



Legislation Details (With Text)

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

**File created:** 7/18/2022      **In control:** Planning Commission

**On agenda:** 7/28/2022      **Final action:**

**Title:** 9:10 a.m. – (Continued from June 23, 2022) Public Hearing on Consideration of Major Use Permit (UP 21-06) and that a determination has been made that this project required a Mitigated Negative Declaration to consider the adoption of an and to adoption of an Initial Study (IS 21-06) The applicant, AKWAABA, LLC is proposing a major use permit two (2) A-Type 3 “Medium Outdoor” licenses with a total combined outdoor canopy area of 73,560 square feet , and an A-Type 2B “Small Mixed-Light” license with a total combined mixed-light canopy area of 9,720 square feet. The project is located at 11795 North Drive, Clearlake Park, CA; further described as APN’s: 010-019-15 and 010-019-10.

**Sponsors:** Community Development

**Indexes:**

**Code sections:**

**Attachments:** 1. 01 - UP 21-06 Akwaaba, LLC - Property Management Plan, 2. 02 - UP 21-06 Akwaaba, LLC - Site Plans, 3. 03 - UP 21-06 Akwaaba, LLC - Conditions of Approval - Updated 6-22-2022, 4. 04 - UP 21-06 Akwaaba, LLC - Initial Study, 5. 05 - UP 21-06 Akwaaba, LLC - Hydrology Report, 6. 06 - UP 21-06 Akwaaba, LLC - Biological Assessment, 7. 07 - UP 21-06 Akwaaba, LLC - Mitigation Monitoring Reporting Program (MMRP), 8. 08 - UP 21-06 Agency and Public Comments, 9. 00 - UP 21-06 Akwaaba, LLC - Staff Report - Continued, 10. Akwaaba Visibility Survey, 11. North Drive HAR

Date	Ver.	Action By	Action	Result
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**Memorandum**

**Item #2**

**9:10 AM**  
**July 28, 2022**

**STAFF REPORT**

**TO:** Planning Commission

**FROM:** Mary Darby, Community Development Director  
 Prepared by: LACO Associates  
 Assigned Planner: Andrew Amelung, Cannabis Program Manager

**DATE:** July 28, 2022

- RE:** Akwabaa Farms/Akwaaba LLC
- Major Use Permit (UP 21-06)
  - Initial Study (IS 21-06)

District 2 Supervisor *Bruno Sabatier*  
District 2 Planning Commissioner *Everardo Chavez Perez*

- ATTACHMENTS:**
1. Property Management Plan
  2. Proposed Site Plans
  3. Conditions of Approval
  4. Initial Study
  5. Hydrology Report
  6. Biological Assessment
  7. Mitigation Monitoring Reporting Program

I. **EXECUTIVE SUMMARY**

The applicant is seeking discretionary approval from the County of Lake for a Major Use Permit, UP 21-06, for a commercial cannabis cultivation operation at 11795 North Drive, Clearlake Park, CA on Lake County APN 010-019-15. The proposed cultivation operation would be composed of two (2) A-Type 3 "Medium Outdoor" licenses with a total combined outdoor canopy area of 73,560 ft<sup>2</sup>, and an A-Type 2B "Small Mixed-Light" license with a total combined mixed-light canopy area of 9,720 ft<sup>2</sup>. The existing onsite 1,800 ft<sup>2</sup> Metal Barn would be used for drying and harvest storage, and a 160 ft<sup>2</sup> metal shipping/storage container would be used for pesticide & agricultural chemicals storage. The proposed cultivation operation will be developed in two phases as follows: Phase 1 43,560 sq. ft. of outdoor canopy area and eighteen (18) 540 sq. ft. mixed-light canopy areas. The applicant proposes to use an existing 1,800 sq. ft. metal barn for drying and storage of cannabis grown onsite. Phase 2 30,000 sq. ft. of additional outdoor canopy area. The total proposed cultivation area, including the proposed canopy areas, drying & harvest storage area, and pesticide & agricultural chemicals storage area, is 85,240 ft<sup>2</sup>.

