

1 ORDINANCE NO. 348.4862

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING

3 ORDINANCE NO. 348 RELATED TO ZONING

4  
5 The Board of Supervisors of the County of Riverside ordains as follows:

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

- 7 a. In 1996, the voters of the State of California approved Proposition 215, The  
8 Compassionate Use Act, which was intended to decriminalize cultivation and  
9 possession of medical marijuana by a seriously ill patient, or the patient's primary  
10 caregiver, for the patient's personal use, and to create a limited defense to the  
11 crimes of possessing or cultivating cannabis. The Compassionate Use Act further  
12 provided that nothing in it shall be construed to supersede legislation prohibiting  
13 persons from engaging in conduct that endangers others, or to condone the  
14 diversion of cannabis for non-medical purposes.
- 15 b. In 2004, the Legislature enacted Senate Bill 420 to clarify the scope of  
16 Proposition 215, and to provide qualifying patients and primary caregivers who  
17 collectively or cooperatively cultivate marijuana for medical purposes with a  
18 limited defense to certain specified State criminal statutes.
- 19 c. On October 17, 2006, the Riverside County Board of Supervisors adopted  
20 Ordinance No. 348.4423 prohibiting medical marijuana dispensaries in all zone  
21 classifications.
- 22 d. On May 19, 2015, the Riverside County Board of Supervisors adopted Ordinance  
23 No. 348.4802 clarifying that marijuana cultivation is also prohibited in all zone  
24 classifications.
- 25 e. On September 11, 2015, California enacted the Medical Marijuana Regulation  
26 and Safety Act, which instituted a comprehensive State-level licensure and  
27 regulatory scheme for cultivation, manufacturing, distribution, transportation,  
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1 laboratory testing, and dispensing of medical cannabis.

2 f. On June 2, 2015, the Riverside County Board of Supervisors adopted Ordinance  
3 No. 925 declaring marijuana cultivation to be prohibited and a public nuisance.

4 g. On November 8, 2016 the voters of California adopted Proposition 64 which  
5 legalized the use of cannabis for adult use and established a maximum cultivation  
6 allowance of 6 plants for personal use. Proposition 64 allows for local control of  
7 adult use cannabis land uses, and reasonable regulation of personal cultivation of  
8 up to 6 plants per residence.

9 h. Cannabis cultivation operations are not protected under Riverside County  
10 Ordinance No. 625, the Right to Farm ordinance, which is intended to protect  
11 agricultural operations from being considered a nuisance. The siting and  
12 operational standards established by Ordinance No. 348.4862 do not apply to  
13 agricultural enterprises already in existence within the unincorporated areas of  
14 the County of Riverside.

15 i. Children, minors under the age of 18, are particularly vulnerable to the effects of  
16 cannabis use, and the presence of cannabis plants or products is an attractive  
17 nuisance for children, creating an unreasonable hazard in areas frequented by  
18 children including schools, parks, and other similar locations. Comprehensive  
19 regulation of cannabis activities is proper and necessary to address the risks and  
20 adverse impacts to children.

21 j. Riverside County has long had insufficient resources to bring code enforcement  
22 or nuisance actions against the vast majority of cultivation sites and dispensaries.  
23 The State's adoption of a comprehensive statewide licensing and enforcement  
24 scheme for cannabis operations could facilitate local jurisdictions to regulate  
25 cannabis at the local level, and permit fees would help pay for additional  
26 enforcement staff.

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

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

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

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

<b>COMMERCIAL CANNABIS ACTIVITIES</b>	<b>PER SQUARE FOOT OR UNIT</b>	<b>PER EMPLOYEE</b>	<b>OTHER CRITERIA</b>	<b>FOR VEHICLE STACKING</b>
indoor cultivation		2 spaces/ 3 employees		
mixed light cultivation		2 spaces/ 3 employees		
nursery		1 space/2 employees		
distributor		2 spaces/ 3 employees of largest shift		
manufacturing		2 spaces/ 3 employees of largest shift		
testing		2 spaces/ 3 employees of		

		largest shift		
retailers		1 space/200 sq. ft. of gross floor area		
microbusinesses with retail sales		1 space/200 sq. ft. of gross floor area		
Microbusinesses without retail sales		2 spaces/ 3 employees		

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

“Section 1.13. TABLES

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

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

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

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

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

“c. PUBLIC HEARING. A public hearing shall be held on the application for a

1 conditional use permit in accordance with the provisions of either 18.26 or 18.26.a. of  
2 this ordinance, whichever is applicable, and all of the procedural requirements and rights  
3 of appeal as set forth therein shall govern the hearing. Notwithstanding the above, or  
4 any other provision herein to the contrary, the hearing of any conditional use permit that  
5 requires approval of general plan amendment, a specific plan amendment, a change of  
6 zone or a development agreement shall be heard in accordance with the provisions of  
7 Section 2.5, 2.6, 20.3.a. or 18.26b. of this ordinance, whichever is applicable, and all of  
8 the procedural requirements and rights of appeal as set forth therein shall govern the  
9 hearing.”

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

11 “Article XIXh COMMERCIAL CANNABIS ACTIVITIES

12 SECTION 19.500. PURPOSE AND INTENT

13 The purpose of this Article is to protect the public health, safety, and welfare, enact  
14 strong and effective regulatory and enforcement controls in compliance with State law, protect  
15 neighborhood character, and minimize potential for negative impacts on people, communities, and  
16 the environment in the unincorporated areas of Riverside County by establishing land use  
17 regulations for commercial cannabis activities. Commercial cannabis activities includes cannabis  
18 cultivation, cannabis nurseries, cannabis manufacturing, cannabis testing facilities, cannabis  
19 retailers, and cannabis distribution, including medical and adult-use cannabis. Commercial cannabis  
20 activities require land use regulations due to the unique State legal constraints on cannabis activity,  
21 and the potential environmental and social impacts associated with cannabis activity.

22 A. PROHIBITED ACTIVITIES.

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

SECTION 19.501     APPLICABILITY

- A. Except as provided in Section 19.502 of this Article, Commercial Cannabis Activities shall not be allowed in the unincorporated areas of Riverside County without first obtaining all required land use permits, licenses or other entitlements required by local or State laws and regulations.
- B. Cannabis is not an agricultural commodity with respect to Ordinance No. 625, the Right-to-Farm ordinance, and is not considered Farmland or Agriculture as those terms are defined in the Riverside County General Plan or Ordinance No. 625.
- C. For the purposes of this Article, Cannabis does not include Industrial Hemp as defined in this ordinance.

