

Task Force Meeting

Article 73 – Cannabis Ordinance

Lake County Community Development Department

Planning Division – Cannabis Program

September 12, 2022



Presented by

Andrew Amelung



Agenda



- Welcome
- Roll Call of Task Force Members
- Consideration of Minutes
- Consideration of Vision Statement
- Planning Process – Use Permits
- Land Use & Zoning – Application Requirements
- Public Comments
- Next Steps
- Adjournment





Roll Call of Task Force Members

North Lake County:	William Weiss - Lakeport Resident
South Lake County:	Jan Copinger - Kelseyville / Cobb Resident
Agriculture Commissioner:	Katherine Vanderwall
Farm Bureau:	Rebecca Harper
LCCA:	Jennifer Smith - LCCA President
Cannabis Industry:	Nara Dahlbacka
Tribal Representative:	Robert Geary – HPUL



Consideration of Minutes from August 29, 2022

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Consideration of Draft Vision Statement

“The County of Lake Cannabis Program is dedicated to the pursuit of a successful, sustainable, vertically-integrated, compliant, and thriving cannabis industry that supports job growth and economic prosperity while balancing the needs and preservation of the unique ecological environment of the County, our historical and prehistorical cultural resources, the existing agricultural establishments, and the communities of the County. Together we can succeed with clearer guidelines and expectations of the known and unknown challenges we face both now and in the future.”

The Planning Process - Use Permits

Development Review:



STAGE 1
Completeness Review
(Application Requirements)

STAGE 2
Agency & Tribal Review
(RFRs & AB 52 Notification)

STAGE 3
CEQA Review
(Environmental Review)

STAGE 4
Planning Commission Review
(Major Use Permit)
Or
Zoning Administrator Hearing
(Minor Use Permit)

STAGE 1

Completeness Review
(Application Requirements)

STAGE 2

Agency & Tribal Review
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(Environmental Review)

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(Major Use Permit)
Or
Zoning Administrator Hearing
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The Planning Process - Use Permits

Development Review:



STAGE 1

Completeness Review
(Application Requirements)

- 30 Days to Review Application Package
- Check for all Required Documents
- If Incomplete then Draft and Send an Incomplete Letters
- Clock is Stopped Once Sent
- Follow Up with Applicants as Needed
- Once all Required Documents are Submitted then Application is Deemed Complete and Moved to the Next Stage



The Planning Process - Use Permits

Development Review:

STAGE 1

Completeness Review
(Application Requirements)

STAGE 2

Agency & Tribal Review
(RFRs & AB 52 Notification)

STAGE 3

CEQA Review
(Environmental Review)

STAGE 4

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STAGE 2

Agency & Tribal Review *(RFRs & AB 52 Notification)*

- Draft a “Request for Review” (RFR) Letter and Send to All Relevant Agencies
- Agencies have 14 Days to Respond
- Draft an AB 52 Notification and Send to All Local Tribes
- Tribes have 30 Days to Respond
- Follow Up with Agencies and Tribes as Needed
- Once all Responses are Collected and Added to the Project File then the Project Moves into the Next Stage



The Planning Process - Use Permits *Development Review:*

STAGE 1

Completeness Review
(Application Requirements)

STAGE 2

Agency & Tribal Review
(RFRs & AB 52 Notification)

STAGE 3

CEQA Review
(Environmental Review)

STAGE 4

Planning Commission Review
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STAGE 3 CEQA Review *(Environmental Review)*

CEQA ENVIRONMENTAL FACTORS:

AESTHETICS
AGRICULTURE & FORESTRY RESOURCES
AIR QUALITY
BIOLOGICAL RESOURCES
CULTURAL RESOURCES
ENERGY
GEOLOGY & SOILS
GREENHOUSE GAS EMISSIONS
HAZARDS & HAZARDOUS MATERIALS
HYDROLOGY & WATER QUALITY
LAND USE & PLANNING

MINERAL RESOURCES
NOISE
POPULATION & HOUSING
PUBLIC SERVICES
RECREATION
TRANSPORTATION
TRIBAL CULTURAL RESOURCES
UTILITIES
WILDFIRE
MANDATORY FINDINGS OF
SIGNIFICANCE

