

Chapter 17.302 - COMMERCIAL CANNABIS ACTIVITIES

Sections:

17.302.010 - Purpose and intent.

The purpose of this chapter 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.020 - Prohibited activities.

- A. Any commercial cannabis activity that is not expressly provided for in both an approved conditional use permit and a valid cannabis license issued by the state is prohibited in all zones and is hereby declared a public nuisance that may be abated by the county and is subject to all available legal remedies, including but not limited to civil injunctions.
- B. Mobile cannabis retailers are prohibited in all zones and may not operate in the unincorporated area of Riverside County.
- C. 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.
- D. Outdoor cultivation of cannabis is prohibited in the unincorporated area of Riverside County.
- E. All commercial cannabis activities within any dwelling unit, accessory dwelling unit, guest quarters, or any other residential accessory structure permitted for residential occupancy is prohibited.
- F. Unless a conditional use permit has been approved that includes the retail sales of cannabis or cannabis products no person shall conduct any retail sales of cannabis or cannabis products on or from a permitted commercial cannabis activity.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.030 - Applicability.

- A. Except as provided in Section 19.503 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 chapter.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.040 - 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 a 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.050 - Prohibited locations.

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

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.060 - 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) as may be amended from time to time.
- C. Suspension, revocation, or termination of state license. Suspension of a license issued by the State of California, or by any state licensing authority, shall immediately suspend the ability of a commercial cannabis activity to operate within the county until the state, or its respective state licensing authority, reinstates or reissues the state license. Revocation or termination of a license by the State of California, or by any state licensing authority, will also be grounds to revoke or terminate any conditional use permit granted to a commercial cannabis activity pursuant to this article.
- 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 chapter shall be given for any permit for a commercial cannabis activity unless the board of supervisors prior to or concurrently with approves a development agreement, pursuant to Section 17.192.110 of this title, setting forth the terms and conditions under which the commercial cannabis activity will operate in addition to the requirements of this chapter, 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 system 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 lots or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the 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 or older.
 - 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 chapter.
- 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 chapter 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 seven days a week only 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.
- N. 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. Twenty-four-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 vault, and in a manner as to prevent diversion, theft, and loss.
 - 5. Twenty-four-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 ninety (90) 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.
 - 9. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services.
 - 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.
- O. 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.
- P. 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 17.252.040 of this title.
 - 2. No commercial cannabis activity shall advertise by having a person or device holding a sign or an air dancer sign advertising the activity to passersby, whether such person, device or air dancer is on the lot of the commercial cannabis activity or elsewhere including, but not limited to, the public right-of-way.
 - 3. No commercial cannabis activity shall publish or distribute advertising or marketing that is attractive to children.
 - 4. No commercial cannabis shall advertise or market cannabis or cannabis products on motor vehicles.
 - 5. Except for advertising signs inside a licensed premises and provided that such advertising signs do not advertise or market cannabis or cannabis products in a manner intended to encourage persons under 21 years of age to consume cannabis or cannabis products, no commercial cannabis activity shall advertise or market cannabis or cannabis products on an advertising sign within one thousand (1,000) feet of a child day care center, a K-12 school, a public park or a youth center.
 - 6. No signs placed on the lot of a commercial cannabis activity shall obstruct any entrance or exit to the building or any window.
 - 7. 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.
 - 8. Signage shall not be directly illuminated, internally or externally.
 - 9. No banners, flags, billboards, or other prohibited signs may be used at any time.
- Q. 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.
- R. 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 and domestic water supplies shall not include water transported by vehicle from off-site sources.
 - S. Waste water. All commercial cannabis activities shall obtain a "will serve" letter from the applicable sanitary sewer purveyor, indicating agreement to supply sewer for the commercial cannabis activity. The letter shall include the activity proposed and any improvements required for service. For commercial cannabis activities where sewer service is not available, conditions from the department of environmental health will be required for the conditional use permit. Where sanitary sewer is not available, the applicant shall obtain clearance from the appropriate regional water quality control board.
 - T. Parking. Parking shall be provided in accordance with Chapter 17.188 of this title.
 - 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, Riverside County Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance No. 651, requirements and maintain any applicable permits for these programs from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources and the Agricultural Commissioner.
 - W. Compliance with local and state laws and regulations.
 1. 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, California Building Code, California Fire Code, Riverside County Ordinance No. 787, Riverside County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside County Ordinance No. 745, Airport Land Use Compatibility Plans, weights and measures regulations, track and trace requirements, pesticide use, water quality, storm water discharge and the grading of land.
 2. All buildings and structures, including greenhouse, hoop structures, or other similar structures shall comply with all applicable building, fire, and safety laws and regulations. All buildings and structures shall be reviewed by the Riverside County Building and Safety Department in accordance with the California Building Code and Riverside County Ordinance No. 457 and by the Riverside County Fire Department in accordance with Riverside County Ordinance No. 787 and the California Fire Code.
 - X. Material alterations to premises. No physical change, alteration, or modification shall be made to a premises without first obtaining the appropriate approvals from the county, including but not limited a substantial conformance or revised permit and all other necessary permits. Alterations or modifications requiring approval include, without limitation: (i) the removal, creation, or relocation of a common entryway, doorway, passage, or a means of public entry or exit, when

