



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

Variance

- 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 premises that contains the commercial cultivation to the nearest point 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 (2007)

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