



Legislation Details (With Text)

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On agenda: 4/13/2021 **Final action:**

Title: (a) Consideration of First Reading of Amendment to Commercial Cannabis Cultivation for those impact by the Farmland Protection Zone Chapter 21, Section 27.13 (at) 1 (vi); and (b) Consideration of Updated direction for RFP regarding Programmatic EIR

Sponsors: Bruno Sabatier

Indexes:

Code sections:

Attachments: 1. FPZ Transition Amendment - 04-13-21, 2. Public Comment_Pat Scully

Date	Ver.	Action By	Action	Result
4/13/2021	1	BOARD OF SUPERVISORS		

Memorandum

Date: April 13, 2021

To: The Honorable Lake County, Chair, Lake County Board of Supervisors

From: Bruno Sabatier, Chair and District 2 Supervisor

Subject: (a) Consideration of First Reading of Amendment to Commercial Cannabis Cultivation for those impact by the Farmland Protection Zone Chapter 21, Section 27.13 (at) 1 (vi); and (b) Consideration of Updated direction for RFP regarding Programmatic EIR

Executive Summary: (include fiscal and staffing impact narrative):

A) On December 15, 2020, the Board of Supervisors approved the second reading of the an ordinance update to cannabis cultivation regarding the creation of the Farmland Protection Zone (FPZ). Within the context of that discussion, the idea of allowing current applications to transition into compliance was brought up.

On March 25, 2021 the Planning Commission continued that discussion and provided direction to the Board of Supervisors on how to handle all applications that were impacted by the creation of the FPZ. The Planning Commission wanted a pathway for those applicants, but were not comfortable in providing an exact definition of what applications would be approved to continue and transition into compliance and which applications would be forced to comply without transition.

On April 6, 2021 the Board of Supervisors discussed a first reading of an ordinance amendment

and provided feedback and also received feedback from the public. The ordinance being proposed today would be a three year transition for all applicants whose original application to the Community Development Department has been deemed complete. This is the first step after a pre-app meeting. This is not regarding any CEQA processes, just the original application.

According to staff, there are approximately 31 applications being impacted by the FPZ. 6 of which are close to getting Use Permits, but are not able to due to the FPZ requirements. Approximately 21 of the remaining 25 have their original applications deemed complete.

In the ordinance being offered, both Early Activation and Use Permits would be allowed for a limited time to those applications eligible for the transition to compliance. If the second reading of the ordinance is approved on 4/20/2021, the transition period for all applications impacted by the FPZ would expire on 4/20/2024.

B) Due a previous conversation that was concluded on March 2, 2021 and direction to staff to move forward with an RFP for a programmatic EIR and a conversation on March 16, 2021 to create an ad hoc committee later in the year to review the ordinance. It would seem best, to change our guidance to staff and ensure that the RFP and new revision of the cannabis ordinance go hand in hand and not keep pushing for the RFP to be completed in the timeline we had discussed originally.

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 and/or Fiscal Crisis Management Plan (check all that apply):

Not applicable

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Well-being of Residents | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> <i>Technology Upgrades</i> |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Disaster Recovery | <input type="checkbox"/> County Workforce | <input type="checkbox"/> <i>Revenue Generation</i> |
| <input type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake | <input type="checkbox"/> <i>Cost Savings</i> |

If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:

Which exemption is being requested?
How long has Agreement been in place?
When was purchase last rebid?
Reason for request to waive bid?

Recommended Action:

- A) Approve first reading of Amendment to Commercial Cannabis Cultivation for those impacted by the Farmland Protection Zone, and conduct second reading on 4/20/2021
- B) Provide direction to staff