

From: Barb Vallauri <vallaurib@sonic.net>
Sent: Thursday, June 12, 2025 6:17 AM
To: Monica Rosenthal; Everardo Chavez; Batsulwin Brown; Maile Field; Sharron Zoller; Danae LoDolce
Cc: helen.owen@lakecounty.ca.gov; Bruno Sabatier; Eddie Crandell; Brad Rasmussen; Jessica Pyska; Mary.Clabon@lakecountyca.gov
Subject: [EXTERNAL] Cannabis Ordinance June 12th meeting

Date: June 12, 2025

To: The Honorable Lake County Planning Commission

From: Barbara Vallauri, Middletown Resident

Subject: Cannabis Ordinance Concerns From The Community

Today, the Lake County Community Development (CDD) will present Agenda Item 7a: "Consideration of Summary of Cannabis Policy Recommendations and Request for Planning Commission Recommendation(s)".

CDD's presentation does not include community input. Before the Cannabis Task Force disbanded, CDD said that community concerns would be addressed. This has not happened. I have serious concerns about water usage, odor management and scenic corridor concerns. I would like the Planning Commission and subsequently the Board of Supervisors to consider including the following bullet points in the subject discussion item, if possible, to address members of the community concerns:

- SGMA, Sustainable Groundwater Management Act, requires local agencies to address undesirable impacts of over pumping to bring groundwater basins into balance. This Act has the potential to impact our county if the water resources are not properly managed.
- The county policies/ordinance should address the current required Hydrology Reports to be consistent and include more information and studies than what is currently required. The Hydrology Reports need to be accurate, clear, concise and fact based. Cannabis water usage needs to be fact based and demonstrate sustainability. Groundwater well pump times should be conducted for 24 consecutive hours to accurately reflect the drawdown and recovery of the well. In some areas, well production is very low (e.g., 10 gpm) and that may necessitate around the clock watering for a commercial grow.
- Groundwater wells close to creeks/streams should be considered under the influence of surface water. Surface water includes all groundwater sources that are deemed to be under the influence of surface water such as springs, shallow wells, and wells close to rivers. Most hydrology reports submitted during the application process are vague, don't represent the whole picture, are often misleading, and written by unqualified engineers, not experienced hydrologists.
- Scenic corridor concerns and specific guidelines and requirements should be included in the ordinance. Visual aesthetics play crucial role in influencing how a geographic areas and people groups are perceived. Scenic corridors have direct impact on tourism, business and property values. All gateways to our beautiful county should be addressed and protected in the ordinance.

- Cannabis odor mitigation should be a very strict and controlled part of the ordinance. Quality of life of neighboring properties to proposed grows should not be negatively impacted. Real estate studies have shown that properties within a proximity of a few miles of large scale cannabis grows, suffer significant negative impact on property values.
- Cannabis permittees are not following the current ordinance. CDD is not performing its duties specified in the ordinance. They are not reviewing annual reports and checking conditions of approval for compliance and ensuring code violations are addressed effectively. An ordinance is of little value if not adhered to.
- Finally and of great importance, the CDD should present its summary to the Board of Supervisors before presenting to the Lake County Agricultural Advisory Committee and Planning Commission as the Board of Supervisors instructed.

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From: noreply@granicusideas.com <noreply@granicusideas.com>
Sent: Wednesday, June 11, 2025 6:27:58 AM
To: Danae LoDolce <Danae.LoDolce@lakecountycalifornia.gov>; Mireya Turner <Mireya.Turner@lakecountycalifornia.gov>;
rvineyards@sonic.net <rvineyards@sonic.net>; everardo2797@gmail.com <everardo2797@gmail.com>;
eaglebrown19@gmail.com <eaglebrown19@gmail.com>; fieldmaile@gmail.com <fieldmaile@gmail.com>;
szoller@hotmail.com <szoller@hotmail.com>
Subject: [EXTERNAL] New eComment for Planning Commission on 2025-06-12 9:00 AM

Lake County

New eComment for Planning Commission on 2025-06-12 9:00 AM

Donna Mackiewicz submitted a new eComment.

Meeting: Planning Commission on 2025-06-12 9:00 AM

Item: 7a 25-634 Consideration of Summary of Cannabis Policy Recommendations and Request
for Planning Commission Recommendation(s)

eComment: Before the Cannabis Task Force disbanded, CDD said that community concerns would be addressed. This has not happened. The public should be allowed to offer facts that are of importance. Of these mitigation measures, site inspections, background checks, odors, lighting, traffic, numbers of projects and size, biological resources, noise, cultural resources, fire, soil, sedimentation, hitch protection, lake health and more need to be addressed. Public input.

From: Beth Kershaw <kershaw.beth@gmail.com>
Sent: Wednesday, June 11, 2025 9:00 PM
To: Monica Rosenthal; Everardo Chavez; Batsulwin Brown; Maile Field; Sharron Zoller; Danae LoDolce
Cc: helen.owen@lakecounty.ca.gov; Bruno Sabatier; Eddie Crandell; Brad Rasmussen; Jessica Pyska; Mary.Clabon@lakecountyca.gov
Subject: [EXTERNAL] Cannabis Ordinance June 12th meeting
Follow Up Flag: Flag for follow up
Flag Status: Flagged

Date: June 11, 2025

To: The Honorable Lake County Planning Commission

From: Elizabeth Kershaw, Middletown Resident

Subject: Cannabis Ordinance Concerns From The Community

Tomorrow, the Lake County Community Development (CDD) will present Agenda Item 7a: "Consideration of Summary of Cannabis Policy Recommendations and Request for Planning Commission Recommendation(s)".

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June 12, 2025
7a (non-timed item)

From: rtnc <rtnc@sonic.net>

Sent: Tuesday, June 10, 2025 2:13:44 PM

To: Monica Rosenthal <Dist1planningcomm@lakecountyca.gov>; Everardo Chavez

<Dist2planningcomm@lakecountyca.gov>; Batsulwin Brown <Dist3planningcomm@lakecountyca.gov>; Maile Field

<Dist4planningcomm@lakecountyca.gov>; Sharron Zoller <Dist5planningcomm@lakecountyca.gov>

Cc: Mireya Turner <Mireya.Turner@lakecountyca.gov>; Mary Claybon <Mary.Claybon@lakecountyca.gov>; Danae LoDolce <Danae.LoDolce@lakecountyca.gov>

Subject: [EXTERNAL] COTF Update on PC Agenda 0612/25 - Public Comments

To Planning Commissioners Chavez, Rosenthal, Zoller, Brown and Field,

Attached you will find a compiled list of public comments on the recommendations from the Cannabis Ordinance Task Force.

On January 14, 2025, the BOS directed CDD to come back with a summary table for review, prior to it going to the Planning Commission. It appears from Staff Memorandum, that the updates from the Planning Commission will go directly into a draft ordinance, which will then go back to the PC, the AG Commission and then the BOS. Please clarify.

Both of the uploaded tables were reviewed by the prior Planning Commission. With so many changes in the industry over the past three years, we feel it is important that both tables be looked at anew by the current Commission.

Additionally, we have submitted our comments list numerous times, but are still awaiting discussion on a number of items.

Our comments are separated into three areas per the attached document:

- 1) Public Comments (pg 1) on the proposed Zoning/Permit Table (Attachment 1) as well as marked up table and text. (pgs 6-14)
- 2) Public Comments (pgs 2-3) on "COTF Recommendations as of November 18, 2024 (Attachment 2) as well as a marked up table. (pgs 17-36)
- 3) Public Issues Still Needing to be addressed. (pgs 4-5)

We would also like to note there were not any discussions on businesses other than cultivation (development standards) except for zoning/permits.

We appreciate you taking the time to go through these issues.

Holly Harris

Public Comments on Zoning/Permits Table - Attachment 1.

A marked-up Attachment 1 copy with our comments in red (pgs 6-10) and our recommended Zoning/Permit Table with Text attachment from a public perspective (pgs 12-13)

1. Cannabis projects be removed from SR and RR Zones

- We would like cultivation - and ALL cannabis business types - be removed from the SR and RR zones. Definitions attached on pg. 14
- These parcels are typically much smaller, are the buffer between residential and rural. Parcels designated SR are often just outside the community growth boundaries, and have the potential to be incorporated into the CGBs. This would also help with odor mitigation.
- We did a cursory search and there does not appear to be any currently permitted cannabis in SR zones, and maybe 10-12 in RR zones.

2. Limits on Cannabis retail sites, density of cultivation and locations

The proposed zoning in Attachment 1 has no limits on cannabis retail sites or consumption lounges, yet are allowed in all zones except R1, R2, R3 and PDR.

- Retail sites: We support LCCA's 2/6/23 recommendation to limit retail storefronts to 1 per 4,000-5000 residents, mirroring the average range in many other jurisdictions in California. See attached LCCA memo on pg 15.
- We request that Retail/Consumption sites are not allowed in rural locations dependent on dirt/inadequate roads with fire safety issues/limited evacuation routes.
- We are also concerned about allowing the public to purchase/consume products and then - in some cases - unknowingly cross federal lands, where it is a federal offense, as the county has knowingly allowed these permits to go through with a signed indemnification agreement.

3. Caps on cultivation size.

- As we support small, local cannabis farms, we would like to see reduced project sizes of up to 1 or 2 acres. We support removing Type 5 from the list of recommended businesses.