SECTION 19.502     EXEMPTIONS

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

1 requirements and regulations.

2 A. Personal Cannabis Cultivation

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

12 B. Cannabis Cultivation by a Primary Caregiver.

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

16 SECTION 19.503 PROHIBITED LOCATIONS

17 Commercial Cannabis Activities are prohibited in the following zones: R-R, R-R-O, R-  
18 1, R-1A, R-A, R-2, R2-A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, C/V, C-C/V, WC-R, WC-  
19 R, WC-E W-2, R-D, N-A, W-2-M, W-1, W-E and MU.

20 SECTION 19.504 PERMIT REQUIREMENTS FOR ALL COMMERCIAL CANNABIS  
21 ACTIVITIES

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

23 A. APPLICATION REQUIREMENTS

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

27 B. STATE LICENSE REQUIRED

1 Obtain and maintain during the life of the Commercial Cannabis Activity the  
2 applicable California license issued pursuant to California Business and  
3 Professions Code Sections 19300.7 or 26050(a).

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

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

12 D. HEALTH AND SAFETY

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

21 E. DEVELOPMEMENT AGREEMENT

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

4 F. NUISANCE ODORS

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

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

24 G. COMMERCIAL CANNABIS ACTIVITY OPERATOR QUALIFICATIONS

- 25 1. All operators and all employees of a Commercial Cannabis Activity must  
26 be 21 years of age.
- 27 2. Operators shall be subject to background checks.

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

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

13 I. HOURS OF OPERATION  
14 A Commercial Cannabis Activity operating as a Cannabis Retailer may be open  
15 to the public only Monday through Saturday between the hours of 6:00 A.M. and  
16 10:00 P.M. All other Commercial Cannabis Activities may operate only during  
17 the hours specified in the conditional use permit granted by the County.

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

23 K. 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.

27 L. RESTRICTION ON ALCOHOL AND TOBACCO SALES OR  
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1 CONSUMPTION

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

5 M. RESTRICTION ON CONSUMPTION

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

8 O. SECURITY

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

- 16 1. A plan to prevent individuals from loitering on the lot if they are not  
17 engaging in activity expressly related to the Commercial Cannabis Activity.
- 18 2. 24 hour emergency contact information for the owner or an on-site  
19 employee which shall be provided to the County.
- 20 3. A professionally installed, maintained, and monitored alarm system.
- 21 4. Except for Live Cannabis Plants being cultivated at a cultivation facility  
22 and limited amounts of Cannabis for display purposes, all Cannabis and  
23 Cannabis Products shall be stored in a secured and locked structure and in  
24 a secured and locked safe room, safe, or vault, and in a manner as to prevent  
25 diversion, theft, and loss.
- 26 5. 24 hour security surveillance cameras to monitor all entrances and exits to  
27 a Commercial Cannabis Activity, all interior spaces within the Commercial  
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1 Cannabis Activity that are open and accessible to the public, and all interior  
2 spaces where Cannabis, cash or currency is being stored for any period of  
3 time on a regular basis. The permittee for a Commercial Cannabis Activity  
4 shall be responsible for ensuring that the security surveillance camera's  
5 footage is accessible. Video recordings shall be maintained for a minimum  
6 of 45 days, and shall be made available to the County upon request.

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

1 c. The loss or unauthorized alteration of records related to Cannabis,  
2 registering qualifying patients, primary caregivers, or employees or  
3 agents of the Commercial Cannabis Activity.

4 d. Any other breach of security.

5 13. Firearms shall not be permitted at a Commercial Cannabis Activity by an  
6 owner, manager, employee, volunteer or vendor other than those  
7 individuals authorized as a State Licensed Security 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  
11 Activity all required County and State permits and licenses to operate. Such  
12 posting shall be in a central location, visible to the patrons, and in all vehicles  
13 that deliver or transport 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 and advertising the activity to passersby, whether  
22 such person or device is on the lot of the Commercial Cannabis Activity or  
23 elsewhere including, but not limited to, the public right-of-way.

24 3. No sign shall be visible from the exterior of the Commercial Cannabis  
25 Activity or on any of the vehicles owned or used as part of the Commercial  
26 Cannabis Activity.

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

- 2 5. Each entrance to a Commercial Cannabis Activity shall be visibly posted  
3 with a clear and legible notice indicating that smoking, ingesting, or  
4 otherwise consuming Cannabis on the lot of the Commercial Cannabis  
5 Activity is prohibited.
- 6 6. Signage shall not be directly illuminated, internally or externally.
- 7 7. No banners, flags, billboards, or other prohibited signs may be used at any  
8 time.

9 R. RECORDS

- 10 1. Each owner and permittee of a Commercial Cannabis Activity shall  
11 maintain clear and adequate records and documentation demonstrating that  
12 all Cannabis or Cannabis Products have been obtained from and are  
13 provided to other permitted and licensed Cannabis operations. The County  
14 shall have the right to examine, monitor, and audit such records and  
15 documentation, which shall be made available to the County upon written  
16 request.
- 17 2. Each owner and permittee of a Commercial Cannabis Activity shall  
18 maintain a current register of the names and contact information, including  
19 name, address, and telephone number, of anyone owning or holding an  
20 ownership interest in the Commercial Cannabis Activity, and of all the  
21 officers, managers, employees, agents and volunteers currently employed  
22 or otherwise engaged by the Commercial Cannabis Activity. The County  
23 shall have the right to examine, monitor, and audit such records and  
24 documentation, which shall be made available to the County upon request.
- 25 3. All Commercial Cannabis Activities shall maintain an inventory control  
26 and reporting system that accurately documents the present location,  
27 amounts, and descriptions of all Cannabis and Cannabis Products for all  
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1 stages of the growing and production or manufacturing, laboratory testing  
2 and distribution processes until purchase by or distribution to a qualified  
3 patient, primary caregiver for medical purpose or an adult 21 years of age  
4 or older who qualifies to purchase adult-use Cannabis.

