



Interim Ordinance Establishing a Moratorium on Commercial Marijuana Land Uses And Activity

Community & Economic
Development Department

City Council
September 12, 2017

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Issue

Adoption of an interim ordinance establishing a moratorium for an initial period of 45 days on commercial marijuana:

1. Land use entitlements
2. Building permits
3. Business licenses
4. Any other applicable approvals or decisions for commercial marijuana land uses or activity
5. All recreational outdoor cultivation



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Background

March 7, 2017: City Council workshop

1. Potential impacts of Prop 64 on the City of Riverside
2. Additional questions were asked for future workshop

July 25, 2017: City Council held second workshop

1. Overview from the District Attorney's Office
2. Received an update on:
 1. State of California's implementation of MAUCRSA
 2. Potential impacts of these laws on the City of Riverside
3. Responses to questions previously posed by City Council



Background

At the **July 25** workshop:

1. Council directed staff to prepare a moratorium on all commercial marijuana activity so that it had sufficient time to consider and develop appropriate regulations
2. City Council requested that staff consider removing marijuana testing laboratory facilities from the moratorium



Existing Standards

1. Medical marijuana dispensaries and commercial marijuana cultivation specifically prohibited
2. Other commercial and non-medical marijuana land uses prohibited by exclusion (not specifically listed)
3. Chapter 19.342 provides a limited exemption for the non-commercial cultivation of no more than eight (8) marijuana plants by primary caregivers and qualified patients for their own medical use



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Reasons for Moratorium

1. Existing Zoning Code regulations are vague and open to interpretation
2. Need to adapt to and satisfy changes in state law
3. Allows time to research best practices from other communities
4. Provides opportunity to develop regulations that better address marijuana-related land uses and which provide clarity in the Zoning Code



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Moratorium Process

1. Adoption of Ordinance Requires four-fifths vote
2. Effective for an initial period of 45 days
3. Must make findings to support a moratorium (see report)
4. Council may extend moratorium up to an additional 22 months and 15 days prior to end of initial 45-day period



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Planned Actions During Initial 45-day Moratorium

1. Monitor and analyze changes in state law and regulatory framework
2. Explore best practices from other communities
3. Interdepartmental coordination
4. Identify changes needed to Zoning Code
5. Prepare timeline and strategy for completing necessary amendments



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Recommendation

That the City Council:

Introduce and immediately adopt the attached interim urgency ordinance for a moratorium prohibiting all land use entitlements, building permits, business licenses and any other applicable approval or decisions for commercial marijuana land uses and/or activities, as well as prohibiting all outdoor cultivation of recreation marijuana but exempting laboratory testing facilities.

