



**PLANNING COMMISSION HEARING DATE: MAY 8, 2025
AGENDA ITEM NO.: 4**

SUMMARY

Case Number	PR-2025-001795 (Zoning Text Amendment)
Request	PLANNING CASE PR-2025-001795 (AMD): Proposal by the City of Riverside to consider an amendment to Article V (Base Zones and Related Use and Development Provisions) of Title 19 (Zoning) and Chapter 5.77 of Title 5 of the Riverside Municipal Code (RMC) for consistency with recent changes to the City's Storefront Retail Commercial Cannabis Business Program.
Applicant	City of Riverside Community and Economic Development Department
Project Location	Citywide
Ward	Citywide
Staff Planner	Matthew Taylor, Principal Planner 951-826-5944 mtaylor@riversideca.gov

RECOMMENDATIONS

That the Planning Commission:

1. **Recommend** that the City Council determine that Planning Case PR-2025-001795 is exempt from further California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) (General Rule), as it can be seen with certainty that approval of the project will not have an effect on the environment; and
2. **Recommend approval** of Planning Case PR-2025-001795 (Zoning Text Amendment) as outlined in the staff report and summarized in the Findings section of this report.

BACKGROUND

On September 28, 2021, the City of Riverside received a Notice of Intent to Circulate Petition for the Riverside Cannabis Taxation and Regulation Act. The City Attorney prepared and provided a Ballot Title and Summary to the proponents on November 18, 2021. The ballot measure would have created a regulatory framework for all cannabis uses within the City. Unlike ordinances passed by City Council, regulations established

through a ballot measure require any future amendments to be approved by a subsequent ballot process during a general election.

On November 18, 2021, the Economic Development, Placemaking and Branding/Marketing (EDPBM) Committee discussed the need to develop an ordinance with the legal and regulatory framework for the permitting, licensing, enforcement, taxation, and legal operations of commercial cannabis storefronts within the City limits. Over the course of 2022 the EDPBM provided direction on development of the ordinance including necessary amendments to the Riverside Municipal Code (RMC) including: Title 5 (Business Taxes, Licenses and Regulations) amendments related to licensing of cannabis business uses; Title 9 (Peace, Safety and Morals) amendments to clean up and provide consistency in cannabis regulations and terminology; and Title 19 (Zoning) amendments related to land use regulations for cannabis related uses.

A workshop was conducted on December 8, 2022, with the Planning Commission to introduce the components of the Cannabis Business Permit Program. The Planning Commission provided input related to proximity to sensitive receptors, uses considered sensitive receptors, concentration of cannabis retail businesses, the cost of the permit process, and impacts on crime.

The proposal was presented to the City Council on March 14, 2023, and Ordinance 7628 was adopted replacing Chapter 5.77 (Cannabis Business Activities) in its entirety, Ordinance 7629 amending Title 9 (Peace, Safety and Morals) of the RMC, and Ordinance 7630 amending Title 19 (Zoning) of the RMC. These Ordinances established specific requirements for the permissible locations of retail cannabis businesses in relation to sensitive uses including schools, childcare facilities and community centers, as well as establishing a maximum number of 14 permits Citywide for retail cannabis businesses. For the purposes of land use and zoning, the Ordinances treat retail cannabis businesses as a general retail use permissible in any Zoning District that permits retail sales.

Over the course of 2023 and 2024 the Storefront Retail Commercial Cannabis Business (CCB) Program was developed and implemented consistent with the adopted Ordinances. Concerns emerged through the application review process regarding the location and concentration of proposed CCBs as well as the overall number of permits under consideration. On January 7, 2025, the City Council postponed the application review process for 90 days and directed Staff to return with options to address concerns about density of CCBs, proximity to other types of sensitive receptors and other health and safety concerns (Exhibits 1 and 2).

On March 25, 2025, Staff presented several options for modifications to the CCB program in response to these concerns. The City Council voted to modify the program to:

1. Reduce the overall number of CCB permits from 14 to seven Citywide;
2. Limit CCB permits to no more than one per Council Ward;
3. Prohibit establishment of CCBs within designated "placemaking areas;"
4. Establish a minimum separation between CCBs of 1,000 feet; and
5. Establish a minimum separation between a CCB and a public park of 600 feet.

The March 25, 2025 City Council staff report and minutes are attached as Exhibits 3 and 4.

PROPOSAL

Minor amendments to Title 19 are required to achieve consistency with changes to the CCB program approved by the City Council on March 25, 2025. In addition, although the Planning Commission's jurisdiction is generally focused on Title 19, changes to RMC Chapter 5.77 are also being presented for review and recommendation because the changes establishing new distance and location requirements for CCBs affect land use as discussed in a relevant court decision.

TITLE 19 UPDATE

Current Code: Table 19.150.020.A – Base Zones Permitted Land Uses contains a list of all defined land uses and identifies whether they are permitted, conditionally permitted or prohibited within each of the City's Base Zones. Storefront retail CCBs are listed individually within the table but are treated identically to any other general retail use in terms of which Zones permit them.

