

ARTICLE 27

SEC. 21-27 USES GENERALLY PERMITTED.

27.1 Purpose: All uses listed in this Article and all matters related thereto, are declared to be uses possessing characteristics of unique and special form as to make their use acceptable in one or more districts upon issuance of a zoning permit, minor or major use permit in addition to any required building, grading or health permits. (New Table A, Ord. No. 1749, 7/7/1988; Ord. No. 1820, 5/11/1989; Ord. No. 2536, 8/31/2000; Ord. No. 2594, 07/25/2002)

27.2 Uses generally permitted with a zoning permit: Uses listed in Table A are permitted in the zoning districts indicated upon issuance of a zoning permit in the case of the symbol “λ” pursuant to the provisions of Section 27.3 and Article 49.

27.3 Conditions required of uses permitted by a zoning permit:

(a) Accessory residence to a commercial use:

1. The accessory residence shall be constructed concurrently with, or subsequent to the construction of the commercial building and shall be an accessory use to the principal commercial building or use in terms of duration or size.
2. A combination office, accessory residence, or an accessory residence utilized as an office may be located in the front one-half of the lot, subject to the development standards of the base district. (Ord. No. 1749, 7/7/1988)
3. If detached, the accessory residence shall be located on the rear one half (1/2) of the lot and at least ten (10) feet from any commercial building or dwelling on the same lot, or any adjacent lot. If attached, the accessory residence shall be to the rear of the principal commercial building or on a second or higher floor.
4. The accessory residence must be provided with a minimum of two hundred (200) square feet of usable private open space, in the form of enclosed yard, decks, or balconies, not including any required yard area.
5. Fire and vehicular access to the accessory residence of at least twelve (12) feet in width must be provided from a street or alley of a minimum width of twenty (20) feet.
6. The accessory residence must be provided with a separate means of ingress and egress to the ground outside of the building when the accessory residence is an integral part of a business structure.
7. The accessory residence shall comply with the development standards of the zoning district and the performance standards of Article 41

(ab) Industrial HEMP

1. The parcel shall contain a minimum of one (1) acre for indoor/greenhouse. Cultivation and a minimum of five (5) acres for outdoor cultivation.
 2. If grading is required, all grading shall comply with the standards set forth by Chapter 30 of the Lake County Code.
 3. Hemp cultivation site shall be setback a minimum of 200 feet from an off-site residence.
 - i. *A waiver signed by neighboring property owners can be submitted which may decrease the minimum setback.*
 4. Hemp cultivation is prohibited within 1000 feet of Community Growth Boundaries as described in the Lake County General Plan.
 5. Seed production of any type shall be only grown indoors or within an engineered greenhouse with filters.
- ~~5.6.~~ Hemp cultivation is prohibited within 100 feet of commercial cannabis cultivation area.

SEC. 21-27.10 USES GENERALLY PERMITTED WITH A USE PERMIT

27.11 Uses generally permitted with a Minor or Major Use Permit: Uses listed in Table B are permitted in zoning districts indicated upon issuance of a minor use permit in the case of the symbol “O”, or upon issuance of a major use permit in the case of the symbol “λ”, according to the provisions of Sections 27.12 and 27.13. (New Table B, Ord. No. 1749, 7/7/1988; Ord. No. 1897, 11/7/1989; Ord. No. 1974, 12/20/1990; Ord. No. 2128, 1/14/1993; Ord. No. 2172, 8/12/1993; Ord. No. 2512, 4/27/2000; Ord. No. 2594, 07/25/2002; Ord. No. 2618, 2/27/2003; Ord. No. 2670, 12/25/2003, Ord. No. 2679, 03/02/2004; Ord. No. 3021, 12/16/2014; Ord 3073, 04/19/2018; Ord No. 3079, 12/11/2018; Ord. No. 3084, 05/21/2019; Ord. 3092 5/12/2020; Ord 3100 12/15/2020; Ord. No. 3158, 2/3/2026)

27.11.1 Geothermal Setback Area: There is hereby established a Geothermal Setback Area as set forth in Map A which is attached hereto as Exhibit A and is incorporated herein as if fully setforth. (Ord. 2679, 3/2/2004)

27.12 Exception: The Planning Director or Zoning Administrator shall have the authority to increase the level of review indicated in Table B from minor use permit to major use permit when a project subject to this Article is found:

- (a) Not in compliance with the performance standards set forth in Article 41; or
- (b) Objectionable by reason of production or emission of noise, offensive odor, smoke, dust, bright lights, vibration, unusual traffic, or involve the handling of explosives or dangerous materials; or
- (c) As having a significant impact on the environment; or
- (d) Inconsistent with the Lake County General Plan; or
- (e) To be of substantial public controversy.

In no case shall any level of review be reduced.

27.13 Conditions: When the symbol “Δ” is shown by Table B, use-specific conditions are included herein. These conditions shall be incorporated into any use permit issued hereunder, but shall not be construed as preventing as part of any use permit approval, additional conditions deemed necessary.

Sec. 27.11 Table B Uses generally permitted with a Use Permit by Zoning District

- Major Use Permit ○ Minor Use Permit △ Standards included in Subsection (a) through (as) □ Refer to Articles 13 and 15

Special Uses	APZ	A	TP Z	RL	RR	SR	R1	R2	R3	C1	C2	C3	CR	CH	M1	M2	MP	O	W	U	PDR	PDC
(a) Airport, Airstrip or Heliport ⁵	●	●	●	●	●	●					●	●	●		●	●	●	●				
(b) Bed and Breakfast Inn ^{2, 3, 9}		○		○	○	○			●		●		○	○								△
(c) Cemetery		●		●	●	●					●	●	●									
(d) Church or Private School ²				●	●	●	●	●	●	●	●			●								
(e) Community Care Facility ⁸				●	●	●	●	●	●	●	●	●										
(f) Community Club ^{2, 3}	○	○		●	●	●	●	●	●	●	●											△
(g) Cottage Industry		○		○	○	○																△
(h) Country Club ²				●	●	●	●	●	●	●	●		●									
(i) Dam or Reservoir, Small							○	○	○	○	○							○	●			△
(j) Dam or Reservoir, Medium ¹				○	○	○	●	●	●	●	●	○	●	○	○	○	○	●	●			△
(k) Dam or Reservoir, Large ¹	○	○		●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●			△
(l) Density Bonus Provision				●	●	●	●	●	●													△
(m) Geothermal Research Well ¹⁰	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		△
(n) Geo-Exploratory Well Projects ¹⁰	●	●	●	●	●	●						●		●	●	●	●	●				△
(o) Geo-Field Development Project ¹⁰	●	●	●	●	●	●						●		●	●	●	●	●				△
(p) Geo-Direct-Use Application	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○		△
(q) Health Care Facility					●	●	●	●	●	●	●						●					

(1. Ord. No. 1749, 7/7/1988; 2. Ord. No. 1897, 11/07/1989; 3. Ord. No. 1974, 12/20/1990; 4. Ord. No. 2128, 01/14/1993; 5. Ord. No. 2172, 08/12/1993; 6. Ord. No. 2512, 04/27/2000; 7. Ord. No. 2868, 07/10/2008; 8. Ord. No. 2618, 2/27/2003; 9. Ord. No. 2670, 12/25/2003; 10. Ord. No. 2379, 03/02/2004; 11. Ord. No. 3021, 12/16/2014; 12. Ord. No. 3073, 04/19/2018; 13. Ord. No. 3079, 12/11/2018; 14. Ord. No. 3084, 05/21/2019; 15. Ord. No. 3092, 5/12/20; 16. Ord. No. 3100, 12/15/20; Ord. No. 3158, 2/3/2026)

hours that clients are not allowed on site and or when services are not provided.

- (ac) Management of outdoor areas: including a system for daily admittance and discharge procedures and monitoring of waiting areas with a goal to minimize disruption to nearby land uses. Smoking shall be allowed in designated areas only.
- (ad) Staff training: with objectives to provide adequate knowledge and skills to assist clients in obtaining permanent shelter and income. At least one facility manager shall be CPR and First Aid certified.
- (ae) Communication and outreach with objectives to maintain effective communication and response to operational issues which may arise in the neighborhood as may be identified by city staff or the general public.
- (af) Adequate and effective screening: with the objectives of determining admittance eligibility of clients and providing first service to Lake County area residents.
- (ag) Litter control: with the objective of providing for the regular daily removal of litter attributable to clients within the vicinity of the facility.

(at) Commercial Cannabis Cultivation: (Ord. No. 3084, 05/21/2019; Ord No. 3126, 10/25/22, Ord. No. 3092, 5/12/20; Ord. No. 3100, 12/15/20; Ord.No. 3103, 4/20/21;)

1. Development standards, general requirements, and restrictions

i. Development standards

License	Minimum Lot Size (acres)	Setback from property line	Setback from off-site residences	Number of Living Cannabis Plants	Number of Mature Cannabis Plants	Minimum fence height (feet)	Maximum fence height (feet)	Maximum canopy area (Sq. ft.)
M-Type 1 A-Type 1	20	100	200	75	50	6	8	5,000

M-Type 1A, A-Type 1A, M-Type 1B, A-Type 1B	20	100	200	N/A	N/A	6	8	5,000
M-Type 1C mixed light	5	100	200	N/A	N/A	6	8	2,500
M-Type 1C outdoor	5	100	200	50	25	6	8	2,500
M – Type 1C indoor	5	100	200	N/A	N/A	6	8	500
A-Type 1C Mixed light	5	100	200	N/A	N/A	6	8	2,500
A – Type 1C outdoor	5	100	200	50	25	6	8	2,500
A – Type 1C indoor	5	100	200	N/A	N/A	6	8	500
M – Type 2, A-Type 2, M -Type 2A, A-Type 2A, M – Type 2B, and A – Type 2B	20	100	200	N/A	N/A	6	8	10,000
M – Type 3 and A – Type 3	20	100	200	N/A	N/A	6	8	43,560
M – Type 3A, A-Type 3A, M- Type 3B, A – Type 3B, M -Type 4, and A – Type 4	20	100	200	N/A	N/A	6	8	22,000

<u>Type 5</u>	<u>>20</u>	<u>100</u>		<u>N/A</u>	<u>N/A</u>	<u>6</u>	<u>8</u>	<u><20 acres (871,200 sf)</u>
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ii. General Requirements

- (a) State licensure and permits as required. A person or entity shall not engage in the commercial cultivation of cannabis

without first obtaining a Lake County minor or major use permit, a state cannabis cultivation license, and applicable permits such as from Department of Cannabis Control, Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, the State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, Department of Public Health, and Department of Consumer Affairs, as appropriate.

- (b) Should there be a delay in the State's issuance of a state cannabis cultivation license, which delay is solely caused by the State, the applicant may be granted a minor or major use permit if all other applicable State permits have been obtained. When said minor or major use permit is granted by the County, the permittee shall be deemed authorized by the County of Lake to engage in cannabis cultivation operations in the County of Lake. In all such cases of State licensing delay where a minor or major use permit is granted, said minor or major use permit shall be reviewed one (1) year after its issuance if the permittee has not already submitted proof of state licensure within that time. If the permittee is unable to provide proof of a valid state cannabis cultivation license at the time of that one-year review, the County minor or major use permit may be subject to review and action, up to and including, revocation. For purposes of this provision, a delay is solely caused by the State if the license applicant has submitted an application to the State deemed to be complete and has no compliance conditions outstanding that would preclude the State's issuance of a cannabis cultivation license. Nothing in this provision is intended in any way to supplant or be contrary to the licensing requirements of State law.
- (c) The Department shall notify the Bureau of Cannabis Control and/or Cal Cannabis Cultivation Licensing Division upon revocation of any local license, permit, or authorization for a permittee to engage in commercial cannabis activity within the local jurisdiction.
- (d) Records
 - a. An applicant shall keep accurate records of commercial cannabis activity.
 - b. All records related to commercial cannabis activity as defined by the state licensing authorities shall be maintained for a minimum of seven years.
 - c. The County may examine the books and records of an applicant and inspect the premises of a permittee

when the County deems necessary to perform its duties under this division. All inspections shall be conducted during standard business hours of the permitted facility or at any other reasonable time.

- d. Applicants shall keep records identified by the County on the premises of the location permitted. The County may make any examination of the records of any applicant. Applicants shall also provide and deliver copies of such documents to the County upon request.
- e. An applicant, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the applicant pursuant to this section, has engaged in a violation of this article.

