



**COUNTY OF RIVERSIDE  
PLANNING DEPARTMENT  
STAFF REPORT**

**Agenda Item No.**

3.1

**Planning Commission Hearing: July 18, 2018**

**PROPOSED PROJECT**

<b>Case Number(s):</b>	Ordinance No. 348.4862	<b>Applicant(s):</b> County of Riverside
<b>Select Environ. Type</b>	CEQA Exempt	
<b>Area Plan:</b>	Countywide	
<b>Zoning Area/District:</b>	Countywide	
<b>Supervisory District:</b>	All Districts	




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**Continued From June 20, 2018**

**PROJECT DESCRIPTION, PURPOSE AND LOCATION**

Continuance from June 20, 2018

Ordinance No. 348.4862 is an amendment to Riverside County’s Land Use Ordinance No. 348, which replaces Article XIXh in its entirety with “COMMERCIAL CANNABIS ACTIVITY PERMITS”. The purpose and intent of this amendment is to establish regulations and development standards to permit Cannabis activities in the unincorporated areas of the County of Riverside per the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”) by providing a means for regulating the cultivation, manufacturing, processing, testing, transporting, delivery, and distribution of medical and adult-use Cannabis and medical and adult-use Cannabis-related products in a manner which is responsible, which protects the County’s neighborhoods, residents, and businesses from negative impacts, which protects the health, safety, and welfare of the residents of the unincorporated area of the County, and to enforce rules and regulations consistent with state law. Additionally, the amendment establishes the permitting, development standards and operational requirements for commercial Cannabis activities. In addition to Amendments to Article XIXh, the necessary edits to other affected sections within Ordinance No. 348 have been made.

For the purposes herein, Cannabis activities include medicinal and adult-use Cannabis activities, unless specifically addressed independently.

The proposed ordinance amendment will apply in all unincorporated areas of the County.

**No decision has been made by the Board on the regulatory framework RECOMENDED in this document.** Currently, unless or until new regulations are approved by the Board of Supervisors and become effective, marijuana dispensaries, deliveries, and cultivation with a limited exception for small amounts of cultivation for medical purposes in specified circumstances, are prohibited in the unincorporated area of the County. For the purposes of this report, any reference to cultivation, unless specifically indicated otherwise, refers to ‘Cannabis Cultivation’.

At the June 20, 2018 Planning Commission Hearing, the Commissioners had inquiries and requested further information and potential recommendations on, the following:

1. The Commission asked Staff to re-evaluate three specific zones, the R-A, R-R and the W-2 Zones for the potential for allowing Cannabis Cultivation permits in these zones.
2. The Staff recommended Commercial Cannabis Activities Ordinance had prohibited onsite consumption of Cannabis or Cannabis products on a lot that has been permitted for a Cannabis Activity. The Commission asked Staff to re-evaluate that requirement and bring back more information on that topic.
3. The Commission questioned the need for separate entrances at a permitted retailer's premise for medicinal and adult use cannabis sales. The Commission asked Staff to re-evaluate the need for this particular operational standard.
4. The Commission inquired if a permitted Cannabis Activity, once approved outside of the required setback radius, would be subject to losing their permit if a sensitive use (K-12 school, Child Day Care Center, public park or Youth Center) acquires a permit within the necessary radius, subsequently.
5. The Staff recommended Commercial Cannabis Activities Ordinance had placed a 600-foot minimum radius from any permitted Cannabis Retailer to an existing sensitive use (K-12 school, Child Day Care Center, public park or Youth Center). The Commission asked Staff to re-evaluate that standard to increase the radius to 1,000-feet.
6. Additionally, the Commission asked that Staff bring back information on what types of multiple permits are allowed to be on a single lot and how this is addressed in the draft ordinance.

Planning Staff has prepared this Staff Report to address the above inquires as well as to memorialize proposed revisions to the draft ordinance that were presented to the Commission at the June 20, 2018 Public Hearing. Additionally, Planning Department, Fire Department, Building and Safety and Environmental Health Staff met following the Planning Commission hearing for clarification on some of the Fire Department's and Environmental Health Department's standards and acceptability of the proposed language within the draft ordinance. All of the proposed revisions are included as Attachment A, to this report.

Several public comments were made at the June 20, 2018 hearing and emails and letters have also been submitted to the County, after that hearing. This correspondence is included as Attachment B, to this Report.

As a note, the Planning Commission voted to close the Public Hearing at the June 20, 2018 hearing. The Commission may ask questions of individuals and Staff as part of deliberations.

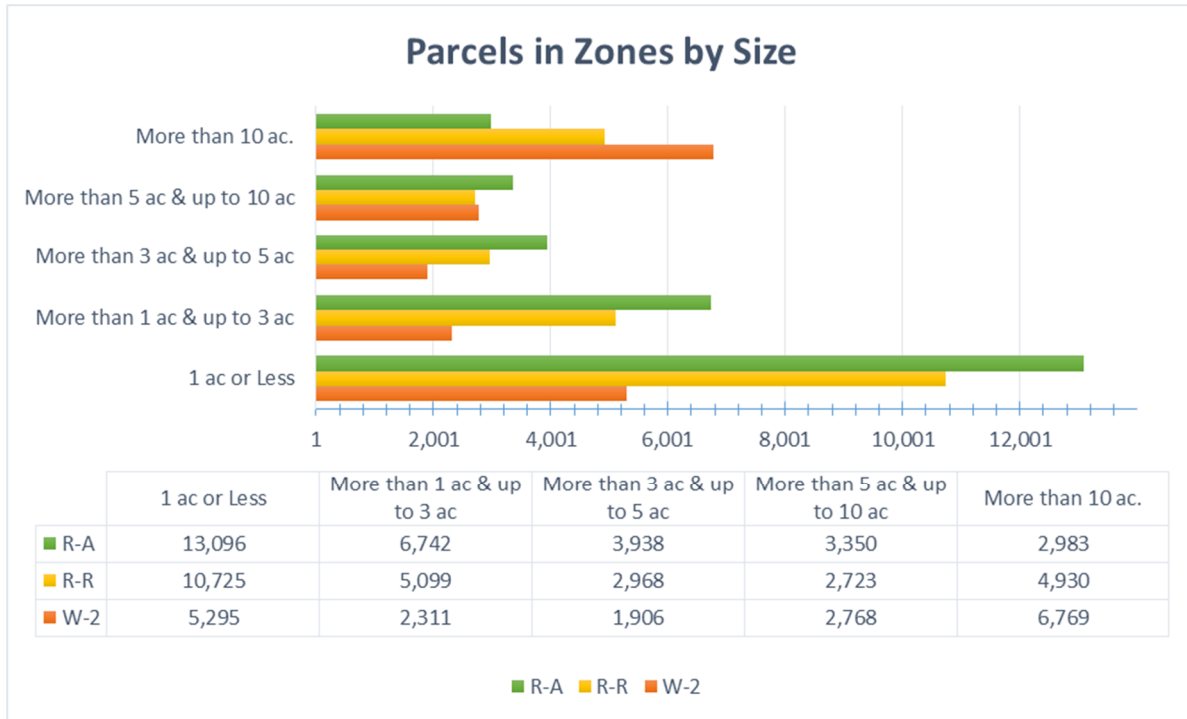
**JUNE 20, 2018 PLANNING COMMISSION HEARING – COMMISSIONER INQUIRES:**

**Planning Commission Inquiry No. 1.**

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

On June 20, 2018 Staff presented a Draft Commercial Cannabis Ordinance that prohibits all commercial

cannabis operations in residential zones throughout the unincorporated areas of the County. At that June 20<sup>th</sup> hearing the Planning Commission asked that Staff take another look at the potential to allow cannabis cultivation in the Residential Agriculture (R-A) Zone, the Rural Residential (R-R) Zone, and the Controlled Development (W-2) Zone throughout the County. About 60 percent of the R-R Zoned parcels, 66 percent of the R-A zoned parcels, and 40 percent of W-2 zoned parcels are 3 acres in size or less. A breakdown of parcel sizes for these zones is shown in the figure below.



The R-A, R-R and W-2 Zones are considered residential zones. Cannabis cultivation within residential areas can cause numerous compatibility concerns including, offensive odors, security and safety concerns, use of hazardous materials or pesticides, unpermitted electrical and building construction (causing high fire danger), light and glare, noise from fans or generators, potential damage to housing stock from mold and mildew, and reduced housing stock. It is important to note that the zone itself is not the only criteria that dictates if a use may be appropriate for a property, the County General Plan and the CEQA analysis play a key role in determining this. For example, over 57 percent of R-R Zoned property, and over 49 percent of R-A Zoned property in the unincorporated County area exhibits a General Plan Designation of Open Space – Conservation Habitat. About 50% of W-2 Zoned property is within the Open Space – Conservation Habitat Designation and almost 30% is within the Open Space Rural Designation. These General Plan Land Use Designations are typical for areas that have limited access and a lack of services, including, but not limited to, water and sewer. Depending on the location and scale, making appropriate findings and mitigation that would allow cannabis cultivation could prove difficult, if not impossible. Care should be taken to not rely completely on the zoning classification of a property when determining a compatible use.

**KEY ISSUES**

Allowing some form of commercial cultivation on R-A, R-R and W-2 zoned lots would allow more land owners to engage in what is considered a commercial scale operation within zones designated primarily for residential use. Some key questions are:

1. When do commercial cannabis uses become not similar to other allowed uses in the established R-A, R-R and W-2 zones?
2. At what scale does the use become more predominant than the residential use? Or what scale of cannabis cultivation is appropriate in these zones.
3. How is an environment created that allows commercial cannabis cultivation to exist in certain rural residential zones and not negatively impact the rural residential quality of life?
4. What development guidelines could be established so that residents are not adversely impacted by a commercial business in close proximity to their home?

These three zones do allow for some agricultural uses but cannabis is not like other agricultural commodities. From seed to sale, cannabis is regulated and tracked unlike any other agricultural product. California's Right-to-Farm laws can generally work against neighbors seeking to bring nuisance claims against farming uses abutting a residential development. But those laws do not currently make cannabis an explicit agricultural product that landowners have a right to farm.

Given the diversity of residential neighborhoods in these zones and the potential for overconcentration and compatibility issues, staff recommends establishing a large minimum lot size if cannabis cultivation were to be permitted within the R-A, R-R and W-2 zones. This will ensure neighborhood compatibility and address site specific constraints. Allowing commercial cultivation, with minimum lots sizes and the addition of standards, provides the potential to allow a higher percentage of existing unpermitted cultivators to become permitted by the County and licensed by the state as legalized enterprises. If the Commission desires to recommend to the Board that Commercial Cannabis Cultivation be allowed to be permitted in the R-A, R-R and the W-2 Zones, with the addition of specific standards, Mixed Light Cultivation could be permitted on larger rural residential lots where impacts to neighbors can be substantially reduced.

### **Odor**

Cannabis cultivation operations are associated with a strong odor, especially outdoor and mixed light cultivation operations during the final phase of the growing cycle (typically in late summer, early fall). Generally, the larger the size of the cultivation activity and the proximity to sensitive uses, the greater the potential for odor to be evident. Outdoor cultivation has a greater potential for odor than indoor or mixed light because it is not contained and cannot employ a filtered ventilation system. **Because the current draft ordinance prohibits commercial outdoor cannabis cultivation, for the purposes herein, outdoor commercial cannabis cultivation will not be discussed.**

Given the Planning Commission's desire to have Staff re-examine potentials for cultivation in the R-R, R-A and W-2 zones, Staff considered evident odor as a primary impact related to cannabis cultivation. So that odor impacts due to cultivation are reduced to a negligible level, staff recommends that the Commission consider larger lot sizes and expanded setbacks to residentially zoned properties.

### **Loss of Housing Stock**

Illegal cultivation operations have been known to fully occupy residential structures which reduces the



overall housing stock available to potential residents and also causes substantial neighborhood issues related to safety, odor, and increased fire hazards. The proposed Ordinance prohibits cannabis cultivation within any dwelling unit, second dwelling unit, guest house, or any other residential accessory structure permitted for residential occupancy. Large commercial type uses within buildings are inappropriate for these zones and not listed uses in these zones within Ordinance No. 348. Also, cultivation within any structure permitted for residential use is prohibited, therefore **Staff recommends that Indoor Cultivation in the R-A, R-R and W-2 Zones be prohibited.** Care should be taken in the subject zones to prevent these areas from becoming over concentrated with any large commercial use, as the R-A, R-R and W-2 Zones are primarily rural, open space and equestrian residential areas.

### **Light, Noise and Glare**

Commercial cultivation operations located within residential areas could pose neighborhood compatibility issues from lighting and loud generators and fans. Staff has added to the draft ordinance, an operational standard for cultivation that prohibits the use of generators, except as an emergency back-up system. The draft ordinance includes standards that require light systems to be fully shielded, so as to confine light and glare to the interior of the structure. The use of fans is permitted and can assist with odors, however, with appropriate setbacks, the noise from fans could be minimized.

### **Security**

Due to the high value of the crop and the cash basis of these operations, there are increased security concerns particularly within residential areas. Such operations have a heightened risk of theft due to the amounts of cash and cannabis that may be on hand. The proposed Ordinance includes a standard which requires the implementation of site security measures, including security cameras capable of recording activity, motion-sensor lighting, alarms, and fence screening.

### **Proximity to Sensitive Land Uses**

Sensitive land uses include K-12 schools, public parks, Child Day Care Centers and Youth Centers. The proposed Ordinance includes standards restricting outdoor and mixed light cannabis operations within 1,000 feet from such uses. The distance is measured from the nearest property lines. The Commission may choose to increase this setback in the R-A, R-R and W-2 zones.

### **ANALYSIS**

Staff considered a range of options related to commercial Mixed Light Cultivation within rural residential areas. The options considered included three areas; 1) defining the cultivation scale limits, 2) lot sizes and 3) the cultivation standards relating to siting and operations. These options were considered to work together in combination to address the issues related to commercial cultivation in the R-A, R-R and W-2 zoning classifications.

1. **Cultivation scale limits.** The following outlines a range of options considered for the size and scale of commercial cultivation in the R-A, R-R and W-2 zoning classifications. These terms and size limitations are consistent with the license types defined in state law.
  - A. **Prohibit** All Commercial Cultivation in the R-A, R-R and W-2 zoning classifications.
  - B. Allow only **Specialty Cottage**-scale cultivation operations within the R-A, R-R and W-2

zoning classifications. (up to 2,500 square foot mixed light)

- C. Allow **Specialty Cultivation** operations within the R-A, R-R and W-2 zoning classifications (up to 5,000 square feet mixed light) perhaps in conjunction with larger minimum lot sizes.
- D. Allow **Small Cultivation** operations in the R-A, R-R and W-2 zoning classifications (up to 10,000 square feet of mixed light) perhaps in conjunction with larger lot sizes.
- E. Allow **Medium Cultivation** operations in the R-A, R-R and W-2 zoning classifications (up to 22,000 square feet of mixed light) perhaps in conjunction with larger lot sizes.
- F. **Differentiate between R-A, R-R and W-2 zoning classifications.** Allow different cultivation operations within each of the R-A, R-R and W-2 zoning classifications, perhaps in conjunction with larger minimum lot sizes.

**Discussion**

Option A would prohibit all commercial cultivation within the R-A, R-R and W-2 zoning classifications which would not provide a pathway for existing cultivators to come into compliance. Staff understands that, for this reason, the Commission desires options that could allow commercial cultivation in the R-A, R-R and W-2 Zones. Options B and C would allow the smallest scale commercial operations in the R-A, R-R and W-2 zoning classifications. Specialty Cottage and Specialty scales would likely be operated by the on-site residents, limiting the potential for increased traffic or other major upgrades for commercial operations. Allowing larger operations as provided by Options D and E could lead to situations where the cultivation is the primary use of the property and not residential uses, which typically creates further compatibility issues. Larger scale operations require more employees, accessibility improvements, and building code improvements that are generally not consistent with residential use and have the potential to produce greater impacts. This could also create a significant number of potential enforcement issues. Option F, which would differentiate between the R-A, R-R and W-2 zoning classifications could allow larger operations within one zone and smaller in the others. However, there are minimal differences between the three zones relative to lot sizes, allowed uses and proximity throughout the County to residential uses. Because the impacts would be similar among all three zones the policies related to commercial cannabis are recommended to be the same.

**Staff continues to recommend that all forms of cannabis cultivation be prohibited in the R-A, R-R and W-2 zones.**

In the event that the Commission desires to consider cultivation in these zones the draft ordinance would include standards, in the form of development criteria and operational standards which may minimize compatibility issues and reduce potential impacts. Given the numerous impacts to the rural residential lifestyle and the difficulty to mitigate impacts on smaller lots, Staff recommends first, that no commercial cannabis cultivation within the R-R, R-A or W-2 zones be allowed on lots less than 5 gross acres in size. The following reflects potential recommendations for the Commission if allowing cultivation within these zones is desired.

**Staff's recommended options for the Planning Commission's Consideration if the desire is to allow cultivation within these zones: Option B-D.** Allow Specialty Cottage, Specialty and Small scale cultivation in the R-A, R-R and W-2 zoning classifications. Specialty, Specialty Cottage and Small scale cultivation includes Mixed Light limits of up to 10,000 square feet. These Mixed Light operations present less nuisance issues and require fewer employees, consistent with a zoning designation that prioritizes residential uses over commercial agricultural operations.

## 2. Cultivation Standards

The proposed Ordinance includes development criteria and operating standards that apply to all cannabis uses, as well as, standards that apply to all types and scale of commercial cultivation. These standards are intended to reduce potential impacts and ensure compatibility with neighboring properties. Staff recommends adoption of these standards. If the Commission desires to allow for cannabis cultivation operations within the R-A, R-R and W-2 zoning classifications it is recommended that those included standards be coupled with additional standards in the R-A, R-R and W-2 zones. The following list includes options for expanding or modifying certain standards. These can be used in combination with any of the options already included in the draft ordinance or modified.

- A. **Minimum Lot Sizes.** Minimum lot sizes relative to the size of the cultivation operations, described in the table below. Staff has provided options for lot sizes based on cultivation scale. The Commission could reduce or expand the minimum lot sizes for the size of operation allowed in the R-A, R-R and W-2 zones with an equivalent mitigation of impacts. The minimum lot sizes apply only to mixed light operations.

Options for minimum Lot Size by Cultivation Size

Cultivation Type	Maximum Size	Min Parcel Size
Specialty Cottage	Up to 2,500 square feet	5 acres
Specialty	Up to 5,000 square feet	10 acres
Small	Up to 10,000 square feet	20 acres

Minimum lot sizes for larger cultivation operations are included in the draft ordinance for agricultural zones, and if recommended by the Commission would also be added for the R-R, R-R and W-2 zones, for the Board's consideration.

- B. **Minimum Lot Sizes.** If the Commission desires to include Mixed Light Cultivation at a Medium scale as a recommendation to the Board, it is Staff's recommendation that Mixed Light Medium Cultivation sites up to 22,000 square feet in canopy area would require at least 20 acres.
- C. **On Site Caretaker's Residency Requirement.** The Ordinance could include a standard that an onsite caretaker's residence must be maintained and occupied in order to allow a commercial cannabis cultivation operation. As a comparison, personal cultivation is required to be inside a single private residence or inside a detached accessory structure located upon the grounds of a private residence that is fully enclosed and secured.

- D. **Property Setbacks.** The proposed Ordinance includes a setback for mixed light cultivation operations of 50 to 100 feet from property lines, depending on size of cultivation area and 100 feet from when the lot is adjacent to residentially zoned properties. The Commission could modify these limits provided that equivalent mitigation is provided. The setbacks are intended to address odor and security concerns, visual impacts and access by youth for mixed light operations.
- E. **Separation Criteria.** The proposed Ordinance includes a 1,000 foot setback from sensitive uses for mixed light operations. Sensitive uses include schools, parks, child daycare centers, and youth centers. These setbacks could be increased. The Commission could consider changing the types of sensitive land uses that require separation other than schools (i.e. whether to include other businesses that primarily cater to children).

**Discussion:** Minimum lot sizes are used primarily to reduce cumulative impacts and overconcentration. They also serve to mitigate impacts associated with odor, traffic, and aesthetics by providing more area to separate land uses, provide screening and attenuate noise. Larger lot sizes also reduce the potential access to children and can deter crime by providing more area for screening, fencing and on-site security. The onsite caretaker residency requirement would be in keeping with Ordinance No. 925 for personal cultivation. On-site caretaker residency would also serve to deter crime and access to children. The property setbacks and separation criteria also enhances neighborhood compatibility by reducing visibility and providing greater separation.

**Staff's recommended options for the Planning Commission's Consideration if the desire is to allow cultivation within these zones: Options A, C, D & E.** The proposed ordinance should utilize all tools available to substantially reduce impacts to surrounding residents. Staff recommends adopting a minimum lot size of 5 acres, setbacks of 100 feet to property lines and the presence of a caretaker regardless of the scale and lot size proposed. The setbacks and separation criteria are proposed to be applied to mixed light cultivation in the R-A, R-R and W-2 zoning classifications to mitigate odor, noise, and aesthetics, limit access to youth and enhance security. Staff continues to recommend separation criteria of 1,000-feet to sensitive land uses, K-12 schools, child day care centers, parks and youth centers.

**Development Criteria and Operating Standards**

**If it is the Commission's desire to allow the permitting of commercial cannabis cultivation in the R-A, R-R and W-2 Zones, the following revisions to the ordinance could be added, but not limited to, the following:**

**SECTION 19.503 PROHIBITED LOCATIONS**

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

**SECTION 19.510 MIXED LIGHT CANNABIS CULTIVATION**

A. ZONES.

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

1. Specialty Cottage Mixed Light Cannabis Cultivation.

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

2. Specialty Mixed Light Cannabis Cultivation.

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

3. Small Mixed Light Cannabis Cultivation.

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

4. Medium Mixed Light Cannabis Cultivation.

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

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

<u>Commercial Cannabis Activity</u>	<u>Minimum Lot Size (Gross Acres)</u>	<u>Allowable Zone(s)</u>
<u>Specialty Cottage</u>	<u>1</u>	<u>A-1, A-P, A-2, A-D</u>
<u>Specialty Cottage</u>	<u>5</u>	<u>R-A, R-R, W-2</u>
<u>Specialty</u>	<u>1.5</u>	<u>A-1, A-P, A-2, A-D</u>
<u>Specialty</u>	<u>10</u>	<u>R-A, R-R, W-2</u>
<u>Small</u>	<u>2.5</u>	<u>A-1, A-P, A-2, A-D</u>
<u>Small</u>	<u>20</u>	<u>R-A, R-R, W-2</u>
<u>Medium</u>	<u>5</u>	<u>A-1, A2</u>

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. In the A-1, A-P, A-2 and A-D zoning classifications and Eexcept for Medium Mixed Light Cannabis Cultivation, the Cannabis Cultivation Area for Mixed Light Cannabis Cultivation shall be setback a minimum of 50 feet from all lot lines and public right-of-ways.
- b. Cannabis Cultivation Area for Medium Mixed Light Cannabis Cultivation shall be setback a minimum of 100 feet from all lot lines and public right-of-ways.
- c. In the R-A, R-R and W-2 zoning classifications the Cannabis Cultivation Area for Specialty Cottage Mixed Light Cannabis Cultivation shall be setback a minimum of 100 feet from all lot lines and public right-of-ways.
- d. In the R-A, R-R and W-2 zoning classifications the Cannabis Cultivation Area for Specialty Mixed Light Cannabis Cultivation shall be setback a minimum of 200 feet from all lot lines and public right-of-ways.
- e. In the R-A, R-R and W-2 zoning classifications the Cannabis Cultivation Area for Small Mixed Light Cannabis Cultivation shall be setback a minimum of 300 feet from all lot lines and public right-of-ways.
- f. The Cannabis Cultivation Area for all Mixed Light Cannabis Cultivation shall be located a minimum of 50 feet from the drip line of any riparian vegetation of any watercourse.
- g. All hoop structures, greenhouses and other similar structures used for all Mixed Light Cannabis Cultivation shall be separated by a minimum of 6 feet.



h. In the A-1, A-P, A-2 and A-D zoning classifications ~~W~~when adjacent to a residentially zoned lot, the Cannabis Cultivation Area for all Mixed Light Cannabis Cultivation shall be setback a minimum of 100 feet from the adjacent residentially zoned lot lines.

I. OPERATIONS

1. All Cannabis Cultivation lighting shall be fully shielded, downward casting and not spill over onto structures, other properties or the night sky. All Indoor and Mixed Light Cannabis Cultivation operations shall be fully contained so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.
2. All Cannabis Cultivation operations shall accumulate or store garbage and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on this site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of before the end of the seventh day. All waste, including but not limited to refuse, garbage, green waste and recyclables, must be disposed of in accordance with County and State laws and regulations. All waste generated from Cannabis Cultivation operations must be properly stored and secured to prevent access from the public.
3. Noise – All Cannabis cultivation activities shall be subject to the Noise limits set forth in the Riverside County General Plan. Onsite generators are prohibited, except as a source of energy in an emergencies. Onsite generators for emergency use shall be permitted during the entitlements of the use.

4. Cultivation of Cannabis in the R-A, R-R and W-2 zoning classifications is limited to lots with a permitted residence or caretaker's residence and a full-time resident or caretaker on the lot where the cultivation is occurring. Lots that do not exhibit a residence at the time of entitlement shall include a plan for a permitted residence as part of the application. Recreational vehicles are not considered permanent residences and are prohibited to be used as a permanent residence.
5. The retail sales of Cannabis shall be prohibited in concert with Cannabis Cultivation permit in the A-1, A-P, A-2, A-D, R-A, R-R and W-2 zones.

### **Planning Commission Inquiry No. 2.**

2. The Staff recommended Commercial Cannabis Activities Ordinance had prohibited onsite consumption of Cannabis or Cannabis products on a lot that has been permitted for a Cannabis Activity. The Commission asked Staff to re-evaluate that requirement and bring back more information on that topic.

Consumption of cannabis in public is illegal in the State of California. Though the Bureau of Cannabis Control's Regulations do not mention any restriction of on-site cannabis consumption, the text of the Medicinal and Adult Use of Cannabis Regulation and Safety Act (MAUCRSA) does. MAUCRSA states that "a local jurisdiction may allow for the smoking, vaporizing, and ingesting of cannabis or cannabis products on the premises of a retailer or microbusiness ... if all of the following are met:

1. Access to the area where cannabis consumption is allowed is restricted to persons 21 years of age and older.
2. Cannabis consumption is not visible from any public place or non-age-restricted area.
3. Sale or consumption of alcohol or tobacco is not allowed on the premises."

Therefore, although MAUCRSA allows for on-site cannabis consumption, only medicinal patients or adult consumers over the age of 21 are permitted to consume cannabis at a retail space. Additionally, the consumption by individuals 21 and older must not be visible by those who are under 21. Therefore, if an operator plans to both sell medicinal cannabis to individuals under 21 and to allow on-site consumption, the retail premises must be large enough to accommodate a private, age-restricted consumption space not visible to those under 21.

Although MAUCRSA allows local jurisdictions to authorize the on-site consumption of cannabis by state-licensed retailers and/or microbusinesses, most local governments have explicitly prohibited "cannabis lounges" and on-site consumption by licensees (including the City of Los Angeles). Some cities, however, are capitalizing on the tourism potential. Below is a summary of some of the local agencies who have opted to allow onsite consumption.

The City of West Hollywood is the only city in the Los Angeles area that allows for on-site consumption.

There are two types of consumption facility types in West Hollywood. The first will allow cannabis smoking, vaping, and ingestion on-site. The second type will allow edibles to be consumed on-site, but only at businesses that sell cannabis products. The County of Los Angeles, however, has not adopted a commercial cannabis activity ordinance.

San Francisco has been California's leader when it comes to cannabis businesses, including the cannabis lounge concept. San Francisco's regulations outright permit retailers and microbusinesses to allow customers to engage in on-site consumption.

The City of Alameda will only issue two dispensary/retailer permits. The City's ordinance allows those retailers to have on-site use or consumption of cannabis or cannabis products in interior areas of the licensed premises. However, the County of Alameda does not allow onsite consumption of any type of cannabis or cannabis product.

Another city in the County of Alameda, the City of Oakland, allows medical and adult-use cannabis dispensaries the opportunity to apply for and "obtain a secondary on-site consumption permit in order for cannabis to be consumed on the premises of the dispensary." The City has capped Cannabis Retailer permits to eight.

Locally, Palm Springs has expanded its cannabis regulations to allow for cannabis consumer lounges. Cannabis lounge permits are available in the City.

Other California cities that have explored the idea of cannabis lounges are Cathedral City and South Lake Tahoe, but nothing official has happened in either city as of yet.

The Counties of Humboldt and Mendocino have added regulations in their land use ordinance for onsite cannabis consumption and the County of Santa Clara has provisions to allow for employees of retailers to consume onsite, except for smoking, as long as their employer allows the consumption.

Over time, as legalized cannabis becomes more normalized and prevalent in the state, California may likely see an increase in cities and counties that allow the onsite consumption of cannabis. However, for now, on-site consumption is a rare occurrence and highly controversial.

Outside of California, just this year a Denver coffee shop received city approval for the City's first business license to allow marijuana use by patrons. The Denver permit allows for customers to vape or consume edibles they bring to the coffee shop. No smoking onsite is allowed and the shop can't sell any cannabis products. This is the first know non-cannabis business permitted for onsite consumption. Denver has also seen many unpermitted "members only" clubs pop up around the city. These clubs do not sell cannabis or cannabis products, but members bring their own and consume it onsite. The City of Las Vegas has recently put a stay on processing cannabis onsite consumption permits, until they see how these businesses impact cities that have permitted them.

Minimal information and historical data is available because not only is regulating this entire industry new, but particularly, the onsite consumption component. Many agencies that have experience permitting cannabis businesses have either decided to ban onsite consumption or are erring on the side of caution and have elected to take a 'wait and see' approach.

The County of Riverside Land Use Ordinance (Ordinance No. 348) currently allows tobacco and hookah shops in limited zones but the smoking of tobacco, cigar or hookah within a premises is not currently an

allowed use. Because on-site consumption is not currently an allowed use listed in the County's Land Use Ordinance, impacts of this use have not been studied and should be thoroughly examined. Further research and analysis of these uses in concert with cannabis smoking lounges is warranted before Staff could make a recommendation on cannabis onsite consumption, including ingesting other forms of cannabis onsite. Further, the permitting of these uses is in great flux throughout agencies that have legalized commercial cannabis businesses. Therefore, Staff recommends that, until further research can be performed and historical data can be collected, the 'onsite' consumption of cannabis be prohibited. **If the Commission desires to send to the Board an ordinance that allows cannabis consumption on the premises of a commercial cannabis activity, Staff recommends that the Commission move the draft ordinance forward, prohibiting onsite consumption, and ask staff to analyze this use with the Ordinance No. 348 Comprehensive Land Use Amendment. This would allow Staff to include onsite consumption of tobacco, hookah, cigars and cannabis within the CEQA review of the update of Ordinance 348.**

### **Planning Commission Inquiry No. 3.**

3. The Commission questioned the need for separate entrances at a permitted retailer's premise for medicinal and adult use cannabis sales. The Commission asked Staff to re-evaluate the need for this particular operational standard.

Prior to June 2018 the State temporary regulations included provisions that required licensees to keep separate and distinct records and business dealings between similar licensed parties. (i.e. A-licensed businesses with only other A-licensed businesses). Also, those regulations required that cannabis and cannabis products be clearly marked with an 'A' or and 'M', depending on the product's supply origin and end user. Those State regulations were amended on June 6, 2018 and the specifics related to M-Licenses and A-Licenses were revised. The State may now allow a licensee to conduct both adult-use and medicinal commercial cannabis activity on the same licensed premises if all of the following criteria are met:

- (1) The licensee holds both an A-designation and M-designation on the license for the identical type of commercial cannabis activity; and
- (2) The licensee only conducts one type of commercial cannabis activity on the premises.

The specific record keeping and business dealing requirements have now been removed from State regulations. In the draft ordinance presented to the Commission in June, Staff included a provision of separate entrances to allow for both adult-use and medicinal commercial cannabis activity on the same licensed premises while making the separate dealings, consumer sales and security easily accomplished and monitored by the County. Given the concerns of the Commission and the updated State regulations Staff has amended the draft ordinance to reflect that.

### **Planning Commission Inquiry No. 4.**

1. The Commission inquired if a permitted Cannabis Activity, once approved outside of the required setback radius, would be subject to losing their permit if a sensitive use (K-12 school, Child Day Care Center, public park or Youth Center) acquires a permit within the necessary radius, subsequently.

The Draft ordinance addresses this issue in the LOCATION REQUIREMENTS of each allowed use. The draft ordinance, as presented during the June 20, 2018 Public Hearing has the following language that clarifies that a new sensitive use located within set a radius will not be the sole cause to prevent a permitted Cannabis Activity from renewing a permit the language provides that:

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

Staff believes that the inclusion of this language addresses the Commission’s concern.

**Planning Commission Inquiry No. 5.**

5. The Commission asked that Staff re-evaluate the setback to sensitive uses to retailers, considering increasing the separation from 600-feet to 1,000-feet.

Staff has revised the draft ordinance to the following language in response to the Commission’s concern related to setbacks to retailers:

A. GENERAL LOCATION.

1. Cannabis Retailers shall not be located within 1,000 ~~600~~ feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance. In no case shall the distance be less than allowed by State law.

This language calls for an increased radius in most cases but allows a variance to be included in the application package to allow for special circumstances. This requirement was also added to Microbusinesses that have a retail component.

**Planning Commission Inquiry No. 6.**

6. Additionally, the Commission asked that Staff bring back information what types of multiple permits are allowed to be on a single lot and how this is addressed in the ordinance.

The following statement addition was made to Section 19.504.Y.to address this concern:

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

This addition clarifies that multiple uses MAY be allowed on a lot provided that each use is allowed in the subject zoning classification and the combination of uses does not conflict with the ordinance or State Law.

