

Project Description
Cannabis Manufacturing, Processing, Retail Delivery, Indoor Cultivation,
Nursery, Offices, and Distribution Facilities
2160 Ogulin Canyon Road - Clearlake, California
APN 010-044-21
Revised/Updated May 2024

Project Location and Description

The subject property is a 9.56-acre parcel located at 2160 Ogulin Canyon Road within the City of Clearlake and is further described as APN 010-044-21. This land is also known as Parcel B as shown on a parcel map filed in the Office of the County Recorder in Lake County on July 17, 1987, in Book 29 of Parcel Maps at pages 30 and 31.

The revised/updated project includes development of a new 32,500 square foot (100' x 325') building (Building A), and a new 5,000 (50' x 100') square foot building (Building B), to be used for cannabis related facilities.

Specific uses proposed for the project include:

- Building A – 23,500 square feet for cannabis processing and manufacturing, and 9,000 square feet for indoor cannabis cultivation and nursery area.
- Building B – 3,000 square feet for cannabis processing and manufacturing area, and 2,000 square feet for cannabis retail delivery, offices, and distribution.

The project will include a cannabis drying and storage operation for cannabis product grown on or off site. Processing and distribution components will include various activities including storage, packaging, labeling, and transport of cannabis products, and related activities. Manufacturing activities will include non-volatile extraction of cannabis. Cannabis cultivation and nursery activities will occur inside the building (no outdoor or greenhouse cultivation).

The new buildings will be situated about 220' south of Ogulin Canyon Road, in the eastern center of the parcel. The new buildings will be engineered metal structures on concrete slabs. Preliminary floor plans information indicates that there will be: intake area; processing area; packaging area; restrooms and office; employee break room; shipping and receiving area; storage areas; distribution areas; manufacturing area, indoor grow rooms for both immature and mature plants. Both roll up and pedestrian doors will be provided for secure employee entry, loading, and unloading.

The project site will be accessed by a new driveway that will lead into the 37-car parking lot. The parking spaces are to be developed at 90-degree angles. ADA accessible parking will be developed near the office. Security fencing and numerous digital security cameras will be placed around the perimeter and at strategic locations in the parking lot.

Some existing improvements on the site will need to be removed, including two manufactured houses and several animal shelter kennels, a garage and storage building, and pieces of equipment. However, a couple of pole barns and other ancillary structures will remain.

The project operational days/hours will be - Monday through Saturday from 6 am to 8 pm.

Background Information and Existing Site Conditions

The subject property is currently developed with several small structures, former animal shelter kennels, equipment, and related improvements/facilities. Access to the site is from Ogulin Canyon Road with two driveways located along the northern property, south of Ogulin Canyon Road about a ½ mile east of Hwy 53. The existing driveway extends into the property and loops around to provide access to the existing site improvements. This existing driveway is in moderate condition.

There are a number of pre-existing improvements on the property including several pole barns, metal canopies, animal kennels, and similar things. Some of the existing site improvements will be removed as they are in poor condition. Improvements that have some useful life remaining will be retained.

Burns Valley Creek, a seasonal surface water drainage course extends through the northeasterly quadrant of the parcel and flows through an open channel from east to north west where it runs under Ogulin Canyon Road, through existing culverts. There is a flood zone designation associated with the Creek, as noted on the site plan.

Nearby land in the vicinity is used mainly for watershed, wildlife habitat, livestock grazing, cannabis cultivation, storage, and homesite development. The project site is located in Ogulin Canyon, east of Burns Valley, and is bordered by the Ogulin Canyon Road to the north, Burns Valley to the south, Blackeye Canyon to the east, and storage/light industrial uses to the west.

The biology and vegetation associated with the site is described in a biological report prepared in 2021.

