RECEIVED
OCT 23 2013
City of Riverside
City Clerk's Office

NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Riverside for the purpose of adopting the Riverside Medical Marijuana Restriction and Limitation Act. A statement of reasons of the proposed action as contemplated in the petition is as follows:

The People of the City of Riverside find that the intent of this initiative is to authorize the establishment of medical marijuana provider associations, to regulate the location and operation of medical marijuana provider associations, to restrict and limit the number of medical marijuana provider associations operating within the City of Riverside, and to impose civil and criminal sanctions for violation of these local requirements.

Kimberly Thompson

Michael Eppolito

NOT INTENDED TO BE A PUBLIC DOCUMENT

Residence Addresses of Proponents

The following are the residence addresses of the proponents of the proposed initiative. The proponents are registered to vote at these addresses.

Michael Eppolito
7496 Hastings Lane
Riverside, CA 92506

Kimberly Thompson
7496 Hastings Lane
Riverside, CA 92506

RECEIVED
OCT 23 2013
City of Riverside
City Clerk's Office

RECEIVED
OCT 23 2013
City of Riverside
City Clerk's Office

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Riverside for the purpose of adopting the Riverside Medical Marijuana Restriction and Limitation Act. A statement of reasons of the proposed action as contemplated in the petition is as follows:

The People of the City of Riverside find that the intent of this initiative is to authorize the establishment of medical marijuana provider associations, to regulate the location and operation of medical marijuana provider associations, to restrict and limit the number of medical marijuana provider associations operating within the City of Riverside, and to impose civil and criminal sanctions for violation of these local requirements.

The printed names, signatures, and residence addresses of the proponents are as follows:

Kimberly Thompson | Michael Eppolito

Signatures and residence addresses of the proponents are on file with the City of Riverside, City Clerk.

Initiative Measure to Be Submitted Directly to the Voters

Text of the proposed initiative:

THE RIVERSIDE MEDICAL MARIJUANA RESTRICTION AND LIMITATION ACT

Section 1 – Title.

This initiative shall be known and may be cited as the *Riverside Medical Marijuana Restriction and Limitation Act.*

Section 2 – Findings and declarations.

(a) The People of the City of Riverside find that the intent of this initiative is to authorize the establishment of medical marijuana provider associations, to regulate the location and operation of medical marijuana provider associations, to restrict and limit the

number of medical marijuana provider associations operating within the City of Riverside, and to impose civil and criminal sanctions for violation of these local requirements.

(b) In 1996 California voters approved Proposition 215, the Compassionate Use Act. The People of the State of California declared that their purpose in enacting the ballot measure was "to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief."

(c) Proposition 215 called on federal and state governments "to implement a plan to provide for the safe and affordable distribution of marijuana to all patients in medical need of marijuana."

(d) In 2003, the California State Legislature enacted Senate Bill 420, codified in *Health and Safety Code, sections 11362.7 et seq.*, known as the Medical Marijuana Program Act. The Medical Marijuana Program Act clarified the scope of the Compassionate Use Act and promoted uniform and consistent application of Proposition 215 throughout the state by ensuring that seriously ill Californians and their caregivers have access to medical marijuana through collective, cooperative cultivation projects.

(e) The Medical Marijuana Program act expanded limited criminal immunity to qualified marijuana patients and their primary caregivers by decriminalizing possession, furnishing, sale, cultivation, transportation, or possession for sale of marijuana, or for providing or maintaining a place for the manufacture, processing, storage, or distribution of marijuana.

(f) In 2008, pursuant to *Health and Safety Code, section 11362.81, subd. (d)*, the California Attorney General issued Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. The Guidelines recognize and protect the rights of qualified patients, their designated primary caregivers, and medical marijuana provider associations to access safe and affordable marijuana for medical purposes, by establishing reasonable parameters upon the manner in which medical marijuana may be cultivated while protecting public health, safety, and welfare.

(g) In 2010, the Medical Marijuana Program Act was amended to prohibit a medical marijuana "cooperative, collective, dispensary, operator, establishment, or provider," other than a licensed residential or elder medical care facility, that is "authorized by law" to possess, cultivate, or distribute medical marijuana, and that "has

a storefront or mobile retail outlet which ordinarily requires a local business license," to be located within six hundred feet (600') of a school. The 2010 amendment also made clear that nothing in the Medical Marijuana Program Act shall prevent a city or other local governing body from "adopting local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective" or from the "the civil and criminal enforcement" of such ordinances.

(h) In October 2009, the Office of the United States Attorney General released a memorandum that stated, "prosecution of individuals with cancer or other serious illnesses who use marijuana as part of a recommended treatment regimen consistent with applicable state law, or those caregivers in clear and unambiguous compliance with existing state law who provide such individuals with marijuana, is unlikely to be an efficient use of limited federal resources."

(i) In December 2011, the United States Attorney General, during a House Judiciary Committee hearing, testified to the effect that limited federal resources would not be used to prosecute medical marijuana entities operating within state laws.

(j) On August 29, 2013, the Office of the United States Attorney General released a subsequent memorandum which once again advised that federal enforcement efforts against the seriously ill and their individual caregivers was not an efficient use of federal resources, and set forth an expectation that states and local governments which enacted laws authorizing marijuana related conduct will implement strong and effective regulatory and enforcement systems that address any threat those state laws could pose to public safety, public health, and other law enforcement interests.

(k) As recently as September 10, 2013, during a United States Senate Judiciary hearing, Deputy United States Attorney General James Cole testified that all United States Attorneys are required to comply with Office of the United States Attorney General's polices related to those states with medical marijuana laws.

(l) The People of the City of Riverside strongly support the right of qualified patients to use medical marijuana in accordance with the recommendation or approval of a licensed physician in good standing with the Medical Board of California, the Compassionate Use Act, the Medical Marijuana Program Act, the California Attorney General Guidelines, and the Department of Justice policies regarding state and local regulation of medical marijuana.

(m) The People of the City of Riverside recognize the need to establish effective local regulations consistent with the Compassionate Use Act, Medical Marijuana Program Act, and the California Attorney General Guidelines related to the cultivation,

distribution and land use of medical marijuana provider associations within the City to ensure that seriously ill patients have suitable access to medication.

(n) The People of the City of Riverside strongly oppose law enforcement resources being used to arrest, prosecute, and incarcerate qualified patients and designated caregivers who use and provide medical marijuana in accordance with the Compassionate Use Act, the Medical Marijuana Program Act, and the California Attorney General Guidelines.

(o) The People of the City of Riverside support safe and orderly access to medical marijuana in a manner which protects qualified patients, designated caregivers, provider associations, public health, public safety and the welfare of the community. The absence of recognized medical marijuana provider associations results in qualified patients and designated caregivers being denied legally recognized medication, or incurring the hardship and expense of traveling great distances to obtain their medicine from outside their community.

(p) The People of the City of Riverside recognize that neither the Compassionate Use Act nor the Medical Marijuana Program Act sufficiently address local licensing, regulation, and land use restrictions related to medical marijuana provider associations.

(q) The People of the City of Riverside recognize that in the absence of detailed state regulation, local governments must adopt policies and regulations to protect their communities and ensure that their resident qualified patients have safe access to legally recognized medication.

(r) The People of the City of Riverside recognize that according to the California State Board of Equalization, state mandated medical marijuana provider associations contribute millions of dollars annually in sales tax to the State of California. Additionally, municipalities statewide have successfully imposed annual medical marijuana provider association business taxes based on a percentage of gross receipts. This tax revenue supports much needed municipal services such as public safety, public health and welfare, and community education.

(s) The People of the City of Riverside find that nonprofit medical marijuana provider associations which operate in full compliance with the Compassionate Use Act, the Medical Marijuana Program Act, and the Attorney General Guidelines demonstrate a willingness to engage in lawful activity which benefits economic costs associated with the City of Riverside's local regulation and enforcement efforts.

(t) The People of the City of Riverside find that those nonprofit medical marijuana provider associations, as set forth above in section (s), which operated within the City of Riverside during the six (6) month period prior to the City's enactment of Riverside Municipal Code, Chapter 9.65 (which banned the operation of medical marijuana provider associations that transported or delivered, or arranged the transportation or delivery of medical marijuana to a qualified patient), have a proven track-record that is a valid predictor of law-abiding behavior going forward.

(u) To that end, the People of the City of Riverside further find that those nonprofit medical marijuana provider associations, as set forth above in section (t), were precluded from operating within the City of Riverside following enactment of Chapter 9.65. Based on the very real need for seriously ill patients to obtain medication, a number of managing members on behalf of their respective medical marijuana provider association, challenged the legality of Chapter 9.65 in a court of competent jurisdiction, and should be given a preference for obtaining "recognized status," as that term is herein defined, to operate under Chapter 9.70, as compared to nonprofit medical marijuana provider associations that either did not operate within the City of Riverside during the six (6) month period prior to enactment of Riverside Municipal Code, Chapter 9.65, or operated during that period of time but failed to challenge the legality of Chapter 9.65 in a court of law prior to October 16, 2013.

(v) The People of the City of Riverside recognize that an ordinance proposed by a voter initiative and adopted by a vote of the People, cannot be repealed or amended except by a vote of the People pursuant to the California Constitution, Article 2, section 10.

(w) The People of the City of Riverside further find and declare that this initiative is enacted pursuant to the powers reserved to the State of California, the City of Riverside and its People under the Tenth Amendment to the United States Constitution, Article 2 of the California Constitution, and Health and Safety Code, sections 11362.5 and 11362.7 et seq.

NOW THEREFORE, the People of the City of Riverside ordain as follows:

Section 3 – Amendment to the Riverside Municipal Code to add Title 9, Chapter 9.70.

The People of the City of Riverside do hereby enact and ordain that Title 9 of the Riverside Municipal Code, entitled Peace, Safety and Morals, is hereby amended to add Chapter 9.70 to read as follows (Any underlined language is new and shall be inserted into the Chapter):

Chapter 9.70

MEDICAL MARIJUANA RESTRICTION AND LIMITATION ACT.

9.70.010 Authority and title.
9.70.020 Release of liability and hold harmless.
9.70.030 Findings and purpose.
9.70.040 Physician/patient confidentiality.
9.70.050 Applicability.
9.70.060 Definitions.
9.70.070 Verification requirements.
9.70.080 Application process.
9.70.090 Recognized status.
9.70.100 Cultivation of medical marijuana.
9.70.110 Transportation of medical marijuana.
9.70.120 Annual reports.
9.70.130 Enforcement.
9.70.140 Remedies cumulative.
9.70.150 Severability.

9.70.010 Authority and title.

Pursuant to the authority granted by the California Constitution, Article 2 and Health and Safety Code, sections 11362.5 and 11362.7 et seq., the People of the City of Riverside do enact this Chapter, which shall be known and may be cited as the "Medical Marijuana Restriction and Limitation Act" ordinance.

9.70.020 Release of liability and hold harmless.

A. To the fullest extent permitted by law, the City shall assume no liability whatsoever, and expressly does not waive sovereign immunity, with respect to the medical marijuana provider association program established herein, or for the activities of any medical marijuana provider association.

B. Each medical marijuana provider association recognized by the City shall:

1. Release the City, its agents, officers, elected officials, and employees from any injuries, damages, or liabilities of any kind that result from any arrest or prosecution of the medical marijuana provider association or its participants for a violation of state or federal law;

2. Indemnify and hold harmless the City, its agents, officers, elected officials, and employees for any claims, damages, or injuries brought by adjacent or nearby property owners or other third parties due to the

operations at the medical marijuana provider association facility and/or premises; and

3. Indemnify and hold harmless the City, its agents, officers, elected officials, and employees for any claims, damages, or injuries brought by any of its participants for problems, injuries, damages, or liabilities of any kind that may arise out of the distribution, cultivation and/or use of medical marijuana provided at the medical marijuana provider association facility and/or premises.

