



Legislation Details (With Text)

File #: 22-514 **Version:** 1 **Name:**

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

File created: 5/16/2022 **In control:** Planning Commission

On agenda: 5/26/2022 **Final action:**

Title: 9:15 a.m. Public Hearing on Consideration of Major Use Permit (UP 22-13) and to consider Categorical Exemption (CE 22-22), per CEQA section 15303(c). The applicant, RIPE CHOICE FARM (MARK & TAMMY LIPPS) is proposing convert a portion of his 5+ acre lot to accommodate special events. The property contains a 116 year-old farmhouse, and a 100 year old barn that has been recently remodeled. The buildings are not on a historic registry. The application material submitted states that there will be between 1 and 2 events per month for up to 8 months per year; that the site can accommodate up to 75 cars and the events could have up to 100 people attending. The application states that there may be amplified music inside the barn for some events, and that the farmhouse, which contains a commercial kitchen, can supply food for the events (cater the events). The project is evaluated for being in accordance with Lake County General Plan, the Lakeport Area Plan, and the Lake County Zoning Ordinance Article 5, Agriculture Zoning District; Article 51.4, Major Use Permits – Required Findings for Approval, Article 41, Performance Standards, Lighting, and Article 46, Parking The project is located at The project is located at 2550 Soda Bay Road, Lakeport, CA; and further described as APN: 008-010-46.

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Attachment 1 vicinity map, 2. Attachment 2 site plan, 3. Attachment 3 agency comments, 4. Attachment 4 COAs, 5. Attachment 5 photos, 6. Attachment 6 Public Comments, 7. Attachment 7 zoning permit ZP 22-12, 8. Attachment 8 Staff Report Ripe Choice, 9. Public Comment (Pauly), 10. Public Comment (Vejar), 11. Public Comment (Foster), 12. Public Comment (Hopkins), 13. Public Comment (DeLeon & Burch), 14. Public Comment (DeLeon & Burch) #2, 15. Public Comment Castelero), 16. Public Comment (Gallagher), 17. Public Comment (Butcher)

Date	Ver.	Action By	Action	Result
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Memorandum

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ITEM #3
May 26, 2022
9:15 a.m.

STAFF REPORT

TO: Planning Commission

FROM: Mary V. Darby, Director, Community Development Department

Prepared by: Eric Porter, Associate Planner

DATE: May 26, 2022

RE: The Ripe Choice Farm, UP 22-13 and CE 22-22

Location: 2550 Soda Bay Road, Lakeport

APN: 008-010-46

Supervisor District 4

- ATTACHMENTS:**
1. Vicinity Map
 2. Site Plan
 3. Agency Comments
 4. Proposed Conditions of Approval
 5. Photos of Barn Interior provided by Applicant
 6. Public Comments

