

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



ITEM: 21.1
(ID # 21218)

MEETING DATE:

Tuesday, March 14, 2023

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Public Hearing - CHANGE OF ZONE NO. 2100128 - Exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) (Common Sense Exemption) - Applicant: County of Riverside - All Supervisorial Districts - Location: Countywide - REQUEST: Ordinance No. 348.4997 in conjunction with Change of Zone No. 2100128 (Land Use) is an amendment to the County's Land Use Ordinance, Ordinance No. 348, to amend the following: (1) Section 18.18, Detached Accessory Buildings and Structures, (2) Section 18.12, Off-Street Vehicle Parking, (3) Article XIXh, Commercial Cannabis Activities, and (4) Article XXI, Definitions. Amendments to Section 18.18, Detached Accessory Buildings and Structures, include the following: clarifying applicability of the section and amending rear yard setbacks, front lot line setbacks, and building height of detached accessory buildings and structures. Amendments to Section 18.12, Off-Street Vehicle Parking, increases the parking requirements for Cannabis Retailers or Cannabis Microbusiness Facilities engaged as a Cannabis Retailer to a 15 space minimum. Amendments to Article XIXh, Commercial Cannabis Activities, include the following: clarifying and streamlining certain provisions for internal consistency and compliance with state law; amending and clarifying certain permit requirements, setbacks, location/zoning requirements, development standards, operating requirements, enforcement, permit expiration, and permit revocation; allowing Cannabis Retailers in the Mixed Use Zone; and incorporating Board of Supervisors Policy F7 – Cannabis Retailers within a Commercial Retail Corridor within Ordinance No. 348. Amendments to Article XXI, Definitions, include additions and revisions the Commercial Cannabis Activity definitions in accordance with state law and the above-described changes. All Districts. [\$12,000 Total Cost - NCC 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

Continued on Page 2

ACTION:Policy


John H. Dalmond, Planning Director

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as amended to include additional wording to Ordinance 348 to read "must apply to the state within 60 days of receiving their CUP and bring back for revocation abilities;" and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Jeffries, Spiegel, Washington, Perez, and Gutierrez

Nays: None

Absent: None

Date: March 14, 2023

xc: Planning, COBAB

Kimberly A. Rector
Clerk of the Board

By: 
Deputy

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RECOMMENDED MOTION: That the Board of Supervisors:

- 1) **FIND** that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), Section 15061(b)(3) (Common Sense Exemption) based on the findings and conclusions in the staff report;
- 2) **CONDUCT a public hearing and INTRODUCE, read title, waive further reading of, and adopt on successive weeks ORDINANCE NO. 348.4997**, in conjunction with **CHANGE OF ZONE NO. 2100128**, an amendment to **Ordinance No. 348 (Land Use)**, updating Section 18.18, Detached Accessory Buildings and Structures, Section 18.12, Off-Street Vehicle Parking, Article XIXh, Commercial Cannabis Activities, and Article XXI, Definitions, based upon the findings and conclusions provided in the staff report, and
- 3) **RESCIND** Board of Supervisor’s Policy F-7 Cannabis Retailers within a Commercial Corridor based on its incorporation in Ordinance No. 348.4997.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$12,000	\$0	\$12,000	\$0
NET COUNTY COST	\$12,000	\$0	\$12,000	\$0
SOURCE OF FUNDS: County Initiated / NCC 100%			Budget Adjustment: No	
			For Fiscal Year: 2022 / 2023	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Ordinance No. 348.4997, in conjunction with Change of Zone No. 2100128, is an amendment to the County’s Land Use Ordinance, Ordinance No. 348, to amend the following: (1) Section 18.18, Detached Accessory Buildings and Structures, (2) Section 18.12, Off-Street Vehicle Parking, (3) Article XIXh, Commercial Cannabis Activities, and (4) Article XXI, Definitions.

Since the adoption of Article XIXh, Commercial Cannabis Activities, within Ordinance No. 348 (Land Use), the County has undergone several amendments to this Article, as a result of gaining experience processing Cannabis applications and at the request of the development community.

This amendment includes multiple changes resulting from two separate Board of Supervisor initiations, as well as integration of best practices, and inclusion of cleanup provisions to align with State law. The following summarizes the major changes to Ordinance No. 348.

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Supervisor Karen Spiegel's Initiation to amend Ordinance No. 348:

Supervisor Karen Spiegel requested a revision to the minimum parking standards for Cannabis Retailers. Through analysis of other jurisdiction's Cannabis parking regulations and observations of operating Cannabis Retailers, there is a recognition that Cannabis Retail facilities should be providing a greater number of parking spaces, than a standard retail business. This is due to a higher turnover rate of vehicle traffic. As a result, amendments to the parking standards for Cannabis Retailers and Microbusinesses with a retail component are proposed as follows:

Parking Standards:

Proposed revision: Section 18.12: For Cannabis Retailers or Microbusinesses with a retail component, the parking standards are now to include a minimum of 15 parking spaces OR 1 parking space per 200 sq. ft. of building area, whichever is greater. With this new standard, it will require a minimum number of 15 parking spaces as the starting point for all retail Cannabis facilities and the spaces are required to be located onsite.

Supervisor Kevin Jeffries' Initiation to amend Ordinance No. 348:

Supervisor Kevin Jeffries requested that staff further address an "in-operation" issue related to Cannabis facilities. As of the time this staff report was prepared, the County has approved 23 separate Conditional Use Permits for Cannabis businesses, with a majority of them being retail. To date, there are 7 open Cannabis facilities, Countywide. Due to the existing separation requirement of 1,000 feet between Cannabis Retailers, when a facility does not open, it precludes another facility from locating nearby. The unopened business effectively shuts out another business's opportunity to operate and takes up valuable commercial space. As a result, it is proposed to require that an approved Cannabis facility be in-operation in accordance with the following:

In-Operation Timeframe:

Proposed revision: Section 19.525.A.6 (MODIFICATION OR REVOCATION OF PERMITS FOR COMMERCIAL CANNABIS ACTIVITIES): "The Board of Supervisors shall have the authority to modify or revoke a previously granted conditional use permit for Commercial Cannabis Activity upon finding that one or more of the following conditions exist:

1. The use is detrimental to the public health, safety or general welfare.
2. The use is a public nuisance.
3. The permit was obtained by fraud or perjured testimony.
4. The use is being conducted in violation of the conditions of approval or advisory notification document.
5. The use for which the permit was granted has ceased or has been suspended for one year or more.
6. *Certificate of Occupancy has not been obtained for the approved Commercial Cannabis Activity within two (2) years of obtaining an approved conditional use permit for the Commercial Cannabis Activity. The Planning Director has the discretion to allow up to three (3) extensions of one (1) year each based on a*

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showing by the permittee of a good faith intent to commence the use. The Planning Director's extensions are not subject to a public hearing."

This new provision gives the County the opportunity to revoke due to non-performance, but also maintains flexibility if the operator is making good faith efforts towards occupancy. Also, Section 19.525 was further revised to include additional language clarifying the process for revocation of a Cannabis Conditional Use Permit, including: the specific reasons / findings (including occupancy within 2 years), revocation authority, and the process for noticing and hearing.

Permit expiration:

Proposed revision: Section 19.507 (PERMIT EXPIRATION AND REQUEST FOR RENEWAL AFTER EXPIRATION). All conditional use permits granted for a Commercial Cannabis Activity shall expire and become null and void as provided in each permit's conditions of approval and development agreement.

This revised provision clarifies that the terms of the development agreement control the expiration of the conditional use permit for Commercial Cannabis Activities.

Code Enforcement's Request to amend Ordinance No. 348:

The Code Enforcement Department requested the Cannabis section of Ordinance No. 348 be amended to include additional provisions and penalties that address unpermitted Cannabis operators. Should a property owner be cited for operating an unpermitted Cannabis business, the following would apply:

Eligibility Requirements / Verified Violations:

New provision: Section 19.505.H.1: "Permits for Commercial Cannabis Activity shall not be granted for a period of two (2) years for properties on which the County has verified a recent Cannabis related violation. The two (2) year period commences upon resolution of the recent Cannabis related violation."

New provision: Section 19.505.H.2: Cannabis related violations subject to this provision include one or more of the following periods of time:

- "a. Within the twelve (12) months prior to submission of an application for a Commercial Cannabis Activity described by this Article; or
- b Anytime after submission of an application for and up to approval of a Commercial Cannabis Activity described by this Article."

However, the new Section 19.505.H.3 also provides an opportunity for approval of certain conditional use permits upon Planning Director approval, subject to the following:

New provision: Section 19.505.H.3: "The Planning Director may waive this penalty for good cause as may be demonstrated by the property owner(s). A property owner's demonstration of good cause may include, but is not limited to, providing sufficient evidence to show the current

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property owner(s) did not own the property nor have any involvement with the verified Cannabis related violation on the property or other good faith effort to comply with the County's ordinance."

General Ordinance Changes:

The following set of additional changes are clean-up items that provide clarity to Article XIXh, Commercial Cannabis Activities of Ordinance No. 348, reinforce State laws, and implement best practices. They are discussed and summarized below:

- 1) Floor Plan: Current provisions requires a physical barrier / wall between the cannabis retail lobby area and the shopping area. This is being removed to allow more flexibility in how the internal space is designed. In all retail Cannabis facilities however, some sort of kiosk / check-in area is required.
- 2) Signage / Lighting: Current provisions do not allow for illuminated wall signs if you are a cannabis facility. No lighted signs are allowed. This restriction is being removed and now the business just follows the County's standard signage requirements for a commercial business, which includes lighted signs.
- 3) Mixed Use Zones: Currently, retail cannabis facilities are not allowed in a Mixed Use Zone. This is being revised to allow retailers and microbusiness to locate in a Mixed Use Zone, subject to the same permitting process as every other zone.
- 4) Manufacturing in Commercial Zones: Under the State Department of Cannabis Control (DCC), there are multiple types of Cannabis Manufacturing licenses. Type N Manufacturing allows for infusion of certain oils and other product addons. Type P Manufacturing is related to packaging or repackaging of products. Both types of manufacturing have negligible impacts and are proposed to be allowed in commercial zones (C-1/C-P, C-P-S, and M-U), rather than ONLY industrial zones. You would typically find these activities coupled with a microbusiness. All other types of manufacturing, including the volatile extraction process, remain only allowed in an industrial zone.
- 5) BOS Policy F-7 – Cannabis Retailers within a Commercial Retail Corridor: A previous refinement of the Cannabis location requirements, was added through Board of Supervisors Policy F-7 rather than an amendment to the Ordinance. This policy overrides the 1,000 ft. separation requirement between Cannabis Retailers and allows for "clustering" of Cannabis Retailers within a half-mile of a freeway, subject to certain the concentration thresholds within the Census Tract. This policy is effective today and is being carried over to the Ordinance, rather than remaining as a policy. With this carry-over, we are requesting to rescind the Policy, as it will no longer be necessary.
- 6) Cultivation Energy Reduction (State Law Expansion): Section 19.511.G. states a requirement for a 20% reduction in energy demand for cannabis cultivation facilities

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located indoors. The 20% reduction language has been modified to simply reflect compliance with new State cannabis cultivation energy requirements and the County's Climate Action Plan (CPA).

- 7) Distribution vs. Delivery vs. Transport License Types: These three separate activity types include updated definitions to more closely reflect State law and explicitly distinguish between each other.
- a. Distribution is the procurement, sale, and transport of Cannabis and Cannabis Products between Commercial Cannabis Activity licenses. A Distribution license is also required for Cultivators in order to move their product from place of origin to a manufacturing facility.
 - b. Delivery is the commercial transfer of Cannabis or Cannabis Products from a Cannabis Retailer or Cannabis Microbusiness engaged as a Cannabis Retailer with an approved conditional use permit and Type 9 State License, up to an amount allowed by the State of California Department of Cannabis Control, to a primary caregiver, qualified patient, or customer at a physical address in California in compliance with all State laws and regulations.
 - c. Transport is a more generic term related to just the physical movement of Cannabis or Cannabis Products. This term is being removed from the ordinance and is replaced with either Distribution or Delivery, depending upon the activity.

Other revisions to Ordinance No. 348: In addition to the revisions proposed for Article XIXh, Commercial Cannabis Activities, this amendment to Ordinance No. 348 also includes amendments to Section 18.18, Detached Accessory Buildings and Structures, include the following: clarifying applicability of the section and amending rear yard setbacks, front lot line setbacks, and building height of detached accessory buildings and structures.

Environmental Determination

Change of Zone No. 2100128 and the associated amendment to Ordinance No. 348 has been determined to be 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 project includes amending certain provisions to the existing Cannabis regulations, located within Ordinance No. 348 (Land Use). No new construction is proposed in conjunction with this amendment, and it is limited to Ordinance text changes only. The general nature of changes includes establishing greater enforcement provisions, new performance measures, consistency with State law, and integration of best practices with updates to regulations and operations. All future cannabis related developments would continue to be evaluated under CEQA. Project-specific analysis as to any impacts would

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be speculative at this time. This ordinance amendment will not cause a significant impact to the environment.

Airport Land Use Commission (ALUC):

This is a County-wide proposed amendment to Ordinance No. 348 and as such, requires review and determination of consistency by the Airport Land Use Commission (ALUC). This project was transmitted to ALUC who subsequently provided a determination letter under File No. ZAP1068RG23, dated January 19, 2023, finding the proposed amendment to Ordinance No. 348 consistent with all Riverside County Airport Land Use Compatibility Plans.

Impact on Residents and Businesses

Due to ongoing changes at the State level and coupled with implementing best practices, provisions within the Cannabis section of Ordinance No. 348 (Land Use) have been updated. Impacts to residents will be negligible, as the new provisions result in additional enforcement and performance standards. Impacts to businesses will be positive, through the update and removal of certain provisions that created barriers to market.

Additional Fiscal Information

This project is an amendment to Ordinance No. 348 (Land Use) and was initiated by the Board of Supervisors. The project is paid for through the County's General Funds and is a one-time cost, during fiscal years 22/23.

EXHIBITS:

- 1) Ordinance No. 348 – Article XIXh Commercial Cannabis Activities (Redline)
- 2) Ordinance No. 348 – Article XIXh Commercial Cannabis Activities (Clean)
- 3) Board Policy F-7
- 4) Planning Commission Report – February 1st, 2023
- 5) Airport Land Use Commission Determination (ALUC)
- 6) Notice of Exemption (NOE)



Jason Farin, Principal Management Analyst 3/7/2023



Aaron Gettis, Deputy County Counsel 3/2/2023

1 or structures of a lot equal or exceed five thousand (5,000)
2 square feet. Said determination of potential environmental
3 concerns shall be made by the Planning Director and is within
4 his or her sole discretion.

- 5 b. If a plot plan is required for a detached accessory building or
6 structure, a public hearing shall be held in accordance with Section
7 18.30 of this ordinance and the plot plan shall only be approved if it
8 complies with the requirements of this Section and the requirements
9 of Section 18.30 of this ordinance.

10 3. DEVELOPMENT STANDARDS.

11 In addition to the development standards of the applicable zone, a detached
12 accessory building or structure shall comply with the following:

- 13 a. Where a rear yard is required by this ordinance, a detached accessory
14 building or structure shall not be less than the requirement of the
15 zone.
- 16 b. In areas of altitudes above four thousand (4,000) feet, a detached
17 accessory building or structure may be constructed in accordance with
18 the same building setback line as is required for a one family dwelling
19 on the same lot.
- 20 c. Detached accessory buildings or structures shall not be located closer
21 to the front lot line than the principal dwelling on the same lot, except
22 the Planning Director may, based on a determination that this
23 standard is infeasible for the lot, allow detached accessory buildings
24 or structures to be setback a minimum of 25 feet from the front lot
25 line
- 26 d. No detached accessory building shall be nearer to the one family
27 dwelling, or other building or structure than is permitted by
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1 Ordinance No. 457 and Ordinance No 787.

- 2 e. The building height of a detached accessory building or structure
3 shall not exceed two stories or forty feet, unless a greater height is
4 approved pursuant to Section 18.34. of this ordinance.
- 5 f. Bare metal buildings and structures without paint or exterior
6 architectural coatings or treatments shall not be located on a lot one
7 (1) acre or smaller.
- 8 g. No final inspection shall be performed for the detached accessory
9 building or structure until a final inspection has been performed for
10 the one family dwelling on the same lot.
- 11 h. No detached accessory building or structure shall be rented or leased,
12 or offered for rent or lease, unless the one family dwelling on the lot
13 is also being rented or leased, or offered for rent or lease, to the same
14 renter or lessee.
- 15 i. No detached accessory building or structure shall be used for
16 overnight accommodations.
- 17 j. No detached accessory building or structure shall contain a kitchen.
- 18 k. Any detached accessory building or structure must have the same lot
19 access as the one family dwelling on the lot. No additional curb cuts,
20 rear access or any other type of access is allowed to the detached
21 accessory building or structure except as may be authorized by the
22 Transportation Department through the issuance of an encroachment
23 permit.
- 24 l. A detached accessory building or structure shall be compatible with
25 the architecture of the one family dwelling and consistent with the
26 character of the surrounding neighborhood.
- 27 m. Notwithstanding the above, in areas of altitudes below four (4,000)
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1 thousand feet and where the slope of the front twenty (20) feet of the
 2 lot is greater than one (1) foot rise or fall in a seven (7) foot run from
 3 the established street elevation, or where the frontage of the lot is
 4 more than four (4) feet above or below such established street
 5 elevation, a private garage may be built to the front or side lot lines if
 6 the placement of the building or structure or the design of the building
 7 or structure prevents vehicles directly exiting or entering onto the
 8 adjacent roadway; however, in areas of altitudes above four thousand
 9 (4,000) feet and where the slope of the front twenty (20) feet of a lot
 10 is greater than one (1) foot rise or fall in a seven (7)foot run from the
 11 established street elevation, or where the frontage of the lot is more
 12 than four (4) feet above or below such established street elevation, a
 13 private garage or carport may be built to the front or side lot lines.”

14 Section 3. The “Commercial Cannabis Activities” table in Section 18.12.A.2.b. of Ordinance
 15 No. 348 is amended to read as follows:

COMMERCIAL CANNABIS ACTIVITIES	PER SQUARE FOOT OR UNIT	PER EMPLOYEE	OTHER CRITERIA	FOR VEHICLE STACKING
Indoor Cannabis Cultivation		2 spaces/ 3 employees		
Mixed Light Cannabis Cultivation		2 spaces/ 3 employees		
Cannabis Wholesale Nursery		1 space/ 2 employees		
Cannabis Distribution Facility		2 spaces/ 3 employees of largest shift		
Cannabis Manufacturing Facility		2 spaces/ 3 employees of largest shift		
Cannabis Testing Facility		2 spaces/ 3 employees of largest shift		

Cannabis Retailer	15 spaces or 1 space/200 sq. ft. of gross floor area, whichever is greater			
Cannabis Microbusiness Facility engaged as a Cannabis Retailer	15 spaces or 1 space/200 sq. ft. of gross floor area, whichever is greater			
Cannabis microbusiness Facility not engaged as a Cannabis Retailer		2 spaces/ 3 employees		

Section 4. Article XIXh of Ordinance No. 348 is amended in its entirety to read as follows:

Article XIXh COMMERCIAL CANNABIS ACTIVITIES

SECTION 19.500. PURPOSE AND INTENT.

The purpose of this Article is to protect the public health, safety, and welfare, enact strong and 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 Commercial Cannabis Activities. Commercial Cannabis Activities includes Cannabis Cultivation, Cannabis Wholesale Nursery, Cannabis Manufacturing Facility, Cannabis Testing Facility, Cannabis Retailer, and Cannabis Distribution Facility, including Medicinal Cannabis and Adult-Use Cannabis. Commercial Cannabis Activities require land use regulations due to the unique State legal constraints on Cannabis activity, and the potential environmental and social impacts associated with Cannabis activity.

SECTION 19.501. PROHIBITED ACTIVITIES.

- A. Any Commercial Cannabis Activity that is not expressly provided for in both an approved conditional use permit and a valid Cannabis license issued by the State 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

1 to civil injunctions.

2 B. Mobile Cannabis Retailers are prohibited in all zones and may not operate in the
3 unincorporated area of Riverside County.

4 C. All Cannabis Cultivation shall be conducted in the interior of enclosed structures,
5 facilities or buildings, and all Cannabis Cultivation operations, including all Live
6 Cannabis Plants, at any stage of growth, shall not be visible from the exterior of any
7 structure, facility or building containing Cannabis Cultivation. Portable
8 greenhouses and non-permanent enclosures shall not be used for Cannabis
9 Cultivation unless all applicable permits and licenses have been obtained including,
10 but not limited to, land use permits, building permits and a California license has
11 been issued for a Mixed Light Cannabis Cultivation operation.

12 D. Outdoor cultivation of Cannabis is prohibited in the unincorporated area of
13 Riverside County.

14 E. All Commercial Cannabis Activities within any dwelling unit, accessory dwelling
15 unit, guest quarters, or any other residential accessory structure permitted for
16 residential occupancy is prohibited.

17 F. Unless a conditional use permit has been approved that includes the retail sales of
18 Cannabis or Cannabis Products no person shall conduct any retail sales of Cannabis
19 or Cannabis Products on or from a permitted Commercial Cannabis Activity.

20 SECTION 19.502. APPLICABILITY.

21 A. Except as provided in Section 19.503 of this Article, Commercial Cannabis
22 Activities shall not be allowed in the unincorporated areas of Riverside County
23 without first obtaining all required land use permits, licenses or other entitlements
24 required by local or State laws and regulations.

25 B. Cannabis is not an agricultural commodity with respect to Ordinance No. 625, the
26 Right-to-Farm ordinance, and is not considered Farmland or Agriculture as those
27 terms are defined in the Riverside County General Plan or Ordinance No. 625.

1 C. For the purposes of this Article, Cannabis does not include Industrial Hemp as
2 defined in this ordinance.

3 SECTION 19.503. EXEMPTIONS.

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

7 A. Personal Cannabis Cultivation.

8 This Article shall not prohibit a person 21 years of age or older from engaging
9 in the Indoor Cannabis Cultivation of six or fewer Live Cannabis Plants within
10 a single private residence or inside a detached accessory structure located upon
11 the grounds of a private residence that is fully enclosed and secured, to the extent
12 the cultivation is authorized by Health and Safety Code sections 11362.1 and
13 11362.2. In no event shall more than six Live Cannabis Plants be allowed per
14 private residence. For purposes of this section, private residence means a one
15 family dwelling, an apartment unit, a mobile home or other similar dwelling.

16 B. Cannabis Cultivation by a Primary Caregiver.

17 This Article shall not prohibit the cultivation of Cannabis by a qualified patient
18 or primary caregiver in accordance with Section 12 of Riverside County
19 Ordinance No. 925.

20 SECTION 19.504. PROHIBITED LOCATIONS.

21 Commercial Cannabis Activities are prohibited in the following zones: R-R, R-R-O, R-1, R-1A, R-
22 A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, C-T, C-R, C-O, R-VC, C/V, C-C/V,
23 WC-R, WC-W, WC-WE, WC-E, W-2, R-D, N-A, W-2-M, W-1, W-E, M-R, and M-R-A.

24 SECTION 19.505. PERMIT REQUIREMENTS FOR ALL COMMERCIAL CANNABIS
25 ACTIVITIES.

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

27 A. APPLICATION REQUIREMENTS.

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

4 B. STATE LICENSE REQUIRED.

5 Obtain the requisite State license for the approved Commercial Cannabis Activity
6 within two (2) years of obtaining an approved conditional use permit for the
7 Commercial Cannabis Activity or prior to a certificate of occupancy, whichever is
8 sooner, and maintain during the life of the Commercial Cannabis Activity the
9 applicable California license issued pursuant to California Business and Professions
10 Code sections 19300.7 or 26050(a) as may be amended from time to time.

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

12 Suspension of a license issued by the State of California, or by any State licensing
13 authority, shall immediately suspend the ability of a Commercial Cannabis Activity
14 to operate within the County until the State, or its respective State licensing
15 authority, reinstates or reissues the State license. Revocation or termination of a
16 license by the State of California, or by any State licensing authority, will also be
17 grounds to revoke or terminate any conditional use permit granted to a Commercial
18 Cannabis Activity pursuant to this Article. Any operator or applicant of a
19 Commercial Cannabis Activity shall provide written notice to the County of any
20 suspension, revocation, or termination of any State license for Commercial Cannabis
21 Activity within 48 hours of such suspension, revocation, or termination.

22 D. HEALTH AND SAFETY.

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

3 E. DEVELOPMENT AGREEMENT.

4 No approval required by this ordinance shall be given for any permit for a
5 Commercial Cannabis Activity unless the Board of Supervisors prior to or
6 concurrently with approves a development agreement, pursuant to Section 18.26b
7 of this ordinance, setting forth the terms and conditions under which the Commercial
8 Cannabis Activity will operate in addition to the requirements of this ordinance, all
9 other local ordinances and regulations, State law and such other terms and conditions
10 that will protect and promote the public health, safety and welfare. No use or
11 operation under any permit for a Commercial Cannabis Activity shall be allowed to
12 begin or continue unless the development agreement is effective and not terminated.

