

TRINITY COUNTY PLANNING COMMISSION
STAFF REPORT

PROJECT TITLE: Appeal of Director’s Decision to Deny CCL-208

APPELLANT: Stefan Monev (Ben Magid)

APPLICANT: Stefan Monev

AGENT: Benjamin Magid

PROPERTY OWNER: Stefan Monev

REPORT BY: Drew Plebani – Cannabis Division Director

LOCATION: APN 025-180-030-000 and APN 025-180-029-000 / 480 Oak Ranch Rd., Lewiston, CA 96052

ZONING DISTRICT: Agricultural (A10)

ZONING OVERLAY DISTRICT(S): n/a

GENERAL PLAN DESIGNATION: Agriculture (A)

PROJECT DESCRIPTION: The Cannabis Division Director denied the application for commercial cannabis cultivation license (CCL) 208 on March 20, 2023. On November 19, 2020, an application for a Commercial Cannabis License was submitted to the Trinity County Planning Department, pursuant to the standards established in Trinity County Code Section 17.34.110.

Location	Land Use	Zoning District	General Plan Designation
North	Agriculture and Residential	A10	A
South	Residential	AF40	A
East	Residential	A10	A
West	Vacant, Residential, Commercial Cannabis	RR5	RR

Table 1: Surrounding Land Uses to Project Site (Attachment 1)

PROJECT BACKGROUND:

On November 19, 2020, an application to transfer a Commercial Cannabis License from APN 019-290-06 for was submitted to the Trinity County Planning Department, pursuant to the standards established in Trinity County Code Section 17.34.110. The license was released (transferred) to Mr. Money, document dated 10/19/2020 (see attachment X). Along with the Release form, a new application was received on November 19, 2020 for APN# 025-180-029 located at 480 Oak Ranch Rd., Lewiston, CA 96052.

On June 15, 2021 an Urgency Ordinance was adopted by the Board of Supervisors establishing the Lewiston Expansion Opt-out Zone (Ord. No. 315-850) and later codified as Ordinance 315-851. (Attachments 10 and 11)

Subsequently the project application was denied by Kim Hunter. (Attachment 9 contains the administrative record related to the original denial).

The September 30, 2021 letter from Abbott & Kindermann, Inc., in response to Kim Hunter's denial of the Application is included as Attachment 13.

COUNTY ORDINANCE AND CEQA COMPLIANCE:

An Appendix C document was submitted to the Cannabis Division for CCL 208 on July 5, 2022.

REASONS FOR APPEAL:

The appellants' appeal form states: "Mr. Money had taken all required all required actions to obtain a county cannabis license and reasonably relied on the statements and assurances from County employees." The Cannabis Division has investigated these reasons for appeal and provided a summary of the findings below:

Response:

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. Per Ordinance 315-851, the following excerpts have dictated the inability for Trinity County to issue a cannabis license on APN# 025-180-030-000, located at 480 Oak Ranch Rd., Lewiston, CA 96052:

Ordinance 315-851; Section 4, Item 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.

Ordinance 315-851; Section 4, Item 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.

After research and confirmation from County Counsel, staff has determined that Ordinance No. 315-851 does not provide a pathway to licensure for existing applications that were not formally approved or license issued before the adoption of the Lewiston Expansion Cannabis Opt Out area. Therefore, the Cannabis Division Director denied the pending application associated with CCL- 208 on the referenced subject parcel.

PUBLIC COMMENT:

As of October 4, 2023 at 4pm staff did not receive comments on this item.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission make a motion to deny the appeal (P-23-09), upholding the Director's decision to deny the application for CCL 208, with the findings referenced in this staff report.

ALTERNATIVES:

If the Planning Commission does not wish to deny the appeal, the following alternatives are available:

1. The Planning Commission could move to uphold the appellant's request to approve the application and process the Appendix C document for CCL 208, with findings stated by the Planning Commission.
2. In the event that more information or time is required prior to the Planning Commission making a final decision on P-23-09, the Planning Commission could move to continue to a future certain meeting date.

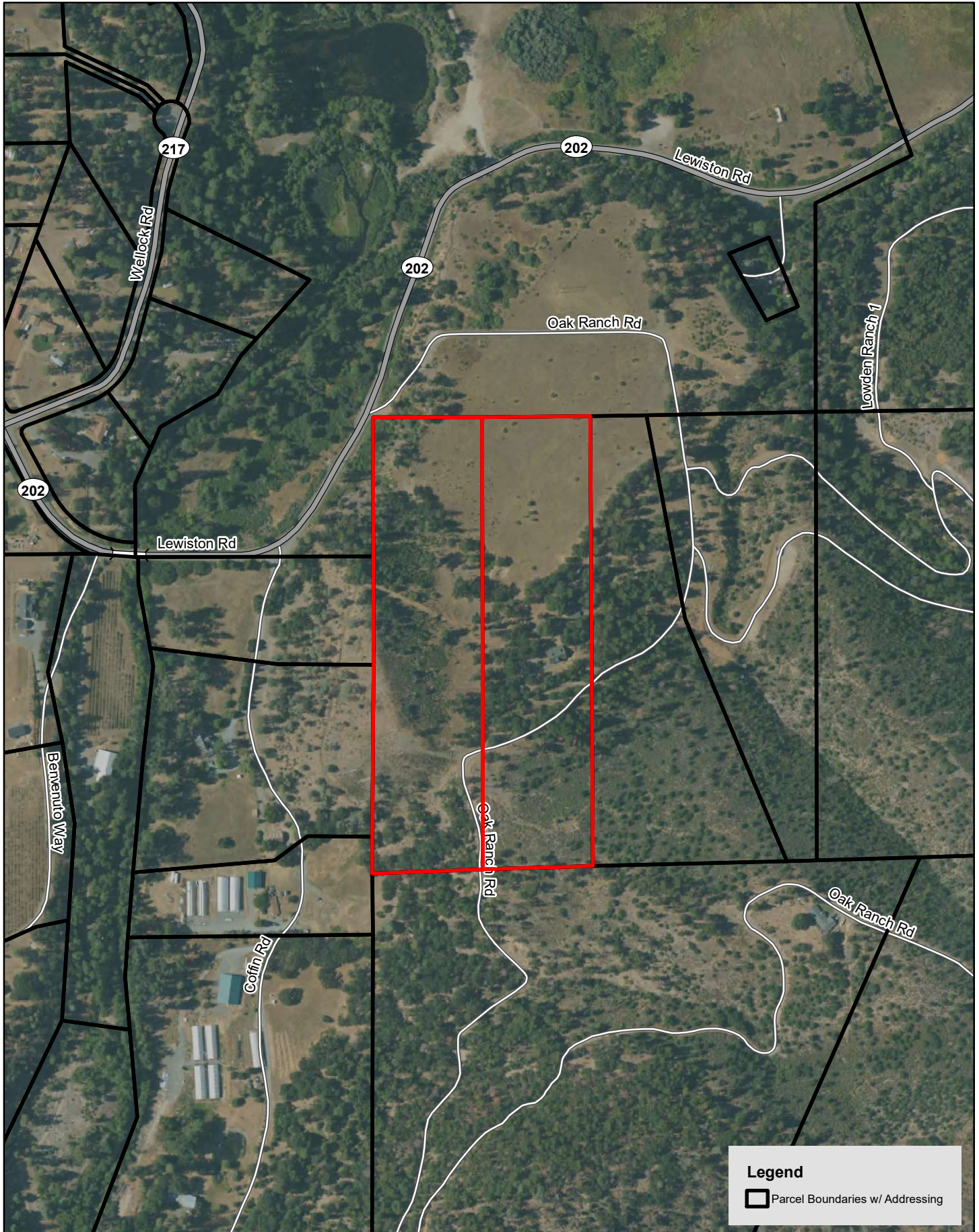
ATTACHMENTS:

- 1) Surrounding Area Uses Map
- 2) Site Plan
- 3) Project Location Map
- 4) Zoning Districts Map
- 5) General Plan Designations Map
- 6) 350ft Residential Setback Map
- 7) Appeal of the Planning Director's Decision and Associated Appeal form
- 8) 10.3.22 update email
- 9) 2nd denial letter

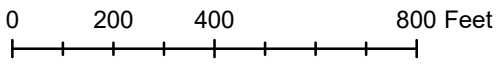
- 10) Original denial letter with administrative record
- 11) Ordinance 315-850
- 12) Ordinance 315-851
- 13) Abbott & Kindermann letter



ATTACHMENT 1
P-23-09 | CCL-208
APN 025-180-030-000
Surrounding Area Uses Map



Legend
Parcel Boundaries w/ Addressing



Staff Author: BH
Date: 10/4/2023

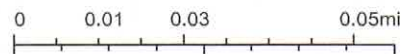
This map is property of the County of Trinity, any manipulation or unauthorized use is prohibited by law and will not be accepted by the County.

Premises Diagram



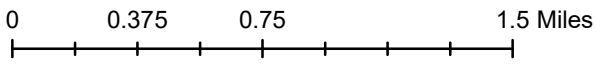
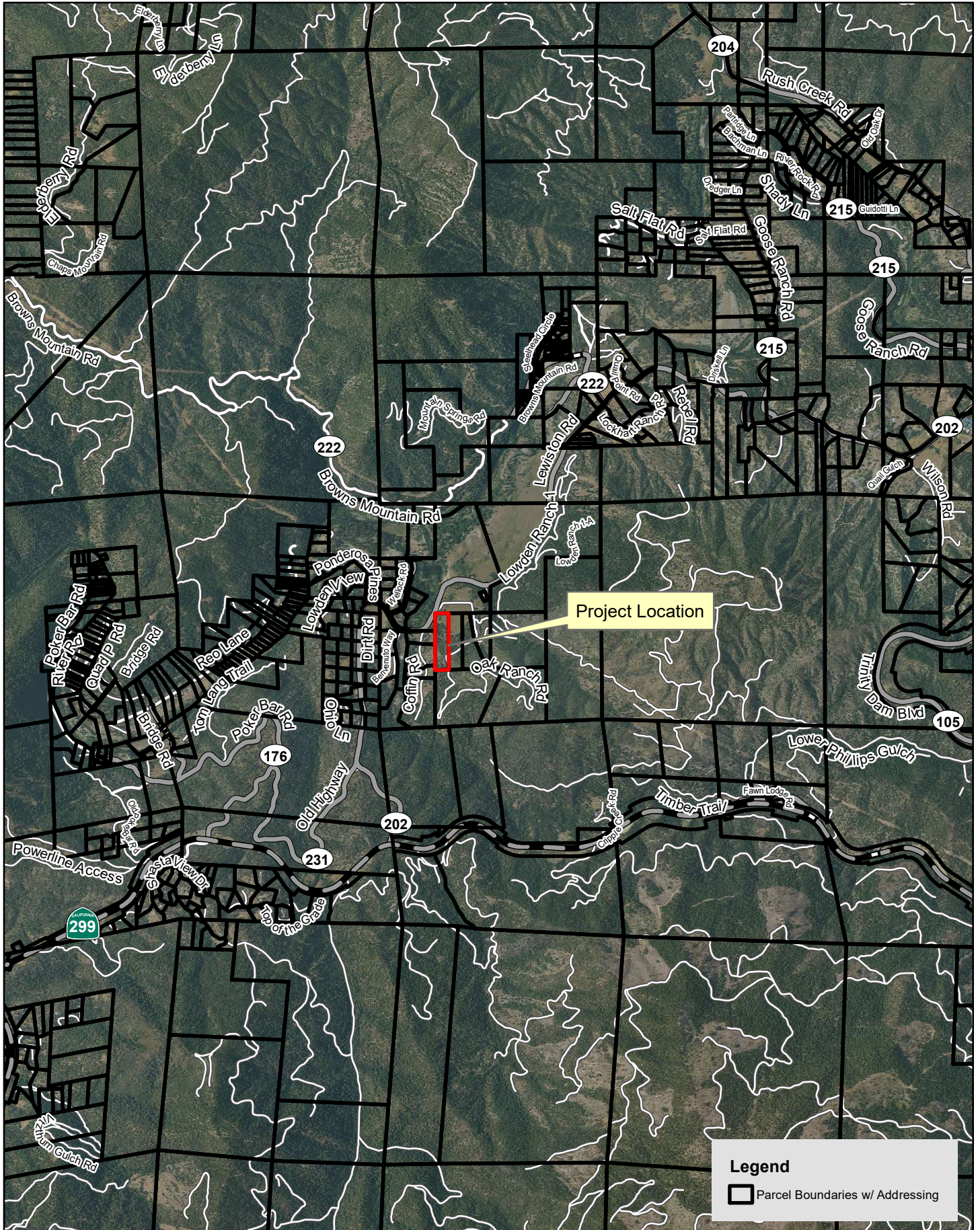
- Administrative Hold Area is the same as Harvest Storage Area.

