ORDINANCE NO. 348.4931

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

AMENDING ORDINANCE NO. 348

RELATING TO ZONING

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

Section 1. A new subsection G. is added to Section 5.1 of Ordinance No. 348 to read as follows:

“G. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., C., or D. in Section 5.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.”

Section 2. A new subsection F. is added to Section 6.50 of Ordinance No. 348 to read as follows:

“F. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 6.50 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.”

Section 3. A new subsection G. is added to Section 9.1 of Ordinance No. 348 to read as follows:

“G. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or D. in Section 9.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.”

Section 4. A new subsection F. is added to Section 9.50 of Ordinance No. 348 to read as follows:

“F. Industrial Hemp Activities are permitted or conditionally permitted in subsections A. or B. in Section 9.50 pursuant to the provisions set forth in
Section 5. A new subsection F. is added to Section 10.1 of Ordinance No. 348 to read as follows:

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

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

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

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

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

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

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

Section 9. A new subsection F. is added to Section 13.1 of Ordinance No. 348 to read as follows:
“F. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., or C. in Section 13.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.”

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

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

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

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

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

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

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

“I. Industrial Hemp Activities are permitted or conditionally permitted in subsections A., B., C., or D. in Section 15.1 pursuant to the provisions set forth in Article XIXm of this ordinance including, but not limited to, permit processing, location, standards and approval requirements.”
Section 14. A new Article XIXm is added to Ordinance No. 348 to read as follows:

“ARTICLE XIXm

INDUSTRIAL HEMP ACTIVITIES

SECTION 19.1100. PURPOSE AND INTENT.
The purpose of this Article is to protect the public health, safety, and welfare, enact effective regulatory and enforcement controls in compliance with State law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment in the unincorporated areas of Riverside County by establishing land use regulations for industrial hemp activities. Industrial hemp activities include industrial hemp cultivation, industrial hemp manufacturing and processing. Industrial hemp activities require land use regulations due to the potential environmental and social impacts associated with industrial hemp activities.

SECTION 19.1101. PROHIBITED ACTIVITIES.
A. Any Industrial Hemp Activity that is not expressly exempted from this Article or provided for in an approved conditional use permit or plot plan and a registration with the County Agricultural Commissioner is prohibited in all zones and is hereby declared a public nuisance that may be abated by the County and is subject to all available legal remedies, including but not limited to civil injunctions.
B. All Industrial Hemp Activities are prohibited within any dwelling unit, accessory dwelling unit, guest quarters, or any other residential accessory building permitted for residential occupancy.
C. Outdoor Industrial Hemp Cultivation is prohibited in the R-R, R-A and W-2 Zones on lots less than 5 gross acres.
D. Indoor and Outdoor Industrial Hemp Cultivation is prohibited on lots located, entirely or partially, within the boundary of the Santa Margarita River Watershed area within the County of Riverside as established by United States v. Fallbrook Pub. Util. Dist., No. 1247-SD-C (S.D. Cal filed Jan. 25, 1951) and managed by the Santa Margarita River Watershed Watermaster.
SECTION 19.1102.  APPLICABILITY.
A.  Industrial Hemp Activities shall not be allowed in the unincorporated areas of Riverside County without first obtaining all required land use permits, licenses, registrations or other entitlements required by local or State laws and regulations.
B.  For the purposes of this Article, Industrial Hemp does not include Cannabis as defined in this ordinance.
C.  This Article does not apply to legally existing Outdoor Industrial Hemp Cultivation in the A-1, A-P, A-2, A-D and W-2 zone classifications that is operated by an Established Agricultural Research Institution as defined in Section 81000 of the California Food and Agricultural Code.
D.  Outdoor Industrial Hemp Cultivation legally operating in the A-1, A-P, A-2, A-D, R-R, R-R-O, R-1, R-1A, R-A, R-2, R2-A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, C/V, C-C/V, WC-R, WC-W, WC-WE, WC-E, R-D, N-A, W-2, W-2-M, W-1, W-E, M-R, M-R-A and MU zone classifications with a valid registration issued by the County Agricultural Commissioner prior to the effective date of Ordinance No. 348.4931 may continue operating for the period of time provided in the valid registration. Upon expiration of the valid registration, the Outdoor Industrial Hemp Cultivation shall comply with the requirements of this Article and all other applicable laws and regulations.

SECTION 19.1103.  LOCATIONS.
B.  Industrial Hemp Activities operating in accordance with this Article within approved Specific Plans shall be an interim use not to exceed a maximum of 10 years.
SECTION 19.1104. OUTDOOR INDUSTRIAL HEMP CULTIVATION.

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

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

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

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

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

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

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

a. On lots less than five gross acres Outdoor Industrial Hemp Cultivation is prohibited.

b. Except as provided in subsection c. below, on lots five gross acres or greater with an approved conditional use permit in accordance with Section 18.28 of this ordinance.

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

SECTION 19.1105. INDOOR INDUSTRIAL HEMP CULTIVATION.

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

B. Zoning. Notwithstanding any other provision of this ordinance, Indoor Industrial Hemp Cultivation is allowed in the following zone classifications with an approved plot plan in accordance with section 18.30 of this ordinance: C-1/C-P, C-P-S, I-P, M-SC, M-M, M-H, A-1, A-P, A-2 and A-D.
SECTION 19.1106. INDUSTRIAL HEMP CULTIVATION STANDARDS.

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

A. Location Requirements.

1. Indoor and Outdoor Industrial Hemp Cultivation shall not be located within 1,000 feet of any Child Day Care Center, K-12 school, public park, or Youth Center. The distance shall be measured from the nearest points of the respective lot lines using a direct straight-line measurement. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance.

