

LAKE COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

July 8, 2021

Commission Members

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

Staff Members

A Carol Huchingson, Interim Deputy Director
P Eric Porter, Associate Planner
P Katherine Schaefer, Assistant Planner
P Nicole Johnson, Deputy City Counsel
P Kerrian Marriott, Office Assistant III

REGULAR MEETING

9:00 a.m. CALL TO ORDER

Pledge of Allegiance lead by Comm. Brown

9:00 a.m. ACTION ON MINUTES

Comm. Price Motioned to approve the minutes from the June 24, 2021 PC Hearing seconded by Comm. Hess.

4 Ayes, 0 Nays -- Motion Carried

9:05 a.m. CITIZEN'S INPUT –

Don Van Pelt stated he was there to question the deficiency of a notice he was provided and the inaccuracies of the notice and was requesting a delay of the hearing.

Comm. Hess asked if Mr. Pelt was speaking on an agenda item.

Don Van Pelt responded yes.

Comm. Hess stated that this portion of the meeting was for anything not on the current agenda.

Nicole Johnson Deputy City Counsel, stated that the notices that were issued for the current meeting were missing the element of time. CA allows for the notices to be consider sufficient if it meets substantially compliance with the rule and in this case all items were present and in her assessment since the planning commissioners meeting is always held at 9 am, she believes that the notices were substantially compliant. It was left up to the decision of the commissioners if they would like to continue or have the items re-noticed.

Comm. Prices requested clarification and asked if the public had other ways to confirm the time of the PC Hearings.

Nicole Johnsons responded yes and CA law also provides that if a person had arrived to speak on the item they were stating was inefficiently noticed then they were in deed sufficiently noticed.

Comm. Price stated that she was comfortable moving forward.

Comm. Hess stated that he was prepared to proceed as the 9 am starting time had been well established.

Comm. Brown stated he was in agreement.

Comm. Chavez stated he was in agreeance as well and it would not be fair to the rest of the public that was present.

9:08 a.m. Public Hearing to consider approving Use Permit UP 21-10. Applicant/Owner: Sourz HVR, Inc./Aviona LLC. Location: 11650 High Valley Road, Clearlake Oaks, CA 95423, on property consisting of 1,639.96 acres. APNs: 006-004-07, 006-004-25, 006-004-24 , 006-004-06, 006-002-04, 006-002-09, 006-009-36. (Katherine Schaefers)

Katherine Schaefers Assistant Planner gave a verbal and visual presentation on the proposed project. The items reviewed were the permit request, project description, site description, project analysis and recommendations and conditions. Ms. Schaefers also reviewed the applicant's response to a few of the neighbors' concerns which included odor, air quality, traffic, water and dust/grading. Project was early activated in 2021 and approval would be contingent of the clearance of violations with the Lake County Grading Ordinance and the California Department of Fish and Wildlife.

Comm. Hess referenced the letter from Fish and Wild Life, stating that the letter concluded that the department was confident that the applicant was willing to remediate the concerns brought forth and that they had no objections to the project.

Katherine Schaefer stated that the format of the letter was via email, the applicants would be served a notice of violation. Staff spoke with a representative of CDFW who was confident that the applicant would remediate the issues brought forth and noted that remediated measures had already begun during their inspection.

Comm. Brown asked about the 1600 + acre parcel with only 80 acres being utilized for cultivation, why the 1600 with multiple parcels not being included.

Katherine Schaefer responded that the parcels were clustered per article 27, multiple parcels could be used to meet an acreage requirement. The deed and title had to be held identical, every parcel had to qualify for a cannabis use permit and could not be in exclusion zones and deed restrictions had to be placed on all parcels.

Comm. Hess inquired about the staff reports reference to traffic in a letter sent by the California Highway patrol and how it would be mitigated but also referenced the initial study and asked staff why the mitigation tied into noise and was still not addressed.

Katherine Schaefer responded that the CHP comment was about traffic collisions as well as an increase in traffic, staff's only comment on the issue was that there wasn't that type of data because of a lack of use.

