

ORDINANCE NO. 2019- 1119

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA,
IMPLEMENTING A PERMANENT BAN ON THE CULTIVATION OF CANNABIS (MARIJUANA) CONSISTENT WITH
BOARD OF SUPERVISORS TEMPORARY MORATORIUM ORDINANCE 17-1107 BY AMENDING CERTAIN SECTIONS
OF TITLE 9 (PLANNING AND ZONING) OF THE PLUMAS COUNTY CODE

The Board of Supervisors of the County of Plumas, State of California, ORDAINS as follows:

Section 1. Sections 9-2.204. "Agriculture" and 9-2.249 "Horticulture" of Article 2 of Chapter 2 of Title 9 of the Plumas County Code are hereby amended as set forth in Exhibit "A".

Section 2. Sections 9-2.220.1. "Cannabis", 9-2.220.2. "Cannabis cultivation", 9-2.251.5. "Industrial hemp", 9-2.261.5. "Marijuana", 9-2.267.1. "Personal residence", and 9-2.267.2. "Personal cultivation of cannabis" of Article 2 of Chapter 2 of Title 9 of the Plumas County code are hereby adopted as set forth in Exhibit "A".

Section 3. Section 9-2.267.3. "Personal services" of Article 2 of Chapter 2 of Title 9 of the Plumas County Code is hereby amended as set forth in Exhibit "A".

Section 4. Section 9-2.402. "General Requirements" of Article 4 of Chapter 2 of Title 9 of the Plumas County Code is hereby amended as set forth in Exhibit "A".

Section 5. Section 9-2.405.1 "Cannabis cultivation" of Article 4 of Chapter 2 of Title 9 of the Plumas County Code is hereby adopted as set forth in Exhibit "A".

Section 6. Codification.

Sections 1 through 5 of this ordinance shall be codified.

Section 7. Publication.

A summary of this ordinance shall be published, pursuant to Section 25124(b)(1) of the Government Code of the State of California, before the expiration of fifteen days after the passage of the ordinance, once, with the names of the supervisors voting for and against the ordinance, in the *Feather River Bulletin*, the *Indian Valley Record*, the *Chester Progressive*, and the *Portola Reporter*, newspapers of general circulation in the County of Plumas.

The foregoing ordinance was introduced at a regular meeting of the Board of Supervisors on

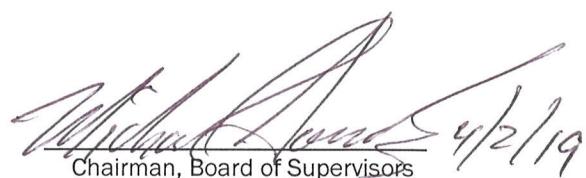
the 2nd day of APRIL, 2019, and passed and adopted on the 9th

day of APRIL, 2019 by the following vote:

AYES: Supervisors: SIMPSON, THRALL, GOSS, ENGEL, SANCHEZ

NOES: Supervisors: NONE

ABSENT: Supervisors: NONE


Michael J. Andrade 4/2/19
Chairman, Board of Supervisors

ATTEST:


Clerk of said Board of Supervisors

Exhibit “A”

Sec. 9-2.204. Agriculture.

“Agriculture” is defined as the planting, raising, harvesting and production of agricultural, horticultural, aquaculture and forestry crops; the breeding, raising, husbandry of, pasturing, grazing and small scale slaughter and processing of livestock; the breeding, raising, harvesting and production of bees, fish, poultry and other fowl; and the associated support services and value added services, such as agritourism, necessary for the economic viability of agriculture. “Agriculture” shall include horticulture, commercial animal husbandry, large animal husbandry, and shall animal husbandry.

“Agriculture” shall not include cannabis cultivation as set forth in Sec. 9-2.220.2 of this section.

Sec. 9-2.220.1. Cannabis.

“Cannabis” shall have the same meaning as that set forth in Business and Professions Code section 26001(f).

Sec. 9-2.220.2. Cannabis cultivation.

“Cannabis cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis (marijuana) plants or any part thereof as provided in Business and Professions Code section 26001(l). “Cannabis cultivation” does not include “Personal cultivation of cannabis” as defined in Sec. 9-2.267.2.

Cannabis cultivation is declared a public nuisance that is subject to all remedies provided by law, including, but not limited to abatement, administrative penalties, and other remedies as provided in Chapter 9 of Title 1 of the Plumas County Code.

Sec. 9-2.249. Horticulture.

“Horticulture” shall mean producing crops for commercial purposes.

“Horticulture” shall not include cannabis cultivation as set forth in Sec. 9-2.220.2 of this section.

Sec. 9-2.251.5. Industrial hemp

“Industrial hemp” shall have the same meaning as that set forth in Section 11018.5 of the Health and Safety Code.

Sec. 9-2.261.5. Marijuana.

“Marijuana” shall have the same meaning as “cannabis” as set forth in Sec. 9-2.220.1 of this section.

Sec. 9-2.267.1. Personal residence.

“Personal residence” shall mean a house, an apartment unit, a mobile home, or other similar dwelling.

Sec. 9-2.267.2. Personal cultivation of cannabis.

“Personal cultivation of cannabis” shall mean the personal cultivation of not more than six living cannabis plants by a person within that person’s private residence, or upon the grounds of that

private residence, which are located in a locked space, and are not visible by normal unaided vision from a public place. Not more than six living cannabis plants may be planted, cultivated, harvested, dried, or processed within a single private residence or upon the grounds of that private residence, at one time.

Sec. 9-2.267.3. Personal services.

"Personal services" shall mean a place for the provision of services primarily for the purpose of personal appearance.

Sec. 9-2.402. General requirements enumerated.

The following general requirements are addressed in this article:

- (a) Airports;
- (b) Camp grounds;
- (c) Camping;
- (d) Cannabis cultivation;
- (e) Easements;
- (f) Eaves and overhangs;
- (g) Fences;
- (h) Flood;
- (i) Garages and carports;
- (j) Height;
- (k) Landscaping;
- (l) Lighting facilities;
- (m) Manufactured homes and commercial coaches;
- (n) Noise;
- (o) Parking and loading;
- (p) Porches and stoops;
- (q) Public utility facilities;
- (r) Signs;
- (s) Temporary occupancy;
- (t) Timber harvesting; and
- (u) Yards.

Sec. 9-2.405.1. Cannabis cultivation.

Cannabis cultivation as defined in Sec. 9-2.220.2 shall be prohibited in all zones within the County. For the purposes of this section, cannabis cultivation does not include "Personal cultivation of cannabis as defined in Sec. 9-267.2.