13 F. NUISANCE ODORS.

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

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

- 2 2. An air system that creates negative air pressure between the Commercial
3 Cannabis Activities' interior and exterior, so that the odors generated by the
4 Commercial Cannabis Activity are not detectable on the outside of the
5 Commercial Cannabis Activity.

6 G. COMMERCIAL CANNABIS ACTIVITY OPERATOR QUALIFICATIONS.

- 7 1. All operators and all employees of a Commercial Cannabis Activity must be
8 21 years of age or older.
- 9 2. All operators of a Commercial Cannabis Activity shall be subject to
10 background checks.
- 11 3. Permits for Commercial Cannabis Activities shall not be granted for
12 operators with felony convictions, as specified in subdivision (c) of Section
13 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal
14 Code.
- 15 4. Applicants or operators providing false or misleading information in the
16 permitting process will result in rejection of the application or nullification
17 or revocation of any permit granted pursuant to this Article.

18 H. VERIFIED CANNABIS RELATED VIOLATIONS.

- 19 1. Permits for Commercial Cannabis Activity shall not be granted for a period
20 of two (2) years for properties on which the County has verified a recent
21 Cannabis related violation. The two (2) year period commences upon
22 resolution of the recent Cannabis related violation.
- 23 2. For the purposes of this section, Cannabis related violations are defined as
24 recent when the violation occurs within one or more of following periods of
25 time:
- 26 a. Within the twelve (12) months prior to submission of an application
27 for a Commercial Cannabis Activity described by this Article; or
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M. RESTRICTION ON ALCOHOL AND TOBACCO SALES OR CONSUMPTION.

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

N. RESTRICTION ON CONSUMPTION.

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

O. SECURITY.

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

1. A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity.
2. 24 hour emergency contact information for the owner or an on-site employee which shall be provided to the County.
3. A professionally installed, maintained, and monitored alarm system.
4. Except for Live Cannabis Plants being cultivated at a Cannabis Cultivation facility and limited amounts of Cannabis for display purposes, all Cannabis and Cannabis Products shall be stored in a secured and locked structure and in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss.
5. 24 hour security surveillance cameras to monitor all entrances and exits to a Commercial Cannabis Activity, all interior spaces within the Commercial Cannabis Activity that are open and accessible to the public, and all interior

1 spaces where Cannabis, cash or currency is being stored for any period of
2 time on a regular basis. The permittee for a Commercial Cannabis Activity
3 shall be responsible for ensuring that the security surveillance camera's
4 footage is accessible. Video recordings shall be maintained for a minimum
5 of 90 days, and shall be made available to the County upon request.

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

1 registering qualifying patients, primary caregivers, or employees or
2 agents of the Commercial Cannabis Activity.

3 d. Any other breach of security.

4 13. Firearms shall not be permitted at a Commercial Cannabis Activity by an
5 owner, manager, employee, volunteer, independent contractor, or designee
6 other than those individuals authorized as a State Licensed Security
7 Personnel.

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

9 P. PERMIT AND LICENSE POSTING.

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

14 Q. SIGNAGE.

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

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

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

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

27 4. No Commercial Cannabis Activity shall advertise or market Cannabis or
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1 Cannabis Products on motor vehicles.

2 5. No sign shall advertise or market Cannabis or Cannabis Products in a
3 manner intended to encourage persons under 21 years of age to consume
4 Cannabis or Cannabis Products

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

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

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

13 R. RECORDS.

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

21 2. Each owner and permittee of a Commercial Cannabis Activity shall maintain
22 a current register of the names and contact information, including name,
23 address, and telephone number, of anyone owning or holding an ownership
24 interest in the Commercial Cannabis Activity, and of all the officers,
25 managers, employees, agents and volunteers currently employed or
26 otherwise engaged by the Commercial Cannabis Activity. The County shall
27 have the right to examine, monitor, and audit such records and
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1 documentation, which shall be made available to the County upon request.

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

9 S. WATER.

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

18 T. WASTE WATER.

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

27 U. PARKING.

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

2 V. VISIBILITY.

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

5 W. HAZARDOUS MATERIALS.

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

13 X. COMPLIANCE WITH LOCAL AND STATE LAWS AND REGULATIONS.

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

22 2. All buildings and structures, including greenhouse, hoop structures, or other
23 similar structures shall comply with all applicable Building, Fire, and Safety
24 laws and regulations. All buildings and structures shall be reviewed by the
25 Riverside County Building and Safety Department in accordance with the
26 California Building Code and Riverside County Ordinance No. 457 and by
27 the Riverside County Fire Department in accordance with Riverside County
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1 Ordinance No. 787 and the California Fire Code.

2 Y. MATERIAL ALTERATIONS TO PREMISES.

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

16 Z. MULTIPLE COMMERCIAL CANNABIS ACTIVITIES.

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

20 SECTION 19.506. PUBLIC HEARING AND REQUIREMENTS FOR APPROVAL.

- 21 A. A public hearing shall be held on the application for a conditional use permit in
22 accordance with the provisions of Section 18.26 of this ordinance and all of the
23 procedural requirements and rights of appeal set forth therein shall govern the public
24 hearing.
- 25 B. No conditional use permit for a Commercial Cannabis Activity shall be approved
26 unless the following findings are made:
- 27 1. The permit is consistent with the General Plan, any applicable specific plan,
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1 and the zoning classification.

- 2 2. The permit complies with the requirements of Sections 18.12, 18.28, 19.505,
3 as applicable, of this ordinance.
- 4 3. The permit complies with all the requirements and findings of this Article
5 for the applicable the Commercial Cannabis Activity(ies).
- 6 4. The permit complies with the development standards for the zoning
7 classification in which the Commercial Cannabis Activity is located.
- 8 5. The permit will not be detrimental to the public health, safety or general
9 welfare.

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

13 SECTION 19.507. PERMIT EXPIRATION AND REQUEST FOR RENEWAL AFTER
14 EXPIRATION.

15 All conditional use permits granted for a Commercial Cannabis Activity shall expire and become
16 null and void as provided in each permit's conditions of approval and development agreement.

17 SECTION 19.508. OUTDOOR CANNABIS CULTIVATION PROHIBITED.

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

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

21 A. ZONING.

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

24 1. Specialty Cottage Indoor Cannabis Cultivation.

25 Specialty Cottage Indoor Cannabis Cultivation is allowed in the following
26 zone classifications with an approved conditional use permit in accordance
27 with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-

1 H, A-1, A-P, A-2 and A-D.

2 2. Specialty Indoor Cannabis Cultivation.

3 Specialty Indoor Cannabis Cultivation is allowed in the following zone
4 classifications with an approved conditional use permit in accordance with
5 Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-
6 1, A-P, A-2 and A-D.

7 3. Small Indoor Cannabis Cultivation.

8 Small Indoor Cannabis Cultivation is allowed in the following zone
9 classifications with an approved conditional use permit in accordance with
10 Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-
11 1, A-P, A-2, and A-D.

12 4. Medium Indoor Cannabis Cultivation.

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

17 B. SIZE LIMITATIONS.

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

20 2. The Canopy size does not include immature Live Cannabis Plants that are
21 not flowering. Pursuant to State law, should a Live Cannabis Plant outside
22 of the Canopy area(s) begin to flower, a plant tag shall be applied, the Live
23 Cannabis Plant shall be moved to a designated Canopy area, and reported in
24 the track and trace system without delay.

25 3. The Canopy size on a lot for a Specialty Cottage Indoor Cannabis Cultivation
26 shall not exceed 500 square feet.

27 4. The Canopy size on a lot for a Specialty Indoor Cannabis Cultivation shall
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1 not exceed 5,000 square feet.

2 5. The Canopy size on a lot for a Small Indoor Cannabis Cultivation shall not
3 exceed 10,000 square feet.

4 6. The Canopy size on a lot for a Medium Indoor Cannabis Cultivation shall
5 not exceed 22,000 square feet except as provided for in 19.509.B.7.

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

8 a. A conditional use permit has been granted for Indoor Cannabis
9 Cultivation and specifies the number and size of each proposed
10 licensed Premises.

11 b. The individual Canopy size for each Indoor Cannabis Cultivation
12 operation complies with State law, and the cumulative Canopy area
13 for all the Indoor Cannabis Cultivation operations on one lot does not
14 exceed the total amount of 43,560 square feet.

15 8. For properties with an approved conditional use permit for Indoor Cannabis
16 Cultivation and Cannabis Wholesale Nursery, the calculated Canopy size for
17 Indoor Cannabis Cultivation does not include the area of the property for the
18 Cannabis Wholesale Nursery.

19 SECTION 19.510. MIXED LIGHT CANNABIS CULTIVATION.

20 A. ZONES.

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

23 I. Specialty Cottage Mixed Light Cannabis Cultivation.

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

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

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

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

B. SIZE LIMITATIONS.

1. A Mixed Light Cannabis Cultivation shall not exceed the Canopy size threshold established by State law.
2. The Canopy size does not include immature Live Cannabis Plants that are not flowering. Pursuant to State law, should a Live Cannabis Plant outside of the Canopy area(s) begin to flower, a plant tag shall be applied, the Live Cannabis Plant shall be moved to a designated Canopy area, and reported in the track and trace system without delay.
3. The Canopy size on a single lot for a Specialty Cottage Mixed Light Cannabis Cultivation shall not exceed 2,500 square feet.
4. The Canopy size on a single lot for a Specialty Mixed Light Cannabis Cultivation shall not exceed 5,000 square feet.

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

19 SECTION 19.511. CANNABIS CULTIVATION STANDARDS.

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

24 A. LOCATION REQUIREMENTS.

- 25 1. Indoor and Mixed Light Cannabis Cultivation shall not be located within
26 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth
27 Center. This distance shall be measured from the nearest points of the
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1 respective property lines using a direct straight-line measurement without
 2 regard to intervening structures, as specified in subdivision (b) of Section
 3 26054 of the Business and Professions Code. A new adjacent use will not
 4 affect the continuation of an existing legal use that has been established
 5 under this Article and continuously operating in compliance with the
 6 conditional use permit, and local and State laws and regulations. This
 7 location requirement may be modified with the approval of a variance
 8 pursuant to Section 18.27 of this ordinance. In no case shall the distance be
 9 less than allowed by State law.

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

17 B. MINIMUM LOT SIZE.

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

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

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

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

7 3. Setbacks may be modified with an approved setback adjustment in
8 accordance with Section 18.33 of this ordinance. In no case shall a setback
9 be less than the setbacks required by the State of California Department of
10 Food and Agriculture or other applicable State law.

11 E. SCREENING AND FENCING.

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

22 F. ENCLOSURES.

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

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

4 G. ENERGY CONSERVATION MEASURES.

5 All Cannabis Cultivation operations shall include adequate measures to address the
6 projected energy demand for Cannabis Cultivation at the lot. On-site renewable
7 energy generation shall be required for all Indoor Cannabis Cultivation operations.
8 Renewable energy systems shall be designed to comply with the County's Climate
9 Action Plan and all state laws, mandates, and regulations regarding electrical power
10 and solar, including the requirements of the California Energy Code. If there is a
11 difference between the requirements of the County's Climate Action Plan and any
12 state law, mandate, or regulation, the Cannabis Cultivation operation shall comply
13 with whichever requirement is greater.

14 H. WATER CONSERVATION MEASURES.

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

19 I. OPERATIONS.

- 20 1. Indoor Cannabis Cultivation shall be within a fully enclosed building or
21 buildings.
- 22 2. All Cannabis Cultivation lighting shall be fully shielded, downward casting
23 and not spill over onto structures, other properties or the night sky. All
24 Indoor Cannabis Cultivation and Mixed Light Cannabis Cultivation
25 operations shall be fully contained so that little to no light escapes. Light
26 shall not escape at a level that is visible from neighboring properties between
27 sunset and sunrise.

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- 3. All Cannabis 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 Cannabis Cultivation operations must be properly stored and secured to prevent access from the public.
- 4. Onsite generators are prohibited, except as a source of energy in an emergencies. Onsite generators for emergency use shall be included in the conditional use permit.
- 5. Cannabis Cultivation within the A-1, A-P, A-2, and A-D Zones shall not include the retail sales of Cannabis or Cannabis Products.

J. TRANSPORT-ONLY DISTRIBUTION.

Cannabis Cultivation operations with an approved conditional use permit may transport the Cannabis the licensee has cultivated to another Commercial Cannabis Activity licensee, only if the Cannabis Cultivation operator also has an approved transport-only distribution license in accordance with California Code of Regulations section 15315 and all other applicable State law. This type of transport-only distribution is not considered Cannabis Distribution for the purposes of this Article.

K. FINDINGS.

In addition to the requirements for approval in Section 19.506 of this ordinance, no conditional use permit shall be approved or conditionally approved unless the

1 following findings are made:

- 2 1. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation
3 complies with all the requirements of the State and County for Cannabis
4 Cultivation.
- 5 2. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation is
6 not located within 1,000 feet from any Child Day Care Center, K-12
7 school, public park, or Youth Center or a variance in accordance with
8 Section 18.27 of this ordinance has been approved allowing a shorter
9 distance, but not less than allowed by State law. The distance is measured
10 in accordance with Section 19.511.A.1.
- 11 3. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation
12 includes adequate measures that minimize use of water for cultivation on
13 the lot.
- 14 4. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation
15 includes adequate quality control measures to ensure cultivation on the
16 lot meets State and County regulatory standards.
- 17 5. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation
18 includes adequate measures that address enforcement priorities for
19 cultivation including restricting access to minors, and ensuring that
20 Cannabis is not supplied to unlicensed or unpermitted persons.
- 21 6. The Indoor Cannabis Cultivation or Mixed Cannabis Cultivation will
22 operate in a manner that prevents Cannabis odors from being detected
23 offsite.

24 SECTION 19.512. CANNABIS WHOLESALE NURSERIES.

25 A. APPLICABILITY.

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

1 1. Outdoor Cannabis Wholesale Nurseries.

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

6 2. Indoor Cannabis Wholesale Nurseries.

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

10 3. Mixed Light Cannabis Wholesale Nurseries.

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

15 SECTION 19.513. CANNABIS WHOLESALE NURSERIES STANDARDS.

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

20 A. GENERAL LOCATION.

21 Cannabis Wholesale Nurseries shall not be located within 600 feet from any Child
22 Day Care Center, K-12 school, public park, or Youth Center. This distance shall be
23 measured from the nearest points of the respective property lines using a direct
24 straight-line measurement without regard to intervening structures, as specified in
25 subdivision (b) of Section 26054 of the Business and Professions Code. A new
26 adjacent use will not affect the continuation of an existing use that has been
27 established under this Article and continuously operating in compliance with the
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1 conditional use permit, and local and State laws and regulations. This location
2 meets the minimum requirements of State law and may not be modified with
3 approval of a variance.

4 **B. MINIMUM LOT SIZE.**

- 5 1. **Minimum lot size for Outdoor Cannabis Wholesale Nurseries.** The
6 minimum lot size for Outdoor Cannabis Wholesale Nurseries is listed below:

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

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12 2. **Minimum lot size for Indoor Cannabis Wholesale Nurseries.** The
13 minimum lot size for Indoor Cannabis Wholesale Nurseries is listed below:

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

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19 3. **Minimum lot size for Mixed Light Cannabis Wholesale Nurseries.** The
20 minimum lot size for Mixed Light Cannabis Wholesale Nurseries is listed
21 below:

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

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27 **C. MINIMUM LOT DIMENSIONS.**

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

1 D. SETBACKS.

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

11 E. SCREENING AND FENCING.

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

24 F. MATURE CANNABIS PLANTS.

- 25 1. Mature Cannabis Plants as defined by the California Department of Food and
26 Agriculture are not allowed to be grown, kept, stored or sold in the Cannabis
27 Wholesale Nursery area of the property.
28

- 1 2. For properties with an approved conditional use permit for Cannabis
2 Wholesale Nursery and Indoor Cannabis Cultivation and/or Mixed Light
3 Cannabis Cultivation, Mature Cannabis Plants shall not be grown, kept,
4 stored or sold in the Cannabis Wholesale Nursey area of the property.
5 3. Exception: Mature Cannabis Plants may be kept at the Cannabis Wholesale
6 Nursery for seed production and/or research and development, as allowed by
7 State law.

8 G. ENCLOSURES.

- 9 1. Except for outdoor Cannabis Wholesale Nurseries, operations shall occur
10 within a fully enclosed permitted building, greenhouse, hoop structure, or
11 other similar structure. Mixed light supplemental lighting shall not exceed
12 25 watts per square foot to be used up to one hour before sunrise or after
13 sunset, unless the building or structure is equipped with light-blocking
14 measures to ensure that no light escapes.
15 2. All greenhouses, hoop structures, or other similar structures shall comply
16 with Section 19.505.X. of the Article.

17 H. ENERGY CONSERVATION MEASURES.

18 Cannabis Wholesale Nurseries shall include adequate measures to address the
19 projected energy demand for Cannabis Cultivation on the lot. On-site renewable
20 energy generation shall be required for all Indoor Cannabis Wholesale Nursery
21 operations. Renewable energy systems shall be designed to comply with the
22 County’s Climate Action Plan and all state laws, mandates, and regulations regarding
23 electrical power and solar, including the requirements of the California Energy Code.
24 If there is a difference between the requirements of the County’s Climate Action Plan
25 and any state law, mandate, or regulation, the Cannabis Cultivation operation shall
26 comply with whichever requirement is greater.

27 I. WATER CONSERVATION MEASURES.

1 Cannabis Wholesale Nursery operations shall include adequate measures that
2 minimize use of water for Cannabis Cultivation at the site. Water conservation
3 measures, water capture systems, or grey water systems shall be incorporated into
4 Cannabis Cultivation in order to minimize use of water where feasible.

5 J. TRANSPORT-ONLY DISTRIBUTION.

6 Cannabis Wholesale Nursery operations with an approved conditional use
7 permit may transport the Cannabis the licensee has cultivated to another
8 Commercial Cannabis Activity licensee, only if the operator also has an
9 approved transport-only distribution license in accordance with California Code
10 of Regulations section 15315 and all other applicable State law. This type of
11 transport-only distribution is not considered Cannabis Distribution for the
12 purposes of this Article.

13 K. FINDINGS.

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

- 17 1. The Cannabis Wholesale Nursery complies with all the requirements of
18 the State and County for the cultivation of Cannabis and Cannabis
19 Wholesale Nurseries.
- 20 2. The Cannabis Wholesale Nursery is not located within 600 feet from any
21 Child Day Care Center, K-12 school, public park, or Youth Center. The
22 distance is measured in accordance with Section 19.513.A. This location
23 meets the minimum requirements of State law and may not be modified with
24 approval of a variance.
- 25 3. The Cannabis Wholesale Nursery includes adequate measures that
26 minimize use of water for activities at the site.
- 27 4. The Cannabis Wholesale Nursery includes adequate quality control
28

1 measures to ensure Cannabis kept on the lot meets State regulatory
2 standards.

3 5. The Cannabis Wholesale Nursery includes adequate measures that
4 address enforcement priorities for Cannabis activities including
5 restricting access to minors, and ensuring that Cannabis and Cannabis
6 Products are not supplied to unlicensed or unpermitted persons within the
7 State and not distributed out of State.

8 6. The Cannabis Wholesale Nursery will operate in a manner that prevents
9 Cannabis odors from being detected offsite.

10 SECTION 19.514. CANNABIS MANUFACTURING FACILITIES.

11 A. APPLICABILITY.

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

14 1. Non-Volatile Cannabis Manufacturing Facility.

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

21 2. Type N Cannabis Manufacturing Facilities.

22 Cannabis Manufacturing Facilities that produce Edible Cannabis Products or
23 topical Cannabis products using infusion processes, or other types of
24 Cannabis Products other than extracts or concentrates, requiring a Type N
25 State license, are allowed in the following zones with an approved
26 conditional use permit in accordance with Section 18.28 of this ordinance:
27 C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, and M-U. These facilities may also
28

1 package and label Cannabis Products.

2 3. Type P Cannabis Manufacturing Facilities.

3 Cannabis Manufacturing Facilities that only package or repackage Cannabis
4 Products or label or relabel the Cannabis Product container or wrapper,
5 requiring a Type P State license, are allowed in the following zones with an
6 approved conditional use permit in accordance with Section 18.28 of this
7 ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M M-H, and M-U.

8 4. Volatile Cannabis Manufacturing Facility.

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

16 5. Shared-Use Cannabis Manufacturing Facility.

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

26 SECTION 19.515. CANNABIS MANUFACTURING FACILITIES STANDARDS.

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

4 A. GENERAL LOCATION.

5 Cannabis Manufacturing Facilities shall not be located within 600 feet from any
6 Child Day Care Center, K-12 school, public park, or Youth Center. This distance
7 shall be measured from the nearest points of the respective property lines using a
8 direct straight-line measurement without regard to intervening structures, as
9 specified in subdivision (b) of Section 26054 of the Business and Professions Code.
10 A new adjacent use will not affect the continuation of an existing legal use that has
11 been established under this Article and continuously operating in compliance with
12 the conditional use permit, and local and State laws and regulations. This location
13 meets the minimum requirements of State law and may not be modified with
14 approval of a variance.

15 B. MINIMUM LOT SIZE.

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

18 C. SETBACKS.

19 1. Cannabis Manufacturing Facilities shall comply with the setback standards
20 for the zone classification in which they are located, except Volatile and
21 Shared-Use Cannabis Manufacturing Facilities shall also be setback from a
22 residential zone a minimum of 40 feet, which may include landscaping as
23 required.

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

2 D. LIMITATION ON THE MANUFACTURING OF EDIBLE CANNABIS
3 PRODUCTS.

4 Cannabis Manufacturing Facilities shall not manufacture Edible Cannabis
5 Products in the shape of animals, people, insects, or fruit.

6 E. OPERATIONS.

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

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

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

21 F. TRANSPORT-ONLY DISTRIBUTION.

22 Cannabis Manufacturing Facilities with an approved conditional use permit may
23 transport Cannabis Products the licensee has manufactured to another
24 Commercial Cannabis Activity licensee, only if the Cannabis Manufacturing
25 Facility operator also has an approved transport-only distribution license in
26 accordance with California Code of Regulations section 15315 and all other
27 applicable State law. This type of transport-only distribution is not considered
28

1 Cannabis Distribution for the purposes of this Article.

2 G. FINDINGS.

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

- 6 1. The Cannabis Manufacturing Facility complies with all the requirements of
7 the State and County for the manufacturing of Cannabis.
- 8 2. The Cannabis Manufacturing Facility does not pose a significant threat to the
9 public or to neighboring uses from explosion or from release of harmful
10 gases, liquids, or substances.
- 11 3. The Cannabis Manufacturing Facility includes adequate quality control
12 measures to ensure Cannabis manufactured at the facility meets industry
13 standards and includes a documented employee safety training program, a
14 Materials Data Safety Sheet, and meets all requirements in Health and Safety
15 Code section 11362.775, as it may be amended from time to time.
- 16 4. The Cannabis Manufacturing Facility includes adequate measures that
17 address enforcement priorities for Cannabis activities including restricting
18 access to minors, and ensuring that Cannabis and Cannabis Products are
19 obtained from and supplied only to other permitted licensed sources within
20 the State and not distributed out of State.
- 21 5. The Cannabis Manufacturing Facility is not located within 600 feet from any
22 Child Day Care Center, K-12 school, public park, or Youth Center. The
23 distance is measured in accordance with Section 19.515.A. This location
24 meets the minimum requirements of State law and may not be modified with
25 approval of a variance.

26 SECTION 19.516. CANNABIS TESTING FACILITIES.

27 A. APPLICABILITY.

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

5 B. NO MULTIPLE USE PERMITS.

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

8 SECTION 19.517. CANNABIS TESTING FACILITIES STANDARDS.

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

13 A. GENERAL LOCATION.

14 Cannabis Testing Facilities shall not be located within 600 feet from any Child Day
15 Care Center, K-12 school, public park, or Youth Center. This distance shall be
16 measured from the nearest points of the respective property lines using a direct
17 straight-line measurement without regard to intervening structures, as specified in
18 subdivision (b) of Section 26054 of the Business and Professions Code. A new
19 adjacent use will not affect the continuation of an existing legal use that has been
20 established under this Article and continuously operating in compliance with the
21 conditional use permit, and local and State laws and regulations. This location meets
22 the minimum requirements of State law and may not be modified with approval of
23 a variance.

24 B. SETBACKS.

- 25 1. Cannabis Testing Facilities shall comply with the setback standards for the
26 zone classification in which they are located.
27 2. Setbacks may be modified with an approved setback adjustment in
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1 accordance with Section 18.33 of this ordinance. In no case shall a setback
2 be less than setbacks required by the State of California Department of
3 Cannabis Control, the California Building Code, Ordinance No. 457, or other
4 applicable State law.

5 C. OPERATIONS.

- 6 1. Cannabis Testing Facilities shall be required to conduct all testing in a
7 manner pursuant to Business and Professions Code section 26100 and shall
8 be subject to State and local law and regulations.
- 9 2. Cannabis Testing Facilities shall not be open to the public.

