



Legislation Text

File #: 24-68, Version: 1

Staff Report

Date: January 25, 2024

To: Planning Commission

From: Mireya G. Turner, Director
Mary Claybon, Assistant Planner II

Subject: Consideration of proposed Major Use Permit (UP 22-07), and Mitigated Negative Declaration (IS 22-09), for approval of 348,480-sf outdoor cannabis cultivation and 39,936-sf mixed-light cannabis cultivation areas; Applicant: Dezel Ranch, Simon Whetzel; Located: 500, 700, and 770 CA State Highway 53, and 550, and 660 Junction Plaza, Clearlake (APNs: 010-055-28, 29, 33, 37, and 38)

Executive Summary:

The applicant, Simon Whetzel, is requesting discretionary approval from the County of Lake for a Major Use Permit, (UP 22-07), for commercial cannabis cultivation at 500, 700, 770 CA State Highway 53 and 550, 660 Junction Plaza, Clearlake, CA (Lake County APNs 010-055-28 & 33). The application, as proposed, would include cultivation of 348,480 sq. ft. (8 Acres) of outdoor canopy area with eight (8) A-Type 3 licenses, 39,936 sq. ft. of mixed-light canopy area with four (4) A-Type 2B licenses, and One (1) A-Type 13 Self-distribution License. The proposed Project will occur on Assessor Parcel Numbers (APNs) 010-055-28 & 33 (Project Parcels) and APNs 010-055-29, 37 & 38 will be used for clustering. The zoning is RL-WW-SC - Rural Lands, Waterway, and Scenic Combining Districts. The total acreage of the parcel is approximately 431.58 acres combined. See Attachments 1-3.

Recommended Action:

Staff recommends the Planning Commission take the following actions:

A. Adopt Mitigated Negative Declaration (IS 22-09) for Major Use Permit (UP 22-07) 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 through AES-2.
2. Potential environmental impacts related to Agriculture and Forestry Resources can be mitigated to less than significant levels with the inclusion of mitigation measures AFR-1 through AFR-4.
3. Potential environmental impacts related to Air Quality can be mitigated to less than significant levels with the inclusion of mitigation measures AQ-1 through AQ-6.

4. Potential environmental impacts related to Biological Resources can be mitigated to less than significant levels with the inclusion of mitigation measures BOI-1 through BOI-5.
5. Potential environmental impacts related to Cultural Resources can be mitigated to less than significant levels with the inclusion of mitigation measures CUL-1 through CUL-2.
6. Potential environmental impacts related to Geology and Soils can be mitigated to less than significant levels with the inclusion of mitigation measures GEO-1 through GEO-4.
7. Potential environmental impacts related to Hazards and Hazardous Material can be mitigated to less than significant levels with the inclusion of mitigation measures HAZ-1 through HAZ-8.
8. Potential environmental impacts related to Hydrology and Water Quality can be mitigated to less than significant levels with the inclusion of mitigation measures HYD-1 through HYD-2.
9. Potential environmental impacts related to Noise can be mitigated to less than significant levels with the inclusion of mitigation measures NOI-1 through NOI-2.
10. Potential environmental impacts related to Wildfire 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 22-07 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).