

11-6-16

Dear Lake County Planning Commission,

I would like to submit comments regarding the proposed Lake County Cannabis Ordinance overlay recommendations. It is my understanding based on the maps I have seen, that there may be proposed one mile buffer zones around water districts, Rancherias and Community Growth Boundaries, further restricting cannabis cultivation.

Unfortunately, it appears that when we put all of these map overlays one on top of the other, there is very little land that is anywhere near the more developed areas, and it appears that many of our existing farms may be excluded from cultivation zoning. Earlier the sheriff expressed a desire for proximity of gardens to help facilitate the regulatory process. Now it seems to have been turned upside down, with cultivation taking place only in remote areas rather than where it is already occurring. Please keep in mind that many of the existing farms have a track record of success and we are looking forward to regulation and working with the county permitting process.

I am questioning the need for the one mile buffer zones and wonder how they were developed or if they are still being considered. In any case, I feel they may be excessive. For example, one of our farms is located over a steep ridge from one of the Rancherias. There is no access by road between the Rancheria and the property. Yet on an aerial map, our farm is located 8 tenths of a mile from one corner of the Rancheria. Would our farm be legal to permit?

Again, I am wondering why we need to extend the boundaries of exclusionary zones further than they already are. My understanding is that the Community Growth Boundaries were already developed to address issues of population density, proximity to schools, nuisance complaints, etc. Why extend them? Or if buffer zones are necessary, they could be reduced to a half mile or less.

Also, I do not understand the concern about buffering water districts. Are other agricultural crops (for example vineyards) regulated in this way? As we know, cannabis cultivation (especially as it will be permitted under state law with 5,000 sq. ft. or 10,000 sq. ft. sized cultivation areas) does not contribute to water degradation to the same degree as some other agricultural activities.

In any case, the Regional Quality Control Board in our region (the Central Valley Regional Control Board) is charged with permitting and regulating cannabis growing, and MCRSA requires that all licensed cultivators comply with their permitting procedures. All issues of erosion, slope and water quality will be addressed by them when we submit our applications and we will be evaluated on a site by site basis.

Coming back to the Rancherias, I am curious what the tribes' positions are regarding cultivation zoning. We have not heard their input at any of the meeting I have attended and I wonder if they are being informed or care to get involved in the planning?

At a past meeting the following objectives were suggested as important to consider:

- Maximizing the opportunity for growers who wish to cultivate legally, to be able to do so
- Reduction and prevention of illegal activity surrounding the industry
- Minimization of impacts of the garden parcel to the surrounding environment

I am in agreement with the importance of these objectives and I do not want our new ordinance to drive responsible growers back into the shadows. Up until very recently, we were told that to cultivate we would need to have a legally permitted residence. In fact, many of us have been in compliance with that, and we are living in legal housing with approved septic systems and permitted wells. Our power is permitted legally through PG&E. We may be living on 10 or 20 acre parcels on RL or RR zoned properties. We are part of the community and because we have been here, we know how to use the land sustainably and to farm successfully.

While there are certainly those growing on more remote and larger parcels, they are not always as careful about taking care of the land because they **do not live here**. We are here because we have chosen Lake County as our homes and we want to be accepted as good citizens who will respect the rights of our neighbors and protect the environment. Please consider making accommodations to the planning ordinance so that we are not excluded from taking part in Lake County's future.

Again I would like to thank the Planning Commission and especially Bob Massarelli for taking the time to listen to our concerns and include us in the planning process.

Sincerely,

Ann Bauer
North Lake County Growers Association
PO Box 187
Upper Lake, CA 95485
ann_bau@hotmail.com

Mireya Turner

From: Ann Bauer <ann_bau@hotmail.com>
Sent: Wednesday, November 09, 2016 4:47 PM
To: Robert Massarelli
Cc: Mireya Turner
Subject: Cannabis ordinance update

Bob,
I stopped by your office earlier today hoping to catch you. I received the power point slide presentation from Mireya this morning, and it was then that I realized that the new ordinance recommendations will be for a 20 acre minimum. I know that there has already been compromise on this from the original 40 acres, and that the Farm Bureau has concerns about subdivision of agricultural lands.

Our two farms (and I know of others) are both on 10 acre parcels zoned Rural Lands (RL) They are surrounded by larger parcels and we have been farming on them since 2011 and 2013. This can be proven with aerial maps. As Rural Lands are already zoned at a 20 acre minimum (except under special circumstances), I am hoping that there will be accommodation made for our properties so that we will be able to apply for permits. Maybe a variance could be applied for?

As you may know, I have been coming to the public meetings from the beginning. I can see that you have really tried to listen to the concerns of all sides, including making accommodation for agricultural lands. Also I see that the personal use regulations were changed to include the use of a garage as suggested at the last meeting.

I am really hoping that there will be a way for our 10 acre RL properties to be approved.

Thanks again and see you at the meeting.

Ann Bauer

APN# 008-042-040-000

Being Compliant with Cannabis laws In Lake County California 2016

Hello, My name is Justin Barber my wife Laura and I have been living here in Lake County since 1969, we moved to our property here in Kelseyville in 1997, this property has been in our family since 1979, my parcel number is 008-042-040-000 it is 56 acres in size and zoned A

To Be Complaint with the State: I filed a NOI with the Central Valley Regional Water Quality Board. **Water Quality order (R5-2015-0113)**

We had to get a Biological study of our garden area at the cost of \$ 1,800, we also had to get a Cultural Resource Evaluation done at the cost of \$ 800, then sent in all of our report along with \$2,500 for the state water board, we placed our cannabis garden area over 200' feet away from any water way to keep within the state laws.

To Be Compliant with Lake County: We applied for a permit for our 8' foot tall chain link fence on 3/16/16 but do to the Fires in 2015 all permits outside of the fire area were put on hold. We let the planning department know that we were going to build the fence, and that was fine with them. The cost of the fence was \$28,000. We did finally get our septic tank permit approved on 10/2/16. I dropped of the application to the building Dept. on 11/9/16.

As you can see we have invested a lot of money to be compliant with the Lake county cannabis laws and the state laws, and now Lake County is changing the zoning laws again!! The county is saying that they will grandfather in people who were compliant in 2015/2016 so this is why I am sending you this info packet to confirm that we are compliant.

Thank you,

Justin Barber

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NOV 14 2016

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

Katherine Wolf

1272 2nd Ave. San Francisco, Ca. 94122

Wed. Nov. 16, 2016

Lake County Planning Commission
255 N. Forbes St.
Lakeport, CA 95451

RE: Proposed Medical Cannabis Ordinance

Dear Members of the Lake County Planning Commission:

Thank you for the opportunity to comment on the proposed changes to Article 72 dealing with medical cannabis cultivation in Lake County. **I have been a property owner in Lake County since 1977 and have spent every summer of my 67 years tending to lands in the county.** I am a high school teacher and educator of youth since 1972. I have created an educational facility in Scotts Valley that brings young people to an untouched environment, "off the grid", to give them an experience that helps them to understand the fragile nature of our wilderness and agricultural lands. This particular pristine valley and this approach to teaching and learning is a powerful tool that connects young people to a sense of responsibility for the natural environment and encourages them to think and act in their lives to create a healthy and sustainable future.

I am **opposed to** the cultivation of cannabis on prime farmland and in or near areas that have been developed for youth education. I am very concerned about the health of our watersheds, contamination of water sources by chemicals used in cannabis growing and the general depletion of our aquifers.

Thank you, again, for the opportunity to comment on cannabis cultivation in Lake County.

Sincerely,

Katherine Wolf

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NOV 16 2016

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

RECEIVED

NOV 17 2016

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

Diane L. Henderson
Henderson Orchards
P.O. Box 601
5975 Gaddy Lane
Kelseyville, CA 95451

November 16, 2016

Lake County Planning Commission
255 N. Forbes St.
Lakeport, CA 95453

RE: Proposed Medical Cannabis Ordinance

Dear Members of the Lake County Planning Commission:

I appreciate the chance to comment on the proposed changes to Article 72 dealing with medical cannabis cultivation in Lake County. I am a fourth generation pear grower in Big Valley, Kelseyville.

I am strongly opposed to the cultivation of cannabis on primary agricultural areas. These traditional valley farming areas are where our prized Lake County Bartlett pear orchards are located. The county became famous for its superior pears in the early 1900's and the pear business is now going strong with our pears much in demand. These orchards require considerable acreage and considerable water. So do our successful walnut orchards. Marijuana production would cause serious competition for the available water in our valley aquifers. In addition, conflicts between neighbors would no doubt develop regarding cultural practices.

Serious production agriculture normally requires crop loans and no FDIC insured bank is going to be able to loan money to someone with a marijuana crop on their land. My bank has already given me notice about that. Adding marijuana for crop diversity is not likely to be feasible for anyone who is a serious commercial farmer.

Finally, marijuana cultivation does not require prime soil because it is grown in specially composted bags. Save our traditional ag land for our traditional crops. They are our heritage!

Sincerely,



Diane L. Henderson

11-17-16

Dear Lake County Planning Commission,

I would like to submit comments regarding the 20 acre minimum parcel size that was proposed in the most recent medical marijuana ordinance outdoor cultivation guidelines. I am specifically addressing the proposed guidelines for Rural Lands and I hope that I am citing the most current county regulations as they are posted on the internet.