4. Zoning and Use Permits for Cannabis Retail Sales and Cultivation Events

- We would like to change the proposed permit type on Cannabis Consumption Events and Cannabis Retail Events from ministerial to Major/Minor Use Permit based on size, as done in Ordinance 2947 for Wine Events. See attached zoning table comparison on page 16.
- We request that Consumption and Sales Events are not allowed in rural locations dependent on dirt/inadequate roads with fire safety issues/limited evacuation routes.
- We are also concerned about allowing the public to purchase/consume products and then - in some cases - unknowingly cross federal lands, where it is a federal offense, as the county has knowingly allowed these permits to go through with a signed indemnification agreement.

Public Comments on Attachment 2 Table – COTF Recommendations 11/18/24

A marked-up copy in red of Attachment 2 from a public perspective begins on pg 17-36

PI-1) Zoning and Use Permits (previously included in Attachment 1 Comments)

- We would like to change the proposed permit type on Cannabis Consumption Events and Cannabis Retail Events from ministerial to Major/Minor Use Permit based on size, as done in Ordinance 2947 for Wine Events. Copy of the ordinance:
https://library.municode.com/CA/Lake_County/codes/Code_of_Ordinances?nodeId=COOR_CH21ZO
- We request that Consumption and Sales Events are not allowed in rural locations dependent on dirt/inadequate roads with fire safety issues/limited evacuation routes.
- We are also concerned about allowing the public to purchase/consume products and then - in some cases - unknowingly cross federal lands, where it is a federal offense, as the county has knowingly allowed these permits to go through with a signed indemnification agreement.

PI-2) Project Applicant and Property Owner

- We support any efforts/requests from the Tax Collector to tie the Property Owner to the permit application in order to streamline tax collection, such as adding property owner to the permit.
- We would like to see more transparency in business structure, such as project applicant on permit identical to license name.

PI-3) Ongoing Project Management

- The Complaint System needs revision. Most complaints are handled by CDD and passed on to Code Enforcement as they deem necessary; the permit holder is not contacted, as most residents do not know who they are. Fines for violations should be implemented as appropriate.
- Initial Summary Reports submitted to CDD are required in the Conditions of Use - this has not been enforced.
- Annual Reports submitted to CDD are required to be reviewed by the Planning Commission or their designee in order to ascertain if the Conditions of Use are adequate - this has not been enforced.

PI-4) Setbacks due to odor concerns

There are different avenues to address odor concerns - restrictions in zoning, density of projects, and physical proximity.

- **Zoning.** We would like cultivation - and ALL cannabis business types - be removed from the SR and RR zones. These parcels are typically much smaller, are the buffer between residential and rural. Parcels designated SR are often just outside the community growth boundaries, and have the potential to be incorporated into the CGBs. (Included in previous Attachment 1 comments)
- **Larger setbacks for outdoor cultivation.** We would like to see 2000 ft setbacks from community growth boundaries. We would also like setbacks from property lines increased to a minimum

- 200 feet and from off-site houses to a minimum 400 feet. See attached photo on pg 37.
- The issue of **odor control** – and the effect of odor on all residences – needs to be fully addressed, whether even larger setbacks from all residences, vegetative screening, etc.

PI-5) Further clarification on Exclusion Zones

- **Public Lands:** While the Task Force agreed to designate Clear Lake as a public land, we would like inclusions of Rodman Slough, Blue Lakes and Cache Creek, which all have Water Trails, as defined by the California State Land Commission.
- Inclusion of 1000 foot setbacks from **verified organic farms** outside of the FPZ zones.
- Inclusion of 1000 foot setbacks from **Home Schools** with a current Private School Affidavit on file with the State of California
- 1000 foot setbacks from residential subdivisions and neighborhood opt-out zones

PI-6) Cannabis retail sites and density of cultivation

- **Retail sites:** We support LCCA's 2/6/23 recommendation to limit retail storefronts to 1 per 4,000-5000 residents, mirroring the average range in many other jurisdictions in California. See attachment pg 15
- We are also concerned about allowing the public to purchase/consume products and then - in some cases - unknowingly cross federal lands, where it is a federal offense, as the county has knowingly allowed these permits to go through with a signed indemnification agreement.
- **Density of cultivation sites:** At our request, CDD was to have provided maps of current and pending cannabis locations and size at the March 10th meeting, which was cancelled. Thus we do not have enough information to make recommendations. But, with 22 million sq. ft. of currently approved cultivation and less than 50% currently farmed, it's possible the density saturation has already been reached.

PI-7) Development Standards Table

- We do not support decreasing minimum lot size from 20 to 2 acres for Type A and M 1A, 2A and 3A permits. This opens up thousands more parcels - particularly in SR.
- We also do not support reducing setbacks from 100 feet to 30 feet from the property line for those same license types, particularly if lot sizes are reduced.
- Per Item 1 above, we support setbacks from property lines increased to 200 feet and from off-site houses to 400 feet on permit types requiring a minimum of 20 acres. See attached photo on pg 37.

PUBLIC ISSUES NOT ADDRESSED

PI-8) Preservation of viewsheds

At the LAPAC meetings held this past fall, it was quite apparent that protection of the viewshed is of high importance to communities from a visual aspect as well as cultural - in particular, views of the lake and ridgelines from our major thoroughfares.

- Director Turner stated at the 1/27/25 COTF meeting that she wished to have a discussion on this topic.
- This has also been brought up as a tribal cultural concern.
- We would like a ban on large-scale grading, hoop houses, greenhouses, white plastic and other industrial structures around the lake to the ridgelines, and a setback along scenic highways and roads. We point out the disheveled grow site on Hwy 53 which has minimal setbacks from the road, and contrast that with the cultivation operations on Sulphur Bank by the shores of Clear Lake - the COU's banned white plastic and hoop houses, which reduced visibility extensively.

PI-9) Prevention of permitting where previous unpermitted land modifications and violations occurred

We would like to see mandatory "waiting periods" for projects that have made unpermitted land modifications prior to getting a cannabis permit, as this circumvents the CEQA process. Some examples include:

- **Grading for other purposes** (such as vineyards) and then not putting in the vineyards but applying for cannabis
- **Removal of trees in TPZ** and then applying for cannabis permits.
- **Installation of wells** just prior to cannabis permit applications, thus not subject to CEQA review.
- Director Turner stated at the 1/27/25 COTF meeting that she wished to have a discussion on this topic.

PI-10) Caps on cultivation size (previously included in Attachment 1 comments).

- We support the continued 20:1 cultivation ratio
- As we support small, local cannabis farms, we would like to see reduced project sizes of up to 1 or 2 acres.
- We support removing Type 5 from the list of recommended businesses.

PI-11) Development of neighborhood overlays or opt-out zones

Similar to geothermal projects in Lake County's Article 27, prohibition of projects within a defined area if a majority of the property owners request/create an opt-out zone.

- Director Turner stated at the 1/27/25 COTF meeting that she wished to have a discussion on this topic.

PI-12) 10-Year Discretionary Use Permit

- We would like to see the 10-year discretionary use permit to include a 2-year probationary permit review to ensure COUs and operating practices are met. Currently the permit becomes void if operations are not begun in a 2-year period.

- Currently COUs are not reviewed despite requiring an Initial Summary report.
- We would like a discussion on the practice of allowing non-cultivation to continue as long as the Annual Inspection fee is paid. We are suggesting that the permit become void if operations cease for two years.

PI-13) Drought Management

- We would like to see a Drought Management Plan required and incorporated into the Hydrology Report/Project Management Plan as standard operating procedure and as a standard implementation based on levels of drought.
- We would request that site assessments (biological, wetlands, etc) be done - or updated - within a 2-year period of project review. Well tests should be performed during late summer to assess the impact during times of high usage/lower water levels.

PI-14) Thresholds and Cumulative Impacts

- Thresholds should be established to analyze cumulative impacts of traffic, fire risk and water usage/groundwater management.
- All permit holders are required to report water usage annually. This should be compiled and used to analyze cumulative impacts during the permit process.

Summary of COTF, PC and BOS Recommendations on Cannabis Permit Types

New Business/License Type Name	Notes	COTF Recommendation	PC Recommendation	BOS Recommendation
Type 5 Large Cannabis Cultivation	This is a newly available license type at the state level. It is for cultivation of over one acre of canopy. Since Lake County already allows cultivation of over one acre, the addition of Type 5 is administrative only, and will keep our Code permit titles synchronized with the state.	Allow Type 5 with an approved major use permit, in the same zoning districts where Type 3 Medium Cannabis Cultivation, is permitted.	No change	No change
Shared Manufacturing	This allows multiple permittees to use the same manufacturing facility, similar to how multiple food purveyors can share a commercial kitchen.	Allow this new business type to be applied to both Type 6 Non-volatile, and Type 7 Volatile Manufacturing.	No change	No Change
Type 9 Retail Delivery Only	This would allow for a retail establishment with no storefront access	Allowing this type of business to be available to permitted cultivators. The business model discussed included tourists visiting a cultivation site, with the ability to	No change	Remove C1 BOS does not want boarded up storefronts
			Remove SR & RR	

Type 10 Retail Storefront with Onsite Consumption	The state defers to local jurisdictions regarding onsite consumption of cannabis products.	purchase local products to be delivered to where they are staying. Additionally, increasing location options for retail could alleviate the pressure on the C2 zoning district, where community Main Streets are located. Allow onsite consumption in connection to a retail storefront establishment, as follows: <i>Minor Use Permit</i> PDC, C2; APZ, A, TPZ, RL, RR – as incidental use to approved cultivation site; M1, M2, MP, C3 – as incidental use to approved processing or manufacturing sites <i>Major Use Permit</i>	No change	Change to Minor UP for C1 and C2
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Remove SR & RR, see comment 3

