

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. 2020-178

RESOLUTION OF INTENTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE TO INITIATE AMENDMENTS TO THE ZONING ORDINANCE TO ESTABLISH REGULATIONS AND DEVELOP STANDARDS FOR THE CULTIVATION OF CANNABIS AMENDING ARTICLE 15 OF THE LAKE COUNTY CODE PERTAINING TO THE PLANNED DEVELOPMENT COMMERCIAL OR “PDC” DISTRICT

WHEREAS, the proposed amendments are consistent with the provisions of the Lake County General Plan and Zoning Ordinance.

WHEREAS, the proposed amendments are necessary to protect the health and safety and welfare of the County.

WHEREAS, the proposed amendments will advance the goals of the County by supporting local and emerging businesses in the county.

WHEREAS, the proposed amendments will not result in any significant adverse environmental impacts, and the proposed amendments are exempt from CEQA.

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

Section 1. Subsection 15.5.1 of Section 21-15 of Article 15 of the Lake County Code is hereby amended, and shall read as follows:

Uses permitted: Notwithstanding Section 15.4, the following uses are permitted in any “PDC” district provided that such uses are not inconsistent with an approved general or specific plan of development:

- (a) Crop and tree farming.
- (b) Agricultural and residential accessory uses and accessory structures.
- (c) Those uses permitted in the “PDC” district with a zoning permit in Table A, Article 27.
- (d) Those uses permitted in the “PDC” district with a Major Use Permit or Minor Use Permit in Table B, Article 27. For Commercial Cannabis Uses, up to eight acres of License Type 1A/1B, 2A/2B, 3A/3B, and/or 4 are permitted on parcels with a minimum lot size of 20 acres.

Section 2. CEQA. The Board of Supervisors independently finds and determines that this action is exempt from CEQA pursuant to Business and Professions Code section 26055(h) for the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity where the discretionary review in any such law, ordinance, rule, or regulation includes any applicable environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code; and, under Section 15061(b)(3) of the CEQA Guidelines, as an activity that is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The general exemption applies in this instance because it can be seen with certainty that there is no possibility that the proposed amendments could have a significant effect on the environment, and thus are not subject to CEQA. Thus, it can be seen with certainty that the proposed project would not have a significant effect on the environment.

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 4. Effective Date. This ordinance shall take effect on the ____ day of _____, 2020 and 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 _____, 2020, and passed by the following vote on the 8th day of December 2020.

AYES: Supervisors Crandell, Scott, Brown, and Sabatier

NOES: None

ABSENT OR NOT VOTING: Supervisor Simon

SO ORDERED:

COUNTY OF LAKE



Bruno Sabatier (Dec 17, 2020 16:56 PST)

Chair, Board of Supervisors

ATTEST:

CAROL J. HUCHINGSON


Clerk of the Board

By: 
Johanna Peelen (Dec 17, 2020 16:32 PST)

APPROVED AS TO FORM:

ANITA L. GRANT

County Counsel

By: 
Anita L. Grant (Dec 17, 2020 16:53 PST)

APPROVED AS TO FORM:

By: _____

Community Development Department









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Final Audit Report

2020-12-18

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