

**LAKE COUNTY PLANNING COMMISSION**

**MINUTES**

**REGULAR MEETING**

**August 22, 2024**

**Commission Members**

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

**Staff Members**

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

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**9:02 am CALL TO ORDER**

Pledge of Allegiance was led by Christina Price

**OATH OF OFFICE**

Registrar of Voters Maria Valadez administered the Oath of Office for District V Commissioner Sharron Zoller.

**VERIFICATION OF LEGAL NOTICE(S)**

The clerk reported the items were properly noticed.

**CONSENT AGENDA**

Action on minutes from June 27, 2024, Planning Commission Meeting.

Comm. Chavez moved, 2<sup>nd</sup> by Comm. Hess to approve the minutes from June 27, 2024. Comm. Price, Chavez and Hess were all in favor.

**CITIZEN'S INPUT**

No one present wished to speak.

**6a 9:07 am CANCELTION OF PUBLIC HEARING – for proposed reapplication of Use Permit (UP 24-14) and CEQA Exemption (CE 24-15), to extend the life of an approved Use Permit (UP 22-06) to six (6) years to allow continued use of four (4) 197' tall temporary meteorological towers for data collection on two parcels. No new construction or modifications to the approved project are proposed. Applicant: Morgan Valley Wind Farm, LLC; Location: 25650 Morgan Valley Road and 10888 Rocky Creek Road, Lower Lake (012-014-02 and 012-014-08).**

Comm. Hess moved, 2<sup>nd</sup> by Comm. Chavez to remove the item from the agenda.

**REMOVE ITEM FROM AGENDA 4 AYES 0 NOES 1 Absent (Brown)**

Deputy County Counsel Nicole Johnson introduced Jackson Breumem, the newest member of County Council to the Commission.

**6b 9:20 am PUBLIC HEARING - Consideration of a proposed (Rezone (RZ 23-02); General Plan Amendment (GPAP 23-02 and Mitigated Negative Declaration (IS 23-15, for rezone to change the existing zoning designation from Open Space "O" – Scenic Combining "SC" District to Single Family Residential "R!" – Scenic Combining District "SC". And a general plan amendment to change the existing general plan designation from Public Facilities PF to Low Density Residential LDR.**

**Applicant: Melissa Lim; Location: 9460 E. Highway 20, Glenhaven, 95443 (APN 035-041-19).**

Senior Planner Laura Hall presented the staff report.

Principal Planner Michelle Irace clarified that the Lake County Code delegates authority to the Planning Commission for the CEQA document. The Planning Commission is being asked to adopt the Initial Study and Negative Declaration, as well as the Resolution and the other two motions are the recommendations for the Rezone and the General Plan to the Board of Supervisors.

**9:37 a.m. Opened Public Hearing**

The following person spoke: Elisabeth Cangemi

**9:40 a.m. Closed Public Hearing**

Comm. Hess moved, 2<sup>nd</sup> by Comm. Everardo that the Planning Commission adopted Negative Declaration (IS 23-15) for Melissa Lim for a property located at 9460 E. Highway 20, Glenhaven (APN 035-041-19) based on the findings in the staff report dated August 22, 2024.

**NEGATIVE DECLARATION (IS 23-15) 4 AYES 0 NOES 1 Absent (Brown)**

Comm. Hess moved, 2<sup>nd</sup> by Comm. Everardo Planning Commission recommended that the Board of Supervisors approve the Rezone (RZ 23-02) applied for by Melissa Lim to change the zoning designation from Open Space "O"– Scenic Combining "SC" to Single-Family Residential "R1"-Scenic Combining "SC" on property located at 9460 E. Highway 20, Glenhaven (APN 035-041-19) subject to the findings and based on the conditions listed in the staff report dated August 22, 2024.

**REZONE (RZ 23-02) 4 AYES 0 NOES 1 Absent (Brown)**

Comm. Hess moved, 2<sup>nd</sup> by Comm. Everardo that the Planning Commission recommended that the Board of Supervisors approve the General Plan Amendment applied for by Melissa Lim to change the general plan designation from Public Facilities "PF" to Low Density Residential "LDR" on property located at 9460 E. Highway 20, Glenhaven (APN 035-041-19) subject to the findings and based on the conditions in the staff report dated August 22, 2024.

**GENERAL PLAN AMENDMENT (GPAP 23-02) 4 AYES 0 NOES 1 Absent (Brown)**

Comm. Everardo moved to adopt the Resolution recommending the approval of General Plan Amendment GPAP 23-02 and Rezone 23-02 to the Board of Supervisors.

