

COUNTY OF CALAVERAS, STATE OF CALIFORNIA
PLANNING COMMISSION

RESOLUTION NO. 2016-010

>>A RESOLUTION DENYING 2016-009 ZONING AMENDMENT FOR NOVE PLAZA
LLC

WHEREAS, the Planning Department of the County of Calaveras received an application on February 5, 2016 from from Nove Plaza LLC requesting a permit to rezone a parcel from C2-PX to CP-PX, and

WHEREAS, the Planning Commission set consideration of the project request pursuant to the Calaveras County General Plan, Title 17; Zoning Code and the procedures of the Planning Commission; and

WHEREAS, the proposed project is located on real property in the unincorporated portions of the County of Calaveras, more particularly described as APN: 046-016-078, a portion of Section 24 T04N R10E, MDM. The subject parcel is located at 2 Nove Way in Valley Springs; and

WHEREAS, CEQA does not apply to projects which a public agency rejects or disapproves pursuant to Section 15270(a); and

WHEREAS, the Planning Commission considered all of the information presented to it, including its staff report, information presented by the project proponent, and public testimony presented in writing and at the meeting:

BE IT THEREFORE RESOLVED, that the Planning Commission denies the Zoning Amendment based upon the following findings;

Zoning Amendment Finding

The zoning amendment is not consistent with current Board of Supervisors policy in regards to the rezoning of land to CP, Professional Office.

Evidence: At the April 26, 2016 Board of Supervisors meeting, the Board set a policy that they do not wish to consider the rezone of any parcels to CP. The reasons cited by the Board were that the County is currently drafting a cannabis cultivation ordinance and although changes are not proposed for dispensaries, the two are connected. The Board has also stated that they do not intend to approve the additional rezoning of land to CP that could accommodate dispensaries when there is already land within the county that could potentially be utilized for this use. The applicant has not stated what the property will be utilized for, but based upon the permitted and conditionally permitted uses in the C2 and CP zones, there is the possibility that an Administrative Use Permit could be filed for a medical cannabis dispensary.

PASSED AND ADOPTED by the Planning Commission of the County of Calaveras, at a regular meeting of the Planning Commission held on May 12, 2016 on a motion by Commissioner Tunno and seconded by Commissioner Wooster.

AYES: Tunno, Wooster, Muetterties, Allured

NOES:

ABSTAIN:

ABSENT: McLaughlin


Chair, Planning Commission

ATTEST:


Darcy Goulart, Planner III

The project files are available for public review in the Planning Department, County of Calaveras, Government Center, 891 Mountain Ranch Road, San Andreas, CA. 95249, between the hours of 8:00 a.m. and 4:00 p.m.