

CANNABIS BUSINESS PERMIT PROGRAM

PR-2022-001453 – Zoning Code Amendment

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Commission

Agenda Item: 4

January 19, 2023

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BACKGROUND

2017

- Moratorium on commercial marijuana activity (excluding testing laboratory facilities)
- Adopted Ordinance No. 7398 to amend Title 5 of the Riverside Municipal Code (RMC) to permit and regulate Cannabis Testing Laboratories in industrial zones

2018

- Continued discussion of a regulatory framework for cannabis businesses
 - Staff directed to prepare an ordinance prohibiting cannabis businesses (except for testing laboratories) and amended RMC
- City Council voted to approve the amendments to RMC codifying a prohibition of commercial cannabis uses within City limits

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BACKGROUND – SEPTEMBER 2021

City receives Notice of Intent to Circulate Petition for the Riverside Cannabis Taxation and Regulation Act



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BACKGROUND – NOVEMBER 2021

EDPBM Committee meeting to consider legalization

City Team assembled:

- a. City Manager's Office
- b. City Attorney's Office
- c. City Clerk's Office
- d. Community & Economic Development Department
- e. Police Department



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BACKGROUND - 2022

Prepare Amendments for the Riverside Municipal Code (RMC)

- Title 5 - Business Taxes, Licenses and Regulations
- Title 9 - Peace, Safety and Morals
- Title 19 - Zoning

Future Actions

- Conduct a financial analysis on potential revenue
- Develop Application Procedure Requirements and Review Criteria
- Prepare an Equity Study
- Cannabis sales tax ballot measure in 2024 (type of tax, language, and percentage determined at a later date)



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BACKGROUND - 2022

Planning Commission Workshop – December 8, 2022

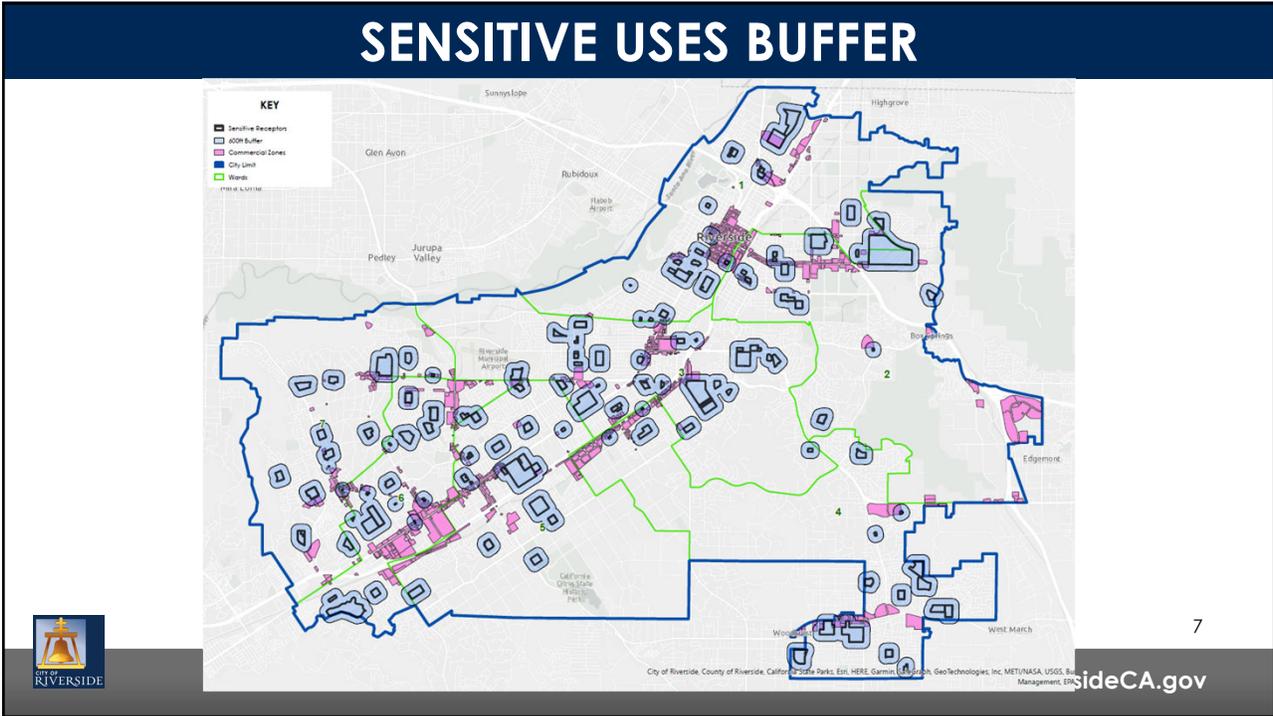
- Sensitive receptors
- Concentration of cannabis retail businesses
- Permit process cost preventative for small business
- Impacts on crime