In recent public meetings, several expressed concerns about a possible land grab with ensuing pressures to subdivide larger parcels, leading to negative impacts on more traditional agricultural and ranching activities.

In the Lake County Guide to Zoning Districts it states that RL zoning *"Allows agricultural uses and single family dwellings. Allowable density of one dwelling per 20-65 acres."*

From what I am reading, it looks like RL lands are generally zoned for 20 acre minimum parcel size. Our two farms, which are surrounded by larger RL parcels, are located on 10 and 12 acre parcels (the two farms are not adjacent parcels). They are both zoned as RL properties.

Citing more county documents:

ARTICLE 7 SEC 21-7. REGULATIONS FOR THE RURAL LANDS OR "RL" DISTRICT.

SEC. 21-7.10. DEVELOPMENT STANDARDS.

7.11 Maximum permitted density: *The number of lots which can be created from a parcel in this district shall be determined through Table 20... but in no case shall the density exceed one (1) unit per twenty (20) acres.*

7.12 Minimum lot size:

- (a) Twenty (20) acres except when the conditions exist as set forth in Subsection (b).*
- (b) Minimum lot sizes of five (5) to twenty (20) acres **may be approved when, as a result of physical features of the property, it is determined that adherence to the twenty (20) acre minimum parcel size would result in significant environmental impacts, or loss of agricultural efficiency, or physical separation of proposed parcels by physical features.***

In other words, there are already policies and procedures in place to safeguard against parcelization and to protect our rural lands. I assume that any variance from the 20 acre minimum lot size would require a review before the Planning Department and would include meeting strict criteria in order to be approved.

I also have another suggestion that might help relieve those who have spoken against the perceived threat of parcelization. Perhaps this concern (real or otherwise), could be addressed directly with a moratorium on cannabis cultivation permits for parcels that are subdivided within the next two or three year time period (commencing from the date of the new cannabis cultivation ordinance). This would serve two purposes:

1. It would further address and mitigate some of the concerns expressed at our meetings by local Lake County farming and ranching families by removing short term incentives to subdivide rural properties for cannabis cultivation use.
2. It would offer a pathway to those on existing 10 acre RL parcels who are already farming cannabis to be able to do so legally by obtaining permits and paying taxes.

With luck, after the expiration date for the moratorium on new permits issued for subdivided parcels has passed, the dust will have settled, the industry will have taken root and we will see more clearly what lies ahead. These restrictions could be reevaluated and/or the moratorium could be lifted or extended. Meanwhile there will be fewer roadblocks for responsible farmers on RL parcels who are here already.

Finally, I would like to address another suggestion that has come up recently at the meetings. This is to allow the Specialty Cottage 1C license for 2500 square foot of canopy or 25 plants to occur on some of the parcels smaller than 20 acres. I believe that this could be a positive answer for some small sized farms on parcels of 5-10 acres with properties zoned RR or otherwise closer to more densely populated areas. However I would like to request that those of us with 10 acres or more of RL zoned properties also be allowed to apply for permits for the cultivation license Types 1 and 2 (with all other limitations including setbacks, environmental protections and various overlays in place). This would allow outdoor cultivation areas of 5000 (or possibly 10,000) square feet. It seems reasonable that 1 acre permits would not be suitable for most 10 acre RL parcels.

My reasons for suggesting this are that some of us are already cultivating at this level on 10 acre parcels and are set up to do so successfully. Beyond that, I predict that as cannabis cultivation continues to expand, the laws of supply and demand will prevail. As prices go down, it will become more difficult to earn a living, along with paying the required permitting fees and taxes. I would like to ask for the opportunity to be able to play with the "big boys" as best we can, and see if we can make it work. If we fail, at least we have been given the opportunity to try our hand in the new regulated market economy.

I propose that cannabis cultivation areas be broadened so that those who are farming on existing RL parcels with a minimum lot size of 10 acres are eligible to apply for cultivation permits that comply with the state MMRSA regulations for Type 1 and Type 2 licenses.

Thanks again to all of you for your willingness to include us in this process and for listening to our concerns.

Sincerely,

Ann Bauer
North Lake County Growers Association
PO Box 187
Upper Lake, CA 95485
ann_bau@hotmail.com

NOTICE - PUBLIC RECORD

TO: Community Development Department
County of Lake
255 North Forbes Street
Lakeport, California USA

FROM: Garrett F. Aziz
19833 Powder Horn Road
Hidden Valley Lake, California USA
garrettaziz@gmail.com

Hereinafter, "Domicile," and/or "the undersigned"
and/or "I"

RE: Lake County Cannabis Policy Development. Notice of
Public Input in regards to Dispensary Development
Standards of Manufacturing, Distribution, Testing,
Transportation, and Cultivation.

W I T N E S S E T H

WHEREAS, Domicile is a People of the California Republic and has
been domiciled in the County of Lake, with his family, since two
thousand twelve (2012), previously domiciled in both the County
of Alameda and the County of Los Angeles;

WHEREAS, Domicile has been involved in Organic Agriculture, Crop
Production Advising (CPA), Business Development, and Organic
Fertilizer Sales for both the Commercial Agriculture and Medical
Marijuana (MMJ) Industries since two thousand four (2004);

WHEREAS, Domicile has been involved in numerous compliant
Outdoor, Indoor, and Mixed (Outdoor with supplemented light) MMJ
Cultivation Farms since two thousands four (2004);

1 WHEREAS, Domicile attests to having the requisite skills and
2 knowledge to accurately speak on the MMJ Industry and subject
3 matter at hand, i.e. Lake County Cannabis Policy Development;

4 WHEREAS, Domicile has no suggestions for the County of Lake
5 Community Development Department (COLCDD) for the subjects of
6 Manufacturing, Distribution, or Indoor Cultivation of any size
7 from Small to Nursery;

8
9 WHEREAS, Domicile attests from personal experience, both in CPA
10 Produce Commercially and MMJ Farms, that pest and disease
11 control can easily be managed without the need for health
12 hazardous pesticides (herbicides, insecticides, miticides,
13 animal repellants, antimicrobials, fungicides, etc...) that are
14 of detriment to our health, environmental health, and especially
15 the contamination of our water table which will pollute Clear
16 Lake, drinking water, and other water in the County of Lake;

17 WHEREAS, Domicile petitions the COLCDD to require all MMJ
18 Cultivators (Medical, Recreational, Personal, or otherwise)
19 raise their crops without the use of pesticides and without the
20 use of synthetic/chemical fertilizers;

21
22 WHEREAS, Domicile petitions that this Regulation prohibiting the
23 use of pesticides and synthetic/chemical fertilizers also be put
24 in effect for Commercial Agriculture (grapes, pears, hops,
25 walnuts, etc...) and replaced with reliable and highly effective
26 organic methods, discontinuing the soil and biological genocide;

27 WHEREAS, Domicile would like to offer his services to assist the
28 COLCDD with the drafting of supporting documentation for Farms

1 and Farmers (MMJ, Commercial Agriculture, and otherwise) to have
2 a reference sheet of highly efficient and approved organic/
3 natural methods for pest/disease control (and other associated
4 documents/projects) that will halt the human, water table, and
5 overall environmental impacts/detriments caused by using such
6 pesticides and synthetic/chemical fertilizers that have been
7 plaguing the County of Lake for an excess of one half century;

8 WHEREAS, Domicile suggests that all MMJ Products to be sold
9 publicly via Dispensaries must be Clean Green Certified (i.e. no
10 pesticides and grown with organic materials), the onus/liability
11 primarily lies in that of the Dispensary as they are the Public
12 Distributor, not the Cultivator;

13 WHEREAS, Domicile suggests that all Farms & Farmers (MMJ,
14 Commercial Agriculture, and otherwise) willfully and negligently
15 utilizing pesticides and/or synthetic/chemical fertilizers as
16 well as Dispensaries willfully and negligently selling/
17 distributing products cultivated with pesticides and/or
18 synthetic/chemical fertilizers are to be heavily fined starting
19 at a minimum fee of ten thousand dollars (\$10,000) and
20 increasing depending on the size of the Farm/License;

21
22 WHEREAS, Domicile suggests that all Farms, Farmers, and
23 Dispensaries are subject to random/unannounced crop testings and
24 fertilizer inventory review;

25
26 WHEREAS, Domicile suggests that if the County of Lake is not
27 willing to prohibit the use of harmful pesticides and synthetic/
28 chemical fertilizers for Farms, Farmers, and Dispensaries that
the COLCDD allow limited/specified number of Farmers (MMJ,

1 Commercial Agriculture, and otherwise) to go under an
2 application/permitting process for the use and review and the
3 proposed pesticides and synthetic/chemical fertilizers to be
4 used on "X" number of their crops and at mutually agreed upon
5 intervals of applications to mitigate environmental impacts;

6 WHEREAS, Domicile suggests that this application/permitting
7 process be exceptionally costly, in excess of twenty five
8 thousand dollars (\$25,000), for the smallest tiered Farmers and
9 Cultivators ranging to an excess of two hundred fifty thousand
10 dollars (\$250,000), per annum, for the grant of such pesticide
11 and/or synthetic/chemical fertilizer License to deter the use of
12 harmful products that have been irrevocably damaging the County
13 of Lake for an excess of one half century;

