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| <p><b>TRINITY COUNTY PLANNING COMMISSION</b></p> <p><b>STAFF REPORT</b></p> |
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**PROJECT TITLE:** Initial Commercial Cannabis Cultivation Variance

**APPLICANT:** Danielle DeVore

**REPORT BY:** Skylar Fisher, Associate Planner

**LOCATION:** 2450 Lewiston Rd., Lewiston (APN 025-260-011)

**ZONING DISTRICT:** Rural Residential with a 5-acre minimum

**GENERAL PLAN DESIGNATION:** Rural Residential

**PROJECT DESCRIPTION:**

A request for an initial commercial cannabis cultivation variance (CCV) from a neighboring residence for pending commercial cannabis cultivation license (CCL) 308 pursuant to Trinity County Code Section 17.43.050(A)(8).

| Location | Land Use                                    | Zoning District                           | General Plan Designation |
|----------|---|---|--------------------------|
| North    | Residential Single Family                   | Rural Residential with a 2.5-acre minimum | Rural Residential        |
| South    | Residential Single Family                   | Agricultural with a 10-acre minimum       | Agricultural             |
| East     | Residential Single Family                   | Rural Residential with a 5-acre minimum   | Rural Residential        |
| West     | Residential Mobile Manufactured/Residential | Rural Residential with a 5-acre minimum   | Rural Residential        |

Table 1: Surrounding Land Uses to Project Site

**SITE DESCRIPTION:**

The cultivation area includes 9,624 sq. ft. of mature canopy, a 10'x40' area for immature planting, and a 25'x50' structure dedicated to processing, harvest storage, and admin hold. Immature plants are to be purchased off site. The newest cultivation structure, the 25'x50' structure was developed in 2020. Also on the site map is a dwelling with agricultural chemical and pesticide storage in the garage, a domestic well, and a well for cannabis irrigation. There are no water

crossings on the property, but there are five water tanks on the site. Three of the water tanks can store up to 2,500 gallons and two of the water tanks can store up to 2,800 gallons. Wastewater is disposed through an onsite septic tank. Portions of the Trinity River and a 100-year and 500-year floodplain run through northern sections of the project parcel.

### **PROJECT EVALUATION:**

#### ***Project Consistency with the Trinity County Zoning Code***

#### **Trinity County Code Chapter 17.43 – Commercial Cannabis Cultivation Regulations**

Trinity County Code Section 17.43.050 describes the locations where CCLs are not allowed in the county. The Rural Residential is not listed as barring commercial cannabis cultivation activities.

Within Section 17.43.050(A)(8), there are parameters given for cultivation variances:

“For specialty cottage, specialty and small licenses cultivation shall not be allowed within three hundred fifty feet of a residential structure on any adjoining parcels. For medium licenses, cultivation shall not be allowed within five hundred feet of an adjacent property line. Applications for a variance from this provision will be considered by the Trinity County Planning Commission. After obtaining an initial variance, the planning director can issue a director's use permit for subsequent years after an inspection.”

The parameters for cultivation area are described in Section 17.43.010 where cultivation is defined as “... the planting, growing, harvesting, drying, or processing of cannabis plants or any part thereof.”

The term variance used in this chapter “is defined as Trinity County Ordinance No. 315, Section 31.”

As the license is for small (up to 10,000 sq. ft.) mixed-light cultivation, it is required to have all cultivation activity be at least 350-feet from any residences on an adjoined parcel unless a variance is obtained.

#### **Trinity County Code Chapter 17.31 – Variances**

Trinity County Code Section 17.31.010 states that the justification for a variance must be “... that the owner would otherwise suffer unique hardship under general zoning regulations because his or her particular parcel is different from others to which the regulation applies due to size, shape, or topography. Variances may be granted only to authorize a change in development standards which is not otherwise authorized by the zoning regulations.”

The following is a list of guidelines for reviewing variances:

1. ***No Special Privilege.*** *A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances.*

**Finding:** The property has topographic constraints which would make it difficult for the applicant to develop outside of the required 350-ft residential setback. Primarily, a majority of the parcel is hilly and would be very difficult to develop upon. In addition, the Trinity River runs through a portion of the parcel.

2. **Use Variance Prohibited:** *The consideration of "use variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance.*

**Finding:** The granting of this variance does not create a variance from the uses allowed in the district.

3. **Disservice Not Permitted:** *A variance must not be injurious to the public welfare, nor to adjacent properties.*

**Finding:** There has not been evidence found by staff which indicates that the granting of a commercial cannabis cultivation variance would result in negative impacts to the surrounding parcels. At the time of writing this staff report, there was one comment submitted by a neighbor to the south of the project property, citing concerns of odor and transportation impacts. The granting of a commercial cannabis cultivation variance would not create new impacts to the roads or increased odor.

4. **Not Adverse to General or Specific Plan:** *A variance must be in harmony with the general purpose and intent of the zoning ordinance and cannot adversely affect the general plan or specific plans of the county.*

**Finding:** The project is not found to conflict with the General Plan or any specific plans.

5. **RD-1 Overlay Zone:** *Prior to approval of a variance for property within the RD-1 overlay zone, permission must be granted or deemed not necessary by the Secretary of Agriculture.*

**Finding:** The project parcel is not located within an RD-1 overlay.

### ***Project Consistency with the California Environmental Quality Act (CEQA)***

Discussion and action on the request of a commercial cannabis cultivation variance qualifies as exempt from CEQA, based on Section 15061(b)(3) which states that a project is exempt if it is found that there is no possibility that the activity in question may have a significant effect on the environment.

### **STAFF RECOMMENDATION:**

Planning staff recommends that the Planning Commission moves to:

- A. Adopt a California Environmental Quality Act (CEQA) determination that the project is exempt per Section 15061(b)(3)

- B. Adopt Resolution PC 2022-14 subject to Exhibit A – Conditions of Approval to reduce the 350-foot setback to 225-feet from the residence on APN 025-260-037

**ALTERNATIVES**

If the Planning Commission does not wish to approve the CCV, the following alternatives are available:

- A. Continue the item to the next Planning Commission hearing on December 8, 2022 to receive more information
- B. Deny application CCV-22-40

**ATTACHMENTS:**

- A. Resolution PC 2022-14 and Exhibit A – Conditions of Approval
- B. Site Plan
- C. Residential Setback Map
- D. Location Map
- E. Aerial Photos
- F. FEMA Map
- G. Zoning Districts Map
- H. General Plan Designations Map
- I. Board of Supervisors Ordinance No. 315-851
- J. Comment Received as of October 31, 2022

## RESOLUTION NO. PC-2022-14

### A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF TRINITY

#### Approving an Initial Commercial Cannabis Variance (Danielle DeVore, Commercial Cannabis Variance (CCV-22-40))

**WHEREAS**, the Trinity County Planning Department has considered a request for an initial commercial cannabis variance, filed by Robert Brown, in accordance with Title 17, Trinity County Zoning Code Section 17.43.050A(8),

**WHEREAS**, for specialty cottage, specialty, and small licenses, cultivation shall not be allowed within three hundred fifty feet of a residential structure on any adjoining parcels unless an initial variance is obtained by approval of the Trinity County Planning Commission,

**WHEREAS**, approved or conditionally approved commercial cannabis variances are subject to annual renewal by the Planning Director through the director's use permit process, and

**WHEREAS**, the Planning Commission held a public hearing and considered this matter at the regular meeting held on October 27, 2022,

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the County of Trinity:

1. Finds the requested commercial cannabis variance to be exempt from the requirements of the California Environmental Quality Act under exemption 15061(b)(3) on the basis that there are no substantial changes to the project or to circumstances under which the project is proposed to be undertaken, and no new information has become available or been made known showing unanalyzed environmental effects; and
2. Makes the following findings:
  - A. The applicant will not be granted a special privilege upon the approval of the proposed commercial cannabis variance;
  - B. The approval of the proposed commercial cannabis variance is not for a variance for the use of the property;
  - C. The approval of the proposed commercial cannabis variance would not be injurious to general public welfare or to the adjacent properties;
  - D. The proposed commercial cannabis variance is not in conflict with the goals, objectives, and policies of the General Plan or any specific plans;
  - E. The project parcel is not located in a Recreation Development District (RD-1) overlay zone; and

Resolution No. PC-2022-14  
November 10, 2022

3. Approves CCV-22-40 to reduce the 350-foot setback requirement from the residence on APN 025-260-037 to 225-feet, subject to the conditions set forth in Exhibit A of this resolution and incorporated herein.