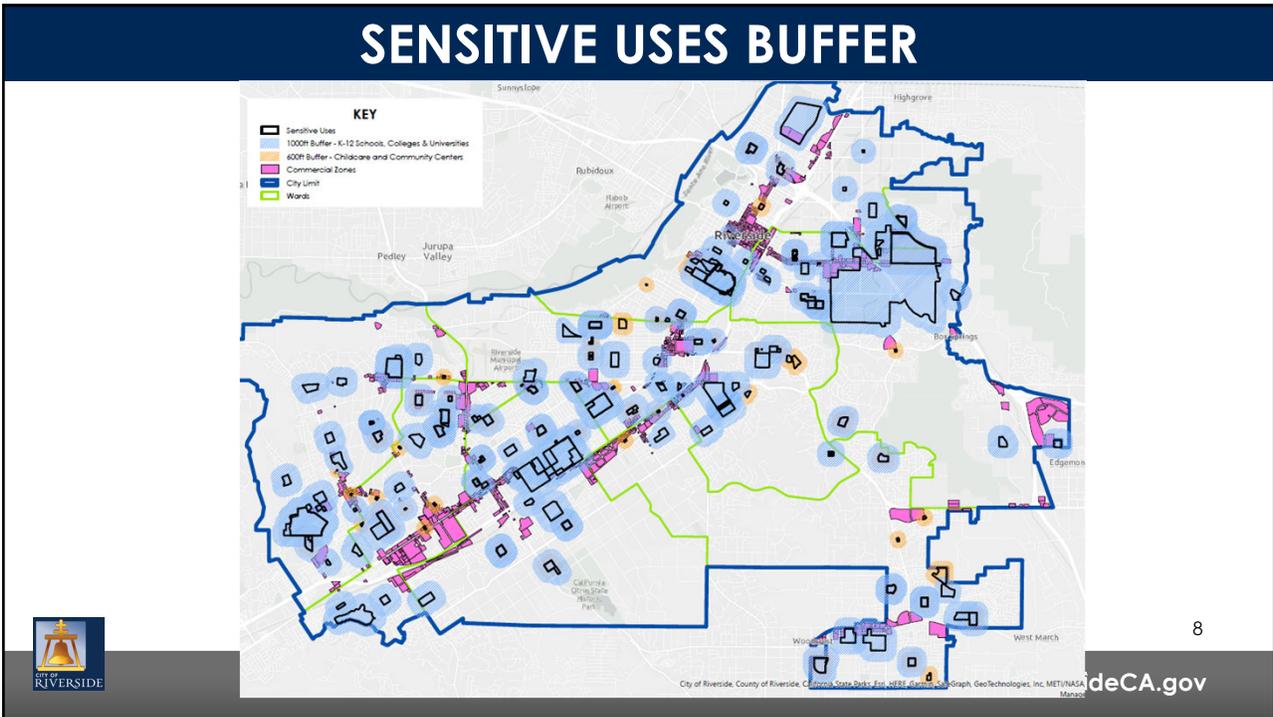
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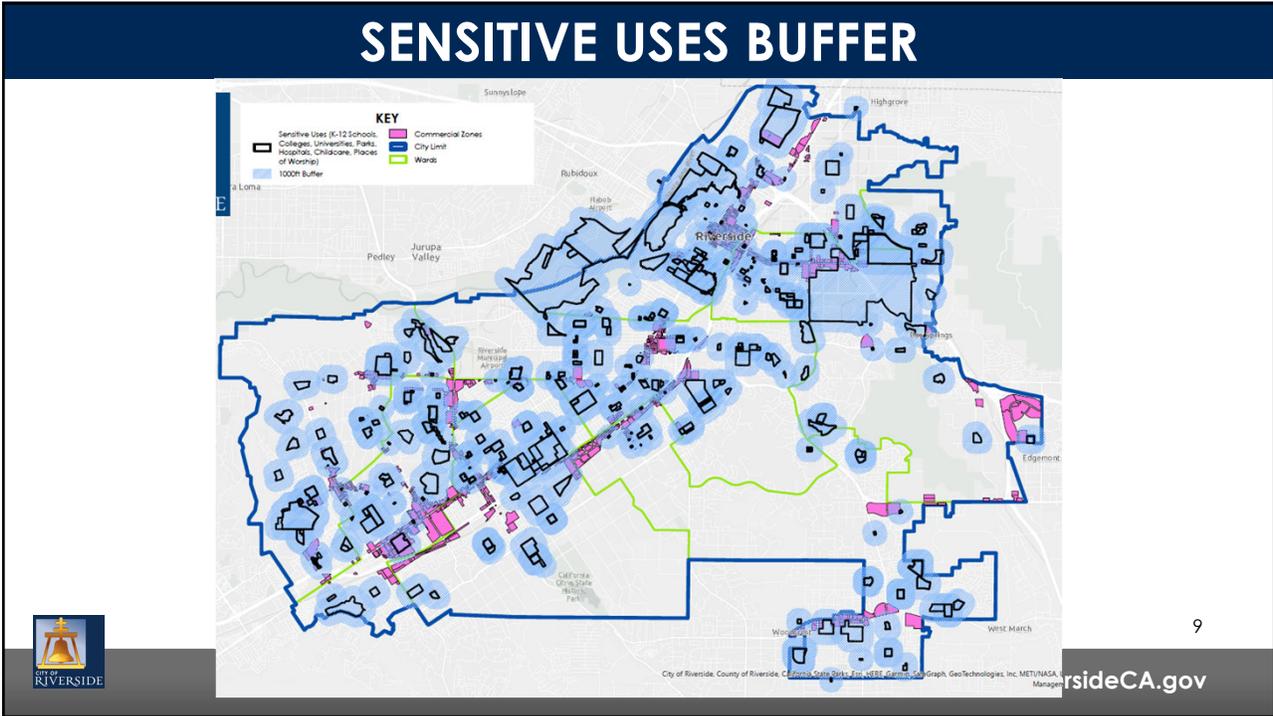
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PROPOSED TITLE 19 AMENDMENTS