14 WHEREAS, Domicile also suggests that in addition to fines that
15 the potential of imprisonment (depending on the scale of the
16 operation) should also be heavily considered, as this would
17 truly prevent guerilla operations as well as Licensed operations
18 to uphold the agreed upon Terms;

19
20 WHEREAS, Domicile suggests that the COLCDD institute Regulations
21 within the License(s) granting the sufficient Right of
22 Transportation of goods (flower, leaves, concentrates, etc...)
23 throughout the entire State equal to the amount of goods
24 produced;

25
26 WHEREAS, Domicile protests the concept of Felony or Misdemeanor
27 Charges for the Transportation of goods for Licensees, rather a
28 Regulation allowing the Farm/Farmer to Transport as much as one
fifth (1/5) of their product within the State at any one time;

1 WHEREAS, Domicile suggests that Farms/Farmers must keep their
2 County of Lake License/Permit on their conveyance (vehicle) at
3 all times while Transporting both within and outside of the
4 County of Lake;

5 WHEREAS, Domicile suggests that the County of Lake MMJ License
6 provides the grant of sufficient Rights to Transport products
7 out of the County with Immunity from all other Jurisdictions as
8 long as they are in compliance with the County of Lake License;

9
10 WHEREAS, Domicile suggests that there should be an unlimited
11 number of Outdoor, Indoor, and Mixed Licenses allowing for
12 Special and Small Farms (up to 10,000 sq. ft. of plant canopy)
13 be issued without restriction to number of Licenses granted;

14 WHEREAS, Domicile suggests that the term "plant canopy" should
15 be defined as: "square feet of each individual plant by
16 calculating greatest length and greatest width of the plant/
17 leaves";

18
19 WHEREAS, Domicile suggests that the term "plant canopy" should
20 not be defined as: "total greenhouse dimensions and/or total
21 cultivation pad dimensions";

22
23 WHEREAS, Domicile petitions the COLCDD to define and calculate
24 "plant canopy" as defined in line fifteen (15) on this page five
25 (5) of six (6) for this Notice of Public Record as referring to
26 the topic at hand of Lake County Cannabis Policy Development;

27 WHEREAS, Domicile petitions the COLCDD to define "plant canopy"
28 as in line fifteen (15) of this page because otherwise Farmers

1 will be forced to crowd plants which will indisputably lead to
2 an exponential increase of pests, diseases, molds, and overall
3 crop failures resulting in financial hardships for both Farmers
4 as well as for the County of Lake as they will not be able to
5 receive adequate tax incentives due to failed crops and products
6 that can not be sold;

7 WHEREAS, Domicile would like to further clarify that all plants
8 are not produce/product producers as we all commonly believe,
9 rather they are oxygen producers, therefore without adequate
10 spacing between all types of plants pests, diseases, molds, and
11 overall crops failures are inevitable;

12
13 WHEREAS, Domicile suggests, for the success of the COLCDD
14 Cannabis Policy, that "plant canopy" be calculated on a per
15 plant basis rather than general square feet of a cultivation pad
16 or greenhouse dimensions because the greater spacing between all
17 plants the healthier and happier the plants will be;

18 WHEREAS, Domicile suggests that there be no plant count, rather
19 a calculation of "plant canopy" on a plant by plant basis;

20
21 WHEREAS, Domicile suggests that special/small Cultivators
22 (Outdoor, Indoor, and Mixed) be allowed to cultivate without a
23 permitted residence as long as they have a permitted well, and
24 the property is within the Cannabis Cultivation Area as provided
25 from the COLCDD Map;

26
27 WHEREAS, Domicile suggests that all Cultivators larger than
28 special/small are required to have permitted residences in
addition to permitted wells/water truck deliveries.

**CAMPODONICO OLIVE RANCH
2570 SODA BAY ROAD
LAKEPORT, CA 95453**

November 17, 2016

Lake County Planning Commission
255 N. Forbes St.
Lakeport, CA 95451

RE: Proposed Medical Cannabis Ordinance

Dear Members of the Lake County Planning Commission:

Thank you for the opportunity comment on the proposed changes to Article 72 dealing with medical cannabis cultivation in Lake County. My husband and I started our olive orchard six years ago. We've cooperated with county and state regulations, participating in the irrigated lands program and pesticide use reporting requirements of the Lake County Ag Commission, for example. In addition, our olive orchard has been certified organic by CCOF. We have deep respect for the need to keep our air, water and soil resources clean and safe—not only for our own purposes, but for the good of the environment and agricultural practices in all of Lake County.

I am opposed to the cultivation of cannabis on prime farmland, given the state of uncertainty about whether proper farming practices will be required of marijuana growers. The federal government does not recognize marijuana as an agricultural commodity. Therefore, we see a huge loophole in the regulations that control pesticide and herbicide use. Marijuana growers who do not share a sense of environmental stewardship or sound agricultural practices, may take advantage of this possible loophole. From our point of view, if marijuana is grown in the soil, not in an indoor warehouse environment, it should be regulated as all crops are in California and our County.

Prior to legalization, marijuana growers have felt the need to use extensive security measures to protect themselves against theft. Will the predicted increase in numbers of marijuana growers in Lake County mean more of the same: well-trained guard dogs and armed security personnel in the midst of our relatively peaceful rural County?

Thank you, again, for the opportunity to comment on cannabis cultivation in Lake County.

Sincerely,

Lianne and Richard Campodonico
Campodonico Olive Ranch
Email: liannecampodonico@gmail.com
Mailing address:
519 Magnolia Avenue
Piedmont CA 94611

Mireya Turner

From: Margaret Greenley-Rossetta <megreenley@yahoo.com>
Sent: Friday, November 18, 2016 5:16 PM
To: Mireya Turner
Subject: Re: Lake County Cannabis Policy Development Update

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Ms. Turner,

First, I want to thank you, Mr. Massarelli and the Planning Commission for taking on this unruly beast of an issue, I'm pleased that the County of Lake is finally making realistic and reasonable effort to get some kind of ordinance regarding cannabis in place, again thank you for your efforts.

I have been in attendance for all the meeting and I have a question regarding the Outdoor Cannabis Cultivation area map from yesterday, and my question is; Why is Middletown and surrounding areas excluded from outdoor cultivation?

My other question is; why is Rural Residential zoning also excluded from outdoor cultivation?

As a local Middletown business owner (Lovie's Garden Supply) I'm concerned how the exclusion of Middletown and Rural Residential zoning within the Outdoor Cannabis Cultivation areas will adversely affect South Lake County residences and my customer base, many of us in Southern Lake County are still clawing our way back from the economic devastation called the Valley Fire. For myself personally and professionally, this might be the straw that brakes the camels back.

A large majority of my customer base live and cultivate on Rural Residential lands, and have been for many, many years and the possibility of the total exclusion of Middletown, Anderson Springs, Cobb, The Ranchos, Big Canyon, Butts Canyon etc., etc. from the outdoor cultivation areas could be potentially have a huge impact on the South County area, as a business owner and residence of Middletown, I ask you to please, take a second look and reconsider the RR zoning and the cultivation area boundaries.

Thank you,

Margaret Greenley
Lovie's Garden Supply
707 987 8200 work
707 533 7200 cell

On Tuesday, November 15, 2016 2:45 PM, Mireya Turner <Mireya.Turner@lakecountycalifornia.gov> wrote:

Good afternoon,

On Thursday, November 17, 2016, at 9:05 a.m. the Planning Commission will hold a workshop on the following topics:

Dispensary development standards

Manufacturing, distribution, testing, transportation development standards

Outdoor cannabis cultivation overlay district boundaries

The workshop will be held in the Board of Supervisors Chambers at the address listed below.

Public input is strongly encouraged. If you are unable to attend the meeting but have comments you would like added to the public record, they may be submitted by replying to this email address.

Attached please find the power point presentation slides and a separate scan of the outdoor cannabis cultivation overlay district map.

Please let me know if you have any difficulty opening the attachments.

Thank you for your interest in Lake County's Cannabis Policy Development.

Cordially,

Mireya G. Turner

Associate Planner

Community Development Department

County of Lake

255 North Forbes Street

Lakeport, CA 95453

707-263-2221

www.co.lake.ca.us

Bill Stockton
9240 Pollard Way
Kelseyville, CA 95451
707-279-0921 Home
707-217-5956 Cell

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NOV 21 2016

November 18, 2016

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

Robert J. Massarelli, AICP
Director
Community Development Department
255 N. Forbes Street
Lakeport, CA 95453

Dear Mr. Massarelli,

It was a pleasure meeting you at the November 17, 2016 Planning Commission Hearing regarding the Medical Cannabis Ordinance. The purpose of this letter is to clarify and expand on my request for Cottage Cannabis Farmers permit to grow up to 25 Marijuana plants on my Rural Residential parcel.

As I mentioned at the hearing, Governor Brown signed AB 2516 to create the Cottage Cannabis Farmers license for "micro farmers" (please see the enclosed copy of the press release). The new license type 1C is for farms with 2500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation. There are additional provisions in the actual document. This license was created for small parcel sizes like Rural Residential.

There are many reasons why the cottage license should be allowed on rural residential land. I will outline a few of the ones I consider the most important below.

