



**City of Clearlake**  
 14050 Olympic Drive, Clearlake, California 95422  
 (707) 994-8201 Fax (707) 995-2653



DISTRIBUTION DATE: April 20, 2020

## REQUEST FOR REVIEW (RFR)

CITY DEPARTMENTS	LOCAL AGENCIES	STATE/FEDERAL AGENCIES
@ Building Dept	@ Air Quality Management	@ CalTrans
@ Code Enforcement	@ Assessor's/Recorders Office	BLM
@ Police Department	@ Environmental Health Dept.	CA Dept. of Fish & Wildlife
@ Public Works/Engineering.	Lakebed Management	Army Core of Eng.
	@ Lake County Special Districts	U.S Fish & Wildlife Serv.
	Lake County Water Resources	@ Sonoma State (NWIC)
	Lake County Tax Collector	CHP
@ PG&E	Lake Transit	@ CA Dept. of Drinking Water
	Lake Area Planning Council	Cal Fire
		ABC
	<b>WATER DISTRICT</b>	
	Golden State Water	<b>CANNABIS PROJECTS</b>
	@ Konocti Water Co,	@ Cal Cannabis
	Highlands Water Co.	@ CA Dept. Public Health (Manufacturing)
		@ Bureau of Cannabis Control (retailers, distributors, 3 <sup>rd</sup> party testing laboratories and microbusinesses)

**REQUEST: REQUEST:** Please review and comment on the enclosed application packet material for the proposed project below. Please return all comments by May 7, 2020. Please email your comments to [mroberts@clearlake.ca.us](mailto:mroberts@clearlake.ca.us) or mail them to the address listed in the letterhead above.

**APPLICATIONS:**

- UP 2021-23 – Cultivation
- UP 2021-24 – Manufacturing
- UP 2021-25 – Distribution
- UP 2021-26 – Processing
- UP 2021-27 – Retail Delivery
- UP 2021-28 – Nursery

**LOCATION(S):** 2160 Ogulin Canyon Road; Clearlake, CA 95422

**APPLICANT:** Ogulin Hills Holdings, LLC c/o Brian Pensack

**APN(s):** 010-044-210-000

**LAND USE DESIGNATION(S):** Commercial

**GENERAL PLAN DESIGNATION(S):** Commercial

**PROPOSAL:** The applicant is requesting approval of the above use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: **Please refer to attached packet, site plans and architectural plans for further details.**

- Hours of Operation:
  - Monday Through Saturday: 8:00AM to 5:00PM.
  - Up to 35 employees
  - Up to +/- 4 managers
  
- Proposed Structures:
  - 33,600 SQFT cannabis processing, manufacturing, and distribution building
  - 5,000 SQFT office building that will also serve as the administrative center and the cannabis delivery and storage space.
  - Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each)
  
- Proposed Parking:
  - +/- 46 Parking Spaces

COMMENTS:

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*See attached memorandum*

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NAME: *Tina Rubin*

DATE: *5/28/21*



**COUNTY OF LAKE**  
Health Services Department  
Environmental Health Division  
922 Bevins Court  
Lakeport, California 95453-9739  
Telephone 707/263-1164  
FAX 707/263-1681

Denise Pomeroy  
Health Services Director

Gary Pace, MD, MPH  
Health Officer

Craig Wetherbee  
Environmental Health Director

#### MEMORANDUM

DATE: May 28, 2021  
TO: Mark Roberts, Planner  
FROM: Tina Dawn-Rubin, Environmental Health Aide  
RE: Multiple Use Permits  
Commercial Cannabis  
APN: 010-044-21 2160 Ogulin Canyon Rd, Clearlake

Lake County Division of Environmental Health (EH) has on file for the subject parcel:

**APN: 010-044-21** – a 1974 septic permit 3402-S designed to service a 3 bedroom residence. The permit also indicates there is a well on the property.

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water.

For any proposed building permits or projects where the parcel is serviced by an OWTS or well, the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, driveways, shed, barns, green houses, non-perimeter fences, well houses, etc., *and* the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

Due to the limited documentation on file for this parcel, a field clearance will be required to validate septic or well locations prior to site plan approval.

