow Hemp to be grown in established agricultural operations where the uses allowed in the A-1, A-P, A-2 and A-D zones (the zones where the Hemp Ordinance proposes to allow Hemp cultivation and manufacturing) have been ongoing for three years before adoption of the Hemp Ordinance. Our proposed revisions incorporate the County’s definition of agricultural operations protected by the County’s Right to Farm Ordinance (County Code sections 5.40.040 and 5.40.050(A).) The County similarly protected ongoing agricultural operations in the “take” authorization section of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP section 6.2(B).)

The August 5, 2020 Planning Commission Staff Report says that the intent is to provide an opportunity for Hemp to be grown in Specific Plan areas zoned for a different use where the Specific Plan *allows* agriculture as an interim use. (Staff Report, p. 5.) By the same logic, Hemp cultivation and manufacturing are appropriate in *established* agricultural operations that are authorized as an interim use under the County’s General Plan. Unlike the Specific Plan revisions

Irvine Office
2030 Main Street, 12th Floor
Irvine, California 92614
t 949.752.8585 f 949.752.0597

Westlake Village Office
2815 Townsgate Road, Suite 200
Westlake Village, California 91361
t 805.230.0023 f 805.230.0087

www.jacksontidus.law

to be included into the Hemp Ordinance which would allow Hemp to be grown in Specific Plan areas that are not currently farmed, the revisions proposed by the Farm Bureau would allow for Hemp in well-established agricultural areas.

Please revise the Hemp Ordinance as follows to allow Hemp cultivation and manufacturing in established agricultural areas:

Section 19.1104. OUTDOOR INDUSTRIAL HEMP CULTIVATION.

B. Zoning. Notwithstanding any other provision of this ordinance, Outdoor Industrial Hemp Cultivation is allowed as follows:

[ADD THE FOLLOWING] 4. In any agricultural activity, operation or facility, or appurtenances thereof, conducted or maintained for commercial purposes that has been in operation for more than three (3) years prior to the effective date of this Ordinance No. 348.4931, provided the agricultural operator obtains a registration from the Agricultural Commissioner and plot plan approved by the Planning Director in accordance with section 18.30 of this ordinance.

Section 19.1105. INDOOR INDUSTRIAL HEMP CULTIVATION.

B. Zoning. Notwithstanding any other provision of this ordinance, Indoor Industrial Hemp Cultivation is allowed as follows:

Indoor Industrial Hemp Cultivation is allowed in the following zone classifications with an approved plot plan in accordance with section 18.30 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2 and A-D **[ADD THE FOLLOWING]** and in any agricultural activity, operation or facility, or appurtenances thereof, conducted or maintained for commercial purposes that has been in operation for more than three (3) years prior to the effective date of this Ordinance No. 348.4931, provided the agricultural operator obtains a registration from the Agricultural Commissioner and plot plan approved by the Planning Director in accordance with section 18.30 of this ordinance.

Section 19.1107. INDUSTRIAL HEMP MANUFACTURING FACILITIES ZONES. Notwithstanding any other provision of this ordinance, Industrial Hemp Manufacturing Facilities are allowed as follows:

1. Non-Volatile Industrial Hemp Manufacturing Facility. Non-volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved Plot Plan in accordance with Section 18.30 of this ordinance: A-1, A-P, A-2, A-D, I-P, M-SC, M-M and the M-H zones, **[ADD THE FOLLOWING]** and in any agricultural activity, operation or facility, or appurtenances thereof, conducted or maintained for commercial purposes that has

been in operation for more than three (3) years prior to the effective date of this Ordinance No. 348.4931, provided the agricultural operator obtains a plot plan approved by the Planning Director in accordance with section 18.30 of this ordinance.

2. Volatile Industrial Hemp Manufacturing Facility. Volatile Industrial Hemp Manufacturing Facilities are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: A-1, A-P, A-2, A-D, I-P, M-SC, M-M and M-H, **[ADD THE FOLLOWING]** and in any agricultural activity, operation or facility, or appurtenances thereof, conducted or maintained for commercial purposes that has been in operation for more than three (3) years prior to the effective date of this Ordinance No. 348.4931, provided the agricultural operator obtains a plot plan approved by the Planning Director in accordance with section 18.30 of this ordinance.

The Riverside County Farm Bureau respectfully requests that the Planning Commission revise the proposed Hemp Ordinance to allow legitimate, established agricultural operations to cultivate and manufacture Hemp consistent with longstanding County agricultural policies and protections. State licensing and County registration would continue to apply to hemp cultivation and manufacturing activities in established agricultural areas as required by state law. Farm Bureau supports focusing code enforcement activities as needed to root out illegitimate cannabis planting. For example, notice could easily be provided by registered growers to the County upon planting hemp. Farm Bureau welcomes further dialogue with the County to develop inspection and enforcement proposals.

Please contact me if you have any questions or would like to discuss the comments above in greater depth.

Sincerely,

Michele A. Staples

cc: Juan Perez, TLMA Director*
Charissa Leach, Assistant TLMA Director*
Michelle Clack, Chief Deputy County Counsel*

*via email only

Aug 3, 2020

RAMV
Rural Association of Mead Valley
PO Box 2244
Perris, CA 92572

Riverside County Planning Commission
4080 Lemon Street.
PO Box 1409
Riverside, CA

RE: Item 3.1. Ordinance 348.XXXX, Change of zone 1900015. Industrial Hemp

Honorable Commissioners:

RAMV is in support of the County regulating the growing of hemp in Riverside County. RAMV does not support the current proposed Hemp Ordinance.

Hemp is grown on a large scale, which increases the harmful health consequences to residents who will be living nearby.

RA and RR zoning should continue to be restricted from hemp growing and A-1 zoning should be included in restricting hemp farms from residential communities such as Mead Valley where the majority of homes are on one-acre lots zoned A-1. These are small ranches where residents raise horses, goats, sheep and livestock. Children are enrolled in 4-H.

The Agriculture Department stated at the recent Planning Commission meeting hemp is the same plant as cannabis. The ordinance as written needs to be revised to include substantial buffers between sensitive receptors such as homes, schools, libraries, etc. and commercial Hemp growing operations. Currently the A-1 zoning has a buffer of just 1000 feet between K-12, Child Care Center, Park or Youth Center and no real buffer between homes. As we can clearly see that distance is not sufficient to prevent adverse effects of growing hemp near schools, day care, libraries and homes. Recent hemp farms in our area have shown just how detrimental that this is to the health of nearby residents causing respiratory health issues, headaches and the smell that permeates the air to the point that residents cannot go outside. In Nuevo there is a hemp farm near an elementary school. The children and teachers have headaches, respiratory problems and the smell permeates into their clothing.

A more reasonable distance would be one mile. There are thousands of small ranches on one-acre lots zoned A-1 throughout Riverside County. Cherry Valley, Mead Valley, Nuevo and French Valley.

There are a large number of areas zoned A-1 that would be appropriate for growing hemp that is far away from sensitive receptors. Please increase the buffer area between hemp farms in A-1 zoning from 1000 feet to one mile for all sensitive receptors including residential homes.

"Non Volatile and Volatile Industrial Hemp Manufacturing Facilities on lots zone A-1 shall be setback a minimum of 300 feet from a residential dwelling unit." Now we see this is just 25 feet and in all zones.

This is unacceptable. Hemp manufacturing must be allowed in the commercial zone areas only. No volatile Industrial Manufacturing Facilities should be allowed. **Using Butane to manufacture hemp oil is extremely dangerous.** The recent massive fire at the Amazon warehouse in Redlands recently shows just how powerful an explosion can be that destroyed a 600,000-foot warehouse that has the most modern fire suppressant system. The heat from that fire could be felt by cars traveling along the I-10 freeway. Also, the massive warehouse fire in LA where a number of firefighters were severely injured in an explosion where volatile manufacturing of cannabis oil was taking place. That type of facility should NOT be allowed in a residential neighborhood. No volatile hemp manufacturing should be allowed. We have tens of thousands of residential homes located in the A-1 zoned areas of the County. **Please consider our safety first. There are thousands of acres to grow hemp away from homes, schools, and other sensitive receptors.**

Sincerely,

Debbie Walsh
President, RAMV

Hildebrand, John

From: Sarabia, Elizabeth
Sent: Monday, August 3, 2020 9:16 AM
To: Hildebrand, John
Subject: FW: Lane Use Ordinance 348

From: Iris Grosse [mailto:dirtyroadduo@gmail.com]
Sent: Sunday, August 2, 2020 4:39 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org>; Hellweg, Opal <OHellweg@RIVCO.ORG>; JENNMORRI@rivco.org; Welch, Ronald E. <RWELCH@RIVCO.ORG>; Collins, Michael <MCollins@rivco.org>; Purvis, Leonard <lpurvis@riversidesheriff.org>; Allison Renck <ali9591@aol.com>; Audrey Turpin <upacreekranch1@gmail.com>; Jennifer Atkins <jenniferatkins27@gmail.com>; Linda Caldwell <goforthvillage2@yahoo.com>; Sue Sandersfeld <ghostcreeks@hotmail.com>; oneranchocostaplenty@gmail.com; Gary Worobec <gtw5@earthlink.net>; mpreszler@smrwm.org
Subject: Lane Use Ordinance 348

Dear Ms. Sarabia TLMA
Planning Commission Secretary

In re-reading the letter, several times, from the Watermaster of the Santa Margarita River Watershed to Ms. Leach, Asst. Director of Planning & Land Use, it seems like a NO-BRAINER !! For the last five years, my neighbors and I have been fighting the dozens of illegal marijuana grows just in our little corner of Aguanga and have appreciated so much the diligence of the newly re-invigorated Code Enforcement and Sheriff's offices. There is only so much water and when it is gone, it's gone. And when these so-called "legal" businesses with their permits get done with us, they will pack up and leave the land and the people of the community to pick up the pieces themselves. Not their problem, they sucked us dry and then they move onto the next community where the BOS and other community leaders think it would bring in an extra buck and a few jobs, but little do YOU know that these people are a cancer on the land and you will be seeing the whole landscape of your community filled with strangers, petty crimes and burglary increasing and a few deaths, here and there.

If these new businesses are such a boon to the economy of the county, why don't you open land around Temecula or Riverside for these vast operations. You can use the water from Vail Lake for quite a while, I would think.

Thank you
Iris Grosse
53375 Paul Rd
Aguanga, Ca 92536

Hildebrand, John

From: Leach, Charissa
Sent: Monday, August 3, 2020 11:35 AM
To: Hildebrand, John
Subject: Fwd: Lane Use Ordinance 348

Can we make sure that the AG Commissioner or a rep will be available via Zoom for the PC meeting...

Charissa Leach, P.E.
Riverside County
Assistant TLMA Director

From: Iris Grosse <dirtradduo@gmail.com>
Sent: Monday, August 3, 2020 11:25:28 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Cc: Leach, Charissa <cleach@rivco.org>; Hellweg, Opal <OHellweg@RIVCO.ORG>; JENNMORRI@rivco.org <JENNMORRI@rivco.org>; Welch, Ronald E. <RWELCH@RIVCO.ORG>; Collins, Michael <MCollins@rivco.org>; Purvis, Leonard <lpurvis@riversidesheriff.org>; Allison Renck <ali9591@aol.com>; Audrey Turpin <upacreekbranch1@gmail.com>; Jennifer Atkins <jenniferatkins27@gmail.com>; Linda Caldwell <goforthvillage2@yahoo.com>; Sue Sandersfeld <ghostcreeks@hotmail.com>; oneranchocostaplenty@gmail.com <oneranchocostaplenty@gmail.com>; Gary Worobec <gtw5@earthlink.net>; mpreszler@smrwm.org <mpreszler@smrwm.org>
Subject: Re: Lane Use Ordinance 348

CAUTION: This email originated externally from the **Riverside County** email system.
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Hi Ms. Sarabia:

I was wondering if you could forward some additional thoughts I have on Hemp Cultivation. If you can add it as a P.S. to my original email, I would appreciate it.

I did a little research on the amount of water needed for certain crops under basic, good conditions:

- 1--Avacados --for mature avocado trees, you need approximately 20 gallons of water a day, per tree, and a bit less for seedlings.
- 2--Grapes--fully trellised, mature grapes on a vine, on a hot day require 8-10 gallons per plant
- 3--Hemp--I am copying this info from the Seed Company out of Colorado Springs, Co on a 10 acre parcel--and in Riverside County, 20 acres appears to be the minimum to grow.
 - 1,500 plants per acre
 - 15,000 total plants to irrigate
 - 2.5 gallons per day per plant at peak
 - 37,500 gallons a day
 - 8 hr. watering cycle
 - 37,500/8/60====78 gallons per minute

AND NOW DOUBLE IT !!

NEED I SAY MORE???

Thank you
Iris Grosse
53375 Pauli Rd
Aguanga, Ca 92536

On Mon, Aug 3, 2020 at 9:22 AM Sarabia, Elizabeth <ESarabia@rivco.org> wrote:

Good morning Iris,

Your comments will be forwarded to the Planning Commissioners for their review.

Thank you,

Elizabeth Sarabia, TLMA Commission Secretary

TLMA - Planning Department | County of Riverside

P.O. Box 1409 | 4080 Lemon Street, 12th Floor

Riverside, CA 92501-1409

Phone: (951) 955-7436 | Information Line: (951) 955-3200

esarabia@rivco.org | <http://rctlma.org/>

Click the link to complete our survey - [How are we doing?](#)

TOGETHER. Everybody Counts!



From: Iris Grosse [mailto:dirtroadduo@gmail.com]

Sent: Sunday, August 2, 2020 4:39 PM

To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org>; Hellweg, Opal

<OHellweg@RIVCO.ORG>; JENNMORRI@rivco.org; Welch, Ronald E. <RWELCH@RIVCO.ORG>; Collins, Michael <MCollins@rivco.org>; Purvis, Leonard <lpurvis@riversidesheriff.org>; Allison Renck <ali9591@aol.com>; Audrey Turpin <upacreekbranch1@gmail.com>; Jennifer Atkins <jenniferatkins27@gmail.com>; Linda Caldwell <goforthvillage2@yahoo.com>; Sue Sandersfeld <ghostcreeks@hotmail.com>; oneranchocostaplenty@gmail.com; Gary Worobec <gtw5@earthlink.net>; mpreszler@smrwm.org
Subject: Lane Use Ordinance 348

Dear Ms. Sarabia TLMA

Planning Commision Secretary

In re-reading the letter, several times, from the Watermaster of the Santa Margarita River Watershed

to Ms. Leach, Asst. Director of Planning & Land Use, it seems like a NO-BRAINER !! For the last five years, my neighbors and I have been fighting the dozens of illegal marijuana grows just in our little corner of Aguanga and have appreciated so much the diligence of the newly re-invigorated Code Enforcement and Sheriff's offices . There is only so much water and when it is gone, it's gone. And when these so-called "legal" businesses with their permits get done with us, they will pack up and leave the land and the people of the community to pick up the pieces themselves. Not their problem, they sucked us dry and then they move onto the next community where the BOS and other community leaders think it would bring in an xtra buck and a few jobs, but little do YOU know that these people are a cancer on the land and you will be seeing the whole landscape of your community filled with strangers, petty crimes and burglary increasing and a few deaths, here and there.

If these new businesses are such a boon to the economy of the county, why don't you open land around Temecula or Riverside for these vast operations. You can use the water from Vail Lake for quite a while, I would think.

Thank you

Iris Grosse

53375 Paui Rd

Aguanga, Ca 92536

Confidentiality Disclaimer

Hildebrand, John

From: Sarabia, Elizabeth
Sent: Friday, July 31, 2020 5:36 PM
To: Hildebrand, John
Subject: FW: Weed eradication

-----Original Message-----

From: MICHAEL KARTCHNER [mailto:kartvines@verizon.net]
Sent: Friday, July 31, 2020 5:30 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Weed eradication

Thank you very much for the letter regarding our home town of Anza and the entire Anza Valley. The majority of our residents are anti grow knowing the problems it brings to the valley as well as the hard it cause our ecosystem. Most of us have our own wells and we have discovered how low our aquifers have gotten and not many of us has the money to have new deeper wells dug. The growers are also using chemicals that has and will continue to destroy our ground and ground water. We need a champion to carry our message and concerns to government both state and national. Thanks and keep up the good fight

Sent by Michael A. Kartchner
Please contact me with any questions and or concerns or if you get this email by mistake

Hildebrand, John

From: Sarabia, Elizabeth
Sent: Monday, August 3, 2020 9:15 AM
To: Hildebrand, John
Subject: FW: Against Cultivation of Hemp in Anza Valley

From: Allison Renck [mailto:ali9591@aol.com]
Sent: Saturday, August 1, 2020 2:29 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Cc: Upacreekranch1@gmail.com; gtw5@earthlink.net; dirtroadduo@gmail.com; Leach, Charissa <cleach@rivco.org>; Hellweg, Opal <OHellweg@RIVCO.ORG>
Subject: Against Cultivation of Hemp in Anza Valley

Dear Ms Sarabia,
Could you please forward my comments to the Riverside County Planning Commission
Thank You
Allison Renck

Dear Riverside County Planning Commission,

I'm writing to you regarding Land Use Ordinance 348 regarding the cultivation of Industrial Hemp in the Anza, Aguanga, Sage Areas. My husband and I are greatly opposed to the cultivation of Hemp in our neighborhoods. As I write to you today the outside temperatures are registering at 100 degrees and I have just watched 3 water trucks travel down my dedicated, but unaccepted by Riverside County dirt road to take water to the illegal cultivators of Cannabis. These illegal operators are pumping water out of their Rural Residential Zoned property well, with no checks and balances to oversee the water table that supplies our community with well water for our homes. Anyone in our community can obtain a agricultural well permit and drill a well, and then they can grow anything they please on these RR and RA zoned parcels. They do this because the water only costs the amount to pump it out of the ground, which is virtually free, due to our electric cooperative pricing for power. To add legal Hemp production to our community, would essentially start an assault on the water table of our community, which is already being assaulted by the illegal cultivation of cannabis. Our community is trying to find a sustainable way to be a thriving vibrant community, by incorporating our natural rural beauty and a economy that promotes the benefits of outdoor recreation. This type of growth would not tax the water table. This type of growth would continue to enhance the protection of native plants and species under threat that the Regional Conservation Authority (MSHCP) has been charged to protect by purchasing properties in our rural communities. Many of these properties no longer have the springs that help the wildlife survive in our hot summer months, due to the illegal cannabis cultivation. If you add Hemp production to this mix water from springs would probably become extinct.

With the Lawsuit that has virtually shut down any commercial business development (Civil No 51-cv-1247-GPC-RBB) in the small township area of Anza, because of water. I do not believe that Hemp Cultivation will make any "GOOD" economic sense in helping our area.

As Riverside's County Planning Commission it is your unique duty to look for a sustainable blueprint for the county that will make our beautiful, culturally diverse community thrive. With this slowing of the economy, its time to look at what benefits and sustains communities.

*"A vision is not just
a picture of what could be;
it is an appeal
to our better selves,
a call to become
something more."*

uemag.com



- Rosabeth Moss Kanter

Sincerely,
Allison Renck
52090 Elder Creek Rd
Aguanga, California 92536
951-663-5452

Hildebrand, John

From: Sarabia, Elizabeth
Sent: Monday, July 27, 2020 9:58 AM
To: Bill Sanchez; Carl Bruce Shaffer; David Leonard; Eric Kroencke; Gary Thornhill
Cc: Hildebrand, John
Subject: FW: Hemp and respiratory issues
Attachments: Ocampo and Rans 2015-Cannabis sativa allergen.pdf; Cannabis (hemp) positive skin tests and respiratory symptoms.pdf; Small & Antle 2003-Cannabis pollen dispersal abstract.pdf

Good morning Commissioners,

Attached for your review are comments regarding the Hemp Ordinance.

Thank you,
Elizabeth

From: claude troudt [mailto:troudt@hotmail.com]
Sent: Monday, July 27, 2020 9:19 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp and respiratory issues

Good Morning, Please forward this to the commission. Hope this finds you well. Claude Troud

From: NAB (AAAAI) <nab@aaaai.org>
Sent: Wednesday, July 15, 2020 7:58 AM
To: claude troudt <troudt@hotmail.com>
Subject: Re: Hemp and respiratory issues

Dear Claude,

Thank you for your email. The AAAAI does not have any official recommendations or positions that would directly address your concerns. However, as you note, *Cannabis* pollen is airborne and it is allergenic.

Most of the information available about exposure focuses on the use of marijuana rather than on growing hemp (the same plant but hemp lacks the hallucinogen THC), but there is literature available on marijuana allergy. I have attached a review article by Ocampo and Rans, as well as two abstracts that may be of use. You may be able to access the full articles associated with these abstracts online. Although the abstract from Small and Antle is focused on isolation to prevent unwanted pollen from reaching hemp plants, it does address cannabis pollen dispersal and distance standards in Canada and Europe.

The AAAAI maintains a page about cannabis allergy, which contains some general information about this allergy, exposures, and known reactions. The page also links to a AAAAI podcast episode about this subject. <https://www.aaaai.org/conditions-and-treatments/library/allergy-library/marijuana-cannabis-allergy>

I hope that this information is helpful to you. Please let me know if you have additional questions.