5 S. WATER

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

14 T. PARKING

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

16 U. VISIBILITY

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

19 V. HAZARDOUS MATERIALS

20 All Commercial Cannabis Activities that utilize hazardous materials shall comply  
21 with applicable hazardous waste generator and AB 185 (hazardous materials  
22 handling) requirements and maintain any applicable permits for these programs  
23 from the Riverside County Fire Department, the Riverside County Department  
24 of Environmental Health, the Riverside County Department of Waste Resources  
25 and the Agricultural Commissioner.

26 W. COMPLIANCE WITH LOCAL AND STATE LAWS AND REGULATIONS

27 All Commercial Cannabis Activities shall comply with all applicable local and  
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1 State laws, ordinances and regulations related to, but not limited to, the  
2 following: the California Environmental Quality Act, Building Code, Fire Code,  
3 Riverside County Ordinance No. 457, Riverside County Ordinance No. 657,  
4 Airport Land Use Compatibility Plans, weights and measures regulations, track  
5 and trace requirements, pesticide use, water quality, storm water discharge and  
6 the grading of land.

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 18.26b. of this ordinance and all of the  
10 procedural requirements and rights of appeal set forth therein shall govern the  
11 public 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.
  - 16 2. The permit complies with the requirements of Sections 18.28, 19.504,  
17 19.511, 19.513, 19.515, 19.517, 19.519, 19.521 and 19.523, as applicable,  
18 of this ordinance.
  - 19 3. The permit complies with the development standards for the zoning  
20 classification in which the Commercial Cannabis Activity is located.
  - 21 4. The permit will not be detrimental to the public health, safety or general  
22 welfare.
- 23 C. Conditional use permits shall be subject to all conditions necessary or convenient  
24 to assure that the Commercial Cannabis Activity will satisfy the requirements of  
25 this Article.

26 SECTION 19.507. PERMIT EXPIRATION.

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

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

20 SECTION 19.508 OUTDOOR CANNABIS CULTIVATION PROHIBITED

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

23 SECTION 19.509 INDOOR (ARTIFICIAL LIGHT) CANNABIS CULTIVATION

24 A. ZONING.

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

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

5 2. Specialty Indoor Cannabis Cultivation.

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

10 3. Small Indoor Cannabis Cultivation.

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

15 4. Medium Indoor Cannabis Cultivation.

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

20 B. SIZE LIMITATIONS.

- 21 1. All Indoor Cannabis Cultivations shall not exceed the Canopy size  
22 threshold established by State law.
- 23 2. The Canopy size on a single lot for a Specialty Cottage Indoor Cannabis  
24 Cultivation shall not exceed 500 square feet.
- 25 3. The Canopy size on a single lot for a Specialty Indoor Cannabis Cultivation  
26 shall not exceed 5,000 square feet.
- 27 4. The Canopy size on a single lot for a Small Indoor Cannabis Cultivation  
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1 shall not exceed 10,000 square feet.

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

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

7 a. Each Indoor Cannabis Cultivation operation is granted a conditional  
8 use permit.

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

13 SECTION 19.510 MIXED LIGHT CANNABIS CULTIVATION

14 A. ZONES.

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

17 1. Specialty Cottage Mixed Light Cannabis Cultivation.

18 Specialty Cottage Mixed Light Cannabis Cultivation is allowed on lots one  
19 gross acre 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-P, A-2 and A-D.

22 2. Specialty Mixed Light Cannabis Cultivation.

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

27 3. Small Mixed Light Cannabis Cultivation.

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

5 4. Medium Mixed Light Cannabis Cultivation.

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

10 B. SIZE LIMITATIONS.

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

13 2. The Canopy size on a single lot for a Specialty Cottage Mixed Light  
14 Cannabis Cultivation shall not exceed 2,500 square feet.

15 3. The Canopy size on a single lot for a Specialty Mixed Light Cannabis  
16 Cultivation shall not exceed 5,000 square feet.

17 4. The Canopy size on a single lot for a Small Mixed Light Cannabis  
18 Cultivation shall not exceed 10,000 square feet.

19 5. The Canopy size on a single lot for a Medium Mixed Light Cannabis  
20 Cultivation shall not exceed 22,000 square feet except as provided for in  
21 19.510.B.6. below.

22 6. Multiple Mixed Light Cannabis Cultivation operations may operate on a  
23 single lot provided all the following is complied with:

24 a. Each Mixed Light Cannabis Cultivation operation is granted a  
25 conditional use permit.

26 b. The individual Canopy size for each Mixed Light Cannabis  
27 Cultivation operation complies with State law and the cumulative  
28

1 Canopy area for all the Mixed Light Cannabis Cultivation operations  
2 does not exceed the total amount of 43,560 square feet.

3 SECTION 19.511. CANNABIS CULTIVATION STANDARDS

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

8 A. LOCATION REQUIREMENTS.

- 9 1. Indoor and Mixed Light Cannabis Cultivation shall not be located within  
10 1,000 feet of any Child Day Care Center, K-12 school, public park, or  
11 Youth Center. The distance shall be measured from the nearest points of  
12 the respective lot lines using a direct straight-line measurement. A new  
13 adjacent use will not affect the continuation of an existing legal use that has  
14 been established under this Article and continuously operating in  
15 compliance with the conditional use permit, and local and State laws and  
16 regulations. This location requirement may be modified with the approval  
17 of a variance pursuant to Section 18.27 of this ordinance. In no case shall  
18 the distance be less than allowed by State law.
- 19 2. Indoor and Mixed Light Cannabis Cultivation are not allowed in an  
20 established agricultural preserve or on a lot under a land conservation  
21 contract pursuant to the Williamson Act. Indoor and Mixed Light Cannabis  
22 Cultivation shall not be considered agriculture for the purposes of  
23 Ordinance No. 625 the County's Right-to-Farm Ordinance.
- 24 3. All Cannabis Cultivation is prohibited on natural slopes 25% or greater.

25 B. MINIMUM LOT SIZE.

- 26 1. Minimum lot size for Indoor Cannabis Cultivation: The minimum lot size  
27 for Indoor Cannabis Cultivation is provided below:

28

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

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

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

C. **MINIMUM LOT DIMENSIONS**

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

D. **SETBACKS.**

1. **Indoor Cannabis Cultivation:**

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

2. **Mixed Light Cannabis Cultivation:**

a. Except for Medium Mixed Light Cannabis Cultivation, the Cannabis

1 Cultivation Area for Mixed Light Cannabis Cultivation shall be  
2 setback a minimum of 50 feet from all lot lines and public right-of-  
3 ways.