9.70.030 Findings and purpose.

The People of the City of Riverside hereby find and declare the following:

A. In 1996, the voters of the state of California approved proposition 215, codified as California Health and Safety Code, section 11362.5, entitled, the Compassionate Use Act. The Compassionate Use Act enabled seriously ill persons who are in need of marijuana for medical purposes to use it without fear of criminal prosecution under limited, specified circumstances. The Compassionate Use Act created the right of a patient or the patient's primary caregiver to possess or cultivate marijuana for the personal medical needs of the patient upon a written or oral recommendation or approval of a California licensed physician.

B. In 2003, the California Legislature enacted Senate Bill 420, codified in California Health and Safety Code, sections 11362.7 et seq., entitled, the Medical Marijuana Program Act. The Medical Marijuana Program Act clarified the scope of the Compassionate Use Act and provided qualifying patients and designated primary caregivers, who collectively or cooperatively cultivate marijuana for medical purposes, with a limited defense to state criminal sanctions for the possession, furnishing, sale, cultivation, transportation, or possession for sale of marijuana, or for providing or maintaining a place for the manufacture, processing, storage, or distribution of marijuana. The Medical Marijuana Program Act expressly allows cities and counties to adopt and enforce ordinances that are consistent with its provisions.

C. The Medical Marijuana Program Act also affords person(s) who provide assistance to a qualified patient or primary caregiver in administering or cultivating medical marijuana, for a qualified patient, with limited criminal immunities from possession, possession for sale, sale, furnishing, giving away, transportation, delivery, or cultivation of marijuana. (Health & Safety Code, section 11362.765, subd. (b)(3).)

D. The Compassionate Use and Medical Marijuana Program Acts contemplate a closed circle of cultivation, expense sharing and consumption by qualified patients and their designated primary caregivers.

E. In 2008, pursuant to Health and Safety Code, section 11362.81, subd. (d), the California Attorney General issued Guidelines for the Security and Non-

Diversion of Marijuana Grown for Medical Use. The Guidelines recognize and protect the rights of qualified patients, their designated primary caregivers, and medical marijuana provider associations to access safe and affordable marijuana for medical purposes, by establishing reasonable parameters upon the manner in which medical marijuana may be cultivated while protecting public health, safety, and welfare.

F. This ordinance recognizes that nonprofit medical marijuana provider associations operating in full compliance with the Compassionate Use Act, the Medical Marijuana Program Act, and the Attorney General Guidelines demonstrate a willingness to engage in lawful activity which benefits economic costs associated with the City of Riverside's local regulation and enforcement efforts.

G. This ordinance recognizes that those nonprofit medical marijuana provider associations, as set forth above in section (F), which operated within the City of Riverside during the six (6) month period prior to the City's enactment of Riverside Municipal Code, Chapter 9.65, have a proven track-record that is a valid predictor of law-abiding behavior going forward.

H. To that end, the People of the City of Riverside further find that those nonprofit medical marijuana provider associations, as set forth above in section (G), were precluded from operating within the City of Riverside following enactment of Chapter 9.65. Based on the very real need for seriously ill patients to obtain medication, a number of managing members on behalf of their respective medical marijuana provider association, challenged the legality of Chapter 9.65 in a court of competent jurisdiction, and should be given a preference for obtaining "recognized status," as that term is herein defined, to operate under Chapter 9.70, as compared to nonprofit medical marijuana provider associations that either did not operate within the City of Riverside during the six (6) month period prior to enactment of Riverside Municipal Code, Chapter 9.65, or operated during that period of time but failed to challenge the legality of Chapter 9.65 in a court of law prior to October 16, 2013.

I. The purpose of this Chapter is to implement the Compassionate Use Act and the Medical Marijuana Program Act to establish comprehensive criteria for the operation of medical marijuana provider associations within the City, and to ensure that such operation is conducted in a manner consistent with the overall health, welfare, and safety of the City and its populace in strict accordance with the Compassionate Use Act, the Medical Marijuana Program Act, the Attorney General Guidelines and City codes, while ensuring that seriously ill qualified patients residing within the City can obtain and use medical marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief by:

1. Imposing reasonable limitations on the operations and location of medical marijuana provider association facilities lawfully operating within the City.

2. Creating an application process for medical marijuana provider associations to operate within the City.

3. Protecting the City's residents from the adverse impacts of irresponsible or illicit medical marijuana cultivation, distribution, handling, and storage.

4. Providing revenue to the City for improving public welfare, safety, education, and health.

9.70.040 Physician/patient confidentiality.

Requirements set forth pursuant to this Chapter shall preserve to the maximum extent possible all legal protections and privileges, consistent with reasonably verifying the qualifications and status of qualified patients and primary caregivers. Disclosure of any patient information to assert facts in support of qualified status shall not be deemed a waiver of confidentiality of that information.

9.70.050 Applicability.

A. Nothing in this Chapter is intended, nor shall it be construed, to allow the use of marijuana for non-medical purposes, or to allow any activity relating to the cultivation, distribution, or consumption of marijuana that is otherwise illegal under state law.

B. Nothing in this Chapter is intended, nor shall it be construed, to burden any defense to criminal prosecution under the Compassionate Use Act or the Medical Marijuana Program Act.

C. Nothing in this Chapter is intended, nor shall it be construed, to make legal any cultivation, sale, distribution or other use of medical marijuana that is otherwise prohibited under state law.

D. Nothing in this Chapter is intended, nor shall it be construed, to preclude any landlord from limiting or prohibiting medical marijuana cultivation or other related activities by tenants.

E. Nothing in this Chapter is intended, nor shall it be construed, to interfere with a qualified patient's right to obtain and use medical marijuana for personal medical use as otherwise granted by state law including, but not limited to:

1. A qualified patient's use of marijuana for his/her own medical needs when the qualified patient cultivates the medical marijuana at his/her permanent legal residence within the City; or

2. A primary caregiver's cultivation of marijuana solely for the personal medical use by the qualified patient who designated the primary

caregiver, when the cultivation occurs at the primary caregiver's permanent legal residence within the City.

9.70.060 Definitions.

The following words and phrases, whenever used in this Chapter, shall be construed as herein defined:

A. "Authorized zone" means those portions of the City within which the medical marijuana provider association facility and premises may be located, and shall be comprised solely of the Business and Manufacturing Park Zone, set forth in Riverside Municipal Code, section 19.130.010, subs. (A), the General Industrial Zone, set forth in Riverside Municipal Code, section 19.130.010, subs. (B), and the Commercial General Zone, set forth in Riverside Municipal Code, section 19.110.010, subs. (C).

B. "Business tax certificate" shall have the same definition as "Certificate" set forth in Riverside Municipal Code, section 5.04.010, subs. (D).

C. "City" shall have the same definition as set forth in Riverside Municipal Code, section 5.04.010, subs. (E).

D. "Collector" shall have the same definition as set forth in Riverside Municipal Code, section 5.04.010, subs.(F).

E. "Cultivation" means the planting, growing, harvesting, drying, processing, or storage of one or more marijuana plants or any part thereof in any location, indoor or outdoor, including from within a fully enclosed and secure building.

F. "Edible products" means marijuana cultivated by medical marijuana provider association participant(s) that is made available in an edible form and prepared in a certified kitchen meeting all applicable health requirements to be used and ingested solely by qualified patient participant(s) as part of their medical regime, in strict accordance with state law.

G. "Gross receipts" shall have the same definition as set forth in Riverside Municipal Code, section 5.04.010, subs. (K).

H. "Juvenile" means a person under the age of eighteen years.

I. "Managing member" means a participant with responsibility for the establishment, organization, registration, supervision, or operational oversight of the medical marijuana provider association, including but not limited to performing the functions of president, vice president, board member, director, owner, operating officer, financial officer, secretary, treasurer, or manager of the medical marijuana provider facility.

J. "Marijuana" shall have the same definition as set forth in Health and Safety Code, section 11018.

K. "Medical marijuana" means marijuana including all marijuana products, infusions, and concentrates containing the active ingredients of the

marijuana plant used for medical purposes in accordance with the Compassionate Use Act and the Medical Marijuana Program Act.

L. "Medical marijuana provider association" means a nonprofit clinic, cooperative, collective, dispensary, club, business or group comprised of seven (7) or more qualified patients and their designated primary caregiver(s), the sole intent of which is to provide education, referral, or network services, and to facilitate/assist in the lawful production, acquisition, and provision of medical marijuana, to its qualified patient participants within the terms of the Compassionate Use Act and the Medical Marijuana Program Act, and is organized and operated in compliance with the August 2008 Attorney General Guidelines.

M. "Medical marijuana provider association facility" means a building or other structure located on a premises that is fully enclosed and secure, complies with the City codes, has a complete roof enclosure supported by connecting walls extending from the ground to the roof, has a foundation, slab, or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through lockable doors wherein participants cultivate, possess and provide medical marijuana to qualified patient participants of the same medical marijuana provider association.

N. "Membership records" include participant applications, copies of participant physician recommendations or qualified patient identification cards, written designations of a primary caregiver participant by a qualified patient(s) participant, and copies of participant photo identification.

O. "Overhead expenses" means all expenses incurred by the medical marijuana provider association including but not limited to accounting, advertising, purchase of cultivation materials and equipment, depreciation, insurance, legal fees, mortgage payments, rent, repairs, supplies, taxes, utilities, volunteer participant compensation and reimbursements, wages, salaries, payroll, fees paid to comply with the requirements of this Chapter, and any other expenses associated with the establishment and operation of the medical marijuana provider association.

P. "Participant" refers to an individual who participates in a medical marijuana provider association comprised solely of qualified patients and their designated primary caregiver(s).

Q. "Physician recommendation" means a written recommendation from a physician licensed to practice medicine in the state of California for a seriously ill person who is a resident of the state of California to use marijuana for personal medical conditions including, but not limited to, HIV/AIDS, cancer, glaucoma, epilepsy or other spasticity-related illnesses, migraine, or anorexia.

R. "Preferred status" means a medical marijuana provider association that operated within the City of Riverside during the six (6) month period prior to the City's enactment of Riverside Municipal Code, Chapter 9.65, and during that period of operation it was in compliance with the Compassionate Use Act, the

Medical Marijuana Program Act, and the Attorney General Guidelines, and it commenced a legal challenge against the legality of Chapter 9.65, in a court of competent jurisdiction prior to October 16, 2013.

S. "Premises" means a single, legal parcel of property that is used by a medical marijuana provider association which is neither located within one thousand feet (1,000') of a school, nor within one thousand feet (1,000') of any other medical marijuana provider association premises. The distance shall be measured in a straight line from the property line of the school to the closest property line of the premises on which the medical marijuana provider association facility is located, without regard to intervening structures. The distance between medical marijuana provider association premises shall also be measured in a straight line from the closest property lines between both medical marijuana provider association premises without regard to intervening structures. This definition shall not apply to a medical marijuana provider association that is also a licensed residential medical or eldercare facility. Where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall be counted as a single "premises" for purposes of this Chapter.

T. "Primary caregiver" means an individual, over the age of eighteen years, who is a resident of the state, designated by a qualified patient, who, prior to and independent from assisting the qualified patient with taking marijuana, has an ongoing caretaking relationship directed at the core survival needs of the seriously ill qualified patient. A primary caregiver may be designated by more than one qualified patient if each of the designating qualified patients resides in the same city or county as the primary caregiver.

U. "Private medical information" means documentation of the medical history of a qualified patient, but shall not include the physician recommendation, a qualified patient identification card, or the designation of a primary caregiver by a qualified patient.

V. "Qualified patient" means a person possessing a qualified patient identification card, or a seriously ill person, who is a resident of the state of California, who obtains a physician recommendation.

W. "Qualified patient identification card" means an identification card issued by the California Department of Public Health or any municipal Department of Public Health that is charged with issuing identification cards pursuant to the Medical Marijuana Program Act, to a qualified patient. The qualified patient identification card may also identify the qualified patient's designated primary caregiver, if any.

