



Legislation Details (With Text)

**File #:** 20-135      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Agenda Ready

**File created:** 2/20/2020      **In control:** Planning Commission

**On agenda:** 2/27/2020      **Final action:**

**Title:** 9:30 a.m. Public Hearing on consideration of an Amendment to the Lake County Zoning Ordinance (AM 20-01) and Categorical Exemption (CE 20-07). The County of Lake is proposing a Zoning Ordinance Text Amendment to Amend the Lake County Zoning Ordinance to establish regulations and development standards for the cultivation of Industrial HEMP.

**Sponsors:** Community Development

**Indexes:**

**Code sections:**

**Attachments:** 1. STAFF REPORT - INDUSTRIAL HEMP, 2. Attachment 1 - Existing Ordinance Sections with Proposed Amendments (Red...), 3. Attachment 2 - Proposed Ordinance with Amendments (Clean Version), 4. Attachment 3 -Board of Supervisors Adopted Resolution 2020-12 (Adopted F...

Date	Ver.	Action By	Action	Result
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**Memorandum**

**STAFF REPORT**

**TO:** Lake County Planning Commission

**FROM:** Scott DeLeon - Interim Community Development Director  
Prepared by: Mark Roberts - Principal Planner

**DATE:** February 18, 2020.

**SUBJECT:** Proposed Amendments to Zoning Ordinance (**AM 20-01**)  
Categorical Exemption (**CE 20-07**)

- ATTACHMENTS:**
- 1. Existing Ordinance Sections with Proposed Amendments (Redlined Version)
  - 2. Proposed Ordinance with Amendments (Clean Version)
  - 3. Board of Supervisors Adopted Resolution 2020-12 (Adopted 2/22/2020)

**BACKGROUND**

On September 10, 2019 the Board of Supervisors approved the creation of the Industrial Hemp Ad Hoc Committee (the Ad Hoc Committee or Committee) in order to make recommendations for Industrial Hemp Regulations.

On September 24, 2019 the Committee, made up of Supervisors, Industry Representatives, the Lake County Farm Bureau, and staff, was finalized and the meetings began on October 11, 2019. The Ad Hoc Committee met approximately every two weeks, mostly, to ensure that regulations could be recommended in a timely manner, prior to the new season

starting in 2020.

On January 31, 2019, the Committee recommended changes to the County Zoning Ordinance which incorporated zoning requirements for the cultivation of industrial HEMP.

On February 11, 2020 the Board of Supervisors (BOS) heard the Resolution of Intention to establish regulations and development standards for the cultivation of industrial HEMP and adopted a Resolution of Intention which necessitated the amendment of the text of the County Zoning Ordinance to incorporate the changes listed in the Resolution of Intent and adopted by the BOS.

Today, Staff has prepared this report outlining the propose zoning ordinance text amendments for the Planning Commission to review and adopt. The amendments are as outlined and discussed below.

#### PROPOSED ZONING ORDINANCE TEXT AMENDMENTS

The amendments to the Lake County Zoning Ordinance, establishing regulations and develop standards for the cultivation of Industrial HEMP are as follows:

1. Table 27.2 of Article 27 of the Lake County Zoning Ordinance will be amended to reflect that Industrial HEMP as an allowable use upon securing a Zoning Permit in the following Zoning Districts.
  - APZ (Agricultural Preserve Zone)
  - A (Agriculture)
  - TPZ (Timber Preserve Zone)
  - RL (Rural Lands)
  - RR (Rural Residential)
  - SR (Suburban Reserve)
  - PDC (Planned Development Commercial)
  - O (Open Space)
  
2. Section 27.3 of Article 27 of the Lake County Ordinance shall be amended to include the following language and requirements for Industrial HEMP. The new language will be incorporated as a new section in 27.3, titled "(ab) Industrial HEMP"
  - a. The provision of this subsection shall not apply to any of the provisions outlined in the Article 27.11 (excluding cannabis).
  - b. The parcel shall contain a minimum of one (1) acre for indoor/greenhouse cultivation and a minimum of five (5) acres for outdoor cultivation.
  - c. If grading is required, all grading shall comply with the standards set forth by Chapter 30 of the Lake County Code.
  - d. Hemp cultivation site shall be setback a minimum of 150 feet from an off-site residence.
    - i. *A waiver signed by neighboring property owners can be submitted which may decrease the minimum setback.*
  - d. Hemp cultivation is prohibited within 1000 feet of Community Growth Boundaries as described in the Lake County General Plan.
  - e. Seed production of any type shall be only grown indoors or within an engineered greenhouse with filters.

#### Recommended Action:

#### SAMPLE MOTIONS:

#### Zoning Ordinance Text Amendment Approval

1. I move that the Planning Commission find this **Zoning Ordinance Text Amendment, AM 20-01** is **Categorically Exempt (CE 20-07)** from the California Environmental Quality Act (CEQA) Guidelines pursuant to **§15061(b)(3)**.
  
2. I move that the Planning Commission recommend approval of the proposed **Zoning Ordinance Text**

**Amendment, AM 20-01** applied for by the **County of Lake** for the reasons listed in the staff report dated **February 18, 2020**.