**DULY PASSED AND ADOPTED** this 10<sup>th</sup> day of November, 2022 by the Planning Commission of the County of Trinity by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:  
RECUSE:

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WILLIAM SHARP, CHAIRMAN  
Planning Commission  
County of Trinity  
State of California

ATTEST:

By: 

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EDWARD PRESTLEY  
Secretary of the Planning Commission  
County of Trinity, State of California

**EXHIBIT "A" to Resolution PC-2022-14**  
**COMMERCIAL CANNABIS VARIANCE CONDITIONS OF APPROVAL**

(Danielle DeVore, Commercial Cannabis Variance (CCV-22-40))

1. The commercial cannabis variance is approved for a period of one year and shall expire on the same date as the commercial cannabis license that this variance and parcel is associated with; provided, however, that the variance shall be renewed annually through the Director's Use Permit application process. The commercial cannabis renewal application shall:
  - A. Be submitted by the applicant or designated agent/consultant prior to expiration of the variance and preferably no later than 60 days in advance;
  - B. Be subject to a filing fee as specified by resolution of the Board of Supervisors;
  - C. Be approved, denied, or referred to the Planning Commission at the discretion of the Planning Director;
2. Structures on the property shall be in compliance with the California Building Code and Trinity County Code;
3. The applicant has the sole responsibility for renewing this commercial cannabis variance before its expiration. The County will not provide a notice prior to the expiration date;
4. No county permit or license shall be issued until the ten-day appeal period has expired. If the commercial cannabis variance approval is appealed, no county permit or license shall be issued while a commercial cannabis variance hearing or appeal is pending.

**END OF CONDITIONS.**

Gordon Ward LLC

APN: 025-260-11-00

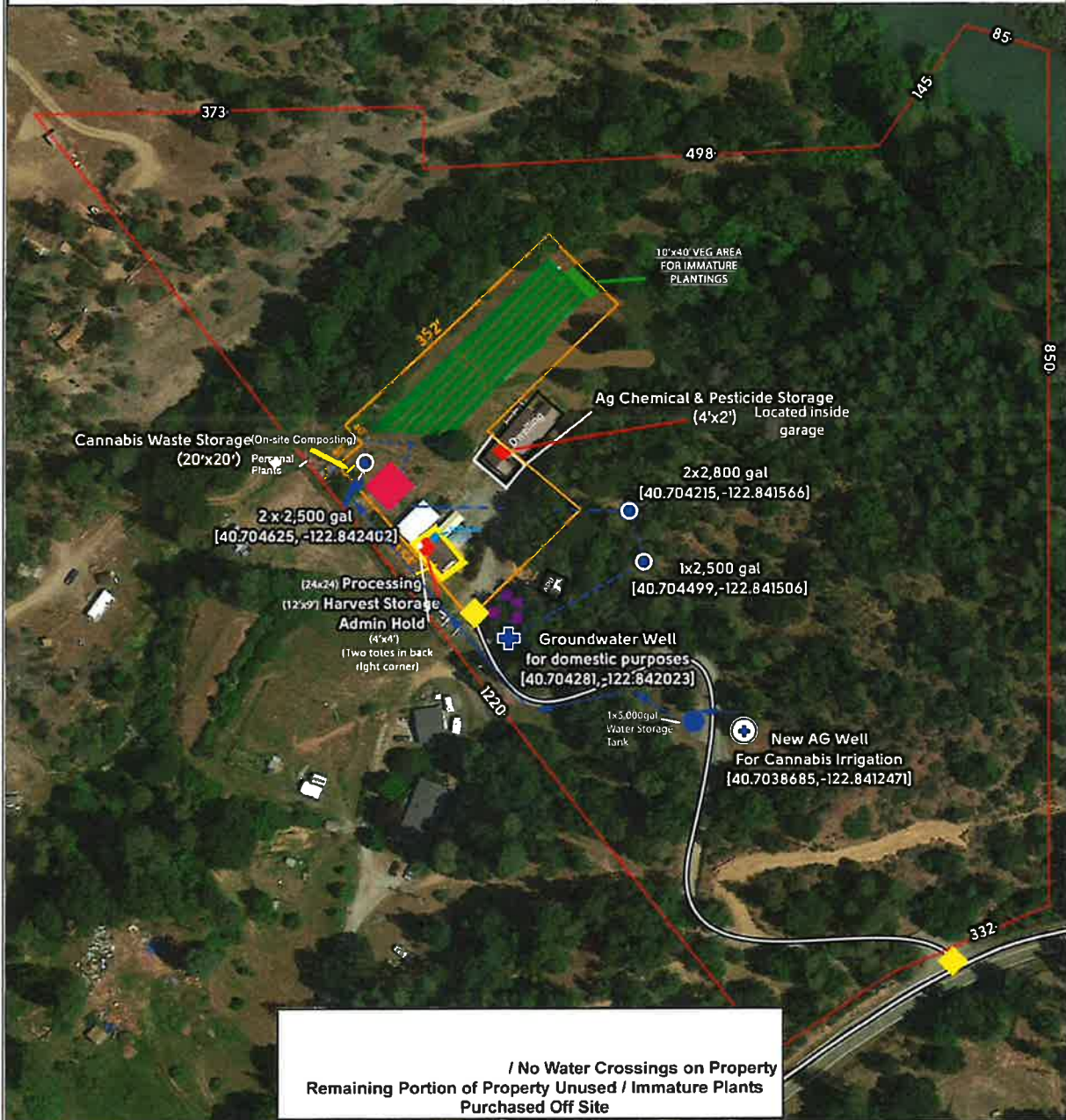
- Property Boundary
- Cultivation Area
- Dwelling
- Building

- Premises Boundaries
- Class I Watercourse
- Roads
- Irrigation Lines
- Setback
- Entrance/Exit

- 35'x50' Processing Building/Harvest Storage
- 8'x12' Outbuilding
- Groundwater Well for domestic purposes [40.704281,-122.842023]
- Water Tank (3 x 2,500gallon - 2 x 2,800gallon)
- New AG Well for cannabis Irrigation [40.7038685,-122.8412471]

Mature Canopy Space//Total Mature Canopy 9,624 sqft  
 Row 1 (8'x200') = 1,600 sqft  
 Row 2 (8'x211') = 1,688 sqft  
 Row 3 (8'x220') = 1,760 sqft  
 Row 4 (8.5'x224') = 1,904 sqft  
 Row 5 (8'x192') = 1,536 sqft  
 Row 6 (6.5'x192') = 1,248 sqft