- Review and Analyze all Submitted Documents and Agency & Tribal Comments
- Determine the Appropriate Course of Environmental Review
- Some Projects are Categorically Exempt
- Most Projects Require and Initial Study - Draft and Prepare Supplemental Documents
- Upload to the State Clearinghouse
- 30 Day Review Period – Collect Comments and Move to Next Stage

STAGE 1

Completeness Review
(Application Requirements)

STAGE 2

Agency & Tribal Review
(RFRs & AB 52 Notification)

STAGE 3

CEQA Review
(Environmental Review)

STAGE 4

Planning Commission Review
(Major Use Permit)
Or
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The Planning Process - Use Permits

Development Review:



STAGE 4

Planning Commission Review
(Major Use Permit)
Or
Zoning Administrator Hearing
(Minor Use Permit)

Minor Use Permits get legally noticed, and if public comments are received then a Zoning Administrator Hearing is held. If any issue cannot be resolved and opposition and conflict still exists then the project will be scheduled for Planning Commission. If no comments in opposition are received, Minor Use Permits are generally approved.

- Incorporate CEQA Comments into Staff Report
- Review Analysis for Final Recommendation and Complete Staff Report
- Prepare Legal Notification of Planning Commission Hearing
- Present Staff Report Findings and Recommendation to the Planning Commission for Final Decision

Land Use & Zoning

Use Permit – Pre-Application Conference



Pre-Application Conference with CDD Department:

- All Use Permits Require a Pre-Application Meeting
Article 27.13(at)(2)(i)(b) – Pages 121 & 123 of Article 27
- Enrollment with the Regional Water Quality Control Board or State Water Resources Control Board dated October 30, 2020 or earlier

Ordinance No. 3092

- Involves a review of preliminary maps, site plans, or sketches of parcel(s) and proposed cultivation area and canopy
- Identifies licenses being pursued
- Involves a review of the general feasibility of the project:

Address	Soils	Documents Required
Legal Lot of Record	Watercourses	Issues/Documentation
Exclusion Zones	Fire Severity	Timeline and Stages of Development Review
Property Size	Flood Zone	
Zoning	Grading	Give Tribal Contacts?

- Covers agreements required (e.g. water monitoring & well meter, etc.)
- Involves some staff issues with determinations
- Staff time allocated to Pre-Application Conference: 2.5 hours



Land Use & Zoning Use Permit Application Requirements

STAGE 1

Completeness Review

(Application Requirements)

Basic Information:

- Applicant Name *Article 55.5*
- Project Name *Article 55.5*
- Consultant *Article 55.5*
- Accessor's Parcel Number(s) *Article 55.5 / Article 27.13(at) Page 121-122*
- License Type(s) Requested *Article 27.13(at) Page 110-111*
- Total Cultivation Area and Canopy *Article 27.13(at) Page 111 / Ch. 18 – Business Tax*

Should the Property Owner be listed as Co-Applicant?





Land Use & Zoning Use Permit Application Requirements

STAGE 1

Completeness Review

(Application Requirements)

Background Clearance:

- Proof of Livescan *Article 27.13(at) Page 115-116*
 - Applicant
 - Consultant
 - **Employees?**
 - A Copy of Government Issued ID *Article 27.13(at) Page 124*
 - Applicant's full contact information *Article 27.13(at) Page 124*
 - Full Legal Name
 - Mailing Address
 - Physical Address of Project Site
 - Primary Phone Number
 - Email Address
- * Required for every owner of the applicant entity*



Land Use & Zoning Use Permit Application Requirements

For LLCs:

- File Stamped by State Agency / CA Secretary of State **Article 27.13(at) Page 113-115**
- A List of the Managing Members or Members of Company **Article 27.13(at) Page 113-115**
- Business Office Address in California **Article 27.13(at) Page 113-115**

STAGE 1
Completeness Review
(Application Requirements)





Land Use & Zoning Use Permit Application Requirements

STAGE 1
Completeness Review
(Application Requirements)

Documentation:

