

**LAKE COUNTY PLANNING COMMISSION**

**MINUTES**

**REGULAR MEETING**

**January 23, 2020**

**Commission Members**

**P John Hess, District I**  
**P Bob Malley, District II**  
**P Batsulwin Brown, District III**  
**P Christina Price, District IV**  
**P Daniel Suenram, District V**

**Staff Members**

**P Michalyn DelValle, Director**  
**A Mark Roberts, Principal Planner**  
**P Nicole Johnson, Deputy Cty Counsel**  
**P Danae LoDolce, Office Assistant III**

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**REGULAR MEETING**

**January 23, 2020**

**9:00 a.m. CALL TO ORDER**

Pledge of Allegiance was led by Dan Suenram.

Comm. Hess moved, 2<sup>nd</sup> by Comm. Malley to approve the minutes from January 9, 2020

**9:00 a.m. CITIZEN'S INPUT - None**

Bruno Sabatier, District III Supervisor, acknowledged and praised the Planning Commission for their dedicated work to the projects that come before them. He spoke of appeals that were brought to the Board of Supervisors and said he appreciated the scrutiny involved with their review of these projects.

**9:06 a.m. Public Hearing on consideration of a Major Use Permit (UP 19-25) and an Initial Study (IS 18-62). The applicant is CARL THARP proposing Commercial Cannabis Cultivation licenses consisting of (1) A-Type 2 (small outdoor) cultivation area consisting of 10,000 square feet of cultivation area on APN 007-029-02; (1) a-Type 2B (small mixed light) having 7,920 sq.ft. of greenhouse cultivation and an additional 2,000 sq.ft. of nursery area on APN 007-029-10, and (1) A-Type 3B (medium mixed light) consisting of 14,080 sq.ft. on APN 007-029-12. The applicant is also requesting a Type 13 'self-distribution' license. The project is located on 7540, 7560 and 7580 S. Highway 29, Kelseyville and further described as APNs 007-029-02, 007-029-10 and 007-029-12. (Eric Porter)**

Eric Porter, Associate Planner, provided background information and a power point presentation on the project application.

Comm. Malley said he had concerns that there was not a letter, site visit or any evaluations from the local Fire Department. He addressed the storage of fuels and asked if it was compliant with the Fire Department.

Mr. Porter said that CalFire has deferred site inspections to Community Development staff and explained that the Building Official acts as the Fire Marshall for any commercial cannabis applications. He said staff conducted a site visit with the building official's proxy and someone in training, and they

witnessed the lockable storage room, and adequacy of the road leading to the cultivations site for slope and width. He said the building staff determined that this site was compliant with 4290 and 4291 CalFire standards.

Michalyn DelValle, Community Development Director, addressed chemicals and said that there are conditions in the use permit, which Environmental Health requires a Hazardous Materials Business Plan.

Mr. Porter said initially CalFire had been making site inspections, but they do not have the manpower to confirm every regulation that they have. He said Community Development has taken on that roll and added that the applicant has provided a very thorough list of chemicals, that will be used and the list has to be given to Environmental Health, which is a condition of approval. He said the chemical usage that the applicant is proposing, which is the case for all of the commercial cannabis applications, is given to Environmental Health before they will clear the project and that happens following Planning Commission approval of a use permit.

Comm. Malley asked if this area was not within the Kelseyville Fire Protection District.

Mr. Porter said that it is, and they have been notified of this action and they apparently chose to not do a site visit. He said CalFire no longer does them.

Ms. DelValle said they are not commonly getting comments from the Fire Districts.

Comm. Malley was concerned that the Fire Districts are not responding back.

Mr. Porter said that most Districts do not respond.

Comm. Malley spoke to his concerns with buildings that are currently onsite and did not see a definite proposal of what buildings would be added. He addressed several issues and asked if there will be workers coming in and out of there and will there be a place for the workers to take breaks, eat lunch, and use restroom facilities.

