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 Marijuana Regulation and Safety Act, which instituted a comprehensive State-level licensure and regulatory scheme for cultivation, manufacturing, distribution, transportation,
laboratory testing, and dispensing of medical cannabis.

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

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

h. 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.

i. 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.

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

k. 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.

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

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

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

<table>
<thead>
<tr>
<th>COMMERCIAL CANNABIS ACTIVITIES</th>
<th>PER SQUARE FOOT OR UNIT</th>
<th>PER EMPLOYEE</th>
<th>OTHER CRITERIA</th>
<th>FOR VEHICLE STACKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>indoor cultivation</td>
<td></td>
<td>2 spaces/3 employees</td>
<td></td>
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</tr>
<tr>
<td>mixed light cultivation</td>
<td></td>
<td>2 spaces/3 employees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>nursery</td>
<td></td>
<td>1 space/2 employees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>distributor</td>
<td></td>
<td>2 spaces/3 employees of largest shift</td>
<td></td>
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<tr>
<td>manufacturing</td>
<td></td>
<td>2 spaces/3 employees of largest shift</td>
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</tr>
<tr>
<td>testing</td>
<td></td>
<td>2 spaces/3 employees</td>
<td></td>
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</tr>
</tbody>
</table>
Section 5. A new Section 1.13 is added to Article I of Ordinance No. 348 to read as follows:

“Section 1.13. TABLES

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

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

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

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

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

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

<table>
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<tr>
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<th>largest shift</th>
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<tbody>
<tr>
<td>retailers</td>
<td>1 space/200 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>microbusinesses with retail sales</td>
<td>1 space/200 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Microbusinesses without retail sales</td>
<td>2 spaces/3 employees</td>
</tr>
</tbody>
</table>
conditional use permit in accordance with the provisions of either 18.26 or 18.26.a. of this ordinance, whichever is applicable, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing. Notwithstanding the above, or any other provision herein to the contrary, the hearing of any conditional use permit that requires approval of general plan amendment, a specific plan amendment, a change of zone or a development agreement shall be heard in accordance with the provisions of Section 2.5, 2.6, 20.3.a. or 18.26b. of this ordinance, whichever is applicable, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing.”

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

“Article XIXh COMMERCIAL CANNABIS ACTIVITIES

SECTION 19.500. PURPOSE AND INTENT

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

A. PROHIBITED ACTIVITIES.

1. Any Commercial Cannabis Activity that is not expressly provided for in both an approved conditional use permit and a valid Cannabis license issued by the State is prohibited in all zones and is hereby declared a public nuisance that may be abated by the County and is subject to all available legal remedies, including but not limited to civil injunctions.
2. Mobile Cannabis Retailers are prohibited in all zones and may not operate in the unincorporated area of Riverside County.

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

4. Outdoor cultivation of Cannabis is prohibited in the unincorporated area of Riverside County.

SECTION 19.501 APPLICABILITY

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

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

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

SECTION 19.502 EXEMPTIONS

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

A. Personal Cannabis Cultivation

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

B. Cannabis Cultivation by Primary Caregiver.

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

SECTION 19.503 PROHIBITED LOCATIONS


SECTION 19.504 PERMIT REQUIREMENTS FOR ALL COMMERCIAL CANNABIS ACTIVITIES

All Commercial Cannabis Activities shall comply with the following requirements:

A. APPLICATION REQUIREMENTS

At the time of filing the application for a Commercial Cannabis 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. STATE LICENSE REQUIRED
Obtain and maintain during the life of the Commercial Cannabis Activity the applicable California license issued pursuant to California Business and Professions Code Sections 19300.7 or 26050(a).

C. SUSPENSION, REVOCATION, OR TERMINATION OF STATE LICENSE
Suspension of a license issued by the State of California, or by any State licensing authority, shall immediately suspend the ability of a Commercial Cannabis Activity to operate within the County until the State, or its respective State licensing authority, reinstates or reissues the State license. Revocation or termination of a license by the State of California, or by any State licensing authority, will also be grounds to revoke or terminate any conditional use permit granted to a Commercial Cannabis Activity pursuant to this Article.