If the applicant is proposing a commercial cannabis operation and the operation will be constructing or utilizing an existing structure (i.e., processing facility) that will have plumbing for a restroom, sink, etc, that structure will be required to have its own OWTS, separate from any existing or new OWTS designed to service a residential structure.

If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

EH requires all applicants to provide a written declaration of the chemical names and quantities of any hazardous material to be used on site. As a general rule, if a material has a Safety Data Sheet, that material may be considered as part of the facilities hazardous materials declaration.

*Promoting an Optimal State of Wellness in Lake County*

CALIFORNIA  
HISTORICAL  
RESOURCES  
INFORMATION  
SYSTEM



ALAMEDA  
COLUSA  
CONTRA COSTA  
DEL NORTE  
HUMBOLDT  
LAKE  
MARIN  
MENDOCINO  
MONTEREY  
NAPA  
SAN BENITO  
SAN FRANCISCO  
SAN MATEO  
SANTA CLARA  
SANTA CRUZ  
SOLANO  
SONOMA  
YOLO

**Northwest Information Center**  
Sonoma State University  
150 Professional Center Drive, Suite E  
Rohnert Park, California 94928-3609  
Tel: 707.588.8455  
nwic@sonoma.edu  
<http://www.sonoma.edu/nwic>

May 6, 2021

File No.: 20-2099

Mark Roberts, Senior Planner  
City of Clearlake  
14050 Olympic Drive  
Clearlake, California 95422

re: UP 2021-23, UP 2021-24, UP 2021-25, UP 2021-26, UP 2021-27, UP 2021-28 / APN 010-044-210, 2160 Ogulin Canyon Road / Ogulin Hills Holdings, LLC c/o Brian Pensack

Dear Mark Roberts,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

**Project Description:** The applicant is requesting approval of the above use permits to allow the development of a commercial cannabis operation. Hours of Operation: Monday Through Saturday: 8:00AM to 5:00PM. Up to 35 employees. Up to +/- 4 managers. Proposed Structures: 33,600 SQFT cannabis processing, manufacturing, and distribution building. 5,000 SQFT office building that will also serve as the administrative center and the cannabis delivery and storage space. Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each) Proposed Parking: +/- 46 Parking Spaces.

**Previous Studies:**

XX This office has no record of any previous cultural resource field survey for the proposed project area conducted by a professional archaeologist or architectural historian (*see recommendation below*).

**Archaeological and Native American Resources Recommendations:**

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study by a qualified professional archaeologist is recommended prior to commencement of project activities.

XX We recommend that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

     The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended.

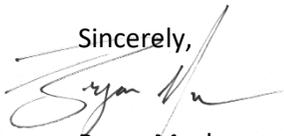
**Built Environment Recommendations:**

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Lake County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,  
  
Bryan Much  
Coordinator

**From:** [Fahmy Attar](#)  
**To:** [Mark Roberts](#)  
**Cc:** [Doug Gearhart](#)  
**Subject:** Re: RFR - 2160 Ogulin Canyon road Cannabis Project  
**Date:** Monday, June 7, 2021 11:42:19 AM  
**Importance:** High

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mark,

For a Cannabis operation site, here is a list of Air Quality requirements that may be applicable to the site:

1. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.
2. Any manufacturing or delivery Cannabis operations must comply with LCAQMD rules and regulations. An application must be submitted. Contact LCAQMD for more details.
3. Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant must contact the District for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.
4. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
5. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from LCAQMD prior to beginning any construction activities. Contact LCAQMD for more details.
6. All engines must notify LCAQMD prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All equipment units must meet RICE NESHAP/NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines, and must meet local regulations. Contact LCAQMD for more details.
7. Site development, vegetation disposal, and site operation shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation

be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.

8. Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilize water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Best Regards,

**Fahmy Attar**

Air Quality Engineer

Lake County Air Quality Management District

2617 S. Main Street, Lakeport, CA, 95453

[fahmya@lcaqmd.net](mailto:fahmya@lcaqmd.net)

On Apr 20, 2021, at 10:44 AM, Mark Roberts <[mroberts@clearlake.ca.us](mailto:mroberts@clearlake.ca.us)> wrote:

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: **Please refer to attached packet, site plans and architectural plans for further details.** If you have any concerns and/or comments on the project, please submit them **no later than May 7<sup>th</sup>, 2021.** –

- Hours of Operation:
  - Monday Through Saturday: 8:00AM to 5:00PM.
  - Up to 35 employees
  - Up to +/- 4 managers

**From:** [Andrew White](#)  
**To:** [Mark Roberts](#)  
**Subject:** RE: RFR - 2160 Ogulin Canyon road Cannabis Project  
**Date:** Wednesday, April 28, 2021 10:05:04 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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Good Morning,

The Police Department opposes the application as presented for failing to demonstrate compliance with City Ordinances related to the proposed operation. Additionally, although the application seems to represent that a criminal history check has been completed and approved by me. I have not reviewed or approved any criminal history check with regards to this applicant.

The security plan, consisting of one sentence, is wholly inadequate and requires further review in the interest of public safety, health and welfare.

We look forward to the applicant submitting a complete application that sufficiently demonstrates compliance with the City Code. We are also open to meeting with the applicant to address any questions or concerns as they revise their submittal.

Thank you



**Andrew White** | *Chief of Police*  
Clearlake Police Department  
14050 Olympic Dr | Clearlake, CA 95422  
(O) 707 994-8251 x301 | (C) 707 681-5688 | Dispatch: 707 994-8251



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**From:** Mark Roberts <mroberts@clearlake.ca.us>  
**Sent:** Tuesday, April 20, 2021 10:45 AM  
**Subject:** RFR - 2160 Ogulin Canyon road Cannabis Project  
**Importance:** High

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following:

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  - Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each)
  
- Proposed Parking:
  - +/- 46 Parking Spaces

If you have any questions and/or need additional information, please let me know.

Sincerely,



**Mark Roberts | Senior Planner**

**City of Clearlake**

14050 Olympic Drive | Clearlake, CA 95422

707-994-8201

**From:** [Lori Baca](#)  
**To:** [Mark Roberts](#)  
**Subject:** RE: RFR - 2160 Ogulin Canyon road Cannabis Project  
**Date:** Wednesday, April 28, 2021 9:49:25 AM  
**Attachments:** [image003.png](#)  
[image001.png](#)

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mark,

Parcel 010-044-210 is outside of any Special Districts service area, no impact.

Have a wonderful day!

**Lori A. Baca**

**Customer Service Coordinator**

[Lori.Baca@lakecountyca.gov](mailto:Lori.Baca@lakecountyca.gov)

Office Number (707) 263-0119

Fax (707) 263-3836



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**From:** Mark Roberts [mailto:mroberts@clearlake.ca.us]  
**Sent:** Tuesday, April 20, 2021 10:45 AM  
**Subject:** [SUSPICIOUS MESSAGE] RFR - 2160 Ogulin Canyon road Cannabis Project  
**Importance:** High

**This Message contains suspicious characteristics and has originated outside your organization. This message appears to be from an individual who works for the County, but does not come from a County address.**

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Good Morning,

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**From:** [kcwd@mchsi.com](mailto:kcwd@mchsi.com)  
**To:** [Mark Roberts](#)  
**Subject:** Re: RFR - 2160 Ogulin Canyon road Cannabis Project  
**Date:** Friday, April 23, 2021 9:48:03 AM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Konocti County Water District has no comments. This area is not in our district. Thank you, Frank.

----- Original Message -----

From: "Mark Roberts" <mroberts@clearlake.ca.us>  
Sent: Tuesday, April 20, 2021 10:44:30 AM  
Subject: RFR - 2160 Ogulin Canyon road Cannabis Project

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: Please refer to attached packet, site plans and architectural plans for further details. If you have any concerns and/or comments on the project, please submit them no later than May 7th, 2021.

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· Proposed Parking:

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If you have any questions and/or need additional information, please let me know.