10 D. FINDINGS.

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

- 14 1. The Cannabis Testing Facility complies with all the applicable
15 requirements of the State and County for the testing of Cannabis.
- 16 2. The owners, permittees, operators, and employees of the Cannabis
17 Testing Facility are not associated with any other Commercial Cannabis
18 Activity.
- 19 3. The Cannabis Testing Facility is accredited by an appropriate
20 accrediting agency as approved by the State and in compliance with the
21 California Code of Regulations.
- 22 4. The Cannabis Testing Facility's operating plan demonstrates proper
23 protocols and procedures for statistically valid sampling methods and
24 accurate certification of Cannabis and Cannabis Products for potency,
25 purity, pesticide residual levels, mold, and other contaminants according
26 to adopted industry standards.
- 27 5. The Cannabis Testing Facility includes adequate measures that address
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1 enforcement priorities for Cannabis activities including restricting
2 access to minors, and ensuring that Cannabis and Cannabis Products are
3 obtained from and supplied only to other permitted licensed sources
4 within the State and not distributed out of State.

- 5 6. The Cannabis Testing Facility is not located within 600 feet from any
6 Child Day Care Center, K-12 school, public park, or Youth Center. The
7 distance is measured in accordance with Section 19.517.A. This location
8 meets the minimum requirements of State law and may not be modified
9 with approval of a variance.

10 SECTION 19.518. CANNABIS RETAILER.

11 A. APPLICABILITY.

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

14 1. Cannabis Retailer – Non-Storefront

15 Non-storefront Cannabis Retailers within a permanent structure are allowed
16 in the following zone classifications with an approved conditional use permit
17 in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-
18 SC, M-M, M-H, and M-U.

19 2. Cannabis Retailer – Storefront

20 Storefront Cannabis Retailers within a permanent structure are allowed in the
21 following zones with an approved conditional use permit in accordance with
22 Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, and
23 M-U.

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

25 SECTION 19.519. CANNABIS RETAILER MINIMUM STANDARDS.

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

3 A. GENERAL LOCATION.

- 4 1. Cannabis Retailers shall not be located within 1,000 feet from any Child Day
5 Care Center, K-12 school, public park, or Youth Center. This distance shall
6 be measured from the nearest points of the respective property lines using a
7 direct straight-line measurement without regard to intervening structures, as
8 specified in subdivision (b) of Section 26054 of the Business and Professions
9 Code. A new adjacent use will not affect the continuation of an existing legal
10 use that has been established under this Article and continuously operating
11 in compliance with the conditional use permit, and local and State laws and
12 regulations. This location requirement may be modified with the approval
13 of a variance pursuant to Section 18.27 of this ordinance. In no case shall
14 the distance be less than allowed by State law.
- 15 2. Cannabis Retailers shall not be located within 1,000 feet of any other
16 Cannabis Retailer.
- 17 3. Cannabis Retailers shall not be located within 500 feet of a smoke shop or
18 similar facility.
- 19 4. Cannabis Retailers shall not be located on a lot containing a residential
20 dwelling unit.

21 B. SETBACKS.

- 22 1. Cannabis Retailers shall comply with the setback standards for the zone
23 classification in which they are located.
- 24 2. Setbacks may be modified with an approved setback adjustment in
25 accordance with Section 18.33 of this ordinance. In no case shall a setback
26 be less than setbacks required by the State of California Department of
27 Cannabis Control, California Building Code, Ordinance No. 457, or other
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1 applicable State law.

2 C. CONCENTRATION LIMITS.

3 1. Limits.

4 a. The number of Cannabis Retailers located within a Commercial
5 Retail Corridor is limited to one (1) for each 2,000 inhabitants of the
6 census tract in which the Cannabis Retailers are located.

7 b. The number of Cannabis Retailers located within a Commercial
8 Retail Corridor may be increased to one (1) for each 1,000 inhabitants
9 of the census tract in which the Cannabis Retailer is located with a
10 finding of public convenience or necessity as provided in this Article.

11 c. The United States Census Bureau shall be the source of authority for
12 determining the number of inhabitants (population) per census tract.

13 2. Public Convenience or Necessity Finding.

14 Applicants seeking a conditional use permit for a Cannabis Retailer within a
15 Commercial Retail Corridor that is determined to be an Unduly Concentrated
16 Corridor may request the Board of Supervisors find that the proposed
17 Cannabis Retailer would serve as a public convenience or necessity.

18 a. In order for a public convenience or necessity determination to be
19 presented to the Board of Supervisors, applicants shall demonstrate
20 both of the following:

21 1) The addition of the proposed Cannabis Retailer will not result
22 in a Commercial Retail Corridor having a number of
23 Cannabis Retailers greater than one for each 1,000 inhabitants
24 of the census tract in which the Cannabis Retailer is located;
25 and.

26 2) The addition of the proposed Cannabis Retailer will not cause
27 more than 10% or more of the commercially zoned properties.
28

1 in gross acres, within the Commercial Retail Corridor to be
2 utilized for Cannabis Retailers.

3 b. In order for a public convenience or necessity determination to be
4 made by the Board of Supervisors, applicants shall demonstrate all
5 of the following:

6 1) The proposed Cannabis Retailer will not be detrimental to the
7 character of development in the immediate neighborhood and
8 will be in harmony with the overall objectives of the
9 Riverside County General Plan.

10 2) The addition of the proposed Cannabis Retailer will not
11 increase the severity of existing law enforcement or public
12 nuisance problems in the surrounding area with increased
13 calls for service due to Cannabis related complaints or
14 criminal activity associated with Cannabis.

15 3) The community benefits of permitting an additional Cannabis
16 Retailer outweigh any negative impacts to the community as
17 a whole.

18 4) Reasonable efforts were made to seek community input
19 regarding the addition of the proposed Cannabis Retailer to
20 the Commercial Retail Corridor.

21 c. In addition to the above requirements, applicants shall demonstrate
22 at least one of the following:

23 1) The proposed Cannabis Retailer serves an area of increased
24 density or consumer traffic; including but not limited to
25 adjacency to high population census tracts and/or distance
26 away from sensitive uses or other special circumstances
27 within the corridor, such that the proposed location would
28

1 serve the public convenience or necessity by satisfying a
2 higher demand for Cannabis Retail locations; or

- 3 2) The proposed Cannabis Retailer is located in an area with a
4 history of a high number of unpermitted Cannabis Retailers
5 such that an additional permitted location would serve a
6 public convenience or necessity by satisfying a higher
7 demand for permitted Cannabis Retail locations and reduce
8 patronage of unlicensed facilities.

9 D. OPERATIONS.

- 10 1. All Cannabis Retailers must conduct their operations within a permanent
11 structure.
- 12 2. Non-storefront Cannabis Retailers are authorized to conduct Cannabis
13 Deliveries only and shall be closed to the public.
- 14 3. Cannabis Retailers may include the sale of Medicinal Cannabis, requiring an
15 M-License from the State. Cannabis Retailers selling only Medicinal
16 Cannabis shall verify consumers who enter the Premises are at least 18 years
17 of age and that they hold a valid Physician's Recommendation.
- 18 4. Cannabis Retailers may include the sale of Adult-Use Cannabis, requiring an
19 A-license from the State. Cannabis Retailers selling only Adult-Use
20 Cannabis shall verify that consumers who enter the Premises are at least 21
21 years of age.
- 22 5. A Cannabis Retailers may include the sale of both Medicinal Cannabis and
23 Adult-Use Cannabis requiring both an A-License and an M-License from the
24 State. All Cannabis Retailers selling both Medicinal Cannabis and Adult-Use
25 Cannabis shall verify that consumers who enter the premises are at least 18
26 years of age and that they hold a valid Physician's Recommendation or are
27 at least 21 years of age.
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6. Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours.
7. Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area.
8. Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-Cannabis goods.
9. Restroom facilities shall be locked and under the control of the Cannabis Retailer.
10. Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations.
11. Cannabis Retailers shall not distribute any Cannabis or Cannabis Product unless such products are labeled and in a tamper-evident package in compliance with the California Business and Professions Code and any additional rules promulgated by a licensing authority.
12. Cannabis Retailers shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot.
13. Deliveries of Cannabis and Cannabis Products shall be to a customer at a physical address and conducted in accordance with California Business and Professions Code section 26090 or as may be amended and all State laws and regulations pertaining to delivery of Cannabis and Cannabis Products.
14. Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle.
15. Cannabis Retailers shall not include a drive-in, drive-through or walk up

1 window where retail sales of Cannabis or Cannabis Products are sold to
2 persons or persons within or about a motor vehicle.

3 E. DELIVERIES.

4 Cannabis Retailers with an approved conditional use permit may provide
5 Cannabis Deliveries consistent with State law. Cannabis Delivery is not a separate
6 Commercial Cannabis Activity for the purposes of this Article.

7 F. FINDINGS.

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

- 11 1. The Cannabis Retailer complies with all the requirements of the State and
12 County for the selling of Cannabis.
- 13 2. The non-storefront Cannabis Retailer is not open to the public.
- 14 3. The Cannabis Retailer is not located within 1,000 feet from any Child Day
15 Care Center, K-12 school, public park, or Youth Center or a variance in
16 accordance with Section 18.27 of this ordinance has been approved allowing
17 a shorter distance, but not less than allowed by State law. The distance is
18 measured in accordance with Section 19.519.A.1.
- 19 4. The Cannabis Retailer includes adequate measures that address enforcement
20 priorities for Commercial Cannabis Activities including restricting access to
21 minors, and ensuring that Cannabis and Cannabis Products are obtained from
22 and supplied only to other permitted licensed sources within the State and
23 not distributed out of State.

24 SECTION 19.520. CANNABIS DISTRIBUTION FACILITIES.

25 A. APPLICABILITY.

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

3 SECTION 19.521. CANNABIS DISTRIBUTION FACILITIES STANDARDS.

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

8 A. GENERAL LOCATION.

9 Cannabis Distribution Facilities shall not be located within 600 feet from any Child
10 Day Care Center, K-12 school, public park, or Youth Center. This distance shall be
11 measured from the nearest points of the respective property lines using a direct
12 straight-line measurement without regard to intervening structures, as specified in
13 subdivision (b) of Section 26054 of the Business and Professions Code. A new
14 adjacent use will not affect the continuation of an existing legal use that has been
15 established under this Article and continuously operating in compliance with the
16 conditional use permit, and local and State laws and regulations. This location meets
17 the minimum requirements of State law and may not be modified with approval of
18 a variance.

19 B. SETBACKS.

- 20 1. Cannabis Distributions Facilities shall comply with the setback standards for
21 the zone classification in which they are located.
- 22 2. Setbacks may be modified with an approved setback adjustment in accordance
23 with Section 18.33 of this ordinance. In no case shall a setback be less than
24 setbacks required by the State of California Department of Cannabis Control,
25 the California Building Code, Ordinance No. 457, or other applicable State
26 law.

27 C. OPERATIONS.

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1. Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities.
2. In addition to the requirements of Section 19.505.R., the following record keeping measures are required to be implemented for all Cannabis Distribution Facilities:
 - a. Prior to transporting Cannabis or Cannabis Products, a shipping manifest shall be completed as required by State law and regulations.
 - b. A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement, or any agents of the State or County charged with enforcement.
 - c. Cannabis Distribution Facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting Cannabis and Cannabis Products to maintain a clear chain of custody.
3. Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files.
4. Cannabis Distribution Facilities shall not be open to the public.
5. Cannabis Distribution Facilities shall not transport or store non-Cannabis goods.

D. FINDINGS.

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

1. The Cannabis Distribution Facility complies with all the requirements of the

1 State and County for Cannabis Distribution.

- 2 2. The Cannabis Distribution Facility's operating plan demonstrates proper
3 protocols and procedures that address enforcement priorities for Cannabis
4 related activities including restricting access to minors, and ensuring that
5 Commercial Cannabis Activities and Cannabis Products are obtained from
6 and supplied only to other permitted and licensed sources and not distributed
7 out of State.
- 8 3. The Cannabis Distribution Facility is not located within 600 feet from any
9 Child Day Care Center, K-12 school, public park, or Youth Center. The
10 distance is measured in accordance with Section 19.521.A. This location
11 meets the minimum requirements of State law and may not be modified with
12 approval of a variance.
- 13 4. The Cannabis Distribution Facility is not open to the public.

14 SECTION 19.522. CANNABIS MICROBUSINESS FACILITIES.

15 A. APPLICABILITY.

16 Notwithstanding any other provision of this ordinance, Cannabis Microbusiness
17 Facilities are allowed in the following zone classifications with an approved
18 conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P,
19 C-P-S, I-P, M-SC, M-M, M-H, and M-U, except in the instance that a Cannabis
20 Microbusiness Facility includes manufacturing uses where such Cannabis
21 Microbusiness Facility is only allowed in the zone classifications specified in
22 Section 19.514.

23 SECTION 19.523. CANNABIS MICROBUSINESS FACILITIES STANDARDS.

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

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A. GENERAL LOCATION.

1. Cannabis Microbusiness Facilities that are not engaged as a Cannabis Retailer shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This location meets the minimum requirements of State law and may not be modified with approval of a variance.
2. Cannabis Microbusiness Facilities that are engaged as a Cannabis Retailer with an approved conditional use permit shall not be located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance. In no case shall the distance be less than allowed by State law.
3. The distance shall be measured from the nearest points of the respective property lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code.
4. 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. Unless otherwise specified by this Article, Cannabis Microbusiness Facilities shall comply with the setback standards for the zone classification in which they are located.
2. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department of

1 Cannabis Control, the California Building Code, Ordinance No. 457, or other
2 applicable State law.

3 C. ACTIVITIES.

- 4 1. Cannabis Microbusiness Facilities shall not transport or store non-Cannabis
5 goods.
- 6 2. Cannabis Microbusiness Facilities may cultivate indoors, distribute,
7 manufacture (with non-volatile compounds) and offer for retail Cannabis
8 under a single Cannabis Microbusiness Facilities license issued by the State.
- 9 3. Cannabis Microbusiness Facilities may cultivate Cannabis indoors in an area
10 less than 10,000 square feet.
- 11 4. Cannabis Microbusiness Facilities shall include at least three of the
12 following Commercial Cannabis Activities, which shall be set forth in the
13 conditional use permit:
- 14 a. Indoor Cannabis Cultivation less than 10,000 square feet
 - 15 b. Cannabis Manufacturing Facility (with non-volatile compounds)
 - 16 c. Cannabis Distribution Facility
 - 17 d. Cannabis Retailer

18 D. DELIVERIES.

19 Cannabis Microbusiness Facilities that are engaged as a Cannabis Retailer with an
20 approved conditional use permit may provide Cannabis Deliveries consistent with
21 State law. Cannabis Delivery is not a separate Commercial Cannabis Activity for
22 the purposes of this Article.

23 E. OPERATIONS.

24 Cannabis Microbusiness Facilities shall comply with the operational requirements
25 set forth in this Article that apply to the specified uses authorized by the approved
26 conditional use permits. For Cannabis Microbusiness Facilities that are engaged in
27 Indoor Cannabis Cultivation, the Cannabis Microbusiness Facility shall comply with
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1 the water and energy conservation standards required of Cannabis Cultivation by
2 this Article.

3 F. TRANSPORT-ONLY DISTRIBUTION.

4 Cannabis Microbusiness Facilities with an approved conditional use permit may
5 transport the Cannabis or Cannabis Product the licensee has cultivated or
6 manufactured to another Commercial Cannabis Activity licensee, only if the
7 Cannabis Microbusiness Facility operator also has an approved transport-only
8 distribution license in accordance with California Code of Regulations section
9 15315 and all other applicable State law. This type of transport-only distribution
10 is not considered Cannabis Distribution for the purposes of this Article.

11 G. FINDINGS.

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

- 15 1. The Cannabis Microbusiness Facility complies with all the requirements of
16 the State and local laws and regulations.
- 17 2. The Cannabis Microbusiness Facility's operating plan demonstrates proper
18 protocols and procedures that address enforcement priorities for Cannabis
19 activities including restricting access to minors, and ensuring that Cannabis
20 and Cannabis Products are obtained from and supplied only to other
21 permitted and licensed sources within the State and not distributed out of
22 State.
- 23 3. The Cannabis Microbusiness Facility that is engaged as a Cannabis Retailer
24 with an approved conditional use permit is not located within 1,000 feet from
25 any Child Day Care Center, K-12 school, public park, or Youth Center or a
26 variance in accordance with Section 18.27 of this ordinance has been
27 approved allowing a shorter distance, but not less than recommended by State
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1 law. The distance is measured in accordance with Section 19.523.A.3.

- 2 4. The Cannabis Microbusiness Facility that is not engaged as a Cannabis
3 Retailer with an approved conditional use permit is not located within 600
4 feet from any Child Day Care Center, K-12 school, public park, or Youth
5 Center. The distance is measured in accordance with Section 19.523.A.3.
6 This location meets the minimum requirements of State law and may not be
7 modified with approval of a variance.

8 SECTION 19.524. TEMPORARY CANNABIS EVENT.

9 A. REQUIREMENTS FOR APPROVAL.

10 The Planning Director shall approve an application for a temporary Cannabis event
11 permit if all of the following are met:

- 12 1. The temporary Cannabis event will take place on County Fair property or
13 District Agricultural Association property.
- 14 2. The temporary Cannabis event is not located within 1,000 feet from any Child
15 Day Care Center, K-12 school, public park, or Youth Center. This distance
16 shall be measured from the nearest point of the respective lot lines using a
17 direct straight-line measurement without regard to intervening structures, as
18 specified in subdivision (b) of Section 26054 of the Business and Professions
19 Code. This location requirement may be modified with the approval of a
20 variance pursuant to Section 18.27 of this ordinance. In no case shall the
21 distance be less than allowed by State law.
- 22 3. The temporary Cannabis event will not occur during the hours of 12:00 a.m.
23 to 6:00 a.m.
- 24 4. The temporary Cannabis event is setback a minimum of 100 feet from lot
25 lines.
- 26 5. Any participant selling Cannabis or Cannabis Products shall possess a valid
27 State Cannabis Retailer license or a valid State Cannabis Microbusiness
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1 license, which shall be included in the permit application. Participants
2 licensed as a Cannabis Retailer or Cannabis Microbusiness Facility engaged
3 as a Cannabis Retailer must comply with all rules for on-site sales and
4 consumption, including, but not limited to: displays of Cannabis and
5 Cannabis Products, packaging of Cannabis and Cannabis Products, age
6 restrictions on sales, daily sales limits, no free samples, and track and trace
7 requirements. Each participant licensed as a Cannabis Retailer or Cannabis
8 Microbusiness Facility engaged as a Cannabis Retailer may only sell
9 Cannabis or Cannabis Products in a retail area designated in the diagram of
10 the physical layout of the temporary Cannabis event. Each participant
11 licensed as a Cannabis Retailer or Cannabis Microbusiness Facility engaged
12 as a Cannabis Retailer shall not sell Cannabis or Cannabis Products from
13 mobile wagons, carts, or other similar means.

14 6. A condition of approval shall be applied to all temporary Cannabis event
15 permits requiring the event organizer to obtain a valid State Cannabis event
16 organizer license and a valid State temporary Cannabis event license, at least
17 10 calendar days before the first day of the event. If this condition of
18 approval is not met, the temporary Cannabis event permit becomes null and
19 void.

20 7. The sale or consumption of alcohol or tobacco is not allowed at the location
21 of the temporary Cannabis event.

22 8. Access to the area(s) where sale or consumption of Cannabis occurs is
23 restricted to persons 21 years of age or older.

24 9. Cannabis consumption is not visible from any public place or non-age-
25 restricted area.

26 10. Security shall be present at the temporary Cannabis event.

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

7 C. REVOCATION.

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

10 SECTION 19.525. MODIFICATION OR REVOCATION OF PERMITS FOR
11 COMMERCIAL CANNABIS ACTIVITIES.

12 A. AUTHORITY FOR MODIFICATION OR REVOCATION.

13 The Board of Supervisors shall have the authority to modify or revoke a
14 previously granted conditional use permit for Commercial Cannabis Activity
15 upon finding that one or more of the following conditions exist:

- 16 1. The use is detrimental to the public health, safety or general welfare.
- 17 2. The use is a public nuisance.
- 18 3. The permit was obtained by fraud or perjured testimony.
- 19 4. The use is being conducted in violation of the conditions of approval or
20 advisory notification document.
- 21 5. The use for which the permit was granted has ceased or has been
22 suspended for one year or more.
- 23 6. A Certificate of Occupancy has not been obtained for the approved
24 Commercial Cannabis Activity within two (2) years of obtaining an
25 approved conditional use permit for the Commercial Cannabis Activity.
26 The Planning Director has the discretion to allow up to three (3)
27 extensions of one (1) year each based on a showing by the permittee of a
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1 good faith intent to commence the use. The Planning Director's
2 extensions are not subject to a public hearing.

3 B. INITIATION OF MODIFICATION OR REVOCATION.

4 A public hearing shall be set before the Board of Supervisors upon a
5 determination by the Planning Director that grounds for modification or
6 revocation exist.

7 C. NOTICE OF PUBLIC HEARING.

8 Notice of the time, date and place of the public hearing shall be given as provided
9 in Section 18.26.C. of this ordinance.

10 D. PUBLIC HEARING.

11 In conducting the public hearing, the Board of Supervisors shall:

- 12 1. Set the hearing procedures;
- 13 2. Hear relevant testimony from interested persons and the Chairperson of
14 the Board of Supervisors may require that witnesses be sworn;
- 15 3. Make its decision within a reasonable time after the close of the public
16 hearing; and
- 17 4. Have the discretion to continue the hearing from time to time.

18 E. NOTICE OF DECISION.

- 19 1. Notice of the Board of Supervisor's decision and a report of the
20 proceedings shall be filed with the Clerk of the Board of Supervisors not
21 later than 45 days following the date the decision is adopted.
- 22 2. A copy of the notice of decision and the report of the proceedings shall
23 also be mailed to the applicant at the address on file with the Planning
24 Department within that period of time.

25 F. FINAL ACTION.

26 The decision of the Board of Supervisors to modify or revoke a previously
27 granted conditional use permit for Commercial Cannabis Activity is final."
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1 Section 5. Section 21.19d. of Ordinance No. 348 is amended to read as follows:

2 “SECTION 21.19d. CANNABIS, ADULT-USE.

3 Cannabis and any Cannabis Product intended to be sold for use by adults 21 years or older
4 pursuant to State law.”

5 Section 6. Section 21.19e. of Ordinance No. 348 is amended to read as follows:

6 “SECTION 21.19e. CANNABIS, MEDICINAL.

7 Cannabis or Cannabis Product intended to be sold or donated for use pursuant to the
8 Compassionate Use Act of 1996 (Proposition 215), found in Section 11362.5 of the Health
9 and Safety Code, by a patient in California who possesses a physician's recommendation
10 for Cannabis for medical purposes, or in compliance with any compassionate use, equity,
11 or other similar program administered by a local jurisdiction.”

12 Section 7. Section 21.19f. of Ordinance No. 348 is amended to read as follows:

13 “SECTION 21.19f. CANNABIS CULTIVATION.

14 Any activity involving the planting, growing, harvesting, drying, curing, grading, or
15 trimming of Cannabis.”

16 Section 8. Section 21.19g. of Ordinance No. 348 is amended to read as follows:

17 “SECTION 21.19g. CANNABIS CULTIVATION AREA.

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

20 Section 9. Section 21.19h. of Ordinance No. 348 is amended to read as follows:

21 “SECTION 21.19h. CANNABIS DELIVERY.

22 The commercial transfer of Cannabis or Cannabis Products from a Cannabis Retailer
23 or Cannabis Microbusiness engaged as a Cannabis Retailer with an approved conditional
24 use permit and Type 9 State license, up to an amount allowed by the State of California
25 Department of Cannabis Control, to a primary caregiver, qualified patient, or customer
26 at a physical address in California in compliance with all State laws and regulations.”

27 Section 10. Section 21.19i. of Ordinance No. 348 is amended to read as follows:

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1 “SECTION 21.19i. CANNABIS DISTRIBUTION.

2 The procurement, sale, and transport of Cannabis and Cannabis Products between
3 Commercial Cannabis Activity licensees.”

4 Section 11. Section 21.19j. of Ordinance No. 348 is amended to read as follows:

5 “SECTION 21.19j. CANNABIS DISTRIBUTION FACILITIES.

6 A facility engaged in the storage of Cannabis or Cannabis Products, for later distribution to
7 permitted and licensed Cannabis Manufacturing Facilities, Cannabis Testing Facilities, or
8 Cannabis Retailers.”

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

10 “SECTION 21.19k. CANNABIS MANUFACTURING.

11 The compounding, blending, extracting, infusing, or otherwise making or preparing a
12 Cannabis Product and includes any processing, preparing, holding, or storing of
13 components and ingredients.”

14 Section 13. Section 21.19l of Ordinance No. 348 is amended to read as follows:

15 “SECTION 21.19l. CANNABIS MANUFACTURING FACILITY.

16 A facility requiring a State manufacturing license, that processes, produces, prepares,
17 propagates, holds, stores, packages, labels or compounds cannabis or cannabis products
18 either directly or indirectly or by extraction and/or infusion methods, or independently
19 by means of chemical synthesis or by a combination of extraction and/or infusion and
20 chemical synthesis, using non-volatile or volatile organic compounds, as applicable to
21 the State license, at a fixed location, that packages or repackages cannabis or cannabis
22 products, or labels or relabels its containers.”

23 Section 14. Section 21.19m of Ordinance No. 348 is amended to read as follows:

24 “SECTION 21.19m. CANNABIS MICROBUSINESS FACILITY.