Mr. Porter said he will defer those questions to the applicant for an answer. He said there are requirements for ADA compliance, permanent restroom and an ADA compliant permanent hand wash station. He said the applicant was aware of this.

Comm. Malley addressed the list of chemicals that they would be storing and noted there were two pesticides listed, but he had no idea if they were pesticides that were approved for human consumption, and it is concerning to him that there was no mention that these pesticides are okay for people to use.

Mr. Porter said commercial cannabis is one of the most tightly regulated crop, that can be possibly grown anywhere and they are heavily scrutinized before the product can be legally taken to a dispensary for public consumption. He said there is a series of tests that will have to occur before a product can be cleared to be consumed by the public.

Comm. Malley pointed out that it sounded like the applicant was planning on having sales on the premises and asked if that was the case.

Mr. Porter said self-distribution is what was added late in the process because it became available after Mr. Tharp had applied for his three minor use permits. He said the three MUPs were consolidated into one major use permit for simplicity. He thought that Mr. Tharp may get a small refund, regarding staffs review time. He added that self-certification became available after Mr. Tharp

applied for his cultivation licenses and it is just a legal way to transport items off the property and has nothing to do with selling product onsite.

Comm. Malley asked if CalTrans has been brought into the loop in anyway, because the area there is notorious for accidents.

Mr. Porter said that staff typically notifies CalTrans anytime a project is abutting a highway, or if it has immediate access onto the highway. He said he does not have a copy of the RFR in the packet, and as far as whether they are notified or not, he said he was 99% sure that they were.

Comm. Hess said he understood the point on how to legitimize the existing greenhouses that are there through this process, but what is the background and was there a period before or during self-certification when those greenhouses were constructed.

Mr. Porter said it appeared that the greenhouses have been there for quite a while and the applicant would have a better idea of when and how they came to be.

Comm. Suenram asked what is the process for the greenhouses to become legal at this point and how does the department determine when they were built to whatever standards/codes they are supposed to be built to.

Mr. Porter said the applicant will have to apply for building permits and Mr. Tharp will need to provide drawings showing the structures and how they are put together and should include a site plan with the location of the structures with enough detail for the Plans Examiner to make a determination that they are safe to occupy as a quasi-agricultural building.

#### **9:27 a.m. Opened Public Hearing**

Sarah Ryan, Big Valley Band of Pomo Indians Environmental Director, commented on the permit condition for Cultural Resource Protection. She said she has spoken with Mr. Porter who has been very helpful in providing information that they needed to be able to make comment on the project. She said after reviewing the Archeological Report and documents associated with the project and site location, they made a request for tribal cultural monitors to be present during ground disturbance. She said unfortunately that did not make it into the permit conditions. She said what the condition says is: *"To protect cultural and tribal resources, should any archeological, paleontological or cultural materials be discovered during site development, all activities should be halted in the vicinity of the find. A Cultural Resources Monitor shall be notified and the cultivator shall coordinate with a Cultural Resource Monitor..."* She said what it is basically saying is; if the people who are working on the land find tribal resources, and are not experts in this field, then they will need to stop and contact the tribe and secure a contract. She said that these were not appropriate conditions for cultural resource protection and the tribes want to be present for some of these projects where there are concerns about the lands there.

Ms. Ryan said in this particular case, the Tribe has issues with the Archeological Report. She said it stated there are recorded sites within a quarter of a mile of the properties and it was referring to California Lake 950, which the Tribe is very familiar with. She said they are not confident with the Archeologists Report *and* because of the location of this project, the Tribe decided that they want to be present during ground disturbance for this project and also because structures have been built without permits with no review of this property, in terms of ground disturbance. She said they requested that a permit condition be put in, which would require the owner to work with Big Valley for cultural monitoring for any ground disturbance during this project. She said the current conditions say if the contractor sees any cultural resources, then they will have to do something to

protect them and they did not think that was a sufficient condition to protect cultural resources.

Comm. Hess said the language that you are proposing, does that stop short of the Commission to ask for a contract to be entered into, because the Planning Commission cannot order that a contract be entered into.