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CME Review

Cannabis sativa: the unconventional “weed” allergen



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INSTRUCTIONS

Credit can now be obtained, free for a limited time, by reading the review article in this issue and completing all activity components. Please note the instructions listed below:

- Review the target audience, learning objectives and all disclosures.
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Release Date: March 1, 2015

Expiration Date: February 28, 2017

Target Audience: Physicians involved in providing patient care in the field of allergy/asthma/immunology

Learning Objectives:

At the conclusion of this activity, participants should be able to:

- Describe routes of *Cannabis sativa* exposure that can lead to sensitization or clinical allergies
- Describe diagnostic and therapeutic methods that have been used in *Cannabis sativa* associated allergies

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Introduction

Passage of legislation in Washington, Colorado, Oregon, Alaska, and the District of Columbia allowing recreational use of marijuana, despite federal regulation to the contrary, highlights the continued debate surrounding this unconventional plant. Allergies to marijuana are not commonly reported in the medical literature despite

being the most widely used illicit drug in the world.^{1–3} However, especially in the setting of an evolving legal status, marijuana might become an increasingly relevant “weed” for the allergist. This article aims to review the literature pertaining to *Cannabis sativa* in the context of allergic disease and its potential clinical implications.

Legal Background

Used for 5 millennia for spiritual, medicinal, and recreational use and even routinely by American physicians in the late 19th century, marijuana was first prohibited in the United States under the 1937 Marijuana Tax Act.^{2,4} Further restriction followed in 1970, when the federal government passed the Controlled Substances Abuse Act classifying marijuana as a Schedule I substance.⁵ This federal mandate was reinforced in June 2011, when the Drug Enforcement Administration denied a petition to reschedule marijuana by reiterating a lack of scientific or medical evidence to warrant such a change.⁵ Nevertheless, 21 states (and the District of Columbia) currently approve the use of medical marijuana.^{4,6}

Cannabis sativa

Cannabis sativa is an annual, dioecious, and anemophilous flowering plant that belongs to the Cannabaceae family and is native to Central and South Asia.⁷ Its pollen is typically 23 to 28 μ in diameter, triporate, isopolar, and spheroidal.⁸ Typically shed during the late summer to early autumn, *Cannabis* pollen grains are very buoyant, allowing for distribution across many miles.⁹ Wild growth occurs in some geographic regions and it is a relevant pollen in the aerobiology of central India, urban Pakistan, southern Europe, and parts of the United States.^{8,10–14}

Cannabis sativa contains more than 400 compounds, including more than 60 cannabinoids. Delta-9-tetrahydrocannabinol (THC) is of particular interest as the primary psychoactive component of *Cannabis*.³ There are different preparations of *C sativa*. These include marijuana (dried flowering tops and leaves), hashish (dried resin surrounding leaves), and hashish oil (hashish distillate). Marijuana and hashish are typically smoked, vaporized, or chewed.² However, in addition to other forms, including hemp seed and hempseed oil, they can be incorporated into foods and ingested.¹⁵ *Cannabis sativa* in the form of hemp, with a lower THC content, is used commercially for fiber, cosmetics, and clothing. In addition to its growing popularity as a “health food,” hemp seed is commercially found in bird feed and fishing bait.¹⁶

The often illicit nature of marijuana growth involves unique harvesting techniques. Intentional isolation of female flowering plants aims to prevent pollination and increase the plant's psychoactive properties by its THC content (referred to as *sinsemilla*).^{3,17} The potency of *C sativa*, often measured by THC content, has increased over the years, with some Japanese strains of *sinsemilla* containing as much as 22.6% THC.² This could play a role in allergic disease because THC has been suggested as a pertinent *Cannabis* allergen.¹⁸ Some marijuana growers implement indoor cultivation techniques that allow for robust year-round and clandestine growth in climates and environments that would otherwise be inhospitable. Cross-breeding and hybridization of different strains of marijuana aimed at developing new “highs” and accessibility of seed purchases through the Internet add yet another dimension to *Cannabis* exposure throughout the world.¹⁹

Cannabis Physiologic Effects

The physiologic effects of *Cannabis* consumption include orthostatic hypotension with reflex tachycardia, fatigue, dizziness, dry mouth, decreased lacrimation, muscle relaxation, increased appetite, and decreased intraocular pressure.^{4,20,21} Desired psychoactive properties of *Cannabis* species, such as relaxation and euphoria, can yield to associated dysphoria, anxiety, memory impairment, psychomotor or cognitive decreases, altered time

Table 1
Allergies reportedly associated with *Cannabis sativa*

Allergic rhinitis ^{9,14,18,43}
Allergic conjunctivitis ^{9,14}
Asthma ^{42,43}
Food allergy ¹⁵
Eczema ¹⁷
Drug eruption ³⁷
Contact urticaria ^{11,35,39}
Anaphylaxis ^{15,33,35,51}

perception, and the induction of psychosis in vulnerable individuals.²⁰ Exposure to *Cannabis* smoke has been known to cause conjunctival injection, nasopharyngeal irritation, pharyngitis, sinusitis, and symptoms of bronchitis (Table 1).²

Regular *Cannabis* smokers have reported wheezing, sputum production, and chronic coughing.³ The often deep inhalation with prolonged breath holding that creates a Valsalva maneuver in *Cannabis* smoking also has been speculated as a factor in rare cases of pneumothorax and bullous lung disease.^{22,23} Studies have shown marijuana causes acute bronchodilation and even reversal of methacholine- and exercise-induced bronchospasm.^{24,25} Marijuana smoking also has been reportedly associated with increases in forced vital capacity and airway resistance,^{23,26} but most of the evidence in this area has not supported a significant association between its use and specific measurements of airway obstruction.^{21,24,25,27} Debate remains regarding the long-term effects of marijuana on cancer and chronic lung disease (ie, chronic obstructive pulmonary disease).^{23,24}

Cannabis Allergy

Case reports in the medical literature have described episodes of allergic reactions, hypersensitivity, and even anaphylaxis to *C sativa* in its various forms.

As expected with most plant aeroallergens, *Cannabis* pollen inhalation has been noted to cause symptoms of allergic rhinitis, conjunctivitis, and asthma. *Cannabis* pollen or smoke exposure has resulted in nasal congestion, rhinitis, sneezing, conjunctival injection, pharyngeal pruritus, coughing, wheezing, and dyspnea.^{2,18,28–36} A case of erythema multiforme-like recurrent drug eruption thought to be associated with *Cannabis* use also has been described.³⁷ Cutaneous contact through personal handling of plant material or occupational exposure has been associated with urticaria, generalized pruritus, and periorbital angioedema.^{16,30,31,33,38,39} Anaphylaxis associated with ocular symptoms, urticaria, angioedema, dyspnea, and dysphonia has been reported with hemp seed ingestion.¹⁵ This patient ate hemp seed-encrusted seafood (and tolerated a subsequent oral seafood challenge) and required antihistamine and epinephrine treatment.

Industrial hemp dust exposure has been implicated in byssinosis, an occupational obstructive (small airway) lung disease associated with organic textile dust exposure in work environments.^{40,41} Allergic asthma triggered by seasonal and occupational exposure to *C sativa* also has been reported.^{42,43} *Cannabis* use has even been speculated as an etiologic factor in a few cases of eosinophilic pneumonia, although tobacco use also was present in most of these cases.^{44–46} The presence of fungal contamination (*Aspergillus* and *Penicillium* species) in marijuana samples has been demonstrated, at times putting immunocompromised patients at risk for invasive disease.^{47–49} A case of allergic bronchopulmonary aspergillosis attributed to fungal contamination of the patient's marijuana supply has been described.⁵⁰

Anaphylaxis after intravenous use of marijuana has been reported.⁵¹ Although supportive allergy testing was not performed in this case, the patient's history was strongly suggestive with the development of facial edema, truncal urticaria, pruritus, dyspnea, and wheezing within minutes of intravenous exposure. In addition, the

patient responded to administration of epinephrine, antihistamine, and corticosteroids, clinically suggesting an IgE-mediated reaction.⁵¹

Environmental Exposure

Like other aeroallergens, *C sativa* sensitization can be influenced by aerobiology, varying geographically and even temporally within the same area.

Positive *Cannabis* pollen skin prick test reactions were seen in 8.3% of 48 Indian patients with allergic rhinitis or bronchial asthma.⁵² Of those with a positive skin test reaction, none had a reaction larger than 50% of the positive histamine control wheal. In addition, a specific correlation between clinical allergic symptoms and *Cannabis* exposure or other aeroallergen sensitizations was not addressed. In Islamabad, Pakistan, 22% of 1,000 patients demonstrated a positive skin test reaction to *C sativa* pollen defined by a wheal larger than 2 mm.¹⁰ Many patients had additional aeroallergen sensitivities, but a specific association between skin test results and related clinical symptoms to *Cannabis* was not elaborated.

In the American Southwest, Freeman¹¹ studied 129 unselected patients presenting to an allergy clinic. In an area where *Cannabis* pollen was noted to be a minor aeroallergen, 70% of these patients found to be atopic demonstrated *Cannabis* sensitization by pollen skin prick or intradermal testing. However, all patients also demonstrated other aeroallergen sensitivities and no data were collected regarding marijuana use or specific *Cannabis* pollen exposures, making it challenging to clarify a specific mode of sensitization or clinical relevance.

In Omaha, Nebraska, where *Cannabis* reportedly grows wildly and commercially, 2 studies looked at *Cannabis* sensitization.^{14,36} During a 3-year period in the late 1930s, Maloney and Brodkey³⁶ reported hemp sensitivity by scratch tests using “pollen dollar diagnostic sets” in 22% of 119 patients with hay fever. Most patients developed symptoms during the typical summer pollination season and 11 patients demonstrated sensitivity to hemp alone, suggesting clinical relevance of the skin test results. In 2000, Stokes et al¹⁴ noted that 61% of 127 patients in Omaha with allergic rhinoconjunctivitis and/or asthma symptoms had a positive *Cannabis* pollen skin prick test reaction. Twenty-two of 30 (73%) randomly selected patients in a *Cannabis*-sensitive subgroup reported respiratory symptoms during the *Cannabis* pollination season, although all these patients also were found to have additional aeroallergen sensitivities.

Cannabis Use

Sensitization associated with *Cannabis* use also has been suggested. Larramendi et al⁷ noted an 8.1% prevalence of positive skin prick test reactions to *Cannabis* leaf extracts in 545 patients with atopy. A higher prevalence of skin test reaction positivity was seen in marijuana smokers (14.6%) and even more so in those who reported frequent and/or regular use (18.2%) compared with non-smokers (5%). A positive association also was noted between *Cannabis* smoking, plant handling, and sensitization. However, only 2 patients reported symptoms and 13 sensitized patients (29.5%) denied any previous exposure, highlighting the challenge of correlating diagnostic results with allergic disease.

In a cohort of 140 patients with atopy and users of illicit drugs reporting asthma symptoms, patients underwent *in vivo* and *in vitro* testing to evaluate *Cannabis* sensitivity.²⁸ In this study, Armentia et al²⁸ showed that, overall, 74 patients (53.2%) had a positive skin prick test reaction to *Cannabis* leaf extract and 48 patients (34.4%) demonstrated positive serum specific IgE. Patients also underwent a direct inhalation challenge to *Cannabis* and tobacco, with 42 (30%) of those tested demonstrating a decrease (>20% decrease in forced expiratory volume in 1 second) in lung function compared with baseline spirometric findings. This study

suggested the highest level of positive *Cannabis* skin prick and serum testing results in self-reported “habitual and dependent users” compared with “experimental or occasional users.”

More recently, Tessmer et al³³ reported on a cohort of 17 patients with symptoms of hypersensitivity reactions associated with *Cannabis* inhalation, contact, and ingestion. These patients demonstrated sensitivity by skin prick tests to a crude non-standardized marijuana extract from macerated buds and flowers.

Allergen Cross-reactivity

Some European studies have investigated cross-reactivity between *Cannabis* and other plants. Gamboa et al³¹ reported on a case of a 28-year-old *Cannabis* smoker with progressive allergic symptoms of contact urticaria, sneezing, rhinorrhea, palpebral edema, itching, and eye redness with *Cannabis* use. Without previous food allergies, the patient went on to develop urticaria to peach peel, food pollen syndrome to several foods (apple, almonds, eggplant, and chestnut), and anaphylaxis to tomato, pepper, and fig. Immunoblotting identified a 9-kDa lipid transfer protein (LTP), speculated as the reason for cross-reactivity and development of his food allergies.

De Larramendi et al²⁹ suggested a high degree of cross-reactivity between tomato and *C sativa* leaf extract. In this study, 24 tomato-sensitized patients with and without allergic symptoms associated with *Cannabis* use had positive prick-prick (*Cannabis* leaves) skin test reactions. All those with *Cannabis*-related symptoms and most without *Cannabis*-related symptoms also demonstrated measurable IgE levels. Only 1 of 8 control patients also had a positive skin prick test reaction to *Cannabis* extract. Inhibition immunoblot testing demonstrated cross-reactivity of *Cannabis* extracts with fruit (peach and tomato) and pollens (mugwort and plane tree).

Ebo et al³⁰ further suggested allergic cross-reactivity to fruits, vegetables, and nuts and the possibility of a “cannabis–plant food syndrome” in a group of Belgian patients. In this study, *Cannabis*-sensitive patients frequently demonstrated allergies to foods (banana, tomato, citrus, and grapefruit) not typically associated with Bet v 1–related food pollen syndrome, as would otherwise be expected in this and other areas of northern Europe. Although a food pollen syndrome owing to other cross-reactive pollens (seen in 10 of 12 *Cannabis*-allergic patients) is possible, the investigators suggested that the degree of food allergy in these patients was more severe than would be expected in typical food pollen syndrome and might represent cross-reactivity resulting from *Cannabis* sensitization.

In the study of *Cannabis* sensitivity in patients with asthma and users of illicit drugs mentioned earlier, Armentia et al²⁸ also noted that patients sensitive to tomato had the highest prevalence of *Cannabis* sensitization by skin (92%) and serum IgE (68%) testing compared with patients not sensitized to tomato regardless of *Cannabis* use. Tomato and tobacco sensitivities also were suggested as risk factors for *Cannabis* allergy because 52% and 61% of these patients, respectively, had a positive bronchial challenge reaction to nebulized *Cannabis* extract.

A 2013 study by Larramendi et al⁷ suggested the possibility of primary and cross-reactive sensitizations in their study population. Primary sensitization was speculated based on a higher relative rate of sensitization seen in regular *Cannabis* users and a positive association with skin test reaction positivity and exposure (smoking and handling). Secondary sensitization was suggested by high percentage of *Cannabis* sensitization (73.7%) in patients sensitive to peach and tomato.⁷

Occupational Exposure

Although uncommon, allergic reactions associated with occupational exposure to *C sativa* have been reported. It has been suggested that symptoms of nonoccupational use might be mild,

tempered by user titration, and/or the illicit nature of *Cannabis* use could limit patient reporting.²⁹

Occupational asthma was described in a bird breeder who developed rhinorrhea, chest tightness, dyspnea, cough, and wheezing with hemp seed exposure.⁴² Positive skin prick and intradermal test reactions to *Cannabis* seed extract, reverse enzyme immunoassay, and histamine release tests supported an IgE-mediated response. A bronchial challenge also showed a significant decrease (31%) in forced expiratory volume in 1 second with aerosolized *Cannabis* inhalation. No changes were seen in 5 control patients with asthma who also underwent bronchial challenge.

A medical marijuana grower without atopy who previously tolerated personal recreational marijuana use developed contact urticaria and pruritus with subsequent handling of the plant. The patient demonstrated positive *Cannabis* leaf prick-prick skin testing reactions and elevated serum specific IgE. A negative patch test result further supported the presence of an IgE-mediated reaction in this case.³⁸

Laboratory workers also have been reported to develop allergic rhinitis, asthma, and cutaneous symptoms with occupational *Cannabis* exposure.^{9,16,17,39} Allergic rhinoconjunctivitis was described in a researcher with direct contact with *Cannabis* pollen.⁹ The patient denied previous *Cannabis* use but had lived in a region of Spain dedicated to hemp cultivation, which highlights the possibility of occupational exacerbation vs sensitization in this patient.

Two patients who did not use *Cannabis* noted nasal and respiratory symptoms to hashish and marijuana after several years of work in a forensic laboratory.¹⁷ Serum specific IgE and basophil histamine release assays confirmed *Cannabis* sensitivity in these patients. One patient had more pronounced symptoms with handling of the sinsemilla variant, known for its higher THC content, suggesting the possible allergenic role of THC in this case.¹⁷ In a separate case, a forensic laboratory employee with urticaria within minutes of handling marijuana was found to have positive skin prick test reactions to extracts from the *Cannabis* leaf (4-mm wheel), immature flowering material (13-mm wheel), and female flowering material (15-mm wheel).³⁹ The variability of these results could suggest differences in the allergens and/or allergen concentrations in different parts of the *Cannabis* plant. Yet another laboratory worker with *Cannabis*-induced urticaria had a positive patch test reaction, suggesting a case of a non-IgE-mediated cutaneous reaction (although no controls or other testing was reported).¹⁶

Cannabis sensitivity also has been demonstrated in the commercial hemp industry. In a study of 42 Croatian hemp factory workers, there was a 64.2% prevalence of positive skin prick test reactions to a 1:10 w/v aqueous extract of hemp dust collected from various areas of their work site. These patients also were shown to have a higher prevalence of reported nasal symptoms and occupational asthma (manifested as dyspnea, chest tightness, and abnormal spirometric results) compared with coworkers with negative skin test reactions.⁵³ Although a higher total serum IgE level was seen in hemp workers compared with controls, researchers were unable to link measured lung function with total IgE levels or skin test results. No serum specific IgE to hemp was analyzed.⁵³

Allergen Identification

There have been efforts to identify specific allergens for *C sativa* (Table 2). After the first reported case of marijuana hypersensitivity

Table 2
Potential allergens of *Cannabis sativa*

Delta-9-tetrahydrocannabinol (THC) ^{17,18}
Nonspecific lipid transfer protein ^{7,29,30,38} (Can s 3) ³¹
Thaumatococin-like protein ⁷
Ribulose-1,5-bisphosphate carboxylase/oxygenase (RuBisCO) ⁵⁵
Oxygen-evolving enhancer protein 2 ²⁹

in 1971, Liskow et al¹⁸ suggested cannabinoids as relevant allergens based on positive skin prick test reactions in the case patient. THC was more specifically suspected as a significant allergen from localized skin sensitivity seen on passive transfer studies in a control subject without atopy. This also has been suggested clinically in a case of a forensic laboratory worker with more pronounced allergic rhinitis symptoms when handling sinsemilla variants of *C sativa*, known to have higher THC content.¹⁷ Anibarro and Fontela³⁴ later presented a case of marijuana allergy suggesting a water-soluble allergen, instead of the lipophilic THC, based on the use of an aqueous extract of *Cannabis* that resulted in positive skin test reactions.

Immunoblotting has shown a wide range of IgE reactive bands.^{9,15,54} Nevertheless, a single unifying allergen among reported cases has not been discovered. Early work at specifically identifying *Cannabis* allergens by Tanaka et al⁵⁴ demonstrated several reactive IgE bands on immunoblotting to an allergic patient's serum at 10, 14, 45, 60, and 68 kDa. However, it was only relatively recently that Gamboa et al³¹ identified a nonspecific LTP (ns-LTP) relevant to *C sativa* and named it Can s 3. Additional studies evaluating *Cannabis* sensitization have found ns-LTPs on immunoblotting.^{7,29,30,38} Two studies by Larramendi et al^{7,29} supported these findings with the isolation of 9- and 10-kDa bands. Ebo et al³⁰ used multiplexed component-resolved diagnostics to support the potential of Can s 3 as a major allergen in *Cannabis* allergy.

In addition to confirming the presence of ns-LTP by immunoblotting in sensitized patients, de Larramendi et al²⁹ speculated on the presence of other specific allergens based on reactive bands discovered by in vitro testing in the previously mentioned studies. Suggested allergens included profilins (panallergen) and polygalacturonase (a common allergen in pollen extracts).

Rojas Perez-Ezquerro et al³⁸ described a corresponding ns-LTP in a patient without atopy with cutaneous symptoms upon handling marijuana plants. Unlike previous studies, cross-reactivity with peach (Pru p 3, a representative LTP) was not found. It was suggested that the variable homology of ns-LTPs between botanically unrelated plants (35–95%) likely explains this difference in findings. Also, unlike the findings of de Larramendi et al, skin prick testing in this study did not confirm a role of panallergens.

A more recent study by Larramendi et al⁷ also identified a 38-kDa band noted to be a thaumatococin-like protein (previously seen in fruit allergens with cross-reactivity to apple, tomato, gold kiwi, and cypress). This was not typically recognized in subjects sensitized to tomato and *Cannabis* species, suggesting it is an alternative allergen of sensitization. Additional bands also were identified, although with more sparse and varied episodes.

