



Legislation Details (With Text)

File #: 21-266 **Version:** 1 **Name:**

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

File created: 4/2/2021 **In control:** Planning Commission

On agenda: 4/8/2021 **Final action:**

Title: 9:15 a.m. Public Hearing and Consideration of a Major Use Permit (UP 19-33) to consider approval of a commercial cannabis cultivation project on a 335+ acre property, and consideration of adopting a Mitigated Negative Declaration (IS 19-51) on Thursday April 8, 2021, 9:20 a.m., in the Board of Supervisors' Chambers, 255 N. Forbes Street, Lakeport, California. Applicant / Owner: Three Bees LLC. Proposed Project: Sixteen (16) A-Type 3 medium outdoor cannabis cultivation licenses requesting 696,960 sq. ft. of cannabis cultivation area and one (1) A-Type 13 self-distribution license. Location: 21210, 21470, 21355 and 21340 Eureka Road and 18464 Butts Canyon Road, Middletown, CA. APNs: 014-003-24; 014-140-17, 19, 20 and 21.

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Three Bees staff rept V1, 2. Attachment 1 vicinity map, 3. Attachment 2 site plans, 4. Attachment 3 PMP, 5. Attachment 4 agency comments, 6. Attachment 5 COAs, 7. Attachment 6 IS 2, 8. Attachment 7 public comment

| Date | Ver. | Action By | Action | Result |
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Memorandum

STAFF REPORT

TO: Planning Commission

FROM: Scott DeLeon, Community Development Director
Tocarra Nicole Thomas, Community Development Deputy Director

Prepared by: Eric Porter, Associate Planner

DATE: April 8, 2021

RE: Three Bees / Damien Ramirez; Major Use Permit (UP 19-33) and Initial Study (IS 19-51)

Supervisor District 1

ATTACHMENTS:

1. Vicinity Map
2. Site Plans
3. Property Management Plan
4. Agency Comments
5. Proposed Conditions of Approval
6. Initial Study IS 19-51

7. Public Comments

I. EXECUTIVE SUMMARY

The applicant is requesting a major use permit for **(16) A-Type 3 (medium outdoor) cultivation areas** consisting of up to 696,960 square feet (sq. ft.) of cultivation area, and an **A-Type 13 Self Distribution license**. The property is located at 21340 Eureka Road, Middletown, and is APNs: 014-003-24; 014-140-17, 19, 20 and 21. The applicant is also proposing four 200 s.f. 'storage buildings' to use as drying buildings; four small sheds, portable bathrooms and 6' tall security fencing.

Staff is recommending **Approval with Conditions** of **UP 19-33**.

RECOMMENDATION

Staff recommends the Planning Commission:

A. Adopt mitigated negative declaration (IS 19-51) for Use Permit (UP 19-33) 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, and AQ-6.
2. Potential environmental impacts related to Biological Resources can be mitigated to less than significant impacts with the inclusion of mitigation measures BIO-1 and BIO-2.
3. Proposed impacts to Cultural / Geological / Tribal Resources can be mitigated to 'less than significant' levels through the inclusion of mitigation measures CUL-1 and CUL-2.
4. As mitigated through specific conditions of approval, this project will result in less than significant environmental impacts.
5. Any changes to the project will require either an amended Use Permit and/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 19-33 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 are 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. That this project complies with all applicable development standards found within Lake County Zoning Ordinance

Article 27(at).

8. That the applicant is qualified to apply for these commercial cannabis licenses.
9. That the application submitted meets the qualifications for a commercial cannabis use permit.

Sample Motions:

Mitigated Negative Declaration

I move that the Planning Commission find that the **Initial Study (IS 19-51)** applied for by **Three Bees LLC** on property located at **21340 Eureka Road, Middletown**, and is **APNs: 014-003-24; 014-140-17, 19, 20 and 21** 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 **April 8, 2021**.

Major Use Permit (UP 19-33)

I move that the Planning Commission find that the **Use Permit (UP 19-33)** applied for by **Three Bees LLC** on property located at **21340 Eureka Road, Middletown**, and is **APNs: 014-003-24; 014-140-17, 19, 20 and 21** 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 **April 8, 2021**.