COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
255 N. Forbes Street – 3rd Floor
Lakeport, California 95453
Planning • Building • Code Enforcement
Phone: (707) 263-2221 • Fax: (707) 263-2225

Item 6c
9:35 AM
March 26, 2026

TO: Planning Commission

FROM: Mireya G. Turner, Community Development Department

Trish Turner, Associate Planner

DATE: March 26, 2026

SUBJECT: Consideration of proposed Major Use Permit PL-25-67 (UP 21-40) 140 Soda Bay Road/ Anthony and Matsuki Perkins, Design Review PL-25-67 (DR 23-06), and Mitigated Negative Declaration PL-25-67 (IS-21-42), for no more than 43,200 square feet (sf) mixed-light commercial cannabis cultivation, a 6,000 sf processing and non-volatile manufacturing facility, and a 2,400 sf distribution facility located at 140 and 270 Soda Bay Road, Lakeport (APNs 008-001-08 and 008-001-09)

EXECUTIVE SUMMARY

Action Requested:

Staff is recommending the Planning Commission adopt a Mitigated Negative Declaration (MND) and approve Design Review and Major Use Permit PL-25-67 (UP 21-40). This approval is for a maximum of 43,200 sf of mixed-light commercial cannabis cultivation, a Type 6 Non-Volatile Manufacturing License, and a Type 11 Cannabis Distribution License at 140 and 270 Soda Bay Road, Lakeport (APNs: 008-001-08 and 008-001-09).

Project Overview:

The applicant proposes a commercial cannabis operation for no more than 43,200 sf of mixed light commercial cannabis canopy on ±44.31 acres of split-zoned land "A-C3-DR-SC-FF-WW" Agriculture – Service Commercial – Design Review – Scenic Combining District – Floodway Fringe – Waterway Combining District. Site infrastructure includes twenty-four 3,000 sf greenhouses for mature cultivation and six-3,000 sf greenhouses dedicated to immature plant propagation. Ancillary structures include a 6,000 sf metal building for processing and non-volatile manufacturing, and a 2,400 sf metal building for distribution operations. Cultivation would occur in garden beds and nursery pots serviced by drip and micro-spray irrigation systems using an imported organic soil mixture. No tree removal is proposed.