In a study aimed to define *Cannabis* allergens, Nayak et al⁵⁵ showed that only 2 in a cohort of 23 *Cannabis*-sensitive patients had a reactive band in the area of ns-LTPs. Instead, the more notable identified allergens included a 50-kDa protein identified as a photosynthetic enzyme called ribulose-1,5-bisphosphate carboxylase/oxygenase (RuBisCO) and a 23-kDa oxygen-evolving enhancer protein 2. Other less consistently demonstrated allergens (and alternative sources) included adenosine triphosphate synthase (bovine), phosphoglycerate kinase (candida), glyceraldehyde-3-phosphate dehydrogenase (wheat, fungi, and rambutan), luminal binding protein in root (hazel pollen and fungi), and carbohydrate determinants.

Diagnosis

Evaluation of *Cannabis* allergy is dependent largely on skin testing. Extracts are typically created with crushed buds, leaves, and flowers of the *Cannabis* plant.^{15,18,29–33,42} Differences in source material and extraction techniques can introduce significant variability. Contaminants, additives, and inherent variability in the

native allergen extracts might lead to irrelevant IgE binding components that can cloud diagnostic evaluation.⁵⁶ Some studies have demonstrated skin test reaction positivity in atopic controls and those without prior exposure or clinical symptoms, thus emphasizing that further study is needed to establish skin test sensitivity and specificity.^{17,29}

One study suggested promising sensitivity and specificity of skin tests (92.7% and 63.3% respectively) and serum IgE (88.1% and 88% respectively) used in its reviewed population.²⁸ However, the study's unique demographic and lack of standardized extracts limit its use for comparative testing and widespread applicability.

Some studies also have demonstrated *Cannabis* allergy with in vitro tests such as serum IgE antibodies,^{17,29,30,32,42} histamine release assays,^{17,42} and basophil activation tests.³⁰ However, these tests often require advanced technologies or assistance from research or specialized laboratories. Bronchial challenge has been used to correlate *Cannabis* exposure with clinical symptoms.³⁴ Nevertheless, all these tests have not been extensively validated and face the same challenges that remain from a lack of standardized extracts.

Without reliable standardized diagnostic testing options and often poor correlation between testing and true clinical allergy, the importance of the history in evaluating patients remains vital. Nonetheless, it should be realized that the illicit nature of *Cannabis* use can create barriers for accurate and clear patient reporting. In addition, legal limitations to obtaining, preparing, and using extracts can pose diagnostic challenges. The allergist should take this into consideration because the only federally approved source of *Cannabis* species in the United States is located at the University of Mississippi and is strictly limited to research use.⁴

Treatment

As with other allergens, avoidance is recommended. However, factors such as local aerobiology, occupational exposures, and compliance with the added layer of substance abuse and addiction should be taken into consideration. Symptomatic treatment with antihistamines, intranasal steroids, and nasal decongestants can be used to treat symptoms of allergic rhinoconjunctivitis. Asthma should be treated with β -agonists and consideration of an inhaled corticosteroid if indicated. Epinephrine auto-injectors should be prescribed for patients with a history of anaphylaxis.

Rare cases of treatment with immunotherapy have been described in the literature. As far back as the 1930s, Maloney and Brodkey³⁶ reported hemp desensitization in 2 patients. Although clinical improvement was reported, no details regarding extract, regimen, or long-term follow-up were described. In 1980, Gupta et al⁵⁷ noted clinical improvement (reported respiratory symptoms and statistically significant changes in forced vital capacity and forced expiratory volume in 1 second) in a cohort of hemp workers who received immunotherapy to hemp (dust and fiber) extract twice a week for a year compared with control patients. Kumar and Gupta⁴³ more recently reported subcutaneous immunotherapy to treat a *Cannabis*-monosensitized patient with corresponding asthma and allergic rhinitis during the *Cannabis* pollination season in India. Clinical improvement was noted after 1 year of maintenance immunotherapy. Further study to establish the major *Cannabis* allergens and the development of a standardized extract could help clarify the potential role of immunotherapy in other *Cannabis*-allergic patients.

A published abstract described a case of using omalizumab to treat a patient with recurrent episodes of anaphylaxis (dyspnea, throat symptoms, urticaria, and hypotension) owing to occupational *Cannabis* exposure as a police detective.³⁵ Although the patient was

able to tolerate subsequent exposures without anaphylaxis, long-term follow-up was not elaborated.

Conclusions

Although still relatively uncommon, allergic disease associated with *C sativa* exposure and use has been reported with increased frequency. Allergic reactions and even anaphylaxis attributed to *C sativa* have been noted with sensitization associated with pollinosis, *Cannabis* use, potential plant cross-reactivity, and occupational exposure. With state laws allowing medical and in some cases recreational use of marijuana, there is a growing potential for legitimate personal and commercial exposure. The evolving legal status of *C sativa*, its highly prevalent use throughout the world, and the varied forms in which it is used could translate into its growing role as a clinically relevant allergen that might be encountered.

Crude extracts have been used in different in vivo and in vitro testing methods to demonstrate the immunologic nature of these cases. However, the lack of standardized extracts limits validation and widespread applicability of such diagnostic testing. Much research is still needed to more definitively define pertinent allergens, develop a standardized extract, establish diagnostic sensitivity and specificity, and clarify treatment options for clinically affected *Cannabis*-allergic patients.

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Journal of Industrial Hemp

Volume 8, 2003 - Issue 2

PEER-REVIEWED PAPERS

A Preliminary Study of Pollen Dispersal in *Cannabis sativa* in Relation to Wind Direction

[Ernest Small](#) & [Tanya Antle](#)

Pages 37-50 | Received 06 Sep 2002, Accepted 17 Dec 2002, Published online: 21 Sep 2008

- [Download citation](#)
- https://doi.org/10.1300/J237v08n02_03

Abstract

Pollen of *Cannabis sativa* is disseminated by wind in large amounts and for long distances, and regulations concerning the production of pedigreed seed of industrial hemp, therefore, often call for extremely large isolation distances to prevent unwanted pollination. In Europe and Canada, a standard distance of 5 km is required for the highest classes of hemp seed. This study examines the relative distribution of pollen from an isolated field over the 3-week maximum flowering period, with particular reference to wind direction. The amount of pollen distributed downwind was about six times the amount distributed upwind. In effect, this means that an isolation distance of 5 km on the downwind side is about equivalent to an isolation distance of 0.9 km on the upwind side. In theory, at the experimental site examined, the required isolation area could be reduced by about 58% while still achieving the equivalent of 5 km isolation in all directions. Given that weedy and illegally cultivated plants are widespread, making it difficult to ensure their absence over a distance of 5 km, it seems advisable, when possible, to take advantage of the considerably reduced isolation distance that is necessary on the upwind side. Pollen distribution appeared to follow the expected leptokurtic curve, reducing rapidly with initial distance from the source, but much more slowly with increasing distance. This makes it impossible to guarantee complete absence of potentially contaminating pollen in the field and, for practical purposes, a very low amount of undesired gene flow needs to be tolerated.

Key Words: [Cannabis sativa](#), [hemp](#), [marijuana](#), [pollen](#), [isolation distance](#)



ORIGINAL ARTICLES

Cannabis (hemp) positive skin tests and respiratory symptoms

Jeffrey R Stokes MD, Rita Hartel RN, Linda B Ford MD, Thomas B Casale MD *

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[https://doi.org/10.1016/S1081-1206\(10\)62473-8](https://doi.org/10.1016/S1081-1206(10)62473-8)

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Background

We have noted several patients who had rhinitis and/or asthma symptoms when exposed to Cannabis plants in the summer months. Cannabis plants are common in the Midwest.

Objectives

To examine whether Cannabis might be a clinically important allergen, we determined Cannabis pollination patterns in the Omaha area for 5 years, the prevalence of skin test positivity, and the association with respiratory symptoms.

Methods

Airborne Cannabis (and other weed) pollens were collected using a Rotorod air impactor, and pollen counts were done using a standardized protocol.

Results

Measurable Cannabis pollen count was not recorded until the last 2 weeks of July. Peak pollination typically occurred during mid- to late-August, and comprised up to 36% of the total pollen counts. Cannabis pollen was not observed after mid-September. To determine the prevalence of skin test positivity, we added Cannabis to the multi-test routine skin test battery. Seventy-eight of 127 patients tested (61%) were skin test positive. Thirty of the 78 patients were randomly selected to determine if they had allergic rhinitis and/or asthma symptoms during the Cannabis pollination period. By history, 22 (73%) claimed respiratory symptoms in the July through September period. All 22 of these subjects were also skin test positive to weeds pollinating during the same period as Cannabis (ragweed, pigweed, cocklebur, Russian thistle, marsh elder, or kochia).

Conclusions

The strong association between skin test reactivity, respiratory symptoms, and pollination period suggests that Cannabis could be a clinically important aeroallergen for certain patients and should be further studied.

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Hildebrand, John

From: Sarabia, Elizabeth
Sent: Wednesday, July 29, 2020 9:12 AM
To: Bill Sanchez; Carl Bruce Shaffer; David Leonard; Eric Kroencke; Gary Thornhill
Cc: Hildebrand, John
Subject: FW: Zoning is a big problem

Good morning Commissioners,

Please see email below regarding the Hemp Ordinance.

Thank you,
Elizabeth

From: claude troutd [mailto:troutd@hotmail.com]
Sent: Tuesday, July 28, 2020 8:43 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Zoning is a big problem

Please forward to the Planning Commission. Thank you, Claude Troutd

I believe it would be best if the five Supervisors, the Planning Commission and the Agriculture Commission reconsider a moratorium on Hemp registrations/permits. At the meeting on the 17th, zoning was a topic of concern, both pro and con. I can't find the dates of the different zones in our area, but I know they're no longer applicable to today's demographics. As I have said, 100% of the land I farmer 30 years ago is covered with residential housing. I've attached a small sample of the area around the hemp grow on 10th street in Nuevo. In the first photo I'm pointing to the hemp grow, please note the legend on the photo's. this is just a couple of blocks. This is not the wide open farm community it once was. Maybe Registration should be looked at individually and not just by zones.

Thank you for you time, Claude Troutd

July 31, 2020

Hello Planning Commissioners and John Hildebrand,

First of all, we would like to thank you for your due diligence and expertise on composing the draft Hemp Ordinance. I feel the workshops and Planning Commission meetings build an Ordinance that we can stand behind.

We have reviewed all the corrections, additions and omissions and agree to all of them. I think everyone should be proud of the final produce.

So at this point we would encourage the Planning Commission approve the Ordinance at the August 5th meeting. We need to be able to send this to the Board of Supervisors to finally adopt this Hemp Ordinance.

Thank you for your time and stay safe.....

Sincerely,

GenFlora

Shawn Milligan / Steve Kleeman

Hildebrand, John

From: Shawn Milligan <smilligan@genflora.com>
Sent: Wednesday, June 17, 2020 1:51 PM
To: Hildebrand, John
Cc: Steve Kleeman
Subject: Re: Updated Draft Hemp Ordinance

Hi John,

Thanks for your continued work on the draft hemp ordinance. I was surprised by the new input today as this was continued from last month and many of the speakers were new. I hope we can move this forward to the Supervisors with expediency.

Couple of quick thoughts....

1. Please clarify that the energy conservation measures will not include greenhouses in agricultural zones. This appears to be a carryover from the Cannabis Ordinance where these buildings are primarily in industrial zones.
2. Please review the odor provisions under permit requirements. Requiring air filtration on greenhouses in agricultural zones simply doesn't work especially when I am cultivating next door outdoors. This was intended for non-agricultural zones.
3. Genflora supports small farmers cultivating, processing and manufacturing industrial hemp. However, today's public testimony raised some red flags. We believe that allowing industrial hemp to be grown in R-R and R-A zones may significantly increase the difficulty of enforcement and lead to more conflicts and complaints from neighbors. These complaints could lead to a backlash against hemp which would adversely affect organizations growing industrial hemp in agricultural zones where it really belongs.

If you elect to proceed with allowing hemp to be grown in R-R and R-A, a compromise may be to allow hemp to be grown in specific area of the County with these designations.

Sincerely,

Shawn Milligan

On 6/9/20, 10:03 AM, "Hildebrand, John" <jhildebr@rivco.org> wrote:

We are working on those revisions now and will post on the website, as soon as we can.

Regards,

John Hildebrand

-----Original Message-----

From: Steve Kleeman [mailto:sk.consult@yahoo.com]
Sent: Tuesday, June 9, 2020 8:17 AM
To: Hildebrand, John <JHildebr@RIVCO.ORG>; smilligan@genflora.com
Subject: Updated Draft Hemp Ordinance

CAUTION: This email originated externally from the Riverside County email system. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Hi John,

If you have changes to the Ordinance done before the June 17th meeting could we review them.....

Please reply,

Steve Kleeman

Sent from my iPad
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County of Riverside California

<[https://urldefense.com/v3/__http://www.countyofriverside.us/__;!!JTyGX330HN5x6Ko!Q56LB_QM_hgdfPoncpjvjqBQiPE_qGbqaDvyi5BLdjC9EknJjNC9ZyWRbXXA5Ng\\$](https://urldefense.com/v3/__http://www.countyofriverside.us/__;!!JTyGX330HN5x6Ko!Q56LB_QM_hgdfPoncpjvjqBQiPE_qGbqaDvyi5BLdjC9EknJjNC9ZyWRbXXA5Ng$) >

July 17, 2020

Hello Planning Commissioners and John Hildebrand,

Again, thank you for your continued work on the draft hemp ordinance. I was surprised by the new input on June 17, 2020 as this was continued from last month and many of the speakers were new without any knowledge of the past meetings. We have attended all of the workshops and Planning Commission meetings to assist you in building an Ordinance that would benefit everyone. I hope we can agree on the suggestions set forth in this letter and move this forward to the Board of Supervisors on the August 5, 2020 meeting.

Section 19.1104 OUTDOOR INDUSTRIAL HEMP CULTIVATION – B3

We supports small farmers cultivating, processing and manufacturing industrial hemp in agricultural zones. However, we believe that allowing industrial hemp to be grown in R-R and R-A zones may significantly increase the difficulty of enforcement and lead to more conflicts and complaints from neighbors. These complaints could lead to a backlash against hemp which would adversely affect organizations growing industrial hemp in agricultural zones where it really belongs.

The best scenario in this case would be to grandfather in the current registered R-R and R-A users. Once the current registrations expires, you then can have the opportunity to review new cases as they apply.

If you elect to proceed with allowing hemp to be grown in R-R and R-A, a compromise may be to allow hemp to be grown in specific area of the County with these designations at a minimum of 20 acres.

Section 19.1106 INDUSTRIAL HEMP CULTIVATION STANDARDS

E. ENERGY CONSERVATION MEASURES

Please clarify that the energy conservation measures will not include greenhouses and hoop structures in agricultural zones. This appears to be a carryover from the Ordinance where this would pertain to enclosed buildings primarily.

Section 19.1109 PERMIT REQUIREMENTS FOR INDUSTRIAL HEMP ACTIVITIES

D. NUISANCE ODORS INDOOR INDUSTRIAL HEMP

Please review the odor provisions under permit requirements. Requiring air filtration on greenhouses and hoop structures in agricultural zones simply doesn't work especially when I am cultivating next door outdoors. Especially when the existing property is surrounded by agricultural zone areas. This was intended for non-agricultural zones.

Sincerely,

GenFlora

Shawn Milligan / Steve Kleeman

Hildebrand, John

From: Sarabia, Elizabeth
Sent: Thursday, July 30, 2020 4:20 PM
To: Hildebrand, John
Subject: FW: Support for hemp cultivation

From: Danny V [mailto:emailme714714@yahoo.com]
Sent: Thursday, July 30, 2020 4:00 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Support for hemp cultivation

Hello,

I'm writing to you in my support to for hemp cultivation in Riverside county. I do not how many are opposed to it, but I for one have benefited from using hemp balm for pain relieve and it has helped tremendously. I am a resident of Anza, and believe that hemp cultivation will help boost the local economy. My grandson has applied and was interviews for a job at a hemp farm as a caretaker and his prospect is looking good. He is very excited about the job. He has shown me great things regarding hemp's ability to clean up heavy metals in the soil among many other unwanted chemicals. He incessantly talks about it almost daily and he is learning and passing it along to me. He is the reason that I am writing to you. Hemp cultivation's water usage is minimal in comparison to other crops, please don't let other people give you misinformation regarding this. A google search will show the benefits of growing hemp. I'm not sure about this, but I believe hemp can cross pollination with cannabis, maybe this will drive away the illegal growers here in Anza. Please let me know if there's anything else I can do in support of hemp. Thank you for reading this.

Hildebrand, John

From: Sarabia, Elizabeth
Sent: Thursday, July 30, 2020 1:20 PM
To: Hildebrand, John
Subject: FW: Hemp Cultivation

From: Audrey Turpin [mailto:upacreek ranch1@gmail.com]
Sent: Thursday, July 30, 2020 1:24 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp Cultivation

To Ms. Elizabeth Sarabia.TLMA
Planning Commision Secretary

Again it seems our little town is under attack by commercial hemp cultivation. My family is against Land Use Ordinance 348 regarding the cultivation of Industrial Hemp in the Anza, Aguanga, and Sage Valleys. We are a rural residential community with limited resources IE: water. Industrial Hemp is a high water using plant and does not belong here. This area can only support so many wells and even Riverside County will not issue permits on small commercial enterprises such as a small restaurant because of our limited water resources. Also with reduced enforcement on code /criminal within the illegal commercial cannabis, how can you even consider this ordinance? Illegal cannabis growers will hide among the guise of industrial hemp in which they already do. Riverside County needs to start protecting the tax paying citizens and families who live here. They need to protect our aquifer so we may continue to live in our community. Please forward this letter to the planning commision in regards to ord. 348

Thank you

Audrey Turpin
43820 Scrub Oak
Aguanga, Ca. 92536
951-852-1708

Hildebrand, John

From: Sarabia, Elizabeth
Sent: Thursday, July 30, 2020 12:50 PM
To: Hildebrand, John
Subject: FW: Hemp Cultivation in SW Riverside Co.

From: Laura Stillwell [mailto:curtsbookshemet@gmail.com]
Sent: Thursday, July 30, 2020 11:58 AM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Hemp Cultivation in SW Riverside Co.

Please forward to the Planning Commission.

This concerns an addition to Land Use Ordinance 348 for an upcoming meeting Aug. 5.

To keep this short, there is not enough water for home use in Anza, Aguanga, and Sage, let alone for the huge usage of commercial Hemp cultivation. Those of us living in this area are utterly opposed to allowing commercial hemp cultivation. Doing so will adversely affect everyone here.

Others have sent more detailed information and longer letters. I am simply a resident who would be affected in an adverse manner.

Thank you.

--

Laura Stillwell

There is no "bad" horsemanship or "good" horsemanship--there is simply only Horsemanship or the lack thereof.

www.oldmorgans.blogspot.com

www.sagebeasties.blogspot.com

Hildebrand, John

From: Sarabia, Elizabeth
Sent: Thursday, July 30, 2020 8:58 AM
To: Hildebrand, John
Subject: FW: Cannibus Re Zoning.

-----Original Message-----

From: Sean McCulloch [mailto:smccullock@gmail.com]
Sent: Wednesday, July 29, 2020 8:03 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Cannibus Re Zoning.

No rezoning please.
As a resident of Sage/Aguanga/Anza since 1980.
The quality of life has gone downhill tremendously since MJ was Legalized.

We were better off with a Meth Problem in the late 80's-90's honestly.
We all knew who they were and where they were located etc.

We had MJ grows for generations but they were family's for the most part left over from the hippie days etc. did not cause issues, were respectful of nature and neighbors.

This mess is just crazy, trucks with dudes holding AR's and rifles blocking roads, the murders, the trash, illegal chemicals and illegal grading. The incessant noise all night of generators drives us crazy!

Get rid of the bad growers and cartels first then talk about re zoning.
Change the consequences of the illegal growing.
They don't even get a slap on the hand.
Seize the property etc.
make it safe for residents first!

Thank You for your time.
R. McCulloch
Sage CA.

Sent from my iPhone

Hildebrand, John

From: Sarabia, Elizabeth
Sent: Thursday, July 30, 2020 8:26 AM
To: Hildebrand, John
Subject: FW: Marijuana/hemp growing in Anza/Aguanga area

From: chris walters [mailto:rench@pacbell.net]
Sent: Wednesday, July 29, 2020 8:48 PM
To: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>
Subject: Marijuana/hemp growing in Anza/Aguanga area

I am writing you with the concerns of my wife and myself in reference to current and possible future marijuana and/or hemp cultivation (with or without permit) in the Riverside County areas of Anza and Aguanga. As you know, we all live in a desert area. Groundwater aquifers are not a quantified entity, meaning we really have no idea how much water is stored in the underground aquifers. All of us in the area rely upon our own legal and permitted wells for our household and business water needs. I understand that there are actually two aquifers, at least in some areas, one which is relatively shallow, and another much deeper. Our house (and most others, I do believe) pull from the shallower of these two aquifers. The sheer amount of water demanded by large-scale marijuana and/or hemp cultivation would have a serious impact on our water supply. Please take into consideration us tax-paying private citizens and businesses first and foremost when considering any legislation or possible permitting of large marijuana and/or hemp growing operations. We have enough of an issue with the illegal grows here in the area, and further draws on our finite water supply will cause severe water supply issues for us honest tax-paying citizens. The sheer cost of drilling a new well or going further into the ground to reach the deeper aquifer will be too expensive for many of us, and we will have no choice but to sell our properties and move elsewhere if our aquifers dry up.