I. EXECUTIVE SUMMARY

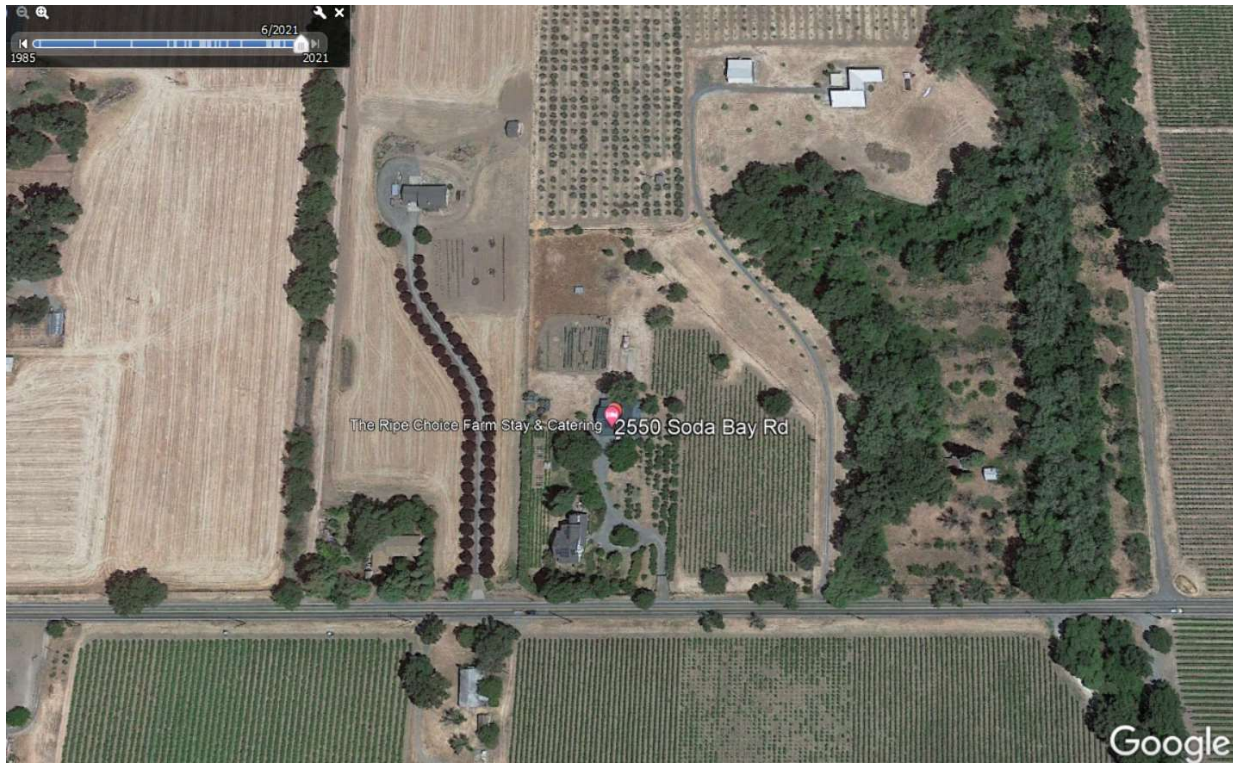
The applicant is requesting a major use permit to convert a portion of his 5+ acre lot to accommodate special events. The property contains a 116 year-old farmhouse, and a 100 year old barn that has been recently remodeled. The buildings are not on a historic registry. The application material submitted states that there will be between 1 and 2 events per month for up to 8 months per year; that the site can accommodate up to 75 cars and the events could have up to 100 people attending. The application states that there may be amplified music inside the barn for some events, and that the farmhouse, which contains a commercial kitchen, can supply food for the events (cater the events). Alcoholic beverages could be served, but each group renting the facility would need to coordinate with the California Dept. of Alcoholic Beverage Control to obtain event licenses. The barn contains an ADA restroom.

ZONING MAP OF SITE AND SURROUNDING AREA



Source: Lake County GIS Mapping

AERIAL PHOTO OF SITE AND VICINITY



Source: Google Earth Pro

Staff is recommending Approval with Conditions of UP 22-13 and adoption of Categorical Exemption

CE 22-22.

II. RECOMMENDATION

Staff recommends the Planning Commission:

A. Adopt Categorical Exemption (CE 22-22) for Major Use Permit (UP 22-13) with the following findings:

1. This project will not result in significant environmental impacts as the proposed use involves existing buildings that have historically been used for event venues, and no new development is proposed.
2. 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 22-13 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 the Lakeport Area Plan.
6. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property.

Sample Motions:

Categorical Exemption

I move that the Planning Commission find that the **Categorical Exemption (CE 22-22)** applied for by **Mark and Tammy Lipps** on property located at **1550 Soda Bay Road, Lakeport**, and further described as **APN: 008-010-46** 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 **May 26, 2022**.

Major Use Permit (UP 22-13)

I move that the Planning Commission find that the **Major Use Permit (UP 22-13)** applied for by **Mark and Tammy Lipps** on property located at **1550 Soda Bay Road, Lakeport**, and further described as **APN: 008-010-46** 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 **May 26, 2022**.

***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.*