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

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

F. NUISANCE ODORS

All Commercial Cannabis Activities shall be sited and operated in a manner that
prevents Cannabis nuisance odors from being detected offsite. All Commercial
Cannabis Activities shall provide a sufficient odor absorbing ventilation and
exhaust systems so that odor generated inside the Commercial Cannabis Activity
that is distinctive to its operation is not detected outside of the operation’s facility,
anywhere on adjacent lot 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 Commercial
Cannabis Activity. In order to control nuisances such as odors, humidity and
mold, Commercial Cannabis 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 Commercial
   Cannabis Activities’ interior and exterior, so that the odors generated by
   the Commercial Cannabis Activity are not detectable on the outside of the
   Commercial Cannabis Activity.

G. COMMERCIAL CANNABIS ACTIVITY OPERATOR QUALIFICATIONS

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

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

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

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

J. INSPECTIONS
A Commercial Cannabis Activity 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.

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

L. RESTRICTION ON ALCOHOL AND TOBACCO SALES OR
CONSUMPTION

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

M. RESTRICTION ON CONSUMPTION

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

O. SECURITY

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

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

6. Sensors shall be installed to detect entry and exit from all secure areas.

7. Panic buttons shall be installed in all Commercial Cannabis Activities.

8. Any bars installed on the windows or the doors of a Commercial Cannabis Activity shall be installed only on the interior of the building.


10. A Commercial Cannabis Activity shall have the capability to remain secure during a power outage and all access doors shall not be solely controlled by an electronic access panel to ensure locks are not released during a power outage.

11. A Commercial Cannabis Activity shall cooperate with the County and, upon reasonable notice to the Commercial Cannabis Activity, allow the County to inspect or audit the effectiveness of the security plan for the Commercial Cannabis Activity.

12. The permittee for a Commercial Cannabis Activity shall notify the Riverside County Sheriff’s Department immediately after discovering any of the following:

   a. Significant discrepancies identified during inventory.
   b. Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Activity or any agent or employee of the Commercial Cannabis Activity.
c. The loss or unauthorized alteration of records related to Cannabis, registering qualifying patients, primary caregivers, or employees or 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 and advertising the activity to passersby, whether such person or device is on the lot of the Commercial Cannabis Activity or elsewhere including, but not limited to, the public right-of-way.

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

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

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

6. Signage shall not be directly illuminated, internally or externally.

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

R. RECORDS

1. Each owner and permittee of a Commercial Cannabis Activity shall 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. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon written request.

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

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

S. WATER

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

T. PARKING

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

U. VISIBILITY

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

V. HAZARDOUS MATERIALS

All Commercial Cannabis Activities that utilize hazardous materials shall comply with applicable hazardous waste generator and AB 185 (hazardous materials handling) 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.

W. COMPLIANCE WITH LOCAL AND STATE LAWS AND REGULATIONS

All Commercial Cannabis 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, Building Code, Fire Code, 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 and the grading of land.

SECTION 19.506. PUBLIC HEARING AND REQUIREMENTS FOR APPROVAL.

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

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

1. The permit is consistent with the General Plan and any applicable specific plan.
3. The permit complies with the development standards for the zoning classification in which the Commercial Cannabis Activity is located.
4. The permit will not be detrimental to the public health, safety or general welfare.

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

SECTION 19.507. PERMIT EXPIRATION.

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

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

SECTION 19.508 OUTDOOR CANNABIS CULTIVATION PROHIBITED

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

SECTION 19.509 INDOOR (ARTIFICIAL LIGHT) CANNABIS CULTIVATION

A. ZONING.

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

1. Specialty Cottage Indoor Cannabis Cultivation.
Specialty Cottage Indoor Cannabis Cultivation is 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, M-H, A-1, A-P, A-2 and A-D.