Figure 1 – Vicinity Map

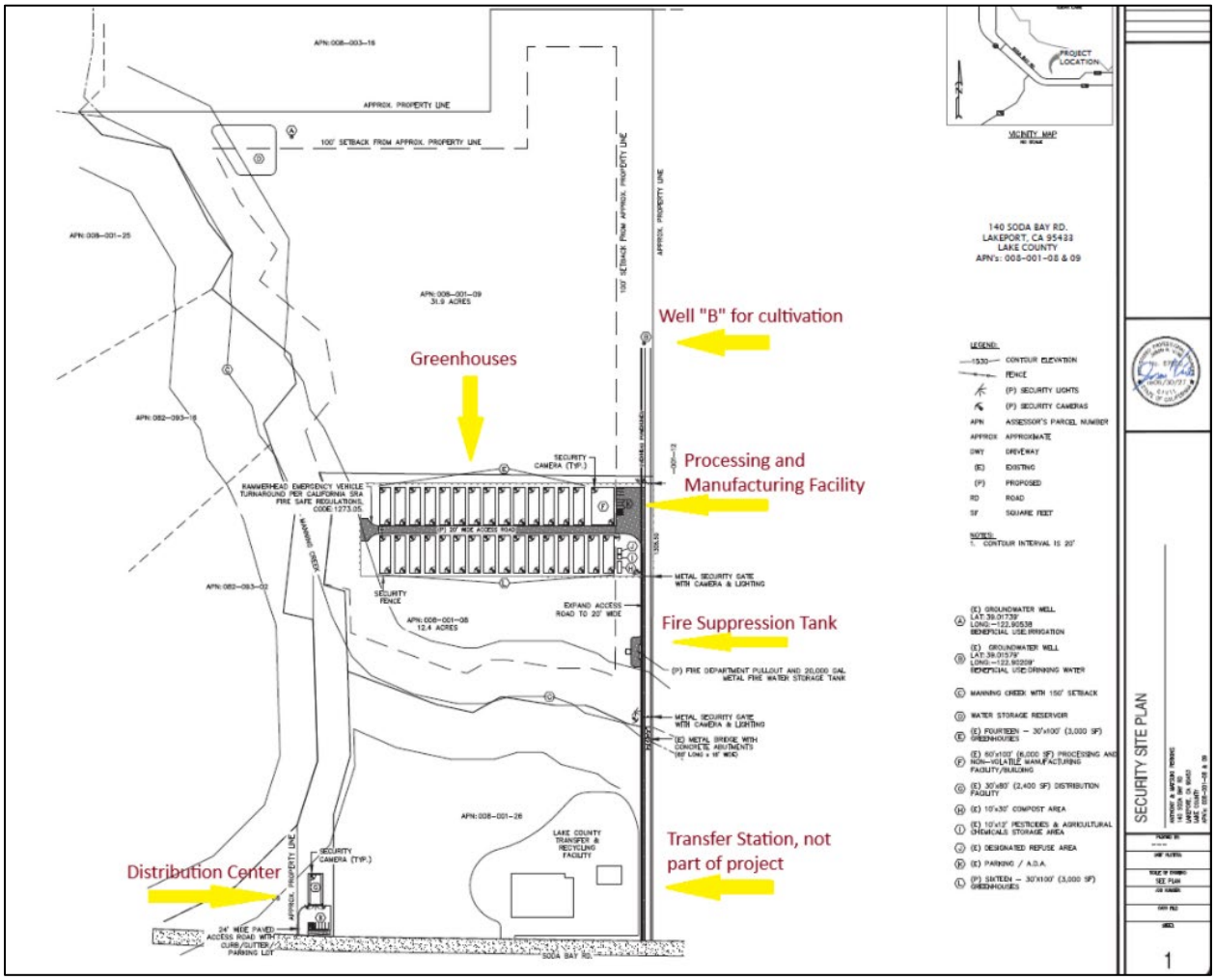
Source: Lake County ArcGIS 2025

PROJECT SUMMARY

- No more than 43,200 sf (0.99 acres) of mixed-light cannabis canopy
- Corresponding State Licensing: Two A-Type 3B "Medium Mixed-Light Tier 1" Cultivation Licenses, one A-Type 6 Non-Volatile Cannabis Manufacturing License, and an A-Type 11 Cannabis Distributor License
- Employees: Up to 12 full-time and up to 18 seasonal employees
- Hours: 8:00 a.m. – 6:00 p.m., Monday through Sunday, with some flexibility during harvest
- 6,000 sf processing and non-volatile manufacturing building
- Thirty 3,000 sf greenhouses
- One 120 sf wooden storage sheds
- One 2,400 sf distribution facility
- Eight employee parking spaces, including two ADA spaces (at the cultivation and process building)
- Six employee parking spaces, including two ADA spaces (located at the distribution center)

- Total of 20,000-gallon water storage tank(s) made of steel, fiberglass, or concrete dedicated to fire suppression equipped with quick coupling for fire district use
- Road improvements to meet 4290 fire access requirements
- Two existing groundwater wells

Figure 2 – Site Plans (Attachment 1)



Source: Realm Engineering, 2026

SITE CONTEXT

Location: 140 & 270 Soda Bay Road, Lakeport (APNs 008-001-08 and 008-001-09)

- General Plan: Resource Conservation, Agriculture, Service Commercial.

- Zoning: Split (both lots); “A-C3-DR-SC-FF-WW”; Agriculture - Service Commercial, Design Review - Scenic Combining - Floodway Fringe - Waterway.
- Parcel Size: combined ±44.31-acres.
- Access: Cultivation and processing access via private drive off of Soda Bay Road, Lakeport and for the distribution center access is Soda Bay Road, Lakeport.

The cultivation parcel contains existing agricultural flat fields and vineyards that have been used for intensive agricultural activities. No vegetation clearing is needed and very minimal site preparation would be needed for the proposed buildings. The subject property currently supports agricultural and has infrastructural improvements. The site is actively farmed, containing both an established vineyard and a previously permitted hemp cultivation area. Essential water infrastructure is present in the form of two existing groundwater wells and a water reservoir, providing the necessary utility support for the current agricultural operations. Site access is controlled by a security gate at the primary entrance, while internal site circulation is facilitated by an existing bridge. These features establish a highly developed rural character with robust, self-sustaining utility systems.