**ADOPT RESOLUTION FOR GENERAL PLAN AMENDMENT AND REZONE  
4 AYES 0 NOES 1 Absent (Brown) APPROVED BY ROLL CALL VOTE**

**6c 9:45 a.m. CANCELLATION OF PUBLIC HEARING – (Rescheduled from July 25, 2024) for proposed Major Use Permit (UP 22-15), and Mitigated Negative Declaration (IS 22-14), for commercial cannabis cultivation including 25 acres of outdoor canopy (Stage I), then converting to 12.6 acres of greenhouse canopy (Stage II), Type 6 Non-Volatile Processing License, and a Type 13 Cannabis Distributor Transport Only, Self-distribution License for cannabis transportation; Applicant: Joel Michaely Grow, LLC and Nicolas Taix. Location: 17425, 17445, 17475, Morgan Valley Road and 10800, 10850, 11450, 11474, 11480, 11486, 11490 Spruce Grove Road, Lower Lake (APNs 012-045-39, 40, 41, 42, 43, 012-059-10, 11, 12, 13, 14).**

Comm. Chavez moved, 2<sup>nd</sup> by Comm. Price to remove the item from the agenda.

**REMOVE ITEM FROM AGENDA 4 AYES 0 NOES 1 Absent (Brown)**

**9:46 a.m. Break**

**9:51 am Back to Order**

**6d 9:51 a.m. PUBLIC HEARING – For consideration of proposed Revocation of Major Use Permit (UP 20-03), including cultivation of up to 131,180 sf of outdoor canopy (3 A-Type 3 Medium state licenses) and one Type 13 Distributor Transport Only – Self-distribution license, due to high severity violations; Permittee: Alvarez Farms. LLC; Location: 12990 Spruce Grove Road, Lower Lake (APN 012-067-40).**

Director Mireya G. Turner acknowledged two documents received after the posting to the Agenda from Joe Rogoway, Esq., Attorneys for Alvarez Farms LLC. Documentation and photos from the previous site visit and Proof of Service by Mail of the Notice of Violation. Director Turner presented the staff report.

**10:12 a.m. Opened Public Hearing**

The following person spoke: Joe Rogoway. Eddie Alvarez, Freddie Alvarez, and Leanne Nakashima all allotted their three minutes to Joe Rogoway to speak.

**10:33 a.m. Closed Public Hearing**

Director Turner read an email into the record from Mr. Alvarez, dated May 20, 2024. Mr. Alvarez cc'd the email to: Nicole Johnson, Carlos Torres and Michelle Irace. She added that the subject of this email was Legendary Farms Appeal, who Mr. Rogoway also represents.

Comments were made by Comm. Hess and Chavez. Mr. Rogoway was asked to respond.

Comm. Hess moved, 2<sup>nd</sup> by Comm. Price revoking Major Use Permit (UP20-03) for cannabis cultivation, by Alvarez Family Farms, LLC, located at 12990 Spruce Grove Road, Lower Lake (APN 012-067-40), for high severity violations, as described in the Staff Report, dated August 22, 2024.

**REVOKE MAJOR USE PERMIT 4 AYES 0 NOES 1 Absent (Brown)**

Comm. Hess moved, 2<sup>nd</sup> by Comm. Chavez deemed Freddie Alvarez, listed with the CA Secretary of State as CEO, Secretary, CFO, and Director of Alvarez Family Farms, LLC, Ignacio and Idolina Alvarez, property owners, and Ronnie Fa, Farm Manager, as Responsible Persons for the high severity violations attributed to Alvarez Family Farms, LLC's Major Use Permit (UP20-03); located at 12990 Spruce Grove Road, Lower Lake (APN 012-067-40), as described in the Staff Report, dated August 22, 2024.

**HIGH SEVERITY VIOLATIONS 4 AYES 0 NOES 1 Absent (Brown)**

**DEPARTMENT UPDATE**

Director Turner updated the Commission on two acceptances of offers for employment for a Community Development Technician and a Resource Planner. She also updated the Commission on the Lake County 2050 project, which is the General Plan Update including all eight local area plan updates.

**11:00 a.m. ADJOURNED**

**Respectfully submitted,**

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**Christina Price, Chair  
Lake County Planning Commission**

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**Danae LoDolce,  
Planning Commission Assistant**