



## Legislation Text

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**File #:** 2022-0470, **Version:** 1

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**To:** Board of Supervisors

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:** Supervisor Susan Gorin, 707-565-2241

**Vote Requirement:** Majority

**Supervisorial District(s):** First

**Title:**

Rescind Original Jurisdiction for Conditional Use Permits - PLP17-0040 and UPC17-0085

**Recommended Action:**

Approve the request to rescind original jurisdiction for the following Conditional Use Permit applications for commercial cannabis operations: PLP17-0040, 351 Trinity Road, Glen Ellen, APN: 053-110-076; and UPC17-0085, 4050 Grange Road, Santa Rosa, APN: 049-150-005. (First District)

**Executive Summary:**

Today's actions would rescind original jurisdiction for the Planning Permit application PLP17-0040 located at 351 Trinity Road in Glen Ellen and the Conditional Use Permit application UPC17-0085 located at 4050 Grange Road in Santa Rosa. The planning permit application PLP17-0040 would first be heard by the Planning Commission, then by the Board of Supervisors for final decision. The conditional use permit application UPC17-0085 would be heard by the Board of Zoning Adjustments and any decision could be appealed to the Board of Supervisors.

**Discussion:**

The Planning Project application (PLP17-0040) proposes a zone change to remove the Mineral Resource (MR) Combining District overlay, and to operate 33,560 square feet of outdoor cannabis cultivation, and 10,000 square feet of mixed light cannabis cultivation on a 25.16-acre parcel. The operator has been cultivating since May 2017 and is currently allowed to cultivate 43,560 square feet (1 acre) of outdoor cultivation under the Penalty Relief Program. Under State planning and zoning law, a zoning ordinance like the removal of a combining district must first be heard by the Planning Commission, and so original jurisdiction must be rescinded to comply with this requirement.

The Conditional Use Permit (UPC17-0085) proposes 42,435 square feet of outdoor cultivation and 1,125 square feet of propagation on a 14.6-acre parcel. In March 2022, the operator was removed from the Penalty Relief Program.

On April 14, 2022, in accordance with Sonoma County Code Section 26-92-155, the First District Supervisor requested that original jurisdiction over these two permit applications be rescinded. The request need not state a reason and must be approved by a majority of the Board. Upon rescission of original jurisdiction, the Planning Commission will hear PLP17-0040 and the Board of Zoning Adjustments will hear UPC17-0085. If the decision of the Board of Zoning Adjustments is appealed, the Board of Supervisors would then hear that

permit application.

The remaining conditional use permit applications over which the Board of Supervisors voted to exercise original jurisdiction on December 17, 2019, will be scheduled for Board of Supervisors consideration as they are deemed ready by Permit Sonoma planning staff.

**Strategic Plan:**

N/A

**Prior Board Actions:**

12/17/2019 - Board of Supervisors exercised original jurisdiction over 19 cannabis use permit applications.

<https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=4283181&GUID=B3E39CB0-BFC3-4DEA-97C2-DF57700DDED3>

1/26/2021 - Original Jurisdiction rescinded for cannabis use permit application UPC18-0001, 885 Montgomery Road in Sebastopol

**FISCAL SUMMARY**

**Narrative Explanation of Fiscal Impacts:**

These are at-cost planning applications. The applicants pay processing costs.

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

None

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

None