1:2,257





ATTACHMENT 3
P-23-09 | CCL-208
APN 025-180-030-000
Project Location Map



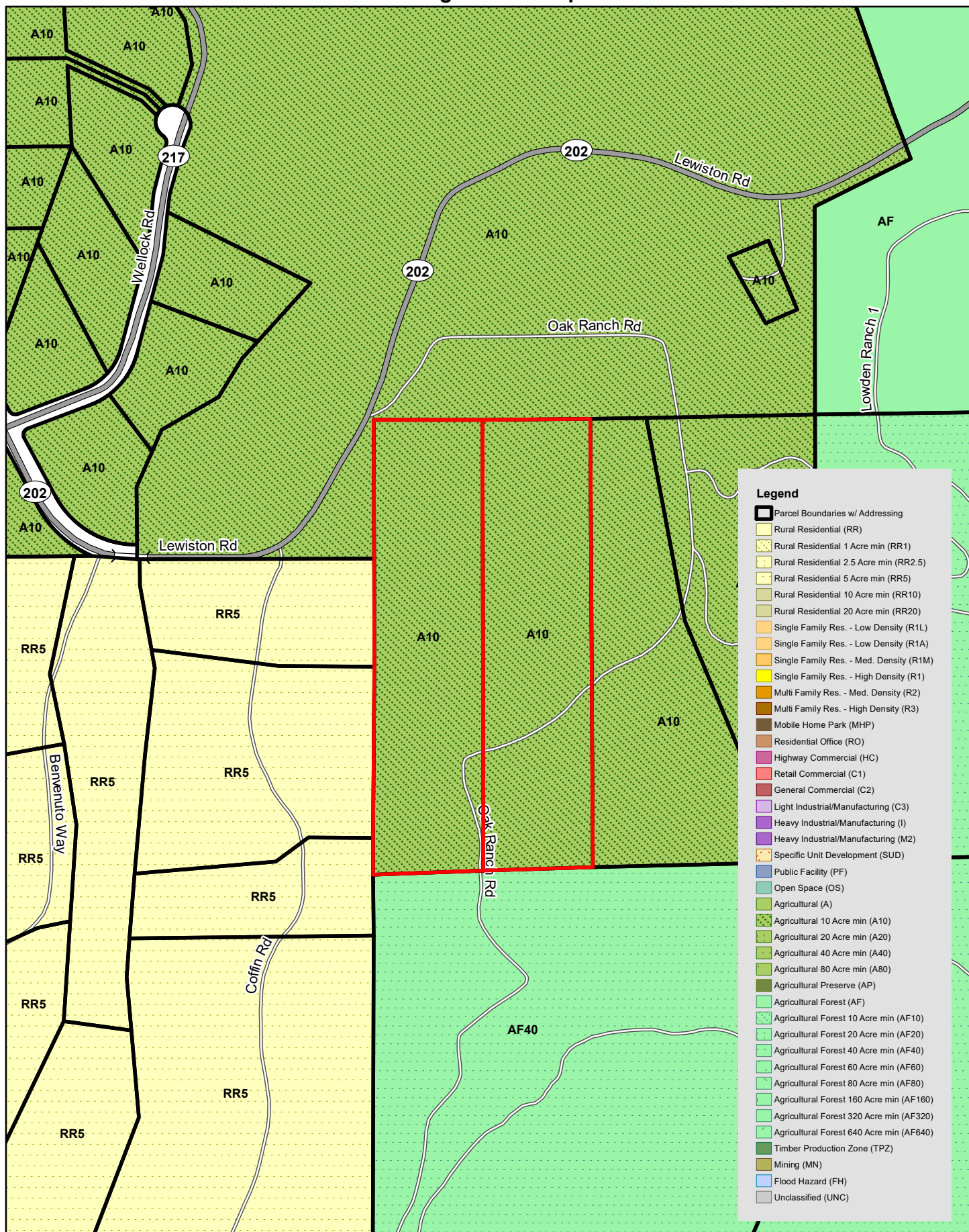
Legend

- Parcel Boundaries w/ Addressing

Staff Author: BH
 Date: 10/4/2023

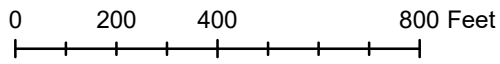
This map is property of the County of Trinity, any manipulation or unauthorized use is prohibited by law and will not be accepted by the County.

**ATTACHMENT 4
P-23-09 | CCL-208
APN 025-180-030-000
Zoning District Map**



Legend

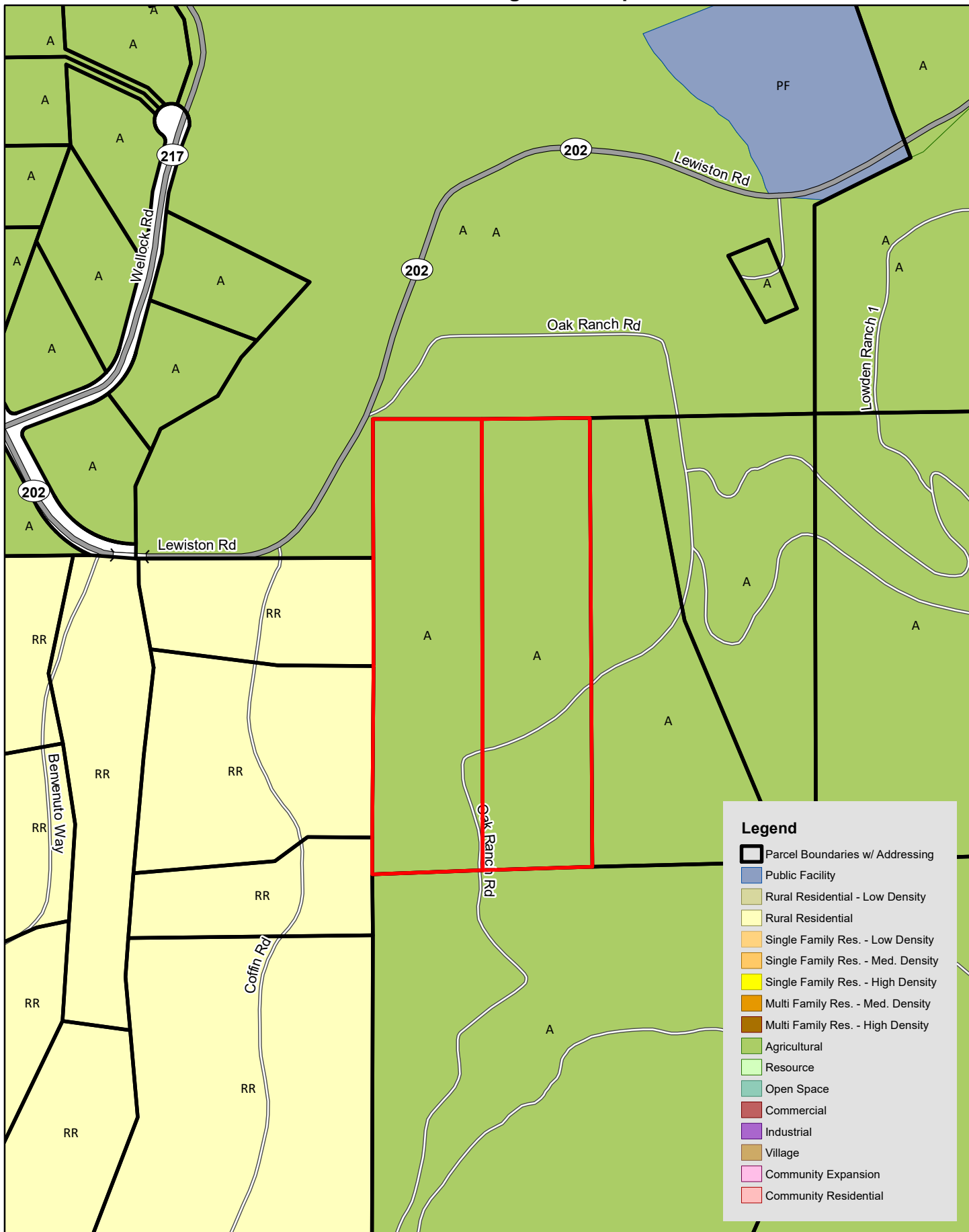
- Parcel Boundaries w/ Addressing
- Rural Residential (RR)
- Rural Residential 1 Acre min (RR1)
- Rural Residential 2.5 Acre min (RR2.5)
- Rural Residential 5 Acre min (RR5)
- Rural Residential 10 Acre min (RR10)
- Rural Residential 20 Acre min (RR20)
- Single Family Res. - Low Density (R1L)
- Single Family Res. - Low Density (R1A)
- Single Family Res. - Med. Density (R1M)
- Single Family Res. - High Density (R1)
- Multi Family Res. - Med. Density (R2)
- Multi Family Res. - High Density (R3)
- Mobile Home Park (MHP)
- Residential Office (RO)
- Highway Commercial (HC)
- Retail Commercial (C1)
- General Commercial (C2)
- Light Industrial/Manufacturing (C3)
- Heavy Industrial/Manufacturing (I)
- Heavy Industrial/Manufacturing (M2)
- Specific Unit Development (SUD)
- Public Facility (PF)
- Open Space (OS)
- Agricultural (A)
- Agricultural 10 Acre min (A10)
- Agricultural 20 Acre min (A20)
- Agricultural 40 Acre min (A40)
- Agricultural 80 Acre min (A80)
- Agricultural Preserve (AP)
- Agricultural Forest (AF)
- Agricultural Forest 10 Acre min (AF10)
- Agricultural Forest 20 Acre min (AF20)
- Agricultural Forest 40 Acre min (AF40)
- Agricultural Forest 60 Acre min (AF60)
- Agricultural Forest 80 Acre min (AF80)
- Agricultural Forest 160 Acre min (AF160)
- Agricultural Forest 320 Acre min (AF320)
- Agricultural Forest 640 Acre min (AF640)
- Timber Production Zone (TPZ)
- Mining (MN)
- Flood Hazard (FH)
- Unclassified (UNC)



**Staff Author: BH
Date: 10/4/2023**

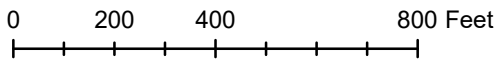
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ATTACHMENT 5
P-23-09 | CCL-208
APN 025-180-030-000
General Plan Designation Map



Legend

- Parcel Boundaries w/ Addressing
- Public Facility
- Rural Residential - Low Density
- Rural Residential
- Single Family Res. - Low Density
- Single Family Res. - Med. Density
- Single Family Res. - High Density
- Multi Family Res. - Med. Density
- Multi Family Res. - High Density
- Agricultural
- Resource
- Open Space
- Commercial
- Industrial
- Village
- Community Expansion
- Community Residential



Staff Author: BH
Date: 10/4/2023

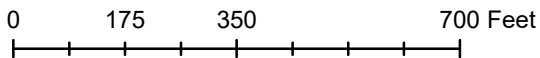
This map is property of the County of Trinity, any manipulation or unauthorized use is prohibited by law and will not be accepted by the County.

