



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Legislation Text

File #: 17-869, **Version:** 1

TO: Board of Supervisors

FROM: Robert Massarelli, AICP
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DATE: October 3, 2017

RE: SECOND READING - Consideration of Ordinance Amending Article 72 of the Lake County Code to Allow the Outdoor 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 for non-commercial collective cannabis cultivation, 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 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

The Board of Supervisors held public hearings on the proposed ordinance on June 27, August 1, September 19 and September 26, 2017, making various amendments. On September 19, 2017, the Board approved the first reading of the proposed ordinance, advancing the item to September 26, 2017. An additional amendment was made on September 26th, resulting in an additional first reading and an advancement of the ordinance.

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).

Staff recommends the adoption of the proposed ordinance.