



Legislation Details (With Text)

File #: 21-629 **Version:** 1 **Name:**

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

File created: 7/2/2021 **In control:** Planning Commission

On agenda: 7/8/2021 **Final action:**

Title: 9:10 a.m. Public Hearing to consider approving Use Permit UP 19-41. Applicant/Owner: Voight Holdings LLC. Location: 425 and 500 Voight Road, Lakeport, CA on property consisting of 40+ acres. APNs: 008-043-02 and 008-032-65. (Eric Porter)

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Voight SR V2, 2. Attachment 1 vicinity map, 3. Attachment 2 site plans, 4. Attachment 3 PMP 2, 5. Attachment 4a agency comments, 6. Attachment 4b agency comments, 7. Attachment 4c agency comments, 8. Attachment 5 COAs 2, 9. Attachment 6 IS

Date	Ver.	Action By	Action	Result
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Memorandum

STAFF REPORT

TO: Planning Commission

FROM: Carol Huchingson, Chief Administrative Officer
David Boesch, Managing Consultant

Prepared by: Eric Porter, Associate Planner

DATE: July 8, 2021

RE: Voigt Road Holdings LLC; Major Use Permit (UP 19-41) and Initial Study (IS 19-60)

Supervisor District 4

ATTACHMENTS:

1. Vicinity Map
2. Site Plans
3. Property Management Plan
4. Agency Comments
5. Proposed Conditions of Approval
6. Initial Study IS 19-60
7. Public Comments (none submitted)

I. EXECUTIVE SUMMARY

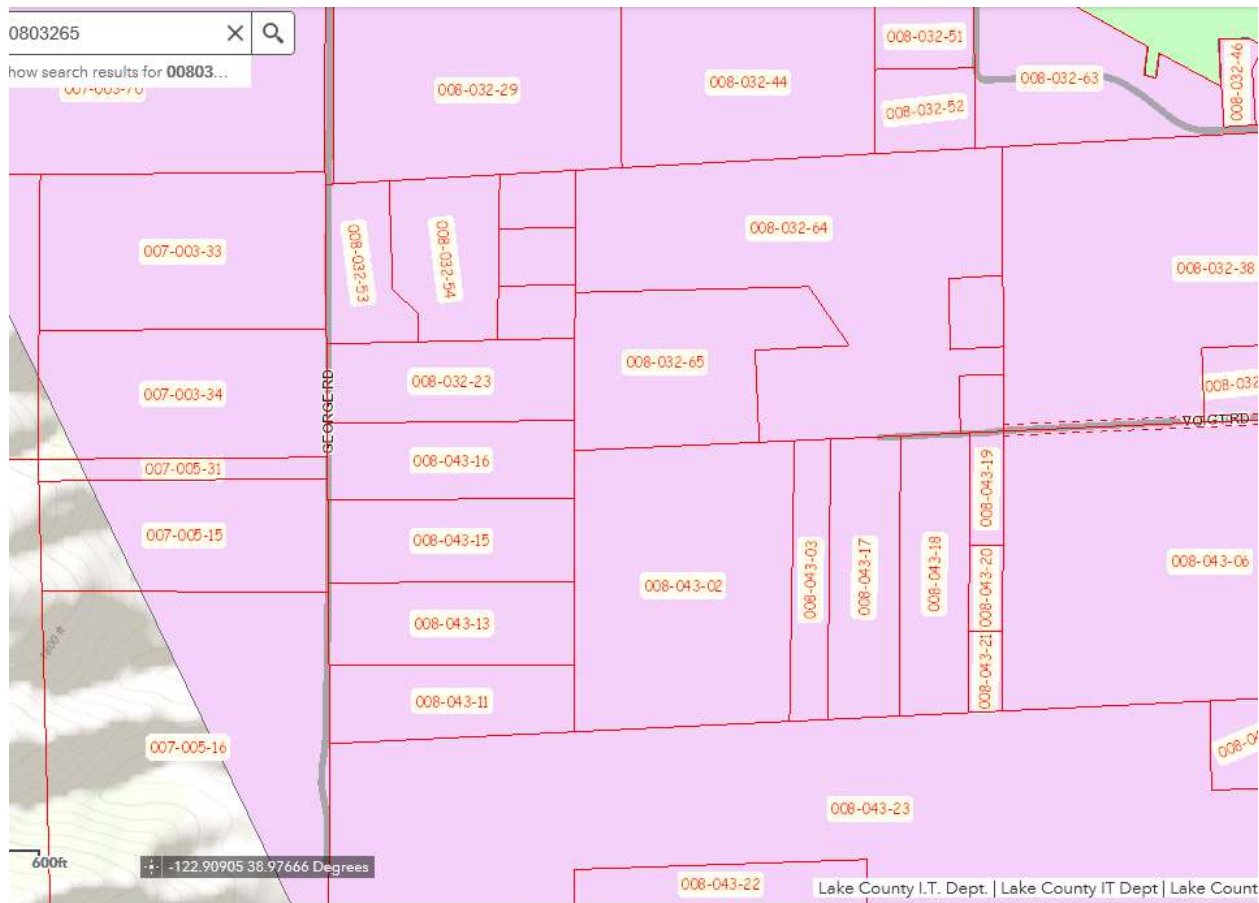
The applicant is requesting a major use permit for **two (2) A-Type 3B “medium mixed light” licenses** consisting of 124,800 square feet (sq. ft.) of cultivation area and 44,000 sq. ft. of canopy area to be completed in three phases, and an **A-Type 13 Self Distribution license**, however the property is located within a mapped Farmland Protection Area which requires greenhouses as the exclusive growing venue for cannabis per County Ordinance No. 3103. The applicant is