(e) Applicant

~~Applicant must submit the same information required for a state license application., California Code 4 CCR §15003. Applications must also include the same information for the property owner if applicant is not the property owner. If the applicant is other than a natural person (including general partnerships of more than one individual natural person), the applicant must provide documentation regarding the nature of the entity and the names of the individual natural persons who manage, own or control the entity. The most common entities are corporations, limited liability companies (LLCs), limited partnerships (LPs), or trusts. These entities can be multi-layered and/or interlocking, e.g. a corporation can be owned by another corporation. If that is the case, documents for those other related entities are needed until the individual natural persons who manage, own or control the entities can be identified.~~

~~a. For Corporations:~~

- ~~(1) Articles of Incorporation file stamped by the state agency where incorporated.~~
- ~~(2) If not a California Corporation, the registration filed to do business in California must be stamped by the CA Secretary of State.~~
- ~~(3) A list of the officers and directors of the corporation (this could be a single person).~~
- ~~(4) The agent for service of process and business office address in California.~~
- ~~(5) A list of the shareholders of the corporation (again, it could be a single person and the same as the officer/director). If it is a large, publicly held corporation with many shareholders,~~

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contact the Department for direction.

~~(6) If a non-profit mutual benefit corporation (common under pre-MMRSA practice for cannabis operations), a list of the members instead of the shareholders.~~

~~(7) A resolution of the board of directors authorizing the individual who will sign the application and other documents on behalf of the corporation to do so.~~

~~b. For Cannabis Cooperative Associations:~~

~~(1) Articles of Incorporation file stamped by the state agency where incorporated.~~

~~(2) A list of the officers and directors of the corporation.~~

~~(3) The agent for service of process and business office address in California.~~

~~(4) A list of the shareholders of the cooperative association. For the purpose of associations organized without shares of stock, the members shall be deemed to be "shareholders" as the term is used in the General Corporation Law.~~

~~(5) By laws~~

~~(6) A resolution of the Board of Directors authorizing the individual who will sign the application and other documents on behalf of the corporation to do so.~~

~~e. For Limited Liability Companies:~~

~~(1) Articles of Organization file stamped by the state agency where formed If not a California LLC, or the registration to do business in California file stamped by the CA Secretary of State.~~

~~(2) A list of the managing member or members of the company.~~

~~(3) The agent for service of process and business office address in California.~~

~~(4) A list of any other members of the company.~~

~~(5) The application and other documents submitted on behalf of the LLC must be signed by a managing member.~~

d. ~~For Limited Partnerships:~~

- ~~(1) Certificate of Limited Partnership file stamped by the state agency where filed.~~
- ~~(2) If not a California LP, the registration to do business in California file must be stamped by the CA Secretary of State.~~
- ~~(3) The identity of the General Partner or partners.~~
- ~~(4) The agent for service of process and business office address in California.~~
- ~~(5) A list of the limited partners of the LP.~~
- ~~(6) The application and other documents submitted on behalf of the LP must be signed by a general partner.~~

e. ~~For Trusts:~~

- ~~(1) The Declaration of Trust or Statement of Trust.~~
- ~~(2) The name and address of the Trustee or trustees.~~
- ~~(3) A list of the names beneficiaries of the trust with a vested interest in the property held by the trust (check with County Counsel for explanation and details if needed).~~
- ~~(4) The application and other documents submitted on behalf of the trust must be signed by a Trustee.~~

(f) Background Checks:

All applicants, ~~and full-time employees,~~ and property owner(s) shall undergo a background check by the Lake County Sheriff Department. An individual may fail the background check if employee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the sheriff determines that the applicant, property owner, or permittee is otherwise suitable to be issued a license and granting the license would not compromise public safety, the sheriff shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant, and shall evaluate the suitability of the applicant, property owner, or permittee be issued a license based on the evidence found through the review. In determining which offenses are substantially related to the qualifications,

functions, or duties of the business or profession for which the application is made, the sheriff shall include, but not be limited to, the conditions described in Section 26057 of the California Business and Professions Code.

- (g) Application for Background Clearance for a County Permit (Ord.No. 3092, 5/12/20)
- (l) An applicant for a commercial cannabis cultivation permit shall do all of the following:
- (i) Each applicant, ~~—and full-time~~ employee, and property owner shall electronically submit to the Department of Justice fingerprint images and related information required by the Department of Justice for the purpose of obtaining information as to the existence and content of a record of state or federal convictions and arrests, and information as to the existence and content of a record of state or federal convictions and arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance, pending trial or appeal.
 - (ii) An applicant shall not be eligible to receive a permit until electronic fingerprint images have been submitted to the Department of Justice as described in this Section and the Lake County Sheriff Department ~~or Lake County Community Development Department~~ has reviewed the resulting background information provided by the Department of Justice and determined that the applicant is eligible to receive a permit, as the case may be.
 - (iii) ~~Due to the nature of agricultural work, an employee may be permitted to work temporarily upon submitting their electronic fingerprint images and related information. Once the application has been reviewed by the Lake County Sheriff Department or Lake County Community Development Department, the applicant must remove any and all employees who have failed the background checks from the cultivation site or any other operations related to the Use Permit.~~ Reserved.
 - (iv) The Sheriff's Office shall request from the Department of Justice subsequent notification 24 service, as provided pursuant to Section 11105. 2 of the Penal Code, for applicants.
 - (v) The applicant will be responsible to pay any fee

the Department of Justice charges as set by the Department of Justice and sufficient to cover the reasonable cost of processing the requests described in this paragraph. (Ord.No. 3092, 5/12/20)

(v)

(h) Qualifications for a Minor or Major Use Permit:

The County may deny a minor or major use permit (permit) or the renewal of a permit if any of the following conditions apply:

- (1) Failure to comply with the provisions of this chapter or any rule or regulation adopted pursuant to this chapter, including but not limited to, any requirement imposed to protect natural resources, in-stream flow, water quality, and fish and wildlife.
- (2) The applicant has failed to provide information required by the Lake County Zoning Ordinance.
- (3) The applicant, property owner, or permittee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the Lake County Sheriff finds that the applicant, owner, or permittee is otherwise suitable to be issued a permit, and granting the permit would not compromise public safety, the Lake County Sheriff shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant or owner, and shall evaluate the suitability of the applicant, owner, or permittee to be issued a permit based on the evidence found through the review.

(i) Property Owner's Approval:

If the property where the cannabis activity is to be located is not owned by the applicant, written approval shall be obtained from the property owner(s), containing the property owner(s) notarized signature that authorizes the tenant or lessee to cultivate cannabis at the site. A copy of the written approval shall be maintained by the tenant or lessee and made available for review by enforcement officials upon request. Written approvals shall be renewed annually.

(j) Collocation of Permits and Clustering

Multiple Cultivation permits may be allowed on a single parcel provided that each permit meets the minimum acreage requirement and all other development standards. Clustering a cultivation site across multiple contiguous parcels may be permitted when all of the following criteria are met:

- (1) All parcels must qualify for a commercial cannabis

cultivation permit independently,

- (2) Title interest on all parcels shall be held under the same identical ownership.
- (3) All required cultivation setbacks shall be maintained from exterior property lines and the cultivation site may be permitted to cross contiguous property lines,
- (4) A deed restriction prohibiting commercial cannabis cultivation shall be recorded on each parcel where density has been transferred.

(k) Permitted activities:

The following uses in connection with the cultivation of cannabis:

- (1) Cultivation of cannabis
- (2) Cannabis processing such as drying, curing, grading, packaging, or trimming
- (3) Accessory uses related to the planting, growing, harvesting, drying, curing, grading, or the trimming of cannabis.

(l) Construction Hours, Operating Hours, and Delivery Hours:

Deliveries and pick-ups are restricted as follows:

- (1) Monday through Saturday: 9:00 a.m. — 7:00 p.m.

Sunday: 12:00 p.m. — 5:00 p.m. All construction activities including engine warm-up shall be limited to Monday through Friday: 7:00 a.m. - 7:00 p.m., and Saturdays from 12:00 p.m. — 5:00 p.m. Backup beepers shall be adjusted to the lowest allowable level.

- (2) Maximum non-construction related sound levels shall not exceed levels of 55 dBA between hours of 7:00 a.m. — 10:00 p.m., and 45 dBA between the hours of 10:00 p.m. — 7:00 a.m. at the property lines.

- (3) Cultivation operational hours: Farming operations and activities may be coordinated with other similar agricultural uses, with flexibility to operate during hours essential for planting and harvesting periods.

- (4) A retailer shall sell and deliver cannabis goods only between the hours of 6:00 a.m. — 10:00 p.m.

(m) Duration of Permits Reduced Canopy and Opt Out Requests:

Commercial cannabis cultivation permit duration: not to exceed ten (10) years. Cultivation Permittees, upon issuance of their state cultivation license(s), may request a temporary

adjustment to the permit activity on an annual basis, in writing and no later than January 15th of each calendar year to:

Reduce the size of the canopy grown during the growing season; or

Not cultivate during the growing season (Opt Out). Opt Out requests shall not be approved for consecutive years. Two consecutive years of noncultivation after issuance of the first corresponding state license after permit approval will result in the expiration of the use permit.

Two compliance monitoring site visits are required during the calendar year for all permits granted Reduced Canopy and/or Opt Out. Approved Reduced Canopy and Opt Out requests are also subject to fees from the Treasurer-Tax Collector's Office for processing, as established by the Board of Supervisors in the Master Fee Schedule. The Permittee is required to pay the fees at the time of submitting the Reduced Canopy and/or Opt Out request. Failure to pay the fees in a timely manner, and accommodate staff for both site visits could result in fines and revocation of the permit.

(n) Track and Trace:

All permittees shall comply with the State of California Track and Trace requirements.

(o) Weights and Measures

All permittees shall comply with the State of California Weights and Measures requirements found in the California Food and Agriculture Code, California Code of Regulations, and the California Business and Professions Code.

(p) Access Standards

(1) Any site where a cannabis related activity is permitted shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works.

(2) All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body.

(3) The design of all access to and driveways providing

access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district.

- (4) Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes.

(q) Setbacks from Closest Offsite Residence

<u>Zoning District</u>	<u>Setback from Closest Offsite Residence</u>
<u>“A” Agriculture</u>	<u>200 feet</u>
<u>“APZ” Agriculture Preserve Zone</u>	<u>200 feet</u>
<u>“TPZ” Timber Preserve Zone</u>	<u>200 feet</u>
<u>“RL” Rural Lands</u>	<u>300 feet</u>
<u>“RR” Rural Residential</u>	<u>500 feet.</u>

(r) Maximum Canopy

<u>Zoning District</u>	<u>Maximum Canopy</u>
<u>“A” Agriculture</u>	<u>20 acres</u>
<u>“APZ” Agriculture Preserve Zone</u>	<u>20 acres</u>
<u>“TPZ” Timber Preserve Zone</u>	<u>20 acres</u>
<u>“RL” Rural Lands</u>	<u>20 acres</u>
<u>“RR” Rural Residential</u>	<u>One acre</u>

(s) Incomplete, Inactive, and Abandoned Applications

Incomplete applications shall not be processed. If applicant fails to demonstrate significant progress toward completion within 180 days of date of Incomplete Letter, the application shall be considered abandoned. Fees are not refunded for abandoned applications.

(t) Surety Bond

- (4) A \$5,000 bond is required with County of Lake as Obligee.

iii. Prohibited Activities

(a) Tree Removal

The removal of any commercial tree species as defined by the California Code of Regulations section 895.1, Commercial Species for the Coast Forest District and Northern Forest District, and the removal of any true oak species (Quercus species) or Tan Oak (Notholithocarpus spices.) for the purpose

of developing a cannabis cultivation site should be avoided and minimized. This shall not include the pruning of any such tree species for the health of the tree or the removal of such trees if necessary for safety or disease concerns.

(b) Water use

The utilization of water that has been or is illegally diverted from any lake, spring, wetland, stream, creek, vernal pool, or river is prohibited. Cultivation site shall not be connected to public water.

(c) Odor

Cannabis related permits shall not propagate objectionable odors which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public.

(d) Electrical Generators

The indoor or mixed-light cultivation of cannabis shall not rely on a personal gasoline, diesel, propane, or similar fuels, powered generator as a primary source of power and shall only allow properly permitted (when applicable) generators for temporary use in the event of a power outage or emergency that is beyond the permittee's control.

(e) Lights

All lights used for cannabis related permits including indoor or mixed light cultivation of cannabis shall be fully contained within structures or otherwise shielded to fully contain any light or glare involved in the cultivation process. Artificial light shall be completely shielded between sunset and sunrise.

Security lighting shall be motion activated and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.

(f) Pesticide

The use any pesticide that has been banned for use in the state is prohibited.

