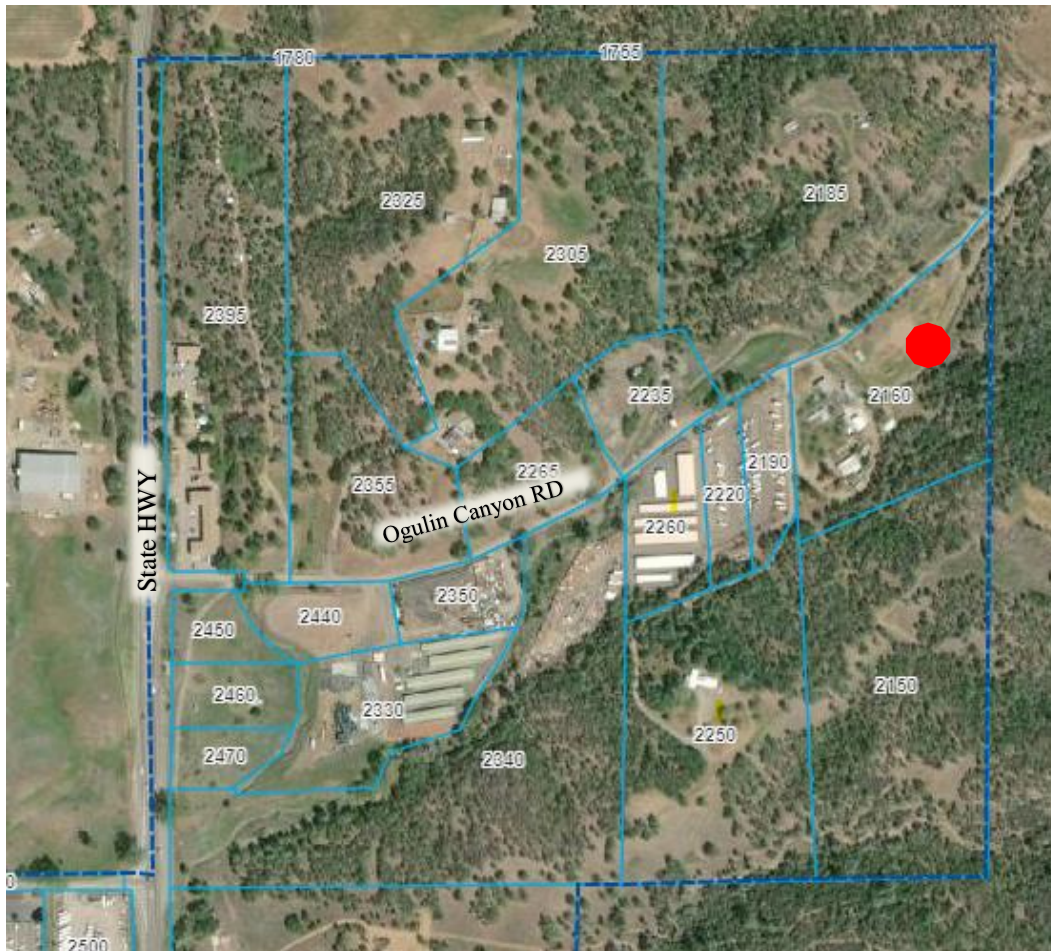




STAFF REPORT	
SUBJECT: 2160 Ogulin Canyon Road – Amendments to Approved Planning Entitlements	MEETING DATE: 7/9/2024
SUBMITTED BY: Mark Roberts, Senior Planner	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE PLANNING COMMISSION:

The Planning Commission is being asked to consider amendments to previously approved planning entitlements for a Commercial Cannabis Operation located at 2160 Ogulin Canyon Road, Clearlake, CA 95422 further described as Assessor Parcel Number 010-044-21.



Aerial Project Location Map

PROJECT HISTORY & DISCUSSION:

Background: In December 2020, the applicant submitted Conditional Use Permits to develop the 9.56-acre parcel for a commercial cannabis operation (*manufacturing, retail delivery, distribution, cultivation/processing, and a nursery*). The initial project consisted of the development and operation of a 33,600 square foot building for cannabis activities; a 5,000 square foot office building; five - 75' x 25' greenhouses; 46 parking spaces and general site improvements.

After completion of the environmental analysis (*including circulation of the initial study*), the applicant submitted a revised project description which included the development of a new 5,000 square foot building, remodel of an existing 900 square foot building, and 8 parking spaces which was approved by the Planning Commission in December 2022.

Proposed Amendments: The applicant is requesting amendments to the approved commercial cannabis operation. The revised project will remain consistent with the approved Conditional Use Permits and would continue with the adopted Conditions of Approval and Mitigation Measures. The revised project includes the development of a new 32,500 square foot building (Building A) and a new 5,000 square foot building (Building B). Below is a summary of the shared square footage of each building.

