



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Courthouse-255 N. Forbes Street
Lakeport, California 95453
Planning Division · Building Division · Code Enforcement Division
707/263-2221 · FAX 707/263-2225

Mireya Turner
Community Development Director

COUNTY OF LAKE
CANNABIS TASK FORCE MEETING MINUTES
Board Chambers
Meeting Held Remotely through Zoom
September 12, 2022
1:00 PM

STAFF PRESENT

Mireya Turner, CDD Director
Andrew Amelung, Cannabis Program Manager
Katherine Schaefers, Assistant Planner

TASK FORCE MEMBERS PRESENT

Katherine Vanderwall
Jan Coppinger
Nara Dahlbacka
William Weiss
Rebecca Harper
Robert Geary

TASK FORCE MEMBERS NOT PRESENT

Jennifer Smith

MEMBERS OF THE PUBLIC

Chuck Lamb
Trey Sherrell
Darius
Betsy Cawn
Paul Bernacchio

1. Call to Order
At 1:04pm Staff called the meeting to order.
2. Introductions and Welcome
At 1:07pm Roll Call was taken
3. Review of Minutes
At 1:08pm the minutes were reviewed. Task Force Member Jan Coppinger requested a name correction. Task Force Member Dahlbacka requested clarification be made on the



querant of the average Cannabis tax bill question. The minutes were approved as amended at 1:10pm.

4. Consideration of Vision Statement

At 1:11pm Staff introduced the item. The Vision Statement currently reads as follows:

“The County of Lake Cannabis Program is dedicated to the pursuit of a successful, sustainable, vertically-integrated, compliant, and thriving cannabis industry that supports job growth and economic prosperity while balancing the needs and preservation of the unique ecological environment of the County, our historical and prehistorical cultural resources, the existing agricultural establishments, and the communities of the County. Together, we can succeed with clearer guidelines and expectations of the known and unknown challenges we face both now and in the future.”

At 1:12pm the committee agreed that the word “*thriving*” would more accurately reflect the Task Force’s intent than the word “*successful*.”

At 1:16pm, after Task Force member and public discussion, “sustainable” was agreed as an important word to keep, as was keeping “historical and prehistorical cultural resources” to different Tribal Historical Resources from Archaeological Resources.

At 1:17pm the Draft Vision Statement was approved as amended.

5. Land Use & Zoning – Use Permit Application Requirements

At 1:17pm Staff introduced the item, breaking up the Use Permit process into four stages.

At 1:18pm Staff introduced Stage 1 – Completeness Review (Application Requirements). During this stage, staff would have 30 days to review a submitted application package. During this time, all project documents would be checked for completeness. If a document, or aspect of the project, is determined to be incomplete, an Incomplete Letter is drafted and sent. Once incomplete items are requested, the clock is stopped on processing of the application until the items are submitted. When all items are submitted, and again checked for completeness, the application may be deemed complete and moved on to the next stage.

At 1:21pm Staff introduced Stage 2 – Agency and Tribal Review (RFRs and AB52 Notification).

During this stage, Staff will draft a “Request for Review” (RFR) letter and send this around to all relevant agencies. Agencies have 14 days to respond. Simultaneously, an AB52 notification will be sent to all local tribes. Tribes have 30 days to respond. Staff will then follow up with agencies and tribes as needed. Once all responses are collected and added to the project file, the project may then move into the next stage.



At 1:24pm Public Commentor Betsy Cawn requested clarification of Initial Study distribution to the public vs. the request for agency comments in Stage 2. Cannabis Program Manager Amelung clarified that Stage 2 is meant to help staff determine the appropriate environmental determination for a project through partner agency expertise. Initial Study distribution to the public occurs during Stage 3.

At 1:27pm Staff introduced Stage 3 – CEQA Review (Environmental Review). During this stage, staff reviews and analyzes all submitted documents, agency and tribal comments. A determination for the appropriate course of environmental review can then be made. Some projects are categorically exempt. Most projects require an Initial Study. Staff will then draft and prepare the appropriate documents, and upload these documents to the CEQA State Clearinghouse. supplemental documents. The documents will then undergo a public 30-day review period. At the end of this period, staff will then collect comments received and move to the project to the next stage.

At 1:28pm Public Commenter Betsy Cawn queried over when the public notification takes place? Cannabis Program Manager Amelung relayed that notification takes place after staff has enough information to make an environmental determination and assess/author appropriate mitigation measures. The public is then notified to give input on the determination and documents up for circulation on the CEQA State Clearinghouse site.

At 1:31pm Public Commenter Bart Levenson relayed that there is a need for local town halls and the public to be more informed regarding these projects. Cannabis Program Manager Amelung relayed that during a project's 30-day CEQA review period, all the documents are up for public review. Public Noticing will also be a future topic for discussion.