**STAFF PROPOSED ORDINANCE REVISIONS PRESENTED AT THE JUNE 20, 2018 HEARING**

At the June 20, 2018 Planning Commission Public hearing Staff presented proposed edits and revisions to the Draft Ordinance No. 348.4862. These edits/revisions are completed in Attachment A and summarized below.

1. Added information within the ordinance findings Section 1 regarding the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA").
2. In SECTION 19.504 PERMIT REQUIREMENTS FOR COMMERCIAL CANNABIS ACTIVITIES added the Zones M-R, M-R-A to the list of activities in prohibited zones. These zones were mistakenly left off of the list.
3. SECTION 19.504.I. was revised to read:  
"A Commercial Cannabis Activity operating as a Cannabis Retailer may be open to the public seven days a week only between the hours of 6:00 A.M. and 10:00 P.M."
4. SECTION 19.504.Q. was revised to reflect current State Law as attached.
5. Requirements for greenhouses, hoop structures and other similar structures have been clarified in the draft ordinance.
6. SECTION 19.515.B. has been revised to read:  
"The minimum lot size for a Cannabis Manufacturing Facility shall be 10,000 square feet."
7. SECTION 19.523.C. has been revised to read:  
"Unless permitted for Distribution, Cannabis Microbusiness Facilities shall not transport or store non-cannabis goods."

**STAFF PROPOSED ORDINANCE REVISIONS SINCE THE JUNE 20, 2018 HEARING**

Staff has made further edits, clarifications and revisions to the draft ordinance since the June 20, 2018 hearing. Those edits, clarifications and revisions are reflected in Attachment A and some, more substantive changes are explained below.

1. SECTION 19.504.T. WASTE WATER was added to clarify waste water permit requirements.
2. SECTION 19.504.X. MATERIAL ALTERATIONS TO PREMISES was added to clarify the requirements if a permittee desires to make alterations to a permitted premises.
3. SECTION 19.504.Y. MULTIPLE COMMERCIAL CANNABIS ACTIVITIES was added to clarify the permitting of multiple uses on one lot is allowed, given that all proposed uses are allowed in the zoning classification and are allowed to be combined by State law.
4. SECTION 19.509.b.6.was revised to clarify the requirements for multiple indoor cannabis Cultivations.
5. SECTION 19.510.b.6.was revised to clarify the requirements for multiple mixed light cannabis Cultivations.
6. SECTION 19.511.G. was revised to remove the requirement for renewable energy for mixed light cultivation.
7. SECTION 19.511.I.4 was added to clarify that retail sales of cannabis and cannabis products is prohibited in the A-1, A-P, A-2 and A-D Zones.

A revised draft Ordinance No. 348.4862 is included herein as Attachment A in its entirety, and the following highlights some of the Staff recommended definitions, development standards and operational requirements:

**1. PROHIBITED ZONES:**

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

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

- **Cannabis Cultivation.** Any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of Cannabis.
- **Cannabis Wholesale Nursery.** A site that produces only clones, immature plants, seeds, or other agricultural products used specifically for the planting, propagation, and cultivation of Cannabis. Cultivation as a Cannabis Wholesale Nursery may be considered outdoor, indoor or mixed-light cultivation.
- **Cannabis Retailer.** A facility where Cannabis, Cannabis products, or devices specifically for the use of Cannabis or Cannabis products are offered, either individually or in any



combination, for retail sale, including an establishment that delivers Cannabis and Cannabis products as part of a retail sale. Cannabis retailers may include mobile delivery but shall not include mobile dispensaries. Cannabis Retailers were formerly known as Cannabis dispensaries. Non storefront Cannabis Retailers are not open to the public. Store front Cannabis Retailers are open to the public.

- **Cannabis Microbusiness Facility.** A facility where an operator may be permitted for multiple commercial Cannabis activities under one permit. With a permit for a microbusiness, an operator is allowed to cultivate up to 10,000 square feet of indoor Cannabis, perform manufacturing activities with non-volatile solvents, act as a licensed distributor and a Cannabis retailer. The Cannabis Microbusiness must be permitted for at least three of the above activities.
- **Cannabis Manufacturing Facility (Non-Volatile).** A facility requiring a Type 6, State manufacturing license, that compounds Cannabis or Cannabis products either directly or indirectly or by extraction and/or infusion methods, or independently by means of chemical synthesis or by a combination of extraction and/or infusion and chemical synthesis, using non-volatile organic compounds, at a fixed location, that packages or repackages Cannabis or Cannabis products, or labels or relabels its containers. Cannabis manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.
- **Type N Cannabis Manufacturing Facilities** only produce edible or topical products or other types of Cannabis products other than extracts or concentrate using infusion processes.
- **Type P Cannabis Manufacturing Facilities** only package or repackage Cannabis products or label or relabel the Cannabis product container or wrapper.
- **Cannabis Manufacturing Facility (Volatile).** A facility requiring a Type 7 state manufacturing license that processes, produces, prepares, propagates, holds, stores, packages, labels, or compounds Cannabis or Cannabis products either directly or indirectly or by extraction and/or infusion methods, or independently by means of chemical synthesis or by a combination of extraction and/or infusion and chemical synthesis, using volatile organic compounds, (ex: butane, hexane, pentane) at a fixed location, that packages or repackages Cannabis or Cannabis products, or labels or relabels its containers. Cannabis manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.
- **Shared-Use Cannabis Manufacturing Facility** is primarily operated by a Non Volatile Manufacturer (Type 6), A Volatile Manufacturer (Type 7) or Type N Manufacturer who may lease or share space with the holder of a Type S (shared space only) State license. The conditional use permit will be issued to the primary operated as a shared use facility and be required to indicate numbers of and identify what uses will be included within the shared spaces.
- **Cannabis Distribution Facilities.** A facility engaged in the storage of Cannabis or Cannabis products, for later distribution to permitted and licensed Cannabis Manufacturing Facilities, Cannabis Testing Facilities, or Cannabis Retailers.

- **Cannabis Testing Facility.** A laboratory, facility, or entity that offers or performs tests of Cannabis or Cannabis products.

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

- Outdoor cultivation of mature plants.
- Mobile Cannabis Retailers
- Drive-in or drive-through retail sales of Cannabis or Cannabis Products
- Cannabis Products sold or delivered by any means or method to any person within a motor vehicle.
- Any Commercial Cannabis Activity that is not expressly provided for in both an approved conditional use permit and a valid Cannabis license issued by the State.

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

**CANNABIS CULTIVATION**

- A. Lots permitted for Cannabis Cultivation operations shall not be located within 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth Center.
  - B. All Cannabis Cultivation activities that utilize artificial light are required to address the energy demand for their cultivation by providing on-site renewable energy generation designed to have a generation potential equal to or greater than 20-percent of the anticipated energy demand.
  - C. All Cannabis Cultivation operations shall include adequate measures that minimize use of water for cultivation on the lot. Water conservation measures, water capture systems, or grey water systems shall be incorporated into the operations in order to minimize use of water where feasible.
  - D. All Cannabis Cultivation structures, including buildings, greenhouses, hoop structures, etc. shall be subject to building permit requirements.
  - E. For the purposes of Cannabis Cultivation in the unincorporated area of Riverside County, Cannabis is not considered 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.
- **Indoor Cannabis Cultivation,** is allowed as follows and shall be within a fully enclosed building and be setback from lot lines and rights-of-ways in accordance with the development standards for the zone classification in which it is located. When an Indoor Cannabis Cultivation facility is located adjacent to a residentially zoned lot the minimum setback shall be 25 feet.

- Specialty Cottage Indoor Cannabis Cultivation, up to 500 square feet of canopy area is allowed in the following zones: C-1/C-P, C-P-S, I-P, M-SC, M-M, MH, A-1, A-P, A-2 and A-D.
- Specialty Indoor Cannabis Cultivation, up to 5,000 square feet of canopy area is allowed in the following zones: C-1/C-P, C-P-S, I-P, M-SC, M-M, MH, A-1, A-P, A-2 and A-D.
- Small Indoor Cannabis Cultivation, up to 10,000 square feet of canopy area is allowed in the following zones: C-1/C-P, C-P-S, I-P, M-SC, M-M, MH, A-1, A-P, A-2 and A-D.
- Medium Indoor Cannabis Cultivation, up to 22,000 square feet of canopy area is allowed in the following zones: I-P, M-SC, M-M and M-H.
- **Mixed Light Cannabis Cultivation**, is allowed as follows and shall be within hoop structures, greenhouses and other similar structures and be setback from lot lines and rights-of-ways a minimum of 50 feet. When a Mixed Light Cannabis Cultivation facility is located adjacent to a residentially zoned lot the minimum setback shall be 100 feet.
  - Specialty Cottage Mixed Light Cannabis Cultivation, up to 2,500 square feet of canopy area, on lots one gross acre or more, is allowed in the following zones: A-1, A-P, A-2 and A-D.
  - Specialty Mixed Light Cannabis Cultivation, up to 5,000 square feet of canopy area, on lots one-and one half gross acre or more, is allowed in the following zones: A-1, A-P, A-2 and A-D.
  - Small Mixed Light Cannabis Cultivation, up to 10,000 square feet of canopy area, on lots two and one-half gross acre or more, is allowed in the following zones: A-1, A-P, A-2 and A-D.
  - Medium Mixed Light Cannabis Cultivation, up to 22,000 square feet of canopy area, on lots five acres or more, is allowed in the following zones: A-1 and A-2.

### **CANNABIS WHOLESALE NURSERIES**

- A. Lots permitted for Cannabis Wholesale Nurseries shall not be located within 600 feet of any Child Day Care Center, K-12 school, public park, or Youth Center.
- B. Mature Cannabis Plants as defined by the California Department of Food and Agriculture are not allowed to be grown, kept, stored or sold at any Cannabis Wholesale Nursery.
- C. No other Commercial Cannabis Activity shall be allowed on a lot that has an approved conditional use permit for a Cannabis Wholesale Nursery.

- D. Cannabis Wholesale Nurseries that utilize artificial light are required to address the energy demand for their cultivation by providing on-site renewable energy generation designed to have a generation potential equal to or greater than 20-percent of the anticipated energy demand.
- E. Cannabis Wholesale Nurseries shall include adequate measures that minimize use of water for cultivation on the lot. Water conservation measures, water capture systems, or grey water systems shall be incorporated into the operations in order to minimize use of water where feasible.
  - **Cannabis Wholesale Nurseries**, are allowed as follows and may be outdoors, indoors or mixed light and shall be setback from lot lines and rights-of-ways a minimum of 50 feet.
    - Outdoor Cannabis Wholesale Nurseries, on lots one gross acre or more, are allowed in the following zones: A-1, A-P, A-2 and A-D.
    - Indoor Cannabis Wholesale Nurseries are allowed in the following zones: I-P, M-SC, M-M and M-H.
    - Mixed Light Cannabis Wholesale Nurseries, on lots one gross acre or more, are allowed in the following zones: A-1, A-P, A-2 and A-D.

#### **CANNABIS MANUFACTURING FACILITIES**

- A. Lots permitted for Cannabis Manufacturing Facilities shall not be located within 600 feet of any Child Day Care Center, K-12 school, public park, or Youth Center.
- B. Cannabis Manufacturing Facilities shall not manufacture Cannabis edible products in the shape of animals, people, insects, or fruit.
- C. The minimum lot size for a Cannabis Manufacturing Facility lot shall be 10,000 square feet.
  - **Non-Volatile Cannabis Manufacturing Facilities**, requiring a Type 6 State license, are allowed in the following zones: I-P, M-SC, M-M and M-H and must comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet.
  - **Type N Cannabis Manufacturing Facilities**, requiring a Type N State license are allowed in the following zones: I-P, M-SC, M-M and M-H and must comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet.
  - **Type P Cannabis Manufacturing Facilities**, requiring a Type N State license are allowed in the following zones: I-P, M-SC, M-M and M-H and must comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet.

- **Volatile Cannabis Manufacturing Facilities**, requiring a Type 7 State license, are allowed in the following zones: I-P, M-SC, M-M and M-H and must comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be ~~40~~25 feet.

### **CANNABIS TESTING FACILITIES**

- A. Lots permitted for Cannabis Testing Facilities shall not be located within 600 feet of any Child Day Care Center, K-12 school, public park, or Youth Center.
- B. Cannabis Testing Facilities shall be required to conduct all testing in a manner pursuant to Business and Professions Code Section 26100 and shall be subject to State and local law and regulations.
- C. No other Commercial Cannabis Activity shall be allowed on a lot that has an approved conditional use permit for a Cannabis Testing Facility.
- D. All Cannabis Testing Facilities shall comply with the setback and lot size standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet.
  - **Cannabis Testing Facilities**, are allowed in the following zones: C1/C-P, C-P-S, I-P, M-SC, M-M, and M-H.

### **CANNABIS RETAILER**

- A. Lots permitted for Cannabis Retail Facilities shall not be located within 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth Center.
- B. Cannabis Retailers – Storefront and Non-Storefront shall comply with the setback and lot size standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 40 feet.
- C. Mobile Cannabis Retailers are prohibited in all zone classifications.
- D. Entrances into the retail location of the Cannabis Retailer shall be separate from the reception area and locked at all times with entry strictly controlled.
- E. Entrances into the retail location of a Cannabis Retailer that possess an A-License and a M-License from the State shall be separate and distinct from each other and proper signage shall be placed at each entrance indicating that no one under the age of 18 shall be allowed entrance into the M-Licensed retail location and no one under the age of 21 shall be allowed entrance into the A-Licensed retail location.

- F. Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations.
- G. Cannabis Retailers with an approved conditional use permit may provide deliveries of Cannabis Products consistent with State law.
  - o **Cannabis Retailers**, are allowed in the following zones: C-1/C-P, C-PS, I-P, M-SC, M-M and M-H.

#### **CANNABIS DISTRIBUTION FACILITIES**

- A. Lots permitted for Cannabis Distribution Facilities shall not be located within 600 feet of any Child Day Care Center, K-12 school, public park, or Youth Center.
- B. Cannabis Distribution Facilities shall comply with the setback and lot size standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 25 feet.
- C. Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities.
- D. Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files.
- E. Cannabis Distribution Facilities shall not be open to the public.
  - o **Cannabis Distribution Facilities**, are allowed in the following zones: are allowed in the following zones: C-1/C-P, C-PS, I-P, M-SC, M-M and M-H.

#### **CANNABIS MICROBUSINESS FACILITIES**

- A. Lots permitted for Cannabis Microbusiness Facilities shall not be located within 600 feet of any Child Day Care Center, K-12 school, public park, or Youth Center unless the permit includes a retail component, which then requires a 1,000 foot separation from any Child Day Care Center, K-12 school, public park, or Youth Center.

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

**TEMPORARY CANNABIS EVENT**

- A. The Planning Director shall approve an application for a temporary Cannabis event permit if certain criteria are met, including but not limited to the following:
  - B. Lots permitted for Cannabis Microbusiness Facilities shall not be located within 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth Center.
  - C. The temporary Cannabis event will take place on County Fair property or District Agricultural Association property.
  - D. The temporary Cannabis event will not occur during the hours of 12:00 a.m. to 6:00 a.m.
  - E. The temporary Cannabis event is setback a minimum of 100 feet from lot lines.
  - F. The sale or consumption of alcohol or tobacco is not allowed at the location of the temporary Cannabis event.
  - G. Access to the area(s) where sale or consumption of Cannabis occurs is restricted to persons 21 years of age or older.
- 5. PERMIT REQUIREMENTS:**
- All Cannabis related activities are subject to, but not limited to, the following requirements:
    - o Obtain a Conditional Use Permit from the County
    - o Enter into a Development Agreement with the County (Requires Board approval)
    - o Obtain the applicable State license(s)
    - o Operate in a manner that prevents nuisance odors from being detected offsite



- Implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products and to deter and prevent the theft of Cannabis or Cannabis Products at the Commercial Cannabis Activity
- Maintain clear and adequate records and documentation demonstrating that all Cannabis or Cannabis Products have been obtained from and are provided to other permitted and licensed Cannabis operations
- Obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the Commercial Cannabis Activity
- Comply with all applicable local and State laws, ordinances and regulations including, but not limited to:
  - The California Environmental Quality Act
  - Building Codes
  - Fire Codes
  - Riverside County Ordinance No. 457
  - Riverside County Ordinance No. 657
  - Airport Land Use Compatibility Plans
  - Weights and measures regulations
  - Track and trace requirements
  - Pesticide use
  - Water quality
  - Storm water discharge
  - The grading of land

**PROJECT RECOMMENDATION**

**STAFF RECOMMENDATIONS:**

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

**FIND** that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to Senate Bill 94, the Medical Cannabis Regulation and Safety Act (MCRSA), which exempted from the California Environmental Quality Act, until July 1, 2019, the adoption of a specified ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, license, or other authorizations to engage in commercial Cannabis activity. All commercial Cannabis activities will be subject to obtaining discretionary land use approval, and accordingly this project has been determined to be generally exempt from the California Environmental Quality Act (CEQA) pursuant to Section 26055(h) of the California Business and Professions Code.

**ADOPT** Ordinance No. 348.4857, dated July 18, 2018 based upon the findings and conclusions incorporated in the staff report.

## PROJECT DATA

**Land Use and Zoning:** This Ordinance applies to the entire unincorporated area of the County of Riverside.

## PROJECT BACKGROUND AND ANALYSIS

### Background:

Cannabis was first legalized for medical use in 1996 with the passage of Proposition 215, known as The Compassionate Use Act of 1996. The passage of this act exempted patients and defined caregivers who possessed or cultivated marijuana (Cannabis) for medical treatment, recommended by a physician, from criminal laws which otherwise prohibit possession or cultivation of Cannabis.

In 2004, the California Legislature enacted Senate Bill 420 to clarify the scope of Proposition 215, and to provide qualifying patients and primary caregivers who collectively or cooperatively cultivate marijuana for medical purposes with a limited defense to certain specified State criminal statutes.

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

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

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

That same year, on November 8, 2016, California voters passed Proposition 64, the Adult Use of Marijuana Act (AUMA). AUMA immediately legalized the use and cultivation of Cannabis for personal consumption (allowing of 6 plants for personal use) and legalized the commercialization and taxation of Cannabis, including medical Cannabis, beginning January 1, 2018. Additionally, AUMA allowed the Legislature to adopt laws to license and tax commercial Cannabis activities; and permitted local control of adult use Cannabis land uses and reasonable regulation of personal cultivation (6 plants for personal use).

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

Then, on June 27, 2017, the Governor approved Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). This bill consolidates provisions from MCRSA and AUMA and creates one regulatory system for commercial Cannabis activity. The new system under MAUCRSA prioritizes consumer safety, public safety and tax compliance.

Commercial Cannabis activities are currently prohibited in the unincorporated areas of Riverside County. Despite a County prohibition of commercial Cannabis activities, multiple dispensaries and cultivation activities have been established within unincorporated areas of the County. Research of existing retail establishments has shown that there are also several active retail storefronts in the unincorporated area. Although the exact number is unknown, multiple reports of outdoor, hoop structure, and indoor cultivation operations have also been reported. Costs associated to truly enforce a full ban of Cannabis activities in Riverside County would be high. There is no current identified funding source to support the costs associated with enforcement activities and accordingly Riverside County has had limited success in enforcing such activity. Additionally, the decriminalization of Cannabis in California has shifted the methods and staffing required for enforcement action against those operating outside of local jurisdictional regulations.

Knowing that Cannabis is a rapidly growing business industry and is currently occurring illegally in the County today, an enforcement strategy is necessary to effectively contain this industry in the community. However, the Board Ad Hoc Committee recognized that funding to properly enforce these business activities must be identified. In an effort to provide both, a regulatory framework for commercial Cannabis to legally operate within the County and a revenue source for enforcement against Cannabis operators acting outside of such a regulatory framework, on August 29, 2017, at the recommendation of the Board Ad Hoc Committee, the Board of Supervisors, at an open public meeting, directed staff to bring forward ordinance amendments or a new ordinance to establish a proposed comprehensive regulatory framework for Cannabis businesses and Cannabis activities subject to approval of permits issued by the County and pursuant to standards, conditions, and requirements in the proposed ordinance amendments and ordinances within the jurisdictional boundaries of Riverside County.

Given the dynamic landscape surrounding this issue most recently, on March 20, 2018, at the request of the Board Ad Hoc Committee, Staff presented the Board with an update to discuss progress on a regulatory framework for Cannabis related businesses. It was critical to determine if the Board desired staff to continue to work on development of an ordinance and if so provide staff with policy direction on the regulatory requirements to be contained in the ordinance. Recommendations were also presented to the Board that included:

- What Cannabis related businesses should be allowed to be permitted in the unincorporated areas of Riverside County, including cultivation (indoor and mixed light while prohibiting, outdoor), manufacturing/processing, testing, distributing, and retail sales of Cannabis and Cannabis products.
- Where Cannabis related businesses should be allowed to be permitted and buffers to existing sensitive receptors.
- Implementing a phase-in program and a temporary limit on first year permits so that the County can consider and process applications in an orderly manner.

The Board Ad Hoc Committee also asked the Board to consider what approach Riverside County should take in generating revenue from Cannabis related businesses, taxes or development agreements.

At the March 20, 2018 Board meeting the Board voted to direct staff to continue to work on development of an ordinance, based on the Staff's update and report and to bring a Request for Proposal (RFP) and development agreement process forward for their consideration.

Although licenses issued by the State for cultivators, manufacturers, retailers, distributors, microbusinesses, testing laboratories are now in effect as of January 1, 2018 and businesses can begin operating in California's newly-legal commercial Cannabis market, local approval is required for a State license to be issued. Depending on the number and timing of public hearings on this ordinance and if an ordinance is ultimately adopted by the Board, Staff estimates that no Commercial Cannabis Activity Permits will make it through the entire approval process until at least June of 2019.

### **Analysis:**

The County may consider regulating and permitting a variety of commercial Cannabis activities. The State Cannabis license types are independent from each other as well as the proposed County land use permits. Thus, if the Board chooses to regulate commercial Cannabis, for each separate land use activity the Board can choose to prohibit, allow a certain activity, or continue consideration of an activity. Types of activities under consideration include, Cannabis cultivation, nurseries, manufacturing, retail sales, microbusinesses, distribution, testing and temporary events. Each activity brings unique challenges, concerns and impacts. The discussion below highlights many of these unique challenges, concerns and impacts that Staff considered in the creation of the proposed ordinance, concentrating on Cannabis Cultivation and retail sales.

### **CULTIVATION**

Cultivation refers to any activity that involves the planting, growing, harvesting or processing (drying, curing, grading, trimming) of Cannabis. The Cannabis growing categories, that can be considered include, outdoor, indoor, and mixed light. The California Department of Food and Agriculture ("CFDA") is the licensing authority for Cannabis Cultivation in California. Each type of CFDA licensed cultivation category allows for a maximum cultivation canopy area or number of plants. The maximum cultivation canopy size

that the CFDA is currently licensing to under a single medium license is an outdoor grow of 43,560 sf (one acre) or 22,000 sf of Indoor or mixed-light cultivation. The State has limited the cultivation canopy size for a single medium license to 43,560 sf until at least the year 2023 when they may be issuing large cultivation licenses. Ambiguous regulations currently exist with regards to cultivation canopy limits. The CDFA regulations, while limiting one (1) person to one (1) Medium Outdoor, or one (1) Medium Indoor, or one (1) Medium Mixed-Light License until January 1, 2023, has remained specifically silent on small cultivation licenses. Therefore, one licensee could obtain multiple specialty or small licenses and allow for their cultivation size to exceed the one acre medium license requirement. Prior to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) the CFDA released their medical regulations under the MCRSA (now withdrawn), they placed a four acre statewide cap on plant canopy for cultivators, which cap is now gone under MAUCRSA. Further, the environmental impact report (EIR), for the CFDA Cultivation Licensing Program included a one acre cap in some impact analyses and requirements. But when the CFDA released recent regulations, no cap existed. In addition, in January, California's largest Cannabis farmer organization filed a lawsuit against the CFDA, claiming that the new regulations create a loophole that could allow multiple cultivation licenses and allow for an applicant's grow size to exceed one acre. It appears that Legislators are set to have committee hearings soon where they plan to discuss the cultivation cap. Regulating Cannabis Cultivation could be difficult with the current unknowns related to maximum canopy size on one lot. The potential conflicts above could lead to early regulatory revisions and potential downgrading of allowable permit limits, therefore a careful approach to cultivation canopy limits is prudent. Due to the ambiguity, a recommended one acre maximum for any cultivation type is included in the proposed ordinance at this time.

Careful consideration should be given to the direct and indirect impacts when considering allowing a new land use of any type, especially one that carries with it, unique characteristics related to security, access to children, invasive lighting, and the potential to convert prime food crop farmland to Cannabis Cultivation, due the high value of the Cannabis product. Permitting Cannabis Cultivation brings with it a number of other impacts and requirements that could be cost prohibitive for some to mitigate; for instance, intricate heating, air and ventilation systems, elaborate security systems and screening of the cultivation site. Cannabis Cultivation also uses electricity in many ways, but some of the more common usages per cultivation category are, irrigation, security, artificial lighting, air conditioning, dehumidification and ventilation.

Agricultural lands seem to be a logical option for cultivation activities, particularly outdoor and mixed-light cultivation. But agricultural lands are of great importance and carry many regulatory protections to ensure continued stability and productivity. Riverside County's agricultural lands offer a combination of prime soils, well-suited topography, and availability of water making these lands very attractive to Cannabis Cultivation.

The proposed ordinance distinguishes Cannabis from other agricultural crops or commodities due its unique nature as a controlled substance, requiring increased security measures and the use of artificial lighting in indoor growing environments. Cannabis Cultivation activities require local land approval as well as a State license, unlike other agricultural crops or commodities. Cannabis Cultivation structures, unlike traditional agricultural structures, will be subject to building review and application requirements. As such, all land use regulations that apply to Cannabis are grouped together separately from other agricultural uses in the Land use Ordinance.

Riverside County's under Ordinance No. 625, the "Right to Farm" Ordinance, which is intended to conserve and protect agricultural operations from being considered a nuisance to non-farmers and to balance the rights of farmers to produce food and other agricultural products with the rights of non-farmers who own, occupy, or use land within or adjacent to agricultural areas. California defines medicinal and recreational Cannabis as an agricultural product. However, this identification as an agricultural product is limited to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). The identification as an agricultural product does not have to extend to other regulations. For example, Staff recommends that Cannabis not be considered protected as an agricultural crop with respect to Ordinance No. 625 or be considered for permits within Agricultural Preserves or Williamson Act properties. Ordinance No. 509, relating to Agricultural Preserves, and Ordinance No. 625 also include policies that protect agricultural land primarily for production or future agricultural use. If the proposed amendment to Ordinance No. 348 is approved by the Board these ordinances should be carefully reviewed for all local regulations and ordinance amendments prepared to reflect the findings of those reviews.

Riverside County Ordinance No. 348 includes eight agricultural zones with some distinctions between the eight zones as discussed below. Other zones were examined for the potential to include Cannabis Cultivation as a use. The following highlights the potential for Cannabis Cultivation by zone:

### **Residential Zones**

Cannabis Cultivation brings with it many potential impacts that make it incompatible with residential land uses. Odors that emanate from the plant itself, special lighting required in mixed-light cultivation, required operations that would allow for securing a canopy from theft and exposure to youth, noise, bud tending operations and waste, are some of these incompatible impacts and activities. These impacts would affect the quality of life in a residential setting and therefore, permitting Cannabis Cultivation is not recommended in residential zones. Consideration was given to the potential for allowing some cultivation within the R-R, Rural Residential Zone and the W-2, Residential Controlled Development Zone, and the R-A, Residential Agriculture Zone as these zones allow for some agricultural uses and tend to be applied to many large properties throughout the unincorporated County lands.

### **R-R (Rural Residential Zone)**

This Zone allows for a variety of uses including but not limited to single family residences, nurseries, orchards, field and tree crops, the grazing of cattle and farm stock and other animals, farms for the keeping and breeding of animals, planned residential developments, limited public utility uses, home occupations. With a Plot Plan Use Permit, other uses that could be permitted include; commercial and noncommercial fishing lakes, guest ranches and motels, educational institutions, libraries, golf, tennis, polo or country clubs, feed and grain sales, places of religious worship, and garden supply stores, public parks and playgrounds and child day care centers. With the approval of a Conditional Use Permit further uses that could be permitted include; airport or landing field, auto wrecking yards, commercial fairgrounds, commercial stables and riding academies, bars/cocktail lounges, retail pharmacies, other miscellaneous commercial and manufacturing uses. Given the substantial area of the County zoned R-R, (about \*492,000 acres), consideration could be given to allowing Cannabis Cultivation in this zone. However, the primary use for these lands is residential with associated small commercial uses meant for rural living and a large amount of these areas have been developed with these uses, scattered throughout the

County. The fact that the R-R Zone allows minor agricultural uses was considered, however, these uses do not require a discretionary permit and are therefore, allowed by right, Cannabis Cultivation is not similar to those uses. Furthermore, much of the R-R Zone possesses General Plan land uses of Conservation Habitat, Rural Mountainous and Open Space Rural. These land uses are generally not compatible with commercial agricultural uses and therefore would generally be incompatible with Cannabis Cultivation. Staff recommends that Cannabis Cultivation of all types be prohibited in the Rural Residential Zone.

**R-A (Residential Agriculture Zone)**

This is primarily a residential Zones that allows for small family agricultural uses. This Zone allows for a variety of uses including but not limited to single family residences, one-family mobile homes, field and tree crops, planned residential developments, limited public utility uses, home occupations, the noncommercial keeping of horses, cattle, sheep, and goats, poultry, crowing fowl and rabbits for the use of the occupants of the premises only, wholesale nurseries, greenhouses, orchard, aviaries, apiaries, berry and bush crops, and vegetable, flower and herb gardening on a commercial scale; the drying, packing and processing of fruits (other than canning), nuts, vegetables and other horticultural products, The raising or breeding of guinea pigs, parakeets, chinchillas, or other similar small fowl or animals (excluding crowing fowl), the grazing of sheep and the outside storage of materials (depending on lot size). With a Plot Plan Use Permit, other uses that could be permitted include; Beauty shops, public parks, playgrounds and golf courses and child day care centers. With the approval of a Conditional Use Permit further uses that could be permitted include; mobile home parks. Given the area of the County zoned R-A, (about \*139,000 acres), consideration could be given to allowing Cannabis Cultivation in this zone. However, a large amount of these areas have been developed with residential uses scattered throughout the County, and the primary use for these lands is residential and small agricultural uses meant for rural living. The fact that the R-A Zone allows minor agricultural uses was considered, however, these uses do not require a discretionary permit and therefore, allowed by right, Cannabis Cultivation is not similar to those allowed uses and many of these areas are exhibit residential uses. Staff recommends that Cannabis Cultivation of all types be prohibited in the Residential Agriculture Zone.

**W-2 (Controlled Development Areas)**

This Zone allows for a variety of uses depending on the size of the zoned property. In the W-2 Zone lots under one acre allow for uses that include but are not limited to single family residences, field and tree crops, and greenhouses used for the purposes of propagation. For lots greater than 20,000 square feet in area and at least 100-feet wide the noncommercial keeping of horses is allowed in this zone. Other allowed uses include Home occupations. The outside storage of materials is allowed in limited circumstances. On lots greater than one acre in area allowed uses include single family residences, public and private water works facilities, agricultural uses allowed on smaller lots in this zone, as well as nurseries and processing of agricultural products and the grazing of cattle and other farm animals. With a Plot Plan Use Permit, other uses that could be permitted in this zone include; guest ranches, educational institutions, places of religious worship, libraries, tennis and polo clubs and child day care centers. With the approval of a Conditional Use Permit further uses that could be permitted include; Airports or landing fields, commercial fairgrounds, cemeteries, dune buggy parks, hunting clubs, race tracks, recreational vehicle parks, rodeo arenas, commercial stables and riding stables, trailer and boat storage, auction houses and yards, large and small animal hospitals and solar power plants. A large number of W-2 zoned lands, about \*584,000 acres, exist in the unincorporated area of the County. Although there is an



abundance of Controlled Development Zoned property in the County, much of that land is sandwiched between BLM, Joshua Tree National Park and Tribal property, developed with residential uses and in areas too remote and steep to allow for the needed infrastructure to support Cannabis Cultivation. Much of those properties also exhibit General Plan Land Uses that are incompatible with Cannabis Cultivation. Permitting Cannabis Cultivation in the W-2 Zone is not recommended by Staff.

**C-1/C-P (General Commercial Zone) & C-P-S (Scenic Highway Commercial Zone)**

These zones allow for a large variety of brick and mortar commercial uses, including but not limited to retail sales, gasoline service stations, hotels, bars, cocktail lounges, tobacco shops and pool halls, with the approval of a plot plan use permit. Outdoor or mixed light cultivation are not appropriate for these zones but permitted indoor cultivation uses, subject to strict development standards, could be considered. Further, outdoor and mixed-light cultivations are not appropriate for these zones due to the nature of the allowed uses and locations of these types of zones. There is about \*1,000 acres of C-1/CP Zoned property and approximately \*2,400 acres of property zoned C-P-S, County wide. If indoor Cannabis Cultivation is considered in these zones, appropriate lot sizes that allow for the necessary parking and setbacks, availability of water and power, as well as the ability to makes necessary infrastructure improvements, similar to any other commercial use must be considered. Staff recommends that Specialty Cottage, Specialty and Small indoor cultivation be considered in the C-1/C-P and C-P-S Zones.

**C-T (Tourist Commercial Zone)**

This Zone allows for a variety of tourist related commercial uses with an approved plot plan use permit, including, automobile service stations, truck service stations, not including the concurrent sale of beer and wine for off-premises consumption, automobile sales, truck sales, new and used, restaurants, drive-in restaurants, bars, curio shops, gift shops, sign, on-site advertising, hotels, motels, dwelling bed and breakfasts, places of religious worship and child day care centers. Cultivation is not appropriate in this zone given the nature of tourist related uses. There is currently limited acreage zoned C-T in the unincorporated County area, less than \*90 acres. Care should be taken to expand permitted land uses on this property with tourist related uses, therefore, permitting cultivation of any type is not recommended.