Section 24 - T33N, R9W  
 Lewiston 24K Quad Map, Trinity County



/ No Water Crossings on Property  
 Remaining Portion of Property Unused / Immature Plants  
 Purchased Off Site



FIGURE 2  
 PROPERTY DIAGRAM MAP  
 APN 025-260-11  
 TRINITY COUNTY, CALIFORNIA



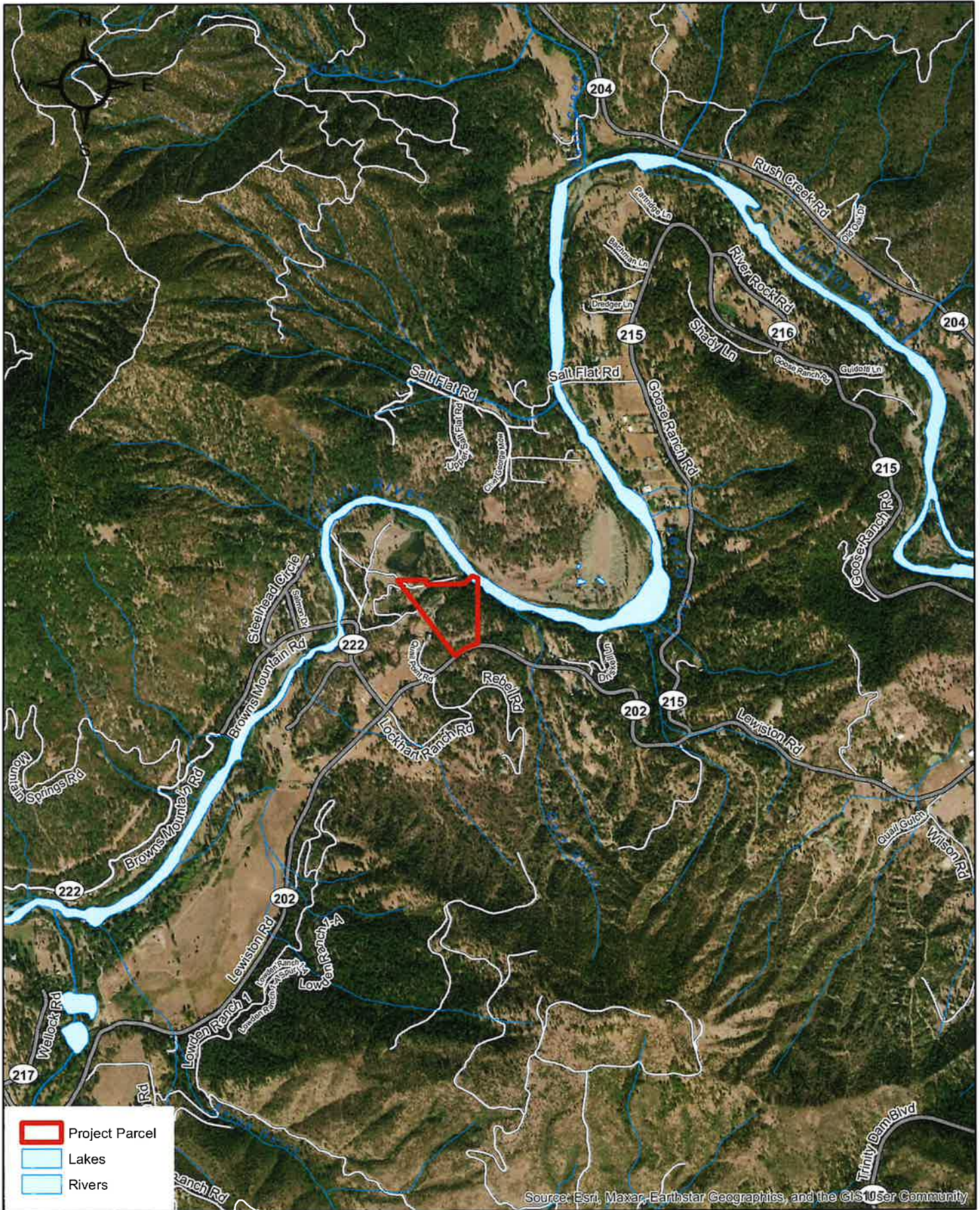
# CCV-22-40 Residential Setback Map



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