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

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

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

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

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

19 E. SCREENING AND FENCING.

20 All Mixed Light Cannabis Cultivation shall occur within a secure fence at least  
21 6 feet in height that fully encloses the Cannabis Cultivation Premises or Cannabis  
22 Cultivation area and prevents easy access to the Cannabis Cultivation Area. The  
23 fence must be solid, durable and include a lockable gate(s) that is locked at all  
24 times, except for during times of active ingress and egress. Fences shall be  
25 separated by a minimum of 6 feet from all cultivation structures. The fence shall  
26 comply with all other applicable County ordinances, policies, and design  
27 standards related to height, location, materials, or other fencing restrictions.  
28

1 Fences with barbed wire are not permitted.

2 F. ENCLOSURES

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

9 2. Greenhouses, hoop structures, or other similar structures shall comply with  
10 all applicable Building and Safety laws and regulations and each structure  
11 shall not exceed 5,500 square feet in area. Structures that are 3,600 square  
12 feet in area or larger shall be reviewed by the Riverside County Fire  
13 Department and subject to fire sprinkler requirements as set forth in  
14 Riverside County Ordinance No. 787.

15 G. ENERGY CONSERVATION MEASURES.

16 All Cannabis Cultivation operations shall include adequate measures to address  
17 the projected energy demand for Cannabis cultivation at the lot. On-site  
18 renewable energy generation shall be required for all Cannabis cultivation using  
19 artificial lighting. Renewable energy systems shall be designed to have a  
20 generation potential equal to or greater than 20-percent of the anticipated energy  
21 demand.

22 H. WATER CONSERVATION MEASURES.

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

27 I. OPERATIONS

28



- 1 1. All Cannabis Cultivation lighting shall be fully shielded, downward casting  
2 and not spill over onto structures, other properties or the night sky. All Indoor  
3 and Mixed Light Cannabis Cultivation operations shall be fully contained so  
4 that little to no light escapes. Light shall not escape at a level that is visible  
5 from neighboring properties between sunset and sunrise.
- 6 2. All Cannabis Cultivation operations shall accumulate or store garbage and  
7 refuse in a nonabsorbent, water-tight, vector resistant, durable, easily  
8 cleanable, galvanized metal or heavy plastic containers with tight fitting lids.  
9 No refuse container shall be filled beyond the capacity to completely close  
10 the lid. All garbage and refuse on this site shall not be accumulated or stored  
11 for more than seven calendar days, and shall be properly disposed of before  
12 the end of the seventh day. All waste, including but not limited to refuse,  
13 garbage, green waste and recyclables, must be disposed of in accordance with  
14 County and State laws and regulations. All waste generated from Cannabis  
15 Cultivation operations must be properly stored and secured to prevent access  
16 from the public.

17 J. FINDINGS.

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

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

1 measures that minimize use of water for cultivation on the lot.

- 2 4. The Indoor or Mixed Light Cannabis Cultivation includes adequate  
3 quality control measures to ensure cultivation on the lot meets State and  
4 County regulatory standards.
- 5 5. The Indoor or Mixed Light Cannabis Cultivation includes adequate  
6 measures that address enforcement priorities for cultivation including  
7 restricting access to minors, and ensuring that Cannabis is not supplied  
8 to unlicensed or unpermitted persons.
- 9 6. For Indoor and Mixed Light Cannabis Cultivation lots with verified  
10 Cannabis related violations within the last 12 months from the adoption  
11 date of Ordinance No. 348.4862, the proposed use will not contribute to  
12 repeat violations on the lot and all applicable fees have been paid.
- 13 7. The Indoor or Mixed Cannabis Cultivation will operate in a manner that  
14 prevents Cannabis nuisance odors from being detected offsite.

15 SECTION 19.512 CANNABIS WHOLESALE NURSERIES

16 A. APPLICABILITY.

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

19 1. Outdoor Cannabis Wholesale Nurseries.

20 Outdoor Cannabis Wholesale Nurseries are allowed on lots larger than or  
21 equal to one gross acre in the following zone classifications with an  
22 approved conditional use permit in accordance with Section 18.28 of this  
23 ordinance: A-1, A-P, A-2 and A-D.

24 2. Indoor Cannabis Wholesale Nurseries.

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

1 3. Mixed Light Cannabis Wholesale Nurseries.

2 Mixed Light Cannabis Wholesale Nurseries are allowed on lots larger than  
3 or equal to one gross acre 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 B. NO MULTIPLE USE PERMITS

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

9 SECTION 19.513 CANNABIS WHOLESALE NURSERIES STANDARDS

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

14 A. GENERAL LOCATION.

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

22 B. MINIMUM LOT SIZE.

23 1. Minimum lot size for Outdoor Cannabis Wholesale Nurseries: The  
24 minimum lot size for Outdoor Cannabis Wholesale Nurseries is listed  
25 below:  
26  
27  
28

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

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

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

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

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

**C. MINIMUM LOT DIMENSIONS**

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

**D. SETBACKS.**

1. The Premises for all Cannabis Wholesale Nurseries shall be setback a minimum of 50 feet from the lot lines and public right-of ways.
2. The Premises for all Outdoor and Mixed Light Cannabis Wholesale Nurseries shall be setback a minimum of 50 feet from the drip line of any

1 riparian vegetation of any watercourse.

- 2 3. Setbacks may be modified with the approval of a setback adjustment  
3 pursuant to Section 18.33 of this ordinance. In no case shall a setback be  
4 less than setbacks required by the State of California Department of Food  
5 and Agriculture.

6 D. SCREENING AND FENCING.

7 Live Cannabis Plants shall not be visible from outside of the lot for a Cannabis  
8 Wholesale Nursery. All Cannabis Wholesale Nursery activities shall occur  
9 within a secure, solid and durable fence at least 6 feet in height that fully encloses  
10 the Premises of the Cannabis Wholesale Nursery and prevents access to the  
11 Premises. The fence must include a lockable gate(s) that is locked at all times,  
12 except for during times of active ingress and egress. The fence shall be separated  
13 a minimum of six feet from Cannabis Wholesale Nursery structures. The fence  
14 shall comply with all applicable County ordinances, policies and design  
15 standards regarding the height, location, and materials. Fences with barbed wire  
16 are not permitted.

