

LAKE COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

June 13, 2024

Commission Members

P John Hess, District I
P Everado Chavez, District II (VChair)
A Batsulwin Brown, District III
P Christina Price, District IV (Chair)
V District V – Vacant

Staff Members

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

9:00 a.m. CALL TO ORDER

Pledge of Allegiance was led by Christina Price.

VERIFICATION OF LEGAL NOTICE(S)

The clerk reported items were properly noticed.

CONSENT AGENDA

Action on minutes from May 23, 2024, Planning Commission Meeting.

Comm. Hess moved, 2nd by Comm. Chavez to approve the minutes from May 23, 2024.
Comm. Hess, Chavez & Price all were in favor.

CITIZEN'S INPUT

The following person spoke: Maria Kann

**6a 9:09 a.m. PUBLIC HEARING – (Rescheduled from April 25 & May 9, 2024)
Consideration of a proposed Major Use Permit (UP 22-14), and Mitigated Negative Declaration (IS 22-13), for commercial cannabis cultivation including 51,060-sf of outdoor cannabis canopy and Type 13 Cannabis Distributor Transport Only, Self-distribution License for cannabis transportation. Applicant: Blackwell Capital Management, LLC/Christopher Macleod; Location: 22004 Morgan Valley Road, Lower Lake, APN 012-069-25.**

Assistant Planner Trish Turner presented the staff report.

Consultant for Blackwell Capital Management Trey Sherrill spoke.

9:18 a.m. Opened Public Hearing

No one present wished to speak.

9:19 a.m. Closed Public Hearing

Comm. Chavez moved, 2nd by Comm. Hess that the Planning Commission found that potential impacts associated with this project can be mitigated to 'less than significant' through the implementation of the Mitigated Negative Declaration (IS 22-13) submitted by Blackwell Capital Management LLC for the property located at 22004 Morgan Valley Road, Lower Lake (APN 012-069-25), will not have a significant effect on the environment, and that the Planning Commission adopt Initial Study (IS 22-13) with the findings listed in the staff report, dated June 13, 2024.

MITIGATED NEGATIVE DECLARATION (IS 22-13) 3 AYES 0 NOES 1 ABSENT (Comm. Brown) 1 VACANT

Comm. Chavez moved, 2nd by Comm. Hess that the Planning Commission approved Major Use Permit (UP 22-14) applied for by Blackwell Capital Management LLC for the property located at 22004 Morgan Valley Road, located at 22004 Morgan Valley Road, Lower Lake (APN 012-069-25), does meet the requirements of Section 51.4 and Article 27 of the Lake County Zoning Ordinance and that the Major Use Permit be granted based on the findings and subject to the conditions included in the staff report dated June 13, 2024.

MAJOR USE PERMIT (UP 22-14) 3 AYES 0 NOES 1 ABSENT (Comm. Brown) 1 VACANT

6b 9:23 a.m. PUBLIC HEARING – (Continued from March 14 & March 28, 2024 and Rescheduled from April 25 and May 9, 2024) - Consideration of a proposed Major Use Permit (UP 20-33), and Mitigated Declaration (IS 20-39), for commercial cannabis cultivation including 304,710-sf of outdoor canopy and a Type 13 Cannabis Distributor Transport Only, Self-distribution License for cannabis transportation; Applicant: Meili Liu; Location:8531 High Valley Road, Clearlake Oaks, APN 006-003-34.

Assistant Planner Trish Turner presented the staff report.

9:33 a.m. Opened Public Hearing

The following people spoke: Maria Kann (presented a handout to the Commissioners) and Denise Orpustan-Love.

9:46 a.m. Break to upload a document to be viewed by the public.

9:55 a.m. Back to Order

The following people spoke: Dan Rush, Damien Hauswald, Applicant Meili Liu, County Surveyor Vance Ricks, Margaux Kambara and Maria Kann

10:36 a.m. Closed Public Hearing

Commissioners discussed consensus with having three commissioners present and if there was not unanimity then the application would be automatically denied and there would be an opportunity for an appeal.

Director Turner pointed out that the zoning code allows for an automatic appeal if the Commission takes no action and does not continue the item, it would then be taken as automatic appeal and sent to the Board of Supervisors for their consideration.

Deputy County Counsel Nicole Johnson spoke to automatic appeals in the zoning code section 21-58.40 applies when the commission is unable to take action because of a legal disqualification or an abstention. She said it is not just a matter that the commission agrees as a group, and that the commission cannot make a decision, it is that there is something that prevents one of the commissioners from voting, which would lead to a denial.

Comm. Hess moved, 2nd by Comm. Price that the Planning Commission found that potential impacts associated with this project can be mitigated to 'less than significant' through the implementation of the Mitigated Negative Declaration (IS 20-39) submitted by Liu Farms, Meili Liu for the property located at 8531 High Valley Road, Clearlake Oaks, (APNs: 006-003-34) will not have a significant effect on the environment, and that the Planning Commission adopt Initial Study (IS 20-39) with the findings listed in the staff report dated June 13, 2024.

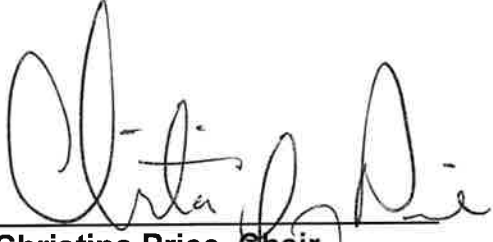
Mitigated Negative Declaration (IS 20-39) 3 AYES 0 NOES 1 ABSENT (Comm. Brown) 1 VACANT

DEPARTMENT UPDATE

Director Turner introduced the newest member of the Community Developments team, Staff Services Analyst Damian Marks, who will be focusing on grant support, grant management and managing various contracts in all three divisions.

Director Turner provided an update on the Local Area Plan Advisory Committees.

10:54 a.m. ADJOURNED



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

Respectfully submitted,



**Danae LoDolce,
Planning Commission Assistant**