Comm. Brown stated several concerns including the environmental impact report not being a part of the package, Biological concerns, traffic concerns as well as water as it related to current drought conditions and the well test completed in 2006 and how it would adequately address the concerns of today.

Brad Stone with Kimley Horn consultant to the applicant wrote the CEQA document, the project management plan, the hydrology report and technical study for the project.

Comm. Hess asked if Mr. Stone would like to address his concern of the transportation and potential traffic impacts.

Brad Stone stated that based on the CEQA checklist there were four questions that determined significant impact based on the projects projected 60 trips per day during peak season, without modification or

changes to the existing roadways, his evaluation determined that the project met the less than significant threshold which would not require a mitigation.

Brad Stone referenced the PSI seminars, which were held at the proposed site with the prior owners and the amount of traffic it generated, based on the CEQA checklist and threshold that were used, there was not a violation of that threshold so there was less than significant impact.

Comm. Brown asked how the school would be impacted by the traffic and how were materials delivered and what types of trucks were used to complete the delivery.

Brad Stone stated that he was unaware of the type of vehicles used, knows that once the construction portion of the project was complete it would be only passenger vehicles, stated no commercial vehicles were scheduled for further use.

Comm. Brown asked if only the one ton vehicle as proposed would be used.

Brad Stone responded yes.

Comm. Brown asked if the applicant was available for questions.

Don Armstrong applicant thanked staff, gave a background on his company and the proposed project and site. Spoke on the violations with CDFW and the mitigation measures that were being taken, follow ups also done with CDFA and the Water Board.

Comm. Price asked if a site visit was completed after grading was done and if a plan of mediation was then discussed.

Don Armstrong responded that yes.

Comm. Brown stated his concerns of violations from CDFW and referenced an item from the cultural resource report and that the site contained significant historic resources. His concern was with illegal grading happening, destruction of the natural resources could happen without proper oversight and shared his concern of the areas preservation and protection.

Don Armstrong stated that he would immediately reach out, pre-construction surveys had occurred and would continue to on a weekly basis.

Comm. Brown stated that was a concern for him as nothing in the report defined staging areas and asked if those areas had been surveyed.

Don Armstrong stated that the cultural survey was completed for the entire acreage of the property, not just the proposed project site. Paved lots for staging, which was paved prior to the purchase of the parcels.

Katherine Schaefer stated that Dr. John Parker was the archeologist who completed the Cultural Resources survey. The initial biological survey was completed by Sequoia Consulting and the follow up biological report was completed by Jacobson.

Brad Stone stated that an archeology survey was completed. The staging area would be on previously disturbed land and within existing parking areas. There were mapped archeological sites but the project had been mapped and designed to avoid those areas.

Comm. Brown referenced the cultural resource report and stated his concern that the report was not definitive.

Brad Stone responded that there was an inadvertent discovery protocol, which the project was required to comply with if resources were discovered. There were no disturbances to existing known resources.

Comm. Brown asked if the inadvertent plan had been developed.

Brad Stone stated that it was included as a mitigation measure that all activity would be halted if resources were discovered.

Comm. Hess asked about the reference to the number of trips per day to and from the site and asked what thought went behind the roads and access points.

Don Armstrong stated that they repaved a portion of the road leading to the site, Don referenced the prior owners that would have regular seminars at the site and that there had always been a decent amount of traffic, and he didn't believe that there would be an increase in traffic as onsite housing would be provided for some of the employees and the seasonality of the project.

Comm. Chavez stated he had both a question and a concern as it related to the projects proximity to the local school and possible congestion on the road. Asked if there was another access point to property.

Don Armstrong stated that there was only one access point.

Nicole Johnson County Counsel stated that during public comment if the public asked questions or raised questions for the Commissioners the Comm. could then ask staff or the applicant for answers but public comment period was not for conversation.