17 E. MATURE CANNABIS PLANTS.

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

21 F. ENCLOSURES

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

28

1 2. Greenhouse, hoop structures, or other similar structures shall comply with  
2 all applicable Building and Safety laws and regulations and each structure  
3 shall not exceed 5,500 square feet in area. Structures that are 3,600 square  
4 feet in area or larger shall be reviewed by the Riverside County Fire  
5 Department and subject to fire sprinkler requirements as set forth in  
6 Riverside County Ordinance No. 787.

7 G. ENERGY CONSERVATION MEASURES.

8 Cannabis Wholesale Nurseries shall include adequate measures to address the  
9 projected energy demand for Cannabis cultivation on the lot. On-site renewable  
10 energy generation shall be required for all Cannabis Wholesale Nursery  
11 operations using artificial lighting. Renewable energy systems shall be designed  
12 to have a generation potential equal to or greater than 20-percent of the  
13 anticipated energy demand.

14 H. WATER CONSERVATION MEASURES.

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

19 I. FINDINGS.

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

- 23 1. The Cannabis Wholesale Nursery complies with all the requirements of  
24 the State and County for the cultivation of Cannabis.
- 25 2. The Cannabis Wholesale Nursery is not within 600 feet from any Child  
26 Day Care Center, K-12 school, public park, or Youth Center.
- 27 3. The Cannabis Wholesale Nursery includes adequate measures that  
28

1 minimize use of water for activities at the site.

- 2 4. The Cannabis Wholesale Nursery includes adequate quality control  
3 measures to ensure Cannabis kept on the lot meets State regulatory  
4 standards.
- 5 5. The Cannabis Wholesale Nursery includes adequate measures that  
6 address enforcement priorities for Cannabis activities including  
7 restricting access to minors, and ensuring that Cannabis and Cannabis  
8 Products are not supplied to unlicensed or unpermitted persons within  
9 the State and not distributed out of State.
- 10 6. For Cannabis Wholesale Nurseries lots with verified Cannabis-related  
11 violations within the last 12 months from the adoption date of  
12 Ordinance No. 348.4862, the use will not contribute to repeat violations  
13 on the lot and all applicable fees have been paid.
- 14 7. The Cannabis Wholesale Nursery will operate in a manner that prevents  
15 cannabis nuisance odors from being detected offsite.

16 SECTION 19.514 CANNABIS MANUFACTURING FACILITIES

17 A. APPLICABILITY

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

- 20 1. Non-Volatile Cannabis Manufacturing Facility.

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

- 27 2. Type N Cannabis Manufacturing Facilities.
- 28

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

7 3. Type P Cannabis Manufacturing Facilities.

8 Cannabis Manufacturing Facilities that only package or repackage cannabis  
9 products or label or relabel the cannabis product container or wrapper,  
10 requiring a Type P State license, are allowed in the following zones with an  
11 approved conditional use permit in accordance with Section 18.28 of this  
12 ordinance: I-P, M-SC, M-M and the M-H.

13 4. Volatile Cannabis Manufacturing Facility.

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

22 5. Shared-Use Cannabis Manufacturing Facility.

23 A Shared-Use Cannabis Manufacturing Facility is allowed in the following  
24 zones with an approved conditional use permit in accordance with Section  
25 18.28 of this ordinance: I-P, M-SC, M-M and M-H. A Shared-Use  
26 Cannabis Manufacturing Facility may include the following facilities: a  
27 non-volatile manufacturing facility, an infusion only manufacturing facility  
28



1 or a volatile manufacturing facility. The conditional use permit for a  
2 Shared-Use Cannabis Manufacturing Facility shall identify the types of  
3 facilities operating at the Shared-Use Cannabis Manufacturing Facility.

4 SECTION 19.515 CANNABIS MANUFACTURING FACILITIES STANDARDS

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

10 A. GENERAL LOCATION.

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

18 B. MINIMUM LOT SIZE.

19 The minimum lot size for a Cannabis Manufacturing Facility shall be 10,000  
20 square feet with a minimum average width of 75 feet, except that a lot size not  
21 less than 7,000 square feet and an average width of not less than 65 feet may be  
22 allowed when sewers are available and will be utilized by the Cannabis  
23 Manufacturing Facility.

24 C. SETBACKS

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

1 residentially zoned lot lines shall be 25 feet.

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

6 D. LIMITATION ON THE MANUFACTURING OF CANNABIS EDIBLE  
7 PRODUCTS.

8 Cannabis Manufacturing Facilities shall not manufacture Cannabis edible  
9 products in the shape of animals, people, insects, or fruit.

10 E. OPERATIONS

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

25 F. FINDINGS.

26 In addition to the requirements for approval in Section 19.506 of this ordinance,  
27 no 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
- 5 the 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
- 11 Safety Code 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
- 18 any Child Day Care Center, K-12 school, public park, or Youth Center.

19 SECTION 19.516 CANNABIS TESTING FACILITIES

20 A. APPLICABILITY.

21 Notwithstanding any other provision of this ordinance, Cannabis Testing  
22 Facilities are allowed in the following zone classifications with an approved  
23 conditional use permit in accordance with Section 18.28 of this ordinance: C-  
24 1/C-P, C-P-S, I-P, M-SC, M-M, and M-H.

25 B. NO MULTIPLE USE PERMITS

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

1                    SECTION 19.517     CANNABIS TESTING FACILITIES STANDARDS

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

6                    A.    GENERAL LOCATION.

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

14                   B.    SETBACKS

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

23                   C.    OPERATIONS

24                   Cannabis Testing Facilities shall be required to conduct all testing in a manner  
25 pursuant to Business and Professions Code Section 26100 and shall be subject  
26 to State and local law and regulations.

27                   D.    FINDINGS.

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

- 4 1. The Cannabis Testing Facility complies with all the applicable  
5 requirements of the State and County for the testing of Cannabis.
- 6 2. The owners, permittees, operators, and employees of the Cannabis  
7 Testing Facility are not associated with any other Commercial Cannabis  
8 Activity.
- 9 3. The Cannabis Testing Facility is accredited by an appropriate  
10 accrediting agency as approved by the State and in compliance with  
11 Health and Safety Code Section 5238, which may be amended from  
12 time to time.
- 13 4. The Cannabis Testing Facility's operating plan demonstrates proper  
14 protocols and procedures for statistically valid sampling methods and  
15 accurate certification of Cannabis and Cannabis Products for potency,  
16 purity, pesticide residual levels, mold, and other contaminants  
17 according to adopted industry standards.
- 18 5. The Cannabis Testing Facility includes adequate measures that address  
19 enforcement priorities for Cannabis activities including restricting  
20 access to minors, and ensuring that Cannabis and Cannabis Products are  
21 obtained from and supplied only to other permitted licensed sources  
22 within the State and not distributed out of state.
- 23 6. The Cannabis Testing Facility is not located within 600 feet from any  
24 Child Day Care Center, K-12 school, public park, or Youth Center.
- 25 7. For Cannabis Testing Facilities lots with verified cannabis-related  
26 violations within the last 12 months from the adoption date of  
27 Ordinance No. 348.4862, the use will not contribute to repeat violation  
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1 on the lot and all applicable fees have been paid.

