



Legislation Text

File #: 24-591, Version: 1

Memorandum

Date: May 23, 2024

To: The Planning Commission

From: Mireya G. Turner, Community Development Department
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Subject: Consideration of proposed Major Use Permit (UP 20-96), Highland Farms, LP (Autumn Karcey), and Mitigated Negative Declaration (IS 20-116), for approval of nineteen (19) A-Type 3 "Medium outdoor" licenses consisting of nineteen (19) acres of outdoor commercial cannabis canopy, two (2) A- Type 3B "Mixed-light" commercial cannabis canopy consisting of 34,404 square feet (sf), Type 4 Nursery, and a Type 13 B and C Distribution located at 7508, 7522, 7634, & 7746 Highland Springs Road and 7257 & 7357 Amber Ridge Road in Lakeport, CA. (APNs 007-006-27, 34, 35, 40, 41, and 007-057-02)

Executive Summary:

The Applicant, Highland Farms, LP (Autumn Karcey), is proposing commercial cannabis cultivation at 7508, 7522, 7634, & 7746 Highland Springs Road and 7257 & 7357 Amber Ridge Road in Lakeport, CA. The project consists of the cultivation of commercial cannabis and construction of associated ancillary facilities on three parcels (APNs 007-006-34, 007-006-35, and 007-006-40). The site is located to the west of Highland Springs Lake in unincorporated Lake County, five miles west of Kelseyville, and seven miles south of Lakeport. The Project is being proposed with four additional contiguous parcels (APNs: 007-006-27, 007-006-41, 007-057-01, 007-057-02) in order to allow collocation/clustering of permits. Total acreage combined is 508.19 acres.

The Project site contains a total of one Class II and eight Class III streams occur within the Project Site. Nine stream crossing would be utilized during the operation of the Proposed project. A minimum setback of 50 feet would be maintained from the top of bank of the Class III waterways and wetland boundaries, and 100 feet from the top of bank of the Class II waterway adhering to required setbacks. Comments were received from the California State Waterboards confirming setbacks. (Attachment 13). A Lake Streambed Alteration Agreement has been applied for by the applicant. Seasonal wetlands occur adjacent to, but not within the

Project site. Four biological surveys and reports were completed for the proposed project (Attachment 11). Two stages of development would occur on the cultivation parcels.

Recommended Action:

Staff recommends the Planning Commission take the following actions:

- A. Adopt Mitigated Negative Declaration (IS 20-116) for Major Use Permit (UP 20-96) 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.
 1. 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.
 2. 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-3.
 3. Potential environmental impacts related to Cultural Resources (CUL) can be mitigated to less than significant levels with the inclusion of mitigation measures CUL-1 and CUL- 2.
 4. Potential environmental impacts related to Energy (EN) can be mitigated to less than significant levels with the inclusion of mitigation measures AQ-1.
 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 through GEO-4.
 6. Potential environmental impacts related to Hazards and Hazardous Materials (HAZ) can be mitigated to less than significant levels with the inclusion of mitigation measures HAZ- 1 through HAZ-5
 7. Potential environmental impacts related to Hydrology and Water Quality (HYD) can be mitigated to less than significant levels with the inclusion of mitigation measures HYD-1 through HYD-4.
 8. 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
 9. Potential environmental impacts related to Tribal Cultural Resources (TCR) can be mitigated to less than significant levels with the inclusion of mitigation measures CUL-1, CUL-2, TCR-1, TCR-2, and TCR-3.
 10. 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-3.

B. Approve Major Use Permit (UP 20-96) 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, Middletown 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).