



KASSOUNI LAW

April 6, 2026

VIA ELECTRONIC MAIL

Lake County Board of Supervisors
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Re: April 7, 2026, Agenda Item 6.10 [Consideration of Ordinance to Amend Chapter 21, Article 27 of the Lake County Code regarding Commercial Cannabis Regulations]

Dear Chair and Members of the Board of Supervisors:

I represent Rancho Lake LLC, in connection with its Major Use Permit PL-25-13 (UP 21-15) and Mitigated Negative Declaration (IS 21-16), which were previously approved by the Planning Commission on January 8, 2026 (after a continuance). This Project was appealed by a neighboring property owner to this Board, and a hearing has been scheduled for April 21, 2026.

In reviewing the prior March 10, 2026, public hearing on the matter of an Ordinance to Amend Chapter 21, Article 27 of the Lake County Code regarding Commercial Cannabis Regulations, it is apparent that the Board is rightly concerned with the effect of the proposed ordinance on property owners who have already been granted approval for their projects. Rancho Lake LLC has been working on this project for six years at great cost, and in good faith reliance on the existing ordinance. As a matter of basic fairness and sound policy, any ordinance amendment should expressly exempt those property owners who have completed their applications, and who have already had their projects approved by the Planning Commission. County staff, Rancho, and the Comstock family have already devoted six years and thousands of hours to this Project, and it should be allowed to proceed.

Property owners and businesses should be able to rely on existing law when investing substantial time and resources to their projects.

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I am also attaching the March 9, 2026, correspondence to this Board from Trey Sherrell, an Environmental and Regulatory Compliance Consultant with ten years of experience working within Lake County and its cannabis farmers. Mr. Sherrell further articulates the "crushing blow" to those who have already had applications deemed complete, and, in the case of Rancho, already had the application approved by the Planning Commission.

Thank you for your consideration.

Respectfully submitted,



Timothy V. Kassouni

Cc: Mary Claybon

Attachment

Date: March 9th, 2026

To: Lake County Board of Supervisors

From: Trey Sherrell (Environmental & Regulatory Compliance Consultant)

Subject: Consideration of Ordinance to Amend Chapter 21, Article 27 of the Lake County Code regarding Commercial Cannabis Regulations

Dear Supervisors,

My name is Trey Sherrell, and I am an Environmental & Regulatory Compliance Consultant with nearly ten years of experience working with Lake County permitted and licensed cannabis farmers. It has come to my attention that you will be considering amendments to Article 27 of the Lake County Zoning Ordinance, which would lead to substantial increases in setbacks from offsite residences for Medium (Type 3), Nursery (Type 4) and Large (Type 5) commercial cannabis cultivation operations, as well as for cannabis Processors. It is my understanding that odor is a primary reason for the increased setbacks. As such, I strongly encourage you not to increase setbacks for Nurseries (Type 4), as their primary function is to produce immature plants (clones and seedlings) which do not emanate the strong odors associated with mature flowering cannabis plants.

The California Cannabis Industry has matured significantly over the last five or six years. Market forces have caused consolidation in the number of licensed farmers, and the remaining farmers have to operate at a substantially lower cost of production. For this reason, I strongly encourage you to remove the October 31, 2020 “Water Board Deadline” from the Lake County Zoning Ordinance [Subsection (g) of Section 27.3(at)(1)(ii) of Chapter 21]. At the time that this deadline was added to the County’s Zoning Ordinance, it was needed to limit the flood of cannabis cultivation-related Use Permit applications the Community Development Department experienced during the “Green Rush”. However, the “Green Rush” end many years ago and this deadline limits the properties available for development, often leading to poor land use decisions. The increased setbacks from neighboring residences will further limit the properties available for development. This will make it even more difficult for Lake County’s licensed farmers to evolve and remain competitive in California’s maturing cannabis industry. Removing this deadline would allow for cannabis farmers to pursue licensed farms on properties that best fit their needs, with minimal environmental impacts at substantial distances from neighboring residences and other sensitive uses.

While cannabis cultivation operations (and/or the odors that they produce) can be perceived as a nuisance by some, this is not always true. I have multiple clients who’s proposed cultivation operations will be substantially affected by the increase in setbacks from offsite residences. In one case, the neighboring residence that would affect my client’s proposed cultivation operation as a result of increased setbacks is located on the same property as a licensed cannabis farm. Another client has already obtained letters of support from all of the neighboring residents/landowners. Increasing the setbacks from neighboring residences without some form of exemption or allowance would be a crushing blow to many applicants that submitted Use Permit applications months (if not years) ago at great expense and in good faith under the current regulations. Therefore, I am asking for a mechanism to allow for reduced setbacks when certain conditions are

met. For example, Yolo County's Zoning Regulations allow for Buffer Easements, Buffer Exceptions and Buffer Reductions (defined below).

Buffer easements: Executed agreements between willing neighbors to accept smaller buffer distances, subject to oversight and acceptance by the County.

Buffer exceptions: Discretionary reduction of greater than ten percent for buffers based on the specific conditions at the site.

Buffer reductions: Discretionary reduction of up to ten percent for buffers based on the specific conditions at the site.

Please consider some form of mechanism to allow for reduced setbacks from neighboring residences for previously submitted complete Use Permit applications, and when a proposed cultivation operation is supported by the owners and residents of neighboring residences within the increased setbacks.

Thank you for your thoughtful time and consideration in this matter.

Respectfully,
Trey Sherrell