



## Legislation Text

File #: 21-421, Version: 1

### Memorandum

### STAFF REPORT

**TO:** Planning Commission

**FROM:** Scott DeLeon, Community Development Director  
Tocarra Thomas, Deputy Director  
Prepared by: Sateur Ham, Assistant Planner

**DATE:** May 13, 2021

**RE:** **Bottle Rock Herbal Medicine, LLC**

- **Major Use Permit (UP 20-37)**
- **Initial Study (IS 20-46)**

Supervisor District Jessica Pyscka  
Planning Commissioner Lance Williams

**ATTACHMENTS:**

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

### I. EXECUTIVE SUMMARY

Bottle Rock Herbal Medicine, LLC. is requesting approval of a Major Use Permit for Commercial Cannabis Cultivation *(the cultivation of commercial cannabis includes the planting, growing, harvesting, drying, curing, grading, trimming, and/or any combination of those activities, including processing)* at 13095 & 13130 Bottle Rock Road, Cobb, CA on Lake County APN 011-039-37 & 011-039-38 as one legal lot. The applicant's proposal includes three **(3) A-Type 3 "Outdoor" License**, outdoor cultivation for adult-use cannabis without the use of light deprivation and/or artificial lighting in the canopy area of one acre in size per licenses. The cultivation area will take place in two site locations totaling up to 5.3 acres and is as follows:

Site A: 90,000 square feet canopy area within 160,000 square feet cultivation area  
Site B: 40,000 square feet canopy area within 70,000 square feet cultivation area

The project does not consist of any construction of new structures with the project parcel. The applicant will utilize and convert existing structures such as the cafeteria, existing restroom facility, barn, recreational hall, and several outbuildings.

