



Legislation Details (With Text)

File #: 20-1119 **Version:** 1 **Name:**

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

File created: 11/12/2020 **In control:** Planning Commission

On agenda: 12/10/2020 **Final action:**

Title: 9:25 a.m. - Public hearing on consideration of a Major Use Permit (UP 19-10) and Mitigated Negative Declaration (IS 19-21). Applicant is Morgan Valley Ventures, LLC., proposing (6) A Type 3 (medium outdoor) Commercial Cannabis Cultivation licenses, and (1) A-Type 13 'self-distribution' license, and (1) 5,000 sq. ft. drying building. Location: 22800 and 22520 Morgan Valley Road, Lower Lake, CA; APNs: 012-010-82, 012-069-59 and 012-069-60.

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment 1 - Vicinity Map, 3. Attachment 2 - Site Plans, 4. Attachment 3 - Property Mgmt Plan, 5. Attachment 4 - Agency Comments, 6. Attachment 5 - Conditions, 7. Attachment 6 - Initial Study, 8. Attachment 6a NOC, 9. Attachment 6b NOI, 10. Attachment 6c summary, 11. Attachment 6d MMRP

Date	Ver.	Action By	Action	Result
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Memorandum

Item 5
9:25 AM
December 10, 2020

STAFF REPORT

TO: Planning Commission

FROM: Scott DeLeon, Community Development Director
Tocarra Nicole Thomas, Deputy Director
Mark Roberts, Principal Planner

Prepared by: Eric Porter, Associate Planner

DATE: October 1, 2020

RE: **Morgan Valley Ventures LLC**

- **Major Use Permit (UP 19-10)**
- **Initial Study (IS 19-21)**

Supervisor District 1

ATTACHMENTS:

1. Vicinity Map
2. Proposed and Existing Site Plans
3. Property Management Plan
4. Agency Comments

5. Proposed Conditions of Approval
6. Initial Study IS 19-21 including Support Documents

I. RECOMMENDATION

Staff recommends the Planning Commission:

A. Adopt mitigated negative declaration (IS 19-21) for Use Permit (UP 19-10) with the following findings:

1. Potential environmental impacts related to air quality 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.
2. Potential environmental impacts related to biological resources can be mitigated to less than significant levels with the inclusion of mitigation measures BIO-1, BIO-2, BIO-3 and BIO-4.
3. Potential environmental impacts related to Cultural / Geological / Tribal resources 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 Noise can be mitigated to less than significant levels with the inclusion of mitigation measures NOI-1, NOI-2 and NOI-3.
5. As mitigated through specific conditions of approval, this project will result in less than significant environmental impacts.
6. This project is consistent with the Lake County General Plan, Lower Lake Area Plan and Zoning Ordinance.
7. The project is consistent with land uses in the vicinity.
8. Any changes to the project will require an amended Use Permit or a new Use Permit unless the Community Development Director determines that any changes have no potential increased environmental impacts.

B. Approve Use Permit UP 19-10 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. 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 can be mitigated to be reasonably adequate to safely accommodate the 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. That the project is in conformance with the applicable provisions and policies of this Code, the General Plan and any approved zoning or land use plan.
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 apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.
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 **Initial Study (IS 19-21)** applied for by **Morgan Valley Ventures, LLC** on property located at **22800 and 22520 Morgan Valley Road, Lower Lake**, and further described as **APNs: 012-010-82, 012-069-59 and 012-069-60** 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 **October 1, 2020**.

Major Use Permit (UP 19-10)

I move that the Planning Commission find that the **Use Permit (UP 19-10)** applied for by **Morgan Valley Ventures, LLC** on property located at **22800 and 22520 Morgan Valley Road, Lower Lake**, and further described as **APNs: 012-010-82, 012-069-59 and 012-069-60** 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 **October 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.*