



# Board of Zoning Adjustments

April 20, 2021

## **Appeal of a Centralized Cannabis Processing Facility**

2599 Laughlin Road, Windsor

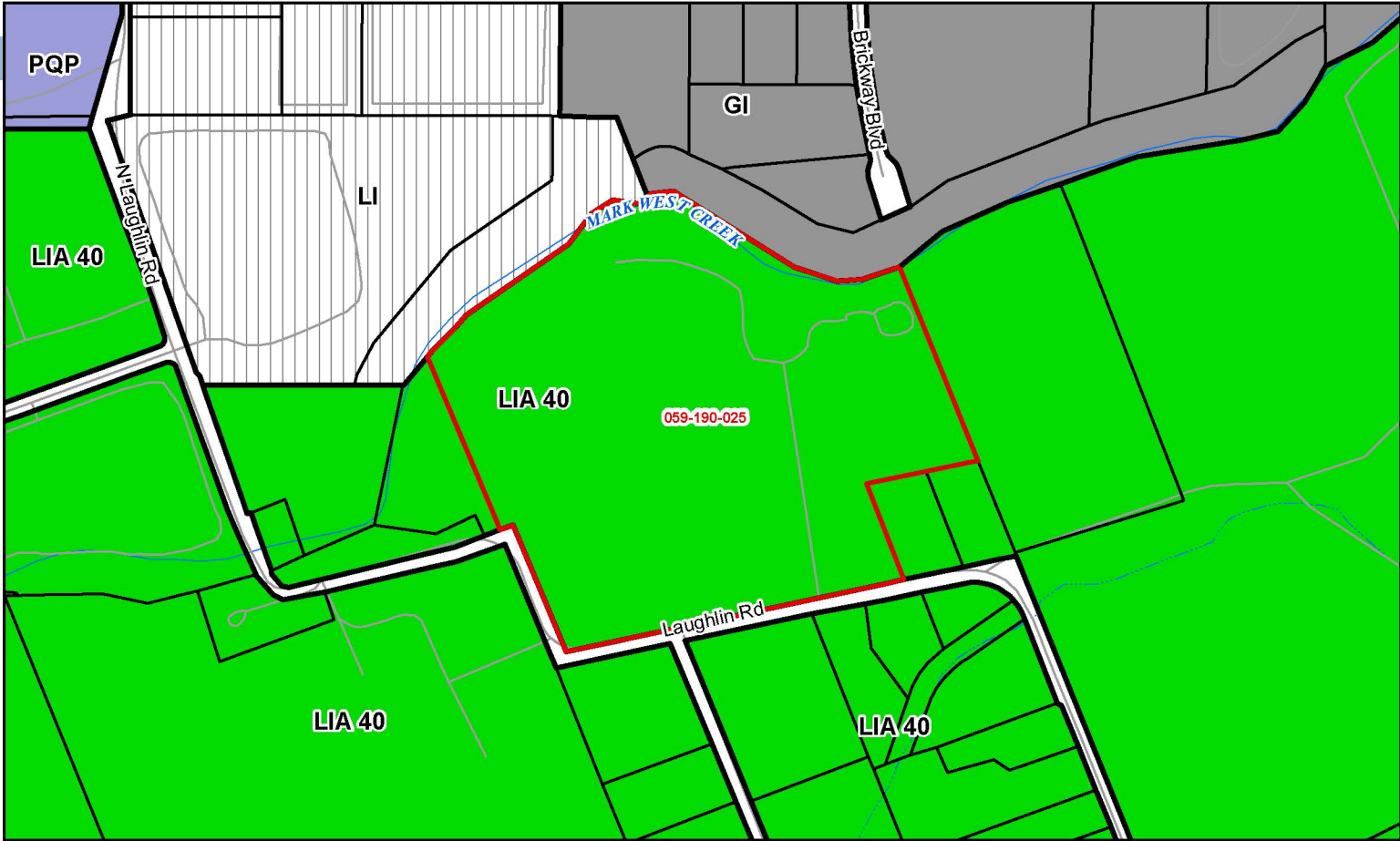
UPC18-0055, Use Permit







# General Plan Land Use Designation



**General Plan Land Use**

- Diverse Agriculture
- Land Extensive Agriculture
- Land Intensive Agriculture
- Resources & Rural Development
- Rural Residential
- Urban Residential
- Recreation / Visitor-Serving Commercial

