



Legislation Text

File #: 20-304, Version: 1

Memorandum

Date: April 7, 2020

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

From: Scott DeLeon, Interim Community Development Department
Mark Roberts, Principal Planner

Subject: Zoning Ordinance Text Amendment (AM 20-01) Categorical Exemption (CE 20-07)

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

On February 27, 2020 the consideration of a Zoning Ordinance Text Amendment to Article 27, Sections 27.2 (table) and 27.3 of the Lake County Zoning Ordinance was brought before the Planning Commission to establish regulations and develop standards for the cultivation of Industrial HEMP. During the hearing, commissioners and the general public raised the following concerns:

- Residential Area Setbacks (Subdivisions)
- Setbacks from property lines based on size of grow
- Onsite Waste Management Concerns
- Odor Control Plans
- Fencing requirements
- Safety and Enforcement
- Water Use
- Noise Impacts
- Fire Severity Zones
- Encampments to attend crops
- Outdoor Farming Practices (dust control measures, pesticide use and storage, grading, routine maintenance, etc.)
- Engineered Greenhouse Requirements
- THC and CBC Comparison Levels
- Industrial HEMP and testing for pesticides.
- Planning Commission wishes to review this Ordinance once adopted by the Board

The Planning Commission request that the Board of Supervisor discuss the above concerns in further detail and approve the proposed Zoning Ordinance Text Amendment, with the modification of increasing the setback from offsite residences from 150 to 200 feet.

ENVIRONMENTAL ANALYSIS:

Pursuant to Section 15061 (b) (3) of the California Environmental Quality Act (CEQA) projects “where

it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment” are exempt from CEQA. As the activity in question here is merely a text amendment which will not have any effect on the environment, it clearly falls within the common sense exemption. The adoption and implementation of the proposed Zoning Ordinance text amendment, therefore, is exempt from CEQA

RECOMMENDED ACTION:

Planning Commission recommends the Boards of Supervisors approve Zoning Ordinance Text Amendment, AM 20-01 and Categorical Exemption, CE 20-07.

SAMPLE MOTIONS:

I move to waive reading of the ordinance and have it read it title only

I offer the ordinance for passage

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):

- | | | | |
|--------------------------------------------------|------------------------------------------------------|-------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Well-being of Residents | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Infrastructure | <input checked="" type="checkbox"/> Not applicable |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Disaster Recovery | <input type="checkbox"/> County Workforce | <input type="checkbox"/> <i>Technology Upgrades</i> |
| <input type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake | <input type="checkbox"/> <i>Revenue Generation</i> |
| | | | <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: Adopt Zoning Ordinance Text Amendment, AM 20-01 and Categorical Exemption, CE 20-07.