



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Legislation Details (With Text)

File #: 22-605 **Version:** 1 **Name:**

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

File created: 6/7/2022 **In control:** Planning Commission

On agenda: 6/23/2022 **Final action:**

Title: 9:20 a.m. Public Hearing on Consideration of Major Use Permit (UP 21-14) and that a determination has been made that this project required a Mitigated Negative Declaration to consider the adoption of an Initial Study (IS 21-15). The applicant, MONTE CRISTO VINEYARDS, LLC is requesting a major use permit for twenty-two (22) A-Type 3 "Medium Outdoor" licenses, with a combined outdoor canopy area of 958,320 square feet. The project is located at 11230 and 11250 Cerrito Drive; Clearlake Oaks, CA 95423; further described as APN's: 006-007-17, 006-007-23, and 006-007-30.

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. 01 - UP 21-14 Monte Cristo Vineyards - Property Management Plan, 2. 02 - UP 21-14 Monte Cristo Vineyards - Site Plans, 3. 03 - UP 21-14 Monte Cristo Vineyards - Conditions of Approval, 4. 04 - UP 21-14 Monte Cristo Vineyards - Initial Study, 5. 05 - UP 21-14 Monte Cristo Vineyards - Hydrology Report, 6. 06 - UP 21-14 Monte Cristo Vineyards - Biological Assessment, 7. 07 - UP 21-14 Monte Cristo Vineyards - Mitigation Monitoring Reporting Program (MMRP), 8. 00 - UP 21-14 Monte Cristo Vineyards - Staff Report, 9. Public Comments (Monte Cristo) (Combined), 10. Proof of Publication UP 21-14 (Monte Cristo Vineyards LLC) PC 6-23-22, 11. Public Comment (Bjornson), 12. Public Comment (K Humphrey), 13. Public Comment Monte Cristo Petition Merged, 14. Public Comment (Swesey), 15. Public Comment (Wilk), 16. Public Comment (Pavon), 17. Public Comment (Winata), 18. Public Comment (Martin-Steele), 19. Notice of Intent (NOI) - UP 21-14 Monte Cristo, 20. Updated Drought Management Plan (UP 21-14), 21. Public Comment (Rivas-Duke & Mori), 22. Public Comment (Dharmapalan)

Date	Ver.	Action By	Action	Result
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Memorandum

Item #4

9:20 AM
June 23, 2022

STAFF REPORT

TO: Planning Commission

FROM: Mary Darby, Community Development Director

Prepared by: LACO Associates
Assigned Planner: Andrew Amelung, Cannabis Program Manager

DATE: June 23, 2022

RE: Monte Cristo Vineyards, LLC

- Major Use Permit (UP 21-14)
- Initial Study (IS 21-15)

Supervisor District 3 - Eddie "EJ" Crandell
Planning Commission - Batsulwin Brown

ATTACHMENTS:

1. Property Management Plan
2. Proposed Site Plans
3. Conditions of Approval
4. Initial Study
5. Hydrology Report
6. Biological Assessment
7. Mitigation Monitoring Reporting Program

I. **EXECUTIVE SUMMARY**

The proposed cultivation project will take place on 452.5-acre parcels located at 11250 Cerrito Drive, Clearlake Oaks, California, further described as Assessor's Parcel Number 006-007-17, 23, & 30. The total proposed project premise includes approximately 970,680 square feet (sq. ft.) of cultivation area and 958,320 sq. ft. of cannabis canopy. The cannabis plants will be grown in the existing native soil and cultivated under direct sunlight. The proposed cultivation canopy area will be located within three fenced-in cultivation areas, and improvements with the cultivation area include an 120 sq. ft. security center/shed; a 6,000 sq. ft. processing and harvesting storage facility on a concrete slab; two (2) 3,000 sq. ft. immature plant area/greenhouses; two (2) 120 sq. ft. pesticides and agriculture chemical storage; five (5) existing groundwater wells; one (1) 20 acre off stream water storage reservoir; an irrigation system using water pumps, polyvinyl chloride (PVC) piping, black poly tubing and drip tape; an existing residence; and an existing metal barn.