2. Industrial Hemp shall not be cultivated on a premises legally allowed to cultivate or process Cannabis.

B. Setbacks.

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

2. Outdoor Industrial Hemp Cultivation:
   a. For lots adjoining lots zoned R-R, R-R-O, R-1, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, R-7, W-2-M, WC-W, WC-WE, WC-E, WC-R the Industrial Hemp Cultivation Area shall be setback a minimum of 100 feet from the adjoining lot line,
otherwise the Industrial Hemp Cultivation Area shall be setback a minimum of 25 feet from all lot lines and public right-of-ways.

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

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

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

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

F. Operations.

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

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

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

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

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

G. **Signage – Outdoor Industrial Hemp Cultivation.** In accordance with Section 81006 of the Food and Agricultural Code, Outdoor Industrial Hemp Cultivation shall have a sign placed at the primary entrance of the lot indicating it is Industrial Hemp Cultivation. The sign shall be a minimum of 3 foot by 3 foot.
Manufacturing Facilities are allowed as follows:


SECTION 19.1108. INDUSTRIAL HEMP MANUFACTURING FACILITIES STANDARDS

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

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

B. Setbacks.

1. Non-Volatile and Volatile Industrial Hemp Manufacturing Facilities shall be setback from all lot lines a minimum of 25 feet.

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

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

D. **Operations.**

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

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

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

**SECTION 19.1109. PERMIT REQUIREMENTS FOR INDUSTRIAL HEMP ACTIVITIES**

Industrial Hemp Activities shall comply with the following requirements:

A. **Application Requirements.** At the time of filing the application for an Industrial Hemp Activity on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the land use permit application.
B. **Suspension, Revocation, or Termination of State License.** Suspension of any required license issued by the State of California, or by any State licensing authority, or registration issued by the County Agricultural Commissioner shall immediately suspend the ability of an Indoor or Outdoor Industrial Hemp Cultivation to operate within the County until the State or County reinstates or reissues the State license or County registration, as applicable. Revocation or termination of State license or County registration will also be grounds to revoke or terminate any conditional use permit or plot plan granted to an Indoor or Outdoor Industrial Hemp Cultivation land use pursuant to this Article.

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

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

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

2. An air system that creates negative air pressure between the Indoor Industrial Hemp Activities’ interior and exterior, so that the odors generated by the Indoor Industrial Hemp Activity are not detectable on the outside of the Indoor Industrial Hemp Activity.

This subsection does not apply to greenhouses or similar structures.

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION 19.1110. APPROVAL REQUIREMENTS FOR INDUSTRIAL HEMP
ACTIVITIES**

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

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

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

1. The Industrial Hemp Cultivation complies with all the requirements of the
   State and County for Industrial Hemp Cultivation.
2. The Industrial Hemp Cultivation is not located within 1,000 feet from any
   Child Day Care Center, K-12 school, public park, or Youth Center or a
   variance has been approved allowing a shorter distance but not less than
   allowed by State law.
3. The Industrial Hemp Cultivation includes adequate measures that minimize use of water for cultivation on the lot.

4. The Industrial Hemp Cultivation includes adequate quality control measures to ensure cultivation meets State and County regulatory standards.

5. The Industrial Hemp Cultivation includes adequate measures that address enforcement priorities for cultivation including restricting access to minors, and ensuring that Industrial Hemp is not supplied to unlicensed or unpermitted persons.

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

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

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

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

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

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

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

SECTION 19.1111. PUBLIC HEARING REQUIREMENTS FOR INDUSTRIAL HEMP ACTIVITIES.

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

SECTION 19.1112. REVOCATION OF PERMIT FOR INDUSTRIAL HEMP ACTIVITIES.

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

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

“Section 21.39b. INDUSTRIAL HEMP.

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

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

“Section 21.39c. INDUSTRIAL HEMP ACTIVITY.
The cultivation, growing, seed breeding, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of Industrial Hemp and Industrial Hemp Products.”

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

“Section 21.39d. INDUSTRIAL HEMP CULTIVATION.
Any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of industrial hemp for commercial purposes and industrial hemp seed breeders.”

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

“Section 21.39e. INDUSTRIAL HEMP CULTIVATION AREA.
The area on a lot or in a building where Industrial Hemp is planted, grown, harvested, dried, cured, graded, or trimmed or that does all or any combination of these activities.”

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

“Section 21.39f. INDUSTRIAL HEMP MANUFACTURING.
The compounding, blending, extracting, infusing, or otherwise making or preparing a hemp product.”

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

“Section 21.39g. INDUSTRIAL HEMP MANUFACTURING FACILITY (NON-VOLATILE).
A facility that processes, produces, prepares, propagates, holds, stores, packages, labels or compounds hemp or hemp products either directly or indirectly or by extraction and/or infusion methods, or independently by means of chemical synthesis or by a combination of extraction and/or infusion and chemical synthesis, using non-volatile organic compounds, at a fixed location, that packages or repackages hemp or hemp products, or labels or relabels its containers. Hemp manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.”
Section 21. A new section 21.39h. is added to Ordinance No. 348 to read as follows:

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

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

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

“Section 21.39i. INDUSTRIAL HEMP PRODUCTS.

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

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

“Section 21.39j. INDOOR INDUSTRIAL HEMP CULTIVATION.

The cultivation of Industrial Hemp within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate of twenty-five (25) watts per square foot.”
Section 24. This ordinance shall take effect thirty (30) days after its adoption.

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

By:______________________________
Chairman

ATTEST:
CLERK OF THE BOARD
Kecia Harper

By:__________________________
Deputy

(SEAL)

APPROVED AS TO FORM
August ____, 2020

By:________________________
MICHELLE P. CLACK
Chief Deputy County Counsel