25 A facility that is engaged in at least three of the following Commercial Cannabis Activities:
26 Indoor Cannabis Cultivation less than 10,000 square feet. Cannabis Manufacturing (with
27 non-volatile compounds), Cannabis Distribution, or Cannabis Retailer.”

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1 into a concentrate, including, but not limited to, concentrated Cannabis, or an edible or
2 topical product containing Cannabis or concentrated Cannabis and other ingredients.”

3 Section 20. Section 21.19s. of Ordinance No. 348 is amended to read as follows:

4 “SECTION 21.19s. CANNABIS RETAILER.

5 A facility where Cannabis, Cannabis Products, or devices specifically for the use of
6 Cannabis or Cannabis Products are offered, either individually or in any combination, for
7 retail sale and/or Cannabis Delivery.”

8 Section 21. Section 21.19t. of Ordinance No. 348 is amended to read as follows:

9 “SECTION 21.19t. CANNABIS TESTING FACILITY.

10 A laboratory, facility, or entity that offers or performs tests of Cannabis or Cannabis
11 Products.”

12 Section 22. A new Section 21.19u. is added to Ordinance No. 348 to read as follows:

13 “SECTION 21.19u. CANNABIS WHOLESALE NURSERY.

14 A site that produces only clones, immature plants, seeds, or other agricultural products used
15 specifically for the planting, propagation, and cultivation of Cannabis. Cultivation as a
16 Cannabis Wholesale Nursery may be considered outdoor, indoor or mixed-light
17 cultivation.”

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

19 “SECTION 21.19v. CANOPY.

20 For purposes of Article XIXh only, the designated area or areas at a licensed Premises that
21 will contain Mature Cannabis Plants at any point in time. Canopy shall be calculated in
22 square feet and measured using clearly identifiable boundaries of all areas that will contain
23 Mature Cannabis Plants at any point in time, including all of the spaces within the
24 boundaries.”

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

26 “SECTION 21.19w. COMMERCIAL CANNABIS ACTIVITY.

27 The cultivation, possession, manufacture, distribution, processing, storing, laboratory
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1 testing, packaging, labeling, transportation, delivery or sale of Cannabis and Cannabis
2 Products as provided for in this division.”

3 Section 25. A new Section 21.19x. is added to Ordinance No. 348 to read as follows:

4 “SECTION 21.19x. COMMERCIAL RETAIL CORRIDOR.

5 Those corridor areas in the unincorporated area of Riverside County located within one-half
6 mile from a designated freeway, including Interstate 10, Interstate 15, Interstate 215, State
7 Route 91, and State Route 60.”

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

9 “SECTION 21.19y. UNDULY CONCENTRATED CORRIDOR.

10 A Commercial Retail Corridor where the number of approved conditional use permits for
11 cannabis retailers within that Commercial Retail Corridor has reached a limit of one for each
12 2,000 inhabitants of the census tract in which the cannabis retailers are located.”

13 Section 27. Section 21.31b of Ordinance No. 348 is deleted.

14 Section 28. Section 21.51j. of Ordinance No. 348 is amended to read as follows:

15 “SECTION 21.51j. MIXED LIGHT CANNABIS CULTIVATION.

16 The cultivation of Mature Cannabis Plants in a greenhouse, hoop structure, glasshouse,
17 conservatory, hothouse, or other similar structure using light deprivation or one of the
18 artificial lighting models described below:

- 19
- 20 1. Mixed-light Tier 1 – the use of artificial light at a rate of six (6) watts per square foot
21 or less.
 - 22 2. Mixed-light Tier 2 – the use of artificial light at a rate above six (6) and below or
23 equal to twenty-five (25) watts per square foot.”

24 Section 29. Section 21.51k. of Ordinance No. 348 is amended to read as follows:

25 “SECTION 21.51k. MOBILE CANNABIS RETAILER.

26 A motorized or non-motorized vehicle, cart, trailer, wagon, container or other similar
27 personal property not located on a licensed Premises, pursuant to State law, and from
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1 which Cannabis, Cannabis Products, or devices specifically for the use of Cannabis or
2 Cannabis Products are offered, either individually or in any combination, for retail sale
3 and/or Cannabis Delivery.”

4 Section 30. Section 21.51l. of Ordinance No. 348 is deleted.

5 Section 31. Section 21.51m. of Ordinance No. 348 is deleted.

6 Section 32. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its
7 adoption.

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

10
11 By: _____
Chairman, Board of Supervisors

12 ATTEST:
13 CLERK OF THE BOARD

14 By: _____
Deputy

15 (SEAL)

16
17 APPROVED AS TO FORM

18 March 2, 2023

19 By: Sarah K Moore
20 SARAH K. MOORE
21 Deputy County Counsel
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ORDINANCE NO. 348.XXXX4997

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING
ORDINANCE NO. 348 RELATED TO ZONING

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

Section 1. Section 18.18.B of Ordinance No. 348 is amended to read as follows:

“B. APPLICABILITY.

This article applies only to non-habitable detached accessory buildings and structures. Article XIXj for additional residential accommodations applies to all habitable detached accessory buildings and structures or structures with portions of habitable space. This section shall not apply to agricultural structures in the A-1, A-P, A-2 or A-D zones.”

Section 2. Section 18.18.C. of Ordinance No. 348 is amended to read as follows:

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C. ~~CB~~-DETACHED ACCESSORY BUILDINGS AND STRUCTURES.

1. ALLOWED USE.

Subject to the provisions provided in this Section, detached accessory buildings and structures are allowed on lots where the principal use of the lot is a one family dwelling.

~~2.~~ 2.- PLOT PLAN REQUIREMENT.

a. Notwithstanding the above Section 18.18.BC.1., the Planning Director may, based on a determination of potential environmental concerns, require the submittal of a plot plan including the preparation of an environmental assessment pursuant to Section 18.30 of this ordinance if either:

i. A detached accessory building or structure on a lot equals or

1 exceeds five thousand (5,000) square feet in size; or,

2 ii. ____ The total square footage of all detached accessory buildings
3 or structures of a lot equal or exceed five thousand (5,000)
4 square feet. Said determination of potential environmental
5 concerns shall be made by the Planning Director and is within
6 his or her sole discretion.

7 b. ____ -If a plot plan is required for a detached accessory building or
8 structure, a public hearing shall be held in accordance with Section
9 18.30 of this ordinance and the plot plan shall only be approved if it
10 complies with the requirements of this Section and the requirements
11 of Section 18.30 of this ordinance.

12 3. ____ DEVELOPMENT STANDARDS.

13 In addition to the development standards of the applicable zone, a detached
14 accessory building or structure shall comply with the following:

15 a. ____ Where a rear yard is required by this ordinance, a detached accessory
16 building or structure ~~may occupy not more than fifty percent of the~~
17 required rear yard shall not be less than the requirement of the zone.

18 b. ____ In areas of altitudes above four thousand (4,000) feet, a detached
19 accessory building or structure may be constructed in accordance with
20 the same building setback line as is required for a one family dwelling
21 on the same lot.

22 c. ____ Detached accessory buildings or structures shall ~~be located in the rear~~
23 portion of a lot and shall not be nearer to the street line than the
24 principal dwelling on the lot not be located closer to the front lot line
25 than the principal dwelling on the same lot, except the Planning
26 Director may, based on a determination that this standard is infeasible
27 for the lot, allow detached accessory buildings or structures to be
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setback a minimum of 25 feet from the front lot line.

d. ___ No detached accessory building shall be nearer to the one family dwelling, or other building or structure than ~~is that~~ permitted by Ordinance No. 457 and Ordinance No 787.

e. ~~Notwithstanding the height limitations of any zone, the height limit shall be thirty (30) feet or the height of the principal dwelling, whichever is less.~~ The building height of a detached accessory building or structure shall not exceed two stories or forty feet, unless a greater height is approved pursuant to Section 18.34. of this ordinance.

f. ___ Bare metal buildings and structures without paint or exterior architectural coatings or treatments shall not be located on a lot one (1) acre or smaller.

g. ___ No final inspection shall be performed for the detached accessory building or structure until a final inspection has been performed for the one family dwelling on the same lot.

h. ___ No detached accessory building or structure shall be rented or leased, or offered for rent or lease, unless the one family dwelling on the lot is also being rented or leased, or offered for rent or lease, to the same renter or lessee.

i. ___ No detached accessory building or structure shall be used for overnight accommodations.

_____ j. ___ No detached accessory building or structure shall contain a kitchen.

k. ___ Any detached accessory building or structure must have the same lot access as the one family dwelling on the lot. No additional curb cuts, rear access or any other type of access is allowed to the detached accessory building or structure except as may be authorized by the Transportation Department through the issuance of an encroachment

1 permit.

2 l. ____ A detached accessory building or structure shall be compatible with
3 the architecture of the one family dwelling and consistent with the
4 character of the surrounding neighborhood.

5 m. ____-Notwithstanding the above, in areas of altitudes below four (4,000)
6 thousand feet and where the slope of the front twenty (20) feet of the
7 lot is greater than one (1) foot rise or fall in a seven (7) foot run from
8 the established street elevation, or where the frontage of the lot is
9 more than four (4) feet above or below such established street
10 elevation, a private garage may be built to the front or side lot lines if
11 the placement of the building or structure or the design of the building
12 or structure prevents vehicles directly exiting or entering onto the
13 adjacent roadway; however, in areas of altitudes above four thousand
14 (4,000) feet and where the slope of the front twenty (20) feet of a lot
15 is greater than one (1) foot rise or fall in a seven (7)foot run from the
16 established street elevation, or where the frontage of the lot is more
17 than four (4) feet above or below such established street elevation, a
18 private garage or carport may be built to the front or side lot lines.”

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26 Section 32. The “Commercial Cannabis Activities” table in Section 18.12.A.2.b. of Ordinance
27 No. 348 is amended to read as follows:
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COMMERCIAL CANNABIS ACTIVITIES	PER SQUARE FOOT OR UNIT	PER EMPLOYEE	OTHER CRITERIA	FOR VEHICLE STACKING
Indoor Cannabis Cultivation		2 spaces/ 3 employees		
Mixed Light Cannabis Cultivation		2 spaces/ 3 employees		
Cannabis Wholesale Nursery		1 space/ 2 employees		
Cannabis Distribution Facility		2 spaces/ 3 employees of largest shift		
Cannabis Manufacturing Facility		2 spaces/ 3 employees of largest shift		
Cannabis Testing Facility		2 spaces/ 3 employees of largest shift		
Cannabis Retailers	15 spaces or 1 space/200 sq. ft. of gross floor area, whichever is greater			
Cannabis Microbusinesses Facility engaged as a Cannabis Retailer with retail sales	15 spaces or 1 space/200 sq. ft. of gross floor area, whichever is greater			
Cannabis Microbusinesses Facility not engaged as a Cannabis Retailer without retail sales		2 spaces/ 3 employees		

Section 43. Article XIXh of Ordinance No. 348 is amended in its entirety to read as follows:

1 Article XIXh COMMERCIAL CANNABIS ACTIVITIES

2 SECTION 19.500. PURPOSE AND INTENT.

3 The purpose of this Article is to protect the public health, safety, and welfare, enact strong and
4 effective regulatory and enforcement controls in compliance with State law, protect neighborhood
5 character, and minimize potential for negative impacts on people, communities, and the
6 environment in the unincorporated areas of Riverside County by establishing land use regulations
7 for ~~e~~Commercial ~~e~~Cannabis ~~a~~Activities. Commercial ~~C~~eannabis ~~A~~activities includes ~~e~~Cannabis
8 ~~e~~Cultivation, ~~e~~Cannabis ~~W~~holesale ~~N~~urseryies, ~~C~~eannabis ~~m~~Manufacturing ~~F~~acility, ~~e~~Cannabis
9 ~~t~~esting ~~f~~acilityies, ~~e~~Cannabis ~~r~~etailers, and ~~e~~Cannabis ~~d~~istribution ~~F~~acility, including
10 ~~m~~edicinal ~~C~~annabis and ~~a~~Adult-~~u~~se ~~e~~Cannabis. Commercial ~~e~~Cannabis ~~a~~Activities require
11 land use regulations due to the unique State legal constraints on ~~_~~~~e~~Cannabis activity, and the
12 potential environmental and social impacts associated with ~~e~~Cannabis activity.

13 SECTION 19.501. PROHIBITED ACTIVITIES.

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

2 D. Outdoor cultivation of Cannabis is prohibited in the unincorporated area of
3 Riverside County.

4 E. All Commercial Cannabis Activities within any dwelling unit, accessory dwelling
5 unit, guest quarters, or any other residential accessory structure permitted for
6 residential occupancy is prohibited.

7 F. Unless a ~~C~~conditional ~~U~~use ~~P~~permit has been approved that includes the retail sales
8 of Cannabis or Cannabis Products no person shall conduct any retail sales of
9 Cannabis or Cannabis Products on or from a permitted Commercial Cannabis
10 Activity.

11 SECTION 19.502. APPLICABILITY.

12 A. Except as provided in Section 19.503 of this Article, Commercial Cannabis
13 Activities shall not be allowed in the unincorporated areas of Riverside County
14 without first obtaining all required land use permits, licenses or other entitlements
15 required by local or State laws and regulations.

16 B. Cannabis is not an agricultural commodity with respect to Ordinance No. 625, the
17 Right-to-Farm ordinance, and is not considered Farmland or Agriculture as those
18 terms are defined in the Riverside County General Plan or Ordinance No. 625.

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

21 SECTION 19.503. EXEMPTIONS.

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

25 A. Personal Cannabis Cultivation.

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

7 B. Cannabis Cultivation by a Primary Caregiver.

8 This Article shall not prohibit the cultivation of Cannabis by a qualified patient
9 or primary caregiver in accordance with Section 12 of Riverside County
10 Ordinance No. 925.

11 SECTION 19.504. PROHIBITED LOCATIONS.

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

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

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

18 A. APPLICATION REQUIREMENTS.

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

22 B. STATE LICENSE REQUIRED.

23 Obtain the requisite State license for the approved Commercial Cannabis Activity
24 within two (2) years of obtaining an approved conditional use permit for the
25 Commercial Cannabis Activity or prior to a certificate of occupancy, whichever is
26 sooner, and maintain during the life of the Commercial Cannabis Activity the
27 applicable California license issued pursuant to California Business and Professions
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Code ~~s~~Sections 19300.7 or 26050(a) as may be amended from time to time.

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

Suspension of a license issued by the State of California, or by any State licensing authority, shall immediately suspend the ability of a Commercial Cannabis Activity to operate within the County until the State, or its respective State licensing authority, reinstates or reissues the State license. Revocation or termination of a license by the State of California, or by any State licensing authority, will also be grounds to revoke or terminate any conditional use permit granted to a Commercial Cannabis Activity pursuant to this Article. Any operator or applicant of a Commercial Cannabis Activity shall provide written notice to the County of any suspension, revocation, or termination of any State license for Commercial Cannabis Activity within 48 hours of such -suspension, revocation, or termination.

D. HEALTH AND SAFETY.

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

E. DEVELOPMENT AGREEMENT.

No approval required by this ordinance shall be given for any permit for a Commercial Cannabis Activity unless the Board of Supervisors prior to or concurrently with approves a development agreement, pursuant to Section 18.26b of this ordinance, setting forth the terms and conditions under which the Commercial Cannabis Activity will operate in addition to the requirements of this ordinance, all other local ordinances and regulations, ~~s~~State law and such other terms and

1 conditions that will protect and promote the public health, safety and welfare. No
2 use or operation under any permit for a Commercial Cannabis Activity shall be
3 allowed to begin or continue unless~~until~~ the development agreement is effective and
4 not terminated.

5
6 F. NUISANCE ODORS.

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

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

26 G. COMMERCIAL CANNABIS ACTIVITY OPERATOR QUALIFICATIONS.

- 27 1. All operators and all employees of a Commercial Cannabis Activity must be
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21 years of age or older.

2. All Operators of a Commercial Cannabis Activity shall be subject to background checks.
3. Permits for Commercial Cannabis Activities shall not be granted for operators with felony convictions, as specified in subdivision (c) of Section 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal Code.
4. Applicants or operators providing false or misleading information in the permitting process will result in rejection of the application or nullification or revocation of any permit granted pursuant to this Article.

~~4.~~

H. VERIFIED CANNABIS RELATED VIOLATIONS.

1. Permits for Commercial Cannabis Activity shall not be granted for a period of two (2) years for properties on which the County has verified a recent Cannabis related violation. The two (2) year period commences upon resolution of the recent Cannabis related violation.
2. For the purposes of this section, Cannabis related violations are defined as recent when the violation occurs within one or more of following periods of time:
 - a. Within the twelve (12) months prior to submission of an application for a Commercial Cannabis Activity described by this Article; or
 - b. Anytime after submission of an application for and up to approval of a Commercial Cannabis Activity described by this Article.
3. The Planning Director may waive this penalty for good cause as may be demonstrated by the property owner(s). A property owner's

1 demonstration of good cause may include, but is not limited to, providing
2 sufficient evidence to show the current property owner(s) did not own the
3 property nor have any involvement with the verified Cannabis related
4 violation on the property or other good faith effort to comply with the
5 County's ordinance.

6 I. ~~H.~~ RELOCATION OF A PERMITTED COMMERCIAL CANNABIS
7 ACTIVITY.

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

12
13 J. HOURS OF OPERATION.

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

18 JK. INSPECTIONS.

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

23 KL. MONITORING PROGRAM.

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

1 LM. RESTRICTION ON ALCOHOL AND TOBACCO SALES OR CONSUMPTION.

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

4 MN. RESTRICTION ON CONSUMPTION.

5 Cannabis shall not be consumed or used on the lot of any Commercial Cannabis
6 Activity.

7 NO. SECURITY.

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

- 15 1. A plan to prevent individuals from loitering on the lot if they are not
16 engaging in activity expressly related to the Commercial Cannabis Activity.
- 17 2. 24 hour emergency contact information for the owner or an on-site employee
18 which shall be provided to the County.
- 19 3. A professionally installed, maintained, and monitored alarm system.
- 20 4. Except for Live Cannabis Plants being cultivated at a Cannabis eCultivation
21 facility and limited amounts of Cannabis for display purposes, all Cannabis
22 and Cannabis Products shall be stored in a secured and locked structure and
23 in a secured and locked safe room, safe, or vault, and in a manner as to
24 prevent diversion, theft, and loss.
- 25 5. 24 hour security surveillance cameras to monitor all entrances and exits to a
26 Commercial Cannabis Activity, all interior spaces within the Commercial
27 Cannabis Activity that are open and accessible to the public, and all interior
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1 spaces where Cannabis, cash or currency is being stored for any period of
2 time on a regular basis. The permittee for a Commercial Cannabis Activity
3 shall be responsible for ensuring that the security surveillance camera's
4 footage is accessible. Video recordings shall be maintained for a minimum
5 of 90 days, and shall be made available to the County upon request.

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

3 d. Any other breach of security.

4 13. Firearms shall not be permitted at a Commercial Cannabis Activity by an
5 owner, manager, employee, volunteer, independent contractor, or designee
6 ~~vendor~~ other than those individuals authorized as a State Licensed Security
7 Personnel.

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

9 ~~14.15. Cannabis Retailers which are open to the public or Cannabis Microbusiness~~
10 ~~Facilities which are engaged as a Cannabis Retailer and open to the public~~
11 ~~shall require any owner, manager, employee, volunteer, other personnel,~~
12 ~~independent contractor, or designee that is onsite at the Cannabis Retailer~~
13 ~~during its hours of operation to wear a uniform, which clearly identifies the~~
14 ~~wearer as part of the Cannabis Retailer or Cannabis Microbusiness, as~~
15 ~~applicable, and not the public.~~

16 OP. PERMIT AND LICENSE POSTING.

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

21 PQ. SIGNAGE.

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

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

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

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

7 4. No Commercial Cannabis Activity shall advertise or market Cannabis or
8 Cannabis Products on motor vehicles.

9 ~~5. Except for advertising signs inside a licensed Premises and provided that~~
10 ~~such advertising signs do not~~ No sign shall advertise or market Cannabis or
11 Cannabis Products in a manner intended to encourage persons under 21
12 years of age to consume Cannabis or Cannabis Products

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

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

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

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

23 ~~9.8.~~ No banners, flags, billboards, or other prohibited signs may be used at any
24 time.

25 QR. RECORDS.

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

2. Each owner and permittee of a Commercial Cannabis Activity shall maintain a current register of the names and contact information, including name, address, and telephone number, of anyone owning or holding an ownership interest in the Commercial Cannabis Activity, and of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the Commercial Cannabis Activity. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.

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

RS. WATER.

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the Commercial Cannabis Activity. The letter shall include the activity proposed and any improvements required for service. For Commercial Cannabis Activities where water service is not available, conditions from the Department of Environmental Health for a permitted onsite, in-ground well will be required for the conditional use

1 permit. Irrigation and domestic water supplies shall not include water transported
2 by vehicle from off-site sources.

3 ST. WASTE WATER.

4 All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the
5 applicable sanitary sewer purveyor, indicating agreement to supply sewer for the
6 Commercial Cannabis Activity. The letter shall include the activity proposed and
7 any improvements required for service. For Commercial Cannabis Activities where
8 sewer service is not available, conditions from the Department of Environmental
9 Health will be required for the conditional use permit. Where sanitary sewer is not
10 available, the applicant shall obtain clearance from the appropriate regional water
11 quality control board.

12 TU. PARKING.

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

14 VU. VISIBILITY.

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

17 WV. _____HAZARDOUS MATERIALS.

18 All Commercial Cannabis Activities that utilize hazardous materials shall comply
19 with applicable hazardous waste generator, Riverside County Ordinance No. 615,
20 and hazardous materials handling, Riverside County Ordinance No. 651,
21 requirements and maintain any applicable permits for these programs from the
22 Riverside County Fire Department, the Riverside County Department of
23 Environmental Health, the Riverside County Department of Waste Resources and
24 the Agricultural Commissioner.

25 XW. COMPLIANCE WITH LOCAL AND STATE LAWS AND REGULATIONS.

26 1. All Commercial Cannabis Activities shall comply with all applicable local
27 and State laws, ordinances and regulations related to, but not limited to, the
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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, track and trace requirements, 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 the Riverside County Fire Department in accordance with Riverside County Ordinance No. 787 and the California Fire Code.

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X. MATERIAL ALTERATIONS TO PREMISES.

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

1 such permit must be obtained prior to issuance of building permits.

2 ZY. MULTIPLE COMMERCIAL CANNABIS ACTIVITIES.

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

6
7 SECTION 19.506. PUBLIC HEARING AND REQUIREMENTS FOR APPROVAL.

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

12 B. No conditional use permit for a Commercial Cannabis Activity shall be approved
13 unless the following findings are made:

14 1. The permit is consistent with the General Plan, ~~and~~ any applicable specific
15 plan, and the zoning classification.

16 ~~1.~~ _____

17 2. The permit complies with the requirements of Sections 18.12, 18.28, 19.505,
18 19.511, 19.513, 19.515, 19.517, 19.519, 19.521 and 19.523, as applicable, of
19 this ordinance.

20 ~~2.3.~~ The permit complies with all the requirements and findings of this Article
21 for the applicable the Commercial Cannabis Activity(ies).

22 ~~3.4.~~ The permit complies with the development standards for the zoning
23 classification in which the Commercial Cannabis Activity is located.

24 ~~4.5.~~ The permit will not be detrimental to the public health, safety or general
25 welfare.

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

SECTION 19.507. PERMIT EXPIRATION AND REQUEST FOR RENEWAL AFTER EXPIRATION.

~~A.—All conditional use permits granted for a Commercial Cannabis Activity shall expire and become null and void. All conditional use permits granted for a Commercial Cannabis Activity shall be conditioned for the permittee to obtain a valid Cannabis license from the State of California within 6 months of the conditional use permit’s approval date. In the event the condition of approval is not complied with, the conditional use permit will automatically become null and void on the 6 month anniversary date of the conditional use permit’s approval.~~

~~B.— All conditional use permits issued for a Commercial Cannabis Activity shall expire as provided in each permit’s conditions of approval and development agreement. No less than 6 months from the expiration date, the permittee may request the conditional use permit to be renewed as provided in the development agreement. Any request for renewal shall be in writing to the Planning Department and in conjunction with a revised permit application. The renewal request and revised permit application shall be processed in accordance with the procedures for processing the original permit, including any requirements for public hearing, notice of hearing and all rights of appeal. If all obligations detailed within the development agreement associated with the permit are not met, the revised permit application and renewal request will be recommended for denial. If a request for renewal is not requested or is not granted the conditional use permit shall be deemed expired on the date set forth in the permit’s conditions of approval and development agreement.~~

SECTION 19.508. OUTDOOR CANNABIS CULTIVATION PROHIBITED.

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

SECTION 19.509. INDOOR (ARTIFICIAL LIGHT) CANNABIS CULTIVATION.

A. ZONING.

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

1 1. Specialty Cottage Indoor Cannabis Cultivation.

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

6 2. Specialty Indoor Cannabis Cultivation.

7 Specialty Indoor Cannabis Cultivation is allowed in the following zone
8 classifications with an approved conditional use permit in accordance with
9 sSection 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H,
10 A-1, A-P, A-2 and A-D.

11 3. Small Indoor Cannabis Cultivation.