X. "Reasonable compensation" means compensation commensurate with reasonable wages and benefits paid to employees of IRS-qualified non-profit organizations who have similar job descriptions and duties, prior individual earnings history, and number of hours worked.

Y. "Recognized status" means a medical marijuana provider association which has complied with City zoning requirements set forth in Title 19 of the Riverside Municipal Code for a medical marijuana provider association facility and premises located within an authorized zone, has been provided with written notice from the Collector indicating that its application for recognized status is complete, as forth in section 9.70.080, subs. (A) or 9.70.080, subs. (B), and complies with the maximum number of medical marijuana provider associations granted recognized status, as set forth in section 9.70.090, subs. (D).

Z. "School" means an institution of learning for minors, whether public or private, offering a regular course of instruction required by the California Education Code. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a home school, vocational or professional institution of higher education, including a community or junior college, college, or university.

AA. "Verification" means a written document, prepared by the medical marijuana provider association, listing each item set forth in section 9.70.070, subs. (A) through (II), dated and signed under penalty of perjury by each managing member attesting to the fact the medical marijuana provider association complies with each of the items set forth in section 9.70.070.

9.70.070 Verification requirements.

A medical marijuana provider association shall submit to the Collector a written verification, which shall be subject to investigation by the Riverside Police Department, dated and signed under penalty of perjury by each managing member, attesting to the truth and veracity of the following information:

A. It is a non-profit organization;

B. It has a written application process for all participants;

C. Its participants are comprised solely of qualified patients and designated primary caregivers;

D. Its managing members are all participants;

E. Its qualified patient participants possess:

1. A physician recommendation; or
2. A qualified patient identification card;

F. Its primary caregiver participants possess a valid written designation from a qualified patient participant;

G. It verifies California residency for each participant by means of a:

1. Valid California driver's license;
2. Valid California identification card; or
3. Valid passport;

H. Its participants provide, possess or cultivate medical marijuana solely for the personal medical use of its qualified patient participants;

I. It verifies the identity of each participant prior to allowing their entry into the medical marijuana provider association facility;

J. It assures that no juvenile may become a participant without:

1. Written proof the minor is lawfully emancipated or of declared self-sufficiency status; or

2. The minor's parent, legal guardian, or person with legal authority to make medical decisions for the minor provides notarized written consent accompanied by:

a. A physician recommendation; or

b. A qualified patient identification card;

K. It assures that no qualified patient participant's physician recommendation has expired;

L. It assures that no qualified patient participant's designation of a primary caregiver participant has expired;

M. It verifies that no managing member participant has been convicted of a felony within the previous ten (10) years;

N. It requires any managing member participant to report any felony conviction subsequent to becoming a managing member to the remaining managing member(s) within seventy-two (72) hours of the conviction;

O. It verifies that any primary caregiver participant designated by more than one qualified patient participant resides in the same city or county as the designating qualified patient participant;

P. It maintains written participant membership records at the medical marijuana provider association facility;

Q. It strictly prohibits participants from selling or distributing the medical marijuana produced and/or received pursuant to their participation in the medical marijuana provider association to any person other than a participant of that medical marijuana provider association;

R. It strictly prohibits participants from buying, possessing or providing marijuana within the medical marijuana provider association other than medical marijuana that was cultivated by the participants of that medical marijuana provider association in strict accordance with state law and this Chapter;

S. It strictly prohibits a participant from possessing or cultivating more dried medical marijuana or plants per qualified patient participant other than those amounts permitted by state law;

T. It strictly prohibits medical marijuana from being inhaled, smoked, eaten, ingested, or otherwise consumed at the medical marijuana provider association facility, or anywhere else on the premises. This prohibition does not apply to designated areas within a licensed residential medical or eldercare facility;

U. It immediately terminates and prohibits any future medical marijuana provider association membership by a participant if that participant:

1. Violates any of the procedures set forth above in subsections (H)(N), (Q), (R), (S) or (T);

2. Misuses the services of the medical marijuana provider association;

3. Misrepresents his/her qualifications for participation in the medical marijuana provider association;

4. Violates any medical marijuana provider association rule, guideline or protocol; or

5. Violates the Compassionate Use Act or the Medical Marijuana Program Act;

V. Any and all edible products available or provided to a participant(s) have been:

1. Prepared in a certified kitchen meeting all applicable health requirements;

2. Prepared using only medical marijuana cultivated by its participants;

3. Wrapped in sealed packaging; and

4. Clearly labeled with:

a. A warning that the product contains marijuana, and is to be consumed only with a physician's recommendation; and

b. The ingredients and nutrition information as required by the Dietary Supplement Health and Education Act of 1994;

W. It assures that all private medical information to which it becomes privy concerning its participants is maintained in confidence;

X. It strictly prohibits the sale or display of drug paraphernalia including but not limited to cocaine and sniffing kits, glass mirrors for cutting cocaine, snorting spoons and tubes, strainers to sift cocaine, water pipes (bongs), everyday items with special removable tops that have been converted to conceal narcotics and drugs, including but not limited to beer cans, oil cans and plastic photograph film vials, roach clips (for holding marijuana cigarettes), cigarette paper, or filters within the medical marijuana provider association facility or on the premises;

Y. The fees it charges for medical marijuana are reasonably calculated to cover overhead expenses.

Z. It is only open to participants between the hours of 10:00 AM to 8:00 PM;

AA. Whenever the medical marijuana provider association facility is open to its participants, a managing member is present on site;

BB. Neither it nor its participants discriminate against any other participant on the basis of race, color, creed, religion, national origin, ancestry,

disability, marital status, sex, gender, sexual orientation, height, weight, or physical characteristic;

CC. It posts, in a conspicuous location, a sign inside the medical marijuana provider association facility advising, "This medical marijuana provider association is operated in accordance with the laws of the City of Riverside. The sale of marijuana and the diversion of marijuana for non-medical purposes are violations of state law. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery. Loitering at the location or on the premises of a medical marijuana provider association facility for an illegal purpose is prohibited by California Penal Code, section 647, subd. (h);"

DD. It maintains a general ledger of cash transactions, and follows cash handling practices that include regular bank deposits and cash drops, as set forth in the Attorney General Guidelines;

EE. It maintains adequate security measures, which include but are not limited to: providing a duly-licensed and uniformed security guard patrol for the association provider premises during all hours of operation to assure participant safety, and to prevent negative impacts, including nuisance and criminal activity, to surrounding properties;

FF. The medical marijuana provider association facility is monitored at all times by a web-based security camera system that is of adequate quality, color rendition and resolution to allow for the reasonable identification of any individual committing a crime anywhere on to the premises.

GG. The premises are located within an authorized zone;

HH. The premises are not located within one thousand feet (1,000') of a school. The distance shall be measured in a straight line from the property line of the school to the closest property line of the premises on which the medical marijuana provider association facility is located, without regard to intervening structures. This definition shall not apply to a medical marijuana provider association that is also a licensed residential medical or eldercare facility. Where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall be counted as a single "premises" for purposes of this Chapter; and

II. The premises are not located within one thousand feet (1,000') of any other medical marijuana provider association premises with recognized status. The distance shall be measured in a straight line from the property line of the premises on which the medical marijuana provider association facility is proposed to be located, to the closest property line of the premises on which previously recognized medical marijuana provider association facility is located, without regard to intervening structures. This definition shall not apply to a medical marijuana provider association that is also a licensed residential medical or eldercare facility. Where contiguous legal parcels are under common ownership or control, such

contiguous legal parcels shall be counted as a single "premises" for purposes of this Chapter.

9.70.080 Application process.

A. Preferred status.

1. Within thirty (30) calendar days following the date of enactment of Chapter 9.70, the Collector shall cause to be prepared an application form for use by medical marijuana provider association(s) applying for preferred status.

2. The preferred status application form shall require the medical marijuana provider association to attach the following information:

(a) A true and correct copy of the seller's permit issued by the State Board of Equalization for the medical marijuana provider association facility proposed to operate within the City under Chapter 9.70;

(b) A true and correct copy of the articles of incorporation filed with the Secretary of State, the Chapters of Association, Limited Liability Company Articles of Organization, or the Membership Agreement applicable for the six (6) month period prior to enactment of Chapter 9.65 during which the medical marijuana provider association operated in the City;

(c) A true and correct copy of the association bylaws, specifying its:

(1) Nonprofit operation;

(2) Criteria, procedures, terms of office and compensation for managing members;

(3) Procedures for changing bylaws;

(4) Provisions for annual membership meetings; and

(5) Member participation;

(d) A list of current managing members including name, address, date of election, length of term, and term limit, if any;

(e) A verification, as set forth in section 9.70.070, attesting to each managing member's full understanding that the medical marijuana provider association must adhere to each and every operating standard set forth in section 9.70.070, subs. (A) through (II) prior to commencement of operation;

(f) A conformed copy of the complaint filed, in a court of competent jurisdiction prior to October 16, 2013, by the medical marijuana provider association directly or on its behalf by a managing member named as a plaintiff challenging the legality of Chapter 9.65, and if applicable, a written verification signed under penalty of perjury

attesting to the fact that the managing member named as a plaintiff in said legal challenge, brought such legal challenge in his or her individual capacity in order to establish legal standing for the beneficial interest of the particular medical marijuana provider association submitting an application for preferred status; and

(g) A completed application for a business tax certificate, as set forth in Chapter 5.04.

3. Thirty-one (31) calendar days following the date of enactment of Chapter 9.70, the Collector shall begin accepting applications for preferred status. No medical marijuana provider association shall submit more than one application for preferred status.

4. The initial period for accepting applications for preferred status shall be limited to fifteen (15) business days.

5. The Collector shall ensure that each application for preferred status received during the initial fifteen (15) business day period is date and time stamped, and processed in the order in which it was received.

6. Any medical marijuana provider association preferred application submitted after the City has granted recognized status to the maximum number of medical marijuana provider associations, as set forth in section 9.70.090, subs. (D), shall be rejected. The Collector shall resume accepting preferred status applications, as set forth in section 9.70.080, subs. (A), once the total number of medical marijuana provider associations with recognized status falls below the limit set forth in section 9.70.090, subs. (D).

7. Any medical marijuana provider association request for a preferred status application that has its proposed premises located within one thousand feet (1,000') of another medical marijuana provider association premises operating with recognized status, shall be rejected.

8. Any medical marijuana provider association request for a preferred status application that has its proposed premises located within one thousand feet (1,000') of a school shall be rejected.

9. Any medical marijuana provider association request for a preferred status application whose proposed premises is not located within an authorized zone shall be rejected.

10. Any medical marijuana provider association request for a preferred status application that has its proposed premises located within one thousand feet (1,000') of another medical marijuana provider association premises that also requested preferred application status and whose date and time stamp is earlier in time, shall be rejected.

11. Within ten (10) business days following the expiration of the initial period for accepting preferred status application(s), set forth in section

9.70.080, subs. (A), subd. (4), the Collector shall determine if the application for preferred status is complete, and shall either:

(a) Notify the applicant in writing that the application for preferred status is complete; or

(b) Notify the applicant in writing that the application for preferred status is incomplete, and set forth the reason(s) therefore, including all additional information and documentation necessary to render the application complete.

12. The applicant shall have fifteen (15) business days from the date of notice of incomplete application, set forth in section 9.70.080, subs. (A), subd. (11), to submit all additional information and documentation identified by the Collector to complete the application for preferred status. Any amended application for preferred status shall maintain the original date and time stamp in the order in which it was received, as set forth in section 9.70.080, subs. (A), subd. (5).

13. Within ten (10) business days following receipt of an amended application for preferred status, set forth in section 9.70.080, subs. (A), subd. (12), the Collector shall determine whether the application is complete, and shall either:

(a) Notify the applicant in writing that the application for preferred status is complete; or

(b) Notify the applicant in writing that the application is incomplete, and set forth the reason(s) therefore, including all additional information and documentation necessary to render the application complete.

