

LAKE COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

December 12, 2024

Commission Members

- P John Hess, District I**
- P Everardo Chavez, District II (VChair)**
- P Batsulwin Brown, District III**
- P Christina Price, District IV (Chair)**
- P Sharron Zoller, District V**

Staff Members

- P Mireya Turner, Director**
- P Michelle Irace, Resource Planner**
- P Nicole Johnson, Deputy County Counsel**
- P Ruby Mitts, Office Assistant III**
- P Danae LoDolce, Office Assistant III**

9:00 a.m. CALL TO ORDER

Pledge of Allegiance was led by Commissioner Price.

VERIFICATION OF LEGAL NOTICE(S)

The clerk reported all items were properly noticed.

CONSENT AGENDA

Action on minutes from November 14, 2024, Planning Commission Meeting.

Comm. Zoller moved, 2nd by Comm. Hess to approve the minutes from November 14, 2024. Comm. Price, Chavez, Brown, Hess & Zoller were all in favor.

CITIZEN'S INPUT

No one present wished to speak.

6a 9:05 a.m. Public Hearing – (Continued from 10-10-2024) Consideration of a proposed Major Use Permit (UP 21-07), and Mitigated Negative Declaration (IS 21-07), for commercial cannabis cultivation including two (2) A-Type 3”Outdoor” commercial cannabis cultivation licenses and one (1) Type 13 Self-Distribution, Transport Only License; Applicant: Little High Valley, LLC/Mark McDonald; Location: 17870 Little High Valley Road, Lower Lake (APN 012-061-03)

Senior Planner Mary Claybon presented the staff report.

Consultant Trey Sherrell and Applicant Mark McDonald spoke regarding water usage and public site visits to the proposed project.

9:21 a.m. Opened Public Hearing

The following people spoke: Eric Aarreberg, Odell Landers, Joanie Henderson, (Dorothy Henderson and Brandon Henderson yielded their allotted time to Joanie Henderson), Betsy Cawn, Maria Kann and James Wright.

Consultant Trey Sherrell spoke regarding the well on the property, Aquaphor analysis and cumulative impacts, along with the removal of trees.

Project Manager Travis Lisenbee spoke regarding grading, road repairs, and brush removal performed on property.

10:10 a.m. Closed Public Hearing

10:10 a.m. Break

10:25 a.m. Back to Order

Chair Price left the meeting during the break and Vice Chair Everardo took the seat of Chair.

Comm. Zoller moved, 2nd by Comm. Hess to continue this item to February 13, 2025, at 9:05 a.m.

CONTINUED TO FEBRUARY 13, 2025, FOR PUBLIC COMMENTS REGARDING POTENTIAL GRADING CONCERNS 4 AYES 0 NOES 1 ABSENT (Comm. Price)

6b 10:29am Public Hearing - (Continued from 10-24-2024) Consideration of a proposed Major Use Permit (UP 23-05), and Mitigated Negative Declaration (IS 23-10), for construction of an AG Forest Wood Processing Bioenergy Facility with supporting infrastructure; Applicant: Scotts Valley Energy Corporation; Location: 755 E. State Hwy 20, Upper Lake (APN 004-010-04)

Senior Planner Laura Hall presented the staff report.

Applicant Tom Jordan spoke and provided a handout to the Commission.

10:36 a.m. Opened Public Hearing

The following people spoke: John Lavota, Larry Kann, Laurie Larson, Barbara Morris, Julia Carrera, Steve Rumbaugh, Doug Gearhart, Robert Thomas, and Terra Morris.

11:30 a.m. Closed Public Hearing

Comm. Brown moved, 2nd by Comm. Hess that the Planning Commission found based on the Initial Study (IS 23-10), for Major Use Permit (UP 23-05), as applied for by Scotts Valley Band of Pomo Indians, will not have a significant effect on the environment and therefore a mitigated negative declaration shall be adopted with the findings listed in the Staff Report dated December 12, 2024.

MITIGATED NEGATIVE DECLARATION (IS 23-10) 4 AYES 0 NOES 1 ABSENT (Comm. Price)

Comm. Brown moved, 2nd by Comm. Hess that the Planning Commission found that the Major Use Permit (UP 23-05), applied for by Scotts Valley Band of Pomo Indians, on property located at 755 E State Highway 20, Upper Lake, CA, (APN 004-010-04), does meet the requirements of Article 8 of the Lake County Zoning Ordinance and grant the Major Use Permit based on the findings and subject to the conditions listed in the Staff Report dated December 12, 2024.

MAJOR USE PERMIT (UP 23-05) 4 AYES 0 NOES 1 ABSENT (Comm. Price)

6c 11:45 a.m. Public Hearing - Consideration of a proposed Major Use Permit (UP 20-14), and Mitigated Negative Declaration (IS 20-16), for commercial cannabis cultivation of two (2) A-Type 3B licenses for 37,446 square feet (sf) of mixed-light canopy within 48,529 square feet (sf) cultivation area, and Type 13 Distributor Transport Only license; Applicant: Nina Star, LLC/Nina Bogdanova; Location: 23180 Shady Grove Road, Middletown (APN 014-006-16)

Senior Planner Mary Claybon presented the staff report.

Applicant Nevelina Bogdanova spoke on Zoom.

12:07 p.m. Opened Public Hearing

The following people spoke: Charles Morse, Elizabeth Hershaw, Brenda Fraiser, and Lonette Delanado.

12:33 p.m. Closed Public Hearing

Comm. Hess moved, 2nd by Comm. Brown that the Planning Commission found that potential impacts associated with this project cannot be mitigated to 'less than significant' through the implementation of the Mitigated Negative Declaration (IS 20-16) submitted by Nina Star Farms (Nina Star LLC) for the property located at 23180 Shady Grove Road, Middletown, APN: 014-006-16, will have a significant effect on the environment, and that the Planning Commission adopt Initial Study (IS 20-16) with the findings listed in the staff report dated December 12, 2024.

MITIGATED NEGATIVE DECLARATION DENIAL 4 AYES 0 NOES 1 ABSENT (Comm. Price)

Comm. Hess moved, 2nd by Comm. Brown that the Planning Commission found that the Major Use Permit (UP 20-14) applied for by Nina Star Farms (Nina Star LLC) on property located at 23180 Shady Grove Road, Middletown, APN: 014-006-16, does not meet the requirements of Section 51.4 and Article 27 of the Lake County Zoning Ordinance and that the Major Use Permit not be granted based on the findings and subject to the conditions included in the staff report dated December 12, 2024.

MAJOR USE PERMIT DENIAL 4 AYES 0 NOES 1 ABSENT (Comm. Price)

DEPARTMENT UPDATE

Director Turner announced that there will be a Planning Commissioner's Academy that will be held on March 5, 2025, through March 7, 2025. The seminar is hosted by the Institute for Local Government at the Hyatt Regency in Santa Rosa and encouraged all Commissioners to attend.

Director Turner presented a commemorative plaque to Comm. Hess honoring his service as Planning Commissioner from 2017 to 2024.

12:51 p.m. ADJOURNED

Respectfully submitted,

**Everardo Chavez, Vice Chair
Lake County Planning Commission**

**Ruby Mitts,
Planning Commission Assistant**