We thank you for your concern and attention in this matter.

Chris and Kelly Walters
42470 Rambling Lane
Aguanga, CA 92536
951.763.2426

Over fifteen years of residence in this beautiful area, with hopefully many more to come.

Sycamore Springs Ranch Community, Sage, California

C/O Caroline & Martin Collins, 41225 Sycamore Springs Rd, Sage area of Hemet, CA. 92544.

Cell. (951) 541-4822

Email: caroline@iinet.com

August 1, 2020

Re: Proposed Hemp Ordinance No. 348 4931, associated with Change of Zone No. 1900015 as an amendment to the County's Land Use Ordinance No. 346

To whom it may concern,

The Residents of the Sycamore Springs Ranch Community are extremely concerned about the Santa Margarita Watershed issues and the possible issuance of permits by Riverside County Planning Department for the growing of Hemp and Cannabis in our rural area. We rely on our well water as our only source of water for our residential needs and to water our livestock and landscaping, and just a few vineyards in our area. Without water our property becomes almost worthless. We request that hemp or cannabis growing permits NOT be issued, which would jeopardize the future of thousands of people living in this general area. If permits are issued to growers, will Riverside County make other water supply arrangements, at no cost to the consumers, for the water needs of those who will no longer have any well water because of permits issued by Riverside County, that will have devastated the thousands of people living in these areas.?

Please see letters from the following officials, all of whom have expressed their strong opinion that growing high water consuming plants would be very detrimental to the residents of the rural areas of Sage, Aguanga and Anza, where the only source of water is from individual wells:

Michael Perszler, P.E. , Santa Margarita River Watermaster

Mellissa Melendez, California State Senate – District 28

Randy Voeple- Assemblyman, 71st. District

Residents of Sycamore Springs Ranch Community include but not limited to the following in this request: Martin & Caroline Collins, Elliott & Andria Nissim, Jason & Debbie Baker, Tracy Willette and Arta Lozenions, Pete & Mrs. De Lellis, Bob & Linda McManaman, Brad Moss, Randy & Jolene Daffern, Greg & Debbie Hudson, Stephen & Debora Sigler, Ronald & Mary Burke, Mary Wright, Bill & Cherie Jensen, Jim & Alyce Johnston. There are approx. 40+ families living in Sycamore Springs Ranch and almost all would most likely be opposed to the issuance of permits for growing high water consuming crops. We all depend on our well water to live in our beautiful rural community. Granting a few permits to benefit a handful of growers would ruin the lives of thousands! Sycamore Springs Ranch residents respectfully request that no permits are issued in well water areas for the growing of any high water consumption crops.

Yours truly



Hildebrand, John

From: Robert Hardesty <rhardestymd@gmail.com>
Sent: Friday, July 17, 2020 12:50 PM
To: Perez, Juan
Cc: Hewitt, Jeff; Hildebrand, John; Leach, Charissa; MIKLOS CAMPUZANO Canabis Cannabis Real Estate Consultants CREC; Medina, Esmeralda; Piantadosi, Debra; Sasha Barber; Shannon, Boomer; Shenghur, Halimah; Valdivia, Mickey
Subject: Re: Briefing with Dr. Hardesty

Good afternoon to all,

SUMMARY OF MEETING JULY 15, 2020

My summary:

-In Italics, bolded and underlined for ease of reading.

-This summary, I believe is factual recording of our meeting today.

-I recognize my perspective (I tried vary hard to present only the facts) and the following are my immediate recollections based on notes taken immediately afterwards and my interpretation of comments made.

-Please feel free to comment on before I forward them for accuracy “ in this string of emails” please.

Location:

Riverside County Building
John F. Tavaglione Annex (entrance to building)
4080 Lemon Street
Riverside CA 92501

Moved to shaded area in front of the Police Dept.

Date:

Thursday, July 16, 2020

Time:

1:00 pm

Attendees:

-Mr. Juan Perez, TMLA Director and Asst. CEO Riv Co
-Ms. Charissa Leach, Asst. TMLA Director

- Mr. John Hildebrandt
- Dr. Bob Hardesty, property owner
- Mr. Miklos Campuzano Consultant, CREC
- Ms. Sasha Barber, Representative of investors
- Mr. Boomer Shannon, Chief of Staff 5th District, J. Hewett
- Mr. Mickey Valdiva Legislative Asst 5th District, Mr. Jeff Hewett
- Ms. Halimah Shenghur, Riv County Onbudson

Agenda

I. Introductions of attendees

I quick introduction of all attendees was completed.

5 tabbed portfolio was provided to each attendee that matched the previous previous sent out agenda.

Thanks given

-to all for their time for attending the meeting in outdoor setting.

-especially moving to the tree shaded area in front of the police station in stead of the steps of the entrance of the Riv. County as was previously arranged.

II. Opening Remarks

Dr. Hardesty

I presented my 5 tab notebook with documents as a over view

Mr. Perez said he is well acquainted with such...

I further addressed the 4 agenda items with back up information found in tabs 1-5 contained in the portfolio given each attendee.

Agenda

1)Need advice:

How to effectively present my desires to the Planning Commisioners (unwritten rules of engagement) as it effects zone W-2 in the proposed Hemp regulations in Ordinance 348.4931 (see below).

Mr. Juan Perez stated clearly staff cannot give advice but did/could comment on the "process".

2)Review

make the new and proposed Hemp Ordinance 348.4931 consistent with current Ordinance 348.4835 that describes the currently approved cultivation, manufacture and distribution of agriculture crops in zone W-2, thus by including W-2 zone as a approved zone for a Hemp micro-business (as currently Ordinance 348.4835 does/is).

Mr. Perez clearly and commented again on “the process” and as staff the (he) could not “give advice”.

Mr. Perez

-stated that Riv. County has decided to separate hemp from federal agriculture designation (which if so and accurate... it my understanding is then conflict with federal law and regulations).

-He also stated that he reviewed the note book I provided to the commissioners at the last Public Hearing and based on what he reviewed he could not recommend staff to include W-2 as hemp designated Microbusiness zone despite the current description found in Ordinance 348 W-2. Current description is the equivalent of agricultural microbusiness.

-Discussion ensued about the current status of a hemp micro business in W-2.

-there was a difference of opinion...if my opinion a currently registered, state approved and Riv. County approved Lic/permit Microbusiness can continue.... (see tab 4) and since the proposed new additions to Ordiance 348 has not been voted by Riv Board of Supervisors Mr. Perez and Ms. Leach agreed and stated that a micro business for hemp was still not allowed. There was no back up given to their opinion presented.

-there was a difference of opinion...if my registered, state approved and Riv. County approved Lic/permit Microbusiness can continue.... (see tab 4) I will respectively defer to a higher standard for legal interpretation.

-In addition and specifically Mr. Perez expressed concern to my property specifically because of travel through the manufactured trailer park (Highland Springs Village)

Mr. Perez did not give any other reason other than currently zoned W-2R...

-I informed Mr. Perez I have recently met with both boards of my only residential neighbors and we have received a positive feedback each will be sending a written endorsements by both boards representing their perspective constituents ie, Highland Springs Village and Highland Springs Resort (in writing).

-in addition we are prusing a easement off Belmont Ave. (Wide public street outside of the manufacturerd housing (Higland Springs Village) that would proclude Mr. Perez's expressed empidment to access issues.

Mr. Perez stated Zoning issues are best adressed in the General plan (foundation) which will occur in 2024. He recommended that Dr. Hardesty "calander" in early 2023 and reach out to Mr. Hildebrandt then.

3)to create a provision (within the new and proposed Hemp 348.4931), a methodology for a flexibility mechanism = "a case by case" evaluation for a logical exception to a restricted zone (variance).

Mr. J. Perez correctly commented that "variances" refer to property not ordinances... the flavor of "a flexibility clause" or a "case by case" evaluation was discussed and Mr. Perez clearly expressed that he didn't know how how this could be done and I interpreted he didn't want to explore this issue with his staff. Mr. Perez deferred to me for a name that I could call this process...

4)alternative.

Alternative to allow for utilizing the current W-2 zoning designation and establishing Hemp/Cannabis Micro business activity based on:

Riverside county Ordinance 731 19.150.030

"At the discretion of the Community & Economic Development Director or his/her designee, a conditional use permit may be considered for a unique or unusual combination of uses or special facilities similar to and not more detrimental than other uses in a particular zone."

(Ord. 7331 §12, 2016; Ord. 7235 §6, 2013; Ord. 6966 §1, 2007)

Mr. Perez nor Ms. Leach did not recognize this reference or this position. Dr. Hardesty will go back and find reference where he found it

III Discussion

Open to all

Mr. M. CAMPUZANO presented his and his companies world wide and recent Missouri state experience in helping those who are interested in learning to create “win-win situations. He focused on his Calif experience on how he has help other municipalities effectively create comprehensive zoning maps that help with ambiguities resulting in a more effective and efficient mapping for municipal and land owners achieve their mutual goals...(in fact he has helped in 2 Riv. County CUP’s for Cannabis)

Ms. S. Barber, Dr. Hardesty and Micke Valdiva Asked specifically if cultivation of hemp(CBD) and Cannabis (higher levels of THC) could be cultivated currently on W-2R as zoned:
Unanimous agreement from Mr. Perez, Ms. Leach and MrHildebrandt was affirmed yes “cultivation only” of cannabis and hemp in W-2 is allowed.

IV Conclusion

-There s a Public process and was elucidated by Mr. Perez and Ms. Leach.

-Planning commissioners only interested in the big picture not individual properties.

-Best to look at the big picture in future Public Hearing and use “property as a example”.

-Staff will make recommendation to planning Commisioners based on what they perceive as in the general best interest for the citizens and that which is presented to them at the public hearings.

-Staff cannot give advice only comment on the process.

-planning commission will make (proably) final recommendation to the Riv. County BOS on the Aug 5th meeting.

-The RIVCO BOD are the final step in the process: they can accept, reject or ask for more information from staff.

-At present Mr. Perez nor staff are interested in pursuing W-2 as a designated hemp approved microbusiness zone despite its current description.

-Mr. Perez raised only one specific issues why my property should be excluded despite other requests and my comments how I am trying to mitigate such.

-Mr. Perez states under current W-2 zone description a hemp microbusiness is not legal even though I have a state and Riv. County permit/license to do so and there are no known regulation/ordiances not to do so... in fact that is the reason the Riv. BOS charged the planning commission to do so...

Since I a preparing to plant a crop of hemp in the immediate near future and I don't want to be in violation or illegal ...

I will respectively ask the opinion of the Riv. County legal counsel and will defer planting on my W-2 zoned (current) agriculturally approved microbusiness.

-The new hemp ordinance as it stands which has not been voted upon by the the RIVCO BOS would preclude a microbusiness in W-2,zone in the future.

-Both Hemp and Canabis can be cultivated on W-2R but not a micro business.

Disclosure

The above summary is from my immediate recollections and notes I took afterwards.

I welcome any edits corrections or edits for accuracy in this string of email.

My closing comments:

I thank each of you for:

-your help in understanding "the process"

-understanding the "staffs" perspective

-hearing my perspective

-wanting to improve the (consented to by neighbors) local Cherry Valley community.

-agreeing that we all want whats best for the county (increasing tax base), the local citizens (more jobs), me a business owner (a new and sustaining potentially 3rd Riverside County business) and I whole heartedly agree to the needed regulations to preclude illegitimate hemp and Cannabis farms.

Respectively submitted,
Bob Hardesty

-

On Thu, Jul 9, 2020 at 8:45 PM Robert Hardesty <rhardestymd@gmail.com> wrote:

Dear Mr. Perez,

Thank you for:

- your recognition of my requests (agenda)
- confirmation of our meeting at 1 pm on July 16th

I look forward to hearing, your advice and learning from your's and Ms. Leach's combined experience and advice ...
on how we can reach not only our local communities goals, what's best for our county and increasing the Riv. County tax base.

So signing off for tonight and expressing my thanks for your responses.

My best regards,

Bob Hardesty

On Thu, Jul 9, 2020 at 7:16 PM Perez, Juan <JCPEREZ@rivco.org> wrote:

Thank you Dr. Hardesty for the background. Ms. Leach and I will see you on the 16th and discuss further.

Sent from my iPhone

On Jul 9, 2020, at 6:26 PM, Robert Hardesty <rhardestymd@gmail.com> wrote:

Dear Mr. Perez,

Thank you for your prompt and unexpected "after hours" response.

I accept your apology even though it may have not been of your doing.

I am just a average citizen who doesn't understand the intricate protocol of Riv. County government planning Commision.

Meeting 7-16-2020

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Riverside County Building
John F. Tavaglione Annex (entrance to building)
4080 Lemon Street
Riverside, CA 92501

Date:

Thursday, July 16, 2020

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- Ms. Sasha Barber, Representative of investors
- Mr. Boomer Shannon, Chief of Staff 5th District, J. Hewett
- Mr. Mickey Valdiva Legislative Asst 5th District, Mr. Jeff Hewett
- Ms. Halimah Shenghur, Riv County Ombudsman

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III Discussion

Open to all

IV Conclusion

7-16-2020

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- Tab 2 Ordinance 348 XV 1-XV-19 W-2, XX1-20 Description**
- Tab 3 Slide from Mr John Hildebrandt Presentation**
- Tab 4 Ordinance 348 Variance Section 18.27 Pages XBIII-52**
- Tab 5 Ordinance 7331 19.150.030**

ORDINANCE NO. 348



**PROVIDING FOR LAND USE PLANNING
AND ZONING REGULATIONS AND
RELATED FUNCTIONS OF THE
COUNTY OF RIVERSIDE**

**As amended through
ORDINANCE NO. 348.4835**

EFFECTIVE 07/21/16

ORDINANCE NO. 348.4835
AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE
PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS.
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ARTICLE III ZONE CLASSIFICATIONS**

ARTICLE III ZONE CLASSIFICATIONS

SECTION 3.1. ZONES.

For the purpose of providing a uniform basis for zoning, the following zone classifications, referred to alternatively herein as zones, may be applied to the lands in the unincorporated area of the County of Riverside:

R-R	Rural Residential
R-R-O	Rural Residential, Outdoor Advertising
R-1	One-Family Dwellings
R-1A	One-Family Dwellings - Mountain Resort
R-A	Residential Agricultural
R-2	Multiple Family Dwellings
R-2A	Limited Multiple Family Dwellings
R-3	General Residential
R-3A	Village Tourist Residential
R-T	Mobilehome Subdivision and Mobilehome Park
R-T-R	Mobilehome Subdivision - Rural
R-4	Planned Residential
R-5	Open Area Combining Zone - Residential Developments
R-6	Residential Incentive
R-7	Highest Density Residential
C-1 & C-P	General Commercial
C-T	Tourist Commercial
C-P-S	Scenic Highway Commercial
C-R	Rural Commercial
C-O	Commercial Office
S-P	Specific Plan
I-P	Industrial Park
M-SC	Manufacturing - Service Commercial
M-M	Manufacturing - Medium
M-H	Manufacturing - Heavy
M-R	Mineral Resources
M-R-A	Mineral Resources & Related Manufacturing
MU	Mixed Use
A-1	Light Agriculture
A-P	Light Agriculture with Poultry
A-2	Heavy Agriculture
A-D	Agriculture - Dairy
C/V	Citrus/Vineyard
W-2	Controlled Development Areas
R-D	Regulated Development Areas
N-A	Natural Assets
W-2-M	Controlled Development Areas with Mobilehomes
W-1	Watercourse, Watershed and Conservation Areas
WC-W	Wine Country- Winery

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WC-WE Wine Country - Winery Existing
WC-E Wine Country - Equestrian
WC-R Wine Country - Residential
W-E Wind Energy Resource Zone

Amended Effective:

08-30-84 (Ord. 348.2358)
04-18-86 (Ord. 348.2623)
08-28-86 (Ord. 348.2612)
07-13-89 (Ord. 348.3010)
11-08-94 (Ord. 348.3692)

Ord. 348.4422-Item 3.29 of 10/03/06 (Effective Date:
10/03/06)
Ord. 348.4802-Item 16-2 of 05/19/15 (Effective Date:
06/18/15)
Ord. 348.4840- Item 16-1 of 12/06/16 (Effective date:
01/05/17)

SECTION 3.2. ZONE CLASSIFICATION BOUNDARIES.

Where uncertainty exists as to the boundaries of any zone classification, the following rules shall apply:

- A. Where boundaries are indicated as approximately following street lines, alley lines, or lot lines, such lines shall be construed to be boundaries.
- B. Where boundaries divide lots, the location of such boundaries shall be determined by use of the scale appearing on the underlying map, unless the boundaries are indicated by specific dimensions.
- C. If any public street, alley or other right of way is vacated or abandoned, the land formerly in such street, alley or right of way shall be included within the boundaries of the zone classification applicable to the adjoining property on each side. In the event such street, alley or right of way was a zone classification boundary, the new zone classification boundary shall be the former center line of such street, alley or right of way.

Amended Effective:
02-03-77 Ord. 348.1545)

Ord. 348.4422 Item 3.29 of 10/3/06 (Effective Date: 10/3/06)

SECTION 3.3. USES ALLOWED IN ZONE CLASSIFICATIONS.

The terminology used in Section 3.1. of this ordinance is general only and is not intended to be descriptive of all uses allowed in the zone classifications. The zone classifications are specifically set forth in subsequent articles of this ordinance to which reference should be made to determine all the uses permitted therein. When a use is not specifically listed as permitted or conditionally permitted in a zone classification, the use is prohibited unless, in circumstances where this ordinance empowers them to do so, the Planning Director makes a determination that the use is substantially the same in character and intensity as those uses permitted or conditionally permitted in the zone classification. Unless expressly authorized by this ordinance, nothing in this ordinance shall be construed to allow a use that is otherwise illegal under State or Federal law.

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Added Effective:

Ord. 348.4422 Item 3.29 of 10/03/06 (Effective Date: 10/3/06)

Ord. 348.4802 Item 16-2 of 05/19/15 (Effective Date: 06/18/15)

Ord. 348.4423 Item 3.30 of 10/03/06 (Effective Date: 11/18/06)

Ord. No. 348.4898 Item 19.1 of 10.23.2018 (Effective Date: 12.23.18)

SECTION 3.4. (Repealed).

Added Effective:

Ord. 348.4802 Item 16-2 of 05/19/15 (Effective Date: 06/18/15)

Amended Effective:


Ord. 348.4862 Item 17.7 of 08/29/17 (Effective Date: 9/28/17)

Ord. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12/23/2018)

ORDINANCE NO. 348.4913
AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE
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ARTICLE XV W-2 ZONE (CONTROLLED DEVELOPMENT AREAS)

ARTICLE XV W-2 ZONE (CONTROLLED DEVELOPMENT AREAS)

SECTION 15.1 USES PERMITTED IN W-2 ZONE.

- A. When the gross area of a lot is less than one acre, the following uses shall be permitted:
1. One-family dwellings.
 2.  Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.
 3. The noncommercial keeping of horses on lots not less than 20,000 square feet in area and 100 feet in width, provided they are kept not less than 100 feet from any street and 20 feet from any property line. A maximum of two horses per 20,000 square feet and, in any event, not more than four horses on a lot will be permitted.
 4. Home occupations.
 5. The noncommercial raising of not more than raising of not more than (5) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:
 - a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.
 - b. Any miniature pig kept or maintained on a lot with a use permitted under Section 15.1.A.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.
 - c. No miniature pig may weigh more than two hundred (200) pounds.
 - d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.
 - e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.
 6. The keeping or raising of not more than 12 mature female crowing fowl on lots or parcels not less than 20,000 square feet for the use of the occupants of the premises. The crowing fowl shall be kept in an enclosed area located not less than 20 feet from

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any property line and not less than 50 feet from any residence and shall be maintained on the rear portion of the lot in conjunction with a residential use.

Amended Effective:
09-15-00 (Ord. 348.3954)

7. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.
8. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to one hundred (100) square feet with a maximum height of three (3) feet.

Amended Effective:
09-15-00 (Ord. 348.3954)
12-21-00 (Ord. 348.3966)

Added Effective:
02-24-04 (Ord. 348.4087)

B. When the gross area of a lot is one acre or greater, the following uses are permitted:

1. One-family dwellings.
2. Water works facilities, both public and private, intended primarily for the production and distribution of water for irrigation purposes.
3. Nurseries, greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetable, flower and herb gardening on a commercial scale, the drying, packing, canning, freezing and other accepted methods of processing the produce resulting from such permitted uses, when such processing is primarily in conjunction with a farming operation and further provided that the permanent buildings and structures used in conjunction with such drying, packing and processing operations are not nearer than 20 feet from the boundaries of the premises.