ATTACHMENT 6
P-23-09 | CCL-208
APN 025-180-030-000
350ft Residential Setback Map



Legend

- 350ft Buffer
- Proposed Cultivation Site (CCL208)
- Parcel Boundaries w/ Addressing



Staff Author: BH
Date: 10/4/2023



TRINITY COUNTY
COMMUNITY DEVELOPMENT SERVICES
PLANNING & CANNABIS, 530 MAIN ST., PO BOX 2819
WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1351, FAX (530) 623-1353

**APPLICATION TO APPEAL OF DIRECTOR'S DECISION
TO PLANNING COMMISSION**

DATE: 3/31/23

PAID 3/31/23
APPEAL FEE: \$500- due upon filing

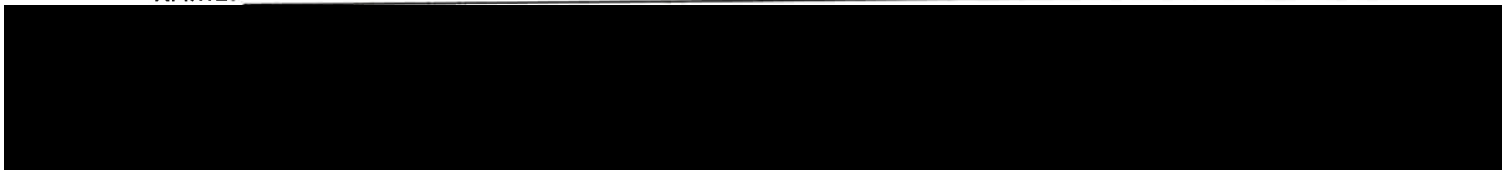
Project # or CCL # or CCV # of application decision being appealed: CCL# 208

Date of Director's decision or action: 3/20/23

Director's decision was: Approve Deny

A. **APPLICANT/APPELLANT INFORMATION** The following information will be used to contact you regarding the status of your appeal (e.g. hearing dates) and is considered public record.

NAME: Stefan Mover



B. **REASON FOR APPEAL** Clearly state the basis for the appeal and include/attach any supporting evidence if applicable.

Mr. Mover had taken all required actions to obtain a county cannabis license and reasonably relied on statements and assurances from county employees. Evidence to be provided before and/or at hearing.

Signature: [Signature] Attorney for Stefan Mover Date: 3/31/23

FOR OFFICE USE ONLY	
Date: <u>3/31/23</u>	Project number: <u>P-23-09</u>
Received by: <u>BB</u>	Receipt number: <u>PL 2023-00017</u>
Notice Published: _____	Hearing Date: _____

ATTACHMENT 8

From: [Bella Hedtke](#)
To: [Sean Cameron](#)
Cc: [Drew Plebani](#); [Edward O. Prestley](#); [Bear Banonis](#); [Sean Connell](#); [Daniel Marvel](#)
Subject: FW: CCL208 Denial Letter
Date: Monday, October 3, 2022 11:28:31 AM
Attachments: [RE Letter and attachments Abbott and Kindermann for Stefan Monev.msg](#)
[Planning Commission Minutes and Refund.pdf](#)
[315 851 Rush Creek and Lew Expansion Opt Out 5.17.22.pdf](#)
Importance: High

Good morning Sean,

Unfortunately, former Division staff did not pay attention to a note in SmartGov that explained that this license transfer was denied due to the UO Extension and accepted an Appendix C for this license application on Appendix C 1/04/22 and a resubmittal on 4/5/22 & 6/29/22.

Looks like previous Director, Kim Hunter, formally denied the transfer application via email on August 19, 2021 and refunded all application fees to the applicant. The subject parcel for CCL-208 (APN 025-180-029-000) is located within the permanent Lewiston Opt Out Expansion area.

We're proposing, given that the parcel is within the now permanent Opt Out area, that a secondary denial letter be sent to the applicant that would return the Appendix C document that would explicitly notate that this license transfer application was already denied and therefore is inactive and will no longer be processed by the Division. Regardless of whether the Division reviewed the Appendix C document, we ultimately would not be able to issue a license in the Opt Out area.

Please verify if there are any legal concerns that arise from sending a secondary denial letter and ceasing all work on the Appendix C document. Feel free to contact me if you need any clarification.

Our office will draft the letter.

Thank you,

Bella Hedtke

Code Compliance Specialist

Trinity County Cannabis Division

530 Main St., P.O. Box 2819, Weaverville, CA 96093

bhedtke@trinitycounty.org

Cell: (530) 739-8811

Office: (530) 623-1351 ex. 2821

[Trinity County Cannabis Division Webpage](#)

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ATTACHMENT 8

From: Sean Cameron <Sean@prenticelongpc.com>
Sent: Tuesday, May 24, 2022 2:40 PM
To: Bella Hedtke <bhedtke@trinitycounty.org>
Cc: Sean Connell <sconnell@trinitycounty.org>; Edward O. Prestley <eoprestley@trinitycounty.org>
Subject: RE: CCL208 Denial Letter?

Hi Bella,

No letter has been sent to my knowledge. Like you mentioned, Lisa was going to handle it, but sounds like this didn't happen. I can draft it.

We were going to allow the application because the new Opt Outs were not permanent yet. I believe they're essentially permanent now, so this might change that analysis...

Thanks,
Sean

From: Bella Hedtke <bhedtke@trinitycounty.org>
Sent: Monday, May 23, 2022 11:57 AM
To: Sean Cameron <Sean@prenticelongpc.com>
Cc: Sean Connell <sconnell@trinitycounty.org>; Edward O. Prestley <eoprestley@trinitycounty.org>
Subject: CCL208 Denial Letter?

Good Morning Sean Cameron,

From what I remember, Lisa Lozier was tasked with writing a denial letter for CCL208 because the parcel is in the Rush Creek Opt Out area. Lisa did not complete this task prior to her departure and the last I heard from Daniel Marvel was that you were going to write this letter.

The applicant stopped by last Thursday to try to submit a renewal for this application and I turned him away not knowing the most updated information about his file and the pending denial letter.

I'm emailing you to confirm if this information is correct and to inquire if whether the letter has been sent to the applicant yet.

Thank you so much,

Bella Hedtke

Code Compliance Specialist
Trinity County Cannabis Division
530 Main St., P.O. Box 2819, Weaverville, CA 96093
bhedtke@trinitycounty.org
Cell: (530) 739-8811
Office: (530) 623-1351 ex. 2821

ATTACHMENT 8

[Trinity County Cannabis Division Webpage](#)

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ATTACHMENT 8
PLANNING DEPARTMENT

And

Cannabis Division

TRINITY COUNTY

COMMUNITY DEVELOPMENT SERVICES

BUILDING - ENVIRONMENTAL HEALTH - PLANNING

61 AIRPORT ROAD, P.O. BOX 2819, WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1351, FAX (530) 623-1353



REFUND / CANCELLATION REQUEST

REQUEST FOR:

[] CANCELLATION [x] REFUND - Amount Paid: \$ 2500.00 CA/CK/CC
money orders

Kimberly Hunter request a refund and/or cancellation for
Print Name

Application# License# / Permit # Transfer of CCL 208 to 025-180-29

Reason for Request:

Per Board direction provided on 7/31/21, this license application may not be issued due to Urgency Ord. 315-850.
Signature of Applicant Date

The undersigned, under penalty of perjury, states that the above claim and the items as therein set out are true and correct; that no part thereof has heretofore been paid, and that the amount herein is justly due this claimant, and that the same is presented within one year after the last item thereof has accrued.



Payee/Claimant Name: Stefan Moner
Address: [Redacted]
City/Zip: Eureka CA. 95501
Phone: [Redacted]
Email: [Redacted]

NOTE: Refunds will not be processed unless all information is completed. Only the Payee on the receipt of the permit may receive the amount refunded.

FOR COUNTY USE ONLY

[x] Refund Approved [] Refund Not Approved: _____ by _____
Date Name and Title

Explanation: Directive by Board of Supervisors 7/30/2021

Receipt #: CA2020-00572 Amt. To Be Refunded: \$2500.00

- [] Applied
- [] Inspections
- [] Issued
- [] Withdrawn / Appeal
- [] Change of License Type
- [] Overpayment / Duplicate Payment
- [] P.C. / Director Denied
- [] Incorrect Payment Received
- [x] Other Urgency ord. 315-850

Direction given by Board of Supervisors

ATTACHMENT 8

Mary Evans

From: Angela Bickle
Sent: Thursday, August 19, 2021 7:43 PM
To: Mary Evans
Cc: Kim Hunter
Subject: RE: BOS Directive - Refund Request, CCL-2020-208

Hi Mary -

Based on what you attached it appears that the Board gave direction to refund this money during FY 21/22. If I'm correct than it should be paid out of this fiscal year as it doesn't matter when the funds were collected.

Thanks
Angie

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Mary Evans <mevans@trinitycounty.org>
Date: 8/19/21 3:27 PM (GMT-08:00)
To: Angela Bickle <abickle@trinitycounty.org>
Cc: Kim Hunter <khunter@trinitycounty.org>
Subject: BOS Directive - Refund Request, CCL-2020-208

Hello Angela,

See the attached report and documents regarding a Cannabis refund request for FY20/21. As you can see it was an item discussed and determined at BOS meeting 7/30/21 regarding transfer of license and denial of this action. Also as you see I do not have the funds available in 8239/3375 nor am I within the budget reporting deadlines requirement although I am asking to do a budget adjustment from 8239/2756 to 8239/3375 in order to complete the process.

If there is a different way to handle this please advise.

Thank you!!