14. The applicant shall have fifteen (15) business days from the date of notice of incomplete application, set forth in section 9.70.080, subs. (A), subd. (13), to submit all additional information and documentation identified by the Collector to complete the application for preferred status. Any amended application for preferred status shall maintain the original date and time stamp in the order in which it was received, as set forth in section 9.70.080, subs. (A), subd. (5).

15. Within ten (10) business days following receipt of an amended application for preferred status, set forth in section 9.70.080, subs. (A), subd. (14), the Collector shall determine whether the application is complete, and shall either:

(a) Notify the applicant in writing that the application for preferred status is complete; or

(b) Notify the applicant in writing that the application for preferred status remains incomplete, setting forth the reasons therefore, and shall be considered rejected and null and void.

16. Within five (5) business days following determination that an application for preferred status is complete, the Collector shall:

(a) Create/update a list of medical marijuana provider association(s) by name and address that are engaged in the preferred application process; and

(b) Shall make this list available to the public upon request.

17. Nothing shall prevent a medical marijuana provider association that applied for preferred status but was rejected from thereafter submitting a non-preferred application as set forth in section 9.70.080, subs. (B).

B. Non-preferred application.

1. Within thirty (30) calendar days following the date of enactment of Chapter 9.70, the Collector shall cause to be prepared a non-preferred medical marijuana provider association application form ("application").

2. The application shall require the medical marijuana provider association to attach the following information:

(a) A true and correct copy of the seller's permit issued by the State Board of Equalization for the medical marijuana provider association facility proposed to operate within the City;

(b) A true and correct copy of the medical marijuana provider association articles of incorporation filed with the Secretary of State, the Chapters of Association, Limited Liability Company Articles of Organization, or the Membership Agreement;

(c) A true and correct copy of the association bylaws specifying its:

(1) Nonprofit operation;

(2) Criteria, procedures, terms of office and compensation for board of directors and officers;

(3) Procedures for changing bylaws;

(4) Provisions for annual membership meetings; and

(5) Member participation;

(d) A list of current managing members including name, address, date of election, length of term, and term limit, if any;

(e) A verification, as set forth in section 9.70.070, attesting to each managing member's full understanding that the medical marijuana provider association must adhere to each and every operating standard set forth in section 9.70.070 subs. (A) through (II) prior to commencement of operation; and

(f) A completed application for a business tax certificate, as set forth in Chapter 5.04.

3. One hundred and eighty (180) calendar days following the date of enactment of Chapter 9.70, the Collector shall begin accepting medical marijuana provider association applications.

4. The Collector shall ensure that each application is date and time stamped, and processed in the order in which it was received.

5. Any medical marijuana provider association application submitted after the City has granted recognized status to the maximum number of medical marijuana provider associations, as set forth in section 9.70.090 subs. (D), shall be rejected. The Collector shall resume accepting applications, pursuant to section 9.70.080, subs. (B), once the total number of medical marijuana provider associations with recognized status falls below the maximum limit set forth in section 9.70.090 subs. (D).

6. Any medical marijuana provider association application whose proposed premises is not located within an authorized zone shall be rejected.

7. Any application which identifies a proposed premises that is located within one thousand feet (1,000') of a medical marijuana provider association operating with recognized status shall be rejected.

8. Any medical marijuana provider association application that has its proposed premises located within one thousand feet (1,000') of a school shall be rejected.

9. Any application which identifies a proposed premises that is located within one thousand feet (1,000') of another proposed medical marijuana provider association currently in the application process with an application date and time stamp that is earlier in time, shall be rejected.

10. Within ten (10) business days following application receipt, the Collector shall determine if the application is complete, and shall either:

(a) Notify the applicant in writing that the application is complete; or

(b) Notify the applicant in writing that the application is incomplete, and set forth the reason(s) therefore, including all additional information and documentation necessary to render the application complete.

11. The applicant shall have fifteen (15) business days from the date of notice of incomplete application, set forth in section 9.70.080, subs. (B), subd. (10), to submit all additional information and documentation identified by the Collector to complete the application. Any amended application shall maintain the original date and time stamp in the order in which it was received, as set forth in section 9.70.080, subs. (B), subd. (4).

12. Within ten (10) business days following receipt of an amended application, set forth in section 9.70.080, subs. (B), subd. (11), the Collector shall determine whether the application is complete, and shall either:

(a) Notify the applicant in writing that the application is complete; or

(b) Notify the applicant in writing that the application is incomplete and set forth the reason(s) therefore, including all additional information and documentation necessary to render the application complete.

13. The applicant shall have fifteen (15) business days from the date of notice of incomplete application, set forth in section 9.70.080, subs. (B), subd. (12), to submit all additional information and documentation identified by the Collector to complete the application. Any amended application shall maintain the original date and time stamp in the order in which it was received, as set forth in section 9.70.080, subs. (B), subd. (4).

14. Within ten (10) business days following receipt of an amended application, set forth in section 9.70.080, subs. (B), subd. (13), the Collector shall determine whether the application is complete, and shall either:

(a) Notify the applicant in writing that the application is complete; or

(b) Notify the applicant in writing that the application remains incomplete, setting forth the reasons therefore, and shall be considered rejected and null and void.

15. Within five (5) business days following determination that an application is complete, the Collector shall:

(a) Create/update a list of medical marijuana provider association(s) by name and address that are engaged in the application process; and

(b) Shall make this list available to the public upon request.

9.70.090 Recognized status.

The City shall recognize the status of a medical marijuana provider association to operate within the City when the medical marijuana provider association:

A. Complies with all City zoning requirements, set forth in Title 19 of the Riverside Municipal Code, for the proposed medical marijuana provider association facility and premises located within an authorized zone;

B. Has been provided with written notice from the Collector indicating that its application for recognized status is complete, as forth in section 9.70.080, subs. (A) or 9.70.080, subs. (B);

C. For each medical marijuana provider association that has operated in the City with recognized status for a period of one year, has provided the Collector with all necessary proof and verifications set forth in section 9.70.120; and

D. The number of medical marijuana provider associations granted recognized status within the City shall be limited to one (1) per thirty thousand (30,000) City residents. This number shall increase with each additional thirty thousand City residents, such that for sixty thousand (60,000) City residents the number of medical marijuana provider associations would be limited to two (2), for ninety thousand (90,000) City residents the number would be limited to three (3) medical marijuana provider associations, and so on. The population figures to be used shall be those most recently determined and promulgated by the California Department of Finance for cities, counties and states.

9.70.100 Cultivation of medical marijuana.

A. Medical marijuana cultivation subject to this Chapter shall be concealed from public view at all stages of growth, and there shall be no exterior evidence of cultivation occurring at the premises from a public right-of-way or from an adjacent parcel.

B. Medical marijuana cultivation subject to this Chapter shall not create offensive odors, create excessive dust, heat, noise, smoke, traffic or other impacts that are disturbing to people of normal sensitivity present on adjacent or nearby property or areas open to the public, or be hazardous due to storage of materials, product processing, or wastes.

9.70.110 Transportation of medical marijuana.

Activities entailing the transportation of medical marijuana, in accordance with the Compassionate Use Act, the Medical Marijuana Program Act, the California Attorney General Guidelines and this Chapter, shall be lawful only when conducted by a participant of a recognized medical marijuana provider association for delivery to a participant member of the same recognized medical marijuana provider association when the quantity transported and the method, timing and distance of the transportation are reasonably related to the medical needs of the qualified patient participant receiving the medication.

9.70.120 Annual reports.

A. Every recognized medical marijuana provider association operating in the City shall, on an annual calendar year basis, submit a report to the Collector not later than May 31st of the following year. The report shall document the association's compliance with the Compassionate Use Act, the Medical Marijuana Program Act, the California Attorney General Guidelines, and this Chapter.

B. The annual report shall provide all of the information required in the verification, as set forth in section 9.70.070, in addition to the following medical marijuana provider association information:

1. The number of participant members, including managing members;

2. The name(s) of all managing members and the date(s) of their terms;

3. The number of qualified patient participants, including managing members;

4. The total of gross medical marijuana sales receipts;

5. The number of medical marijuana sales transactions conducted;

6. The number of medical marijuana plants and clones cultivated;

7. A copy of the articles of incorporation filed with the Secretary of State, Chapters of Association, Limited Liability Company Articles of Organization, or Membership Agreement;

8. A copy of Form SI 100 statement of information filed with the Secretary of State, if applicable;

9. A copy of the most recent sellers' permit issued by the State Board of Equalization for the medical marijuana association provider facility located within the City;

10. A copy of the association bylaws specifying its:

a. Nonprofit operation;

b. Criteria, procedures, terms of office and compensation for board of directors and officers;

c. Procedures for changing bylaws;

d. Provisions for annual membership meetings; and

e. Member participation;

11. A list of current managing members including name, address, date of election, length of term, and term limit, if any; and

12. A description of how revenues are used for the general welfare of association participant members.

C. The annual report shall be signed and dated by each association managing member under penalty of perjury verifying that the information set forth in the report is true, correct and complete.

D. Within ten (10) business days following the due date for the annual report set forth in section 9.70.120, subs. (A), the Collector shall determine which medical marijuana patient provider association(s) with recognized status have failed to comply with the annual reporting requirements, and shall either:

1. Notify the medical marijuana provider association in writing that the annual report has not been received; or

2. Notify the medical marijuana provider association in writing that the annual report is incomplete and set forth the reason(s) therefore,

including all additional information and documentation necessary to render the annual report complete.

E. The medical marijuana provider association shall have fifteen (15) business days from the date of the written notice set forth in section 9.70.120, subs. (D), to submit all information and documentation identified by the Collector.

F. Failure to provide a complete annual report within the time period set forth in 9.70.120, subs. (E) shall be deemed grounds for revocation of the medical marijuana provider association's recognized status and commencement of enforcement set forth in 9.70.130.

G. Providing an annual report containing false information shall be deemed immediate grounds for enforcement set forth in section 9.70.130.

H. Nothing shall prevent a medical marijuana provider association that had its recognized status revoked pursuant to section 9.70.120, subs. (F) from thereafter submitting a non-preferred application, as set forth in section 9.70.080, subs. (B).

9.70.130 Enforcement.

A. Each and every violation of this Chapter shall constitute a separate violation and shall be subject to all applicable civil, administrative and criminal remedies and enforcement measures authorized by the Riverside Municipal Code.

B. As a nuisance *per se*, any violation of this Chapter shall be subject to any other civil relief or remedy available at law or equity, including but not limited to:

1. Injunctive relief;
2. Revocation of a certificate of occupancy for the facility;
3. Disgorgement and payment to the City of any and all monies unlawfully obtained;
4. Revocation of a business tax certificate;
5. Revocation of a permit issued pursuant to Title 19 of the Riverside Municipal Code;
6. Costs of abatement;
7. Costs of investigation; and
8. Attorney fees.

9.70.140 Remedies cumulative.

All remedies prescribed under this Chapter shall be cumulative and the election of one or more remedies shall not bar the City from the pursuit of any other remedy for the purpose of enforcing the provisions hereof.

9.70.150 Severability.

The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, section, subdivision or

portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4 – Amendment to add Chapter 19.435 to the Riverside Municipal Code, Title 19, Article VII, Division I.

The People of the City of Riverside do hereby enact and ordain that Title 19 of the Riverside Municipal Code, entitled Zoning, Article VII, entitled Specific Land Use Provisions, Division I, entitled Specific Permitted Land Uses, is hereby amended to add Chapter 19.435 to read as follows: (Any underlined language is new and shall be inserted into the ordinance.)