The Soil Survey Geographic Database (SSURGO) maintained by the United States Department of Agriculture (USDA) and National Resource Conservation Service (NRCS) indicates that the project site is underlain primarily by soils of the Manzanita Series which consist of very deep, well drained loam formed in alluvium from mixed rock sources. They occur on terraces with slopes of 2 to 25 percent. Manzanita Series soils are used for a wide variety of purposes, mostly agricultural, including walnut orchards, wine grape vineyards, hay, and livestock grazing, but also homesite developments (USDA-NRCS 2003).

The subject parcel is within the Clearlake City Limits (NW corner) and is zoned I – Industrial District. The City of Clearlake Zoning Ordinance provides detailed zoning requirements and standards regarding minimum parking requirements, street improvements, parking design standards, driveway approach standards, landscaping development standards, environmental review procedures, storm drainage provisions, and a number of other sections dealing with trash receptacles slopes and soils, outdoor lighting, addressing, protected trees, tree protection regulations, and other requirements.

The subject property also has a CB – Commercial Cannabis Zoning District designation which provides standards and criteria addressing commercial cannabis permits and requires among other things issuance of permits for processing and distribution activities with an approved use permit.

Information regarding the security systems and operational characteristics of the project along with the odor control plan are set forth in documents previously submitted to the City.

The City requires use permit approval for the proposed development and operation of commercial cannabis businesses and also requires operators to enter into a Development Agreement.

In 2019, the property owner did apply for and was approved for use permit(s) involving proposed cannabis facilities and uses including a 33,600 ft.² building, a 5,000 ft.² office building, (5) five - 75' x 25' greenhouses for indoor cannabis cultivation, and related site improvements including a 22,660 square foot parking lot.

The use permit was revised and approved in 2022 to downsize the project and included remodel of an existing 900 square foot metal building and the proposed development of a new 5,000 square foot metal building to be used for cannabis related facilities.

Conformance with the Clearlake Zoning Ordinance

The Clearlake Zoning Ordinance establishes procedures for accommodating uses that may have the potential to cause adverse effects on surrounding properties. The City procedures apply to all proposals for which a conditional use permit is required. A use permit application can be approved with conditions imposed by the Planning Commission based upon information provided by the applicant, if all of the following findings are made:

1. That the proposed use at the size and intensity contemplated, and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

Applicants Response:

The project at the 2160 Ogulin Canyon Road site is proposed at a size and intensity that is reasonable for a 9.56-acre parcel. The site plan details a proposed layout that fits the site and illustrates that the required improvements are consistent with the City Zoning Ordinance.

The City of Clearlake has requirements and standards in its Zoning Ordinance with respect to the appropriate locations for cannabis businesses. Pursuant to these standards, the City has confirmed and verified that it has a public policy in support of cannabis processing and distribution at this location.

In keeping with this adopted public policy, the proposed project will provide a development that is necessary, desirable, and compatible with the community wide sentiments.

The proposed project is compatible with the neighborhood, as there are existing cannabis operations and/or businesses in the near vicinity, including at the La Rosa Plaza site just to the west, and several existing and proposed cannabis cultivation projects to the east and north. The proposed project is in a well-planned and secure location, which in and of itself creates a compatible land use situation.

2. That such use as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to the property, improvements, or

potential development in the vicinity with respect to aspects including, but not limited to, the following:

(a) The nature of the proposed site, including its size and shape, and the proposed size, shape, and arrangement of structures,

(b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading,

(c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust, and odor,

(d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking areas, loading areas, service areas, lighting, and signs.

Applicants Response:

The proposed uses at the 2160 Ogulin Canyon Road Site will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to the property, improvements, or potential development in the vicinity. The proposed site improvements have been well planned to minimize detrimental impacts and conflicts with people residing and working in the area, property and improvements in the neighborhood or the general welfare of the city.

The site improvements will be built to California Building Code (City of Clearlake) standards and will provide for a high level of security and safety consistent with the City regulations.

The site improvements will be situated in the west center of the parcel and will comply with property line setbacks from adjoining properties and structures in order to minimize perceived detrimental health, safety, morals, comfort, and general welfare impacts to people in the neighborhood and the region.

