

**ORDINANCE NUMBER 1460**

***AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, FINDING AN EXEMPTION FROM CEQA AND AMENDING SECTION 5.54.110 (GENERAL OPERATING STANDARDS AND RESTRICTIONS) OF CHAPTER 5.54 (MEDICAL MARIJUANA DISPENSARY REGULATORY PROGRAM) AND SECTION 5.58.100 (GENERAL OPERATING STANDARDS AND RESTRICTIONS) OF CHAPTER 5.58 (COMMERCIAL MARIJUANA OPERATIONS REGULATORY PROGRAM) OF THE PERRIS MUNICIPAL CODE TO PROHIBIT CITY CANNABIS PERMITTEES FROM ADVERTISING ON OFF-SITE SIGNS OR ADVERTISING DISPLAYS LOCATED ALONG ANY FREEWAY OR STATE OR FEDERAL HIGHWAY IN OR WITHIN A ONE-MILE RADIUS OF THE CITY; AND MAKING FINDINGS RELATED THERETO.***

***WHEREAS***, the City of Perris (“City”) is a general law city within the State of California; and

***WHEREAS***, pursuant to the City’s police power, as granted broadly under Article XI, Section 7 of the California Constitution, the City Council has the authority to enact and enforce ordinances and regulations for the public peace, health, safety, and welfare of the City and its residents; and

***WHEREAS***, Title 5 of the Perris Municipal Code (“PMC”) contains the City’s business regulations, and Chapters 5.54 and 5.54 therein contain the City’s regulations for cannabis businesses, including medical and adult-use marijuana dispensaries; and

***WHEREAS***, the City has experienced a proliferation of off-premises cannabis advertisements displayed on billboards, signs, or electronic message center displays located along I-215 in the City, many of which are for cannabis businesses that are located in the City and have obtained permits from the City for the operation of their businesses pursuant to PMC Chapters 5.54 and 5.58; and

***WHEREAS***, the City permits the continued operation of a small number of existing cannabis businesses pursuant to PMC Chapters 5.54 and 5.58, although since 2018, pursuant to Resolution No. 5252, the City no longer accepts new applications for cannabis dispensary permits, and instead only issues annual permit renewals for existing permitted cannabis dispensaries, provided they comply with applicable PMC requirements; and

***WHEREAS***, although the City Council is not averse to commercial cannabis activity that is compliant with State and local law as demonstrated by the fact that the City permits continued operation of certain existing cannabis businesses as described above, the proliferation of cannabis advertisements along I-215 can reasonably create or add to a false public perception, particularly for people driving to, through or from the City on I-215, that the City has little to offer other than cannabis businesses, or that the City has an undue proliferation of cannabis businesses; and

**WHEREAS**, cannabis is still a Schedule I Controlled Substance under the federal Controlled Substances Act, and therefore remains illegal under federal law, and was only legalized for purposes of state law in California less than 10 years ago by the voters' approval of Proposition 64; and

**WHEREAS**, studies have shown that cannabis businesses still carry a negative connotation associated with drug use, nuisances, criminal activity, smoking and/or other health and safety concerns in the minds of many people, and in some cases can have a negative effect on property values; and

**WHEREAS**, because of this widely-held public sentiment and the prominence of I-215 as a primary transportation corridor leading into and out of the City, the presence of cannabis advertisements along I-215 in or within close proximity to the City's boundaries has a negative effect on the public perception of the desirability of the City as a place to visit, do business, or live, resulting in adverse impacts to economic development and public welfare in the City that are difficult to quantify, but that can manifest themselves in the form of lost sales tax revenues from transactions not involving cannabis, lost opportunities to attract new businesses and developments, decreased or depressed property values, blighted and vacant properties, lack of tourism, and loss of associated potential revenue that could otherwise be used to provide important City services for the benefit of the public. The City has an interest in protecting against these effects and promoting economic development in the City, which will in turn protect and promote the public welfare; and

**WHEREAS**, prohibiting City cannabis permittees from advertising their City businesses using off-premises signs or advertising displays that are located along (i.e., within 660 feet of the nearest edge of the right of way of) freeways or state or federal highways in the City or within a one-mile radius of the City's boundaries will directly advance the aforementioned governmental interests of the City by enabling the City to eliminate the presence of off-premises cannabis advertisements of City cannabis permittees along I-215 in the City and preventing any such future advertisements which could otherwise have the above-described adverse effects; and

**WHEREAS**, existing City cannabis permittees that advertise in violation of the restrictions enacted by this Ordinance, which are made part of the General Operating Standards and Restrictions for all City cannabis permittees, will be subject to, without limitation, denial of their required annual permit renewal applications, suspension, and/or revocation of their permits; and

