

RESOLUTION NUMBER 5761

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, SUPPLEMENTING SECTIONS 5.54.120 AND 5.58.130 OF THE MUNICIPAL CODE TO ESTABLISH PERMITTING PROCEDURES FOR THE RELOCATION OF CANNABIS DISPENSARIES

WHEREAS, Perris Municipal Code Sections 5.54.120 and 5.58.130 allow the adoption of rules, regulations, procedures, and standards for the administration and implementation of Sections 5.54 and 5.58 of Title 5 of the Perris Municipal Code; and

WHEREAS, the City Council desires to establish rules and regulations relating to the relocation of medical cannabis dispensaries and adult-use retailers that are permitted pursuant to Sections 5.54 and 5.58 of Title 5 of the Perris Municipal Code;

WHEREAS, by adoption of this Resolution, the City Council does not intend to lift any suspension on new applications as provide in Resolution No. 5252.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Recitals. The recitals set forth above are true and correct and incorporated herein by this reference.

Section 2. Definitions. The definitions provided in Sections 5.54 and 5.58 of Title 5 of the Perris Municipal Code (PMC) shall apply to this Resolution.

Section 3. Relocation Regulations.

A. **Relocating Medical Cannabis Dispensaries.** An existing medical cannabis dispensary that is permitted to operate at a particular location within the City pursuant to Section 5.54 may submit a written request to relocate to another location provided that the retailer is in good standing with the City with all fees and taxes paid and that the new location complies with PMC Section 5.54 and the medical cannabis dispensary. The medical dispensary operator shall submit an application pursuant to PMC Section 5.54. Such application shall be in compliance with all requirements in PMC Section 5.54 for applying for a new medical cannabis dispensary permit, including but not limited to the requirements of PMC Section 5.54.050 and, further, such application shall be processed as if it were a new application for a permit to operate a medical cannabis dispensary.

B. **Relocating Adult-use Retailers.** An existing adult-use retailer that is permitted to operate at a particular location within the City pursuant to PMC Section 5.58 may request to relocate to another location provided that the retailer is in good standing with the City with all fees and taxes paid and that the new location complies with Section 5.58. The adult-use retailer shall submit a request in compliance with this resolution. Such request shall comply with all

requirements in PMC Section 5.58 for applying for a new adult-use retailer permit, including but not limited to the requirements of PMC Sections 5.58.070 and 5.58.127.

C. **Effect of Relocation on Original Location.** If an application for relocation under this Section 3 is approved, then such medical cannabis dispensary or adult-use retailer shall immediately cease all operations at the original location except as to such operations necessary to move to the new location such as packaging cannabis and cannabis products for transportation to the new location. No new medical cannabis dispensary or adult-use retailer shall be allowed on the site.

D. **Compliance with Applicable Law.** All relocations pursuant to this Section 3 shall be in compliance with all applicable laws, including, but not limited to, applicable State law.

E. **Relocation Request.** The business owner or owners shall submit a written request to relocate a cannabis dispensary.

F. **Current Permittee Owner(s).** To qualify for relocation, the current permittee owners must be included on the permit.

G. **Relocation Review.** The relocation request will be processed administratively.

H. **Review Fees.** For purpose of fee collection, the relocation request shall be considered a minor adjustment and subject to the Minor Adjustment Fee.

I. **Not a New Application.** Requests for relocations under this Section 3 shall not be considered new applications for the purposes of Resolution No. 5252.

J. **One-year Approval Period.** A relocation request approval shall expire one year from the date of permit approval if all necessary requirements to obtain a business license to operate have not been met.

K. **Extension of One-year Period.** The Director of Development Services, or their designee, may extend the 1 year period in Section 3(J) by up to 1 additional year upon application by a medical marijuana dispensary and/or adult-use retailer showing that the additional time is required for the following reasons:

(1) Delays caused by review by other public entities, such as State agencies, provided that such delays are not caused by the applicant.

(2) Additional time required by other City departments to review the applications, provided that this is verified by such other City departments and the reason for additional time is not related to delays caused by the applicant.

(3) Delays caused by circumstances reasonably beyond an applicant's control such as those relating to the COVID-19 pandemic.

(4) Other circumstances that reasonably warrant the need for additional time, provided that the delay is not caused by the applicant.

Section 4. Administration. The Director of Development Services may adopt such forms, regulations, and procedures necessary to implement this Resolution.

Section 5. Certification; Effective Date. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately.

ADOPTED, SIGNED and APPROVED this 23rd day of February, 2021.

Michael M. Vargas, Mayor

ATTEST:

Nancy Salazar, City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 5761 was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 23rd day of February, 2021, and that it was so adopted by the following vote:

AYES: ROGERS, MAGAÑA, RABB, VARGAS
NOES: CORONA
ABSENT: NONE
ABSTAIN: NONE

City Clerk, Nancy Salazar