



Legislation Details (With Text)

File #: 21-318 **Version:** 1 **Name:**

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

File created: 4/16/2021 **In control:** Planning Commission

On agenda: 4/22/2021 **Final action:**

Title: 9:30 a.m. Public Hearing to consider MAJOR USE PERMIT (UP 19-08) on Thursday April 22, 2021, 9:30 a.m., in the Board of Supervisors' Chambers, 255 N. Forbes Street, Lakeport, California. Applicant / Owner: Golden State Herb. Proposed Project: (1) A Type 3 (medium outdoor) commercial cannabis cultivation license; (4) A-Type 2 small outdoor commercial cannabis licenses, and (1) A-Type 13 'self-distribution' license. Location: 8550 Highway 175, Kelseyville, CA; APN: 011-055-06. Environmental Evaluation: Mitigated Negative Declaration (IS 19-14).

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Golden State Herb SR FINAL, 2. Attachment 1 Vicinity Map, 3. Attachment 2 PMP (1), 4. Attachment 2a Bio Study, 5. Attachment 3 Agency Comments, 6. Attachment 3b Middletown, 7. Attachment 4 conditions, 8. Attachment 5 site plans, 9. Attachment 6 IS

Date	Ver.	Action By	Action	Result
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Memorandum

April 22, 2021

STAFF REPORT

TO: Planning Commission

FROM: Scott DeLeon, Interim Community Development Director
Tocarra Nicole Thomas, Community Development Deputy Director

Prepared by: Eric Porter, Associate Planner

DATE: April 22, 2021

RE: **Golden State Herb / Crystal Keesey; Major Use Permit (UP 19-08) and Initial Study (IS 19-14)**

Supervisor District 4; Planning Commissioner Christina Price

- ATTACHMENTS:**
1. Vicinity Map
 2. Property Management Plan
 3. Agency Comments
 4. Proposed Conditions of Approval
 5. Site Plans
 6. Initial Study IS 19-14

RECOMMENDATION

Staff recommends the Planning Commission:

A. Adopt mitigated negative declaration (IS 19-14) for Use Permit (UP 19-08) with the following findings:

1. Potential environmental impacts related to air quality can be mitigated to less than significant levels with the inclusion of mitigation measures AQ-1, AQ-2, AQ-3, AQ-4, AQ-5, AQ-6 and AQ-7.
2. Potential environmental impacts related to Biological Resources can be mitigated to less than significant impacts with the inclusion of mitigation measures BIO-1, BIO-2 and BIO-3.
3. As mitigated through specific conditions of approval, this project will result in less than significant environmental impacts.
4. Any changes to the project will require either an amended Use Permit and/or a new Use Permit unless the Community Development Director determines that any changes have no potential increased environmental impacts.

B. Approve Use Permit UP 19-08 with the following findings:

1. That the establishment, maintenance, or operation of the use applied for will 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. 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 can be mitigated to be reasonably adequate to safely accommodate the proposed use.
4. That 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.
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.
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. 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).

Sample Motions:

Mitigated Negative Declaration

I move that the Planning Commission find that the **Initial Study (IS 19-14)** applied for by **Golden State Herb** on property located at **8550 Highway 175, Kelseyville**, and further described as **APN: 011-055-06** 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 **April 22, 2021**.

Major Use Permit (UP 19-08)

I move that the Planning Commission find that the **Use Permit (UP 19-08)** applied for by **Golden State Herb** on property located at **8550 Highway 175, Kelseyville**, and further described as **APN: 011-055-06** does meet the requirements of Section 51.4 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 **April 22, 2021**.

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 calendar day following the Commission's final determination.