- General Commercial
- Limited Commercial
- Limited Commercial Traffic Sensitive
- General Industrial
- Limited Industrial
- Public / Quasi-Public

- Planning Area Policy
- Affordable Housing
- City

**Base Map Data**

- Parcel
- Street
- Perennial Stream
- Intermittent Stream



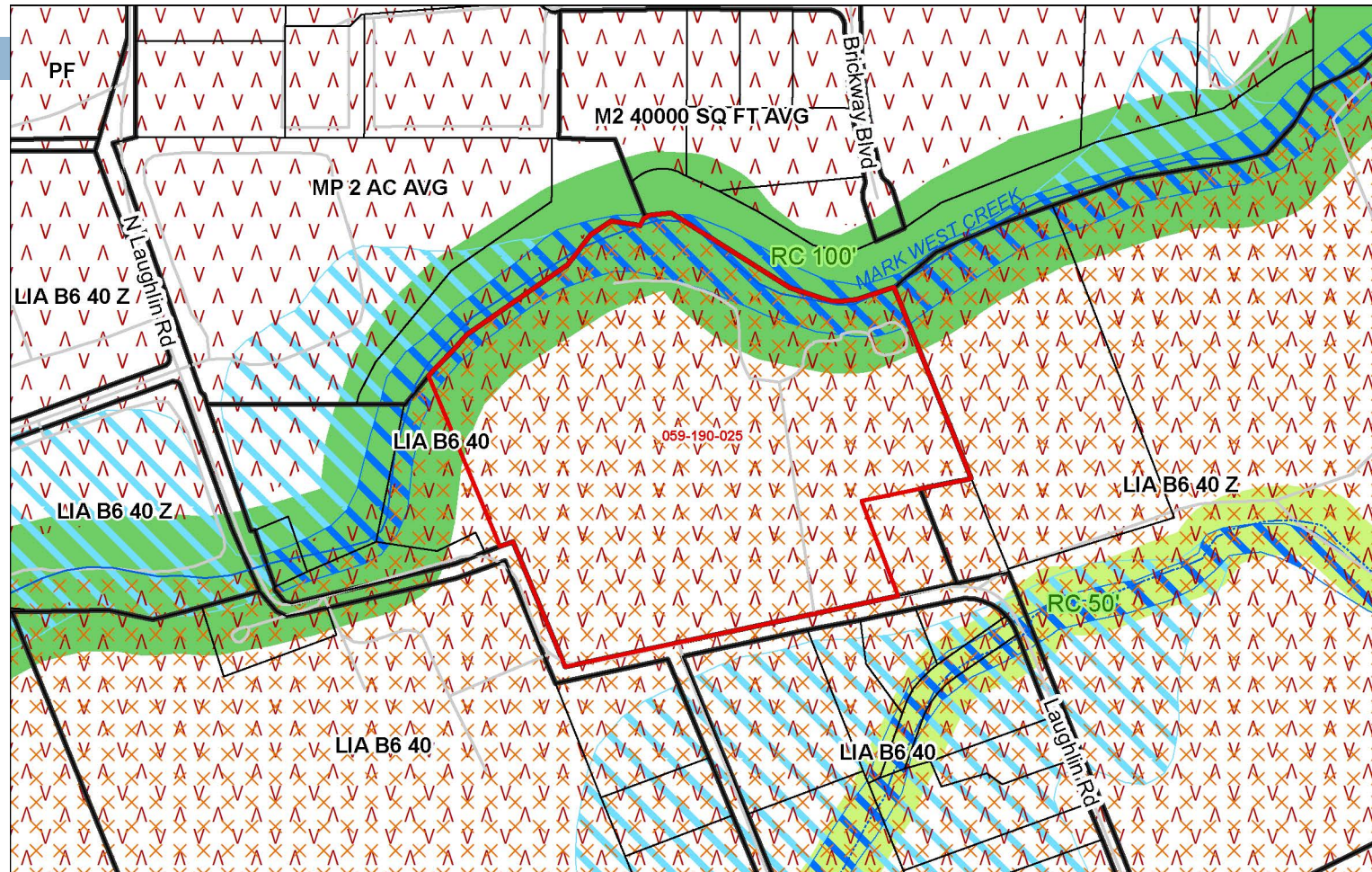
1:6,000

Numbers on map indicate maximum density in Acres/Unit, except Urban Residential where numbers indicate Units/Acres.