Ms. Ryan said that this is a permit condition, that has been requested before and it has gone in as a permit condition in both the cities of Lakeport and Clearlake and the Lake County Planning Commission. She said that it should be on a checklist to have something in place to have a Cultural Monitor present during ground disturbance.

Comm. Hess said that in the past, the Commission has urged the applicant and the Tribe to come to an understanding.

Nicole Johnson, Deputy County Counsel, said generally speaking the CEQA process for AB52 requirements, as far as tribal consultation/resources has a standard of proof essentially, which says there needs to be some indication that there is a resource and that the resource is impacted by the project. She said if it was a quarter mile away, it would not be impacted necessarily by the project and would not impact this particular permit. She said whether or not we have adopted similar language in the past for other permits, would be specific to that permit, so in those cases she would have to see it specifically, but there may be circumstances in which that project there was a resource identified and there was an impact that may have occurred, therefore the condition was put in, to avoid or mitigate that impact.

Ms. Johnson said when staff does an analysis for the permit they look at all of the evidence that is submitted by the applicant, tribes and other agencies and they do their analysis. She said if their analysis determines there is a resource shown and an impact to that resource, they can recommend mitigation for that impact or some other way to avoid that impact. She said absent that evidence to support that recommendation, staff will not recommend that kind of more severe condition. She said if the Commission would like to recommend the adoption of language, it would be important to identify why you disagree with staff and the analysis and what you think the impact that is being mitigated in this particular instance to a resource.

Comm. Hess said the information is clear and he did not think this issue rises to the level of continuing today or not proceeding. He said that language has been suggested in the past and the Commission cannot request a requirement for a contract.

Ms. Johnson asked Ms. Ryan what the language was that she was suggesting.

Ms. Ryan read: *"Requires the owner to work with Big Valley for a Cultural Monitor for any ground disturbance during this project."*

Ms. Johnson said she was unclear as to what that would require the applicant to do.

Ms. Ryan said they would need to obtain cultural monitoring services.

Ms. Johnson said that staff would be requiring that there be a cultural monitor in that case.

Comm. Malley commented that would be a step too far.

Ms. Johnson said if the Commission feels in the material that has been presented, there is substantial evidence that supports the requirement of such a condition, that a cultural monitor would be required, then we could require one,

but we cannot require that they hire that particular tribe or they enter an agreement with a particular tribe, but a cultural monitor can be required. She said there needs to be something that has been seen, or that supports the requirements of a cultural monitor. She said in CEQA analysis there needs to be evidence of a resource and evidence that the resource will be impacted by this project.

Carl Tharp, owner applicant, said he does not have any objection to the recommended conditions verbiage either way. He said they have hired a cultural resource monitor before and will continue to hire them.

Ms. Ryan spoke to what Ms. Johnson said and because there are recorded sites that Archeologists have identified and submitted into the record, there are many locations that are not officially recorded, but tribes in their wisdom are identifying, and to be able to protect their heritage and their materials that have been used by their family's for thousands of years, and have been put in certain places for a reason, they are coming forward whenever there are certain projects and that is why you do not necessarily see tribes up here for every single project. She said they identify certain locations that they have concerns about, because of their proximity or known things about the area.

Ms. Johnson said that all of that can be worked off of is the criteria that set out in CEQA and CEQA builds under AB 52, the ability to include tribes and the communication and conversation and identification of sites. She said that there are AB 52 consultation, in-which information is protected and the tribes can share what they do know or what their history shows them. She said that can be included as part of the analysis in determining whether or not there is an impact. She said there needs to be a broader discussion as to a particular location and whether or not there is an impact. She said when she refers to evidence it refers to cultural, oral or absolutely know history and is a broad definition. She said that conversation has to happen in an AB 52 consultation, so that the resource can be considered in the actual application analysis.

Ms. Ryan said that is what they believe they did.

Ms. Johnson said it is part of an analysis and if staff does not in their interpretation in the evidence before them determine that it rises to a supportable condition for a monitor, then they are not going to recommend one.

