



Legislation Text

File #: 24-0275, Version: 1

HEARING - To consider appeal received from Alice Clary (CCUP-A24-0001) appealing the Planning Commission's January 25, 2024 approval of Commercial Cannabis Use Permit CCUP21-0002 for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis, on property identified by Assessor's Parcel Number 093-032-071, consisting of 57.29 acres, in the Somerset area, submitted by David Harde; and staff recommending the Board of Supervisors take the following action:

- 1) Deny appeal CCUP-A24-0001 and uphold the Planning Commission's approval of Commercial Cannabis Use Permit CCUP21-0002 based on the Findings (Attachment H) and subject to the Conditions of Approval (Attachment I) as presented; and
- 2) Adopt and Authorize the Chair to sign Resolution **037-2024**, denying appeal CCUP21-A24-0001 of CCUP21-0002 and adopting Findings of Fact (Attachment C).

FUNDING: Privately-funded appeals for applicant-funded project.

DISCUSSION / BACKGROUND

On January 25, 2024 (File No. 24-0114, Item No. 4), the Planning Commission held a public hearing to consider a request for a Commercial Cannabis Use Permit (CCUP21-0002) for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis, on the property identified by Assessor's Parcel Number 093-032-071, in the Somerset area, submitted by Davide Harde. The Planning Commission approved Commercial Cannabis Use Permit CCUP21-0002 with a four (4) to zero (0) vote with one (1) abstention.

Timely filed on February 5, 2024, appeal CCUP-A24-0001 submitted by Alice Clary (Attachment A), requests appealing the Planning Commission's January 25, 2024 approval of Commercial Cannabis Use Permit CCUP21-0002 for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis, on the property identified by Assessor's Parcel Number 093-032-071.

Staff's response to the appeal and conclusions are detailed in a Staff Memo attached as Attachment B.

ALTERNATIVES

The Board could choose to approve appeal CCUP21-A24-0001 submitted by Alice Clary and deny Commercial Cannabis Use Permit CCUP21-0002.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

FINANCIAL IMPACT

An appeal fee of \$450 has been collected for appeal, CCUP-A24-0001; however, staff costs associated with this appeal exceed the collected fees.

CLERK OF THE BOARD FOLLOW UP ACTIONS

If the Appeal is denied

- 1) Clerk of the Board to obtain signature of Chair on one (1) original Resolution; and
- 2) Clerk of the Board to return one (1) fully executed Resolution to Planning and Building, attn. Christopher Smith.

STRATEGIC PLAN COMPONENT

Good Governance: Evaluate the requests and recommendations based on complete assessment of the best available information, with the goal of reaching well informed decisions.

CONTACT

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