



Legislation Details (With Text)

File #: 24-657 **Version:** 1 **Name:**

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

File created: 6/5/2024 **In control:** Planning Commission

On agenda: 6/13/2024 **Final action:**

Title: 9:20am - PUBLIC HEARING – (Continued from March 14 & March 28, 2024, and Rescheduled from April 25th & 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 005-003-34.

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Site Plans, 2. Conditions of Approval, 3. Property Management Plan, 4. Initial Study, 5. Hydrology Report, 6. Drought Management Plan, 7. Wetland Delineation, 8. Biological Resources Assessment, 9. Agency Comments, 10. CEQA Public Comments as of August 2023, 11. March 14 PC Public Comments, 12. March 28 PC Public Comments, 13. April 25 PC Public Comments, 14. May 9 PC Public Comments, 15. Indemnification Agreement, 16. Staff Report

Date	Ver.	Action By	Action	Result
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Memorandum

Date: June 13, 2024

To: Planning Commission

From: Mireya G. Turner, Community Development Department
Michelle Irace, Principal Planner
Trish Turner, Assistant Planner

Subject: Consideration of proposed Major Use Permit (UP 20-33), and Mitigated Negative Declaration (IS 20-39), for cultivation of 304,710-sf of outdoor commercial cannabis canopy; Applicant: Meili Liu/ Liu Farms; Located at 8531 High Valley Road, Clearlake Oaks (APN 006-003-34). Continued from March 28, April 25, and May 9, 2024.

Executive Summary:

The applicant, Meili Liu/ Liu Farms, is requesting discretionary approval from the County of Lake for Major Use Permit (UP 20-33), for commercial cannabis cultivation at 8531 High Valley Road, Clearlake Oaks (APN 006-003-34). The application, as proposed, would include cultivation of 304,710-sf (7 Acres) of outdoor canopy with seven (7) A-Type 3 licenses, and one (1) A-Type 13 Self-

Distribution License. The zoning is “RL-WW-SC” - Rural Lands, Waterway Combining District, and Scenic Combining District. The total acreage of the parcel is approximately 158.22 acres.

On March 14, 2024, the Planning Commission reviewed the project and moved to continue the item to the March 28 agenda to give Staff and the applicant further time to update the Property Management Plan and Site Plans to reflect the current proposal. Additionally, the Commission recommended that Staff review and address tribal cultural resources, hydrology, and biological resources further. As a result of these concerns, the public hearing was continued to March 28, 2024, and subsequently continued again to May 9, 2024, to allow additional time to address the Commissioner’s concerns.

As summarized below, Staff has worked to address the Commissioners’ concerns that were raised on March 14, 2024.

- Tribal Cultural Resources
 - Staff contacted the local Tribe(s) and a Tribal Consultation with took place with Elem Colony on March 19, 2024.
 - The Tribal Historic Preservation Officer conducted a site visit with the applicant on April 1, 2024, and noted they had no concerns with the project moving forward, with the implementation of Tribal Cultural Resources Mitigation Measures (TCR-1 and TCR-2).
 - Tribal Consultation formally concluded on April 10, 2024.
- Property Management Plan and Site Plans
 - Updated site plans (reducing the size of the solar array) are required to be submitted prior to the permit being issued (see Condition of Approval No. 2).
 - On March 29, 2024, the applicant provided an updated Property Management Plan that reflects the applicant removing the nursery, manufacturing facility from the scope and reducing the size of the solar array (see Attachment 3).
- Biological Resources and Hydrology
 - Three (3) reports were prepared for the project: a Biological Resources Assessment (BA) (Natural Investigations Company, 2020); a Plant Survey (Huffman-Broadway Group, 2021); and a Wetland Site Assessment (Huffman-Broadway Group, 2021). Staff conducted site visits on April 1 and April 2, 2024, and noted that environmental site conditions have not changed since the reports were prepared.
 - Specific to wetlands and water resources, the Wetland Site Assessment identified approximately 0.11 acres of palustrine emergent wetlands in two areas within the parcel, and approximately 0.10 acres of riverine/intermittent creeks (south of the proposed cultivation area). The cultivation development would be set back greater than 100 feet from any identified aquatic resource, including intermittent creeks and wetlands. Additionally, the project proponent must file a Notice of Intent and enroll in Cannabis Cultivation Order WQ 2019-0007-DWQ. Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of Best Management Practices (BMPs), buffer zones, sediment and erosion controls, site management plans, inspections and reporting, and regulatory oversight

Recommended Action:

The applicant, Meili Liu/ Liu Farms, is requesting discretionary approval from the County of Lake for Major Use Permit (UP 20-33), for commercial cannabis cultivation at 8531 High Valley Road,

Clearlake Oaks (APN 006-003-34). The application, as proposed, would include cultivation of 304,710-sf (7 Acres) of outdoor canopy with seven (7) A-Type 3 licenses, and one (1) A-Type 13 Self-Distribution License. The zoning is "RL-WW-SC" - Rural Lands, Waterway Combining District, and Scenic Combining District. The total acreage of the parcel is approximately 158.22 acres.

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