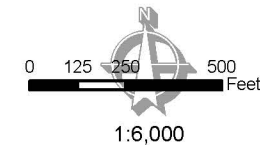


# Zoning Map



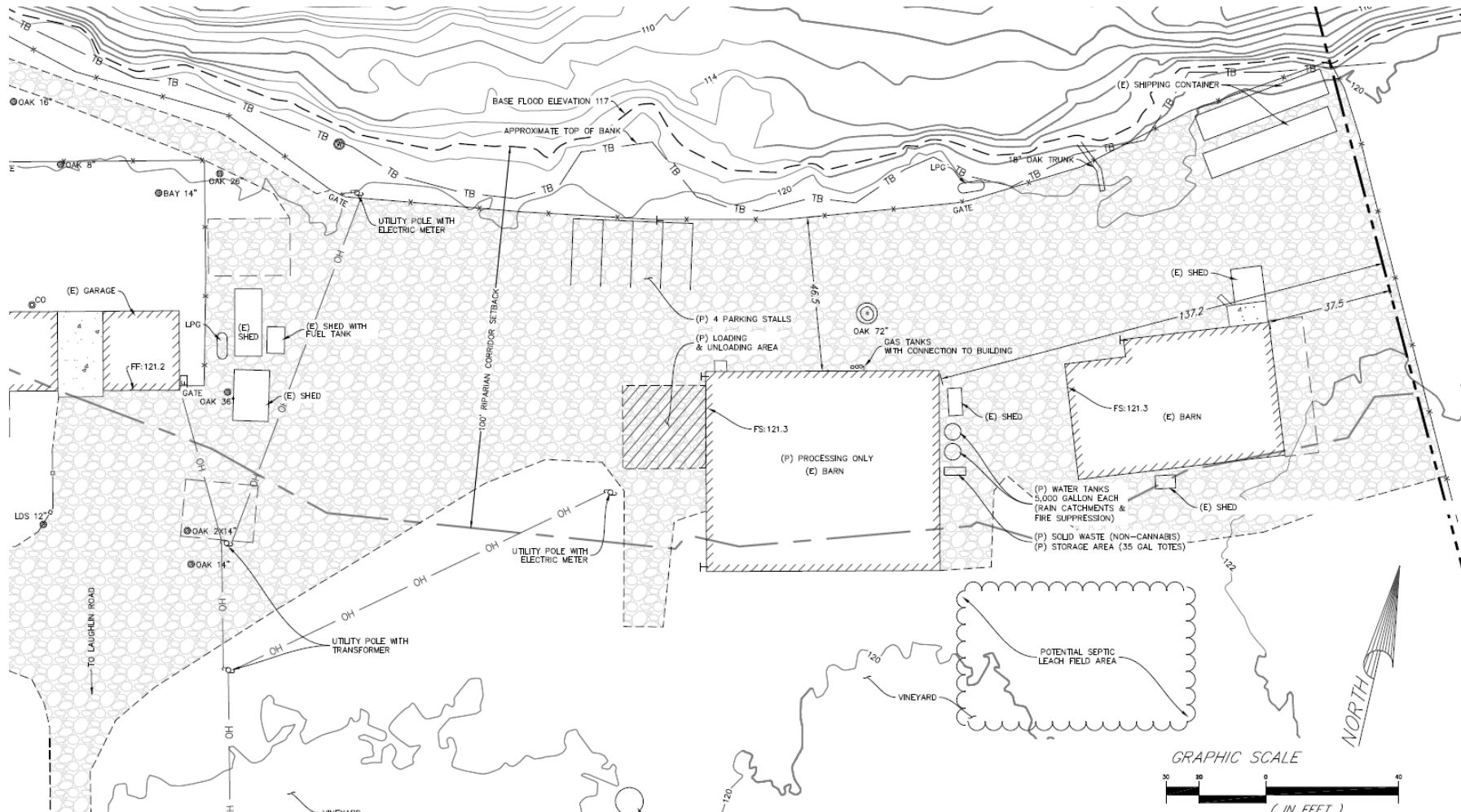
## Zoning and Combining Districts

Zoning by Area	LG Local Guidelines	MR Mineral Resource	RC Riparian Corridor
AH Affordable Housing	SR Scenic Resource	G Geologic Hazard	50'
LU Policy	VOH Valley Oak Habitat	F1 Floodway	100'
HD Historic District	BH Biotic Habitat	F2 Floodplain	200'