At 1:36pm Staff introduced Stage 4 – Planning Commission Review (Major Use Permit) or Zoning Administrator Hearing (Minor Use Permit). During this stage, Staff would incorporate CEQA comments into a Staff Report, review the analysis for final recommendations to either the Planning Commission or Board of Supervisors, and complete/prepare the Staff Report and project documents. A legal notification for the planning commission hearing would be prepared. Staff would then present the Staff Report findings to either the Planning Commission or Zoning Administrator.

At 1:37pm Staff introduced requirements of the Pre-Application Conference. These requirements are also covered under Article 27.13(at)(2)(i)(b) – Pages 121 & 123 of Article 27.

At 1:38pm Staff relayed that Ordinance No. 3092 limits new Cannabis permits to those parcels whose owners have enrolled with the Regional Water Quality Control Board or State Water Resources Control Board dated October 30, 2020, or earlier.



The Pre-application conference determines the feasibility of a project along with a review of the applicant's preliminary maps, site plans, and proposed canopy/cultivation areas.

At 1:45pm, Task Force Member Geary recommended Staff relay the Tribal contact information for Lake County Tribes as a resource during the conference.

At 1:46pm Staff introduced more details regarding Stage 1 – Completeness Review. A complete application requires items under the Lake County Zoning Ordinance, Article 55.5, 27.13(at), as well as Ordinance 3106, be met.

At 1:51pm Public Commentor Valerie Peng mentioned that the State does not require background check for employees, while background checks are a requirement of the Lake County Zoning Ordinance.

At 1:58pm Director Turner relayed that the Task Force can make a policy correction. Currently Article 27 requires that plans are prepared by a design professional, but this wording does not necessarily convey the requirements of Article 55. Cannabis Program Manager Amelung also relayed that finding the definition of a design professional within California Code can sometimes prove tedious.

At 2:04pm The Cannabis Program Manager communicated that there are a few items on the Cannabis Completeness checklist that are up to the discretion of the CDD Director. These items have been inserted based on past and current issues and include:

- Notarized Property Ownership Approval
- Notarized Authorization of Consultant
- Biological Assessment Report – Two surveys during the floristic season
- Biological Assessment Report – Must include botanical survey
- Grading Permit Application required with or without plans for grading

6. Public Comments

At 2:08pm Public Commentor Paul Bernacchio asked whether the Water Board deadline would be expiring. The Cannabis Program manager mentioned that the decision on whether to sunset this ordinance would be dependent upon the Board of Supervisors.

At 2:09pm Mr Bernacchio asked whether the 360-day processing window for CEQA review is still accurate. The Cannabis Program Manager answered that a very well-planned project would go more quickly. Mr. Bernacchio also asked for clarification on what an applicant can do vs. what they couldn't do during the processing time of a project. The Cannabis Program manager answered that applicants do have the opportunity to obtain a letter from the County of Lake relaying that their project is "in process" that can then be given to the State to begin applying for State licensure.



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At 2:17pm, Public Commentor Betsy Cawn asked about the list of sourcing at the end of Initial Study documents. Specifically, how long has it been since the documents have been updated. Should new pertinent documents, or new reference information be added? Staff answered that a number of the documents listed in the reference section are not published or updated yearly, so a document that appears out of date may be the most current version.

Ms. Cawn also asked about cumulative impacts, where several separate applications can be problematic for a neighborhood? The Cannabis Program Manager answered that planning staff are keeping up with the newest information coming in from the Office of Planning and Research regarding cumulative impacts. This topic would also be good for a future meeting.

At 2:20pm Public Commentor Valerie Peng emphasized that the confidentiality of Cannabis Project information should be reassessed. Director Turner relayed that all project information submitted to the County is available publicly, but that this may also be an issue for a future meeting.

At 2:25pm Public Commentor Bart Levenson asked about coordination regarding permitted or in-process grows acting illegally. Cannabis Program Manager relayed that some of the in-process and even permitted applicants do act illegally, but that illegal cannabis is a bigger conversation. The public complaint process through Code Enforcement and the Cannabis Annual Inspection provide an avenue for checking in on these issues.

At 2:30pm Public Commentor Darius wanted to explore the question of whether the property owner should be required to be a co-applicant. Additionally, that the noise issue for residents is difficult to address through the complaint process, and that additional help from the County would be needed.

At 2:34pm Task Force Member Dahlbacka emphasized that streamlining the County of Lake requirements with the State requirements is necessary moving forward.

At 2:36pm Public Commentor Angela Amoral asked if there might be a question on the application that would identify whether the property includes an easement or other legal binding on the land (such as an HOA). This would let the applicant know they would need to obtain this information before applying.

7. Next Steps

At 2:37pm the Cannabis Program Manager relayed that staff would be working with IT to post Cannabis Task Force content on the Community Development Department Website.



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8. Adjournment

At 2:39pm the meeting adjourned.