2 SECTION 19.518. CANNABIS RETAILER

3 A. APPLICABILITY

4 Notwithstanding any other provision of this ordinance, Cannabis Retailers are  
5 allowed as follows:

6 1. Cannabis Retailer – Non-Storefront

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

11 2. Cannabis Retailer – Storefront

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

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

17 SECTION 19.519. CANNABIS RETAILER MINIMUM STANDARDS.

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

22 A. GENERAL LOCATION.

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

- 3 2. Cannabis Retailers shall not be located within 1,000 feet of any other  
4 Cannabis Retailer.
- 5 3. Cannabis Retailers shall not be located within 500 feet of a smoke shop or  
6 similar facility.
- 7 4. Cannabis Retailers shall not be located on a lot containing a residential  
8 dwelling unit.

9 **B. SETBACKS**

- 10 1. All Cannabis Retailers shall comply with the setback standards for the zone  
11 classification they are located in, except when adjacent to a residential zone  
12 where the minimum setback from the residentially zoned lot lines shall be  
13 40 feet.
- 14 2. Setbacks may be modified with an approved setback adjustment in  
15 accordance with Section 18.33 of this ordinance. In no case, shall a setback  
16 be less than setbacks required by the State of California Bureau of Cannabis  
17 Control, California Building Code or Ordinance No. 457.

18 **C. OPERATIONS.**

- 19 1. Entrances into the retail location of the Cannabis Retailer shall be  
20 separate from the reception area and locked at all times with entry strictly  
21 controlled. An electronic or mechanical entry system shall be utilized to  
22 limit access and entry to the retail location.
- 23 2. Entrances into the retail location of a Cannabis Retailer that possess an  
24 A-License and a M-License from the State shall be separate and distinct  
25 from each other and proper signage shall be placed at each entrance  
26 indicating that no one under the age of 18 shall be allowed entrance into  
27 the M-Licensed retail location and no one under the age of 21 shall be  
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1 allowed entrance into the A-Licensed retail location.

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

4 4. Cannabis and Cannabis Products not in the display area shall be  
5 maintained in a locked secure area.

6 5. Not more than 10% of the Cannabis Retailer floor area, up to a maximum  
7 of 50 square feet, shall be used for the sale of incidental goods such as,  
8 but not limited to, clothing, posters, or non-cannabis goods.

9 6. Restroom facilities shall be locked and under the control of the Cannabis  
10 Retailer.

11 6. Cannabis Retailers shall ensure that all Cannabis and Cannabis Products  
12 held for sale by the Cannabis Retailer are cultivated, manufactured,  
13 transported, distributed, and tested by California licensed and permitted  
14 facilities that are in full conformance with State and local laws and  
15 regulations.

16 7. Cannabis Retailers shall not distribute any Cannabis or Cannabis Product  
17 unless such products are labeled and in a tamper-evident package in  
18 compliance with the California Business and Professions Code and any  
19 additional rules promulgated by a licensing authority.

20 8. Cannabis Retailers shall not provide free samples of any type, including  
21 Cannabis Products, to any person and shall not allow any person to  
22 provide free samples on the Cannabis Retailer's lot.

23 9. Deliveries shall be conducted in accordance with California Business and  
24 Professions Code Section 26090 or as may be amended and all state  
25 regulations pertaining to delivery of Cannabis Products. Cannabis  
26 Retailers shall only deliver to customers within a jurisdiction that does  
27 not expressly prohibit delivery within their jurisdictional boundary by  
28



1 ordinance.

2 D. MOBILE DELIVERIES.

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

5 E. FINDINGS.

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

- 9 a. The Cannabis Retailer complies with all the requirements of the State and  
10 County for the selling of Cannabis.
- 11 b. The non-storefront Cannabis Retailer is not open to the public.
- 12 c. The Cannabis Retailer is not located within 600 feet from any Child Day  
13 Care Center, K-12 school, public park, or Youth Center.
- 14 d. The Cannabis Retailer includes adequate measures that address  
15 enforcement priorities for Commercial Cannabis Activities including  
16 restricting access to minors, and ensuring that Cannabis and Cannabis  
17 Products are obtained from and supplied only to other permitted licensed  
18 sources within the State and not distributed out of State.
- 19 e. For Cannabis Retailer lots with verified cannabis-related violations within  
20 the last 12 months from the adoption date of Ordinance No. 348.4862, the  
21 use will not contribute to repeat violation on the lot and all applicable fees  
22 have been paid.

23 SECTION 19.520 CANNABIS DISTRIBUTION FACILITIES

24 APPLICABILITY.

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

1                    SECTION 19.521.    CANNABIS DISTRIBUTION FACILITIES STANDARDS.

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

7                    A.    GENERAL LOCATION.

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

15                   B.    SETBACKS.

- 16                   1.    All Cannabis Distributions Facilities shall comply with the setback  
17                   standards for the zone classification they are located in, except when  
18                   adjacent to a residential zone where the minimum setback from the  
19                   residentially zoned lot lines shall be 25 feet.
- 20                   2.    Setbacks may be modified with an approved setback adjustment in  
21                   accordance with Section 18.33 of this ordinance. In no case shall a setback  
22                   be less than setbacks required by the State of California Bureau of Cannabis  
23                   Control, the California Building Code or Ordinance No. 457.