such common entryway, doorway, or passage alters or changes limited-access areas within the premises; (ii) the removal, creation, addition, or relocation of a cultivation area; (iii) or the addition or alteration of a water supply. The requirement of this section is in addition to compliance with any other applicable state or local law or regulation pertaining to approval of building modifications, zoning, and land use requirements. In the event that the proposed modification requires a new or modified conditional use permit such permit must be obtained prior to issuance of building permits.

- Y. Multiple commercial cannabis activities. Multiple commercial cannabis activities may be allowed on the same lot provided the proposed activities are allowed in the zone classification and meet all requirements in this article and state law.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.070 - 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 Chapter 17.192 of this title 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.
 - 2. The permit complies with the requirements of Chapter 17.200, Sections 17.302.060, 17.302.120, 17.302.140, 17.302.160, 17.302.180, 17.302.200, 17.302.220 and 17.302.240, as applicable, of this title.
 - 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.080 - 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 six 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 six-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 six 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.090 - Outdoor cannabis cultivation prohibited.

Notwithstanding any other provision of this ordinance, outdoor cannabis cultivation of mature cannabis plants is prohibited in all zone classifications.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.100 - Indoor (artificial light) cannabis cultivation.

A. Zoning. Notwithstanding any other provision of this title, 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 Chapter 17.200 of this title: 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 Chapter 17.200 of this title: 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 Chapter 17.200 of this title: 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 Chapter 17.200 of this title: 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 five hundred (500) square feet.
3. The canopy size on a single lot for a specialty indoor cannabis cultivation shall not exceed five thousand (5,000) square feet.
4. The canopy size on a single lot for a small indoor cannabis cultivation shall not exceed ten thousand (10,000) square feet.
5. The canopy size on a single lot for a medium indoor cannabis cultivation shall not exceed twenty-two thousand (22,000) square feet except as provided for in Section 17.302.100.B.6. below.
6. Multiple indoor cannabis cultivations may operate on a single lot provided all the following is complied with:
 - a. A conditional use permit has been granted for indoor cannabis cultivation and specifies the number and size of each proposed licensed premises.
 - b. The individual Canopy size for each indoor cannabis cultivation operation complies with state law, and the cumulative canopy area for all the indoor cannabis cultivation operations on one lot does not exceed the total amount of forty-three thousand five hundred sixty (43,560) square feet.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.110 - Mixed light cannabis cultivation.

- A. Zones. Notwithstanding any other provision of this chapter, 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 Chapter 17.200 of this title: 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 Chapter 17.200 of this title: A-1, A-P, A-2 and A-D.
 3. Small mixed light cannabis cultivation. Small mixed light cannabis cultivation is allowed on lots two and one-half gross acres in the following zone classifications with an approved conditional use permit in accordance with Chapter 17.200 of this title: A-1, A-P, A-2 and A-D.
 4. Medium mixed light cannabis cultivation. Medium mixed light cannabis cultivation is allowed on lots five gross acres or more in the following zone classifications with an approved conditional use permit in accordance with Chapter 17.200 of this title: 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 two thousand five hundred (2,500) square feet.
 3. The canopy size on a single lot for a specialty mixed light cannabis cultivation shall not exceed five thousand (5,000) square feet.
 4. The canopy size on a single lot for a small mixed light cannabis cultivation shall not exceed ten thousand (10,000) square feet.
 5. The canopy size on a single lot for a medium mixed light cannabis cultivation shall not exceed twenty-two thousand (22,000) square feet except as provided for in Section 17.301.110.B.6. below.
 6. Multiple mixed light cannabis cultivation operations may operate on a single lot provided all the following is complied with:
 - a. A conditional use permit has been granted for mixed light cannabis cultivation and specifies the number and size of each proposed licensed premises.
 - 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 forty-three thousand five hundred sixty (43,560) square feet.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.120 - Cannabis cultivation standards.