(g) Cultivation within greenhouses shall not include open venting of the sides of the structure to the outside open air. Greenhouses shall contain air filtration systems sufficient to remove odors and not be a odor nuisance to offside residences.

iv. Protection of Minors

- (a) No permittee shall:
 - a. Sell, transfer or give cannabis or cannabis products to persons under 21 years of age;
 - b. Allow any person under 21 years of age into the cultivation area;
 - c. Employ or retain persons under 21 years of age.

v. Commercial Cannabis Cultivation Exclusion Areas

Commercial cannabis cultivation is prohibited within a 1,000 feet of the following areas or uses:

- a. Community Growth Boundary as described in the Lake County General Plan,
- b. SOS combining district,
- c. Public lands, where, because of development or other actions, it is clear that the public is invited to use such locations as places of recreation and other destination activities, including but not limited to, hiking, bird-watching, equestrian activities, and camping. Additionally, the waters of Clear Lake at 7.79 Rumsy, and all State and County parks are public lands. (Ord.No. 3096, 8/11/20)
- d. An incorporated city sphere of influence, unless the applicant can provide a letter of support from the City.
- e. Any public or private school, grades K through 12,
- f. A developed public park containing playground equipment,
- g. A drug or alcohol rehabilitation facility, or
- h. A licensed child care facility or nursery school, church or youth-oriented facility catering to or providing services primarily intended for minors.
- i. Federal Indian Trust Lands, unless the applicant can provide a letter of support from the Federal Indian Trust Landholder.
- j. The distance specified in this section shall be measured horizontally from the areas or uses to the cannabis cultivation site.
- j.k. Parcels within the “FPZ” Farmland Protection Zone Boundaries.

vi. Lake County Important Farmland Farming and agriculture is Lake County is important to our economy. Cannabis may present certain

conflicts with more traditional farming. In order to ensure the protection of all agricultural industries within the county, the following rules will apply when cannabis cultivation interfaces with Farmland Protection Zones. If an applicant finds that their project is in an area where they shall not be allowed to cultivate outdoors, then their cannabis cultivation shall be limited to indoor, mixed light, and greenhouses that equipped with filtrations systems that prevents the movement of odors, pesticides, and other air borne contaminates out of or into the structure.

- a. Outdoor cultivation of cannabis shall not be allowed within any Farmland Protection Zone.
- b. Outdoor cultivation of cannabis shall not be allowed within 1000 feet of any Farmland Protection Zone.
- c. If outdoor cultivation of cannabis is less than one (1) mile from Farmland Protection Zone, vegetation screening is required.
 - i. Vegetation screening shall consist of woody vegetation or trees that grow to no less than 20 feet tall.
 - ii. Vegetation screening shall be between Farmland Protection Zone and the permitted cannabis canopy area.
 - iii. The species of *woody vegetation* or *trees* to be used may be chosen by the permit applicant but should be suited to localized soil and site conditions. Native plant species are encouraged as are plantings which will benefit local fauna. Plantings must be *perennial* and hardy in the local climate zone as specified in scientific literature or garden catalogs.
 - iv. Vegetation screen shall be effective in preventing substantial drift and approved by the Agricultural Commissioner.
 - v. Vegetation screen shall be maintained through the life of the cultivation use permit. **(Ord.No. 3103, 12/15/20)**
- d. Pathway for Applicants impacted by the creation of the Farmland Protection Zone
 - i. Applicants shall be allowed a transition period of up to two (2) years from the effective date of this ordinance, or no later than May 21, 2023 if the following requirements are met:
 - a. Applications have been deemed complete, all documents required by the department and applicable to the application have been submitted to the department, other than CEQA documents, no later than December 15, 2020

- b. All applicable taxes are paid in full
- c. The applicant has not been and is not currently in violation of applicable state and local laws
- d. The applicant has made diligent and reasonable efforts in the use permit process to provide all necessary information and documentation.

ii. EA Permits Repealed, Ord.3126, 10/25/2022

ii. Use Permits

a. If a use permit is obtained during the transition period, a condition of approval will be added that any non- conforming project within the FPZ shall meet the applicable requirements by the expiration date of their non- conforming use.

b. The use permit shall be revoked if the condition of approval for meeting requirements of the FPZ has not been met by the expiration.

iii. The applicable application shall be updated by the applicant to meet the new compliance requirements of the Farmland Protection Zone no later than May 21, 2022.

a. If no update to the applicable application has been received by the above referenced date, the eligibility for use permit shall be revoked.

iv. For applications meeting eligibility criteria of 27.13 at) 1 (vi) 1 d. i. , those projects shall require the use of a hoop- house to minimize any and all impacts.

a. Hoop- house as defined in Section 21-68.

b. At the end of each growing season within this transition period, hoop- houses must be dismantled and removed from the project location until the next growing season.
(Ord.No. 3103, 4/20/21; Ord.No.3126, 0/25/22)

v. Greenhouse construction shall utilize anchor-point foundations, where feasible. Concrete slab foundations are discouraged.

2. Permitting process (Ord. No. 3084, 05/21/2019; Ord No. 3126, 10/25/22, Ord. No. 3092, 5/12/20; Ord. No. 3100, 12/15/20; Ord.No. 3103, 4/20/21)

i. Permits

(a) There are two different permit types for the commercial cultivation of cannabis:

a. Minor Use Permit: A minor use permit is required for the following cannabis cultivation licenses: M – Type 1, A – Type 1, M – Type 1A, A – Type 1A, M – Type 1B, A – Type 1B, M – Type 1C, A – Type 1C, M – Type 2, A – Type 2, M – Type 2A, A – Type 2A, M – Type 2B, A – Type 2B, M – Type 4, or A – Type 4 licenses

b. Major Use Permit: A major use permit is required for the following cannabis cultivation licenses: M – Type 3, A – Type 3, M – Type 3A, A – Type 3A, M- Type 3B, ~~or~~ A – Type 3B licenses, or Type 5 licenses.

(b) Minor and Major Use Permits for Commercial cannabis cultivation

a. The property proposed for commercial cannabis cultivation shall be enrolled with the applicable Regional Water Quality Control Board or State Water Resources Control Board for water quality protection programs as of October 31, 2020, or the applicant shall provide written verification from the appropriate board that enrollment is not necessary.

b. The applicant shall schedule and pay the fee for a pre-application conference with the Department prior to the submittal of an application for a use permit. Questions regarding a specific application will only be addressed at a pre-application conference. No later than two weeks prior to the pre- application conference, the applicant shall provide the department:

(1) A map showing the lot of record showing where the cultivation site is located and the Assessor's Parcel Number (APN) for the lot of record.

(2) Sketch of the proposed cultivation site including the location of the canopy area, full cultivation site, access, existing structures on the lot of record, any water bodies and/or water courses,

(3) A statement as to which State license the

applicant intends to submit an application.

- (4) Responses to the following performance standards questions:
- (i) Has the applicant applied to the Cal Cannabis Cultivation Licensing Division for a cultivation license if the application relates to an existing site?
 - (ii) Is the cultivation site located outside a floodplain?
 - (iii) Do all aspects of the project not require a grading permit? How many cubic yards of soil is proposed for removal?
 - (iv) Does the applicant have a legal, on- site source of water?
 - (v) Does the applicant agree to monitor water use and share the data with the County?
 - (vi) Does the applicant agree to make water source available to Cal Fire for firefighting?
 - (vii) Has the applicant conducted a cultural/archeological survey of the property?
 - (viii) Does the applicant agree to monitor energy use and share the data with the County?
 - (ix) Does the applicant agree to monitor vegetative waste generation and share the data with the County?
 - (x) Does the applicant agree to monitor solid waste generation and share the

data with the County?

- (xi) Does the applicant agree to monitor water quality of storm water runoff and share the data with the County?
- (xii) Any questions that the applicant may have regarding the permitting process or what is required for the submittal.
- (xiii) Do you plan on using CO2 enhancement?

c. At the pre-application conference the Department will provide:

- (1) A determination of the legal lot of record status or request additional information to make such determination. The lot of record where the cultivation site is located is required to be a legal lot of record.
- (2) A determination of current compliance with Chapters 5, 13, 17, 21, 23, 26, 29 or 30 of the Lake County Code. Compliance with these chapters is required to submit an application.
- (3) A determination of the performance standards score based on the response to the performance standards questions. A minimum score of 75% is required to submit an application.
- (4) A response to the questions submitted with the pre-application conference application.
- (5) An outline of the information required for the application.

d. Permit application supplemental information

The use permit application, in addition to the requirements of Article 55, shall include the following additional information:

- (1) The legal business name of the applicant entity;
- (2) The license type, pursuant to the California Department of Food and Agriculture cannabis cultivation program regulations, for which the applicant is applying and whether the application is for an M-license or A-license;
- (3) A list of all the types, including the license

numbers of valid licenses, from the department and other cannabis licensing authorities that the applicant already holds;

- (4) The physical address of the premises;
- (5) The mailing address of the applicant;
- (6) A designated responsible party, who shall also be an owner, with legal authority to bind the applicant entity, and the primary contact for the application. The following information shall be provided for the designated responsible party: full legal name, title, mailing address, primary contact phone number, email address, and a copy of the owner's government-issued identification. Acceptable forms of identification are a document issued by a federal, state, county, or municipal government, including, but not limited to, a driver's license or passport, that contains the name, date of birth, physical description, and picture of the individual;
- (7) An individual or entity serving as agent for service of process for the applicant. The following information shall be provided for the agent for service of process: full legal name, mailing address, primary contact phone number, and email address;
- (8) A complete list of every owner of the applicant entity, and property owner. Each individual owner shall submit the following information:
 - (i) Full legal name;
 - (ii) Title within the applicant entity;
 - (iii) Home address;
 - (iv) Primary phone number;
 - (v) Email address;
 - (vi) Date ownership interest in the applicant entity was acquired;
 - (vii) Percentage of the ownership interest held in the applicant entity by the owner;

- (viii) A list of all the valid licenses, including license type(s) and license number(s), from the department and other cannabis licensing authorities that the owner is listed as either an owner or financial interest holder;
- (ix) A copy of their government-issued identification. Acceptable forms of identification are a document issued by a federal, state, county, or municipal government that includes the name, date of birth, physical description, and picture of the person, such as a driver's license or passport.
- (x) For applicants that are a cannabis cooperative as defined by Division 10, Chapter 22 (commencing with section 26220) of the Business and Professions Code, identification of all members.
- (xi) Evidence that the applicant entity has the legal right to occupy and use the proposed location.
- (xii) Evidence of enrollment with the applicable Regional Water Quality Control Board or State Water Resources Control Board for water quality protection programs or written verification from the appropriate board that enrollment is not necessary;
- (xiii) Evidence that the applicant has conducted a hazardous materials record search of the EnviroStor database for the proposed premises. If hazardous sites were encountered, the applicant shall provide documentation of protocols implemented to protect employee health and safety;
- (xiv) For indoor and mixed light license types, identification of all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation;
- (xv) Identification of all water sources used

for cultivation activities and the estimated volume of water used on a monthly basis.

- (xvi) An attestation that the local fire department has been notified of the cultivation site if the applicant entity is an indoor license type;
- (xvii) If construction is proposed, Building Elevations shall be submitted

(9) Project description:

The project description shall provide adequate information to evaluate the impacts of the proposed project and consists of three parts: a site plan, a written description section, and a property management section.

(10) Site Plan: A site plan is a graphic representation of the project consisting of maps, site plans, or drawings prepared by a design professional consistent with the requirements of the Department pursuant to Article 55.5.

- (i) This section shall include a map of any spring, top of bank of any creek or seasonal stream, edge of lake, delineated wetland or vernal pool on the lot of record of land or within 200 feet of the lot of record. ~~and a 100-foot setback from~~ This section shall include identification of water courses as defined by the State Water Resources Quality Control Board as Class I-IV, and their corresponding setbacks.
- (ii) The use of fertilizer shall not be located within 100 feet of any spring, top of bank of any creek or seasonal stream, edge of lake, delineated wetland or vernal pool. For purposes of determining the edge of Clear Lake, the setback shall be measured from the full lake level of 7.79 feet on the Rumsey Gauge.
- (iii) The use of pesticides shall not be located within 100 feet of any spring, top of bank of any creek or seasonal stream, edge of lake, delineated wetland or vernal pool. For purposes of

determining the edge of Clear Lake,

the setback shall be measured from the full lake level of 7.79 feet on the Rumsey Gauge.