Mary Evans
Accounting
Trinity County
(530)623-1351 Ext. 2811

ATTACHMENT 8



Trinity County Cannabis Division
 61 Airport Road PO Box 2819
 Weaverville, CA 96093

Receipt Number: CA2020-00572

Payer/Payee: MONEV, STEFAN
 [REDACTED]
 EUREKA CA 95501

Cashier: Mary Beth Brinkley

Date: 11/30/2020

CCL-2020-208 CAN - SMALL MIXED LIGHT CULTIVATION 1632 Broadway, #348

Fee Description

INITIAL SMALL OUTDOOR/ MIXED LIGHT CULTIVATION FEE

<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
\$2,500.00	\$2,500.00	\$0.00
\$2,500.00	\$2,500.00	\$0.00

<u>Payment Method</u>	<u>Reference Number</u>	<u>Payment Amount</u>
CHECK	MO 7377, 7366, 7388	\$2,500.00
Total Paid:		/\$2,500.00

POSTAL SERVICE

POSTAL ATTACHMENT ORDER

Serial Number

2020-11-05

93300

U.S. Dollars and Cents

\$1000.00

One Thousand Dollars and 00/100 *****

Amount

Pay to

TCPD

Clerk 33

Address

From STEFAN MONEV

Memo

CCL-

SEE REVERSE WARNING - NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

UNITED STATES POSTAL SERVICE

POSTAL MONEY ORDER

Serial Number

2020-11-05

93300

U.S. Dollars and Cents

\$1000.00

One Thousand Dollars and 00/100 *****

Amount

Pay to

TCPD

Clerk 33

Address

From STEFAN MONEV

Memo

SEE REVERSE WARNING - NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

UNITED STATES POSTAL SERVICE

POSTAL MONEY ORDER

Serial Number

2020-11-05

93300

U.S. Dollars and Cents

\$500.00

Five Hundred Dollars and 00/100 *****

Amount

Pay to

TCPD


Clerk 33

Address


From STEFAN MONEV

Memo


SEE REVERSE WARNING - NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

 **UNITED STATES POSTAL SERVICE** **CUSTOMER'S RECEIPT**

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION NOT NEGOTIABLE	Pay to	KEEP THIS RECEIPT FOR YOUR RECORDS		
	Address			
Serial Number	Year, Month, Day	Post Office	Amount	Clerk
[REDACTED]	2020-11-09	955400	\$1,000.00	33

 **UNITED STATES POSTAL SERVICE** **CUSTOMER'S RECEIPT**

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION NOT NEGOTIABLE	Pay to	KEEP THIS RECEIPT FOR YOUR RECORDS		
	Address			
Serial Number	Year, Month, Day	Post Office	Amount	Clerk
[REDACTED]	2020-11-09	955400	\$1,000.00	33

 **UNITED STATES POSTAL SERVICE** **CUSTOMER'S RECEIPT**

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION NOT NEGOTIABLE	Pay to	KEEP THIS RECEIPT FOR YOUR RECORDS		
	Address			
Serial Number	Year, Month, Day	Post Office	Amount	Clerk
[REDACTED]	2020-11-09	955400	\$500.00	33



Financial Reports by Receipt Date Range

From 11/25/2020 through 12/02/2020

Paid by: ALL PAYMENT TYPES

Summary Reports

FMS/GL Totals

Tran Code	FMS/GL	Total
CONST PERMITS	101-2480 / 6151	\$13,622.22
FOOD FACILITY 1	101-2481 / 6405	\$188.33
WELL PERMITS 1	101-2481 / 6406	\$1,576.00
SEWAGE DISP. / ST. PUMP 1	101-2481 / 6408	\$914.00
BLDG PERM/ZONING	101-2800 / 8413	\$165.00
MARIJUANA	238-8238 / 6448	\$1,000.00
GENERAL PLAN UPDATE	238-8238 / 8420	\$3,185.65
MED MARIJUANA	239-8239 / 6448	\$7,500.00
OTHER REVENUE - CANNABIS	239-8239 / 9299	\$25.00
FUND BALANCE - STRONG MOTION	420-0420 / 0580	\$149.80
FUND BALANCE - BUILDING	427-0427 / 0580	\$26.00
FUND BALANCE - CERTIFIED ACCESS -	719-0719 / 0580	\$28.00
		\$28,380.00

Payment Type Summary

CHECK	CREDIT CARD	Total
\$27,628.65	\$751.35	\$28,380.00

ATTACHMENT 8

Customer Name	Account Number	Invoice Date	Invoice Amount	Item Description	Item Code	Item Amount	Item Description	Item Code	Item Amount
Her, Der	EN2020-00567	12/01/2020	\$197.00	EH1 - WELL	101-2481 /	\$197.00	PERMIT	6406	\$197.00
				FEE \$197					
				EH1 - WELL PERMIT	101-2481 / 6406	\$197.00			
Her, Yer	EN2020-00568	12/01/2020	\$197.00	EH1 - WELL PERMIT	101-2481 / 6406	\$197.00			
				FEE \$197					
MATT JENKINS	EN2020-00569	12/01/2020	\$219.00	EH1 - SEPTIC REPAIR	101-2481 / 6408	\$219.00			
				FEE \$219					
Reed Construction	EN2020-00570	12/01/2020	\$695.00	EH1 - SEPTIC PERMIT	101-2481 / 6408	\$695.00			
				FEE \$695					
Cashier Total: \$8,525.00									
Mary Beth Brinkley	CA2020-00572	11/30/2020	\$2,500.00	HALF SMALL OUTDOOR/ MIXED LIGHT CULTIVATIO N FEE	239-8239 / 6448	\$2,500.00			
				CANNABIS NON-SUFFICIENT FUND FEE	239-8239 / 9299	\$25.00			
Kevin Minassian	CA2020-00573	12/01/2020	\$18,075.00	SMALL CULTIVATIO N FEE	239-8239 / 6448	\$5,000.00			
				SMALL GENERAL PLAN UPDATE FEE	238-8238 / 6448	\$1,000.00			
Cashier Total: \$21,939.76									
Zach Anderson	BU2020-01099	11/25/2020	\$28,504.32	BUILDING PERMIT	101-2480 / 6151	\$1,965.05			
				BUILDING SCANNING FEE	101-2480 / 6151	\$20.00			
Zach Anderson	BU2020-00642	11/25/2020	\$2,375.36	BUILDING STANDARD S FEE	427-0427 / 0580	\$5.00			
				CASP FEE	719-0719 / 6151	\$4.00			
Zach Anderson	BU2020-00642	11/25/2020	\$2,375.36	ELECTRICAL ISSUANCE	101-2480 / 6151	\$45.00			
				FEE	101-2480 / 6151	\$2.00			

ATTACHMENT 8

ZOOM INFORMATION

Join Zoom Meeting
<https://zoom.us/j/5950072851?pwd=RHp6TDhNajNjMVJHZFJIRmhacmJjUT09>

Meeting ID: 595 007 2851

Passcode: 267684

Dial In:

1 (669) 900-6833

If you need assistance with Zoom please go to this website:
<https://support.zoom.us/hc/en-us/articles/201362283-Testing-computer-or-device-audio>

Just a reminder that the chat feature is not the appropriate forum to ask questions or provide comments. This chat should only be used to notify us of technical issues. No response will be given in acknowledgement or otherwise via the Zoom chat.

Public Comment given via Zoom can only be done audibly (not via chat), and you must either "Raise Your Hand" or use the chat to request your turn.

CALL MEETING TO ORDER IN OPEN SESSION

10:00 AM

PLEDGE OF ALLEGIANCE

10:00 AM Public Hearings

Planning and Zoning

- 1.1 Conduct a public hearing to consider introducing, waiving the reading of and extending Urgency Ordinance 315-850 enacted on June 15, 2021, imposing a temporary moratorium on the issuance of new Commercial Cannabis Cultivation Licenses (CCCL) in, and the transfer of existing CCCLs into, the Lewiston community area for 10 months and 15 days.

Unknown fiscal impact.

County Matters

These items include non-routine, or controversial matters and are listed alphabetically by department. A member of the Board or Staff may request that an item be heard out of order.

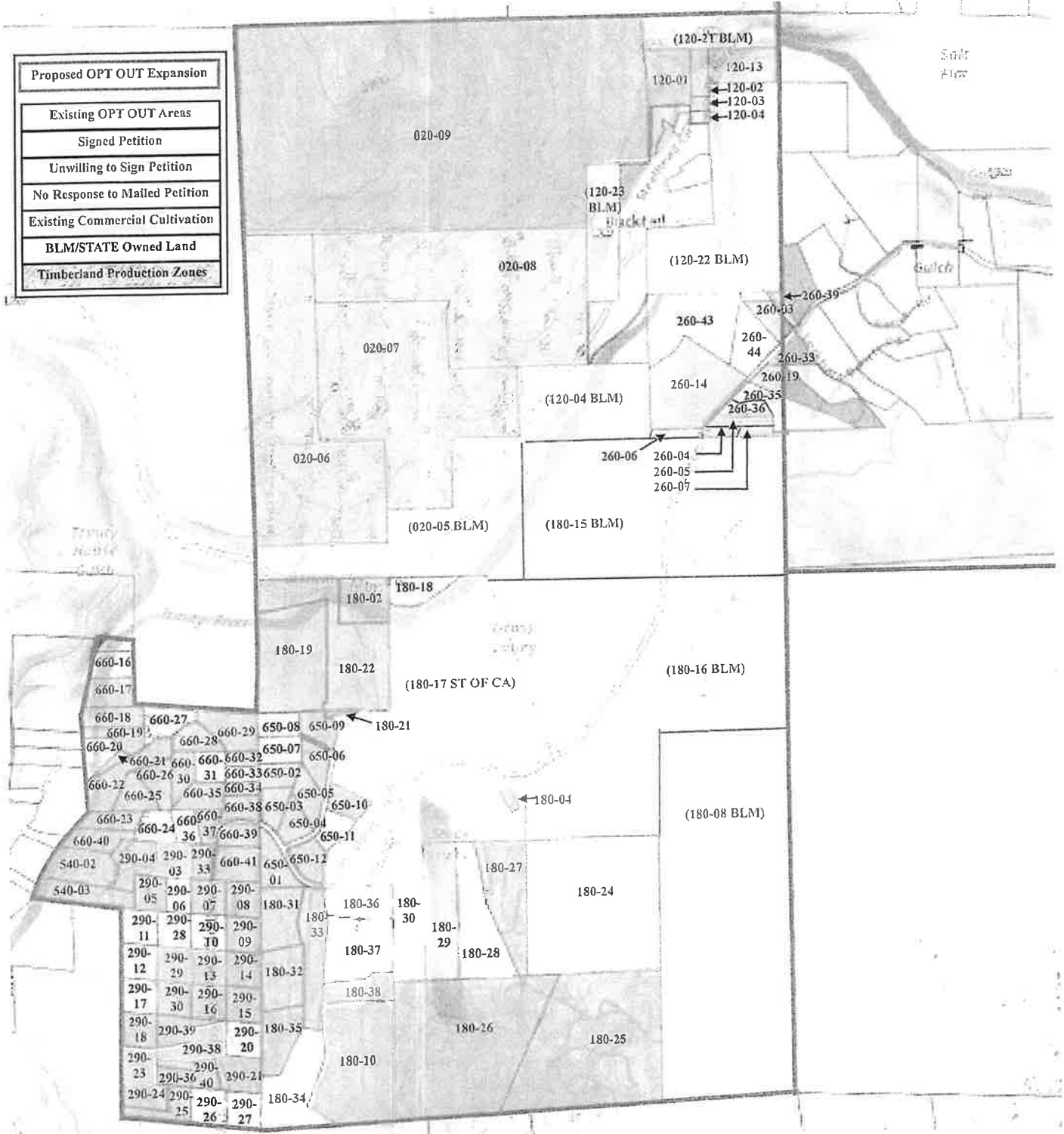
Planning and Zoning

- 2.1 Continue from July 20, 2021 the appeal hearing to consider upholding, modifying or overturning the Planning Commission's decision to make a determination for a Mitigated Negative Declaration in accordance with the California Environmental