Proposed Change: A note is added to the Notes Column of Table 19.150.020.A indicating that additional locational restrictions apply to storefront retail CCBs pursuant to Chapter 5.77 of the RMC (Exhibit 5).

	RC**	RA-5**	RR	RE	R-1	R-3	R-4	O	CR	CG	CRC*	MU-N	MU-V*	MU-U*	BMP	I	AI	AIR	PF	RWY	NC Overlay	
Cannabis Cultivation	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Also Incidental Uses Table
Cannabis, Microbusiness	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Cannabis Storefront Retail																						See Retail Sales. Additional location restrictions apply. See Chapter 5.77 – Cannabis Business Activities

Effect: The user is made aware that additional restrictions apply to storefront retail CCBs beyond those that apply to other general retail uses and that these additional restrictions are enumerated in RMC Chapter 5.77.

OTHER MUNICIPAL CODE CHANGES

Per direction of the City Council, amendments to Chapter 5.77 – Cannabis Business Activities have been developed to refine the CCB program and are presented here (Exhibit 8).

1. *Number of CCB permits:* The maximum number of CCB permits that may be issued Citywide is reduced from 14 to seven.
2. *Ward-based limit:* No more than one CCB permit may be issued in each of the seven City Council Wards.
3. *"Placemaking areas":* No CCB permits may be issued for storefront retail CCBs within two "placemaking areas" where long-term economic revitalization and reinvestment efforts are ongoing. These areas are:
 - a. The entirety of the Downtown Neighborhood as defined in the Land Use Element of the General Plan 2025, generally bounded by State Route 91 on the east; State Route 60 on the north; the Santa Ana River on the west; and Tequesquite Avenue and the Riverside City College campus on the south (Exhibit 6); and
 - b. "Midtown," an undesignated sub-area of the Magnolia Center

Neighborhood encompassing the mixed residential and commercial district generally bounded by State Route 91 on the east; Jurupa Avenue on the north; Palm Avenue on the west; and Arlington Avenue and Nixon Street on the south (Exhibit 7).

4. *Minimum CCB separation:* Retail storefront CCBs may not locate within 1,000 feet of another CCB as measured from the property line of the parcel with a proposed CCB and the nearest property line of a parcel an existing permitted CCB. A CCB also may not locate closer than 1,000 feet from another CCB if both are located on the same parcel, such as in the case of a large commercial complex.
5. *Minimum park separation:* Retail storefront CCBs may not locate within 600 feet of any park as measured from the property line of the parcel with a proposed CCB and the nearest park property line.

PUBLIC NOTICE AND COMMENT

Notice of the proposed Zoning Code Text Amendment was published in the Press Enterprise on April 13th, 2025. At the time of writing this report, Staff has not received public comments regarding this project. Changes to Title 5 of the RMC were considered and approved by the City Council at an open public meeting on March 25, 2025, with the requisite ordinance amending that Title introduced and approved at the City Council hearing of May 6, 2025.

ENVIRONMENTAL REVIEW

The proposed amendments are exempt from additional California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) of the CEQA guidelines, as it can be seen with certainty that the proposed text amendments will not have an effect on the environment.

FINDINGS

Zoning Code Amendment Findings pursuant to Chapter 19.810.040:

- 1) The proposed Zoning Code Text Amendment is generally consistent with the goals, policies, and objectives of the General Plan;
- 2) The proposed Zoning Code Text Amendment will not adversely affect surrounding properties; and
- 3) The proposed Zoning Code Text Amendment will promote public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

ENVISION RIVERSIDE 2025 STRATEGIC PLAN ALIGNMENT

The proposed amendment aligns with Strategic Priority No. 5 – High Performing Government by demonstrating adaptivity as an organization, and more specifically with Goal 5.3 – Enhance communication and collaboration with community members to improve transparency, building public trust, and encourage shared decision making. In addition, the project aligns with the five Cross-Cutting Threads as follows:

1. **Community Trust** – The proposed amendments are a proactive measure to respond to the changing needs of the community through a transparent public process.
2. **Equity** – The proposed amendments promote reasonable and equitable regulation of CCBs throughout the City.
3. **Fiscal Responsibility** – The proposed amendments do not incur costs to the City.
4. **Innovation** – The proposed amendments represent a balanced, forward-looking approach to expanding economic opportunity while managing public safety concerns.
5. **Sustainability & Resiliency** – The amendments as proposed reduce environmental, visual, and aesthetic impacts on surrounding communities.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental findings, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Council Report – January 7, 2025
2. Council Minutes – January 7, 2025
3. Council Report – March 25, 2025
4. Council Minutes – March 25, 2025
5. Proposed Amendment – Table 19.150.020.A
6. Map – Downtown Neighborhood
7. Map – Midtown Area
8. Proposed Amendment – Chapter 5.77

Prepared by:	Matthew Taylor, Principal Planner
Reviewed and Approved by:	Maribeth Tinio, City Planner