

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

ORDINANCE NO. 3096

AN ORDINANCE AMENDING ARTICLES 27 AND 68 OF CHAPTER TWENTY-ONE
OF THE LAKE COUNTY CODE TO CLARIFY THE DEFINITION OF PUBLIC LANDS
IN REGARD TO COMMERCIAL CANNABIS CULTIVATION

WHEREAS, property setbacks have many benefits both aesthetically and functionally, including the benefit to the general public that setbacks will generally encourage outdoor activities in public areas; and

WHEREAS, the term "public lands" is presently susceptible to a very broad definition for purposes of setback limitations relating to commercial cannabis cultivation areas; and

WHEREAS, since not all public land is usable to the public for purposes of recreation and other destination activities, it is the desire of this Board of Supervisors to clarify the definition of public lands as it relates to commercial cannabis cultivation setback limitations..

NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF
LAKE ORDAINS AS FOLLOWS:

Section One: Section 21-27.11, subsection (at) 1.v.c. of Chapter 21 of the Lake County

Code is hereby amended to read as follows:

"v. Commercial Cannabis Cultivation Exclusion Areas

Commercial cannabis cultivation is prohibited within 1000 feet of the following areas or uses . . .

c. Public lands, where, because of development or other actions, it is clear that the public is invited to use such locations as places of recreation and other destination activities, including but not limited to, hiking, bird-watching, equestrian activities, and camping. Additionally, all State and County parks are public lands."

Section Two: Section 21-68.4 (p) of Chapter 21 of the Lake County Code is hereby amended to add the following definition:

"68.4 Words and phrases . . .

(p) DEFINITIONS P . . .

31. Public Lands. For purposes of setback limitations on commercial cannabis cultivation, lands where, because of development or other actions, it is clear that the public is invited to use such locations as places of recreation and other destination activities, including but not limited to, hiking, bird-watching, equestrian activities, and camping. All State and County parks are public lands."

Section Three: The Board of Supervisors finds this ordinance is not a project for purposes of the California Environmental Quality Act because it has no potential for resulting in a significant environmental effect.

Section Four: All ordinances or parts of ordinances or resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict and no further.

Section Five: This ordinance shall take effect on the 10 day ~~of~~ September, 2020, and before the expiration of fifteen days after its passage, it shall be published at least once in a newspaper of general circulation printed and published in the County of Lake.

The foregoing ordinance was introduced before the Board of Supervisors on 4th day of August, 2020, and passed by the following vote on the 11th day of August, 2020

AYES: Supervisor Sabatier, Crandell, Scott, Brown, and Simon

NOES: None

ABSENT OR NOT VOTING: None

COUNTY OF LAKE

Mark A. Simon
(Official Capacity: Chair, Board of Supervisors)

Chair, Board of Supervisors

ATTEST: CAROL J. HUCHINGSON

Clerk of the Board

By: Anita L. Grant
(Official Capacity: County Counsel)

APPROVED AS TO FORM:

ANITA L. GRANT

County Counsel

By: Anita L. Grant
(Official Capacity: County Counsel)