		C1, CH, CR SR – incidental to approved cultivation site		
Temporary Cannabis Special Events	This would allow for a cannabis special event, with limited onsite consumption. By state law, a cannabis special event requires a licensed event coordinator, and only licensed retailers may sell their products.	Allow temporary special events with an approved zoning permit, in all zoning districts where cannabis-related businesses are allowed (APZ, A, TPZ, RL, SR, C1, C2, C3, CR, CH, M1, M2, MP, PDC), with the exception of RR.	No change	No change
			Remove SR & RR, change to Minor/Major, see comment 4	
Type 4 Nursery	Currently allowed with an approved minor use permit in APZ, A, TPZ, RL, RR, and SR; and PDC with a major use permit.	Addition of M1, M2, and MP with minor use permit, and C3 with approved major use permit	No change	No change
Processor	Currently allowed with approved major use permit in APZ, A, TPZ, and RL	Addition of C3, M1, M2, and MP, with an approved minor use permit.	No change	Added PDC w UP
Type 6 Non-volatile Manufacturing	Currently allowed with approved major use permit in APZ, A, TPZ, RL, RR, C3, M1, M2, and PDC.	Addition of MP zoning district with a major use permit.	No change	No change
			Remove RR	

Type 7 Volatile Manufacturing	Currently allowed with major use permit in M2.	Addition of M1 and MP zoning districts with a major use permit.	No change	No change
Type 10 Retail Storefront	Currently, cannabis retail businesses are a use by right (no Planning Permit required) in C2, and with an approved major use permit in C1.	Allow retail storefront in the following zoning districts: <i>Minor Use Permit</i> C2, CR, CH, PDC; APZ, A, TPZ, RL, RR – incidental to approved cannabis cultivation site; C3, M1, M2, MP – incidental to approved cannabis processing or manufacturing site. <i>Major Use Permit</i> C1; SR – incidental to approved cannabis cultivation site.	No change	Change C1 and C2 to Minor UP Remove SR & RR, caps on density and locations. See comment 2
Type 11 Distributor	Currently allowed with major use permit in C3, M1, M2, and PDC	Allow with a minor use permit, as an incidental use to approved cultivation site, in	No change	No change

Type 12 Microbusiness	Currently allowed with a major use permit in APZ, A, TPZ, RL, and RR	APZ, A, TPZ, RL, RR, and SR.	No change Remove RR	No change
Type 13 Distributor – Transport Only	This use type allows a Permittee to transport their products, and products of other licensees. Currently requires major use permit in C2, C3, M1, M2, and PDC.	Removal of use permit requirement, to be allowed only as an incidental use to approved cultivation, processing, or manufacturing site in APZ, A, TPZ, RL, RR, SR, C2, C3, M1, M2, MP, and PDC	No change Remove SR & RR	No change
Type 13 Distributor – Transport Only – Self Distribution License	This use type allows a Permittee to transport only their own product, to another licensee. Currently allowed with an approved minor use permit in APZ, A, TPZ, RL, RR, SR, C2, C3, M1, M2, and PDC.	Addition of MP zoning district; Removal of the minor use permit requirement, to be allowed (APZ, A, TPZ, RL, RR, SR, C2, C3, M1, M2, MP and PDC) only as an incidental use to an approved cultivation, processing, or manufacturing site.	No change Remove SR & RR	No change

Section 27.11 Table B Uses generally permitted with a Use Permit

*1 ALLOWABLE ONLY AS AN INCIDENTAL USE TO PERMITTED AND LICENSED COMMERCIAL CANNABIS CULTIVATION

*2 ALLOWABLE ONLY AS AN INCIDENTAL USE TO PERMITTED AND LICENSED COMMERCIAL CANNABIS PROCESSING OR MANUFACTURING

*3 ALLOWABLE ONLY AS AN INCIDENTAL USE TO PERMITTED AND LICENSED COMMERCIAL CANNABIS CULTIVATION, PROCESSING, OR MANUFACTURING

CANNABIS ORDINANCE TASK FORCE (COTF) RECOMMENDATIONS

Special Uses	APZ	A	TPZ	RL	RR	SR	R1	R2	R3	C1	C2	C3	CR	CH	M1	M2	MP	O	W	U	PDR	PDC
Type 1 and 2 - Small Cannabis Cultivation	○	○	○	○	○	○																●
Type 3 - Medium Cannabis Cultivation	●	●	●	●	●	●																●
Type 4 - Nursery	○	○	○	○	○	○						●			○	○	○	○				●
Type 5 - Large Cannabis Cultivation	●	●	●	●	●	●																●
Cannabis Cultivation Processing	●	●	●	●	●	●						○			○	○	○	○				
Type N and P - Cannabis Manufacturing											○	○			○	○						○
Type 6 - Non-Volatile Cannabis Manufacturing	●	●	●	●	●	●						●			●	●	●	●				●
Type S as part of Type N and 6 Shared Manufacturing															○	○	○	○				
Type 7 - Volatile Cannabis Manufacturing															●	●	●	●				
Type S as part of Type 7 Shared Manufacturing															●	●	●	●				
(aab) Type 8 - Cannabis Testing Laboratory											○	○			○	○	○					○
Type 9 - Retail - Delivery Only	○ ^{*1}	○ ^{*1}	○ ^{*1}	○ ^{*1}	○ ^{*1}	○ ^{*1}				●	○	○	○	○	○	○	○	○		○		○
Type 10 - Retail - Storefront	○ ^{*1}	○ ^{*1}	○ ^{*1}	○ ^{*1}	○ ^{*1}	○ ^{*1}				●	○	○ ^{*2}	○	○	○ ^{*2}	○ ^{*2}	○ ^{*2}	○ ^{*2}			○	○
Type 10 - Retail with On-Site Consumption	○ ^{*1}	○ ^{*1}	○ ^{*1}	○ ^{*1}	○ ^{*1}	○ ^{*1}				●	○	○ ^{*2}	●	●	○ ^{*2}	○ ^{*2}	○ ^{*2}	○ ^{*2}				○
(ax) Type 11 - Cannabis Distributor License	○ ^{*2}	○ ^{*2}	○ ^{*2}	○ ^{*2}	○ ^{*2}	○ ^{*2}						●			●	●	●	●				●
(aac) Type 12 - Microbusiness - License	●	●	●	●	●	●					○	○			○	○	○	○				
(ay) Type 13 - Cannabis Distributor Transport Only License	*3	*3	*3	*3	*3	*3					*3	*3			*3	*3	*3	*3				*3
(az) Type 13 - Cannabis Distributor Transportation Only, Self-Distribution License	*2	*2	*2	*2	*2	*2					*2	*2			*2	*2	*2	*2				*2
Temporary Special Events	◆	◆	◆	◆	◆	◆				◆	◆	◆	◆	◆	◆	◆	◆	◆				◆

See Attached Table B

Section 27.11 Table B Uses generally permitted with a Use Permit

• MAJOR USE PERMIT ○ MINOR USE PERMIT Δ STANDARDS INCLUDED IN SECTION 27.13 (at) - (aab) ♦ ZONING PERMIT

CANNABIS ORDINANCE TASK FORCE (COTF) RECOMMENDATIONS
* ALLOWABLE ONLY AS AN INCIDENTAL USE TO PERMITTED AND LICENSED COMMERCIAL CANNABIS ACTIVITIES

Special Uses	APZ	A	TPZ	RL	RR	SR	R1	R2	R3	C1	C2	C3	CR	CH	M1	M2	MP	O	W	U	PDR	PDC
Type 1 and 2 - Small Cannabis Cultivation	○	○	○	○																		Δ
Type 3 - Medium Cannabis Cultivation	●	●	●	●																		Δ
Type 4 - Nursery	○	○	○	○								●			○	○	○					Δ
Type 5 - Large Cannabis Cultivation																						Δ
Cannabis Cultivation Processing	●	●	●	●								○			○	○	○					Δ
Type N and P - Cannabis Manufacturing											○	○			○	○						Δ
Type 6 - Non-Volatile Cannabis Manufacturing	●	●	●	●								●			●	●	●					Δ
Type S as part of Type N and S Shared Manufacturing															○	○	○					
Type 7 - Volatile Cannabis Manufacturing															●	●	●					Δ
Type S as part of Type 7 Shared Manufacturing															●	●	●					
(aab) Type 8 - Cannabis Testing Laboratory											○	○			○	○	○					○
Type 9 - Retail - Delivery Only	○*	○*	○*	○*							○	○		○	○	○	○	○				○
Type 10 - Retail - Storefront	●○*	●○*	●○*	●○*						●	○	○*	○	○	○*	○*	○*	○*				○
Type 10 - Retail with On-Site Consumption	●○*	●○*	●○*	●○*						●	○	○*	●	●	○*	○*	○*	○*				○
(ax) Type 11 - Cannabis Distributor License	○*	○*	○*	○*								●			●	●	●	●				Δ
(aac) Type 12 - Microbusiness - License	●	●	●	●							○	○			○	○	○	○				Δ
(ay) Type 13 - Cannabis Distributor Transport Only License	●	●	●	●							●	●			●	●	●	●				Δ
(az) Type 13 - Cannabis Distributor Transportation Only, Self-Distribution License	●	●	●	●							●	●			●	●	●	●				Δ
Temporary Special Events	●○*	●○*	●○*	●○*						●○*	●○*	●○*	●○*	●○*	●○*	●○*	●○*	●○*				●○*