1. An environmental problem will not likely be created by 25 plants. The odor is minimal. In fact, it is very much less than the allowable number of hogs, chickens or goats. The odor for the animals generally exist 24 hours a day, every day of the year while the odor from marijuana plants last for about eight weeks then it is gone.
2. The water usage from 25 plants will not drain any wells. Marijuana does use quite a lot of water but the limited number of plants keeps the total amount to about the same as a good size garden. I have two large vegetable gardens that use more water in the summer than 25 marijuana plants.
3. No one will get wealthy from 25 plants but, the money generated may help some family pay for badly needed prescription drugs, put food on the table for the family, pay a few mortgage payments or pay their property taxes. One lady at the hearing stated that her family was having a very difficult time trying to keep up with living expense and may have to move without the ability to grow a few plants. There are many people in Lake County suffering financially and struggle just to keep up with their living expenses. The cottage license could be just enough to help some rural residential owners keep their homes and feed their families.

011-060-051

4. The fee for a single cottage license may not be that significant (hopefully) but the county could process many of them which could generate substantial revenue. The fee should be set at a level low income property owners can afford. Any marketing person understands that much more revenue can be obtained by selling many items with a small profit margin as opposed to selling a few items with a high profit margin. Additionally, the square foot fee would add to the revenue for the county.
5. Many rural residential owners already have an illegal grow operation. If this was eliminated, you would force many of them to continue the illegal operation. It is far more economical and efficient to regulate and control an operation rather than trying to eradicate it. If the process is permitted through the cottage license, law enforcement can spend their time going after the large illegal operations on undeveloped land, those contaminating our rivers and waterways and destroying our environment. Additionally, the revenue from the cottages licenses can help to pay for the law enforcement efforts to eradicate those large illegal operations. You should understand that the micro-farmers appreciate this county. They cherish and want to protect the land they live on. They will also, do everything they can to protect Lake Counties environment.
6. The state passed a Right-To-Farm bill to protect our farm land. Rural Residential land is covered under that Right-To-Farm provision. We are permitted to raise crops, house farm animals and run other farm related activities within the provisions of the Lake County Zoning Ordinances. *People who buy parcels within a specified distance from permitted farm land must sign a document indicating that they understand that farm related operations are allowed near their parcel. As such, they are subject to noisy, dust and odors.* Obviously, there is some level that should not be exceeded. I do not believe a 25-plant operation would create an unreasonable level of odor (which exist for only about eight weeks) in the area and falls well within the guidelines of the Right-To-Farm bill and the Lake County Zoning Ordinances. It certainly would not create an unfavorable environment worse than that already allowed by the zoning ordinance under the provision of animal husbandry.

There are certainly other valid arguments for allowing a cottage license on rural residential land. I have listed a few that I think are the most important. Due to security issues, I would also suggest that this should be a license issued through an administrative process as opposed to a use permit process. This process is very new and there are still security issues that could occur. I believe that the Cottage Cannabis Farmers Bill was passed as license rather than a use permit for that reason. Clearly, the less the publicity there is, the less likely any security issues will be created. Please consider this input and any more that may be submitted to permit a cottage license for rural residential land. Thank you for your consideration.

Sincerely,

Bill Stockton

Press Releases

COTTAGE CANNABIS FARMER BILL SIGNED BY GOVERNOR

🕒 Created: Thursday, 22 September 2016 15:35



Sacramento – Today, Assemblymember Jim Wood’s “Cottage Cannabis Farmers Bill” achieved a significant milestone when the Governor signed it. AB 2516 creates a new medical cannabis cultivator license category for “micro farmers.”

Wood said, “We are so proud to have fought for this legislation and thankful to Governor Brown for his signature. This law will help ensure that small medical cannabis growers on the North Coast can comply with regulations as this industry moves forward, providing certainty and predictability. It’s just not fair to require the small farmers to adhere to the same standards as larger operations. Now the California Department of Food and Agriculture (CDFA) will be required to develop regulations for 2018 that address the unique characteristics of small farm practices.”

The technical requirements for the new license type 1C, or specialty cottage cultivator license, are for farms with 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises. CDFA will issue the licenses to qualified candidates as well as develop the requirements for each license type.

“Last year the Legislature developed the Medical Marijuana Cannabis Regulation and Safety Act in an attempt to address the environmental, public safety and public health issues in the industry,” said Wood. “As this industry moves forward, we need to make sure that all farmers, regardless of size, can come into compliance – that’s what success looks like.”

###

Elected in 2014, Assemblymember Jim Wood (D- Healdsburg) represents the 2nd Assembly District, which includes all of Del Norte, Trinity, Humboldt and Mendocino counties, plus northern and coastal Sonoma County, including the northern half of Santa Rosa.

Visit Assemblymember Jim Wood's website

Broc Zoller

6570 Kelsey Creek Drive

Kelseyville, CA 95451

November 20, 2016

Lake County Planning Commission
255 N. Forbes St.
Lakeport, CA 95451

RECEIVED

NOV 21 2016

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

RE: Proposed Medical Cannabis Ordinance

Dear Members of the Lake County Planning Commission:

Thank you for the opportunity to comment on the proposed changes to Article 72 dealing with medical Cannabis cultivation in Lake County.

I have worked as an independent agricultural pest control adviser (PCA) in Lake County since 1972 and have resided in the Kelseyville area since 1978. Our three children attended and graduated from Lake County schools. My wife Sharron and I have farmed in Lake County since 1981, when we planted walnuts on our home property. We also have farmed wine grapes since 1998 and have owned pear orchards since 1986.

I am **opposed** to the cultivation of Cannabis on prime farmland and lands sharing the watershed of prime farmland because the crop is not classified as an agricultural crop and therefore will not be subject to the same laws farmers of agricultural crops must endure. These include monthly pesticide use reports to the Agricultural Commissioner and local assessments to fund the Irrigated Lands Program (ILP), which is responsible for testing our waters for pesticide and fertilizer runoff to assure the state Water Resources Control Board that our water is not being impacted by our farming activities. Yet, fertilizers and pesticides are also used to grow Cannabis http://www.oregonlive.com/marijuana/index.ssf/2016/11/southern_oregon_pot_growers_bu.html#incart_river_home, so the actions of Cannabis growers in this regard will be reflected in water analyses done through ILP and any pesticide presence will be blamed on producers of agricultural crops in the same watershed bound by these laws, as well as new ones that would be passed when this comes to pass.

As producers of walnuts we know that much documented academic research (194 published papers as of 2015) has shown the many dietary health benefits of walnut consumption, yet we are not exempt from all the pesticide use requirements as the growing of Cannabis will be.

We are frankly dismayed at the Planning Commission's rush to accommodate Cannabis growing in our county, when the commodity has been shown in independent academic research to be detrimental to adolescent IQ development, if it is used repeatedly at this developmental stage of our children. [for example, see Manzar Ashtari, Kelly Cervellione, John Cottone, Babak A. Ardekani, Sanjiv Kumra, **Diffusion abnormalities in adolescents and young adults with a history of heavy cannabis use**, *Journal of Psychiatric Research*, 2009; 43 (3): 189-204 DOI: [10.1016/j.jpsychires.2008.12.002](https://doi.org/10.1016/j.jpsychires.2008.12.002); or Giovanni Battistella, Eleonora Fornari, Jean-Marie Annoni, Haithem Chtioui, Kim Dao, Marie Fabritius, Bernard Favrat, Jean-Frédéric Mall, Philippe Maeder

and Christian Giroud, **Long-Term Effects of Cannabis on Brain Structure**, *Neuropsychopharmacology* (2014) **39**, 2041–2048; doi:10.1038/npp.2014.67].

Cannabis can be hidden from view in children's clothing as well as incorporated into foods for consumption. No real test for marijuana derivatives has correlated amounts in blood with amounts resulting in impairment of driving, as well.

Cannabis cultivation for sale continues to be chiefly a black market cash activity even in states with legal use, since banks may not loan money or even open accounts for these producers, and growers may not report sales to avoid taxes. The industry is thus lawless and accompanied with theft and murder even where produced for "medical uses".

Thank you, again, for the opportunity to comment on Cannabis cultivation in Lake County. What you are considering can have extremely detrimental effects on the quality of life in Lake County as we know it. We remain opposed to Cannabis cultivation in Lake County. We are very disturbed as taxpayers that we must spend considerable time dealing with government environmental regulation of our farming activities and Cannabis farming will not.

Sincerely,

A handwritten signature in dark ink, appearing to read "Broc Zoller". The signature is fluid and cursive, with the first name "Broc" and last name "Zoller" clearly distinguishable.

[Broc Zoller]

Mireya Turner

008-042-04

From: Barber's Country Farm <barberscountryfarm@mchsi.com>
Sent: Friday, November 25, 2016 1:29 PM
To: Mireya Turner
Subject: RE: addition to list

Hi Mireya,

Thank you for adding us to the list.

We were wondering if the date had been set for the planning departments presentation to the Board of Supervisors for the recommendations to the changes to be made regarding zoning ordinances and cannabis cultivation.

We would also like to share with you and Bob our opinion on the grandfather proposal to the changes being made. We feel that any grandfathering should be attached to the property. Being tied to collectives would make no sense considering that collectives will be eliminated in 2018. We have 56 acres zoned A and we have gone to great time and expense to be compliant with the current regulations regarding cannabis cultivation. Attaching the grandfather clause to individuals or collectives would not guarantee the property would be usable for cannabis cultivation. Please take this into consideration when you are creating the presentation to be made to the Board of Supervisors.

Thank you for your time,
Justin (Rick) and Laura Barber

Happy Holidays!!