Maria Kaan neighbor opposes project, believes it will have a negative impact on her properties, livestock and quality of live. Shared concerns of such a large water consuming project being placed in a community that had another large water consuming vineyard. Stated that her well had already gone dry. Ms. Kaan stated that High Valley Road was a single point entry way, very congested during school time, the road is mediocre at best and not very well maintained and was only partially paved, there was a hairpin turn and large trucks have gotten stuck attempting to maneuver the turn Ms. Kaan provided pictures of the turn and a stuck truck. Stated that it took 45 mins to a hr. before the truck was removed which would be catastrophic in an emergency situation.

Douglas Logan Neighbor, stated that he felt he was being forced off his land. Mr. Logan then read into the record his concerns of the proposed project which included water concerns, a lack of concern on the part of the county, dust concerns, road inadequacy concerns.

Randy Molder neighbor opposes the project, voiced his concern for odor, lack of water, with a dry well and having to truck in water.

Don Von Pelt referenced a letter submitted to staff, voiced concern for early activation issued and requested that the permit be denied. Stated his concern for water, safety and odor. Stated reports were inadequate, referenced Fish and Wild Life violation email.

Richard Duram realtor and cannabis cultivator voiced that this was the best place in Northern California to grow cannabis and without producing an amount of poundage, the county would not receive the recognition it deserved, a project like this would bring attention to the county, other cultivators and help with reputation. Supports project.

Bryan Valentine stated he had two concerns to discuss, gross misuse of the water basin and asked Northshore fire was made aware of the project and its impacts.

Comm. Hess responded that a letter was submitted by the Northshore Fire Department which explained what kinds of road conditions were needed in order to qualify. Comment was made but not in a pro or con fashion.

Lara Valentine opposes project stated that the applicant tilled 24 hours per day, large trucks 18 wheelers outside her residents the day before. Voiced

her concerns of dust and water, stating that the applicants had two large water trucks.

Sandra Reed opposes project, spoke on her relationship with the prior owners of the proposed site and stated that they would also not approve. Stated her concerns of dust and her inability to open her windows and doors now also voiced her concern of the unpaved road and spoke of wind direction and odor concerns.

John Walter general manager Brassfield Vineyards neighbor, spoke well of the applicants, supports projects, stated that he had assisted the applicants with the efficiency of their water use. Spoke on road maintenance.

Gloria Vega spoke on another item on the agenda proposed site Wilkinson Rd.

Renee Vega stated he was concerned that the people were appealing to the commissioners and they needed help. Mr. Vega requested that the project be denied.

Anthony Contento Stated that county wide, roads were an issue, the county chose where the areas of cultivation would occur, water concerns were throughout the state and recommended a hydrologist.

Mary Draper supports project, spoke of her relationship with the applicant, the land was flat and there were no removal of trees, mitigation measures were used while tilling to help with dust. Shared that the owners held a meeting with neighbors prior to being issued an Early Activation Permit, helped neighbor fix their broken well and was researching a after school program for the kids in the community which showed they were invested. Ms. Draper spoke of a new well that had been drilled on site and that the applicants had disked over cover crop that was immediately remediated.

Glory Krea stated her concerns regarding road use, referenced a statement made earlier by Mr. Armstrong regarding the prior owners and not having an increase in the traffic but Ms. Krea stated that the folks would travel in buses and stayed onsite for weeks at a time. Ms. Krea shared a document with signatures of resident that were unable to make the hearing who opposed the project along with a few photos of dust as tilling had occurred. Also shared her concern of water shortage.

Randy Gernas worked with the prior company, states that there were 50 employees that travelled the road every day and did not believe the proposed project would have much of an impact on the roads. Ms. Gernas also stated that an archeological report was completed years ago as the prior owner had proposed building a hotel structure and that the survey had

concluded that there was less than 1% of any activity. Spoke on the credits of the applicants. Supports project.

Damien Ramirez supports project and stated that the applicants reports were well put together, spoke on the site location. Stated that the applicants have met the requirements and should be allowed to operate.

