# Green Gables Growers, Inc.

Application for Commercial Cannabis Cultivation Conditional Use Permit

August 24, 2023

El Dorado County Planning Commission

## Agenda

- Introductions
- Overview
- Variance
- Other Issues

"the ideal project for commercial cannabis cultivation

PARCEL: 105 ACRES

Zoned AG-40

**CULTIVATION AREA: .45** 

**ACRES** 

COMPLETELY ORGANIC

TOTALLY SECURE



• County Zoning Ordinance section 130.41.200.5.B: "[o]utdoor or mixed light commercial cannabis cultivation shall not be located within 1,500 feet from any ... school bus stop, .... Distance shall be measured form the nearest point of the property line of the property line of the enumerated use using a straight-line measurement. ..."

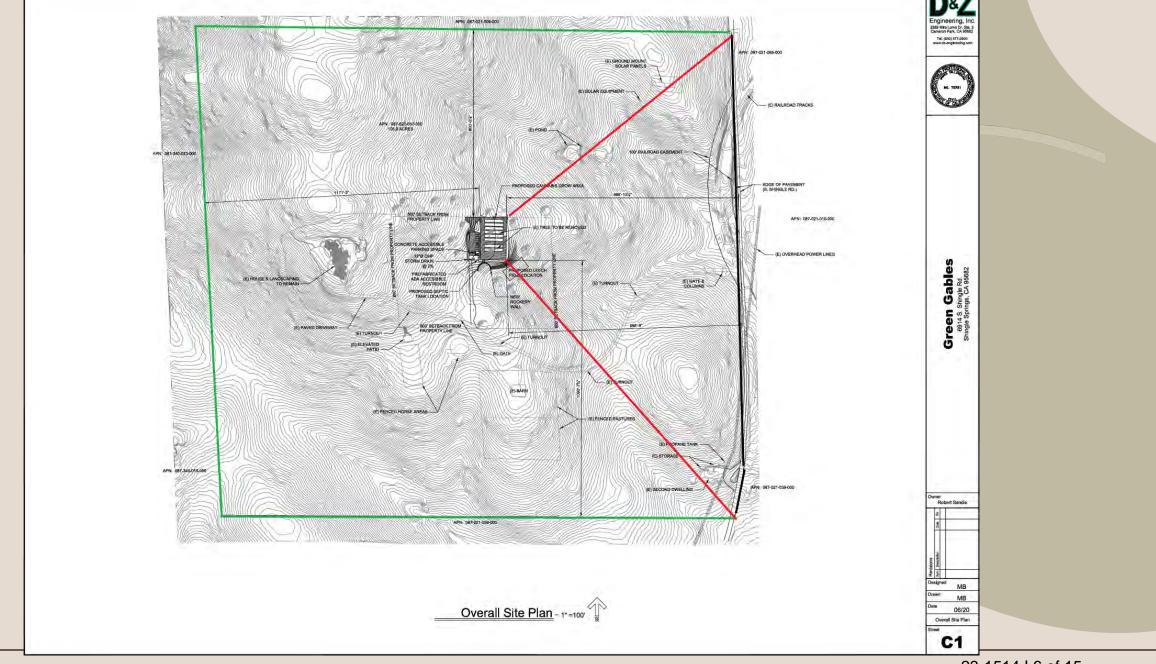
"[A] variance or exception sanctions a deviation from the standard under the dispensing power vested in the administrative body."

Rubin v. Bd. of Directors of City of Pasadena, 16 Cal. 2d 119, 124 (1940)

"In a county ..., a variance is a permit to build a structure or engage in an activity that would not otherwise be allowed under the zoning ordinance; it cannot, however, be granted to allow a use unauthorized by the zoning ordinance. (Gov. Code § 65906.) Typically, variances provide relief from regulations such as those governing setbacks, height, square footage, and density. [Citation.] A variance may be granted "only when, because of the special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification." (Gov. Code § 65906.) "The essential requirement of a variance is a showing that a strict enforcement of the zoning limitation would cause unnecessary hardship...." [Citation.]"