From: Mireya Turner [<mailto:Mireya.Turner@lakecountyca.gov>]
Sent: Wednesday, November 23, 2016 3:42 PM
To: Barber Farms
Subject: addition to list

Hi Barbers,
I have added you to the Cannabis Policy Development email interest list.
I can't remember what questions you asked me this morning, but feel free to send them in a reply to this email.
Have a great Thanksgiving.

Cordially,
Mireya G. Turner
Associate Planner
Community Development Department
County of Lake
255 North Forbes Street
Lakeport, CA 95453

707-263-2221
www.co.lake.ca.us

Mireya Turner

From: Mike Amin <mikeamin1111@yahoo.com>
Sent: Monday, November 28, 2016 3:32 PM
To: Mireya Turner
Subject: Permit

Hi Mireya,

From my experience with Calaveras county I can recommend that permit holders preference of choice works best, especially for the permit holders to be compliant with rules and regulations. Every cultivator has their own preference on whether they want to grow outdoors or in a closed environment. I believe if they are compliant with the counties ordinance then they should be given the choice on what kind of "grow" they prefer. Calaveras county gave you the option of either outdoor, mixed light or indoor. As long as the permit holder is compliant then that option should be opened to all.

Thank you

Mike amin

Sent from my iPhone

Lorene A. McGuire
275 Crawford St.
Lakeport, CA 95453

November 20, 2016

Lake County Planning Commission
255 N. Forbes St.
Lakeport, CA 95453

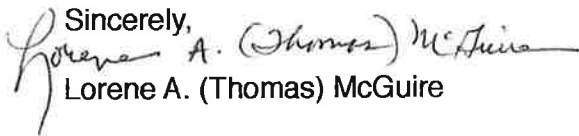
RE: Proposed Medical Cannabis Ordinance

Dear Members of the Lake County Planning Commission:

I grew up and worked on a 100 acre Pear Ranch in Big Valley, continuing to help out in my adult years with harvest. My family—the Thomas family of Thomas Drive—established their identity in Big Valley as pear growers in the late 1800s.

It is with great sadness that I read and learned about the proposed changes to Article 72 dealing with medical cannabis cultivation in Lake County. I oppose the cultivation of cannabis on primary agricultural land. Large acreage and water needs are necessary for optimal pear and walnut ranching. Our valley aquifers are already taxed. Allowing for marijuana to be grown on prime land puts the walnut and pear ranchers in competition with marijuana growers for necessary water. And, as I have learned, marijuana cultivation does not require prime soil due to its growth in specialty composted bags.

Please help us save our ag land for the crops which have put us on the map and contributed so greatly to our economy.

Sincerely,

Lorene A. (Thomas) McGuire

RECEIVED

NOV 29 2016

LAKE COUNTY COMMUNITY
CENTERS

Mireya G. Turner
Associate Planner
Community Development Department
County of Lake
255 North Forbes Street
Lakeport, CA 95453

Francis Scott
10336 Loch Lomond Rd. #111
Middletown Ca 95461

December 1st, 2016

Dear Mireya,

Thank you for adding me to the cannabis policy email list. I very much appreciate everyone's efforts in creating a cannabis policy for Lake County that works for everyone.

I am a stakeholder in this regard and a Lake County resident for 18 years. I currently reside on a 10-acre parcel in RR zoning in district 5, and I am within the boundaries of the current draft of the outdoor cultivation overlay map.

I have until recently intended to sell my property in Lake County with an intended move to Sonoma County. I have felt that Sonoma County was providing a means for cottage cannabis business to be fully compliant with state and local law. That being said, without a doubt, Lake County is home to some of the highest quality cannabis producers in the world. Many of these responsible operators, who by virtue of their values and ethics would have had no contact with County officials. But without a place here in Lake County, due to overly conservative, and/or "insiders only" attitudes, these cultivators could be pushed out to other counties who would offer a greater appreciation of their value.

In this regard, I strongly propose that rural residential properties in Lake County should be allowed to participate in the type 1C "specialty cottage" license (with a 3 permit option for larger parcels) as approved by California Governor Brown from AB 2516. I believe that this would be a suitable compromise to all of those small operators **who in total, I believe will far exceed larger operations in total licensing and taxation remittances to the County of Lake.**

The type 1C license type is now California law. From Section 193329(g)(4) of the California Business and Professions Code: *"Type 1C, or "specialty cottage," for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-*

light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises."

Currently Sonoma County is drafting an ordinance that would allow cultivators in RR zoning to hold up to 2 permits in combination in the 1C "cottage" category, (with a 2-acre min. parcel size.) This means that someone would be able to hold a permit to cultivate 25 outdoor plants, and also a permit to have a 500 sq. ft. indoor operation on the same RR zoned property. I believe that Lake County should at least match Sonoma County in this regard, but I would suggest adding a small incentive to those who perhaps are looking to Lake County as a possible location for their cottage business, and who would spend their money here in this economy. I am suggesting that Lake county offer a 3rd permit possibility with a minor use permit on RR parcels 5 acres or larger. This 3 permit combination falls within the guidelines of 193329(g)(4). **For the county it would mean many times more revenue from licensing fees and tax revenues per measure C than a single permit option.**

Without any of this, I feel that there will be many people in RR zoning that will be forced to leave the county, devaluing RR zoned properties as inventory increases and recognized limits on the value of RR properties due to restrictions on cannabis there are realized. Conversely, a well-run, well-regulated, licensed cottage cannabis facility would have a value 2 to 3 times that of a single family dwelling and thus would raise the values of similarly situated homes in the area. For myself, if Lake County were to approve 1C license type on RR zoned properties, but only allow 1 permit type, then that alone would require me move to Sonoma County where 2 cottage permit types may be held for 1 RR zoned property. (This due to financial concerns and constraints, and concerns over competitiveness from only being allowed to hold 1 permit type.)

If the commission and the BOS fails to act in regards to the RR issue, I feel that many of us are left with the impression that the County is doing the public a real disservice by allowing only the ranchers and vineyard owners the opportunity to participate in this economic boom. The optics of this creates the impression that the county caters only to insiders and is involved in cronyism. This is what 40 acre limits in traditional AG zones imply, (particularly while larger, richer, more densely populated neighboring counties are creating opportunity for RR zones.) It is this perception of unfairness that many in the county feel they have been witnessing. Please don't allow this view-point to continue. Please give the citizens, who aren't part of that insider network, a chance to also succeed economically in this county. Many of us who aren't millionaire land-holders are straining at the leash to become viable contributors to this great county we call home.

Thank you for your consideration,

Francis Scott

Mireya Turner

From: Robert Massarelli
Sent: Thursday, December 01, 2016 2:08 PM
To: Mireya Turner
Subject: FW: Lake county cannabis cultivation ordinance

I just found this in my junk mail.

Robert Massarelli, AICP
Community Development Director
Lake County Community Development Department

255 N. Forbes St.
Lakeport, Ca 95453

707-263-2221 (Office)
707-349-8004 (Cell)
Robert.Massarelli@lakecountyca.gov

-----Original Message-----

From: Craig [mailto:craig@solipsislab.com]
Sent: Sunday, October 30, 2016 12:21 PM
To: Robert Massarelli <Robert.Massarelli@lakecountyca.gov>
Cc: Anthony Farrington <Anthony.Farrington@lakecountyca.gov>; crgshell@gmail.com; Anthony Farrington <anthonywfarrington@gmail.com>
Subject: Lake county cannabis cultivation ordinance

To: Robert Mazzarelli
Lake County planning commissioner.

From: Craig Shell
Founder and board member of lake county growers.
County representative for Cal-growers.

This last year I have spent several months traveling around the state attending board of supervisor meetings and planning commission meetings in various counties.

In an attempt to gain some idea of best practices for commercial cannabis implementation.

San Luis Obispo, Fresno, Santa Rosa\Sonoma, Mendocino, Sacramento, Coalinga, San Diego, Los Angeles.

I've also attended a number of stakeholder meetings with the Bureau of cannabis regulation and the California department of agriculture.

My focus of interest is on commercial cannabis production.
However I would like to address personal use first.

First of all it would be great if it was possible to separate personal use from commercial use, into two separate documents. I know this may not be possible since measure N was a voter initiative?

The requirement for personal cannabis cultivation to be conducted under lights is not a sustainable practice. According to the Los Angeles times 1 g of indoor grown cannabis has the carbon footprint of driving from Los Angeles to New York.

Currently 3% of California's electrical output is used for indoor cannabis cultivation. That's projected to jump to 8%. Colorado for the most part requires cannabis to be grown indoors which consumes 30% of Colorado's electricity. Growing cannabis in-doors under lights is difficult to say the least. There is a steep learning curve and it is quite expensive, probably beyond the financial means of your average Lake County resident.

With regards to cannabis cultivation opposition.

I recall back in the late 90s and early 2000's, when commercial grape growers moved up to Lake County from Napa county.

There were many of the same arguments, land-use, water use, lifestyle, spiraling land price, etc.

These concerns turned out to be unfounded for the most part.

Commercial winegrape production has turned out to be a net win for the county and I would argue cannabis production will be a greater positive for the county.

With wine grape production the majority of wealth exits the county.

Cannabis production due to the small footprint of the crop, inherently will be cultivated by small farm operators. The vast majority of income will stay in the county.