Public Issues List - Proposed Table B - 3/15/25

1. Type 1 and 2 – Small Cannabis Cultivation

Major Use Permit: PDC

Minor Use Permit: APZ, A, TPZ, RL, ~~RR, SR~~

2. Type 3 - Medium Cannabis Cultivation

Major Use Permit: APZ, A, TPZ, RL, ~~RR, SR~~, PDC

3. Type 4 – Nursery

Major Use Permit: C3, PDC

Minor Use Permit: APZ, A, TPZ, RL, ~~RR, SR~~, M1, M2, MP

4. Type 5 – Large Cannabis Cultivation

Major Use Permit: ~~APZ, A, TPZ, RL, RR, SR, PDC~~

5. Cannabis Cultivation Processing

Major Use Permit: APZ, A, TPZ, RL

Minor Use Permit: C3, M1, M2, MP

6. Type N and P - Cannabis Manufacturing

Minor Use Permit: C2, C3, M1, M2, PDC

7. Type 6 - Non-Volatile Cannabis Manufacturing

Major Use Permit: APZ, A, TPZ, RL, ~~RR~~, C3, M1, M2, MP, PDC

8. Type S as part of Type N and 6 Shared Manufacturing

Minor Use Permit: M1, M2, MP

9. Type 7 - Volatile Cannabis Manufacturing License

Major Use Permit: M1, M2, MP

10. Type S as part of Type 7 Shared Manufacturing

Major Use Permit: M1, M2, MP

11. Type 8 - Cannabis Testing Laboratory

Minor Use Permit: C2, C3, M1, M2, PDC

12. Type 9 - Retail Delivery Only

Major Use Permit: SR¹, C1

Minor Use Permit: APZ¹, A¹, TPZ¹, RL¹, ~~RR~~, PDC, CH, CR, C2, C3, M1, M2, MP, U

¹ Allowable only as an incidental use to permitted and licensed commercial cannabis cultivation.

13. Type 10 - Retail Storefront

Major Use Permit: ~~SR~~¹, C1

Minor Use Permit: APZ¹, A¹, TPZ¹, RL¹, ~~RR~~¹, PDC, CH, CR, C2, C3², M1², M2², MP²

¹ Allowable only as an incidental use to permitted and licensed commercial cannabis cultivation.

² Allowable only as an incidental use to permitted and licensed commercial cannabis processing or manufacturing

14. Type 10 - Retail Storefront with Onsite Consumption

Major Use Permit: ~~SR~~¹, C1, CH, CR

Minor Use Permit: APZ¹, A¹, TPZ¹, RL¹, ~~RR~~¹, PDC, C2, C3², M1², M2², MP²

¹ Allowable only as an incidental use to permitted and licensed commercial cannabis cultivation.

² Allowable only as an incidental use to permitted and licensed commercial cannabis processing or manufacturing

15. Type 11 - Cannabis Distributor License

Major: C3, M1, M2, PDC

Minor: APZ², A², TPZ², RL², ~~RR~~², ~~SR~~²

² Allowable only as an incidental use to permitted and licensed commercial cannabis processing or manufacturing

17. Type 12 – Microbusiness - License

Major: APZ, A, TPZ, RL, ~~RR~~

Minor: C2, C3, M1, M2, MP

18. Type 13 - Cannabis Distributor Transport Only License

APZ³, A³, TPZ³, RL³, ~~RR~~³, ~~SR~~³, C2³, C3³, M1³, V2, MP³, PDC³

³ Allowable only as an incidental use to permitted and licensed commercial cannabis cultivation, processing or manufacturing

19. Type 13 - Cannabis Distributor Transport Only, Self-Distribution License

APZ³, A³, TPZ³, RL³, ~~RR~~³, ~~SR~~³, C2³, C3³, M1³, V2, MP³, PDC³

³ Allowable only as an incidental use to permitted and licensed commercial cannabis cultivation, processing or manufacturing

20. Temporary Cannabis Special Events

~~Zoning~~ Permit: APZ, A, TPZ, RL, ~~RR~~, C1, C2, C3, CR, CH, M1, M2, MP, PDC

MAJOR OR MINOR USE PERMIT
IN ALIGNMENT WITH
ORDINANCE 2947

Lake County General Plan Land Use Designations

Suburban Residential Reserve "SR"

This land use category serves as a transitional designation between rural residential and urban residential uses, but due to soil and slope characteristics, lots generally larger than one acre minimum are necessary. Where found in mountain areas, this designation would temporarily serve to limit densities until the establishment of appropriate infrastructure to support higher densities. This designation is located inside of Community Growth Boundaries. However, exceptions have been made for existing subdivisions located outside of Community Growth Boundaries, and additional land division may be appropriate on parcels already designated Suburban Residential Reserve when found to be consistent with the existing development pattern already established in the vicinity. Expansion of this land use designation outside of Community Growth Boundaries may be considered in order to implement Policy LU-6.12 or Policy LU-6.13 for appropriate mixed use resort or business/industrial park developments. This designation has the potential to result in conflict when located on the fringe of Community Growth Boundaries, adjacent to agricultural uses, unless cluster policies are employed and agricultural buffers are provided.

Rural Residential "RR"

This land use category is designed to provide single-family residential development in a semi-rural setting. Large lot residential development with small-scale agricultural activities is appropriate. These areas are intended to act as a buffer area between the urban residential development and the agricultural areas of the County. Building intensity should be greater where public services such as major roads, community water systems, or public sewerage are available. However, most of the lands designated for this land use category would have wells and septic systems. These lands provide important ground water recharge functions. As watershed lands these lands function to collect precipitation and provide for important filtering of water to improve water quality. They are generally supportive to the management of the natural infrastructure of the watersheds. Typical uses permitted by right include single family residences; crop production; raising of poultry, rabbits, and other small animals for domestic use; raising of bovine animals, horses, sheep, and goats for domestic use; and sale of crops produced on the premises. Typical uses permitted conditionally include agricultural-related services and recreational facilities. This designation is primarily located outside of Community Growth Boundaries, but some areas will be appropriate inside these boundaries as well.

CDD Zoning Handout:

"RR" Rural Residential: Allows agricultural uses and single family dwellings. Allowable density of one dwelling per 5-20 acres. Can serve as buffer between agricultural and more intense residential uses.

* Large wineries with an annual production capacity exceeding fifteen thousand (15,000) cases on parcels not less than five (5) acres, including incidental retail sales of wine produced or bottled on the premises, which may include winery and wine-related promotional events as defined in Section 68.4(s)17, non-promotional events as defined in Section 68.4(s)16, and amplified outdoor public events as defined in Section 68.4(s)15. Non-promotional 9-2 events and amplified outdoor public events shall be subject to Departmental review after one year of operation. A restaurant may be permitted when accessory to incidental retail sales of wine. (Ord. No. 3077, 11/20/2018)

Population-based Permit Caps

If the Task Force wishes to pursue population-based caps on Retail Licensure, LCCA would encourage a limit of 1 Storefront Retail per every 4,000-5000 residents to mirror the average range in many other jurisdictions as presented in the chart by Andrew at the last meeting.

We do not suggest limiting delivery licenses or on-farm tasting rooms in this calculation.

Cannabis-Related Businesses

Type 10 - Retail Storefront
Type 10- Retail/On-Site Consumption
Cannabis Special Events

Wine-Related Businesses

Small Winery/Events
Large Winery/Events

Zoning/Permit Comparison Winery Businesses/Events and Proposed Cannabis Businesses/Events

APZ	A	TPZ	RL	RR	SR	R1	R2	R3	C1	C2	C3	CR	CH	M1	M2	MP	O	W	U	PDR	PDC
Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor	Minor
Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Major	Minor*	Minor*	Minor*	Minor*	Minor*	Minor*	Minor	Minor
Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning	Zoning
Minor	Minor			Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Major	Major
Major	Major			Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major

Green - Zoning Permit. No environmental review

Yellow - Minor Use Permit

Pink - Major Use Permit

* - Incidental to other permitted use

Table 1. COTF Recommendations as of November 18, 2024

Section or Topic	Current Regulation/Language	COTF Recommendation	COTF Meeting Date of Motion
Permit Types, Table 27.11B, pg. 27-36 See comments on Table 1 attached.	Cannabis license types and required planning permits are listed in Table 27.11B	The COTF recommendations include permits within agriculture, commercial, and industrial zoning districts. There are new business types and uses, existing uses in additional locations, and changes in the level of permit required. Exhibit A of the Board Memorandum includes a summary of these recommendations, as well as input from the PC and BOS	August 2022-October 2023. Also reviewed by PC December 14, 2023 and BOS February 6, 2024
General Requirements, Section 27.13(at)(1)(ii). pg. 27-111	In order to obtain a Lake County Permit for commercial cannabis activities, as described in Article 73.2 of this ordinance, a person or entity must ensure the project meets all requirements for general development, performance, and application standards of the Zoning Ordinance, the policies of the Lake County General Plan, the policies of the applicable community area plan, environmental requirements as described in the California Environmental Quality Act, and any other applicable requirements described in the Lake County Municipal Code.	Leave language as is	April 8, 2024
State License Requirements, Section 27.13(at)(1)(ii)(a).	(1) Department of Cannabis Control Requirements. State licensure and permits as required. A person or entity shall not engage	Remove the listed agencies and provide a broader more encompassing statement such as the first sentence. Recommended language:	February 12, 2024