12 Small Indoor Cannabis Cultivation is allowed in the following zone
13 classifications with an approved conditional use permit in accordance with
14 sSection 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H,
15 A-1, A-P, A-2, and A-D.

16 4. Medium Indoor Cannabis Cultivation.

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

21 B. SIZE LIMITATIONS.

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

24 2. The Canopy size does not include immature Live Cannabis Plants that are
25 not flowering. Pursuant to State law, should a Live Cannabis Plant outside
26 of the Canopy area(s) begin to flower, a plant tag shall be applied, the Live
27 Cannabis Plant shall be moved to a designated Canopy area, and reported in

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the track and trace system without delay.

~~2.~~ 3. The Canopy size on a ~~single~~-lot for a Specialty Cottage Indoor Cannabis Cultivation shall not exceed 500 square feet.

~~3.~~ 4. The Canopy size on a ~~single~~-lot for a Specialty Indoor Cannabis Cultivation shall not exceed 5,000 square feet.

~~4.~~ 5. The Canopy size on a ~~single~~-lot for a Small Indoor Cannabis Cultivation shall not exceed 10,000 square feet.

~~5.~~ 6. The Canopy size on a ~~single~~-lot for a Medium Indoor Cannabis Cultivation shall not exceed 22,000 square feet except as provided for in 19.509.B.~~67.~~below.

~~6.~~ 7. Multiple Indoor Cannabis Cultivations may operate on a single ~~lot~~ provided lot provided all the following is complied with:

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

b. The individual Canopy size for each Indoor Cannabis Cultivation operation complies with State law, and the cumulative Canopy area for all the Indoor Cannabis Cultivation operations on one lot does not exceed the total amount of 43,560 square feet.

8. For properties with an approved conditional use permit for Indoor Cannabis Cultivation and Cannabis Wholesale Nursery, the calculated Canopy size for Indoor Cannabis Cultivation does not include the area of the property for the Cannabis Wholesale Nursery.

SECTION 19.510. MIXED LIGHT CANNABIS CULTIVATION.

A. ZONES.

Notwithstanding any other provision of this ordinance, Mixed Light Cannabis

1 Cultivation is allowed as follows:

2 1. Specialty Cottage Mixed Light Cannabis Cultivation.

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

7 2. Specialty Mixed Light Cannabis Cultivation.

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

12 3. Small Mixed Light Cannabis Cultivation.

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

17 4. Medium Mixed Light Cannabis Cultivation.

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

22
23 B. SIZE LIMITATIONS.

24 1. A Mixed Light Cannabis Cultivation shall not exceed the Canopy size
25 threshold established by State law.

26 2. The Canopy size does not include immature Live Cannabis Plants
27 that are not flowering. Pursuant to State law, should a Live Cannabis Plant
28

1 outside of the Canopy area(s) begin to flower, a plant tag shall be applied,
2 the Live Cannabis Plant shall be moved to a designated Canopy area, and
3 reported in the track and trace system without delay.

4 ~~2.~~ 3. The Canopy size on a single lot for a Specialty Cottage Mixed Light
5 Cannabis Cultivation shall not exceed 2,500 square feet.

6 ~~3.~~ 4. The Canopy size on a single lot for a Specialty Mixed Light Cannabis
7 Cultivation shall not exceed 5,000 square feet.

8 ~~4.~~ 5. The Canopy size on a single lot for a Small Mixed Light Cannabis
9 Cultivation shall not exceed 10,000 square feet.

10 ~~5.~~ 6. The Canopy size on a single lot for a Medium Mixed Light Cannabis
11 Cultivation shall not exceed 22,000 square feet except as provided for in
12 19.510.B. ~~76. below.~~

13 ~~6.~~ 7. Multiple Mixed Light Cannabis Cultivation operations may operate
14 on a single lot provided all the following is complied with:

15 a. A conditional use permit has been granted for Mixed Light Cannabis
16 Cultivation and specifies the number and size of each proposed
17 licensed Premises.

18 b. The individual Canopy size for each Mixed Light Cannabis
19 Cultivation operation complies with State law and the cumulative
20 Canopy area for all the Mixed Light Cannabis Cultivation operations
21 does not exceed the total amount of 43,560 square feet.

22 ~~b.~~ _____

23 8. For properties with an approved conditional use permit for Mixed Light
24 Cannabis Cultivation and Cannabis Wholesale Nursery, the calculated
25 Canopy size for Mixed Light Cannabis Cultivation does not include the area
26 of the property for the Cannabis Wholesale Nursery.

27 SECTION 19.511. CANNABIS CULTIVATION STANDARDS.

28

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

5 A. LOCATION REQUIREMENTS.

- 6 1. Indoor and Mixed Light Cannabis Cultivation shall not be located within
7 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth
8 Center. ~~The distance shall be measured from the nearest points of the~~
9 ~~respective lot lines using a direct straight line measurement. This distance~~
10 ~~shall be measured from the nearest points of the respective property lines~~
11 ~~using a direct straight-line measurement without regard to intervening~~
12 ~~structures, as specified in subdivision (b) of Section 26054 of the Business~~
13 ~~and Professions Code.~~ A new adjacent use will not affect the continuation of
14 an existing legal use that has been established under this Article and
15 continuously operating in compliance with the conditional use permit, and
16 local and State laws and regulations. This location requirement may be
17 modified with the approval of a variance pursuant to Section 18.27 of this
18 ordinance. In no case shall the distance be less than allowed by State law.
- 19 2. Indoor Cannabis Cultivation and Mixed Light Cannabis Cultivation are not
20 allowed in an established agricultural preserve or on a lot under a land
21 conservation contract pursuant to the Williamson Act. Indoor Cannabis
22 Cultivation and Mixed Light Cannabis Cultivation shall not be considered
23 agriculture for the purposes of Ordinance No. 625 the County's Right-to-
24 Farm Ordinance.
- 25 3. All Cannabis Cultivation is prohibited on natural slopes 25% or greater.

26
27 B. MINIMUM LOT SIZE.
28

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

Commercial Cannabis Activity	Minimum Lot Size (Square Feet)	Allowable Zone(s)
Specialty Cottage	Minimum lot size per Zone	C ₋₁ /C _{-P} , C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
Specialty	Minimum lot size per Zone	C ₋₁ /C _{-P} , C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
Small	Minimum lot size per Zone	C ₋₁ /C _{-P} , C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
Medium	Minimum lot size per Zone	I-P, M-SC, M-M, M-H

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

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

C. MINIMUM LOT DIMENSIONS.

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

D. SETBACKS.

1. Indoor Cannabis Cultivation:

All Indoor Cannabis Cultivation shall comply with the setback standards for the zone classification in which they are located ~~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~~

1 which it is located. When an Indoor Cannabis Cultivation facility is located
2 adjacent to a residentially zoned lot the minimum setback shall be 25 feet.

3 2. Mixed Light Cannabis Cultivation:

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

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

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

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

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

20 3. Setbacks may be modified with an approved setback adjustments ~~may be~~
21 ~~made~~ in accordance with Section 18.33 of this ordinance, ~~except i~~n no
22 ~~case~~event shall a setbacks be less than the setbacks required by the State of
23 California Department of Food and Agriculture or other applicable State law.

24 E. SCREENING AND FENCING.

25 All Mixed Light Cannabis Cultivation shall occur within a secure fence at least 6
26 feet in height that fully encloses the Cannabis Cultivation Premises or Cannabis
27 Cultivation aArea and prevents easy access to the Cannabis Cultivation Area. The
28

1 fence must be solid, durable and include a lockable gate(s) that is locked at all times,
2 except for during times of active ingress and egress. Fences shall be separated by a
3 minimum of six feet from all cultivation structures, providing a clear six foot path.
4 The fence shall comply with all other applicable County ordinances, policies, and
5 design standards related to height, location, materials, or other fencing restrictions.
6 Cannabis Cultivation Areas shall not be secured by fences with barbed wire or
7 screened with plastic sheeting on chain link. Chain link with slats is allowed.

8 F. ENCLOSURES.

- 9 1. Cannabis Cultivation operations shall occur within a fully enclosed
10 permitted building, greenhouse, hoop structure, or other similar structure.
11 Mixed light supplemental lighting shall not exceed 25 watts per square foot
12 to be used up to one hour before sunrise or after sunset, unless the building
13 or structure is equipped with light-blocking measures to ensure that no light
14 escapes.
- 15 2. All greenhouses, hoop structures, or other similar structures shall comply
16 with Section 19.505.~~WX~~ of this article

17 G. ENERGY CONSERVATION MEASURES.

18 All Cannabis Cultivation operations shall include adequate measures to address the
19 projected energy demand for Cannabis Cultivation at the lot. On-site renewable
20 energy generation shall be required for all Indoor Cannabis Cultivation operations.
21 Renewable energy systems shall be designed to comply with the County's Climate
22 Action Plan and all state laws, mandates, and regulations regarding electrical power
23 and solar, including the requirements of the California Energy Code. ~~have a~~
24 ~~generation potential equal to or greater than 20 percent of the anticipated energy~~
25 ~~demand.~~ If there is a difference between the requirements of the County's Climate
26 Action Plan and any state law, mandate, or regulation, the Cannabis Cultivation
27 operation shall comply with whichever requirement is greater.

1 H. WATER CONSERVATION MEASURES.

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

6 I. OPERATIONS.

7 1. Indoor Cannabis Cultivation shall be within a fully enclosed building or
8 buildings.

9 2. All Cannabis Cultivation lighting shall be fully shielded, downward casting
10 and not spill over onto structures, other properties or the night sky. All
11 Indoor Cannabis Cultivation and Mixed Light Cannabis Cultivation
12 operations shall be fully contained so that little to no light escapes. Light
13 shall not escape at a level that is visible from neighboring properties between
14 sunset and sunrise.

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

26 34. Onsite generators are prohibited, except as a source of energy in an
27 emergencies. Onsite generators for emergency use shall be included in the
28

1 conditional use permit.

2 54. Cannabis Cultivation within the A-1, A-P, A-2, and A-D Zones shall not
3 include the retail sales of Cannabis or Cannabis Products.
4

5 J. TRANSPORT-ONLY DISTRIBUTION.

6 Cannabis Cultivation operations with an approved conditional use permit may
7 transport the Cannabis the licensee has cultivated to another Commercial
8 Cannabis Activity licensee, only if the Cannabis Cultivation operator also has
9 an approved transport-only distribution license in accordance with California
10 Code of Regulations section 15315 and all other applicable State law. This type
11 of transport-only distribution is not considered Cannabis Distribution for the
12 purposes of this Article.
13

14
15 K. FINDINGS.

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

- 19 1. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation
20 complies with all the requirements of the State and County for Cannabis
21 Cultivation.
- 22 2. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation is
23 not located within 1,000 feet from any Child Day Care Center, K-12
24 school, public park, ~~or~~ or Youth Center, ~~or Religious Institution~~ or a
25 variance in accordance with Section 18.27 of this ordinance has been
26 approved allowing a shorter distance, but not less than allowed by State
27 law. The distance is measured in accordance with Section 19.511.A.1.
28

- 1 3. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation
2 includes adequate measures that minimize use of water for cultivation on
3 the lot.
- 4 4. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation
5 includes adequate quality control measures to ensure cultivation on the
6 lot meets State and County regulatory standards.
- 7 5. The Indoor Cannabis Cultivation or Mixed Light Cannabis Cultivation
8 includes adequate measures that address enforcement priorities for
9 cultivation including restricting access to minors, and ensuring that
10 Cannabis is not supplied to unlicensed or unpermitted persons.
- 11 ~~6. For Indoor and Mixed Light Cannabis Cultivation lots with verified
12 Cannabis related violations within the last 12 months prior to the
13 adoption date of Ordinance No. 348.4898, the proposed use will not
14 contribute to repeat violations on the lot and all applicable fees have been
15 paid.~~
- 16 6. The Indoor Cannabis Cultivation or Mixed Cannabis Cultivation will
17 operate in a manner that prevents Cannabis ~~nuisance~~ odors from being
18 detected offsite.

19 ~~7.~~

20 SECTION 19.512. CANNABIS WHOLESALE NURSERIES.

21 A. APPLICABILITY.

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

24 1. Outdoor Cannabis Wholesale Nurseries.

25 Outdoor Cannabis Wholesale Nurseries are allowed on lots larger than or
26 equal to two gross acres in the following zone classifications with an
27 approved conditional use permit in accordance with Section 18.28 of this
28

1 ordinance: A-1, A-P, A-2 and A-D.

2 2. Indoor Cannabis Wholesale Nurseries.

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

6 3. Mixed Light Cannabis Wholesale Nurseries.

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

11 ~~B. NO MULTIPLE USE PERMITS.~~

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

14 SECTION 19.513. CANNABIS WHOLESale NURSERIES STANDARDS.

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

19
20 A. GENERAL LOCATION.

21 Cannabis Wholesale Nurseries shall not be located within 600 feet from any Child
22 Day Care Center, K-12 school, public park, or Youth Center. ~~Distance shall be~~
23 ~~measured from the nearest point of the respective lot lines using a direct straight-~~
24 ~~line measurement.~~ This distance shall be measured from the nearest points of the
25 respective property lines using a direct straight-line measurement without regard to
26 intervening structures, as specified in subdivision (b) of Section 26054 of the
27 Business and Professions Code. A new adjacent use will not affect the continuation
28

1 of an existing use that has been established under this Article and continuously
2 operating in compliance with the conditional use permit, and local and State laws
3 and regulations. This location meets the minimum requirements of State law and
4 may not be modified with approval of a variance.

5
6 B. MINIMUM LOT SIZE.

7 ~~1.~~ **Minimum lot size for Outdoor Cannabis Wholesale Nurseries.** The
8 minimum lot size for Outdoor Cannabis Wholesale Nurseries is listed
9 below:

10 1.

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

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12
13
14
15
16 2. **Minimum lot size for Indoor Cannabis Wholesale Nurseries.** The
17 minimum lot size for Indoor Cannabis Wholesale Nurseries is listed below:

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

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19
20
21
22
23 3. **Minimum lot size for Mixed Light Cannabis Wholesale Nurseries.** The
24 minimum lot size for Mixed Light Cannabis Wholesale Nurseries is listed
25 below:

Activity	Minimum Lot Size (Gross Acres)	Allowable Zone(s)
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Mixed Light Cannabis Wholesale Nursery	1	A-1, A-2
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C. MINIMUM LOT DIMENSIONS.

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

D. SETBACKS.

~~2.1.~~ The Premises for all Cannabis Wholesale Nurseries shall be setback a minimum of 50 feet from the lot lines and public right-of ways.

~~3.2.~~ The Premises for all Outdoor and Mixed Light Cannabis Wholesale Nurseries shall be setback a minimum of 50 feet from the drip line of any riparian vegetation of any watercourse.

~~4.3.~~ Setbacks may be modified with the approval of a setback adjustment in accordance with~~pursuant to~~ Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department of Food and Agriculture or other applicable State law.

E. SCREENING AND FENCING.

Live Cannabis Plants shall not be visible from outside of the lot for a Cannabis Wholesale Nursery. All Cannabis Wholesale Nursery activities shall occur within a secure fence at least six feet in height that fully encloses the Premises of the Cannabis Wholesale Nursery and prevents easy access to the Premises. 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 Cannabis Wholesale Nursery 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. Cannabis Wholesale Nursery Premises shall not be secured by fences with barbed wire or screened with plastic sheeting on chain link. Chain link with slats

1 is allowed.

2 F. MATURE CANNABIS PLANTS.

3 1. Mature Cannabis Plants as defined by the California Department of Food and
4 Agriculture are not allowed to be grown, kept, stored or sold in the ~~at any~~
5 Cannabis Wholesale Nursery area of the property.-

6 2. For properties with an approved conditional use permit for Cannabis
7 Wholesale Nursery and Indoor Cannabis Cultivation and/or Mixed Light
8 Cannabis Cultivation, Mature Cannabis Plants shall not be ~~grown, kept,~~
9 stored or sold in the Cannabis Wholesale Nursey area of the property.

10 3. Exception: Mature Cannabis Plants may be kept at the Cannabis Wholesale
11 Nursery for seed production and/or research and development, as allowed by
12 State law.

13
14 G. ENCLOSURES.

15 1. Except for outdoor Cannabis Wholesale Nurseries, operations shall occur
16 within a fully enclosed permitted building, greenhouse, hoop structure, or
17 other similar structure. Mixed light supplemental lighting shall not exceed
18 25 watts per square foot to be used up to one hour before sunrise or after
19 sunset, unless the building or structure is equipped with light-blocking
20 measures to ensure that no light escapes.

21 2. All greenhouses, hoop structures, or other similar structures shall comply
22 with Section 19.505.~~WX~~ of the Article.

23 H. ENERGY CONSERVATION MEASURES.

24 Cannabis Wholesale Nurseries shall include adequate measures to address the
25 projected energy demand for Cannabis eCultivation on the lot. On-site renewable
26 energy generation shall be required for all Indoor Cannabis Wholesale Nursery
27 operations. Renewable energy systems shall be designed ~~to have a generation~~
28

1 potential equal to or greater than 20 percent of the anticipated energy demand to
2 comply with the County's Climate Action Plan and all state laws, mandates, and
3 regulations regarding electrical power and solar, including the requirements of the
4 California Energy Code. If there is a difference between the requirements of the
5 County's Climate Action Plan and any state law, mandate, or regulation, the
6 Cannabis Cultivation operation shall comply with whichever requirement is greater.

7 I. WATER CONSERVATION MEASURES.

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

12 J. TRANSPORT-ONLY DISTRIBUTION.

13 Cannabis Wholesale Nursery operations with an approved conditional use
14 permit may transport the Cannabis the licensee has cultivated to another
15 Commercial Cannabis Activity licensee, only if the operator also has an
16 approved transport-only distribution license in accordance with California Code
17 of Regulations section 15315 and all other applicable State law. This type of
18 transport-only distribution is not considered Cannabis Distribution for the
19 purposes of this Article.

20 KJ. FINDINGS.

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

- 24 1. The Cannabis Wholesale Nursery complies with all the requirements of
25 the State and County for the cultivation of Cannabis and Cannabis
26 Wholesale Nurseries.
- 27 2. The Cannabis Wholesale Nursery is not located within 600 feet from any

1 Child Day Care Center, K-12 school, public park, ~~or~~ or Youth Center, ~~or~~
2 Religious Institution. The distance is measured in accordance with Section
3 19.513.A. This location meets the minimum requirements of State law and
4 may not be modified with approval of a variance.

- 5 3. The Cannabis Wholesale Nursery includes adequate measures that
6 minimize use of water for activities at the site.
- 7 4. The Cannabis Wholesale Nursery includes adequate quality control
8 measures to ensure Cannabis kept on the lot meets State regulatory
9 standards.
- 10 5. The Cannabis Wholesale Nursery includes adequate measures that
11 address enforcement priorities for Cannabis activities including
12 restricting access to minors, and ensuring that Cannabis and Cannabis
13 Products are not supplied to unlicensed or unpermitted persons within the
14 State and not distributed out of State.
- 15 ~~6. For Cannabis Wholesale Nurseries lots with verified Cannabis related~~
16 ~~violations within the last 12 months prior to the adoption date of~~
17 ~~Ordinance No. 348.4898, the use will not contribute to repeat violations~~
18 ~~on the lot and all applicable fees have been paid.~~
- 19 ~~7~~6. The Cannabis Wholesale Nursery will operate in a manner that prevents
20 Cannabis nuisance odors from being detected offsite.

21

22 SECTION 19.514. CANNABIS MANUFACTURING FACILITIES.

23 A. APPLICABILITY.

24 ~~—~~Notwithstanding any other provision of this ordinance, Cannabis
25 Manufacturing Facilities are allowed as follows:

- 26 1. Non-Volatile Cannabis Manufacturing Facility.
27 Non-volatile Cannabis Manufacturing Facilities for extractions using
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mechanical methods or using non-volatile solvents, requiring a Type 6 State license, are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: -I-P, M-SC, M-M and ~~the M-H zones~~. These facilities may also conduct infusion operations and packaging and labeling of eCannabis Pproducts.

2. Type N Cannabis Manufacturing Facilities.

Cannabis Manufacturing Facilities that produce eEdible Cannabis Products or topical Cannabis products using infusion processes, or other types of Ceannabis pProducts other than extracts or concentrates, requiring a Type N State license, are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, and the M-H, and M-U. These facilities may also package and label Ceannabis Pproducts.

3. Type P Cannabis Manufacturing Facilities.

Cannabis Manufacturing Facilities that only package or repackage eCannabis Pproducts or label or relabel the Ceannabis Pproduct container or wrapper, requiring a Type P State license, are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, -I-P, M-SC, M-M and the M-H, and M-U.

4. Volatile Cannabis Manufacturing Facility.

Cannabis Manufacturing Facilities involving volatile processes or substances, requiring a Type 7 volatile manufacturing State license, are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: I-P, M-SC, M-M and M-H.——A Volatile Cannabis Manufacturing Facility may also conduct extractions using nonvolatile solvents or mechanical methods, conduct

1 infusion operations and conduct packaging and labeling of Ceannabis
2 Pproducts.

3 5. Shared-Use Cannabis Manufacturing Facility.

4 A Shared-Use Cannabis Manufacturing Facility is allowed in the following
5 zones with an approved conditional use permit in accordance with Section
6 18.28 of this ordinance: I-P, M-SC, M-M and M-H. -A Shared-Use Cannabis
7 Manufacturing Facility may include the following facilities: a non-volatile
8 Cannabis mManufacturing fFacility, an infusion only Cannabis
9 mManufacturing Ffacility or a volatile Cannabis mManufacturing fFacility.
10 The conditional use permit for a Shared-Use Cannabis Manufacturing
11 Facility shall identify the types of facilities operating at the Shared-Use
12 Cannabis Manufacturing Facility.

13
14 SECTION 19.515. ———CANNABIS MANUFACTURING FACILITIES STANDARDS.

15 In addition to the approval requirements in Section 19.506 of this ordinance and the development
16 standards for the applicable zoning classification, Cannabis Manufacturing Facilities shall comply
17 with the standards provided below. If there is an inconsistency between the development standards
18 of the zone classification and these standards, the more_restrictive standard applies.

19
20 A. GENERAL LOCATION.

21 Cannabis Manufacturing Facilities shall not be located within 600 feet from any
22 Child Day Care Center, K-12 school, public park, or Youth Center. This distance
23 shall be measured from the nearest points of the respective property lines using a
24 direct straight-line measurement without regard to intervening structures, as
25 specified in subdivision (b) of Section 26054 of the Business and Professions
26 Code.~~Distance shall be measured from the nearest point of the respective lot lines~~
27 ~~using a direct straight-line measurement.~~ A new adjacent use will not affect the
28

1 continuation of an existing legal use that has been established under this Article and
2 continuously operating in compliance with the conditional use permit, and local and
3 State laws and regulations. -This location meets the minimum requirements of State
4 law and may not be modified with approval of a variance.

5 B. MINIMUM LOT SIZE.

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

8 C. SETBACKS.

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

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

23 D. LIMITATION ON THE MANUFACTURING OF EDIBLE CANNABIS
24 EDIBLE PRODUCTS.

25 Cannabis Manufacturing Facilities shall not manufacture Edible Cannabis
26 ~~edible p~~Products in the shape of animals, people, insects, or fruit.

27 E. OPERATIONS.

28

1 ———1. Any compressed gases used in the manufacturing process shall not
2 be stored on any lot ~~within~~ in containers that exceeds the amount which
3 is approved by the Riverside County Fire Department and authorized by
4 the conditional use permit.

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

11
12 ———3. Cannabis Manufacturing Facilities shall have a training program
13 for persons using solvents or gases in a closed looped system to create
14 Ceannabis extracts on how to use the system, to access applicable
15 material safety data sheets and to handle and store the solvents and gases
16 safely.

17 F. TRANSPORT-ONLY DISTRIBUTION.

18 Cannabis Manufacturing Facilities with an approved conditional use permit may
19 transport Cannabis Products the licensee has manufactured to another
20 Commercial Cannabis Activity licensee, only if the Cannabis Manufacturing
21 Facility operator also has an approved transport-only distribution license in
22 accordance with California Code of Regulations section 15315 and all other
23 applicable State law. This type of transport-only distribution is not considered
24 Cannabis Distribution for the purposes of this Article.

25 FG. FINDINGS.

26 In addition to the requirements for approval in Section 19.506 of this ordinance, no
27 conditional use permit shall be approved or conditionally approved unless the
28

1 following findings are made:

- 2 1. The Cannabis Manufacturing Facility complies with all the requirements of
3 the State and County for the manufacturing of Cannabis.
- 4 2. The Cannabis Manufacturing Facility does not pose a significant threat to the
5 public or to neighboring uses from explosion or from release of harmful
6 gases, liquids, or substances.
- 7 3. The Cannabis Manufacturing Facility includes adequate quality control
8 measures to ensure Cannabis manufactured at the facility meets industry
9 standards and includes a documented employee safety training program, a
10 Materials Data Safety Sheet, and meets all requirements in Health and Safety
11 Code ~~s~~Section 11362.775, as it may be amended from time to time.
- 12 4. The Cannabis Manufacturing Facility includes adequate measures that
13 address enforcement priorities for Cannabis activities including restricting
14 access to minors, and ensuring that Cannabis and Cannabis Products are
15 obtained from and supplied only to other permitted licensed sources within
16 the State and not distributed out of State.
- 17 5. The Cannabis Manufacturing Facility is not located within 600 feet from any
18 Child Day Care Center, K-12 school, public park, ~~or~~ or Youth Center, ~~or~~
19 Religious Institution. The distance is measured in accordance with Section
20 19.515.A. This location meets the minimum requirements of State law and
21 may not be modified with approval of a variance.