I would caution against being too restrictive with regards to over regulating a nascent industry. There's a distinct possibility of killing the industry with regulation before it gets off the ground.

Farmers are already going to be in a tight situation between falling commodity prices (cannabis is expected to reach \$500 a pound by 2018) onerous taxation and lack of economy of scale.

For the most part these small farm operations are owner operators residing and growing on their own land. Very few landowners want to irreparably damage their property for short-term gains.

Furthermore cannabis growers are highly invested in the quality of their product.

I would say more so than any other agricultural product.

Going forward this will not be an option it will be a necessity to remain viable in the market. Most of the problems with regards to land-use and water use should be solved on their own when farmers are able to come out of the shadows and invest in the necessary infrastructure. Which previously has not been possible due to enforcement.

Agricultural zoning versus RL zoning.

I firmly agree with your proposal to move the majority of outdoor cannabis production off agricultural zoning to RL. This is the highest and best use of land.

However I don't see any reason to limit greenhouse production to RL.

Use Standards

Limitations on Permits

As it stands right now the proposed structure for permitting seems to be somewhat convoluted?

I can see that the planning department is trying to restrict appropriate size grows two corresponding parcel size.

I would suggest taking a percentage approach to parcel size.

10% of any parcel that otherwise complies to use standards could be dedicated to cannabis cultivation.

For example if you have a 40 acre parcel, you could cultivate up to 4 acres of any mixture of license type.

If you have 60 acres you could cultivate 6 acres of any mixture of license type.

There could be an upper cap on the amount of acres put into cultivation.

This would be a very straightforward approach.

(For the time being the 6 acre example presupposes that landowners will be able to sublease to operators.)

Background Checks

As you're well aware there is a necessity for dual licensure between the state and the county. The state will require a rigorous background check for the state license so local background check seem somewhat redundant.

If local background checks are going to remain as part of the ordinance.

There needs to be an enumerated list of disqualifying conditions.

There needs to be some transparency. Disqualification for a permit cannot be a black hole.

There also needs to be an appeal process in place.
The permitting process should not be punitive.
One of the major objectives should be to bring farmers into compliance.

There's quite a bit of investment sitting on the sidelines waiting for permits.
If investment follows the traditional venture-capital model. The founders and operators of a company are no longer the major stockholders by the time the company reaches IPO. Traditionally founders maintain 12% of the stock. If background checks apply to owners, i.e. major stockholders. This could have quite a chilling effect on investment. If local background checks are going to be pursued I would suggest that it only applies to individuals engaged in hands-on, day-to-day operation and corporate officers.

Security

Lake county in Mendocino County are geographically situated such that they could be come to cannabis farming what Napa and Sonoma counties are to Winegrape farming.
Anyone who's been to Silverado Trail on a spring Sunday afternoon knows that it's a virtual parking lot of tourists. Every Sunday these tourists deposit millions of dollars in county businesses. If just 20% of those tourist were interested in coming up the hill the revenues from cannabis tourism would exceed that of the actual cannabis production. To put this in perspective, in Colorado two out of every three tourists to the state are cannabis tourists. Tourists are interested in visiting a picturesque rural cannabis farm, not a walled prison under cameras. I hope some balance can be struck between security concerns and aesthetics.

Cameras make sense for indoor operations but for outdoor and greenhouse I don't know what actionable information will be available?

First of all if we're moving production to RL zoning, electricity at the grow site will be an issue. Weather will also be an issue, 110° days and high humidity will destroy electronics quickly. Cameras will be difficult to maintain under these conditions.

In the event of thieves, the first thing they will do is disable the cameras.
If an operator wants to engage in some nefarious activity, again the first thing he'll do is disengage the cameras and blame it on malfunction due to weather. It will be impossible to tell what are legitimate malfunctions and what are not.

If AUMA passes at the ballot next week, we will have five years to develop a presence in the market before unlimited size permitting for large agribusiness will be available.
Most likely these large permits will not be coming to areas like Lake County. They will be situated in the central valley where the infrastructure exists for large agriculture.
Currently Lake County has zero name recognition in the market unlike Mendocino and Humboldt County.

Through Lake County growers Association, long-term our goal is to establish a trade organization to represent lake county cannabis growers and the Lake County Appalachian. We will be engaged in developing brand recognition throughout the state for Lake County, cooperative cultivation and distribution for small to medium farm operations, certification and training for best practices. Our goal is to be known throughout the state as a quality product, sun grown, organic and pesticide free.

In closing I would like to thank you for all your hard work put in on this project.
The process was at a standstill prior to your involvement.

Best regards
Craig Shell
Cell: 415 305-0480

12-11-16

Dear Lake County Planning Commission,

I would like to submit comments regarding the most recent draft cannabis ordinance and outdoor cultivation guidelines. A lot of work has gone into this project over the last several months and I can see that it has been a monumental task.

I would like to make another suggestion if there is still time to do so. There seems to be a large gap between the 5 acre minimum size proposed for the Specialty Cottage licenses (1C MC) and the other cultivation licenses, all of which require a 20 acre minimum parcel. I would like to suggest a more tiered approach that includes 10 acre parcels on RL zoned lands for Outdoor Specialty licenses (1 MC, 1 NM) only. The total canopy size for this license type is limited to 5000 sq. ft. The same overlay maps could be used as proposed in Outdoor Cannabis Cultivation Area 2, along with any additional agreed upon exclusions for agricultural lands.

I suggest the following changes to the draft ordinance proposal:

72.6 Use Standards

I) Specialty Outdoor Cultivation (1 MC and 1 NM licenses) (page 30)

i) Specialty outdoor cultivation of medical cannabis is an accessory use to an existing residential structure occupied by the holder of the license.

ii) Use: The following uses in connection with the outdoor cultivation of cannabis:

(1) Cultivation of cannabis

(2) Cannabis processing such as drying, curing, grading, or trimming

iii) Development Standards

(1) Minimum Lot Size: 10 acres

(2) Setbacks:

(a) 300 feet from the property line

(b) 400 feet from any off-site residence

(3) Height Limits

(a) Structure: 20 feet

(b) Outdoor cultivated plants: 10 feet

(c) Fences: minimum 6 feet, maximum 8 feet

(4) Maximum size of cultivation area: 10,000 square feet

(5) Maximum number of mature plants: 50

iv) Protection of Minors ... as proposed

I believe the proposed changes would help allow some of us living in Lake County with small farms to participate in the permitting process, pay our taxes and show that we can be responsible citizens in our communities. While the Specialty Cottage (1C MC) could be a good fit for some, especially those living on 5 to 10 acre parcels, there are small farmers who would like to cultivate on a slightly larger scale (between 25 and 50 plants). I feel that a 10 acre option would allow farmers to participate in a way that would be the best fit for many of us, while increasing the diversity of opportunity within our county.

Again many thanks to Mireya Turner and to Bob Massarelli for their hard work and for taking the time to listen to our ideas.

Sincerely,

Ann Bauer
North Lake County Growers Association
PO Box 187
Upper Lake, CA 95485
ann_bau@hotmail.com

Mireya Turner

From: Chris Jennings <chriswjennings@gmail.com>
Sent: Wednesday, December 07, 2016 12:16 PM
To: Mireya Turner
Subject: Insights
Attachments: image1.png; ATT00001.txt

Please pass this to Bob.

I wasn't able to attend the last meeting as I am part of the Clearlake Adhoc committee and we had a meeting that day, all day.

First, I want to address the fact the county is actually considering allowing 25 dispensaries. I mean there's not that many in San Francisco and I think Oakland combined from my last count. For example Clearlake will not allow a 4th dispensary till there's a population of 20,000. That would be around 5,000 people per dispensary.

Second, There are people in the county who wanna do large scale things. People who do not wanna just grow a handful of plants and barely get by, but to create a large scale business that would be very profitable. I don't think we are thinking of these people. I've heard through the grapevine. People like Mike Green is representing supposedly large commercial growers. I for one represent myself. I represent my farm. My land that I own. I represent my work, my workers, and so on. When the state law says no more than 4 acres canopy statewide. Why would Lake County wanna limit that?? If the state is allowing micro businesses in the future. Why would Lake County wanna not allow that??

It's gonna cost so much money to get a large scale cultivation set up going. Not everyone is gonna be able to do so. And if I had a large cultivation site here. I wouldn't just wait for the one or two "distribution hubs" to open up here and be limited. I've joined and will continue to join the major players in the game. Look up Tradiv. They are one of them. And there's so many. Allowing commercial growing and allowing someone like myself who is a professional in this field to only do a canopy of 40,000sqft is so small. Especially when I'm "allowed to have up to 4 acres" state wide. I have just under 500 acres of land. All connecting large parcels. Putting such limitations on canopy is what's gonna allow other Farms in other counties or municipalities to dominate the market. People are not gonna be able to afford the money it's gonna cost to go large and 40,000 sq ft is not large. Lake County should allow someone to farm more than under an acre. Or we shouldn't be limited to 40,000sqft per garden. We should be allowed more space. Maybe. Only allow that much per parcel, assuming the parcel meets all the requirements. Allow one to have multiple licenses like the state does. Like the state says and shown in the image below. A entity cannot have more than 4 acres. So make that the same here in Lake County.

I have all my "site plan" paperwork and map completed and finished to allow 40,000sq ft on my "small" 500 acres of land. As well as the other designated 20,000sqft to be rented or leased. I will be calling and coming in to have you guys review this.