**C-R (Rural Commercial Zone)**

The C-R Zone is intended to allow for small-scale commercial uses in the outlying areas of the County along rural highways for the convenience of residents and travelers, and because the development standards for these commercial uses should reflect areas where urban services and facilities are generally unavailable and are not likely to be provided in the near future. Because properties exhibiting this zone are currently limited in number, are necessary to provide much needed neighborhood commercial uses and are located along rural highways, permitting Cannabis Cultivation of any type in the C-R Zone is not recommended.

**C-O (Commercial Office Zone)**

The C-R Zone is intended to fulfill a need in the County of for a zone classification designed to provide areas where primarily professional and administrative offices and related uses may be located. It is the intent that this zone classification ensures that such uses are well designed and landscaped to be harmonious and compatible with surrounding land uses. The following uses are examples of those allowed with an entitled plot plan use permit; administrative and professional offices, including but not limited to

business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate offices, in which no activity is carried on catering to retail sales and no stock of goods is maintained for sale, art galleries, libraries, museums, banks, financial institutions, employment agencies, parking lots and parking structures, pharmacies incidental to a professional office building, tourist information centers, day care centers, and places of religious worship. With the approval of a conditional use permit some of the allowable uses are clinics, including but not limited to medical, dental and chiropractic, health and exercise centers, provided all facilities are located within an enclosed building, hotels, resort hotels and motels, laboratories, film, dental, medical, research or testing, restaurants, not including drive-in or take-out restaurants, studios for professional work in or teaching of any form of fine arts. Given the intended purpose of the C-O Zone Cannabis Cultivation is not recommended for this zone.

### **I-P (Industrial Park Zone)**

With a plot plan use permit a variety of industrial and manufacturing related uses, for example; food, Lumber, Wood, and Paper products, textile and leather products, chemical and glass products, metal and electrical products, transportation industries, warehousing and distribution, including mini-warehouses, cold storage facilities, telephone exchanges and switching equipment, post offices, and fire and police stations. Commercial services uses include, banks and financial institutions, laboratories, film, medical, research, or testing centers, office equipment sales and service, and offices, professional sales and service, including business, law, medical, dental, chiropractic, architectural and engineering. Cultivation is not appropriate with the possible exception of permitted indoor cultivation uses, subject to strict development standards. There is about \*2,000 acres of I-P zoned property in the unincorporated area of the County. Appropriate lot sizes that allow for the necessary parking and setbacks, availability of water and power, as well as the ability to makes necessary infrastructure improvements, similar to any other industrial use must be considered if indoor Cannabis Cultivation is considered in this zone. Staff recommends that indoor cultivation of all types be considered in the I-P Zone.

### **M-SC (Manufacturing-Service Commercial Zone)**

The intent of this zone is to promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the County's economic base, provide the necessary improvements to support industrial growth, insure that new industry is compatible with uses on adjacent lands; and to protect industrial areas from encroachment by incompatible uses that may jeopardize industry. This Zone allows for agricultural uses of the soils for crops, including the grazing of not more than two mature farm animals per acre and their immature offspring. With the approval of a plot plan use permit a variety of industrial and manufacturing uses are allowed. These uses include; food products, textile products, lumber, wood, paper and leather products, chemicals, stone, clay, glass and concrete products. The following commercial services uses are also allowed; banks and financial institutions, gasoline and diesel service stations, not including the concurrent sale of beer wine for off-premises consumption, laboratories, film, medical, research, or testing centers, office equipment sales and service, offices, professional sales and service, including business, law, medical, dental, chiropractic, architectural, and engineering, parking lots and parking structures, restaurants and other eating establishments, building materials sales yard, places of religious worship and day care centers. The following use are allowed with the approval of a conditional use permit; meat packing plants, not including slaughtering or rendering of animals, cemeteries, crematories, and mausoleums, paper storage and recycling, not within a building, brewery, distillery, or winery, acid and abrasives manufacturing, recycling of wood, metal, and construction wastes,

natural gas storage, above ground, disposal service operations, not including transfer stations, solar power plant on a lots 10 acres or larger and parolee-probationer homes.

There is about \*4,800 acres of M-SC zoned property in the unincorporated area of the County. Given the intent of this zone and its purpose to protect industrial and manufacturing areas from encroachment by incompatible uses that may jeopardize industry, cultivation is not appropriate with the possible exception of permitted indoor cultivation uses. Strict development standards that allow for the necessary odor control, security, availability of water and power, as well as the ability to make necessary infrastructure improvements, similar to any other industrial use, must be considered if indoor Cannabis Cultivation is considered. Staff recommends that indoor cultivation of all types be considered in the M-SC Zone.

**M-M (Manufacturing-Medium Zone)**

The intent of this zone is to promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the County's economic base, provide the necessary improvements to support industrial growth, insure that new industry is compatible with uses on adjacent lands; and to protect industrial areas from encroachment by incompatible uses that may jeopardize industry. This zone allows for agricultural uses of the soils for crops, including the grazing of not more than two mature farm animals per acre and their immature offspring. Some industrial and manufacturing uses that are permitted provided a plot plan is approved are: food products, textile products, lumber and wood products, paper products, chemicals, rubber, leather products, stone, concrete, glass, metal, machinery, transportation related industries, laboratories, mini warehouses, warehousing and distribution, cold storage, breweries, distilleries, wineries and contractor storage yards. Allowable service and commercial uses include; banks, gas and diesel service stations, laboratories, testing centers, offices professional sales and service, dental, parking lots, restaurants, vehicle and motorcycle repair, health and exercise centers, religious places of worship, truck and car washes, building materials supply, nurseries and garden supply, child daycare centers, car and truck washes. Mobile home sales lots and feed and grain sales. With the approval of a conditional use permit, examples of allowable uses are; Auto wrecking yards, cotton ginning, acid and abrasives manufacturing, fertilizer production, above ground petroleum and bulk fuel storage, concrete match plants, airports, dump sites, swap meets, recycling processing facilities and solar power plants.

There is about \*2,550 acres of M-M zoned property in the unincorporated area of the County. Given the intent of this zone and its purpose to protect industrial and manufacturing areas from encroachment by incompatible uses that may jeopardize industry, cultivation may not be appropriate with the possible exception of permitted indoor cultivation uses. Strict development standards that allow for the necessary odor control, security, availability of water and power, as well as the ability to make necessary infrastructure improvements, similar to any other industrial use, must be considered if indoor Cannabis Cultivation is considered. Staff recommends including indoor cultivation be considered in the M-M Zone.

**MH (Manufacturing-Heavy Zone)**

The intent of this zone is to promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the County's economic base, provide the necessary improvements to support industrial growth, insure that new industry is compatible with uses on adjacent lands; and to

protect industrial areas from encroachment by incompatible uses that may jeopardize industry. This zone allows for agricultural uses of the soils for crops, including the grazing of not more than two mature farm animals per acre and their immature offspring. Some industrial and manufacturing uses that are permitted provided a plot plan is approved are: food products, textile products, lumber and wood products, paper products, chemicals, rubber, leather products, stone, concrete, glass, metal, machinery, transportation related industries, laboratories, mini warehouses, warehousing and distribution, cold storage, breweries, distilleries, wineries and contractor storage yards. Allowable service and commercial uses include; banks, gas and diesel service stations, laboratories, testing centers, offices professional sales and service, dental, parking lots, restaurants, vehicle and motorcycle repair, health and exercise centers, religious places of worship, truck and car washes, building materials supply, nurseries and garden supply, child daycare centers, car and truck washes. Mobile home sales lots and feed and grain sales. With the approval of a conditional use permit, examples of allowable uses are; Auto wrecking yards, cotton ginning, acid and abrasives manufacturing, fertilizer production, above ground petroleum and bulk fuel storage, petroleum refineries, concrete match plants, airports, dump sites, swap meets, recycling processing facilities, processing and rendering of fats and oils and solar power plants.

There is about \*9,500 acres of M-H zoned property in the unincorporated area of the County. Given the intent of this zone and its purpose to protect industrial and manufacturing areas from encroachment by incompatible uses that may jeopardize industry, cultivation may not be appropriate with the possible exception of permitted indoor cultivation uses. Strict development standards that allow for the necessary odor control, security, availability of water and power, as well as the ability to make necessary infrastructure improvements, similar to any other industrial use, must be considered if indoor Cannabis Cultivation is considered. Staff recommends that indoor cultivation of all types be considered in the M-H Zone.

**M-R (Mineral Resources)**

This zone allows for agricultural use of the soils for crops, orchards, grazing and forage, electric and gas distribution, transmission substations, telephone and microwave stations, water well and any use appurtenant to the storage and distribution of water, riding and hiking trails, recreation lakes, and camp grounds. With a permit to conduct surface mining operations, pursuant to Ordinance No. 555, uses allowed include; Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay gypsum, limestone and metallic ores, rock crushing plants, aggregate washing and concrete batching plants. Accessory uses, incidental to a permitted use include; retail and wholesale distribution of materials produced on the site, storage of trucks and excavating vehicles, storage of materials and machinery used in the operation, scales and weighing equipment, offices and maintenance shop structures, including use of mobile homes. The following uses are permitted provided a conditional use permit has been granted; sewage sludge/organic waste composting facilities and solar power plant.

Most of the M-R zoned property in the unincorporated area of the County is occupied by existing or reclaimed mining operations. Cannabis Cultivation should be prohibited of the County that are Classified by the State as having a Mineral Resource Classification of MRZ-2 (Areas of Known Mineral Resource Significance) as well as areas Designated by the State as being of regional or statewide significance.

The locations of the properties zoned M-R are remote and tend to be away from residential and urban uses. This would give reason to allow cultivation in these zones. However, care should be taken to avoid land use conversion by limiting use permits to areas that are not currently permitted for other intended uses. Some consideration could be given to permitting cultivation on a reclaimed property but a change of zone would be appropriate.

**M-R-A (Mineral Resources-Manufacturing)**

This zone allows for agricultural use of the soils for crops, orchards, grazing and forage, electric and gas distribution, transmission substations, telephone and microwave stations, water well and any use appurtenant to the storage and distribution of water, riding and hiking trails, recreation lakes, and camp grounds. With a permit to conduct surface mining operations, pursuant to Ordinance No. 555, uses allowed include; Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay gypsum, limestone and metallic ores, rock crushing plants, aggregate washing and concrete batching plants, ore reduction plants, and specialty plants for processing mineral products; and the manufacture of block, pipe, tile, bricks, cement, plaster, and asphaltic concrete. Accessory uses, incidental to a permitted use include; retail and wholesale distribution of materials produced on the site, storage of trucks and excavating vehicles, storage of materials and machinery used in the operation, scales and weighing equipment, offices and maintenance shop structures, including use of mobile homes. The following uses are permitted provided a conditional use permit has been granted; sewage sludge/organic waste composting facilities and solar power plant.

Most of the M-R-A zoned property in the unincorporated area of the County and most of this property is occupied by existing or reclaimed mining operations. Cannabis Cultivation should be prohibited of the County that are Classified by the State as having a Mineral Resource Classification of MRZ-2 (Areas of Known Mineral Resource Significance) as well as areas Designated by the State as being of regional or statewide significance.

The locations of the properties zoned M-R-A are remote and tend to be away from residential and urban uses. This would give reason to allow cultivation in these zones. However, care should be taken to avoid land use conversion by limiting use permits to areas that are not currently permitted for other intended uses. Some consideration could be given to permitting cultivation on a reclaimed property but a change of zone would be appropriate.

**A-1 Zone (Light Agriculture Zone)**

This Zone allows for a variety of uses including but not limited to single family residences, nurseries, orchards, field and tree crops, the grazing of cattle and farm stock and other animals, farms for the keeping and breeding of animals, parks and playgrounds, golf courses and home occupations. With a Plot Plan Use Permit, other uses that could be permitted include; private schools, places of religious worship, libraries, child day care centers and feed and grain sales. With the approval of a Conditional Use Permit further uses that could be permitted include; community auction and sale yards, farm labor camps, packaged dry fertilizer storage, commercial stables and riding stables, mobile home parks and solar power plants. There is over \*96,000 acres of A-1 Zoned property in the unincorporated area of the County. Due to the intent and purpose of the A-1 Zone and its allowable uses, Cannabis Cultivation should be consider

as a use in this zone under certain circumstances and strict development standards that are distinctive of other allowed uses that are protected under the “Right to Farm” Ordinance (Ordinance No. 625). Cultivation sites are appropriate as they could supplement agricultural properties.

**A-P (Light Agriculture with Poultry Zone)**

This Zone allows for a variety of uses including but not limited to single family residences, farms for the hatching, raising, butchering or marketing of fowl, rabbits and fish, nurseries, field crops and tree crops, the grazing of cattle and farm stock and other animals, farms for the keeping and breeding of animals and farms for commercial egg production. With the approval of a Conditional Use Permit further uses that could be permitted include; Packaging, marketing or processing of poultry waste products, the processing of eggs, and solar power plants. About \*1,000 acres of property in the unincorporated County area is zoned A-P. Due to the intent and purpose of the A-P Zone and its allowable uses, Cannabis Cultivation should be considered as a use in this zone under certain circumstances and strict development standards that are distinctive of other allowed uses that are protected under the “Right to Farm” Ordinance (Ordinance No. 625). Small cultivation premises are appropriate as they could supplement poultry agricultural properties.

**A-2 (Heavy Agriculture Zone)**

This Zone allows for a variety of uses including but not limited to single family residences, nurseries, orchards, field and tree crops, the grazing of cattle and farm stock and other animals, farms for the keeping and breeding of animals, animal hospitals, commercial stables and riding stables, public fairgrounds, and home occupations. With a Plot Plan Use Permit, other uses that could be permitted include; canning, freezing and packing in conjunction with a farming operation, private schools, public parks, public playgrounds, golf courses, country clubs, places of religious worship , libraries, truck transfer stations and agricultural equipment sales and repair yards. With the approval of a Conditional Use Permit further uses that could be permitted include; community auction and sale yards, farm labor camps, pen fed beef and cattle operations, livestock sales yards, hunting clubs, and solar power plants. Almost \*32,000 acres of land is zoned A-2 in the unincorporated area of the County. Due to the intent and purpose of the A-2 Zone and its allowable uses, Cannabis Cultivation should be consider as a use in this zone under certain circumstances and strict development standards that are distinctive of other allowed uses that are protected under the “Right to Farm” Ordinance (Ordinance No. 625). Small cultivation premises are appropriate as they could supplement dairy agricultural properties.

**A-D (Heavy Agriculture Zone)**

This zone was established to as a zone classification which will preserve dairy operations, acknowledge the importance of the dairy industry to the economy of the County, the need to protect dairies from urban encroachment, and the need to encourage dairies to locate in established rural and agricultural areas to minimize incompatibilities between dairy operations and urbanizing communities. This Zone allows for a variety of uses including but not limited to one-family dwellings in conjunction with a dairy operation, dairy farms and dairy calf, heifer, dry cow and herd replacement operations including the selective or experimental breeding and raising of cattle, the grazing of cattle and, as an accessory use, the processing, packaging and marketing of waste products produced on the premises, farms for small animals (excluding crowing fowl), nurseries, greenhouses, orchards, field crops, tree crops, berry and bush crops, vegetable

flower, herb gardening, the drying, packing, canning, freezing and other accepted methods of processing the produce resulting from permitted uses, and the grazing of horses, sheep, goats or other farm stock or animals. Solar power plants are an acceptable use with the approval of a conditional use permit. Because of the efforts to create a zone specific to the dairy industry continued efforts should be made to assure that conversions of Heavy Agriculture land use are avoided due the high value of the Cannabis product. Because of this, care should be taken to limit introducing new land uses such as Cannabis Cultivation to this selective zone. There are about \*425 acres of A-D Zoned property in the unincorporated area of the County. Small cultivation premises are appropriate as they could supplement dairy agricultural properties.

### **Wine Country & Citrus Vineyard Zones**

The Wine Country Zones were established to implement the Temecula Valley Wine Country Policy Area of the Riverside County General Plan. The region that encompasses the wine country zones is one of the most important agricultural lands in the County. The many wineries and equestrian uses there provide a significant tourist attraction to the region, which in turn, provides a continual economic benefit to the surrounding businesses. In addition, the Temecula Valley Wine Country area is an important part of the character of the Southwest Area Plan and has become ingrained in the culture of the surrounding communities. The purpose of these zones is to encourage agricultural cultivation, vineyards, wineries, equestrian uses, preserve the wine-making atmosphere, estate living, equestrian life-style, and protect this area and its residents from incompatible uses which could result in reduced agricultural productivity and increased urbanization within the policy area. Cannabis Cultivation activities are not compatible with the vision of the Temecula Valley Wine Country Policy Area and do not meet the goals of that plan. Therefore, permitting Cannabis Cultivation in the wine country zones, including the Citrus Vineyard Zone (C/V) and the Commercial Citrus Vineyard Zone (C-C/V) are not recommended.

### **R-D (Regulated Development)**

The R-D Zone allows for a variety of uses. There are 13 properties county-wide that exhibit the R-D Zone. The majority of those properties are development with residential uses or are within residential areas. Therefore, permitting cultivation within this zone is not recommended.

### **N-A (Natural Assets Zone)**

The N-A Zone generally corresponds to the Open Space General Plan Foundation, which includes the Land Uses of Conservation, Conservation Habitat, Recreation, Rural, Water, and Mineral Resources. This zone allows for single family dwellings, guest dwellings, automobile storage garages, accessory Buildings, field and tree crops and the grazing only of cattle, horses, sheep or goats, under certain circumstances. With a Plot Plan Use Permit, other uses that could be permitted include; public utility substations, water wells and appurtenant pump houses, picnic grounds for day use only, places of religious worship and child day care centers. With the approval of a Conditional Use Permit further uses that could be permitted include; recreational vehicle parks, migrant agricultural worker mobile home parks, resort hotels, rock crushing plants, extraction and bottling of well water including the incidental manufacturing of bottles, golf courses - including club houses, restaurants, and retail shops, riding academies and stables, commercial and noncommercial, airport or landing field, camps, guest ranches and solar power plants. Because of this zone's intent to include those properties intended for conservation, permitting Cannabis Cultivation in the N-A Zone should not be considered.

**W-1 (Watercourse / Watershed / Conservation Areas)**

There are some areas of the County which under present conditions are not suited for permanent occupancy or residency by persons for the reason that they are subject to periodic flooding and other hazards. Most of the W-1 designated land exists around lakes, streams, and other waterways. Given the basis of this zone is not an appropriate location for Cannabis Cultivation uses and could result in impacts to the waterways. Therefore, permitting cultivation within this zone is not recommended.

**W-E (Wind Energy Zone)**

The purpose of the Wind Energy Zone (W-E) was to establish some areas of the County which by virtue of strong prevailing winds and the absence of extensive development are ideally suited for large scale development of wind energy. The Riverside County General Plan provides the basis for the development of this resource. This Zone encompasses a small region of the unincorporated County area and the creation of which provides for specific areas to accomplish renewable energy goals. Therefore, permitting cultivation within this zone is not recommended.

**MU (Mixed Use Zone)**

The intent and purpose of the MU Zone was to establish a zone to assist the County in accommodating its share of the regional housing need as determined by the Southern California Association of Governments (SCAG) along with implementing the Mixed Use Area Land Use Designation in the General Plan by providing regulations for a mixture of residential, commercial, office, entertainment, recreational and other uses. Given the MU Zone's purpose to create areas to fulfill housing needs the zone is not compatible agricultural uses or Cannabis Cultivation. Therefore, the MU Zone will be considered a residential zone for the purposes of this discussion and permitting cultivation within this zone is not recommended.

*\* Acreages reflect approximations of properties and excludes properties within conservation areas*

**RETAILERS**

Cannabis retail sales Refers to a license to sell Cannabis goods to customers as a retailer (dispensary). This represents the final product of the Cannabis industry. The product that has been grown, harvested, tested, packed and labeled for sale prior to reaching a retail sales counter. Cannabis retailers are highly visible to the public and create the most known controversy of all Cannabis activities. Retail sales locations should be permitted in areas that exhibit zoning compatibility, are able to achieve appropriate setbacks and separations and sites that can provide appropriate parking, including but not limited to ADA required parking. The categories of Cannabis retail sales, that can be considered include, non-storefront and non-storefront. A Microbusiness may have a retail sales component.

The State has set strict and unique licensing guidelines for each retail sales use and leaves many site development standards to local jurisdictions.

Permitting retail sales, particularly storefronts, brings with it potential impacts to neighboring properties. Careful consideration should be given to the direct and indirect impacts when considering allowing a new type of land use of any type, especially one that carries with it, unique characteristics related to security,



loitering, potential for crimes of robbery and theft and access to children.

Commercial properties seem to be a logical option for storefront and no-storefront activities. But there are other zones that could be considered if strict development standards are adopted.

Although Cannabis storefronts, would be subject to unique security requirements, setbacks, building review, and application requirements that will be distinctive compared to other existing County land uses, care should also be taken when considering appropriate site locations for potential permits. Existing County zones were analyzed by Staff as follows:

**Residential Zones**

Cannabis retail sales, particularly storefront with public access, brings with it many potential impacts that make it incompatible with residential land uses. Allowing Cannabis retail sales permits in any residential zone is not recommended.

**C-1/C-P (General Commercial Zone) & C-P-S (Scenic Highway Commercial Zone)**

These zones allow for a large variety of brick and mortar commercial uses with the approval of a plot plan use permit. Cannabis retail sales uses may be appropriate with strict development guidelines. Minimum lot sizes that allow for the necessary parking and setbacks, availability of water and power, as well as the ability to makes necessary infrastructure improvements, similar to any other commercial use must be considered if Cannabis retail sales is considered. If the board determines that Cannabis retail sales should be permitted in the County Staff believes that the C-1/C-P Zone is appropriate for this use but strict development standards and appropriate setbacks should be implemented.

**C-T (Tourist Commercial Zone)**

This Zone allows for a variety of tourist related commercial uses with an approved plot plan use permit, including, automobile service stations, truck service stations, not including the concurrent sale of beer and wine for off-premises consumption, automobile sales, truck sales, new and used, restaurants, drive-in restaurants, bars, curio shops, gift shops, sign, on-site advertising, hotels, motels, dwelling bed and breakfasts, places of religious worship and child day care centers. Dispensaries, non-storefront retail and microbusinesses may be appropriate subject to strict development standards. Minimum lot sizes that allow for the necessary parking and setbacks, availability of water and power, as well as the ability to makes necessary infrastructure improvements, similar to any other commercial use must be considered if Cannabis retail sales is considered. There are a small amount of C-T zoned property in the unincorporated area of the County. Therefore, great care should be taken to ensure that this new land use does not create a conversion of this land use. Permitting retailers within the C-T zone is not recommended.

**C-R (Rural Commercial Zone)**

The C-R Zone is intended to allow for small-scale commercial uses in the outlying areas of the County along rural highways for the convenience of residents and travelers, and because the development standards for these commercial uses should reflect areas where urban services and facilities are generally unavailable and are not likely to be provided in the near future, it is desirable to establish a zone

classification which will promote these rural commercial uses on parcels of generally less than 2½ acres. Because properties exhibiting this zone are limited in number and necessary to provide much needed neighborhood commercial uses and are located along rural highways, permitting Cannabis retail sales in the C-R Zone is not recommended.

**C-O (Commercial Office Zone)**

The C-R Zone is intended to fulfill a need in the County of for a zone classification designed to provide areas where primarily professional and administrative offices and related uses may be located. It is the intent that this zone classification ensures that such uses are well designed and landscaped to be harmonious and compatible with surrounding land uses. The following uses are examples of those allowed with an entitled plot plan use permit; administrative and professional offices, including but not limited to business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate offices, in which no activity is carried on catering to retail sales and no stock of goods is maintained for sale, art galleries, libraries, museums, banks, financial institutions, employment agencies, parking lots and parking structures, pharmacies incidental to a professional office building, tourist information centers, day care centers, and places of religious worship. With the approval of a conditional use permit some of the allowable uses are clinics, including but not limited to medical, dental and chiropractic, health and exercise centers, provided all facilities are located within an enclosed building, hotels, resort hotels and motels, laboratories, film, dental, medical, research or testing, restaurants, not including drive-in or take-out restaurants, studios for professional work in or teaching of any form of fine arts. Given the intended purpose of the C-O Zone and its allowable uses Cannabis dispensaries are not recommended for this zone.

**I-P (Industrial Park Zone)**

This Zone allows for emergency shelters. With a plot plan use permit a variety of industrial and manufacturing related uses, for example; food, Lumber, Wood, and Paper products, textile and leather products, chemical and glass products, metal and electrical products, transportation industries, warehousing and distribution, including mini-warehouses, cold storage facilities, telephone exchanges and switching equipment, post offices, and fire and police stations. Commercial services uses include, banks and financial institutions, laboratories, film, medical, research, or testing centers, office equipment sales and service, and offices, professional sales and service, including business, law, medical, dental, chiropractic, architectural and engineering. Given the ability to mitigate impacts from Cannabis retailers in this zone, Staff concludes that Cannabis retailers should be considered, particularly in conjunction with a manufacturing or cultivation operation.

**M-SC (Manufacturing-Service Commercial Zone)**

The intent of this zone is to promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the County's economic base, provide the necessary improvements to support industrial growth, insure that new industry is compatible with uses on adjacent lands; and to protect industrial areas from encroachment by incompatible uses that may jeopardize industry. This Zone allows for agricultural uses of the soils for crops, including the grazing of not more than two mature farm animals per acre and their immature offspring. With the approval of a plot plan use permit a variety of industrial and manufacturing uses are allowed. These uses include; food products, textile products,

lumber, wood, paper and leather products, chemicals, stone, clay, glass and concrete products. The following commercial services uses are also allowed; banks and financial institutions, gasoline and diesel service stations, not including the concurrent sale of beer wine for off-premises consumption, laboratories, film, medical, research, or testing centers, office equipment sales and service, offices, professional sales and service, including business, law, medical, dental, chiropractic, architectural, and engineering, parking lots and parking structures, restaurants and other eating establishments, building materials sales yard, places of religious worship and day care centers. The following use are allowed with the approval of a conditional use permit; meat packing plants, not including slaughtering or rendering of animals, cemeteries, crematories, and mausoleums, paper storage and recycling, not within a building, brewery, distillery, or winery, acid and abrasives manufacturing, recycling of wood, metal, and construction wastes, natural gas storage, above ground, disposal service operations, not including transfer stations, solar power plant on a lots 10 acres or larger and parolee-probationer homes. Given the ability to mitigate impacts from Cannabis retailers in this zone, Staff concludes that Cannabis retailers should be considered, particularly in conjunction with a manufacturing or cultivation operation.

**M-M (Manufacturing-Medium Zone)**

The intent of this zone is to promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the County's economic base, provide the necessary improvements to support industrial growth, insure that new industry is compatible with uses on adjacent lands; and to protect industrial areas from encroachment by incompatible uses that may jeopardize industry. This zone allows for agricultural uses of the soils for crops, including the grazing of not more than two mature farm animals per acre and their immature offspring. Some industrial and manufacturing uses that are permitted provided a plot plan is approved are: food products, textile products, lumber and wood products, paper products, chemicals, rubber, leather products, stone, concrete, glass, metal, machinery, transportation related industries, laboratories, mini warehouses, warehousing and distribution, cold storage, breweries, distilleries, wineries and contractor storage yards. Allowable service and commercial uses include; banks, gas and diesel service stations, laboratories, testing centers, offices professional sales and service, dental, parking lots, restaurants, vehicle and motorcycle repair, health and exercise centers, religious places of worship, truck and car washes, building materials supply, nurseries and garden supply, child daycare centers, car and truck washes. Mobile home sales lots and feed and grain sales. With the approval of a conditional use permit, examples of allowable uses are; Auto wrecking yards, cotton ginning, acid and abrasives manufacturing, fertilizer production, above ground petroleum and bulk fuel storage, concrete match plants, airports, dump sites, swap meets, recycling processing facilities and solar power plants. Given the ability to mitigate impacts from Cannabis retailers in this zone, Staff concludes that Cannabis retailers should be considered, particularly in conjunction with a manufacturing or cultivation operation.

**MH (Manufacturing-Heavy Zone)**

The intent of this zone is to promote and attract industrial and manufacturing activities which will provide jobs to local residents and strengthen the County's economic base, provide the necessary improvements to support industrial growth, insure that new industry is compatible with uses on adjacent lands; and to protect industrial areas from encroachment by incompatible uses that may jeopardize industry. This zone allows for agricultural uses of the soils for crops, including the grazing of not more than two mature farm animals per acre and their immature offspring. Some industrial and manufacturing uses that are permitted

provided a plot plan is approved are: food products, textile products, lumber and wood products, paper products, chemicals, rubber, leather products, stone, concrete, glass, metal, machinery, transportation related industries, laboratories, mini warehouses, warehousing and distribution, cold storage, breweries, distilleries, wineries and contractor storage yards. Allowable service and commercial uses include; banks, gas and diesel service stations, laboratories, testing centers, offices professional sales and service, dental, parking lots, restaurants, vehicle and motorcycle repair, health and exercise centers, religious places of worship, truck and car washes, building materials supply, nurseries and garden supply, child daycare centers, car and truck washes. Mobile home sales lots and feed and grain sales. With the approval of a conditional use permit, examples of allowable uses are; Auto wrecking yards, cotton ginning, acid and abrasives manufacturing, fertilizer production, above ground petroleum and bulk fuel storage, petroleum refineries, concrete match plants, airports, dump sites, swap meets, recycling processing facilities, processing and rendering of fats and oils and solar power plants. Given the ability to mitigate impacts from Cannabis retailers in this zone, Staff concludes that Cannabis retailers should be considered, particularly in conjunction with a manufacturing or cultivation operation.

**M-R (Mineral Resources)**

This zone allows for agricultural use of the soils for crops, orchards, grazing and forage, electric and gas distribution, transmission substations, telephone and microwave stations, water well and any use appurtenant to the storage and distribution of water, riding and hiking trails, recreation lakes, and camp grounds. With a permit to conduct surface mining operations, pursuant to Ordinance No. 555, uses allowed include; Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay gypsum, limestone and metallic ores, rock crushing plants, aggregate washing and concrete batching plants. Accessory uses, incidental to a permitted use include; retail and wholesale distribution of materials produced on the site, storage of trucks and excavating vehicles, storage of materials and machinery used in the operation, scales and weighing equipment, offices and maintenance shop structures, including use of mobile homes. The following uses are permitted provided a conditional use permit has been granted; sewage sludge/organic waste composting facilities and solar power plant. The locations of the properties zoned M-R are remote and tend to be away from residential and urban uses, access is sometimes limited and improvements sparse. Therefore, this zone is inappropriate for retail Cannabis uses.

**M-R-A (Mineral Resources-Manufacturing)**

This zone allows for agricultural use of the soils for crops, orchards, grazing and forage, electric and gas distribution, transmission substations, telephone and microwave stations, water well and any use appurtenant to the storage and distribution of water, riding and hiking trails, recreation lakes, and camp grounds. With a permit to conduct surface mining operations, pursuant to Ordinance No. 555, uses allowed include; Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay gypsum, limestone and metallic ores, rock crushing plants, aggregate washing and concrete batching plants, ore reduction plants, and specialty plants for processing mineral products; and the manufacture of block, pipe, tile, bricks, cement, plaster, and asphaltic concrete. Accessory uses, incidental to a permitted use include; retail and wholesale distribution of materials produced on the site, storage of trucks and excavating vehicles, storage of materials and

machinery used in the operation, scales and weighing equipment, offices and maintenance shop structures, including use of mobile homes. The following uses are permitted provided a conditional use permit has been granted; sewage sludge/organic waste composting facilities and solar power plant. The locations of the properties zoned M-R-A are remote and tend to be away from residential and urban uses, access is sometimes limited and improvements sparse. Therefore, this zone is inappropriate for retail Cannabis uses.

**Agricultural Zones (A-1, A-P, A-2 and A-D)**

These zones allow for a variety of agricultural uses. These zones are not intended for retail uses, they do not exhibit urban infrastructure that would support retail sales of Cannabis and Cannabis products. Therefore, these zones are inappropriate for retail Cannabis uses.

**Wine Country & Citrus Vineyard Zones**

The Wine Country Zones were established to implement the Temecula Valley Wine Country Policy Area of the Riverside County General Plan. The region that encompasses the wine country zones is one of the most important agricultural lands in the County. The many wineries and equestrian uses there provide a significant tourist attraction to the region, which in turn, provides a continual economic benefit to the surrounding businesses. In addition, the Temecula Valley Wine Country area is an important part of the character of the Southwest Area Plan and has become ingrained in the culture of the surrounding communities. The purpose of these zones is to encourage agricultural cultivation, vineyards, wineries, equestrian uses, preserve the wine-making atmosphere, estate living, equestrian life-style, and protect this area and its residents from incompatible uses which could result in reduced agricultural productivity and increased urbanization within the policy area. Cannabis retail activities are not compatible with the vision of the Temecula Valley Wine Country Policy Area and do not meet the goals of that plan. Therefore, permitting Cannabis retail uses in the wine country zones, including the Citrus Vineyard Zone (C/V) and the Commercial Citrus Vineyard Zone (C-C/V) are not recommended.

**W-2 (Controlled Development Areas)**

This Zone allows for a variety of uses depending on the size of the zoned property. In the W-2 Zone lots under one-acre allow for uses that include but are not limited to single family residences, field and tree crops, and greenhouses used for the purposes of propagation. For lots greater than 20,000 square feet in area and at least 100-feet wide the noncommercial keeping of horses is allowed in this zone. Other allowed uses include Home occupations. The outside storage of materials is allowed in limited circumstances. On lots greater than one-acre in area allowed uses include single family residences, public and private water works facilities, agricultural uses allowed on smaller lots in this zone, as well as nurseries and processing of agricultural products and the grazing of cattle and other farm animals. With a Plot Plan Use Permit, other uses that could be permitted in this zone include; guest ranches, educational institutions, places of religious worship, libraries, tennis and polo clubs and child day care centers. With the approval of a Conditional Use Permit further uses that could be permitted include; Airports or landing fields, commercial fairgrounds, cemeteries, dune buggy parks, hunting clubs, race tracks, recreational vehicle parks, rodeo arenas, commercial stables and riding stables, trailer and boat storage, auction houses and yards, large and small animal hospitals and solar power plants. This zone allows for a variety of unique commercial allowable uses that are rural in nature. Cannabis retail sales uses are not

recommended in this zone.