2. Specialty Indoor Cannabis Cultivation.
   Specialty Indoor Cannabis Cultivation is 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, M-H, A-1, A-P, A-2 and A-D.

3. Small Indoor Cannabis Cultivation.
   Small Indoor Cannabis Cultivation is 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, M-H, A-1, A-P, A-2, and A-D.

4. Medium Indoor Cannabis Cultivation.
   Medium Indoor 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: I-P, M-S-C, M-M and M-H.

B. SIZE LIMITATIONS.
1. All Indoor Cannabis Cultivations shall not exceed the Canopy size threshold established by State law.

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

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

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

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

6. Multiple Indoor Cannabis Cultivations may operate on a single lot provided all the following is complied with:
   a. Each Indoor Cannabis Cultivation operation is granted a conditional use permit.
   b. The individual Canopy size for each Indoor Cannabis Cultivation operation complies with State law, and the cumulative Canopy area for all the Indoor Cannabis Cultivation operations on one lot does not exceed the total amount of 43,560 square feet.

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.

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.

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.

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.

B. SIZE LIMITATIONS.
1. A Mixed Light Cannabis Cultivation shall not exceed the Canopy size threshold established by State law.
2. The Canopy size on a single lot for a Specialty Cottage Mixed Light Cannabis Cultivation shall not exceed 2,500 square feet.
3. The Canopy size on a single lot for a Specialty Mixed Light Cannabis Cultivation shall not exceed 5,000 square feet.
4. The Canopy size on a single lot for a Small Mixed Light Cannabis Cultivation shall not exceed 10,000 square feet.
5. The Canopy size on a single lot for a Medium Mixed Light Cannabis Cultivation shall not exceed 22,000 square feet except as provided for in 19.510.B.6. below.
6. Multiple Mixed Light Cannabis Cultivation operations may operate on a single lot provided all the following is complied with:
   a. Each Mixed Light Cannabis Cultivation operation is granted a conditional use permit.
   b. The individual Canopy size for each Mixed Light Cannabis Cultivation operation complies with State law and the cumulative...
Canopy area for all the Mixed Light Cannabis Cultivation operations does not exceed the total amount of 43,560 square feet.

SECTION 19.511. CANNABIS CULTIVATION STANDARDS

In addition to the approval requirements in Section 19.506 of this ordinance and the development standards in the applicable zoning classification, Cannabis 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 Mixed Light Cannabis 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. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations. This location requirement may be modified with the approval of a variance pursuant to Section 18.27 of this ordinance. In no case shall the distance be less than allowed by State law.

2. Indoor and Mixed Light Cannabis Cultivation are not allowed in an established agricultural preserve or on a lot under a land conservation contract pursuant to the Williamson Act. Indoor and Mixed Light Cannabis Cultivation shall not be considered agriculture for the purposes of Ordinance No. 625 the County's Right-to-Farm Ordinance.

3. All Cannabis Cultivation is prohibited on natural slopes 25% or greater.

B. MINIMUM LOT SIZE.

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

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<thead>
<tr>
<th>Commercial</th>
<th>Minimum Lot</th>
<th>Allowable Zone(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

21
### Cannabis Activity Size (Square Feet)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Medium</td>
<td>Minimum lot size per Zone</td>
<td>I-P, M-SC, M-M, M-H</td>
</tr>
</tbody>
</table>

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

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

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.

b. The 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. 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.

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

e. 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.

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

E. SCREENING AND FENCING.

All Mixed Light Cannabis Cultivation shall occur within a secure fence at least 6 feet in height that fully encloses the Cannabis Cultivation Premises or Cannabis Cultivation area and prevents easy access to the Cannabis Cultivation Area. The fence must be solid, durable and include a lockable gate(s) that is locked at all times, except for during times of active ingress and egress. Fences shall be separated by a minimum of 6 feet from all cultivation structures. The fence shall comply with all other applicable County ordinances, policies, and design standards related to height, location, materials, or other fencing restrictions.
Fences with barbed wire are not permitted.

