



Legislation Details (With Text)

File #: 17-772 **Version:** 1 **Name:**

Type: Ordinance **Status:** Second Reading

File created: 8/22/2017 **In control:** BOARD OF SUPERVISORS

On agenda: 9/19/2017 **Final action:**

Title: 10:00 A.M. - PUBLIC HEARING - (Continued from August 22, 2017, August 1, 2017 and June 27, 2017) Consideration of Proposed Ordinance Amending Article 72 of the Lake County Code to Allow the Outdoor Collective Cultivation of Medical Cannabis in "RL" Rural Lands and to Create a Certification of Compliance Process for Cannabis Cultivation

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Memo_Article 72 Amendment Self Certification, 2. Article 72 Ordinance Amendments 9-14-17, 3. Article 72 Self-Certification Application and Supplemental Information, 4. Conditional Certificate of Recognition of Compliance, 5. Certificate of Recognition of Compliance and Good Standing, 6. Map RL A and CE zone, 7. Public Input Item 8.8

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 9/19/2017 | 1 | BOARD OF SUPERVISORS | Advanced | |

TO: Board of Supervisors

FROM: Robert Massarelli, AICP
Prepared by: Mireya G. Turner, Associate Planner

DATE: September 19, 2017

RE: PUBLIC HEARING - (Continued from August 22, 2017, August 1, 2017 and June 27, 2017) Consideration of Proposed Ordinance Amending Article 72 of the Lake County Code to Allow the Outdoor Collective Cultivation of Medical Cannabis in "RL" Rural Lands and to Create a Certification of Compliance Process for Cannabis Cultivation

ATTACHMENTS: 1. Proposed Ordinance
2. Public Comments

During the March 21, 2017 Board of Supervisors meeting, the Board directed staff to create a self-certification process for residents currently cultivating medical cannabis in conformance the Article

72. Additionally, the Board recommended the addition of the Rural Lands base zoning designation, which would enable additional parcels to be certified in conformance with the article. Article 72 currently allows for no more than forty-eight (48) mature cannabis plants on “A” Agriculture zoned parcels over twenty (20) acres in size, with established setbacks and other requirements.

On March 21, 2017, the Board of Supervisors provided staff with direction on amendments to Article 72 Cannabis Cultivation. On May 11, 2017, the Planning Commission adopted a Resolution of Intent to Amend Article 72 of the Chapter 21 of the Lake County Code, regarding cannabis cultivation. They passed a recommendation of approval of those amendments during their May 25, 2017 meeting.

The proposed amendments include the following:

- Amend certain definitions to reflect the voter-approved commercial cannabis tax
- Allow medical collective cultivation in the “RL” Rural Lands zoning district
- Create a Certification of Compliance process for Article 72 compliant cannabis cultivation

I. ENVIRONMENTAL ANALYSIS

The Rural Lands zoning designation allows for agricultural activity to be a primary or secondary use of a parcel. Staff asserted it is reasonable for the County to assume that the addition of the “RL” base zoning designation for collective cultivation will not have a significant effect on the environment. At the May 25, 2017 meeting, the Planning Commission found that the proposed text amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3).

II. RECOMMENDATION

Staff recommends the Board of Supervisors take the following actions:

Approve the proposed Zoning Ordinance text amendments for the following reasons:

1. The proposed amendments are consistent with the Lake County General Plan and Zoning Ordinance.
2. This proposal is necessary to protect the health, safety and welfare of the County.
3. The project will not result in any significant adverse environmental impacts, and the project is exempt from CEQA.

Sample Motions:

Zoning Ordinance Text Amendment Approval

1. I move that the reading of the ordinance be waived, to be read in title only.
2. I move that the ordinance amendments be advanced to the next meeting for its second reading.