



Legislation Details (With Text)

File #: 2022-1090
Type: Consent Calendar Item **Status:** Passed
File created: 9/22/2022 **In control:** Permit and Resource Management
On agenda: 10/18/2022 **Final action:** 10/18/2022
Title: Original Jurisdiction for a Cannabis Use Permit; 6699 Palmer Creek Road, Healdsburg; Permit Sonoma File Number UPC18-0046
Sponsors: Permit and Resource Management
Indexes:
Attachments: 1. Summary Report

Date	Ver.	Action By	Action	Result
10/18/2022	2	Board of Supervisors	Approved as recommended	Pass

To: Board of Supervisors
Department or Agency Name(s): Permit Sonoma
Staff Name and Phone Number: Scott Orr, 707-565-1900
Vote Requirement: Majority
Supervisory District(s): Fourth

Title:
Original Jurisdiction for a Cannabis Use Permit; 6699 Palmer Creek Road, Healdsburg; Permit Sonoma File Number UPC18-0046

Recommended Action:
Approve the request to exercise original jurisdiction over the Cannabis Use Permit application for Mixed-Light and Outdoor cultivation on a 34.04-acre parcel, located at 6699 Palmer Creek Road, Healdsburg, APN 069-040-026. Permit Sonoma File Number UPC18-0046. (Fourth District)

Executive Summary:
The submitted application UPC18-0046 is for a five-year limited-term Use Permit for a cannabis operation, including 10,000 square feet of mixed-light cannabis cultivation, 17,825 square feet of outdoor cannabis cultivation, the clearing of 1.8 acres of timberland to a non-timber growing use, and the construction of a 782,907-gallon water storage pond on a 34.04-acre parcel.

Discussion:
Cannabis Use Permit UPC18-0046 for mixed-light and outdoor cultivation at 6699 Palmer Creek Road, Healdsburg was submitted November 7, 2018. The Use Permit and associated mitigated negative declaration (MND) were heard by the Board of Zoning Adjustments on June 24, 2021. The Board of Zoning Adjustments (BZA) voted 3-2 to approve the use permit and adopt the MND. A timely appeal of that decision was filed. Following the hearing, the project underwent modifications, in large part related to new stream classifications by the Regional Water Board. As a result of the project modifications, Permit Sonoma determined that the project would be remanded to the BZA for a new decision on the project and MND, and the appeal was withdrawn and appeal fee refunded.

The Sonoma County Zoning Code allows the Board of Supervisors to exercise original jurisdiction over any non-legislative planning application (Sec. 26-92-155; Sec. 25-13.4). Exercising original jurisdiction results in the project bypassing the Board of Zoning Adjustments and proceeding directly to the Board of Supervisors for a decision. Requests for original jurisdiction may be made orally during a Board meeting or filed in writing with the Clerk of the Board. The request need not state a reason. On September 28, 2022, Fourth District Supervisor James Gore requested in writing that the Board take original jurisdiction over UPC18-0046. A request for original jurisdiction must be approved by a majority of the Board.

If approved, staff would continue processing the application and bring it directly to the Board at a later date to approve, conditionally approve, or deny.

Strategic Plan:

N/A

Prior Board Actions:

None

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

N/A

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

None

Related Items "On File" with the Clerk of the Board:

None