F. ENCLOSURES

1. Cannabis Cultivation operations shall occur within a fully enclosed permitted building, greenhouse, hoop structure, or other similar structure. Mixed light supplemental lighting 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 that no light escapes.

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

G. ENERGY CONSERVATION MEASURES.

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

H. WATER CONSERVATION MEASURES.

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.

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.

J. FINDINGS.

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

1. The Indoor or Mixed Light Cannabis Cultivation complies with all the requirements of the State and County for Cannabis Cultivation.

2. The Indoor or Mixed Light Cannabis 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 Indoor or Mixed Light Cannabis Cultivation includes adequate
measures that minimize use of water for cultivation on the lot.

4. The Indoor or Mixed Light Cannabis Cultivation includes adequate quality control measures to ensure cultivation on the lot meets State and County regulatory standards.

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

6. For Indoor and Mixed Light Cannabis Cultivation lots with verified Cannabis related violations within the last 12 months from the adoption date of Ordinance No. 348.4862, the proposed use will not contribute to repeat violations on the lot and all applicable fees have been paid.

7. The Indoor or Mixed Cannabis Cultivation will operate in a manner that prevents Cannabis nuisance odors from being detected offsite.

SECTION 19.512 CANNABIS WHOLESALE NURSERIES

A. APPLICABILITY.

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

1. Outdoor Cannabis Wholesale Nurseries.
   Outdoor Cannabis Wholesale Nurseries are allowed on lots larger than or equal to one gross acre 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.

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

Mixed Light Cannabis Wholesale Nurseries are allowed on lots larger than or equal to one gross acre 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.

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 Wholesale Nursery.

SECTION 19.513 CANNABIS WHOLESALE NURSERIES STANDARDS

In addition to the approval requirements in Section 19.506 of this ordinance and the development standards for the applicable zoning classification, Cannabis Wholesale Nurseries 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 Wholesale Nurseries shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing 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. MINIMUM LOT SIZE.

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)

| Outdoor Cannabis Wholesale Nursery | 1 | A-1, A-P, A-2, A-D |

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

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

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

<table>
<thead>
<tr>
<th>Activity</th>
<th>Minimum Lot Size (Gross Acres)</th>
<th>Allowable Zone(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Light Cannabis Wholesale Nursery</td>
<td>1</td>
<td>A-1, A-2</td>
</tr>
</tbody>
</table>

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.

D. SCREENING AND FENCING.

Live Cannabis Plants shall not be visible from outside of the lot for a Cannabis Wholesale Nursery. All Cannabis Wholesale Nursery activities shall occur within a secure, 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. The fence shall comply with all applicable County ordinances, policies and design standards regarding the height, location, and materials. Fences with barbed wire are not permitted.

E. MATURE CANNABIS PLANTS.

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.

F. ENCLOSURES

1. Except for outdoor Cannabis Wholesale Nurseries, operations shall occur within a fully enclosed permitted building, greenhouse, hoop structure, or other similar structure. Mixed light supplemental lighting 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 that no light escapes.
2. Greenhouse, hoop structures, or other similar structures shall comply with all applicable Building and Safety laws and regulations and each structure shall not exceed 5,500 square feet in area. Structures that are 3,600 square feet in area or larger shall be reviewed by the Riverside County Fire Department and subject to fire sprinkler requirements as set forth in Riverside County Ordinance No. 787.

G. ENERGY CONSERVATION MEASURES.

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

H. WATER CONSERVATION MEASURES.

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

I. FINDINGS.

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

1. The Cannabis Wholesale Nursery complies with all the requirements of the State and County for the cultivation of Cannabis.

2. The Cannabis Wholesale Nursery is not within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center.

3. The Cannabis Wholesale Nursery includes adequate measures that
minimize use of water for activities at the site.

4. The Cannabis Wholesale Nursery includes adequate quality control measures to ensure Cannabis kept on the lot meets State regulatory standards.