Ms. Ryan said there is no reason given, as to why it was not added.

Comm. Hess asked if there was anything preventing the applicant from coming to an understanding, which does not affect the staff report or how the Commission proceeds.

Ms. Johnson said no it does not. She said if the applicant is okay with a monitor or a condition to the permit that is fine. She said the County has to be able to support its actions and the decisions that are made. She said if this is appealed to the Board of Supervisors, there needs to be an explanation of why this determination was made and what was relied on as far as the analysis of why this decision was made. She said staff has made the recommendation that there is not anything in the application or analysis that supports a greater condition. She said the applicant can agree to and the tribe can work with the applicant, but if this body is going to make a decision absent that, we need to be able to point to something as to why this decision was made.

Comm. Suenram asked if this particular application went through the full CEQA review.

Mr. Porter said it did.

Comm. Hess said he knew that these things have been resolved in the past in the course of the meeting the applicant and the tribal representative come to an understanding. He said the legal explanation is astute and he understands it, but if the two parties are going to come to an agreement, it does not affect the staff report.

Comm. Brown said in terms of there not being any review for the current unpermitted structures, which does not give the tribe an opportunity to comment on any type of resources that might be present during that time. He said that is important to acknowledge, and because there was no review the tribe cannot comment on a property they do not know about. He said in terms of fairness to the applicant and the tribe if they are willing to agree, that is the best scenario that he sees and it will not raise as many conditions for himself, in terms of how the issues resolved as a part of the Major Use Permit.

Ms. Johnson said the County cannot do an analysis on projects that are done outside of its process either, so staff could not have looked at those greenhouses and make a requirement. She said she did not know if there had been an analysis done for brand new greenhouses, then this condition and analysis may have been different, but it is not what we have here at this point.

Ellen Dilsaver, neighboring property owner, said that the greenhouses were not there before Mr. Tharp arrived. She said she has lived there over twenty years and there has only been a house and a barn. She shared her concerns with the road, safety issues and the increase of the number people going in and out of that property.

Don Dilsaver, neighbor, spoke to the grey areas in the cannabis business and water runoff issues.

Mr. Tharp said that they have an early activation permit for the outdoor cannabis and a self-certification permit for the mixed light, which necessitated the hoop houses. He said they have a legal functioning business and there is a full storm water management plan and state water quality board approval for the water right and there is a host of records that have to be submitted to the state for permits.

Comm. Suenram said they have a site management plan that includes various best management practices (BMPs) for erosion and runoff, which is what you would find in any agricultural operation.

Comm. Malley said that there is not a lot of information on this project that they should have. He said he thought that it would be nice to have input from the Fire Department, CalTrans and which way the water goes through the property, all the construction is around the area where the house is, and what is being stored in and around the house. He asked if the house was going to be used as residence or a structure for employees. He said there are a lot of unanswered questions.

Mr. Tharp said that the Fire Department has been contacted, and he has contacted CalTrans for Ancillary permits and has gotten approval for a compliant driveway and access point. He said Environmental Health has reviewed any unnecessary grades or dangerous slopes to waterways and the site is intentionally laid out for purposes of security and operations. He said it does not look like a cannabis ranch when you approach the gate, which will provide a certain level of safety and there is video surveillance and guard's onsite at key areas. He said storage and processing was located adjacent to the residence, which is a part time residence and free access for all of the workers when they are there during the day for showers, hand washing and using the kitchen for meals.

Mr. Tharp said that chemicals are stored in storage containers onsite and he was aware there will need to be building permits for the storage containers and the greenhouses, which are already in the process of being obtained. He said staff has been onsite and assured that everything was in order in terms of security and controllability. He said they are using organic pesticides onsite and they are taking the same amount of precautions as if they were storing bleach or gasoline.

Comm. Brown asked how much ground disturbance was there on the existing structures that are there.

