



Legislation Text

File #: 20-194, Version: 1

Memorandum

DATE: March 2, 2020

RE: HENNP Inc.; Major Use Permit (UP 19-06), Grading Permit (BLD 19-01695) and Initial Study (IS 19-11)

Supervisor Districts 1 and 5

- ATTACHMENTS:**
1. Vicinity Map
 2. Property Management Plan (available upon request)
 3. Agency Comments
 4. Proposed Conditions of Approval
 5. Existing and Proposed Site and Grading Plans
 6. Initial Study IS 19-11
 7. Tree Removal Study

I. EXECUTIVE SUMMARY

The applicant is requesting a major use permit for **(1) A-Type 3 (medium outdoor) cultivation area** consisting of 54,560 square feet (s.f.) of cultivation area, a 6,000 s.f. greenhouse for 'starts' (immature plants), and a 5,000 s.f. drying building on APN: 012-004-03, location is 13200 Seigler Canyon Road, Lower Lake. Of this cultivation area, the applicant is proposing 43,560 s.f. of canopy area. The applicant has also applied for a **Grading Permit** in order to assure that the relocated interior accessway complies with *Public Resource Code* (PRC) 4290 and 4291 regarding road slope, width and other PRC requirements. The property was burned in the 2015 Valley Fire and has no buildings. Lastly, the applicant is applying for a **Type 13 Self Distribution license**.

The proposed Propagation and Seed Production Facility will be composed of a 6,000 s.f. (50' X 120') greenhouse structure, with steel frames and polycarbonate glaze/coverings. The proposed Processing Facility, in which harvested cannabis will be processed, packaged, and stored, will be composed of a 5,000 s.f. (50' X 100') insulated metal building. Proposed ancillary facilities include ten 5,000-gallon plastic water storage tanks (irrigation and fire suppression water storage), a ground mounted 32-panel solar array and battery bank (primary energy source for the proposed cultivation operation), a 120 s.f. wooden materials storage shed (secure Pesticides and Agricultural Chemicals Storage Area/Facility), and an 80 s.f. wooden guard shack.

The applicant also seeks Self Distribution of cannabis to and from the site; this is permitted in Lake County to a licensee that is approved for a use permit upon request by the licensee

The California Department of Food and Agriculture (CalCannabis) plays a significant role in regulating cannabis cultivation activities once the local land use approval is issued. The Lake County Community Development Department regulates among other things odor control, and a standard condition of approval requires an Odor Control Plan for each cultivation site. Some oak trees will be removed by this action; the applicant has provided a Tree Removal Plan that is included within this staff report and its attachments. The site is already partially cleared from prior Medicinal Marijuana cultivation that was approved in 2017 under former Article 72 of the Lake County Zoning Ordinance.

Staff is recommending **Approval with Conditions** of **UP 19-06** and **Grading Permit 19-01695**.

Recommended Action:

Sample Motions:

Mitigated Negative Declaration

I move that the Planning Commission find that the **Initial Study (IS 19-11)** applied for by **HENNP Inc.** on property located at **13200 Seigler Canyon Road, Lower Lake**, and further described as **APN: 012-004-03** 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 **March 2, 2020**.

Major Use Permit (UP 19-06)

I move that the Planning Commission find that the **Use Permit (UP 19-06)** applied for by **HENNP Inc.** on property located at **13200 Seigler Canyon Road, Lower Lake**, and further described as **APN: 012-004-03** 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 **March 2, 2020**.

Grading Permit (BLD 19-01695)

I move that the Planning Commission find that the **Grading Permit (BLD 19-01695)** applied for by **HENNP Inc.** on property located at **13200 Seigler Canyon Road, Lower Lake**, and further described as **APN: 012-004-03** does meet the requirements of Section 30.28.3 of the Lake County Code and the Grading Permit be granted subject to the conditions and with the findings listed in the staff report dated **March 2, 2020**.

***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 calendar day following the Commission's final determination.*