

Lake County Association of REALTORS®

On Magnificent Clear Lake

SINCE 1947



July 6, 2016

CDD/Planning Commission
255 North Forbes Street
Lakeport, CA 95453

Re: Proposed Ordinance Amending Article 72 of the Lake County code

Dear Commissioners,

The Lake County Association of Realtors (the Association) has reviewed the proposed changes to Article 72, Regulations for the Cultivation of Medical Marijuana. Based on the review and the experience that Realtors have when dealing with properties affected by the cultivation of marijuana the Association recommends the following:

1. Item 72.5(k) - Zoning is not as important as proximity. It would be better to establish required parcel sizes and limitations on proximity to schools, child care facilities, churches, etc.
 - a. The Outdoor cultivation sizes should be limited to 10,000 square feet; this should not be inclusive of the collateral functions associated with cultivation. This would require striking item 72.7 (e) c.
 - b. The minimum lot size should be 20 acres, not the 10 acres in the proposal.
2. Item 72.7(c) – Permit fees should be high enough to cover the costs of enforcement. If the fees are sufficient there should be no reason why there should be a limit on the permits (or at least increase the number of permits).
3. Item 72.7 (g) 1. – Permit Fees – It would be helpful to establish a time frame for issuing permits. The recommendation would be November 1 through December 15. This would help County staff by limiting the interruptions in their daily duties that are unassociated with Medical Marijuana.
4. Item 71.10 (c) – Fines – The fines are not high enough to make an impact to discourage repeat offenders. The real estate community can site several examples of illegal grows being eradicated only to find a grow in the same place the following year. Fines should range from \$1,000 to \$10,000 depending on the offense.

With regards to cultivation in Community Growth Boundaries, enforcement should significantly discourage any growing that exceeds the limits. Indoor cultivation in residential properties has led to the devaluing of properties and is the area most prone to public nuisance complaints.

Our goals are to get cultivation above the personal minimums out of community growth areas, reduce illegal cultivation while encouraging legal operations, expand the areas where legal cultivation can occur and to allow the County to enjoy the financial benefits that marijuana can provide.

Sincerely,

Erin Woodward
2016 President
Lake County Association of REALTORS®

cc: Lake County Board of Supervisors
Carol J. Huchingson, County Administrative Officer
Robert Massarelli, Community Development Director
Brian Martin, Sheriff, County of Lake