Chapter 19.435

MEDICAL MARIJUANA PROVIDER ASSOCIATION

19.435.010 Purpose.
19.435.020 Definitions.
19.435.030 Permit requirements.
19.435.040 Proximity requirements.

19.435.010 Purpose.

A. The purpose of this Chapter is to establish comprehensive criteria for the operation of medical marijuana provider associations, as defined in Chapter 9.70 of the Riverside Municipal Code, section 9.70.060, subs. (L), within the City, and to ensure that such operation is conducted in a manner consistent with the overall health, welfare and safety of the City and its populace in strict accordance with the Compassionate Use Act, Medical Marijuana Program Act, the Attorney General Guidelines and City codes, while ensuring that seriously ill qualified patients residing within the City can obtain and use medical marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief.

B. The People of the City of Riverside find that establishing regulations for medical marijuana provider associations greatly reduces any potential for adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods associated with the operation of medical marijuana provider associations, as defined in Chapter 9.70 of the Riverside Municipal Code.

...

19.435.020 Definitions.

A. Establishment of a medical marijuana provider association. As used herein, to "establish" a medical marijuana provider association shall mean and include any of the following:

1. The opening or commencement of any medical marijuana provider association as a new business; or

2. The conversion of an existing business, whether or not a medical marijuana provider association, to a medical marijuana provider association as defined in Chapter 9.70 of the Riverside Municipal Code.

B. All other terms relative to a medical marijuana provider association are contained in Chapter 9.70 of the Riverside Municipal Code and are incorporated into this Chapter by reference.

19.435.030 Permit requirements.

The operation of a medical marijuana provider association facility, as defined in Title, 19, Article X (Definitions), is authorized and permitted as set forth in Title, 19, Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter. Medical marijuana provider associations are regulated by Chapter 9.70 of the Riverside Municipal Code and are subject to the minimum proximity requirements set forth in section 19.435.040.

19.435.040 Proximity requirements.

A. Medical marijuana provider association facilities and premises shall only be established, located, or operated in the Business and Manufacturing Park Zone (BMP), set forth in Riverside Municipal Code, section 19.130.010, subs. (A), the General Industrial Zone (I), set forth in Riverside Municipal Code, section 19.130.010, subs. (B), and the Commercial General Zone (CG), set forth in Riverside Municipal Code, section 19.110.010, subs. (C), and only when within ascribed distances of the certain specified land uses set forth herein.

B. A medical marijuana provider association premises, as that term is defined in Chapter 9.70, section 9.70.060, subs. (S), shall not be located within one thousand feet (1,000') of a school, as that term is defined in Chapter 9.70, section 9.70.060, subs. (Z). The distance shall be measured in a straight line from the property line of the school to the closest property line of the premises on which the medical marijuana provider association facility is located, without regard to intervening structures.

C. A medical marijuana provider association premises, as that term is defined in Chapter 9.70, section 9.70.060, subs. (S), shall not be located within one thousand feet (1,000') of any other medical marijuana provider association premises with recognized status, as that term is defined in Chapter 9.70, section

9.70.060, subs. (Y). The distance shall be measured in a straight line between the premises property line of any recognized medical marijuana provider association to the closest property line of the premises on which any other recognized medical marijuana provider association facility is located, without regard to intervening structures.

D. Where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall be counted as a single "premises" for purposes of this Chapter.

E. These proximity requirements shall not apply to a medical marijuana provider association that is also a licensed residential medical or eldercare facility.

Section 5 – Amendment to Riverside Municipal Code, Section 19.910.140.

The People of the City of Riverside do hereby enact and ordain that Title 19, Article X, Chapter 19.910, Section 19.910.140 of the Riverside Municipal Code, entitled "M" Definitions, is hereby amended to read as follows: (Any underlined language is new and shall be inserted into Section 19.910.140, any non-underlined language currently exists in the Section and shall remain, whereas any strike-through language is existing language to be deleted from the Section.)

Section 19.910.140

"M" DEFINITIONS.

19.910.140. "M" Definitions.

Major street frontage	See frontage, major street.
Mall	A shopping center where stores front on both sides of a pedestrian way that may be enclosed or open. Malls are typically enclosed, with a climate-controlled walkway between two facing strips of stores. The term represents the most common design mode for regional and superregional centers and has become an informal term for these types of centers. Any concentration of retail stores or service establishments that share customer-parking areas and are located within an enclosure having public walkways whereby a customer in one store or establishment may walk to another store or establishment without leaving the enclosure. For purposes of Chapter 19.620 (General Sign Provisions) and Chapter 19.625 (Private Party Signs on

	City-Owned Property and the Public Right-of-Way) a mall is defined as an open area located adjacent to urban buildings and designed primarily for pedestrian traffic, featuring walkways, trees and shrubs, and places to sit.
Mansard roof	A sloped, decorative roof element attached to the face of a building wall. See *definitions in the Design and Sign Design Guidelines.*
Manufacture	To assemble, fabricate, compound, treat, etc. in order to produce something.
Manufactured dwelling unit	See dwelling unit, manufactured.
Massing	The unified composition of a structure's volume, affecting the perception of density and bulk. See *definition in the Downtown Specific Plan.*
Material processing facility (MPF)	A facility where source separated (presorted) recyclable materials are further sorted and separated, then bulked or converted for reprocessing, by hand or by use of machinery.
Material recovery facility (MRF)	A solid waste facility where mixed municipal solid waste is sorted or separated, by hand or by use of machinery, for the purpose of recovering recyclable materials.
Medical marijuana ~~dispensary~~ provider association facility	A facility where marijuana is made available for medical purposes in accordance with Health and Safety Code ~~S~~section 11362.5 (Proposition 215), Health and Safety Code, sections 11362.7 et seq. (Medical Marijuana Program Act), and the California Attorney General Guidelines. See *Riverside Medical Marijuana Restriction and Limitation Act*, Riverside Municipal Code, Chapter 9.70.
Message center sign, electronic	See sign, electronic message center.
Message commercial	A message on a sign that pertains primarily to the economic interests of the sign sponsor and/or the viewing

	audience. Such messages typically concern proposals for economic transactions and/or the engagement of professional services. (Contrast: non-commercial messages.)
Message non-commercial	A message displayed on a sign that does not qualify as commercial. By way of example only and not limitation, such messages typically concern debatable matters of public concern, such as expression on religion, politics and social commentary. (Contrast: commercial message.)
Microbrewery	See brewery, microbrewery.
Mini-mart	See store, mini-mart.
Mini-warehouse	See commercial storage.
Mixed use development	A single building containing more than one type of land use or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. See *definitions in the General Plan, Design Guidelines and Downtown Specific Plan.*
Mobile home	A State licensed moveable or transportable vehicle, other than a motor vehicle, designed as a permanent structure of not less than two hundred fifty square feet in area intended for occupancy by one family, and having no foundation other than jacks, piers, wheels or skirtings. See *definition in the General Plan.*
Mobile home, building line	A line parallel with the front mobile home space line or access drive and distance therefrom the depth of the required front yard.
Mobile home, park	A lot or contiguous group of lots intended for residential use where residence is in mobile homes exclusively or where ownership is by condominium association, in lieu of mobile homes, said development is occupied exclusively by

	factory-built dwellings approved by the State of California and established on permanent foundations.
Mobile home, space	A plot of ground within a mobile home park abutting one or more access drives, designed for the accommodation of one mobile home.
Mobile medical unit	Medical equipment contained within a van, motorized coach or trailer capable of being transported from place to place.
Mobile recycling unit	See recycling unit, mobile.
Model Homes	An unoccupied residential unit in a residential subdivision, typically located in a residential structure ultimately planned for sale as part of the subdivision, used for the temporary marketing and sales of homes within the subdivision. Attached condominium and townhouse units may also be used as a model home.
Modulation	A stepping back or projecting forward of portions of a building face within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure's continuous exterior walls.
Monopole wireless communication facility	See Wireless telecommunication facilities - Monopole.
Monument sign	See sign, monument.
Motel	See hotel/motel, long term stay.
Motel, transient	A facility offering transient lodging accommodations to the general public with access to guest rooms provided by exterior walkways. All of the accommodations in a motel shall be for the use of transients. For the purposes of this Title, transients shall be defined as any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, renting accommodations of by other agreement of whatever nature, for a period of 30 consecutive calendar days or less, or a

	total of no more than 60 calendar days within a 180 consecutive calendar day period. Up to a maximum of 5 percent of the total number of rooms can be occupied by guests that exceed these occupancy limits at any given time. The limitations on occupancy shall not apply during the existence of a public emergency or natural disaster requiring the provision of emergency public shelter. Hospitals, sanitariums or orphanages, asylums, detention homes, jails, prisons, transitional shelters/housing, group housing or similar buildings where human beings are housed or detained under legal restraint or part of a treatment or other regulated program are specifically excluded. See definition in the *Downtown Specific Plan*.
Multi-family dwelling unit	See dwelling unit, multi-family.
Multi-tenant indoor sales Center	Any store where merchandise is offered or displayed for sale or exchange and in which the sales area has been subdivided to allow for individual sales booths that are available for lease to individual tenants. For purposes of this definition, areas bounded by permanent floor-to ceiling walls or windows, in which all entryways are capable of being closed and locked, shall be considered separate stores and not subdivisions of one store. No store in which one vendor occupies at least eighty percent of the floor area used for sale of goods shall be considered a multi-tenant indoor sales center. For purposes of this definition, a vendor is each person offering goods for sale in a store who is subject to a permit from the State Board of Equalization to engage in or conduct business as a seller at that store. Each such vendor shall be deemed a tenant in that store. The term multi-tenant indoor sales center is interchangeable with and applicable to flea markets, swap meets or other similarly named or labeled activities; but the term does not include the usual grocery supermarket operations, antique malls, second hand/thrift stores or department stores.
Multi-tenant site	See center, multi-tenant site or center.
Mural	A commissioned artistic rendering that does not in any

way advertise a product, service or business logo or contain copy that includes a business name or logo. See definition in the *Sign Design Guidelines.*

(Ord. 7185 §7, 2012; Ord. 7105 §8. 2010; Ord. 6966 §1, 2007)

Section 6 – Amendment to Riverside Municipal Code, Section 19.150.020.

The People of the City of Riverside do hereby enact and ordain that Title 19, Article X, Chapter 19.150, Section 19.150.020 of the Riverside Municipal Code, entitled Permitted Land Uses, is hereby amended to read as follows: (Any underlined language is new and shall be inserted into Section 19.150.020, any non-underlined language currently exists in the Section and shall remain, whereas any strike-through language is existing language to be deleted from the Section.)

Section 19.150.020

19.150.020 Permitted Land Uses.
Table 19.150.020 A (Permitted Uses Table), Table 19.150.020 B (Incidental Uses Table) and Table 19.150.020 C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted Land Uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 – Minor Conditional Use Permit), or conditional use permit (Chapter 19.760 – Conditional Use Permit), or uses requiring some other permit. Table 19.150.020 A also identifies those uses that are specifically prohibited. Uses not listed in Tables are prohibited unless, the Zoning Administrator, pursuant to Chapter 19.060 (Interpretation of Code), determines that the use is similar and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state ~~and/or federal~~ law is also strictly prohibited. (Ord. 7110 §§2, 3, 4, 2011; Ord. 7109 §§4, 5, 2010; Ord. 7072 §1, 2010; Ord. 7064 §9, 2010; Ord. 6966 §1, 2007)

Section 7 – Amendment to Riverside Municipal Code, Table 19.150.020 A.

The People of the City of Riverside do hereby enact and ordain that Title 19, Article V, Chapter 19.150, Section 19.150.020, Table 19.150.020 A of the Riverside Municipal Code, entitled Permitted Uses Table, is hereby amended to read as follows: (Any underlined language is new and shall be inserted into Table 19.150.020 A, any non-underlined language currently exists in the Table and shall remain, whereas any strike-through language is existing language to be deleted from the Table.)

...

