

Rezone Request 2019-0013

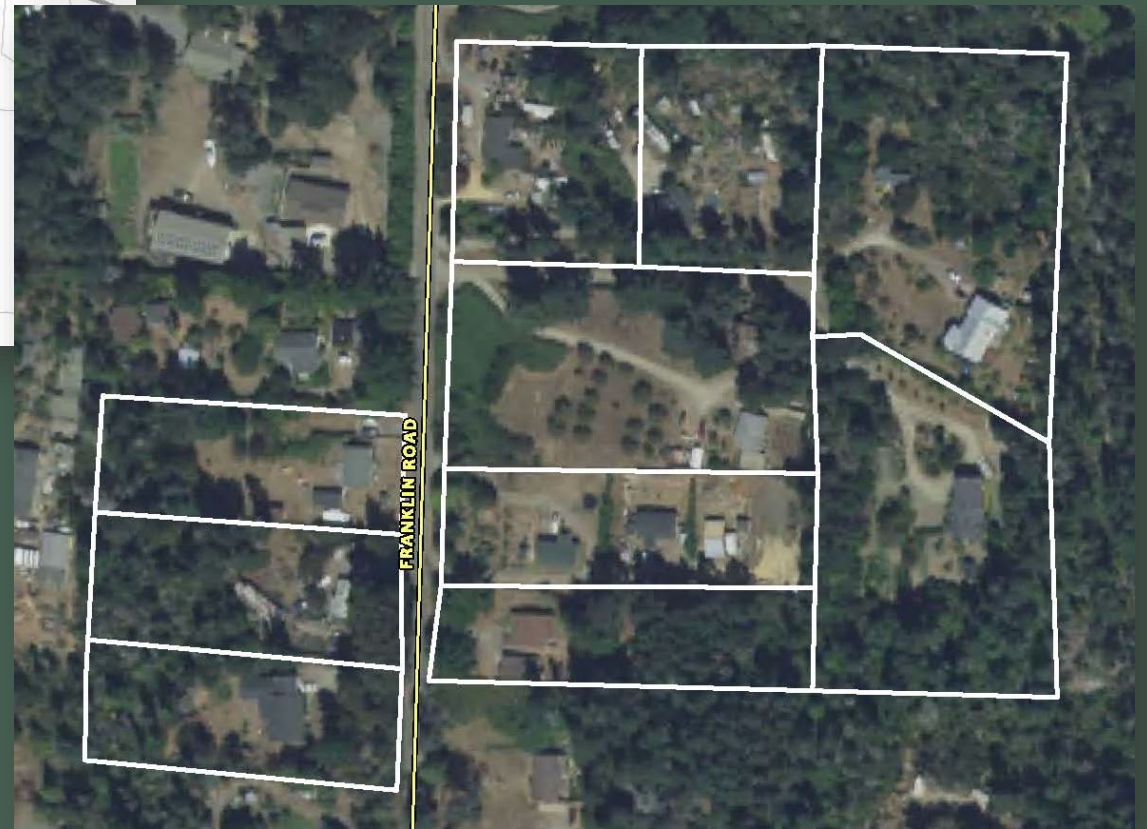
Request to create a Cannabis Accommodation Combining District of 10 RR legal and contiguous parcels near Franklin Rd.

Applicant Brandy Moulton

Mendocino County Planning Commission Meeting

— February 3, 2022

Proposed CACD Location



Background

- **10/30/19: Applicant's timely submission of CACD application**
- **12/2/19: CACD application deemed complete**
- **5/20/21: Staff Planner informs applicant of June 3, 2021 PC Hearing; provides staff report.**
- **5/24/21: County unilaterally pulls application from June 3, 2021 PC Hearing stating incomplete staff report.**
- **8+ months later**