Surrounding parcels are large industrial properties, agriculture properties, and scattered residentially developed properties within commercial zoning. The nearest off-site residence to the cultivation site is approximately 225 feet, exceeding required setbacks.

Figure 3 – Site Photo

Source: Staff Site Visit, May 2025

WATER SUPPLY & USE (SUMMARY)

- Source: Two existing on-site groundwater wells, Well “B” would be used for the cultivation and processing and Well “A” would only be used as a backup well, should it be needed. (Well “A” est. 266 gpm; drilled 1974). The distribution center would be serviced by a new (proposed) water utility service connection.
- Annual Demand: ~7 acre-feet/year.
- Hydrology Conclusion: According to the applicant’s Hydrology Report, even during drought years, the onsite groundwater well has the capacity to handle the water needs of the proposed Project without impacting surrounding neighbors’ wells.
- Finding: Per the Hydrology Report the daily amount proposed water usage is 9,426 gallons per day, based on the data from the 6-hour pump test, the average daily water demand of the proposed cultivation operation in less than 24 minutes, with peak daily demand in less than 36 minutes. (See Hydrology Report Attachment 5).

ENVIRONMENTAL REVIEW (CEQA)

In accordance with CEQA Guidelines §15063, an Initial Study/Mitigated Negative Declaration was prepared and underwent public circulation in 2023 and again from June 11, 2025, to July 12, 2025.

Staff proposes all potentially significant impacts can be mitigated to less than significant with incorporation of mitigation measures and Conditions of Approval.

Potential Impact Areas with Mitigation:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology & Soils
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Noise
- Tribal Cultural Resources
- Wildfire

Mitigation measures are incorporated by reference from the IS/MND into the Conditions of Approval (Attachment 2). All impacts would be reduced to a less-than-significant level through incorporation of mitigation measures and compliance with existing regulations.

No significant and unavoidable impacts were identified. Therefore, preparation of an Environmental Impact Report is not required pursuant to CEQA Guidelines §15070.

GENERAL PLAN, COUNTY CODE, & ZONING CONSISTENCY

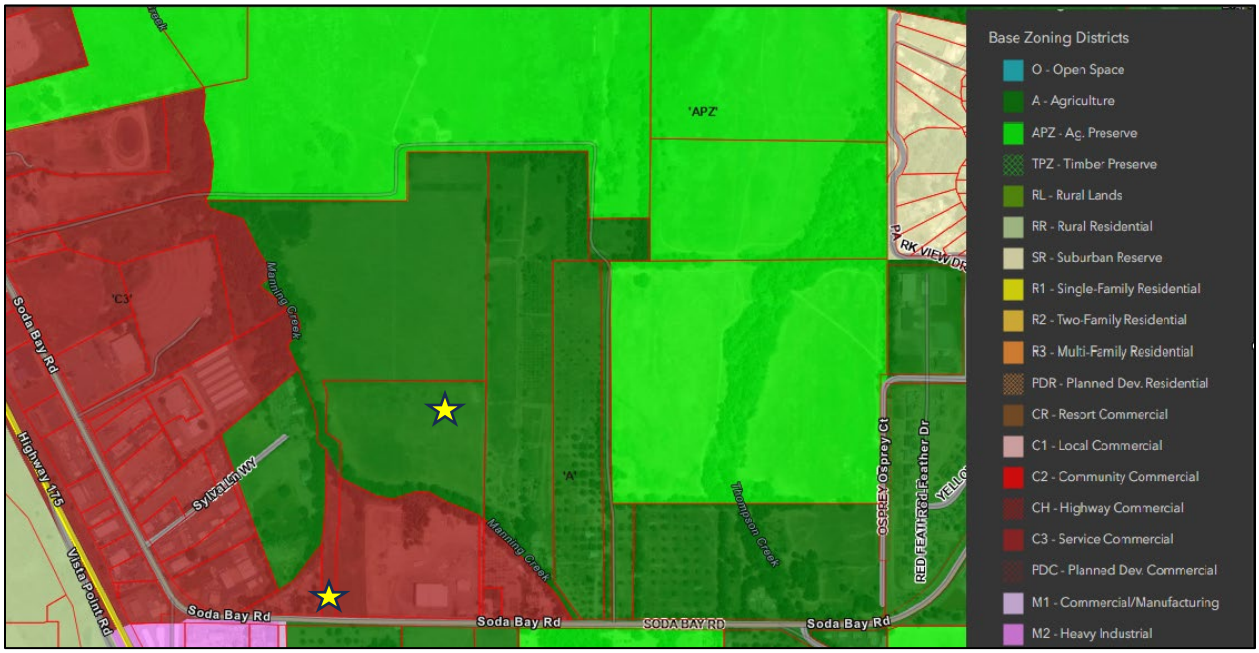
The project is an allowable agricultural use, maintains required setbacks, and incorporates fire safety, water management, and environmental protection measures. As demonstrated below, the project is consistent with the General Plan, Lakeport Area Plan, Lake County Muni Code, and the Lake County Zoning Ordinance.