24                   C.    OPERATIONS.

- 25                   1.    Cannabis and Cannabis Products shall only be transported between permitted  
26                   and licensed Commercial Cannabis Activities. .
- 27                   2.    In addition to the requirements of Section 19.504.R. the following record  
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1 keeping measures are required to be implemented for all Cannabis  
2 Distribution Facilities:

- 3 a. Prior to transporting Cannabis or Cannabis Products, a shipping  
4 manifest shall be completed as required by state law and regulations.
  - 5 b. A copy of the shipping manifest shall be maintained during  
6 transportation and shall be made available upon request to law  
7 enforcement or any agents of the State or County charged with  
8 enforcement.
  - 9 c. Cannabis Distribution Facilities shall maintain appropriate records of  
10 transactions and shipping manifests that demonstrate an organized  
11 method of storing and transporting Cannabis and Cannabis Products  
12 to maintain a clear chain of custody.
- 13 3. Cannabis Distribution Facilities shall ensure that appropriate samples of  
14 Cannabis or Cannabis Products are tested by a permitted and licensed testing  
15 facility prior to distribution and shall maintain a copy of the test results in its  
16 files.
  - 17 4. Cannabis Distribution Facilities shall not be open to the public.

18 **D. FINDINGS.**

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

- 22 1. The Cannabis Distribution Facility complies with all the requirements of  
23 the State and County for the distribution of Cannabis.
- 24 2. The Cannabis Distribution Facility's operating plan demonstrates proper  
25 protocols and procedures that address enforcement priorities for Cannabis  
26 related activities including restricting access to minors, and ensuring that  
27 Commercial Cannabis Activities and Cannabis Products are obtained from  
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1 and supplied only to other permitted and licensed sources and not  
2 distributed out of State.

- 3 3. The Cannabis Distribution Facility is not within 600 feet from any Child  
4 Day Care Center, K-12 school, public park, or Youth Center.
- 5 4. The Cannabis Distribution Facility is not open to the public.
- 6 5. For Cannabis Distribution Facility lots with verified cannabis-related  
7 violations within the last 12 months from the adoption date of Ordinance  
8 No. 348.4862, the use will not contribute to repeat violations on the lot and  
9 the all applicable fees have been paid.

10 SECTION 19.522 CANNABIS MICROBUSINESS FACILITIES

11 APPLICABILITY.

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

15 SECTION 19.523. CANNABIS MICROBUSINESS FACILITIES STANDARDS.

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

21 A. GENERAL LOCATION.

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

2 B. SETBACKS.

- 3 1. All Cannabis Microbusiness Facilities shall comply with the setback  
4 standards for the zone classification they are located in, except when  
5 adjacent to a residential zone where the minimum setback from the  
6 residentially zoned lot lines shall be 25 feet. In the event that a Cannabis  
7 Microbusiness Facility includes retail sales of Cannabis, then the minimum  
8 setback from residentially zoned lot lines shall be 40 feet.
- 9 2. Setbacks may be modified with an approved setback adjustment in  
10 accordance with Section 18.33 of this ordinance. In no case shall a setback  
11 be less than setbacks required by the State of California Bureau of Cannabis  
12 Control, the California Building Code or Ordinance No. 457.

13 C. ACTIVITIES

- 14 1. Cannabis Microbusiness Facilities shall not transport or store non-cannabis  
15 goods.
- 16 2. Cannabis Microbusiness Facilities may distribute, manufacture (without  
17 volatile solvents) and dispense Cannabis under a single Cannabis  
18 Microbusiness Facilities license issued by the State.
- 19 3. Cannabis Microbusiness Facilities may cultivate Cannabis indoors in an  
20 area less than 10,000 square feet.
- 21 4. Cannabis Microbusiness Facilities shall include at least three of the  
22 following Commercial Cannabis Activities, which shall be set forth in the  
23 conditional use permit:
- 24 a. Indoor Cultivation up to 10,000 square feet
  - 25 b. Manufacturing (with non-volatile solvents)
  - 26 c. Distribution
  - 27 d. Retail sales
- 28

1 D. OPERATIONS

2 Cannabis Microbusiness Facilities shall comply with the operational  
3 requirements set forth in this Article that apply to the specified uses authorized by the approved  
4 conditional use permits, and the water and energy conservation standards as applicable to  
5 Cannabis Microbusiness Facilities that includes cultivation.

6 E. FINDINGS.

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

- 10 1. The Cannabis Microbusiness Facility complies with all the requirements of  
11 the State and local laws and regulations.
- 12 2. The Cannabis Microbusiness Facility's operating plan demonstrates proper  
13 protocols and procedures that address enforcement priorities for Cannabis  
14 activities including restricting access to minors, and ensuring that Cannabis  
15 and Cannabis Products are obtained from and supplied only to other  
16 permitted and licensed sources within the State and not distributed out of  
17 State.
- 18 3. The Cannabis Microbusiness Facility will not be located within 600 feet  
19 from any Child Day Care Center, K-12 school, public park, or Youth  
20 Center.
- 21 4. For Cannabis Microbusiness Facility lots with verified cannabis-related  
22 violations within the last 12 months from the adoption date of Ordinance  
23 No. 348.4862, the use will not contribute to repeat violation on the site and  
24 all applicable fees have been paid.

25 SECTION 19.524. TEMPORARY CANNABIS EVENT.

26 A. REQUIREMENTS FOR APPROVAL.

27 The Planning Director shall approve an application for a temporary Cannabis  
28

1 event permit if all of the following are met:

- 2 1. The temporary Cannabis event will take place on County Fair property or
- 3 District Agricultural Association property.
- 4 2. The temporary Cannabis event is not located within 1,000 feet from any
- 5 Child Day Care Center, K-12 school, public park, or Youth Center.
- 6 Distance shall be measured from the nearest point of the respective lot lines
- 7 using a direct straight-line measurement.
- 8 3. The temporary Cannabis event will not occur during the hours of 12:00 a.m.
- 9 to 6:00 a.m.
- 10 4. The temporary Cannabis event is setback a minimum of 100 feet from lot
- 11 lines.
- 12 5. The sale of Cannabis Products shall be performed by a Cannabis Retailer
- 13 or Cannabis Microbusiness that possesses both an approved conditional use
- 14 permit and a valid Cannabis license from the State, which shall be included
- 15 in the permit application.
- 16 6. The sale or consumption of alcohol or tobacco is not allowed at the location
- 17 of the temporary Cannabis event.
- 18 7. The event organizer for the temporary Cannabis will obtain a valid State
- 19 event organizer license authorizing the retail sale of Cannabis goods and
- 20 the temporary Cannabis event.
- 21 8. Access to the area(s) where sale or consumption of Cannabis occurs is
- 22 restricted to persons 21 years of age or older.
- 23 9. Cannabis consumption is not visible from any public place or non-age-
- 24 restricted area.
- 25 10. Security shall be present at the temporary Cannabis event.
- 26 11. A condition of approval shall be applied to all temporary Cannabis event
- 27 permits requiring the event organizer to obtain a valid State license as an
- 28

1 event organizer and for the temporary event at least 10 calendar days before  
2 the event's first day. If this condition of approval is not met, the temporary  
3 Cannabis event permit becomes null and void.