# Project Site Plan



- Convert the existing 4,200 SF barn to a Centralized Cannabis Processing Facility
  - ▣ No cultivation located on site
  - ▣ Distributor-Transport Only
- 3 fulltime employees
- Hours of operation 24-hours, 7 days a week
  - ▣ Deliveries and shipping limited to 8am-5pm Monday –Friday
- Closed to the public
- Security features includes:
  - ▣ Motion sensor lighting
  - ▣ Security camera system
  - ▣ Alarm system
  - ▣ Secure gate at entrance





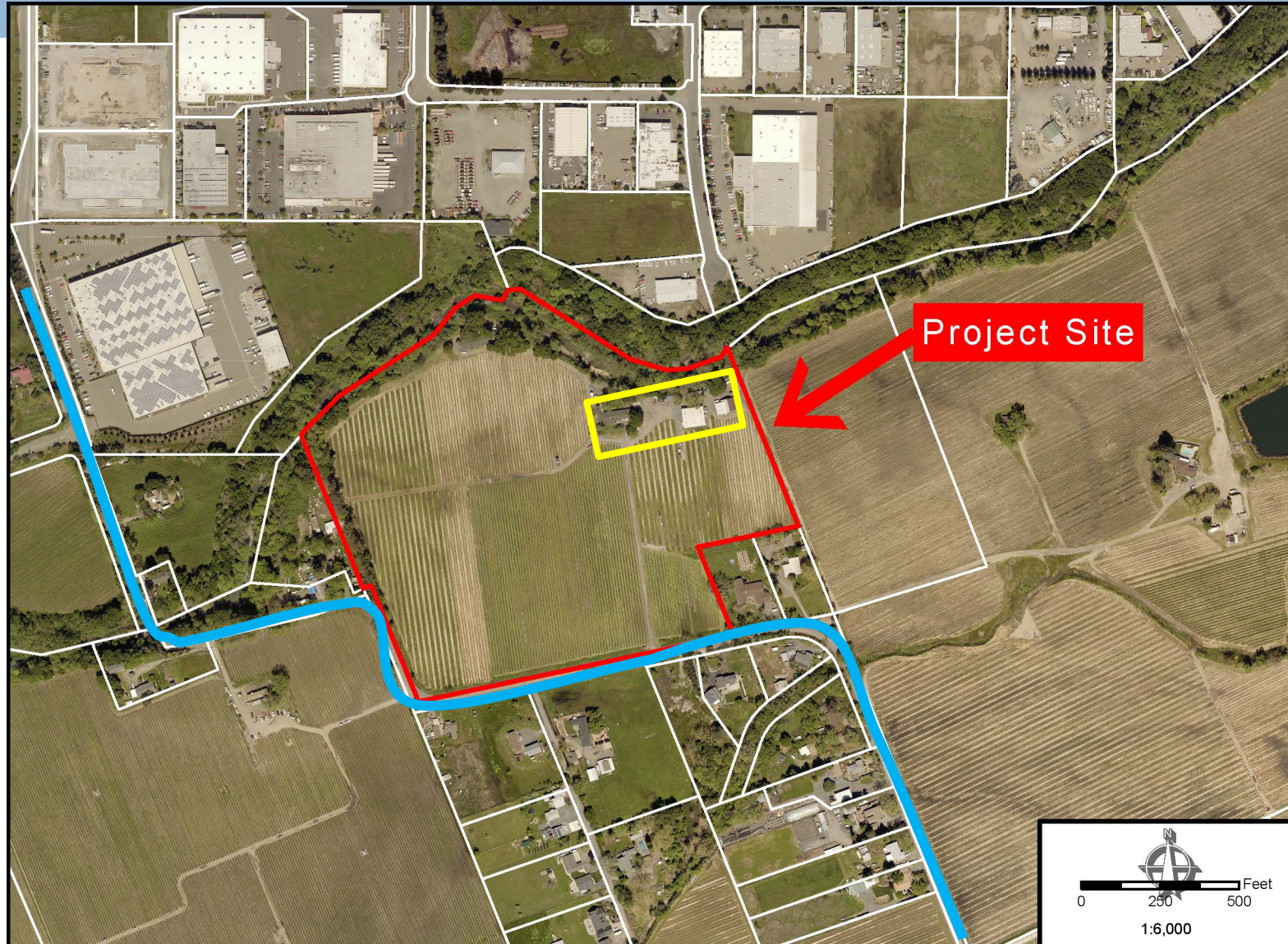
# Vicinity Map







# Aerial








# Aerial







# Aerial



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# BZA Hearing – Action Taken

November 19, 2020

- Categorically Exempt from CEQA review
- Use Permit Approved 4-0-0 with conditions
  - ▣ One Condition Added
    - Any project improvements, parking and storage are prohibited within the Stream Conservation Area and the existing shipping containers are to be relocate out of the area. (#31)
  - ▣ One Condition Modified
    - Project proposal elements such as 100% renewable energy, energy efficient fixtures and carpooling are detailed as requirements in the Greenhouse Gas Reduction Plan. (#25)





# BZA Decision Appealed

November 30, 2020

- Consistency with Section 26-88-250 (f)
- Health and Safety of residents
  - ▣ Noise
  - ▣ Odor
  - ▣ Traffic
  - ▣ Public Safety



# Health and Safety – Noise

- Ordinance requires activities to not exceed the GP noise standards of Table NE-2
  - ✓ Noise is required to be controlled in accordance with Table NE-2 (COA #87)
  - ✓ Any grinding, chipping, and/or shredding has to be done inside or behind the processing facility as a noise shield (COA #88)
  - ✓ Noise Monitoring and Mitigation - Valid noise complaints require a Noise Study to determine if operations meet noise standards and identify any additional noise Mitigation Measures (COA #89)



# Health and Safety – Odor

- Ordinance requires indoor odor filtration/ventilation