Policy Area	Conclusion
General Plan	Consistent with Chapter 3 Land Use; Chapter 7 Health and Safety; Chapter 8 Noise; and Chapter 11 Water Resources

Policy Area	Conclusion
Lakeport Area Plan	Policy 5.4.1.b – Coordinate the county and local fire protection districts to provide assurances that fire standards are met by new development. Policy 5.5.1.b - Approve heavy commercial and light industrial uses in locations compatible with neighboring residential, retail, commercial or agricultural land uses. Policy 5.5.2.a – Give high priority to providing service and employment opportunities locally as well as coordination with the City if Lakeport to boost economic development and reduce travel distances from home to work.
Zoning: **Article 5 – A** **Article 20 – C3** **Article 34 – SC** **Article 53 - DR**	Cannabis Cultivation and Processing allowed under Article 5.5 with a Major Use Permit Cannabis Type 11 Cannabis Distributor License allowed under Article 20 with a Major Use Permit Scenic Combining District doesn't apply to commercial zone properties and doesn't meet the criteria for Scenic Combing District per Article 34.2(a). The proposed building would fit in with the surrounding uses, as the neighboring parcel has the Lake County Transfer Station, Mini Storage Facilities, RB Peters Redi-Mix, Jones Towing Company, The Dock Factory, and multiple other businesses.
Article 36 "FF" **Article 37 "WW"**	Avoidance by design setback from Manning Creek 150 feet, and all buildings must get an elevation certificate at the time of the building permit. Conditioned to protect the Clear Lake Hitch
Setbacks	• The cultivation site is set back a minimum of 100 feet from the nearest property line. • At least 150 ft setbacks from all waterways, • At least 200 ft from the nearest off-site residence (for the cultivation)
Lake County Muni Code	There are no violations of Chapter 5, 17, 21, 23, or 26

Policy Area	Conclusion
Background Checks	Lake County Sheriff's Office sent in qualification for each applicant

Figure 4 - Zoning Map



Source: Lake County ArcGIS, 2025

AGENCY REVIEW & TRIBAL CONSULTATION

Agency comments (Attachment 7) were received and addressed through Conditions of Approval (Attachment 2).

Notification of the project for AB-52 Consultation was sent to twelve Tribes on October 4, 2022. Notified Tribes included Big Valley Rancheria, Cortina Rancheria, Elem Colony, Koi Nation, Mishewal-Wappo, Middletown Rancheria, Redwood Valley Rancheria, Robinson Rancheria, Scotts Valley Band of Pomo Indians, Hopland Band of Pomo Indians, Habematolel Pomo of Upper Lake Tribe, and Yocha Dehe Wintun Nation. Of the notified Tribes, the Yocha Dehe Tribe responded and deferred to the Big Valley Tribe.

On August 14, 2023, the draft Initial Study was recirculated, and Tribal Consultation was reopened due to the circulation. The Big Valley Band of Pomo formally requested consultation on September 26, 2023, via email to the Community Development Department Staff.

