

LAKE COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

December 10, 2020

Commission Members

P John Hess, District I
P Everardo Chavez, District II
A Batsulwin Brown, District III
P Christina Price, District IV
P Lance Williams, District V

Staff Members

P Scott DeLeon, CDD Director
P Tocarra Thomas, Deputy Director
P Eric Porter, Associate Planner
P Nicole Johnson, Deputy Cty Counsel
P Trish Turner, Office Assistant

REGULAR MEETING

9:00 a.m. CALL TO ORDER

Pledge of Allegiance

9:02 a.m. ACTION ON MINUTES

Comm. Price Made a motion, 2nd by Comm. Chavez To approve the minutes from the December 10, 2020 Planning Commission hearing.

4 Ayes, 0 No (Comm. Brown is absent) – Motion carried, approved by roll call vote.

9:04 a.m. EXTRA ITEM:

- (a) Consideration of “extra” agenda item to add the item “election of officers: Chair and Vice-chair” to the agenda; and**
- (b) Election of Officers: Chair and Vice-Chair**

Tocarra Nicole Thomas, Deputy Director CDD, we have to have elections for Chair and Vice Chair. Per the by-laws the first meeting of the year has to have the elections. On January 11, 2021 it came to my attention that the agenda for January 14, 2021 did not have this item on it. I wish to place an item on the agenda as an “extra item” for the elections of Chair and Vice Chair. The Planning Commission by-laws, Article 3 section 1 requires the election of officers to be held in the first annual meeting of the year, which is January 14, 2021. I ask the commission to find immediate action needs to be taken to hold an election, as an extra item.

Nicole Johnson, County, I think you need to open to public comment before making the motion.

9:06 a.m. Public Comment – None

9:07 a.m. Closed Public Comment

Comm. Price made motion 2nd by Comm. Chavez to approve the extra item.

4 Ayes, 0 No (Comm. Brown is absent) – Motion carried, approved by roll call vote.

Comm. Price made a motion 2nd by Comm. Williams to approve election of the chair and vice chair.

4 Ayes, 0 No (Comm. Brown is absent) – Motion carried, approved by roll call vote.

Comm. Hess, I believe that it is Comm. Brown's turn in chronological order to be chair.

Tocarra Nicole Thomas, Deputy Director CDD, I believe so, however since he is not present, I am not sure if we would be able to elect him.

Nicole Johnson, County Counsel, the by-laws simply require an election for chair and vice chair. There is nothing in the by-laws stating an order be followed. If those present choose to nominate and elect someone that is present here today, that would be valid.

Comm. Hess, my preference would be "to give everyone a turn in the chair". It seems like Comm. Brown due to longevity would be next in line. Comm. Price would then be Vice Chair. That is the motion I would like to make.

Comm. Price made motion 2nd by Comm. Chavez for Comm. Brown to be Chair and Vice Chair is Comm. Price

4 Ayes, 0 No (Comm. Brown is absent) – Motion carried, approved by roll call vote.

9: 00 a.m. CITIZEN'S INPUT - None

Any person may speak for three minutes about any subject of concern, provided that it is within the jurisdiction of the Planning

Commission, and is not already on today's agenda or scheduled for a future public hearing. Total time allotted for Citizen's Input shall be fifteen minutes. Speakers are requested to complete a simple form (giving name, address and subject) available in the Community Development Department office, prior to 9:00 a.m.

Agendas of public meetings and supporting documents are available for public inspection in the Lake County Courthouse, Community Development Department, Third Floor, 255 North Forbes Street, Lakeport, California

Request for Disability-Related Modification or Accommodation: A request for a disability-related modification or accommodation necessary to participate in the Planning Commission meetings should be made in writing to the Planning Commission Assistant at least 48 hours prior to the meeting.

9:10 A.M. Public Hearing on Consideration off a Major Use Permit (UP 19-08) and a Mitigated Negative Declaration based on Initial Study (IS 19-14). The project applicant Golden State Herb / Crystal Keesey is proposing a (1) A-Type 3 "medium outdoor" license; (4) A-Type 2 "small outdoor" licenses, and (1) A-Type 13 "self-distribution" license. The project also proposes two 120 sq. ft. sheds for use as chemical and data storage for the security system. The two cultivation areas will be enclosed in a 6' tall metal fence that will be screened. The total proposed cultivation area will be about two acres in size based on the material submitted to the County. The project is located at 8550 Highway 175, Kelseyville, further described as APN 011-055-06

Eric Porter, Associate Planner, gave a verbal presentation of the project.