	in the commercial cultivation of cannabis without first obtaining a Lake County minor or major use permit, a state cannabis cultivation license, and applicable permits such as from Department of Cannabis Control, Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, the State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, Department of Public Health, and Department of Consumer Affairs, as appropriate.	(1) A person or entity shall not engage in commercial cannabis activities, as described in section 73.2 of this ordinance, without first obtaining a Lake County minor or major use permit and state licensure and permits as required.	
Applicant, Section 27.13(at)(1)(ii)(e), pg. 27-113	Applicant. If the applicant is other than a natural person (including general partnerships of more than one individual natural person), the applicant must provide documentation regarding the nature of the entity and the names of the individual natural persons who manage, own or control the entity. The most common entities are corporations, limited liability companies (LLCs), limited partnerships (LPs), or trusts. These entities can be multi-layered and/or interlocking, e.g. a corporation can be owned by another corporation. If that is the case, documents for those other related entities are needed until the individual natural	To accept the language, amending language to mirror state, if applicable. Recommended language: If the applicant is other than a natural person (including general partnerships of more than one individual natural person), the applicant must provide documentation regarding the nature of the entity and the names of the individual natural persons who manage, own or control the entity. The most common entities are corporations, limited liability companies (LLCs), limited partnerships (LPs), or trusts. These entities can be multi-layered and/or interlocking, e.g. a corporation can be owned by another corporation. If that is the case, documents for those other related entities are needed until the individual natural persons who manage,	April 8, 2024

persons who manage, own or control the entities can be identified.	own or control the entities can be identified.	
Property Owner Approval, Section 27.13(at)(1)(ii)(i), pg. 27-117 If the property where the cannabis activity is to be located is not owned by the applicant, written approval shall be obtained from the property owner(s), containing the property owner(s) notarized signature that authorizes the tenant or lessee to cultivate cannabis at the site. A copy of the written approval shall be maintained by the tenant or lessee and made available for review by enforcement officials upon request. Written approvals shall be renewed annually.	Recommended language: If the property where the cannabis activity is to be located is not owned by the applicant, written approval shall be obtained from the property owner(s), containing the property owner(s) notarized signature that authorizes the tenant or lessee to cultivate cannabis at the site, and the property owner shall be listed as a co-applicant and co-permittee for the approved project. A copy of the written approval shall be maintained by the tenant or lessee and made available for review by enforcement officials upon request. <u>Written approval shall be renewed annually.</u>	July 29, 2024 See comments PI-2
Background Checks, Sections 27.13(at)(1)(ii) - (f), (g), & (h), pg.27-144 All applicants and employees shall undergo a background check by the Lake County Sheriff Department. An individual may fail the background check if employee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the sheriff determines that the applicant or permittee is otherwise suitable to be	Recommended language: All applicants, their <u>full-time and part-time employees, excluding licensed third-party contractors, and their employees shall undergo a background check by the Lake County Sheriff Department. An individual may fail the background check if employee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the sheriff determines that the applicant or permittee is otherwise suitable to be issued a license and granting the license would not compromise public safety, the sheriff shall conduct a</u>	July 1, 2024

	content of a record of state or federal convictions and arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance, pending trial or appeal. ii. The Sheriff's Office shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2 of the Penal Code, for applicants	convictions and arrests, and information as to the existence and content of a record of state or federal convictions and arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance, pending trial or appeal...	
Qualifications for a Minor or Major Use Permit, Section 27.13(at)(1)(ii)(h)(3), Pg. 27-116	Qualifications for a Minor or Major Use Permit: The County may deny a minor or major use permit (permit) or the renewal of a permit if any of the following conditions apply: (1) Failure to comply with the provisions of this chapter or any rule or regulation adopted pursuant to this chapter, including but not limited to, any requirement imposed to protect natural resources, in-stream flow, water quality, and fish and wildlife. (2) The applicant has failed to provide information required by the Lake County Zoning Ordinance. (3) The applicant, owner, or permittee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application	Remove section 1 and 2; keeping section 3; and rephrasing title of section 1, as follows: <u>Qualifications for a Minor or Major Use Permit:</u> The County may deny a minor or major use permit (<u>permit</u>) or the renewal of a permit if any of the following conditions apply: (1) <u>Failure to comply with the provisions of this chapter or any rule or regulation adopted pursuant to this chapter, including but not limited to, any requirement imposed to protect natural resources, in-stream flow, water quality, and fish and wildlife.</u> (2) <u>The applicant has failed to provide information required by the Lake County Zoning Ordinance.</u> (3) <u>The applicant or permittee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or</u>	July 15, 2024

Activity Records, Section 27.13(at)(1)(ii)(i), pg.27-142	is made, except that if the Lake County Sheriff finds that the applicant, owner, or permittee is otherwise suitable to be issued a permit, and granting the permit would not compromise public safety, the Lake County Sheriff shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant or owner, and shall evaluate the suitability of the applicant, owner, or permittee to be issued a permit based on the evidence found through the review	profession for which the application is made, except that if the Lake County Sheriff finds that the applicant or permittee is otherwise suitable to be issued a permit, and granting the permit would not compromise public safety, <u>the Lake County Sheriff shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant, and shall evaluate the suitability of the applicant or permittee to be issued a permit based on the evidence found through the review.</u>	
	i. An applicant shall keep accurate records of commercial cannabis activity. ii. All records related to commercial cannabis activity as defined by the state licensing authorities shall be maintained for a minimum of seven years. iii. The County may examine the books and records of an applicant and inspect the premises of a permittee when the County deems necessary to perform its duties under this division. All inspections shall be conducted during standard business hours of the permitted facility or at any other reasonable time. iv. Applicants shall keep records identified by the County on the premises of the location	Mirror the state (section 15037), and add the following language: li. All records related to commercial cannabis activity as defined by the state licensing authorities shall be maintained <u>for a minimum of seven years, or the life of the permit.</u>	March 18, 2024

	permitted. The County may make any examination of the records of any applicant. Applicants shall also provide and deliver copies of such documents to the County upon request. v. An applicant, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the applicant pursuant to this section, has engaged in a violation of this article.		
Track and Trace, Section 27.13(at)(1)(ii)(n), pg.27-118	All permittees shall be enrolled and comply, maintaining enrollment with good standing in Track and Trace for the life of the permit.	Rephrase as follows: All permittees shall be enrolled and comply, maintaining enrollment with good standing in Track and Trace for the life of the permit.	March 18, 2024
Weights and Measures, Section 27.13(at)(1)(ii)(o), pg.27-118	All permittees shall comply with the State of California Weights and Measures requirements found in the California Food and Agriculture Code, California Code of Regulations, and the California Business and Professions Code.	Leave language as is	June 27, 2024
Compliance monitoring, Section 27.13(at)(4), pg.27-155	Compliance monitoring: A compliance monitoring inspection of the cannabis manufacturing facility shall be conducted at least annually. The permittee shall pay a compliance monitoring fee established by resolution of the Board of Supervisors prior to the inspection. If there are no violations of the County permit or state license during the first five years, the inspection frequency	To reduce annual inspections to every other year, the following is a transfer of ownership. Recommended language: INCORRECT Compliance monitoring: i. A compliance monitoring inspection of the cultivation site shall be conducted annually during growing season. ii. The permittee shall pay a compliance monitoring fee established by resolution of the Board of Supervisors prior to the inspection.	March 18, 2024 Remove top sentence, incorrect.

	may be reduced by the Director to not less than once every five years.	<u>iii. If there are no violations of the County permit or state license during the first five years, the inspection frequency may be reduced by the Director to every other year, unless there is a transfer of ownership, in which case annual inspections shall resume.</u>	
Annual Reports, Section 27.13(at)(4), pg.27-155	Annual Reports: Performance Review i. All cannabis permittees shall submit a "Performance Review Report" on an annual basis from their initial date of operation for review and approval by the Planning Commission. The Planning Commission may delegate review of the annual Performance Review Report to the Director at the time of the initial hearing or at any time thereafter. This annual "Performance Review Report" is intended to identify the effectiveness of the approved minor use permit, Property Management Plan, and conditions of approval, as well as the identification and implementation of additional procedures as deemed necessary. In the event the Planning Commission identifies problems with specific Performance Review Report that could potentially lead to revocation of the associated minor use permit, the Planning Commission may	Recommended language: Annual Reports Performance Review (a) All cannabis permittees shall submit a "Performance Review Report" on an annual basis from their initial date of operation for review and approval by the Planning Commission. The Planning Commission may delegate review of the annual Performance Review Report to the Director, and/or their designated appointees, at the time of the initial hearing or at any time thereafter. Unsatisfactory annual reports may lead to additional permitting requirements and/or revocation. This annual "Performance Review Report" is intended to identify the effectiveness of the approved minor or major use permit, Operations Manual, Operating Standards, and conditions of approval, as well as the identification and implementation of additional procedures as deemed necessary. In the event the Planning Commission identifies problems with specific Performance Review Report that could potentially lead to revocation of the associated minor or major use permit, the Planning Commission may require the	July 1, 2024 See comment PI-3