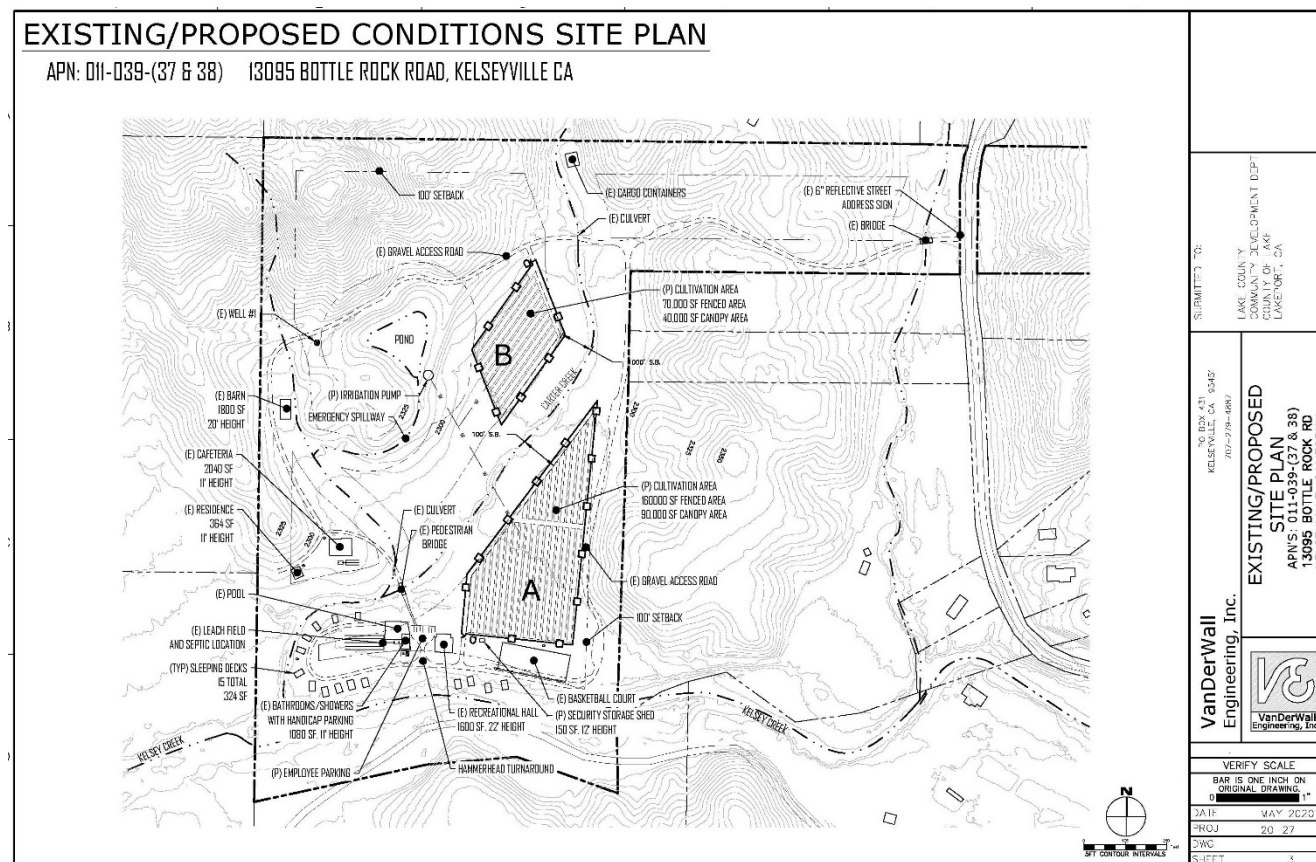


Figure 1. Proposed Site Plan and Cultivation Area

Staff is recommending approval of Major Use Permit, UP 20-37, and the adoption of a Mitigated Negative Declaration based on the environmental analysis (Initial Study, IS 20-46) with the incorporated Mitigation Measures and Conditions of Approval.

# I. RECOMMENDATION

**Staff recommends that the Planning Commission take the following actions:**

## A. Adopt Mitigated Negative Declaration (IS 20-46) for Major Use Permit (UP 20-37) with the following findings found in Attachment 5:

1. Potential aesthetics impacts can be mitigated to less than significant levels with the inclusion of mitigation measures AES-1 through AES-3.
2. Potential air quality impacts can be mitigated to less than significant levels with the inclusion of mitigation measures AQ-1 through AQ-5.
3. Potential biological impacts can be mitigated to less than significant levels with the inclusion of mitigation measures BIO-1 through BIO-8.
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-3.
5. Potential geology and soils can be mitigated to less than significant levels with the inclusion of mitigation

measures GEO-1 through GEO-6.

6. Potential hazards and hazardous materials can be mitigated to less than significant levels with the inclusion of mitigation measures HAZ-1 through HAZ-7.
7. Potential hydrology and water quality impacts can be mitigated to less than significant levels with the inclusion of mitigation measures HYD-1 through HYD-5.
8. Potential noise impacts can be mitigated to less than significant levels with the inclusion of mitigation measures NOI-1 through NOI-3.
9. This project is consistent with land uses in the vicinity.
10. This project is consistent with the Lake County General Plan, Cobb Mountain 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 20-37 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, Cobb Mountain 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 application complies with the qualifications for a permit described in Chapter 21, Article 27, Section 1.ii and attachments 1 through 6.

**Sample Motions:**

**Mitigated Negative Declaration**

I move that the Planning Commission find that the **Major Use Permit (UP 20-37)** was applied for by **Bottle Rock Herbal Medicine, LLC. (Charleen Wignall)** on property located at **13095 & 13130 Bottle Rock Road, Cobb, CA**, further described as **APNs: 011-039-37 & 011-039-38** 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 13, 2021**.

**Major Use Permit (UP 20-37)**

I move that the Planning Commission find that the **Major Use Permit (UP 20-37)** was applied for by **Bottle Rock Herbal**

**Medicine, LLC. (Charleen Wignall)** on property located at **13095 & 13130 Bottle Rock Road, Cobb, CA**, further described as **APNs: 011-039-37 & 011-039-38** does meet the requirements of Section 51.4 and Article 27, Section 1(at) [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 **May 13, 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 fees must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Commission's final determination.*