Sarah Rosales with Sourz, spoke on behalf of the applicants, spoke on the applicants ethics and plan sustainability, and spoke on the distance to the nearby school being approximately three miles away.

Elli Hagoel applicant spoke on the proposed site and the potential project, spoke on his outreach to the community and apologized to the public stating that he had no idea so many opposed the project. Addressed the dust concern, stating that the more the land was worked the less dust it would produce, so the dust concern should not be an issue next year.

Comm. Hess asked if the disking which was disturbing was mostly done.

Elli Hagoel applicant responded yes, dirt work and beds should be completed as of today. Addressed some water concerns and explained why the beds were an important part of the conservation of the water, based on studies completed.

Danielle Backy wished to remain anonymous, his concern was he was an operator who had turned in his application approximately a year and half ago and was disturbed that a large corporation seemed to have skipped the line.

Nicole Johnson stated that going forward comments were to remain specific to the particular project being discussed and that there was a citizen's input option at the beginning of the meeting.

Annje Dodd consultant stated that the project seemed to have been rushed with inaccuracies on the reports provided. Ms. Dodd spoke on her belief from experience of the employee count based on the size of the project, spoke on road conditions and recommended a study be completed. Stated that the water analysis report did not provide enough information. Had concerns of the Biological surveys completed. Had a question regarding AB52 and tribal consultation. Had concerns that an EA was issued although there was a letter sent from a neighbor that opposed it. Asked if a "stop work" had been issued due to CDFW violation?

Jennifer Smith spoke on Ms. Dodd's comments stating that Ms. Dodd was a consultant for several large cannabis applicants in competition with the proposed project. Ms. Smith stated that dust during construction was inevitable and that it was a onetime build out which would not be ongoing.

Ms. Smith spoke on the traffic concerns which the build out contributed to and stated that it was normal congestion during this process and that seasonal traffic, was no different than any other AG. Ms. Smith stated that there were two entrances to the site and spoke well of the applicants and their involvement with the community and neighbors.

Jonathan Donald Farmer in High Valley, stated that he supported the project and believed the project would be conducted in accordance with the cultivation requirements of the county and the state.

Doug Logan Asked what types of toxic chemicals would drain back into the aquifer due to irrigation.

Elli Hagoel stated that the project was all organic.

Sandra Reed asked the commissioner if they could live with a project such as this being in their backyard.

Maria Kann stated that she did not have an issue with the applicants, it was the impact that the project would have on the community. Asked how the applicants would mitigate wildlife from attacking the cannabis plants.

Erin McCerick stated she understood the timeline going through the application process, stated that it spoke well of the applicants for reaching out to their neighbors and that type of engagement should be encouraged.

11:02 a.m. Public Comment Closed

Comm. Chavez stated his main concern was road access to the site he estimates allot of deliveries based on the size of grow and asked how or what would be done if an emergency evacuation occurred.

Comm. Hess stated he wasn't prepared to oppose project but was concerned with the comments made by neighbors and suggested a hydrology presentation and would like to see a break down and an analysis of the potential traffic impacts.

Com. Price stated that she echoed Comm. Hess's comments and also recommended a hydrology report. Comm. Price asked if the Biology report was completed in the late season and in the spring.

Brad Stone stated that a bio survey was completed and mitigation measure was included.

Comm. Brown stated that his concern was the overall cumulative impact, traffic water, cultural resources issue, bio issues.

Comm. Hess suggested to continue the item to a later date.

Comm. Price stated that she would also agree to a continuation as she was interested in seeing a hydrologist report, as well as having the CDFW violation mitigated. Asked staff if the layout of the project and water ways with the 100 ft setbacks was done prior to the grading of the tributaries and the waterway.

Brad Stone stated it was done prior to.

Comm. Price asked if the map she was currently viewing had been altered since grading.

Brad Stone responded that there was slightly more clearing and grading on the site versus what was currently represented on the map.

Comm. Hess Moved to Motion, Seconded by Comm. Chavez Item Continued to PC Hearing July 22, 2021 so that additional items can be received and reviewed.

