



**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**
Conference Room B
Meeting Held Remotely through Zoom
October 11, 2022
1:00 PM

STAFF PRESENT

Mireya Turner, CDD Director
Andrew Amelung, Cannabis Program Manager
Katherine Schaefer, Assistant Planner
William Collins, Chief Building Official
Sarah Whitman, Staff Services Analyst

TASK FORCE MEMBERS PRESENT

William Weiss – North Lake County
Jan Coppinger – South Lake County
Katherine Vanderwall – Agricultural Commissioner
Rebecca Harper – Farm Bureau
Robert Geary – Tribal Representative
Jennifer Smith – Lake County Cannabis Alliance

TASK FORCE MEMBERS NOT PRESENT

Nara Dahlbacka – Cannabis Industry

MEMBERS OF THE PUBLIC

Paul Duncan (CalFire)
Willie Sapeta (Lake County Fire Protection District)
Dan Grebil (Lakeport Fire District)
Zarro Sabev
Bart Levenson
Angela Amoral
Sarah Bodnar
Lorrane Knapp Pascarella
Nehoa Brad Chattan
Betsy Cawn

1. **Call to Order**

At 1:02pm Staff called the meeting to order and reviewed the Agenda.



2. Roll Call of Task Force Members

At 1:05pm Roll Call was taken.

At 1:08pm Minutes from the 9.26.22 Task Force meeting were approved.

3. Consideration of Amendments on Ag-Exempt and Temporary Ag Structures

At 1:09pm Staff introduced the item.

This resolution was introduced by Supervisor Sabatier at the September 27th Board of Supervisors meeting for the Board to review. The Board has requested the Cannabis Task Force to review and provide recommendations on the proposed resolution prior to voting.

The resolution's purpose is to provide hemp and cannabis the ability to dry. The problem is that there is no approved access to ag-exempt structures or temporary structures for cannabis cultivation. No other agricultural operation is solely forced to go through the building permit process similar to that of a house or commercial structure.

At 1:16pm Task Force member Smith advocated for bifurcating the amendment into:

- The legitimacy of Ag exempt structures and Cannabis use
- Providing the Cannabis industry a pathway for temporary drying structures.

At 1:17pm a member of the Fire community relayed the need for accountability to collect fees on the use of these structures. These fees pay for fire protection and maintenance.

At 1:20pm Bill Collins (County of Lake Chief Building Official) noted that as soon as electrical, plumbing and/or mechanical is introduced into a structure, this use would require a Building Permit.

At 1:23pm Task Force member Smith relayed that the differentiation between medicinal and recreational Cannabis is at the tax level, and that Cannabis is still considered Agricultural at the State level in many ways.

At 1:24pm Task Force member Vanderwall queried how a grower would submit a project and not have a plan for how to dry the product within County regulations.

At 1:25pm Task Force member Smith relayed that the difficulty has been the lengthy process of the Building Permit for the permanent structure that occurs after the Use Permit process.

At 1:28pm Task Force member Smith clarified that the Ag Exempt structures would be for drying only, not processing. Processing is already covered under another method.



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At 1:31pm Task Force member Harper queried if Ag. Exempt structures for Cannabis drying are quite large, would they be able to be covered under a temporary permit?

At 1:31pm Task Force member Smith clarified that the size of the processing building needed vs. a drying building would vary depending on the project.

At 1:35pm Cannabis Program Manager Amelung reviewed the current requirements for an Ag-Exempt Structure (Ch. 5 Building Regulations – Sec. 5.6 Misc. Restrictions (6.24)).

At 1:38pm Cannabis Program Manager Amelung laid out the proposal for Ag-Exempt Updates within the resolution:

- Allow approved cannabis operations to apply
- Setback restrictions
- Height/Size restrictions
- Fire safety standards for number of exits and distance between them
- Codify electricity and plumbing addition to buildings
- New minimum acre parcel from 10 acres to 5 acres
- General Purpose Tent – A shelter consisting of heavy fire-resistant canvas material draped over and attached to a frame of poles
- Shipping Container – A large, strong container, usually made of metal, typically housing a generator to be used for a couple months out of the year
- Hoop Houses – Ag-Exempt Hoop Houses as defined by the State, no mixed-light usage allowed, no electricity

At 1:46pm Task Force member Vanderwall recommended having a Temporary Cannabis Drying Ordinance and abandoning trying to merge Cannabis drying with Ag Exempt structures.