22
23 SECTION 19.516. CANNABIS TESTING FACILITIES.

24 A. APPLICABILITY.

25 Notwithstanding any other provision of this ordinance, Cannabis Testing Facilities
26 are allowed in the following zone classifications with an approved conditional use
27 permit in accordance with Section 18.28 of this ordinance: C-1/C-P, C-P-S, I-P, M-

1 SC, M-M, and M-H.

2 B. NO MULTIPLE USE PERMITS.

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

5 SECTION 19.517. CANNABIS TESTING FACILITIES STANDARDS.

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

10 A. GENERAL LOCATION.

11 Cannabis Testing Facilities shall not be located within 600 feet from any Child Day
12 Care Center, K-12 school, public park, or Youth Center. This distance shall be
13 measured from the nearest points of the respective property lines using a direct
14 straight-line measurement without regard to intervening structures, as specified in
15 subdivision (b) of Section 26054 of the Business and Professions Code. ~~Distance~~
16 shall be measured from the nearest point of the respective lot lines using a direct
17 straight-line measurement. A new adjacent use will not affect the continuation of an
18 existing legal use that has been established under this Article and continuously
19 operating in compliance with the conditional use permit, and local and State laws
20 and regulations. —This location meets the minimum requirements of State law and
21 may not be modified with approval of a variance.

22
23 B. SETBACKS.

24 1. ~~All~~ Cannabis Testing Facilities shall comply with the setback standards for
25 the zone classification in which they are located ~~in, except when adjacent to~~
26 ~~a residential zone where the minimum setback from the residentially zoned~~
27 ~~lot lines shall be 25 feet.~~

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

C. OPERATIONS.

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

D. FINDINGS.

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

1. The Cannabis Testing Facility complies with all the applicable requirements of the State and County for the testing of Cannabis.
2. The owners, permittees, operators, and employees of the Cannabis Testing Facility are not associated with any other Commercial Cannabis Activity.
3. The Cannabis Testing Facility is accredited by an appropriate accrediting agency as approved by the State and in compliance ~~with~~with ~~the California Code of Regulations~~Health and Safety Code Section 5238, which may be amended from time to time.
4. The Cannabis Testing Facility's operating plan demonstrates proper protocols and procedures for statistically valid sampling methods and accurate certification of Cannabis and Cannabis Products for potency,

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Storefront Cannabis Retailers within a permanent structure are allowed in the following zones with an approved conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P_C-P-S, I-P, M_S-C, M-M~~1~~ and M-H, and M-U.

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

SECTION 19.519. ———CANNABIS RETAILER MINIMUM STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and development standards for the applicable zoning classification, Cannabis Retailers 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.

1. Cannabis Retailers shall not be located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. This distance shall be measured from the nearest points of the respective property lines using a direct straight-line measurement without regard to intervening structures, as specified in subdivision (b) of Section 26054 of the Business and Professions Code.~~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. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance. In no case shall the distance be less than allowed by State law.

2. Cannabis Retailers shall not be located within 1,000 feet of any other Cannabis Retailer.

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- 3. Cannabis Retailers shall not be located within 500 feet of a smoke shop or similar facility.
- 4. Cannabis Retailers shall not be located on a lot containing a residential dwelling unit.

B. SETBACKS.

- 1. ~~All~~ Cannabis Retailers shall comply with the setback standards for the zone classification in which they are located ~~in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 40 feet.~~
- 2. Setbacks may be modified with an approved setback adjustment in accordance with Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department Bureau of Cannabis Control, California Building Code, ~~or~~ Ordinance No. 457, or other applicable State law.

C. CONCENTRATION LIMITS.

1. Limits.

- a. The number of Cannabis Retailers located within a Commercial Retail Corridor is limited to one (1) for each 2,000 inhabitants of the census tract in which the Cannabis Retailers are located.
- b. The number of Cannabis Retailers located within a Commercial Retail Corridor may be increased to one (1) for each 1,000 inhabitants of the census tract in which the Cannabis Retailer is located with a finding of public convenience or necessity as provided in this Article.
- c. The United States Census Bureau shall be the source of authority for determining the number of inhabitants (population) per census tract.

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2. Public Convenience or Necessity Finding.

Applicants seeking a conditional use permit for a Cannabis Retailer within a Commercial Retail Corridor that is determined to be an Unduly Concentrated Corridor may request the Board of Supervisors find that the proposed Cannabis Retailer would serve as a public convenience or necessity.

a. ——— In order for a public convenience or necessity determination to be presented to the Board of Supervisors, applicants shall demonstrate both of the following:

1) The addition of the proposed Cannabis Retailer will not result in a Commercial Retail Corridor having a number of Cannabis Retailers greater than one for each 1,000 inhabitants of the census tract in which the Cannabis Retailer is located; and,

2) The addition of the proposed Cannabis Retailer will not cause more than 10% or more of the commercially zoned properties, in gross acres, within the Commercial Retail Corridor to be utilized for Cannabis Retailers.

b. In order for a public convenience or necessity determination to be made by the Board of Supervisors, applicants shall demonstrate all of the following:

1) The proposed Cannabis Retailer will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the overall objectives of the Riverside County General Plan.

2) The addition of the proposed Cannabis Retailer will not increase the severity of existing law enforcement or public nuisance problems in the surrounding area with increased

1 calls for service due to Cannabis related complaints or
2 criminal activity associated with Cannabis.

3) The community benefits of permitting an additional Cannabis
4 Retailer outweigh any negative impacts to the community as
5 a whole.

4) Reasonable efforts were made to seek community
7 input regarding the addition of the proposed Cannabis
8 Retailer to the Commercial Retail Corridor.

9 c. In addition to the above requirements, applicants shall
10 demonstrate at least one of the following:

11) The proposed Cannabis Retailer serves an area of increased
12 density or consumer traffic; including but not limited to
13 adjacency to high population census tracts and/or distance
14 away from sensitive uses or other special circumstances
15 within the corridor, such that the proposed location would
16 serve the public convenience or necessity by satisfying a
17 higher demand for Cannabis Retail locations; or

2) The proposed Cannabis Retailer is located in an area
18 with a history of a high number of unpermitted Cannabis
19 Retailers such that an additional permitted location would
20 serve a public convenience or necessity by satisfying a higher
21 demand for permitted Cannabis Retail locations and reduce
22 patronage of unlicensed facilities.

24 E. D. OPERATIONS.

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

1. All Cannabis Retailers must conduct their operations within a permanent structure.

2. Non-storefront Cannabis Retailers are authorized to conduct Cannabis Deliveries only and shall be closed to the public.

~~2.3.~~ Cannabis Retailers may include the sale of Medicinal Cannabis, requiring an M-License from the State. Cannabis Retailers selling only Medicinal Cannabis shall verify consumers who enter the Premises are at least 18 years of age and that they hold a valid Physician's Recommendation.

~~4.~~ Cannabis Retailers may include the sale of Adult-Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult-Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age.

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~~3.5.~~ A Cannabis Retailers may include the sale of both Medicinal Cannabis and Adult-Use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medicinal Cannabis and Adult-Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age.

~~4.6.~~ Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours.

~~5.7.~~ Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area.

~~6.8.~~ Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not

1 limited to, clothing, posters, or non-~~e~~Cannabis goods.

2 ~~7.9.~~ Restroom facilities shall be locked and under the control of the Cannabis
3 Retailer.

4 ~~9~~10. Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held
5 for sale by the Cannabis Retailer are cultivated, manufactured, transported,
6 distributed, and tested by California licensed and permitted facilities that are
7 in full conformance with State and local laws and regulations.

8 ~~10~~1. Cannabis Retailers shall not distribute any Cannabis or Cannabis Product
9 unless such products are labeled and in a tamper-evident package in
10 compliance with the California Business and Professions Code and any
11 additional rules promulgated by a licensing authority.

12 ~~12~~1. Cannabis Retailers shall not provide free samples of any type, including
13 Cannabis Products, to any person and shall not allow any person to provide
14 free samples on the Cannabis Retailer's lot.

15 ~~12~~3. Deliveries of Cannabis and Cannabis Products shall be to a customer at a
16 physical address and shall be conducted in accordance with California
17 Business and Professions Code sSection 26090 or as may be amended and
18 all sState laws and regulations pertaining to delivery of Cannabis and
19 Cannabis Products.

20 ~~13.~~ ~~14.~~ Cannabis or Cannabis Products shall not be sold or delivered
21 by any means or method to any person within a motor vehicle.

22 ~~15~~4. Cannabis Retailers shall not include a drive-in, drive-through or walk up
23 window where retail sales of Cannabis or Cannabis Products are sold to
24 persons or persons within or about a motor vehicle.

25 ~~D.~~ ~~E.~~ MOBILE DELIVERIES.

26 Cannabis Retailers with an approved conditional use permit may provide
27 Cannabis ~~d~~Deliveries ~~of Cannabis Products~~ consistent with State law. Cannabis

1 Delivery is not a separate Commercial Cannabis Activity for the purposes of this
2 Article.

3
4 ~~E.~~ F. FINDINGS.

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

- 8 1. The Cannabis Retailer complies with all the requirements of the State and
9 County for the selling of Cannabis.
- 10 2. The non-storefront Cannabis Retailer is not open to the public.
- 11 3. The Cannabis Retailer is not located within 1,000 feet from any Child Day
12 Care Center, K-12 school, public park, ~~or or~~ Youth Center, ~~or Religious~~
13 ~~Institution~~ -or a -variance in accordance with Section 18.27 of this ordinance
14 has been approved allowing a shorter distance, but not less than allowed by
15 State law. The distance is measured in accordance with Section 19.519.A.1.
- 16 4. The Cannabis Retailer includes adequate measures that address enforcement
17 priorities for Commercial Cannabis Activities including restricting access to
18 minors, and ensuring that Cannabis and Cannabis Products are obtained from
19 and supplied only to other permitted licensed sources within the State and
20 not distributed out of State.
- 21 5. ~~For Cannabis Retailer lots with verified cannabis related violations within~~
22 ~~the last 12 months prior to the adoption date of Ordinance No. 348.4898,~~
23 ~~the use will not contribute to repeat violation on the lot and all applicable~~
24 ~~fees have been paid.~~

25
26 SECTION 19.520. CANNABIS DISTRIBUTION FACILITIES .

27 A. APPLICABILITY.

1 Notwithstanding any other provision of this ordinance, Cannabis Distribution
2 Facilities are allowed in the following zone classifications with an approved
3 conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P,
4 C-P-S, I-P, M-SC, M-M and M-H.
5

6 SECTION 19.521. —CANNABIS DISTRIBUTION FACILITIES STANDARDS.

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

12 ~~A.~~ A. GENERAL LOCATION.

13 Cannabis Distribution Facilities shall not be located within 600 feet from any Child
14 Day Care Center, K-12 school, public park, or Youth Center. This distance shall be
15 measured from the nearest points of the respective property lines using a direct
16 straight-line measurement without regard to intervening structures, as specified in
17 subdivision (b) of Section 26054 of the Business and Professions Code. ~~Distance~~
18 shall be measured from the nearest point of the respective lot lines using a direct
19 straight-line measurement. A new adjacent use will not affect the continuation of an
20 existing legal use that has been established under this Article and continuously
21 operating in compliance with the conditional use permit, and local and State laws
22 and regulations. -This location meets the minimum requirements of State law and
23 may not be modified with approval of a variance.
24

25 B. SETBACKS.

26 1. ~~All~~ Cannabis Distributions Facilities shall comply with the setback standards
27 for the zone classification in which they are located ~~in, except when adjacent~~
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1 ~~to a residential zone where the minimum setback from the residentially~~
2 ~~zoned lot lines shall be 25 feet.~~

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

8 C. OPERATIONS.

- 9 1. Cannabis and Cannabis Products shall only be transported between permitted
10 and licensed Commercial Cannabis Activities.
- 11 2. In addition to the requirements of Section 19.505.RQ, the following record
12 keeping measures are required to be implemented for all Cannabis
13 Distribution Facilities:
- 14 a. Prior to transporting Cannabis or Cannabis Products, a shipping
15 manifest shall be completed as required by ~~s~~State law and
16 regulations.
- 17 b. A copy of the shipping manifest shall be maintained during
18 transportation and shall be made available upon request to law
19 ~~enforcement~~enforcement, or any agents of the State or County
20 charged with enforcement.
- 21 c. Cannabis Distribution Facilities shall maintain appropriate records of
22 transactions and shipping manifests that demonstrate an organized
23 method of storing and transporting Cannabis and Cannabis Products
24 to maintain a clear chain of custody.
- 25 3. Cannabis Distribution Facilities shall ensure that appropriate samples of
26 Cannabis or Cannabis Products are tested by a permitted and licensed testing
27 facility prior to distribution and shall maintain a copy of the test results in its
28

1 files.

2 4. Cannabis Distribution Facilities shall not be open to the public.

3 5. Cannabis Distribution Facilities shall not transport or store non-~~e~~Cannabis
4 goods.

5 D. FINDINGS.

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

9 1. The Cannabis Distribution Facility complies with all the requirements of the
10 State and County for Cannabis ~~the d~~Distribution of Cannabis.

11 2. The Cannabis Distribution Facility's operating plan demonstrates proper
12 protocols and procedures that address enforcement priorities for Cannabis
13 related activities including restricting access to minors, and ensuring that
14 Commercial Cannabis Activities and Cannabis Products are obtained from
15 and supplied only to other permitted and licensed sources and not distributed
16 out of State.

17 3. The Cannabis Distribution Facility is not located within 600 feet from any
18 Child Day Care Center, K-12 school, public park, ~~or or~~ Youth Center, ~~or~~
19 Religious Institution. The distance is measured in accordance with Section
20 19.521.A. This location meets the minimum requirements of State law and
21 may not be modified with approval of a variance.

22 4. The Cannabis Distribution Facility is not open to the public.

23
24 ~~5. For Cannabis Distribution Facility lots with verified cannabis-related~~
25 ~~violations within the last 12 months prior to the adoption date of Ordinance~~
26 ~~No. 348.4898, the use will not contribute to repeat violations on the lot and~~
27 ~~the all applicable fees have been paid.~~

1 SECTION 19.522. CANNABIS MICROBUSINESS FACILITIES.

2 A. APPLICABILITY.

3 Notwithstanding any other provision of this ordinance, Cannabis Microbusiness
4 Facilities are allowed in the following zone classifications with an approved
5 conditional use permit in accordance with Section 18.28 of this ordinance: C-1/C-P,
6 C-P-S, -I-P, M-SC, M-M, ~~and M-H,~~ and M-U, except in the instance that a Cannabis
7 Microbusiness Facility includes manufacturing uses where such Cannabis
8 Microbusiness Facility is only allowed in the zone classifications specified in
9 Section 19.514, I-P, M-SC, M-M and M-H zones.

10
11 SECTION 19.523. CANNABIS MICROBUSINESS FACILITIES STANDARDS.

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

16 A. GENERAL LOCATION.

17 1. Cannabis Microbusiness Facilities that are not engaged as a Cannabis
18 Retailer shall not be located within 600 feet from any Child Day Care Center,
19 K-12 school, public park, or Youth Center, ~~or Religious Institution.~~ This
20 location meets the minimum requirements of State law and may not be
21 modified with approval of a variance.

22 2. Cannabis Microbusiness Facilities that are engaged as a Cannabis Retailer
23 with an approved conditional use permit shall not be located within 1,000
24 feet from any Child Day Care Center, K-12 school, public park, or Youth
25 Center, ~~or Religious Institution.~~ This location requirement may be modified
26 with the approval of a variance pursuant to Section 18.27 of this ordinance.
27 In no case shall the distance be less than allowed by State law.

1 3. The distance shall be measured from the nearest points of the respective
2 property lines using a direct straight-line measurement without regard to
3 intervening structures, as specified in subdivision (b) of Section 26054 of the
4 Business and Professions Code.

5 4. A new adjacent use will not affect the continuation of an existing legal use
6 that has been established under this Article and continuously operating in
7 compliance with the conditional use permit, and local and State laws and
8 regulations.

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

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

24 B. SETBACKS.

25 1. ~~All~~ Unless otherwise specified by this Article, Cannabis Microbusiness
26 Facilities shall comply with the setback standards for the zone classification
27 in which they are located ~~in, except when adjacent to a residential zone where~~
28

1 ~~the minimum setback from the residentially zoned lot lines shall be 25 feet.~~
2 ~~In the event that a Cannabis Microbusiness Facility includes retail sales of~~
3 ~~Cannabis, then the minimum setback from residentially zoned lot lines shall~~
4 ~~be 40 feet.~~

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

10 C. ACTIVITIES.

- 11 1. Cannabis Microbusiness Facilities shall not transport or store non-~~e~~Cannabis
12 goods.
- 13 2. Cannabis Microbusiness Facilities may cultivate indoors, distribute,
14 manufacture (~~with non-volatile~~ compoundssolvents) ~~and offer and~~
15 offer for retaildispense Cannabis under a single Cannabis Microbusiness
16 Facilities license issued by the ~~State~~, State.
- 17 3. Cannabis Microbusiness Facilities may cultivate Cannabis indoors in an area
18 less than 10,000 square feet.
- 19 4. Cannabis Microbusiness Facilities shall include at least three of the
20 following Commercial Cannabis Activities, which shall be set forth in the
21 conditional use permit:
- 22 a. Indoor Cannabis Cultivation less than~~up to~~ 10,000 square feet
 - 23 b. Cannabis Manufacturing Facility (with non-volatile
24 compoundssolvents)
 - 25 c. Cannabis Distribution Facility
 - 26 d. Cannabis Retailer~~sales~~
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1 D. DELIVERIES.

2 Cannabis Microbusiness Facilities that are engaged as a Cannabis Retailer with an
3 approved conditional use permit may provide Cannabis Deliveries consistent with
4 State law. Cannabis Delivery is not a separate Commercial Cannabis Activity for
5 the purposes of this Article.

6
7 E. OPERATIONS.

8 Cannabis Microbusiness Facilities shall comply with the operational requirements
9 set forth in this Article that apply to the specified uses authorized by the approved
10 conditional use permits. For Cannabis Microbusiness Facilities that are engaged in
11 Indoor Cannabis Cultivation, the Cannabis Microbusiness Facility shall comply with
12 ,~~and~~ the water and energy conservation standards required of Cannabis Cultivation
13 by this Article as applicable to Cannabis Microbusiness Facilities that includes
14 cultivation.

15 F. TRANSPORT-ONLY DISTRIBUTION.

16 Cannabis Microbusiness Facilities with an approved conditional use permit may
17 transport the Cannabis or Cannabis Product the licensee has cultivated or
18 manufactured to another Commercial Cannabis Activity licensee, only if the
19 Cannabis Microbusiness Facility operator also has an approved transport-only
20 distribution license in accordance with California Code of Regulations section
21 15315 and all other applicable State law. This type of transport-only distribution
22 is not considered Cannabis Distribution for the purposes of this Article.

23 GE. FINDINGS.

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

- 27 1. The Cannabis Microbusiness Facility complies with all the requirements of
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the State and local laws and regulations.

2. The Cannabis Microbusiness Facility’s operating plan demonstrates proper protocols and procedures that address enforcement priorities for Cannabis activities including restricting access to minors, and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted and licensed sources within the State and not distributed out of State.

3. The Cannabis Microbusiness Facility that is engaged as a Cannabis Retailer with an approved conditional use permit is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, ~~or or~~ Youth Center, ~~or Religious Institution~~ or a variance in accordance with Section 18.27 of this ordinance has been approved allowing a shorter distance, but not less than recommended by State law. The distance is measured in accordance with Section 19.523.A.3.

4. The Cannabis Microbusiness Facility that is not engaged as a Cannabis Retailer with an approved conditional use permit is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center, or Religious Institution. The distance is measured in accordance with Section 19.523.A.3. This location meets the minimum requirements of State law and may not be modified with approval of a variance.

~~4. For Cannabis Microbusiness Facility lots with verified cannabis-related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violation on the site and all applicable fees have been paid.~~

SECTION 19.524. TEMPORARY CANNABIS EVENT.

A. REQUIREMENTS FOR APPROVAL.

1 The Planning Director shall approve an application for a temporary Cannabis event
2 permit if all of the following are met:

- 3 1. The temporary Cannabis event will take place on County Fair property or
4 District Agricultural Association property.
- 5 2. The temporary Cannabis event is not located within 1,000 feet from any Child
6 Day Care Center, K-12 school, public park, ~~or or~~ Youth Center, ~~or Religious~~
7 ~~Institution~~. This Distance shall be measured from the nearest point of the
8 respective lot lines using a direct straight-line measurement without regard to
9 intervening structures, as specified in subdivision (b) of Section 26054 of the
10 Business and Professions Code. This location requirement may be modified
11 with the approval of a variance pursuant to Section 18.27 of this ordinance.
12 In no case shall the distance be less than allowed by State law.
- 13 3. The temporary Cannabis event will not occur during the hours of 12:00 a.m.
14 to 6:00 a.m.
- 15 4. The temporary Cannabis event is setback a minimum of 100 feet from lot
16 lines.
- 17 5. Any participant selling The sale of Cannabis or Cannabis Products shall be
18 performed by a Cannabis Retailer or Cannabis Microbusiness that possesses
19 both an approved conditional use permit and a valid State Cannabis Retailer
20 license or a valid State Cannabis Microbusiness license from the State, which
21 shall be included in the permit application. Participants licensed as a
22 Cannabis Retailer or Cannabis Microbusiness Facility engaged as a Cannabis
23 Retailer must comply with all rules for on-site sales and consumption,
24 including, but not limited to: displays of Cannabis and Cannabis Products,
25 packaging of Cannabis and Cannabis Products, age restrictions on sales,
26 daily sales limits, no free samples, and track and trace requirements. Each
27 participant licensed as a Cannabis Retailer or Cannabis Microbusiness

1 Facility engaged as a Cannabis Retailer may only sell Cannabis or Cannabis
2 Products in a retail area designated in the diagram of the physical layout of
3 the temporary Cannabis event. Each participant licensed as a Cannabis
4 Retailer or Cannabis Microbusiness Facility engaged as a Cannabis Retailer
5 shall not sell Cannabis or Cannabis Products from mobile wagons, carts, or
6 other similar means.

7 ~~116.~~ A condition of approval shall be applied to all temporary Cannabis event
8 permits requiring the event organizer to obtain a valid State Cannabis event
9 organizer license and a valid State ~~as an event organizer and for the~~
10 temporary Cannabis event license, at least ~~10~~ calendar days before the
11 event's first day of the event. If this condition of approval is not met, the
12 temporary Cannabis event permit becomes null and void.

13 ~~76.~~ The sale or consumption of alcohol or tobacco is not allowed at the location
14 of the temporary Cannabis event.

15 ~~7.~~ The event organizer for the temporary Cannabis will obtain a valid State event organizer license
16 authorizing the retail sale of Cannabis goods and the temporary Cannabis event.

17 ~~898.~~ Access to the area(s) where sale or consumption of Cannabis occurs is
18 restricted to persons 21 years of age or older.

19 ~~9109.~~ Cannabis consumption is not visible from any public place or non-age-
20 restricted area.

21 ~~1010.~~ Security shall be present at the temporary Cannabis event.

22 ~~11.~~ A condition of approval shall be applied to all temporary Cannabis event
23 permits requiring the event organizer to obtain a valid State license as an
24 event organizer and for the temporary event at least 10 calendar days before
25 the event's first day. If this condition of approval is not met, the temporary
26 Cannabis event permit becomes null and void.

27 B. APPLICATION.
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1 ———No less than 120 days from the event’s first day, an event organizer shall
2 apply for and obtain a temporary Cannabis event permit in accordance with Section
3 18.30 of this ordinance. All the procedural provisions of Section 18.30 shall apply
4 to the application, except subsection c. thereof relating to requirements for approval,
5 subsection e. thereof relating to appeals and subsection f. thereof relating to the use
6 of the permit after the application is approved.

7 C. REVOCATION.

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

10
11 SECTION 19.525. MODIFICATION OR REVOCATION OF PERMITS FOR
12 COMMERCIAL CANNABIS ACTIVITIES.

13 A. AUTHORITY FOR MODIFICATION OR REVOCATION.

14 The Board of Supervisors shall have the authority to modify or revoke a
15 previously granted conditional use permit for Commercial Cannabis Activity
16 upon finding that one or more of the following conditions exist:

- 17 1. The use is detrimental to the public health, safety or general welfare.
- 18 2. The use is a public nuisance.
- 19 3. The permit was obtained by fraud or perjured testimony.
- 20 4. The use is being conducted in violation of the conditions of approval or
21 advisory notification document.
- 22 5. The use for which the permit was granted has ceased or has been
23 suspended for one year or more.
- 24 6. A Certificate of Occupancy has not been obtained for the approved
25 Commercial Cannabis Activity within two (2) years of obtaining an
26 approved conditional use permit for the Commercial Cannabis Activity.
27 The Planning Director has the discretion to allow up to three (3)
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extensions of one (1) year each based on a showing by the permittee of a good faith intent to commence the use. The Planning Director's extensions are not subject to a public hearing.

