



## Legislation Details

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**File #:** 19-1152      **Version:** 2

**Type:** Agenda Item      **Status:** Approved

**File created:** 7/19/2019      **In control:** Board of Supervisors

**On agenda:** 9/10/2019      **Final action:** 9/10/2019

**Title:** Planning Commission recommending the Board approve the Final Passage (Second Reading) of Ordinances 5109, 5110, and 5111 for proposed amendments (Attachments C, E, and G) to 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) and adoption and passage of Ordinance 5112 (Attachment 2B). Planning Commission recommending the Board 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), and 130.14.330 (Measure S) and the corresponding updates to the matrix of allowed uses in the Title 130 Zoning Ordinance are not subject to the California Environmental Quality Act (CEQA) pursuant to Business and Professions Code section 26055(h);
- 2) Recommend approval of the following amendments and ordinances:
  - a) 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 (Ordinance 5109);
  - b) 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 (Ordinance 5110); and
  - c) 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 (Ordinance 5111); and
  - d) Ordinance 5112, which updates to the matrix of allowed uses in the Title 130 Zoning Ordinance consistent with the amendments in Ordinances 5110 and 5111.
- 3) Recommend repeal of:
  - a) Section 130.14.270 of Title 130, Article 9 of the El Dorado County Ordinance entitled "Commercial Cannabis Activities";
  - b) 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
  - c) 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." (Cont. 8/27/2019, Item 47)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - Ordinance (Matrix of Allowed Uses)-marked copy, 2. 2B - Ordinance (Matrix of Allowed Uses)-clean copy, 3. A - Approved Contract Routing Sheet, 4. B - Ordinance (Measure N-Permitting & Enforcement-Section 130.41.100)-marked copy, 5. C - Ordinance (Measure N-Permitting & Enforcement-Section 130.41.100)-clean copy, 6. D - Ordinance (Measures P & Q-Outdoor Uses-Section 130.41.200)-marked copy, 7. E - Ordinance (Measures P & Q-Outdoor Uses-Section 130.41.200)-clean copy, 8. F - Ordinance (Measures R & S-Indoor Uses-Section 130.41.300)-marked copy, 9. G - Ordinance (Measures R & S-Indoor Uses-Section 130.41.300)-clean copy, 10. H - Planning Commission Minute Order 07-11-19, 11. I - Proof of Publication-Mountain Democrat, 12. J -

Proof of Publication-Georgetown Gazette, 13. K - Proof of Publication-Tahoe Tribune, 14. L - Proof of Publication-Date Change-Mountain Democrat, 15. M - Proof of Publication-Date Change-Tahoe Tribune, 16. N - Proof of Publication-Date Change-Georgetown Gazette, 17. P - Cannabis ad hoc Presentation for BOS - August 27, 2019 - Measures N, P, Q, R, and S, 18. Public Comment BOS Rcvd 8-23-19, 19. Executed Ordinance 5109, 20. Executed Ordinance 5110, 21. Executed Ordinance 5111, 22. Executed Ordinance 5112, 23. Proof of Publication

<b>Date</b>	<b>Ver.</b>	<b>Action By</b>	<b>Action</b>	<b>Result</b>
9/10/2019	2	Board of Supervisors	Approved	Pass
8/27/2019	1	Board of Supervisors	Approved	Pass