In addition to the approval requirements in Section 17.302.070 of this chapter 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 one thousand (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 Chapter 17.196 of this title. 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 twenty-five (25) percent 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:

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

2. Minimum lot size for mixed light cannabis cultivation. The minimum lot size for mixed light cannabis cultivation is provided below:

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

Small	2.5	A-1, A-P, A-2, A-D
Medium	5	A-1, A2

- C. Minimum lot dimensions. The minimum average lot width for mixed light cannabis cultivation lots shall be one hundred fifty (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 twenty-five (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 fifty (50) feet from all lot lines and public rights-of-way.
 - b. The cannabis cultivation area for medium mixed light cannabis cultivation shall be setback a minimum of one hundred (100) feet from all lot lines and public rights-of-way.
 - c. The cannabis cultivation area for all mixed light cannabis cultivation shall be located a minimum of fifty (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 six 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 one hundred (100) feet from the adjacent residentially zoned lot lines.
 3. Setback adjustments may be made in accordance with Section 17.172.220 of this title, 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 six 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 six feet from all cultivation structures, providing a clear six foot path. The fence shall comply with all other applicable county ordinances, policies, and design standards related to height, location, materials, or other fencing restrictions. Cannabis cultivation areas shall not be secured by fences with barbed wire or screened with plastic sheeting on chain link. Chain link with slats is allowed.
- 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 twenty-five (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. All greenhouses, hoop structures, or other similar structures shall comply with Section 17.302.060.W. of this article.
- 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 indoor cannabis cultivation operations. Renewable energy systems shall be designed to have a generation potential equal to or greater than twenty (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 the site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of before the end of the seventh day. All waste, including but not limited to refuse, garbage, green waste and recyclables, must be disposed of in accordance with county and state laws and regulations. All waste generated from cannabis cultivation operations must be properly stored and secured to prevent access from the public.
 3. Onsite generators are prohibited, except as a source of energy in an emergencies. Onsite generators for emergency use shall be included in the conditional use permit.
 4. Cannabis cultivation within the A-1, A-P, A-2, and A-D zones shall not include the retail sales of cannabis or cannabis products.
- J. Findings. In addition to the requirements for approval in Section 17.302.070 of this title, 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 one thousand (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 twelve (12) months prior to the adoption date of Ordinance No. 348.4898 [October 23, 2018], 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.130 - Cannabis wholesale nurseries.

- A. Applicability. Notwithstanding any other provision of this chapter, 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 two gross acres in the following zone classifications with an approved conditional use permit in accordance with Chapter 17.200 of this title: 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 Chapter 17.200 of this title: I-P, M-SC, M-M and M-H.
 3. Mixed light cannabis wholesale nurseries. 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 Chapter 17.200 of this title: 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.140 - Cannabis wholesale nurseries standards.

In addition to the approval requirements in Section 17.302.070 of this chapter 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 six hundred (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	2	A-1, A-P, A-2, A-D

2. Minimum lot size for indoor cannabis wholesale nurseries. The minimum lot size for indoor cannabis wholesale nurseries is listed below:

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

3. Minimum lot size for mixed light cannabis wholesale nurseries. The minimum lot size for mixed light cannabis wholesale nurseries is listed below:

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

- C. Minimum lot dimensions. The minimum average lot width for cannabis wholesale nurseries shall be one hundred fifty (150) feet.
- D. Setbacks.
1. The premises for all cannabis wholesale nurseries shall be setback a minimum of fifty (50) feet from the lot lines and public rights-of-way.
 2. The premises for all outdoor and mixed light cannabis wholesale nurseries shall be setback a minimum of fifty (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 17.172.220 of this title. In no case shall a setback be less than setbacks required by the State of California Department of Food and Agriculture.
- E. Screening and fencing. Live cannabis plants shall not be visible from outside of the lot for a cannabis wholesale nursery. All cannabis nursery activities shall occur within a secure fence at least six feet in height that fully encloses the premises of the cannabis wholesale nursery and prevents easy access to the premises. The fence must be solid, durable and include a lockable gate(s) that is locked at all times, except for during times of active ingress and egress. Fences shall be separated by a minimum of six feet from all cannabis wholesale nursery structures, providing a clear six-foot path. The fence shall comply with all other applicable county ordinances, policies, and design standards related to height, location, materials, or other fencing restrictions. Cannabis wholesale nursery premises shall not be secured by fences with barbed wire or screened with plastic sheeting on chain link. Chain link with slats is allowed.
- F. 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.
- G. 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 twenty-five (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. All greenhouses, hoop structures, or other similar structures shall comply with Section 17.302.060.W. of this chapter.
- H. 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 indoor cannabis wholesale nursery operations. Renewable energy systems shall be designed to have a generation potential equal to or greater than twenty (20) percent of the anticipated energy demand.
- I. 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.
- J. Findings. In addition to the requirements for approval in Section 17.302.070 of this chapter, 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 six hundred (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 twelve (12) months prior to the adoption date of Ordinance No. 348.4898, 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.150 - Cannabis manufacturing facilities.

