



Legislation Text

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Memorandum

Item 1
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April 22, 2021

STAFF REPORT

TO: Planning Commission

FROM: Scott DeLeon, Community Development Director
Tocarra Thomas, Deputy Director
Prepared by: Victor Fernandez, Assistant Planner

DATE: April 12, 2021

RE: Work Right Building LLC; Major Use Permit (UP 19-47), Categorical Exemption (CE 21-06), and Early Activation (EA 20-50) APN: 008-032-51

ATTACHMENTS:

1. Vicinity Map
2. Property Management Plan
3. Agency Comments
4. Proposed Conditions of Approval
5. Site Plans

Supervisor District 4 - Supervisor Scott
Planning Commission - Commissioner Price

I. **EXECUTIVE SUMMARY**

The applicant is requesting approval of a Major Use Permit and to allow the following licenses:

- One (1) **Type 6: "Non-Volatile Cannabis Manufacturing License"**: The manufacture cannabis products for medicinal cannabis use using nonvolatile solvents, or no solvents, as defined by the Business and Professions Code, Section 40100.
- One (1) **"Cannabis Processor License"**: A Permittee that conducts only trimming, drying, curing, grading, packaging, or labeling of cannabis and non-manufactured cannabis products.
- One (1) **Type 11: "Cannabis Distributor License"**: The procurement, sale, and transport of cannabis and cannabis products between entities licensed pursuant to California Code.

The proposed use will occur within an existing building at 4615 Work Right Circle, Lakeport, CA. The nearest residence is located approximately 0.2 miles south from the building. The nearest youth oriented facility is located approximately 1.2 miles northeast from the building and the nearest church is located approximately 3.8 miles north. The existing Work

Right building has 60,000 square feet of existing manufacturing/industrial/warehouse space and additionally a 7,500 square foot office space. The proposed use consists of the following:

- 48,100 square foot **Processing Area** within existing building. Processing would include trimming, drying, curing, grading, packaging, and labeling of cannabis and non-manufactured cannabis products.
- 690 square foot **Manufacturing Area** (Type 6 License) within existing building. Manufacturing would include non-volatile crude cannabis oil extraction using an ethanol based extraction system. Activities could include manufacturing or infused pre-rolls and would include packaging and labeling.
- 1,810 square foot **Distribution Area** (Type 11 License) within existing building. Distribution would include the procurement, sale, and transport of cannabis and cannabis products between licensed entities.
- 900 square foot Compost Area.
- 7,500 square foot Office Space within existing building.

Additionally, water will be supplied by an existing on site well, all activities will use the existing infrastructure which includes parking and restrooms.

The site operations will be closed to the public. Visitations will only be allowed when specific permission is granted via operations requests forms. The hours of operation are proposed as follows:

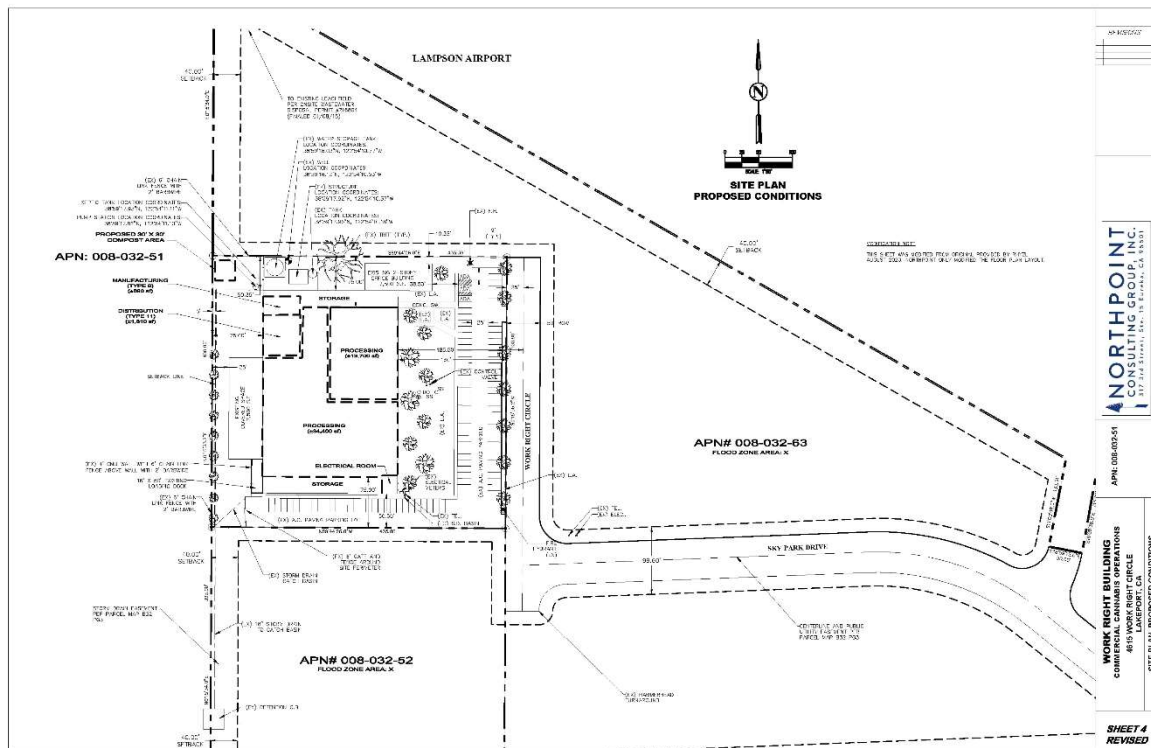
- Off-Season
 - Monday through Friday (7:00 am to 5:00 pm) approximately December through September.
- Harvest/Processing Season
 - Monday through Sunday (6:00 am to 8:00 pm) approximately September through December.