4. The grazing of cattle, horses, sheep, goats or other farm stock or animals, not including hogs, including the supplementary feeding thereof, not to exceed five animals per acre of all the land available; provided however, the systematic rotation of animals with more than five animals per acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per acre may be multiplied by three, except that there shall be no limit to the permissible number of sheep which may be grazed per acre when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four weeks in any six month period. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age of maturity. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio.

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5. Farm for rabbits, fish, frogs, chinchilla, and other small animals (excluding crowing fowl).

Amended Effective:
09-15-00 (Ord. 348.3954)

6. Farms or establishment for the selective or experimental breeding and raising of cattle, sheep, goats, and horses, subject to the limitations set forth in Subsection A.4. of this section.
7. The noncommercial raising of hogs, not to exceed five animals; provided, however, that the total number of animals permitted on parcels of less than one acre shall not exceed two animals except that no animals shall be permitted on lots of less than 20,000 square feet. For the purposes of determining the number of hogs on a parcel, both weaned and unweaned hogs shall be counted. (See County Ordinance No. 431 regarding hog ranches).
8. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.

Amended Effective:
09-15-00 (Ord. 348.3954)

12-21-00 (Ord. 348.3966)

- Disubject* 9. A temporary stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises. Off-street parking shall be as required in Section 18.12 of this ordinance, except that no paving shall be required.
10. A sign, single or double faced, not exceeding 12 square feet in area per face, advertising only the sale of the services or the products produced on the premises. The sign shall not be lighted or have flashing objects or banners.
11. Home occupations.
12. The noncommercial raising of not more than raising of not more than (5) miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:
- a. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department.
 - b. Any miniature pig kept or maintained on a lot with a use permitted under Section 15.1.B.1. shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig

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- presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.
- c. No miniature pig may weigh more than two hundred (200) pounds.
 - d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises, provided, however, such pig may be off such premises if under restraint of a competent person.
 - e. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line and no closer than thirty-five (35) feet of any dwelling unit other than the dwelling unit on the subject lot.
13. The keeping or raising of not more than 50 mature female crowing fowl and 10 mature male crowing fowl on lots or parcels not less than 1 acre for the use of the occupants of the premises. The crowing fowl shall be kept in an enclosed area located not less than 20 feet from any property line and not less than 50 feet from any residence and shall be maintained on the rear portion of the lot in conjunction with a residential use.

Added Effective:
09-15-00 (Ord. 348.3954)

14. The outside storage of materials on improved lots or parcels of one acre or more provided the amount is limited to two hundred (200) square feet with a maximum height of three (3) feet.

Added Effective:
02-24-04 (Ord. 348.4087)

- C. The following uses shall be permitted provided approval of a plot plan shall first have been obtained pursuant to the provisions of Section 18.30:

- Maintaining* ↓
- 1. Guest ranches.
 - 2. Educational institutions, libraries, museums and post offices.
 - 3. Tennis and polo clubs.
 - 4. Meat cutting and packaging plants, provided there is no slaughtering of animals or rendering of meat.
 - 5. An additional one-family dwelling (including mobilehomes), excluding the principal dwelling, shall be allowed for each ten acres being farmed. Said additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one family residence provided that:
 - a. The mobilehome shall have a floor area of not less than 450 square feet.

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- b. The dwellings are not rented or held out for lease to anyone other than an employee of the farming operation.
 - c. The dwellings are located not less than 50 feet from any property line.
 - d. The dwellings are screened from view from the front property line by shrubs or trees.
 - e. The arrangement of the dwellings, sanitary facilities and utilities conforms with all of the requirements of the County Health Department, the County Building and Safety Department and State law.
 - f. The number of dwellings for employees shall not exceed four per established farming operation.
6. Radio and television broadcasting stations, antennas, cable installations, and microwave relay stations and towers in accordance with [Section 18.30.A.3.](#)
7. Churches, temples and other places of religious worship.
8. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.
9. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period sale of two years in any event.
10. Public parks and public playgrounds, golf courses with standard length fairways, and country clubs.
11. Child Day Care Center.

Amended Effective:
Ord. 348.4596 Item 16.2 of 02/10/09 (Effective Date: 03/12/09)

D. The following uses are permitted provided a conditional use permit has been granted:

- 1. Airport or landing field.
- 2. A mining operation which is exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 and County Ordinance No. 555.
- 3. Cemetery, pet or human.
- 4. Commercial fairgrounds and exhibitions.

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5. Drive-in theaters.
6. Dune buggy parks.
7. Fruit and vegetable packing plants and similar uses.
8. Hog ranches, subject to the provisions of County Ordinance No. 431.
9. Hunting clubs.
10. Lumber mill.
11. Lumber production of a commercial nature, including commercial logging or commercial development of timber.
12. The manufacture of: (a) Brick, tile or terra-cotta, (b) Cement and cement products, (c) Gypsum and (d) Lime or lime products.
13. Menageries.
14. Migrant agricultural worker mobilehome parks.
15. Mobilehome parks, developed pursuant to Section 19.93 of this ordinance.
16. Pen fed cattle operations, livestock sales yards, livestock auction yards, and dairy farms.
17. Race tracks, including but not limited to contests between automobiles, horse, go-carts, and motorcycles, but not including contests between human beings only.
18. Recreational vehicle parks.
19. Rifle, pistol, skeet, or trapshooting ranges.
20. Rodeo arenas.
21. Trail bike parks.
22. Trailer and boat storage.
23. Commercial stables and riding academies.
24. Recreational lakes.
25. Disposal service operations.
26. Auction houses and yards.

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27. Printers, publishers, film studios, or recording studios as accessory uses to an educational institution, church, temple or other place of religious worship.
28. Extraction and bottling of well water including the incidental manufacturing of bottles solely for use in the permitted extraction and bottling operation.
29. Outdoor film studios.
30. Camps.
31. Both large and small animal hospitals.
32. Solar power plant on a lot 10 acres or larger.

Amended Effective:

Ord. 348.4705 Item 18.2 of 11/08/11 (Effective Date: 12/08/11)

E. Public Utilities Uses.

1. Structures and installations necessary to the conservation and development of water such as dams, pipe lines, water conduits, tanks, reservoirs, wells and the necessary pumping and water production facilities.
2. Structures and the pertinent facilities necessary and incidental to the development and transmission of electrical power and gas such as hydroelectric power plants, booster or conversion plants, transmission lines, pipe lines and the like.
3. Telephone transmission lines, telephone exchanges and offices.
4. Railroads, including the necessary facilities in connection therewith.

F. A mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 is permitted provided that the operator thereof holds a permit to conduct surface mining operations issued pursuant to County Ordinance No. 555 which has not been revoked or suspended.

G. (Deleted)

Amended Effective:

Ordinance No. 348.4911 Item 21.1 of 09.10.19 (Effective Date: 10.10.19)

H. Subject to the provisions of [Section 18.28.B.](#), the number of mature crowing fowl may be increased up to 50% over each (male and female) of the permitted numbers.

Amended Effective:

11-11-82 (Ord. 348.2104)
11-23-82 (Ord. 348.2140)
07-03-84 (Ord. 348.2338)
04-04-87 (Ord. 348.2669)
03-12-87 (Ord. 348.2670)

03-29-88 (Ord. 348.2848)
06-30-88 (Ord. 348.3856)
06-20-89 (Ord. 348.3043)
09-05-89 (Ord. 348.3053)
10-06-82 (Ord. 348.3447)

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07-16-98 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
07-23-99 (Ord. 348.3881)

Added Effective:
09-15-00 (Ord. 348.3954)

SECTION 15.2. DEVELOPMENT STANDARDS.

Where a structure is erected or a use is made in the W-2 Zone that is first specifically permitted in another zone classification, such structure or use shall meet the development standards and regulations of the zone in which such structure or use is first specifically permitted, unless such requirements are hereafter modified.

- A. One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to [Section 18.34.](#) of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to [Section 18.27.](#) of this ordinance.

Amended Effective:
05-24-01 (Ord. 348.3990)

- B. Lot size shall not be less than 20,000 square feet, with a minimum average lot width of 100 feet and a minimum average lot depth of 150 feet, unless larger minimum lot area and dimensions are specified for a particular area or use.
- C. Animals are not permitted on existing substandard lots that are less than 20,000 square feet in size.
- D. Automobile storage space shall be provided as required by [Section 18.12.](#) of this ordinance.

Amended Effective:
09-04-82
06-16-85 (Ord. 348.371)
03-23-86 (Ord. 348.427)
07-27-88 (Ord. 348.459)
04-17-88 (Ord. 348.558)
07-16-89 (Ord. 348.637)
06-10-70 (Ord. 348.737)
10-10-71 (Ord. 348.835)
05-04-72 (Ord. 348.1023)
05-30-74 (Ord. 348.1327)
06-20-74 (Ord. 348.1340)
11-07-74 (Ord. 348.1377)
03-20-75 (Ord. 348.1429)
10-02-75 (Ord. 348.1470)
12-10-75 (Ord. 348.1481)

04-21-77 (Ord. 348.1564)
09-08-77 (Ord. 348.1588)
11-29-79 (Ord. 348.1729)
03-05-81 (Ord. 348.1925)
07-02-81 (Ord. 348.1968)
11-11-82 (Ord. 348.2104)
12-23-82 (Ord. 348.2140)
05-19-83 (Ord. 348.2162)
07-03-84 (Ord. 348.2338)
09-05-89 (Ord. 348.3053)
10-06-92 (Ord. 348.3447)
07-16-88 (Ord. 348.3828)
02-12-99 (Ord. 348.3857)
05-24-01 (Ord. 348.3990)

ORDINANCE NO. 348.4913

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE
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ARTICLE XXI DEFINITIONS**

SECTION 21.38. HOTEL.

A building designed for or occupied as the more or less temporary abiding place of individuals who are lodged with or without meals, in which there are six or more guest rooms, and in which no provision is made for cooking in any individual room or suite; jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes or similar buildings where human beings are housed and detained under legal restraint, are specifically not included.

SECTION 21.39. HOTEL, RESORT.

A hotel, including all accessory buildings as defined in Section 21.38. of this ordinance and having a building site or hotel grounds containing not less than 50,000 square feet. Such hotel may have accessory commercial uses operated primarily for the convenience of the guests thereof, provided there is no street entrance directly to such commercial uses, and further provided such commercial uses shall not occupy more than 20 percent of the ground floor area of such hotel building.

SECTION 21.39a. INDOOR CANNABIS CULTIVATION.

The cultivation of Cannabis within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate of twenty-five (25) watts per square foot.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

currently: cultivation, manufacture, distribution

SECTION 21.39b. INDUSTRIAL HEMP.

As defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code, as they may be amended.

Added Effective:
Ordinance No. 348.4898 Item 19.1 of 10/23/2018 (Effective Date: 12.23.18)

SECTION 21.40. JUNK, WRECKING, DISMANTLING AND SALVAGE YARDS.

The use of any lot or parcel of land for outside storage, wrecking, dismantling or salvage of any used or secondhand materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture. A proposed or intended use by the owner of the used or secondhand materials does not constitute an exception to this definition.

Amended Effective:
03/25/03 (Ord. 348.4087)



RIVERSIDE COUNTY AGRICULTURAL COMMISSIONER'S OFFICE

RONALD BRAY
ASSISTANT AGRICULTURAL COMMISSIONER / SEALER
ROBERT MULHERIN
DEPUTY AGRICULTURAL COMMISSIONER / SEALER
DELIA JIMENEZ-CIOC
DEPUTY AGRICULTURAL COMMISSIONER / SEALER
DANIEL DELGADO
DEPUTY AGRICULTURAL COMMISSIONER / SEALER
ERIK DOWNS
DEPUTY AGRICULTURAL COMMISSIONER / SEALER

RUBEN J. ARROYO
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES

10/7/2019

Registration #: 33-19-0053 G

Robert Hardesty
Harmony Ranch Farmers
P.O. Box 10609
San Bernardino, CA 92423

Subject: Registration Issuance with Unapproved Seed Cultivar(s)

Dear Robert Hardesty,

Enclosed is the proof of registration for industrial hemp cultivation as a Grower.

The following cultivation sites and approved seed cultivars are registered:

APN: 408-030-003
Site Purpose: Cultivation and Storage
GPS Coordinates: 33.974580, -116.941400
Size: 58 Acres
Approved Seed Cultivars: -----
Expiration Date: 10/6/2020

APN: 401-260-002
Site Purpose: Cultivation and Storage
GPS Coordinates: 33.980320, -116.939910
Size: 80 Acres
Approved Seed Cultivars: -----
Expiration Date: 10/6/2020

Keep this letter along with the proof of registration to document the registered cultivation sites.

Additional documentation to meet approved seed cultivar requirements outlined Section 4920 of the California Code of Regulations must be provided to us for approval prior to planting.

In accordance to Sections 81003(c)-(d) and 81004(c)-(d) of the California Food and Agricultural Code, registrants must submit a request, prior to planting, for any changes to the cultivation site(s) and/or approved seed cultivar(s) to us. We will notify you when the changes to the application have been approved.

In accordance with Section 81006 of the California Food and Agricultural Code, registrants are required to obtain a laboratory test report indicating the THC content prior to harvest. Sampling must occur no more than 30 days before harvest. Please contact us 30 days before you intend to harvest for further guidance.

If you have any questions, please contact us at (951) 955-3045.

Thank you,

A handwritten signature in black ink, appearing to read 'Ruben J. Arroyo', written over a horizontal line.

Ruben J. Arroyo
Agricultural Commissioner/
Sealer of Weights and Measures



RIVERSIDE COUNTY AGRICULTURAL COMMISSIONER'S OFFICE

RONALD BRAY
ASSISTANT AGRICULTURAL COMMISSIONER / SEALER
ROBERT MULHERIN
DEPUTY AGRICULTURAL COMMISSIONER / SEALER
DELIA JIMENEZ-CIOC
DEPUTY AGRICULTURAL COMMISSIONER / SEALER
DANIEL DELGADO
DEPUTY AGRICULTURAL COMMISSIONER / SEALER
ERIK DOWNS
DEPUTY AGRICULTURAL COMMISSIONER / SEALER

RUBEN J. ARROYO
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES

ROBERT HARDESTY
HARMONY RANCH FARMERS
P.O. BOX 10609
SAN BERNARDINO, CA 92423

.....

Thank you for registering to cultivate industrial hemp. Your registration for industrial hemp cultivation is valid from **10/7/19** through **10/6/20**. Your registration number may be found in the upper right hand corner of the Proof of Registration for Industrial Hemp Cultivation attached below.

If you have any questions regarding your registration, please contact the number listed below.

.....

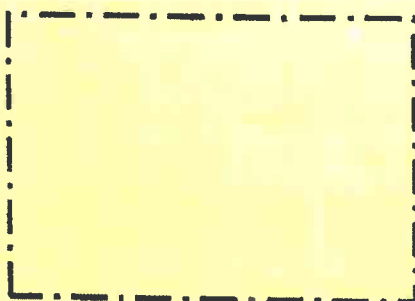
COUNTY OF RIVERSIDE
AGRICULTURAL COMMISSIONER'S OFFICE
3403 10TH STREET, SUITE 701
RIVERSIDE, CA 92501
(951) 955-3045

REGISTRATION #:
33-19-0053 G

REGISTRATION EXPIRES:
OCTOBER 6TH, 2020

PROOF OF REGISTRATION FOR
INDUSTRIAL HEMP CULTIVATION

HARMONY RANCH FARMERS
P.O. BOX 10609
SAN BERNARDINO, CA 92423




RUBEN J. ARROYO
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES

Hemp Cultivation Zoning Statistics

ZONING	ACREAGE
A-1	103,368
A-2	40,672
A-D	426
A-P	1,134
C-1/C-P	941
C-CN	8
C-O	23
C-P-S	2,423
C-R	83
C-T	81
CV	2,965
I-P	1,899
M-H	10,050
M-M	2,532
M-R	946

ZONING	ACREAGE
M-R-A	41,500
M-SC	4,772
MU	3,285
N-A	2,288,847
R-1	55,970
R-1A	3,294
R-2	867
R-2A	45
R-3	1,353
R-3A	192
R-4	1,733
R-5	4,359
R-6	212
R-7	470
R-A	139,852

ZONING	ACREAGE
R-D	116
R-R	537,773
R-T	3,675
R-T-R	464
SP	40,351
W-1	78,171
W-2	637,160
W-2-M	5,967
W-E	5,311
WC-E	1,488
WC-R	40
WC-W	2,984
WC-WE	136



ALL ZONES	TOTAL
43	4,027,926

CULTIVATION	TOTAL
7	1,460,375

CULTIVATION	TOTAL
6	782,750

*All Cultivation Zones

*Cultivation Zone (No R-A or R-R)

ORDINANCE NO. 348.4913
AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE
PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS.
ARTICLE XVIII GENERAL PROVISIONS

SECTION 18.27. VARIANCES.

A. BASIS FOR VARIANCE.

Variations from the terms of this ordinance may be granted when, because of special circumstances applicable to a parcel of property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification.



A variance shall not be granted for a parcel of property which authorizes a use or activity that is not otherwise expressly authorized by the zone regulation governing the parcel of property, but shall be limited to modifications of property development standards, such as lot size, lot coverage, yards, and parking and landscape requirements.

B. APPLICATION.

Application for a variance shall be made in writing to the Planning Director on the forms provided by the Planning Department and shall be accompanied by the fees set forth in County Ordinance No. 671. If the use for which the variance is sought also requires approval of a conditional or public use permit pursuant to the land division ordinance, the two applications shall be filed concurrently.

1. Applications for a variance that do not require an approval of a conditional or public use permit or land division ordinance approval shall supply the following information:
 - a. Name and address of the applicant.
 - b. Evidence of ownership of the premises or written permission of the owner to make the application.
 - c. A statement of the specific provisions of the ordinance for which the variance is requested and the variance that is requested.
 - d. A plot and development plan drawn in sufficient detail to clearly describe the following:
 - 1) Physical dimensions of property and structures.
 - 2) Location of existing and proposed structures.
 - 3) Setbacks.
 - 4) Methods of circulation.
 - 5) Ingress and egress.
 - 6) Utilization of property under the requested permit.

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AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE
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ARTICLE XVIII GENERAL PROVISIONS

- e. Such additional information as shall be required by the application form.
2. Applications for a variance that also require approval of a permit or land division, shall be accepted for filing only if the principal application is accepted, and shall set for the specific provisions of the ordinance for which the variance is being requested.
3. If the application for a variance is in connection with a land division pursuant to the land division ordinance, the application shall be construed to be a waiver of any shorter time limitations on processing both a variance and a land division; including time limitations on appeals of either application, so that both applications are processed in the public hearing held under Section 18.26 of this ordinance as one unit to final decision.

C. PUBLIC HEARING.

A public hearing shall be held on all variance applications in accordance with the provisions of Section 18.26 of this ordinance, and all the procedural requirements and rights of appeal as set forth therein shall govern the hearing. All public hearings on variances which require approval of a permit or land division shall be heard by the hearing body which has jurisdiction of the principal application. All public hearings on variances which do not require approval of a permit or land division within the area of jurisdiction of the East Area Planning Council shall be heard by the Council, and all public hearings on variances which do not require approval of a permit or land division outside the area jurisdiction of the East Area Planning Council shall be heard by the Planning Commission.

D. CONDITIONS.

Any variance granted shall be subject to such conditions as are necessary so that the adjustment does not constitute a grant of special privileges that is inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated, and which are necessary to protect the health, safety and general welfare of the community.

E. USE OF VARIANCE.

Any variance that is granted shall be used within one year from the effective date thereof, or within such additional time as may be set in the conditions of approval, which shall not exceed a total of three years, except that a variance in connection with a land division may be used during the same period of time that the land division approval may be used; otherwise the variance shall be null and void. Notwithstanding the foregoing, if a variance is required to be used within less than three years, the permittee may, prior to its expiration, request an extension of time in which to use the variance. A request for extension of time shall be made to the Board of Supervisors, on forms provided by the Planning Department and shall be filed with the Planning Director, accompanied by a fee as set forth in County Ordinance No. 671. Within 30 days following the filing of a request for an extension, the Planning Director shall review the application, make a recommendation thereon, and forward the matter to the Clerk of the Board, who shall place the matter on the regular agenda of the Board. An extension of time may be granted by the Board upon a determination that valid reason exists for permittee not using the variance within the required period of time. If an extension is granted, the total time allowed for use of the variance shall not

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exceed a period of three years, calculated from the effective date of the issuance of the variance. The term "use" shall mean the beginning of substantial construction for which the variance has been granted, which construction must thereafter be pursued diligently to completion, or the actual occupancy of existing buildings or land under the terms of the authorized variance, or the recording of the final or parcel map in connection with an approved land division. The effective date of a variance shall be determined pursuant to [Section 18.26](#) of this ordinance.

F. REVOCATION OF VARIANCE.

Any variance granted may be revoked upon the findings and procedure contained in [Section 18.31](#) of this ordinance.