# CCV-22-40 Location Map



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

0 700 1,400 2,800 4,200 Feet

SF  
Date: 10/31/2022

# Attachment E

Aerial Map #1  
CCV-22-40



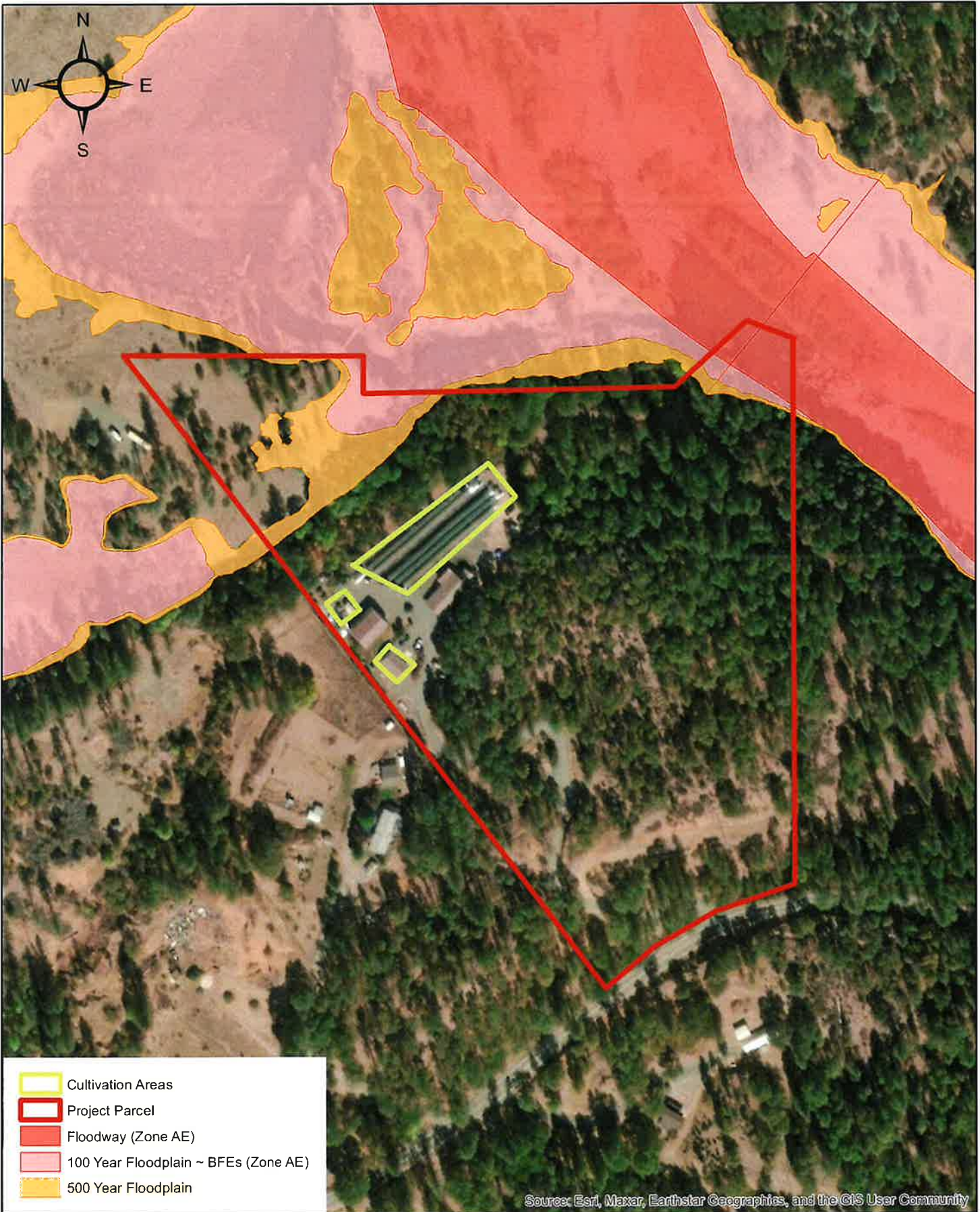
Legend  
2450 Lewiston Rd

Google Earth  
Image Layer: 11/20/2017 12:21:21

200 ft  
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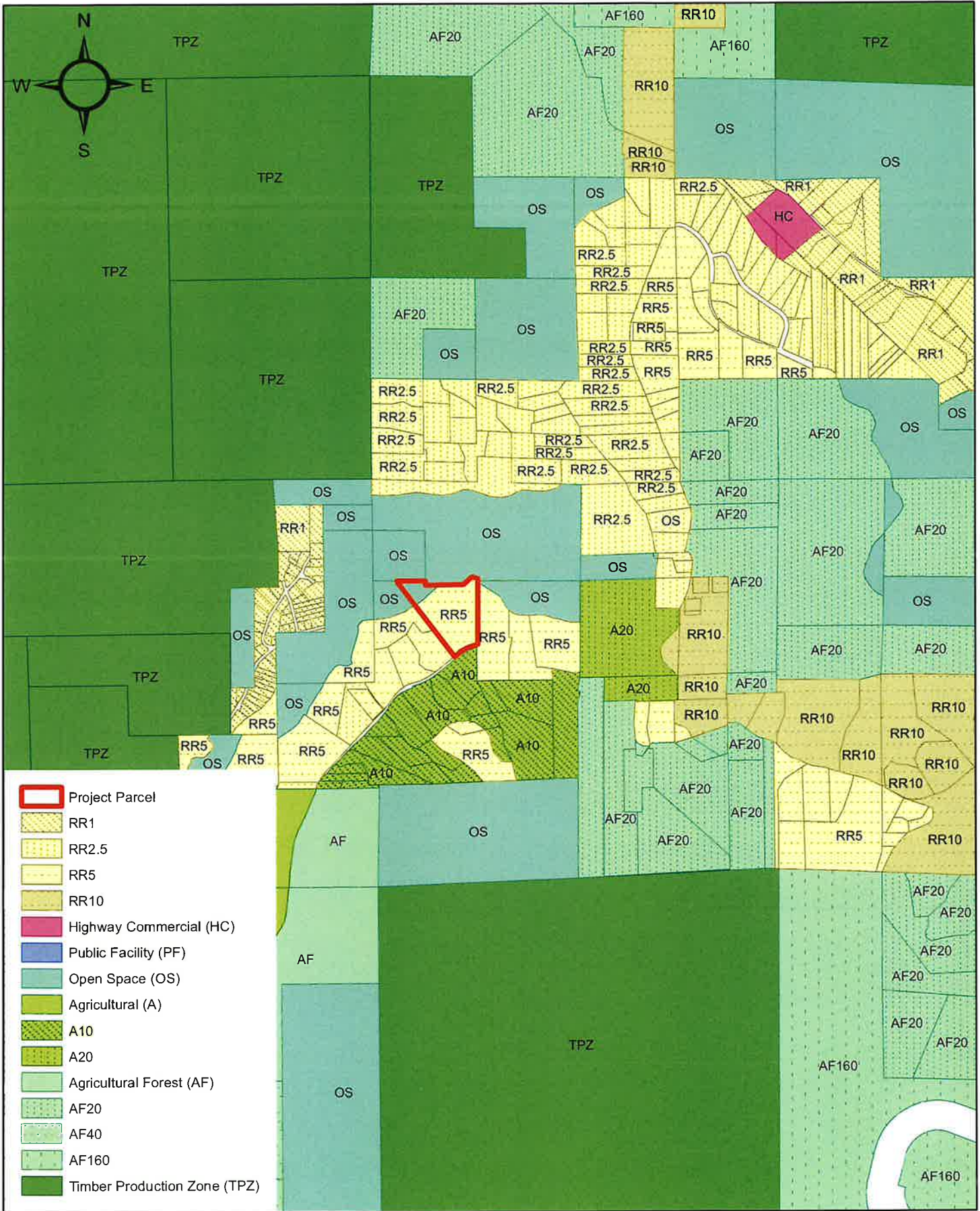
# CCV-22-40 FEMA Map