4 Ayes, 0 Nays – Motion Carried

11:18 Break Return at 11:30 a.m.

11:32 a.m. Public Hearing to consider approving Use Permit UP 19-41. Applicant/Owner: Voight Holdings LLC. Location: 425 and 500 Voight Road, Lakeport, CA on property consisting of 40+ acres. APNs: 008-043-02 and 008-032-65. (Eric Porter)

Eric Porter Associate Planner gave a verbal presentation on proposed project. Project is in a mapped zone but within a greenhouse, project cannot be outdoors. Recommending approval.

11:42 a.m. Public Comment –

Peggy Todd Neighbor gave the commissioners a letter and read the letter into the record. Main concerns were voiced including outdated water data.

James Adams Neighbor opposes project stating that the site was zoned as AG and that there had been no communication regarding environmental, scenic or traffic impacts. Mr. Adams also voiced concerns with water mitigation plan and concerns of the lack of road maintenance.

Diane Dukker Neighbor stated that the project would change the configuration of the land, stated she did not receive notification from the county about the project. Spoke on concerns of a neighbors well going dry.

Tony Scully Neighbor voiced her concerns of water, stated that the water table in the report submitted was from Sonoma county data, and recommended hydrology report.

Petra Bergstrom Neighbor voiced her concern of water, pond on her property is currently at its lowest levels. Spoke of her concern for the size of the project.

11:58 a.m. Public Comment Closed

Comm. Price asked Eric if there was an updated water report.

Eric Porter responded that there was a reported well test completed in February 2021, by a certified hydrologist and the conclusion was water usage was estimated four acre ft. per year for cultivation, six acre ft. per year for vineyard irrigation.

Comm. Brown asked if anything could be done with the esthetics.

Eric Porter responded that a condition could be added that required an eight ft. fence versus the six ft. recommended in addition black out screening and the applicant could incorporate vegetative screening with native trees.

Comm. Chavez asked that since it was a mixed light cultivation would it be operated for 12 months.

Eric Porter responded that three crops per year could be cultivated and would assume that cultivation would occur all year round.

Jennifer Berg applicant stated three crops per year within a greenhouse which was a controlled environment. Less water would also be utilized due to lack of evaporation.

Com. Chavez referenced map and asked for the exact location of the grow site.

Jennifer Berg responded that it was to the south side of the property. Ms. Berg spoke on the water report completed by a hydrologist and the reasons why it was done in February 2021 and stated that the well production was due to it being an agricultural well formerly used for vineyards and that it was possible that her neighbors well had gone dry due to their wells being domestic which might recharge at a lower rate.

Comm. Hess asked Ms. Berg how she felt about eight foot fencing.

Jennifer Berg stated she would be fine with it.

Comm. Price asked about the maintenance of Voight road and if it was addressed or was there a plan to address it.

Jennifer Berg stated that they were currently in contract with the property owner to finalize the purchase of the property and were just awaiting the lot line adjustment and the approval of the project, one of the first things was to chip and seal the road.

Comm. Chavez asked if the current vineyard would be maintained after the purchase and asked if the well would sustain both AG uses.

Jennifer Berg stated that the well would sustain both.

Comm. Hess asked how to get ahead of the water concern, can a detailed hydrology report be a part of the application.

Eric Porter responded that code was silent on water requirement and referenced article 27 as it pertained to water requirements.

Nicole Johnson County Counsel stated that the commissioners had the discretion based on evidence, staff could request information to make the analysis that they need to in order for the commissioners to make the findings that they had to, even if a threshold was in the ordinance that threshold might not always be applicable, land use was fluid. Thresholds were not a determinative, the absence of one did not prevent the Comm. from asking for the data needed to make an informed decision, if staff finds that they are limited by the ordinance to obtain the information requested, they can ask the board. The commissioners were not restricted because there wasn't a threshold in the ordinance.

Comm. Hess thanked Ms. Johnson and expressed that not all applications have the detail included in the report submitted by the applicant and reports received can be inconsistent on a case by case basis.