- A. Applicability. Notwithstanding any other provision of this chapter, 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 Chapter 17.200 of this title: 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 Chapter 17.200 of this title: 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 Chapter 17.200 of this title: I-P, M-SC, M-M and the M-H.
4. Volatile cannabis manufacturing facility. Cannabis manufacturing facilities involving volatile processes or substances, requiring a type 7 volatile manufacturing state license, are allowed in the following zones with an approved conditional use permit in accordance with Chapter 17.200 of this title: 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 Chapter 17.200 of this title: 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.160 - Cannabis manufacturing facilities standards.

In addition to the approval requirements in Section 17.302.070 of this chapter 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 six hundred (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 ten thousand (10,000) square feet.
- C. Setbacks.
 1. Except for a volatile cannabis manufacturing facility, 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 twenty-five (25) feet. A volatile cannabis manufacturing facility shall be setback from a residential zone a minimum of forty (40) feet which may include and may include landscaping as required.
 2. Setbacks may be modified with an approved setback adjustment in accordance with Section 17.172.220 of this title. 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 17.302.070 of this chapter, 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 six hundred (600) feet from any child day care center, K-12 school, public park, or youth center.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.170 - Cannabis testing facilities.

- A. Applicability. Notwithstanding any other provision of this chapter, cannabis testing facilities are allowed in the following zone classifications with an approved conditional use permit in accordance with Chapter 17.200 of this title: 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.180 - Cannabis testing facilities standards.

In addition to the approval requirements in Section 17.302.070 of this chapter 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 six hundred (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 twenty-five (25) feet.
 - 2. Setbacks may be modified with an approved setback adjustment in accordance with Section 17.172.220 of this title. 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 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.
 - 2. Cannabis testing facilities shall not be open to the public.
- D. Findings. In addition to the requirements for approval in Section 17.302.070 of this chapter, 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 six hundred (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 twelve (12) months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violation on the lot and all applicable fees have been paid.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.190 - Cannabis retailer.

- A. Applicability. Notwithstanding any other provision of this chapter, 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 Chapter 17.200 of this title: 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 Chapter 17.200 of this title: 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.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.200 - Cannabis retailer minimum standards.

In addition to the approval requirements in Section 17.302.070 of this chapter 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 one thousand (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. A new adjacent use will not affect the continuation of an existing legal use that has been established under this chapter 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 Chapter 17.196 of this title. In no case shall the distance be less than allowed by state law.
2. Cannabis retailers shall not be located within one thousand (1,000) feet of any other cannabis retailer.
3. Cannabis retailers shall not be located within five hundred (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 forty (40) feet.
2. Setbacks may be modified with an approved setback adjustment in accordance with Section 17.172.220 of this title. 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. Cannabis retailers may include the sale of medical cannabis, requiring an M-License from the state. Cannabis retailers selling only medical cannabis shall verify consumers who enter the premises are at least 18 years of age and that they hold a valid physician's recommendation.
 3. Cannabis retailers may include the sale of adult use cannabis, requiring an A-license from the state. Cannabis retailers selling only adult use cannabis shall verify that consumers who enter the premises are at least 21 years of age.
 4. A cannabis retailers may include the sale of both medical and adult use cannabis requiring both an A-License and an M-License from the state. All cannabis retailers selling both medical and adult use cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid physician's recommendation or are at least 21 years of age.
 5. Display areas shall include the smallest amount of cannabis and cannabis products reasonably anticipated to meet sales during operating hours.
 6. Cannabis and cannabis products not in the display area shall be maintained in a locked secure area.
 7. Not more than ten (10) percent of the Cannabis Retailer floor area, up to a maximum of fifty (50) square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods.
 8. Restroom facilities shall be locked and under the control of the cannabis retailer.
 9. 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.
 10. 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.
 11. 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.
 12. 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.
 13. Cannabis or cannabis products shall not be sold or delivered by any means or method to any person within a motor vehicle.
 14. Cannabis retailers shall not include a drive-in, drive-through or walk up window where retail sales of cannabis or cannabis products are sold to persons or persons within or about a motor vehicle.
- 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 17.302.070 of this chapter, no conditional use permit shall be approved or conditionally approved unless the following findings are made:
1. The cannabis retailer complies with all the requirements of the state and county for the selling of cannabis.
 2. The non-storefront cannabis retailer is not open to the public.