**R-D (Regulated Development)**

The R-D Zone allows for a variety of uses. There are 13 properties county-wide that exhibit the R-D Zone. The majority of those properties are development with residential uses or are within residential areas. Therefore, permitting Cannabis retail sales uses within this zone is not recommended.

**N-A (Natural Assets Zone)**

The N-A Zone generally corresponds to the Open Space General Plan Foundation, which includes the Land Uses of Conservation, Conservation Habitat, Recreation, Rural, Water, and Mineral Resources. This zone allows for single family dwellings, guest dwellings, automobile storage garages, accessory Buildings, field and tree crops and the grazing only of cattle, horses, sheep or goats, under certain circumstances. With a Plot Plan Use Permit, other uses that could be permitted include; public utility substations, water wells and appurtenant pump houses, picnic grounds for day use only, places of religious worship and child day care centers. With the approval of a Conditional Use Permit further uses that could be permitted include; recreational vehicle parks, migrant agricultural worker mobile home parks, resort hotels, rock crushing plants, extraction and bottling of well water including the incidental manufacturing of bottles, golf courses - including club houses, restaurants, and retail shops, riding academies and stables, commercial and noncommercial, airport or landing field, camps, guest ranches and solar power plants. Because of this zone's intent to include those properties intended for conservation, permitting Cannabis retail sales in the N-A Zone should not be considered.

**W-1 (Watercourse / Watershed / Conservation Areas)**

There are some areas of the County which under present conditions are not suited for permanent occupancy or residency by persons for the reason that they are subject to periodic flooding and other hazards. Most of the W-1 designated land exists around lakes, streams, and other waterways. Given the basis of this zone is not an appropriate location for Cannabis Cultivation uses and could result in impacts to the waterways. Therefore, permitting Cannabis retail sales within this zone is not recommended.

**W-E (Wind Energy Zone)**

The purpose of the Wind Energy Zone (W-E) was to establish some areas of the County which by virtue of strong prevailing winds and the absence of extensive development are ideally suited for large scale development of wind energy. The Riverside County General Plan provides the basis for the development of this resource. This Zone encompasses a small region of the unincorporated County area and the creation of which provides for specific areas to accomplish renewable energy goals. Therefore, permitting Cannabis retail sales within this zone is not recommended.

**MU (Mixed Use Zone)**

The intent and purpose of the MU Zone was to establish a zone to assist the County in accommodating its share of the regional housing need as determined by the Southern California Association of Governments (SCAG) along with implementing the Mixed Use Area Land Use Designation in the General Plan by providing regulations for a mixture of residential, commercial, office, entertainment, recreational and other uses. Given the MU Zone's purpose to create areas to fulfill housing needs the zone is not

compatible agricultural uses or Cannabis Cultivation. Therefore, the MU Zone will be considered a residential zone for the purposes of this discussion and permitting Cannabis retail sales within this zone is not recommended.

**RIVERSIDE COUNTY GENERAL PLAN & ZONING CONSISTENCY:**

All amendments to the Land Use Ordinance must be consistent with the General Plan. The General Plan’s Land Use Element Policy LU 7.1, requires land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts. Ensuring compatibility between land uses, is directly related to the proposed ordinance amendment, (a Cannabis ordinance) by requiring each commercial Cannabis permit be processed through a discretionary permit. In the cases of all discretionary permits a finding must be made that the zoning and the proposed project are consistent with the General Plan. Therefore, although the details included herein encompass zoning only as a method for determining appropriate locations for commercial Cannabis businesses, during the permit process each independent case will be required to demonstrate that that the proposed project and subject property is consistent with the General Plan.

In some cases, depending on the applicable General Plan policies, a proposed project may be inconsistent with the General Plan and unable to obtain a conditional use permit even when the property’s zoning classification allows the proposed use with a conditional use permit. In these types of situations, and depending on the specific facts of the project and location, it may be appropriate to process an amendment to the General Plan.

Consistency with General Plan policies must be evaluated when processing each commercial Cannabis project application. Findings specific to the project type are required to be made in order to recommend approval of the project. Any change of zone applications must be found to be consistent with the General Plan. Among others, use permits must be found to be consistent with the General Plan, Ordinance No. 348 and not to be detrimental to the health, safety, and general welfare of the neighborhood or to the general welfare of the county.

If the proposed ordinance amendment is adopted, each land use application will go through the land use review process including, but not limited to, the appropriate environmental review, consistency with the applicable General Plan policies and Ordinance No 348 and be considered at noticed public hearings.

Staff believes that the regulations and standards established by Ordinance No. 348.4862, the County will be providing a path for operators who wish to pursue a commercial Cannabis business in Riverside County to obtain a permit to operate after the appropriate land use and environmental review and consideration. The findings required for approval of a use permit will control the placement and intensity of commercial Cannabis activities within the allowable zones and will provide a method, through the discretionary process, to apply operating conditions to limit possible nuisances or safety conditions from the operation of commercial Cannabis activities. Additionally, the development agreement process, the permit renewal process and the monitoring process, combined with land use ordinance provisions for revocation of permits will provide a means of adjusting operational standards, to address nuisance concerns, while still retaining the ability for full permit revocation, if needed.

**LAND USE PERMIT IMPLEMENTATION:**

Should the Board approve Ordinance No. 348.4862, implementing a regulatory approach to permit Cannabis-related activities, it is staff's recommendation that the County do so in a measured way that provides for a "ramp-up" period, and an opportunity to re-evaluate the program on an annual basis. Staff is recommending an approach that sets initial caps on Cannabis retailers at 19 conditional use permits and Cannabis Cultivation conditional use permits at 50, which can then be re-assessed and adjusted over time as the County gains practical experience in implementing a program.

From staff's perspective, Cannabis Cultivation and Cannabis retailers pose greater potential impacts to the communities where they would be located, and therefore, should garner some consideration of a cap on the number of permits in the initial "ramp-up" year. Other Cannabis business uses such as manufacturing, distribution and testing are similar in intensity and use to other currently permitted land uses and it is not anticipated that, once development standards are applied, influences of these uses will be a negative impact to the community.

**FINDINGS :**

1. Ordinance No. 348.4862 applies to all unincorporated areas of Riverside County.
2. Pursuant to Article XI, Section 7 of the California Constitution, a county may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws.
3. The California Medicinal and Adult-Use Cannabis Regulation and Safety Act along with Business and Professions Code section 26055, 26080, 26090, 26200, and Health and Safety Code section 11362.83, authorize the County of Riverside establish standards, requirements and regulations for medical and adult-use cannabis activities.
4. Children, minors under the age of 18, are particularly vulnerable to the effects of Cannabis use, and the presence of Cannabis plants or products is an attractive nuisance for children, creating an unreasonable hazard in areas frequented by children including schools, parks, and other similar locations. Comprehensive regulation of Cannabis activities is proper and necessary to address the risks and adverse impacts to children.
5. The unregulated cultivation of Cannabis in the unincorporated area of Riverside 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.
6. Ordinance No. 348.4862 establishes 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.

7. Ordinance No. 348.4862 is exempt from the California Environmental Quality Act (CEQA) pursuant to Senate Bill 94, the Medical Cannabis Regulation and Safety Act (MCRSA) and Section 26055(h) of the California Business and Professions Code, which exempted from CEQA, until July 1, 2019, the adoption of a specified ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, license, or other authorizations to engage in commercial Cannabis activity. Ordinance No. 348.4862 establishes regulations related to cultivation, delivery, distribution, manufacturing, possession, processing, selling, storing, testing and transporting of commercial cannabis and commercial cannabis related products. These regulations require all commercial Cannabis activities to obtain discretionary land use approval, and accordingly this project has been determined to be exempt from CEQA.
8. Cannabis Cultivation operations are not protected under Riverside County Ordinance No. 625, the Right –to-Farm Ordinance, which is intended to protect agricultural operations from being considered a nuisance. The siting and operational standards established by Ordinance No. 348.4862 do not apply to agricultural enterprises already in existence within the unincorporated areas of the County of Riverside.

**CONCLUSIONS:**

1. This proposed ordinance amendment is in conformance with all elements of the Riverside County General Plan.
2. This proposed ordinance amendment is consistent with Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public’s health, safety, and general welfare are protected through permitting provisions, development standards and operational requirements established within the proposed ordinance amendment.
4. This proposed project will not have a significant effect on the environment.

**PUBLIC HEARING NOTIFICATION AND COMMUNITY INPUT**

Since the Board’s initiation of this ordinance, Staff created a website to correspond with the public and garner input. That website went live on October 13, 2017. Approximately, 338 emails have been received through that website, including 64 completed surveys. This hearing for the ordinance amendment has been advertised in the Press Enterprise Newspaper and the Desert Sun Newspaper. Additionally, On March 20, 2018, the Board of Supervisors held a public meeting to receive an ordinance update from staff. At that meeting 41 people spoke and gave input to the Board. Prior to that meeting, 121 letters and emails were received by Staff. 41 letters or emails indicated support, 34 letters or emails indicated opposition, and 48 letters or emails indicated a neutral position for regulation. As of the writing of this report, and since the March 20<sup>th</sup> Board meeting, staff has received approximately 80 emails regarding the ordinance,

including a 26 page report from the Anza Valley MAC – Cannabis Emergency Regulation Committee, and a number of suggestions to include in the ordinance itself. On June 20, 2018 the Planning Commission was presented with a draft Ordinance No. 348.4862. The Planning Commission heard a Staff presentation, took public testimony and discussed the draft ordinance. 49 members of the public spoke and gave input to the Commission. The Commission closed the Public hearing and voted to continue the item one month so that Staff may address questions posed by the Commission. Since that June 20, 2018 hearing Staff has received **75 letters and 23** emails with input regarding the draft ordinance. Staff has included copies of the correspondence and a detailed breakdown in spreadsheet format as part of Attachment B.

#### **APPEAL INFORMATION**

The Planning Commission's action on Ordinance No. 348.4862 is a recommendation to the Board of Supervisors only. The recommendations of the Planning Commission will be heard by the Board in a noticed public meeting. The Board's decision is the final decision.

#### **ATTACHMENTS:**

- Attachment A. Ordinance 348.4862 – REVISED DRAFT
- Attachment B. Correspondence Received after the June 20, 2018 PC Public hearing

# Attachment A

ORDINANCE NO. 348.4862

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING

ORDINANCE NO. 348 RELATED TO ZONING

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

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

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

1 distribution, transportation, laboratory testing, and dispensing of medical  
2 cannabis.

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

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

10 g-h. On June 27, 2017, the Governor signed Senate Bill 94, the Medicinal and Adult-  
11 Use Cannabis Regulation and Safety Act ("MAUCRSA"). The MAUCRSA  
12 unifies both the medical regulatory scheme of the Medical Cannabis Regulation  
13 and Safety Act (2015) and the adult- use scheme of the Adult-Use of Marijuana  
14 Act (2016) to achieve a single regulatory structure at the state level. The  
15 MAUCRSA shifts from the term "marijuana" to "cannabis". The MAUCRSA  
16 continues to recognize local control and the state cannot approve licenses for  
17 cannabis businesses and cannabis activities, including deliveries, if the license  
18 would not be in compliance with a local government's ordinances or regulations.  
19 The MAUCRSA continues to recognize the ability of local governments to  
20 prohibit all outdoor cultivation and any other cannabis businesses and cannabis  
21 activities. The MAUCRSA makes clear that nothing in the MAUCRSA is to be  
22 interpreted to supersede or limit the County's authority to adopt and enforce local  
23 ordinances to regulate cannabis businesses and cannabis activities licensed by the  
24 state, up to and including the County's right to ban the activity.

25 h-i. Cannabis cultivation operations are not protected under Riverside County  
26 Ordinance No. 625, the Right to Farm ordinance, which is intended to protect  
27 agricultural operations from being considered a nuisance. The siting and  
28

1 operational standards established by Ordinance No. 348.4862 do not apply to  
2 agricultural enterprises already in existence within the unincorporated areas of  
3 the County of Riverside.

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

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

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

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

27 Section 3. AUTHORITY. Pursuant to Article XI, section 7 of the California Constitution,  
28

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.”

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

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

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

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

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

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

26           “Article XIXh            COMMERCIAL CANNABIS ACTIVITIES

27           SECTION 19.500.    PURPOSE AND INTENT

28



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

10           A. PROHIBITED ACTIVITIES.

- 11           1. Any Commercial Cannabis Activity that is not expressly provided for in  
12 both an approved conditional use permit and a valid Cannabis license issued  
13 by the State is prohibited in all zones and is hereby declared a public  
14 nuisance that may be abated by the County and is subject to all available  
15 legal remedies, including but not limited to civil injunctions.
- 16           2. Mobile Cannabis Retailers are prohibited in all zones and may not operate  
17 in the unincorporated area of Riverside County.
- 18           3. All Cannabis Cultivation shall be conducted in the interior of enclosed  
19 structures, facilities or buildings, and all Cannabis Cultivation operations,  
20 including all Live Cannabis Plants, at any stage of growth, shall not be  
21 visible from the exterior of any structure, facility or building containing  
22 Cannabis Cultivation. Portable greenhouses and non-permanent enclosures  
23 shall not be used for Cannabis Cultivation unless all applicable permits and  
24 licenses have been obtained including, but not limited to, land use permits,  
25 building permits and a California license has been issued for a Mixed Light  
26 Cannabis Cultivation operation.
- 27           4. Outdoor cultivation of Cannabis is prohibited in the unincorporated area of  
28

1 Riverside County.

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

5 4.6. Unless a Conditional use permit has been approved that includes the retail  
6 sales of Cannabis or Cannabis Products no person shall conduct any retail  
7 sales of Cannabis or Cannabis Products on or from a permitted Commercial  
8 Cannabis Activity.

9 SECTION 19.501 APPLICABILITY

10 A. Except as provided in Section 19.502 of this Article, Commercial Cannabis  
11 Activities shall not be allowed in the unincorporated areas of Riverside County  
12 without first obtaining all required land use permits, licenses or other entitlements  
13 required by local or State laws and regulations.

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

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

20 SECTION 19.502 EXEMPTIONS

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

24 A. Personal Cannabis Cultivation

25 This Article shall not prohibit a person 21 years of age or older from engaging  
26 in the Indoor Cannabis Cultivation of six or fewer Live Cannabis Plants  
27 within a single private residence or inside a detached accessory structure  
28

1 located upon the grounds of a private residence that is fully enclosed and  
2 secured, to the extent the cultivation is authorized by Health and Safety Code  
3 sections 11362.1 and 11362.2. In no event shall more than six Live Cannabis  
4 Plants be allowed per private residence. For purposes of this section, private  
5 residence means a one family dwelling, an apartment unit, a mobile home or  
6 other similar dwelling.

7 B. Cannabis Cultivation by a Primary Caregiver.

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

11 SECTION 19.503 PROHIBITED LOCATIONS

12 Commercial Cannabis Activities are prohibited in the following zones: R-R, R-R-O, R-  
13 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-  
14 R, WC-E, W-2, R-D, N-A, W-2-M, W-1, W-E, M-R, M-R-A and MU.

15 SECTION 19.504 PERMIT REQUIREMENTS FOR ALL COMMERCIAL CANNABIS  
16 ACTIVITIES

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

18 A. APPLICATION REQUIREMENTS

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

22 B. STATE LICENSE REQUIRED

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

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

27 Suspension of a license issued by the State of California, or by any State licensing  
28

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

7 D. HEALTH AND SAFETY

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

16 E. DEVELOPMENT AGREEMENT

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

27 F. NUISANCE ODORS

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

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

20 G. COMMERCIAL CANNABIS ACTIVITY OPERATOR QUALIFICATIONS

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

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

4 H. RELOCATION OF A PERMITTED ~~COMMERCIAL~~  
5 CANNABIS ACTIVITY

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

10 I. HOURS OF OPERATION

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

16 J. INSPECTIONS

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

21 K. MONITORING PROGRAM

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

25 L. RESTRICTION ON ALCOHOL AND TOBACCO SALES OR  
26 CONSUMPTION

27 Commercial Cannabis Activities shall not allow the sale, dispensing, or  
28

1 consumption of alcoholic beverages or tobacco on the site of the Commercial  
2 Cannabis Activity.

3 M. RESTRICTION ON CONSUMPTION

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

6 O. SECURITY

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

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

1 time on a regular basis. The permittee for a Commercial Cannabis Activity  
2 shall be responsible for ensuring that the security surveillance camera's  
3 footage is accessible. Video recordings shall be maintained for a minimum  
4 of ~~45~~90 days, and shall be made available to the County upon request.

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



agents of the Commercial Cannabis Activity.

d. Any other breach of security.

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

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

P. PERMIT AND LICENSE POSTING

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

Q. SIGNAGE

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

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

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

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

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

3.5. Except for advertising signs inside a licensed P premises and ~~and which are~~

1 not visible by normal unaided vision from outside of the Cannabis Activity  
2 Premises, provided that such advertising signs do not advertise or market  
3 Ceannabis or Ceannabis Pproducts in a manner intended to encourage  
4 persons under 21 years of age to consume Ceannabis or Ceannabis Pproducts,  
5 no Commercial Cannabis Activity shall advertise or market eCannabis or  
6 Ceannabis pProducts on an advertising sign within 1,000 feet of a Child Day  
7 Care Center, a K-12 school, a public park or a Youth Center.

8 ~~4.6.~~ No signs placed on the lot of a Commercial Cannabis Activity shall obstruct  
9 any entrance or exit to the building or any window.

10 ~~5.7.~~ Each entrance to a Commercial Cannabis Activity shall be visibly posted  
11 with a clear and legible notice indicating that smoking, ingesting, or  
12 otherwise consuming Cannabis on the lot of the Commercial Cannabis  
13 Activity is prohibited.

14 ~~6.8.~~ Signage shall not be directly illuminated, internally or externally.

15 ~~7.9.~~ No banners, flags, billboards, or other prohibited signs may be used at any  
16 time.

17 R. RECORDS

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

25 2. Each owner and permittee of a Commercial Cannabis Activity shall  
26 maintain a current register of the names and contact information, including  
27 name, address, and telephone number, of anyone owning or holding an  
28

1 ownership interest in the Commercial Cannabis Activity, and of all the  
2 officers, managers, employees, agents and volunteers currently employed  
3 or otherwise engaged by the Commercial Cannabis Activity. The County  
4 shall have the right to examine, monitor, and audit such records and  
5 documentation, which shall be made available to the County upon request.

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

13 S. WATER

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

22 T. WASTE WATER

23 All Commercial Cannabis Activities shall obtain a ‘Will Serve’ letter from the  
24 applicable sanitary sewer purveyor, indicating agreement to supply sewer for the  
25 Commercial Cannabis Activity. The letter shall include the activity proposed  
26 and any improvements required for service. For Commercial Cannabis Activities  
27 where sewer service is not available, conditions from the Department of

1 Environmental Health will be required for the conditional use permit. Where  
2 sanitary sewer is not available, the applicant shall obtain clearance from the  
3 appropriate regional water quality control board.

4 UF. PARKING

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

6 VU. VISIBILITY

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

9 V. HAZARDOUS MATERIALS

10 All Commercial Cannabis Activities that utilize hazardous materials shall comply  
11 with applicable hazardous waste generator, Riverside County Ordinance No. 615,  
12 and ~~AB 185~~ (hazardous materials handling, Riverside County Ordinance No.  
13 651), requirements and maintain any applicable permits for these programs from  
14 the Riverside County Fire Department, the Riverside County Department of  
15 Environmental Health, the Riverside County Department of Waste Resources  
16 and the Agricultural Commissioner.

17 W. COMPLIANCE WITH LOCAL AND STATE LAWS AND REGULATIONS

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

26 2. All buildings and structures, including greenhouse, hoop structures, or other  
27 similar structures shall comply with all applicable Building, Fire, and Safety  
28

1 laws and regulations. All buildings and structures shall be reviewed by the  
2 Riverside County Building and Safety Department in accordance with the  
3 California Building Code and Riverside County Ordinance No. 457 and by  
4 the Riverside County Fire Department in accordance with Riverside County  
5 Ordinance No. 787 and the California Fire Code.

6 X. MATERIAL ALTERATIONS TO PREMISES

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

21 Y. MULTIPLE COMMERCIAL CANNABIS ACTIVITIES

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

25 SECTION 19.506. PUBLIC HEARING AND REQUIREMENTS FOR APPROVAL.

26 A. A public hearing shall be held on the application for a conditional use permit in  
27 accordance with the provisions of Section 18.26b. of this ordinance and all of the  
28

1 procedural requirements and rights of appeal set forth therein shall govern the  
2 public hearing.

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

- 5 1. The permit is consistent with the General Plan and any applicable specific  
6 plan.
- 7 2. The permit complies with the requirements of Sections 18.28, 19.504,  
8 19.511, 19.513, 19.515, 19.517, 19.519, 19.521 and 19.523, as applicable,  
9 of this ordinance.
- 10 3. The permit complies with the development standards for the zoning  
11 classification in which the Commercial Cannabis Activity is located.
- 12 4. The permit will not be detrimental to the public health, safety or general  
13 welfare.

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

17 SECTION 19.507. PERMIT EXPIRATION.

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

24 B. All conditional use permits issued for a Commercial Cannabis Activity shall  
25 expire as provided in each permit's conditions of approval and development  
26 agreement. No less than 6 months from the expiration date, the permittee may  
27 request the conditional use permit to be renewed as provided in the development  
28

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

11 SECTION 19.508 OUTDOOR CANNABIS CULTIVATION PROHIBITED

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

14 SECTION 19.509 INDOOR (ARTIFICIAL LIGHT) CANNABIS CULTIVATION

15 A. ZONING.

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

18 1. Specialty Cottage Indoor Cannabis Cultivation.

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

23 2. Specialty Indoor Cannabis Cultivation.

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

1 3. Small Indoor Cannabis Cultivation.

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

6 4. Medium Indoor Cannabis Cultivation.

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

11 B. SIZE LIMITATIONS.

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

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

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

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

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

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

25 a. ~~A Each Indoor Cannabis Cultivation operation is granted a~~  
26 conditional use permit has been granted for Indoor Cannabis  
27 Cultivation and specifies the number and size of each proposed  
28



1 licensed Premises.

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

6 SECTION 19.510 MIXED LIGHT CANNABIS CULTIVATION

7 A. ZONES.

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

10 1. Specialty Cottage Mixed Light Cannabis Cultivation.

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

15 2. Specialty Mixed Light Cannabis Cultivation.

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

20 3. Small Mixed Light Cannabis Cultivation.

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

25 4. Medium Mixed Light Cannabis Cultivation.

26 Medium Mixed Light Cannabis Cultivation is allowed on lots five gross  
27 acres or more in the following zone classifications with an approved  
28

1 conditional use permit in accordance with Section 18.28 of this ordinance:

2 A-1, A-2.

3 B. SIZE LIMITATIONS.

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

26 SECTION 19.511. CANNABIS CULTIVATION STANDARDS

27 In addition to the approval requirements in Section 19.506 of this ordinance and the

28

1 development standards in the applicable zoning classification, Cannabis Cultivation operations shall  
2 comply with the standards provided below. If there is an inconsistency between the development  
3 standards of the zone classification and these standards, the more restrictive standard applies.

4 A. LOCATION REQUIREMENTS.

- 5 1. Indoor and Mixed Light Cannabis Cultivation shall not be located within  
6 1,000 feet of any Child Day Care Center, K-12 school, public park, or  
7 Youth Center. The distance shall be measured from the nearest points of  
8 the respective lot lines using a direct straight-line measurement. A new  
9 adjacent use will not affect the continuation of an existing legal use that has  
10 been established under this Article and continuously operating in  
11 compliance with the conditional use permit, and local and State laws and  
12 regulations. This location requirement may be modified with the approval  
13 of a variance pursuant to Section 18.27 of this ordinance. In no case shall  
14 the distance be less than allowed by State law.
- 15 2. Indoor and Mixed Light Cannabis Cultivation are not allowed in an  
16 established agricultural preserve or on a lot under a land conservation  
17 contract pursuant to the Williamson Act. Indoor and Mixed Light Cannabis  
18 Cultivation shall not be considered agriculture for the purposes of  
19 Ordinance No. 625 the County's Right-to-Farm Ordinance.
- 20 3. All Cannabis Cultivation is prohibited on natural slopes 25% or greater.

21 B. MINIMUM LOT SIZE.

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

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

<b>Small</b>	Minimum lot size per Zone	C1/CP, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2, A-D
<b>Medium</b>	Minimum lot size per Zone	I-P, M-SC, M-M, M-H

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

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

C. **MINIMUM LOT DIMENSIONS**

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

D. **SETBACKS.**

1. **Indoor Cannabis Cultivation:**

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

2. **Mixed Light Cannabis Cultivation:**

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

- 1                   b. The Cannabis Cultivation Area for Medium Mixed Light Cannabis  
2 Cultivation shall be setback a minimum of 100 feet from all lot lines  
3 and public right-of-ways.
- 4                   c. The Cannabis Cultivation Area for all Mixed Light Cannabis  
5 Cultivation shall be located a minimum of 50 feet from the drip line  
6 of any riparian vegetation of any watercourse.
- 7                   d. All hoop structures, greenhouses and other similar structures used for  
8 all Mixed Light Cannabis Cultivation shall be separated by a  
9 minimum of 6 feet.
- 10                  e. When adjacent to a residentially zoned lot, the Cannabis Cultivation  
11 Area for all Mixed Light Cannabis Cultivation shall be setback a  
12 minimum of 100 feet from the adjacent residentially zoned lot lines.
- 13                  3. Setback adjustments may be made in accordance with Section 18.33 of this  
14 ordinance, except in no event shall setbacks be less than the setbacks  
15 required by the State of California Department of Food and Agriculture.

16 E. SCREENING AND FENCING.

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

1 F. ENCLOSURES

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

8 2. ~~All~~ greenhouses, hoop structures, or other similar structures shall comply  
9 with ~~Section 19.504.W. of this article~~ all applicable Building and Safety  
10 laws and regulations and each structure shall not exceed 5,500 square feet  
11 in area. Structures that are 3,600 square feet in area or larger shall be  
12 reviewed by the Riverside County Fire Department and subject to fire  
13 sprinkler requirements as set forth in Riverside County Ordinance No. 787.

14 G. ENERGY CONSERVATION MEASURES.

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

21 H. WATER CONSERVATION MEASURES.

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

26 I. OPERATIONS

27 1. All Cannabis Cultivation lighting shall be fully shielded, downward casting  
28

1 and not spill over onto structures, other properties or the night sky. All Indoor  
2 and Mixed Light Cannabis Cultivation operations shall be fully contained so  
3 that little to no light escapes. Light shall not escape at a level that is visible  
4 from neighboring properties between sunset and sunrise.

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

16 3. Onsite generators are prohibited, except as a source of energy in an  
17 emergencies. Onsite generators for emergency use shall be included in the  
18 conditional use permit.

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

21 J. FINDINGS.

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

- 25 1. The Indoor or Mixed Light Cannabis Cultivation complies with all the  
26 requirements of the State and County for Cannabis Cultivation.  
27 2. The Indoor or Mixed Light Cannabis Cultivation is not located within  
28

1 1,000 feet from any Child Day Care Center, K-12 school, public park,  
2 or Youth Center or a variance has been approved allowing a shorter  
3 distance but not less than allowed by State law.

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

20 SECTION 19.512 CANNABIS WHOLESALE NURSERIES

21 A. APPLICABILITY.

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

- 24 1. Outdoor Cannabis Wholesale Nurseries.

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



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

2 2. Indoor Cannabis Wholesale Nurseries.

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

6 3. Mixed Light Cannabis Wholesale Nurseries.

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

11 B. NO MULTIPLE USE PERMITS

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

14 SECTION 19.513 CANNABIS WHOLESALE NURSERIES STANDARDS

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

19 A. GENERAL LOCATION.

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

27 B. MINIMUM LOT SIZE.

28

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

Activity	Minimum Lot Size (Gross Acres)	Allowable Zone(s)
<b>Outdoor Cannabis Wholesale Nursery</b>	<u>2+</u>	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 riparian vegetation of any watercourse.
3. Setbacks may be modified with the approval of a setback adjustment pursuant to Section 18.33 of this ordinance. In no case shall a setback be less than setbacks required by the State of California Department of Food and Agriculture.

**ED.** SCREENING AND FENCING.

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

1 ~~The fence shall comply with all applicable County ordinances, policies and~~  
2 ~~design standards regarding the height, location, and materials. Fences with~~  
3 ~~barbed wire are not permitted.~~

4 F. MATURE CANNABIS PLANTS.

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

8 GF. ENCLOSURES

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

15 2. ~~All greenhouses, hoop structures, or other similar structures shall comply~~  
16 ~~with Section 19.504.W. of the Article. Greenhouse, hoop structures, or~~  
17 ~~other similar structures shall comply with all applicable Building and~~  
18 ~~Safety laws and regulations and each structure shall not exceed 5,500~~  
19 ~~square feet in area. Structures that are 3,600 square feet in area or larger~~  
20 ~~shall be reviewed by the Riverside County Fire Department and subject to~~  
21 ~~fire sprinkler requirements as set forth in Riverside County Ordinance No.~~  
22 ~~787.~~

23 HG. ENERGY CONSERVATION MEASURES.

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

1 to have a generation potential equal to or greater than 20-percent of the  
2 anticipated energy demand.

3 **IH. WATER CONSERVATION MEASURES.**

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

8 **IJ. FINDINGS.**

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

- 12 1. The Cannabis Wholesale Nursery complies with all the requirements of  
13 the State and County for the cultivation of Cannabis.
- 14 2. The Cannabis Wholesale Nursery is not within 600 feet from any Child  
15 Day Care Center, K-12 school, public park, or Youth Center.
- 16 3. The Cannabis Wholesale Nursery includes adequate measures that  
17 minimize use of water for activities at the site.
- 18 4. The Cannabis Wholesale Nursery includes adequate quality control  
19 measures to ensure Cannabis kept on the lot meets State regulatory  
20 standards.
- 21 5. The Cannabis Wholesale Nursery includes adequate measures that  
22 address enforcement priorities for Cannabis activities including  
23 restricting access to minors, and ensuring that Cannabis and Cannabis  
24 Products are not supplied to unlicensed or unpermitted persons within  
25 the State and not distributed out of State.
- 26 6. For Cannabis Wholesale Nurseries lots with verified Cannabis-related  
27 violations within the last 12 months prior to ~~from~~ the adoption date of  
28

1 Ordinance No. 348.4862, the use will not contribute to repeat violations  
2 on the lot and all applicable fees have been paid.

- 3 7. The Cannabis Wholesale Nursery will operate in a manner that prevents  
4 cannabis nuisance odors from being detected offsite.

5 SECTION 19.514 CANNABIS MANUFACTURING FACILITIES

6 A. APPLICABILITY

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

- 9 1. Non-Volatile Cannabis Manufacturing Facility.

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

- 16 2. Type N Cannabis Manufacturing Facilities.

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

- 23 3. Type P Cannabis Manufacturing Facilities.

24 Cannabis Manufacturing Facilities that only package or repackage cannabis  
25 products or label or relabel the cannabis product container or wrapper,  
26 requiring a Type P State license, are allowed in the following zones with an  
27 approved conditional use permit in accordance with Section 18.28 of this  
28

1 ordinance: I-P, M-SC, M-M and the M-H.

2 4. Volatile Cannabis Manufacturing Facility.

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

11 5. Shared-Use Cannabis Manufacturing Facility.

12 A Shared-Use Cannabis Manufacturing Facility is allowed in the following  
13 zones with an approved conditional use permit in accordance with Section  
14 18.28 of this ordinance: I-P, M-SC, M-M and M-H. A Shared-Use  
15 Cannabis Manufacturing Facility may include the following facilities: a  
16 non-volatile manufacturing facility, an infusion only manufacturing facility  
17 or a volatile manufacturing facility. The conditional use permit for a  
18 Shared-Use Cannabis Manufacturing Facility shall identify the types of  
19 facilities operating at the Shared-Use Cannabis Manufacturing Facility.

20 SECTION 19.515 CANNABIS MANUFACTURING FACILITIES STANDARDS

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

26 A. GENERAL LOCATION.

27 Cannabis Manufacturing Facilities shall not be located within 600 feet from any  
28

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

7 B. MINIMUM LOT SIZE.

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

13 C. SETBACKS

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

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

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

27 Cannabis Manufacturing Facilities shall not manufacture Cannabis edible  
28



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

2 E. OPERATIONS

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

17 F. FINDINGS.

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

- 21 1. The Cannabis Manufacturing Facility complies with all the requirements of  
22 the State and County for the manufacturing of Cannabis.
- 23 2. The Cannabis Manufacturing Facility does not pose a significant threat to  
24 the public or to neighboring uses from explosion or from release of harmful  
25 gases, liquids, or substances.
- 26 3. The Cannabis Manufacturing Facility includes adequate quality control  
27 measures to ensure Cannabis manufactured at the facility meets industry  
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standards and includes a documented employee safety training program, a Materials Data Safety Sheet, and meets all requirements in Health and Safety Code Section 11362.775, as it may be amended from time to time.

