



**TRINITY COUNTY**  
**COMMUNITY DEVELOPMENT SERVICES**  
**BUILDING - ENVIRONMENTAL HEALTH** – 61 AIRPORT ROAD, PO BOX 476  
**PLANNING- CANNABIS** - 530 MAIN ST., PO BOX 2819  
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Ed Prestley, Interim Deputy Director

## MEMORANDUM

**DATE:** July 6, 2023

**TO:** Planning Commission, Project Files, Applicant of CCL 636 and Appellant of P-23-11

**FROM:** Drew Plebani, Cannabis Division Director

**RE:** Item 5: Appeal P-23-11/CCL 636 to Rescind Approval of CCL 636

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**Rescission of Approval for CCL-636:** As of 7/6/23 the Director has rescinded the approval of CCL 636, due to an adjacent residential dwelling located at 420 Creekside Lane (APN#011-220-030) having received its final inspection, which means that the applicant will need to apply for a Commercial Cultivation Variance (CCV) to conform with TCC 17.43.050 (8). This situation was previously identified by staff and addressed in a memo dated 9/22/20 (Attachment A), which details that if the adjacent residence were to be finalized a CCV would be required.

**Appeal Moot P-23-12:**

Given that the approval for the license been rescinded, Appeal P-23-11 is now moot and not available for consideration at a public hearing at this time. In the event of a future project at this location, the Appellant will be notified through the Cannabis Division's noticing processes and would then have the opportunity to pursue any appeal or opposition it believes is allowable under TCC § 17.34.110 (Appeals).

**ATTACHMENT A**



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**Kim Hunter, Director**

**MEMORANDUM**

**DATE:** Tuesday, September 22, 2020  
**TO:** CCL FILE 636/ CCV-2020-57  
**FROM:** Bella Hedtke, Associate Planner *BH*  
**SUBJECT:** CCL FILE 636/ CCV-2020-57 Variance Not Required

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After the applicant submitted CCV-2020-57, upon further research it was determined that the licensee's cultivation site does not require an approved variance to proceed with the Licensing program because the only residential structure located within 350ft of the proposed cultivation site (on APN 011-220-30-00) is not a legal/permitted dwelling (per Building staff).

Building staff was able to identify a building permit for the residential structure (#3905). Based on the Building Department's best available records, the final inspection was never performed.

The applicant has been informed that if the neighbor (located on APN 011-220-30-00) ever were to final the residential structure, then the applicant would then need an approved commercial cannabis variance in order to meet all licensing requirements per County Code Section 17.43.

A refund request for CCV-2020-57 has been sent to accounting staff.

Additionally, the Director, Kim Hunter, has been updated regarding this situation.

**Attached documents:**

1. Copy of Site Plan
2. Copy of Parcel Quest Print Out
3. Copy of Communication Email from the Assessor's Office
4. Copy of Inspection Card for Building Permit #3905
5. Copy of Pulled Building Dept Record Card for BP#3196