The cannabis cultivation laws of the State of California and the City of Clearlake have been approved by the voters/elected officials and thus reflects the current attitudes of residents. The intent with regard to development of the cannabis project is to be sensitive to the comfort and general welfare of the Ogulin Canyon Road area by installing and operating state-of-the-art cannabis facilities and equipment in order to minimize detrimental impacts.

The subject property is an existing developed site that has seen better days. The proposed project involves construction of buildings which are proportionate in size and scale with land use activities on other properties in the vicinity.

The nature of the proposed site, including the 9.56-acre size and its wide shape are conducive with the proposed size, shape, and arrangement of both the new and existing structures. The proposed site improvements are designed in areas that are level and situated in the center of the site.

The accessibility of the property is good, a new entry and driveway approach will be developed on Ogulin Canyon Road.

Traffic patterns for persons and vehicles that will be using the site are good. The type and volume of traffic on Ogulin Canyon Road is relatively low when compared to other streets and roads in Clearlake. The pattern of land development to the east, north and south is rural in nature and as such the areas generate a small amount of traffic that passes by the 2160 Ogulin Canyon Road site.

The proposed off-street parking and loading areas have been incorporated into the project design with 37 parking spaces shown north of the proposed building.

Although, not specifically called out on the site plan, there are many options for implementing safeguards to prevent noxious or offensive emissions such as noise, glare, dust and odor. The placement of the processing building in the center of the site, with adequate setback distances from property lines and nearby structures is a key safeguard for reducing noise, odor, dust, and lighting concerns. There are many other conditions or mitigation measures that can be implemented including: the use of shielded and downlit lighting; A.C. Paving of the parking lot and driveways; installation of building mounted air filtration exhaust systems; and installation of landscaping or fencing to minimize noise. The project Odor Control Plan provides details regarding air filtration and odor complaint protocol.

The project will provide landscaping as mandated by the City of Clearlake. Screening of site improvements or facilities such as the trash enclosures will be done to City standard.

There will be open space preservation particularly around the east and northeast sides of the site and the preservation of as many trees as possible will help minimize visibility of the improvements,

Proposed parking, loading, and service areas are depicted on the site plan and are adequate to serve the intended uses. Proposed lighting and signage will be commensurate with other industrial projects in the City of Clearlake.

3. That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the Clearlake General Plan. (Ord. #2010-146, S2).

Applicants Response:

The proposed uses at the 2160 Ogulin Canyon Road are consistent with the applicable provisions of the City of Clearlake Zoning Ordinance and with the policies and standards of the Clearlake General Plan.

East of Hwy 53, the initial portion of Ogulin Canyon Road (1/2 mile) is within the City of Clearlake. The City of Clearlake General Plan Circulation Element Figure 4.1. Circulation Map identifies Ogulin Canyon Road as a basic street. The Clearlake General Plan Circulation Element contains a number of Goals and Policies regarding the City street system, however, there does not appear to be any policy applying specifically to Ogulin Canyon Road.

The Ogulin Canyon Road surface is in moderate condition, it is paved for about 2/3 miles east of Hwy 53 and transitions to gravel beyond the City limits.

Conclusion:

This Project Description and application plans/documentation provides support for the approval of this Use Permit application to allow cannabis processing and distribution/retail delivery activities at 2160 Ogulin Canyon Road. The project intent has been significantly reduced in scope and size from the original plan.

The 2160 Ogulin Canyon Road development concept is fairly straight forward and provides a well-planned and designed project that will encourage good site circulation, efficient operations, and economic performance.

The City of Clearlake is supportive of cannabis related land-use projects which conform to City regulations. This application describes a project that complies with City standards, has the potential to enhance job opportunities, and generate economic development benefits.

Approval of this project will provide for numerous public benefits, enhance the Ogulin Canyon Road area, provide for the cleanup and redevelopment of the subject property, and comply with the City Zoning standards.

It is respectively requested that the Planning Commission and City Council approve the Use Permit application and the associated Development Agreement.

Thank you.