ATTACHMENT 8

Exhibit A

Proposed OPT OUT Expansion
Existing OPT OUT Areas
Signed Petition
Unwilling to Sign Petition
No Response to Mailed Petition
Existing Commercial Cultivation
BLM/STATE Owned Land
Timberland Production Zones



ATTACHMENT 8

Exhibit A

**FRIENDS OF THE LEWISTON GRASS VALLEY CREEK
OPT OUT EXPANSION - WORKING LIST
as of 4/19/2021**

124	PROPOSED TOTAL PARCELS FOR INCLUSION
Zoned ELIGIBLE for Cannabis Cultivation	
112	Total Parcels
73	SP = Signed Petition in Favor of
3	N = Not in Favor of
4	G = Existing Commercial Cultivation
32	NR = No Response to Mailed Petition
Zoned INELIGIBLE for Cannabis Cultivation	
12	Total Parcels
9	B = BLM/State Owned
3	Z = Timberland Production Zones

APN	PHYSICAL ADDRESS	STATUS	ZONING	OWNER
025-020-05	NOT ADDRESSED	B	A	
025-020-06	1200 MOUNTAIN SRPINGS RD	Z	TPZ	
025-020-07	446 MOUNTAIN SPRINGS RD	Z	TPZ	
025-020-08	356 MOUNTAIN SPRINGS RD	Z	TPZ	
025-020-09	640 BROWNS MOUNTAIN RD	SP	TPZ	
025-120-01	7001 BROWNS MOUNTAIN RD	SP	RR1	
025-120-02	294 STEELHEAD CIRCLE	SP	RR1	
025-120-03	292 STEELHEAD CIRCLE	SP	RR1	
025-120-04	276 STEELHEAD CIRCLE	SP	RR1	
025-120-13	240 BROWNS MOUNTAIN RD	SP	OS	
025-120-21	NOT ADDRESSED	B	OS	
025-120-22	NOT ADDRESSED	B	RR5	
025-120-23	NOT ADDRESSED	B	OS	
025-120-24	NOT ADDRESSED	B	RR1	
025-180-02	5870 BROWNS MOUNTAIN	SP	RR5	
025-180-04	3671 LEWISTON ROAD	SP	A10	
025-180-08	NOT ADDRESSED	B	OS	
025-180-10	310 COFFIN ROAD	G	RR5	
025-180-15	NOT ADDRESSED	B	AF	
025-180-16	NOT ADDRESSED	B	AF	
025-180-17	3700 LEWISTON ROAD	B	A10	
025-180-18	5920 BROWNS MOUNTAIN	NR	RR5	
025-180-19	275 WELLOCK ROAD	SP	A10	
025-180-21	270 WELLOCK	SP	A10	
025-180-22	270 WELLOCK	SP	RR5	
025-180-24	311 OAK RANCH ROAD	NR	AF40	
025-180-25	1551 OAK RANCH ROAD	SP	AF40	
025-180-26	601 OAK RANCH ROAD	SP	AF40	
025-180-27	251 OAK RANCH ROAD	SP	A10	
025-180-28	240 OAK RANCH ROAD	NR	A10	
025-180-29	410 OAK RANCH ROAD	NR	A10	
025-180-30	480 OAK RANCH ROAD	NR	A10	
025-180-31	70 BENVENUTO WAY	SP	RR5	
025-180-32	160 BENVENUTO WAY	SP	RR5	
025-180-33	75 BENVENUTO WAY	SP	RR5	
025-180-34	345 BENVENUTO WAY	NR	RR5	
025-180-35	250 BENVENUTO WAY	SP	RR5	
025-180-36	100 COFFIN ROAD	NR	RR5	

Kim Hunter

From: Kim Hunter
Sent: Thursday, August 19, 2021 1:38 PM
To: 'Ana Wright'; Stefan Monev
Cc: Stefan Monev
Subject: RE: Meeting to Discuss Lewiston Pending Applicatin

Ana & Stefan
Based on the direction provided by the Board of Supervisors and discussed with County Counsel during the meeting on 7/30/21 regarding the Urgency Ordinance 315-850 (agenda item 1.1.) for the Lewiston area , the Planning Dept. Cannabis Division will be returning the application and refunding all fees that have been paid for the transfer of CCL 208 to APN 025-180-29. K.



Kim Hunter
Director of Building & Planning
Building/Planning/Environmental Health/Cannabis
(530)623-1351 Ext. 2
61 Airport Road PO Box 2819
Weaverville CA. 96093-2819
www.trinitycounty.org/Building-Environmental-Health
www.trinitycounty.org/Planning
www.trinitycounty.org/Commercial-Cannabis

From: Ana Wright [REDACTED]
Sent: Wednesday, August 18, 2021 3:09 PM
To: Kim Hunter <khunter@trinitycounty.org>
Cc: Stefan Monev [REDACTED]
Subject: Re: Meeting to Discuss Lewiston Pending Applicatin

Hello Kim,

Following up on this once again.
Please indicate when we can discuss this pending application so that Mr. Monev can move forward appropriately.

Best,

Ana Wright
Executive Vice President
Flowra
[REDACTED]

ATTACHMENT 8

M: (530) 739-9908
O: (800) 811-4356, ext 502

Schedule an appointment with me through Calendly:
<https://calendly.com/ana-138>



On Mon, Aug 2, 2021 at 11:38 AM Ana Wright [REDACTED] wrote:

Good morning Kim,

In light of the meeting on Friday, I believe it's time you give Stefan direction on what is happening on his application. Do you have time for a meeting this week or next Monday?

Thank you!

Best,

Ana Wright
Executive Vice President
Flowra



Schedule an appointment with me through Calendly:
<https://calendly.com/ana-138>



On Wed, Jul 14, 2021 at 8:34 AM Ana Wright [REDACTED] wrote:

We'll do 3pm next Wednesday, just sent a calendar invite.

Thanks!

ATTACHMENT 8

Best,

Ana Wright
Executive Vice President
Flowra

Schedule an appointment with me through Calendly:
<https://calendly.com/ana-138>



On Tue, Jul 13, 2021 at 2:56 PM Kim Hunter <khunter@trinitycounty.org> wrote:

Hi Ana,

I can meet with you and Stefan on Friday the 16th between 10-2 and next Wednesday after 2pm. Please let me know what works best for you. K.

From: Ana Wright <[REDACTED]>
Sent: Friday, July 2, 2021 9:14 AM
To: Kim Hunter <khunter@trinitycounty.org>
Cc: Stefan Monev <[REDACTED]>
Subject: Meeting to Discuss Lewiston Pending Application

Good morning Kim,

I am emailing on behalf of Stefan Monev, copied here on this email.

We would like to request a meeting to discuss his pending application in Lewiston, and how the recent Urgency Ordinance extending the carve out affects this application.

What is your availability the week of the 12th?

Thank you!

Best,

Ana Wright
Executive Vice President
Flowra
www.theflowraplatform.com
M: (530) 739-9908
O: (800) 811-4356, ext 502

Schedule an appointment with me through Calendly:
<https://calendly.com/ana-138>



ATTACHMENT 9



TRINITY COUNTY
PLANNING – CANNABIS
530 MAIN ST., PO BOX 2819
PHONE – 530-623-1351
WEAVERVILLE, CALIFORNIA 96093

March 20, 2023

Stefan Money



RE: Denial of Application for CCL-208

Mr. Money:

An application for a Small Mixed Light (10,000SF) Commercial Cultivation License (CCL) on APN 025-180-030-000 was received by the Trinity County Planning Department on November 19, 2020 (Attachment 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 (Attachment 2).

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) was adopted on May 17, 2022 and became effective on June 17, 2022 (Attachment 3).

On July 30, 2021 the Board of Supervisor gave Planning staff direction to deny the application due to Urgency Ordinance 315-850. (Attachment 4)

To the date of this letter, a license has never been issued for CCL-208 on the subject parcel (APN 025-180-030-000).

Ordinance No. 315-851 Section § 4 (8) states, "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".

After research and confirmation from County Counsel, staff has determined that Ordinance No. 315-851 does not provide a pathway to licensure for existing applications that were not formally approved or issued before the adoption of the Lewiston Expansion Cannabis Opt Out area. Therefore, the Cannabis Division Director must deny the pending application associated with CCL-208 on the referenced subject parcel.

Previous statements by the department, director or otherwise, do not trump the existing ordinance.

Per Trinity County Code Section § 17.34.110 (Appeals) states, "Any person dissatisfied with any action of the planning director may appeal therefrom to the planning commission at any

ATTACHMENT 9



TRINITY COUNTY
PLANNING – CANNABIS
530 MAIN ST., PO BOX 2819
PHONE – 530-623-1351
WEAVERVILLE, CALIFORNIA 96093

time within ten working days after notice of the decision is given. Such an appeal is taken by filing a notice of appeal with the planning director and paying the required appeal fee. Upon filing of a notice of appeal, the planning director shall within ten days transmit to the secretary of the planning commission all papers and documents on file with the planning director relating to the appeal and schedule the appeal for commission hearing.”

Respectfully,

A handwritten signature in blue ink, appearing to read "Drew Plebani".

Drew Plebani
Director – Cannabis Division
Trinity County Planning Department
530 Main Street
Weaverville, CA. 96093
Office: 530-623-1351 ext. 2853

Attachments:

1. Application for CCL-208
2. Lewiston Expansion Cannabis Opt Out Area Urgency Interim Ordinance (Zoning Ordinance No. 315-850)
3. 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)
4. Refund/ Cancellation Request Form and associated documentation.



TRINITY COUNTY PLANNING DEPARTMENT

Kim Hunter, Director 530-623-1351

Commercial Cannabis Division
Phone: 530-623-1351
FAX: 530-623-1353
Info.Planning@trinitycounty.org

61 AIRPORT ROAD • 530-623-1351
P.O. BOX 2819 WEAVERVILLE, CA 96093

For Office Use Only

Accepted By: _____
Date: _____
Receipt number: _____
CCL number: _____

CANNABIS CULTIVATION ANNUAL LICENSE RENEWAL APPLICATION

(Rev. 3/18/2020)

Current Trinity County Cannabis Cultivation Number (CCL-XXXX-XXX):	CCL-2019-208
Cultivation Site Address:	Street: 410 OAK RANCH ROAD City: LEWISTON State: CA Zip: 96052
Parcel Number(s):	025-180-29
Applicant Name (must match existing permit):	STEFAN MONEV
Mailing Address:	Street: [REDACTED] City: EUREKA State: _____ Zip: 95501
Phone Number:	[REDACTED]
Email:	[REDACTED]

RENEWAL APPLICATION INFORMATION

Please read each option and check the box most applicable.

1. Premise Map/Site Plan:

- There are changes to my Cultivation Site Plan. I have attached a new Cultivation & Operation Plan.
- There are no changes to my Cultivation Site Plan. A new Premise Map is not needed.

