

1 **BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

2
3 **ORDINANCE NO. 3009**

4 **AN ORDINANCE AMENDING CHAPTER 3, ARTICLE IV OF THE**
5 **ORDINANCE CODE OF THE COUNTY OF LAKE REGARDING**
6 **THE RIGHT TO FARM ORDINANCE**

7
8 **THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE ORDAINS AS**
9 **FOLLOWS:**

10
11 **Section 1:** Subsection 43.2 of Article IV of Chapter 3 of the Lake County Code is
12 hereby amended as follows:

13 “Upon any transfer of real property by sale, exchange, installment land sale contract,
14 lease with option to purchase, or ground lease coupled with improvements, or transfer of
15 residential stock cooperative, the transferor shall require that the disclosure statement set
16 forth in subsection 43.4 of this section shall be signed by the purchaser or lessee.

17
18 **Section 2:** Subsection 43.4 of Article IV of Chapter 3 of the Lake County Code is
19 hereby amended and it shall read as follows:

20
21 “THE COUNTY OF LAKE PERMITS AGRICULTURAL OPERATIONS AND
22 ACTIVITIES WITHIN THE COUNTY.

23
24 If your property is adjacent to or near property used for agricultural operations or
25 activities or on agricultural lands, you may be subject to inconveniences or discomforts
26 arising from such operations or activities, including but not limited to noise, odors,
27 insects, fumes, dust, the operation of machinery of any kind during any twenty-four (24)
28 hour period (including aircraft), the application by spraying or otherwise of chemical
29 fertilizers, soil amendments, herbicides and pesticides, the storage of livestock feed and
30 other agricultural commodities and the storage and disposal of manure. Lake County has
31 determined that inconveniences or discomforts associated with such agricultural
32 operations or activities shall not be considered to be a nuisance and that residents or
33 users of nearby property should be prepared to accept such inconvenience or discomfort

1 as a normal and necessary aspect of living in a county with a strong rural character and
2 an active agricultural sector. Lake County has established a grievance committee to
3 assist in the resolution of any disputes which might arise between residents of this
4 County regarding agricultural operations or activities. If you have any questions
5 concerning this Ordinance or the Agricultural Grievance Committee, please contact the
6 Lake County Agricultural Commissioner.”

7
8 **Section 3:** Subsection 44.2 of Article IV of Chapter 3 of the Lake County Code is
9 hereby amended and it shall read as follows:

10 “For all discretionary approvals of parcel maps or subdivision maps involving
11 agricultural land, or real property located adjacent to agricultural land, the Lake County
12 Planning Commission, or Board of Supervisors on appeal, shall include as a condition of
13 approval that the final recorded map shall contain the following statement: "All persons
14 purchasing lots within the boundaries of this approved map should be prepared to accept
15 the inconveniences or discomforts associated with agricultural operations or activities,
16 such as noise, odors, insects, dust or fumes, that are performed in a manner consistent
17 with accepted customs, practices and standards. Lake County has determined that such
18 inconveniences or discomforts shall not be considered to be a nuisance.”

19
20 **Section 4:** Subsection 44.3 of Article IV of Chapter 3 of the Lake County Code is
21 hereby amended and it shall read as follows:

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23 “The Lake County Community Development Department shall provide all applicants for
24 building permits for new residential construction or manufactured home placement with
25 a "right-to-farm notice" in substantially the form provided in subsection 44.6 of this
26 section.”

27
28 **Section 5:** Subsection 44.4 of Article IV of Chapter 3 of the Lake County Code is
29 hereby amended and it shall read as follows:

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31 “The Treasurer-Tax Collector of the County shall mail a copy of the "right-to-farm
32 notice" as an insert or on the back of tax envelopes in substantially the form provided in

subsection 44.6 of this section to all owners of real property in Lake County with the annual secured 2014-2015 tax bill, any supplemental tax bill, and every year thereafter.”

Section 6: Subsection 44.6 of Article IV of Chapter 3 of the Lake County Code is hereby amended and it shall read as follows:

“The "right-to-farm notice" shall contain, and be substantially in the form of, the following:

LAKE COUNTY RIGHT-TO-FARM-NOTICE

The County of Lake recognizes and supports the right to farm agricultural lands in a manner consistent with accepted customs, practices, and standards. Residents of Lake County should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, including but not limited to noise, odors, insects, fumes, dust, the operation of machinery of any kind during any twenty-four (24) hour period (including aircraft), the application by spraying or otherwise of chemical fertilizers, soil amendments, seeds, herbicides, and pesticides, the storage of livestock feed and other agricultural commodities and the storage, application and disposal of manure. Lake County has determined that inconveniences or discomforts associated with such agricultural operations or activities shall not be considered to be a nuisance. Lake County has established a process for dispute resolution regarding agricultural operations or activities. If you have questions concerning this Ordinance or the dispute resolution process, please contact the Lake County Agricultural Commissioner.”

Section 7: The Board of Supervisors finds, pursuant to Section 15060(C)(2) of the CEQA Guidelines, that this ordinance amendment is not subject to CEQA because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Section 8: 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 9: This Ordinance shall take effect on the 19th day of June, 2014, and before the expiration of fifteen days after its passage it shall be published at least once in a newspaper of general circulation in the County of Lake.

The foregoing ordinance was introduced before the Board of Supervisors on the 15th day of April, 2014, and passed by the following vote on the 20th day of May, 2014.

AYES: Supervisors Comstock, Smith, Brown and Rushing

NOES: None

ABSENT OR NOT VOTING: Supervisor Farrington

COUNTY OF LAKE

Chair, Board of Supervisors

ATTEST: Matt Perry
Clerk of the Board of
Supervisors

By: _____

APPROVED AS TO FORM:
Anita Grant
County Counsel

By: _____

APPROVED AS TO FORM:
Community Development Department

By: _____