	require the submittal of more frequent "Performance Review Reports." ii. Pursuant to sub-section 6. i. above, the premises shall be inspected by the Department on an annual basis, or less frequently if approved by the Director. A copy of the results from this inspection shall be given to the permittee for inclusion in their "Performance Review Report" to the Department. iii. Compliance monitoring fees pursuant to the County's adopted master fee schedule shall be paid by permittee and accompany the "Performance Review Report" for costs associated the review of the report by County staff. iv. Non-compliance by permittee in allowing the inspection by the Department, or refusal to pay the required fees, or noncompliance in submitting the annual "Performance Review Report" for review by the Planning Commission shall be deemed grounds for a revocation of the development permit or use permit and subject the holder of the permit(s) to the penalties outlined in this Code.	submittal of more frequent "Performance Review Reports." <u>(b) Pursuant to sub-section 5. i. above, all grounds and buildings shall be inspected by the Department on an annual basis, or less frequently if approved by the Director, pursuant to sub-section 5. i.i.i., Compliance Monitoring Section. A copy of the results from this inspection shall be given to the permittee for inclusion in their "Performance Review Report" to the Department.</u> <u>(c) Compliance monitoring fees pursuant to the County's adopted master fee schedule shall be paid by permittee and accompany the "Performance Review Report" for costs associated the review of the report by County staff.</u> <u>(d) Non-compliance by permittee in allowing the inspection by the Department, or refusal to pay the required fees, or noncompliance in submitting the annual "Performance Review Report" for review by the Planning Commission shall be deemed grounds for a revocation of the development permit or use permit and subject the holder of the permit(s) to the penalties outlined in this Code.</u>	
Complaint Records, Section 27.13(au)(19), pg.27-133	The permittee shall maintain a record of all complaints and resolution of complaints and provide a tally and summary of	Leave language as is, but reformat sections g-k into subsections under f. activity records See comment PI-3	July 15, 2024

Identification of Emergency Contacts, Section 27.13(a)(18), pg.27-133	issues the annual Performance Review Report. Identification of emergency contact(s) that is/are available 24 hours/seven (7) days a week including holidays. The plan shall include the name, phone number and facsimile number or email address of an individual working on the commercial cultivation premises, to whom notice of problems associated with the operation of the commercial cultivation establishment can be provided. The commercial cultivation establishment shall keep this information current at all times. The applicant shall make every good faith effort to encourage neighborhood residents to call this designated person to resolve operating problems, if any, before any calls or complaints are made to the County.	Remove 'manufacturing' from section, to make applicable to all cannabis businesses, and amend the language as follows: Identification of emergency contact(s) that is/are available 24 hours/seven(7) days a week including holidays. The plan shall include the name, phone number and facsimile number or email address of an individual working on cannabis premises, to whom notice of problems associated with the operation of the cannabis establishment can be provided. The cannabis establishment shall keep this information current at all times. <u>The applicant shall make every good faith effort to encourage neighborhood residents to call this designated person to resolve operating problems, if any, before any calls or complaints are made to the County.</u>	March 18, 2024
Prohibited Activities- Tree Removal, Section 27.3(at)(1)(iii)(a), pg.27-119	The removal of any commercial tree species as defined by the California Code of Regulations section 895.1, Commercial Species for the Coast Forest District and Northern Forest District, and the removal of any true oak species (<i>Quercus</i> species) or Tan Oak (<i>Notholithocarpus</i> species.) for the purpose of developing a cannabis cultivation site should be avoided and minimized. This shall not	Recommended language: The removal of any commercial tree species as defined by the California Code of Regulations section 895.1, Commercial Species for the Coast Forest District and Northern Forest District, and the removal of any true oak species (<i>Quercus</i> species) or Tan Oak (<i>Notholithocarpus</i> species.) for the purpose of developing a cannabis cultivation site should be avoided and minimized; <u>unless otherwise specified by a County wide tree removal Ordinance.</u> This	July 29, 2024

	include the pruning of any such tree species for the health of the tree or the removal of such trees if necessary for safety or disease concerns.	shall not include the pruning of any such tree species for the health of the tree or the removal of such trees if necessary for safety or disease concerns.	
Prohibited Activities- Water Use, Section 27.3(at)(1)(iii)(b), pg.27-119	Water Use. The utilization of water that has been or is illegally diverted from any lake, spring, wetland, stream, creek, vernal pool, or river is prohibited. Cultivation site shall not be connected to public water.	Change title to "Diversion of Water". Note: other stormwater and water use-related requirements are listed within the Property Management Plan requirements section beginning on pg. 27-136 of Article 27	July 29, 2024
Prohibited Activities-Odor, Section 27.3(at)(1)(iii)(c), pg.27-119	Cannabis related permits shall not propagate objectionable odors which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public.	Recommended language: Commercial cannabis related permits operations shall not propagate objectionable odors which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public in violation of approved Property Management Plans or Conditions of Approval. All complaints received shall be documented and addressed by the Permittee.	September 24, 2024 See comment PI-4
Prohibited Activities-Electrical Generators, Section 27.3(at)(1)(iii)(d), pg. 27-119	The indoor or mixed-light cultivation of cannabis shall not rely on a personal gasoline, diesel, propane, or similar fuels, powered generator as a primary source of power and shall only allow properly permitted (when applicable) generators for temporary use in the event of a power outage or	Amend language to: -Apply to all cultivation of cannabis -Add requirements listed for stationary storage systems in the current CA Fire Code edition in effect, along with any CA Fire standards that are in place regarding small combustible engines. -Move to the Prohibited or Restricted Uses section of Draft Ordinance.	October 29, 2024

Prohibited Activities-Lights, Section 27.3(at)(1)(iii)(e), pg. 27-119	emergency that is beyond the permittee's control. All lights used for cannabis related permits including indoor or mixed light cultivation of cannabis shall be fully contained within structures or otherwise shielded to fully contain any light or glare involved in the cultivation process. Artificial light shall be completely shielded between sunset and sunrise. Security lighting shall be motion activated and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.	-Differentiate between (1) unanticipated or emergency use (2) waiting permanent PG&E power, integrating State Fire Codes. Amend language to clarify that lighting shall be downward facing, limited to the parcel, and Dark Sky compliant.	October 29, 2024
Prohibited Activities-Pesticides, Section 27.3(at)(1)(iii)(f), pg. 27-120	The use of any pesticide that has been banned for use in the state is prohibited.	-Add definition of "Pesticide" to Article 27 and Article 68 (Definitions) to state the following: <u>Pesticide- includes any of the following:</u> <u>(a) Any spray adjuvant. (b) Any substance, or mixture of substances which is intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest, as defined in Section 12754.5, which may infest or be detrimental to vegetation, man, animals, or households, or be present in any agricultural or nonagricultural environment whatsoever.</u> -Add the following language to this section:	October 29, 2024

		Use of pesticides, as defined, requires an <u>Operator ID, and any appropriate pesticide applicator certificate.</u> - <u>Keep in Prohibited or Restricted Section of Draft Ordinance</u> - <u>Also refer to pesticides in Development Standards</u>	
Protection of Minors, Section 27.3(at)(1)(iii)(iv), pg. 27-120	(a) No permittee shall: a. Sell, transfer or give cannabis or cannabis products to persons under 21 years of age; b. Allow any person under 21 years of age into the cultivation area; c. Employ or retain persons under 21 years of age.	-Change 'cultivation area' to "permitted premises" and refer to state regulations. Recommended language: No permittee shall: a. Sell, transfer or give cannabis or cannabis products to persons under 21 years of age; b. Allow any person under 21 years of age into the cultivation area <u>permitted premises</u>; c. Employ or retain persons under 21 years of age, pursuant to Section 15000.6 in the DCC Regulations. Note: current definition of "premises" in Article 68: The designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or permittee where the commercial cannabis activity will be or is conducted. A premises can be a portion of or all of a single lot of record. (Ord. No. 3709, 12/11/2018)	October 29, 2024
Commercial Cannabis Cultivation Exclusion Areas, Section 27.3(at)(1)(iii)(v), pg. 27-120	Commercial cannabis cultivation is prohibited within 1,000 feet of the following areas or uses:	-Add Clear Lake at 7.79 Rumsey as public lands. - Add subsection K stating that the permits approved prior to changing setbacks abide	November 4, 2024; November 15, 2024;

