

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. 2020-12

RESOLUTION OF INTENTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE TO INITIATE AMENDMENTS TO THE ZONING ORDINANCE TO ESTABLISH REGULATIONS AND DEVELOPMENT STANDARDS FOR THE CULTIVATION OF INDUSTRIAL HEMP

WHEREAS, the California Industrial Hemp Farming Act became effective January 1 of 2017, authorizing the commercial production of industrial hemp and provided for the registration of growers; and

WHEREAS, in December of 2018, the Agricultural Improvement Act of 2018 (commonly known as the "Farm Bill") was signed into law, removing hemp, defined as cannabis (*Cannabis sativa* L.) and derivatives of cannabis with extremely low concentrations of the psychoactive compound delta-9-tetrahydrocannabinol (THC) (no more than 0.3 percent THC on a dry weight basis), from the definition of marijuana in the Controlled Substances Act; and

WHEREAS, California Senate Bill 1409, which went into effect on January 1, 2019, established that "industrial hemp" would no longer be defined in the California Uniform Controlled Substances Act as a fiber or oilseed crop and further expanded provisions for industrial hemp cultivation; and

WHEREAS, two members of the Board of Supervisors and staff have engaged in a series of meetings and workshops designed to culminate in the adoption of an amendment to the County Zoning Ordinance regulating the cultivation of industrial hemp; and

WHEREAS, as a result of the meetings and workshops described hereinabove, regulatory changes are proposed to the County's Zoning Ordinance to address industrial hemp cultivation.

NOW THEREFORE, BE IT RESOLVED that this Board hereby adopts the above recitals as true and correct and adopts this resolution of intention to initiate amendments to the County Zoning Ordinance to establish regulations and development standards for the cultivation of industrial hemp. Said ordinance shall contain the following:

1. The addition of“(ab) Industrial Hemp - APZ, A, TPZ, RL, RR, SR, PDC, and O” to Table 27.2 of Article 27 of the Lake County Zoning Ordinance to add industrial hemp as a use generally permitted with a zoning permit.
2. The addition of Section 27.3 (ab) Industrial Hemp to Section 27.3 (Conditions requiring of uses permitted by a zoning permit of the Lake County Zoning Ordinance to provide as follows:
 - a. The provisions of this Subsection shall not apply to any of the provisions outlined in the Article 27.11.
 - b. The parcel shall contain a minimum of one (1) acre for indoor/greenhouse cultivation and a minimum of five (5) acres for outdoor cultivation.
 - c. If grading is required, all grading shall comply with the standards set forth by Chapter 30 of the Lake County Code.
 - d. Hemp cultivation site shall be setback a minimum of 150 feet from an off-site residence.
 - i. A waiver signed by neighboring property owners can be submitted which may decrease the minimum setback.
 - e. Hemp cultivation is prohibited within 1000 feet of Community Growth Boundaries as described in the Lake County General Plan

f. Seed production of any type shall be only grown indoors or within an engineered greenhouse with filters.

BE IT FURTHER RESOLVED that the Board hereby authorizes Community Development staff to prepare the above-stated amendments and to proceed pursuant to Article 47 of the Lake County Zoning Ordinance.

THIS RESOLUTION WAS PASSED AND ADOPTED by the Board of Supervisors of the County of Lake, State of California, at a regular meeting thereof on 2/11, 2020 by the following vote:

AYES Supervisor~~s~~ Simon, Sabatier, Brown, and Scott

NOES: None

ABSENT OR NOT VOTING: Supervisor Crandell



CHAIR, Board of Supervisors

ATTEST: CAROL J. HUCHINGSON
Clerk of the
Board of Supervisors

APPROVED AS TO FORM:

ANITA L. GRANT
County Counsel



By: 

By: 