- (iv) Include A map of any private drinking water well, a 100 foot setback from any identified private drinking water well, The map shall also include any public water supply well on the lot of record or within 200 feet of the lot of record and a 200 foot setback from any public water supply well.
 - (v) Pursuant to the California Health and Safety Code, the use of hazardous materials shall be prohibited except for limited quantities of hazardous materials that are below State threshold levels of 55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of compressed gas. The production of any Hazardous Waste as part of the cultivation process is prohibited.
 - (vi) A topographic map of the parcel where the permitted activity is located with contours no greater than forty (40) feet.
- (11) Written Description: A written section which shall support the graphic representations and shall, at a minimum, include:
- (i) A project description;
 - (ii) The present zoning;
 - (iii) A list and description of all uses shown on the site plan;
 - (iv) A development schedule indicating the approximate date when construction of the project can be expected to begin and be completed for each phase of the project; including the permit phase;
 - (v) A statement of the applicant's proposal for solid waste disposal, vegetative waste disposal, storm water management, growing medium management, fish and wildlife protection, water resources protection, energy use, water use, pest

management, fertilizer use, property management, grading, organic farming, and protection of cultural resources;

- (vi) Quantitative data for the development including but not limited to: Gross and net acreage; the approximate dimensions and location of structures for each district or area; employee statistics; support services required; traffic generation data based on anticipated uses; parking and loading requirements; and outdoor storage requirements based on anticipated uses;
- (vii) Supplemental information, if applicable:
 - (a) Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights.
 - (b) Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast or Central Valley Regional Water Quality Board.
 - (c) Streambed Alteration Permit obtained from the Department of Fish and Wildlife.
 - (d) Copy of County of Lake well permit, state well permit, or well logs.
 - (e) If the lot of record is zoned TPZ, or involves conversion of timberland, a copy of less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL- FIRE. Alternately for existing operations occupying sites created through prior unauthorized conversion of

timberland, evidence may be provided showing the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE.

(viii) Other pertinent information as required by the Director.

(12) A Management Plan section Described in subsection 3 below.

e. Minor and Major Use Permit required findings

In addition to the findings required for a minor use permit (Article 50.4) or major use permit (Article 51.4), the following findings shall be made:

- (1) The proposed use complies with all development standards described in Section 1. i.
- (2) The applicant is qualified to make the application described in Section 1.ii.(g).
- (3) The application complies with the qualifications for a permit described in Section 1.ii. (i).

3. Property Management Plan

All permittees shall prepare a Property Management Plan. The intent of said plan is to identify and locate all existing cannabis and non-cannabis related uses on the property, Identify and locate all proposed cannabis and non-cannabis related uses on the property, and describe how all cannabis and non-cannabis related uses will be managed in the future. The property management plan shall demonstrate how the operation of the commercial cannabis cultivation site will not harm the public health, safety, and welfare or the natural environment of Lake County.

The plan will consist of the following sections:

i. Air Quality

- (a) Intent: All cannabis permittees shall not degrade the County's air quality as determined by the Lake County Air Quality Management District (LCAQMD).
- (b) In this section, permittees shall identify any equipment or activity that may cause, or potentially cause the issuance of air contaminants including odor and shall identify measures to be taken to reduce, control or eliminate the issuance of air contaminants, including odors.

- (c) All cannabis permittees shall obtain an Authority to Construct permit, if necessary, pursuant to LCAQMD Rules and Regulations, prior to the construction of the facility described in the Property Management Plan.
- (d) All cannabis permittees shall obtain Authority to Construct Permit pursuant to LCAQMD Rules and Regulations, if applicable, to operate any article, machine, equipment or other contrivance which causes or may cause the issuance of an air contaminant.
- (e) All permittees shall maintain an Authority to Construct or Permit to Operate for the life of the project, until the operation is closed and equipment is removed.
- (f) The applicant shall prepare an odor response program that includes (but is not limited to):
 - a. Designating an individual(s) who is/are responsible for responding to odor complaints 24 hours per day/seven (7) days a week, including holidays.
 - b. Providing property owners and residents of property within a 1,000 foot radius of the cannabis facility, with the contact information of the individual responsible for responding to odor complaints.
 - c. Policies and procedures describing the actions to be taken when an odor complaint is received, including the training provided to the responsible party on how to respond to an odor complaint.
 - d. The description of potential mitigation methods to be implemented for reducing odors, including add-on air pollution control equipment.
 - e. Contingency measures to mitigate/curtail odor and other emissions in the event the methods described above are inadequate to fully prevent offsite nuisance conditions.

ii. Grounds.

- (a) The permittee shall establish and implement written procedures to ensure that the grounds of the premises controlled by the permittee are kept in a condition that prevents the contamination of components and cannabis products. The methods for adequate maintenance of the grounds shall include at minimum:
 - a. The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass so that the premises shall not constitute an attractant, breeding place, or harborage for pests.

- b. The proper maintenance of roads, yards, and parking lots so that these areas shall not constitute a source of contamination in areas where cannabis products are handled or transported.
- c. The provision of adequate draining areas in order to prevent contamination by seepage, foot-borne filth, or the breeding of pests due to unsanitary conditions.
- d. The provision and maintenance of waste treatment systems so as to prevent contamination in areas where cannabis products may be exposed to such a system's waste or waste by-products.

- (b) If the lot of record is bordered by grounds outside the applicant's control that are not maintained in the manner described in subsections (i) through (iv) of this section, inspection, extermination, and other reasonable care shall be exercised within the lot of record in order to eliminate any pests, dirt, and/or filth that pose a source of cannabis product contamination.
- (c) Any other information as may be requested by the Director and/or by the Planning Commission.

iii. Security

- (a) Intent: To minimize criminal activity, provide for safe and secure working environments, protect private property, and to prevent damage to the environment. The Applicant shall

provide adequate security on the premises, as approved by the Sheriff and pursuant to this section, including lighting and alarms, to ensure the safety of persons and to protect the premises from theft.

(b) Security Plan

This section shall include at a minimum:

- a. A description of the security measures to be taken to:
 - (1) Prevent access to the cultivation site by unauthorized personnel and protect the physical safety of employees. This includes, but is not limited to:
 - (i) Establishing physical barriers to secure perimeter access and all points of entry (such as locking primary entrances with commercial-grade, non-residential door locks, or providing fencing around the grounds, driveway, and any secondary entrances including windows, roofs, or ventilation systems);
 - (ii) Installing a security alarm system to notify and record incident(s) where physical barriers have been breached;
 - (iii) Establishing an identification and sign-in/sign-out procedure for authorized personnel, suppliers, and/or visitors;
 - (iv) Maintaining the premises such that visibility and security monitoring of the premises is possible; and
 - (v) Establishing procedures for the investigation of suspicious activities.
 - (2) Prevent theft or loss of cannabis and cannabis products. This includes but is not limited to:
 - (i) Establishing an inventory system to track cannabis material and the personnel responsible for processing it throughout the cultivation process;
 - (ii) Limiting access of personnel within the premises to those areas necessary to complete job duties, and to those time-frames specifically scheduled for completion of job duties;

- (iii) Supervising tasks or processes with high potential for diversion (including the loading and unloading of cannabis transportation vehicles); and
 - (iv) Providing designated areas in which personnel may store and access personal items.
- (3) Identification of emergency contact(s) that is/are available 24 hours/seven (7) days a week including holidays. The plan shall include the name, phone number and facsimile number or email address of an individual working on the commercial cultivation premises, to whom notice of problems associated with the operation of the commercial cultivation establishment can be provided. The commercial cultivation establishment shall keep this information current at all times. The applicant shall make every good faith effort to encourage neighborhood residents to call this designated person to resolve operating problems, if any, before any calls or complaints are made to the County.
- (4) The permittee shall maintain a record of all complaints and resolution of complaints and provide a tally and summary of issues in the annual Performance Review Report.
- (5) A description of fences, location of access points, and how access is controlled.
- (6) Video Surveillance.
 - (i) At a minimum, permitted premises shall have a complete digital video surveillance system with a minimum camera resolution of 1080 pixel. The video surveillance system shall be capable of recording all pre-determined surveillance areas in any lighting conditions.
 - (ii) The video surveillance system shall be capable of supporting remote access by the permittee.
 - (iii) To the extent reasonably possible, all video surveillance cameras shall be

installed in a manner that prevents intentional obstruction, tampering with, and/or disabling.

- (iv) Areas that shall be recorded on the video surveillance system include, but are not limited to, the following:
 - (a) The perimeter of the cannabis cultivation site and cannabis nursery,
 - (b) Areas where cannabis or cannabis products are weighed, packed, stored, quarantined, loaded and/or unloaded for transportation, prepared, or moved within the premises;
 - (c) Areas where cannabis is destroyed;
 - (d) Limited-access areas;
 - (e) Security rooms;
 - (f) Areas containing surveillance-system storage devices, in which case, at least one camera shall record the access points to such an area; and
 - (g) The interior and exterior of all entrances and exits to the cannabis cultivation sites and cannabis nursery including all buildings where cannabis or cannabis products are weighed, packed, stored, quarantined, loaded and/or unloaded for transportation, prepared, or moved within the premises.
- (v) The surveillance system shall operate continuously 24 hours per day and at a minimum of 30 frames per second during the period of time that cannabis operations are actively taking place. **(Ord.No. 3092, 5/12/20)**
 - (i) All exterior cameras shall be waterproof, I-66 minimum.
 - (ii) All interior cameras shall be moisture proof.

- (iii) Cameras shall be color capable.
 - (iv) Video management software shall be capable of integrating cameras with door alarms.
 - (v) Video recordings shall be digital.
 - (vi) Thermal technology shall be used for perimeter fencing.
 - (vii) All cameras shall include motion sensors that activates the camera when motion is detected.
 - (viii) In areas with inadequate lighting for the cameras being used, sufficient lighting shall be provided to illuminate the camera's field of vision.
 - (ix) All recording shall be located in secure rooms or areas of the premises in an access and environment-controlled environment which is separate from the room where the computer and monitoring equipment is located.
 - (x) All surveillance recordings shall be kept on the applicant's recording device or other approved location for a minimum of 30 days.
 - (xi) All video surveillance recordings are subject to inspection by the Department and shall be copied and sent, or otherwise provided, to the Department upon request.
 - (xii) The video recordings shall display the current date and time of recorded events. Time is to be measured in accordance with the U.S. National Institute Standards and Technology standards. The displayed date and time shall not significantly obstruct the view of recorded images
- (7) Fences
- (i) Any commercial cannabis cultivation site shall be enclosed by a fence. The fence shall include, at a minimum, the following: Posts set into the ground. The posts may be steel tubing, timber or concrete and may be driven into the

ground or set in concrete. End, corner or gate posts, commonly referred to as "terminal posts", must be set in concrete footing or otherwise anchored to prevent leaning under the tension of a stretched fence. Posts set between the terminal posts shall be set at intervals not to exceed 10 feet. A top horizontal rail is required between all posts. The fence shall be attached to the posts and top horizontal rail.

- (ii) No barbed wire, razor wire or similar design shall be used.
- (iii) The cultivation area shall be screened from public view. Methods of screening may include, but are not limited to, topographic barriers, vegetation, or solid (opaque) fences.

iv. Storm Water Management

- (a) Intent: To protect the water quality of the surface water and the stormwater management systems managed by Lake County and to evaluate the impact on downstream property owners. All permittees shall manage storm water runoff to protect downstream receiving water bodies from water quality degradation.
- (b) All cultivation activities shall comply with the California State Water Board, the Central Valley Regional Water Quality Control Board, and the North Coast Region Water Quality Control Board orders, regulations, and procedures as appropriate.
- (c) Outdoor cultivation, including any topsoil, pesticide or fertilizers used for the cultivation cannabis shall not be located within 100 feet of any spring, top of bank of any creek or seasonal stream, edge of lake, delineated wetland or vernal pool. For purposes of determining the edge of Clear Lake, the setback shall be measured from the full lake level of 7.79 feet on the Rumsey Gauge.
- (d) The illicit discharges of irrigation or storm water from the premises, as defined in Title 40 of the Code of Federal Regulations, Section 122.26, which could result in degradation of water quality of any water body is prohibited.
- (e) All permittees shall prepare a Storm Water Management Plan based on the requirements of the California Regional Water

Quality Control Board Central Valley Region or the California Regional Water Quality Control Board North Coast Region. In addition to those requirements, the plan shall include:

- a. Identification of any Lake County maintained drainage or conveyance system that the stormwater is discharged into and documentation that the stormwater discharge is in compliance with the design parameters of those structures;
- b. Identification of any public roads and bridges that are downstream of the discharge point and documentation that the stormwater discharge is in compliance with the design parameters of any such bridges;
- c. Documentation that the discharge of stormwater from the site will not increase the volume of water that historically has flow onto adjacent properties;
- d. Documentation that the discharge of stormwater will not increase flood elevations downstream of the discharge point;
- e. Documentation that the discharge of stormwater will not degrade water quality of any water body;
- f. Documentation of compliance with the requirements of Chapter 29, Storm Water Management Ordinance of the Lake County Ordinance Code;
- g. Describe the proposed grading of the property;
- h. Describe the storm water management system;
- i. Describe the best management practices (BMPs) that will be used during construction and those that will be used post-construction. Post-construction BMPs shall be maintained through the life of the permit; and
- j. Describe what parameters will be monitored and the methodology of the monitoring program.
- k. Cannabis Vegetative Material Waste Management

The cannabis vegetative material waste management section shall include:

- (1) Provide an estimate of the type and amount of cannabis vegetative waste that will be generated on an annual basis;
- (2) Describe how the permittee will minimize cannabis vegetative waste generation;

- (3) Describe how solid waste will be disposed; and
- (4) Describe the methodology on how the amount of cannabis vegetative waste that is generated on the site, the amount that is recycled, and the amount and where cannabis vegetative waste is disposed of is measured.