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

6. For Cannabis Wholesale Nurseries lots with verified Cannabis-related violations within the last 12 months from the adoption date of Ordinance No. 348.4862, the use will not contribute to repeat violations on the lot and all applicable fees have been paid.

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

SECTION 19.514 CANNABIS MANUFACTURING FACILITIES

A. APPLICABILITY

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

1. Non-Volatile Cannabis Manufacturing Facility.

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

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

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

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

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

SECTION 19.515 CANNABIS MANUFACTURING 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 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.

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

B. MINIMUM LOT SIZE.

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

C. SETBACKS

1. All Cannabis Manufacturing 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.

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

D. LIMITATION ON THE MANUFACTURING OF CANNABIS EDIBLE PRODUCTS.

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

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

F. FINDINGS.

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

1. The Cannabis Manufacturing Facility complies with all the requirements of
   the State and County for the manufacturing of Cannabis.

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

4. The 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  CANNA*BIS 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 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.  All Cannabis Testing 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.

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

C.  OPERATIONS

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.

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

1. The Cannabis Testing Facility complies with all the applicable requirements of the State and County for the testing of Cannabis.
2. The owners, permittees, operators, and employees of the Cannabis Testing Facility are not associated with any other Commercial Cannabis Activity.
3. The Cannabis Testing Facility is accredited by an appropriate accrediting agency as approved by the State and in compliance with Health and Safety Code Section 5238, which may be amended from time to time.
4. The Cannabis Testing Facility’s operating plan demonstrates proper protocols and procedures for statistically valid sampling methods and accurate certification of Cannabis and Cannabis Products for potency, purity, pesticide residual levels, mold, and other contaminants according to adopted industry standards.
5. The Cannabis Testing 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.
6. The Cannabis Testing Facility is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center.
7. For Cannabis Testing Facilities lots with verified cannabis-related violations within the last 12 months from the adoption date of Ordinance No. 348.4862, the use will not contribute to repeat violation
on the lot and all applicable fees have been paid.

SECTION 19.518. CANNABIS RETAILER

A. APPLICABILITY

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

1. Cannabis Retailer – Non-Storefront

Non-storefront Cannabis Retailers within a permanent structure 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.

2. Cannabis Retailer – Storefront

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

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

SECTION 19.519. CANNABIS RETAILER MINIMUM STANDARDS.

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

A. GENERAL LOCATION.

1. Cannabis Retailers shall not be located within 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.

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

3. Cannabis Retailers shall not be located within 500 feet of a smoke shop or similar facility.

4. Cannabis Retailers shall not be located on a lot containing a residential dwelling unit.

B. SETBACKS

1. All Cannabis Retailers shall comply with the setback standards for the zone classification they are located in, except when adjacent to a residential zone where the minimum setback from the residentially zoned lot lines shall be 40 feet.

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

C. OPERATIONS.

1. 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. An electronic or mechanical entry system shall be utilized to limit access and entry to the retail location.

2. 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.

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

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

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

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

6. 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.

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

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

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

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

E. FINDINGS.

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

a. The Cannabis Retailer complies with all the requirements of the State and County for the selling of Cannabis.

b. The non-storefront Cannabis Retailer is not open to the public.

c. The Cannabis Retailer is not located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center.

d. The Cannabis Retailer includes adequate measures that address enforcement priorities for Commercial 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.

e. For Cannabis Retailer lots with verified cannabis-related violations within the last 12 months from the adoption date of Ordinance No. 348.4862, the use will not contribute to repeat violation on the lot and all applicable fees have been paid.

SECTION 19.520 CANNABIS DISTRIBUTION FACILITIES

APPLICABILITY.

Notwithstanding any other provision of this ordinance, Cannabis Distribution 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.
SECTION 19.521. CANNABIS DISTRIBUTION FACILITIES STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and development standards for the applicable zoning classification, Cannabis Distribution 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 Distribution Facilities shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws and regulations.