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

SECTION 19.516 CANNABIS TESTING FACILITIES

A. APPLICABILITY.

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

B. NO MULTIPLE USE PERMITS

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

SECTION 19.517 CANNABIS TESTING FACILITIES STANDARDS

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

A. GENERAL LOCATION.

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

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

6 B. SETBACKS

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

15 C. OPERATIONS

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

20 D. FINDINGS.

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

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

1 Activity.

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

22 SECTION 19.518. CANNABIS RETAILER

23 A. APPLICABILITY

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

- 26 1. Cannabis Retailer – Non-Storefront

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

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

4 2. Cannabis Retailer – Storefront

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

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

10 SECTION 19.519. CANNABIS RETAILER MINIMUM STANDARDS.

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

15 A. GENERAL LOCATION.

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

26 2. Cannabis Retailers shall not be located within 1,000 feet of any other  
27 Cannabis Retailer.  
28

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

5 B. SETBACKS

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

14 C. OPERATIONS.

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

19 1.2. Cannabis Retailers may include the sale of Medical Cannabis, requiring  
20 an M-License from the State. Cannabis Retailers selling only Medical  
21 Cannabis shall verify consumers who enter the Premises are at least 18  
22 years of age and that they hold a valid Physician's Recommendation.

23 2.3. Cannabis Retailers may include the sale of Adult Use Cannabis, requiring  
24 an A-license from the State. Cannabis Retailers selling only Adult Use  
25 Cannabis shall verify that consumers who enter the Premises are at least  
26 21 years of age.

27 3.4. A Entrances into the retail location of a Cannabis Retailers may include  
28

1 the sale of both Medical and Adult use Cannabis requiring both an possess  
2 an A-License and an M-License from the State. ~~shall be separate and~~  
3 distinct from each other and proper signage shall be placed at each  
4 entrance indicating that no one under the age of 18 shall be allowed  
5 entrance into the All Cannabis Retailers selling both Medical and Adult  
6 Use Cannabis shall verify that consumers who enter the premises are at  
7 least 18 years of age and that they hold a valid Physician's  
8 Recommendation or are at least 21 years of age. ~~M-Licensed retail~~  
9 location and no one under the age of 21 shall be allowed entrance into the  
10 A-Licensed retail location.

11 4.5. Display areas shall include the smallest amount of Cannabis and Cannabis  
12 Products reasonably anticipated to meet sales during operating hours.

13 5.6. Cannabis and Cannabis Products not in the display area shall be  
14 maintained in a locked secure area.

15 6.7. Not more than 10% of the Cannabis Retailer floor area, up to a maximum  
16 of 50 square feet, shall be used for the sale of incidental goods such as,  
17 but not limited to, clothing, posters, or non-cannabis goods.

18 7.8. Restroom facilities shall be locked and under the control of the Cannabis  
19 Retailer.

20 9. Cannabis Retailers shall ensure that all Cannabis and Cannabis Products  
21 held for sale by the Cannabis Retailer are cultivated, manufactured,  
22 transported, distributed, and tested by California licensed and permitted  
23 facilities that are in full conformance with State and local laws and  
24 regulations.

25 10. Cannabis Retailers shall not distribute any Cannabis or Cannabis Product  
26 unless such products are labeled and in a tamper-evident package in  
27 compliance with the California Business and Professions Code and any  
28

1 additional rules promulgated by a licensing authority.

- 2 11. Cannabis Retailers shall not provide free samples of any type, including  
3 Cannabis Products, to any person and shall not allow any person to  
4 provide free samples on the Cannabis Retailer's lot.
- 5 12. Deliveries shall be conducted in accordance with California Business and  
6 Professions Code Section 26090 or as may be amended and all state  
7 regulations pertaining to delivery of Cannabis Products. Cannabis  
8 Retailers shall only deliver to customers within a jurisdiction that does  
9 not expressly prohibit delivery within their jurisdictional boundary by  
10 ordinance.
- 11 13. Cannabis or Cannabis Products shall not be sold or delivered by any  
12 means or method to any person within a motor vehicle.
- 13 14. Cannabis Retailers shall not include a drive-in, drive-through or walk up  
14 window where retail sales of Cannabis or Cannabis Products are sold to  
15 persons or persons within or about a motor vehicle.

16 D. MOBILE DELIVERIES.

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

19 E. 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 a. The Cannabis Retailer complies with all the requirements of the State and  
24 County for the selling of Cannabis.
- 25 b. The non-storefront Cannabis Retailer is not open to the public.
- 26 c. The Cannabis Retailer is not located within 1,000 feet from any Child Day  
27 Care Center, K-12 school, public park, or Youth Center or a variance has  
28



1 been approved allowing a shorter distance but not less than allowed by State  
2 law. The Cannabis Retailer is not located within 600 feet from any Child  
3 Day Care Center, K-12 school, public park, or Youth Center.

- 4 d. The Cannabis Retailer includes adequate measures that address  
5 enforcement priorities for Commercial Cannabis Activities including  
6 restricting access to minors, and ensuring that Cannabis and Cannabis  
7 Products are obtained from and supplied only to other permitted licensed  
8 sources within the State and not distributed out of State.
- 9 e. For Cannabis Retailer lots with verified cannabis-related violations within  
10 the last 12 months ~~from prior to~~ the adoption date of Ordinance No.  
11 348.4862, the use will not contribute to repeat violation on the lot and all  
12 applicable fees have been paid.

13 SECTION 19.520 CANNABIS DISTRIBUTION FACILITIES

14 APPLICABILITY.

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

18 SECTION 19.521. CANNABIS DISTRIBUTION FACILITIES STANDARDS.

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

24 A. GENERAL LOCATION.

25 Cannabis Distribution Facilities shall not be located within 600 feet from any  
26 Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall  
27 be measured from the nearest point of the respective lot lines using a direct  
28

1 straight-line measurement. A new adjacent use will not affect the continuation of  
2 an existing legal use that has been established under this Article and continuously  
3 operating in compliance with the conditional use permit, and local and State laws  
4 and regulations.

5 B. SETBACKS.

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

14 C. OPERATIONS.

- 15 1. Cannabis and Cannabis Products shall only be transported between permitted  
16 and licensed Commercial Cannabis Activities. -
- 17 2. In addition to the requirements of Section 19.504.R. the following record  
18 keeping measures are required to be implemented for all Cannabis  
19 Distribution Facilities:
- 20 a. Prior to transporting Cannabis or Cannabis Products, a shipping  
21 manifest shall be completed as required by state law and regulations.
- 22 b. A copy of the shipping manifest shall be maintained during  
23 transportation and shall be made available upon request to law  
24 enforcement or any agents of the State or County charged with  
25 enforcement.
- 26 c. Cannabis Distribution Facilities shall maintain appropriate records of  
27 transactions and shipping manifests that demonstrate an organized  
28

1 method of storing and transporting Cannabis and Cannabis Products  
2 to maintain a clear chain of custody.

- 3 3. Cannabis Distribution Facilities shall ensure that appropriate samples of  
4 Cannabis or Cannabis Products are tested by a permitted and licensed testing  
5 facility prior to distribution and shall maintain a copy of the test results in its  
6 files.  
7 4. Cannabis Distribution Facilities shall not be open to the public.

8 D. FINDINGS.

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

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

27 SECTION 19.522 CANNABIS MICROBUSINESS FACILITIES

1 APPLICABILITY.

2 Notwithstanding any other provision of this ordinance, Cannabis Microbusiness  
3 Facilities are allowed in the following zone classifications with an approved conditional use permit  
4 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  
5 except in the instance that a Cannabis Microbusiness Facility includes manufacturing uses where  
6 such Cannabis Microbusiness Facility is only allowed in the I-P, M-SC, M-M and M-H zones.

7 SECTION 19.523. CANNABIS MICROBUSINESS FACILITIES STANDARDS.

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

13 A. GENERAL LOCATION.

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

21 2. Cannabis Microbusiness Facilities that include a Cannabis retail competent  
22 shall not be located within 1,000 feet from any Child Day Care Center, K-12  
23 school, public park, or Youth Center. Distance shall be measured from the  
24 nearest point of the respective lot lines using a direct straight-line  
25 measurement. A new adjacent use will not affect the continuation of an  
26 existing legal use that has been established under this Article and  
27 continuously operating in compliance with the conditional use permit, and

1 local and State laws and regulations. This location requirement may be  
2 modified with the approval of a variance pursuant to Section 18.27 of this  
3 ordinance. In no case shall the distance be less than allowed by State law.

4 B. SETBACKS.

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

15 C. ACTIVITIES

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

1 c. Distribution

2 d. Retail sales

3 D. OPERATIONS

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

8 E. FINDINGS.

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

- 12 1. The Cannabis Microbusiness Facility complies with all the requirements of  
13 the State and local laws and regulations.
- 14 2. The Cannabis Microbusiness Facility's operating plan demonstrates proper  
15 protocols and procedures that address enforcement priorities for Cannabis  
16 activities including restricting access to minors, and ensuring that Cannabis  
17 and Cannabis Products are obtained from and supplied only to other  
18 permitted and licensed sources within the State and not distributed out of  
19 State.
- 20 3. The Cannabis Microbusiness Facility is not located within 1,000 feet from  
21 any Child Day Care Center, K-12 school, public park, or Youth Center or a  
22 variance has been approved allowing a shorter distance but not less than  
23 recommended by State law, will not be located within 600 feet from any  
24 Child Day Care Center, K-12 school, public park, or Youth Center.
- 25 4. For Cannabis Microbusiness Facility lots with verified cannabis-related  
26 violations within the last 12 months prior to from the adoption date of  
27 Ordinance No. 348.4862, the use will not contribute to repeat violation on  
28

1 the site and all applicable fees have been paid.

2 SECTION 19.524. TEMPORARY CANNABIS EVENT.

3 A. REQUIREMENTS FOR APPROVAL.

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

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

1 restricted area.

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

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

8 B. APPLICATION.

9 No less than 120 days from the event's first day, an event organizer shall apply  
10 for and obtain a temporary Cannabis event permit in accordance with Section  
11 18.30 of this ordinance. All the procedural provisions of Section 18.30 shall  
12 apply to the application, except subsection c. thereof relating to requirements for  
13 approval, subsection e. thereof relating to appeals and subsection f. thereof  
14 relating to the use of the permit after the application is approved.

15 C. REVOCATION

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

18 SECTION 19.525. REVOCATION OF PERMITS FOR COMMERCIAL CANNABIS  
19 ACTIVITIES

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

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

26 “Section 21.1. A-LICENSE. A State license issued for Cannabis or cannabis products  
27 that are intended for adults who are 21 years of age and older and who do not possess  
28



1 a physician’s recommendation.”

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

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

4 “SECTION 21.3. AGRICULTURAL CROP.

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

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

9 “SECTION 21.3a. AGRICULTURAL CULTIVATION.

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

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

12  
13 Section 15. Section 21.19e. of Ordinance No. 348 is deleted in its entirety.

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

15 Section 17. The existing Section 21.19g. of Ordinance No. 348 is renumbered as Section  
16 21.19e.

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

18 “Section 21.19f. CANNABIS CULTIVATION AREA.

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

21 Section 19. The existing Section 21.19h of Ordinance No. 348 is renumbered as Section  
22 21.19g.

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

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

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

2            “Section 21.19j. CANNABIS MANUFACTURING FACILITY (NON-VOLATILE).  
3            A facility requiring a Type 6, Type N, Type P or Type S State manufacturing license,  
4            that processes, produces, prepares, propagates, holds, stores, packages, labels or  
5            compounds cannabis or cannabis products either directly or indirectly or by extraction  
6            and/or infusion methods, or independently by means of chemical synthesis or by a  
7            combination of extraction and/or infusion and chemical synthesis, using non-volatile  
8            organic compounds, at a fixed location, that packages or repackages cannabis or  
9            cannabis products, or labels or relabels its containers. Cannabis manufacturing also  
10           includes any processing, preparing, holding, or storing of components and  
11           ingredients.”

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

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

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

23           “Section 21.19l. CANNABIS OWNER. A Cannabis Owner is any of the following:  
24           1. A person with an aggregate ownership interest of 20 percent or more in the  
25           Commercial Cannabis Activity for which a license or permit is being sought,  
26           unless the interest is solely a security, lien, or encumbrance.  
27           2. The chief executive officer of a nonprofit or other entity.

- 1 3. A member of the board of directors of a nonprofit.
- 2 4. An individual who will be participating in the direction, control, or management
- 3 of the person applying for Commercial Cannabis Activity permit or license.”

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

5 “Section 21.19m. CANNABIS PACKAGE. Any container or receptacle used for

6 holding cannabis or cannabis products.”

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

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

9 “Section 21.19o. CANNABIS RETAILER. A facility where Cannabis, cannabis

10 products, or devices specifically for the use of Cannabis or cannabis products are

11 offered, either individually or in any combination, for retail sale, including an

12 establishment that delivers cannabis and cannabis products as part of a retail sale.

13 Cannabis retailers may include mobile delivery but shall not include mobile

14 dispensaries. Cannabis Retailers were formerly known as cannabis dispensaries. Non-

15 store front Cannabis Retailers are not open to the public. Store front Cannabis Retailers

16 are open to the public.”

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

18 “Section 21.19p. CANNABIS TESTING FACILITY. A laboratory, facility, or entity

19 that offers or performs tests of cannabis or cannabis products.”

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

21 “Section 21.19q. CANNABIS TRANSPORT. The transfer of Cannabis or cannabis

22 products from the permitted Commercial Cannabis Activity location of one licensee to

23 the permitted Commercial Cannabis Activity location of another licensee, for the

24 purposes of conducting Commercial Cannabis Activities authorized pursuant to the

25 California Business & Professions Code Sections 19300, et seq. and 26000.”

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

27 “Section 21.19r. CANNABIS WHOLESALE NURSERY. A site that produces only

28

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25          “Section 21.59g. PHYSICIAN’S RECOMMENDATION.    A recommendation by a  
26          physician and surgeon that a patient use cannabis provided in accordance with the  
27          Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the  
28

1 Health and Safety Code.”

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

3 “Section 21.59h. PREMISES. For purposes of Article XIXh only, the designated  
4 structure or structures and land specified in the application that is owned, leased, or  
5 otherwise held under the control of the applicant or licensee where the Commercial  
6 Cannabis Activity will be or is conducted. The Premises shall be a contiguous area and  
7 shall only be occupied by one licensee.”

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

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

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

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

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

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

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

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

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

2            “Section 21.62m. SMALL INDOOR CANNABIS CULTIVATION

3            Indoor cultivation using exclusively artificial lighting with a total canopy size on one  
4            Premises that does not exceed 10,000 square feet.”

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

6            “Section 21.62n. MEDIUM INDOOR CANNABIS CULTIVATION.

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

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

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

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

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

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

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

18           “Section 21.62q. SMALL 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 10,000 square feet.”

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

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

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

26           “SECTION 21.74e.        WHOLESale NURSERY. An establishment engaged in  
27           the propagation of trees, shrubs and horticultural and ornamental plants grown under  
28



1 cover or outdoors for sale to the public. Includes commercial scale greenhouses and  
2 establishments for the sale of plant materials, lawn and garden supplies, and related  
3 items. A Wholesale Nursery does not include Cannabis Wholesale Nurseries which  
4 are classified separately.”

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

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

10 Section 60.

11 Section 61. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after  
12 its adoption.

13  
14 BOARD OF SUPERVISORS OF THE COUNTY  
15 OF RIVERSIDE, STATE OF CALIFORNIA

16  
17 By: \_\_\_\_\_  
18 Chairman, Board of Supervisors

19 ATTEST:  
20 CLERK OF THE BOARD

21  
22 By: \_\_\_\_\_  
23 Deputy

24 (SEAL)

25  
26 APPROVED AS TO FORM  
27 June \_\_, 2018

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

DRAFT

# Attachment B

Cannabis Comments

No.	Name	District	Area	Email	Address	Phone	Comment	Position
	Kara Gelman	1	Deluz	<a href="mailto:karara.noel@gmail.com">karara.noel@gmail.com</a>	26805 Carancho Road	9512.160153	General Comment: The Riverside County Planning Committee to regulate cannabis crops in rural residential areas are unnecessary to meet the needs of the county's obligations. Form: See attached form	Regulate
1	Robert Mayo	5	Cabazon	<a href="mailto:rmavoca@gmail.com">rmavoca@gmail.com</a>			I support adding the zoned areas (R-R)/(R-A) and (W-2) to draft ordinance 348. With the addition of these zoned areas I support Draft Ordinance 348.	Support
2	Greg Cherry	3	Murrieta	<a href="mailto:greg@shazzamfarms.com">greg@shazzamfarms.com</a>	41679 Date Street #200	9499000000	I'm in favor of including RR and RA zoned properties for cultivation.	Support
3	Judy	3	Temecula	<a href="mailto:greenoaksranch@gmail.com">greenoaksranch@gmail.com</a>	39100 Air Park Drive	9512.168862	I just want to say even though I would like to see it more liberal, I do support this bill.	Support
4	Ammond Wilkerson			<a href="mailto:merafarms@gmail.com">merafarms@gmail.com</a>			Please revise the R-R and R-A zoning restrictions.	Support
5	Andrew Ruiz			<a href="mailto:andrewruiz@yahoo.com">andrewruiz@yahoo.com</a>			Recommendation to change the ordinance.	Support
6	Mike Machado			<a href="mailto:mike.hydrascopes@gmail.com">mike.hydrascopes@gmail.com</a>			See attached email comments	Support
7	Allen D. Hezekiah			<a href="mailto:hezekiah@calgrowers.org">hezekiah@calgrowers.org</a>			See attached email comments	Support
8	Dawn Suchor Collins			<a href="mailto:dsuchorc@hemetusd.org">dsuchorc@hemetusd.org</a>			See attached email comments	Opposed
9	Jamie Padilla			<a href="mailto:jpadilla@ufw.org">jpadilla@ufw.org</a>			See attached email comments	Opposed
10	Dr. Panagiotis Theodoropoulos	4	Desert Hot Springs		15110 Indian Canyon	6619930993	Allow this type of use at W2 zone properties on a case-by-case basis.	Info
11	Gary Worobec	3	Anza	<a href="mailto:gbv5@earthlink.net">gbv5@earthlink.net</a>	59550 Evans Rd	9517630518	We hope that Director Leach and her staff will find good reason to continue to exclude RR and RA zoning from commercial cannabis cultivation and that you approve amended ordinance 348 as currently zoned.	Support
12	Sharon Evans	3	Anza	<a href="mailto:anzarealestate@gmail.com">anzarealestate@gmail.com</a>		9515517676	I am hopeful that the county will follow through on the draft as it is.	Support
13	Allison L. Renck	3	Aguanga	<a href="mailto:all9591@aol.com">all9591@aol.com</a>	52090 Elder Creek	9516635452	Create a plan ( General Plan amendment) much like the Wine Country Plan in the Temecula Valley. This would be the only good way a good CEQA study could be done and all those involved could be served and the impacts mitigated.	Support
14	Iris Grosse	3	Aguanga			9517632427	They don't belong here and we depend on the supervisors and planning commission to do the right thing and uphold the RR & RA zoning. This would be a start.	Support
15	Nicholas J. Lewis			<a href="mailto:nick@justice-lawgroup.com">nick@justice-lawgroup.com</a>		6199407631	Granting a broader number of permits with a grace period in which individuals/businesses are motivated to apply and be in compliance seems the best realistic way to address this.	Support
16	Anonymous	3	Anza				It makes no sense from either land use or a moral point of view to consider placing marijuana cultivation right next to families.	Support
17	D. Phillips	3	Anza	<a href="http://wordpress@nvcodistrict3.org">wordpress@nvcodistrict3.org</a>			After reading the proposed new law...NO, and here's why: indoor only grows in Anza/Terwillinger are the OPPOSITE of what we need!	Opposed
18	Dona Moughan Phillips	3	Anza	<a href="mailto:wordpress@nvcodistrict3.org">wordpress@nvcodistrict3.org</a>			NO to commercial marijuana growing in Anza/Terwillinger!!	Opposed
19	Heather R. Crist	3	Aguanga	<a href="mailto:heather4land@gmail.com">heather4land@gmail.com</a>		9517670622	The majority of the residents in these areas don't want Cannabis in our Areas. But are afraid to speak out at these meetings because of retribution from these very same "growers."	Opposed
20							The way things are going, our rural way of life will be gone.	Opposed
21	Jill H	3	Anza			9512609609	I don't support the growth of pot for smoking purposes at all, even personal use. Help get pot out of Anza.	Opposed
22	Amy Strawn						Please do something, anything about this, it is ruining the areas for families.	Regulate
23	Stephen Sandstrom						Voicing my concerns regarding the out of control marijuana grown in the Anza Valley	Regulate
24	Elaine Miller						They are using all the water in our water table and overloading an already over used electrical grid. NO COMMERCIAL CULTIVATION IN ANZA.	Regulate
25	Lawrence Ray Daniels III					6193797851	No to cannabis related businesses including retail and commercial grows in rural zoned areas.	Support
26	Dawn Collins	3	Aguanga	<a href="mailto:collincastle@yahoo.com">collincastle@yahoo.com</a>		9517670591	No to cannabis related businesses including retail and commercial grows in rural zoned areas.	Support
27	Mary Perkins	3	Anza				Growers steal electricity and water from our Anza Co-op and neighbors	Regulate
28	Bob Gallagher	3	Anza				Please do not allow any re-zoning here to allow it to be grown commercially.	Regulate

Cannabis Comments

No.	Name	District	Area	Email	Address	Phone	Comment	Position
29	Mary Puett	3	Aguanga	<a href="mailto:puettmarvann@gmail.com">puettmarvann@gmail.com</a>		9517634784	We hope that Director Leach and her staff will find good reason to continue to exclude RR and RA zoning from commercial cannabis cultivation.	Support
30	Puett M	3	Aguanga Anza				See attached letter comments Riverside County needs to make up for the deficit of resources allocated to Code and the Sheriff in Anza that have allowed lots of bad people to set up operations in Anza.	Support Regulate
31	Anonymous	3	Anza/Aguanga				We hope that Director Leach and her staff will find good reason to continue to exclude RR and RA zoning from commercial cannabis cultivation.	Regulate
32								
33	Campaign of a 1000 letters	4	Anza/Aguanga				Received 67 letters from property constituents	Regulate

## Flores, Robert

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**From:** kara.a.noel@gmail.com  
**Sent:** Friday, July 06, 2018 6:24 PM  
**To:** Cann Planning  
**Subject:** New Form Content Email Subject By DNNSmart Super Form

### Planning Department Cannabis Comments

**Name** Kara Gelman  
**Address** 26805 Carancho Road  
**Email** kara.a.noel@gmail.com  
**Phone** 9512160153

**Comment** We are residents in unincorporated Riverside County (De Luz) in an area zoned as rural residential. The character of rural residential areas is defined by ancillary farming activities, i.e., citrus orchards, avocado groves, winery grapes, eucalyptus, etc. It is central to the expectations of property owners in rural residential areas to be able to use their property for these purposes. As the 4.1 Staff Report acknowledges, “agricultural lands seem to be a logical option for [cannabis] cultivation activities, particularly outdoor and mixed-light cultivation.” County of Riverside Planning Department Staff Report (4.1 Report).

When we moved to De Luz a few years ago, we had hopes of planting an avocado grove to profit from our acreage. The draught put a damper on those hopes. After the passage of AB 64, we began researching the specifics of growing cannabis crops, and believe it would be a viable crop for us and our community.

The current proposed ordinance “distinguishes cannabis from other agricultural crops or commodities due to its unique nature as a controlled substance.” It is true that the federal government classifies cannabis as a non-narcotic schedule 1 controlled substance. It is questionable whether this is a proper classification given that it does not meet the statutory standard of having “no medical use.” See 21 U.S.C. §813. More importantly, the Planning Committee’s decision to distinguish cannabis from other crops on the basis of a federal law is an implicit determination that federal law preempts the current California State laws on cannabis; Local governments do not have the authority to make that determination; that power is reserved by the courts.

The Planning Committee’s announcement that “all land use regulations that apply to Cannabis are grouped together separately from other agricultural uses [sic] the zoning code[,]” is overly broad to meet the needs of the county to establish a regulatory framework for commercial cannabis activities in unincorporated areas of Riverside County. In 2013 the Supreme Court held in *City of Riverside v. Inland Empire Patients Health & Wellness Ctr., Inc.*, that although the California medical cannabis scheme removed “state-level criminal and civil sanctions from specified medical marijuana activities,[] they do not establish a comprehensive state system of legalized medical marijuana; or grant a “right” of convenient access to marijuana for medicinal use; or override the zoning, licensing, and police powers of local jurisdictions; or mandate local accommodation of medical marijuana cooperatives, collectives, or dispensaries.” *City of Riverside v. Inland Empire Patients Health & Wellness Ctr., Inc.*, 56 Cal. 4th 729 (2013). The Court further added that, “nothing prevents future efforts by the Legislature, or by the People, to adopt a different approach. In the meantime, however, we must conclude that Riverside’s ordinances are not preempted by state law.” *Id.*

Since then, the state has explicitly established a comprehensive state system of legalized marijuana. By doing so, it has chosen to regulate cannabis cultivation as a cash crop like many others. The Bureau of Cannabis Control, California Department of Public Health, and California Department of Food and Agriculture have provided regulatory provisions to address many of the concerns raised by residents of Riverside County.

Although cannabis cultivation does present specific differences from other crops, so do many other specialty crops in California. California already regulates specific segments of the agricultural industry more heavily than others. Wine grapes, for example—a crop commonly grown rural residential areas of Riverside County—is heavily regulated in every point in the supply chain by the

State of California. The state has chosen to do the same with cannabis cultivation. Additional and more restrictive regulations on the part of the Riverside County Planning Committee to regulate cannabis crops in rural residential areas are unnecessary to meet the needs of the county's obligations.

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## Flores, Robert

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**From:** kara.a.noel@gmail.com  
**Sent:** Friday, July 06, 2018 6:22 PM  
**To:** Cann Planning  
**Subject:** General Concerns about Cannabis Regulation

### General Concerns about Cannabis Regulation

**The County currently prohibits all cannabis businesses within the unincorporated areas of the County. Should the County continue the ban cannabis businesses or create regulations to allow businesses to locate in the unincorporated areas of the County?**

The county does not have the authority to ban cannabis businesses. It should create regulations consistent with the state of California to address any county specific concerns.

**What is your biggest concern about the legalization of cannabis in California? What do you think the County could do to address that concern?**

My biggest concern are water use issues and environmental impact issues from cultivation. I believe these are being researched and handled properly by the state.

**Have you experienced negative impacts from illegal cannabis operations near your residence or business?**

No

**Are there aspects of cannabis legalization that you are passionate about that you are not being asked in the following worksheets? What would you like the County to know about these aspects of cannabis legalization?**

**If the County regulates cannabis Businesses should the County prohibit cannabis businesses from locating near certain places or "sensitive" land uses, such as schools? If so, what are your specific concerns about cannabis businesses locating near those places or land uses?**

Yes, I believe restrictions for locating near schools is appropriate.

**Do you think cannabis businesses should be located away from other cannabis businesses? If so, what are your specific concerns about cannabis**



**businesses locating near each other?**

**Which type of cannabis business (retailer, cultivator, manufacturer, distributor, testing laboratory) most concerns you, if any?**

None of these are of specific concern to me.

**Is there anything else you would like to tell the County about the location of cannabis businesses?**

Although cannabis cultivation does present specific differences from other crops, so do many other specialty crops in California. California already regulates specific segments of the agricultural industry more heavily than others. Wine grapes, for example—a crop commonly grown rural residential areas of Riverside County—is heavily regulated in every point in the supply chain by the State of California. The state has chosen to do the same with cannabis cultivation. Additional and more restrictive regulations on the part of the Riverside County Planning Committee to regulate cannabis crops in low density unincorporated are unnecessary to meet the needs of the county’s obligations.

**If the County imposes a tax on cannabis businesses and commercial cannabis activity, what should be the purpose of the tax?**

I would like to see a tax on cannabis businesses be used primarily for social purposes.

**What programs or activities would you like to see funded by cannabis tax revenue?**

Riverside County, like many areas of California, have a crisis in homelessness that I don't feel is being properly addressed. Tax revenue from cannabis businesses to fund resources centers for vulnerable people who need help putting the pieces together to address their situation. Additionally, the county needs to address the issue of affordable housing. The county can invest the money in surveying public land that could be used for affordable housing. The tax revenue can also be used for rental assistance programs.

**Do you think the County should tax medical cannabis differently than nonmedical (or “recreational”) cannabis?**

The tax should be lower to keep medical cannabis affordable for patients.

**Is there anything else you would like to tell the County about cannabis taxation and revenue?**

**What most concerns you about cannabis legalization and the potential impact on young people, if anything?**

**What regulations or restrictions would you like to see for cannabis advertising and marketing, if any?**

I think the California cannabis marketing restrictions are mostly sufficient.

**What regulations or restrictions would you like to see regarding publicly visible signage at a cannabis business, if any?**

**What rules can the County put in place to ensure people under 21 are not able to obtain cannabis or cannabis products? How can retailers partner with the County and local**

**communities to achieve that goal?**

**Is there anything else you would like to tell the County about youth access and exposure to cannabis?**

**What concerns, if any, do you have about people growing cannabis plants in their homes or in their yards? What rules could the County implement to address those concerns?**

**Do you agree that outdoor personal cultivation should be prohibited near schools, parks, libraries, day cares, and youth centers? Should outdoor personal cultivation be prohibited near other places?**

Yes, I agree that outdoor cultivation should be prohibited near schools, parks, libraries, day cares, and youth centers.

**Are you concerned that regulations for personal cultivation might make it harder for a medical cannabis patient to grow cannabis to treat a serious illness, such as cancer?**

No, it would make it easier for the patient to get the appropriate strain for their ailments.

**Is there anything else you would like to tell the County about personal cannabis cultivation?**

**How can the County appropriately expand economic opportunities in the cannabis industry while preventing the negative impacts potentially associated with an overconcentration of cannabis businesses?**

Concerns about overconcentration of cannabis businesses should be focused on the short-term. In the long-term, market forces will likely thin out the herd.

**Should cannabis businesses engage with local communities to foster economic development and prevent negative impacts, such as loitering and crime? How so?**

Yes.

**What programs do you think the County should offer to advance economic development in communities where cannabis businesses locate?**

In some unincorporated areas in Riverside County, the land prices are depressed, e.g., Anza. These areas have seen an increase in illegal cannabis cultivation. By allowing areas like this to cultivate cannabis legally with appropriate regulations, there may be an increase in property values in these areas, thus helping the local community. By implementing programs in these areas that would create an incentive for illegal growers to become licensed by the state, it would help mitigate any damage that is being done by illegal operations by requiring them to adhere to the new state regulations. I

**Is there anything else you would like to tell the County about equity and economic development as**

**it relates to the cannabis industry?**

**Name \*** Kara gelman  
**Email \*** kara.a.noel@gmail.com  
**Street Mailing Address \*** 26805 Carancho Road  
**City** Temecula  
**State** California  
**Zip** 92590  
**District \*** 1

---

## Flores, Robert

---

**From:** Flores, Robert  
**Sent:** Friday, July 06, 2018 8:14 AM  
**To:** Victorian-White, Rosalee  
**Cc:** Cann Planning; Leach, Charissa  
**Subject:** Re: Have questions about cannabis regulations?

Thank you.

Robert Flores, URP III

---

**From:** Victorian-White, Rosalee  
**Sent:** Friday, July 6, 2018 7:43:03 AM  
**To:** Flores, Robert  
**Subject:** FW: Have questions about cannabis regulations?

Please see email below.

*Rosalee Victorian-White*

Office Assistant III

Transportation & Land Management-Planning

County of Riverside

4080 Lemon St. 12<sup>th</sup> Floor

Riverside, CA 92501

ph:(951)955-3200

fx: (951)955-1811

MAIL STOP #1070

[rvictoria@rivco.org](mailto:rvictoria@rivco.org)

[www.rctlma.org/planning](http://www.rctlma.org/planning)

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**From:** Hezekiah D. Allen [mailto:hezekiah@cagrowers.org]  
**Sent:** Thursday, July 5, 2018 4:26 PM  
**To:** Victorian-White, Rosalee <RVICTORIA@RIVCO.ORG>  
**Subject:** Have questions about cannabis regulations?

Dear Friend,

It is a great pleasure to write to you today to announce the launch of the [Coalition for Responsible Permitting](#)--a new collaboration to empower local government leader to develop responsible commercial cannabis permitting ordinances that work for their communities.

**Local cannabis policy development is complex, we are here to help!**

Whether your local jurisdiction has adopted an ordinance, is in the process, or has yet to address cannabis permitting, we are a resource for you. The coalition, a program of the California Growers Association, seeks to bridge the gap between policy makers and the industry they must regulate. We recognize the diversity of California and the importance of local control but we also know that without regulated cannabis the unregulated market--with all of its associated public safety and environmental harms--will continue.

**We know from experience that good policy comes from good information.**

We are enthusiastic about this new program and this opportunity to support and encourage your efforts to develop a permitting ordinance in your jurisdiction. The most important resource we offer to local government is **accurate and objective information** about cannabis in California. Over the next several weeks, the coalition will be distributing fact sheets on the following 15 topics related to regulating commercial cannabis in California:

- [State Role vs Local Role](#)
- [CEQA](#)
- [Local Ordinances](#)

Coming soon:

- State regulations
- Local tax options
- Legal Cannabis: Myth vs. Fact
- Differences Between Hemp & Cannabis
- Status of local Cannabis ordinances
- Cannabis Enforcement
- Track and Trace
- Legal Cannabis Land Use Issues
- Creating a Cannabis ordinance
- State licensing requirements
- State licensing summary
- Benefits of regulated Cannabis
- Legal Cannabis farming

In addition to the factsheets, the coalition will be hosting roundtables throughout California this Fall to help connect you with local jurisdictions that have thoughtfully moved forward with responsible permitting, to provide direct access to industry members to answer your questions about how their businesses operate, and to explore important local issues like zoning and setbacks. We are also able to organize tours for you to visit a licensed, regulated cannabis business.

**To automatically receive factsheets as they are distributed and information about roundtables and other events as they are scheduled, [please sign up today](#).**

By creating expanded opportunities for legitimate commercial cannabis businesses, we can begin to shift the advantage from those operating in the unregulated shadows to those operating legally under a responsible permitting framework. It all starts at the local level. Let me know how we can help!