aware of this and is proposing greenhouse cultivation. The property is located at 425 and 500 Voigt Road, Lakeport, and is APNs: 008-032-65 and 008-043-02. The applicant is proposing:

- Phase I: One (1) 240' x 120' greenhouse (28,800 sq. ft.)
One (1) 50' x 75' drying building (3,750 sq. ft.)
- Phase II: One (1) 240' x 120' greenhouse (28,800 sq. ft.)
One (1) 50' x 75' drying building (3,750 sq. ft.)
- Phase III: Two (2) 240' x 120' greenhouses (56,600 sq. ft.)

Construction

- Phased construction of the site would take place over a three year period
- Phase I (2021) would consist of a 95' x 50' metal utility building and 30' x 120' greenhouses, and Improvements to interior driveway to meet PRC 4290 and 4291 road standards
- Phase II (2022) would consist of a 2nd 95' x 50' metal utility building, 30' x 120' greenhouses, and two blocks of 30' x 120' greenhouses for use as nurseries (immature plants)
- Phase III (2023) would consist of two blocks of 30' x 120' greenhouses.
- Projected construction-related estimated daily trips would range between four and eight trips per day, primarily to bring construction-related supplies to the site (structures, fencing, restroom items, fabric pots, soil).



FARMLAND PROTECTION AREA

Post Construction Cultivation Activities

- Self-distribution; an A-Type 13 self-distribution is requested
- On-site drying, trimming and packaging is proposed
- The applicant and has provided well data showing the adequacy of the water table in this location.
- Fertilizer is packed in five-gallon, resealable containers and stored in a secondary storage container located in a locked storage shed adjacent to the canopy site. Fertilizer is entirely organic
- The remaining containers are returned to the supplier.
- The facility is open for delivery and pick-ups Monday through Saturday, 7:00 AM to 7:00 PM, and Sunday 12:00 PM to 5:00 PM.
- Up to two employees working on the site during peak harvest times, and between one and two employees working on non-peak harvest times.
- Estimated daily vehicle trips would range between two and four following construction.

Staff is recommending **Approval with Conditions** of **UP 19-41**.

II. RECOMMENDATION

Staff recommends the Planning Commission:

A. Adopt mitigated negative declaration (IS 19-60) for Major Use Permit (UP 19-41) with the following findings:

1. Potential impacts to Aesthetics can be mitigated to less than significant levels with the inclusion of mitigation measures AES-1, AES-2 and AES-3.
2. 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, and AQ-7.
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. 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 Major Use Permit UP 19-41 with the following findings:

1. That the establishment, maintenance, or operation of the use applied for with the change to the license type described herein 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 Section 1.i
8. The applicant is qualified to make the application described in Section 1.ii.(g)
9. The application complies with the qualifications for a permit described in Section 1.ii.(i)

Sample Motions:

Mitigated Negative Declaration

I move that the Planning Commission find that the **Initial Study (IS 19-60)** applied for by **Voigt Road Holdings LLC** on property located at **425 and 500 Voigt Road, Lakeport**, and further described as **APNs: 008-032-65 and 008-043-02** 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 **July 8, 2021**.

Major Use Permit (UP 19-41)

I move that the Planning Commission find that the **Major Use Permit (UP 19-41)** applied for by **Voigt Road Holdings LLC** on property located at **425 and 500 Voigt Road, Lakeport**, and further described as **APNs: 008-032-65 and 008-043-02** 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 **July 8, 2021**.

***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's decision, 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 Planning Commission's final determination.*