4 B. APPLICATION.

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

11 C. REVOCATION

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

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

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

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

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

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

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

27 “SECTION 21.3. AGRICULTURAL CROP.



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

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

5 “SECTION 21.3a. AGRICULTURAL CULTIVATION.

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

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

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

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

11 Section 17. The existing Section 21.19g. of Ordinance No. 348 is renumbered as Section  
12 21.19e.

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

14 “Section 21.19f. CANNABIS CULTIVATION AREA.

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

17 Section 19. The existing Section 21.19h of Ordinance No. 348 is renumbered as Section  
18 21.19g.

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

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

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

25 “Section 21.19j. CANNABIS MANUFACTURING FACILITY (NON-VOLATILE).  
26 A facility requiring a Type 6, Type N, Type P or Type S State manufacturing license,  
27 that processes, produces, prepares, propagates, holds, stores, packages, labels or  
28

1 compounds cannabis or cannabis products either directly or indirectly or by extraction  
2 and/or infusion methods, or independently by means of chemical synthesis or by a  
3 combination of extraction and/or infusion and chemical synthesis, using non-volatile  
4 organic compounds, at a fixed location, that packages or repackages cannabis or  
5 cannabis products, or labels or relabels its containers. Cannabis manufacturing also  
6 includes any processing, preparing, holding, or storing of components and  
7 ingredients.”

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

9 “Section 21.19k. CANNABIS MANUFACTURING FACILITY (VOLATILE).  
10 A facility requiring a Type 7 state manufacturing license that processes, produces,  
11 prepares, propagates, holds, stores, packages, labels, or compounds Cannabis or  
12 cannabis products either directly or indirectly or by extraction and/or infusion methods,  
13 or independently by means of chemical synthesis or by a combination of extraction  
14 and/or infusion and chemical synthesis, using volatile organic compounds, at a fixed  
15 location, that packages or repackages cannabis or cannabis products, or labels or  
16 relabels its containers. Cannabis manufacturing also includes any processing,  
17 preparing, holding, or storing of components and ingredients.”

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

19 “Section 21.19l. CANNABIS OWNER. A Cannabis Owner is any of the following:  
20 1. A person with an aggregate ownership interest of 20 percent or more in the  
21 Commercial Cannabis Activity for which a license or permit is being sought,  
22 unless the interest is solely a security, lien, or encumbrance.  
23 2. The chief executive officer of a nonprofit or other entity.  
24 3. A member of the board of directors of a nonprofit.  
25 4. An individual who will be participating in the direction, control, or management  
26 of the person applying for Commercial Cannabis Activity permit or license.”

27 Section 24. A new Section 21.19m. is added to Ordinance No. 348 to read as follows:  
28

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

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

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

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

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

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

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

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

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

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

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

28

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

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

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

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

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

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

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

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

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

23 “Section 21.37.a. HOOP STRUCTURE. \_\_A plastic or fabric covered structure with  
24 open ends and no other framing, which is not more than 12 feet in height and does not  
25 have vertical sides exceeding 6 feet in height. Hoop structures in residential zones  
26 shall not exceed 120 cumulative square-feet of floor area. For the purposes of this  
27 Article, and for the purposes of obtaining licenses, cannabis cultivation within hoop  
28

1 structures is considered Mixed Light Cultivation.”

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

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

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

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

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

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

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

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

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

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

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

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

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

25 “Section 21.51k. MIXED LIGHT CANNABIS CULTIVATION. The cultivation of  
26 Mature Cannabis Plants in a greenhouse, hoop structure, glasshouse, conservatory,  
27 hothouse, or other similar structure using light deprivation or one of the artificial  
28

1 lighting models described below:

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

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

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

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

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

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

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

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

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

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

26 Section 21.59h. PREMISES. For purposes of Article XIXh only, the designated  
27 structure or structures and land specified in the application that is owned, leased, or  
28

1 otherwise held under the control of the applicant or licensee where the Commercial  
2 Cannabis Activity will be or is conducted. The Premises shall be a contiguous area and  
3 shall only be occupied by one licensee.”

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

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

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

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

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

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

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

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

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

25 “Section 21.62m. SMALL INDOOR CANNABIS CULTIVATION  
26 Indoor cultivation using exclusively artificial lighting with a total canopy size on one  
27 Premises that does not exceed 10,000 square feet.”  
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1            Section 53.    A new Section 21.62n. is added to Ordinance No. 348 to read as follows:

2            “Section 21.62n. MEDIUM INDOOR CANNABIS CULTIVATION.

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

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

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

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

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

10           “Section 21.62p. SPECIALTY MIXED LIGHT CULTIVATION. Cultivation using  
11           a combination of natural and supplemental artificial lighting with a total canopy size  
12           on one Premises that does not exceed 5,000 square feet.”

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

14           “Section 21.62q. SMALL MIXED LIGHT CULTIVATION. Cultivation using a  
15           combination of natural and supplemental artificial lighting with a total canopy size  
16           on one Premises that does not exceed 10,000 square feet.”

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

18           “Section 21.62r. MEDIUM MIXED LIGHT CULTIVATION. Cultivation using a  
19           combination of natural and supplemental artificial lighting with a total canopy size  
20           on one Premises that does not exceed 22,000 square feet.”

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

22           “SECTION 21.74e.        WHOLESale NURSERY. An establishment engaged in  
23           the propagation of trees, shrubs and horticultural and ornamental plants grown under  
24           cover or outdoors for sale to the public. Includes commercial scale greenhouses and  
25           establishments for the sale of plant materials, lawn and garden supplies, and related  
26           items. A Wholesale Nursery does not include Cannabis Wholesale Nurseries which  
27           are classified separately.”



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

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

Section 60.

Section 61. 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)

APPROVED AS TO FORM  
June \_\_, 2018

By: \_\_\_\_\_  
Michelle P. Clack  
Chief Deputy County Counsel

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