Sincerely,



Hezekiah D. Allen

Hezekiah D. Allen

[www.responsiblepermitting.org](http://www.responsiblepermitting.org)

--

California Growers Association · United States

This email was sent to [victoria@rivco.org](mailto:victoria@rivco.org). To stop receiving emails, [click here](#).

You can also keep up with Hezekiah D. Allen on [Twitter](#) or [Facebook](#).

--

Created with [NationBuilder](#), software for leaders.

## Flores, Robert

---

**From:** Flores, Robert  
**Sent:** Thursday, July 05, 2018 8:22 AM  
**To:** Leach, Charissa  
**Cc:** Cann Planning  
**Subject:** Fwd: Input on Commercial Cannabis Cultivation in Rural Areas  
**Attachments:** supervisors and planners letter.docx

Comment letter attached.

Robert Flores, URP III

---

**From:** Victorian-White, Rosalee  
**Sent:** Thursday, July 5, 2018 7:27:54 AM  
**To:** Flores, Robert  
**Subject:** FW: Input on Commercial Cannabis Cultivation in Rural Areas

Good Morning,

Please see attachment and email below.

Thank you,

*Rosalee Victorian-White*

Office Assistant III  
Transportation & Land Management-Planning  
County of Riverside  
4080 Lemon St. 12<sup>th</sup> Floor  
Riverside, CA 92501  
ph:(951)955-3200  
fx: (951)955-1811  
MAIL STOP #1070  
[rvictoria@rivco.org](mailto:rvictoria@rivco.org)  
[www.rctlma.org/planning](http://www.rctlma.org/planning)

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**From:** Dawn Suchor-Collins [mailto:dsuchorc@hemetusd.org]  
**Sent:** Saturday, June 30, 2018 2:52 PM  
**To:** Sarabia, Elizabeth <ESarabia@RIVCO.ORG>; Victorian-White, Rosalee <RVICTORIA@RIVCO.ORG>; Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 Information <D3Email@RIVCO.ORG>; District 4 Supervisor V. Manuel Perez <District4@RIVCO.ORG>; District5 <District5@Rivco.org>; Tisdale, Brian <BTisdale@RIVCO.ORG>  
**Subject:** Input on Commercial Cannabis Cultivation in Rural Areas

I would really appreciate it if you would take the time to read the attached letter. If appropriate, please forward to anyone that I missed.

Dear Supervisors and planners,

I'm writing this letter due the question of whether to allow commercial cannabis grows in unincorporated rural areas. As a 19+ year resident of Aguanga, I am against commercial cannabis grows in rural zoned areas. I am concerned for several reasons.

People live in rural areas just like they live in cities such as Temecula. The difference is their lots are larger. If you allow commercial grows in rural areas, these grows can be a family's neighbor. Think how you would feel if your neighbor obtained a license to grow commercially; would you worry for your children? Would you worry that armed gunman might rob the commercial grow and what would happen if a stray bullet plowed into your house while your family is home? Recently, armed gunmen stole marijuana plants from a property in the Lake Matthews area. One person was shot and killed. We don't have police presence in our rural area. Who's going to protect these commercial grows? Armed guards? What about the family who lives on the property next to a commercial grow? I would be very concerned if someone legally started a commercial grow next to us. How fun, the smell, armed guards, and always the threat of armed gunmen trying to steal the marijuana. You bet they will; they know we have no police protection out here. Bullets don't stop at the property line, they continue to travel.

I have talked to several families out here about voicing their concerns, but they fear the "cartels". As a result, you are hearing from pro rural commercial growers more than against. The very same people that spoke at the last planning meeting threaten anyone who speaks against them. Here are some samples of their threats from the Anza Valley Cannabis Forum and Anza Crime Watch:

**Andrew Carey** threat to Bill Donohue: "Growers are not defenseless. The association will have a budget for legal defense and aggressively file lawsuits against anyone who violates our rights. What little money is available to the County will get burned up in court. This includes **class-action lawsuits against the county and and bringing suit against such private individuals that defame or libel us.** Think they are broke now? See how broke they are after defending 50 lawsuits...

Theoretically, **some growers have ties to the Dark Web services out there. People might experience disruption in their personal lives in a way they probably are not expecting.** Targeting people who are doing their best to comply with a constantly changing legal situation is not the way. Save it for the bad actors."

**Andrew Carey** threat to Larry Linder regarding code enforcement: "They will get shot at, so factor in some nonexistent cops to hold their hand, and you have a situation ripe for blowback. Is it worth it?" ("they" is code enforcement)



Liam McCampbell threat to Eve Freemont when she stated that she was growing male marijuana plants: "lol you could get hurt real easily like this you do understand the ramifications of your actions...."

You must be pretty dumb. Pulling addresses from an IP is simple." (this post was deleted within 15 minutes of making but some of us screen-printed it)

Dennis Carrico to Eve Freemont "I see on your Facebook page that you miss your 'Hometown'. Perhaps you should consider moving back to it. Take your plants back to Colorado with you..."

NEVER ceases to amaze me how STUPID people can actually be. Have you even HEARD of MS 13?? I'm sure they've already heard of you....." (this post was also later deleted)

In addition, Gary Worobec (takeanzaback.org) and his son's address' were posted on the internet by this same group of people.

If you allow commercial marijuana in rural areas, these are the type of people that you will be serving. Do you really want to be associated with this group? These are the same ones who have been growing and selling their product illegally all along.

There's a reason that the majority of Anza residents voted against prop 64, they've been living the nightmare of illegal grows in their area. These people don't care about the land or community. I suspect that you've heard the horror stories about the smell, use of chemicals and poisons, uncontrolled water usage, raw sewage being dumped on the ground, counterfeit hundred dollar bills etc. Looks like human trafficking is either starting to occur or has been occurring out here as well. Keep commercial grows where you can monitor them. Keep them out of neighborhoods such as ours. We may live on acres, but we are the same as you relative to community. The decision that you make will affect a lot of lives, please consider the people who actually live and raise their children in rural neighborhoods just as you live and raise your families in your neighborhood.

Sincerely,

Dawn Collins

**Flores, Robert**

---

**From:** Robert Mayo <rmayoca@gmail.com>  
**Sent:** Friday, June 29, 2018 9:52 AM  
**To:** Cann Planning  
**Subject:** I support adding the zoned areas ( R-R) , ( R-A) and ( W-2) to draft ordinance 348.

Friday, June, 29, 2018

Dear Cannplann,

I support adding the zoned areas ( R-R), ( R-A) and ( W-2) to draft ordinance 348.  
With the addition of these zoned areas I support Draft Ordinance 348.

Thank you,  
Robert Mayo

## Flores, Robert

---

**From:** Flores, Robert  
**Sent:** Wednesday, June 27, 2018 12:13 PM  
**To:** Cann Planning  
**Cc:** Leach, Charissa  
**Subject:** FW: Cannabis Ordinance

-----Original Message-----

From: Leach, Charissa  
Sent: Wednesday, June 27, 2018 12:10 PM  
To: Mike Machado <mike.hydrascope@gmail.com>; Flores, Robert <rflores@RIVCO.ORG>; Lara, Mike <MLARA@RIVCO.ORG>; Klaarenbeek, Rendell <RKLAAREN@RIVCO.ORG>; Bugtai, Wendell <wbugtai@RIVCO.ORG>  
Subject: RE: Cannabis Ordinance

Thank-you for your input. We are currently looking at options for those Zones. We have not determined yet what our recommendations will be as we are analyzing data. Thanks again.

Charissa Leach, P.E.  
Assistant TLMA Director -  
Community Development  
Riverside County  
Phone: (951) 955-6097  
Fax: (951) 955-1811  
email: cleach@rivco.org

-----Original Message-----

From: Mike Machado [mailto:mike.hydrascope@gmail.com]  
Sent: Wednesday, June 27, 2018 12:08 PM  
To: Leach, Charissa <cleach@rivco.org>; Flores, Robert <rflores@RIVCO.ORG>; Lara, Mike <MLARA@RIVCO.ORG>; Klaarenbeek, Rendell <RKLAAREN@RIVCO.ORG>; Bugtai, Wendell <wbugtai@RIVCO.ORG>  
Subject: Cannabis Ordinance

Hi Charissa; I understand that the planning commission has asked that the RR-RA Zoning restriction be re visited. If this is the case then I hope you would consider my concept as a remedy.

1. The RR-RA zones would be restricted to cultivation only. This I believe would meet everyone's concerns and removes the constitutional issues of farming.

2. Allow cultivation in these zones with Plot Plan approval using a matrix designed specifically for this use. This needs to include county licensing annually to pay for enforcement. But the permitting process must be affordable and in reasonable time. Not years, And not at a cost that is unattainable. County revenue will come but not in the permitting process. Licensing can involve most departments and created annual revenue without putting an additional burden on staff.

3. Not allowed on less than two acres. Using my concept the size of cultivation is directly related to setback requirements which would be substantial. Leaving your current requirement of inside only. Use USDA as the standard for green houses, it already exists. But use a landscaping requirement such as was done with the container ordinance. In my concept I had provided three basic development proposals to meet small and large growers but prohibited cartel type development. They are noted as A-B- and C.

Do not allow cultivation in the village areas, you need to keep cultivation away from homes and it must be separated from manufacturing, and sales. State law requires that all Cannabis must be identified as to where it came from. Transportation is an untapped industry that is part of this use. By keeping cultivation separated you can better control accounting and identification, especially as related to future taxation, and Law enforcement.

I would love to work on this with you, if I can be of any help please let know.

Mike

## Flores, Robert

---

**From:** Greg@shazzamfarms.com  
**Sent:** Sunday, June 24, 2018 12:07 PM  
**To:** Cann Planning  
**Subject:** New Form Content Email Subject By DNNSmart Super Form

### Planning Department Cannabis Comments

<b>Name</b>	Greg Cherry
<b>Address</b>	41679 Date Street #200, Murrieta, CA92562
<b>Email</b>	Greg@shazzamfarms.com
<b>Phone</b>	949-900-0000
<b>Comment</b>	<p>I'm in favor of including RR and RA zoned properties for cultivation.</p> <p>50 cultivation licenses in the first year is far too few! If it's a function of manpower, then hire a temp service, and pass along costs to licensees.</p>

---

## Flores, Robert

---

**From:** greenoaksranch@gmail.com  
**Sent:** Saturday, June 23, 2018 5:41 AM  
**To:** Cann Planning  
**Subject:** New Form Content Email Subject By DNNSmart Super Form

### Planning Department Cannabis Comments

**Name** judy

**Address** 39100 air park drive

**Email** greenoaksranch@gmail.com

**Phone** 9512168862

**Comment** i was at the last meeting were the new proposed Cannibus Reguations were presented. I just want to say even though i would like to see it more liberal, i do support this bill.

Riverside County got this right and you guys worked really hard to make it as fair as possible. It does protect the community by creating a regulated market.

Thanks for all your hard work. You guys are doing a great job.

---

## Flores, Robert

---

**From:** Andrew Ruiz <andrewdrui@yahoo.com>  
**Sent:** Thursday, June 21, 2018 10:37 AM  
**To:** Cann Planning  
**Cc:** Leach, Charissa; Flores, Robert  
**Subject:** RE: Riverside County Draft Cannabis Ordinance

My apologies for the auto-correct error at the end. What I meant to say was - recommendation to change the ordinance\*

[Sent from Yahoo Mail on Android](#)

On Thu, Jun 21, 2018 at 9:13 AM, Andrew Ruiz <andrewdrui@yahoo.com> wrote:

Thank you. Just to be clear, my public comment was not a request for a specific property, it was a recommended change to the ordinance.

[Sent from Yahoo Mail on Android](#)

On Thu, Jun 21, 2018 at 7:55 AM, Cann Planning <CannPlanning@rivco.org> wrote:

Good morning Mr. Ruiz,

The Riverside County Planning Commission continued Item No. 4.1 (Ordinance No. 348.4862/Cannabis) to the July 18<sup>th</sup> Planning Commission meeting to give staff time to address specific items of interest and questions that the commission. You are welcome to join us during the next Planning Commission meeting, which starts at 9:00 a.m.

Unfortunately, we are not addressing specific requests by property; however, we will take the information you provided into consideration during our upcoming global analysis.

If you have any other questions or concerns, please send them to [CannPlanning@rivco.org](mailto:CannPlanning@rivco.org).

Thank you,

Riverside County Planning Department | 4080 Lemon Street, 12<sup>th</sup> Floor, Riverside, CA 92501

Main (951) 955-3200 | Fax (951) 955-1811



**How are we doing? (Click the link and tell us)**

**From:** Andrew Ruiz [mailto:andrewdruiz@yahoo.com]  
**Sent:** Wednesday, June 20, 2018 5:45 PM  
**To:** Cann Planning <CannPlanning@rivco.org>  
**Cc:** Leach, Charissa <cleach@rivco.org>; Flores, Robert <rflores@RIVCO.ORG>  
**Subject:** Re: Riverside County Draft Cannabis Ordinance

Hi,

Thank you again for your efforts in creating a legal cannabis framework. Unfortunately I had to return to work and was unable to come back after lunch - can you please tell me the decision made by the commission? I also wanted to clarify my public comment - I am requesting to allow for microbusinesses to operate in ag zoned land. Depending on the direction, the idea would be to operate as a cultivator, manufacturer, transporter and a delivery-only retailer, and/or if it's allowed, a retailer at a different (approved) location from the cultivation/manufacturing operation.

Thank you,

Andrew

On Tuesday, June 12, 2018, 4:59:16 PM PDT, Cann Planning <[CannPlanning@rivco.org](mailto:CannPlanning@rivco.org)> wrote:

A public hearing has been scheduled before the Riverside County Planning Commission to consider an amendment to the Riverside County Land Use Ordinance No. 348 proposing to establish regulations and development standards for cannabis activities within the unincorporated areas of the County of Riverside. The Planning Commission public hearing will take place on June 20, 2018 at 9:00 a.m. in the Board Room at the Riverside County Administrative Center located at 4080 Lemon Street, First Floor, Riverside, CA 92501.

The draft ordinance is available at the following link: [Draft Cannabis Ordinance](#)



The agenda and staff report may be obtained on Friday, June 15, 2018 on the Planning Commission [webpage](#).

Kind regards,

Riverside County Planning Department | 4080 Lemon Street, 12<sup>th</sup> Floor, Riverside, CA 92501

Main (951) 955-3200 | Fax (951) 955-1811

[CannPlanning@rivco.org](mailto:CannPlanning@rivco.org) | [www.rctlma.org](http://www.rctlma.org) | <http://planning.rctlma.org/>

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**[County of Riverside California](#)**

## Flores, Robert

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**From:** merrafarms@gmail.com  
**Sent:** Thursday, June 21, 2018 8:49 AM  
**To:** Cann Planning  
**Subject:** New Form Content Email Subject By DNNSmart Super Form

### Planning Department Cannabis Comments

**Name** Armond Wilkerson

**Address**

**Email** merrafarms@gmail.com

**Phone** 951-526-4404

**Comment** Yesterdays meeting was very moving. It seemed to be a lot of progress. Please Revise the R-R and R-A Zoning restrictions. It would seem with more than 5 acres it allows for setbacks,odor control and security. Also a way to combat water run off and usage is to require that all plants be on a drip system. That will take care of run off and water over usage. The plants will live on a gallon a day. This also decreses mold and the need for pesticide.  
Thank you all so much for your hard work and consideration.

---

**From:** ali9591@aol.com  
**Sent:** Friday, June 22, 2018 4:45 PM  
**To:** Sarabia, Elizabeth  
**Cc:** ali9591@aol.com; District3 Information; Supervisor Jeffries - 1st District; District2; District 4 Supervisor V. Manuel Perez; District5  
**Subject:** Re: Cannabis Ordinance 348.4862

Dear Planning Commission Members,

On June 20 I spoke in support of Ordinance 348.4862 because I believe it a well thought out Ordinance that takes into consideration all the impacts of this new "development" Cannabis Cultivation Industry.

I had to leave the meeting before it was concluded and later found out that you had decided to re-visit having Cannabis Cultivation on R-A R-R Zoning.

Here are some points I'd like you to consider before you decide to allow this cultivation industry in areas of R-R and R-A zoning

1. The majority of species protected land that Riverside Conservation Authority Land has purchase to continue development in Riverside County is located in our area, thus the HANS Report that is needed to build on properties of 20 acres or more. This would mean that the 5 acre properties would be the ones that would contain most of the cultivation, thus creating a core of cultivation in large pockets of residential neighborhoods of Anza and Aguanga. This core industry would push out families thus creating a manufacturing zone in the most sensitive lands in Riverside County. What the county has been trying to protect would be destroyed and how could further development occur without Riverside County taking into consideration these sensitive areas
2. This industry would push out families thus, closing the locals school and once again creating a manufacturing zone where the zoning is R=R or R-A
3. Where is the water coming from. With the extended droughts in California this Industry is a thirsty one and those of us left up here in Anza and Aguanga would face the real possibility of our wells drying up and our properties being worthless. Is Riverside County Ready to face this kind of Lawsuit in the future. What about the contamination that will surely occur if this industry is left unchecked and allowed to grow.
4. Mitigation- Any large developer is responsible for their impacts of traffic, dust, water, paying for parks etc. This industry wants a free ride and we have seen it with the illegal grows in our area. All the growers in my neighborhood that are illegal keep saying to me (and I talk to them daily and report them to code enforcement also) they want to be a good neighbor, but a good neighbor is someone that does not break the law.

As a community member I am the club leader of High Country 4-H, the public lands chairperson of BCHC Redshank Riders Unit, Secretary of Anza Area Trail Town and a member of the Thimble Club. I raised my children in this community and still support the local schools. I'm an appointed member of the Anza Valley Municipal Advisory Council. So I understand the community and am slowly watching my neighbors give up and flee the area. Many call us a poor community but many of us provide a good tax revue to the state of California, because we are the hardworking people that pay our taxes.

If you do decide to go the R-R or R-A route then you need to charge development fees of \$20,000 or more. Each grow needs to pay a yearly fee of \$5000.00 and mitigate their development impacts. The set backs of greenhouses needs to be at least 1000 feet from any neighbor and they need to not grow in houses or cargo containers (which they are doing now to hide it) They need to pay a yearly fee for local police and code enforcement, so the illegal grows can be eliminated. They need to be held responsible for water use and any water contamination. They cannot grow by any blue line creeks. They must have signage on property so the neighborhood knows what they are growing and we can complain easily.

Since with the wine county plan you approved a few years ago, there are no event centers allowed in our area. With this the cannabis grows cannot be allowed to have cottage grows tasting facilities.

I think in the area of Anza and Aguanga if you even consider this industry of cannabis cultivation on R-A or R-R you need to create a plan (general plan amendment) much like the Wine Country Plan in the Temecula Valley. This would be the only way a good CEQA study could be done and all those involved could be served and the impacts mitigated.

Thank you for listening to my concerns,  
Allison L. Renck  
52090 Elder Creek  
Aguanga, California 92536  
951-663-5452

Sarabia, Elizabeth

---

**From:** Leach, Charissa  
**Sent:** Monday, June 25, 2018 9:32 AM  
**To:** Sarabia, Elizabeth  
**Cc:** Flores, Robert  
**Subject:** FW: RR and RA zones for commercial cannabis operations  
**Attachments:** letter commissioners.pdf

Please add this to the package we will be giving to the Commissioners for the July 18<sup>th</sup> meeting.

---

**From:** Tisdale, Brian  
**Sent:** Monday, June 25, 2018 9:29 AM  
**To:** Leach, Charissa <cleach@rivco.org>  
**Subject:** FW: RR and RA zones for commercial cannabis operations

Please see below.

---

**From:** Gary Worobec [<mailto:gtw5@earthlink.net>]  
**Sent:** Monday, June 25, 2018 8:49 AM  
**To:** Tisdale, Brian <[BTisdale@RIVCO.ORG](mailto:BTisdale@RIVCO.ORG)>  
**Subject:** RR and RA zones for commercial cannabis operations

Hi Brian, thank you for the call back this morning. Please find attached the letter we sent to all the Planning Commissioners, Ms. Leach, Ms. Clack and to Supervisor Washington on Friday. This is in regard to several members of the Planning Commission at the June 20th meeting asking Director Leach to “revisit” the exclusion of RR and RA zoning for commercial cannabis production. Obviously, this is something that would be troubling to us here in Anza as this could mean an active commercial cannabis growing operation right next to our homes. From a zoning standpoint this is not keeping with the Riverside County General Plan nor is it morally right to expose children to this kind of activity right over a fence line. Hopefully RR and RA zoning will continue to be excluded from the proposed amendment to Land Use Ordinance 348 as it was written and presented to the Planning Commission last week.

thanks

Gary Worobec  
[gtw5@earthlink.net](mailto:gtw5@earthlink.net)  
951-763-0518

To: Commissioner Eric Kroencke  
Riverside County Planning Commission  
4080 Lemon St, 12th Floor  
P.O. Box 1409  
Riverside, CA 92502-1409

RE: June 20th Riverside County Planning Commission Meeting, Cannabis Activities

Dear Commissioner Kroencke,

At the June 20, 2018 Planning Commission Meeting several members of the Planning Commission asked the Planning Department to “revisit” the possibility of RR and RA zones to be permitted for commercial cannabis cultivation. Anza/Aguanga is primarily zoned RR and RA. If the sheriff’s estimate of close to 1000 illegal grows in the area is accurate, then permitting commercial cultivation on these zone types will just exacerbate an already chaotic situation.

Commercial “business” has no business in residential type zoning. If commercial cannabis cultivation “businesses” are allowed, then we will have to allow the mechanics, retail and other commercial ventures. Where will the line be drawn?

We are already dealing with the semi-truck deliveries of fertilizer and other grow related products on our dirt roads. The damage to our roads, the noise, and dust from the large semi’s is only part of the fallout. More increased traffic from the “employees” and “patrons” of these “businesses” plus armed security, pressure on the electrical and water resources and environmental concerns are already taxing not only our physical resources but having a psychological impact on young families and seniors.

Because of the layout of the properties in our area where larger 20 acre parcels can be adjacent to smaller 3 and 5 acre parcels all zoned RR and RA the thought of children and grandchildren peering over a fence or worse, getting into a unenclosed marijuana grow right next door not only could pose a serious health hazard but is morally wrong. The reason marijuana is prohibited under Federal law, the reason for Prop 64, Prop 215, Prop 420, Ordinance 925 and the new amendment to County Ordinance 348 is that marijuana is a DRUG. A drug that may have the medicinal ability to alter the body in a good way, but also to alter the mind in perhaps a bad way. Why would we even want our children or grandchildren to even remotely have contact with marijuana and it’s by-products.

It was also disturbing to hear many of the growers speaking at the meeting indicate that *“if the county did not make available RR and RA type properties for commercial cultivation that they were going to continue to grow illegally”*. I would suggest that our county not be held to blackmail by a group of people who are currently and openly flaunting our laws. Our Riverside County residents, county staff, police force and elected officials are better than that.

Our Anza/Aguanga area represents only 1/65th of the unincorporated area in the county and most all of the pro-grow speakers at the meeting were from our area. I am sure that if the rest of the county was aware that even the consideration of allowing commercial marijuana cultivation in RR and RA areas was being considered there would be a public out cry of considerable size in the other supervisorial districts.

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After hearing the excellent presentation of the amendment to Ordinance 348 by Director Leach and to hear about the other areas her team visited, the people they spoke to, and to look at the work involved in putting together a 58 page document that very clearly provides for the safety and security of our communities I was disappointed that any member of the planning commission would task her to “revisit” such an important part of the ordinance as to where marijuana can be grown.

The revision to the Ordinance 348 also provides a very clear path to those want to be involved in the commercial production and distribution of marijuana. The Anza/Aguanga area has lots of Ag1, Ag2, and Ag3 properties plus commercially zoned areas. Just like any other startup business an entrepreneur could buy, lease or joint venture with the owner on any of these properties. It makes no sense from either a land use or a moral point of view to consider placing marijuana cultivation right next to families.

I support an individual’s right to grow cannabis for personal and medicinal use under Ordinance 925.5. and the amended Ordinance 925. That type of small scale growing is not an issue and is allowed on the RR and RA zones. If these business people truly are legitimate business owners, they can, and should, be held to the same requirements as

any other trade and conduct their business in the appropriate zones and ordinances as every other.

We hope that Director Leach and her staff will find good reason to continue to exclude RR and RA zoning from commercial cannabis cultivation and that you approve amended Ordinance 348 as currently zoned and send it through to the Supervisors.

Thank you,

Gary Worobec  
[www.takebackanza.org](http://www.takebackanza.org)  
59550 Evans Rd.  
P.O. Box 390185  
Anza, CA 92539  
951-763-0518

cc. Assistant TLMA Director  
Charissa Leach P.E.

cc. Deputy Legal Counsel  
Michelle Clack



To: Commissioner Eric Kroencke  
Riverside County Planning Commission  
4080 Lemon St, 12th Floor  
P.O. Box 1409  
Riverside, CA 92502-1409

RE: June 20th Riverside County Planning Commission Meeting, Cannabis Activities

Dear Commissioner Kroencke,

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Commercial "business" has no business in residential type zoning. If commercial cannabis cultivation "businesses" are allowed, then we will have to allow the mechanics, retail and other commercial ventures. Where will the line be drawn?

We are already dealing with the semi-truck deliveries of fertilizer and other grow related products on our dirt roads. The damage to our roads, the noise, and dust from the large semi's is only part of the fallout. More increased traffic from the "employees" and "patrons" of these "businesses" plus armed security, pressure on the electrical and water resources and environmental concerns are already taxing not only our physical resources but having a psychological impact on young families and seniors.

Because of the layout of the properties in our area where larger 20 acre parcels can be adjacent to smaller 3 and 5 acre parcels all zoned RR and RA the thought of children and grandchildren peering over a fence or worse, getting into a unenclosed marijuana grow right next door not only could pose a serious health hazard but is morally wrong. The reason marijuana is prohibited under Federal law, the reason for Prop 64, Prop 215, Prop 420, Ordinance 925 and the new amendment to County Ordinance 348 is that marijuana is a DRUG. A drug that may have the medicinal ability to alter the body in a good way, but also to alter the mind in perhaps a bad way. Why would we even want our children or grandchildren to even remotely have contact with marijuana and it's by-products.

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www.takebackanza.org  
59550 Evans Rd.  
P.O. Box 390185  
Anza, CA 92539  
951-763-0518

✓ cc. Assistant TLMA Director  
Charissa Leach P.E.

cc. Deputy Legal Counsel  
Michelle Clack

**From:** Leach, Charissa  
**Sent:** Monday, June 25, 2018 9:33 AM  
**To:** Sarabia, Elizabeth  
**Cc:** Flores, Robert  
**Subject:** FW: Cannabis Cultivation  
**Attachments:** Screenshot\_20180622-071934\_Facebook.jpg; Screenshot\_20180622-072225\_Facebook.jpg; Walters BOR.pdf

Please add this to the package we will be giving to the Commissioners for the July 18<sup>th</sup> meeting.

She indicated it was ok to give to the PC.

**From:** Sharon Evans [mailto:anzarealestate@gmail.com]  
**Sent:** Friday, June 22, 2018 9:40 AM  
**To:** Leach, Charissa <cleach@rivco.org>  
**Subject:** Cannabis Cultivation

Good Morning Ms. Leach,

I just want to follow up on the letter I sent yesterday. If there is any other information I can help provide, please let me know. I am hopeful that the county will follow through on the draft measure as it is.

Many growers stated at the meeting Wednesday that they wish to come into compliance, but also clearly have shown their contempt for existing ordinance by doing business illegally. Attached are tow screenshots from Facebook, as an example of the arrogance of these people that they outnumber the county and community and they will continue business as usual, regardless of what ordinance is in place.

Your attention to this matter is greatly appreciated.

Sincerely,

**Sharon Evans**

Broker/Owner BRE # 01407873

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and Property Management

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56555 Hwy 371 #B

P.O. Box 390384

Anza, CA. 92539

*TRUST THYSELF, WHAT IS TRUE FOR YOU IN YOUR PRIVATE HEART. BELIEVE IN THE INTEGRITY OF YOUR OWN MIND.*

*RALPH WALDO EMERSON*

6-26-18

Dear Ms Sarabia

A neighbor of mine attended the meeting in Riverside last week regarding the cannabis grow in our area—which is Anza.

Unfortunately for me, a marijuana grow purchased the house and it's property—about 5 acres—right next to mine in March, 2018. Having spent the previous two years fighting other grows in our area and winning—even though it took quite a long time and a lot of patience of our neighborhood watch, it is a whole different ballgame to have them right next door to you. I won't go into all the details, I'm sure you've heard that hundreds of times before BUT they don't belong in a Rural Residential area where you have a mix of working and retired people who live up here for the beautiful views, clear skies and privacy. Who wants to look over their fence line and see 2 20x80' greenhouses??? Not me, and I'm sure not you, but that is what I have now. They are sucking the water from the wells that we all rely on in this area—about 600 gallons a day and all the electricity running all nite—yes, you can hear them humming 24/7- for the heat to encourage their growth. I'm sure you and the supervisors are very aware of the fact that Anza may very well run out of power by the end of the year.

These drug dealers have no vested interest in our community, only making a buck, and they don't even live on the property either. My daughter is telling me that I might not be able to have my grandkids visit this summer because of the odor of the maturing plants!! So where does it leave me and thousands of other people forced into living with these drug dealers while the county tries to decide what to do. ???

Has anyone from the planning commission/supervisors ever driven up here to just look around and see the “in your face rejection of the current laws”. It's hard to take, especially since my neighbors and I have spent our whole lives trying to “do the right thing” in the way we live our lives. Now we are being intimidated and outright threatened if we dare to speak up.

They don't belong here and we depend on the supervisors and planning commission to do the right thing and uphold the RR & RA zoning. This would be a start.

Thank you for your time  
Iris Grosse  
53375 Paul Rd  
Aguanga, Ca 92536 951-763-2427



**From:** Nicholas J. Lewis, Esq. <nick@justice-lawgroup.com>  
**Sent:** Monday, July 2, 2018 4:02 PM  
**To:** Sarabia, Elizabeth  
**Subject:** Riverside Unincorporated - Cannabis Legislation

Dear County of Riverside Planning Commissioners -

Thank you for your time and dedication to this important issue. I attended the June 20, 2018 meeting and it was very nice to see the passion and attention brought to this issue. The issue of cannabis is extremely important as it covers such a broad spectrum of issues - security, energy, water, health, jobs, taxes/fees, and much more. I know that there is a lot to digest. I believe that permitting is the best path forward. I also believe that granting permits to anyone that chooses to come forward is the right path. The option is to continue down the current path whereby there are frequently no plans as to odor, power, water, and no taxes or fees collected. It goes much further than this - worker's compensation is one example. Forcing all to comply with these requirements could save the county money on medical expenses, such as a worker losing a finger or arm.

I believe that the best way to ensure compliance and responsibility is to grant a grace period of 1-2 years during which anyone currently operating or desiring to operate has to come forward with a plan and also proof of things such as worker's compensation, general liability insurance, and other "standard" measures taken by businesses. The "Catch 22" is there is only so much bandwidth to process permits, thus the initial suggestion of 50 permits. What this does it leave the 1,000 - 10,000 current operators in limbo as to not only whether they can operate but how they can operate. Granting a broader number of permits with a grace period in which individuals/businesses are motivated to apply and be in compliance seems the best realistic way to address this. Thank you very much for your time - I hope this is helpful. I am glad to speak or respond to any questions at any time.

Nicholas J. Lewis, Esq.  
530 B Street, Suite 1530  
San Diego, CA 92101  
(619) 940-7631 (OFFICE)  
(619) 318-9996 (MOBILE)  
(214) 445-0342 (FAX)

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To: Supervisor Chuck Washington Riverside County, Third District

4080 Lemon St Riverside, CA 92501

RE: June 20th Riverside County Planning Commission Meeting Dear Supervisor Washington,

At the June 20, 2018 Planning Commission Meeting several members of the Planning Commission asked the Planning Department to "revisit" the possibility of RR and RA zones to be permitted for commercial cannabis cultivation. Anza/Aguanga is primarily zoned RR and RA. If the sheriff's estimate of close to 1000 illegal grows in the area is accurate, then permitting COMMERCIAL cultivation on these zone types will just exacerbate an already chaotic situation.

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We are already dealing with the semi-truck deliveries of fertilizer and other grow related products. The damage to our roads, the noise, and dust from the large semi's is only part of the fallout. More increased traffic from the "employees" and "patrons" of these "businesses" plus armed security, pressure on the electrical and water resources and environmental concerns are already taxing not only our physical resources but having a psychological impact on young families and seniors.

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We hope that Director Leach and her staff will find good reason to continue to exclude RR and RA zoning from commercial cannabis cultivation and hope hope that you will support us in that endeavor.  
Thank you,

RECEIVED

JUN 28 2018

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

by: Supervisor  
Chuck Washington

Dear Supervisor Washington,

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I urge you and the rest of the County of Riverside Supervisors to validate the **Preliminary Working Draft – Regulatory Framework for Cannabis-Related Businesses Report** as developed by your staff. It is especially important that you pay heed to the staff recommendation that *“cannabis cultivation of any type be prohibited in all residential zones, R-1, R-1A, R-A, R-R, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, R-D, MU, W- 2-M Zones.”*

Please do not allow pressure from growers to re-zone or ask for conditional use permits relating to the above zoning types

I support an individual’s right to grow cannabis for personal and medicinal use under Ordinance 925.5. This personal small scale growing is not an issue. It is the hundreds if not thousands of large indoor and outdoor growing operations that are intolerable.