	a. Community Growth Boundary as described in the Lake County General Plan, b. SOS combining district, c. Public lands, where, because of development or other actions, it is clear that the public is invited to use such locations as places of recreation and other destination activities, including but not limited to, hiking, bird-watching, equestrian activities, and camping. Additionally, all State and County parks are public lands (Ordinance 3096). d. An incorporated city sphere of influence, unless the applicant can provide a letter of support from the City. e. Any public or private school, grades K through 12, f. A developed public park containing playground equipment, g. A drug or alcohol rehabilitation facility, or h. A licensed childcare facility or nursery school, church or youth-oriented facility catering to or providing services primarily intended for minors. i. Federal Indian Trust Lands, unless the applicant can provide a letter of support from the Federal Indian Trust Landholder. j. The distance specified in this section shall be measured	to the regulations at the time of the first permit approval; specifically, in regard to setbacks, outdoor cultivation, and the list of exclusion zones A through I, only. -Keep 1,000 ft setback for all of the below items. - Include prime farmland, unique farmland, farmland of local importance, and farmland of statewide importance, as illustrated on the California Conservation map into the boundaries discussed in the Lake County important farmland section of the Draft Ordinance, aligning the County FPZ map with the pre-existing California Conservation FMMP map.	November 18, 2024 See Comment PI-5
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vi. Important Farmland	horizontally from the areas or uses to the cannabis cultivation site. Lake County Important Farmland Farming and agriculture is Lake County is important to our economy. Cannabis may present certain conflicts with more traditional farming. In order to ensure the protection of all agricultural industries within the county, the following rules will apply when cannabis cultivation interfaces with Farmland Protection Zones. If an applicant finds that their project is in an area where they shall not be allowed to cultivate outdoors, then their cannabis cultivation shall be limited to indoor, mixed light, and greenhouses that equipped with filtrations systems that prevents the movement of odors, pesticides, and other air borne contaminates out of or into the structure. a. Outdoor cultivation of cannabis shall not be allowed within any Farmland Protection Zone. b. Outdoor cultivation of cannabis shall not be allowed within 1000 feet of any Farmland Protection Zone. c. If outdoor cultivation of cannabis is less than one (1) mile from Farmland Protection Zone, vegetation screening is required.	-Replace the word "prevents" with "limits" in the below sentence: If an applicant finds that their project is in an area where they shall not be allowed to cultivate outdoors, then their cannabis cultivation shall be limited to indoor, mixed light, and greenhouses that equipped with filtrations systems that <u>prevents</u> limits the movement of odors, pesticides, and other air borne contaminates out of or into the structure.	November 18, 2024
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	i. Vegetation screening shall consist of woody vegetation or trees that grow to no less than 20 feet tall. ii. Vegetation screening shall be between Farmland Protection Zone and the permitted cannabis canopy area. iii. The species of woody vegetation or trees to be used may be chosen by the permit applicant but should be suited to localized soil and site conditions. Native plant species are encouraged as are plantings which will benefit local fauna. Plantings must be perennial and hardy in the local climate zone as specified in scientific literature or garden catalogs		
Incomplete and abandoned applications	No current regulations within Article 27 related to abandoned applications. State regulations for abandoned or incomplete applications are listed in Subsection 15012, Incomplete and Abandoned Applications	Proposed language: Incomplete applications will not be processed. Applications will only be considered complete if all of the information required under the Lake County Zoning Ordinance is submitted. The Community Development Department shall issue a written notice to the applicant, by mail, email, or through the Department's permitting system, informing them that the application is incomplete and identifying the information missing from the application. a. If the applicant fails to submit all required information or demonstrate substantial progress within 180 days from	November 14, 2024

Setbacks consistent with Water Board	Currently, Article 27 (pg 27-136 under Stormwater Management) states, "Outdoor cultivation, including any topsoil, pesticide or fertilizers used for the cultivation cannabis shall not be located within 100 feet of any spring, top of bank of any creek or seasonal stream, edge of lake, delineated wetland or vernal pool. For purposes of determining the edge of Clear Lake, the setback shall be measured from the full lake level of 7.79 feet on the Rumsey Gauge". Resolution of Intent 20-50, which proposed making setbacks consistent with the State Water Board (allows for 50ft from Class III watercourses), was adopted by the BOS on 5/12/2020 and went to PC for consideration on 2/25/21. However, it never went back to BOS for formal adoption.	the date of the initial written notice, the application shall be deemed abandoned. b. The Community Development Department will not refund application fees for an incomplete or abandoned application. c. An applicant may reapply at any time following an abandoned application without prejudice and will be required to submit a new application and application fee.	-Align setbacks with State regulations on all water courses, with the exception of Clear Lake at 7.79 Rumsey, which is 1,000 foot setback.	November 18, 2024
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Table 2, Remaining focus topics to be considered by COTF

Voluntary Withdrawal of Approved Applications	No current regulations within Article 27 related to abandoned applications or voluntary withdrawal.
Operational hours	Currently, Article 27 (pg. 27-151) states the following pertaining to delivery hours. <i>Operating Hours: Deliveries and pick-ups are restricted as follows: Monday through Saturday: 9:00 a.m. - 7:00 p.m. Sunday: 12:00 p.m. - 5:00 p.m.</i> However, construction and operational hours for outdoor and mixed light cultivation and other non-delivery activities are not stated. County noise ordinance notes maximum sound levels for specific hours that have been utilized by Staff. State does not note cultivation hours. Staff notes that some operators have noted wanting (or needing) to be on-site during longer periods of time (6am to 9pm) during summer months.
Records Retention	Article 27 (pg 27-112 and 27-142) notes record retention requirements. Specifically, subsection (au)(4)(ii) states, <i>all records related to commercial cannabis activity as defined by the state licensing authorities shall be maintained for a minimum of seven years.</i> However, all operators are required to use METRIC, which allows for electronic record keeping. State regulations are within Subsection 15037, General Record Retention Requirements Article 27 (Development Standards table on pg 27-110) requires cultivation setbacks of 100 ft from property line and 200 ft from off-site residences (in addition to the 1,000 ft setbacks in the exclusion zones). Some have raised the potential of increasing setbacks as a means to aid in odor nuisance issues.
Increase setbacks for outdoor cultivation (odor concerns) See comments PI-4	
Self-contained RVs on-site	RVs are commonly found on-site during annual inspections. However, the County Code is silent about this topic, with the exception of a temporary dwelling permit for the construction of a dwelling unit, and temporary construction offices.

Farm Labor Contractor registration posted on-site	State does not require live scans for employees and does not regulate Farm Labor Contractors. COTF is recommending live scans for employees, with the exception of Farm Labor Contractors. Staff is suggesting the Ag Commissioner registration documents be posted on-site for verification
Notice of Applicability (NOA) date October 31, 2020	Ordinance 3092 established a cutoff date of October 31, 2020, for the Water Board Notice of Applicability (effectively putting a moratorium on new applications from being submitted). Discussion will include whether the date should be extended to allow for new applications.
Maximum submittal of 12 applications per month	2019 Ordinance applied a moratorium to the number of applications allowed to be submitted. If the NOA date is modified, this item will impact the number of applications accepted.
Cannabis density of cultivation and retail sites See comments PI-6 and PI-7	Currently the County Code does not have any limitation to the number of permitted sites allowed in proximity to each other. Additionally, Resolution of intent 20-50 adopted by BOS on 5/12/2020 proposed decreasing the M-Type and A-Type 1A, 2A and 3A minimum lot size from 20 acres to 2 acres and decreasing setbacks from 100 ft to 30 ft from the property line. However, the ordinance was never formally brought forward and adopted.
Adult and Primary Caregiver Medicinal Use	Currently, County regulation states 100 sf maximum structure per patient up to 6 patients. Co-location and clustering of parcels have also been held under identical ownership rather than as residential accessory used on same parcel or vacant parcels. However, Staff cannot confirm medical status due to HIPAA laws. Code Enforcement has been encountering multiple sites having 36 plants without a means of verification. Some potential solutions include: - Increase square footage of structures to accommodate patient count with a maximum square footage determined by zoning, requiring building permit for any structure greater than 120sf or any structure with electrical mechanical systems regardless of size. - Require proof of UID Patient registration card with CA Dept of Health available upon request. - Consider allowing co-location and clustering of parcels held under identical ownership.

Opt Out and Reduced Canopy Process	Process is not codified in Article 27. Resolution 2024-53 identified June 1 st as the deadline for opt out and request to reduce canopy requests to be received by CDD.
Fallowing	Discussion related to options for fallowing in lieu of cultivation.
Site Reclamation Bond	Discussion will consider whether site reclamation bonds should be required. The bond ensures that when a site is closed or it reaches the end of its permit life, that the land is then returned to its original condition and any monitoring required under the reclamation plan is carried out.
Method for calculating canopy	Clarification is needed related to method for calculating canopy. County definition: <i>The designated area(s) at a licensed premises, except nurseries, that will contain mature plants at any point in time, as follows: (1) Canopy shall be calculated in square feet and measured using clearly identifiable boundaries of all area(s) that will contain mature plants at any point in time, including all of the space(s) within the boundaries; (2) Canopy may be noncontiguous but each unique area included in the total canopy calculation shall be separated by an identifiable boundary that includes, but is not limited to, interior walls, shelves, greenhouse walls, garden benches, hedgerows, fencing, garden beds, or garden plots; and (3) If mature plants are being cultivated using a shelving system, the surface area of each level shall be included in the total canopy calculation. (Ord. No. 3084, 5/21/2019)</i> State Definition: <i>"Canopy" means the designated area(s) at a licensed premises that will contain mature plants at any point in time.</i>



From: noreply@granicusideas.com
Sent: Wednesday, June 11, 2025 6:21 PM
To: Danae LoDolce; Mireya Turner; rvineyards@sonic.net; everardo2797@gmail.com; eaglebrown19@gmail.com; fieldmaile@gmail.com; szoller@hotmail.com
Subject: [EXTERNAL] New eComment for Planning Commission on 2025-06-12 9:00 AM
Follow Up Flag: Flag for follow up
Flag Status: Flagged

[Lake County](#)

New eComment for Planning Commission on 2025-06-12 9:00 AM

MAILE FIELD submitted a new eComment.

