



Legislation Details (With Text)

File #: 24-533 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 5/2/2024 **In control:** Planning Commission

On agenda: 5/9/2024 **Final action:**

Title: 9:50 AM - PUBLIC HEARING - (Rescheduled from April 25, 2024) Consideration of a proposed Major Use Permit (UP 20-60), and Mitigated Negative Declaration (IS 20-74), for commercial cannabis cultivation including 43,000-sf of outdoor cannabis canopy, 42,864-sf mixed-light canopy with nineteen greenhouses, and Type 13 cannabis Distributor Transport Only, Self-Distribution license for cannabis transportation; Applicant: Richard De Mello; Location: 3681 Benmore Valley Road, Lakeport (APN 007-002-27)

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Project Site Plans, 2. Draft Conditions of Approval, 3. Property Management Plan, 4. Draft Initial Study/Mitigated Negative Declaration, 5. Hydrology Report, 6. Drought Management Plan, 7. Agency Comments, 8. Biological Reports, 9. Public Comment, 10. Staff Report

Date	Ver.	Action By	Action	Result
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Staff Report

Date: May 9, 2024

To: Planning Commission

From: Mireya G. Turner, Community Development Department
Michelle Irace, Principal Planner
Mary Claybon, Associate Planner

Subject: Consideration of proposed Major Use Permit (UP 20-60) Lakeport Farm (Ricardo de Mello) and Mitigated Negative Declaration (IS 20-74) for approval of one A-Type 3 "Medium Outdoor" license for 43,000sf outdoor cannabis canopy, two (2) A-Type 3B "mixed-light" licenses for 42,864 sf mixed-light canopy, and one (1) A-Type 13 Self-Distribution, transport only license located at 3681 Benmore Valley Road, Lakeport (APN: 007-002-27)

Executive Summary:

The applicant is requesting a major use permit for one (1) A-Type 3 "Medium Outdoor" licenses, two (2) A-Type 3B "mixed-light" licenses, and one (1) A-Type 13 Self-Distribution license. The property is located 3681 Benmore Valley Road, Lakeport (APN 007-002-27) within three cultivation areas. The site is accessed via deeded access driveway that connects with Benmore Valley Road, private native

soil shared-access road. One intermittent channel (Class II watercourse) and three ephemeral channels (Class III watercourses) are located on the property. Historical land uses include animal grazing and legacy cannabis operations. Total acreage is approximately 63.03 acres.

Recommended Action:

Staff recommends the Planning Commission take the following actions:

A. Adopt Mitigated Negative Declaration (IS 20-74) for Major Use Permit (UP 20-60) with the following findings:

1. Potential environmental impacts related to Aesthetics (AES) can be mitigated to less than significant levels with the inclusion of mitigation measures AES-1.
2. Potential environmental impacts related to Air Quality (AQ) can be mitigated to less than significant levels with the inclusion of mitigation measures AQ-1 through AQ-6.
3. Potential environmental impacts related to Biological Resources (BIO) can be mitigated to less than significant levels with the inclusion of mitigation measures BIO-1 through BIO-6.
4. Potential environmental impacts related to Cultural Resources (CUL) can be mitigated to less than significant levels with the inclusion of mitigation measures CUL-1 through CUL-2.
5. Potential environmental impacts related to Geology and Soils (GEO) can be mitigated to less than significant levels with the inclusion of mitigation measures GEO-1.
6. Potential environmental impacts related to Noise (NOI) can be mitigated to less than significant levels with the inclusion of mitigation measures NOI-1 through NOI-2.
7. Potential environmental impacts related to Tribal Cultural Resources (TCR) can be mitigated to less than significant levels with the inclusion of mitigation measures TCR-1 through TCR-2.

UP 20-60 Lakeport Farms/ Ricardo de Mello- IS 20-74

8. Potential environmental impacts related to Wildfire (WDF) can be mitigated to less than significant levels with the inclusion of mitigation measures WDF-1 through WDF-5.

B. Approve Major Use Permit UP 20-60 with the following findings:

1. That the establishment, maintenance, or operation of the use applied for will not under the circumstances, 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. The site is adequate in size, shape, locations, and physical characteristics to accommodate the type of use and level of development proposed.
3. The streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the proposed use.
4. There are adequate services to serve the project.

5. This project is consistent with the Lake County General Plan, Lakeport Area Plan, and Lake County Zoning Ordinance.

6. No violation of Chapter 5, 17, 21, 23 or 26 of the Lake County Code currently exists on this property, with a condition of approval implemented.

7. The proposed use complies with all development standards described in Chapter 21, Article 27, Section 1.i.

8. The applicant is qualified to make the application described in Chapter 21, Article 27, Section 1.ii. (g).

9. The application complies with the qualifications for a permit described in Chapter 21, Article 27, Section 1.ii.(i).