Please support the residents of your constituency in this fight for the very survival of our community.

thank you,

NAME *Joshua E. Stoll*

AREA *Anza*

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)



RECEIVED

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

JUL 06 2018

by: Supervisor  
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NAME

Andrea Beach *Andrea Beach*

AREA

S. Anza, Cary Rd

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

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Riverside County, Third District  
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NAME Bonnie Warch

AREA South Anza, Canyon Road

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

RECEIVED

JUL 06 2013

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Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

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Legislative Assistant  
BTisdale@rivco.org

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NAME JC McGehee  
AREA Chapman Rd Anza

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

RECEIVED

JUL 03 2018

by: Supervisor  
Chuck Washington

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Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

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Legislative Assistant  
BTisdale@rivco.org

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NAME

Jackie Ware

AREA

Anza

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

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Riverside County, Third District  
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BTisdale@rivco.org

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NAME Don Aire

AREA Anza

*Campaign of a 1000 Letters*

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RECEIVED

JUL 03 2013

by: Supervisor  
Chuck Washington

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thank you,

NAME Albert Banda

AREA Ruin Rock, RR,

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

RECEIVED

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

JUL 03 2018  
by: Supervisor  
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AREA ANZA

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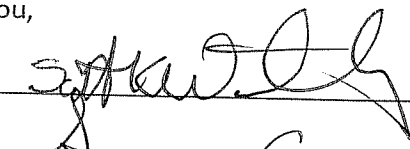
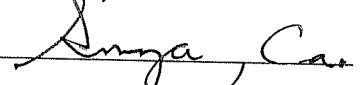
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NAME Tish Clark

AREA Anza, CA 92539

***Campaign of a 1000 Letters***

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NAME Patricia O'Connell

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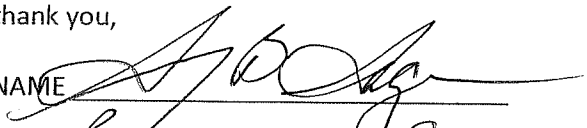
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NAME

  
AREA RIVERSIDE CO, ANZA CA.

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NAME Gary Worobec

AREA Anza

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On June 20, 2018, the committee was asked to "revisit" the possibility of including RR and RA zones to be permitted for commercial cannabis cultivation. Anza/Aguanga is primarily zoned Residential. If the sheriff's estimate of close to 1000 illegal grows in the area is accurate, then permitting COMMERCIAL cultivation on RESIDENTIAL zones will just exacerbate the chaos.

COMMERCIAL "business" has no business in RESIDENTIAL zoning. If commercial cannabis cultivation "businesses" are allowed, then we will have to allow the mechanics, retail and other commercial ventures, where will the line be drawn?

We are already dealing with the semi-truck deliveries of fertilizer and other grow related products. The damage to our roads, the noise, and dust from the large semi's is only part of the fallout. More increased traffic from the "employees" and "patrons" of these "businesses", armed security, WHERE WE LIVE? I urge you and the rest of the County of Riverside Supervisors to validate the **Preliminary Working Draft – Regulatory Framework for Cannabis-Related Businesses Report** as developed by your staff. It is especially important that you pay heed to the staff recommendation that **"cannabis cultivation of any type be prohibited in all residential zones, R-1, R-1A, R-A, R-R, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, R-D, MU, W- 2-M Zones."**

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Please support the residents of your constituency in this fight for the very survival of our community and our quality of life.

Thank you,

Sharon M Evans  
Cadillac Ranch Real Estate  
Owner/Broker  
AVMAC Treasurer  
Anza, CA

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NAME Charlie Payne

AREA Anza, California 92539

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

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RECEIVED

JUN 21 2018

by: Supervisor  
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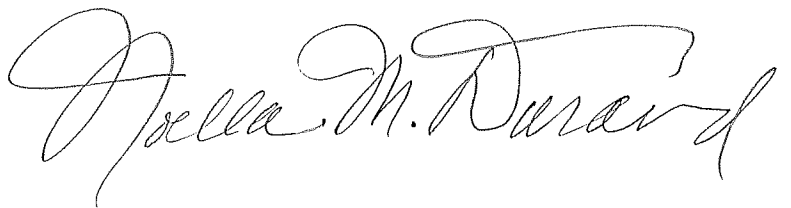
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NAME Noella M. Durand

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NAME Terra Payne

AREA Anza, California 92539

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

BOB & ZEN GALLAGHER  
P.O. BOX 391262  
ANZA, CA 92539  
06/11/2018

1  
2  
3 DEAR SUPERVISOR WASHINGTON,

4 I AM WRITING YOU IN HOPES THAT YOU CAN  
5 HELP OUR COMMUNITY (ANZA) TO STOP ANY  
6 FURTHER CANNIBUS GROWING. THE DAMAGE TO  
7 THE AREA WILL BE A BURDEN ON THE LAW  
8 ENFORCEMENT OFFICIALS AS WELL AS DAMAGE  
9 TO OUR UNDERGROUND WELL WATER. THESE  
10 GROWERS USE POTENT FERTILIZERS AND  
11 CHEMICALS WHICH, OVER TIME, PENETRATE  
12 THE UNDERGROUND ACQUIFER IN THE FORM  
13 OF NITRATES. GROUND WATER LEVELS WILL  
14 ALSO MOST LIKELY GO DOWN AS WE MAY  
15 HAVE ANOTHER DROUGHT.

16 OTHER CONSEQUENT ISSUES LIKELY  
17 TO ARRISE ARE LOWERING PROPERTY VALUES,  
18 NIGHT LIGHT POLLUTION, CRIME AND MORE  
19 NEED FOR LAW ENFORCEMENT AS MOST  
20 OF THESE GROWERS ARE USERS AND SELL  
21 THE PRODUCT FOR CASH. AS A DRUG, IT IS  
22 A STEPPING STONE TO OTHER MORE  
23 DANGEROUS DRUGS. I CAN SPEAK FROM  
24 EXPERIENCE AS I HAVE A BROTHER WHO  
25 STARTING USING "WEED" IN HIGH SCHOOL,  
26 THEN ADVANCED TO LSD, THEN METH AND IS  
27 NOW "INSTITUTIONALIZED".

28 LASTLY SIR, PLEASE DO NOT ALLOW  
ANY RE-ZONING HERE TO ALLOW IT TO BE  
GROWN COMMERCIALY. "IT" HAS A USE FOR  
THOSE WHO NEED "IT" MEDICALLY FOR PAIN  
OR CANCER, ETC.

THANK YOU SO MUCH FOR YOUR  
CONSIDERATION ON THIS IMPORTANT ISSUE,

SINCERELY,

Bob & ZENNIE  
GALLAGHER

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Legislative Assistant  
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thank you,

NAME Carol Sutton

AREA ANZA

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I urge you and the rest of the County of Riverside Supervisors to validate the **Preliminary Working Draft – Regulatory Framework for Cannabis-Related Businesses Report** as developed by your staff. It is especially important that you pay heed to the staff recommendation that *“cannabis cultivation of any type be prohibited in all residential zones, R-1, R-1A, R-A, R-R, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, R-D, MU, W- 2-M Zones.”*

Please do not allow pressure from growers to re-zone or ask for conditional use permits relating to the above zoning types

I support an individual's right to grow cannabis for personal and medicinal use under Ordinance 925.5. This personal small scale growing is not an issue. It is the hundreds if not thousands of large indoor and outdoor growing operations that are intolerable.

Please support the residents of your constituency in this fight for the very survival of our community.

thank you,

NAME Alan K. Jacobs, Col, Msc, USAR (ret.) (Dr. & Mrs. Alan Jacobs)  
AREA Aguanga

**Campaign of a 1000 Letters**

**www.takebackanza.org**

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

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NAME John Payne

AREA Anza, California 92539

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

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NAME Nadine Payne

AREA Anza, California 92539

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NAME Steve Brown

AREA Anza

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)



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NAME Matthew Logston  
AREA ANZA

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thank you,

NAME

AREA

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

**From:** Sharon Evans [<mailto:anzarealestate@gmail.com>]

**Sent:** Thursday, June 21, 2018 2:13 PM

**To:** Leach, Charissa <[cleach@rivco.org](mailto:cleach@rivco.org)>

**Cc:** Tisdale, Brian <[BTisdale@RIVCO.ORG](mailto:BTisdale@RIVCO.ORG)>; District3 <[District3@Rivco.org](mailto:District3@Rivco.org)>; District2 <[District2@Rivco.org](mailto:District2@Rivco.org)>; Supervisor Jeffries - 1st District <[district1@RIVCO.ORG](mailto:district1@RIVCO.ORG)>; District 4 Supervisor V. Manuel Perez <[District4@RIVCO.ORG](mailto:District4@RIVCO.ORG)>; District5 <[District5@Rivco.org](mailto:District5@Rivco.org)>

**Subject:** Cannabis Regulatory Framework

As you know the Anza/Aguanga corridor is under siege from illegal cannabis growing operations. These black market commercial operations are posing a very severe threat to the quality of life for the residents of this area. According to our electric cooperative our power grid is being stretched to the breaking point by illegal growers. Our water resources are also being attacked with many residents finding well levels lowered because of adjacent large greenhouse operations. Commercial wells are not allowed in this area due to ongoing water rights litigation, yet millions of gallons of water are being diverted for illegal purposes.

On June 20, 2018, the committee was asked to "revisit" the possibility of including RR and RA zones to be permitted for commercial cannabis cultivation. I am horrified that this is even being considered. Anza/Aguanga is primarily zoned Residential. If the sheriff's estimate of close to 1000 illegal grows in the area is accurate, then permitting COMMERCIAL cultivation on RESIDENTIAL zones will just exacerbate the chaos.

COMMERCIAL "business" has no business in RESIDENTIAL zoning. If commercial cannabis cultivation "businesses" are allowed, then we will have to allow the mechanics, retail and other commercial ventures, where will the line be drawn? We are already dealing with the semi-truck deliveries of fertilizer and other grow related products. The damage to our roads, the noise, and dust from the large semi's is only part of the fallout. More increased traffic from the "employees" and "patrons" of these "businesses", armed security, WHERE WE LIVE?

I urge you and the rest of the County of Riverside Supervisors to validate the **Preliminary Working Draft – Regulatory Framework for Cannabis-Related Businesses Report** as developed by your staff. It is especially important that you pay heed to the staff recommendation that **"cannabis cultivation of any type be prohibited in all residential zones, R-1, R-1A, R-A, R-R, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, R-D, MU, W- 2-M Zones."**

**Please do not allow pressure from growers to re-zone or ask for conditional use permits relating to the above zoning types.**

I support an individual's right to grow cannabis for personal and medicinal use under Ordinance 925.5. That type of small scale growing is not an issue and is allowed on the RR and RA zones. It is the hundreds, if not thousands, of large indoor and outdoor growing operations that are intolerable. If these business people truly are legitimate business owners, they can, and should, be held to the same requirements as any other trade and conduct their business in the appropriate zones and ordinances as every other.

Please support the residents of your constituency in this fight for the very survival of our community and our quality of life. I have attached a couple of maps for your reference, I am sure you have access to these, but here they are at your finger tips.

Thank you,

Sharon M Evans

Cadillac Ranch Real Estate

Owner/Broker

AVMAC Treasurer

**Direct (951) 551-7676**

56555 Hwy 371 #B

P.O. Box 390384

Anza, CA. 92539

*TRUST THYSELF, WHAT IS TRUE FOR YOU IN YOUR PRIVATE HEART. BELIEVE IN THE INTEGRITY OF YOUR OWN MIND.*

*RALPH WALDO EMERSON*



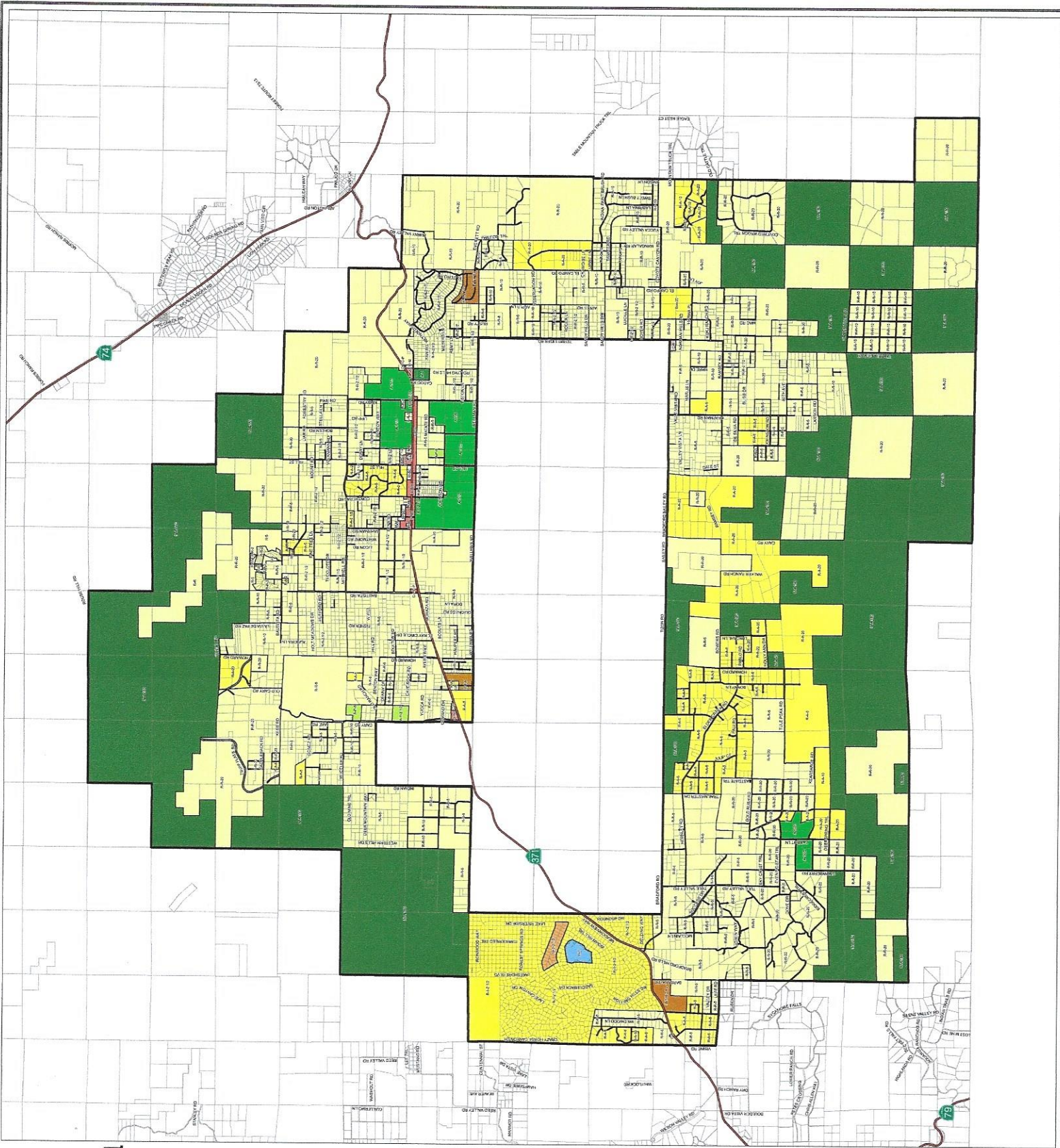
# Anza Valley Municipal Advisory Council

- Highways
- Parcels
- Anza Valley MAC
- Cities
- Waterbodies

**ZONING**










- A-1-10
- A-1-2 1/2
- A-1-20
- A-1-5
- A-2
- A-P-2 1/2
- A-P-5
- C-1-C-P
- C-P-S
- C-R
- M-M
- M-SC
- NA-160
- NA-40
- NA-80
- R-1-2 1/2
- R-5
- RA-1
- RA-10
- RA-2
- RA-2 1/2
- RA-20
- RA-4
- RA-5
- RR
- RR-1
- RR-10
- RR-2
- RR-2 1/2
- RR-20
- RR-4
- RR-5
- RR-5 1/2
- R-T
- R-TB-2 1/2
- W-1
- W-2-2 1/2

Disclaimer: This map is for informational purposes only. Any features are approximate, and are not necessary accurate to existing or originating standards. The County of Riverside makes no warranty, representation, or completeness of any of the data contained on this map. Any use of this product without the accuracy and precision shall be the sole responsibility of the user.  
 Author: County of Riverside  
 File: 1600194046\workspace\open\MAC\WEZ.mxd





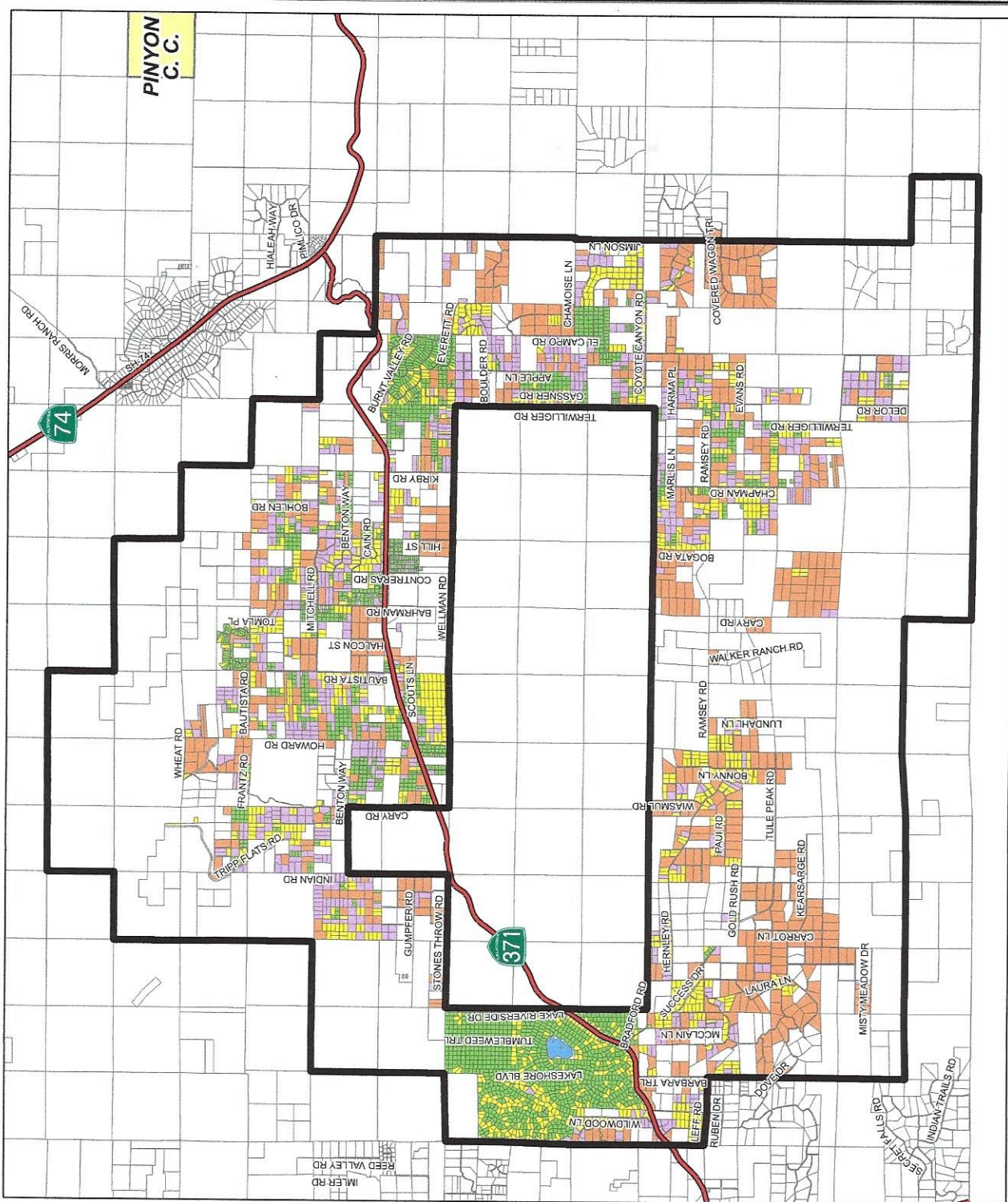
# Anza Valley Municipal Advisory Council

-  Highways
-  Anza Valley MAC
-  1 To 3 Acres = 2194 Parcels
-  3 To 5 Acres = 1189 Parcels
-  5 To 10 Acres = 758 Parcels
-  10 To 20 Acres = 592 Parcels
-  Community Councils
-  Cities
-  Waterbodies



April 24, 2018  
 Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate. The County of Riverside and the County of Imperial makes no warranty or guarantee as to the accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information accuracy and precision shall be the sole responsibility of the user.

Source : County of Riverside  
 Author : Vinay Nayan  
 Agency: works\ess\nguyen\MAC\AnzaValley\MAC.mxd



**From:** [ali9591@aol.com](mailto:ali9591@aol.com) [<mailto:ali9591@aol.com>]

**Sent:** Friday, June 22, 2018 4:45 PM

**To:** Sarabia, Elizabeth <[ESarabia@RIVCO.ORG](mailto:ESarabia@RIVCO.ORG)>

**Cc:** [ali9591@aol.com](mailto:ali9591@aol.com); District3 Information <[D3Email@RIVCO.ORG](mailto:D3Email@RIVCO.ORG)>; Supervisor Jeffries - 1st District <[district1@RIVCO.ORG](mailto:district1@RIVCO.ORG)>; District2 <[District2@Rivco.org](mailto:District2@Rivco.org)>; District 4 Supervisor V. Manuel Perez <[District4@RIVCO.ORG](mailto:District4@RIVCO.ORG)>; District5 <[District5@Rivco.org](mailto:District5@Rivco.org)>

**Subject:** Re: Cannabis Ordinance 348.4862

Dear Planning Commission Members,

On June 20 I spoke in support of Ordinance 348.4862 because I believe it a well thought out Ordinance that takes into consideration all the impacts of this new "development" Cannabis Cultivation Industry.

I had to leave the meeting before it was concluded and later found out that you had decided to re-visit having Cannabis Cultivation on R-A R-R Zoning.

Here are some points I'd like you to consider before you decide to allow this cultivation industry in areas of R-R and R-A zoning

1. The majority of species protected land that Riverside Conservation Authority Land has purchase to continue development in Riverside County is located in our area, thus the HANS Report that is needed to build on properties of 20 acres or more. This would mean that the 5 acre properties would be the ones that would contain most of the cultivation, thus creating a core of cultivation in large pockets of residential neighborhoods of Anza and Aguanga. This core industry would push out families thus creating a manufacturing zone in the most sensitive lands in Riverside County. What the county has been trying to protect would be destroyed and how could further development occur without Riverside County taking into consideration these sensitive areas
2. This industry would push out families thus, closing the locals school and once again creating a manufacturing zone where the zoning is R=R or R-A
3. Where is the water coming from. With the extended droughts in California this Industry is a thirsty one and those of us left up here in Anza and Aguanga would face the real possibility of our wells drying up and our properties being worthless. Is Riverside County Ready to face this kind of Lawsuit in the future. What about the contamination that will surely occur if this industry is left unchecked and allowed to grow.
4. Mitigation- Any large developer is responsible for their impacts of traffic, dust, water, paying for parks etc. This industry wants a free ride and we have seen it with the illegal grows in our area. All the growers in my neighborhood that are illegal keep saying to me (and I talk to them daily and report them to code enforcement also) they want to be a good neighbor, but a good neighbor is someone that does not break the law.

As a community member I am the club leader of High Country 4-H, the public lands chairperson of BCHC Redshank Riders Unit, Secretary of Anza Area Trail Town and a member of the Thimble Club. I raised my children in this community and still support the local schools. I'm an appointed member of the Anza Valley Municipal Advisory Council. So I understand the community and am slowly watching my neighbors give up and flee the area. Many call us a poor community but many of us provide a good tax revue to the state of California, because we are the hardworking people that pay our taxes.

If you do decide to go the R-R or R-A route then you need to charge development fees of \$20,000 or more. Each grow needs to pay a yearly fee of \$5000.00 and mitigate their development impacts. The set backs of greenhouses needs to be at least 1000 feet from any neighbor and they need to not grow in houses or cargo containers (which they are doing now to hide it) They need to pay a yearly fee for local police and code enforcement, so the illegal grows can be eliminated. They need to be held responsible for water use and any water contamination. They cannot grow by any blue line creeks. They must have signage on property so the neighborhood knows what they are growing and we can complain easily.

Since with the wine county plan you approved a few years ago, there are no event centers allowed in our area. With this the cannabis grows cannot be allowed to have cottage grows tasting facilities.

I think in the area of Anza and Aguanga if you even consider this industry of cannabis cultivation on R-A or R-R you need to create a plan (general plan amendment) much like the Wine Country Plan in the Temecula Valley. This would be the only way a good CEQA study could be done and all those involved could be served and the impacts mitigated.

Thank you for listening to my concerns,

Allison L. Renck

52090 Elder Creek

Aguanga, California 92536

951-663-5452

From: D. Phillips [<mailto:wordpress@rivcodistrict3.org>]

Sent: Tuesday, June 19, 2018 7:33 AM

To: District3 Information <[D3Email@RIVCO.ORG](mailto:D3Email@RIVCO.ORG)>

Subject: Supervisor Chuck Washington - Riverside County District 3 Supervisor "<p style=" color:#000">Proposed new marijuana laws/ Anza</p>"

From:D. Phillips <[flygo51@gmail.com](mailto:flygo51@gmail.com)>

Subject: Proposed new marijuana laws/ Anza

Message Body:

NO NO NO!!! After reading the proposed new law...NO, and here's why; Indoor only grows in Anza/Terwilliger are the OPPOSITE of what we need!!

That's a HUGE FIRE DANGER in an area that now has a compromised water availability, and a crispy landscape due to no rain. Last week was the first illegal grow fire of this season in Anza. FIRE is our biggest threat back here!!

I love the idea of 6 plants being allowed for those who need to grow, but here in Terwilliger 6/ outside suits our particular areas NEEDS.

Illegal growers around me have started pulling in OLD horrible looking double wide mobile homes to now grow in. The potential for fire from one of those is HIGH!! They are tinder boxes!! I've reported the two newest to code enforcement over a month ago...they're still here, in all their ugliness. Rimrock & Terwilliger roads, on the Pacific Crest Trail needs your HELP!! We are low on water, law enforcement and patience.

--

This e-mail was sent from a contact form on Supervisor Chuck Washington - Riverside County District 3 Supervisor (<http://supervisorchuckwashington.com>)

From: Dona Moughan Phillips [<mailto:wordpress@rivcodistrict3.org>]

Sent: Friday, June 08, 2018 8:04 AM

To: District3 Information <[D3Email@RIVCO.ORG](mailto:D3Email@RIVCO.ORG)>

Subject: Supervisor Chuck Washington - Riverside County District 3 Supervisor "<p style=" color:#000">Marijuana in Anza</p>"

From:Dona Moughan Phillips <[flygo51@gmail.com](mailto:flygo51@gmail.com)>

Subject: Marijuana in Anza

Message Body:

NO to commercial marijuana growing in Anza / Terwilliger!!

The Asian growers are taking over our town. We have well water and no police...they're perfect situation!!

HELP US. GET THE DEA IN HERE NOW!!

YOU have NOT kept your promises to protect us. There are thousands of plants on Rimrock and Terwilliger South!! The growers openly transport truckloads of their starter plants up and down the street in broad daylight!

GET US HELP!!! It's no longer our street...its theirs...very scary out here, with NO help in sight

--

This e-mail was sent from a contact form on Supervisor Chuck Washington - Riverside County District 3 Supervisor (<http://supervisorchuckwashington.com>)



**From:** Heather R. Crist [<mailto:heather4land@gmail.com>]

**Sent:** Thursday, June 7, 2018 12:42 PM

**To:** Tisdale, Brian <[BTisdale@RIVCO.ORG](mailto:BTisdale@RIVCO.ORG)>

**Subject:** ANOTHER SIGNATURE PROTESTING COMMERCIAL GROWING OF CANNABIS

BRIAN.

here is another property owner in Aguanga that wants to be added to the "NO Commercial growing" in the Aguanga?Anza and Sage area. due to the common concerns.

The majority of the Residents in these area's don't want"

Cannabis in our areas. but are afraid to speak out at these meetings because of retribution from these very same "growers."

LET"S Get DEA involved and get these folks out of our area. Be the Champion of the "decent folks"

Heather

--

Heather R. Crist, GRI, SRES, ePRO

DRE#0661636

Aguanga,California 951-767-0622

951-265-2515 cell 951-767-9599 fax

Mailto:[heather4land@gmail.com](mailto:heather4land@gmail.com)

<http://www.cristrealestate.com>

***Due to current economic conditions the light at the end of the tunnel has been turned off. Life may not be fair, but God is!***

***"IN GOD WE TRUST"***

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
[BTisdale@rivco.org](mailto:BTisdale@rivco.org)

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*Please support the residents of your constituency in this fight for the very survival of our community.*

*thank you,*

*NAME Michael & Jonnee Kartchner  
AREA ANZA*

Sent from [Mail](#) for Windows 10

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Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

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thank you,

NAME Joan Smith

AREA Anza

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

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Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

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Please support the residents of your constituency in this fight for the very survival of our community.

thank you,

NAME Denise Desens

AREA Anza

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

The way things are going, our rural way of life will be gone. Instead of rural Riverside County, there will be "the cannibus part of the county". Taxpayers are leaving, and these illegal growers - who pay NO taxes (business, payroll, franchise, or federal) will be what's left.

Thank you for your time and consideration.

Jill H.

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

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NAME \_\_\_\_\_ Jill Holt \_\_\_\_\_

AREA \_\_\_\_\_ Anza \_\_\_\_\_

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Assistant 4080 Lemon St Riverside, CA 92501

Riverside County, Third District Legislative  
[BTisdale@rivco.org](mailto:BTisdale@rivco.org)

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thank you,

NAME \_\_\_Alison Martin \_\_\_\_\_

AREA \_\_Anza Ca\_\_\_\_\_

Campaign of a 1000 Letters [www](http://www)

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Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

To: Brian Tidale  
Legislative Assistant  
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NAME Pearl Lee

AREA Aguanga

## Campaign of a 1000 Letters

[www.takebackanza.org](http://www.takebackanza.org)



To: Supervisor Chuck Washington % Brian Tisdale Riverside County, Third District Legislative Assistant 4080 Lemon St Riverside, CA 92501 [BTisdale@rivco.org](mailto:BTisdale@rivco.org) Dear Supervisor Washington, As you know the Anza/Agunganga corridor is under siege from illegal commercial cannabis growing operations. These black market commercial operations are posing a very severe threat to the quality of life for the residents of this area. According to our electric cooperative our power grid is being stretched to the breaking point because of illegal growers. Our water resources are also being attacked with many residents finding well levels lowered because of adjacent large greenhouse operations. Commercial wells are not allowed in this area due to ongoing water rights litigation yet millions of gallons of water are being diverted for illegal purposes. Families and seniors are living in fear of retaliation if they contact authorities regarding commercial cultivation nuisances. I urge you and the rest of the County of Riverside Supervisors to validate the Preliminary Working Draft – Regulatory Framework for Cannabis-Related Businesses Report as developed by your staff. It is especially important that you pay heed to the staff recommendation that “cannabis cultivation of any type be prohibited in all residential zones, R-1, R-1A, R-A, R-R, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, R-D, MU, W- 2-M Zones.” Please do not allow pressure from growers to re-zone or ask for conditional use permits relating to the above zoning types I support an individual’s right to grow cannabis for personal and medicinal use under Ordinance 925.5. This personal small scale growing is not an issue. It is the hundreds if not thousands of large indoor and outdoor growing operations that are intolerable. Please support the residents of your constituency in this fight for the very survival of our community. thank you, NAME  Gary Miles Brown  AREA    
 Agunganga

Hello,

I am a resident of Anza and saw this campaign to let the Supervisor know about the problems we are having with growers so I signed the letter that they drafted, but I also wanted to add my own two cents. I don't support the growth of pot for smoking purposes at all, even for personal use. If pot can help someone then it needs to be in a pill form and regulated like all the other drugs. Please see the attached letter and help get pot out of Anza.

Amy Strawn

**Cell (951)260-9609**

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Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
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thank you,

NAME Amy Strawn

AREA Anza

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

Please do something, anything about this, it is ruining the areas for families.

Stephen Sandstrom

--

I will praise the Lord no matter what happens. Psalm 34:1

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thank you,

NAME Stephen S

AREA \_\_\_\_\_

*Campaign of a 1000 Letters*

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thank you,

NAME Amity H

AREA \_\_\_\_\_

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

Please find attached my letter to Supervisor Chuck Washington voicing my concerns regarding the out of control marijuana grows in the Anza Valley.

Thank you,

Elaine Miller

Elaine Miller  
PO Box 391803  
Anza CA 92539

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

Dear Supervisor Washington,

I am a lifelong resident of the Idyllwild area of the San Jacinto Mountains. My Grand Father Harry Wendelken came to this area in the early 1920s.

Four years ago I moved to Anza. When I moved in to my area there were no marijuana grows that I could see anywhere near me. It wasn't until a few months later that I started smelling an unpleasant skunk smell. Turns out my across the street neighbor was in fact growing. His operation was well hidden and very low key. Not a lot of traffic, no trash or noise just an unpleasant smell every now and then. Fast forward 4 years and I can count 10 grows in different stages of operation within view of my house.

Last year the smell was so unbearable there were days that I could not work in my yard. My granddaughter who visits me often loves to play outside. She now says "Mimi I want to go inside, it stinks out here" I have friends who won't come over because the smell makes them so nauseous they can't stand it. It affects me the same way, but I have to stay! This is unacceptable.

My neighbors hire people to work their grow. They move in travel trailers and the people are different every year. My road is strewn with trash. They have had "guard" dogs that escape and run the neighborhood. Last year two of the dogs killed another neighbors chickens. After the season is over growers all over Anza and Aguanga abandon their guard dogs leaving the community to deal with these poor hungry animals.

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Elaine Miller

Anza Ca

*Campaign of a 1000 Letters* [www.takebackanza.org](http://www.takebackanza.org)

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thank you,  
NAME Susan McDonald  
AREA ANZA

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

Dear  
Supervisor Chuck Washington

Please find attached letter concerning the illegal commercial cannabis growers and to make sure that you help protect our community for the future.

Thank you.