Tocarra Nicole Thomas, Deputy Director CDD, unfortunately, the new zoning ordinance goes into effect today. The 1000 ft. setback would severely impact the potential cultivation area for this project. We would like this commission to continue this item. This board has discussed some language of providing grandfather clauses into that ordinance. What that means is if a permit has been in the process for some time, like this one has, and the ordinance would impact the project, then the language allows it to be grandfathered in and the setback would not apply. That grandfather language has not been included into the ordinance. It would have to go back before the Board of Supervisors and the Planning Commission at a future date. Staff would like to continue this item until

that language regarding the grandfather clause can be added to the ordinance.

Comm. Price would like to know if there is a statute of limitation on how far back that clause can go.

Tocarra Nicole Thomas, Deputy Director CDD, which is something that can be discussed at the Board level.

Comm. Hess, would like to come to a conclusion on total square footage of the project.

Eric Porter, Associate Planner, I will clarify that with the applicant.

Comm. Price, stated she did go walk the property on January 13, 2021.

9:20 a.m. Open Public Comment

Crystal Keesey, project applicant, I would like to thank the commission for hearing our project. Our highest priorities are being good neighbors in our community and being good corporate citizens in Lake County. To have a secure and world class cannabis cultivation facility. To practice excellent land stewardship, we would like to contribute the community outside of our work. This is a woman owned family business. We are really excited about the opportunity to operate in Lake County. Being a woman owned business is difficult and with Covid it is even more challenging. Then adding cannabis into it, makes it that much more difficult. I would like to thank the Lake County staff, particularly Eric Porter. To clarify the question regarding square footage: We are proposing (1) Medium outdoor canopy at 43,560 sq. ft. of canopy, than we are proposing (4) 10,000 sq. ft. state licenses. 2 Acres total of canopy area, however anyone in the industry knows, that pest management on foot of 2 acres of canopy is quite a task, if we can employ regular agriculture practices with adequate spacing. We can protect our workers and reduce the time by using farm equipment.

Comm. Williams 2nd by Comm. Hess makes a motion to continue this item to a future date.

Nicole Johnson, County Counsel, you would have to either withdraw the motion or considered. You do not have to have a date for the continuance. The public comment will remain pen when this returns. Staff will also have to give legal notice again when this comes back to the Planning Commission.

4 Ayes, 0 No (Comm. Brown is absent) – Motion carried, approved by roll call vote.

Public comment remains open when the item comes back into the Planning Commission.

9:29 a.m. Public Hearing on Consideration of a Mitigated Negative Declaration based on Initial Study (IS 19-45) for Parcel Map (19-03). The applicant William Clark is proposing two (2) parcel land division. The 16.17 acre property would be divided into two parcels. Parcel A would be 10.17 acres; Parcel B would be 6.00 acres in gross area. The property currently contains two single family dwellings, several small sheds, a well for potable water, and two internal driveways. The project is located at 8845 Red Hills Rd, Kelseyville, further described as APN 011-015-16

Eric Porter, Associate Planner, is giving a verbal presentation.

Scott Deleon the existing residence on proposed parcel b. currently obtains access through Red Hills Road through a recorded easement. It's shown on the tentative map as Book 815 of official record page 446. That provides the access to the home on proposed Parcel B. That easement does not meet the minimum county requirements for width for off track dedicated access easements. Parcel b was designed as a flag lot, in order to provide access to Red Hills Road. That easement has been in place many years if not decades. To prepare for the future so anyone understands, if that driveway is ever modified it would have to be upgraded to standards. I propose to replace condition F2 with a note shall be placed on the final map, that any driveway construction in flagged portion of Parcel B, shall require a County of Lake Encroachment permit and adhere to Cal Fire construction standards for a residential driveway.

Comm. Hess is that something the applicant has agreed to?

