

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject:

Policy Number

Page

**Cannabis Retailers Within a
Commercial Retail Corridor Policy**

F-7

1 of 3

Purpose:

Commercial cannabis activities is a growing industry within Riverside County and it is likely that conditional use permit applications to establish cannabis retailers within the unincorporated area will continue to increase for many years. As the commercial cannabis industry continues to grow, it is anticipated that cannabis retailers will locate near freeways as these locations are typically close to infrastructure and vehicular access that supports the cannabis retailer. Additionally, these locations generally include a higher concentration of commercial and industrial land uses.

Ordinance No. 348, the County's Land Use Ordinance, establishes the land use regulations and approval requirements for commercial cannabis activities, which includes cannabis retailers. The land use and environmental review process includes determining whether the proposed cannabis retailer complies with all applicable State and local laws and regulations including the County's Land Use Ordinance. As conditional use permit applications for cannabis retailers continue to increase, it is important to include in the land use review process an analysis of the number of cannabis retailers within specific areas.

For conditional use permit applications for proposed cannabis retailers within a Commercial Retail Corridor that is determined to be Unduly Concentrated, as further defined in this policy, this policy provides a framework for applicants to seek a finding from the Board of Supervisors that the proposed cannabis retailer would serve as a public convenience or necessity. It is intended that this policy will apply to conditional use permit applications for cannabis retailers located within a Commercial Retail Corridor, and be implemented during the land use review process in conjunction with the County's Land Use Ordinance.

Cannabis Retailer Concentration Limits:

1. The number of cannabis retailers located within a Commercial Retail Corridor is limited to one (1) for each 2,000 inhabitants of the census tract in which the cannabis retailers are located.
2. The number of cannabis retailers located within a Commercial Retail Corridor may be increased to one (1) for each 1,000 inhabitants of the census tract in which the cannabis retailer is located with a finding of Public Convenience or Necessity ("PCN") as provided in this policy.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

<u>Subject:</u>	<u>Policy Number</u>	<u>Page</u>
Cannabis Retailers Within a Commercial Retail Corridor Policy	F-7	2 of 3

3. The United States Census Bureau shall be the source of authority for determining the number of inhabitants (population) per census tract.

Public Convenience or Necessity (“PCN”) Finding:

Applicants seeking a conditional use permit for a cannabis retailer within a Commercial Retail Corridor that is determined to be Unduly Concentrated may request the Board of Supervisors find that the proposed cannabis retailer would serve as a public convenience or necessity.

In order for a PCN determination to be presented to the Board of Supervisors, applicants shall demonstrate both of the following:

1. The addition of the proposed cannabis retailer will not result in a Commercial Retail Corridor having a number of cannabis retailers greater than one for each 1,000 inhabitants of the census tract in which the cannabis retailer is located; and,
2. The addition of the proposed cannabis retailer will not cause more than 10% or more of the commercially zoned lots, in gross acres, within the Commercial Retail Corridor to be utilized for cannabis retailers.

In order for a PCN determination to be made by the Board of Supervisors, applicants shall demonstrate all of the following:

1. The proposed cannabis retailer will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the overall objectives of the Riverside County General Plan.
2. The addition of the proposed cannabis retailer will not increase the severity of existing law enforcement or public nuisance problems in the surrounding area with increased calls for service due to cannabis related complaints or criminal activity associated with cannabis.
3. The community benefits of permitting an additional cannabis retailer outweigh any negative impacts to the community as a whole.
4. Reasonable efforts were made to seek community input regarding the addition of the proposed cannabis retailer to the Commercial retail Corridor.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

<u>Subject:</u>	<u>Policy Number</u>	<u>Page</u>
Cannabis Retailers Within a Commercial Retail Corridor Policy	F-7	3 of 3

In addition to the above requirements, applicants shall demonstrate at least one of the following:

1. The proposed cannabis retailer serves an area of increased density or consumer traffic; including but not limited to adjacency to high population census tracts and/or distance away from sensitive uses or other special circumstances within the corridor, such that the proposed location would serve the public convenience or necessity by satisfying a higher demand for cannabis retail locations; or
2. The proposed cannabis retailer is located in an area with a history of a high number of unpermitted cannabis retailers such that an additional permitted location would serve a public convenience or necessity by satisfying a higher demand for permitted cannabis retail locations and reduce patronage of unlicensed facilities.

Definitions:

For purposes of this policy, the following terms shall mean the following:

1. **Commercial Retail Corridor:** Those corridor areas in the unincorporated area of Riverside County located within one-half mile from a designated freeway, including Interstate 10, Interstate 15, Interstate 215, State Route 91, and State Route 60.
2. **Undue Concentration:** A Commercial Retail Corridor where the number of approved conditional use permits for cannabis retailers within that Commercial Retail Corridor has reached a limit of one for each 2,000 inhabitants of the census tract in which the cannabis retailers are located.

Reference:

Minute Order 21.1 of 11/17/2020

Minute Order 21.1 of 03/14/2023 (RESCINDED)