- Notice of Applicability with Central Valley Regional Water Quality Control Board dated October 30, 2022 or earlier
Ordinance No. 3092
- Well Permit / Well Completion or Performance Report, including output, drawdown availability and recovery
Article 27.13(at) Page 128





Land Use & Zoning Use Permit Application Requirements

STAGE 1

Completeness Review

(Application Requirements)

Documentation:

- Projected Monthly and Annual Water Use
Article 27.13(at) Page 139
- Evidence that the applicant has conducted a Hazardous Materials record search of the EnviroStor database: <https://www.envirostor.dtsc.ca.gov/public>
Article 27.13(at) Page 125

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Land Use & Zoning Use Permit Application Requirements

STAGE 1

Completeness Review

(Application Requirements)

Documentation:

- Property Owner Approval: evidence that the applicant has the legal right to occupy and use the proposed location
Article 27.13(at) & (au) Page 117 and 145
- Description of any proposed Grading
Article 27.13(at) Page 137





Land Use & Zoning Use Permit Application Requirements

STAGE 1

Completeness Review

(Application Requirements)

Documentation:

- Contact Information for Agent of Project: full legal name, mailing address, primary contact phone number, and email address
Article 27.13(at) Page 124
- The Appropriate Lake County License Type pursuant to Article 27
Article 27.13(at) Page 110-111 / Article 27.13(au)/(av)/(aw)/(ax)/(ay)/(az)/(aaa)/(aab)/(aac)





Land Use & Zoning Use Permit Application Requirements

STAGE 1

Completeness Review

(Application Requirements)

Site Plans:

- Legible site plans that meet the requirements of the Site Plan Checklist as described in the Lake County Zoning Ordinance Article 55.2, **prepared by a design professional.**

Article 55.2 / Article 27.13(at) Page 126-127

- Site Plan of Existing Conditions
- Proposed Site Plan
- Identify Cannabis Related Structures
- Elevation of Proposed Structures (if applicable)
- Identify Proposed Cultivation Area & Canopy
- Identify All Water Sources for Cultivation Activities
- Identify All Power Sources for Cultivation Activities
- Identify All Required Setbacks (wells, waterways, etc.)
- Security Site Plans
- Grading and/or Drainage Site Plans
- Identify Biological and Cultural Resources (if applicable)
- Site Plans for Proposed Stages of Development

Article 55.2

Article 55.2

Article 27.13(at) Page 128

Article 27.13(at) Page 126

Article 27.13(at) Page 122

Article 27.13(at) Page 125-127

Article 27.13(at) Page 125

Article 27.13(at) Page 126

Article 27.13(at) Page 132

Article 27.13(at) Page 136-137

Article 27.13(at) Page 129

Article 27.13(at) Page 127



Land Use & Zoning Use Permit Application Requirements

STAGE 1

Completeness Review

(Application Requirements)

Written Descriptions:

- Written Descriptions of the Project and Required Reports that cover the following

Article 27.13(at) Page 127-140

- Project Description
- Biological Assessment Report
- Archaeological Assessment Report
- Hydrology Report
- Drought Management Plan

Ordinance No. 3106

Ordinance No. 3106

- Property Management Plan

Air Quality Management Plan

Water Management Plan

Security Management Plan

Stormwater & Erosion Management Plan

Site and Grounds Maintenance Plan

Hazardous Materials Management Plan

Grading Plans

Solid Waste Disposal Plan

Growing Medium Management Plan

Energy Use Plan

Pest Management Plan

Fish and Wildlife Protection Plan

Biological & Cultural Resources Management Plan

Calfire 4290 and 4291 Requirements Plan

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STAGE 1
Completeness Review
(Application Requirements)

Land Use & Zoning Use Permit Application Requirements



Additional Information:

- The CDD Director may require additional information as needed
Article 27.13(at) Page 129 - (vii) Other pertinent information as required by the Director

Examples:

- Notarized Property Ownership Approval
- Notarized Authorization of Consultation
- Biological Assessment Report – Two surveys during the floristic season
- Biological Assessment Report – Must include botanical survey
- Grading Permit Application required with or without plans for grading
- Documentation of any used easement



Public Comments

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Next Steps

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Adjournment