Mr. Tharp said there are six hoop houses onsite and at that time, they were considered a temporary structure and did not require a building permit, which was why they put in hoop houses. He said the only nature of the disturbance was that there was not serious grading required for them and it was just for the twelve footing for the galvanized steel hoops.

Comm. Malley said he knows that there are certain requirements for lighting, and security and asked how they have addressed the concerns for the dark sky and will there be a glow as traffic drives down the driveway.

Mr. Tharp said there are only certain portions of the season that they are running lights in the hoop houses after dusk and there are black-out curtains employed to minimize light pollution. He said the hoop houses were purposely positioned to be naturally shielded from public lands and public sight. He also pointed out that there is a distinction between lights that are used to grow/cultivate and lights used for access and security. He said they are not using any supplemental light on the outdoor and they are using 24/7 camera monitoring that relies on infrared rather than actual light to perform its functions and any ancillary lights are motion driven and specifically directed downward.

Mr. Porter pointed out condition B2 requires a lighting plan and any exterior lighting or greenhouse lighting must be shown and must be compliant with darkskys.org's recommendations for outdoor lighting.

Comm. Suenram said he has not seen anything on an odor control plan.

Mr. Porter explained that they will be using an activated charcoal filtration system for the greenhouse cultivation prior to venting of any ambient air leaving the buildings. He said the outdoor cultivation area is 10,000 square feet and the applicant is relying on the distance of separation between the outdoor cultivation and the sensitive receptors, which are neighboring houses.

Comm. Suenram asked if Air Quality have received any complaints.

Mr. Porter said Air Quality did provide comments and there was nothing that indicated odor violations in the past.

Comm. Suenram said they have on one or two in the past.

Ms. DelValle said the Board of Supervisors approved that the Planning Division is the one that has the authority to review the odor control plans now, so the authority has been taken away from Air Quality.

Mr. Porter said he has a letter from Air Quality management and there were no indications of a history of complaints on the property. He said that Community Development now handles odor control plans directly, rather than having the applicants go through Air Quality.

Comm. Suenram noted that Air Quality might still receive complaints from the public.

Ms. DelValle noted that Code Enforcement also gets complaints.

Comm. Suenram said he thought that all the information should be brought forward, so that the Commission can be aware of them and the issues can be mitigated.

Ms. DelValle confirmed with Mr. Porter to reach out to Air Quality for complaint problems for any future projects.

Comm. Malley said that the staff report states that the septic at the house was put in 1979 and asked if or when any problems have occurred with the septic system on the house.

Mr. Tharp said there have not been any problems and that system had to be inspected and spotted on the topo survey to make sure there would not be any cross contamination

Comm. Malley asked how many employees would there be at the highest point of the season.

Mr. Tharp said there are two extremely busy periods in the year, which would be planting and harvesting. He said during those busy days there would be around ten employees onsite and most days there would be three to five employees maximum. He said during off season there would be one person.

Comm. Malley asked if there were other restroom facilities and hand washing stations other than the residence.

Mr. Tharp said there is a single stall restroom in the processing building, which is in the western cultivation area and there also is running water at each of the cultivation sites. He added the residence has two bathrooms and an additional toilet within the cultivation area near the nursery and storage area.

Comm. Malley referenced hydroponics and asked if that would be incorporated into this permit.

Mr. Tharp said hydroponics is in reference to the techniques that are used in the nursery area. He said that would be the mechanism for generating new plants, which is done in one of the existing structures.

There was further discussion on how the cannabis was to be grown onsite.

Comm. Malley asked about the condition of the well.

Mr. Tharp said they are not going to rely on a well. He said the basis of his application is a water right to draw from the onsite reservoir. He said they have an agriculture and a cannabis approved water right for 25 acre feet a year.

Comm. Suenram asked if there was an irrigation system in place for the outdoor site.

Mr. Tharp said yes they have an irrigation system set up for the outdoor cannabis.

Comm. Suenram asked if the septic system was designed for the three bedroom house and the other outdoor building with the bathroom facility and will the system be able to handle this.