There people out there. Very few that do want to be able to grow large scale and make an enterprise. I want gardens producing double digit millions of dollars. The money to be made is unlimited. Your neighbors Clearlake will not be able to make such a limited square footage. They will just allow a handful of people to do large projects. Cause face it.....very few will be able to afford and do a project that cost very much.

For instance. If you're gonna allow a 1 acre garden that was mixed light and outdoor.

A engineered greenhouse runs about roughly on the high end of \$35/sqft to build.

44,000 sqft greenhouse = \$1.5million

Permit fees based off square footage = \$176,000 of which half is going to the county EVERY YEAR!!

According. To Kyndra Miller a very high reputable corporate marijuana attorney that represents me. She's thinks in her professional opinion that it's gonna cost \$100,000 per cultivation license. Which is a non refundable fee.

Not including all the cost of the land, set up, material of the gardens. That's just for 1 acre. Why wouldn't you want a person to be allowed to do up to the state minimum....???

You're loosing out on so much potential money. Smart business people will set up operations here and Then move on to the next project. Which will have to be in a different county because of such tight regulations in the county.

There's more voices out there than just the people fighting for 25 plant cottage licenses. Unfortunately. Those are the people who will not be able to compete in the market and will just be over taken by real cultivation practices over the next several years once this is all fully ironed out.

I'm on multiple committees in commercial regulation. I'm a business owner. I wanna take my business to the top and I wanna do it ALL in Lake county.

Mireya Turner

From: gropros2 <gropros2@gmail.com>
Sent: Friday, December 09, 2016 11:01 AM
To: Robert Massarelli; Mireya Turner
Subject: **Important* My Final Suggestions

Bob, Mireya

I met with the Lake County Chamber of Commerce yesterday morning. I will address this a later in this letter. This prompted me to draft up my final suggestions with my professional opinions.

Inevitably making decisions on what to propose falls in your laps. Notwithstanding that statement, you enlisted me as a professional consultant. From the beginning, my concern has always, and will always be to make, in every effort, my best suggestions to transition from non commercial cannabis, to commercial cannabis for this County as smooth as possible. For Safety, Regulation first and foremost so we can have that economic windfall this community so desperately needs.

Following here, is my final synopsis on what we have discussed, both in open and closed session.

In our first meeting many months ago. You asked me what we could do as a community to promote growth economically. I gave you my best estimate, basing it on my 40 some odd years in the industry. Your response was one of excitement. Telling me that, "That's what you wanted to hear."

Making that happen is a task I do not envy on your part. But, we have seen huge leaps and bounds in progress through the support of our cannabis growing and business professional community. I have heard the concerns first hand and in open meetings.

There are obviously big concerns on inclusion and exclusion. Regulation and Safety.

Let's take a good look at 2-3 of these concerns on inclusion.

You have presented several overlays. Changing from meeting to meeting. I have studied the zoning ordinances and would like to give my professional opinion.

The uproar has mainly been on outdoor grows. I can see that. As you have stated, and I have tried to promote through open forum. Mixed light is not considered outdoor. Greenhouses are allowed on "A", "RL", "APZ", "RR" Lands without breaking away from the General plan/current ordinances. As you said yourself and I support. We cannot tell people what they can or cannot grow in their greenhouses.

"APZ" land zoning ordinance article 4.3 (e) greenhouses or hot houses not exceeding 10,000.
Note: does not stipulate what you can grow

"A" land zoning ordinance article 5.3 (e) greenhouses or hot houses not exceeding 10,000.
Note: does not stipulate what you can grow.

"RL" land zoning ordinance article 7.3 (h) greenhouses or hot houses not exceeding 10,000.

Note: does not stipulate what you can grow.

"RR" land zoning ordinance article 8.3 (e) greenhouses or hot houses not exceeding 6,000.

Note: does not stipulate what you can grow.

That in itself should quiet the galloping hoard. If it doesn't, so be it. It takes into consideration both safety and regulation.

Now, let's see the exclusion side of it. Those who wish to grow outdoors have a somewhat valid argument, BUT, and I strongly use that word. For safety reasons we must have guidelines.

Your 1/2 mile buffer is too stringent. This is my professional opinion and not without base or warrant. 1/4 mile buffer is sufficient. I base this on the 1000' rule of thumb. This is a standard that has worked for a very long time in many Counties, States and Countries I have consulted in.

I agree with preserving AG lands from an outdoor grow perspective. There are many people complaining, But that was addressed in my previous "Greenhouse" suggestions.

NOTE:

I have been approached by numerous people who have no idea I am consulting with you. If this doesn't go their way, they are threatening lawsuit with the support of one of the most powerful Land Use, Real Estate Attorneys in California. I am familiar with this firm and they do not take on a case if they think they'll lose... Ever.

Now that being said we do not want that. It could tie us up in court for so long that we will never have a chance to get state licensed. However, we can not let that deter us from our goal.

The Economic Boone that is available to us here is extremely important to the growth of our community. We cannot let big business, i.e., the farm bureau, or some high powered lawyers dictate to us what we can or cannot do with our lands.

As i can imagine you have done, I have lost many hours of sleep over this, spent many hundreds of hours in meetings, both on the phone and in person with you and concerned community members. I have done this for the betterment of our community and for the welfare of our children.

NOTE:

As i stated earlier, by their request, I met with the Lake County Chamber of Commerce yesterday morning.

Though most were open to what is being proposed through your department, I found myself on the defensive by 2 or 3 other people who were at the meeting. I wish I could say the outcome of that part of the conversation was altogether positive. But that would be a gross overstatement.

****IMPORTANT****

Something was brought to my attention at the meeting with the Chamber yesterday. Someone mentioned the word "lottery" for who can get licensed. I implore you not to even consider this. It would be a disaster. I cannot stress that enough. The implications of the fallout from such an idea would seriously damage the relationship between County Government and Community. It would take away the opportunity we have for growth. Infighting and lawsuits would ensue. It's just not good business. This is not a game.

The Cannabis based business platform can not or must not rely on fate. We have before us an opportunity to make our e-commerce Boone a reality. Let's not regress to Roman days where someone's fate relied on pulling a colored stone from a bag.

We have the local regulations and ordinances in place. Let's make them work in our favor.

My opinion on issuing permits: For this next year, 2017, Let the people who want to grow pay a permit fee. You saw in our last meeting, the tremendous response from my suggestion. I have discussed the following fees with some growers and they agree these fees are fair. Let them grow based on ordinances. Next year they are established and can prove to the State they are compliant for state licensing.

Here are my permit suggestions:

Commercial Grow \$5,000
Greenhouse up to 10,000 sf,

Commercial Grow Outdoor \$7,500
up to one acre.

Commercial Grow Indoor \$7,500
Up to 20,000 sf

Cottage Grow \$1,250

Personal medical \$250

Caretaker medical \$750

These permit fees will generate the money we need to build an infrastructure for the future to come. My estimate, \$3,000,000- \$4,000,000

I have enjoy working with you all and look forward to a professional relationship with you in the future.

Regards,
Barry Fullman
Managing Partner
Gro-Pros, LLC

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12/3/2016

Lisa Sabend (resident, Bottlerock Rd, Kelseyville)
PO BOX 1301
Cobb, CA 95426

Lake County Planning Commission
255 N. Forbes St.
Lakeport, CA 95451

RE: Proposed Medical Cannabis Ordinance

Dear Members of the Lake County Planning Commission:

Thank you for the opportunity comment on the proposed changes to Article 72 dealing with medical cannabis cultivation in Lake County. I am a certified massage therapist/certified Yoga Instructor, and currently a resident living on Bottlerock Road, in Kelseyville, and I have lived here in Lake County for 3 plus years.

I am in favor of the cultivation of cannabis on rural lands and prime farmland. I strongly believe that medical and recreational cannabis cultivation will only help all residents in the County of Lake by providing many jobs and large amounts of income.

I would like to also add I feel that personal cannabis grows should be allowed in outdoor spaces as well as Indoor spaces, this way it would create more opportunity for anyone who wants to be involved to do so easier.

I also believe in the healing powers of cannabis, as I have been a medical marijuana patient for 10 plus years, and found this amazing medicine to help me with many of my health issues. Some of these issues being: stress, depression, headaches, digestive issues, body pain, neck pain, and Insomnia. Before I used medical cannabis as a remedy, I was taking Advil almost daily, along with other pharmaceuticals occasionally, and since I have started using medical cannabis, I find I hardly use Advil at all anymore, and I have completely stopped using any other pharmaceuticals.

I will also mention that I am a seasoned massage therapist practicing in the North Bay for the past 18 years. I have worked with many clients/patients, in numerous settings over the years. Including working along side chiropractors, medical doctors, and acupuncturists. Many of my clients/patients have shared with me similar stories expressing these same ideas about switching from prescribed drugs and pharmaceuticals to experiencing the health benefits of medical cannabis, and finding it more helpful with less side affects in easing (and sometimes curing) pain and other ailments, including cancer.

Also, another reason to allow as many residents/properties as possible that want to be involved, in the cultivation of cannabis, to be involved, would be that the facts show us that any property that will be included in these "cultivation zones", as well as commercial real estate that will be included in the "Hub" zoning, will indeed increase in property value.

I also feel strongly that properties that are not included in the "cultivation zones" or "hub" zones, will decrease in value.

