

Resolution Number 19-007

County of Sonoma
Santa Rosa, California

September 5, 2019
PLP18-0046

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS DENY A GENERAL PLAN AMENDMENT, ZONE CHANGE, AND CANNABIS CULTIVATION AND PROCESSING OPERATION ON A 4.65-ACRE LIMITED COMMERCIAL SITE LOCATED AT 3428 WESTACH WAY, SONOMA; APN 135-061-018.

WHEREAS, on November 15, 2018, the applicant, Cary Schwartz filed a request for a General Plan Amendment and Zone Change from Limited Commercial to either Land Extensive Agriculture, Land Intensive Agriculture, or General Industrial/Limited Rural Industrial to enable consideration of a Use Permit for 3,802 square feet of cannabis cultivation within an existing 10,800 square foot warehouse and associated processing; and

WHEREAS, the project is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(4), in that the project will be rejected or disapproved by a public agency.; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a public hearing on September 5, 2019 at which time all interested persons were given an opportunity to be heard.

NOW THEREFORE BE IT RESOLVED that the Planning Commission finds that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(5) and 14 California Code of Regulations, Chapter 3 (CEQA Guidelines), Section 15270(a), which exempts projects that are rejected or disapproved.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt a resolution denying the requested General Plan Amendment, Zone Change, and Use Permit pursuant to the following findings:

1. The proposed project does not meet the General Plan designation criteria for agricultural lands because the small parcel size of 4.65 acres, with an existing industrial structure, would not be suitable or available for agricultural production.
2. The proposed zone change would exacerbate the existing commercial spot zoning and the existing land use inconsistencies as it is surrounded by agricultural land.
3. The proposed project has an insufficient public benefit that would not satisfy the requirements of Government Section 65358 which requires the General Plan Amendment to be in the "public interest."

4. The proposed project is inconsistent with the Cannabis Land Use Ordinance because it does not meet the minimum parcel size of 10 acres for cultivation and is not subject to the pipeline provision of the Ordinance.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

BE IT FURTHER RESOLVED that the Planning Commission's action shall be final on the 11th day after the date of the Resolution unless an appeal is taken pursuant to Sonoma County Code Section 26-92-160.

THE FOREGOING RESOLUTION was introduced by Commissioner Shahhosseini, who moved its adoption, seconded by Commissioner Tamura, and adopted on roll call by the following vote:

Commissioner	Tamura	Aye
Commissioner	Shahhosseini	Aye
Commissioner	Mauritson	Aye
Commissioner	Davis	Aye
Commissioner	Fogg	Absent

Ayes: 4 Noes: 0 Absent: 1 Abstain: 0

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.