Amended Effective:
08-28-88 (Ord. 348.2612)

Subject: Please find section in ordinance and print

From: Robert Hardesty <rhardestymd@gmail.com>

Date: Wed, Jul 15, 2020 3:14 pm

To: Jordan Olsen <jordan@riversideoutpatientsurgicalinstitute.com>

4)
Alternative to allow for utilizing the current W-2 zoning designation and establishing Hemp/Cannabis Micro business activity based on:
Riverside county Ordinance 731 19.150.030

“At the discretion of the Community & Economic Development Director or his/her designee, a conditional use permit may be considered for a unique or unusual combination of uses or special facilities similar to and not more detrimental than other uses in a particular zone.”

(Ord. 7331 §12, 2016; Ord. 7235 §6, 2013; Ord. 6966 §1, 2007)

Acreage Counts

Zoning Classifications	Parcels					Total Parcels				
	< 1 ac	≥ 1 ac & < 3 ac	≥ 3 ac & < 5 ac	≥ 5 ac & < 10 ac	≥ 10 ac & < 20 ac	≥ 20 ac & < 40 ac	≥ 40 ac			
Residential Agricultural (R-A)	13,096	6,742	3,938	3,350	1,656	958	369	30,109		
Rural Residential (R-R)	10,725	5,099	2,968	2,723	1,858	1,358	1,714	26,445		
Controlled Development Areas (W-2)	5,295	2,311	1,906	2,274	2,274	1,792	2,703	19,049		
Light Agriculture (A-1)	3,415	2,896	637	714	876	668	554	9,760		
Heavy Agriculture (A-2)	266	139	75	195	243	253	211	1,382		
Light Agriculture with Poultry (A-P)	16	1	8	3	10	10	5	53		
Agriculture - Dairy (A-D)	0	0	0	1	0	2	4	7		
Totals:	32,813	17,188	9,532	9,754	6,917	5,041	5,560	86,805		

Total Acreages

ZONING	ACREAGE	ZONING	ACREAGE	ZONING	ACREAGE
A-1	103,358	M-R-A	41,500	R-D	116
A-2	40,672	M-SC	4,772	R-R	537,773
A-D	426	MU	3,285	R-T	3,675
A-P	1,134	N-A	2,288,847	R-T-R	464
C-1/C-P	941	R-1	55,970	SP	40,351
C-C/V	8	R-1A	3,294	W-1	78,171
C-O	23	R-2	867	W-2	637,160
C-P-S	2,423	R-2A	45	W-2-M	5,967
C-R	83	R-3	1,353	W-E	5,311
C-T	81	R-3A	192	WC-E	1,486
C/V	2,965	R-4	1,733	WC-R	40
I-P	1,899	R-5	4,359	WC-W	2,984
M-H	10,050	R-6	212	WC-WE	136
M-M	2,532	R-7	470		
M-R	946	R-A	139,852		
ALL ZONES	TOTAL	43	4,027,926		
CULTIVATION	TOTAL	7	1,460,375		
CULTIVATION	TOTAL	5	782,750		

*All Cultivation Zones

*Cultivation Zone (No R-A or

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM
3.21
(ID # 9995)**

**MEETING DATE:
Tuesday, June 4, 2019**

FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY: Provide Policy Direction on the Land Use Regulation of Industrial Hemp, and Adoption of Urgency Interim Ordinance No. 449.250 Declaring a Temporary Moratorium on the Commercial Cultivation of Industrial Hemp in Specified Zones within the Unincorporated Areas of the County of Riverside, All Districts. [\$30,000] (CEQA Exempt) (4/5 vote required on Urgency Interim Ordinance)

RECOMMENDED MOTION: That the Board of Supervisors:

Continued on page 2

ACTION: Policy, 4/5 Vote Required

Juan O. Perez, Director of Transportation & Land Management

5/28/2019

MINUTES OF THE BOARD OF SUPERVISORS

The motion introduced by Supervisor Jeffries and seconded by Supervisor Spiegel to adopt Ordinance 449.250 and find the Ordinance exempt from CEQA failed by a 3/2 vote.

Ayes: Jeffries, Spiegel and Washington
Nays: Perez and Hewitt

and

The motion introduced by Supervisor Perez, seconded by Supervisor Hewitt and duly carried by unanimous vote to provide policy direction and adopt an order to initiate an amendment to Ordinance No. 348 was approved as recommended with the inclusion of W2, RR and RA Zones.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: June 4, 2019
xc: TLMA-Planning, Co.Co., Agricultural Comm.

Kecia Harper
Clerk of the Board

By
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

RECOMMENDED MOTION: That the Board of Supervisors:

MOTION 1;

- a. Find Ordinance No. 449.250 exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15308 and 15061(b)(3) as set forth in the background section of this agenda item;
- b. Adopt Ordinance No. 449.250, an Urgency Interim Ordinance of the County of Riverside Declaring a Temporary Moratorium on the Commercial Cultivation of Industrial Hemp in Specified Zones within the Unincorporated Areas of the County of Riverside based on the findings set forth within the ordinance under the provisions contained in Government Code Section 65858 (4/5 vote required);
- c. Direct the Clerk of the Board to file the Notice of Exemption for Ordinance No. 449.250 with the County Clerk for posting;

AND MOTION 2;

- a. Provide policy direction to the Planning Department for regulation of the cultivation of hemp as a land use, including policy direction on the proposed Tiered Regulatory Structure set forth in this agenda item;
- b. Adopt an Order to Initiate an Amendment to Ordinance No. 348 to regulate the commercial cultivation of hemp, including identifying the appropriate zones, development standards, and requirements for hemp cultivation;
- c. Direct the Planning Department to work with the Agricultural Commissioner and County Counsel to prepare and process the amendment to Ordinance No. 348.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$10,000	\$20,000	\$30,000	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: Planning Department Budget			Budget Adjustment: No	
			For Fiscal Year: 18/19-19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

At the May 21, 2019 Board meeting Transportation and Land Management Agency (TLMA) staff presented (Agenda Item 3.28) a proposal for the Board to enact a moratorium (Urgency Interim Ordinance) that would apply to the cultivation of industrial hemp for commercial purpose, and to direct staff to prepare regulations that would govern locations and development standards for commercial hemp uses. The Board tabled this item, and directed staff to return with a more narrowly focused temporary moratorium for the commercial cultivation of industrial hemp for the Board's consideration at the June 4, 2019 Board meeting.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

The issue before the Board is whether the County should allow hemp to be cultivated as a matter of right without a land use permit in any of the agricultural zoning classifications that allow field crops in the unincorporated area of the County, subject only to compliance with state law and registration requirements, or should the County establish a regulatory structure with approval requirements, development standards, and public review for certain sized cultivation sites. It should be noted that the County's zoning ordinance, Ordinance No. 348, allows agricultural field crops in numerous zones, as described below in this Form 11. Many of these zones (all R- zones, W-2, etc.), are primarily residential in nature. The only zones that are truly defined as "Agricultural Zones" per Section 21.3b. of Ordinance No. 348 are the A-1, A-2, A-D, A-P, C/V, WC-E, WC-W, and WC-WE zones. It is staff's opinion that the commercial cultivation of industrial hemp may create land use compatibility issues in close proximity to residential uses due to the odor that has been identified as being similar to cannabis for certain strains of hemp, and other potential compatibility issues.

On May 24, 2019, the California Department of Food and Agriculture (CDFA) released proposed emergency regulations for the sampling, laboratory testing, and destruction of non-compliant industrial hemp. Such proposed regulations still have not been submitted to the Office of Administrative Law or approved at the State level. Allowing the cultivation of industrial hemp, particularly prior to the adoption of reasonable regulations at the local level, may also result in conflicts with the County's comprehensive local program to conditionally permit and regulate commercial cannabis businesses and activities. Absent a laboratory performed chemical analysis for THC content, cannabis plants and hemp plants cannot be readily distinguished. This would make it very difficult for law enforcement or County Code Enforcement to independently distinguish between a "hemp" plant and a "cannabis" plant without having proper testing done, thereby hampering civil and criminal enforcement of the County's current cannabis cultivation ban as well as its cannabis cultivation regulatory program that is in the works.

Such unregulated cultivation would restrict the County's ability to effectively regulate land use and may be harmful to the welfare of the County and its residents, create a public nuisance, and threaten existing agricultural and other land uses and nearby property owners. Industrial hemp cultivation creates a pungent seasonal odor that is similar in type and intensity to the seasonal odor created by cannabis cultivation. Failure to prohibit industrial hemp or to regulate the location and size of industrial hemp cultivation sites is likely to result in nuisance odors impacting neighbors and neighborhoods.

Urgency Interim Ordinance

Pursuant to the authority under Government Code section 65858, subdivision (f), an urgency interim ordinance is recommended to protect the public safety, health and welfare from the unregulated commercial cultivation of industrial hemp in specified zones. There is currently no State plan approved at the Federal level, as required by the 2018 Farm Bill, nor guidance in the County's zoning ordinance concerning industrial hemp cultivation. As such, there is a current and immediate threat to the public health, safety, and welfare in that the unregulated

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

establishment of industrial hemp cultivation in specified zones in the unincorporated areas of Riverside County will result in land use conflicts.

Staff is recommending that the Board enact a revised, more narrowly focused temporary interim moratorium prohibiting cultivation of industrial hemp outside of those zones that are primarily for agricultural uses (A-1, A-2, A-P and A-D) so as to allow time to draft regulations in an amendment to the County's zoning ordinance. Without a temporary moratorium in place, industrial hemp cultivation is allowed by right, subject only to a registration from the Agricultural Commissioner, without a land use permit throughout Riverside County in any zone that allows field crops with no opportunity for the County to impose regulations or development standards. As of the date of preparation of this agenda item, the Agricultural Commissioner is in the process of reviewing and issuing several hemp registration applications that have been received. Registrations that are issued prior to the adoption of either an interim moratorium - or in the absence of one, the normal course of crafting County land use regulations - would be valid for a one-year period. Should the County adopt land use regulations, said regulations would apply to new registrations issued by the Agricultural Commissioner after that date, including renewals of annual registrations (starting with the 2nd year) after the initial one-year period.

The revised moratorium that is now being presented for Board consideration would prohibit the commercial cultivation of industrial hemp in these zones that currently allow field crops or other agricultural uses: R-A, N-A, WC-W, WC-WE, WC-E, WC-R, R-D, R-R, R1, R-1A, R-2, R-2A, R-3, R-3A, R-T-R, R-7, MU, W-2, W-2-M, M-SC, M-M, M-H, M-R, M-R-A, and W-1, as well as prohibit in all other zones that expressly do not allow field crops or other agricultural zones. These zones are either primarily for residential use (R-zones, Mixed Use, W-2, W-2-M)); manufacturing uses (M zones); mineral, natural, or water resources (M-R, M-R-A, W-1); or Wine Country zones (WC-zones). Staff's opinion is that, absent appropriate development standards in place, most of these zones are not compatible with commercial cultivation of industrial hemp due to inherent land use incompatibility with their primary uses. It is also staff's opinion that the Temecula Wine Country is not an appropriate place for the commercial cultivation of hemp as it would reduce the amount of agricultural land available for viticulture.

This revised moratorium will have the effect of only allowing the commercial cultivation of industrial hemp in the following zones that are primarily for agricultural use: A-1 (Light Agriculture), A-2 (Heavy Agriculture), A-P (Light Agriculture with Poultry), and A-D (Agriculture with Dairy).

It should be noted that the action to place an interim moratorium requires a 4/5th vote from the Board of Supervisors. Under Government Code section 65858, the moratorium is 45 days, unless extended by the Board of Supervisors following a public hearing. Any extension is also subject to a 4/5ths vote from the Board. TLMA will work with County Counsel to expeditiously bring forward an Amendment to the Zoning Ordinance No. 348 to set regulations for Industrial Hemp Cultivation. The Ordinance Amendment will need to comply with CEQA and undergo a

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public review process, including noticed hearings, before the Planning Commission and Board of Supervisors, which is likely a 4 to 6 month process through final adoption.

Tiered Regulatory Structure

TLMA staff is recommending a tiered regulatory structure for all Industrial Hemp Cultivation, both commercial and research cultivation, in the A-1, A-2, A-P, and A-D zones as follows, subject to further review and modification through the CEQA environmental review process, including public review by the Planning Commission with a recommendation provided to the Board of Supervisors:

- Allow By-Right Cultivation on parcels 20 - 100 acres with development standards
- Allow Cultivation with a Plot Plan (Noticed Planning Director public hearing) on parcels between 10 - 20 acres with development standards
- Allow Cultivation with a Conditional Use Permit (Noticed Planning Commission public hearing) on parcels < 10 acres with development standards
- Allow Cultivation with a Conditional Use Permit (Noticed Planning Commission public hearing) on parcels > 100 acres – Large-Scale Commercial Operations

Potential Development Standards

TLMA staff has developed initial potential development standards. These are not meant to be all-inclusive nor final, but rather serve as a starting point subject to further review and modification through the CEQA environmental review process, including public review by the Planning Commission with a recommendation provided to the Board of Supervisors:

- Appropriate setbacks to adjacent residential zoned properties and other sensitive receptors:
 - Parcels 20 - 100 acres – Example: 300 ft. setback to adjacent Residential Zoned Property
 - Parcels 10 - 20 acres – Example: 300 ft. setback to adjacent Residential Zoned Property or smaller setbacks with mixed light (hoop structures) and odor filtration
 - Parcels < 10 acres – Require mixed light with odor filtration next to Residential Zoned Property
- Not allow the extraction of CBD oil as part of any industrial hemp cultivation operation in any of these zones (Manufacturing Process)

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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- Property that is designated for industrial hemp cultivation within 600 feet of sensitive uses including residential zoned property to be required to put a physical barrier that blocks the view of the operation
- All hemp cultivation under the above framework would still require issuance of, and maintaining, an annual registration from the County Ag Commissioner

Amending Ordinance No. 348 to include a proposed regulatory structure for industrial hemp cultivation would be done through a public review and hearing process before the Planning Commission before a recommendation is brought to the Board of Supervisors at a noticed public hearing. As part of this process, staff may determine that other zones may also be appropriate for industrial hemp cultivation. This process would allow all stakeholders to provide input in crafting the regulatory process.

California Environmental Quality Act (CEQA)

Urgency Interim Ordinance No. 449.250 is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15308 (actions taken as authorized by local ordinance to assure protection of the environment) and 15061(b)(3) ("common sense exemption", whereby there is no possibility the activity in question may have a significant effect on the environment). Ordinance No. 449.250 is exempt pursuant to CEQA 15308 because it is a regulatory action taken by the County pursuant to its police power and in accordance with Government Code 65858 to assure maintenance and protection of the environment pending the evaluation and adoption of contemplated local legislation, regulation, and policies; and it consists of a temporary prohibition on industrial hemp cultivation within the County, which is currently unregulated at the local level. As an interim ordinance preserving the status quo and prohibiting a new land use that might impact the environment, the ordinance is also exempt under section 15061(b)(3). There are no unusual circumstances under CEQA Guideline 15300.2(c) that would render either of these exemptions inappropriate. Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

Any future regulation of industrial hemp cultivation, if that is the policy direction of the Board, will be done as an amendment to Ordinance No. 348 and will be required to comply with CEQA.

Impact on Residents and Businesses

The residents and businesses in the unincorporated areas of Riverside County will benefit from a tiered regulatory structure on cultivating industrial hemp because it will aid in mitigating negative impacts such as odor and other potential nuisance impacts.

Additional Fiscal Information

The department has the capacity in its current budget to perform the tasks above and is not seeking additional NCC support.


SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

Contract History and Price Reasonableness

N/A

ATTACHMENTS

ATTACHMENT A. - Ordinance No. 449.250


Gregory V. Priamos, Director County Counsel 5/28/2019

1 for federal compliance approval and directs the United States Department of
2 Agriculture to develop federal regulations for hemp farming, which will override state
3 regulatory programs containing less stringent requirements. As of the date of this
4 ordinance, California does not have a plan that has been approved by the United
5 States Secretary of Agriculture nor is there an approved federal plan.

6 C. Division 24. Industrial Hemp [81000-81010] of the Food and Agricultural Code
7 (hereafter "FAC"), which was enacted prior to the 2018 Farm Bill on January 1, 2017,
8 addresses the growing and cultivation of industrial hemp in California. It remains
9 unknown whether California will amend the FAC in the wake of federal review of its
10 hemp program under the 2018 Farm Bill.

11 D. On September 30, 2018, FAC Division 24. Industrial Hemp [81000-81010], also prior
12 to the federal adoption of the 2018 Farm Bill, was amended by Senate Bill 1409 to
13 remove restrictions on hemp farming methods and to specifically authorize the
14 tending of individual hemp plants, as opposed to requiring densely planted rows,
15 making it far more difficult for an observer to distinguish between a hemp farm and a
16 cannabis farm either on the ground or from the air. Neither the state nor federal
17 government currently provides any restrictions on the amount of acreage that can be
18 used for, or the total canopy size of, an industrial hemp cultivation site.

19 E. FAC Section 81001 creates and calls for the Industrial Hemp Advisory Board to
20 advise the California Secretary of Food and Agriculture and make recommendations
21 to the Secretary pertaining to the cultivation of industrial hemp, including but not
22 limited to, developing the requisite industrial hemp seed law and regulations,
23 enforcement, and the setting of an assessment rate. The Industrial Hemp Advisory
24 Board and California Department of Food and Agriculture are expected to implement
25 the requisite regulations allowing the cultivation of industrial hemp for commercial
26 purposes in 2019. Like the adoption and amendment of FAC 81000 et seq., these
27 regulations are being developed and adopted by the state without first vetting them
28 through the federal government as part of its compliance review of California's

1 regulatory program or plan under the 2018 Farm Bill, and it is unclear whether the
2 regulations, once adopted, will need to be further amended to meet federal compliance
3 requirements.

4 F. Under FAC Division 24, all commercial growers of industrial hemp must register with
5 the County Agricultural Commissioner prior to beginning cultivation. Registration
6 regulations were released by the California Department of Food and Agriculture on
7 April 25, 2019 in California Code of Regulations, Title 3, Division 4, Section 4900.

8 G. The California Department of Food and Agriculture's Industrial Hemp "Frequently
9 Asked Questions" website, provides information regarding registration with county
10 agricultural commissioners for commercial cultivation of industrial hemp but also
11 recognizes that such cultivation may be subject to additional local restrictions from
12 local jurisdictions.

13 H. FAC Section 81006, subdivision (d)(1) requires registrants that grow industrial hemp
14 to obtain a laboratory test report indicating the tetrahydrocannabinol (THC) content
15 levels prior to harvest. While the California Department of Food and Agriculture has
16 released the registration regulation, it has not yet released regulations pertaining to
17 industrial hemp testing and sampling.

18 I. "Industrial hemp" is defined under FAC Section 81000 and Health and Safety Code
19 section 11018.5 as "a crop that is limited to types of the plant *Cannabis sativa* L.
20 having no more than three-tenths of 1 percent tetrahydrocannabinol (THC) contained
21 in the dried flowering tops, whether growing or not; the seeds of the plant; the resin
22 extracted from any part of the plant; and every compound, manufacture, salt,
23 derivative, mixture, or preparation of the plant, its seeds or resin produced therefrom."

24 J. FAC Section 81000 expressly exempts industrial hemp from regulation under
25 Division 10 (commencing with Section 26000) of the Business and Professions Code
26 (the Medicinal and Adult-Use Cannabis Regulation and Safety Act), so industrial
27 hemp is not subject to the same regulatory provisions as cannabis.

28 K. "Cannabis" is defined under the Medicinal and Adult-Use Cannabis Regulation and

1 Safety Act (MAUCRSA) codified at Business and Professions Code section 26001 as
2 “all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis
3 ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or
4 purified, extracted from any part of the plant; and every compound, manufacture, salt,
5 derivative, mixture, or preparation of the plant, its seeds, or resin... ‘cannabis’ does
6 not mean ‘industrial hemp’ as defined by Section 11018.5 of the Health and Safety
7 Code.”

8 L. Industrial hemp and cannabis are differentiated by definition in state law, with a major
9 difference being industrial hemp may not contain more than 0.3%
10 tetrahydrocannabinol (THC). However, industrial hemp and cannabis are derivatives
11 of the same plant, cannabis sativa L., and the appearance of industrial hemp and
12 cannabis are virtually indistinguishable. Absent a laboratory performed chemical
13 analysis for THC content, the two plants cannot be distinguished. This makes it
14 nearly impossible for law enforcement or the County Code Enforcement Department
15 to independently distinguish between “hemp” and “cannabis” without entering the
16 property and collecting samples for testing, thereby hampering civil and criminal
17 enforcement of the County’s current cannabis regulatory program, County ordinances
18 related thereto, and state and federal law. A grower who fails to qualify at the state or
19 local level for permits to cultivate cannabis might be incentivized by the similarity
20 between the plants and the comparatively less restrictive hemp laws to cultivate illegal
21 cannabis disguised as industrial hemp, thereby increasing the likelihood of criminal
22 activity, nuisances and danger to health, safety, and the environment.