B. SETBACKS.

1. All Cannabis Distributions 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.

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

C. OPERATIONS.

1. Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities. .

2. In addition to the requirements of Section 19.504.R. the following record
keeping measures are required to be implemented for all Cannabis Distribution Facilities:

a. Prior to transporting Cannabis or Cannabis Products, a shipping manifest shall be completed as required by state law and regulations.

b. A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement or any agents of the State or County charged with enforcement.

c. Cannabis Distribution Facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting Cannabis and Cannabis Products to maintain a clear chain of custody.

3. Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files.

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

D. FINDINGS.

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

1. The Cannabis Distribution Facility complies with all the requirements of the State and County for the distribution of Cannabis.

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

3. The Cannabis Distribution Facility is not within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center.

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

5. For Cannabis Distribution Facility lots with verified cannabis-related violations within the last 12 months from the adoption date of Ordinance No. 348.4862, the use will not contribute to repeat violations on the lot and the all applicable fees have been paid.

SECTION 19.522 CANNABIS MICROBUSINESS FACILITIES

APPLICABILITY.

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

SECTION 19.523 CANNABIS MICROBUSINESS FACILITIES STANDARDS.

In addition to the approval requirements in Section 19.506 of this ordinance and development standards for the applicable zoning classification, Cannabis Microbusiness 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 Microbusiness Facilities shall not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center. Distance shall be measured from the nearest point of the respective lot lines using a direct straight-line measurement. A new adjacent use will not affect the continuation of an existing legal use that has been established under this Article and continuously operating in compliance with the conditional use permit, and local and State laws
and regulations.

B. SETBACKS.

1. 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.

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

C. ACTIVITIES

1. Cannabis Microbusiness Facilities shall not transport or store non-cannabis goods.

2. Cannabis Microbusiness Facilities may distribute, manufacture (without volatile solvents) and dispense Cannabis under a single Cannabis Microbusiness Facilities license issued by the State.

3. Cannabis Microbusiness Facilities may cultivate Cannabis indoors in an area less than 10,000 square feet.

4. Cannabis Microbusiness Facilities shall include at least three of the following Commercial Cannabis Activities, which shall be set forth in the conditional use permit:
   a. Indoor Cultivation up to 10,000 square feet
   b. Manufacturing (with non-volatile solvents)
   c. Distribution
   d. Retail sales
D. OPERATIONS

Cannabis Microbusiness Facilities shall comply with the operational requirements set forth in this Article that 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.

E. FINDINGS.

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

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

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

3. The Cannabis Microbusiness Facility will not be located within 600 feet from any Child Day Care Center, K-12 school, public park, or Youth Center.

4. For Cannabis Microbusiness Facility lots with verified cannabis-related violations within the last 12 months from the adoption date of Ordinance No. 348.4862, the use will not contribute to repeat violation on the site and all applicable fees have been paid.

SECTION 19.524. TEMPORARY CANNABIS EVENT.

A. REQUIREMENTS FOR APPROVAL.

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

1. The temporary Cannabis event will take place on County Fair property or District Agricultural Association property.
2. The temporary Cannabis event is not located within 1,000 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.
3. The temporary Cannabis event will not occur during the hours of 12:00 a.m. to 6:00 a.m.
4. The temporary Cannabis event is setback a minimum of 100 feet from lot lines.
5. The sale of Cannabis Products shall be performed by a Cannabis Retailer or Cannabis Microbusiness that possesses both an approved conditional use permit and a valid Cannabis license from the State, which shall be included in the permit application.
6. The sale or consumption of alcohol or tobacco is not allowed at the location of the temporary Cannabis event.
7. The event organizer for the temporary Cannabis will obtain a valid State event organizer license authorizing the retail sale of Cannabis goods and the temporary Cannabis event.
8. Access to the area(s) where sale or consumption of Cannabis occurs is restricted to persons 21 years of age or older.
9. Cannabis consumption is not visible from any public place or non-age-restricted area.
10. Security shall be present at the temporary Cannabis event.
11. A condition of approval shall be applied to all temporary Cannabis event permits requiring the event organizer to obtain a valid State license as an
event organizer and for the temporary event at least 10 calendar days before
the event’s first day. If this condition of approval is not met, the temporary
Cannabis event permit becomes null and void.