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NAME Hayes B

AREA \_\_\_\_\_

# *Campaign of a 1000 Letters*

## [www.takebackanza.org](http://www.takebackanza.org)

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Riverside County, Third District  
4080 Lemon St Riverside, CA

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Thank you,

Bill and Jaydean Isbell  
Anza, Ca

Campaign of a 1000 Letters [www.takebackanza.org](http://www.takebackanza.org)

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c/o Brian Tisdale  
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NAME

Barry L. Shankman

AREA

Anza ,Bautista.. Aurora.. Area

Campaign of a 1000 Letters

[www.takebackanza.org](http://www.takebackanza.org)

\*)o(\* barry l. shankman



Voice of Memphis Music

American Heritage Music Preservation

SVB Consulting Services <CTO >

BLS Film & Video LLC

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NAME Elijah Smith

AREA Anza

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thank you,

NAME Aaro Smith

AREA Anza

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

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thank you,

NAME Heather Gaedt

AREA Anza

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

See attached letter in regards to my disagreement with any commercial cultivation of MJ in Anza or the surrounding areas. The AVMAC board is comprised of a few people who only serve their own best interests in order to make money off the pot growers by selling properties to them. I have 2 large illegal pot farms that are within eyesight of my front porch and the smell from them alone has caused my children to not play outside because the smell gives them headaches. They are using all the water in our water table and overloading an already over used electrical grid. NO COMMERCIAL CULTIVATION IN ANZA.

V/r,  
Lawrence Ray Daniels III  
619-379-7851

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
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thank you,

NAME Lawrence Daniels

AREA Anza Ca.

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

To Supervisor Washington -- see attachment.  
Thank you.  
Judy Doezie

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thank you,

NAME Judy Doezie

AREA Anza

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

AMAC doesn't represent me. Enforce the law.

6/12/24

Patrick VESEY  
57080 Hurst  
Anza Ca 92539

6/12/24 enforce the law.

Patrick Vesey  
58070 Hurst  
Anza Ca 92539



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NAME Edi Kandel

AREA Anza/Terwilliger Area

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thank you,

NAME Brianne H

AREA \_\_\_\_\_

*Campaign of a 1000 Letters*

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thank you,

NAME William S

AREA \_\_\_\_\_

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

**From:** Sharon Evans [<mailto:anzarealestate@gmail.com>]  
**Sent:** Tuesday, May 08, 2018 10:35 AM  
**To:** District3 <[District3@Rivco.org](mailto:District3@Rivco.org)>; Tisdale, Brian <[BTisdale@RIVCO.ORG](mailto:BTisdale@RIVCO.ORG)>  
**Subject:** Campaign of a 1000 letters

Please see the attached letters regarding  
Regulatory Frame work for Cannabis related businesses in unincorporated areas/Anza.

Your attention to this matter is appreciated.

*Sharon Evans*

Broker/Owner BRE # 01407873

Cadillac Ranch Real Estate  
and Property Management

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**Direct (951) 551-7676**

56555 Hwy 371 #B

P.O. Box 390384

Anza, CA. 92539

*TRUST THYSELF, WHAT IS TRUE FOR YOU IN YOUR PRIVATE HEART. BELIEVE IN THE  
INTEGRITY OF YOUR OWN MIND.*

*RALPH WALDO EMERSON*

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NAME

AREA

  
Daryl E. Evans  
Anza

*Campaign of a 1000 Letters*

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thank you,

NAME

 Sharon M. Evans

AREA

Anza

## *Campaign of a 1000 Letters*

# www.takebackanza.org

Attached is a letter.

My area is in North Sage, surrounded by growers.

--

Laura Stillwell

There is no "bad" horsemanship or "good" horsemanship--there is simply only Horsemanship or the lack thereof.

[www.oldmorgans.blogspot.com](http://www.oldmorgans.blogspot.com)

[www.sagebeasties.blogspot.com](http://www.sagebeasties.blogspot.com)

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NAME Laura S

AREA \_\_\_\_\_

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thank you,

NAME Sylvia A Gyimesi

AREA SAGE

*Campaign of a 1000 Letters*

[www.takebackanza.org](http://www.takebackanza.org)

Thank you for acknowledging my email. We corresponded back in July 2015 about the significant number of pot farms adjacent to the Pacific Crest Trail in eastern Anza. I have appended that correspondence below this current exchange. Every single property I identified back in 2015 is still being used for large-scale marijuana cultivation. In the meantime, many more properties near the Pacific Crest Trail have been brought into marijuana production. The illegal gate (erected by pot growers) blocking what should be Anza's primary access point for the Pacific Crest Trail is still there.

For the thousands of hikers from all over the world who are attempting to hike from Mexico to Canada in 2018 on this famous trail, their primary impression of Anza is formed by the multitude of grow houses, scary men in trucks, and the stink of (literally) tens of thousand of marijuana plants within a mile of the trail.

Watching Anza transform over the past four years from a town with great potential as a destination for outdoor recreation to the center for large-scale marijuana cultivation in Southern California has been disappointing, to say the least. Riverside County needs to get it right as California and individual counties work out the implications of Prop 64, and Riverside County needs to make up for the deficit of resources allocated to Code and the Sheriff in Anza that have allowed lots of bad people to set up operations in Anza: the problem would have been so much easier to fix back in 2015, but there is no rewind button.

I appreciate the time you have spent reading this email.

M

Anza

The form letter is attached. I hope you receive thousands of them. I have called MET regarding the lot next to me and they responded within a short time to remove the grows which were on vacant property with people living in a travel trailer with no water, electricity or septic on the property. would you want to live next door to that? A rhetorical question but it does highlight the problem facing this valley. We depend on well water to make our homes and land habitable. Growers steal electricity and water from our Anza Co-op and neighbors. I had to cut and cap the spigot which the growers were using on my land, at my cost, to water their grow. They usually have pit bulls to guard the grow and when they are finished they leave an unsightly mess and just let the dogs loose to be killed by coyotes, cars, guns, etc. I expect the representative from this area to support and protect the citizens of Anza otherwise he will not get my vote in any upcoming election.

Mary Perkins [anzagal@gmail.com](mailto:anzagal@gmail.com)

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

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NAME Mary P

AREA \_\_\_\_\_

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ML

Anza

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thank you,

NAME Mary

AREA Anza

# *Campaign of a 1000 Letters*

## [www.takebackanza.org](http://www.takebackanza.org)

Good Morning Brian,

Please see attached.

Gerald Clarke Jr.

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
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thank you,

NAME Gerald

AREA \_\_\_\_\_

# *Campaign of a 1000 Letters*

## [www.takebackanza.org](http://www.takebackanza.org)



To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

% Brian Tisdale  
Legislative Assistant  
BTisdale@rivco.org

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thank you,

NAME Jack Peckham

AREA Saddleback rd. Anza,  
92539

*Campaign of a 1000 Letters*

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The growers are really trashing the back country. We have been looking for property as investment and 9 times out of 10, growers have left properties in a mess by grading without permits, leaving behind plastic and piping everywhere with no regards for the land.....it is tragic and the people that are trying to improve their properties and take care of them are getting hurt as well as the land.

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thank you,

NAME Laurie

AREA \_\_\_\_\_

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Please read the attached letter that represents my stand on cannabis growing in the Aguanga, Anza area:

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thank you,

NAME Phil Suchor

AREA Aguanga

*Campaign of a 1000 Letters*

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Would greatly appreciate it if you take the time to read the following letter in reference to the negative effects that cannabis illegal commercial grows in the Aguanga/Anza area have and how they have impacted my family, and the community based on my experience.

## Dawn Collins

48430 Indian Trails Rd Aguanga CA 92536  
951-767-0591 collincastle@yahoo.com

05/06/2018

Supervisor Washington  
3<sup>rd</sup> District Supervisor  
County Administrative Center  
4080 Lemon Street 5<sup>th</sup> floor  
Riverside CA 92501

CC: *Planning Commissioners*, Carl Bruce Shaffer, Aaron Hake, Ruthanne Taylor Berger, Bill Sanchez, and Eric Kroencke;  
*Supervisors*, Kevin Jeffries, John Travaglione, V. Manuel Perez, and Marion Ashley

Dear Supervisor Washington,

As a 19-year resident and local schoolteacher in Aguanga for 14 years, I'd like to share my experience living and working in an area where multiple illegal marijuana grows have cropped up. We were first affected by it around three years ago when the home on 20 acres next to us sold. Few months later we counted a minimum of 500 to 600 plants outside and knew the two-car garage was full of plants as well. Kept track of the vehicles in and out of the property; at least ten. Nobody lived in the house, looked like they took turns staying there and tending to their illegal marijuana grow. One morning we turned on our water and nothing came out. Thought maybe our well pump had gone out but what happened is the growers left a hose on all day and night. My husband went over there and found a large pond in the gully behind the house with the hose on. Nobody was there. Turned it off. Water didn't come back into our well for three days. We had 2 sweaty teenage boys come home from cross country meet and couldn't take showers. We couldn't flush toilets etc. As their plants grew larger, they used more water and we would run out on a regular basis. Tried to time laundry and showers for when they weren't watering. Didn't have enough water for our trees and a couple of them died...over 20 years old. You see, the neighbor's well is positioned over the main water source, our well is on the outside so we ran out of water as they drew the water table down. Eventually had to replace our well pump due to sand in the water grinding up impellers. Another thing that we had to deal with was the stench as the plants matured.

The plants started to really stink around August. We were surrounded by this stench for several weeks. It was so bad we had to turn off our cooling system because it was pulling it into our home. This is during the time of year when temperatures could reach over 100 degrees in Aguanga. Both my husband and one of my sons had sinus problems during this time as well. The marijuana stench got into our home and permeated into our clothing kind of like when you are around a lot of cigarette smoke and when you leave you smell like cigarettes. Same thing with the stench that maturing marijuana puts out. My teenage sons went to high school reeking of marijuana and Cottonwood School's kindergarten teacher also went to school reeking of marijuana. It was embarrassing and sad because I wasn't the only one. Apparently, some of my kindergarten students lived near illegal marijuana grows as well. They reeked of marijuana as did their little backpacks. In fact, the corner of my class where the backpacks were hung stunk like marijuana. Based on my experience living next to a marijuana grow in a rural area, I would appreciate if you would consider my input when making decisions that will affect so many lives:

- Yes to allowing commercial grows in industrial zoned areas away from residential and only grown indoors with proper ventilation to contain odor
- Yes to restrictions on permit applicants previously convicted of illegal participation in cannabis industry
- Yes, a portion of tax monies should be directed into a specially designated account that will fund a cannabis task force that combats cannabis related illegal activity
- No to cannabis related businesses including retail and commercial grows in rural zoned areas
- No to rezoning of rural areas to commercial or industrial to allow cannabis business related activity

Sincerely,  
Dawn Collins

To: Supervisor Chuck Washington Riverside County, Third District 4080 Lemon St Riverside, CA 92501 Dear Supervisor Washington, As you know the Anza/Aguanga corridor is under siege from illegal commercial cannabis growing operations. These black market commercial operations are posing a very severe threat to the quality of life for the residents of this area. According to our electric cooperative our power grid is being stretched to the breaking point because of illegal growers. Our water resources are also being attacked with many residents finding well levels lowered because of adjacent large greenhouse operations. Commercial wells are not allowed in this area due to ongoing water rights litigation yet millions of gallons of water are being diverted for illegal purposes. Families and seniors are living in fear of retaliation if they contact authorities regarding commercial cultivation nuisances. I urge you and the rest of the County of Riverside Supervisors to validate the Preliminary Working Draft – Regulatory Framework for Cannabis-Related Businesses Report as developed by your staff. It is especially important that you pay heed to the staff recommendation that “cannabis cultivation of any type be prohibited in all residential zones, R-1, R-1A, R-A, R-R, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, R-D, MU, W- 2-M Zones.” Please do not allow pressure from growers to re-zone or ask for conditional use permits relating to the above zoning types I support an individual’s right to grow cannabis for personal and medicinal use under Ordinance 925.5. This personal small scale growing is not an issue. It is the hundreds if not thousands of large indoor and outdoor growing operations that are intolerable. Please support the residents of your constituency in this fight for the very survival of our community. thank you,

NAME \_\_\_Randy Martin\_\_\_\_\_

AREA \_\_\_Aguanga\_\_\_\_\_



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AREA \_\_Aguanga\_\_\_\_\_

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NAME Greg S

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AREA Aguanga CA

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NAME Gary Worobec

AREA Anza

*Campaign of a 1000 Letters*

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Dr. Panagiotis Theodoropoulos  
5862 Arbor Vitae St.  
Los Angeles CA 90045

June 23, 2018

Mr. Robert Flores  
Riverside Planning Department  
4080 Lemon Street  
P.O. Box 1409  
Riverside, CA 92502-1409  
Phone: (951) 955-3200

Subject: June 20, 2018 Planning Commission Public Hearing

Dear Mr. Flores,

I must take this opportunity to thank you and your colleagues at the Riverside County Planning Department for a good meeting on June 20, 2018 that was the result of honest efforts on your part to fully understand the issues involved in cannabis related activities and the best way to regulate it in a comprehensive manner that will prove beneficial in the long term not only for those private individuals and companies that will ultimately be involved in these activities, but for the public as well while these activities do not become disruptive of normal life as we know it and particularly that they do not interfere with sensitive land uses and children. This approach to regulation is fair, proper, necessary and equitable because it will insure the long term sustainability of this new industry that is being currently created in the county while it will help reduce criminal activity, minimize the environmental impact, conserve valuable natural and man-made resources and protect public health, safety and welfare.

I am not sure if draft Ordinance No. 348.4862 that was presented by your Department during the June 20, 2018 public hearing is based on the findings of a study that was performed by a consulting firm on behalf of your Department or if it was generated in its entirety by your Department staff alone. I am an engineer as you know with extensive experience and I must tell you that I have worked with consultants in several projects and I know for a fact that consultants often do not get things right 100% and in some cases, they do not get things right at all. I am highly skeptical of consultants therefore. In any event, independent of how this proposed ordinance was generated, it must pass the test of common sense and it must be consistent with itself and particularly with its own stated goals and objectives and must take into full account the current state and future potential of Unincorporated Riverside County land that it intends to regulate.

I fully agree with the ordinance that cultivation must be conducted indoors or at closed mixed light facilities and plants must not be visible from the exterior of any structure. I am not as liberal as those that call to grow cannabis openly like tomatoes and I believe that your department feels the same.

As you know, my property located at 15110 Indian Canyon Desert Hot Springs is zoned W2. Under the current proposed state of the ordinance, my property is excluded from cannabis related activities because these activities are prohibited in W2 zones. You heard not only from me, but from many others during the public hearing with similar concerns regarding this outright prohibition and as a result, several

members of the Planning Commission instructed your Department to look a little closer at the possibility of allowing cannabis related activities in W2 zoned properties.

I am sure that your Department in its effort to propose an ordinance that would apply “globally” had its reasons for making such recommendation in the sense that many W2 zoned properties throughout the unincorporated areas may not be suitable for this use for a number of reasons. This is also true however for commercial, industrial, agricultural and manufacturing zoned properties as well in the sense that it is clear that your Department will not give a permit to a cannabis business to operate in one of these allowed zones if the particular facility is close to a sensitive use or if there are other similar concerns that may adversely affect the community or nearby businesses and their customers for that matter as a result of this cannabis use.

The concern therefore of adverse impact to the community is “global” and it affects all zones in the sense that facilities of this type must not interfere with the welfare of the community independent of zone. This and many other considerations such as availability of resources (water and power) and conservation of these resources as well as elimination of ground, water and air pollution should be the ONLY “global guiding principles” in your efforts to determine the proper zoning for this rather unique use that must meet a number of very important requirements in order to be consistent with public interest. I am not saying that you should not use a cookie-cutter in an effort to legislate “globally” as you clearly have to do and as you are attempting to do. All I am saying is that you must improve the pattern of your cookie-cutter so that includes properties like mine that are highly suitable for this unique land use while you exclude properties that are not suitable. This can be done and you can still legislate globally. The only thing that you have to do is to refine a bit your cookie-cutter, which will make a huge difference in a positive direction in the way this particular ordinance is implemented in the future.

My W2 zoned property located at 15110 Indian Canyon is IDEAL for cannabis use for the following reasons:

1. It consists of approximately 10 acres of land which means that there is more than sufficient land available to properly design and operate a boutique cannabis microbusiness that takes into full consideration all county concerns regarding cannabis use without adverse impact on the environment, man-made and natural resources and the community.
2. It has great potential to generate electrical power through solar and wind energy generation means because it sits within the natural wind tunnel and right next to a WE zoned area on its west side that is used for power generation and that includes several 2 MW machines. This is a unique characteristic of this property that is extremely rare and also important because it insures that this property can indeed generate ON SITE the required minimum of 20% of its energy consumption for cannabis cultivation through renewable resources and that it has the potential to generate even up to 100% of its consumption in electrical power because of all this wind energy that passes over the property 24/7 for most of the year. In other words, this property has the potential to operate as a cannabis business with zero electrical consumption from Southern California Edison and with zero impact on the electrical grid. This is huge!!! No other zoning can claim this other than the WE zoning, where cannabis uses cannot be allowed due to the exclusive use of that zoning for power generation. For example, if you put a hypothetical 40,000 SF grow facility in a 40,000 SF industrial or manufacturing building, this facility will use approximately 8,000,000 KWh / year or 21,918 KWh / Day at a total cost of \$800,000.00 per year (\$0.1 / KWh) in electricity alone!!! Not only it costs an arm and a leg in electricity to grow these cannabis plants



indoors, but this hypothetical 40,000 SF facility alone will suck approximately 1MW of power out of the electrical grid at all times and will do so in the summer as well when air conditioners are running full blast throughout the desert and there is a definite shortage of electricity throughout Riverside county. Just imagine what will happen if you have fifty (50) of these grow facilities running in the first year of implementation, 150 next year and so on along with a number of illegal grow facilities that probably operate or might still operate in the county. I can assure you as a Ph.D. in mechanical / aerospace engineering that this will bring the grid down, it will cause imbalances in the grid, it will cause failure of wiring and of transformers and it will impact businesses and the public throughout Riverside County. This is why it is extremely important to require that at least 20% of all electricity used for cannabis purposes is produced by the user **ON SITE** through renewable means. If you put that requirement in force however, you completely eliminate our hypothetical 40,000 SF grow in the industrial or manufacturing building because even if they fill the entire south side of the roof (approximately 20,000 SF of area) of that building with solar panels of high efficiency that produce approximately 10 W to 15 W per square foot of power, the most power that you can hope to produce under such scenario is 300,000 Watts for about six hours or so per day or 1,800 KWh/Day and this is in the summer under the best possible conditions and assuming that the building has a south facing roof. In the winter, electrical production will be much lower. In other words, our hypothetical 40,000 SF grow facility in an industrial or manufacturing building the maximum amount of electricity it can produce ON SITE through solar in the summer and under optimal conditions is approximately 8% of its electrical consumption and nowhere near to the required minimum of 20%. This means that such a facility does not meet and cannot meet the county's own requirements for conservation of electrical energy through the generation of at least 20% ON SITE of the electrical power that it consumes. This is particularly true if the facility is located in a desert area where air-conditioning requirements during summer months are high in addition to the lighting requirements of cannabis plants. Wind energy therefore is key in this business and a combination of wind and solar energy generation is the best solution for cannabis related uses. Wind energy is a very important part of this equation because wind has the potential to generate megawatts of power while it blows all day long including at night, which is not the case with solar that basically has an effective duration of approximately six (6) hours or so during the day. Common sense therefore, from a power perspective alone, indicates that my property located at 15110 Indian Canyon is IDEAL for this particular use and that it scores much more points compared to any industrial or manufacturing building in an industrial or manufacturing zone because it has the potential to operate with zero electrical footprint which cannot be accomplished anywhere else. On top of that, I have shown that buildings at those proposed approved manufacturing or industrial zones cannot even meet the minimum of 20% ON SITE power generation set by the county due to basic physics. In addition, my 10,000 SF metal building that is located on my property has a metal roof that is made out of panels. This means that if I replace some of these roof metal panels with light transparent polymer or fiberglass panels I can easily convert the building to a mixed light facility to the degree desired, thus driving overall energy consumption requirements even lower. The property therefore has a highly favorable energy profile when it comes to its use as a cannabis facility. During the recent June 20, 2018 public hearing someone asked the question if the minimum requirement of 20% power generation that is stated in the proposed ordinance included the portion of Southern California Edison supplied power that is generated by renewable means. The

answer from your staff was not clear and I believe that you indicated that you will look into that. The answer of course is that the minimum 20% electrical renewable power generation requirement is meaningful only in the case of generation of electrical power by the cannabis business operator ON SITE and that it DOES NOT include any renewable or clean power that Southern California Edison buys from third parties or generates on its own. This is because the current California Renewable Energy Mandate for Edison is 33% of power to be produced by renewable / clean means by 2020. This means that if the county was to allow the portion of clean energy supplied by Southern California Edison to be used towards this minimum of 20% clean energy generation goal stated in the proposed ordinance, it would render that requirement totally meaningless because this would be already met by the energy supplied by Edison and operators of cannabis grow facilities would have to do absolutely nothing to alleviate the pressure that these grow facilities place on the electrical grid and that are expected to place on the grid in the future, which is precisely the goal of that 20% minimum ON SITE power generation requirement that is incorporated into the proposed ordinance. Cannabis grow facilities therefore must produce ON SITE at least 20% of the total energy they consume to insure that these businesses do not adversely affect the local power grid and other users of electrical power. This will prove a tall order to meet for most of these cannabis cultivation facilities simply because the math and the physics involved is not in their favor and this makes my facility quite attractive for this particular use from an energy standpoint, which is one of the most serious issues that need to be dealt with when it comes to cannabis indoor cultivation.

3. The property sits on top of the aquifer and has its own groundwater that is suitable for cannabis cultivation and that it can be used by right for cannabis cultivation. Water availability therefore is not an issue and a cannabis facility at this location is not expected to have any adverse impact on water resources.
4. This is one of a few if any W2 zoned properties located in the entire Riverside county that already contains all the required or almost all the required infrastructure for a cannabis business. It is basically cannabis ready with the exception of a few improvements that will be necessary that are insignificant in comparison to the overall infrastructure that is already in place. Not only the property contains a permitted 10,000 SF metal building that is ideal for a cannabis microbusiness, but it also includes a 1,000 SF prefabricated home that is ideal for security purposes because it can be used both by security personnel and by other employees.
5. The property since it is approximately ten acres is already zoned for a number of agricultural, commercial and industrial activities and even allows for having a retail stand on property land, presumably on Indian Canyon Drive in this case, for the sale of products produced at the property (the equivalent to a dispensary in the world of cannabis). The model therefore for these W2 lots of this size is to allow agricultural businesses that grow various products and the direct sale of these products by having a retail booth on property grounds (vertical integrated microbusiness model). This W2 land is basically a combination of very low density residential / agricultural land with a wide range of commercial and industrial uses that is intended to be operated as a family business and is therefore CONSISTENT with the cannabis microbusiness model (boutique vertically integrated full service facilities, like boutique wineries), particularly when one takes into account that the property is IDEAL for cannabis use in every other respect. I fully understand that this may not be the case with other W2 properties throughout the county, but so is the case with other commercial, agricultural, industrial or manufacturing properties as well. Not all facilities in

the proposed approved zones will qualify either. For these reasons, it is important that W2 properties are not excluded outright from cannabis related uses but that they are allowed to apply for a CUP and for a Development Agreement with the county and that the suitability or lack thereof of these properties for this particular use is addressed on a case-by-case basis at that time as will be the case with properties that are present in the currently proposed approved zones. This is particularly important given the fact that cannabis cultivation is nothing more than an agricultural activity with the caveat that it requires massive amounts of electrical power, which in this case is not an issue, because the property has the potential to generate all the power required through renewable resources. This potential for 100% electrical energy generation through wind is rather unusual when one considers the totality of properties located in the unincorporated areas of Riverside County that could be candidates for cannabis related activities and which clearly do not have this potential for energy generation through wind. This is a big plus therefore for my property because energy intensive uses of this type must be located in areas that allow this level of renewable electrical energy generation. The property therefore is ideal for a cannabis microbusiness that includes 10,000 SF or less of cultivation space, manufacturing and retail sales (dispensary) along Indian Canyon Drive and this microbusiness cannabis model is fully consistent with this particular W2 zoned property that is meant by zoning to be operated as a vertically integrated family business at this remote and yet very easily accessible location.

6. The location of the property is easily accessible from Interstate 10 for inspection and regulation purposes.
7. The location of the property is far away from any sensitive uses and homes and it is not expected to interfere in any way with the community or to cause any adverse effects and given the winds that blow in the area and its distance from other developed land uses of any kind, odors are not expected to be an issue at all.
8. The property is very secure because it has desert land all around it and this does not allow for burglaries, loitering or other criminal activity because intruders or violators would not be able to hide and or escape through the desert.
9. Property buildings meet all setback requirements for cannabis use established by the county.
10. One can incorporate aquaponics into this particular facility to reduce the use of chemical fertilizers, improve quality and conserve every drop of water all while growing food (fish and vegetables) in addition to cannabis. This would have to be implemented in stages however because it requires the progressive creation of a rather delicate, yet very robust when mature, closed ecosystem. The potential however for turning desert sand into gold through the creation of delicious and nutritious food along with cannabis in this desert land is there from a technical point of view because good quality water, wind energy and sunshine is present all year round.

The challenge here is the utilization of available man-made and natural resources to create a long-term viable business that has a substantial positive impact on the local community, that creates employment and that creates revenue for the county, the state and for those of us involved while at the same time acts to protect the environment and precious resources through the adoption of green strategies at all levels of implementation.

I have made in this letter an attempt to quantify to some extent these advantages with numbers, particularly in terms of the ability of the property to easily meet the stated goal of minimum 20% ON SITE energy generation through renewable means. I have also demonstrated that while this is easily achievable

by this particular property because of its location, building construction and land space available and that the property could achieve even 100% of energy generation through renewable resources, the same cannot be said about hypothetical facilities in the proposed approved manufacturing and industrial zones simply because wind energy and large land space is not usually available at those locations.

In my opinion the guiding principle in determining the proper zoning for cannabis related businesses should be the “public interest”. This public interest is expressed in terms of the large number of broad requirements that the county has correctly identified and established (with the help of public input) and that cannabis businesses must meet in order to operate in a manner consistent with public interest.

My property located at 15110 Indian Canyon Desert Hot Springs, is not only situated in the middle of the Mecca of Marijuana with huge industrial cannabis developments springing up all around it to the East, North East and South of it, but most importantly, it meets and/or exceeds, in some cases by far, all county stated objectives and requirements that cannabis businesses must meet. As a result, I ask that you please follow a middle-of-the-road approach when it comes to the W2 zoning and allow this type of use at W2 zoned properties on a case-by-case basis by vetting these properties at two stages; prior to and when they apply for a CUP and Development Agreement as you will do for other permitted zones anyways.

I make this reasonable request because my property is both highly suitable for cannabis use and in full compliance with the stated county requirements and objectives for this particular use and is cannabis ready as well in terms of existing infrastructure. My property therefore serves as proof that W2 properties can be great candidates for cannabis use and therefore they should not be excluded outright. While my property may be the exception and not the rule and the majority of W2 properties in unincorporated Riverside County may not be suitable for cannabis use, the objective of this exercise and public hearings before the Riverside Planning Commission should be to find ways to include suitable properties while excluding those that are not suitable. The W2 zoning itself is not inconsistent with this type of activity and yet it is currently excluded. This means that the W2 zoning itself must be included along with certain requirements that will identify at an early stage particular W2 properties that do not qualify so that the county Planning Department is not flooded with CUP applications from unqualified properties. These W2 properties that do not meet the criteria can be rejected at an early stage even before they apply for a CUP and Development Agreement. To streamline this process, the county could for example require that candidate W2 properties demonstrate upfront that they have the basics to operate as a cannabis business, i.e. access to adequate water supply, adequate electricity supply, adequate or nearly adequate buildings on the site, that they meet distance requirements from sensitive uses, that they meet minimum setback requirements and that they can meet the 20% ON SITE minimum energy generation requirement in order to qualify for a Cannabis Business Development Agreement. This type of vetting is fair, equitable and objective because it is based on the reality on the ground and not some hypothetical arguments on paper or arbitrarily adopted sets of rules (currently adopted cookie-cutter) and insures that only qualified properties will move forward which will result in long term benefits for the county, its businesses and its citizens. By following this reasonable middle-of-the-road approach you will automatically reject upfront all W2 properties that do not qualify while you will allow properties like mine that are highly suitable for cannabis use and that can operate as cannabis businesses in a manner consistent with public interest to move forward and to be farther evaluated through the CUP and Development Agreement process. What is not fair, equitable and objective is to exclude from the start some of the most qualified properties for this land use while aware that this is the case because of

semantics and despite the fact that the reasoning behind the current W2 land uses is not inconsistent with a cannabis microbusiness or other cannabis uses.

For this reason, I ask that you allow cannabis related businesses in W2 zoned areas of unincorporated Riverside county that meet the above mentioned common sense basic requirements for a cannabis business (water, electricity, existing facilities, minimum setbacks, security, renewable generation energy potential, proximity to sensitive uses and private homes, etc.) so that we can avoid this dichotomy where my property is IDEAL for this particular use but yet it is EXPLICITLY EXCLUDED from such use while other properties that are not equally suitable are included, simply because the wrong cookie-cutter was applied. A middle-of-the-road approach of this type that has certain upfront requirements (and thus screens properties at an early stage and prevents frivolous applications with no hope for approval) and then examines the properties that seem to qualify on a case-by-case basis during the CUP and Development Agreement process is fair in this case and for this unique land use and it is also in the interest of the county as well for the reasons that I have analyzed in detail above.

Kind Regards,

A handwritten signature in black ink, reading "P. Theo Theodoropoulos". The signature is written in a cursive, flowing style.

Panagiotis Theodoropoulos, Ph.D.

To: Supervisor Chuck Washington  
Riverside County, Third District  
4080 Lemon St Riverside, CA 92501

RE: June 20th Riverside County Planning Commission Meeting

Dear Supervisor Washington,

At the June 20, 2018 Planning Commission Meeting several members of the Planning Commission asked the Planning Department to "revisit" the possibility of RR and RA zones to be permitted for commercial cannabis cultivation. Anza/Aguanga is primarily zoned RR and RA. If the sheriff's estimate of close to 1000 illegal grows in the area is accurate, then permitting COMMERCIAL cultivation on these zone types will just exacerbate an already chaotic situation.

Commercial "business" has no business in residential type zoning. If commercial cannabis cultivation "businesses" are allowed, then we will have to allow the mechanics, retail and other commercial ventures. Where will the line be drawn?

We are already dealing with the semi-truck deliveries of fertilizer and other grow related products. The damage to our roads, the noise, and dust from the large semi's is only part of the fallout. More increased traffic from the "employees" and "patrons" of these "businesses" plus armed security, pressure on the electrical and water resources and environmental concerns are already taxing not only our physical resources but having a psychological impact on young families and seniors.

Because of the layout of the properties in our area where larger 20 acre parcels can be adjacent to smaller 3 and 5 acre parcels all zoned RR and RA the thought of children and grandchildren peering over a fence or worse, getting into a unenclosed marijuana grow right next door not only could pose a serious health hazard but is morally wrong. The reason marijuana is prohibited under Federal law, the reason for Prop 64, Prop 215, Prop 420, Ordinance 925 and the new amendment to County Ordinance 348 is that marijuana is a DRUG. A drug that may have the medicinal ability to alter the body in a good way, but also to alter the mind in perhaps a bad way. Why would we even want our children or grandchildren to even remotely have contact with marijuana and it's by-products.

It was also disturbing to hear many of the growers speaking at the meeting indicate that *"if the county did not make available RR and RA type properties for commercial cultivation that they were going to continue to grow illegally"*. I would suggest that our county not be held to blackmail by a group of people who are openly flaunting our laws. Our Riverside County residents, county staff, police force and elected officials are better than that.

Our area represents 1/65th of the unincorporated area in the county and most all of the speakers at the meeting were from the Anza/Aguanga area. I am sure that if the rest of the county was aware that even the consideration of allowing commercial marijuana cultivation in RR and RA areas was being considered there would be a public outcry of considerable size in the other supervisorial districts.

I'm sure you are aware that our Anza precinct voted against Prop 64 because we knew what was going to happen. Unfortunately many people from out of the area, out of the state and even out of the country perceived the Prop 64 vote to be a vote to open all of California to rampant cannabis cultivation. 90% of

the growers who moved to the Anza Valley since 2015 could not spell ANZA or find it on a map yet here they are.

After hearing the excellent presentation of the amendment to Ordinance 348 by Director Leach and to hear about the other areas her team visited, the people they spoke to, and to look at the work involved in putting together a 58 page document that very clearly provides for the safety and security of our communities I was stunned that any member of the planning commission would task her to "revisit" such an important part of the ordinance as to where marijuana can be grown.

The revision to the Ordinance 348 also provides a very clear path to those want to be involved in the commercial production and distribution of marijuana. The Anza/Aguanga area has lots of Ag1, Ag2, and Ag3 properties plus commercially zoned areas. Just like any other startup business an entrepreneur could buy, lease or joint venture with the owner on any of these properties. It makes no sense from either a land use or a moral point of view to consider placing marijuana cultivation right next to families.

I support an individual's right to grow cannabis for personal and medicinal use under Ordinance 925.5. That type of small scale growing is not an issue and is allowed on the RR and RA zones. If these business people truly are legitimate business owners, they can, and should, be held to the same requirements as any other trade and conduct their business in the appropriate zones and ordinances as every other.

We hope that Director Leach and her staff will find good reason to continue to exclude RR and RA zoning from commercial cannabis cultivation and hope hope that you will support us in that endeavor.

Thank you,

Mary Anne Puett  
951-763-4784  
PUETT.MARYANN@GMAIL.COM

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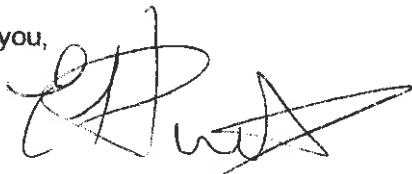
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