23 M. Industrial hemp cultivation creates a pungent seasonal odor that is similar in type and
24 intensity to the pungent seasonal odor created by cannabis cultivation. Failure to
25 prohibit industrial hemp or to regulate the location and size of industrial hemp
26 cultivation sites is likely to result in nuisance odors impacting neighbors and
27 neighborhoods.

28 N. Cross-pollination from hemp plants poses a threat to licensed cannabis cultivators

1 when pollen from male hemp plants travels and cross-pollinates with female cannabis
2 plants, which destroys the cannabis plants. Further study is required to determine if a
3 distance can be established between a cannabis farm and a hemp farm that would
4 adequately buffer the respective farms against harmful cross-pollination.

5 O. On October 23, 2018, the Board of Supervisors adopted a comprehensive local
6 program to conditionally permit and regulate commercial cannabis businesses and
7 activities, including commercial cannabis cultivation, which is reflected in Ordinance
8 No. 348.4898. The Board of Supervisors has a strong interest in ensuring that its
9 comprehensive local program for commercial cannabis is successful, that the potential
10 nuisance impacts of commercial cannabis activities are properly mitigated, and that
11 the unpermitted commercial cannabis activities are actively enforced against.

12 P. The County Agricultural Commissioner and the County Planning Department have
13 recently received requests to register both commercial and "research" hemp
14 cultivation sites.

15 Q. Section 21.3b. of Ordinance No. 348 defines "Agricultural Zone" as the A-1, A-2, A-
16 D, A-P, C/V. WC-E, WC-W, and WC-WE zones.

17 R. There is an urgent need for County staff to assess the potential local impacts of
18 industrial hemp cultivated commercially and to explore the feasibility of developing
19 reasonable regulatory options relating thereto. Allowing the commercial cultivation
20 of industrial hemp in specified agricultural and non-agricultural zones prior to
21 studying whether or not its nuisance potential can be mitigated through reasonable
22 regulations creates an current and immediate threat to the public health, safety and/or
23 welfare of the citizens of Riverside County. Allowing the cultivation of industrial
24 hemp in specified zones, particularly prior to the adoption of reasonable regulations at
25 the state level and local level, if any, may result in violations of the County's
26 comprehensive local program to conditionally permit and regulate commercial
27 cannabis businesses and activities, evasion of Board of Supervisors Policy No. B-9
28 regarding commercial cannabis activities, interference with the County's ability to

1 effectively regulate land use, and may be harmful to the welfare of the County and its
2 residents, create a public nuisance, and threaten existing agricultural and other land
3 uses and nearby property owners.

4 S. Riverside County has a compelling interest in protecting the public health, safety, and
5 welfare of its residents and businesses, and in preventing the establishment of
6 nuisances through the cultivation of industrial hemp.

7 T. In February 2018, the Board of Supervisors adopted urgency interim Ordinance No.
8 449.248, declaring a temporary moratorium on the cultivation of industrial hemp by
9 “Established Agricultural Research Institutions” within the unincorporated areas of
10 the County. The temporary moratorium in Ordinance No. 449.248 was then extended
11 by Ordinance No. 449.249 but then expired on February 11, 2019. At the time of
12 adoption of Ordinance Nos. 449.248 and 449.249, hemp and the
13 tetrahydrocannabinols in hemp were listed as prohibited controlled substances and
14 commercial cultivation of industrial hemp was prohibited under state and federal law
15 so there was no need to prohibit under local ordinances. The 2018 Farm Bill at the
16 federal level and Senate Bill 1409 at the state level removed restrictions on the
17 cultivation of hemp but do not preempt local regulations at the County level.

18 U. Now, pursuant to the authority under Government Code section 65858, subdivision
19 (f), a new interim ordinance is necessary to protect the public safety, health and
20 welfare from the unregulated commercial cultivation of industrial hemp. There is
21 currently no state plan approved at the federal level as required by the 2018 Farm Bill,
22 there are currently no state adopted regulations pertaining to industrial hemp testing,
23 sampling or destruction, and there is currently no guidance in the County’s zoning
24 ordinance, Ordinance No. 348 concerning industrial hemp cultivation. As such, there
25 is a current and immediate threat to the public health, safety, and welfare in that the
26 establishment of industrial hemp cultivation in specified zones in the unincorporated
27 areas of Riverside County will result in land uses and land developments that may
28 conflict with the County’s ordinances and General Plan.

1 V. In order to ensure the effective implementation of the County of Riverside's land use
2 objectives and policies, a temporary moratorium on the establishment and/or approval
3 of industrial hemp cultivation in specified zones is necessary.

4 W. There is no feasible alternative to enactment of this moratorium ordinance that will
5 satisfactorily mitigate or avoid the previously identified impacts to the public health,
6 safety and welfare with a less burdensome or restrictive effect.

7 X. This ordinance complies with State law and imposes reasonable regulations that the
8 Board of Supervisors concludes are necessary to protect the public safety, health and
9 welfare of residents and business within the County.

10 Section 3. CULTIVATION OF INDUSTRIAL HEMP PROHIBITED.

11 A. During the term of this interim ordinance, including any extensions hereto, no
12 person or entity shall grow industrial hemp for any purposes and no County permit,
13 registration or approval of any type shall be issued therefor within the following
14 zones in the unincorporated areas of Riverside County: R-R, R-R-O, R-R, R-R-O,
15 R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, C-1 & C-
16 P, C-T, C-P-S, C-R, C-O, S-P, I-P, M-SC, M-M, M-H, M-R, M-R-A, MU, C/V, W-
17 2, R-D, N-A, W-2-M, W-1, WC-W, WC-WE, WC-E, WC-R, and W-E zones.

18 B. Cultivation of industrial hemp in violation of the prohibitions articulated in this
19 interim ordinance constitutes a public nuisance and violations may be enforced and
20 abated in the same manner as prohibited cannabis cultivation is enforced under
21 Ordinance Nos. 725 and 925, the provisions of which are hereby incorporated by
22 reference as applying equally to violations of this ordinance, and by any other
23 means available by law.

24 C. During the term of this interim ordinance, including any extensions hereto, no
25 industrial hemp cultivation shall be deemed an "agricultural crop" or "agricultural
26 cultivation" for purposes of Ordinance No. 348 or an "agricultural activity,
27 operation, or facility, or appurtenances thereof" for purposes of Ordinance No. 625
28 within the following zones in the unincorporated areas of Riverside County: R-R,

1 R-R-O, R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-
2 5, R-6, R-7, C-1 & C-P, C-T, C-P-S, C-R, C-O, S-P, I-P, M-SC, M-M, M-H, M-R,
3 M-R-A, MU, C/V, W-2, R-D, N-A, W-2-M, W-1, WC-W, WC-WE, WC-E, WC-R,
4 and W-E zones.

5 D. This section is cumulative to all other remedies now or hereafter available to abate
6 or otherwise regulate or prevent public nuisances or to enforce the provisions of the
7 Ordinances of the County of Riverside.

8 E. The prohibitions in this ordinance shall only apply to land in the unincorporated
9 area subject to the County's land use jurisdiction under Section 18.2.a. of
10 Ordinance No. 348.

11 Section 4. DECLARATION OF URGENCY. Based on the findings set forth in
12 Section 2, this ordinance is declared to be an urgency ordinance that shall be effective immediately upon
13 adoption by the Board of Supervisors.

14 Section 5. SEVERABILITY. If any provision, clause, sentence or paragraph of this
15 ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity
16 shall not affect the other provisions of this ordinance which can be given effect without the invalid
17 provision or application, and to this end, the provisions of this ordinance are hereby declared to be
18 severable.

19 Section 6. CONFLICTING LAWS. For the term of this ordinance, as set forth in
20 Section 7 below, the provisions of this ordinance shall govern. To the extent that there is any conflict
21 between the provisions of this ordinance and the provisions of any other County ordinance, resolution or
22 policy, all such conflicting provisions shall be suspended.

23 ///

24 ///

25 ///

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



3.28
(MT 9801)

On motion of Supervisor Jeffries, seconded by Supervisor Spiegel and duly carried, IT WAS ORDERED that the recommendation from Transportation and Land Management Agency regarding policy direction on the Land Use Regulation of Industrial Hemp, and adoption of Urgency Interim Ordinance No. 449.250 imposing a temporary moratorium on the commercial cultivation of industrial hemp within the unincorporated areas of the County of Riverside is continued to Tuesday, June 4, 2019 at 9:00 a.m. or as soon as possible thereafter so as to allow staff to amend the proposed temporary moratorium to only prohibiting industrial hemp cultivation in residential zones.

Roll Call:

Ayes: Jeffries, Spiegel and Washington
Nays: Perez and Hewitt
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on May 21, 2019 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: May 21, 2019
Kecia Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: *Kecia Harper* Deputy

AGENDA NO.
3.28

xc: TLMA, Co.Co., COB

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM
3.28
(ID # 9801)**

MEETING DATE:

Tuesday, May 21, 2019

FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY: Provide Policy Direction on the Land Use Regulation of Industrial Hemp, and Adoption of Urgency Interim Ordinance No. 449.250 Imposing A Temporary Moratorium On The Commercial Cultivation Of Industrial Hemp Within The Unincorporated Areas Of The County Of Riverside, All Districts. [\$30,000] (CEQA Exempt) (4/5 vote required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find Ordinance No. 449.250 exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15308 and 15061(b)(3) as set forth in the background section of this agenda item;
2. Adopt Ordinance No. 449.250, an Urgency Interim Ordinance of the County Of Riverside Declaring a Temporary Moratorium on the Commercial Cultivation of Industrial Hemp within the Unincorporated Areas of the County of Riverside based on the findings set forth within the ordinance under the provisions contained in Government Code Section 65858;
3. Provide policy direction to the Planning Department for regulation of the cultivation of hemp as a land use, including policy direction on the proposed Tiered Regulatory Structure set forth in this agenda item;
4. Adopt an Order to Initiate an amendment to Ordinance No. 348 to regulate the cultivation of hemp, including identifying the appropriate zones, development standards, and requirements for hemp cultivation;
5. Direct the Planning Department to work with the Agricultural Commissioner and County Counsel to prepare and process the amendment to Ordinance No. 348; and
6. Direct the Clerk of the Board to file the Notice of Exemption for Ordinance No. 449.250 with the County Clerk for posting.

ACTION:Policy

Juan C. Flores, Director of Transportation & Land Management 5/14/2019

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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MINUTES OF THE BOARD OF SUPERVISORS

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$10,000	\$20,000	\$30,000	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: Planning Department Budget			Budget Adjustment: No	
			For Fiscal Year: 18/19-19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Federal and state law regarding cultivation of industrial hemp has evolved over the past few years. Industrial hemp and cannabis are derivatives of the same plant, cannabis sativa L., with a major difference being industrial hemp may not contain more than 0.3% tetrahydrocannabinol (THC). The appearance of industrial hemp and cannabis are virtually indistinguishable without a laboratory test for the THC content. Up until last December, hemp and THC in hemp were prohibited controlled substances contained in the Federal Controlled Substances Act. Cultivation of industrial hemp was illegal under federal law except by certain institutes of higher education, State departments of agriculture, and agricultural research institutions. On December 20, 2018, the President signed the Agricultural Improvement Act of 2018, more commonly known as the 2018 Farm Bill. The 2018 Farm Bill made several substantive changes to current federal law with regard to industrial hemp, including removing it from the Controlled Substances Act. Additionally, the 2018 Farm Bill requires states wishing to be the primary regulators of hemp cultivation to submit their proposed regulatory programs for Federal compliance approval and directs the United States Department of Agriculture to develop Federal regulations for hemp farming, which will override state regulatory programs containing less stringent requirements. As of the date of this agenda item, California does not have a plan that has been approved by the United States Secretary of Agriculture nor is there an approved Federal plan.

Last fall, the Governor signed Senate Bill No. 1409 (SB 1409) into law. Under SB 1409, effective January 1, 2019, "industrial hemp" is no longer defined in the California Uniform Controlled Substances Act as a controlled substance. SB 1409 removes State restrictions on hemp farming methods and specifically authorizes the tending of individual hemp plants, as opposed to requiring densely planted rows, making it far more difficult for an observer to distinguish between a hemp farm and a cannabis farm either on the ground or from the air. Now, under SB 1409, growers must submit a registration with all applicable fees to the County Agricultural Commissioner in order to cultivate hemp or breed seeds for hemp in California. The registration and renewal fees of \$900 are set by the state under Food & Agricultural Code section 81005 and the County Agricultural Commissioner is authorized to retain a portion of the fee necessary to reimburse direct costs incurred in the collection of the fee. SB 1409 also authorizes the Board of Supervisors to establish its own registration or renewal fee to cover

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other costs of the Agricultural Commissioner for the implementation, administration and enforcement of these provisions. Registration regulations were released by the California Department of Food and Agriculture (CDFA) on April 25, 2019. While CDFA has released the registration regulation, it has not yet released regulations pertaining to industrial hemp testing and sampling. Further, CDFA's Industrial Hemp "Frequently Asked Questions" website, provides information regarding registration with County Agricultural Commissioners for commercial cultivation of industrial hemp but also recognizes that such cultivation may be subject to additional local restrictions from local jurisdictions. Neither the State nor Federal government currently provides any restrictions on the amount of acreage that can be used for, or the total canopy size of, or location of an industrial hemp cultivation site. However, the County has the ability to set such restrictions as part of the County's zoning ordinance, if desired by the Board.

The issue before the Board is whether the County should allow hemp to be cultivated as a matter of right without a land use permit in any of the agricultural zoning classifications that allow field crops in the unincorporated area of the County, subject only to compliance with state law and registration requirements, or should the County establish a regulatory structure with approval requirements, development standards, and public review for certain sized cultivation sites. It should be noted that the County's zoning ordinance, Ordinance No. 348, allows agricultural field crops in numerous zones including A-1, A-2, A-P, R-A, N-A, WC-W, WC-WE, WC-E, WC-R, R-D, R-R, R1, R-1A, R-2, R-2A, R-3, R-3A, R-T-R, R-7, MU, W-2, W-2-M, M-SC, M-M, M-H, M-R, M-R-A, and W-1. Some of these, notably R-R, R-A, and W-2, are also zones that are primarily residential in nature and the cultivation of industrial hemp may create land use compatibility issues in close proximity to residential uses due to the odor which has been identified as being similar to cannabis for certain strains of hemp and other potential issues.

Allowing the cultivation of industrial hemp, particularly prior to the adoption of reasonable regulations at the state level and local level, may result in conflicts with the County's comprehensive local program to conditionally permit and regulate commercial cannabis businesses and activities. Such unregulated cultivation would restrict the County's ability to effectively regulate land use and may be harmful to the welfare of the County and its residents, create a public nuisance, and threaten existing agricultural and other land uses and nearby property owners. Industrial hemp cultivation creates a pungent seasonal odor that is similar in type and intensity to the seasonal odor created by cannabis cultivation. Failure to prohibit industrial hemp or to regulate the location and size of industrial hemp cultivation sites is likely to result in nuisance odors impacting neighbors and neighborhoods.

Moreover, absent a laboratory performed chemical analysis for THC content, cannabis plants and hemp plants cannot be readily distinguished. This would make it very difficult for law enforcement or County Code Enforcement to independently distinguish between a "hemp" plant and a "cannabis" plant without entering the property and collecting samples for testing, thereby hampering civil and criminal enforcement of the County's current cannabis cultivation ban as well as its cannabis cultivation regulatory program that is in the works.

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Urgency Interim Ordinance

In February 2018, the Board of Supervisors adopted urgency interim Ordinance No. 449.248, declaring a temporary moratorium on the cultivation of industrial hemp by "Established Agricultural Research Institutions" within the unincorporated areas of the County. The temporary moratorium in Ordinance No. 449.248 was extended by Ordinance No. 449.249 but expired on February 11, 2019. At the time of adoption of Ordinance Nos. 449.248 and 449.249, hemp and the THC in hemp were listed as prohibited controlled substances and commercial cultivation of hemp was prohibited under State and Federal law. On January 29, 2019, the Board of Supervisors received a report from the Agricultural Commissioner on the 2018 Farm Bill and SB 1409. As part of the discussion on this item, the Board provided direction to TLMA and the Agricultural Commissioner to report back on whether industrial hemp could be regulated as a land use and to explore the merits of establishing a regulatory program regarding the cultivation of industrial hemp, in order to lessen potential public impacts. While the 2018 Farm Bill and SB 1409 removed restrictions on the cultivation of hemp, neither preempt the adoption of local regulations for the cultivation of industrial hemp by the County.

Pursuant to the authority under Government Code section 65858, subdivision (f), a new interim ordinance is recommended to protect the public safety, health and welfare from the unregulated commercial cultivation of industrial hemp. There is currently no State plan approved at the federal level as required by the 2018 Farm Bill, there are currently no State adopted regulations pertaining to industrial hemp testing, sampling or destruction, and there is currently no guidance in the County's zoning ordinance concerning industrial hemp cultivation. As such, there is a current and immediate threat to the public health, safety, and welfare in that the unregulated establishment of industrial hemp cultivation in the unincorporated areas of Riverside County will result in land use conflicts.

Staff is recommending that the Board enact a temporary interim moratorium prohibiting all cultivation of industrial hemp so as to allow time to draft regulations in an amendment to the County's zoning ordinance. **Without a temporary moratorium in place, industrial hemp cultivation could be allowed by right, subject only to a registration from the Agricultural Commissioner, without a land use permit throughout Riverside County in any zone that allows field crops with no opportunity for the County to impose regulations or development standards.**

It should be noted that the action to place an interim moratorium requires a 4/5th vote from the Board of Supervisors. Under Government Code section 65858, the moratorium is 45 days, unless extended by the Board of Supervisors following a public hearing. Any extension is also subject to a 4/5ths vote from the Board. TLMA will work with County Counsel to expeditiously bring forward an Amendment to the Zoning Ordinance No. 348 to set regulations for Industrial Hemp Cultivation. It should be noted that the Ordinance Amendment will need to comply with CEQA and undergo a public review process before the Planning Commission before it is brought before the Board.

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Tiered Regulatory Structure

TLMA staff is recommending a tiered regulatory structure for all Industrial Hemp Cultivation, both commercial and research cultivation, in the A-2, A-P, and A-D zones as follows:

- Allow cultivation as a by-right agricultural product without a land use permit, on parcels greater than 20 acres and less than 100 acres. Craft development standards that call for setbacks, such as a minimum 300-foot setback to adjacent residential-zoned property, and 100-foot setbacks to other adjacent properties. This will allow Hemp Cultivation By-Right on larger parcels that are less likely to create impacts on adjacent residential neighbors.
- Allow cultivation with a Plot Plan, requiring Planning Director review and approval, including a noticed public hearing, on parcels between 10 and 20 acres. Require setbacks such as a minimum 300-foot setback to adjacent residential-zoned property, and 100-foot setbacks to other adjacent properties, or the provision of smaller setbacks in enclosed mixed-light commercial structures (greenhouses) with proper odor-filtering devices. This provides a public and CEQA review on these mid-size parcels that have a potential to impact adjacent residential zoned property.
- Allow cultivation with a Conditional Use Permit, requiring review and approval by the Planning Commission, including a noticed public hearing, on parcels smaller than 10 acres. Require enclosed mixed-light commercial structures (greenhouses) with proper odor-filtering devices, and other potential conditions of approval to mitigate other concerns that may arise out of the public hearing process.
- Allow cultivation with a Conditional Use Permit on parcels greater than 100 acres in size. This allows for Public and CEQA review on large scale commercial cultivation sites that have the potential to cause significant impacts to traffic, noise, and other factors.
- Not allow the extraction of CBD oil as part of any industrial hemp cultivation operation in any of these zones.
- Any property that is designated for industrial hemp cultivation within 600 – 1,000 feet of sensitive uses including residential-zoned property will be required to put a physical barrier that blocks the view of the operation.
- All hemp cultivation under the above framework would still require issuance of, and maintaining, an annual registration from the County Agricultural Commissioner.

Amending Ordinance No. 348 to include a proposed regulatory structure for industrial hemp cultivation would be done through a public review and hearing process before the Planning

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Commission before a recommendation is brought to the Board of Supervisors at a noticed public hearing. As part of this process, staff may determine that other zones may also be appropriate for industrial hemp cultivation. This process would allow all stakeholders to provide input in crafting the regulatory process.

California Environmental Quality Act (CEQA)

Urgency Interim Ordinance No. 449.250 is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15308 (actions taken as authorized by local ordinance to assure protection of the environment) and 15061(b)(3) ("common sense exemption", whereby there is no possibility the activity in question may have a significant effect on the environment). Ordinance No. 449.250 is exempt pursuant to CEQA 15308 because it is a regulatory action taken by the County pursuant to its police power and in accordance with Government Code 65858 to assure maintenance and protection of the environment pending the evaluation and adoption of contemplated local legislation, regulation, and policies; and it consists of a temporary prohibition on industrial hemp cultivation within the County, which is currently unregulated at the local level. As an interim ordinance preserving the status quo and prohibiting a new land use that might impact the environment, the ordinance is also exempt under section 15061(b)(3). There are no unusual circumstances under CEQA Guideline 15300.2(c) that would render either of these exemptions inappropriate. Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

Any future regulation of industrial hemp cultivation, if that is the policy direction of the Board, will be done as an amendment to Ordinance No. 348 and will be required to comply with CEQA.

