

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Matt Peters, Director of Community Development

DATE: November 18, 2025

SUBJECT: Introduce Ordinance Amending Titles 5, 8, and 17 of the Temecula Municipal Code to Implement Senate Bill 1186

PREPARED BY: Mark Collins, Senior Planner

RECOMMENDATION: That the City Council introduce an ordinance entitled:

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING TITLES 5, 8, AND 17 OF THE TEMECULA MUNICIPAL CODE TO IMPLEMENT SB 1186 TO INCLUDE PERMITTING REQUIREMENTS AND OPERATIONAL STANDARDS TO ALLOW FOR A NON-STOREFRONT (DELIVERY ONLY) MEDICINAL CANNABIS RETAILER AND MAKING A FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15060(C)(2) AND SECTION 15061(B)(3)

SUMMARY OF

ORDINANCE: The proposed Ordinance would amend the Municipal Code by revising Titles 5 (Business Licenses and Regulations), 8 (Health and Safety), and 17 (Zoning) to implement the requirements of Senate Bill No. 1186 (SB 1186). The proposed Ordinance amends the previously mentioned Titles to add an exemption from the prohibition on commercial cannabis activity, implement a new administrative permitting mechanism for the required single non-storefront medical cannabis retailer (delivery only, no onsite sales) to include operational standards, separation from sensitive receptors, inspection requirements, and limited signage among others as summarized below and detailed in Exhibit A.

Listed below is a summary of the proposed changes:

Changes Title 5 (Business Licenses and Regulations):

1. Chapter 5.26 (Medical Cannabis Delivery Service) – A new chapter would be added which implements an annual administrative permit for one such business within the Light

Industrial Zoning District. This chapter would include location, facility, and operational requirements for the health and safety of surrounding persons and uses.

Changes Title 8 (Health and Safety):

2. Section 8.52.030 (Definitions) – Would add a definition for “Canopy Area,” “Medical Cannabis Delivery Service,” “Medical,” and “Medical Cannabis Delivery Permit” and make technical, non-substantive changes to other definitions to comply with state law.
3. Section 8.52.040 (Prohibitions on Commercial Marijuana Activity) – Would add an exemption from enforcement of this chapter for Non-Storefront Medical Cannabis Delivery Service.
4. Section 8.52.060 (Limited Exemption from Enforcement of Medical Marijuana) – Would amend the section to remove conflict with State Law regarding limitations and exemptions for specified medical cannabis activity.
5. Section 8.52.065 (Recreational Cannabis Exemption from Enforcement) – Would be added to create an exemption for recreational cannabis from enforcement action consistent with State Law.
6. Section 8.52.090 (Medical Cannabis Delivery Service) – Would implement an automatic repeal section or “sunset clause” that would automatically repeal the provisions allowed by this proposed Ordinance should the state mandate be rescinded or deemed invalid by a court of competent jurisdiction. Additionally contains location and site requirements for Medical Cannabis Delivery Service.

Changes to Title 17 (Zoning):

7. Table 17.06.030 (Use Regulations Residential Districts) – Would add “Medical Cannabis Delivery Service” as a nonpermitted use in all Residential Zoning Districts.
8. Table 17.08.030 (Schedule of Permitted Uses Commercial/Office/Industrial Districts) Add “Medical Cannabis Delivery Service” as a permitted use exclusively within the Light Industrial (LI) Zoning District, subject to the requirements of this code.

BACKGROUND: The City of Temecula City Council adopted the Municipal Code in January 1990. Since its adoption, the City Council has periodically made amendments to various sections of the Code to improve its clarity, implement state law, and to make necessary corrections or changes. The proposed amendments to the Temecula Municipal Code include amendments to Title 5 (Business Licenses and Regulations), Title 8 (Health and Safety), and Title 17 (Zoning). The proposed amendments do not result in a significant increase in the intensity or density of any land use above what is currently allowed in accordance with the Municipal Code.

In 1996, voters approved Proposition 215, establishing the ability for doctors to prescribe medical cannabis to patients and their primary caregivers. The National Institute on Drug Abuse defines medical cannabis as "using the whole, unprocessed marijuana plant or its basic extracts to treat

symptoms of illness and other conditions." On September 18, 2022, Governor Newsom signed into law Senate Bill 1186 (SB 1186), which is known as the Medicinal Cannabis Patients' Right to Access Act, based on the premise that there are barriers to medicinal cannabis access for patients in California. For reference, SB 1186 became effective on January 1, 2024.

Based upon the aforementioned premise, SB 1186 seeks to remove these perceived barriers by preventing the City from adopting or enforcing any regulation that prohibits or unreasonably burdens medical cannabis patients, or primary caregivers, access to medical cannabis. This includes prohibiting unreasonable restrictions on the sale or delivery of medical cannabis.

SB 1186 limits local jurisdictions from prohibiting the physical presence of a non-storefront cannabis delivery service as well as the hours, frequency, or quantity of cannabis being delivered to medical cannabis patients or their primary caregiver to meet demand of medical cannabis patients within the City.

However, SB 1186 allows the City to impose reasonable regulations through the City's land use authority (zoning) and police powers that are not otherwise pre-empted by state law. Therefore, the City can adopt and enforce reasonable regulations for the delivery of medicinal cannabis related to zoning, health & safety (security), licensing, tax, and other regulations consistent with regulations of the California Department of Cannabis Control (DCC).

The proposed Ordinance would implement the requirements of SB 1186, while at the same time ensuring such uses are limited in quantity and operated in a location and manner that will not impact the high quality of life enjoyed by Temecula Residents.

If the City does not update the Municipal Code to provide for the delivery of medicinal cannabis to qualified patients, it could expose the City to litigation as the City could be in violation of state law and/or be required to approve such businesses without any City regulations in place leaving only the requirements of State Law.

FISCAL IMPACT: Community Development budgeted sufficient funds for the ordinance development and enforcement.

ATTACHMENTS:

1. Ordinance
2. PC Resolution No. 2025-37
3. Notice of Public Hearing
4. Notice of Exemption