



Legislation Text

File #: 21-257, Version: 1

Memorandum

Date: April 6, 2021

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

From: Scott De Leon, Community Development Director

Subject: Discussion and Consideration of zoning ordinance amendment to Article 21-27 regarding the transition of applications impacted by the Farmland Protection Zone

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

The Planning Commission reviewed additional changes such as how to deal with applications impacted by newly created Farmland Protection Zone. The ordinance being proposed is based on the approved amendments AM 21-01 and CE-20-16. These are the amendments offered to provide an appropriate transition for applications for properties within the Farmland Protection Zone:

Applicants may be provided a three (3) year transition to meet the new compliance requirements of the Farmland Protection Zone if:

1. Applicants are deemed complete as of December 15, 2020
2. CEQA has been reviewed and completed its process

Recommendation 1: Those who can transition:

- a) Commercial Cannabis Cultivation Permit Applications for projects located within the Farmland Protection Zone which were deemed complete but have not received a Use Permit before or on December 15, 2020 be excluded from the provisions of the Farmland Protection Zones for up to three years.
- b) The Planning Commission of the County of Lake recommends that the language be expanded to include applications that were not deemed completed before December 15, 2020, as well as applications for projects located on parcels with Farmland Importance Designation. As of March 25, 2021, approximately 25 applications are within the Farmland Protection Zone with approximately 5 that are deemed complete based on the proposed language.
- c) The Planning Commission recommends that the Board of Supervisors adopt language that provides guidance for applications that were not deemed complete by December 15, 2020; meaning that these projects would have to update the application project description to meet the ordinance before the permit could continue moving through the permit process.

ENVIRONMENTAL REVIEW

The Planning Commission of the County of Lake considered and adopted the Categorical Exemption for the aforementioned recommended adopted language to Article 27 and Article 15; 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. 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.

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: Approve amendment to Chapter 21, Article 27, regarding the transition of applications impacted by the Farmland Protection Zone, read as title only, and set the date for the second reading for April 13, 2021.