At 1:46pm Members of the fire community emphasized the need for fees that pay for the emergency services provided by fire services. There has been a loss of revenue and resources from mitigation fees that have not been paid. This deficit affects the ability of fire services to aid and protect Cannabis projects and people.

At 1:54pm Cannabis Program Manager Amelung queried whether being able to use an Ag Exempt structure as it is defined currently would help Cannabis permittees. Cannabis permittees are currently not allowed to utilize Ag. Exempt structures. Two Task Force Members agreed that this would still be helpful.

4. Review of Current Zoning and Cannabis License Types
Item will be discussed at a later meeting.
5. Public Comments



At 2:01pm Cannabis Program Manager Amelung put up for discussion the following solutions for Cannabis drying:

- Ag Exempt Structures (as currently defined)
- Temporary Containers
- Temporary Tents
- Hoop Houses

At 2:02pm Member of the Public Zarro Sabev predicted that Cannabis will eventually be classified as Ag at the State level. We should make regulations with this prediction in mind.

At 2:07pm Cannabis Program Manager Amelung relayed that there is no easy way to modify a permit after it is issued. Any substantial changes would necessitate a new Use Permit. Meaning, that if there are details of drying that would need to be changed (that are substantial), another Use Permit is required by the current ordinance.

At 2:09pm Member of the Public Bart Levenson relayed the following comments: The Valley Fire started by an extension cord wrongly (unpermitted, not inspected) strung from an outdoor shed to a hot tub, prices for Cannabis have plummeted, the cannabis industry has asked for and were granted tax relief, the Fire Chiefs do not regard some Cannabis grows as safe. The Cannabis industry should ponder these points, and think more about the other residents of Lake County.

At 2:12pm Member of the Public Sarah Bodnar offered that the LCCA would be happy to partner with talks on an Ordinance that would meet the needs of all parties.

At 2:15pm Member of the Public Angela Amoral stated that the Fire Chiefs' input should carry more weight and queried whether these temporary structures would be geared towards the Cannabis applicants that are already permitted and need drying capabilities. Additionally, Hoop Houses should be left out of this discussion, as they are not ascetically pleasing nor friendly to the environment. Staff clarified that applicants do provide options and plans for drying in their proposals, and that the Hoop Houses would be regulated to 180 days only (for drying) and would then need to be properly dismantled.

At 2:21pm Member of the Public Lorrane Knapp Pascarella emphasized that the intent is not to evade mitigation fees, and that the fees and inspections are important to keep employees safe. The drying structures are important to protect the crop. The Ordinance that is drafted does not go far enough in helping make the Cannabis industry work for everyone.

At 2:25pm A member of the Fire community noted that the mitigation fees are not the only concern, but that the staff time needed for inspections also needs to be recompensated.



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At 2:26pm Member of the Public Bart Levenson emphasized that the revenue from the Cannabis Industry will not be sufficient to cover staff resources needed to regulate the industry in the upcoming year.

At 2:27pm Bill Collins, Chief Building Official noted that there are two options to run electrical to a proposed temporary structure. Both options would require a Building Permit.

At 2:28pm Member of the Public Nehoa Brad Chattan advocated for more input from Air Quality, the Planning Department, the Fire Department and Environmental Health. Each new permit, including temporary permits, will need inspections. The hours for those inspections will need to be compensated, so that these agencies have enough funds to continue running. These fees should be collected prior to the inspections.

6. Next Steps

At 2:33pm The Cannabis Program Manager relayed the next meeting will feature a representative from the WaterBoards, and that the following options for temporary drying will be discussed further:

- Ag Exempt Structures (as currently defined)
- Temporary Containers
- Temporary Tents
- Hoop Houses

7. Adjournment

At 2:34pm the meeting adjourned.