1. Growing Medium Management

The growing medium management section shall include:

- (1) Provide an estimate of the type and amount of new growing medium that will be used and amount of growing medium will be disposed of on an annual basis;
- (2) Describe how the permittee will minimize growing medium waste generation;
- (3) Describe any non-organic content in the growing medium used (such as vermiculite, silica gel, or other non-organic additives);
- (4) Describe how growing medium waste will be disposed; and
- (5) Describe the methodology on how the amount of growing medium waste that is generated on the site, the amount that is recycled, and the amount and where growing medium waste is disposed of, is measured.

v. Water Use

- (a) Intent: To conserve the County's water resources by minimizing the use of water.
- (b) All permitted activities shall have a legal water source on the premises, and have all local, state, and federal permits required to utilize the water source. If the permitted activity utilizes a shared source of water from another site, such source shall be a legal source, have all local, state, and federal permit required to utilize the water source, and have a written agreement between the property owner of the site where the source is located and the permitted activity agreeing to the use of the water source and all terms and conditions of that use.
- (c) Permittee shall not engage in unlawful or unpermitted drawing of surface water.

- (d) The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water-vending machine, or a retail water facility is prohibited.
- (e) Where a well is used, the well must be located on the premises, an adjacent parcel or piped through a dedicated easement. The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring begun at least three months prior to the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually.
- (f) Water may be supplied by a licensed retail water supplier, as defined in Section 13575 of the Water Code, on an emergency basis. The application shall notify the Department within 7 days of the emergency and provide the following information:
 - a. A description of the emergency.
 - b. Identification of the retail water supplier including license number.
 - c. The volume of water supplied.
 - d. Actions taken to prevent the emergency in the future.
- (g) All permittees shall prepare a Water Use/water availability analysis prepared by qualified individual Said plan shall:
 - a. Identify the source of water, including location, capacity, and documentation that it is a legal source.
 - b. Describe the proposed irrigation system and methodology.
 - c. Describe the amount of water projected to be used on a monthly basis for irrigation and separately for all other uses of water and the amount of water to be withdrawn from each source of water on a monthly basis.

4. Compliance monitoring

- i. A compliance monitoring inspection of the cultivation site shall be conducted annually during growing season, and twice per calendar year for cultivation where a Reduced Canopy or Opt Out request has been granted. Inspection Staff shall use the current State canopy calculation process for measurement of canopy, unless the State process conflicts with measurement for local taxation purposes.

- ii. The permittee shall pay a compliance monitoring fee established by resolution of the Board of Supervisors prior to the inspection.
 - iii. If there are no violations of the County permit or state license during the first five years, the inspection frequency may be reduced by the Director to not less than once every five-two years. The fine-year annual review period restarts upon change of permit ownership.
5. Annual Reports
- i. Performance Review
 - (a) All cannabis permittees shall submit a “Performance Review Report” on an annual basis on June 1st of each calendar year from their initial date of operation for review ~~and approval by the Planning Commission by the Community Development Department. The Planning Commission may delegate review of the annual Performance Review Report to the Director at the time of the initial hearing or at any time thereafter. This annual “Performance Review Report” is intended to identify the effectiveness of the approved minor or major use permit, Operations Manual, Operating Standards, and conditions of approval, as well as the identification and implementation of additional procedures as deemed necessary. In the event the Planning Commission identifies problems with specific Performance Review Report that could potentially lead to revocation of the associated minor or major use permit, the Planning Commission may require the submittal of more frequent “Performance Review Reports.”~~
 - (b) Pursuant to sub-section 5. i. above, the premises shall be inspected by the Department on an annual or biannual basis, or less frequently if approved by the Director. A copy of the results from this inspection shall be given to the permittee and made available to the public ~~for inclusion in their “Performance Review Report” to the Department.~~
 - (c) Compliance monitoring fees pursuant to the County’s adopted master fee schedule shall be paid by permittee no later than June 1st of each calendar year, or January 15th if accompanying a Reduce Canopy or Opt Out request and accompany the “Performance Review Report” for costs associated the review of the report by County staff.
 - (d) Non-compliance by permittee in allowing the inspection by the Department, or refusal to pay the required fees, or noncompliance in submitting the annual “Performance Review Report” for review by the Planning Commission shall be deemed grounds for a revocation of the development permit or use permit and subject the holder of the permit(s) to the penalties outlined in this Code.

6. ~~Reserved.~~ Renewals

i. ~~The following is required for permit renewal:~~

- ~~(a) — An application for renewal shall be submitted to the Department prior to the expiration. Failure to submit an application for renewal by that date may result in the expiration of the permit.~~
- ~~(b) — Applications: Applicants shall complete an application form as prescribed by the Director and pay all fees as established by resolution by the Board of Supervisors.~~
- ~~(c) — The following documentation in electronic format is required for application for renewal:

 - ~~a. — A copy of all licenses, permits, and conditions of such licenses or permits related to the project from state agencies as appropriate including, but not limited to the California Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, and the Department of Public Health.~~
 - ~~b. — A copy of all reports provided the County and State agencies as determined by the Director.~~
 - ~~c. — A list of all employees on the premise during the past year and a copy of the background checks certification for each.~~
 - ~~d. — Documentation that the applicant is still qualified to be an applicant.~~
 - ~~e. — Any proposed changes to the use permit or how the site will be operated.~~
 - ~~f. — Payment of all fees as established by resolution by the Board of Supervisors.~~~~
- ~~(d) — The permit may be renewed if:

 - ~~a. — Where there are no changes to the use permit or how the site will be operated:

 - ~~(1) — The original permit's approval findings, conditions, or environmental certification are still valid.~~
 - ~~(2) — There are no violations of the permit conditions or of state licenses or permits.~~
 - ~~(3) — The applicant is qualified to apply for such a permit.~~~~
 - ~~b. — Where there are changes to the development or use permit or how the site will be operated:~~~~

- ~~(1) — Such changes do not change the findings of the original permit's approval findings, conditions, or environmental certification.~~
- ~~(2) — There are no violations of the permit conditions or of state licenses or permits.~~
- ~~(3) — The applicant is qualified to apply for such a permit.~~

(au) Type N and Type P Cannabis Manufacturing Licenses: (Ord. No. 3079, 12/11/2018)

1. A person or entity shall not engage in manufacturing of cannabis without first obtaining a Lake County minor or major use permit, a state cannabis license, and other applicable permits.
2. The Department shall notify the Bureau of Cannabis Control or its successor agency upon revocation of any local license, permit, or authorization for a permittee to engage in commercial cannabis activity within the local jurisdiction.
3. The parcel where the cannabis manufacturing facility is located shall front and have direct access to a paved State or County maintained road.
4. Records
 - i. An applicant shall keep accurate records of commercial cannabis activity.
 - ii. All records related to commercial cannabis activity as defined by the state licensing authorities shall be maintained for a minimum of seven years.
 - iii. The County may examine the books and records of an applicant and inspect the premises of a permittee when the County deems necessary to perform its duties under this division. All inspections shall be conducted during standard business hours of the permitted facility or at any other reasonable time.
 - iv. Applicants shall keep records identified by the County on the premises of the location permitted. The County may make any examination of the records of any applicant. Applicants shall also provide and deliver copies of such documents to the County upon request.
 - v. An applicant, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or

records of the applicant pursuant to this section, has engaged in a violation of this article.

- ~~5. vi.~~ If the applicant is other than a natural person (including general partnerships of more than one individual natural person), the applicant must provide documentation regarding the nature of the entity and the names of the individual natural persons who manage, own or control the entity. Applicant, Permittee, and Property Owner must submit the same information required for a state license application and described in California Code of Regulations 4 CCR §15003. Applications must also include the same information for the property owner, if Applicant is not the property owner. The most common entities are corporations, limited liability companies (LLCs), limited partnerships (LPs), or trusts. These entities can be multi-layered and/or interlocking, e.g. a corporation can be owned by another corporation. If that is the case, documents for those other related entities are needed until the individual natural persons who manage, own or control the entities can be identified.
- ~~i.~~ For Corporations: Articles of Incorporation — file stamped by the state agency where incorporated. If not a California Corporation, the registration filed to do business in California must be stamped by the CA Secretary of State. A list of the officers and directors of the corporation (this could be a single person). The agent for service of process and business office address in California. A list of the shareholders of the corporation (again, it could be a single person and the same as the officer/director). If it is a large, publicly held corporation with many shareholders, contact the Department for direction. If a non-profit mutual benefit corporation (common under pre-MMRSA practice for cannabis operations), a list of the members instead of the shareholders. A resolution of the board of directors authorizing the individual who will sign the application and other documents on behalf of the corporation to do so.
- ~~ii.~~ For Limited Liability Companies: Articles of Organization — file stamped by the state agency where formed. If not a California LLC, or the registration to do business in California file stamped by the CA Secretary of State. A list of the managing member or members of the company. The agent for service of process and business office address in California. A list of any other members of the company. The application and other documents submitted on behalf of the LLC must be signed by a managing member.
- ~~iii.~~ For Limited Partnerships: Certificate of Limited Partnership — file stamped by the state agency where filed. If not a California LP, the registration to do business in California file must be stamped by the CA Secretary of State. The identity of the General Partner or partners. The agent for service of process and business office

~~address in California. A list of the limited partners of the LP. The application and other documents submitted on behalf of the LP must be signed by a general partner.~~

~~5. For Trusts: The Declaration of Trust or Statement of Trust—The name and address of the Trustee or trustees. A list of the names beneficiaries of the trust with a vested interest in the property held by the trust (check with County Counsel for explanation and details if needed). The application and other documents submitted on behalf of the trust must be signed by a Trustee.~~

6. Background Checks: All applicants, and full-time employees, and property owner(s) shall undergo a background check by the Lake County Sheriff Department. An individual may fail the background check if employee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the sheriff determines that the applicant, full-time employee, property owner, or permittee is otherwise suitable to be issued a license-permit and granting the license-permit would not compromise public safety, the sheriff shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant, full-time employee, permittee, or property owner and shall evaluate the suitability of the applicant or permittee be issued a license-permit based on the evidence found through the review. In determining which offenses are substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, the sheriff shall include, but not be limited to, the conditions described in Section 26057 of the California Business and Professions Code.
7. Application for Background Clearance for County Permit: An applicant for cannabis distribution permit shall do all of the following:
 - i. Require that each applicant, full-time employee, and employee property owner electronically submit to the Department of Justice fingerprint images and related information required by the Department of Justice for the purpose of obtaining information as to the existence and content of a record of state or federal convictions and arrests, and information as to the existence and content of a record of state or federal convictions and arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance, pending trial or appeal.
 - ii. The Sheriff's Office shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2 of the Penal Code, for applicants.

- iii. The applicant will be responsible to pay any fee the Department of Justice charges that is set by the Department of Justice and sufficient to cover the reasonable cost of processing the requests described in this paragraph.
 - iv. Pay any fees of the Sheriff's office as established by the Board of Supervisors.
8. Qualifications for a Minor or Major Use Permit: The County may deny a minor or major use permit (Permit) or the renewal of a Permit if any of the following conditions apply:
- i. If the applicant(s) and/or property owner(s) fails the background check.
 - ii. Failure to comply with the provisions of this chapter or any rule or regulation adopted pursuant to this chapter, including but not limited to, any requirement imposed to protect natural resources, in-stream flow, water quality, and fish and wildlife.
 - iii. The applicant has failed to provide information required by the Lake County Zoning Ordinance.
9. The applicant, property owner, or permittee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the Lake County Sheriff finds that the applicant, owner, or permittee is otherwise suitable to be issued a permit, and granting the permit would not compromise public safety, the Lake County Sheriff shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant or owner, and shall evaluate the suitability of the applicant, property owner, or permittee to be issued a permit based on the evidence found through the review.
10. Property Owner's Approval: If the property where the cannabis activity is to be located is not owned by the applicant, written approval shall be obtained from the property owner(s), containing the property owner(s) notarized signature that authorizes the tenant or lessee to conduct cannabis manufacturing or processor activities of cannabis at the site. A copy of the written approval shall be maintained by the tenant or lessee and made available for review by enforcement officials upon request. Written approvals shall be renewed annually.
11. Sign Standards: In addition to the sign standards of the applicable area plan and this Chapter, the design shall comply with the following standards:

- i Cannabis, cannabis-infused products, or associated products shall not be displayed or clearly visible to a person from the exterior of the cannabis manufacturing facility.
 - ii The facility shall not display on the exterior of the facility advertisements for cannabis or any brand name and may only identify the building by the registered name.
 - iii The facility shall not utilize graphics related to cannabis or paraphernalia on the exterior of the building in which the cannabis manufacturing facility is located.
- 12. Design Standards: In addition to the design standards of the applicable area plan and this Chapter, the design shall comply with the following standards:
 - i Auxiliary structures such as trash enclosures and storage areas should be compatible with and integrated into the overall design.
 - ii Containers for the recycling of recyclable products shall be accommodated within trash storage areas.
 - iii The height and mass of buildings shall consider the visual and physical relationship to adjacent uses. A structure that dominates its environment by its relative size is strongly discouraged.
 - iv Facades with a high level of visual interest from both vehicular and pedestrian viewpoints are encouraged.
 - v Long unbroken building facades should be broken up with architectural details. Facades with varied front setbacks are encouraged to provide visual interest.
 - vi Rear and side wall elevations should provide building offsets and architectural details similar to the front facade.
 - vii Roof design shall allow solar panels to be integrated into the roof design, flush with the roof slope. Building orientation and shading design should minimize solar gain and maximize daylight harvesting.
 - viii Materials should be chosen to withstand abuse by vandals or accidental damage by machinery. False facades and other simulated materials and ornamentation are discouraged.
 - ix Storage containers or accessory structures shall be architecturally treated on all four exterior sides of the structure.