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones			
	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	DSP	
Accessory Buildings & Structures A. Cargo Containers																						See Incidental Uses Table
Adult-Oriented Businesses	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	[1]	9.40 – Adult-Oriented Businesses 19.240 – Adult-Oriented Businesses
Agricultural Field Office																						See Incidental Uses Table
Agricultural Stand																						See Incidental Uses Table
Agriculture, Horticulture and Growing of Nursery Plants (Farms, Field Crops, Flower & Truck Gardening, Orchards, Ranches & Tree Crops)	P	P	P	X	P	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X		
Aircraft Charter Services	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X		For parking see Offices – Business and Professional under 19.580
Aircraft Parts, Supplies, Merchandise and Equipment Shops	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X		For parking see Vehicle Sales under 19.580
Aircraft Sales, Rental, Service, Repair and Storage	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X		For parking see Vehicle Sales under 19.580
Airports – Private	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X		
Airports – Public	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X		
Alcohol Sales																						See Incidental Uses Table
Ambulance Company with Vehicle Storage	X	X	X	X	X	X	X	X	X	C	X	X	X	X	P	P	P	P	X	X		5.65 – Convalescent Transport Vehicles 5.66 – Ambulances
Animal Keeping																						See Incidental Uses Table
Arcades and Internet/Cyber Cafés	X	X	X	X	X	X	X	X	MC	MC	MC	MC	MC	MC	X	X	X	X	X	X		19.245 – Arcades and Internet/Cyber Cafés

[1] For uses permitted in the Downtown Specific Plan see the Specific Plan.

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.
**= For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030 A (RA-5 Zone Permitted Uses) and 19.100.030 B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030 A and 19.100.030 B exists, the provisions of Sections 19100.030 A and 19.100.030 B shall apply.
P = Permitted
RCP = Recycling Center Permit, Chapter 19.870
DCP = Day Care Permit – Large Family, Chapter 19.860
PRD = Planned Residential Development Permit, Chapter 19.780
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
TUP = Temporary Use Permit, Chapter 19.740.
sq. ft. = Square Feet
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
X = Prohibited
SP = Site Plan Review Permit, Chapter 19.770

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones		
	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	DSP	
Artist Studio (Including Photo)	X	X	X	X	X	X	X	P	P	P	SP	P	SP	SP	X	X	X	X	X	X		For parking see Offices – Business, and Professional under 19.580
Assemblies of People – Entertainment – Not Including Adult-Oriented Businesses (e.g., Theater – Live Performance, Motion Picture, Auditoriums, Banquet Halls, Nightclubs, etc.)	X	X	X	X	X	X	X	X	C	C	C	C	C	C	X	X	X	X	X	X		19.250 – Assemblies of People – Entertainment 5.24 – Dance Halls & Public Dances
Assemblies of People – Non-Entertainment (e.g., Places of Worship, Fraternal, Service Organizations, Conference Facilities, etc.)	X	X	C	C	C	C	X	C	C	C	C	C	C	C	C	C	X	X	X	X		19.255 – Assemblies of People – Non-Entertainment 5.24 – Dance Halls & Public Dances 5.60 – Bingo
A. Storefront	X	X	X	X	X	X	X	MC	MC	MC	MC	MC	MC	MC	MC	MC	X	MC	X	X		
Assisted Living (Residential Care Facilities)	X	X	X	X	C	C	X	C	C	C	X	X	X	X	X	X	X	X	X	X		19.260 – Assisted Living 5.65 – Convalescent Transport Vehicles
Astrology and Fortune-telling (Occultist)	X	X	X	X	X	X	X	P	P	P	SP	P	SP	SP	X	X	X	X	X	X		9.42 – Fortunetelling & Occult Arts For parking see Offices – Business, and Professional under 19.580
Auction House (Indoor)	X	X	X	X	X	X	X	X	C	C	X	X	X	X	C	C	X	X	X	X		For parking see Assemblies of People under 19.580
Auxiliary Dwelling Unit																						See Incidental Uses Table
Bail Bonds Office	X	X	X	X	X	X	X	MC	MC	MC	X	X	X	X	X	X	X	X	X	X		19.265 – Bail Bonds Establishments For parking see Offices – Business, and Professional under 19.580
Bakery – Retail	X	X	X	X	X	X	X	X	P	P	SP	P	SP	SP	X	X	X	X	X	X		For parking see Retail Sales under 19.580
Bakery – Wholesale	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	X	X	X		For parking see Manufacturing under 19.580
Banks and Financial Institutions/Services, Including Brokerages	X	X	X	X	X	X	X	P	P	P	SP	P	SP	SP	P	X	X	X	X	X		

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.
P = Permitted
RCP = Recycling Center Permit, Chapter 19.870
DCP Day Care Permit – Large Family, Chapter 19.860
PRD = Planned Residential Development Permit, Chapter 19.780
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
TUP = Temporary Use Permit, Chapter 19.740.
sq. ft. = Square Feet
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
X = Prohibited
SP = Site Plan Review Permit, Chapter 19.770

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones		
	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	DSP	
Bars, Saloons, Cocktail, Lounges & Taverns	X	X	X	X	X	X	X	X	MC	MC	MC	C	C	C	X	X	X	X	X	X		
Bed and Breakfast Inn A. In Historic Residence (Not part of a Mixed Use Development)	X X	X X	X MC[2]	X MC[2]	X MC[2]	X MC[2]	X X	X MC[2]	P MC[2]	P MC[2]	SP MC[2]	P MC[2]	SP MC[2]	SP MC[2]	X X	X X	X X	X X	X	X		19.325 – Historic Residence Used for Retail Business, Office or Bed and Breakfast
Boardinghouse	X	X	X	X	X	C	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Boarding of Cats and Dogs/Kennels	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	C	X	X	X		19.270 – Boarding of Cats and Dogs/Kennels
Brewery A. Brewery, Microbrewery and Winery manufacturing and wholesale only. B. Brewery, Microbrewery, and Winery off-sale retail and/or on-site tasting. C. Brewpub D. Brew-On-Premises (no tasting or sale of prepared beers) E. Brew-On-Premises (with tasting and/or retails sales of prepared beers) F. Distillery	 X X X X X X	 X X X X X X	 X X X X X X	 X X X X X X	 X X X X X X	 X X X X X X	 X X X X X X	 X X MC X X X	 X X MC MC MC X	 X X MC MC MC X	 X X MC MC MC X	 X X MC X X X	 X X MC X X X	 X X MC X X X	 P MC MC MC MC C	 P MC X MC MC C	 P MC MC MC MC C	 P MC MC MC MC C	 X X X X X X	 X X X X X X		19.272 – Breweries, Micro-Breweries, Brewpubs, and Brew-On-Premises
Building Materials Supply Store (Wholesale with ancillary retail sales)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X		19.273 – Building Materials Supply Store (Wholesale with ancillary retail sales)
Bus Terminals	X	X	X	X	X	X	X	X	X	C	X	X	X	C	X	C	X	X	X	X		19.275 – Bus Terminals
Business Support Services & Facilities (Including Graphic Reproduction, Computer-services, etc.)	X	X	X	X	X	X	X	P	P	P	SP	P	SP	SP	P	X	P	P	X	X		
Caretaker Living Quarters																						See Incidental Uses Table

[2] Only in a historic residence pursuant to Chapter 19.325.

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.

**= For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030 A (RA-5 Zone Permitted Uses) and 19.100.030 B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030 A and 19.100.030 B exists, the provisions of Sections 19100.030 A and 19.100.030 B shall apply.

P = Permitted
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
RCP = Recycling Center Permit, Chapter 19.870
TUP = Temporary Use Permit, Chapter 19.740.
X = Prohibited
DCP = Day Care Permit – Large Family, Chapter 19.860
sq. ft. = Square Feet
SP = Site Plan Review Permit, Chapter 19.770
PRD = Planned Residential Development Permit, Chapter 19.780

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones			
	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	DSP	
Catering Establishments	X	X	X	X	X	X	X	C	P	P	SP	P	SP	SP	P	P	X	P	X	X		6.08 – Regulation of Food Establishments and Food Facilities 6.09 – Regulation of Food Handlers
Cemeteries, Mortuaries & Ancillary Uses	X	X	C	C	C	X	X	X	C	C	X	X	X	X	X	C	C	C	X	X		
A. Crematoriums	X	X	X	X	X	X	X	X	C	C	X	X	X	X	X	C	C	C	X	X		
Check Cashing	X	X	X	X	X	X	X	X	MC	MC	X	X	X	X	X	X	X	X	X	X		19.280 – Check Cashing Establishments For parking see Banks and Financial Service under 19.580
Commercial Storage Facilities (Mini-Warehouse)[3]																						19.190 – Commercial Storage Overlay Zone
Contractor's Storage Yard	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X	P	X	X	X	X		19.285 – Contractor Storage Yard
Day Care Centers – Child or Adult	X	X	C	C	C	C	X	C	C	C	C	C	C	C	C	X	X	X	X	X		19.290 – Day Care Centers – Child
Day Care Homes – Large Family																						See Incidental Uses Table
Day Care Homes – Small Family																						See Incidental Uses Table
Drive-thru Lanes																						See Incidental Uses Table
Drug Store or Pharmacy –																						
A. 2,000 sq. ft. or less	X	X	X	X	X	X	X	MC	P	P	SP	P	SP	SP	X	X	X	X	X	X		
B. More than 2,000 sq. ft.	X	X	X	X	X	X	X	X	P	P	SP	P	SP	SP	X	X	X	X	X	X		
Entertainment																						See Incidental Uses Table
Equipment (Large) Sales and Rental	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	MC	MC	MC	X	X		19.300 – Equipment (Large) Sales and Rental
Equipment (Small) Sales and Rental	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X	MC	MC	MC	X	X		
Farmers' Markets – Certified	X	X	X	X	X	X	X	MC	MC	MC	MC	MC	MC	MC	X	X	X	X	X	X		19.305 – Farmers' Markets – Certified

[3] Commercial Storage Facilities are permitted in all zones with the Commercial Storage Overlay Zone (Chapter 19.190).

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.
P = Permitted
RCP = Recycling Center Permit, Chapter 19.870
DCP Day Care Permit – Large Family, Chapter 19.860
PRD = Planned Residential Development Permit, Chapter 19.780
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
TUP = Temporary Use Permit, Chapter 19.740.
sq. ft. = Square Feet
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
X = Prohibited
SP = Site Plan Review Permit, Chapter 19.770

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones		
	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	DSP	
Florist Shops	X	X	X	X	X	X	X	MC	P	P	SP	P	SP	SP	X	X	X	X	X	X		19.310 – Florist Shops For incidental sale of alcohol see 19.415 – Alcohol Sales
Flying Schools	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X		
Fueling Systems – Private (Above Ground Tanks)																						See Incidental Uses Table
Furniture Upholstery	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X		
Gasoline Service Stations																						See Vehicle Fuel Stations 19.410 – Vehicle Fuel Stations
Group Housing (Convalescent Homes, SRO's, Alcohol & Drug Treatment Facilities, 6 or Fewer Occupants)	P	P	P	P	P	SP	SP	X	X	X	X	P	SP	SP	X	X	X	X	X	X		19.315 – Group Housing
Group Housing (Convalescent Homes, SRO's, Alcohol & Drug Treatment Facilities, more than 6 Occupants)	X	X	C	C	C	X	X	C	C	C	C	X	X	X	X	X	X	X	X	X		19.315 – Group Housing
Hangars	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X		
Heliport or Helistop	X	X	X	X	X	X	X	C	C	C	C	X	X	C	C	C	X	P	C	X		19.320 – Heliports and Helistops
Historic Residence Used for Retail Business, Office or Bed and Breakfast																						See Bed and Breakfast Inn, Office and Retail Sales on this table
Home Improvement, Sales and Service (Hardware, Lumber and Building Material Stores) – Retail: A. Under 20,000 sq. ft. B. 20,000 s.f. or More	 X X	 X X	 X X	 X X	 X X	 X X	 X X	 X X	 P C	 P P	 SP SP	 P X	 SP X	 SP X	 X X	 X X	 X X	 X X	 X X	 X X		See Incidental Uses Table for Outdoor Display
Home Occupations																						See Incidental Uses Table

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.