2. Necessary Documents:

- I have applied for renewal of my annual variance and/or Director's Use Permit.
- I have updated my Agent's Authorization form, *if applicable*.

3. REQUIRED – Applicant, Owner, State Licensee and Employee List:

- Categorical Exemption Checklist for sites that are eligible. (CE 1,2,3,4,11)
- Project Description for sites that are ineligible for a Categorical Exemption.

For a summary of how to demonstrate compliance with CEQA with a Categorical Exemption or to demonstrate that compliance with CEQA is underway with the preparation of an Initial Study, refer to the table below. For a more extensive explanation, Frequently Asked Questions, and additional guidance material, go to our commercial cannabis website where you will find helpful material posted on the upper right hand side of the webpage under the heading "Trinity County 2020 New Application and Renewal Guidance" <https://www.trinitycounty.org/Commercial-Cannabis>.

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NOV 19 2020
TRINITY COUNTY
PLANNING DEPARTMENT

RMM

ATTACHMENT 9

Cannabis Cultivation Annual License Renewal Application (Rev. 3/18/2020)

4. Permit Type:

- I wish to change my permit type from last year. As required, I have attached a Cannabis Cultivation Permit Application for an allowable permit type change, including any required fees.
- I am not changing my permit type.

5. REQUIRED - Confirmation of Current Information

- I do have a current ID on File. If your ID has expired, provide a new ID.
- I have a current lease or deed on file. If your lease has expired, provide a new lease.
- I have have applied for all required permits, and none of my applications have been denied or expired and have shown proof of progress on all open permits. Note: If it is determined at the time of submittal of this renewal application that County records show this is not the case, your renewal application will not be accepted.

6. REQUIRED - State Water Resource Control Board (SWRCB) Documentation:

- I have attached my current Notice of Applicability (NOA) from the State Water Board, or all applicable correspondence from the State Water Board directly demonstrating proof of application submission for the same, including annual Monitoring Report.

7. IF APPLICABLE- California Department of Fish & Wildlife (CDFW) Documentation:

- I have attached my Final Lake or Streambed Alteration Agreement (LSAA) from CDFW, or all applicable correspondence from CDFW directly demonstrating proof of application submission for the same.

APPLICANT/PERMITTEE INSPECTION CONSENT & AUTHORIZATION

I/We consent to at least one compliance inspection of the cultivation site to confirm compliance with the requirements of the Trinity County Cannabis Cultivation Ordinance (315-843.). I/We agree to execute a Renewal Affidavit and pay all renewal fees as required by the Cannabis Program in order to receive my Annual Renewal Cultivation License.

Should any of the information submitted as part of this application be determined by the County to be false or misleading, the County may issue a Notice to Terminate Permit pursuant to Trinity County Code Section 10A.17.140.

I/We declare under penalty of perjury, under the laws of the State of California, that the information provided on this application is true and correct and that I am authorized to sign as the applicant/Licensee of this Licensed Cannabis Cultivation Site.



Signature of Applicant(s)

Date 11/18/2020

Signature of Applicant(s)


Signature of Property Owner(s)

Date _____

Date 11/18/20

Signature of Property Owner(s)

Date _____

ATTACHMENT 9



**TRINITY COUNTY CANNABIS DIVISION
COMMERCIAL CANNABIS CULTIVATION APPLICATION**

This form must be typed

SECTION A - Applicant Type Please select One

New Applicant

208 (Three digit number)

SECTION B - LICENSE SELECTION

License Type Designation (Please check one):

Cultivation Type	Mature Canopy Size	Total Fee
<input type="checkbox"/> Specialty Cottage Outdoor	Up to 25 Mature Plants	\$1,000 Fee
<input type="checkbox"/> Specialty Cottage Mixed Light	Up to 2,500 square feet	\$1,750 Fee
<input type="checkbox"/> Specialty Cottage Indoor	Up to 500 square feet	\$2,250 Fee
<input type="checkbox"/> Specialty Outdoor	Up to 5,000 square feet	\$5,000 Fee
<input type="checkbox"/> Specialty Mixed Light	Up to 5,000 square feet	\$5,000 Fee
<input type="checkbox"/> Small Outdoor	Up to 10,000 square feet	\$6,000 Fee
<input checked="" type="checkbox"/> Small Mixed Light	Up to 10,000 square feet	\$6,000 Fee

Transfer Fee to New APN

RECEIVED

NOV 19 2020

TRINITY COUNTY
PLANNING DEPARTMENT

R.M.M.

Parcel Number(s): Put a comma between each parcel number

075-160-30-000

SECTION C - PRIMARY CONTACTS - This will be the main contact for any questions regarding this application, site inspections, and any other information. The Primary Contact must own at least 20% of the Cannabis Business.

Name STEFAN MONEV	Phone Number(s) [REDACTED]	Email Address(es) [REDACTED]
-----------------------------	-------------------------------	---------------------------------

Mailing Address
[REDACTED]

Name	Phone Number(s)	Email Address(es)
------	-----------------	-------------------

Mailing Address

SECTION D - CANNABIS BUSINESS INFORMATION

Business Organizational Structure (please check ONE)

- Sole Proprietorship
 Limited Liability Company
 General Partnership
 Corporation (or foreign corporation)
 Limited Partnership
 Limited Liability Partnership

Legal business name STEFAN MONEV	Doing Business As (DBA)
--	-------------------------

Business Physical Address 480 OAK RANCH RD	City LEWISTON	State CA	Zip Code 96052
--	-------------------------	--------------------	--------------------------

Mailing Address (if different from premises address) [REDACTED]	City EUREKA	State CA	Zip Code 95501
--	-----------------------	--------------------	--------------------------

Trinity County Physical Address (if different from those above)	City	State	Zip Code
---	------	-------	----------

Trinity County Mailing Address (if different from those above)	City	State	Zip Code
--	------	-------	----------

Business Website	Business Email Address [REDACTED]	Phone Number [REDACTED]
------------------	--------------------------------------	----------------------------

ATTACHMENT 9

SECTION E - LIST OF CANNABIS BUSINESS OWNERS (20%-100% Ownership) An owner is defined as a person with an aggregate ownership interest of 20% or more, chief executive officer, member of the board of directors of a nonprofit, or an individual participating in the direction, control, or management of the applicant. All business owners must be listed, including yourself. Attach additional pages if needed.

Name STEFAN MONEV	Email [REDACTED]	Ownership % 100.00	Title OWNER	
Mailing Address [REDACTED]	City EUREKA		State CA	Zip Code 95501
Name	Email	Ownership %	Title	
Mailing Address	City		State	Zip Code
Name	Email	Ownership %	Title	
Mailing Address	City		State	Zip Code
Name	Email	Ownership %	Title	
Mailing Address	City		State	Zip Code

SECTION F - CANNABIS BUSINESS NON-OWNERS WITH A FINANCIAL INTEREST IN THE BUSINESS (5%-19.9% Ownership)

Name	Date of Birth
Government ID Type	Government ID Number
Name	Date of Birth
Government ID Type	Government ID Number
Name	Date of Birth
Government ID Type	Government ID Number
Name	Date of Birth
Government ID Type	Government ID Number

SECTION G - CANNABIS BUSINESS FICTITIOUS BUSINESS NAMES

Fictitious Business Name:

*If using a fictitious business name please attach a fictitious name statement in addition to this disclosure

ATTACHMENT 9

SECTION H - LIST OF PROPERTY OWNERS An owner is defined as a person with an aggregate ownership interest of 20% or more, chief executive officer, member of the board of directors of a nonprofit, or an individual participating in the direction, control, or management of the applicant. All business owners must be listed, including yourself. Attach additional pages if needed.

Name STEFAN MONEV	Email [REDACTED]	Ownership % 100.00	
Mailing Address [REDACTED]	City EUREKA	State CA	Zip Code 95501
Name	Email	Ownership %	
Mailing Address	City	State	Zip Code
Name	Email	Ownership %	
Mailing Address	City	State	Zip Code
Name	Email	Ownership %	
Mailing Address	City	State	Zip Code

SECTION I - PROPERTY NON-OWNERS WITH A FINANCIAL INTEREST IN THE BUSINESS 5%-19.9% Ownership

Name	Date of Birth
Government ID Type	Government ID Number
Name	Date of Birth
Government ID Type	Government ID Number
Name	Date of Birth
Government ID Type	Government ID Number
Name	Date of Birth
Government ID Type	Government ID Number

SECTION K - DECLARATIONS

Is the proposed premises located within a 1000-foot radius of a youth oriented facility, school, church or residential treatment facility?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Is any part of the proposed premises located within a 500-foot radius of an authorized school bus stop?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Is the proposed premises located within a 350-foot radius of a permitted or grandfathered dwelling? (If yes, please apply for a variance)	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Is the proposed premises located within an Opt Out Area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Is the proposed premises located within a Floodplain?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the site have a grandfathered dwelling (pre 1973) or a permitted dwelling? (If pre 1973, please provide documentation to justify)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the site have a permitted septic?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the site have a permitted well?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

ATTACHMENT 9

SECTION L - CONSULTANT INFORMATION AND AGENT'S AUTHORIZATION (Attach additional pages as needed)

Consultant Name:	
Consultant Phone Number:	
Consultant Contact Email:	

I, the undersigned, state that I am the applicant and/or property owner of the proposed project on assessor's parcel number:

I do hereby authorize and empower to act on my behalf on all matters relating to said project in connect with its filing, processing, approval, conditional approval or disapproval by Trinity County, its boards and commissions, officers, employees and agents. Should I revoke this authorization it is my responsibility to serve written notice of said revocation to Trinity County by Delivery to the Trinity County Planning Department.

AFFIRMATION AND CONSENT - Applicant(s) and Property Owner(s) must sign. Attach additional pages as needed.

Under penalty of perjury under the State of California, I hereby declare that the information contained within and submitted with the application is complete, true, and accurate. I understand that a misrepresentation of fact is cause for rejection of this application, denial of a license, or revocation of a license issued.

Signature 	Printed Name STEFAN MONEV	Date Signed 6/25/2020
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed

REQUIRED ATTACHMENTS

- Copy of Primary Contact(s) Photo ID (must own at least 20% of Cannabis Business)
- Copy of Property Owner(s) Photo ID (must own at least 20% of property)
- Copy of Deed(s) (if property owner is a separate business entity please provide Business Documents)
- Proof of dwelling permitted issued or finalized by the Building Department or Assessor's Information that shows dwelling existed before 1973
- Proof of septic finalized through the Environmental Health Division
- Owner Permission Sheet (if the Cannabis Business owns less than 20% of property)
- Lease Documentation (if Cannabis Business owns less than 20% of property)
- Parcel Map
- Premises Map
- Waterboard Number or Proof of Payment
- State Waterboard Enrollment Questionnaire and/or North Coast Waterboard Appendix C
- Water Source Documentation (well report, well test, riparian claim, and/or rain catchment)
- Executed Board of Equalization Seller's Permit
- Cannabis Business Business Documents (if applicable)
- Cannabis Waste Management Plan
- CEQA Compliance Components
- California Department of Fish and Wildlife Lake or Streambed Alteration Agreement Proof of Enrollment

ATTACHMENT 9

Trinity County
Planning and Building Department
Commercial Cannabis Cultivation

Cannabis Ordinance Acknowledgement Form


I, acknowledge that I have read and understand Ordinance No. 315-823, No. 315-829, No. 315-830, and No. 315-841. I also acknowledge that I have a responsibility to know if my project is restricted by Ordinance No. 315-823, No. 315-829, No. 315-830, and No. 315-841 and that Trinity County will not issue a refund if the proposed cultivation site's parcel is in violation of the ordinance. By signing below, I understand and acknowledge the terms of payment set forth by the Commercial Cannabis Cultivation Regulation Ordinance including but not limited to:

316—No refund is offered after submittal of application

317—Payment does not constitute as approval for Commercial Cannabis Cultivation

318—It is the applicant(s) responsibility to submit the paid invoice to the Trinity County Planning Department

After review and consideration of all of the foregoing terms and conditions, those who sign below hereby agree to be bound by, fully and timely comply, with all of the foregoing terms and conditions under penalty of perjury under the State of California.

