



## Legislation Details (With Text)

**File #:** 22-839      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 7/29/2022      **In control:** BOARD OF SUPERVISORS  
**On agenda:** 8/2/2022      **Final action:**  
**Title:** ADDENDUM - Consideration of appealing Planning Commission decision Re: Bottle Rock Farm FJA Trust Cannabis Project  
**Sponsors:** Bruno Sabatier  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 2022 Appeal to the BOS AB

Date	Ver.	Action By	Action	Result
8/2/2022	1	BOARD OF SUPERVISORS		

### Memorandum

**Date:** August 2, 2022  
**To:** The Honorable Lake County Board of Supervisors  
**From:** District 2 Supervisor, Bruno Sabatier  
**Subject:** Consideration of appealing Planning Commission decision Re: Bottle Rock Farm FJA Trust Cannabis Project

#### Executive Summary:

On July 28, 2022, the Planning Commission voted 3-0 to approve the Bottle Rock Farm FJA Trust Cannabis Project. Based on zoning ordinance Chapter 21, Article 51, Section 51.4 (a). It states:

"The Review Authority may only approve or conditionally approve a major use permit if all of the following findings are made:"

#### #6 of this section states:

"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."

The violations that still remain on the project property, including within the project scope, as stated by Community Development and Code Enforcement during the public hearing were the following:

- cannabis plants in the ground prior to obtaining appropriate county permit

- unresolved grading issues
- unresolved issues regarding unpermitted buildings on the property

**If not budgeted, fill in the blanks below only:**

Estimated Cost: \_\_\_\_\_ Amount Budgeted: \_\_\_\_\_ Additional Requested: \_\_\_\_\_ Future Annual Cost: \_\_\_\_\_

**Consistency with Vision 2028** (check all that apply):

☒ Not applicable

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Well-being of Residents | <input type="checkbox"/> Public Safety               | <input type="checkbox"/> Disaster Prevention, Preparedness, Recovery |
| <input type="checkbox"/> Economic Development    | <input type="checkbox"/> Infrastructure              | <input type="checkbox"/> County Workforce                            |
| <input type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake                                  |

**Recommended Action: Approve submitting the application to appeal Bottle Rock Farm FJA Trust Cannabis Project**