

1 **BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

2
3 In the Matter of the Appeal of Trey Sherrell

4 **FINDINGS OF FACT AND DECISION**

5 [PL-26-357]

6 These proceedings were commenced by virtue of an appeal of the matter heard by the
7 Planning Commission on June 11, 2026, of a Major Use Permit (PL-26-115) for no more than
8 130,680 sf of outdoor commercial cannabis cultivation and a Type 13 Distribution, self-transport
9 license located at 11615 and 11625 Seigler Springs North Road, Kelseyville (APNs 115-007-03 and
10 115-007-06) (hereinafter, the “Project”).

11 A duly noticed public hearing on the appeal scheduled before this Board was heard on August 4,
12 2026, at which time, evidence, both oral and documentary, was presented. Based upon the evidence
13 and applicable law, we find the following:

- 14 1. That the Lake County Planning Commission held noticed public hearings on October 26,
15 2023 and June 11, 2026, to consider the approval of proposed Major Use Permit (PL-26-115 /
16 UP 21-17), and the associated Mitigated Negative Declaration (PL-26-115 / IS 21-18), for
17 commercial cannabis cultivation. The Project is located at 11615 and 11625 Seigler Springs
18 North Road, Kelseyville, in Lake County, California.
- 19 2. That, at the June 11, 2026 public hearing, the Planning Commission vote resulted in a 2-2 tie.
20 In accordance with Lake County Zoning Ordinance Section 58.41, a tie vote by the Planning
21 Commission deems the matter “automatically denied at the first hearing at which the
22 application is considered and is unable to be acted upon; and be appealed to the Board of
23 Supervisors for public hearing.”
- 24 3. That the Project Applicant is Forest Elie and the Appellant is Trey Sherrell. The appeal to this
25 Board was timely filed on June 12, 2026. The reasons provided for the appeal are as follows:
26 The Planning Commission vote resulted in a 2-2 tie, and in accordance with Lake County
27 Zoning Ordinance Section 58.41, a tie vote by the Planning Commission deems the matter
28 “automatically denied at the first hearing at which the application is considered and is
 unable to be acted upon; and be appealed to the Board of Supervisors for public hearing.”

- 1
- 2 4. That the Board of Supervisors conducted a de novo hearing on this matter on August 4, 2026
- 3 as required by Section 21-58.34 of the Lake County Zoning Ordinance.
- 4 5. That the Appellant and Appellant's representatives presented evidence both documentary and
- 5 testimonial in support of their appeal.
- 6 6. That the Community Development Department presented testimony and documentary
- 7 evidence relevant to these proceedings including, but not limited to, a staff report dated June
- 8 11, 2026, attachments 1 through 13 thereto.
- 9 7. That this Board finds, based on the evidence and facts presented in this matter, as follows:
 - 10 a. That this Board finds that sufficient information exists in the record of this matter to
 - 11 support the adoption of the mitigated negative declaration. This Board adopts those
 - 12 findings enumerated in pages 12 – 13 of the June 11, 2026 staff report.
 - 13 b. That this Board finds that sufficient information exists in the record of this matter to
 - 14 support granting the Major Use Permit (PL-26-115 / UP 21-17) for this Project subject
 - 15 to amendments to Major Use Permit (PL-26-115 / UP 21-17) (Exhibit E):
 - 16 i. Add the following provision to Condition A. of Major Use Permit (PL-26-115
 - 17 / UP 21-17) (Exhibit E):

18 Prior to this permit being valid, the permittee shall provide an updated

19 site plan and related documents to the Community Development

20 Department to reflect the changes approved by the Board of

21 Supervisors on August 04, 2026.
 - 22 ii. Delete Condition D.5. of Major Use Permit (PL-26-115 / UP 21-17) (Exhibit
 - 23 E);
 - 24 iii. Add the following provision to Condition D. of Major Use Permit (PL-26-115
 - 25 / UP 21-17) (Exhibit E):

26 Tree removal shall be limited to dead, dying, and diseased as identified

27 by a certified arborist or Certified Forester. Tree trimming and

28 vegetation clearance in accordance with CAL FIRE regulations and the

County's Grading Ordinance is permitted. Prior to any ground disturbing activities, the applicant shall submit revised site plans to the Community Development Department identifying the dead, diseased, and dying trees for removal.

- iv. Add the following provision to Condition D. of Major Use Permit (PL-26-115 / UP 21-17) (Exhibit E):

Prior to ground disturbing activities the permittee shall contact CAL FIRE to confirm if a Timber Conversion Permit and/or a Harvest Document is required. If required, the document shall be submitted to the Community Development Department.

- v. Replace reference to "Mireya G. Turner Director" in Major Use Permit (PL-25-71) (Exhibit E) with "Susan Parker, Interim Director"

8. That this Board has considered and incorporates by reference the Community Development staff memorandum and attachments thereto submitted to this Board for the hearing, as well as other documentation submitted to this Board.

9. Based upon all the foregoing and for the reasons set forth hereinabove, this Board grants the appeal of the Appellant, Trey Sherrell, in part with the following amendments to Major Use Permit (PL-25-71) (Exhibit E):

- i. Add the following provision to Condition A. of Major Use Permit (PL-26-115 / UP 21-17) (Exhibit E):

Prior to this permit being valid, the permittee shall provide an updated site plan and related documents to the Community Development Department to reflect the changes approved by the Board of Supervisors on August 04, 2026.

- ii. Delete Condition D.5. of Major Use Permit (PL-26-115 / UP 21-17) (Exhibit E);

- iii. Add the following provision to Condition D. of Major Use Permit (PL-26-115 / UP 21-17) (Exhibit E):

1 Tree removal shall be limited to dead, dying, and diseased as identified
2 by a certified arborist or Certified Forester. Tree trimming and
3 vegetation clearance in accordance with CAL FIRE regulations and the
4 County's Grading Ordinance is permitted. Prior to any ground
5 disturbing activities, the applicant shall submit revised site plans to the
6 Community Development Department identifying the dead, diseased,
7 and dying trees for removal.

- 8 iv. Add the following provision to Condition D. of Major Use Permit (PL-26-115
9 / UP 21-17) (Exhibit E):

10 Prior to ground disturbing activities the permittee shall contact CAL
11 FIRE to confirm if a Timber Conversion Permit and/or a Harvest
12 Document is required. If required, the document shall be submitted to
13 the Community Development Department.

- 14 v. Replace reference to "Mireya G. Turner Director" in Major Use Permit (PL-
15 25-71) (Exhibit E) with "Susan Parker, Interim Director"

16 10. **NOTICE TO APPELLANT**: You are hereby given notice that the time within which any
17 judicial review of the decision herein may be sought is governed by the provisions of the
18 Code of Civil Procedure Section 1094.5.

19
20 Dated: _____

21 CHAIR, Board of Supervisors

22
23 ATTEST: SUSAN PARKER
24 Clerk to the Board of Supervisors

APPROVED AS TO FORM:

25
26 By: _____



27 LLOYD C. GUINTIVANO
28 County Counsel