B. INITIATION OF MODIFICATION OR REVOCATION.

A public hearing shall be set before the Board of Supervisors upon a determination by the Planning Director that grounds for modification or revocation exist.

C. NOTICE OF PUBLIC HEARING.

Notice of the time, date and place of the public hearing shall be given as provided in Section 18.26.C. of this ordinance.

D. -PUBLIC HEARING.

In conducting the public hearing, the Board of Supervisors shall:

- 1. Set the hearing procedures;
- 2. Hear relevant testimony from interested persons and the Chairperson of the Board of Supervisors may require that witnesses be sworn;
- 3. Make its decision within a reasonable time after the close of the public hearing; and
- 4. Have the discretion to continue the hearing from time to time.

E. -NOTICE OF DECISION.

- 1. Notice of the Board of Supervisor's decision and a report of the proceedings shall be filed with the Clerk of the Board of Supervisors not later than 45 days following the date the decision is adopted.
- 2. A copy of the notice of decision and the report of the proceedings shall also be mailed to the applicant at the address on file with the Planning Department within that period of time.

~~i~~ HF. FINAL 9-ACTION.

The decision of the Board of Supervisors to modify or revoke a previously

1 granted conditional use permit for Commercial Cannabis Activity is final.”

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

7 Section 5. Section 21.19d. of Ordinance No. 348 is amended to read as follows:

8 “SECTION 21.19d. –CANNABIS, ADULT-USE.

9 _____ Cannabis and any Cannabis pProduct intended to be sold for use by adults 21 years or older
10 _____
11 pursuant to State law the Medicinal and Adult Use Cannabis Regulation and Safety Act (Senate
12 Bill 94 (2017).”

13 Section 6. Section 21.19e. of Ordinance No. 348 is amended to read as follows:

14 _____“SECTION 21.19e. _____CANNABIS, MEDICINAL.

15 _____Cannabis or Cannabis Product intended to be sold or donated for use pursuant to the
16 Compassionate Use Act of 1996 (Proposition 215), found in Section 11362.5 of the Health
17 and Safety Code, by a patient in California who possesses a physician's recommendation
18 for Cannabis for medical purposes, or in compliance with any compassionate use, equity,
19 or other similar program administered by a local jurisdiction.”

20 Section 7. Section 21.19f. of Ordinance No. 348 is amended to read as follows:

21 _____“SECTION 21.19f. CANNABIS CULTIVATION.

22 _____Any activity involving the planting, growing, harvesting, drying, curing,
23 gradinggrading, or trimming of eCannabis.”

24 _____
25 _____
26 _____
27 Section 8. Section 21.19g. of Ordinance No. 348 is amended to read as follows:
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SECTION 21.19g. CANNABIS CULTIVATION AREA.

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

Section 9. Section 21.19h. of Ordinance No. 348 is amended to read as follows:

SECTION 21.19h. CANNABIS MOBILE DELIVERY.

_____The commercial transfer of Cannabis or ~~e~~Cannabis ~~p~~Products from a Cannabis Retailer or Cannabis Microbusiness engaged as a Cannabis Retailer with an approved conditional use permit and Type 9 State license, up to an amount allowed by the State of California ~~Bureau~~Department of Cannabis Control ~~or its successor~~, to a primary caregiver, qualified patient, or customer at a physical address in California in compliance with all State laws and regulations and requires a Type 9 State license.”

Section 10. Section 21.19i. of Ordinance No. 348 is amended to read as follows:

SECTION 21.19i. CANNABIS DISTRIBUTION.

_____The procurement, sale, and transport of ~~C~~eannabis and ~~C~~eannabis ~~P~~products between Commercial eCannabis Activity licensees.”

Section 11. Section 21.19j. of Ordinance No. 348 is amended to read as follows:

SECTION 21.19j. CANNABIS DISTRIBUTION FACILITIES.

_____A facility engaged in the storage of Cannabis or ~~C~~eannabis ~~p~~Products, for later distribution to permitted and licensed Cannabis Manufacturing Facilities, Cannabis Testing Facilities, or Cannabis Retailers.”

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

SECTION 21.19k. CANNABIS MANUFACTURING.

_____The compounding, blending, extracting, infusing, or otherwise making or preparing a ~~e~~Cannabis ~~p~~Product and includes any processing, preparing, holding, or

1 storing of components and ingredients.”

2 _____
3 _____
4 _____
5 Section 13. Section 21.19l of Ordinance No. 348 is amended to read as follows:

6 “SECTION 21.19l. CANNABIS MANUFACTURING FACILITY—(NON
7 VOLATILE).

8 _____A facility requiring a ~~Type 6, Type N, Type P or Type S~~ State manufacturing
9 license, that processes, produces, prepares, propagates, holds, stores, packages, labels
10 or compounds cannabis or cannabis products either directly or indirectly or by
11 extraction and/or infusion methods, or independently by means of chemical synthesis
12 or by a combination of extraction and/or infusion and chemical synthesis, using non-
13 volatile or volatile, organic compounds, as applicable to the State license, at a fixed
14 location, that packages or repackages cannabis or cannabis products, or labels or
15 relabels its containers. ~~Cannabis manufacturing also includes any processing, preparing,~~
16 ~~holding, or storing of components and ingredients”;~~

17 _____
18 Section 14. Section 21.19m of Ordinance No. 348 is amended to read as follows:

19 “SECTION 21.19m. CANNABIS MICROBUSINESS FACILITY.

20 A facility that is engaged in at least three of the following Commercial Cannabis Activities:
21 Indoor Cannabis Cultivation less than 10,000 square feet, Cannabis Manufacturing (with
22 non-volatile compounds), Cannabis Distribution, or Cannabis Retailer.”

23 Section 15. Section 21.19n of Ordinance No. 348 is amended to read as follows:

24 “SECTION 21.19n. CANNABIS OWNER.

25 A Cannabis Owner is any of the following:

- 26 1. _____A person with an aggregate ownership interest of 20 percent or more in the
27 Commercial
28

1 product

2 containing eCannabis or concentrated Ccannabis and other ingredients.”

3 ~~Section 19. Section 21.19r of Ordinance No. 348 is amended to read as follows:~~

4 ~~SECTION 21.19r. EDIBLE PRODUCT.~~

5 ~~Manufactured cannabis product that is intended to be used, in whole or in part, for~~
6 ~~human consumption, including, but not limited to, chewing gum, but excluding~~
7 ~~products set forth in Division 15 (commencing with Section 32501) of the Food and~~
8 ~~Agricultural Code. An edible cannabis product is not considered food, as defined by~~
9 ~~Section 109935 of the Health and Safety Code, or a drug, as defined by Section 109925~~
10 ~~of the Health and Safety Code.~~

11 Section 20. Section 21.19s. of Ordinance No. 348 is amended to read as follows:

12 “SECTION 21.19s. CANNABIS RETAILER.

13 ~~_____A facility where Cannabis, Ccannabis Pproducts, or devices specifically for~~
14 ~~the use of Cannabis or Ccannabis Pproducts are offered, either individually or in any~~
15 ~~combination, for retail sale and/or, including an establishment that Cannabis~~
16 ~~Deliverydelivers cannabis and cannabis products as part of a retail sale. Cannabis retailers~~
17 ~~may include mobile delivery but shall not include mobile dispensaries. Cannabis Retailers~~
18 ~~were formerly known as cannabis dispensaries. Non-store front Cannabis Retailers are not~~
19 ~~open to the public. Store front Cannabis Retailers are open to the public.”~~

20 Section 21. _____Section 21.19t. of Ordinance No. 348 is amended to read as follows:

21 _____“SECTION 21.19t. CANNABIS TESTING FACILITY.

22 A laboratory, facility, or entity that offers or performs tests of eCannabis or eCannabis
23 pProducts.”\

24
25
26 Section 22. A new Section 21.19u. is added to Ordinance No. 348 to read as follows:

27 _____“SECTION 21.19u. CANNABIS WHOLESALE NURSERY.

1 A site that produces only clones, immature plants, seeds, or other agricultural products used
2 specifically for the planting, propagation, and cultivation of Cannabis. Cultivation as a Cannabis
3 Wholesale Nursery may be considered outdoor, indoor or mixed-light cultivation.”

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

5 “SECTION 21.19v. CANOPY.

6 For purposes of Article XIXh only, the designated area or areas at a licensed Premises that
7 will contain Mature Cannabis Plants at any point in time. Canopy shall be calculated in
8 square feet and measured using clearly identifiable boundaries of all areas that will contain
9 Mature Cannabis Plants at any point in time, including all of the spaces within the
10 boundaries.”

11 Section 3124. A new Section 21.19w. is added to Ordinance No. 348 to read as follows:

12 “SECTION 21.19w. COMMERCIAL CANNABIS ACTIVITY.

13 The cultivation, possession, manufacture, distribution, processing, storing, laboratory
14 testing, packaging, labeling, transportation, delivery or sale of Cannabis and eCannabis
15 Pproducts as provided for in this division.”

16 Section 3225. A new Section 21.19x. is added to Ordinance No. 348 to read as follows:

17 “SECTION 21.19x. COMMERCIAL RETAIL CORRIDOR.

18 Those corridor areas in the unincorporated area of Riverside County located within one-half
19 mile from a designated freeway, including Interstate 10, Interstate 15, Interstate 215, State
20 Route 91, and State Route 60.”

21 Section 3326. A new Section 21.19y. is added to Ordinance No. 348 to read as follows:

22 “SECTION 21.19y. RELIGIOUS INSTITUTION.—

23 Any church, synagogue, mosque, temple or building which is used primarily for religious
24 worship and related religious activities.”

25 Section 3426. A new Section 21.19zy. is added to Ordinance No. 348 to read as follows:

26 “SECTION 21.19y. UNDULY CONCENTRATED CORRIDOR.

27 A Commercial Retail Corridor where the number of approved conditional use permits for
28

1 cannabis retailers within that Commercial Retail Corridor has reached a limit of one for each
2 2,000 inhabitants of the census tract in which the cannabis retailers are located.”

3 Section 3527. Section 21.31b of Ordinance No. 348 is deleted.

4 Section 3628. Section 21.51j. of Ordinance No. 348 is amended to read as follows:

5 “SECTION 21.51j. MIXED LIGHT CANNABIS CULTIVATION.

6 The cultivation of Mature Cannabis Plants in a greenhouse, hoop structure, glasshouse,
7 ~~e~~conservatory, hothouse, or other similar structure using light deprivation or one of the
8 artificial

9 lighting models described below:

10 1. _____-Mixed-light Tier 1 – the use of artificial light at a rate of six (6) watts per square
11 foot or less.

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

14 Section 2937. Section 21.51k. of Ordinance No. 348 is amended to read as follows:

15 “SECTION 21.51k. MOBILE CANNABIS RETAILER.

16 ~~The commercial transfer of Cannabis or cannabis products from an outdoor location or~~
17 ~~mobile structure (e.g. food truck or food cart).~~

18 A motorized or non-motorized vehicle, cart, trailer, wagon, container or other similar
19 personal property not located on a licensed Premises, pursuant to State law, and from
20 which Cannabis, Cannabis Products, or devices specifically for the use of Cannabis or
21 Cannabis Products are offered, either individually or in any combination, for retail sale
22 and/or Cannabis Delivery.”

23 Section 380. Section 21.51l. of Ordinance No. 348 is deleted.

24 Section 319. Section 21.51m. of Ordinance No. 348 is deleted.

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SECTION 21.19g. CANNABIS TRANSPORT.

~~The transfer of Cannabis or cannabis products from the permitted Commercial Cannabis Activity location of one licensee to the permitted Commercial Cannabis Activity location of another licensee, for the purposes of conducting Commercial Cannabis Activities authorized pursuant to the California Business & Professions Code Sections 19300, et seq. and 26000.~~

Section 3240. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

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

By: _____
Chairman, Board of Supervisors

ATTEST:
CLERK OF THE BOARD

By: _____
Deputy

(SEAL)

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APPROVED AS TO FORM
~~January~~ ~~February~~ _____, 2023

By: _____
~~Sarah K. Moore~~ SARAH K. MOORE
Deputy County Counsel
~~Deputy County Counsel~~

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

<u>Subject:</u>	<u>Policy Number</u>	<u>Page</u>
Cannabis Retailers Within a Commercial Retail Corridor Policy	F-7	1 of 3

Purpose:

Commercial cannabis activities is a growing industry within Riverside County and it is likely that conditional use permit applications to establish cannabis retailers within the unincorporated area will continue to increase for many years. As the commercial cannabis industry continues to grow, it is anticipated that cannabis retailers will locate near freeways as these locations are typically close to infrastructure and vehicular access that supports the cannabis retailer. Additionally, these locations generally include a higher concentration of commercial and industrial land uses.

Ordinance No. 348, the County's Land Use Ordinance, establishes the land use regulations and approval requirements for commercial cannabis activities, which includes cannabis retailers. The land use and environmental review process includes determining whether the proposed cannabis retailer complies with all applicable State and local laws and regulations including the County's Land Use Ordinance. As conditional use permit applications for cannabis retailers continue to increase, it is important to include in the land use review process an analysis of the number of cannabis retailers within specific areas.

For conditional use permit applications for proposed cannabis retailers within a Commercial Retail Corridor that is determined to be Unduly Concentrated, as further defined in this policy, this policy provides a framework for applicants to seek a finding from the Board of Supervisors that the proposed cannabis retailer would serve as a public convenience or necessity. It is intended that this policy will apply to conditional use permit applications for cannabis retailers located within a Commercial Retail Corridor, and be implemented during the land use review process in conjunction with the County's Land Use Ordinance.

Cannabis Retailer Concentration Limits:

1. The number of cannabis retailers located within a Commercial Retail Corridor is limited to one (1) for each 2,000 inhabitants of the census tract in which the cannabis retailers are located.
2. The number of cannabis retailers located within a Commercial Retail Corridor may be increased to one (1) for each 1,000 inhabitants of the census tract in which the cannabis retailer is located with a finding of Public Convenience or Necessity ("PCN") as provided in this policy.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

<u>Subject:</u>	<u>Policy Number</u>	<u>Page</u>
Cannabis Retailers Within a Commercial Retail Corridor Policy	F-7	2 of 3

3. The United States Census Bureau shall be the source of authority for determining the number of inhabitants (population) per census tract.

Public Convenience or Necessity (“PCN”) Finding:

Applicants seeking a conditional use permit for a cannabis retailer within a Commercial Retail Corridor that is determined to be Unduly Concentrated may request the Board of Supervisors find that the proposed cannabis retailer would serve as a public convenience or necessity.

In order for a PCN determination to be presented to the Board of Supervisors, applicants shall demonstrate both of the following:

1. The addition of the proposed cannabis retailer will not result in a Commercial Retail Corridor having a number of cannabis retailers greater than one for each 1,000 inhabitants of the census tract in which the cannabis retailer is located; and,
2. The addition of the proposed cannabis retailer will not cause more than 10% or more of the commercially zoned lots, in gross acres, within the Commercial Retail Corridor to be utilized for cannabis retailers.

In order for a PCN determination to be made by the Board of Supervisors, applicants shall demonstrate all of the following:

1. The proposed cannabis retailer will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the overall objectives of the Riverside County General Plan.
2. The addition of the proposed cannabis retailer will not increase the severity of existing law enforcement or public nuisance problems in the surrounding area with increased calls for service due to cannabis related complaints or criminal activity associated with cannabis.
3. The community benefits of permitting an additional cannabis retailer outweigh any negative impacts to the community as a whole.
4. Reasonable efforts were made to seek community input regarding the addition of the proposed cannabis retailer to the Commercial retail Corridor.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

<u>Subject:</u>	<u>Policy Number</u>	<u>Page</u>
Cannabis Retailers Within a Commercial Retail Corridor Policy	F-7	3 of 3

In addition to the above requirements, applicants shall demonstrate at least one of the following:

1. The proposed cannabis retailer serves an area of increased density or consumer traffic; including but not limited to adjacency to high population census tracts and/or distance away from sensitive uses or other special circumstances within the corridor, such that the proposed location would serve the public convenience or necessity by satisfying a higher demand for cannabis retail locations; or
2. The proposed cannabis retailer is located in an area with a history of a high number of unpermitted cannabis retailers such that an additional permitted location would serve a public convenience or necessity by satisfying a higher demand for permitted cannabis retail locations and reduce patronage of unlicensed facilities.

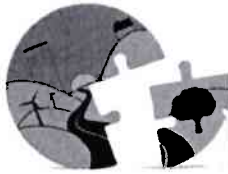
Definitions:

For purposes of this policy, the following terms shall mean the following:

1. **Commercial Retail Corridor:** Those corridor areas in the unincorporated area of Riverside County located within one-half mile from a designated freeway, including Interstate 10, Interstate 15, Interstate 215, State Route 91, and State Route 60.
2. **Undue Concentration:** A Commercial Retail Corridor where the number of approved conditional use permits for cannabis retailers within that Commercial Retail Corridor has reached a limit of one for each 2,000 inhabitants of the census tract in which the cannabis retailers are located.

Reference:

Minute Order 21.1 of 11/17/2020



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

4.3

(ID # 21037)


MEETING DATE:

Wednesday, February 01, 2023

SUBJECT: CHANGE OF ZONE NO. 2100128 – Exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) (Common Sense Exemption) – Applicant: County of Riverside – All Supervisorial Districts – Location: Countywide – REQUEST: Change of Zone No. 2100128 is an amendment to the County’s Land Use Ordinance, Ordinance No. 348, to amend the following: (1) Section 18.18, Detached Accessory Buildings and Structures, (2) Section 18.12, Off-Street Vehicle Parking, (3) Article XIXh, Commercial Cannabis Activities, and (4) Article XXI, Definitions. Amendments to Section 18.18, Detached Accessory Buildings and Structures, include the following: clarifying applicability of the section and amending rear yard setbacks, front lot line setbacks, and building height of detached accessory buildings and structures. Amendments to Section 18.12, Off-Street Vehicle Parking, increases the parking requirements for Cannabis Retailers or Cannabis Microbusiness Facilities engaged as a Cannabis Retailer to a 15 space minimum. Amendments to Article XIXh, Commercial Cannabis Activities, include the following: clarifying and streamlining certain provisions for internal consistency and compliance with state law; amending and clarifying certain permit requirements, setbacks, location/zoning requirements, development standards, operating requirements, enforcement, permit expiration, and permit revocation; allowing Cannabis Retailers in the Mixed Use Zone; changing from a variance requirement to a setback adjustment, when a Cannabis facility proposes to locate closer than 1,000ft to a Child Day Care Center, K-12 school, public park, Youth Center, or Religious Institution; and incorporating Board of Supervisors Policy F7 – Cannabis Retailers within a Commercial Retail Corridor within Ordinance No. 348. Amendments to Article XXI, Definitions, include additions and revisions the Commercial Cannabis Act – Project Planner: John Hildebrand at (955) 951-1888 or email at jhildebr@rivco.org

PROPOSED PROJECT

Case Number(s):	CZ2100128 - Ordinance No. 348 Amendment
Environmental Type:	Exemption
Area Plan No.	N/A
Zoning Area/District:	N/A
Supervisorial District:	All Districts
Project Planner:	John Hildebrand
Project APN(s):	N/A
Continued From:	


John Hildebrand, Planning Director 1/26/2023

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

PROJECT DESCRIPTION AND LOCATION

Change of Zone No. 2100128 is an amendment to the County's Land Use Ordinance, Ordinance No. 348, to amend the following: (1) Section 18.18, Detached Accessory Buildings and Structures, (2) Section 18.12, Off-Street Vehicle Parking, (3) Article XIXh, Commercial Cannabis Activities, and (4) Article XXI, Definitions. Amendments to Section 18.18, Detached Accessory Buildings and Structures, include the following: clarifying applicability of the section and amending rear yard setbacks, front lot line setbacks, and building height of detached accessory buildings and structures. Amendments to Section 18.12, Off-Street Vehicle Parking, increases the parking requirements for Cannabis Retailers or Cannabis Microbusiness Facilities engaged as a Cannabis Retailer to a 15 space minimum. Amendments to Article XIXh, Commercial Cannabis Activities, include the following: clarifying and streamlining certain provisions for internal consistency and compliance with state law; amending and clarifying certain permit requirements, setbacks, location/zoning requirements, development standards, operating requirements, enforcement, permit expiration, and permit revocation; allowing Cannabis Retailers in the Mixed Use Zone; changing from a variance requirement to a setback adjustment, when a Cannabis facility proposes to locate closer than 1,000ft to a Child Day Care Center, K-12 school, public park, Youth Center, or Religious Institution; and incorporating Board of Supervisors Policy F7 – Cannabis Retailers within a Commercial Retail Corridor within Ordinance No. 348. Amendments to Article XXI, Definitions, include additions and revisions the Commercial Cannabis Activity definitions in accordance with state law and the above-described changes.

Change of Zone No. 2100128 ("CZ2100128") and the associated text amendment to Ordinance No. 348, attached hereto, are hereinafter referred to as the "Project."

The Project, as proposed, affects and applies to only the unincorporated areas of the County of Riverside.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

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

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), Section 15061(b)(3) (Common Sense Exemption) based on the findings and conclusions in the staff report; and,

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
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APPROVE CHANGE OF ZONE NO. 2100128, an amendment to **Ordinance No. 348 (An Ordinance of the County of Riverside Related to Zoning)**, which is an update to Section 18.18, Detached Accessory Buildings and Structures, Section 18.12, Off-Street Vehicle Parking, Article XIXh, Commercial Cannabis Activities, and Article XXI, Definitions, based upon the findings and conclusions provided in this staff report.

PROJECT BACKGROUND AND ANALYSIS

Background:

Change of Zone No. 2100128 is an amendment to the County's Land Use Ordinance, Ordinance No. 348, to amend the following: (1) Section 18.18, Detached Accessory Buildings and Structures, (2) Section 18.12, Off-Street Vehicle Parking, (3) Article XIXh, Commercial Cannabis Activities, and (4) Article XXI, Definitions.

Since the adoption of Article XIXh, Commercial Cannabis Activities, within Ordinance No. 348 (Land Use), the County has undergone several amendments to this Article, as a result of gaining experience processing Cannabis applications and at the request of the development community.

This amendment includes multiple changes resulting from two separate Board of Supervisor initiations, as well as integration of best practices, and inclusion of cleanup provisions to align with State law. The following summarizes the major changes to Ordinance No. 348.

Supervisor Karen Spiegel's Initiation to amend Ordinance No. 348:

Supervisor Karen Spiegel requested a revision to the minimum parking standards for Cannabis Retailers. Through analysis of other jurisdiction's Cannabis parking regulations and observations of operating Cannabis Retailers, there is a recognition that Cannabis Retail facilities should be providing a greater number of parking spaces, than a standard retail business. This is due to a higher turnover rate of vehicle traffic. As a result, amendments to the parking standards for Cannabis Retailers and Microbusinesses with a retail component are proposed as follows:

Parking Standards:

Proposed revision: Section 18.12.: For Cannabis Retailers or Microbusinesses with a retail component, the parking standards are now to include a minimum of 15 parking spaces OR 1 parking space per 200sqft of building area, whichever is greater. With this new standard, it will require a minimum number of 15 parking spaces as the starting point for all retail Cannabis facilities and the spaces are required to be located onsite.

Supervisor Kevin Jeffries' Initiation to amend Ordinance No. 348:

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Supervisor Kevin Jeffries requested that staff further address an “in-operation” issue related to Cannabis facilities. As of the time this staff report was prepared, the County has approved 23 separate Conditional Use Permits for Cannabis businesses, with a majority of them being retail. To date, there are 7 open Cannabis facilities, Countywide. Due to the existing separation requirement of 1,000 feet between Cannabis Retailers, when a facility does not open, it precludes another facility from locating nearby. The unopened business effectively shuts out another business’s opportunity to operate and takes up valuable commercial space. As a result, it is proposed to require that an approved Cannabis facility be in-operation in accordance with the following:

In-Operation Timeframe:

Proposed revision: Section 19.525.A.6 (MODIFICATION OR REVOCATION OF PERMITS FOR COMMERCIAL CANNABIS ACTIVITIES): “The Board of Supervisors shall have the authority to modify or revoke a previously granted conditional use permit for Commercial Cannabis Activity upon finding that one or more of the following conditions exist:

1. The use is detrimental to the public health, safety or general welfare.
2. The use is a public nuisance.
3. The permit was obtained by fraud or perjured testimony.
4. The use is being conducted in violation of the conditions of approval or advisory notification document.
5. The use for which the permit was granted has ceased or has been suspended for one year or more.
6. *Certificate of Occupancy has not been obtained for the approved Commercial Cannabis Activity within two (2) years of obtaining an approved conditional use permit for the Commercial Cannabis Activity. The Planning Director has the discretion to allow up to three (3) extensions of one (1) year each based on a showing by the permittee of a good faith intent to commence the use. The Planning Director’s extensions are not subject to a public hearing.”*

This new provision gives the County the opportunity to revoke due to non-performance, but also flexibility if the operator is making good faith efforts towards occupancy. Also, Section 19.525 was further revised to include additional language clarifying the process for revocation of a Cannabis Conditional Use Permit, including: the specific reasons / findings (including occupancy within 2 years), revocation authority, and the process for noticing and hearing.