**WHEREAS**, the PMC amendments set forth in this Ordinance are no more extensive than necessary to serve the aforementioned governmental interests of the City. The restrictions enacted by this Ordinance apply only to City cannabis permittees, and not to the signs or advertising display structures themselves. The restrictions enacted by this Ordinance also do not apply to on-site cannabis advertisements, meaning City cannabis permittees may still advertise their City businesses on their business premises provided they obtain any applicable sign permits under the PMC. Moreover, the restrictions enacted by this Ordinance do not prohibit any advertising in electronic or other intangible forms, such as via the internet, meaning cannabis permittees may continue to advertise their businesses in such forms, subject to compliance with applicable law. Finally, the Ordinance does not apply to advertising on signs or advertising displays located anywhere other than those locations that are both (i) in the City or within a one-mile radius of the City's boundaries and (ii) within 660 feet of the nearest edge of the right-of-way of a freeway or state or interstate highway, and there are other

areas of the City where off-premises advertisements of City cannabis permittees' City businesses may still be permitted subject to applicable PMC requirements; and

**WHEREAS**, California Business & Professions Code Section 26200(a) provides that subject to limited exceptions which are not relevant to this Ordinance, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Division 10 of the Business & Professions Code; "MAUCRSA") shall not be interpreted to supersede or limit the authority of a local jurisdiction to adopt and enforce local ordinances to regulate businesses licensed under MAUCRSA, nor to supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances, or enforcement of local license, permit or other authorization requirements; and

**WHEREAS**, California Business & Professions Code Section 26200(f) provides that MAUCRSA, or any regulations promulgated thereunder, shall not be deemed to limit the authority or remedies of a city, county, or city and county under any provision of law, including, but not limited to, Section 7 of Article XI of the California Constitution; and

**WHEREAS**, California Business & Professions Code Section 26055(d) provides that a state cannabis license shall not be issued under MAUCRSA if approval of the state license will violate the provisions of any local ordinance or regulation adopted in accordance with California Business & Professions Code Section 26200; both a state cannabis license under MAUCRSA and a City cannabis permit under PMC Chapter 5.54 and 5.58 are required for a cannabis business to operate lawfully; and

**WHEREAS**, all legal prerequisites for the adoption of this Ordinance have occurred.

**NOW, THEREFORE, City Council of the City of Perris does ordain as follows:**

**Section 1.** The above recitals are all true and correct and are incorporated herein by this reference.

**Section 2.** The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption), which provides that where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This Ordinance does not authorize or permit any new business, land use, or development; it merely prohibits City cannabis permittees from engaging in off-site advertising of their City cannabis businesses using signs or advertising displays that are located in areas or within a one-mile radius of the City that are along freeways, state highways, and/or federal highways. This finding reflects the independent judgment and analysis of the City Council. City staff shall file a Notice of Exemption in accordance with the provisions of CEQA.

**Section 3.** The City Council further finds as follows:

A. This Ordinance is consistent with the General Plan. The purpose of the Ordinance is to eliminate existing, and prevent future, off-site cannabis advertisements of City cannabis permittees along highways such as I-215. By doing so, the Ordinance will

advance the goals and policies related to economic development in the General Plan for the reasons stated in the recitals of this Ordinance, above.

- B. This Ordinance will protect and promote the general public welfare in the City for the reasons stated in the recitals of this Ordinance, above.

**Section 4.** Section 5.54.110 (General Operating Standards and Restrictions) of Chapter 5.54 (Medical Marijuana Dispensary Program) of the Perris Municipal Code is hereby amended as provided in Exhibit A attached to this Ordinance (with added text indicated in bold, italicized, red font), which is incorporated herein by this reference.

**Section 5.** Section 5.58.100 (General Operating Standards and Restrictions) of Chapter 5.58 (Commercial Marijuana Operations Regulatory Program) of the Perris Municipal Code is hereby amended as provided in Exhibit B attached to this Ordinance (with added text indicated in bold, italicized, red font), which is incorporated herein by this reference.

**Section 6.** Should any provision, portion, section, subsection, paragraph, sentence, clause, phrase, or word of this Ordinance be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, portions, sections, subsections, paragraphs, sentences, clauses, phrases, and words of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have adopted this Ordinance and each provision, portion, section, subsection, paragraph, sentence, clause, phrase, clause or word hereof, irrespective of the fact that any one or more provisions, portions, sections, subsections, paragraphs, sentences, clauses, phrases, or words hereof may be rendered or declared invalid or unconstitutional.

**Section 7.** The Mayor shall sign this Ordinance, and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty days after its adoption.

**ADOPTED, SIGNED, and APPROVED** this 26<sup>th</sup> day of August, 2025.

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Mayor, Michael M. Vargas

ATTEST:

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City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1460 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 26<sup>th</sup> day of August, 2025, by the following called vote:

AYES: CORONA, RABB, VALLEJO, NAVA, VARGAS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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City Clerk, Nancy Salazar

Exhibit A: Amendment to Chapter 5.54 of the Perris Municipal Code

*Due to the size of the file, the document is available at:*

[https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-544#docfold\\_1206\\_1313\\_479\\_544](https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-544#docfold_1206_1313_479_544)

Exhibit B: Amendment to Chapter 5.58 of the Perris Municipal Code

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