  - ✓ Carbon filters and condition of approval requires a negative air pressure exhaust system, and doors to remain closed (COA #19 and COA #93)
- Ordinance addresses outdoor odor through minimum parcel size and setback requirements
  - ✓ 28.20-acre parcel (10 acres required)
  - ✓ Nearest dwelling to south ~500 feet (300 ft required)
- Additional controls proposed
  - ▣ Odor Control Plan – Monitoring (COA #19)
  - ▣ Five-Year Review (COA #11)



# Health and Safety – Traffic

- Traffic / Impacts to Laughlin Road
  - ▣ Average Daily Trips of 9.5
    - 0.5 truck traffic
    - 9 employee traffic
  - ▣ Department of Transportation and Public Works Traffic Volume mapping tool
    - Laughlin Road has recorded 2,500 ADT
    - One-Lane Bridge has recorded 2,600 ADT
- Sonoma County Department of Transportation and Public Works has reviewed the project, has not required additional traffic studies and have conditioned the project appropriately



# Neighborhood Compatibility – Public Safety

- Ordinance requires security fencing, cameras, lighting, and alarms as part of Site Security Plan
  - ✓ Plan meets ordinance requirements
- Includes additional measures:
  - ▣ Secured gated entrance
  - ▣ Security fencing
  - ▣ Locked doors
  - ▣ Motion sensor lights and camera system



# Conclusion

- Conditions of approval require compliance with GP noise standards of Table NE-2 and has a COA for monitoring
- Setbacks exceed requirements for residential structures and property lines
- Odor control & management exceeds requirements
- DTPW has reviewed the project and did not find the proposed use presented traffic issues that require further modifications or mitigations
- Security exceeds requirements





# Environmental Determination

- Categorically Exempt from CEQA review
  - ▣ Title 14 of the California Administrative Code, Section 15301  
(Existing Facilities)
- Appeal did not raise any challenges to the CEQA determination



# Staff Recommendation

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- Recommend the BOS deny the appeal and uphold the BZA Use Permit approval



# Questions?