- *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, and 2,000 square feet for cannabis retail delivery, offices, and distribution.*

The new buildings will be situated approximately 220 feet south of Ogulin Canyon Road, in the eastern center of the parcel. The project operational days/hours will be Monday through Saturday from 6 am to 8 pm. The project site will be accessed by a new driveway that will lead into the 40-car parking lot.

General Plan Consistency, and Zoning and Design Standards

General Plan Consistency:

- The General Plan identifies the project site for industrial land uses. The proposed operations consisting of commercial agriculture, manufacturing, processing and distribution would be consistent with the General Plan's industrial land use designation of the site.
- This project will contain several General Plan Policies which promote economic growth and job creation. For example, the Economic Development Element supports the development of diverse businesses in the community.
 - Policy ED 1.1.2 states "Support a healthy mix of local businesses and mid-sized companies.
 - "Policy ED 3.1.1 states "Prioritize economic activities that utilize Clearlake's natural geographic location in the region".

Zoning Ordinance Regulations: The project is in the Commercial Cannabis Business District and subject to a commercial cannabis business conditional use permit (issued by the Planning Commission) in accordance with Section 18-43.060 of the Zoning Code. Section 18-43.020 (C). This code also requires concurrent processing and approval of a Cannabis Regulatory Permit (issued by the City Manager) and a Development Agreement (issued by the City Council).

Off Street parking (Onsite) and Determination: Similar to the previous project description, the amended project consists of installing 40 parking spaces (including four APA Compliant Spaces). Based on the proposed square footage, the applicant complies with the minimum number of required spaces per the City's Off-Street Parking Code requirements.

Exterior Lighting: The proposed use will have minimal lighting throughout the parcel. All lighting will be directed downward, adhering to all applicable Federal, State and local agency requirements.

Signage: The applicant has not indicated any new signage for the facility. Any signage for the project would be subject to City approval of a sign permit.

Landscaping and Screening: Application materials did not include any landscaping plans. Section 18.20.110 of the Zoning Code requires screening of all outdoor storage with either a solid fence, wall or mature hedge or other screen planting at least six feet in height. However, the project is in a rural area within City limits and all development will be a minimum of 200 feet from Ogulin Canyon Road, which will help reduce visibility of the commercial operation.

Environmental Analysis (CEQA):

Pursuant to CEQA Section 15162, when a previous environmental review for a project has been prepared and approved, no subsequent or supplemental environmental review shall be required unless:

- a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

An Initial Study (Refer to Attachment # 3 for details) was prepared to assess the potential environmental effects from the project. In the project history, the initial study analyzed the original project description submittal consisting of the construction and operation of a 33,600 square foot building, 5,000 square foot office building, five - 75' x 25' greenhouses, and related site improvements for the commercial cannabis operations. The initial study concluded that any potentially significant adverse environmental impacts would be reduced to a level of non-significance based on the incorporated Mitigation Measures. The Initial Study was adopted by the Planning Commission in December 2022.

The proposed changes to the approved project involve adding cultivation facilities and the expansion of structural square footage which were analyzed in the initial environmental document. The proposed revisions do not expand beyond the scope of work originally analyzed. Additionally, the proposed changes will not result in new significant impacts nor substantially increase the severity of previously disclosed impacts beyond those already identified in the original project/environmental analysis. **Thus, a subsequent or supplemental Negative Declaration is not necessary.**

PUBLIC HEARING LEGAL NOTICE

The public hearing was noticed at least ten (10) days in advance in an electronic publication with the Lake County Record Bee on *Saturday, June 29th, 2024*; and mailed (via USPS) to all surrounding property owners within 600 feet of the subject parcel(s) as required pursuant to the Clearlake Municipal Code. *All mailing addresses are drawn from the electronic database supplied by the Lake County Assessor/Recorders Office Database.*

OPTIONS:

1. Move to Adopt Resolution PC 2024-01, A Resolution of the Planning Commission Amending previously approved PC Resolution 2022-02 of Conditional Use Permits, CUP 2022-03, CUP 2022-04, CUP 2022-05 and CUP 2022-06, for a commercial cannabis operation located at 2160 Ogulin Canyon Road, Clearlake, CA 95422, further described as Assessor Parcel Number 010-044-21.
2. Move to Deny Resolution PC 2024-01 and direct Staff to Prepare the Appropriate Findings.
3. Move to continue the items and provide alternate direction to staff.

- Attachments:**
1. **Amended Project Description with Plans dated May 14th 2024**
 2. **CUP Resolution PC 2024-01 with Conditions of Approval**
 3. **Final Environmental CEQA Analysis, IS 2022-02 Document**
 4. **PC Staff Report Packet from December 2022 Meeting**