Permit expiration:

Proposed revision: Section 19.507 (PERMIT EXPIRATION AND REQUEST FOR RENEWAL AFTER EXPIRATION). All conditional use permits granted for a Commercial Cannabis Activity shall expire and become null and void as provided in each permit’s conditions of approval and development agreement.

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This revised provision clarifies that the terms of the development agreement control the expiration of the conditional use permit for Commercial Cannabis Activities.

Code Enforcement's Request to amend Ordinance No. 348:

The Code Enforcement Department requested the Cannabis section of Ordinance No. 348 be amended to include additional provisions and penalties that address unpermitted Cannabis operators. Should a property owner be cited for operating an unpermitted Cannabis business, the following would apply:

Eligibility Requirements / Verified Violations:

New provision: Section 19.505.H.1: "Permits for Commercial Cannabis Activity shall not be granted for a period of two (2) years for properties on which the County has verified a recent Cannabis related violation. The two (2) year period commences upon resolution of the recent Cannabis related violation."

New provision: Section 19.505.H.2: Cannabis related violations subject to this provision include one or more of the following periods of time:

- "a. Within the twelve (12) months prior to submission of an application for a Commercial Cannabis Activity described by this Article; or
- b Anytime after submission of an application for and up to approval of a Commercial Cannabis Activity described by this Article."

However, the new Section 19.505.H.3 also provides an opportunity for approval of certain conditional use permits upon Planning Director approval, subject to the following:

New provision: Section 19.505.H.3: "The Planning Director may waive this penalty for good cause as may be demonstrated by the property owner(s). A property owner's demonstration of good cause may include, but is not limited to, providing sufficient evidence to show the current property owner(s) did not own the property nor have any involvement with the verified Cannabis related violation on the property or other good faith effort to comply with the County's ordinance."

General Ordinance Changes:

The following set of additional changes are clean-up items that provide clarity to Article XIXh, Commercial Cannabis Activities of Ordinance No. 348, reinforce State laws, and implement best practices. They are discussed and summarized below:

- 1) Floor Plan: Current provisions requires a physical barrier / wall between the cannabis retail lobby area and the shopping area. This is being removed to allow more flexibility in

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how the internal space is designed. In all retail Cannabis facilities however, some sort of kiosk / check-in area is required.

- 2) Signage / Lighting: Current provisions do not allow for illuminated wall signs if you are a cannabis facility. No lighted signs are allowed. This restriction is being removed and now the business just follows the County's standard signage requirements for a commercial business, which includes lighted signs.
- 3) Mixed Use Zones: Currently, retail cannabis facilities are not allowed in a Mixed Use Zone. This is being revised to allow retailers and microbusiness to locate in a Mixed Use Zone, subject to the same permitting process as every other zone.
- 4) Manufacturing in Commercial Zones: Under the State Department of Cannabis Control ("DCC"), there are multiple types of Cannabis Manufacturing licenses. Type N Manufacturing allows for infusion of certain oils and other product addons. Type P Manufacturing is related to packaging or repackaging of products. Both types of manufacturing have negligible impacts and are proposed to be allowed in commercial zones (C-1/C-P, C-P-S, and M-U), rather than ONLY industrial zones. You would typically find these activities coupled with a microbusiness. All other types of manufacturing, including the volatile extraction process, remain only allowed in an industrial zone.
- 5) Sensitive / Impacted Uses List: The list of Sensitive / Impacted Uses that require a 1000 ft. setback from a Cannabis Retailer is, "Child Day Center, K-12 School, Public Park, or Youth Center." Religious Institution is being added to this list and will require the same 1000 ft. setback.
- 6) Setbacks from Sensitive Uses – Variance vs. Setback Adjustment: There is a 1,000 ft. minimum separation requirement from a "Sensitive / Impacted Use." Meaning that a Cannabis Retailer should be setback from a Child Day Center, K-12 School, Public Park, or Youth Center (and now also religious institutions) 1,000 ft. from property line to property line. Currently, the 1,000 ft. distance can potentially be reduced to a minimum 600 ft. (which is the state minimum), if approved through a variance. However, a variance is not the appropriate application type, due to the non-applicable findings and is instead being replaced with a setback adjustment. The 1,000 ft. setback distance remains the same, but the tool to change it is now a setback adjustment instead of a variance.
- 7) BOS Policy F7 – Cannabis Retailers within a Commercial Retail Corridor: A previous amendment to the Cannabis location requirements, was added through a Board of

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
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Supervisors Policy rather than an amendment to the Ordinance. This policy overrides the 1,000 ft. separation requirement between Cannabis Retailers and allows for “clustering” of Cannabis Retailers within a half-mile of a freeway, subject to certain the concentration thresholds within the Census Tract. This policy is effective today and is being added to the Ordinance, rather than remaining as a policy. No changes to these provisions are being made, it’s simply being added to the Ordinance coupled with a request to rescind the Policy.

Other revisions to Ordinance No. 348: In addition to the revisions proposed for Article XIXh, Commercial Cannabis Activities, this amendment to Ordinance No. 348 also includes amendments to Section 18.18, Detached Accessory Buildings and Structures, include the following: clarifying applicability of the section and amending rear yard setbacks, front lot line setbacks, and building height of detached accessory buildings and structures.

Airport Land Use Commission (“ALUC”):

This is a County-wide proposed amendment to Ordinance No. 348 and as such, requires review and determination of consistency by the Airport Land Use Commission (ALUC). This project was transmitted to ALUC who subsequently provided a determination letter under File No. ZAP1068RG23, dated January 19, 2023, finding the proposed amendment to Ordinance No. 348 consistent with all Riverside County Airport Land Use Compatibility Plans.

ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

Change of Zone No. 2100128 and the associated amendment to Ordinance No. 348 has been determined to be 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 project includes amending certain provisions to the existing Cannabis regulations, located within Ordinance No. 348 (Land Use). No new construction is proposed in conjunction with this amendment, and it is limited to Ordinance text changes only. The general nature of changes includes establishing greater enforcement provisions, new performance measures, consistency with State law, and integration of best practices with updates to regulations and operations. All future cannabis-related developments would continue to be evaluated under CEQA. Project-specific analysis as to any impacts would be speculative at this time. This ordinance amendment will not cause a significant impact to the environment.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
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FINDINGS AND CONCLUSIONS

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

1. Change of Zone No. 2100128 and the associated amendment to Ordinance No. 348 applies to all unincorporated areas of Riverside County.
2. Change of Zone No. 2100128 and the associated amendment to Ordinance No. 348 modifies and adds new provisions to the existing Article XIXh Commercial Cannabis Activities, Section 18.18, Detached Accessory Buildings and Structures, Section 18.12, Off-Street Vehicle Parking, and Article XXI, Definitions, within Ordinance No. 348 (Land Use).
3. Change of Zone No. 2100128 and the associated amendment to Ordinance No. 348 is consistent with and in conformance with all elements of the Riverside County General Plan.

Specifically, General Plan Policy LU 7.1. states, "Require land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts." The provisions under this Ordinance amendment will provide the County with additional tools related to enforcement, performance measures, and operations of Cannabis facilities, to ensure the use is compatible with the community and remains in good standing.

Additionally, General Plan Policy LU 8.1. states, "Accommodate the development of a balance of land uses that maintain and enhance Riverside County's fiscal viability, economic diversity, and environmental integrity." Although highly regulated, the County's Land Use Ordinance provides for a Cannabis business permitting pathway. The proposed Ordinance amendment will result in further enhancing the opportunity for Cannabis businesses to become permitted within the County, while maintaining the necessary oversight to ensure that if there are any negative impacts associated with the use, it is appropriately and quickly dealt with.

4. Change of Zone No. 2100128 and the associated amendment to Ordinance No. 348 is internally consistent with the provisions of Ordinance No. 348.
5. Change of Zone No. 2100128 and the associated amendment to Ordinance No. 348 was reviewed by the Riverside County Airport Land Use Commission ("ALUC") and was determined to be consistent with their plans, having no impacts.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

A public hearing notice was included in a publication of the Press Enterprise and Desert Sun newspapers, as well sent through the Planning Department mailing list.

The draft ordinance has been made available to the general public for review and comment on the Planning Department website, approximately 30-days prior the scheduled Planning Commission hearing.

During the time of staff report preparation and prior to the Planning Commission hearing, staff received a few email questions, requesting clarification to some of the new provisions. Staff provided responses as requested.

EXHIBITS:

- 1) Ordinance No. 348 – Article XIXh Commercial Cannabis Activities (Redline)
- 2) Airport Land Use Commission Determination (ALUC)
- 3) Notice of Exemption (NOE)



RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

January 19, 2023

John Hildebrand, Planning Director
County of Riverside Planning Department
4080 Lemon Street, 12th Floor
Riverside CA 92501

CHAIR
Steve Manos
Lake Elsinore

VICE CHAIR
Russell Betts
Desert Hot Springs

COMMISSIONERS

John Lyon
Riverside

Steven Stewart
Palm Springs

Richard Stewart
Moreno Valley

Michael Geller
Riverside

Vernon Poole
Murrieta

STAFF

Director
Paul Rull

Simon Housman
Jackie Vega
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

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

File No.: ZAP1068RG23
Related File No.: CZ2100128 (Zoning Ordinance 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 Ordinance Amendment (CZ2100128), a proposal to amend Article XIXh (Commercial Cannabis Activities) in Ordinance No. 348, updating certain provisions related to development standards, operating requirements, enforcement, and revocation. This amendment also proposes to allow for cannabis retailers in the Mixed Use Zone, change from a Variance requirement to a Setback Adjustment, when a cannabis facility proposes to locate closer than 1,000 ft to a potentially impacted use, and merge Board of Supervisors existing Policy F7 – Cannabis Retailers within a Commercial Retail Corridor, into Ordinance No. 348, then rescinding Policy F7.

The proposed amendments do not involve changes in development standards or allowable land uses that would increase residential density or non-residential intensity. Therefore, these amendments have no possibility of having an impact on the safety of air navigation within airport influence areas located within the County of Riverside.

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 me at (951) 955-6893.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Paul Rull, ALUC Director

cc: ALUC Case File

Did not speak



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: James Phillips

Address: P.O. Box 36

City: Hemet Zip: 92546

Phone #: 951-551-9480

Date: 3/14/2023 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: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on Items that are "NOT" on the Agenda/Public Comment:

Notwithstanding any other provisions of these rules, a member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. **YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.** Donated time is not permitted during Public Comment.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please ensure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin to flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman, may result in removal from the Board Chambers by Sheriff Deputies.

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CONDITIONAL USE PERMIT AND CHANGE OF ZONE IN THE ELSINORE AREA PLAN, SECOND SUPERVISORIAL DISTRICT

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, March 28, 2023 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommendation to approve **Conditional Use Permit No. 200012 and Change of Zone No. 2100125**. Conditional Use Permit No. 200012 proposes to convert an existing 2,500 square foot garage into a motorcycle repair shop with the existing 720 square foot residence to be used as office space for related business. Change of Zone No. 2100125 is a request to change zoning classification of the project site from R-R to General Commercial (C-1/C-P) – APN: 371-240-006. This proposed project is located East of Koves Road, South of Grand Avenue, and West of Zinck Way in the Second Supervisorial District.

The Riverside County Planning Department recommends that the Board of Supervisors **FIND that the project is EXEMPT** from the California Environmental Quality Act (CEQA), **APPROVE CHANGE OF ZONE NO. 2100125, and APPROVE CONDITIONAL USE PERMIT NO. 200012.**

On March 23, 2022 the Planning Commission approved staff recommendation to the Board of Supervisors by a vote of 5-0. The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department website: <https://planning.rctlma.org/Public-Hearings>.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT CALORA BOYD, CONTRACT PLANNER, AT (951) 955-6035 OR EMAIL CBOYD@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.

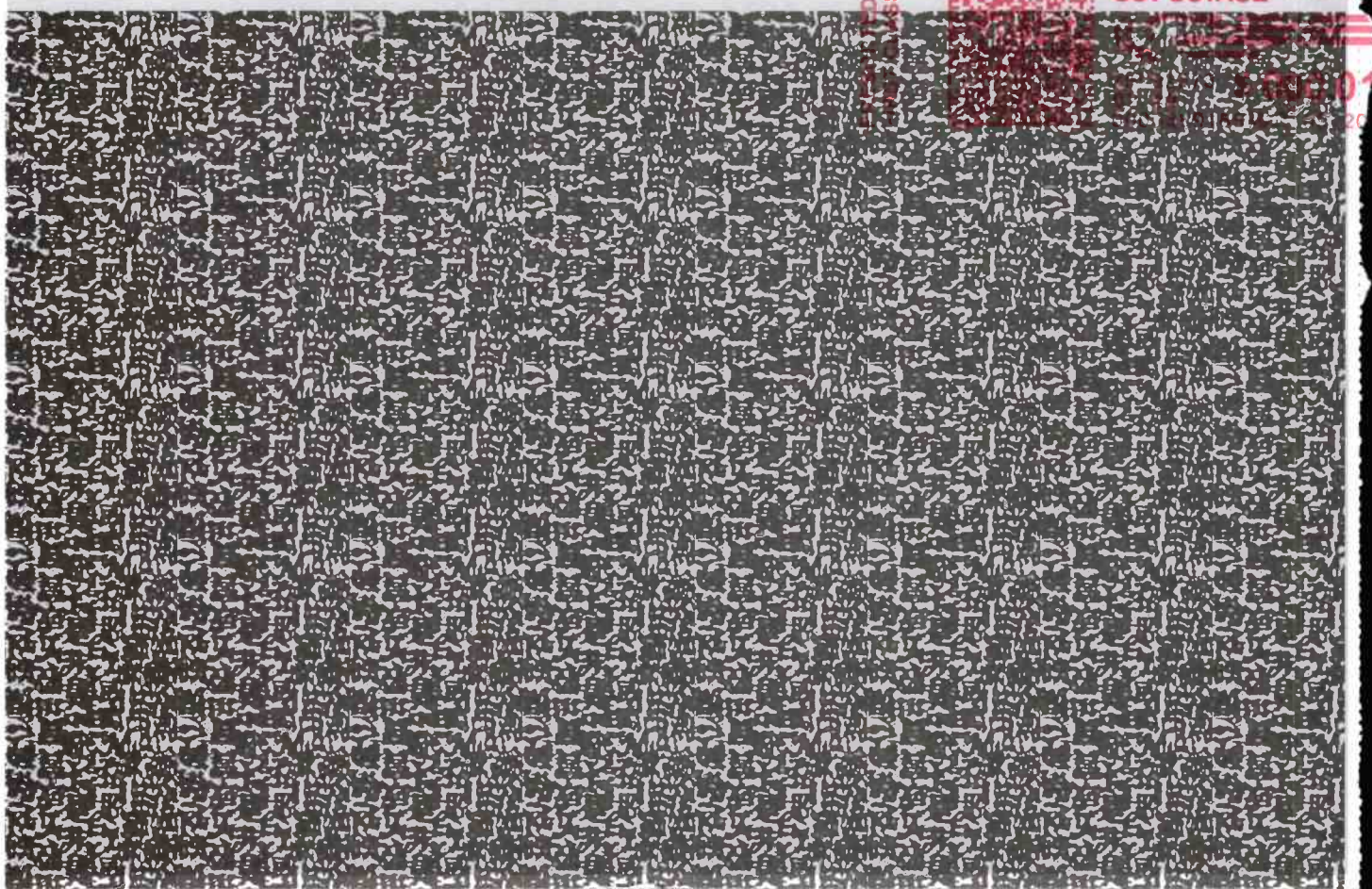
Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to hearing.

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

Dated: March 8, 2023

Kimberly Rector, Clerk of the Board
By: Cindy Fernandez, Board Assistant

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3/14/23



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Riverside County Clerk of the Board
County Administrative Center
4080 Lemon Street, 1st Floor Annex
P. O. Box 1147
Riverside, CA 92502-1147

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PUBLIC HEARING NOTICE
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2023 MAR 15 AM 9:51

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TODD JEFF RE KERRN
20793 GRAND AVE
LAKE EL SINORE CA 92529

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RETURN TO SENDER
NO SUCH NUMBER
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SL: 92502114747 2152-02809-12-21

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CONDITIONAL USE PERMIT AND CHANGE OF ZONE IN THE ELSINORE AREA PLAN, SECOND SUPERVISORIAL DISTRICT

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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) 955-1069, at least 72 hours prior to hearing.

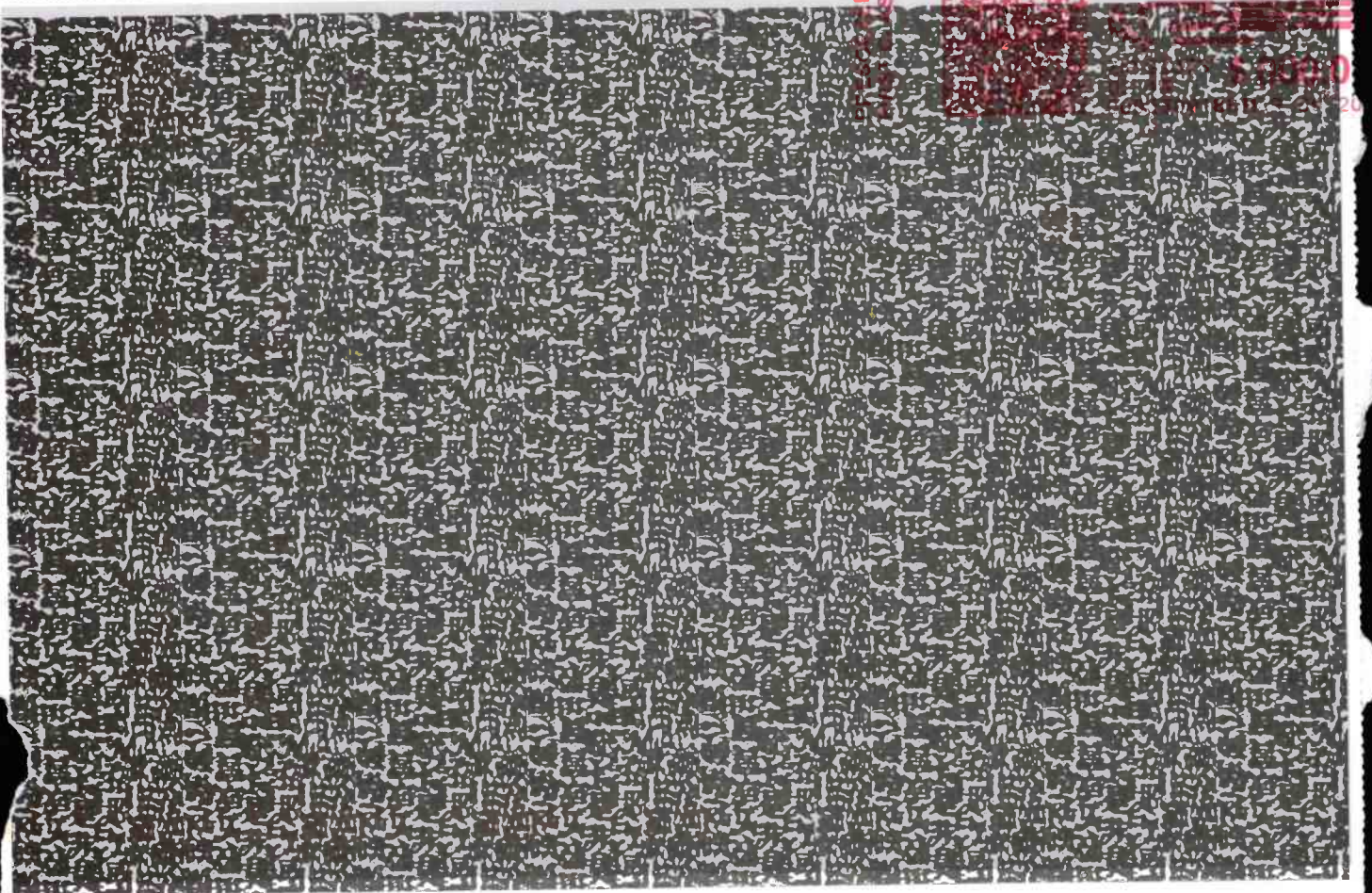
Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: March 8, 2023

Kimberly Rector, Clerk of the Board
By: Cindy Fernandez, Board Assistant

21.1
3/14/23

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MAR 15 2009 9:51 AM



Riverside County Clerk of the Board
County Administrative Center
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Riverside, CA 92502-1147

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PUBLIC HEARING NOTICE
This may affect your property

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SPEEDY SMOG INC
26490 JULIE LN
LAKE ELSINORE CA 92530

NIXIE 911 DE 1 7203/12/23

RETURN TO SENDER
UNDELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

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State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

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 CLERK/BOARD OF SUPERVISORS
 2023 MAR 21 AM 11:03

RECEIPT NUMBER: 23-44838
STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CLERK OF THE BOARD OF SUPERVISORS	LEAD AGENCY EMAIL COB@RIVCO.ORG	DATE 02/17/2023
COUNTY/STATE AGENCY OF FILING RIVERSIDE		DOCUMENT NUMBER E-202300192

PROJECT TITLE
CZ2100128, ORD. 348.4997

PROJECT APPLICANT NAME CLERK OF THE BOARD OF SUPERVISORS	PROJECT APPLICANT EMAIL COB@RIVCO.ORG	PHONE NUMBER (951) 955-1069
PROJECT APPLICANT ADDRESS 4080 LEMON ST., 1ST FLOOR,	CITY RIVERSIDE	STATE CA
		ZIP CODE 92501

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,839.25 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$2,764.00 \$ _____
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,305.25 \$ _____
- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)
- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
- County documentary handling fee \$ _____
- Other \$ _____

TOTAL RECEIVED \$ _____ **\$0.00**

PAYMENT METHOD:

- Cash Credit Check Other

SIGNATURE X <i>C. Sandoval</i>	AGENCY OF FILING PRINTED NAME AND TITLE Deputy Cassandra Sandoval
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3/14/23 21.1
2023-5-155537



Lead Agency: Clerk of the Board
ATTN: Zuly Martinez
Address: 4080 Lemon Street 1st floor
Riverside, Ca. 92502

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202300192
02/17/2023 03:06 PM Fee: \$ 0.00
Page 1 of 3

Removed: 3/17/23 By: *J. Rodriguez* Deputy



Project Title

Notice of Public Hearing Ordinance No. 348.4997 in conjunction with Change of Zone No. 2100128.

Filing Type

- Environmental Impact Report
- Mitigated/Negative Declaration
- Notice of Exemption
- Other: Notice of Public Hearing

Notes

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN ORDINANCE IN CONJUNCTION WITH A CHANGE OF ZONE, 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, March 14, 2023 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommendation to **introduce Ordinance No. 348.4997 in conjunction with Change of Zone No. 2100128.**

SUMMARY OF ORDINANCE NO. 348.4997
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 348
RELATED TO ZONING

This summary is presented pursuant to California Government Code Section 25124(b): a certified copy of the full text of Ordinance No. 348.4997 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.

In summary, Ordinance No. 348.4997 amends the following sections in Ordinance No. 348: (1) Section 18.18, Detached Accessory Buildings and Structures, (2) Section 18.12, Off-Street Vehicle Parking, (3) Article XIXh, Commercial Cannabis Activities, and (4) Article XXI, Definitions. Amendments to Section 18.18, Detached Accessory Buildings and Structures, include the following: clarifying applicability of the section and amending rear yard setbacks, front lot line setbacks, and building height of detached accessory buildings and structures. Amendments to Section 18.12, Off-Street Vehicle Parking, increases the parking requirements for Cannabis Retailers or Cannabis Microbusiness Facilities engaged as a Cannabis Retailer to a 15 space minimum. Amendments to Article XIXh, Commercial Cannabis Activities, include the following: clarifying and streamlining certain provisions for internal consistency and compliance with state law; amending and clarifying certain permit requirements, setbacks, location/zoning requirements, development standards, operating requirements, enforcement, permit expiration, and permit revocation; allowing Cannabis Retailers in the Mixed Use Zone; clarifying transport-only distribution with an appropriate license is permitted for Cannabis Cultivation, Cannabis Wholesale Nursery, Cannabis Manufacturing Facilities, and Cannabis Microbusiness Facility; clarifying the energy requirements of a Cannabis facility must meet the requirements of the County's Climate Action Plan and state law; and incorporating Board of Supervisors Policy F7 – Cannabis Retailers within a Commercial Retail Corridor within Ordinance No. 348. Amendments to Article XXI, Definitions, include additions and revisions the Commercial Cannabis Act Ordinance No. 348.4997 would take effect 30 days after its adoption.

The Riverside County Planning Department recommends that the Board of Supervisors **Find that the project is EXEMPT from the California Environmental Quality Act (CEQA), Introduce Ordinance No. 348.4997, and Rescind Board of Supervisor's Policy F-7.**

On February 1, 2023, the Planning Commission approved staff recommendation to the Board of Supervisors by a vote of 4-0. The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department website: <https://planning.rctlma.org/Public-Hearings>.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT JOHN HILDEBRAND, PLANNING DIRECTOR, 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) 955-1069, at least 72 hours prior to hearing.

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

Dated: February 17, 2023

Kimberly Rector, Clerk of the Board
By: Zuly Martinez, Board Assistant