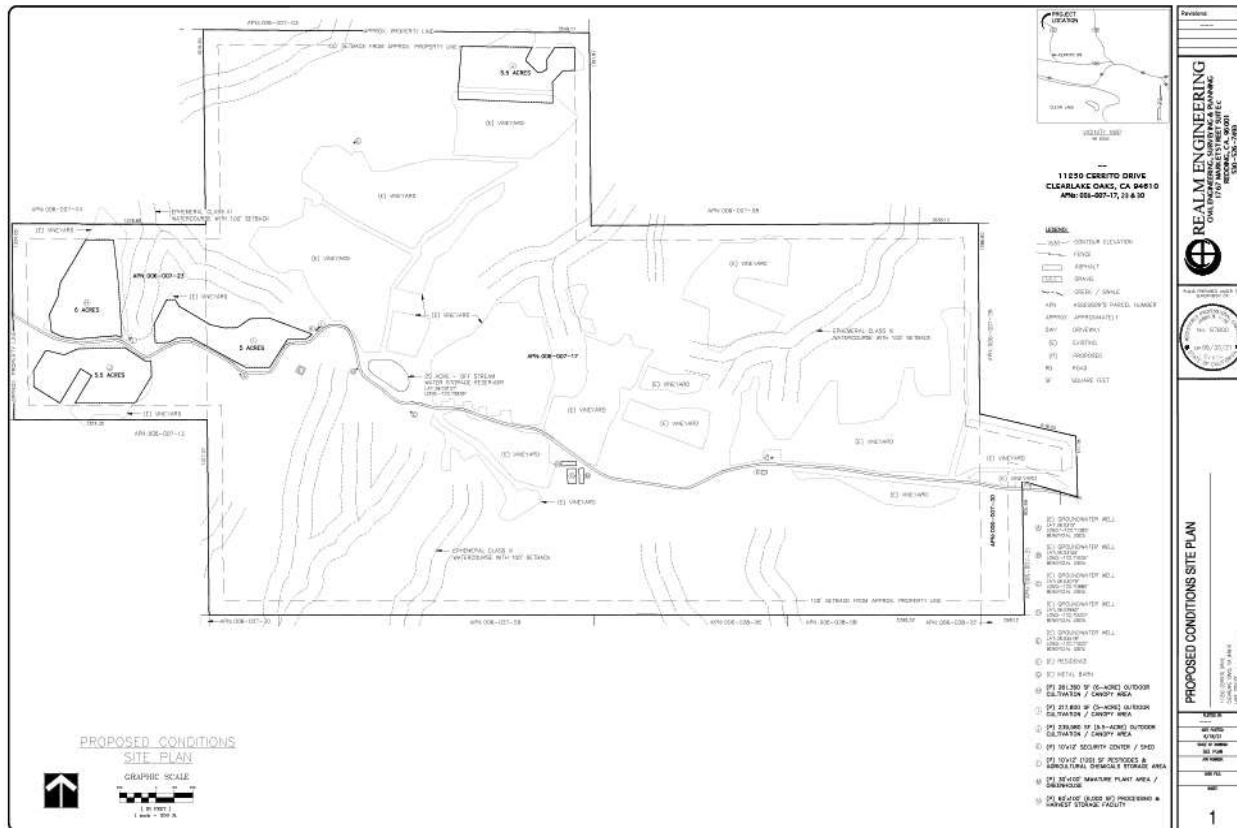


Figure 1. Monte Cristo Proposed Conditions Site Plan

II. RECOMMENDATION

Staff recommends the Planning Commission take the following actions.

A. Adopt Mitigated Negative Declaration (IS 21-15) for Major Use Permit (UP 21-14) with the following findings:

1. Potential environmental impacts related to aesthetics can be mitigated to less than significant levels with the inclusion of mitigation measures AES-1, and AES-2.
2. Potential air quality impacts 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 biological impacts can be mitigated to less than significant levels with the inclusion of mitigation measure BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, and BIO-6.
4. Potential environmental impacts related to cultural and Tribal resources can be mitigated to less than significant levels with the inclusion of mitigation measures CUL-1 and CUL-2.
5. Potential geology and soils can be mitigated to less than significant levels with the inclusion of mitigation measures CUL-1 and CUL-2.
6. Potential hydrology and water quality impacts can be mitigated to less than significant levels with the inclusion of mitigation measures BIO-1 through BIO-6, HAZ-1 through HAZ-8, and HYD-1, and HYD-2.

7. Potential noise impacts can be mitigated to less than significant levels with the inclusion of mitigation measures NOI-1 and NOI-2.
8. Potential tribal cultural resources impacts can be mitigated to less than significant levels with inclusion of mitigation measures CULT-1 through CULT-5.
9. This project is consistent with land uses in the vicinity.
10. This project is consistent with the Lake County General Plan, Lakeshore Communities Area Plan, and Zoning Ordinance.
11. Any changes to the project will require either an amended Use Permit or a new Use Permit unless the Community Development Director determines that any changes have no potential environmental impacts.
12. As mitigated through specific conditions of approval, this project will result in less than significant environmental impacts.

B. Approve Major Use Permit UP 21-14 with the following findings:

1. That the establishment, maintenance, or operation of the use applied for will not under the circumstances, 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. There are adequate services to serve the project.
5. This project is consistent with the Lake County General Plan, Shoreline Communities Area Plan, and Lake County Zoning Ordinance.
6. No violation of Chapter 5, 17, 21, 23 or 26 of the Lake County Code currently exists on this property, with a condition of approval implemented.
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 **Major Use Permit (UP 21-14)** applied for by **Monte Cristo Vineyards, LLC** on property located at **12250 Cerrito Drive, Clearlake Oaks**, further described as **APN: 006-007-17, -23, and -30** 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 **June 23, 2022**.

Major Use Permit (UP 21-14)

I move that the Planning Commission find that the **Major Use Permit (UP 21-14)** applied for by **Monte Cristo Vineyards, LLC** on property located at **11250 Cerrito Drive, Clearlake Oaks**, further described as **APN: 006-007-17, -23, and -30**

does meet the requirements of Section 51.4 and Article 27, Section 1 [i,ii(g),i(ii)] 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 **June 23, 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, 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*