



## Legislation Details (With Text)

<b>File #:</b>	19-121	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	2/7/2019	<b>In control:</b>		Planning Commission	
<b>On agenda:</b>	2/14/2019	<b>Final action:</b>			
<b>Title:</b>	9:20 a.m. Public Hearing on consideration of a Major Use Permit (UP 18-25) . The project applicant is MARY DRAPER proposing Commercial Cannabis Cultivation Licenses, two A-Type 3 outdoor to allow a total of 87,120 square feet of canopy area within a total of 91, 291 square feet of outdoor cultivation areas; 44,487 and 45,804 square feet respectively. The project location is 9475 Bottle Rock Road, Kelseyville and further described as APNs 011-004-54, 55 & 56 (merged). Environmental Evaluation: Mitigated Negative Declaration IS 18-31. (Eric Porter)				
<b>Sponsors:</b>	Community Development				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. UP 18-25 staff rept Draper, 2. Attachment 1 vicinity map, 3. Attachment 2 site plans, 4. Attachment 3 propty mgmt plan, 5. Attachment 4 agency comments, 6. Attachment 4 water board, 7. Attachment 5 EA conds, 8. Attachment 6 conds, 9. Attachment 7 IS, 10. Attachment 8 public 2, 11. Attachment 8 public input				

Date	Ver.	Action By	Action	Result
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## MEMORANDUM

**TO:** Planning Commission

**FROM:** Michalyn DelValle, Community Development Director

Prepared by: Eric Porter, Associate Planner

**DATE:** February 14, 2019

**SUBJECT:** Mary Draper; Major Use Permit (UP 18-25) for two A-Type 3 (Outdoor) Commercial Cannabis Cultivation licenses and Initial Study (IS 18-31)

Supervisor District 5

**ATTACHMENTS:**

1. Vicinity Map
2. Existing and Proposed Site Plans
3. Property Management Plan (available upon request)
4. Agency Comments
5. Early Activation (EA 18-23) Conditions
6. Proposed Conditions of Approval
7. Initial Study IS 18-31
8. Neighbor Comments

## EXECUTIVE SUMMARY:

The applicant is proposing a major use permit for two A-Type 3 outdoor cannabis cultivation licenses. The 77+ acre property is located at 9475 Bottle Rock Road, Kelseyville, APN 011-004-60 (previously 54, 55 and 56, recently merged). The applicant was issued an Early Activation (EA 18-23) of use permit (UP 18-25) on July 13, 2018; the early activation was active for a period of six months, and expired on January 13, 2019. The cultivation sites are described in this report as Site 1 and Site 2.

Site 1 has a proposed total **cultivation area of 44,487 s.f.** and a canopy of **43,560 s.f.**; Site 2 has a proposed total **cultivation area of 46,804 s.f.** and a **canopy area of 43,560 s.f.** Each cultivation area will be contained in a 7 foot tall metal cyclone fence with plastic mesh; the fenced-in area will be accessed through metal gates with locks. Security cameras have been installed for both cultivation sites.

Existing structures include a dwelling, 7' tall metal fence; a drip irrigation system; a water well, a barn, several small sheds, portable restrooms and the security system.

The site is accessed from Bottle Rock Road, a paved County-maintained road. The Project Site is not within a community boundary or Exclusion Area. Water will be provided via existing on-site well and three 2500 gallon water tanks. The dwelling is served by an on-site septic system.

On January 24, 2019, Mr. Draper applied for an electrical permit to power a new well that would be used for the dwelling and for the cannabis cultivation facility. Staff informed the applicant that no permits can be issued for the cannabis cultivation aspect of this proposal until the use permits are approved. The County also requested updated Site Plan(s) showing the separation of the well from other structures; this as a condition of Use Permit review.

Staff recommends **Approval with Conditions** of **UP 18-25**.

## RECOMMENDED ACTION:

### **Sample Motions:**

### **Mitigated Negative Declaration**

I move that the Planning Commission find that the **Initial Study (IS 18-31)** applied for by **Mary Draper** on property located at **9475 Bottle Rock Road, Kelseyville** and further described as **APN: 011-004-60** 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 **February 14, 2019**.

### **Major Use Permit (UP 18-25)**

I move that the Planning Commission find that the **Use Permit (UP 18-25)** applied for by **Mary Draper** on property located at **9475 Bottle Rock Road, Kelseyville** and further described as **APN: 011-004-60** 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 **February 14, 2019**.

***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.*