Neighbors in Support of Appropriate Land Use v. Cnty. of Tuolumne, 157 Cal. App. 4th 997, 1007

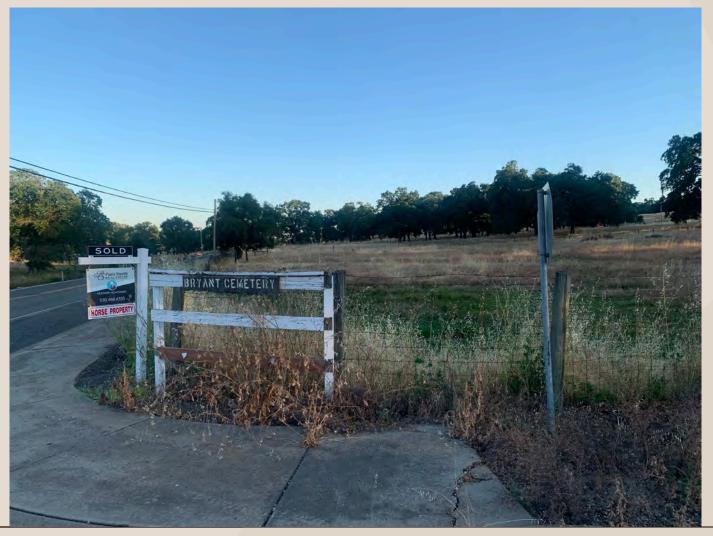
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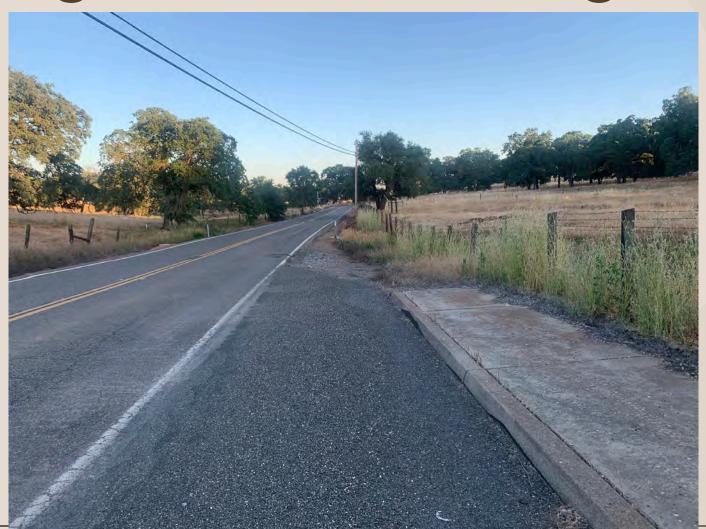
### View from Heffren Road Bus Stop



### View from Heffren Road Bus Stop



## Looking South on S. Shingle Road



### View from Memory Lane Bus Stop



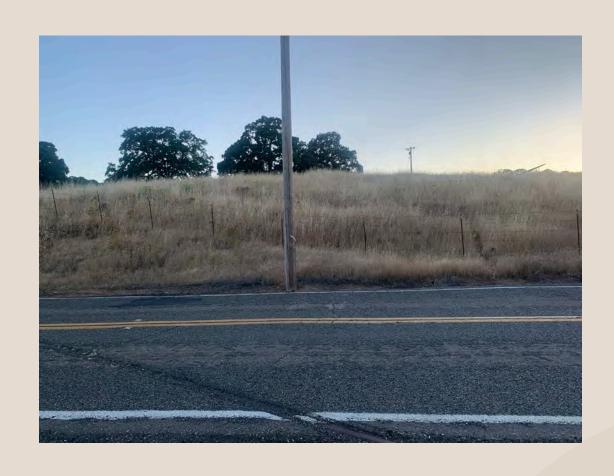
# Looking North on S. Shingle Road



#### Entrance to Premises



#### View Toward Cultivation Area





#### Other Issues

- DOT Easement
- EV requirement
- Tree Protection
- Name Modification/Change

# THANK YOU