The existing site has approximately 95 parking spaces (paved). The proposed manufacturing, distribution, and processing will require approximately 12 full time employees, year round. Seasonal employees (contracted labor) will be acquired during the harvesting/processing season, approximately September through December. All seasonal employees will either be shuttled to the site or required to carpool to the site, reducing the required parking. Additionally, during peak season the number of vehicle trips (including deliveries/shipments/distribution) is approximately 2 to 6 deliveries trips.

The site has an existing security system that prevents unauthorized access to the building and site. The site has an existing security fence system that provides a physical barrier to the rear end of the premises. No foot traffic will be authorized entry through rear security fencing. Signs will be located at the driveway approach to direct all visitors to sign in at the front office. Additionally, all doors are equipped with commercial locking doors. The doors will be equipped with a combination security lock that is restricted by each premises department. Additionally an onsite security guard will monitor the vehicles and personnel entry and exit to the site as well.

The road leading to the project parcel is fully paved with storm water drainage and sewer system to remove roadways contamination from the public waterways. The project parcel is flat and the proposed project does not include new construction or grading. Two existing waste bins are located on site (8'X20' roll-off dumpsters with lids). Additionally, recyclables will be segregated from solid waste and stored in bins. At weekly intervals, the waste will be transferred by truck in trash cans with tight lids and deposited in an appropriate recycling facility. The applicant anticipates the following items for waste generation: Paper, glass, metal, electronics, plastic, organics, inerts (sand and concrete), household hazardous waste, special waste, and mixed residue.

Chemicals will be stored inside, in approved chemical storage areas so that storm water is not contaminated. Chemicals will be properly labeled, properly segregated, and open containers will be sealed when not in use. The applicant proposes to utilize Material Safety Data Sheets for each chemical used at the facility. No vehicle and equipment fueling, or maintenance is proposed. Additionally, there is a dedicated area (that will be under surveillance) where cannabis waste will be handled. Cannabis waste will be rendered unusable and unrecognizable and disposed of at a licensed facility.



Proposed Site Plan

Staff is recommending **conditional approval** of Major Use Permit (19-47).

I. RECOMMENDATION

Staff recommends the Planning Commission:

A. Find that this project has been found to be Categorically Exempt from CEQA as a Class 1 Exemption.

1. The project is consistent with CEQA Categorical Exemption, Class 1 (Existing Facilities), which consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.
2. This project remains consistent with the Lake County General Plan, Kelseyville Area Plan, and Lake County Zoning Ordinance.
3. There has been no change in the project which would create a new significant environmental impact.
4. The project is consistent with land uses in the vicinity.
5. This project will not result in any significant adverse environmental impacts.

B. Approve Use Permit UP 19-47 with the following findings:

1. That the establishment, maintenance, or operation of the use applied for 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 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, Kelseyville 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.

Sample Motions:

Categorical Exemption

I move that the Planning Commission find that the **Categorical Exemption (CE 21-06)** applied for by **Work Right Building, LLC** on property located at **4615 Work Right Circle, Lakeport, CA** and further described as **APN: 008-032-51** will not have a significant effect on the environment and therefore a Categorical Exemption shall be approved with the findings listed in the staff report dated **April 12, 2021**.

Major Use Permit (UP 19-47)

I move that the Planning Commission find that the **Major Use Permit (UP 19-47)** applied for by **Work Right Building, LLC** on property located at **4615 Work Right Circle, Lakeport, CA**, further described as **APN: 008-032-51** does meet the requirements of Section 51.4 and Article 27, Section (aaa), (au), (av), and (ax) 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 **April 12, 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, 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.*