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



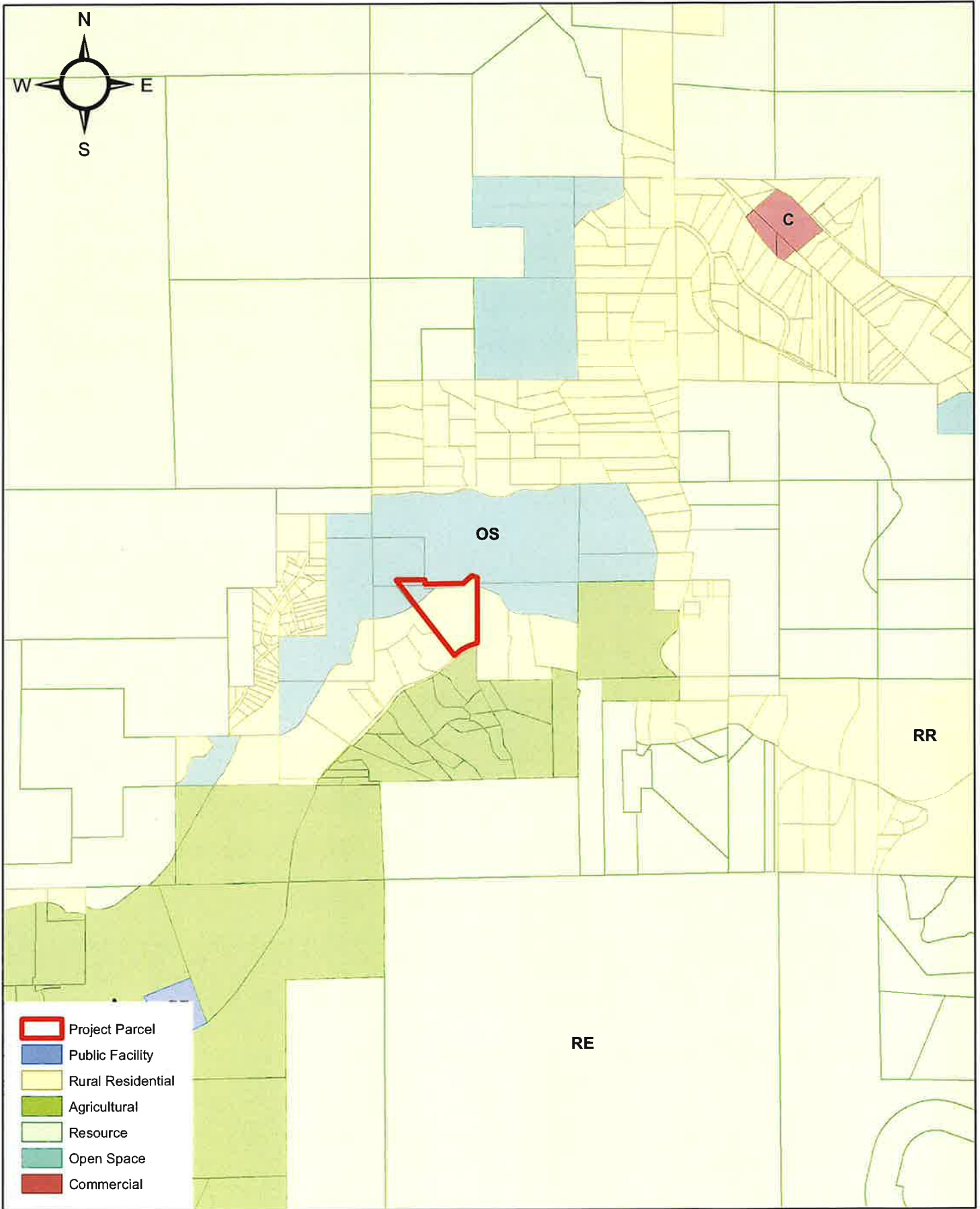
# CCV-22-40 Zoning Districts Map



- Project Parcel
- RR1
- RR2.5
- RR5
- RR10
- Highway Commercial (HC)
- Public Facility (PF)
- Open Space (OS)
- Agricultural (A)
- A10
- A20
- Agricultural Forest (AF)
- AF20
- AF40
- AF160
- Timber Production Zone (TPZ)



# CCV-22-40 General Plan Designations Map



**ORDINANCE NO. 315-851**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF TRINITY  
AMENDING VARIOUS SECTIONS OF TITLE 17 (ZONING) OF TRINITY COUNTY CODE  
CREATING THE RUSH CREEK ESTATES AND LEWISTON EXPANSION  
CANNABIS OPT OUT AREAS**

The Board of Supervisors of the County of Trinity, State of California, **DOES HEREBY ORDAIN** as follows:

**Section 1. Purpose**

The purpose of this ordinance is to adopt the Rush Creek Estates and Lewiston Expansion Cannabis Opt Out Areas which will exclude specified Cannabis land uses from operation within the boundaries of these areas.

**Section 2. Definitions**

The following definitions shall apply:

“Active” shall mean timely payment of all applicable fees; timely submittal of all required information, forms, and other required documentation; and satisfactorily participating in actions necessary to retain legal status and permits at both the State and local level.

“Compliant” shall mean in conformance with applicable rules, regulations/ordinances, and requirements.

“Footprint” shall mean the designated area(s) at a licensed premise that will contain mature plants at any point in time. This definition is intended to mirror the definition of "canopy" as defined by the State of California, or as may be amended.

“In good standing” shall mean current on applicable taxes and fees; legally allowed to conduct the subject business at the subject location; and with no outstanding enforcement actions.

**Section 3: Findings for Rush Creek Estates Cannabis Opt Out Area**

The Board of Supervisors of the County of Trinity makes the following findings in support of adoption and implementation of the Rush Creek Estates Cannabis Opt Out Area:

1. The Rush Creek Estates Cannabis Opt Out area was first adopted by urgency interim ordinance (Zoning Ordinance No. 315-845) of the Board of Supervisors on August 18, 2020, extended September 29, 2020, and extended a second time July 7, 2021.
2. The reasons for creation of this Cannabis Opt Out area, as substantiated below, are clear, consistent, unique to the Rush Creek Estates area, and will not have adverse social equity outcomes. As established below, the reasons are based on land use, physical, and environmental factors that make the expansion of Cannabis activities beyond existing grandfathered sites incompatible with the underlying area.
3. Impaired roadways and circulation in the Rush Creek Estates area support exclusion of new Cannabis activities which could exacerbate existing marginal conditions. Many roads are privately owned, sub-standard in width and base, with gravel surfaces that are not suitable for commercial Cannabis activities. Truck delivery of water resources from outside the area (see Finding #4 immediately below) is likely to adversely affect this fragile road system.



4. Impaired water resources, including water availability, in the Rush Creek Estates area support exclusion of new Cannabis activities which could exacerbate existing marginal conditions.
5. Other factors that support the exclusion of new Cannabis activities from the Rush Creek Estates area include: land use considerations including small parcel sizes and density; community character considerations including the primarily residential nature of the area; unique geographic conditions including steep topography; and public input including significant neighborhood support for the Cannabis Opt Out area.
6. The identified boundaries for the Rush Creek Estates Cannabis Opt Out Area are logical and equitable, and do not result in the creation of internal or external islands. The number and proximity of other locational controls in the area have been considered and the Board has concluded, that the size and geographical location of the Rush Creek Estates area will not result in inequitable burdens on other regions in the County.
7. Approved existing licensees within the Rush Creek Estate Cannabis Opt Out area as of August 18, 2020 that are Compliant, Active, and In Good Standing shall be allowed to continue to operate at their existing location.
8. Existing licensees within the Rush Creek Estate Cannabis Opt Out area shall be allowed to modify their operation with proper approvals if it does not increase the intensity or cultivation footprint of the operation. Expansion of existing operations within the Opt Out area shall only be allowed when it can be demonstrated to the satisfaction of the County that there would be no or minimal physical impact from the expansion. Expansion of the cultivation footprint shall not be allowed. Stacking of cultivation licenses shall not be allowed.
9. Existing licensees shall be allowed to transfer their license to a new owner in the event of a transfer of ownership of the property and/or to another property outside of the Opt Out area. Existing licensees may not transfer their license to another property within the Opt Out area.
10. Unless subsequently modified by the Board, this shall serve as a permanent prohibition on new commercial Cannabis activities within the Rush Creek Estates Cannabis Opt Out area.

**Section 4. Findings for Lewiston Expansion Cannabis Opt Out Area**

The Board of Supervisors of the County of Trinity makes the following findings in support of adoption and implementation of the Lewiston Expansion Cannabis Opt Out Area:

1. The Lewiston Expansion Cannabis Opt Out area was first adopted by urgency interim ordinance (Zoning Ordinance No. 315-850) of the Board of Supervisors on June 15, 2021, and extended July 30, 2021.
2. The reasons for creation of this Cannabis Opt Out area, as substantiated below, are clear, consistent, unique to the Lewiston Expansion area, and will not have adverse social equity outcomes. As established below, the reasons are based on land use, physical, and environmental factors that make the expansion of Cannabis cultivation beyond existing grandfathered sites and manufacturing of Cannabis incompatible with the underlying area.
3. Impaired water resources, including water availability, in the Lewiston Expansion area support exclusion of new Cannabis activities either of which could exacerbate existing marginal

conditions. . Grass Valley Creek contains important salmonid habitat which merits the pre-emptive protections provided by this action.