- x. Storage containers or accessory structures should employ a variety of building forms, materials, colors and other architectural treatments to add visual interest.
 - xi. The use of compatible colors in a single facade or composition is required. Compatible colors add interest and variety while reducing building scale and breaking up plain walls. Bright colors are prohibited.
 - xi. Service and, emergency generator should be enclosed within the building structure.
13. Circulation, Parking, and Loading Standards: In addition to the circulation, parking, and loading standards of the applicable area plan and this Chapter, the design shall comply with the following standards:
- i. Loading and service areas shall be concealed from public view and from adjoining properties by appropriately designed walls, fencing and landscaping and shall be located to the rear or sides of a building, away from the main building entrance, or related high visibility areas.
 - ii. Loading areas shall be designed to accommodate backing and maneuvering onsite, not from a public street, and when occupied shall not prohibit onsite vehicular circulation.
 - iii. Entrances, parking lots and pathways should be visible from streets or buildings for safety and surveillance purposes.
 - iv. A cannabis manufacture facilities shall comply with the parking standards described in Article 46 of this chapter and specifically 21-46.5 (c) 2. Manufacturing.
14. Landscape Standards: In addition to the landscape standards of the applicable area plan and this Chapter, the design shall comply with the following standards:
- i. Landscaping shall be in scale with adjacent buildings and be of an appropriate size at maturity to accomplish its intended purpose.
 - ii. Landscaping shall be used to define areas such as entrances to buildings and parking lots, provide transition between neighboring properties (buffering), and provide screening for outdoor storage, loading and equipment areas.
 - iii. Landscaping strip 5 feet wide around the entire base of the building(s) to soften the edge between the parking lot and building

- is required. The landscape strip is not required at entrances to the building or at loading or service areas building access points.
- iv. Landscaping shall maintain adequate sight lines for visual safety, visibility and efficient security.
15. Glare and Heat Standards: In addition to the glare and heat standards of the applicable area plan and this Chapter, the design shall comply with the following standards:
- i. Lighting shall be designed to provide atmosphere, safety, and security without spillover or glare onto adjacent properties and light intensity should be of satisfactory quality to ensure visibility, safety, and security.
16. Security: Prevention of access to the site by unauthorized personnel and protect the physical safety of employees. This includes, but is not limited to:
- i. Establishing physical barriers to secure perimeter access and all points of entry (such as locking primary entrances with commercial-grade, non-residential door locks, or providing fencing around the grounds, driveway, and any secondary entrances including windows, roofs, or ventilation systems);
 - ii. Installing a security alarm system to notify and record incident(s) where physical barriers have been breached;
 - iii. Establishing an identification and sign-in/sign-out procedure for authorized personnel, suppliers, and/or visitors;
 - iv. Maintaining the premises such that visibility and security monitoring of the premises is possible; and
 - v. Establishing procedures for the investigation of suspicious activities.
17. Prevent theft or loss of cannabis and cannabis products. This includes but is not limited to:
- i. Establishing an inventory system to track cannabis material and the personnel responsible for processing it throughout the manufacturing process;
 - ii. Limiting access of personnel within the premises to those areas necessary to complete job duties, and to those time-frames specifically scheduled for completion of job duties;

- iii. Supervising tasks or processes with high potential for diversion (including the loading and unloading of cannabis transportation vehicles); and
 - iv. Providing designated areas in which personnel may store and access personal items.
- 18. Identification of emergency contact(s) that is/are available 24 hours/seven (7) days a week including holidays. The plan shall include the name, phone number and facsimile number or email address of an individual working on cannabis manufacturing premises, to whom notice of problems associated with the operation of the cannabis manufacturing establishment can be provided. The cannabis manufacturing establishment shall keep this information current at all times. The applicant shall make every good faith effort to encourage neighborhood residents to call this designated person to resolve operating problems, if any, before any calls or complaints are made to the County.
- 19. The permittee shall maintain a record of all complaints and resolution of complaints and provide a tally and summary of issues the annual Performance Review Report.
- 20. A description of fences, location of access points, and how access is controlled.
- 21. Video Surveillance: At a minimum, permitted premises shall have a complete digital video surveillance system with a minimum camera resolution of 1080 pixel. The video surveillance system shall be capable of recording all pre-determined surveillance areas in any lighting conditions.
 - i. The video surveillance system shall be capable of supporting remote access by the permittee.
 - ii. To the extent reasonably possible, all video surveillance cameras shall be installed in a manner that prevents intentional obstruction, tampering with, and/or disabling.
 - iii. Areas that shall be recorded on the video surveillance system include, but are not limited to, the following: The perimeter of the cannabis manufacturing facility; Areas where cannabis or cannabis products are weighed, packed, stored, quarantined, loaded and/or unloaded for transportation, prepared, or moved within the premises; Areas where cannabis is destroyed; Limited-access areas; Security rooms; Areas containing surveillance-system storage devices, in which case, at least one camera shall record the access points to such an area; and The interior and exterior of all

entrances and exits to the cannabis manufacturing facility including all buildings where cannabis or cannabis products are weighed, packed, stored, quarantined, loaded and/or unloaded for transportation, prepared, or moved within the premises.

- iv. The surveillance system shall operate continuously 24 hours per day and at a minimum of 30 frames per second during the period of time that cannabis operations are actively taking place.
 - i. All exterior cameras shall be waterproof, I-66 minimum.
 - ii. All interior cameras shall be moisture proof.
 - vi. Cameras shall be color capable.
 - v i. Video management software shall be capable of integrating cameras with door alarms.
 - ix. Video recordings shall be digital.
 - x. Thermal technology shall be use for perimeter fencing.
 - xi. All cameras shall include motion sensors that activates the camera when motion is detected.
 - xi. In areas with inadequate lighting for the cameras being used, sufficient lighting shall be provided to illuminate the camera's field of vision.
 - x i. All recording shall be located in secure rooms or areas of the premises in an access and environment-controlled environment which is separate from the room where the computer and monitoring equipment is located.
 - xiv. All surveillance recordings shall be kept on the applicant's recording device or other approved location for a minimum of 30 days.
 - xv. All video surveillance recordings are subject to inspection by the Department and shall be copied and sent, or otherwise provided, to the Department upon request.
 - xvi. The video recordings shall display the current date and time of recorded events. Time is to be measured in accordance with the U.S. National Institute Standards and Technology standards. The displayed date and time shall not significantly obstruct the view of recorded images.
22. Fences: Loading areas including backing and maneuvering area shall be enclosed by a fence. The fence shall be a minimum of 6 feet and a

maximum of 8 feet high and shall include, at a minimum, the following: Posts set into the ground. The posts may be steel tubing, timber or concrete and may be driven into the ground or set in concrete. End, corner or gate posts, commonly referred to as "terminal posts", must be set in concrete footing or otherwise anchored to prevent leaning under the tension of a stretched fence. Posts set between the terminal posts shall be set at intervals not to exceed 10 feet. A top horizontal rail is required between all posts. The fence shall be attached to the posts and top horizontal rail.

- i. No barbed wire, razor wire or similar design shall be used.
 - ii. The vehicle access gate shall remain closed and locked at all time except when a vehicle is entering or exiting.
 - iii. A pedestrian gate may be included provided that such a gate is secured to prevent unauthorized access.
23. Operating Hours: Deliveries and pick-ups are restricted as follows: Monday through Saturday: 9:00 a.m. - 7:00 p.m. Sunday: 12:00 p.m. - 5:00 p.m.
24. Protection of Minors: No permittee shall: Sell, transfer or give cannabis or cannabis products to persons under 21 years of age. Allow any person under 21 years of age on its premises or, where a cannabis manufacturing permit is associated with a cannabis manufacturing site, within cannabis manufacturing building or the fenced area around a processor facility. Employ or retain persons under 21 years of age.
25. No cannabis manufacturing shall be located within 1,000 feet of the following that is in existence at the time the permit is issued: Any public or private school, grades K through 12; a developed public park containing playground equipment; a drug or alcohol rehabilitation facility; or a licensed child care or daycare facility or nursery school, church or youth-oriented facility catering to or providing services primarily intended for minors.
- i. The distance specified in this section shall be the horizontal distance measured in a straight line from the parcel where the manufacturing facility is located to the parcel where a public or private school, grades K through 12; a developed public park containing playground equipment; a drug or alcohol rehabilitation facility; or a licensed child care or daycare facility or nursery school, church or youth-oriented facility catering to or providing services primarily intended for minor is located.

26. Permitting Process: The applicant shall schedule and pay the fee for a pre-application conference with the Department prior to the submittal of an application for a use permit. Questions regarding a specific application will only be addressed at a pre-application conference. No later than two weeks prior to the pre-application conference, the applicant shall provide the department:
 - i. A map showing the lot of record showing where the cannabis manufacturing site is located and the Assessor's Parcel Number (APN) for the lot of record.
 - ii. A diagram of the proposed cannabis manufacturing facility and the site where it is located including existing access, parking, and existing structures, if any.
 - iii. Questions the applicant may have regarding the application form or process.
 - iv. A statement as to which State license the applicant intends to submit an application.
27. At the pre-application conference the Department will provide:
 - i. A determination of the legal lot of record status or request additional information to make such determination. The lot of record where the cannabis manufacturing site is located is required to be a legal lot of record.
 - ii. A determination of current compliance of the site with the Lake County Code. Compliance with the Lake County Code is required to submit a minor or major use permit application.
 - iii. A response to the questions submitted with the pre-application conference application.
 - iv. An outline of the information required for the minor or major use permit application.
28. Permit application supplemental information: The minor or major use permit use permit application, in addition to the requirements of Article 55, shall include the following additional information:
 - i. The legal business name of the applicant entity;
 - ii. A list of all the types, including the license numbers of valid licenses, from the department and other cannabis licensing authorities that the applicant already holds or has applied for;
 - iii. The physical address of the premises;

- iv. The mailing address of the applicant;
- v. A designated responsible party, who shall also be an owner, with legal authority to bind the applicant entity, and the primary contact for the application. The following information shall be provided for the designated responsible party: full legal name, title, mailing address, primary contact phone number, email address, and a copy of the owner's government-issued identification. Acceptable forms of identification are a document issued by a federal, state, county, or municipal government, including, but not limited to, a driver's license or passport, that contains the name, date of birth, physical description, and picture of the individual;
- vi. An individual or entity serving as agent for service of process for the applicant. If applicable. The following information shall be provided for the agent for service of process: full legal name, mailing address, primary contact phone number, and email address;
- vi. A complete list of every owner of the applicant entity. Each individual owner shall submit the same information required for a state license application and described in California Code of Regulations 4 CCR §15003. Applications must also include the same information for the property owner, if applicant is not the property owner, following information: Full legal name; Title within the applicant entity; Home address; Primary phone number; Email address; Date ownership interest in the applicant entity was acquired; Percentage of the ownership interest held in the applicant entity by the owner; A list of all the valid licenses, including license type(s) and license number(s), from the department and other cannabis licensing authorities that the owner is listed as either an owner or financial interest holder;
- v i. A copy of their government-issued identification. Acceptable forms of identification are a document issued by a federal, state, county, or municipal government that includes the name, date of birth, physical description, and picture of the person, such as a driver's license or passport;
- ix. For applicants that are a cannabis cooperative as defined by Division 10, Chapter 22 (commencing with section 26220) of the Business and Professions Code, identification of all members;
- x. Evidence that the applicant entity has the legal right to occupy and use the proposed location;
- xi. Project description: The project description shall provide adequate information to evaluate the impacts of the proposed project and

consists of three parts: a site plan, a written description section, and a property management section;

- xi. Written Description: A written section which shall support the graphic representations and shall, at a minimum, include: A project description; The present zoning; A list and description of all uses shown on the site plan; A development schedule indicating the approximate date when construction of the project can be expected to begin and be completed for each phase of the project; including the permit phase; A statement of the applicant's proposal for solid waste disposal. Quantitative data for the development including but not limited to: Gross and net acreage; the approximate dimensions and location of structures for each district or area; employee statistics; support services required; traffic generation data based on anticipated uses; parking and loading requirements; and outdoor storage requirements based on anticipated uses;
 - x i. An Operations Manual describing the operating procedures of the cannabis testing laboratory site to ensure compliance with the use permit, protect the public health, safety and welfare, as well as the natural environment of Lake County. This sub-section shall include: Authorization for the County, its agents, and employees, to seek verification of the information contained within minor use permit applications, the Operations Manual, and the Operating Standards at any time before or after use permits are issued; A description of the staff screening processes; The hours and days of the week when the facility will be open; Description of measures taken to minimize or offset the carbon footprint from operational activities; and Description of chemicals stored, used and any effluent discharged as a result of operational activities. Any other information as may be requested by the Director and/or by the Planning Commission.
29. ~~Reserved. Duration of Permits: not to exceed ten (10) years.~~
30. Weights and Measures: All permittees shall comply with the State of California Weights and Measures requirements found in the California Food and Agriculture Code, California Code of Regulations, and the California Business and Professions Code.
31. Prohibited Activities:
- i Odor: Cannabis related permits shall not propagate objectionable odors which cause injury, detriment, nuisance, or annoyance to any

considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public.

