



# County of El Dorado

Planning and Building  
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## Minute Order Planning Commission

*Gary Miller, Chair, District 2*  
*Jon Vegna, First Vice-Chair, District 1*  
*James Williams, Second Vice-Chair, District 4*  
*Jeff Hansen, District 3*  
*Brian Shinault, District 5*

*Char Tim, Clerk of the Planning Commission*

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Thursday, July 11, 2019

8:30 AM

Building C Hearing Room  
2850 Fairlane Court  
Placerville, CA 95667

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2. [19-1021](#)

Hearing to consider the first reading of Title 130 Zoning Ordinance for the voter-enacted Measures N, P, Q, R, and S, which authorized the permitting and regulation of commercial cannabis activities in the County (OR19-0001)\*\*. The proposed amendments allow for commercial cannabis nurseries, processors, testing laboratories, and manufacturers in limited zones and subject to specific regulations. As part of implementation of the ballot measures, the proposed amendments also combine the ballot measures for medicinal and adult recreational use cannabis and codify the ordinances in a new cannabis section of Title 130. Additional amendments address changes in state regulations that were enacted after voters passed the ballot measures, changes to the authorized zones for particular commercial cannabis uses, and other minor amendments. Staff is recommending the Planning Commission recommend the Board of Supervisors take the following actions:

- 1) Find that the adoption of the proposed amendments to Sections 130.14.290 (Measure N), 130.14.300 (Measure P), 130.14.310 (Measure Q), 130.14.320 (Measure R), 130.14.330 (Measure S), and the Matrix of Allowed Uses in Article 2 (Zones, Allowed Uses, and Zoning Standards) are not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3), 15060(c)(2), 15060(c)(3), 15305, and 15308 of the CEQA Guidelines and Business and Professions Code Section 26055(h), if extended.
- 2) Recommend approval of the following amendments:
  - i) Section 130.14.290 of Title 130, Article 9 of the El Dorado County Ordinance Code entitled "Commercial Cannabis Activities Permitting and Enforcement" renumbered as Section 130.41.100 of Title 130, Article 4, with amendments;
  - ii) Section 130.14.300 of Title 130, Article 9 of the El Dorado County Ordinance Code entitled "Outdoor and Mixed-Light Cultivation of Recreational Adult Use Cannabis" renumbered as Section 130.41.200 of Title 130, Article 4, re-titled "Outdoor and Mixed-Light Cultivation of Commercial Cannabis," with

- amendments; and
  - iii) Section 130.14.320 of Title 130, Article 9 of the El Dorado County Ordinance Code entitled “Retail Sale, Commercial Distribution, and Commercial Indoor Cultivation of Cannabis for Medicinal Use” renumbered as Section 130.41.300 of Title 130, Article 4, re-titled “Retail Sale, Distribution, Indoor Cultivation, Laboratory Testing, and Manufacturing of Commercial Cannabis,” with amendments; and
  - iv) Matrix of Allowed Uses in Article 2 (Zones, Allowed Uses, and Zoning Standards) to include the permitting requirements in the zones where the commercial cannabis uses are allowed.
- 3) Recommend repeal of:
- i) Section 130.14.270 of Title 130, Article 9 of the El Dorado County Ordinance entitled “Commercial Cannabis Activities”;
  - ii) Section 130.14.310 of Title 130, Article 9 of the El Dorado County Ordinance Code entitled “Outdoor and Mixed-Light Cultivation of Recreational Adult Use Cannabis”; and
  - iii) Section 130.14.330 of Title 130, Article 9 of the El Dorado County Ordinance Code entitled, “Retail Sale, Commercial Distribution, and Commercial Indoor Cultivation of Cannabis for Recreational Adult Use.”

*Public Comment: Rod Miller, D. Schafer, Rich Miller, Z. Drivon, C. Willett*

**First Vice-Chair Vegna opened the public hearing and upon conclusion of the public comment, closed the public hearing.**

**A motion was made by Commissioner Williams, seconded by Commissioner Hansen, to recommend Approval to the Board of Supervisors of staff’s recommended actions with the following amendments: (a) Modify recommended action #1, as requested by County Counsel, to identify only Business and Professions Code Section 26055(h); and (b) Include additional proposed amendments to the ordinances as read into the record by staff.**

**After the motion, Commissioner Hansen stated that he would like to see these items return to the Planning Commission for review on the progress. It was suggested by staff that an update in approximately one year would be an appropriate timeframe.**

**Yes:** 4 - Commissioner Vegna, Commissioner Williams, Commissioner Shinault and Commissioner Hansen

**Absent:** 1 - Commissioner Miller