Impact on Residents and Businesses

The Residents and businesses in the unincorporated areas of Riverside County will benefit from a tiered regulatory structure on cultivating industrial hemp because it will aid in mitigating negative impacts such as odor and other potential nuisance impacts.

Additional Fiscal Information

The Department has the capacity in its current budget to perform the tasks above and is not seeking additional NCC support.

Contract History and Price Reasonableness

N/A

ATTACHMENTS

ATTACHMENT A. - Ordinance No. 449.250

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STATE OF CALIFORNIA



Gregory V. Priaplos, Director County Counsel 5/14/2019

1 Agriculture to develop federal regulations for hemp farming, which will override state
2 regulatory programs containing less stringent requirements. As of the date of this
3 ordinance, California does not have a plan that has been approved by the United
4 States Secretary of Agriculture nor is there an approved federal plan.

5 C. Division 24. Industrial Hemp [81000-81010] of the Food and Agricultural Code
6 (hereafter "FAC"), which was enacted prior to the 2018 Farm Bill on January 1, 2017,
7 addresses the growing and cultivation of industrial hemp in California. It remains
8 unknown whether California will amend the FAC in the wake of federal review of its
9 hemp program under the 2018 Farm Bill.

10 D. On September 30, 2018, FAC Division 24. Industrial Hemp [81000-81010], also prior
11 to the federal adoption of the 2018 Farm Bill, was amended by Senate Bill 1409 to
12 remove restrictions on hemp farming methods and to specifically authorize the
13 tending of individual hemp plants, as opposed to requiring densely planted rows,
14 making it far more difficult for an observer to distinguish between a hemp farm and a
15 cannabis farm either on the ground or from the air. Neither the state nor federal
16 government currently provides any restrictions on the amount of acreage that can be
17 used for, or the total canopy size of, an industrial hemp cultivation site.

18 E. FAC Section 81001 creates and calls for the Industrial Hemp Advisory Board to
19 advise the California Secretary of Food and Agriculture and make recommendations
20 to the Secretary pertaining to the cultivation of industrial hemp, including but not
21 limited to, developing the requisite industrial hemp seed law and regulations,
22 enforcement, and the setting of an assessment rate. The Industrial Hemp Advisory
23 Board and California Department of Food and Agriculture are expected to implement
24 the requisite regulations allowing the cultivation of industrial hemp for commercial
25 purposes in 2019. Like the adoption and amendment of FAC 81000 et seq., these
26 regulations are being developed and adopted by the state without first vetting them
27 through the federal government as part of its compliance review of California's
28 regulatory program or plan under the 2018 Farm Bill, and it is unclear whether the

1 regulations, once adopted, will need to be further amended to meet federal compliance
2 requirements.

3 F. Under FAC Division 24, all commercial growers of industrial hemp must register with
4 the County Agricultural Commissioner prior to beginning cultivation. Registration
5 regulations were released by the California Department of Food and Agriculture on
6 April 25, 2019 in California Code of Regulations, Title 3, Division 4, Section 4900.

7 G. The California Department of Food and Agriculture's Industrial Hemp "Frequently
8 Asked Questions" website, provides information regarding registration with county
9 agricultural commissioners for commercial cultivation of industrial hemp but also
10 recognizes that such cultivation may be subject to additional local restrictions from
11 local jurisdictions.

12 H. FAC Section 81006, subdivision (d)(1) requires registrants that grow industrial hemp
13 to obtain a laboratory test report indicating the tetrahydrocannabinol (THC) content
14 levels prior to harvest. While the California Department of Food and Agriculture has
15 released the registration regulation, it has not yet released regulations pertaining to
16 industrial hemp testing and sampling.

17 I. "Industrial hemp" is defined under FAC Section 81000 and Health and Safety Code
18 section 11018.5 as "a crop that is limited to types of the plant *Cannabis sativa* L.
19 having no more than three-tenths of 1 percent tetrahydrocannabinol (THC) contained
20 in the dried flowering tops, whether growing or not; the seeds of the plant; the resin
21 extracted from any part of the plant; and every compound, manufacture, salt,
22 derivative, mixture, or preparation of the plant, its seeds or resin produced therefrom."

23 J. FAC Section 81000 expressly exempts industrial hemp from regulation under
24 Division 10 (commencing with Section 26000) of the Business and Professions Code
25 (the Medicinal and Adult-Use Cannabis Regulation and Safety Act), so industrial
26 hemp is not subject to the same regulatory provisions as cannabis.

27 K. "Cannabis" is defined under the Medicinal and Adult-Use Cannabis Regulation and
28 Safety Act (MAUCRSA) codified at Business and Professions Code section 26001 as

1 "all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis
2 ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or
3 purified, extracted from any part of the plant; and every compound, manufacture, salt,
4 derivative, mixture, or preparation of the plant, its seeds, or resin... 'cannabis' does
5 not mean 'industrial hemp' as defined by Section 11018.5 of the Health and Safety
6 Code."

7 L. Industrial hemp and cannabis are differentiated by definition in state law, with a major
8 difference being industrial hemp may not contain more than 0.3%
9 tetrahydrocannabinol (THC). However, industrial hemp and cannabis are derivatives
10 of the same plant, cannabis sativa L., and the appearance of industrial hemp and
11 cannabis are virtually indistinguishable. Absent a laboratory performed chemical
12 analysis for THC content, the two plants cannot be distinguished. This makes it
13 nearly impossible for law enforcement or the County Code Enforcement Department
14 to independently distinguish between "hemp" and "cannabis" without entering the
15 property and collecting samples for testing, thereby hampering civil and criminal
16 enforcement of the County's current cannabis regulatory program, County ordinances
17 related thereto, and state and federal law. A grower who fails to qualify at the state or
18 local level for permits to cultivate cannabis might be incentivized by the similarity
19 between the plants and the comparatively less restrictive hemp laws to cultivate illegal
20 cannabis disguised as industrial hemp, thereby increasing the likelihood of criminal
21 activity, nuisances and danger to health, safety, and the environment.

22 M. Industrial hemp cultivation creates a pungent seasonal odor that is similar in type and
23 intensity to the pungent seasonal odor created by cannabis cultivation. Failure to
24 prohibit industrial hemp or to regulate the location and size of industrial hemp
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26 neighborhoods.

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1 plants, which destroys the cannabis plants. Further study is required to determine if a
2 distance can be established between a cannabis farm and a hemp farm that would
3 adequately buffer the respective farms against harmful cross-pollination.

4 O. On October 23, 2018, the Board of Supervisors adopted a comprehensive local
5 program to conditionally permit and regulate commercial cannabis businesses and
6 activities, including commercial cannabis cultivation, which is reflected in Ordinance
7 No. 348.4898. The Board of Supervisors has a strong interest in ensuring that its
8 comprehensive local program for commercial cannabis is successful, that the potential
9 nuisance impacts of commercial cannabis activities are properly mitigated, and that
10 the unpermitted commercial cannabis activities are actively enforced against.

11 P. The County Agricultural Commissioner and the County Planning Department have
12 recently received requests to register both commercial and "research" hemp
13 cultivation sites.

14 Q. There is an urgent need for County staff to assess the potential local impacts of
15 industrial hemp cultivated commercially and to explore the feasibility of developing
16 reasonable regulatory options relating thereto. Allowing the commercial cultivation
17 of industrial hemp prior to studying whether or not its nuisance potential can be
18 mitigated through reasonable regulations creates an current and immediate threat to
19 the public health, safety and/or welfare of the citizens of Riverside County. Allowing
20 the cultivation of industrial hemp, particularly prior to the adoption of reasonable
21 regulations at the state level and local level, if any, may result in violations of the
22 County's comprehensive local program to conditionally permit and regulate
23 commercial cannabis businesses and activities, evasion of Board of Supervisors
24 Policy No. B-9 regarding commercial cannabis activities, interference with the
25 County's ability to effectively regulate land use, and may be harmful to the welfare of
26 the County and its residents, create a public nuisance, and threaten existing
27 agricultural and other land uses and nearby property owners.

28 R. Riverside County has a compelling interest in protecting the public health, safety, and

1 welfare of its residents and businesses, and in preventing the establishment of
2 nuisances through the cultivation of industrial hemp.

3 S. In February 2018, the Board of Supervisors adopted urgency interim Ordinance No.
4 449.248, declaring a temporary moratorium on the cultivation of industrial hemp by
5 "Established Agricultural Research Institutions" within the unincorporated areas of
6 the County. The temporary moratorium in Ordinance No. 449.248 was then extended
7 by Ordinance No. 449.249 but then expired on February 11, 2019. At the time of
8 adoption of Ordinance Nos. 449.248 and 449.249, hemp and the
9 tetrahydrocannabinols in hemp were listed as prohibited controlled substances and
10 commercial cultivation of industrial hemp was prohibited under state and federal law
11 so there was no need to prohibit under local ordinances. The 2018 Farm Bill at the
12 federal level and Senate Bill 1409 at the state level removed restrictions on the
13 cultivation of hemp but do not preempt local regulations at the County level.

14 T. Now, pursuant to the authority under Government Code section 65858, subdivision
15 (f), a new interim ordinance is necessary to protect the public safety, health and
16 welfare from the unregulated commercial cultivation of industrial hemp. There is
17 currently no state plan approved at the federal level as required by the 2018 Farm Bill,
18 there are currently no state adopted regulations pertaining to industrial hemp testing,
19 sampling or destruction, and there is currently no guidance in the County's zoning
20 ordinance, Ordinance No. 348 concerning industrial hemp cultivation. As such, there
21 is a current and immediate threat to the public health, safety, and welfare in that the
22 establishment of industrial hemp cultivation in the unincorporated areas of Riverside
23 County will result in land uses and land developments that may conflict with the
24 County's ordinances and General Plan.

25 U. In order to ensure the effective implementation of the County of Riverside's land use
26 objectives and policies, a temporary moratorium on the establishment and/or approval
27 of industrial hemp cultivation is necessary.

28 V. There is no feasible alternative to enactment of this moratorium ordinance that will

1 satisfactorily mitigate or avoid the previously identified impacts to the public health,
2 safety and welfare with a less burdensome or restrictive effect.

3 W. This ordinance complies with State law and imposes reasonable regulations that the
4 Board of Supervisors concludes are necessary to protect the public safety, health and
5 welfare of residents and business within the County.

6 Section 3. CULTIVATION OF INDUSTRIAL HEMP PROHIBITED.

- 7 A. During the term of this interim ordinance, including any extensions hereto, no
8 person or entity shall grow industrial hemp for any purposes within the
9 unincorporated areas of Riverside County and no County permit, registration or
10 approval of any type shall be issued therefor.
- 11 B. Cultivation of industrial hemp in violation of the prohibitions articulated in this
12 interim ordinance constitutes a public nuisance and violations may be enforced and
13 abated in the same manner as prohibited cannabis cultivation is enforced under
14 Ordinance Nos. 725 and 925, the provisions of which are hereby incorporated by
15 reference as applying equally to violations of this ordinance, and by any other
16 means available by law.
- 17 C. No industrial hemp cultivation shall be deemed an “agricultural crop” or
18 “agricultural cultivation” for purposes of Ordinance No. 348 or an “agricultural
19 activity, operation, or facility, or appurtenances thereof” for purposes of Ordinance
20 No. 625.
- 21 D. This section is cumulative to all other remedies now or hereafter available to abate
22 or otherwise regulate or prevent public nuisances or to enforce the provisions of the
23 Ordinances of the County of Riverside.
- 24 E. The prohibitions in this ordinance shall only apply to land in the unincorporated
25 area subject to the County’s land use jurisdiction under Section 18.2.a. of
26 Ordinance No. 348.

27 Section 4. DECLARATION OF URGENCY. Based on the findings set forth in

28 Section 2, this ordinance is declared to be an urgency ordinance that shall be effective immediately upon

1 adoption by the Board of Supervisors.

2 Section 5. SEVERABILITY. If any provision, clause, sentence or paragraph of this
3 ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity
4 shall not affect the other provisions of this ordinance which can be given effect without the invalid
5 provision or application, and to this end, the provisions of this ordinance are hereby declared to be
6 severable.

7 Section 6. CONFLICTING LAWS. For the term of this ordinance, as set forth in
8 Section 7 below, the provisions of this ordinance shall govern. To the extent that there is any conflict
9 between the provisions of this ordinance and the provisions of any other County ordinance, resolution or
10 policy, all such conflicting provisions shall be suspended.

11 Section 7. EFFECTIVE DATE AND TERM. This urgency interim ordinance shall
12 become effective immediately after it is adopted by the Board of Supervisors and shall remain in effect
13 for forty-five (45) days from its adoption. This urgency interim ordinance may be extended in accordance
14 with Government Code Section 65858.

15 BOARD OF SUPERVISORS OF THE COUNTY
16 OF RIVERSIDE, STATE OF CALIFORNIA

17 By: _____

18 Chairman

19 ATTEST:

20 CLERK OF THE BOARD:

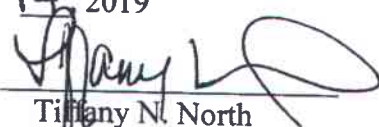
21 By: _____

22 Deputy

23 (SEAL)

24 APPROVED AS TO FORM

25 May 14, 2019

26 By: 
27 Tiffany N. North
28 Assistant County Counsel

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: CHARLES NELSON
CAMARILLO CA 93010

Address: 724 CAVE PEC MONTE
(only if follow-up mail response requested)

City: CAMARILLO **Zip:** 93010

Phone #: 805-312-1823

Date: 5/21/19 **Agenda #** 3.28

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support **Oppose** **Neutral**

I give my 3 minutes to: _____

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium);
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Stan McNaughton

Address: 57591 Santa Rosa Trail
(only if follow-up mail response requested)

City: La Quinta **Zip:** 92253

Phone #: 949-374-8830 3.28

Date: 5-21-19 **Agenda #:** 32.8

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak



Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Stan McNaughton

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: _____ **Agenda #** 3.21

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

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I give my 3 minutes to: _____

✓

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Robert ~~Winkler~~
Winkler

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: 6-4-19 **Agenda #** 3.21

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** X **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Notice of Adoption - Ordinance No. 348.4931 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12/09/2020

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: December 09, 2020
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011429282-01

P.O. Number:

Ad Copy:

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

SUMMARY OF ORDINANCE NO. 348.4931 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 348 RELATING TO ZONING

This summary is presented pursuant to California Government Code Section 25124(b): a certified copy of the full text of Ordinance No. 348.4931 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street, 1st Floor, Riverside, California.

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V. Manuel Perez, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **November 10, 2020**, the foregoing Ordinance consisting of two (24) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
RECUSE: None

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

Press-Enterprise: 12/09

TRMA / Planning
Item 21-1 of 11/10/20



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1ST FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

December 03, 2020

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

E-MAIL: legals@thedesertsun.com
TEL: (760)778-4578

RE: ADOPTION OF ORDINANCE NO. 348.4931

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **(1) TIME** on **Wednesday, December 09, 2020**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Hannah Lumanauw

Board Assistant to:
KECIA R. HARPER, CLERK OF THE BOARD

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

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NAYS: None
RECUSE: None

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

December 03, 2020

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
FAX: 951-368-9018

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RECUSE: None

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant



PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST
RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

12/09/2020

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.. Executed on this 9th of December 2020 in Green Bay, WI, County of Brown.

[Handwritten signature of Dana Hanitz]
DECLARANT

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

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NAYS: None
RECUSE: None

Kecia R. Harper, Clerk of the Board
By Hannah Lumanauw, Board Assistant

Pub: December 9, 2020

TRMA/Planning
Item 21.1 of 11/10/20

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

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NAYS: None
RECUSE: None

Kecia R. Harper, Clerk of the Board
By Hannah Lumanauw, Board Assistant

Pub: December 9, 2020

2020 DEC 22 AM 11:20
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Gannett Co., Inc.
435 E Walnut St
Green Bay, WI 54301

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FIRST CLASS



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KRE-SMB 92501





PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST
RIVERSIDE CA 92501

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[Handwritten signature of Jana Kanitz]
DECLARANT

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

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Kecia R. Harper, Clerk of the Board
By Hannah Lumanauw, Board Assistant

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NAYS: None
RECUSE: None

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By Hannah Lumanauw, Board Assistant

Pub: December 9, 2020

TRMA/Planning
Item 21.1 of 11/10/20

2020 DEC 22 AM 11:20
CLERK / BOARD OF SUPERVISORS

GANNETT

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435 E Walnut St
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U.S. POSTAGE >> PITNEY BOWES



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PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Notice of Adoption - Ordinance No. 348.4931 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12/09/2020

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: December 09, 2020
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011429282-01

P.O. Number:

Ad Copy:

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

SUMMARY OF ORDINANCE NO. 348.4931 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 348 RELATING TO ZONING

This summary is presented pursuant to California Government Code Section 25124(b): a certified copy of the full text of Ordinance No. 348.4931 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street, 1st Floor, Riverside, California.

Ordinance No. 348.4931 is a countywide ordinance adding a new Article XIXm to Riverside County Ordinance No. 348 that establishes land use permitting requirements, operating requirements, development standards and approval requirements for industrial hemp cultivation and manufacturing activities within the unincorporated area of Riverside County. Permitting requirements and development standards include, among others, setbacks, conservation measures and lot size. Ordinance No. 348.4931 establishes where industrial hemp activities are prohibited and where they may operate within the County of Riverside. The adopted Ordinance No. 348.4931 included within the prohibited area the Sage community and lots zoned R-R or R-A which do not receive water from a water purveyor or have a permitted existing in-ground well. Ordinance No. 348.4931 also establishes a two year grandfather period for outdoor industrial hemp cultivation legally operating in specific zone classifications. Ordinance No. 348.4931 also adds definitions related to industrial hemp activities to Ordinance No. 348. Ordinance No. 348.4931 will take effect 30 days after the date of this summary publication.

V. Manuel Perez, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **November 10, 2020**, the foregoing Ordinance consisting of two (24) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
RECUSE: None

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

Press-Enterprise: 12/09

TMA / Planning
Item 21-1 of 11/10/20



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1ST FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

December 03, 2020

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

E-MAIL: legals@thedesertsun.com
TEL: (760)778-4578

RE: ADOPTION OF ORDINANCE NO. 348.4931

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **(1) TIME** on **Wednesday, December 09, 2020**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Hannah Lumanauw

Board Assistant to:
KECIA R. HARPER, CLERK OF THE BOARD

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

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Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant



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CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

December 03, 2020

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
FAX: 951-368-9018

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RECUSE: None

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

11:40

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: STEVEN KLEEMAN

Address: 54420 AV. VALLEJO

City: LA QUINTA Zip: 92253

Phone #: (760) 420-1116

Date: 11/10/2020 Agenda # 21.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

4 min

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium). Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Claude Truong

Address: 31046 Wadsworth Ave

City: Alhambra Zip: 92567

Phone #: 951 274234

Date: 11-10-20 Agenda # 21.1
348

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Louis Munoz

Address: 30545 10th St

City: Nuevo Zip: 92567

Phone #: 951-257-4027

Date: 10-10-20 Agenda # 21.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support Oppose Neutral

I give my 3 minutes to: Claude Trost

11:45

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Ms Miller

Address: P.O. Box 1341

City: Wildomar Zip: 92531

Phone #: _____

Date: _____ Agenda # 21.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ Support _____ Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

11:48

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: ESTHER MENDOZA

Address: BUS 45 10th

City: NOVATO Zip: 92567

Phone #: 9513

Date: 11/10/20 Agenda # 21.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support Oppose Neutral

I give my 3 minutes to: _____

11:50

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Charles DACUS

Address: 41075 Mark Trl.

City: HEMET Zip: 92544

Phone #: 903 272 6703

Date: Nov 10 2020 Agenda # 211

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support X Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support X Oppose Neutral

I give my 3 minutes to: [Signature]

Has 2 donations

lemons

11:53

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Bill Donahue

Address: 39695 FREETAG Rd

City: SAGE Zip: 92544

Phone #: 951-288-0903

Date: 11-10-20 Agenda # 21.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

Donation of Time

Riverside County Board of Supervisors
Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: ~~BIL~~ CAROLINE COLLINS

Address: 41225 SYCAMORE SPRINGS RD

City: HEOMET Zip: 92544

Phone #: 951 541 4822

Date: 11/10/20 Agenda # 21.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support Oppose Neutral

I give my 3 minutes to: BILL DONAHUE

Donation

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Mary Burke

Address: 34575 Sycamore Springs Rd.

City: Sage Zip: 92544

Phone #: 951-767-1260

Date: Nov. 10, '20 Agenda # 21.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support Oppose Neutral

I give my 3 minutes to: Bill Donahue

Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Ms. Moller

Address: hempowermovie@gmail

City: what about the zip: the

Phone #: Evaporation

Date: provided by Agenda # Hemp

PLEASE STATE YOUR POSITION BELOW: Plants

Position on "Regular" (non-appealed) Agenda Item:

 Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support Oppose Neutral

I give my 3 minutes to: _____