

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

**RESOLUTION NO. 2020-184**

**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 CHAPTER 21, ARTICLES 27 OF THE LAKE COUNTY CODE PERTAINING TO COMMERCIAL CANNABIS CULTIVATION IN PROXIMITY TO LAKE COUNTY IMPORTANT FARMLAND**

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, on December 8, 2020 the Board of Supervisors discussed additional setbacks to important farmland.

WHEREAS, it was decided to approve the creation of Farmland Protection Zones and its setbacks.

THEREFORE, the additional setbacks from other farmland designations were separated from the approved first reading in order to send to the Planning Commission for further review and decision.

NOW THEREFORE BE IT RESOLVED that the Board 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 commercial cannabis as follows:

Section One: Section 27.13 of Chapter 21 of the Lake County Code is hereby amended as to the section (at), 1, vi with the following:

vi. Lake County Important Farmland

In order to ensure the protection of all agricultural industries within the county, the following rules will apply when cannabis cultivation interfaces with Farmland Designation areas.

- a. Outdoor cultivation of cannabis shall not be less than 500 feet from a neighboring parcel with Farmland Designation, from garden to garden, if those parcels are actively engaged in agriculture not related to cannabis.
  - i. This does not include any parcels within the Farmland Protection Zone

- b. If outdoor cultivation of cannabis is less than one (1) mile from Farmland designation, 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 Designation 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.
- a. Outdoor cultivation shall not be visible from State Route 20, State Route 29, State Route 53, and State Route 175.
- b. Outdoor cultivation shall not be allowed within 500 feet from State Route 20, State Route 29, State Route 53, and State Route 175, with vegetation screening required if cultivation is less than 1000 feet from the highway.

Section Two: 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 applicable environmental review under Public Resources Code sections 21000, et seq and under CEQA Guidelines section 15061(b)(3) 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.

Section Three: All ordinances or parts of ordinances or resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict and no further.

Section Four: This ordinance shall take effect on the \_\_\_\_ day of \_\_\_\_\_, 2020, and before the expiration of fifteen days after its passage, it shall be published at least once in a newspaper of general circulation printed and published in the County of Lake.

The foregoing ordinance was introduced before the Board of Supervisors on 15<sup>th</sup> day of December, 2020, and passed by the following vote on the 1<sup>st</sup> day of December, 2020

AYES: Supervisors Sabatier, Crandell, Scott, and Simon

NOES: None

ABSENT OR NOT VOTING: Supervisor Brown

COUNTY OF LAKE



Moke Simon (Dec 28, 2020 13:45 AKST)

Chair, Board of Supervisors



ATTEST: CAROL J. HUCHINGSON

Clerk of the Board



By: Johanna Peelen (Dec 28, 2020 14:45 PST)

APPROVED AS TO FORM:

ANITA L. GRANT

County Counsel



By: Anita Grant (Dec 28, 2020 15:16 PST)

# Resolution 2020-184 with changes made by Carol from meeting

Final Audit Report

2020-12-28

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