

RESOLUTION NO. 2025-07
RESOLUTION OF THE PLANNING COMMISSION OF
ORANGE COUNTY, CALIFORNIA
December 10, 2025

On Motion of Commissioner _____, duly seconded and carried, the following Resolution was adopted:

WHEREAS, on December 7, 2010, the Board of Supervisors (Board) adopted Orange County Codified Ordinances (“OCCO”) Sections 5-1-31 to 5-1-33, which prohibited the sale or distribution of marijuana or any other controlled substances, as defined herein under local, state or federal law or which is illegal to sell or distribute under local, state or federal law, and set penalties for violations, and

WHEREAS, on November 14, 2017, the Board adopted OCCO Section 7-9-146.14 (current section 7-9-103), which prohibits commercial cannabis activities, including distribution, commercial cultivation, delivery, manufacturing, and testing, and outdoor personal cultivation.

WHEREAS, on October 8, 2023, State of California Assembly Bill (AB) 1684 expanded existing law that allows local agencies to immediately impose administrative fines or penalties for specified violations that exist as a result of the illegal cultivation of cannabis to also include the illegal manufacturing, processing, distribution, or retail sale of cannabis.

WHEREAS, the proposed amendment would revise OCCO Section 7-9-103 to conform to AB 1684’s authorization of immediate, heightened fines for commercial cannabis activities and establishes explicit authorization for the use of the abatement warrant procedure, and procedures for summary abatement.

WHEREAS, the proposed project is not a project within the meaning of CEQA Guidelines Section 15378 and is therefore not subject to CEQA, since it does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The proposed project does not commit the County to a definite course of action in regard to a project since approval of the updated ordinances will allow the County to comply with State law updates regarding imposition of fines for commercial cannabis activities, to establish explicit authorization for the use of the abatement warrant procedure, and clarify procedures for summary abatement.

WHEREAS, on December 10, 2025, this Planning Commission conducted a public hearing regarding proposed Zoning Code Amendment CA 25-02 - County of Orange Commercial

Cannabis Activities and Outdoor Personal Cultivation Prohibition Ordinance; and

WHEREAS, the Planning Commission reviewed and fully considered the proposed Zoning Code Amendment CA 25-02 (County of Orange commercial cannabis activities and outdoor personal cultivation prohibition ordinance), heard, and considered the public comments that were presented to it at the public hearing held on this project, and has determined after review and consideration to recommend adoption by the Board of Supervisors of proposed Zoning Code Amendment CA 25-02 (County of Orange commercial cannabis activities and outdoor personal cultivation prohibition ordinance).

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION RECOMMENDS THE BOARD OF SUPERVISORS:

1. Find that the proposed project is not a project within the meaning of CEQA Guidelines Section 15378 and is therefore not subject to review under CEQA
2. Adopt Zoning Code Amendment CA 25-02 (Attachment A) that will revise section 7-9-103, County of Orange commercial cannabis activities and outdoor personal cultivation prohibition ordinance of the Orange County Comprehensive Zoning Code

The foregoing resolution was passed and adopted by the following vote of the Orange County Planning Commission, on December 10, 2025, to wit:

Ayes: Noes:

Excused:

Abstained:

I HEREBY CERTIFY that the foregoing Resolution No. 2025-07 was adopted on December 10, 2025, by the Orange County Planning Commission.

Justin Kirk
Executive Officer, Orange County Planning Commission

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Attachments:

- A. Proposed Zoning Code Amendment CA 25-02 – Strikethrough Version

Date of Adoption: December 10, 2025