4. Noise, odor, and lighting emanating from new Cannabis activities within the Lewiston Expansion area is likely to exceed acceptable levels resulting in adverse outcomes on nearby properties.
5. Other factors that support the exclusion of new Cannabis activities from the Lewiston expansion area include: land use considerations including small parcel sizes and density; community character considerations including the primarily residential nature of the area; unique geographic conditions including steep topography; and public input including significant neighborhood support for the Cannabis Opt Out area.
6. The identified boundaries for the Lewiston Expansion Cannabis Opt Out Area are logical and equitable, and do not result in the creation of internal or external islands. The Lewiston Expansion area is compatible with and complements the adjoining existing Lewiston Cannabis Opt Out area, and incorporates the existing Bucktail Subdivision Cannabis Opt Out area thus eliminating a pre-existing external island.
7. The number and proximity of other locational controls in the area have been considered and the Board has concluded, that the size and geographical location of the Lewiston Expansion Opt Out area will not result in unequitable burdens on other regions in the County.
8. Approved existing licensees within the Lewiston Expansion Cannabis Opt Out area as of June 15, 2021 that are Compliant, Active, and In Good Standing shall be allowed to continue to operate at their existing location.
9. Existing licensees within the Lewiston Expansion Opt Out area shall be allowed to modify their operation with proper approvals if it does not increase the intensity or cultivation footprint of the operation. Expansion of existing operations within the Opt Out area shall only be allowed when it can be demonstrated to the satisfaction of the County that there would be no or minimal physical impact from the expansion. Expansion of the cultivation footprint shall not be allowed. Stacking of cultivation licenses shall not be allowed.
10. Existing licensees shall be allowed to transfer their license to a new owner in the event of a transfer of ownership of the property and/or to another property outside of the Opt Out area. Existing licensees may not transfer their license to another property within the opt-out area.
11. Unless subsequently modified by the Board, this shall serve as a permanent prohibition on new commercial Cannabis activities within the Lewiston Expansion Cannabis Opt Out area.

**Section 5. Amendment of County Code**

Various sections of Title 17, Zoning, of the Trinity County Code, are hereby added/amended:

Section 17.43.050(A)(9) is hereby added as follows resulting in the exclusion of new Cannabis cultivation in these areas: 9. Within the Rush Creek Estates and Lewiston Expansion Cannabis Opt Out Areas.

Section 17.43A.020(B)(3) is hereby added as follows resulting in the exclusion of Cannabis nurseries in these areas: 3. Within the Rush Creek Estates and Lewiston Expansion Cannabis Opt Out Areas.

Section 17.43B.020(D) is hereby added as follows resulting in the exclusion of Cannabis distribution in these areas: D. Cannabis distribution is prohibited within the Rush Creek Estates and Lewiston Expansion Cannabis Opt Out Areas.

Section 17.43C.020(E) is hereby added as follows resulting in the exclusion of Cannabis testing facilities in these areas: E. Cannabis testing is prohibited within the Rush Creek Estates and Lewiston Expansion Cannabis Opt Out Areas.

Section 17.43D.020(I)(1)(e) is hereby added as follows resulting in the exclusion of Cannabis non-storefront retail facilities in these areas: e. Within the Rush Creek Estates and Lewiston Expansion Cannabis Opt Out Areas.

Section 17.43E.030(J) is hereby added as follows resulting in the exclusion of Cannabis microbusinesses in these areas: J. A microbusiness license shall not be allowed within the Rush Creek Estates and Lewiston Expansion Cannabis Opt Out Areas.

Section 17.43F.020(E)(2)(f) is hereby added as follows resulting in the exclusion of Cannabis manufacturing in these areas: f. Within the Rush Creek Estates and Lewiston Expansion Cannabis Opt Out Areas.

**Section 6. Amendment of County Zoning Plan**

The Planning Director or his/her designee shall amend the adopted Zoning Plan of Trinity County to reflect the areas depicted in Exhibit 1 through 4 as Commercial Cannabis Opt Out areas.

**Section 7. CEQA Compliance**

The County finds that adoption of the proposed revised Ordinance falls within the scope of the Trinity County Cannabis Program EIR. The Cannabis Program EIR (SCH# 2018122049) was certified by the Board of Supervisors on December 21, 2020 (Resolution 2020-103) pursuant to CEQA Guidelines Section 15168 (Program EIR), and no further environmental review is required.

**Section 7. Severability**

If any section, subsection, sentence, clause, or phrase of this Ordinance or any exhibit is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, and phrase hereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, and phrases be declared invalid.

**Section 8. Waiver of First Reading**

This Ordinance shall be introduced by title and number only and the first reading waived.

**Section 9. Effective Date and Publication**

This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this Ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the Ordinance in the Trinity Journal, a newspaper of general circulation published in the County of Trinity, State of California.

Introduced at a regular meeting of the Board of Supervisors held on the 3<sup>rd</sup> day of March, 2022 and passed and enacted this 17th day of May, 2022 by the Board of Supervisors of the County of Trinity by motion, second (Groves/Cox), and the following vote:

AYES: Supervisors Groves, Cox, Gogan, Frasier  
NOES: None  
ABSENT: Brown  
ABSTAIN: None  
RECUSE: None



DAN FRAISER, CHAIRMAN  
Board of Supervisors  
County of Trinity  
State of California

ATTEST:

RICHARD KUHNS, Psy.D,  
Clerk of the Board of Supervisors

By:   
Deputy

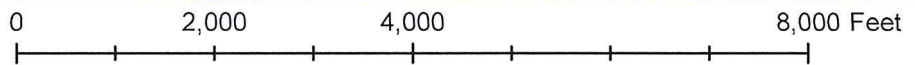
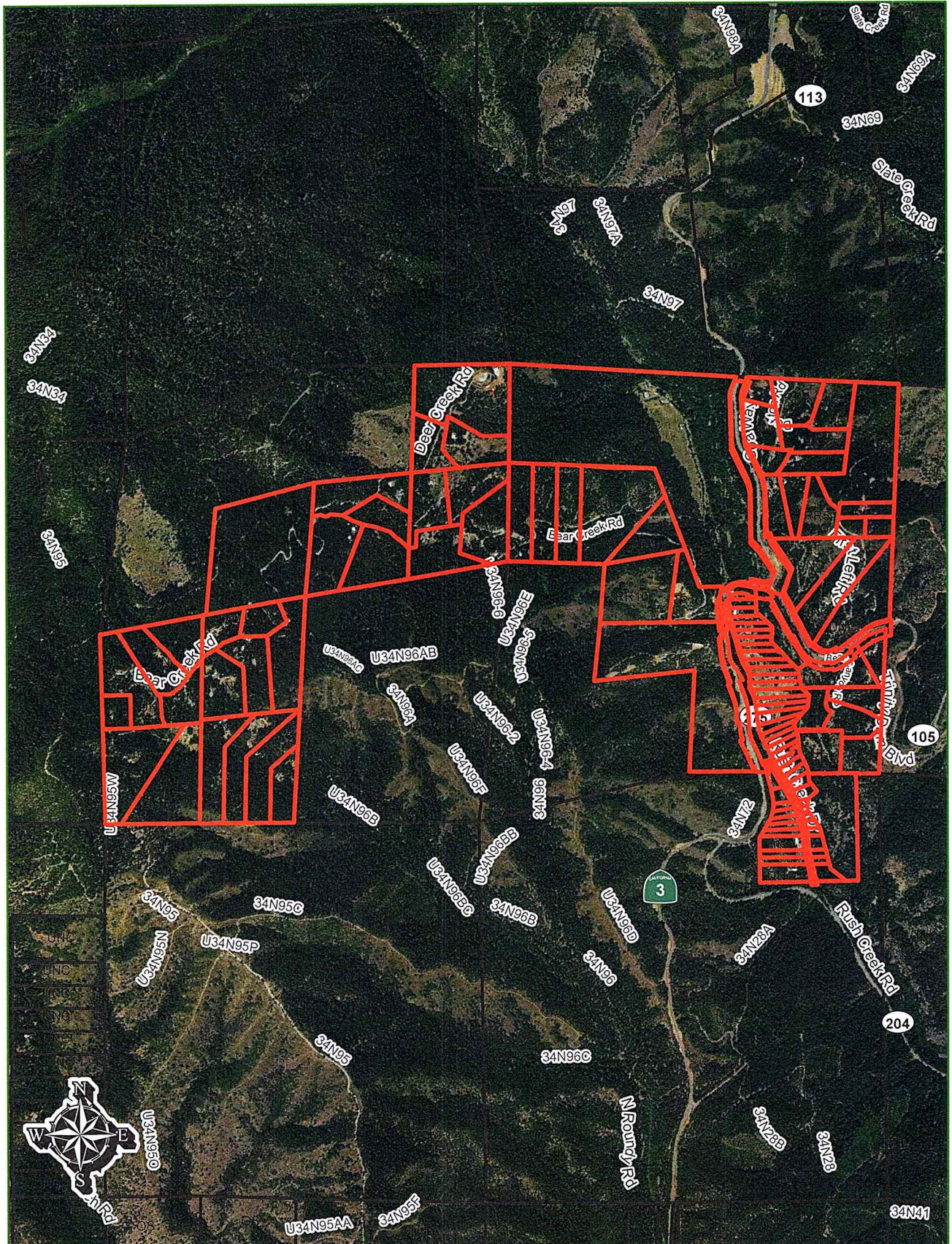
APPROVED AS TO FORM AND LEGAL EFFECT:



Margaret Long, County Counsel

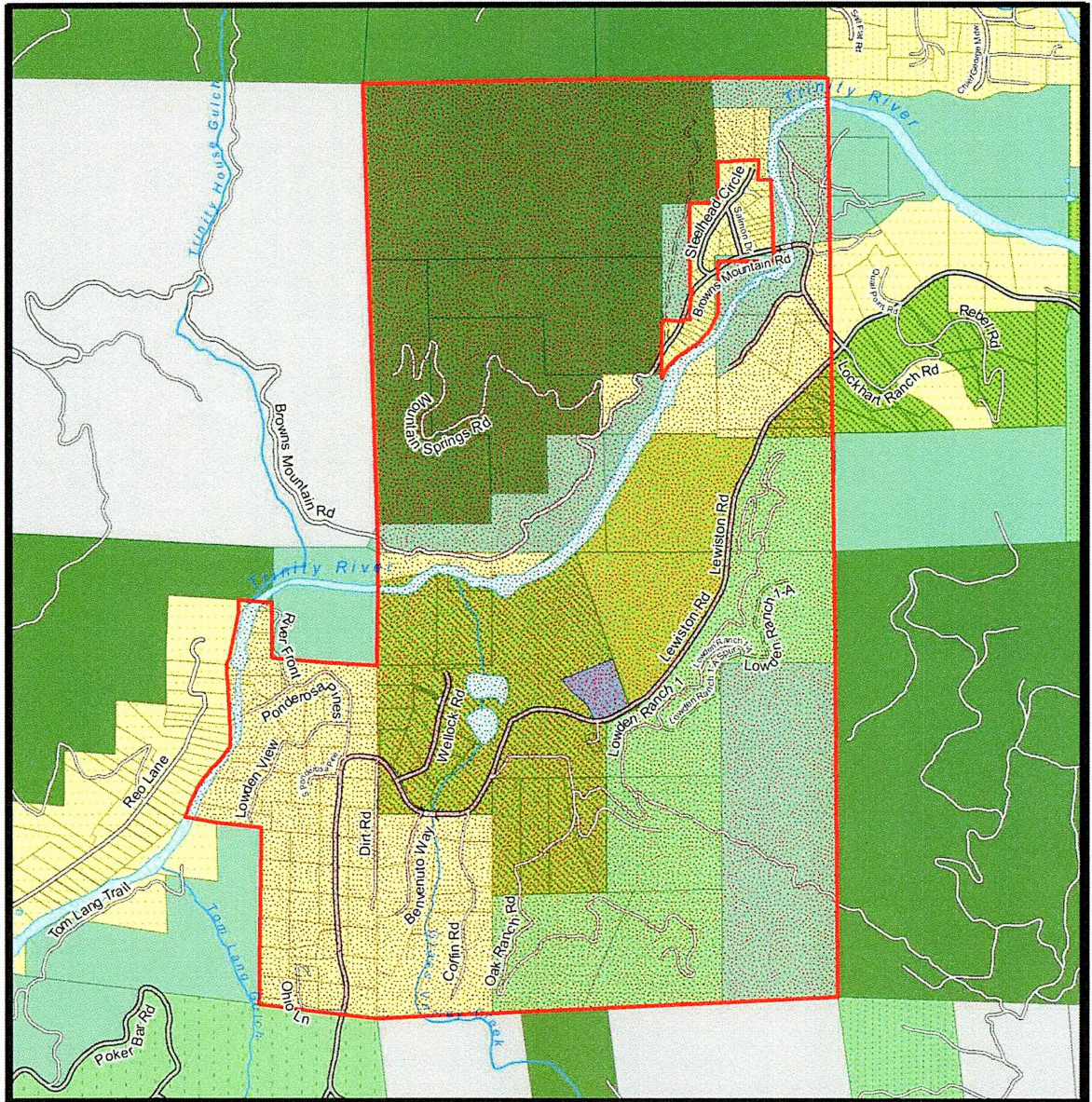
Exhibit 1, Rush Creek Estates Cannabis Opt Out Area Map  
Exhibit 2, Rush Creek Estates Cannabis Opt Out Area APN List  
Exhibit 3, Lewiston Expansion Cannabis Opt Out Area Map  
Exhibit 4, Lewiston Expansion Cannabis Opt Out Area APN List

# Rush Creek Opt Out Area



Rush Creek Opt Out APN List

010-680-06-00 010-680-03-00 010-620-01-00  
010-680-07-00 010-680-04-00 010-620-02-00  
010-680-08-00 010-680-09-00 010-620-03-00  
010-680-12-00 010-680-10-00 010-620-04-00  
010-680-13-00 010-680-16-00 010-620-05-00  
010-680-14-00 010-690-58-00 010-620-06-00  
010-680-15-00 010-690-59-00 010-620-07-00  
010-680-21-00 010-690-60-00 010-620-08-00  
010-670-01-00 010-690-40-00 010-620-09-00  
010-670-02-00 010-690-41-00 010-620-10-00  
010-670-05-00 010-690-42-00 010-620-11-00  
010-670-06-00 010-690-43-00 010-620-12-00  
010-670-07-00 010-690-44-00 010-690-29-00  
010-670-08-00 010-690-45-00 010-690-35-00  
010-690-02-00 010-690-46-00 010-670-04-00  
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010-690-05-00 010-690-49-00 010-690-51-00  
010-690-07-00 010-690-50-00 010-690-52-00  
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010-680-02-00 010-610-09-00



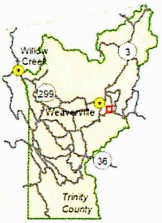
**Lewiston Community Services Expansion Area**

