

ORDINANCE NO. 612

AN ORDINANCE AMENDING CHAPTER 17 OF THE
WOODLAKE MUNICIPAL CODE ALLOWING CANNABIS
DISPENSARIES AND BUSINESSES IN PERMITTED ZONES
IN WOODLAKE WITH A CONDITIONAL USE PERMIT

THE CITY COUNCIL OF THE CITY OF WOODLAKE DOES ORDAIN AS
FOLLOWS:

Section 1. PURPOSE. The provisions of this ordinance are intended in order to amend the Woodlake Municipal Code to allow for cannabis related business within Woodlake City Limits within certain zones and with a Conditional Use Permit.

Section 2. CODE ENACTMENT. Within Title 17 of the Woodlake Municipal Code is hereby enacted to read in its entirety as follows:

Chapter 17.22.03 within Title 17 of the Woodlake Municipal Code is hereby enacted to read in its entirety as follows:

17.22.03 – Conditional Uses

The following conditional uses may be permitted in accordance with the provisions of Chapter 17.48.

- A. Churches and other religious institutions;
- B. Cafes and restaurants serving alcoholic beverages;
- C. City, county, state or federal administrative offices, libraries, police and fires stations;
- D. Single-family dwellings; provided, that such dwellings are for the exclusive use of the person or persons owning or operating the commercial use on the same site; and further provided, that each site so used shall be subject to the use, site area, coverage and yard requirements of the RM-2 district;
- E. Single family dwellings; provided, that the dwelling is a reconstruction or an addition to an existing dwelling; and
- F. Cannabis dispensaries

Chapter 17.24.03 and 17.24.04 within Title 17 of the Woodlake Municipal Code is hereby enacted to read in its entirety as follows:

17.24.03– Conditional Uses

- A. Bus depots and transit stations;
- B. City, county, state and federal administrative offices and libraries;
- C. Card rooms, pool halls, bars, cocktail lounges and night clubs;
- D. Drive-in restaurants;
- E. Upholstery shops;
- F. Electrical, gas or utility sub-stations; above ground water tanks, or pumping stations;
- G. Service stations;
- H. Pool halls or card rooms;
- I. Second-hand stores;
- J. Auction houses;
- K. Bars, cocktail lounges, and night clubs;
- L. Car washes, automated and self-service;
- M. Cannabis dispensaries; and
- N. Other uses added by the planning director consistent with Chapter 17.02.

17.24.04 -Prohibited Uses.

- A. Adult book stores;
- B. Sexually-oriented businesses.

Chapter 17.32.04 within Title 17 of the Woodlake Municipal Code is hereby enacted to read in its entirety as follows:

17.32.04 – Conditional Uses

- A. Breweries, distilleries, and wineries;
- B. Building materials manufacturing;
- C. Carpet and rug manufacturing;
- D. Cement plant;
- E. Clay pipe manufacturing;
- F. Agricultural chemicals, storage and distribution;
- G. Heavy equipment and machinery manufacturing;
- H. Meat processing and packing;
- I. Paper, metal and plastic manufacturing;
- J. Recycling operations, including storage, sorting, baling, and crushing;
- K. Hazardous waste facility;
- L. Waste water treatment facility;
- M. Equipment rental yards;
- N. Single-family dwellings;
- O. Rodeo grounds;
- P. Special event facilities;
- Q. Public buildings and grounds;
- R. Cannabis businesses; and

S. Other uses that are added to this list by the planning director consistent with Chapter 17.02.

(Ord. No. 579, § 1, 4-25-2011)**Section 3. CEQA REVIEW.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant affirmative effect on the environment]. In addition to the foregoing general exemption, the City Council further finds that the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment]. The City Manager is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

Section 4. NO LIABILITY. The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Woodlake, or any official, employee or agent thereof.

Section 5. PENDING ACTIONS. Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Woodlake hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 7. CONSTRUCTION. The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance

shall be construed in light of that intent. To the extent the provisions of the Woodlake Municipal Code as amended by this ordinance are substantially the same as provisions in the Woodlake Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 8. EFFECTIVE DATE. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the enactment hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the Sun Gazette, a newspaper printed and published in the City of Woodlake, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Woodlake, State of California, on _____ at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Rudy Mendoza

Mayor, City of Woodlake

ATTEST:

Irene Zacarias

City Clerk