3. The cannabis retailer is not located within one thousand (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.
4. 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.
5. For cannabis retailer lots with verified cannabis-related violations within the last twelve (12) months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violation on the lot and all applicable fees have been paid.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.210 - Cannabis distribution facilities.

- A. Applicability. Notwithstanding any other provision of this chapter, cannabis distribution facilities are allowed in the following zone classifications with an approved conditional use permit in accordance with Chapter 17.200 of this chapter: C-1/C-P, C-P-S, I-P, M-SC, M-M and M-H.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.220 - Cannabis distribution facilities standards.

In addition to the approval requirements in Section 17.302.070 of this chapter 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 six hundred (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 twenty-five (25) feet.
 2. Setbacks may be modified with an approved setback adjustment in accordance with Section 17.172.220 of this title. 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 17.302.060.Q. the following record keeping measures are required to be implemented for all cannabis distribution facilities:
 - a. Prior to transporting cannabis or cannabis products, a shipping manifest shall be completed as required by state law and regulations.

- b. A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement or any agents of the state or county charged with enforcement.
 - c. Cannabis distribution facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting cannabis and cannabis products to maintain a clear chain of custody.
 - 3. Cannabis Distribution facilities shall ensure that appropriate samples of cannabis or cannabis products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files.
 - 4. Cannabis distribution facilities shall not be open to the public.
 - 5. Cannabis distribution facilities shall not transport or store non-cannabis goods.
- D. Findings. In addition to the requirements for approval in Section 17.302.070 of this chapter, 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 six hundred (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 twelve (12) months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violations on the lot and the all applicable fees have been paid.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.230 - Cannabis microbusiness facilities.

- A. Applicability. Notwithstanding any other provision of this chapter, cannabis microbusiness facilities are allowed in the following zone classifications with an approved conditional use permit in accordance with Chapter 17.200 of this title: C-1/C-P, C-P-S, I-P, M-SC, M-M and M-H except in the instance that a cannabis microbusiness facility includes manufacturing uses where such cannabis microbusiness facility is only allowed in the I-P, M-SC, M-M and M-H zones.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.240 - Cannabis microbusiness facilities standards.

In addition to the approval requirements in Section 17.302.070 of this chapter 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.

1. Cannabis microbusiness facilities shall not be located within six hundred (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 chapter and continuously operating in compliance with the conditional use permit, and local and state laws and regulations.
 2. Cannabis microbusiness facilities that include a cannabis retail competent shall not be located within one thousand (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. A new adjacent use will not affect the continuation of an existing legal use that has been established under this chapter 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 Chapter 17.196 of this title. In no case shall the distance be less than allowed by state law.
- 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 twenty-five (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 forty (40) feet.
 2. Setbacks may be modified with an approved setback adjustment in accordance with Section 17.172.220 of this chapter. 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 ten thousand (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 ten thousand (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 chapter 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 17.302.070 of this chapter, 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 is not located within one thousand (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 recommended by state law.
4. For cannabis microbusiness facility lots with verified cannabis-related violations within the last twelve (12) months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat violation on the site and all applicable fees have been paid.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.250 - 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 one thousand (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 one hundred (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 ten (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 one hundred twenty (120) days from the event's first day, an event organizer shall apply for and obtain a temporary cannabis event permit in accordance with Chapter 17.216 of this title. All the procedural provisions of Chapter 17.216 shall apply to the application, except Section 17.216.040 thereof relating to requirements for approval, Section 17.216.060 thereof relating to appeals and Section 17.216.070 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 17.302.260 of this chapter.

(Ord. No. 348.4898, § 9, 10-23-2018)

17.302.260 - 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 Chapter 17.220 of this title 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 Chapter 17.220 of this title shall govern the hearing.

(Ord. No. 348.4898, § 9, 10-23-2018)