Comm. Price asked that since the project was in three phases was there anything in writing requesting additional well test prior to starting each phase to monitor the usage.

Eric Porter responded that a condition could be added.

12:20 p.m. Public Comment Reopened –

Gerald Todd Neighbor stated his disagreement with the reports and said he had to put in a 1500 gal tank. Stated that he had lost his garden and lawn

and that the water report was incorrect, the report was completed in February during the rainy season.

Nicole Johnson stated that since staff had described the project as a phased project, if staff had analyzed all three phases under one CEQA analysis she would like staff to address it, typically phased projects would require a CEQA analysis per phase.

Eric Porter stated that the CEQA review took into account all three phases.

Ami Homead part owner of proposed project stated that the well being discussed produced 150 to 200 gals per min. stating that due to the cutback of the vineyard he estimated that the project would utilize 20 to 25 percent less water.

Peggy Todd neighbor asked why on the water table it showed no use for employees for five months. Was there anything showing use for frost protection.

12:25 p.m. Public Comment Closed

Comm. Price Moved to Motion, Seconded by Comm. Chavez find that the Initial Study (IS 19-60) applied for by Voigt Road Holdings LLC on property located at 425 and 500 Voigt Road, Lakeport, and further described as APNs: 008-032-65 and 008-043-02 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 July 8, 2021.

4 Ayes, 0 Nays – Motion Carried

Comm. Price Moved to Motion, Seconded by Comm. Chavez find that the Major Use Permit (UP 19-41) applied for by Voigt Road Holdings LLC on property located at 425 and 500 Voigt Road, Lakeport, and further described as APNs: 008-032-65 and 008-043-02 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 July 8, 2021.

4 Ayes, 0 Nays – Motion Carried

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.

12:28 p.m. Public Hearing to consider approving Use Permit UP 21-02.
Applicant/Owner: Coastle LLC / Tyler Mitchell. Location: 6565 Wilkinson Road, 6620 State Route 29, 6213 Wilkinson Road, Kelseyville, CA on property consisting of 244+ acres. APNs: 007-015-13; 007-016-13 and 007-015-63 (clustering site). (Eric Porter)

Eric Porter gave a verbal presentation on proposed project.

Comm. Chavez asked about the three parcels shown in the report and the exact location of the proposed site.

Eric Porter responded that the site would cross over from lot parcel number 007-015-13 to 007-016-13

12:37 p.m. Public Comment

Gloria Vega neighbor voiced her concern for road wear, traffic, odor and the proximity of the site to schools.

Renee Vega stated his longevity as a Kelseyville resident, stated that Wilkinson was a one lane bridge so had concerns of traffic.

Taylor Gamber supports project reiterated the acreage that would be utilized to grow cannabis and stated that the project entry way was off highway 29 and had a private road, which was county maintained.

David McQueen superintendent of the school district is for agriculture as well as the tax benefits, stated his concern was the sites location and the proximity to the school, stated that due to the project being an outdoor grow the odor would be a concern, stated traffic concerns at drop off and pick-up, recommended mitigation with the congestion. Opposes project due to proximity concerns.

Tyler Mitchell applicant stated that the school was approximately a mile from the proposed site, winds also blew in the opposite direction of the school. Thanked Eric who proposed planting fragrant vegetation that would help mitigate the odor, considers the traffic minimal. Mr. Mitchell stated the site would only require one to two employees that would cut down on traffic congestion and would mandate carpooling during high season. Gave the commissioners a packet for reference to the water table.

Gloria Vega stated that although the entry was off 29 freeway, a path still had to be made down Wilkinson or Konocti

12:52 p.m. Public Comment Closed

Comm. Brown asked what measure would be taken to mitigate the impacts i.e. odor, concerns with the school, kids in the community, aesthetics.

Tyler Mitchell stated that the site was 4600 sq. ft. away from the school and there were large trees blocking the view he also had fragrant flowers to help mitigate odor included in the conditions of approval and stated that security local and state mandated cameras and fencing.