1. **Eliminates** the Citywide prohibition of commercial cannabis uses in the City;
2. **Establishes** Cannabis Storefront Retail, Cannabis Warehousing/Distribution and Cannabis Testing Laboratories as permitted/conditionally permitted uses in specified Zones;
3. **Prohibits** Cannabis Cultivation and Cannabis Microbusinesses in all Zones;
4. **Amends** various Chapters of the Zoning Code for consistency with proposed amendments to Titles 5 and 9 of the Municipal Code; and
5. **Establishes** Definitions related to the proposed changes to cannabis uses.



DISCUSSION – TITLE 19 – RMC CHANGES

19.150.020.A Permitted Uses Table This table identifies permitted uses and uses requiring approval of other permits by zoning designation. In addition to these uses, other incidental and temporary uses may also be permitted as noted in the Incidental Uses Table and the Temporary Uses Table.

Use	Zones																		Location of Required Standards in the Municipal Code			
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))							Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)					Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)		
	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
Cannabis Testing Laboratory																						See Laboratories - Research
Cannabis Warehouse/Distribution																						See Warehousing & Distribution Facilities
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DISCUSSION – TITLE 19 – RMC CHANGES

19.150.020.B Incidental Uses Table This table identifies uses which are generally only permitted as an incidental use to some other permitted use on the property.

Use	Zones																		Location of Required Standards in the Municipal Code			
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))							Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)					Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)		
	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:																						
Commercial, including Medical Cannabis Cultivation, (Prohibited use)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	19.342 - Cannabis Uses and Activities See Article X (Definitions)
Personal - Indoor	P	P	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Personal - Outdoor (Prohibited Use)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
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NEXT STEPS

February 2023	February – June 2023	July – October 2023	November 2023 – 2024
<ul style="list-style-type: none"> • Council Hearing – Title 19 Amendments (CEDD) 	<ul style="list-style-type: none"> • Develop application Procedure Guidelines and Review Criteria (CMO/Consultant) • Conduct fee study (Finance) • Council adoption – Guidelines and Criteria (CMO) 	<ul style="list-style-type: none"> • Potential application period (CMO) • Prepare Fiscal Impact Analysis for sales tax measure (Finance) • Develop language for sales tax measure (Clerk) 	<ul style="list-style-type: none"> • Place sales tax measure on ballot (Clerk) • General Election – November 5, 2024


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STRATEGIC PLAN ALIGNMENT

Envision Riverside 2025 Strategic Plan Priorities



#3 Economic Opportunity



#5 High Performing Government

Cross-Cutting Threads



Community Trust



Fiscal Responsibility



Sustainability & Resiliency



Equity



Innovation


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RECOMMENDATIONS

That the Planning Commission **recommend the City Council:**

- Determine** that Planning Case PR-2022-001453 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
- Approve** Planning Case PR-2022-001453 (Zoning Text Amendment) as outlined in the staff report and summarized in the Findings section of the report.



REFERENCE ONLY SLIDE

