



**CITY OF HEMET
HEMET, CALIFORNIA
ORDINANCE NO. 2033**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HEMET, CALIFORNIA, AMENDING THE HEMET
MUNICIPAL CODE TO AUTHORIZE STOREFRONT
COMMERCIAL CANNABIS BUSINESSES**

**THE CITY COUNCIL OF THE CITY OF HEMET DOES HEREBY ORDAINS AS
FOLLOWS:**

SECTION 1: FINDINGS. The recitals set forth above are hereby adopted as findings in support of this Ordinance.

SECTION 2: MUNICIPAL CODE AMENDMENT.

(A) Section 18-508 of the Hemet Municipal Code shall be amended to read as follows:

Sec. 18-508. Maximum number and type of authorized commercial cannabis businesses permitted.

The number of each type of commercial cannabis business that shall be permitted to operate in the city shall be established by resolution by the city council.

(a) Section 18-508 is only intended to create a maximum number of commercial cannabis businesses that may be issued permits to operate in the city under each category. Nothing in this article creates a mandate that the city must issue any or all of the commercial cannabis business permits if it is determined that the applicants do not meet the standards which are established in the application requirements or further amendments to the application process or that the city council upon further

1 deliberation determines that the issuance of any or all commercial cannabis business
2 permits will impact the public safety, welfare or other policy concerns which may be
3 detrimental in the issuance of these permits.
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5 (b) At any time in the city council's discretion the city council may reassess
6 the number of commercial cannabis business permits which are authorized for
7 issuance.
8

9 (c) Notwithstanding the provisions of subsections (a) and (b) above, for retail
10 cannabis businesses, the maximum number of such businesses authorized to do
11 business in the city shall not exceed one business per seventeen thousand five hundred
12 (17,500) residents of the city.
13

14 **(B) Section 18-525 of the Hemet Municipal Code shall be amended to**
15 **read as follows:**

16 Sec. 18-525. Location and design of cannabis businesses.

17 Cannabis businesses permitted to engage in cultivation, distribution, manufacturing,
18 retail, and testing lab for cannabis and cannabis products are subject to the following
19 zoning and locational requirements:
20

21 (a) Cultivation, distribution, manufacturing, microbusiness and testing labs
22 must be zoned in the following: C-M (commercial manufacturing), M-1 (limited
23 manufacturing), M-2 (general manufacturing), and must meet all of the requirements for
24 development in these zones. The cannabis businesses must also meet all of the
25 following distance requirements:
26

27 (1) It shall be no closer than 1,000 feet from any zoned parcel in the
28 city designated by state law as a sensitive use, and pursuant to subsection 18-

1 525(a)(3). The distance measured shall be the horizontal distance measured in
2 a straight line from the property line of those parcels in subsection 18-525(a)(3)
3 to the closest property line of the lot on which the cannabis business is located.
4

5 (2) It shall be no closer than 1,000 feet of any residentially zoned
6 parcel, or any non-residentially zoned parcel containing a legal non-conforming
7 residential use, as of the date the cannabis business permit is issued. The
8 distance between the cannabis business and the residential parcel shall be
9 measured from the outer boundaries of the residential parcel to the first structure
10 on the property seeking the commercial cannabis permit.
11

12 (3) It shall be no closer than 1,000 feet from any parcel containing any
13 of the following:
14

15 a. A school providing instruction in kindergarten or any grades
16 1 through 12, (whether public, private, or charter, including pre-school,
17 transitional kindergarten, and K—12);

18 b. A commercial daycare center licensed by the state, county
19 or city or that is in existence at the time the license is issued, unless the
20 state licensing authority or the city specifies a different radius; or
21

22 c. A youth center that is in existence at the time the license is
23 issued, unless the state licensing authority or the city specifies a different
24 radius.
25

26 (b) Retail businesses must be located in the C-2 (Commercial General) zone
27 of the city and must meet all of the requirements for development in these zones. The
28 retail business must also (1) be no closer than 1,000 feet from any other cannabis retail

1 business and (2) be no closer than 500 feet to any of the uses described in subsection
2 (a)(3) above. For the purposes of this subsection (b) distances shall be measured along
3 the shortest path of travel between the entrance to the retail business and the structure
4 containing the use described in subsections (b)(1) and (b)(2) above. activity may only
5 be conducted as an ancillary part of a microbusiness that meets the requirements of
6 subsection (a) above. Retail activity may only be conducted as an ancillary part of a
7 microbusiness that meets the requirements of subsection (a) above.
8

9 (c) Each proposed cannabis business project shall:

10 (1) Conform with the city's general plan, any applicable specific plans,
11 master plans, and design requirements.
12

13 (2) Comply with all applicable: Zoning and related development
14 standards, including but not limited to, parking.
15

16 (3) Be constructed in a manner that minimizes odors to surrounding
17 uses, and promotes quality design and construction, and consistency with the
18 surrounding properties.
19

20 (4) Be adequate in size and shape to accommodate the yards, walls,
21 fences, parking and loading facilities, landscaping, and all items required for the
22 development.
23

24 (5) Be served by highways adequate in width and improved as
25 necessary to carry the kind and quantity of traffic such use will generate.
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27 (6) Be provided with adequate electricity, sewerage, disposal, water,
28 fire protection, and storm drainage facilities for the intended purpose.

1 **SECTION 3: SEVERABILITY.** If any section, subsection, subdivision, sentence, clause,
2 phrase, or portion of this Ordinance is, for any reason, held to be invalid or
3 unconstitutional by the decision of any court of competent jurisdiction, such decision
4 shall not affect the validity of the remaining portions of this Ordinance. The City Council
5 hereby declares that it would have adopted this Ordinance, and each section,
6 subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the
7 fact that any one or more sections, subsections, subdivisions, sentences, clauses,
8 phrases, or portions thereof be declared invalid or unconstitutional.
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11 **SECTION 4: CEQA.** The City Council hereby determines that it can be seen with
12 certainty that there is no possibility that this Ordinance will have a significant effect on
13 the environment, and therefore, this Ordinance is exempt from the provisions of CEQA.
14

15 **SECTION 5: EFFECTIVE DATE.** This Ordinance shall take effect thirty (30) days from
16 its passage by the City Council of the City of Hemet.

17 **SECTION 6: PUBLICATION.** The City Clerk is authorized and directed to cause this
18 Ordinance to be published in the manner required by law.
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INTRODUCED at the regular meeting of Hemet City Council on the 14th day of May, 2024.

APPROVED AND ADOPTED this 28th day of May, 2024.


Joe Males, Mayor

ATTEST:


John Paul Maier, City Clerk

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State of California)
County of Riverside)
City of Hemet)

I, John Paul Maier, City Clerk of the City of Hemet, do hereby certify that the foregoing ordinance was adopted by the Hemet City Council on the 28th day of May, 2024, and was passed by the following vote:

AYES: Council Members: Kendrick, Krupa, Lilienthal, Mayor Pro Tem Peterson, Mayor Males.
NOES: Council Members: None.
ABSTAIN: Council Members: None.
ABSENT: Council Members: None.



John Paul Maier, City Clerk