Mr. Porter said that Environmental Health would have to sign-off on any restrooms that are either added or existing. He also noted for the record, that there are safety data sheets, with reference to chemical requirements, that the applicant will have to give to Environmental Health for sign-off, along with any restrooms and capacity for septic concerns.



Ms. DelValle stated that Environmental Health typically looks at the number bedrooms in order to depict what the capacity of the septic system needs to be.

Comm. Malley said it was not clear from the report that the house was going to be used commercially and if it is not clear to Environmental Health, that you are going to be adding ten or twelve people to the already used septic system on a residence, his concerns were; was it rated or upgraded, because it is forty years old. He said typically the drainage part of the septic system will not last that long, because it will get clogged with roots and clay and will fail after 20 years.

Comm. Suenram said the restroom in the auxiliary building, may have been added prior to Mr. Tharp owning the property, but Environmental Health may not be aware that another restroom was added to the system.

Comm. Hess pointed out if it is ten family members or ten employees with two bedrooms, it still could be certified for a two bedroom residence.

Comm. Suenram said to Ms. Delvalle's point, you could have fifty people living in the house.

Ms. DelValle said if the Commission would like, a break could be taken to contact Air Quality to see if there have been any odor complaints and Environmental Health to see if their comments would change based on the home being used for employees.

Comm. Hess said isn't the Commission then holding this applicant to a potentially higher standard than other similar grows that have been brought before them and have been approved.

Comm. Malley said he thought they always required that the employees be given a separate area for their normal daily needs, like a place out of the sunlight to sit to take breaks and the use of a restroom facility for washing up. He said if you are adding another twelve or so people to the septic system, that is already forty years old, how long will that system last.

Comm. Suenram said if you are looking at three weeks of planting and harvesting and you have twenty people using it, he knows that eight people will fill an outhouse in one week.

Comm. Hess stated that these questions have not been asked of other applicants whose houses can be just as full and are in compliance with Environmental Health. He does not understand why we should single out this applicant and ask these additional questions of Air Quality and Environmental Health, when these concerns have not been expressed for prior applications.

Comm. Malley said in the past, up until the last couple of years the Commission always looked out for the employees and there were conditions for sanitation. We have not done it in the last couple of years, but that is because most of the places in the last couple of years, they were building a standalone building with new septic systems and they were set up for the employees.

Comm. Malley said in this case, we are taking something that was there and a septic system that is forty years old and we are injecting another twelve or more people to the situation and that is his concern. He said he would hate to have the applicant be in trouble because his septic system has failed, because it is forty years old and be forced to bring in blue rooms to allow him to run his operation. He said he is not singling out this operation, but the amount of usage needs to be looked at for this existing system that is already aged out.

Comm. Hess asked if bringing in blue rooms at certain times of the year could be an alternative rather than obsess about this septic system. He said it seems like an easier fix.

Mr. Tharp said he will ensure that additional temporary toilets are onsite during any given month when there are more than five employee's onsite in a given day.

Comm. Hess said we all agree with Comm. Malley that the accommodations have to be adequate and if that is an issue with too many people using two facilities in a home at a peak time of year, a few temporary portable systems should be brought in.

Comm. Suenram said there are also regulations that the facilities cannot be beyond a certain distance from the worksite also.

Mr. Tharp also agreed to a condition of an annual inspection of the septic system.

Ms. DelValle said that they would have to confer with Environmental Health on that and a recommendation would have to come from them.

Ellen Dilsaver shared her concerns with odors from outdoor grows.

Mr. Tharp confirmed that they grew outside last season and if they have not noticed the odor, then that is a good sign.

Ms. Dilsaver said she did not notice any odors.

#### **10:36 a.m. Closed Public Hearing**

Comm. Malley spoke to two conditions they want to see. He said he did not feel good about the project in the beginning, and there were a lot of questions that he felt were unanswered and he did not like the fact that Kelseyville Fire District has not given input. He also said he did not see anywhere in the report issues for storage of water and fire hydrant for fire trucks. He said there are indications of water tanks onsite, but are there requirements for them to have hookups for the fire department if they need water when they get out there.

