

Date: March 9th, 2026

To: Lake County Board of Supervisors

From: Trey Sherrell (Environmental & Regulatory Compliance Consultant)

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

Dear Supervisors,

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

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

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

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

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

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

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

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

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

Respectfully,
Trey Sherrell