- |  |  |
|--|--|
| Non Cultivation Areas                  | Agricultural 20 Acre min (A20)           |
| <b>Zoning Districts (Parcels)</b>      | Agricultural Forest (AF)                 |
| Rural Residential 1 Acre min (RR1)     | Agricultural Forest 20 Acre min (AF20)   |
| Rural Residential 2.5 Acre min (RR2.5) | Agricultural Forest 40 Acre min (AF40)   |
| Rural Residential 5 Acre min (RR5)     | Agricultural Forest 160 Acre min (AF160) |
| Public Facility (PF)                   | Timber Production Zone (TPZ)             |
| Open Space (OS)                        | Unclassified (UNC)                       |
| Agricultural (A)                       |  |
| Agricultural 10 Acre min (A10)         |  |



Scale: 1 = 18,000

Jan 21, 2021 Lew\_Cannabis\_Expansion\_Zoning\_17x11.mxd



Vicinity & Location Map



Lewiston Opt Out Expansion APN List

|               |               |               |               |               |
|---------------|---------------|---------------|---------------|---------------|
| 025-020-05-00 | 025-180-29-00 | 025-290-26-00 | 025-510-07-00 | 025-660-30-00 |
| 025-020-05-00 | 025-180-30-00 | 025-290-27-00 | 025-510-09-00 | 025-660-31-00 |
| 025-020-05-00 | 025-180-31-00 | 025-290-28-00 | 025-510-10-00 | 025-660-32-00 |
| 025-020-06-00 | 025-180-32-00 | 025-290-29-00 | 025-510-11-00 | 025-660-33-00 |
| 025-020-07-00 | 025-180-33-00 | 025-290-30-00 | 025-510-14-00 | 025-660-34-00 |
| 025-020-08-00 | 025-180-34-00 | 025-290-33-00 | 025-510-15-00 | 025-660-35-00 |
| 025-020-09-00 | 025-180-35-00 | 025-290-36-00 | 025-510-16-00 | 025-660-36-00 |
| 025-120-01-00 | 025-180-36-00 | 025-290-38-00 | 025-510-17-00 | 025-660-37-00 |
| 025-120-02-00 | 025-180-37-00 | 025-290-39-00 | 025-510-18-00 | 025-660-38-00 |
| 025-120-03-00 | 025-180-38-00 | 025-290-40-00 | 025-510-19-00 | 025-660-39-00 |
| 025-120-04-00 | 025-260-03-00 | 025-290-41-00 | 025-510-20-00 | 025-660-40-00 |
| 025-120-13-00 | 025-260-04-00 | 025-460-00-00 | 025-510-21-00 |               |
| 025-120-20-00 | 025-260-05-00 | 025-460-01-00 | 025-510-22-00 |               |
| 025-120-21-00 | 025-260-06-00 | 025-460-02-00 | 025-510-23-00 |               |
| 025-120-22-00 | 025-260-07-00 | 025-460-03-00 | 025-510-24-00 |               |
| 025-120-22-00 | 025-260-14-00 | 025-460-04-00 | 025-510-25-00 |               |
| 025-120-22-00 | 025-260-19-00 | 025-460-05-00 | 025-510-27-00 |               |
| 025-120-23-00 | 025-260-33-00 | 025-460-06-00 | 025-510-28-00 |               |
| 025-120-24-00 | 025-260-34-00 | 025-460-07-00 | 025-540-02-00 |               |
| 025-120-24-00 | 025-260-35-00 | 025-460-08-00 | 025-540-03-00 |               |
| 025-120-25-00 | 025-260-36-00 | 025-460-09-00 | 025-650-01-00 |               |
| 025-180-02-00 | 025-260-39-00 | 025-460-10-00 | 025-650-02-00 |               |
| 025-180-02-00 | 025-260-43-00 | 025-460-11-00 | 025-650-03-00 |               |
| 025-180-02-00 | 025-260-43-00 | 025-460-12-00 | 025-650-04-00 |               |
| 025-180-04-00 | 025-260-43-00 | 025-460-14-00 | 025-650-05-00 |               |
| 025-180-08-00 | 025-260-44-00 | 025-460-15-00 | 025-650-06-00 |               |
| 025-180-10-00 | 025-290-03-00 | 025-460-16-00 | 025-650-07-00 |               |
| 025-180-15-00 | 025-290-04-00 | 025-460-18-00 | 025-650-08-00 |               |
| 025-180-15-00 | 025-290-05-00 | 025-470-01-00 | 025-650-09-00 |               |
| 025-180-15-00 | 025-290-06-00 | 025-470-02-00 | 025-650-10-00 |               |
| 025-180-16-00 | 025-290-07-00 | 025-470-03-00 | 025-650-11-00 |               |
| 025-180-16-00 | 025-290-08-00 | 025-470-04-00 | 025-650-12-00 |               |
| 025-180-16-00 | 025-290-09-00 | 025-470-05-00 | 025-660-15-00 |               |
| 025-180-17-00 | 025-290-10-00 | 025-470-06-00 | 025-660-16-00 |               |
| 025-180-17-00 | 025-290-11-00 | 025-470-08-00 | 025-660-17-00 |               |
| 025-180-17-00 | 025-290-12-00 | 025-470-09-00 | 025-660-18-00 |               |
| 025-180-18-00 | 025-290-13-00 | 025-470-10-00 | 025-660-19-00 |               |
| 025-180-19-00 | 025-290-14-00 | 025-470-11-00 | 025-660-20-00 |               |
| 025-180-21-00 | 025-290-15-00 | 025-470-15-00 | 025-660-21-00 |               |
| 025-180-22-00 | 025-290-16-00 | 025-470-16-00 | 025-660-22-00 |               |
| 025-180-22-00 | 025-290-17-00 | 025-470-17-00 | 025-660-23-00 |               |
| 025-180-22-00 | 025-290-18-00 | 025-470-18-00 | 025-660-24-00 |               |
| 025-180-24-00 | 025-290-20-00 | 025-510-02-00 | 025-660-25-00 |               |
| 025-180-25-00 | 025-290-21-00 | 025-510-03-00 | 025-660-26-00 |               |
| 025-180-26-00 | 025-290-23-00 | 025-510-04-00 | 025-660-27-00 |               |
| 025-180-27-00 | 025-290-24-00 | 025-510-05-00 | 025-660-28-00 |               |
| 025-180-28-00 | 025-290-25-00 | 025-510-06-00 | 025-660-29-00 |               |



**Skylar Fisher**

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**From:** Toni Schwartz <toniralphshelby@hotmail.com>  
**Sent:** Wednesday, October 26, 2022 3:05 PM  
**To:** Info.Planning  
**Subject:** ANNUAL INITIAL VARIANCE (22-40)

I LIVE AT 2541 LEWISTON RD. LEWISTON AND I JUST RECEIVED THE NOTICE OF A REQUEST FOR INITIAL CANNIABIS CULTIVATION VARIANCE FOR A NEIGHBORING RESIDENCE AT 2450 LEWISTON,RD.

I HAVE LIVED HERE IN MY HOME FOR OVER 22 YEARS AND WAS LED TO BELIEVE THAT THIS IS A OPT OUT AREA FOR GROWING OR SELLING CANNABIS.

I STRONGLY OBJECT TO HAVING THIS VARIANCE GO THRU.

MY HUSBAND HAS JUST PASSED AWAY AND I LIVE ALONE , AND I DON'T WANT TO PUT UP WITH THE SMELL OR HAVING STRANGE PEOPLE COMING IN TO OUR VERY PEACEFUL STREET.

I HOPE THAT YOU TAKE INTO CONSIDERATION MY REQUEST.

YOURS TRULY,

ANTOINETTE SCHWARTZ

530 778-0206 OR CELL # 808 359-3322