Mr. Porter stated that in the past, there have been cultivators who have offered that, but there is nothing in Article 27 that requires onsite fire suppression directly related to commercial cannabis cultivation.

Mr. Tharp explained that the entire length of the roadway is piped with pvc pipe, which is connected to the reservoir, so if there was a need to fight a fire, there are tie in points every couple of hundred feet. He said there is also the ability with the tanks to tie into the irrigation water.

Mr. Tharp added that last year when there was a fire there, they were able to put out the fire with routine helicopter drops that were taken from their lake and it is commonly used for firefighters in the area. He said that the lake is estimated to be 20-30 feet in the middle, but fluctuates throughout the year. He said he also assumes that it is fed by an underground spring, because the water level changes very slowly in the summer months.

Comm. Price asked if there was any information from CalTrans as far as the impact on a traffic assessment to turn into and out of the property.

Ms. DelValle noted that CalTrans did not receive a request for review, but she researched the CEQA Net Office OPR Website, and Caltrans did receive a copy of the Initial Study.

Comm. Suenram said that he was okay with the odor complaints for this project, but in the future, he would like to see those included in the report if there are any.

Comm. Hess also said there should be consideration of the bringing in of blue rooms at certain times of the year to address the septic system issues.

Mr. Porter requested a break to modify conditions.

**10:43 a.m. Break**

**10:54 a.m. Back to Order**

Mr. Porter said that staff is proposing to make an amendment condition A12 and the proposed wording will read: *“Prior to this permit having any force or affect, all employees shall have access to restrooms and hand wash stations. The restrooms and hand wash stations shall meet all accessibility requirements. Portable restrooms are acceptable when necessary.”* Mr. Porter added a new condition E3 to read: *“A Cultural Resource Monitor shall be present during construction and grading activities as permitted by this permit.”*

Commission asked the applicant if these conditions were acceptable.

Mr. Tharp said he was in agreement with the revised and new conditions.

Comm. Hess moved, 2<sup>nd</sup> by Comm. Price that the Planning Commission find that the Initial Study (IS 18-62) applied for by Carl Tharp on property located at 7540, 7560 and 7580 S. Highway 29, Kelseyville and further described as APNs: 007-029-02, 007-029-10 and 007-029-12 will not have a significant effect on the environment and therefore a mitigated negative declaration shall be approved with the findings listed in the staff report dated January 13, 2020.

**Mitigated Negative Declaration 5 Ayes 0 Noes**

Comm. Hess moved, 2<sup>nd</sup> by Comm. Price that the Planning Commission find that the Use Permit (UP 19-25) applied for by Carl Tharp on property located at 7540, 7560 and 7580 S. Highway 29, Kelseyville and further described as APNs: 007-029-02, 007-029-10 and 007-029-12 does meet the requirements of Articles 51.4 and 27 of the Lake County Zoning Ordinance and the Major Use Permit be granted subject to the conditions and with the findings listed in the staff report dated January 13, 2020 as modified today.

**Major Use Permit (UP 19-25) 5 Ayes 0 Noes**

Comm. Suenram noted that there is a seven (7) calendar day appeal period provided by the Lake County Zoning Ordinance.

Mr. Tharp commended and thanked Eric Porter for his work on this project and to say he has gone above and beyond would be an understatement and he has been a true champion of these efforts and has been an incredible partner to work with.

- For further details, discussion and public comments on the above items from the above Planning Commission Hearing, please go to the following link: <https://countyoflake.com/calendar.aspx>

Michalyn DelValle, Community Development Director, updated the Commission on Department recruitments for a Building Inspector, Code Enforcement Officer, Resource Planner, and three Planners.

**ADJOURNED 10:59**

Daniel Suenram, Chair  
Lake County Planning Commission

Respectfully Submitted,  
  
By: \_\_\_\_\_  
Danae LoDolce  
Planning Commission Assistant