I believe the residents of Lake County deserve the right to be included in the cultivation and business of cannabis as much as possible, especially considering all of the losses over the past few years with all of the fire devastation.

I feel it would be a shame to overlook this huge opportunity, as all residents in Lake County will benefit from the cannabis Industry. Even if they are not directly involved with the Industry, the amount of money it will bring into our county is only going to help better our communities for years to come.

As the facts have explained, there is a lot of revenue to be shared by all.

Thank you, again, for the opportunity to comment on cannabis cultivation in Lake County.

Sincerely,

Lisa Sabend (C.M.T., C.Y.I)

Mireya Turner

From: Miguel Campos <mcampos@ucdavis.edu>
Sent: Monday, December 12, 2016 10:36 AM
To: Mireya Turner
Subject: RE: Lake County Cannabis Policy Development update

Hi Mireya,

After reading the power point I have a question.

Under the Use Standards 72.6 it talks about maximum plant numbers, is that for commercial or personal?

If personal I maybe can understand but not commercial. The proposal would actual cause people to use **more** water having to grow huge plants (due to restrictions) versus growing more plants but smaller in size. It is something that needs to be looked at and thought of. If growers are efficient they can grow smaller plants and use less water. The state licenses will be based off square footage not plant numbers. Commercial should be based off square footage and not plant numbers.

The same would hold true for folks growing for personal use just on a smaller scale.

Thanks

Miguel (Mike) Campos
Mechanical HVAC Operations Foreman
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mcampos@ucdavis.edu

UCDAVIS
FACILITIES MANAGEMENT
Building Maintenance

From: Mireya Turner [<mailto:Mireya.Turner@lakecountyca.gov>]
Sent: Friday, December 9, 2016 3:11 PM
To: Mireya Turner <Mireya.Turner@lakecountyca.gov>
Subject: Lake County Cannabis Policy Development update

Hello everyone,

The next workshop on Lake County's Cannabis Policy Development will take place on 12/15/16, at 9:05 a.m., in the Board of Supervisors chambers at the address listed below. Public input is strongly encouraged. If you are unable to make the meeting, but would like your comments to be added to the public record, please reply to this email with your comments.

Attached is the draft conceptual cannabis ordinance. It is conceptual because it will be presented to the Board of Supervisors as a concept to receive direction from the Board on how to proceed.

The draft concept is shown as a revision to Article 72, but it is in the format of the new Zoning Ordinance.

The ordinance is divided into 10 section. In order to help one to review the document each section has a different colored boarder.

72.1	Findings and Purpose	(Black border)
72.2	Intent	(Black border)
72.3	Applicability	(Black border)
72.4	Definitions	(Red border)
72.5	Zoning Districts	(Green border)
72.6	Use Standards	(Blue border)
72.7	Site standards	(Purple border)
72.8	Procedures	(Brown border)
72.9	Enforcement	(Yellow border)
72.10	Abatement	(Olive border)

It is the staff's intent to divide the ordinance into one addressing personal use and a second for commercial use.

Also attached is a PowerPoint presentation that will be presented at the Planning Commission meeting to explain the draft conceptual ordinance.

Please let me know if you have any difficulty opening the attachments.

Cordially,
Mireya G. Turner
Associate Planner
Community Development Department
County of Lake
255 North Forbes Street
Lakeport, CA 95453

707-263-2221
www.co.lake.ca.us

Mireya Turner

From: Barbie Bromberg <barbie.pureindigo@gmail.com>
Sent: Tuesday, December 13, 2016 8:51 AM
To: Mireya Turner
Subject: New possible ordinance

To Whom it May Concern:

I have just read the proposed ordinances for the legal cannibis grow in Lake County, and it is quite distressing to say the least. As a land owner of 20 AG acres purchased and qualified for this reason, I am reading that this may all come down to a lottery for 23 lucky participants. How can this be how this all ends?

I have personally attended meetings and feel, across the board, we are all consciously trying to find the best way to be in this business together. We, look forward to establishing a legitimate cannabis business and are willing whole-heartedly to comply by the standards therein. We want Lake County to be a thriving community and also want the opportunity give back, not only through taxation, but also with the conscious development of our land. We understand that this needs to be a win win situation for all, including the farmers who are already present and aren't interested in this crop.

Up till now, I have heard and read about many discussions regarding the way all the permits and fees will be parsed out and some of these methods will be too onerous for the county to even represent and leaves us to in limbo without any footing or direction. I suggest that we have one comprehensive permit with all the requirements stated clearly and a reasonable taxation on the grow. If not, our wings are clipped with onerous building permits and land-development guidelines that make the laws impossible to follow. Cannabis farms can provide great revenue for government, but if tariffs are too steep and rigid, then more money will be put into enforcement and less money will go to social subsidies. We don't want any more criminality here; we want to run respectable businesses consciously so that we can all gain from this product. ` A fair well-designed simple tax code and a comprehensive permit can cut so much time and energy in the court system and allow for more revenue and good faith on both ends. This will protect the farmers and provide less wear and tear on the County.

When we bought our land, we gave our word to the sellers that we would be great stewards of our land. Our intention is develop and grow with products and mechanisms that will support the beautiful land that we bought and cherish. This is not only about our grow; we are intent upon maintaining a healthy space in our community.

**BOBBY DUTCHER B.B.S., GRI
LICENSE #01370651
BROKER/ASSOCIATE
REMAX FULL SPECTRUM PROPERTIES**

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Robert Massarelli
Lake County Community Development

Hi Robert,

Had a chance to review the draft ordinance being presented to the Planning Commission on 12/15. The ordinance is coming along very well, those of us who have been involved in the process really appreciate all of the time and effort you and Mireya Turner have put into this. With all of the input from the various viewpoints this has not been an easy task for you.

There are a few changes I would like to suggest. Pages 29 and 30 outline setbacks for small outdoor grow sites. A setback of 150 ft is suggested for 5 acre parcels, yet many, if not most, 5 acre parcels are rectangular shapes with 2:1 length to width ratios. The dimensions are 330x660. This would only allow the property owner a very narrow 30 ft strip in the center of their property to use. A 100 ft setback would be more appropriate.

For 20 acre parcels, a setback of 300 ft was suggested. Most 20 acre parcels are the result of a split of a 40 acre parcel and are also rectangular in shape. The dimensions are 660x1320. The 300 ft setback will result in the landowner having a narrow 60 ft wide strip of land to work with. Most owners strive to locate their dwellings in the center of their property for privacy reasons making this difficult to implement. A 200 ft setback would be more realistic.

Throughout the ordinance reference is made, such as iv)1(a) on pages 29 and 30, that the permit holder "Not allow any person under the age of 21 on the premises." I agree that persons under 21 should not be in the grow area, but to prohibit any family members under 21 to ever visit their relatives again is unduly harsh. If an owner of a 100 acre property has a small cottage grow on their ranch that meets the criteria of fencing and security, there is no danger from letting family or friends of any age to visit them. Also, as President of the Lake County Association of Realtors, I can't agree that some of our younger agents will be prohibited from crossing a property with a permitted grow site in order to show a property that is not being used for cannabis. The sentence should be changed to read "inside the grow area".

Rec'd 12/13/16

Page 45 outlines the need to meet a "score" of different criteria that amounts to at least 100 points. I am very familiar with the operation of Ceago, a certified biodynamic farming operation between Nice and Lucerne. The owner, Jim Fetzer, is a friend and client and I have gone on numerous tours of his ranch with him. His operation has been widely acclaimed for his environmentally friendly farming practices. I used his operation as a practice model and it scored around 80 points. To expect every cannabis farmer in the County to reach a score of 100 is unrealistic. The score is a very useful tool and I hope this stays in the final ordinance, but the total should be reduced to 75.

In the slideshow documents distributed, reference is made to excluding or limiting cannabis operations in certain Ag areas and now AVA's. The Association of Realtors has always felt that our General Plan and zoning ordinances are very clear on the fact that a diverse agricultural base is important to this County. This is the most lucrative agricultural opportunity to come along for small farmers in decades and we do not agree that any owners of the agriculturally zoned parcels (A, APZ, RL, TPZ) in the County be denied the opportunity to participate. The setback restrictions, size of operations, and permitting already make this the most regulated crop in the history of Lake County.

Reference was also made to permits not being assignable. I hope this can be changed to allowing a permit to be assignable only with County approval. If a permitted cannabis site is being operated in a very professional manner in a very good location, and something should happen to the permit holder, such as illness, injury, family emergency, allowing the operation to be transferred to an acceptable new owner should be allowed. The continuity of the business would be good for the County and employees of the operation, and allow the former owner to be rewarded for their efforts.

There is a map showing the overlay for the larger outdoor cultivations sites. Since the entire County has been reduced to a 9x11 page, it's a little difficult to see if some of the best ownerships are included. Valleys with dead end or private roads, plentiful water, and proper zoning should be utilized as much as possible. New Long Valley, Bachelor Valley, Clover Valley among them. The map looks like it includes some of these areas, but missing is Benmore Valley. This is on the County line at the west side North of Hwy 175. I have sold numerous properties in this area. The larger ranches have licensed reservoirs for irrigation, the smaller ones have excellent wells, they are surrounded by BLM or large hunting properties, seems like an ideal place for this.

Again, the ordinance is coming along very well and your hard work is greatly appreciated.

Bobby Dutcher