**= For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030 A (RA-5 Zone Permitted Uses) and 19.100.030 B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030 A and 19.100.030 B exists, the provisions of Sections 19100.030 A and 19.100.030 B shall apply.

P = Permitted
RCP = Recycling Center Permit, Chapter 19.870
DCP = Day Care Permit – Large Family, Chapter 19.860
PRD = Planned Residential Development Permit, Chapter 19.780

C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
TUP = Temporary Use Permit, Chapter 19.740.
sq. ft. = Square Feet

MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
X = Prohibited
SP = Site Plan Review Permit, Chapter 19.770

Article V - 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 Use							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones			
	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	DSP	
Hotel Hotel/Motel - Long-term Stay Motel	X X X	X X X	X X X	X X X	X X X	X X X	X X X	X X X	C C C	C C C	C C C	X X X	C C C	C C C	X X X	X X X	X X X	X X X	X X X	X X X		5.32 - Transient Occupancy Tax 9.55 - Limitation on Continuous and Cumulative Occupancy of Transient Hotels and Motel 19.330 - Hotel/Motel, Long-Term Stay
Kennels																						See Boarding of Cats and Dogs/Kennels 19.270 - Boarding of Cats and Dogs/Kennels
Laboratories - Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X		
Laundry, Commercial (Cleaning Plants, Industrial Laundries, Carpet and Upholstery Cleaners)	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X	P	P	X	X	X		
Live/Work Unit	X	X	X	X	X	X	X	X	X	X	X	P	SP	SP	X	X	X	X	X	X		See Live/Work Units "A Guide For Developers and Property Owners" 19.335 - Live/Work Units
Lumber Yard and Building Materials - Wholesale	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X		See Incidental Uses Table for Outdoor Display
Manufactured Dwellings[4]	P	P	P	P	P	X	X	X	X	X	X	P	X	X	X	X	X	X	X	X		19.850 - Fair Housing 19.100 - Residential Zones 19.340 - Manufactured Dwellings
Manufacturing (Indoors)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X		
~~Medical Marijuana Dispensary~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~		~~Prohibited Use~~
Medical Marijuana Provider Association	X	X	X	X	X	X	X	X	X	P	X	X	X	X	P	P	X	X	X	X		9.70 - Medical Marijuana Restriction and Limitation Act 19.435 Medical Marijuana Provider Association
Medical Services - Clinic, Medical/Dental Offices, Laboratory, Urgent/Express Care, and Optometrist	X	X	X	X	X	X	X	P	P	P	SP	P	SP	SP	MC	MC	MC	MC	X	X		5.52 - Massage
Medical Services - Hospital	X	X	X	X	X	X	X	C	C	C	C	X	X	X	X	X	X	X	X	X		

[4] Manufactured Dwellings are only permitted in zones where single family residences are permitted.

*=For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.

P=Permitted

RCP = Recycling Center Permit, Chapter 19.870

DCP Day Care Permit - Large Family, Chapter 19.860

PRD = Planned Residential Development Permit, Chapter 19.780

C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760

TUP = Temporary Use Permit, Chapter 19.740.

Sq. ft. = Square Feet

MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730

X = Prohibited

SP = Site Plan Review Permit, Chapter 19.770

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones			
	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	DSP	
Mobile Home Park	X	X	With the MH Overlay Zone[5]			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		19.210 – Mobile Home Park Overlay Zone 5.75 – Mobile Home Parks Rent Stabilization Procedures
Model Homes	P	P	P	P	P	SP	SP	X	X	X	X	P	SP	SP	X	X	X	X	X	X		19.345 – Model Homes
Multi-tenant Indoor Mall	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		Prohibited Use
Multiple-family Dwelling (2 or more units)	X	X	X	X	X[6]	SP	SP	X	X	X	X	X	SP	SP	X	X	X	X	X	X		19.850 – Fair Housing
Offices (Administrative, Business, Executive and Professional, But Not Medical or Dental)	X	X	X	X	X	X	X	P	P	P	SP	P	SP	SP	P	P	P	P	X	X		
A. In Historic Residence	X	X	MC[2]	MC[2]	MC[2]	MC[2]	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Outdoor Dining and/or Food Preparation (Permanent)																						See Incidental Uses Table
Outdoor Display of Incidental Plant Materials																						See Incidental Uses Table
Outdoor Sales, Display and Storage																						See Incidental Uses Table
Parking Lot or Parking Structure (Stand Alone)	X	X	X	X	X	X	X	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC		
Parolee/Probationer Homes																						19.350 – Parolee/Probationer Home
A. 2 to 6 Occupants	X	X	MC	MC	MC	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
B. More than 6 Occupants	X	X	C	C	C	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Pawn Shop	X	X	X	X	X	X	X	X	MC	MC	X	X	X	X	X	X	X	X	X	X		For parking see Retail Sales – 19.580 19.355 – Pawn Shop
Personal Services (Barber, Beauty Salon, Spa, Tailor, Dry Cleaner, Self-service Laundry, Etc.)	X	X	X	X	X	X	X	P	P	P	SP	P	SP	SP	X	X	X	X	X	X		5.52 – Massage

[5] Mobile Home Parks are permitted in the RR, RE and R-1 Zones only with the Mobile Home Park Overlay Zone (Chapter 19.210).

[6] Legal, existing duplexes built prior to the adoption of this Zoning Code are permitted in the R-1-7000 Zone see 19.100.060 D.

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.
**= For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030 A (RA-5 Zone Permitted Uses) and 19.100.030 B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030 A and 19.100.030 B exists, the provisions of Sections 19100.030 A and 19.100.030 B shall apply.

P = Permitted
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
RCP = Recycling Center Permit, Chapter 19.870
TUP = Temporary Use Permit, Chapter 19.740.
X = Prohibited
DCP = Day Care Permit – Large Family, Chapter 19.860
sq. ft. = Square Feet
SP = Site Plan Review Permit, Chapter 19.770
PRD = Planned Residential Development Permit, Chapter 19.780

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones			
	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	DSP	
Pet Store (Sales and Grooming, No Boarding)	X	X	X	X	X	X	X	X	P	P	SP	MC	MC	MC	X	X	X	X	X	X		For parking see Retail Sales – 19.580
Planned Residential Development	PRD	X	PRD	PRD	PRD	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		19.780 – Planned Residential Development Permit
Plant Nurseries – Retail	X	X	X	X	C	X	X	X	P	P	X	C	X	X	X	X	X	X	X	X		19.360 – Plant Nurseries – Retail 19.505 – Outdoor Display and Sales
Plant Nurseries – Wholesale	X	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Play Areas Incidental to Restaurants																						See Incidental Uses Table
Public Use of Public Property[7]	C	C	C	C	C	C	X	C	C	C	C	C	C	C	C	C	C	C	C	C		19.365 – Public Use of Public Property
Publishing and Printing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X		For parking see Manufacturing – 19.580
Rail Transit Station	X	X	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Recreational Facilities – Commercial																						5.28 – Poolrooms 19.370 – Recreational Facilities – Commercial (Billiard Parlors and Pool Halls)
A. Billiard Parlors and Pool Halls	X	X	X	X	X	X	X	X	MC	MC	MC	MC	MC	MC	X	X	X	X	X	X		
B. Bowling Alleys	X	X	X	X	X	X	X	X	MC	MC	MC	X	MC	MC	X	X	X	X	X	X		
C. Skate Facility	X	X	X	X	X	X	X	X	MC	MC	MC	X	MC	MC	X	X	X	X	X	X		
D. Amusement Parks	X	X	X	X	X	X	X	X	C	C	C	X	X	X	X	X	X	X	X	X		
E. Golf Courses and Driving Ranges	C	C	C	C	C	X	X	X	C	C	C	X	X	X	X	X	X	C	X	X		
F. Health and Fitness																						
1.4000 sq. ft. or less	X	X	X	X	X	X	X	X	P	P	SP	MC	MC	MC	MC	MC	MC	MC	X	X		
2.more than 4000 sq. ft.	X	X	X	X	X	X	X	X	C	C	C	X	C	C	X	X	X	X	X	X		
G. Other Indoor or Outdoor Facilities	X	X	X	X	X	X	X	X	C	C	C	X	X	X	C	C	C	C	X	X		
Recycling Center – Paper, Glass, Plastic, Aluminum and Nonferrous Metals	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X	X		19.375 – Recycling Center – Paper, Glass, Plastic, Aluminum and Other Nonferrous Metals

[7] Refer to Chapter 19.040.110 for Public Projects.

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.
P = Permitted
RCP = Recycling Center Permit, Chapter 19.870
DCP Day Care Permit – Large Family, Chapter 19.860
PRD = Planned Residential Development Permit, Chapter 19.780
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
TUP = Temporary Use Permit, Chapter 19.740.
sq. ft. = Square Feet
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
X = Prohibited
SP = Site Plan Review Permit, Chapter 19.770

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones		
	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	DSP	
Recycling Center – Solid Waste Transfer Stations and Material Recovery Facilities (MRF)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X	X		19.380 – Recycling Center – Solid Waste Transfer Stations and Material Recovery Facilities (MRF) – Requires and EIR
Recycling Facilities:																						19.385 – Recycling Facilities
A. Indoor Collection Centers	X	X	X	X	X	X	X	X	P	P	SP	P	SP	SP	X	X	X	X	X	X		
B. Reverse Vending Machines	X	X	X	X	X	X	X	X	P	P	SP	P	SP	SP	X	X	X	X	X	X		
C. Bulk Reverse Vending Machines	X	X	X	X	X	X	X	X	RCP	RCP	RCP	RCP	RCP	RCP	X	X	X	X	X	X		
D. Mobile Recycling Units	X	X	X	X	X	X	X	X	RCP	RCP	RCP	RCP	RCP	RCP	X	X	X	X	X	X		
Rental of Bedrooms																						See Incidental Uses Table
Repair Shop –Small Items (Computers, Small Appliances, Watches, Etc) With Incidental Sales	X	X	X	X	X	X	X	P	P	P	SP	P	SP	SP	P	P	P	P	X	X		
Restaurants (sit down and take-out)	X	X	X	X	X	X	X	MC	P	P	SP	P	SP	SP	P	X	P	P	X	X		6.08 – Regulation of Food Establishments and Food Facilities 6.09 – Regulation of Food Handlers Outdoor Dining – See Incidental Uses Table
Retail Sales	X	X	X	X	X	X	X	X	P	P	SP	P[8]	SP	SP	X	X	X	X	X	X		
A. In Historic Residence (Not part of a Mixed Use Development)	X	X	MC[2]	MC[2]	MC[2]	MC[2]	X	X	P	P	MC[2]	MC[2]	MC[2]	MC[2]	X	X	X	X	X	X		
Retail Sales With Incidental Repairs (Except as Noted in this Table)	X	X	X	X	X	X	X	X	P	P	SP	P	SP	SP	X	X	X	X	X	X		
Retail Sales Ancillary to a Manufacturing Use On-site (Floor area not to exceed 15% of gross floor area up to a maximum of 7,500 sq ft)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X		19.390 – Retail Sales Ancillary to a Manufacturing Use

[8] Retail establishments 20,000 square feet or less are permitted in the MU-N Zone, over 20,000 square feet requires a conditional use permit.

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.

**= For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030 A (RA-5 Zone Permitted Uses) and 19.100.030 B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030 A and 19.100.030 B exists, the provisions of Sections 19100.030 A and 19.100.030 B shall apply.