Signature 	Printed Name Stefan Monev	Date Signed 6/25/2020
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed

**Primary Contact(s) and Property Owner(s) must sign in blue ink.
Attach additional pages as needed.**

ATTACHMENT 9


Trinity County
Planning and Building Department
Commercial Cannabis Cultivation

Authorization to Enter Private Property

The Trinity County Planning Department as the lead agency performs the environmental evaluation for the California Environmental Quality Act (CEQA). Other State and local agencies also provide responsible and trustee roles under CEQA. The comments received from these agencies assist the Planning Department in preparing the environmental document for your project. In order for the Department to perform the evaluation on your proposed project we will need permission to allow entry to your property for Planning and any reviewing agency that may need to actually view the property before providing comments.

By signing this authorization to enter your property you are granting the reviewing agencies access to your property for the purpose of evaluating your proposed project. The authorization is valid from the date the Department receives notice of your proposed project and any monitoring periods thereafter.

After review and consideration of all of the foregoing terms and conditions, those who sign below hereby agree to be bound by, fully and timely comply, with all of the foregoing terms and conditions under penalty of perjury under the State of California.

Signature 	Printed Name StEFAN MONEU	Date Signed 6/25/2020
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed

Primary Contact(s) and Property Owner(s) must sign in blue ink.
Attach additional pages as needed.

ATTACHMENT 9

Trinity County
Planning Department
Cannabis Division


Commercial Cannabis Self-Distribution Form

All licensed cultivators within the Trinity County can Self-Transport their own product to licensed distributors and/or manufactures as permitted by State law. By filling out this form you are requesting that Trinity County grant you permission to Self-Transport your own product.

Self- Distribution Acknowledgments

1. The Applicant will obtain the appropriate State license permitting Self-Distribution within ninety (90) days of receiving permission to self-transport from the County.
2. The Applicant understands there will be no additional fees, but that they must maintain a valid Trinity County Cultivation License in order to maintain their ability to Self-Distribute.
3. The Applicant, Primary Contact, and Property Owner(s) shall defend, indemnify, save and hold harmless the Trinity County, its elected and appointed officials, officers, employees, agents, contractors and volunteers from any and all claims, actions, proceedings or liability of any nature whatsoever including, but not limited to, any approvals issued in connection with this permission to self-transport.
4. The Applicant will abide by all State and Local laws related to Self-Distribution and cultivation of Cannabis.

After review and consideration of all of the foregoing self-distribution acknowledgements, those who sign below hereby agree to be bound by, fully and timely comply, with all of the foregoing terms and conditions under penalty of perjury under the State of California.

Signature 	Printed Name STEFAN MOWER	Date Signed 6/25/2020
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed

Primary Contact(s) and Property Owner(s) must sign in blue ink.
Attach additional pages as needed.

ATTACHMENT 9

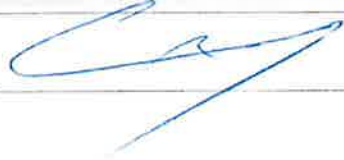
Trinity County
 Planning and Building Department
 Commercial Cannabis Cultivation

Material Use Acknowledgement Form:

List any fertilizers, pesticides, rodenticides, herbicides, fuels, petroleum, solar batteries, or any other concerning product being stored on the property.

Type <small>Fuel, Fertilizer, etc.</small>	Name of Material <small>(ex. Mendo Mix, Royal Gold)</small>	Amount Stored Onsite <small>(15 lbs)</small>	Active Ingredients <small>(nitrogen, phosphorus, potassium)</small>
	CURRENTLY NONE		

By signing below, I agree that all used materials are properly listed above, stored and labeled correctly
 I declare under penalty of perjury under the State of California that the foregoing is true and correct.

Signature 	Printed Name STEFAN MOWER	Date Signed 6/25/2020
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed

**Primary Contact(s) must sign in blue ink.
 Attach additional pages as needed.**

ATTACHMENT 9

Trinity County
Planning and Building Department
Commercial Cannabis Cultivation

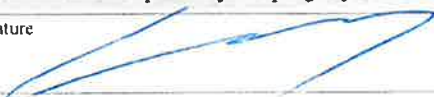
Financial Interests Form

All third party individuals and/or business entities that have a financial interest in a commercial cannabis business, aside from the applicant(s), property owner(s), business related transactions, and/or financial institution contributions must be listed. Financial interest means an investment into a commercial cannabis business, a loan provided to a commercial cannabis business, or any other equity interest in a commercial cannabis business.

If there are no financial interests please state "none" and sign below.

Name or Business	Amount in Dollars
NONE	

I declare under penalty of perjury under the State of California that the foregoing is true and correct.

Signature 	Printed Name STEFAN MONEV	Date Signed 6/25/2020
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed
Signature	Printed Name	Date Signed

Primary Contact(s) must sign in blue ink.
Attach additional pages as needed.



**TRINITY COUNTY
PLANNING DEPARTMENT**

P.O. BOX 2819 ♦ 61 AIRPORT ROAD
WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1351 ♦ FAX (530) 623-1353

**ACKNOWLEDGEMENT
OF
MAINTAINING EXISTING SITE CONDITIONS**


Application: STEFAN MONEV APN: 025-180-30-000

As the Property Owner, I hereby acknowledge that until final approval of the above application by the County of Trinity, no work such as grading, site development, infrastructure placement, tree removal, construction, trenching, operations or activities requested in this application will be allowed.

I understand that if the project site is altered prior to project approval, the review of the project by the County will be more difficult and potentially expensive and that additional mitigation measures and/or conditions of approval may be imposed. Further, unauthorized work may cause enforcement by other agencies and/or the denial of the application.

I have also instructed my agent and/or the project applicant of the importance of maintaining existing site conditions.

Exception to the above may be approved by the Planning Department upon a written request.

Signed:  Date: 6/25/2020

ZONING ORDINANCE NO. 315-850 EXT 1

**AN URGENCY INTERIM ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF TRINITY
IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF
COMMERCIAL CANNABIS CULTIVATION LICENSES WITHIN
THE AREA OF LEWISTON**

The Board of Supervisors of the County of Trinity, State of California, ordains as follows:

SECTION I: PURPOSE AND AUTHORITY.

The purpose of this interim urgency zoning ordinance is to create a moratorium on the issuance of new and transferred commercial cannabis cultivation licenses within the area of Lewiston, identified by the map hereto attached at "Exhibit A." (Lewiston Opt Out). This urgency ordinance is adopted pursuant to California Constitution Article 11, Section 7, Government Code sections 65800, et seq., particularly section 65858, and other applicable law.

SECTION II: FINDINGS.

The Board of Supervisors of the County of Trinity makes the following findings in support of the immediate adoption and application of this urgency ordinance:

1. The state and federal law governing the definition and cultivation of commercial cannabis cultivation is complex, evolving, and may adversely affect the public, peace, health, or safety of residents or of visitors to Trinity County.
2. The residents and property owners within the Lewiston Opt Out area have requested that commercial cannabis cultivation be prohibited as it has been detrimental to the neighborhoods.
3. There is no feasible alternative to enactment of this moratorium ordinance that will satisfactorily mitigate or avoid the previously identified impacts to the public health, safety and welfare with a less burdensome or restrictive effect.
4. In order to ensure the effective implementation of the County of Trinity's land use objectives and policies, a temporary moratorium on the issuance of new licenses and the transfer of established and/or approval of commercial cannabis cultivation into the Lewiston Opt Out area is necessary.
5. This ordinance complies with State law and imposes reasonable regulations that the Board of Supervisors concludes are necessary to protect the public safety, health and welfare of residents and business within the County.

SECTION III. COMMERCIAL CANNABIS CULTIVATION PROHIBITED

- A. During the term of this interim ordinance, no new or transferred Commercial Cannabis Cultivation Licenses shall be issued within the Lewiston Opt Out Expansion area nor shall

ATTACHMENT 9

Ordinance No. 315-850 Ext. 1
June 20, 2021
Page 2 of 3

any expansion of an existing Commercial Cannabis Cultivation site be approved. Current Commercial Cannabis Cultivation Licensees within the Lewiston Opt Out Extension area may transfer their licenses to properties outside of the Lewiston Opt Out Extension area or to a new owner of their legally licensed property with the Lewiston Opt Out Extension area, pursuant to County code section 17.43.030.E.

- B. The provisions of this section shall not be construed to protect any person from prosecution pursuant to any laws that may prohibit the cultivation, sale, distribution, possession, and/or use of controlled substances, or to authorize conduct that is unlawful under state or federal law. As authorized by Government Code section 25132, and except as otherwise provided by state statute, any person or entity violating any provision of this ordinance shall be guilty of a misdemeanor. Moreover, absent a certificate of registration from the federal government, the cultivation of cannabis remains a violation of federal law as of the date of adoption of this ordinance and this ordinance is not intended to, and does not authorize conduct or acts that violate federal law, does not serve in any manner as an obstacle to enforcement of federal law, and does not protect any of the above-described persons from arrest or prosecution under those.
- C. This moratorium shall also apply to the issuance of cannabis manufacturing licenses in Lewiston Opt Out area as well as the Lewiston Opt Out Expansion area.

SECTION IV. CONFLICTING LAWS.

For the term of this ordinance, as set forth in Section 8 below, the provisions of this ordinance shall govern. To the extent that there is any conflict between the provisions of this ordinance and the provisions of any other County Code, ordinance, resolution or policy, all such conflicting provisions shall be suspended.

SECTION V. DECLARATION OF URGENCY.

Based on the findings set forth above, this ordinance is declared to be an urgency ordinance that shall be effective immediately upon adoption by the Board of Supervisors.

SECTION VI. CONFLICTING LAWS.

For the term of this ordinance, as set forth in Section VIII below, the provisions of this ordinance shall govern. To the extent that there is any conflict between the provisions of this ordinance and the provisions of any other County Code, ordinance, resolution or policy, all such conflicting provisions shall be suspended.

SECTION VIII. CEQA.

This ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). In addition to the foregoing general exemptions, the following categorical exemption applies:

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Ordinance No. 315-850 Ext. 1
June 20, 2021
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section 15308 (actions taken as authorized by local ordinance to assure protection of the environment). There are no unusual circumstances under CEQA Guideline 15300.2(c). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

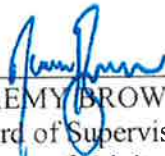
SECTION VIII. EFFECTIVE DATE AND TERM

This ordinance is an interim zoning ordinance adopted as an urgency measure pursuant to Government Code section 65858, and it shall be of no further force and effect forty-five (45) days from its date of adoption, unless it is extended by further action of the Board of Supervisors, pursuant to Section 65858.