- ii. Electrical Generators: Manufactures shall not rely on a personal gasoline, diesel, propane, or similar fuels, powered generator as a primary source of power and shall only allow properly permitted (when applicable) generators for temporary use in the event of a power outage or emergency that is beyond the permittee's control.
 - iii. Lights: Security lighting shall be motion activated and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.
32. Compliance monitoring: A compliance monitoring inspection of the cannabis manufacturing facility shall be conducted at least annually. The permittee shall pay a compliance monitoring fee established by resolution of the Board of Supervisors prior to the inspection. If there are no violations of the County permit or state license during the first five years, the inspection frequency may be reduced by the Director to not less than once every five-two years.
33. Annual Reports: Performance Review
- i. All cannabis permittees shall submit a "Performance Review Report" on an annual basis no later than June 1st of each calendar year from their initial date of operation for review by the Community Development Department, and approval by the Planning Commission. The Planning Commission may delegate review of the annual Performance Review Report to the Director at the time of the initial hearing or at any time thereafter. This annual "Performance Review Report" is intended to identify the effectiveness of the approved minor use permit, Property Management Plan, and conditions of approval, as well as the identification and implementation of additional procedures as deemed necessary. In the event the Planning Commission identifies problems with specific Performance Review Report that could potentially lead to revocation of the associated minor use permit, the Planning Commission may require the submittal of more frequent "Performance Review Reports."
 - ii. Pursuant to sub-section 6. i. above, the premises shall be inspected by the Department on an annual basis, or less frequently if approved by the Director. A copy of the results from this

inspection shall be given to the permittee ~~for inclusion in their “Performance Review Report” to the Department and be made available to the public.~~

- iii. Compliance monitoring fees pursuant to the County’s adopted master fee schedule shall be paid by permittee and accompany the “Performance Review Report” for costs associated the review of the report by County staff.
- iv. Non-compliance by permittee in allowing the inspection by the Department, or refusal to pay the required fees, or noncompliance in submitting the annual “Performance Review Report” for review by the ~~Planning Commission~~Community Development Department shall be deemed grounds for a revocation of the development permit or use permit and subject the holder of the permit(s) to the penalties outlined in this Code.

~~34. — Reserved. Renewals: The following is required for permit renewal:~~

- ~~i. — An application for renewal shall be submitted to the Department at least 180 days prior to the expiration date of the permit. Failure to submit an application for renewal by that date may result in the expiration of the permit.~~
- ~~ii. — Applications: Applicants shall complete an application form as prescribed by the Director and pay all fees as established by resolution by the Board of Supervisors.~~
- ~~iii. — The following documentation in electronic format is required for application for renewal: A copy of all licenses, permits, and conditions of such licenses or permits related to the project from state agencies as appropriate. A copy of all reports provided the County and State agencies as determined by the Director. A list of all employees on the premise during the past year and a copy of the background checks certification for each. Documentation that the applicant is still qualified to be an applicant. Any proposed changes to the use permit or how the site will be operated. Payment of all fees as established by resolution by the Board of Supervisors.~~
- ~~iv. — The permit may be renewed if: Where there are no changes to the use permit or how the site will be operated: The original permit’s approval findings, conditions, or environmental certification are still valid. There are no violations of the permit conditions or of state licenses or permits. The applicant is qualified to apply for such a permit.~~

~~v34. Where there are changes to the development or use permit or how the site will be operated. Such changes do not change the findings of the original permit's approval findings, conditions, or environmental certification. There are no violations of the permit conditions or of state licenses or permits. The applicant is qualified to apply for such a permit.~~

(av) Type 6 Non-Volatile Cannabis Manufacturing License: (Ord. No. 3079, 12/11/2018)

1. Shall meet all the Conditions of Section 27.3 (au).
2. The facility shall maintain a thirty (30) foot setback from all property lines.
3. The parcel where the cannabis manufacturing facility is located shall front and have direct access to a paved State or County maintained road.
4. The cannabis manufacturing shall be conducted in accordance with state and local laws related to hazardous material disposal, land conversion, grading, electricity usage, water usage, and wastewater discharges. The manufacturing operation and facility shall be approved by the Lake County Building official and by the Chief of the Fire District where the manufacturing facility is located.
5. All manufacturing of cannabis products shall occur in an enclosed locked structure.
6. Cannabis manufacturing activities shall only occur in the areas depicted on the floor plan submitted by the applicant and shall not exceed the square footage authorized pursuant to the minor or major use permit.
7. If hazardous materials, flammable gas, flammable liquefied gas, flammable and combustible liquids, or other flammable material, as those terms are defined in the 2016 California Fire Code (CFC) Section 202, are to be used in the processing of cannabis, then the provisions of CFC shall be applicable where hazardous materials subject to permits under CFC Chapter 50 (Hazardous Materials) are located on the premises or where required by the local fire district official or County Building official.
8. Storage, use and handling of compressed gases in compressed gas containers, cylinders, tanks, and systems, compressed gases classified as hazardous materials, and the prevention, control and mitigation of dangerous conditions related to storage, use, dispensing, mixing and handling of flammable and combustible liquids shall comply with California Fire Code and California Building Code. Partially full

compressed gas containers, cylinders or tanks containing residual gases shall be considered as full for the purposes of the controls required.

9. Cannabis Non-Volatile manufacturing sites are considered a Group F- 1 (Factory Industrial Moderate-Hazard) Occupancy under the California Building and Fire Codes. All new construction is required to be fire sprinkled per the California Building and Fire Codes. For cannabis manufacturing sites that will be sited in an existing structure, an automatic sprinkler system shall be provided throughout all buildings containing a Group F- 1 occupancy where one of the following conditions exists:
 - i. A Group F- 1 fire area exceeds twelve thousand square feet.
 - ii. A Group F- 1 fire area is located more than three stories above grade plane.
 - iii. The combined area of all Group F- 1 fire areas on all floors, including any mezzanines, exceeds twenty- four thousand square feet.
10. All facilities using Carbon Dioxide for manufacturing purposes shall comply with the same standards as required for Type 7 Plant Extraction License.
11. In the “APZ,” “A,” “TPZ,” “RL,” and “RR” zoning districts Type 6 licenses are an accessory use to an active commercial cultivation site with a valid minor or major use cannabis cultivation permit. The cannabis manufacturing activities are limited to the compounding, blending, extraction, infusion or otherwise making or preparing a cannabis product from the cannabis cultivation under that cannabis cultivation use permit. The cannabis manufacturing shall occur on the same parcel where the cannabis cultivation is permitted. **(Ord. No. 3084, 05/21/2019)**

(aw) Type 7 Volatile Cannabis Manufacturing License: (Ord. No. 3079, 12/11/2018)

1. Shall meet all the Conditions of Section 27.3 (au).
2. The facility shall maintain a fifty (50) foot setback from all property lines and a 150 foot setback from all off-site residences.
3. Manufacturing shall enact sufficient methods or procedures to capture or otherwise limit risk of explosion, combustion, or any other unreasonably dangerous risk to public safety created by volatile solvents.
4. Manufacturing shall comply with the Department of Public Health minimum standards concerning such methods and procedures.

5. The extraction operation shall be approved by the Lake County Building official.
6. The extraction operation shall be approved by the Chief of the Fire District where the manufacturing facility is located.
7. Manufacturing and extraction shall comply with Chapter 38 of the California Fire Code and the following:
 - i. *Extraction Room:* For other than CO2 and nonhazardous extraction processes, the cannabis extraction equipment and process shall be located in a room of fire-rated or noncombustible construction dedicated to the extraction process and the room shall not be used for any other purpose.
 - ii. *Means of Egress:* For extraction rooms using hazardous materials, each room shall be provided with at least one exit door complying with the following: The door shall swing in the direction of egress travel, the door shall be provided with a self-closing or automatic closing device and the door shall be equipped with panic or fire exit hardware.
 - iii. *Staffing:* For other than approved, unattended processes, the extraction process shall be continuously staffed. Staff monitoring the extraction process shall be trained in the following:
 - aa) The extraction process
 - bb) The transfer of solvents, where applicable
 - cc) All emergency proceduresAll staff training records shall be maintained on-site and made available to the Community Development Department or local Fire Department upon request.
 - iv. *Operator Training:* The operator of the cannabis extraction equipment shall also receive training in the safe operation of the equipment. Documentation of required training shall be maintained on-site and made available to the Community Development Department or local Fire Department upon request.
 - v. *Signage:* All applicable Material Safety Data Sheets (MSDS) shall be posted in the extraction room. Applicable hazard warning signage shall be posted throughout the facility as applicable for emergency equipment.
 - vi. *Equipment:* Where an explosion conditions exists, heating equipment such as vacuum ovens, heating mantels, heat guns or

other such equipment shall not be used to heat flammable or combustible liquids or oils containing liquefied petroleum gasses. Refrigerators, freezers, and other cooling equipment used to store or cool flammable liquids shall be listed for the storage of flammable/combustible liquids or be listed for Class 1, Division 1 locations as described in Article 501 of the California Electrical Code.

vii. *Change of Extraction Medium:* Where the medium of extraction or solvent is changed from the material in the required technical report or as required by the manufacturer, the technical report shall be revised at the cost of the facility operator/owner and submitted for review and approval to the Building and Fire officials prior to the use of the equipment with the new medium or solvent.

viii. *Liquefied Petroleum Gas (LPG) Extraction:* LPG tanks shall comply with NFPA 58:

aa) *Exhaust:* An approved exhaust system shall be provided for LPG extraction. The exhaust systems shall be installed and maintained in accordance with the California Mechanical Code. All LPG extraction operations, including processes for off-gassing spent plant material and oil retrieval, shall be conducted within a chemical fume hood or enclosure in compliance with the California Mechanical Code.

bb) *Electrical:* All conductive equipment and conductive objects within the exhaust room shall be bonded and grounded with a resistance of less than 1.0×10^6 ohms in accordance with the California Electrical Code. The area within the hood or enclosure used for LPG extractions shall be classified as a Class 1, Division 1 hazardous location in accordance with the California Electrical Code. All electrical components within the extraction room shall be interlocked with the hazardous exhaust system such that the room lighting and other extraction room electrical equipment will only operate when the exhaust system is in operation. An automatic emergency power system shall be provided for the following items, when installed:

1. Extraction room lighting
2. Extraction room ventilation system
3. Solvent gas detection system

- cc) *Extraction Room Gas Detection System:* An approved continuous gas detection system shall be provided. The gas detection system shall alert the extraction operator in an approved manner at a gas detection threshold no greater than 25 percent of the gas LEI/LFL. Gas detection systems shall be provided with constant non-interlocked power.
- dd) *Storage:* LPG containers not in use shall not be stored within extraction rooms.
- ee) *Facility Piping Systems:* LPG liquid piping systems shall be in compliance with NFPA 58.

ix. *Flammable and Combustible Liquid Extraction*

- aa) *Exhaust:*
 1. Extraction and post oil processing operations, including dispensing of flammable liquids between containers, shall be performed in one of the following locations:
 2. A chemical fume hood in accordance with Chapter 7 of NFPA 45 (Standard on Fire Protection for Laboratories using Chemicals)
 3. An approved exhaust system installed in accordance with the California Mechanical Code

Unheated processes at atmospheric pressure using less than 16 oz of flammable liquids shall not be required to comply with this section (Exhaust).

- bb) Classified electrical systems shall be in accordance with the California Electrical Code.