P = Permitted
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
RCP = Recycling Center Permit, Chapter 19.870
TUP = Temporary Use Permit, Chapter 19.740.
X = Prohibited
DCP = Day Care Permit – Large Family, Chapter 19.860
sq. ft. = Square Feet
SP = Site Plan Review Permit, Chapter 19.770
PRD = Planned Residential Development Permit, Chapter 19.780

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones			
	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	DSP	
Schools: A. College, Community College, University and Professional (Public & Private)	X	X	X	X	C	X	X	C	C	C	C	X	C	C	C	X	X	C	C	X		19.395 – Schools
B. Public & Private (Nursery & Grades K-12)	X	X	C	C	C	X	X	C	C	C	C	C	C	C	X	X	X	X	C	X		
C. Vocational and Technical 1. Total Enrollment 20 persons or less or a total size of 2,000 sq. ft. or less	X	X	X	X	X	X	X	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	X	X		
2. Total Enrollment more than 20 persons or a total size greater than 2,000 sq. ft.	X	X	X	X	X	X	X	C	C	C	C	C	C	C	C	C	C	C	X	X		
D. Specialty Non-degree (Dance and Martial Arts)	X	X	X	X	X	X	X	X	P	P	SP	P	SP	SP	X	X	X	X	X	X		
Second Dwelling Unit																						See Incidental Uses Table
Shelters, Homeless (2 to 6 occupants) A. Emergency Shelter B. Supportive Housing C. Transitional Housing and Transitional Housing Development	X	X	MC	MC	MC	X	X	MC	MC	MC	X	X	X	X	X	X	X	X	X	X		19.400 – Shelters – Emergency Shelter, Supportive Housing and Transitional and Transitional Housing Development
Shelters, Homeless - (more than 6 occupants) A. Emergency Shelter B. Supportive Housing C. Transitional Housing and Transitional Housing Development	X	X	C	C	C	X	X	C	C	C	X	X	X	X	X	C	X	X	X	X		19.400 – Shelters – Emergency Shelter, Supportive Housing and Transitional and Transitional Housing Development
Shopping Center:- Regional A. Up to 5 Acres	X	X	X	X	X	X	X	X	P	P	X	X	SP	SP	X	X	X	X	X	X		
B. More than 5 Acres	X	X	X	X	X	X	X	X	SP	SP	SP	X	SP	SP	X	X	X	X	X	X		
Showroom	X	X	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X		
Single-family Dwelling – Detached	P	P	P	P	P	X[9]	X	X	X	X	X	P	X	X	X	X	X	X	X	X		Chapter 19.850 – Fair Housing

[9] Permitted in the R-3-4000 Zone only with a Planned Residential Development (PRD) Permit, Chapter 19.780.

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.
P = Permitted
RCP = Recycling Center Permit, Chapter 19.870
DCP Day Care Permit – Large Family, Chapter 19.860
PRD = Planned Residential Development Permit, Chapter 19.780
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
TUP = Temporary Use Permit, Chapter 19.740.
sq. ft. = Square Feet
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
X = Prohibited
SP = Site Plan Review Permit, Chapter 19.770

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones			
	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	DSP	
Single-family Dwelling – Attached	X	X	P	P	P	X[10]	X[9]	X	X	X	X	P	X	X	X	X	X	X	X	X		Chapter 19.850 – Fair Housing.
Sober Living Homes	P	P	P	P	P	SP	SP	X	X	X	X	P	SP	SP	X	X	X	X	X	X		For parking see Single Family Dwelling – 19.580
Student Housing, Including Fraternities, Sororities and Dormitories	X	X	X	X	X	C	C	X	C	C	X	X	C	C	X	X	X	X	X	X		
Subdivision Sales Trailer and/or Office During Construction																						See Temporary Uses Table
Tattoo and Body Piercing Parlors	X	X	X	X	X	X	X	X	MC	MC	X	X	X	X	X	X	X	X	X	X		19.405 – Tattoo and Body Piercing Parlors For parking see Medical Services – 19.580
Taxi Company with Vehicle Storage	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X		
Temporary Uses																						See Temporary Uses Table
Truck Terminal	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	X	X		
Tutoring Center A. 10 students or less B. 11-20 students C. 20 or more students	 X X X	 X X X	 X X X	 X X X	 X X X	 X X X	 X X X	 P MC C	 P MC C	 P MC C	 P MC C	 P MC C	 P MC C	 P MC C	 X X X	 X X X	 X X X	 X X X	 X X X	 X X X		19.397 - Tutoring Center
Vehicle Dismantling & Wrecking	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		Prohibited Use
Vehicle Fuel Stations (i.e. Gasoline Stations)	X	X	X	X	X	X	X	X	C	C	C	X	X	X	C	C	C	C	X	X		5.64 – Motor Vehicle Fuel Pricing 19.410 – Vehicle Fuel Stations
Vehicle Impound Yards	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X	X		19.415 – Vehicle Impound Yard
Vehicle Parts and Accessories	X	X	X	X	X	X	X	X	P	P	SP	X	X	X	X	X	X	X	X	X		
Vehicle Repair Facilities – Major (Indoor)	X	X	X	X	X	X	X	X	X	C	X	X	X	X	C	P	P	X	X	X		19.420 – Vehicle Repair Facilities

[10] Permitted under a Planned Residential Development Permit, Chapter 19.780.

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.
** = For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030 A (RA-5 Zone Permitted Uses) and 19.100.030 B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030 A and 19.100.030 B exists, the provisions of Sections 19100.030 A and 19.100.030 B shall apply.

P = Permitted
RCP = Recycling Center Permit, Chapter 19.870
DCP = Day Care Permit – Large Family, Chapter 19.860
PRD = Planned Residential Development Permit, Chapter 19.780
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
TUP = Temporary Use Permit, Chapter 19.740.
sq. ft. = Square Feet
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
X = Prohibited
SP = Site Plan Review Permit, Chapter 19.770

Article V – 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							Office & Commercial Zones				Mixed Use Zones			Industrial Zones				Other Zones			
	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	DSP	
Vehicle Repair Facilities – Major (Outdoor – fully screened)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	MC	X	X	X	X		19.420 – Vehicle Repair Facilities
Vehicle Repair Facilities – Minor (Indoor)	X	X	X	X	X	X	X	X	C	C	C	X	X	X	C	P	X	X	X	X		19.420 – Vehicle Repair Facilities
Vehicle Repair Facilities – Minor (Outdoor – fully screened)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	MC	X	X	X	X		19.420 – Vehicle Repair Facilities
Vehicle Sales, Rental and Leasing – New and Used (No Outdoor Display)																						See Retail Sales in This Table
Vehicle Sales, Rental and Leasing – New and Used (Outdoor Display)	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X	X	X	X	X	X		
Vehicle Wash Facilities	X	X	X	X	X	X	X	X	C	C	C	X	X	X	X	X	X	X	X	X		19.425 – Vehicle Wash Facilities
Vehicle Wholesale Business																						
A. Indoor (less than 5,000 sq. ft.)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X		
B. Outdoor & Indoor (In excess of 5,000 sq. ft.)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	C	X	X	X	X		19.427 – Vehicle Wholesale Business
Veterinary Services:																						19.430 – Veterinary Services
A Clinics and Small Animal Hospitals (short term boarding)	X	X	X	X	X	X	X	X	C	C	C	X	C	C	X	C	C	X	X	X		
B. Incidental to a Pet Shop	X	X	X	X	X	X	X	X	MC	MC	MC	X	MC	MC	X	X	X	X	X	X		
Warehousing & Wholesale Distribution Centers:																						
400,000 sq. ft. or less	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X		
Greater than 400,000 sq. ft.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	MC	MC	MC	MC	X	X		
Wireless Telecommunication Facilities and Related Support Structures																						19.530 – Wireless Telecommunications Facilities and Related Support Structures

(Ord. 7185 §2, 2012; Ord. 7158 §1, 2012; Ord. 7151 §1, 2012, Ord. 7110 §§2, 3, 4, 2011; Ord. 7109 §§4, 5, 2010; Ord. 7072 §1, 2010; Ord. 7064 §9, 2010; Ord. 6966 §1, 2007)

D:\Content\input\nonfolio\81166\19 - Title 19\Article_V_Permitted_Uses_Table-OK.wpd

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.
P = Permitted
RCP = Recycling Center Permit, Chapter 19.870
DCP Day Care Permit – Large Family, Chapter 19.860
PRD = Planned Residential Development Permit, Chapter 19.780
C = Subject to the granting of a Conditional Use Permit (CUP), Chapter 19.760
TUP = Temporary Use Permit, Chapter 19.740.
sq. ft. = Square Feet
MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730
X = Prohibited
SP = Site Plan Review Permit, Chapter 19.770

Section 8 – Amendment to the Riverside Municipal Code to repeal Title 9, Chapter 9.65.

The People of the City of Riverside do hereby enact and ordain that Title 9, Chapter 9.65 of the Riverside Municipal Code, entitled Mobile Marijuana Dispensaries, is hereby repealed in its entirety as follows: (any strike-through language is existing language to be deleted from the Chapter.)

~~Chapter 9.65~~

~~MOBILE MARIJUANA DISPENSARIES~~

~~**Sections:**~~

~~**9.65.010 Definitions.**~~
~~**9.65.020 Mobile Marijuana Dispensaries Prohibited.**~~
~~**9.65.030 Marijuana Delivery Prohibited.**~~
~~**9.65.040 Public Nuisance Declared.**~~
~~**9.65.050 Violations.**~~

~~**Section 9.65.010 Definitions.**~~

~~The following words and phrases shall, for the purposes of this Chapter, have the meanings respectively ascribed to them by this section, as follows:~~

~~"Mobile Marijuana Dispensary" means any clinic, cooperative, club, business or group which transports or delivers, or arranges the transportation or delivery, of medical marijuana to a Person.~~

~~"Person" means any person, firm, corporation, association, club, society, or other organization. The term Person shall include any owner, manager, proprietor, employee, volunteer or salesperson.~~

~~"Operation" means any effort to locate, operate, own, lease, supply, allow to be operated, or aid, abet or assist in the operation of a Mobile Marijuana Dispensary.~~

~~**9.65.020 Mobile Marijuana Dispensaries Prohibited.**~~

~~Mobile Marijuana Dispensaries are prohibited in the City of Riverside. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation of any Mobile Marijuana Dispensary within the City.~~

~~**9.65.030 Marijuana Delivery Prohibited.**~~

~~(a) No Person shall deliver marijuana to any location within the City from a Mobile Marijuana Dispensary, regardless of where the Mobile Marijuana Dispensary is located, or engage in any Operation for this purpose.~~

~~(b) No Person shall deliver any marijuana-infused product such as tinctures, baked goods or other consumable products, to any location within the City from a Mobile~~

~~Marijuana Dispensary, regardless of where the Mobile Marijuana Dispensary is located, or engage in any Operation for this purpose.~~

~~**9.65.040 Public Nuisance Declared.**~~

~~Operation of any Mobile Marijuana Dispensary within the City in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.~~

~~**9.65.050 Violations.**~~

~~Violations of this Chapter may be enforced by any applicable law. Notwithstanding any other provision of the Code, a violation of this Chapter is not subject to criminal penalties. (Ord. 7213 § 1, 2013)~~

Section 9 – Statewide Regulation.

This initiative, and the provisions herein, shall be read consistent with any statewide regulation of medical marijuana that is promulgated by the legislature or by voter approval in the future.

Section 10 – Initiative Not to be Amended Other Than by Voters.

This initiative and every part thereof can only be amended by the voters of the City of Riverside and cannot be amended by the Riverside City Council except as specifically provided above.

Section 11 – Special or Regular Election.

The voters of the City of Riverside hereby expressly request that this initiative be set for a special or regular election at the earliest time allowable by law.

Section 12 – Severability.

Should any provision of this initiative ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, voidable, or invalid, that determination shall have no effect on any other provision, or the application of this initiative to any other person or circumstance and, to that end, the provisions hereof are severable. By approving this ordinance the voters intend that each section and sub-section be explicitly severable, part-by-part, phrase-by-phrase, and word-by-word, thus that the minimum language held invalid be severed.