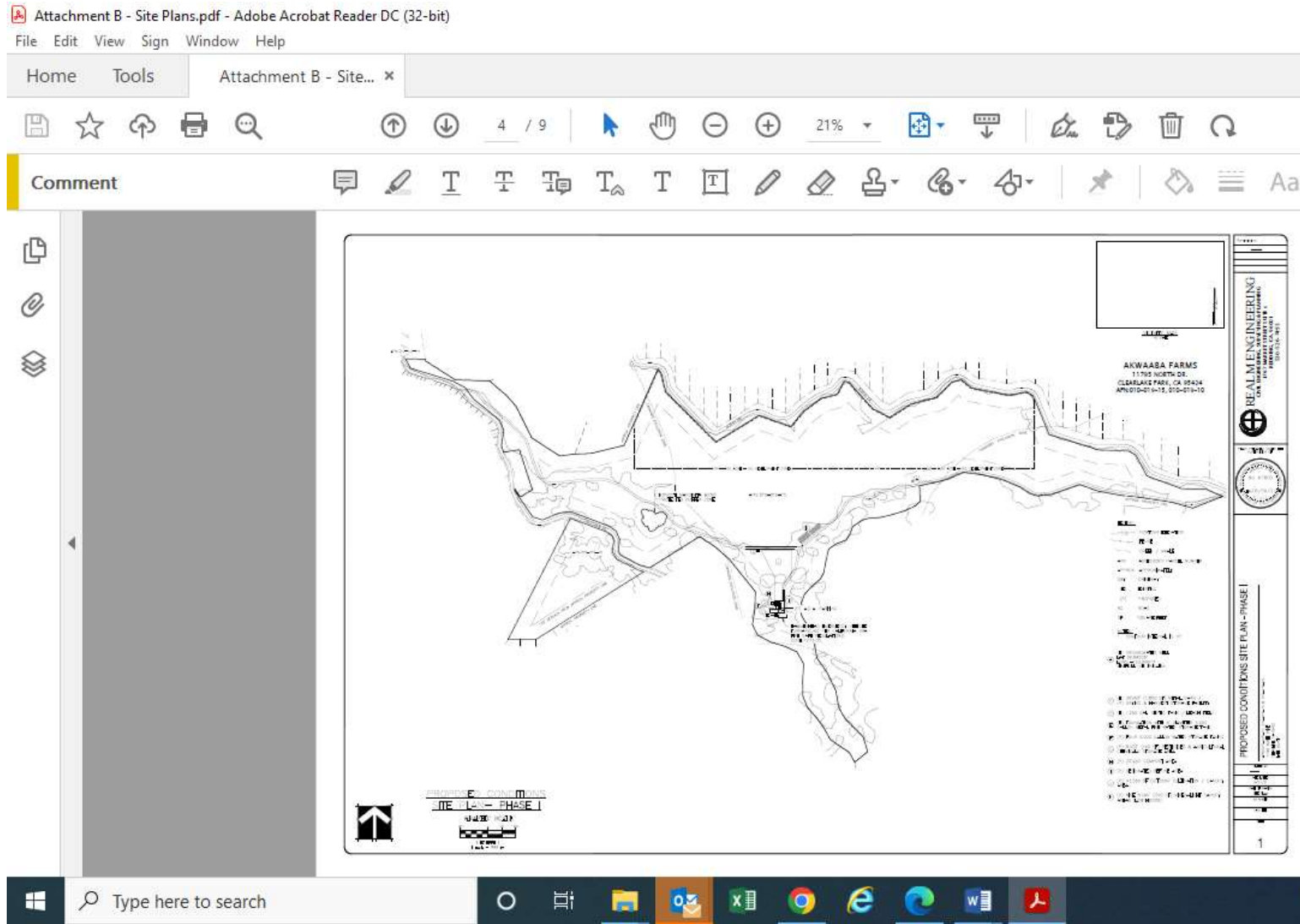


Figure 1. Akwaaba Farms Proposed Conditions Site Plan

## II. RECOMMENDATION

**Staff recommends the Planning Commission take the following actions.**

### **A. Adopt Mitigated Negative Declaration (IS 21-06) for Major Use Permit (UP 21-06) with the following findings:**

1. Potential environmental impacts related to aesthetics can be mitigated to less than significant levels with the inclusion of mitigation measures AES-1, and AES-2.
2. Potential air quality impacts 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, AQ-7 and AQ-8.
3. Potential biological impacts can be mitigated to less than significant levels with the inclusion of mitigation measure BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5.
4. Potential environmental impacts related to cultural and Tribal resources can be mitigated to less than significant levels with the inclusion of mitigation measures CUL-1, CUL-2, CUL-3 and CUL-4.
5. Potential geology and soils can be mitigated to less than significant levels with the inclusion of mitigation

measures GEO-1, GEO-2, GEO-3, and GEO-4.

6. Potential hazardous materials impacts can be mitigated to less than significant levels with the inclusion of mitigation measures HAZ-1 through HAZ-7.
7. Potential hydrology and water quality impacts can be mitigated to less than significant levels with the inclusion of mitigation measures BIO-3 through BIO-5, GEO-1 through GEO-4, HAZ-1 through HAZ-7, and HYD-1, and HYD-2.
8. Potential noise impacts can be mitigated to less than significant levels with the inclusion of mitigation measures NOI-1 through NOI-3.
9. This project is consistent with land uses in the vicinity.
10. This project is consistent with the Lake County General Plan, Lakeshore Communities Area Plan, and Zoning Ordinance.
11. Any changes to the project will require either an amended Use Permit or a new Use Permit unless the Community Development Director determines that any changes have no potential environmental impacts.
12. As mitigated through specific conditions of approval, this project will result in less than significant environmental impacts.

**B. Approve Major Use Permit UP 21-06 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, Shoreline Communities 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).

**Sample Motions:**

**Mitigated Negative Declaration**

I move that the Planning Commission find that the **Major Use Permit (UP 21-06)** applied for by **Akwaaba Farms, LLC** on property located at **11795 North Drive, Clearlake Park**, further described as **APN: 010-019-015** 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 **June 23, 2022**.

**Major Use Permit (UP 21-14)**

I move that the Planning Commission find that the **Major Use Permit (UP 21-06)** applied for by **Akwaaba Farms, LLC** on property located at **11795 North Drive, Clearlake Park**, further described as **APN: 010-019-015** does meet the requirements of Section 51.4 and Article 27, Section 1 [i,ii(g),i(ii)] 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 **June 23, 2022**.

*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.*