CACD Findings for Approval

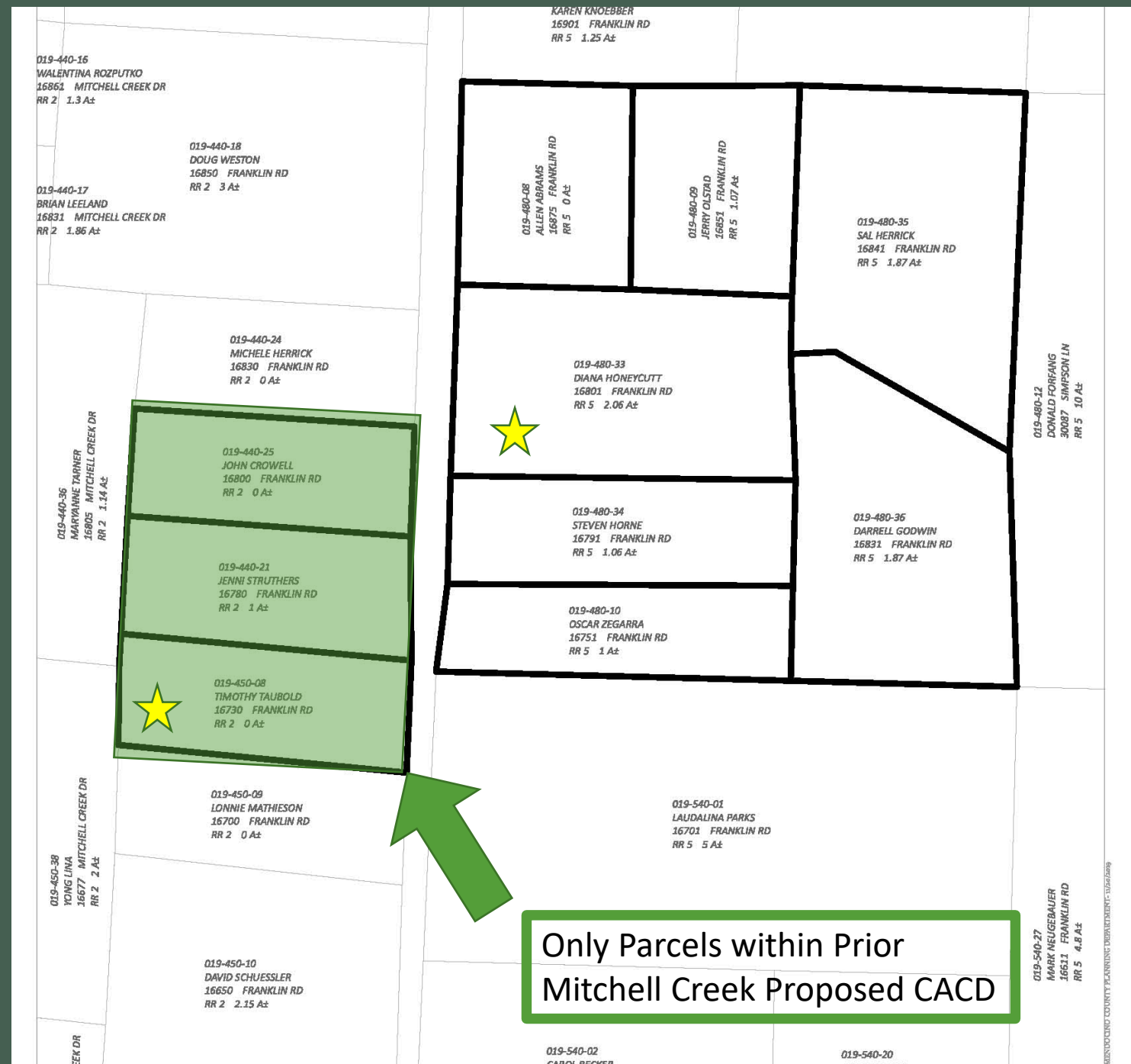
- 1. Rezone Request is consistent with the General Plan.**
- 2. Rezone Request is consistent with the Zoning District.**
- 3. Rezone Request is consistent with the CACD requirements.**
 - a. Application by 1 or more property owners in CACD**
 - b. Minimum of 60% property owner support**
 - c. Minimum of 10 legal and contiguous parcels**

