

1 **BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**
2 **ORDINANCE NO. _____**
3 **AN ORDINANCE AMENDING ARTICLE 72 OF CHAPTER 21 OF THE LAKE**
4 **COUNTY CODE TO ALLOW THE OUTDOOR CULTIVATION OF MEDICAL**
5 **CANNABIS IN “RL” RURAL LANDS AND TO CREATE A CERTIFICATION OF**
6 **COMPLIANCE PROCESS FOR CANNABIS CULTIVATION**

7 **THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE, STATE OF**
8 **CALIFORNIA, ORDAINS AS FOLLOWS:**

9 **Section 1:** The following specified sections of Article I of Chapter 5 of the Lake County
10 Code are each hereby amended to read as follows:

11 **72.4 Definitions:**

12 (a) Cultivation: The germinating, cloning, seed production, planting, growing, and harvesting of
13 cannabis plants and the on-site drying, curing, grading, or trimming cannabis plants.

14 (m) Premises: A legal parcel compliant with the Subdivision Map Act, or leasehold interest in
15 agricultural land for agricultural purposes of outdoor, mixed-light, or indoor cultivation or
16 processing of cannabis, or leased or owned space in an industrial or commercial building for
17 purposes of indoor cultivation, processing, manufacture or distribution of cannabis.

18 (p) Cultivation site: The sum of the area(s) of cannabis cultivation as measured around the
19 perimeter of each discrete area of cannabis cultivation on a single premises, as defined herein.

20 Sec. 72-5 (l) Outdoor cultivation by medical cannabis collectives, comprised of members who
21 are all residents of Lake County, shall not exceed 48 mature plants or 72 immature plants,
22 provided that the cultivation is conducted on a parcel that is a minimum of 20 acres and located
23 within the “A”, Agriculture and “RL”, Rural Lands zoning districts .

24 Sec 72-5 (k)

1 1. The qualifying patient or primary caregiver engaged in the cultivation or the legal
2 representative of a medical cannabis cooperative may certify that they are in compliance
3 with the requirements of this article in the following manner:
4

5 a. Complete a self-certification application at the Lake County Community
6 Development Department and pay an application fee. For the purpose of County's
7 master fee schedule the certification application for a qualified patient or primary
8 caregiver with no more than 6 mature or 12 immature plants shall be considered a
9 zoning permit application and an application by a medical cannabis cooperative
10 shall be considered a major use permit application.
11

12 b. As part of the application process, the applicant agrees to an annual compliance
13 monitoring, to pay the fees for the annual compliance monitoring, gives
14 permission for the county staff to enter the property, and will provide all
15 documentation required for the compliance monitoring.
16

17 c. The application shall include a plot plan prepared by a licensed surveyor of the
18 boundaries of the cultivation area. The plot plan shall include the size of the
19 cultivation area in square feet.
20
21

22 2. For certification applicants engaging in the cultivation of medical cannabis prior to
23 January 1, 2016 and upon confirmation in the compliance monitoring, a Certificate of
24 Recognition of Compliance and Good Standing will be issued. Such a certificate will be
25 good for one year and may be renewed upon confirmation of the certification through a
26 compliance monitoring.
27

28 3. For certification applicants engaging in the cultivation of medical cannabis after January
1, 2016 and upon confirmation in the compliance monitoring, a Conditional Certificate of

1 Recognition of Compliance will be issued. Such a certificate will be good for one year
2 and may be renewed upon confirmation of the certification through a compliance
3 monitoring.
4

- 5 4. If the compliance monitoring results in a finding that the applicant is not in compliance
6 with the requirements of this article, the applicant will be notified of the non-compliance
7 issues and what actions are need to be taken for compliance. An applicant has 30 days to
8 request an additional compliance monitoring inspection to determine if the certification is
9 in compliance. If the applicant fails to request the additional compliance monitoring, the
10 County may initiate enforcement proceeding pursuant to section 72-10. An applicant may
11 request additional time to request the additional compliance monitoring and the
12 Community Development Director may allow a one-time request up to 30 days.
13 Additional requests for a period of time greater than 30 days may be considered by the
14 Planning Commission.
15
16

- 17 5. An applicant may appeal the findings of the compliance monitoring to the Planning
18 Commission.
19

20 **Section Two:** All ordinances or resolutions in conflict herewith are hereby repealed to the
21 extent of such conflict and no further.
22

23 **Section Three:** This project is exempt from CEQA requirements in that it can be seen with
24 certainty that there is no possibility that the activity in question will have a significant effect
25 upon the environment.
26

27 **Section Four:** This ordinance shall take effect on the ____ day of _____, 2017 and
28 within fifteen (15) days after adoption of the ordinance, the Clerk to the Board of Supervisors
shall publish a summary of the ordinance with the names of those supervisors voting for and
against the ordinance and the clerk shall post in the office of the Clerk to the Board of

Supervisors a certified copy of the full text of the adopted ordinance along with the names of those supervisors voting for and against the ordinance.

The Foregoing ordinance was introduced before the Board of Supervisors on the ____ day of _____, 2017, and passed by the following vote on the ____ day of _____ 2017.

AYES:

NOES:

ABSENT OR NOT VOTING:

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

Chair, Board of Supervisors

By: _____

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APPROVED AS TO FORM:

ANITA L. GRANT
County Counsel

By: _____