Comm. Price stated she was familiar with area, the one way bridge which was not in good condition and hadn't been for a number of years, was a concern as the bridge might not accommodate the amount of traffic, the alternative would be to take Konocti to Single Springs. Comm. Price also voiced that it was a neighborhood with kids outside all the time, which was a concern and voiced her concern of the projects proximity to the school.

Comm. Hess asked if the setback for schools were a 1000 ft. and stated that the distance was more than adequate, the bridge being in bad repair was not the fault of the applicant and with the employee schedule, he did not see how it would add a significant load to the traffic.

Comm. Price asked if heading down highway 29 from BottleRock Road could the proposed project site be seen.

Tyler Mitchell stated that you would not be able to see the site as it was encumbered with large trees and vegetation.

Comm. Price asked what was the distance between the site and the gate by Wilkinson?

Tyler Mitchell roughly 3000 ft. up the hill

Comm. Chavez referenced his GIS and stated that the northern parcel was within the Farmland Protection Zone and asked how it would affect the scope of the project.

Eric Porter stated that he was very careful to measure the distance, the cultivation area was not within the Farmland Protection Zone

Comm. Chavez asked about the publicly owned land known as dump road and did it fall within the 1000 ft. buffer.

Eric Porter referenced page three of the staff report and areas that required a buffer i.e. Grace Evangelical Free Church.

Tyler Mitchell responded that it was environstar per state and local mandate to locate any hazardous waste sites, the old Kelseyville dump was no longer used as a dump, applicant stated that he had spoken with Ed Pepper in Public Works and the site was now used for wood chipping and tree storage.

Comm. Hess Moved to Motion, Seconded by Comm. Chavez find that the Initial Study (IS 21-02) applied for by Coastle LLC on property located at 6565 Wilkinson Road, 6620 State Route 29, and 6213 Wilkinson Road, Kelseyville; APNs: 007-015-63, 007-015-13 and 007-016-13 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 July 8, 2021.

3 Ayes, 1 Nays (Comm. Price) – Motion Carried

Comm. Hess Moved to Motion, Seconded by Comm. Chavez find that the Use Permit (UP 21-02) applied for by Coastle LLC on property located at 6565 Wilkinson Road, 6620 State Route 29, and 6213 Wilkinson Road, Kelseyville; APNs: 007-015-63, 007-015-13 and 007-016-13 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 July 8, 2021.

3 Ayes, 1 Nays (Comm. Price) – Motion Carried

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.

1:06 p.m. Continuation from Planning Commission Hearing June 24, 2021. Public Hearing to consider a Major Use Permit (UP 19-20). Applicant/Owner: LDM Operations Inc. Location: 7295 Adobe Creek Road, Kelseyville, CA; APN: 007-021-23. (Eric Porter)

Eric Porter stated that the applicant was no longer interested in cultivating at the site.

1:08 p.m. Public Comment Open

1:08 p.m. Public Comment Closed

Comm. Price moved to Motion, Seconded by Comm. Hess find that the Initial Study (IS 19-35) originally applied for by LDM Operations Inc. on property located at 7295 Adobe Creek Road, Kelseyville, and further described as APN: 007-021-23 *is no longer valid* for file no. UP 19-20 because there are no applicants as stated in the staff report addendum dated July 8, 2021 and that the application be denied.

4 Ayes, 0 Nays Motion Carried

Comm. Price Moved to Motion, Seconded by Comm. Hess find that the Use Permit (UP 19-20) originally applied for by LDM Operations Inc. on property located at 7295 Adobe Creek Road, Kelseyville, and further described as APN: 007-021-23 does *not* meet the requirements of Section 51.4 and Section 27(at) of the Lake County Zoning Ordinance and that the Major Use Permit be *denied* because there are no applicants as stated in the staff report addendum dated July 8, 2021.

4 Ayes, 0 Nays Motion Carried

12:19p.m. UNTIMED STAFF UPDATE

Office News

1:05 p.m. Adjournment