Meeting: Planning Commission on 2025-06-12 9:00 AM

Item: 7a 25-634 Consideration of Summary of Cannabis Policy Recommendations and Request for Planning Commission Recommendation(s)

eComment: Date: June 12, 2025 To: The Honorable Lake County Planning Commission From: **Peggie King**, Environmental Professional, Kelseyville Subject: Consideration of Summary of Cannabis Policy Recommendations and Request for Planning Commission Recommendation(s)
I have worked in the environmental field for about 30 years. Partly as a Lake County employee (12+years) and in the private sector for a few large corporations. Most of my work has been in California, where I specialize in understanding and advising on complex environmental regulations with an emphasis on water resources. I worked in cannabis for a former grower and processor in Lake County for about 8 months and am familiar with the business and environmental issues. I would like the Planning Commission and subsequently the Board of Supervisors to consider including the following bullet points in the subject discussion item, if possible, to address a few environmental concerns related to water resources. Below is a very brief list of concerns: • Be aware of the Sustainable Groundwater Management Act (SGMA) and potential future consequences of overdraft in groundwater basins that are not presently on the high priority list, yet could be in the future if the water resources are not carefully considered and managed. SGMA requires local agencies to address undesirable impacts of over pumping to bring groundwater basins into balance. The Big Valley Groundwater Basin is currently the only basin that is regulated by SGMA and maybe it is very costly to the county and citizens. • The county policies/ordinance should address the current required Hydrology Reports to be consistent and include a minimum amount of information, perhaps a report template could be provided to the project proponent. The Hydrology Reports need to be accurate, clear, concise and fact based. Stating that a cannabis plant uses as much water as a tomato plant is vague and does not quantify the use based on factual evidence, as it should, in order to demonstrate

sustainability. Groundwater well pump times should be conducted for 24 consecutive hours to accurately reflect the drawdown and recovery of the well. In some areas, well production is very low (e.g., 10 gpm) and that may necessitate around the clock watering for a commercial grow. • Groundwater wells close to creeks/streams could be considered under the influence of surface water. Surface water includes all groundwater sources that are deemed to be under the influence of surface water such as springs, shallow wells, and wells close to rivers. This condition needs to be better understood with regards to water rights and regulated waterways such as Putah Creek and particularly with regards to groundwater recharge. In California, groundwater wells that are influenced by surface water may require a water right from the State Water Resources Control Board depending on the specific circumstances and well location. This is a complex issue that does not appear to be well understood within the Hydrology Reports that I have read associated with proposed cannabis projects.

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June 8, 2025

Lake County Planning Commission
c/o Community Development Department
255 N. Forbes Street
Lakeport, CA 95453

RE: Request to Remove or Continue Agenda Item 7a from the June 12, 2025 Planning Commission Agenda: "Consideration of Summary of Cannabis Policy Recommendations and Request for Planning Commission Recommendation(s)"

Dear Chair and Members of the Planning Commission:

I respectfully request that Agenda Item 7a currently scheduled for the Planning Commission's June 12, 2025 meeting be removed from the agenda or continued to a date and time uncertain. The item in question—"Consideration of Summary of Cannabis Policy Recommendations and Request for Planning Commission Recommendation(s)"—is premature and in direct conflict with explicit direction provided by the Board of Supervisors at their March 18, 2025 meeting.

At that meeting, all five Supervisors—Sabatier, Pyska, Owen, Rasmussen, and Crandell—expressed a clear desire to review the cannabis policy summary themselves prior to it being submitted to the Planning Commission or any other decision-making body. This direction was agreed upon through a formal consensus, and Director Turner acknowledged and accepted this process adjustment, noting it was both reasonable and beneficial.

The discussion included the following points

- Supervisor Sabatier expressed concern about Board reviewing the ordinance too late in the process and advocated for early Board input.
- Supervisor Pyska supported seeing a summary first before it moved forward through the channels.
- Director Turner agreed to present a summary of proposed policy changes to the Board before any formal ordinance or recommendation request is submitted to the Planning Commission.
- Supervisors Owen, Rasmussen, and Crandell all voiced agreement with this course of action.
- The County Counsel confirmed a consensus had been reached.

Despite this agreement, the June 12 Planning Commission agenda appears to move forward in direct contradiction to the Board's instructions. Moreover, public input on the recommendations has not yet been fully incorporated, further emphasizing the need to pause this process until the Board has had the opportunity to provide conceptual input as they intended.

Proceeding at this time risks undermining both public trust and procedural integrity. Therefore, I urge the Commission to either remove this item from the agenda or continue it until after the Board of Supervisors has reviewed the summary and provided its guidance.

Thank you for your attention to this matter and for your continued service to Lake County.

Attached below, please find an excerpt from the March 18, 2025 Board of Supervisor hearing where this was discussed.

Sincerely,

Thomas Lajcik

Lakeport, ca 95453 City, State, ZIP
9167929999

Excerpt from March 18, 2025 Board of Supervisors Meeting. From YouTube recording at website: <https://www.youtube.com/watch?v=jCpsxC1EvN0&t=5246s>

1:11:42 Sabatier: I know that typically we review a potential ordinance, send it off to the Planning Commission, then the Planning Commission brings it back to us. If we make changes, does that have to go back to the Planning Commission? So I'm trying to see what's the most efficient way to do that to get our full input prior to it going to the Planning Commission.

Turner (1:12:05): So I will take the input received from the Board on all of the task force activity to date. That will be part of how the draft ordinance will be written. If you would like to do the process for a notice of intent to see that draft ordinance prior to it going to the Planning Commission, I could do it that way too. It's just not the way I usually do it, but all right.

Pyska (1:12:33): I think I would like to see a summary maybe before it starts going through the channels. [Directed toward Sabatier] Is that what you're asking?

Sabatier (1:12:44): I just don't want to break something after it's gone through so many levels of review where, "no absolutely not this is not going to work for us," and so I don't want to finalize here but I want to make sure we don't do huge changes to what comes back to us.

Turner (1:12:59): I'd be happy to prepare a summary to bring before the Board that just shows kind of these are the new streamlines, these are what's updating to the state, this is new, this is a policy decision that I'm still going to need from you. Yeah, we could do it that way. That'd be fine. Yep, that works.

Owen (1:13:15): [Directed toward Sabatier] Did you want to see the draft or just a summary?

Sabatier (1:13:22): I think a summary... It takes a while to do all the drafting of the overall ordinance. I think highlighting what the changes will be compared to what we have... to be honest, I've just been holding back giving my personal opinions to allow the Cannabis Task Force to do its work before it comes back to us. I want to make sure I have the ability to provide my feedback in order to maybe, if there's a consensus from the Board, to shape what the revision looks like prior to going through the review, but a summary, not the actual ordinance doc.

Turner (1:13:53): So your input would be in concept as to be reflected in the draft ordinance? Yeah, that's fine. Okay, no problem. That'll be quicker too.

Owen (1:14:03): Can I get a copy of the original too? The current –

Turner (1:14:06): The current Article 27?

Owen (1:14:09): Yeah, the one that's in place without the changes so I can see the changes –

Turner (1:14:11): Oh sure, like a red line – it won't exactly be a red line but I can put it all in a table.

Owen (1:14:18): Okay.

Turner (1:14:19): What we have currently versus what we're thinking about.

Owen (1:14:24): Perfect, thank you.

Turner (1:14:26): That makes sense. Thanks.

Rasmussen (1:14:28): Yeah, I also like the idea of having the summary come back before it goes to the Planning Commission. Other than that, I appreciate the update and there's still going to be lots of opportunity for public to comment as it goes back through the process.

Turner (1:14:43): Indeed.

Rasmussen (1:14:44): Thank you.

Crandell (1:14:45): Right, that's what I was going to say too, but you guys have already covered it. So we... is it that we need a consensus to do that? [Directed to Counsel] Okay, we have it. Yes. Just wanted to... all right.

Date: June 12, 2025

To: The Honorable Lake County Planning Commission

From: **Peggie King**, Environmental Professional, Kelseyville

Subject: Consideration of Summary of Cannabis Policy Recommendations
and Request for Planning Commission Recommendation(s)

I have worked in the environmental field for about 30 years. Partly as a Lake County employee (12+years) and in the private sector for a few large corporations. Most of my work has been in California, where I specialize in understanding and advising on complex environmental regulations with an emphasis on water resources. I worked in cannabis for a former grower and processor in Lake County for about 8 months and am familiar with the business and environmental issues.

I would like the Planning Commission and subsequently the Board of Supervisors to consider including the following bullet points in the subject discussion item, if possible, to address a few environmental concerns related to water resources. Below is a very brief list of concerns:

- Be aware of the Sustainable Groundwater Management Act (SGMA) and potential future consequences of overdraft in groundwater basins that are not presently on the high priority list, yet could be in the future if the water resources are not carefully considered and managed. SGMA requires local agencies to address undesirable impacts of over pumping to bring groundwater basins into balance. The Big Valley Groundwater Basin is currently the only basin that is regulated by SGMA and maybe it is very costly to the county and citizens.
- The county policies/ordinance should address the current required Hydrology Reports to be consistent and include a minimum amount of information, perhaps a report template could be provided to the project proponent. The Hydrology Reports need to be accurate, clear, concise and fact based. Stating that a cannabis plant uses as much water as a tomato plant is vague and does not quantify the use based on factual evidence, as it should, in order to demonstrate sustainability. Groundwater well pump times should be conducted for 24 consecutive hours to accurately reflect the drawdown and recovery of the well. In some areas, well production is very low (e.g., 10 gpm) and that may necessitate around the clock watering for a commercial grow.
- Groundwater wells close to creeks/streams could be considered under the influence of surface water. Surface water includes all groundwater sources that are deemed to be under the influence of surface water such as springs,

shallow wells, and wells close to rivers. This condition needs to be better understood with regards to water rights and regulated waterways such as Putah Creek and particularly with regards to groundwater recharge. In California, groundwater wells that are influenced by surface water may require a water right from the State Water Resources Control Board depending on the specific circumstances and well location. This is a complex issue that does not appear to be well understood within the Hydrology Reports that I have read associated with proposed cannabis projects.