Proposed CACD

➤ 12.79± acres

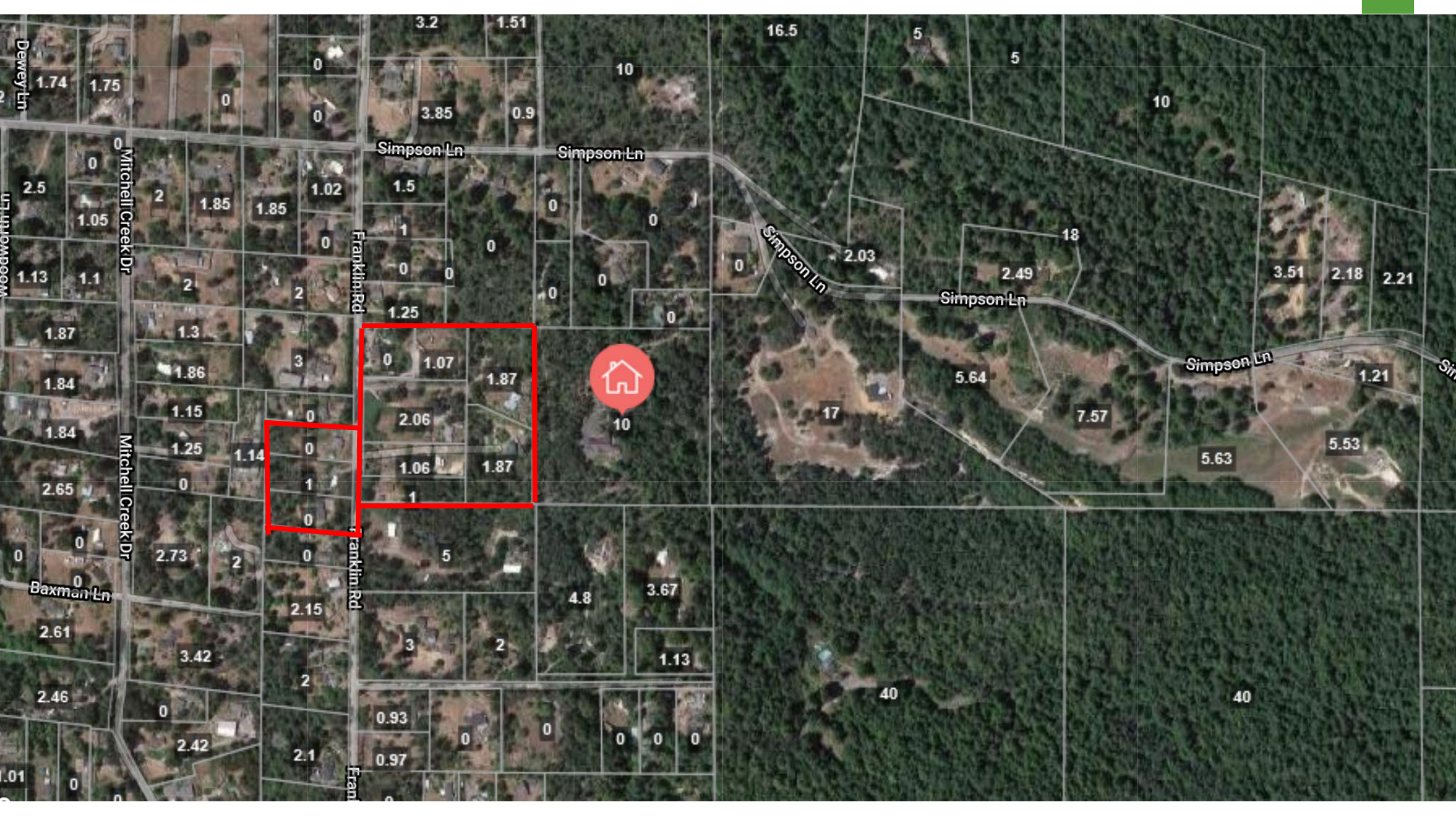
➤ RR:2 and RR:5

➤ ★ = Existing or Prior Known Cultivation



General Plan Consistency

- **Each parcel designated as Rural Residential land use**
- **DE-14: RR land use is intended to encourage local and small-scale farming**
- **General RR land uses include: residential uses, agricultural uses, and cottage industries (small scale businesses operating in or near residential uses)**
- **PP 2-2(B): Encourages a variety of land uses and employment opportunities in community areas**



CACD Shape & Size

- **Planning Staff's recommendation for denial stems from the misapplication of 20.118.020(B).**

(B) A CA Combining District may range from neighborhood to community in scale, but in no case be composed of fewer than ten (10) legal parcels as that term is defined in section 10A.17.020. All parcels within a CA Combining District shall be contiguous (excepting separations by public or private roads, rail lines, utility easements, or similar linear public facilities).

Opposition Lacks Merit

- **CACD impacts already evaluated via project-specific CEQA Review**
 - water, traffic, noise, odor, etc.

FINDINGS

1. For the proposed Rezone application, R_2019-0013, to create a Cannabis Accommodation (CA) Combining District, no substantial changes that would require major revisions to the previously adopted Mitigated Negative Declaration (MND) have been identified. No new significant environmental effects increase in the severity of those previously identified in the adopted MND.

- **Cannabis business subject to several security regulations;
Applicant has years of compliant operations**
- **No spot zoning; the CACD is surrounded by like zones and closely follows County's CACD establishment guidelines**

CACD Approval Findings Can Be Made

- 1. Rezone Request is consistent with the General Plan.**
- 2. Rezone Request is consistent with the Zoning District.**
- 3. Rezone Request is consistent with the CACD requirements.**
 - a. Application by property owner in CACD**
 - b. 70% property owner support**
 - c. 10 legal and contiguous parcels**

Applicant willing to work with Planning Department & Commissioners for necessary conditions specific to this CACD pursuant to Sec. 20.212.010(A).

Questions?

The background features a dark teal gradient. On the right side, there are several overlapping, angular shapes in shades of blue, teal, and green, creating a dynamic, abstract composition.