Scott Deleon, CDD Director, we have spoken with the applicant as well as Conser Land Surveying. They have agreed to it.

Scott Deleon condition a1 where it refers to the tentative parcel map, I would like to state that is was received on February 20, 2020.

Eric Porter, Associate Planner, is finishing his verbal presentation.

9:38 a.m Open Public Comment

Steve Bellah, Consers Land Surveying, representing the applicant, would like to address the condition for item number 2. We can put that as a note on the final map. Is that correct Scott? That would be good for me.

Scott Deleon, CDD Director, yes put it on the final map and getting rid of condition F2.

Steve Bellah, Consers Land Surveying, that would be good for me.

William Clark, applicant, no comment

9:41 a.m. Closed Public Comment

Comm. Chavez 2nd by Comm. Hess That the Planning Commission find on the basis of the Initial Study (IS 19-45) prepared by the Planning Division and no mitigation measures were added to the project, that the Parcel Map, PM 19-03 as applied for William Clark on property located at 28845 Red Hill Road, Kelseyville, CA 95451; APN: 011-015-16 will not have a significant effect on the environment and thereof, recommend the Planning Commission approve the proposed Negative Declaration with the findings listed in the Staff Report dated January 14, 2021.

4 Ayes, 0 No (Comm. Brown is absent) – Motion carried, approved by roll call vote

Comm. Chavez 2nd by Comm. Hess that the Planning Commission find that the Tentative Parcel Map, (PM 19-03) applied by William Clark on property located at 28845 Red Hill Road, Kelseyville, CA 95451; APN: 011-015-16 is in conformity with the provisions of the Subdivision Map Act and Chapter 17 of the Lake County Code and the Lake County Zoning Ordinance, and upon that basis approve said map subject to the conditions and with the findings listed in the Staff Report dated January 14, 2021, as amended today January 14, 2021.

4 Ayes, 0 No (Comm. Brown is absent) – Motion carried, approved by roll call vote

UNTIMED STAFF

9:45 a.m. Lake County Cannabis Website

Tocarra Nicole Thomas, CDD Deputy Director, would like to present the launch of our new website for cannabis. Which includes information

regarding what a person needs for cannabis cultivation. It has all the information needed with a click of a button.

9:48 a.m. Office News

Tocarra Nicole Thomas, CDD Deputy Director, I would like to take a minute and publicly highlight Trish Turner. For stepping up as Office Assistant III, she has done an admiral job with jut being thrown into it. She has learned things on the fly. She has taken the initiative to help us get organized. So I wanted to say thank you Trish in the Planning Commission and for the public. Happy New Year to everyone.

Comm. Price, the website looks really nice.

Comm. Hess, yes it is very spiffy and user friendly.

Tocarra Nicole Thomas, CDD Deputy Director, it was a team effort. I specifically want to thank Katherine Schaefer, the planning team, the CDD department, and all of the people who gave comments and feedback.

Comm. Price, Commissioner Williams did you want to say anything?

Comm. Williams, I want to thank CDD for the website, it has so many answers to questions that are always coming up. I also want to thank Trish, because you have helped me get into this place and very informative.

Scott Deleon, CDD Director, Tocarra stole my thunder, and I am happy she did. I also would like to commend Trish on her outstanding work. I also would like to say we promoted Ray Kehoe to the Chief Building Official. He joined our team as a storm water inspector, He has been promoted and is doing an excellent job. He has fit right in with the staff. The building division has hit a stride. We are struggling I will admit that. We have a lot of work to do. We have opening in key positions. We are working on getting those positions filled, doing interviews, trying to find those that are "right" fit people for those positions. We are gaining momentum. I am looking forward to the New Year. To not only build our team but to improve our service to the citizens of the county. We are looking forward to work with all of you. Lance welcome aboard. I think you will be a great addition to the overall team. You bring such unique perspective.

Comm. Hess, Lance welcome aboard.

Comm. Price, Lance welcome aboard, you are all around a class act, we are lucky to have you.

9:52 ADJOURNED –

Christina Price, Vice Chair
Lake County Planning Commission

Respectfully Submitted,

By: _____
Trish Turner
Planning Commission Assistant