



Legislation Details (With Text)

File #: 20-865 **Version:** 1 **Name:**

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

File created: 9/8/2020 **In control:** Planning Commission

On agenda: 9/24/2020 **Final action:**

Title: 9:05 a.m. - A Public Hearing on consideration of a Major Use Permit (UP 19-50) and Categorical Exemption (CE 19-96). The Applicant is Richard Sereghy, proposing the retail sales of cannabis. Location 8466 Lake Street, Lower Lake; further described as APN: 012-054-25.

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Staff Report UP 19-50, 2. Attachment 1 - Vicinity Map, 3. Attachment 2 - Proposed Site Plans and Signage, 4. Attachment 3 - Supplemental Data and Project Description, 5. Attachment 4 - Agency Comments, 6. Attachment 5 - Major Use Permit Findings, 7. Attachment 6 - Conditions of Approval, 8. Attachment 7 - PowerPoint Presentation

Date	Ver.	Action By	Action	Result
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Memorandum

Item 1
9:05 AM
September 24, 2020

STAFF REPORT

TO: Planning Commission

FROM: Scott De Leon, Interim Community Development Director
Tocarra Nicole Thomas, Deputy Director
Mark Roberts, Principal Planner
Victoria Kim, Assistant Planner

DATE: September 1, 2020

SUBJECT: Richard Sereghy; Major Use Permit (UP 19-50)
Categorical Exemption (CE 19-96).

Supervisor District 1

ATTACHMENTS: 1. Vicinity Map

2. Proposed Site Plans and Signage
3. Supplemental Data and Project Description
4. Agency Comments and Correspondences
5. Major Use Permit Findings
6. Conditions of Approval
7. PowerPoint Presentation

I. EXECUTIVE SUMMARY

The applicant is requesting approval of a Major Use Permit to allow retail sales of tested and approved cannabis products, pursuant to Article 18, Section §18.5(h) of the Lake County Zoning Ordinance. The proposed use will operate within an existing 2,310 square foot building. The operating hours will be 9 AM to 9 PM, 7 days per week, with 6 employees at peak shift. The applicant anticipates 75 customers per day, and 3 to 5 deliveries per week. To protect the public safety and health and the community's comfort, all the visitors will go through check-in process at the store front prior to entering the store. Also, the project areas including parking lot will be under the supervision of trained security personnel during operating hours and surveillance cameras at all hours.

Construction Schedule will begin on the interior alterations, landscaping, and other improvements once the permit is obtained.

I. RECOMMENDATIONS

Staff recommends that the Planning Commission take the following Actions:

A. Adopt Categorical Exemption (CE 19-96) for UP 19-50 with the following findings:

1. The project is consistent with CEQA Categorical Exemption, Class 1 (Existing Facilities), which consists of the operation, repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing of public or private structures, facilities, mechanical equipment or topographical features.
2. This project is consistent with the Lake County General Plan, Lower Lake Area Plan and Zoning Ordinance.
3. The project is consistent with land uses in the vicinity.
4. This project will not result in any significant adverse environmental impacts.

B. Approve Major Use Permit, UP 19-50 with the following findings:

1. That the establishment, maintenance, or operation of the use applied for will not under the circumstances of the particular case, 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. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
3. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use.
4. That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.
5. This project is consistent with the Lake County General Plan, Lower Lake Area Plan, and Lake County Zoning Ordinance.
6. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and.

Sample Motions:

Categorical Exemption (CE 19-96)

I move that the Planning Commission find the **Major Use Permit (UP19-50)** applied for by **Calizonaoz, LLC** on property located at **8466 Lake Street, Lower Lake** further described as **APN: 012-054-25** is exempt from California Environmental Quality Act Guidelines Categorical Exemption Class 1 §15301 based on the findings set forth in **Staff Report dated September 1, 2020**.

Major Use Permit (UP 19-50)

I move that the Planning Commission find that the **Major Use Permit (UP 19-50)** applied for by **Calizonaoz, LLC** on property located **466 Lake Street, Lower Lake** further described as **APN: 012-054-25** does meet the requirements of Section 51.4 and Article 18 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 **September 1, 2020**.

***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.*