



Legislation Text

File #: 21-628, **Version:** 1

Memorandum

STAFF REPORT

TO: Planning Commission

FROM: Community Development Department

Prepared by: Kimley Horn

Edited by: KS/EJP

DATE: July 8, 2021

RE: SourzHVR Inc; Major Use Permit (UP 21-10), Initial Study (IS 21-10), Mitigated Negative Declaration

Supervisor District 1

- ATTACHMENTS:**
1. Vicinity Map
 2. Property Management Plan
 3. Agency and Public Commentary
 4. Proposed Conditions of Approval
 5. Site Plans
 6. Biological Assessment
 7. Initial Study (IS 21-10)

I. EXECUTIVE SUMMARY

The applicant is requesting approval of a Use Permit for commercial cannabis cultivation, distribution, and a nursery located at 11650 High Valley Rd in Clearlake Oaks, CA 95423. The project property includes a total of seven separate parcels, 006-004-07 (649.28 acres), 006-004-24 (429.31 acres), 006-004-25 (10.85), 006-004-06 (39.60 acres), 006-002-04 (321.74 acres), 006-002-09 (103.35 acres), and 006-009-36 (85.83 acres) totaling 1,639.96 acres. The proposed project site is located approximately 7 miles northwest of the City of Clearlake, CA, at 11650 High Valley Road. The proposed cultivation and related activities would occur within APN 006-004-07 (project site).

The proposed project includes (80) A-Type 3 “outdoor” licenses for 80 acres of outdoor cannabis cultivation, (1) Type 11 “distribution” license to transport cannabis goods, and (1) A-Type 4 “nursery” license for the propagation of small

plants and to conduct research and development in accordance with California Code of regulations Section 8302. The applicant is also proposing construction of 11 buildings totaling 111,000 ft², including one refrigeration building (*Please refer to Attachment 5 for full building design details*). These buildings will be utilized for the drying and storage of product and materials and to facilitate overall operations. Lastly, the project includes the use of an existing 13,000 sf conference center for packing, distribution (shipping and receiving), and other ancillary uses such as office space. No internal or external improvements to this structure are proposed.

Staff is recommending approval of Major Use Permit UP 21-10, and the adoption of a Mitigated Negative Declaration based on the environmental analysis (Initial Study IS 21-10) with the incorporated Mitigation Measure and Conditions of Approval.

II. RECOMMENDATIONS

Staff recommends that the Planning Commission:

A. Accept the finding of a Mitigated Negative Declaration

1. The project is consistent with CEQA.
2. Potential environmental impacts related to air quality can be mitigated to less than significant levels with the inclusion of mitigation measures AQ-1, AQ-2, AQ-3, AQ4, AQ-5, AQ-6, AQ-7 and AQ-8.
3. Potential environmental impacts related to biological resources can be mitigated to less than significant levels with the inclusion of mitigation measures BIO-1, BIO-2, and BIO-3.
4. Potential environmental impacts related to cultural resources can be mitigated to less than significant levels with the inclusion of mitigation measures CUL-1, CUL-2, and CUL-3
5. Potential environmental impacts related to noise can be mitigated to less than significant levels with the inclusion of mitigation measures NOI-1, NOI-2, and NOI-3.
6. This project remains consistent with the Lake County General Plan, Shoreline Communities Area Plan and the Lake County Zoning Ordinance.
7. This project is consistent with land uses in the vicinity.
8. This project will not result in any significant adverse environmental impacts.

B. Approve Major Use Permit, UP 21-10 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. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
3. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use.

4. That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection 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. 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.
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 Initial study prepared for Major Use Permit (UP 21-10) applied for by SourzHVR Inc on a property located at 11650 High Valley Rd, 4919 New Long Valley Rd, 4963 New Long Valley Rd, 10788 High Valley Rd, 10750 High Valley Rd, 10945 High Valley Rd, 4491 New Long Valley Rd, in Clearlake Oaks, CA 95423, further described as APN: 006-004-06; 006-004-07; 006-004-25; 006-002-04; 006-009-36; 006-004-24; 006-002-09, based on the findings set forth in Staff Report dated July 8, 2021.

Major Use Permit (UP 21-10)

I move that the Planning Commission find that the Major Use Permit (UP 21-10) prepared for the project proposed by SourzHVR Inc on a property located at 11650 High Valley Rd. Clearlake Oaks, CA, further described as APN: 006-004-06; 006-004-07; 006-004-25; 006-002-04; 006-009-36; 006-004-24; 006-002-09 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 May 11, 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.*