All electrical components within the chemical fume hood or exhausted enclosure shall be interlocked such that the exhaust system must be in operation for lighting and components to be used.

- cc) *Storage and Handling:* The storage use and handling of flammable liquids shall be in compliance with this ordinance and Chapter 57 of the California Fire Code.
- dd) Heating of flammable or combustible liquids over an open flame shall be prohibited.

x. *Carbon Dioxide Extraction:*

- aa) *Storage and Handling*: Location of CO₂ gas storage container, cylinders and tanks inside or outside the building, shall be at an approved location. All CO₂ compressed gas cylinders shall be secured to a fixed object to prevent falling.
- bb) *Piping systems*: Piping, tubing and hose materials shall be compatible with carbon dioxide and rated for the temperatures and pressures encountered in the system. PVC/ABS and other types of rigid plastic piping are not approved materials. Acceptable piping for CO₂ shall be the following:
1. Stainless steel A269 grade, which is either seamless or welded drawn over mandrel
 2. Copper K grade, hard drawn seamless
 3. Copper ACR grade (1/2" OD or less) annealed seamless
 4. Plastic/polymer materials rated for use with CO₂
 5. Additional approved piping, tubing and hoses approved by the California Plumbing Code or Compressed Gas Association (CGA)
- cc) *Fittings, joints and connection*: Fittings and joints supply piping or tubing between the CO₂ supply source and the automatic system shutoff shall be threaded, compression or welded. Unused piping or tubing connected to the supply system shall be capped or plugged. A closed valve will not be allowed in lieu of a cap or plug.
- dd) *Valves*: Pressure relief valves shall be provided and piped to the outdoors. An automatic system shutoff valve shall be provided as near to the supply pressure regulator as possible and shall be designed to fail to a closed condition or close on loss of electrical power. Each appliance shall be provided with a shutoff valve within 3 feet of the appliance. All shutoff valves shall be capable of being locked or tagged in the closed position for servicing. Valves and controls shall be readily accessible at all times. Normal and emergency system shutoff valves shall be clearly identified. All valves shall be designed or marked to clearly indicate

whether it is open or closed. Venting of gases shall be directed to an approved location outside the building.

ee) *CO2 Gas Detection*: An approved, listed, permanently marked CO2 detector shall be installed in the CO2 extraction room. Detector shall installed at a height of 48” or less above the floor. Auto calibrating and self-zeroing devices or detectors shall be prohibited. The detector shall be set to alarm at 5000ppm of CO2. Activation of the emergency alarm system shall initiate amber strobes and audible horns. Warning signs will be required in each storage area room and extraction room as follows:

1. Storage area/room **“DO NOT ENTER WHEN LIGHT IS FLASHING- CARBON DIOXIDE LEAK DETECTED”**
2. Extraction room: **“FLASHING LIGHT MEANS CARBON DIOXIDE LEAK DETECTED- EVACUATE ROOM”**

ff) Warning signs shall be posted at entrance doors to extraction room(s) and storage areas the read “DANGER- Potential Oxygen Deficient Atmosphere.” Warning signs shall be in both English and Spanish.

(ax) Type 11 Cannabis Distributor License: (Ord. No. 3079, 12/11/2018)

1. Shall meet all the Conditions of Section 27.3 (au).
2. Uses Permitted:
 - i. The procurement, sale, and transport of cannabis and cannabis goods between licensees.
 - ii. Cannabis goods storage-only services to a licensed cultivator, manufacturer, microbusiness, nonprofit, or another cannabis distributor.
 - iii. The storage of cannabis batches on their premises during testing.
 - iv. Packaging, re-packaging, labeling, and re-labeling cannabis goods for retail sale.
 - v. Transporting cannabis or cannabis goods between licensees.
 - vi. Accessory uses related to the procurement, sale, transport, storage, labeling, and packaging of cannabis and cannabis products between licensees.

vii. Accessory uses related to the procurement, sale, and transport of cannabis and cannabis goods between licensees.

3. Use Standards:

- i. The parcel where the cannabis distribution facility is located shall front and have direct access to a paved State or County maintained road.
- ii. All non-transport related distribution activities shall occur within a locked structure.

(ay) Type 13 Cannabis Distributer Transport Only License: (Ord. No. 3079, 12/11/2018)

1. Shall meet all the Conditions of Section 27.3 (au).

2. Uses Permitted:

- i. The transport of cannabis goods between licensees.
- ii. Accessory uses related to the transport of cannabis goods between licensees.

3. Use Standards:

- i. The parcel where the cannabis distribution facility is located shall front and have direct access to a paved State or County maintained road.
- ii. All non-transport related distribution activities shall occur within a locked structure.

(az) Type 13 Cannabis Distributer Transport Only, Self-distribution Licenses: (Ord. No. 3079, 12/11/2018)

1. Shall meet all the Conditions of Section 27.3 (au), except for Condition 3.

2. In the “APZ”, “A”, “TPZ”, “RL”, “RR”, “SR” and “PDC” zoning districts the Type 13 Distributer Transport Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid minor or major use permit.

3. The parcel where the distributor transport only, self-distribution is located shall front and have direct access to a State or County maintained road or an access easement to such a road.

4. The permittee shall not transport any cannabis product that was not cultivated or manufactured by the permittee.

5. All non-transport related distribution activities shall occur within a locked structure.

(aaa) Cannabis Processor License: (Ord. No. 3079, 12/11/2018)

1. Shall meet all the Conditions of Section 27.3 (au).
2. The facility shall maintain a seventy-five (75) foot setback from all property lines and a 150 foot setback from all off-site residences.
3. Uses Permitted:
 - i. Processing (trimming, drying, curing, grading, packaging, or labeling) of cannabis
 - ii. Packaging and labeling cannabis products
 - iii. Composting cannabis waste
 - iv. Cannabis waste management
 - v. Storage of harvested cannabis
 - vi. Accessory uses relate to the processing, packaging, labeling, composting, or storage of cannabis.
4. Processor Development Standards:
 - i. The parcel where the processor activity is located shall front and have direct access to a paved State or County maintained road.
 - ii. All processor activities shall occur within an enclosed building.
 - iii. All aggregation of product shall adhere to track-and-trace requirements of the California Code of Regulations.
 - iv. Permittee may produce non-manufactured cannabis products without a cannabis manufacturing license, provided compliance with packaging and labeling requirements California Code of Regulations.
 - v. The growing of cannabis plants is prohibited at a licensed processor premises.
 - vi. The building where the processor activities are conducted shall be equipped with filtrations systems that prevents the movement of odors, pesticides, and other air borne contaminates out of or into the structure.
5. Additional security measures shall be taken at all Processor State licenses sites:
 - i. The processor facility including all employee parking, internal circulation, loading areas, and similar facilities shall have a perimeter fence around the entire facility.

- ii. The fence shall be a minimum of 6 feet and a maximum of 8 feet high and shall include, at a minimum, the following:
- iii. Posts set into the ground. The posts may be steel tubing, timber or concrete and may be driven into the ground or set in concrete.
- iv. End, corner or gate posts, commonly referred to as "terminal posts", must be set in concrete footing or otherwise anchored to prevent leaning under the tension of a stretched fence.
- v. Posts set between the terminal posts shall be set at intervals not to exceed 10 feet. A top horizontal rail is required between all posts.
- vi. The fence shall be attached to the posts and top horizontal rail.
- vii. No barbed wire, razor wire or similar design shall be used.
- viii. The vehicle access gate shall remain closed and locked at all time except when a vehicle is entering or exiting.
- ix. A pedestrian gate may be included provided that such a gate is secured to prevent unauthorized access.

6. Project description: For a Cannabis Processor License:

- i. Locate designated processing area(s);
- ii. Locate designated packaging area(s), if the licensee will package and label products on site;
- iii. Locate designated composting area(s) if the licensee will compost cannabis waste on site;
- iv. Locate designated secured area(s) for cannabis waste if different than subsection (c) above;
- v. Locate designated area(s) for harvested cannabis storage; and
- vi. Location of office and other accessory use areas.

(aab) Type 8 Cannabis Testing Laboratory: (Ord. No. 3079, 12/11/2018)

- 1. Shall meet all the Conditions of Section 27.3 (au).
- 2. Uses Permitted:
 - i. Testing of cannabis and cannabis products. Cannabis testing laboratory licensees shall have their facilities or devices licensed according to regulations set forth by the Department of Public Health.

- ii. Businesses and research institutions engaged in the research of cannabis, cannabis products, or devices used for the medicinal use of cannabis products at which no commercial cannabis cultivation, distribution, manufacture, dispensing, or sale of medicinal cannabis.
 - ii. Business offices related to cannabis at which no cultivation, processing, storage, handling, or distribution of cannabis in any form occurs.
 - iv. Accessory uses related to the testing of cannabis and cannabis products.
- 3. Accreditation
 - i. Cannabis testing laboratory facilities shall adopt standard operating procedures using methods consistent with general requirements for the competence of testing and calibration activities, including sampling, using standard methods established by the International Organization for Standardization that are approved by an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement or comparable registration/certification acceptable to the County that is recognized by the State.
 - ii. The testing laboratory shall notify the Department within one business day after the receipt of notice of any kind that its accreditation has been denied, suspended, or revoked.
- 4. Use Standards:
 - i. All testing of cannabis products shall occur in an enclosed locked structure.
 - ii. The parcel where the cannabis testing laboratory facility is located shall front and have direct access to a paved State or County maintained road.
 - ii. Cannabis testing activities shall only occur in the areas depicted on the floor plan submitted by the applicant and shall not exceed the square footage authorized pursuant to the minor use permit.
 - iv. If hazardous materials, flammable gas, flammable liquefied gas, flammable and combustible liquids, or other flammable material, as those terms are defined in CFC Section 202, are to be used in the processing of cannabis, then the provisions of CFC Section 407 shall be applicable where hazardous materials subject to permits

under CFC Section 50 (Hazardous Materials) are located on the premises or where required by the appropriate fire district official.

- v. Storage, use and handling of compressed gases in compressed gas containers, cylinders, tanks, and systems, compressed gases classified as hazardous materials, and the prevention, control and mitigation of dangerous conditions related to storage, use, dispensing, mixing and handling of flammable and combustible liquids shall comply with California Fire Code and California Building Code. Partially full compressed gas containers, cylinders or tanks containing residual gases shall be considered as full for the purposes of the controls required.

(aac) Microbusiness: (Ord. No. 3084, 05/21/2019, Ord.No.3092, 5/12/20)

- 1. May act in part or whole as a Distributor, Type 6 Non- Volatile Cannabis Manufacturer, retailer, and cultivator, on an area less than 10,000 square feet. An applicant for a microbusiness must have a Type 1 and or 2 Commercial Cannabis Cultivation License and at least two (2) or more of the following Licenses:
 - i Type 13 Cannabis Distributor Transport Only, Self-Distribution License
 - ii Type 6 Non-Volatile Cannabis Manufacturing License
 - iii Type 10 and 10A Dispensary License
 - a. Type 10 and 10A Dispensary Licenses are not allowed as part of a microbusiness unless it is applied for in coordination with a resort application and only accessible by its guests, not the general public.

(aad) Agricultural Employee Housing: (Ord. No. 3158, 2/3/2026).

- 1. Housing consisting of six (6) to twelve (12) dwelling units, or up to thirty-six (36) beds, designed for and occupied by agricultural employees and their families, provided as an accessory use to an agricultural operation. Such housing may include common facilities for living, cooking, and sanitation, and is intended for year-round or seasonal occupancy:
 - (a) Purpose. To provide safe, adequate, and well-maintained housing for agricultural employees and their families, as an accessory use to agricultural operations, in zones where agriculture is a permitted use.
 - (b) Scale and Occupancy. Agricultural employee housing shall consist of six (6) to twelve (12) dwelling units, or up to thirty-six (36) beds, whichever is greater, and shall be occupied by agricultural employees and their families employed principally on the

agricultural land on which the housing is located.

- (c) Accessory Use. The housing shall be clearly incidental and accessory to the primary agricultural use of the property.
- (d) Development Standards. Agricultural employee housing and any accessory structures shall comply with the development standards of the base zoning district, including lot size, setbacks, and height limits, and the performance standards of Article 41.
- (e) Parking Requirements. Onsite parking shall be provided at a ratio of one (1) parking space for every two (2) beds, with a minimum of six (6) spaces for the overall facility.
- (f) Notice of Farming Practices. Where agricultural employee housing is to be located on property within this district, prior to issuance of a zoning clearance, the owner(s) of the property shall be required to sign a statement of acknowledgment of the notice of farming practices as set forth in Section 4.18.
- (g) Compliance with State Regulations. Agricultural employee housing shall comply with all applicable state laws and regulations governing such housing, including but not limited to those pertaining to health, safety, and habitability. **(Ord. No. 3158, 2/3/2026)**