B. APPLICATION.

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

C. REVOCATION

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

SECTION 19.525. REVOCATION OF PERMITS FOR COMMERCIAL CANNABIS
ACTIVITIES

Any conditional use permit 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 10. Section 21.1 of Ordinance No. 348 is amended to read as follows:

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

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

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

“SECTION 21.3. AGRICULTURAL CROP.”
Any cultivated crop grown and harvested for commercial purposes, except cannabis and other controlled substances, which are defined and classified separately."

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

"SECTION 21.3a. AGRICULTURAL CULTIVATION.

The act of preparing the soil for the raising of agricultural crops."

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

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

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

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

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

"Section 21.19f. CANNABIS CULTIVATION AREA.

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

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

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

"Section 21.19h. 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."

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

"Section 21.19j. CANNABIS MANUFACTURING FACILITY (NON-VOLATILE).

A facility requiring a Type 6, Type N, Type P or Type S State manufacturing license, that processes, produces, prepares, propagates, holds, stores, packages, labels or
Section 22. Section 21.19k. of Ordinance No. 348 is amended to read as follows:

“Section 21.19k. 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 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.”

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

“Section 21.19l. CANNABIS OWNER. A Cannabis Owner is any of the following:

1. A person with an aggregate ownership interest of 20 percent or more in the Commercial Cannabis Activity for which a license or permit is being sought, unless the interest is solely a security, lien, or encumbrance.

2. The chief executive officer of a nonprofit or other entity.

3. A member of the board of directors of a nonprofit.

4. An individual who will be participating in the direction, control, or management of the person applying for Commercial Cannabis Activity permit or license.”

Section 24. A new Section 21.19m. is added to Ordinance No. 348 to read as follows:
“Section 21.19m. CANNABIS PACKAGE. Any container or receptacle used for holding cannabis or cannabis products.”

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

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

“Section 21.19o. 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-store front Cannabis Retailers are not open to the public. Store front Cannabis Retailers are open to the public.”

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

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

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

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

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

“Section 21.19r. 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.”

Section 30. A new Section 21.19s. is added to Ordinance No. 348 to read as follows:
“Section 21.19. CANOPY. For purposes of Article XIXh only, the designated area or areas at a licensed Premises that will contain Mature Plants at any point in time. Canopy shall be calculated in square feet and measured using clearly identifiable boundaries of all areas that will contain Mature Plants at any point in time, including all of the spaces within the boundaries.”

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Section 21.62o. SPECIALTY COTTAGE MIXED LIGHT CULTIVATION.
Cultivation using a combination of natural and supplemental artificial lighting with
a total canopy size on one Premises that does not exceed 2,500 square feet.”

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

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

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

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

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

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

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

“SECTION 21.74e. WHOLESALE NURSERY. An establishment engaged in
the propagation of trees, shrubs and horticultural and ornamental plants grown under
cover or outdoors for sale to the public. Includes commercial scale greenhouses and
establishments for the sale of plant materials, lawn and garden supplies, and related
items. A Wholesale Nursery does not include Cannabis Wholesale Nurseries which
are classified separately.”
Section 59. A new Section 21.79 is added to Ordinance No. 348 to read as follows:

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

Section 60.

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

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

By: _____________________
Chairman, Board of Supervisors

ATTEST:
CLERK OF THE BOARD

By: _____________________
Deputy

(SEAL)

APPROVED AS TO FORM
June __, 2018

By: _____________________
Michelle P. Clack
Chief Deputy County Counsel