Tribal Consultation was successfully closed on December 19, 2023. The Tribe(s) were also included in the noticing procedures for recirculating of this Initial Study in June 2025 and again notified of the project's hearing date. No further requests for tribal consultation was received.

REQUIRED FINDINGS (Article 51.4 – Major Use Permit and Article 27.11(at) Uses Generally Permitted under the Lake County Zoning Ordinance)

Based on the whole of the record, including the Initial Study/Mitigated Negative Declaration and supporting technical reports, staff finds the Project:

1. That the establishment, maintenance, or operation of the use applied for would not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or be detrimental to property and improvements in the neighborhood or the general welfare of the County.
2. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
3. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use.
4. There are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project. The project as proposed is consistent with the General Plan, Lakeport Area Plan, Lake County Muni Code, and Zoning Ordinance
5. That the project is in conformance with the applicable provisions and policies of this Code, the General Plan and any approved zoning or land use plan, including all required cannabis development standards.
6. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.
7. Applicant is qualified to apply for the Use Permit.
8. The Project was adequately analyzed under CEQA, and all impacts associated with the project can be mitigated to a less than significant level.

Please see the preceding sections of this Staff Report establishing these findings.

Design Review	Conclusion
Building Design	New buildings should be largely consistent with local development in terms of scale, height, and setbacks. The proposed building is consistent with the Lake County Transfer Station, Clearlake Redi-Mix, Dock Factory, Jones Towing, and the AAA Boat & Mini Storage.
Color Scheme	No particular color scheme are recommended, in general earth tones on large expanses are encouraged, along with contrasting colors which accent architectural details such as trim, windows, and entrances. The building will have to be similar in color, neutral tones, to the surrounding area. It is also addressed in the Conditions of approval.
Utilities	The distribution center will be connected to public sewer and water. Electricity will be supplied by PG&E.

Figure 5 Building Design

Source: Applicant Submitted Material, 2022

REQUIRED FINDINGS (Article 54.5– Design Review)

Based on the Lake County Zoning Ordinance and the Lakeport Area Plan Design Criteria, staff finds the Project meets the following criteria:

1. That the proposed use is a permitted use in the district where located.
2. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
3. That there are adequate public or private services, including but not limited to fire protection, water supply, and sewage disposal.
4. That the project is in conformance with the applicable provisions and policies of this Chapter, the Lake County General Plan and any approved zoning or land use study or plan.

5. That the placement and design of buildings and structures are compatible with existing development and will not detract from the visual setting.
6. That the project is in conformance with any applicable community design manual criteria.
7. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use. (Ord. No. 2128, 1/14/1993) 8. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.

Please see the preceding sections of this Staff Report establishing these findings.

RECOMMENDATION

Staff recommends the Planning Commission:

A. I move that the Planning Commission find that the potential impacts associated with this project applied for by Anthony and Matsuki Perkins can be mitigated to 'less than significant' through the implementation of the Mitigated Negative Declaration for the property located at 140 and 270 Soda Bay Road, Lakeport (APNs: 008-001-08 and 008-001-09) will not have a significant effect on the environment, and that the Planning Commission adopt Initial Study PL-25-67 (IS 21-40) with the findings listed in the Staff Report dated March 26, 2026

B. I move that the Planning Commission find that the Design Review PL-25-67 (DR 23-06) and Major Use Permit PL-25-67 (UP 21-40) applied for by Anthony and Matsuki Perkins for the property located at 140 and 270 Soda Bay Road, Lakeport (APNs: 008-001-08 and 008-001-09) does ,meet the requirements of the Lake County Zoning Ordinance Article 27, Article 51.4, and Article 54.5 and that the Design Review and Major Use Permit be granted based on the findings listed in the Staff Report and subject to Conditions of Approval dated March 26, 2026.

NOTE: The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh day following the Planning Commission's decision on this matter.

ATTACHMENTS (BY REFERENCE)

1. Site Plans
2. Draft Conditions of Approval
3. Property Management Plan
4. Initial Study / Mitigated Negative Declaration
5. Hydrological Assessment and Drought Management Plan
6. Biological Reports
7. Agency Comments
8. Public Comments