This interim urgency ordinance was enacted at the Board of Supervisors meeting on June 15, 2021, and shall hereby be extended for 10 months and 15 days as provided by California Constitution Article 11, Section 7, Government Code section 65858(a).

Introduced, waived the reading of, and enacted on this 30th day of July 2021, by the Board of Supervisors, of the County of Trinity by motion, second (Groves/Gogan), and the following vote:

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



 JEREMY BROWN, 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:



 By: Margaret E. Long, County Counsel

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.

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Ordinance No. 315-851

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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 unequitable 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

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conditions. . Grass Valley Creek contains important salmonid habitat which merits the preemptive 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 inequitable 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.

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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.

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DATE

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Introduced at a regular meeting of the Board of Supervisors held on the 3rd 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

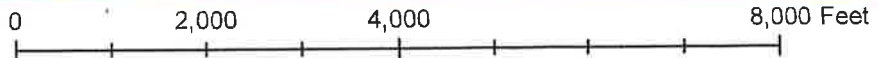
APPROVED AS TO FORM AND LEGAL EFFECT:



 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

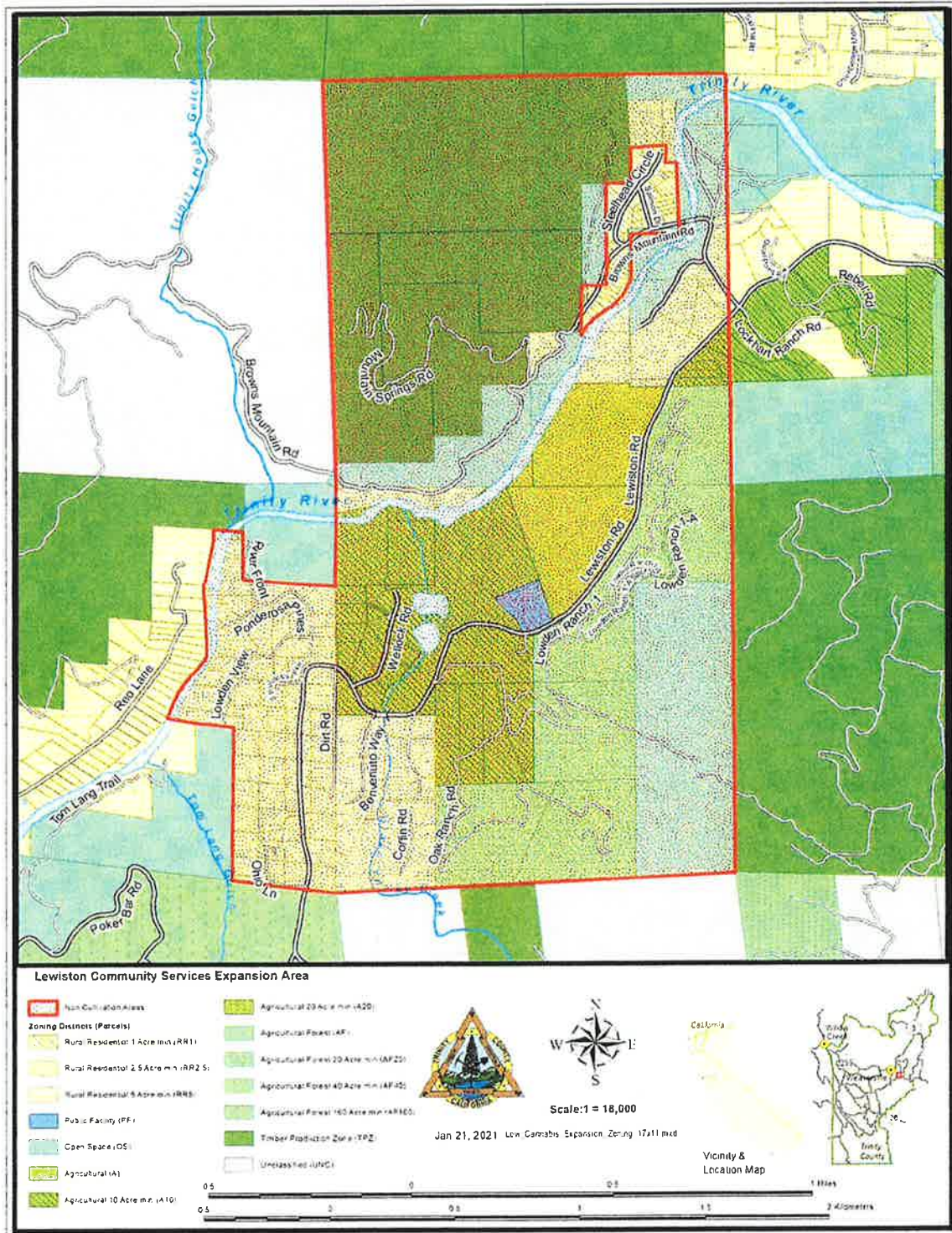


ATTACHMENT 9

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
010-690-03-00	010-690-47-00	010-670-09-00
010-690-04-00	010-690-48-00	010-670-10-00
010-690-05-00	010-690-49-00	010-690-51-00
010-690-07-00	010-690-50-00	010-690-52-00
010-690-08-00	010-680-17-00	
010-690-09-00	010-680-18-00	
010-690-10-00	010-680-19-00	
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010-690-12-00	010-590-03-00	
010-690-14-00	010-590-05-00	
010-690-15-00	010-590-11-00	
010-690-16-00	010-590-13-00	
010-690-17-00	010-590-15-00	
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010-690-26-00	010-600-06-00	
010-690-27-00	010-600-07-00	
010-690-28-00	010-600-08-00	
010-690-30-00	010-600-09-00	
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010-690-32-00	010-610-02-00	
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010-690-54-00	010-610-05-00	
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010-690-56-00	010-610-07-00	
010-690-57-00	010-610-08-00	
010-680-02-00	010-610-09-00	

ATTACHMENT 9



ATTACHMENT 9

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	
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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	

Kim Hunter

From: Kim Hunter
Sent: Thursday, August 19, 2021 1:38 PM
To: 'Ana Wright'; Stefan Monev
Cc: Stefan Monev
Subject: RE: Meeting to Discuss Lewiston Pending Applicatin

Ana & Stefan
Based on the direction provided by the Board of Supervisors and discussed with County Counsel during the meeting on 7/30/21 regarding the Urgency Ordinance 315-850 (agenda item 1.1.) for the Lewiston area , the Planning Dept. Cannabis Division will be returning the application and refunding all fees that have been paid for the transfer of CCL 208 to APN 025-180-29. K.



Kim Hunter

Director of Building & Planning

Building/Planning/Environmental Health/Cannabis
(530)623-1351 Ext. 2
61 Airport Road PO Box 2819
Weaverville CA. 96093-2819

www.trinitycounty.org/Building-Environmental-Health
www.trinitycounty.org/Planning
www.trinitycounty.org/Commercial-Cannabis

From: Ana Wright <ana@theflowraplatform.com>
Sent: Wednesday, August 18, 2021 3:09 PM
To: Kim Hunter <khunter@trinitycounty.org>
Cc: Stefan Monev [REDACTED]
Subject: Re: Meeting to Discuss Lewiston Pending Applicatin

Hello Kim,

Following up on this once again.
Please indicate when we can discuss this pending application so that Mr. Monev can move forward appropriately.

Best,

Ana Wright
Executive Vice President
Flowra
www.theflowraplatform.com

PLANNING DEPARTMENT

And

Cannabis Division

TRINITY COUNTY

COMMUNITY DEVELOPMENT SERVICES

BUILDING - ENVIRONMENTAL HEALTH - PLANNING
61 AIRPORT ROAD, P.O. BOX 2819, WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1351, FAX (530) 623-1353



REFUND / CANCELLATION REQUEST

REQUEST FOR:

CANCELLATION REFUND – Amount Paid: \$ 2500.00 CA/CK/CC
money orders

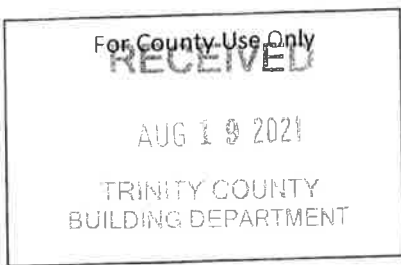
I, Kimberly Hunter request a refund and/or cancellation for
Print Name

Application# License# / Permit # Transfer of CCL 208 to 025-180-29

Reason for Request:

Per Board direction provided on 7/31/21, this license application may not be issued due to Urgency Ord. 315-850.
Signature of Applicant Date

The undersigned, under penalty of perjury, states that the above claim and the items as therein set out are true and correct; that no part thereof has heretofore been paid, and that the amount herein is justly due this claimant, and that the same is presented within one year after the last item thereof has accrued.



Payee/Claimant Name: Stefan Moniv
Address: [Redacted]
City/Zip: Esureka CA. 95501
Phone: [Redacted]
Email: [Redacted]

NOTE: Refunds will not be processed unless all information is completed. Only the Payee on the receipt of the permit may receive the amount refunded.

FOR COUNTY USE ONLY

Refund Approved Refund Not Approved: _____ by _____
Date Name and Title

Explanation: Directive by Board of Supervisors 7/30/2021

Receipt #: CA2020-00572 Amt. To Be Refunded: \$2500.00

- Applied
- Withdrawn / Appeal
- P.C. / Director Denied
- Inspections
- Change of License Type
- Incorrect Payment Received
- Issued
- Overpayment / Duplicate Payment
- Other Urgency ord. 315-850

Direction given by Board of Supervisors.

ATTACHMENT 10



Trinity County Cannabis Division
 61 Airport Road PO Box 2819
 Weaverville, CA 96093

Receipt Number: CA2020-00572

Payer/Payee: MONEV, STEFAN


Cashier: Mary Beth Brinkley

Date: 11/30/2020

CCL-2020-208 CAN - SMALL MIXED LIGHT CULTIVATION 1832 Broadway, #348


Fee Description	Fee Amount	Amount Paid	Fee Balance
INITIAL SMALL OUTDOOR/ MIXED LIGHT CULTIVATION FEE	\$2,500.00	\$2,500.00	\$0.00
	\$2,500.00	\$2,500.00	\$0.00

Payment Method	Reference Number	Payment Amount
CHECK	MO 7377, 7366, 7388	\$2,500.00
Total Paid:		/\$2,500.00

 **UNITED STATES POSTAL SERVICE**


CUSTOMER'S RECEIPT

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION NOT NEGOTIABLE	Pay to	KEEP THIS RECEIPT FOR YOUR RECORDS		
	Address			
Serial Number	Year, Month, Day	Post Office	Amount	Clerk
[REDACTED]	2020-11-09	955400	\$1,000.00	33

 **UNITED STATES POSTAL SERVICE**

CUSTOMER'S RECEIPT

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION NOT NEGOTIABLE	Pay to	KEEP THIS RECEIPT FOR YOUR RECORDS		
	Address			
Serial Number	Year, Month, Day	Post Office	Amount	Clerk
[REDACTED]	2020-11-09	955400	\$1,000.00	33

 **UNITED STATES POSTAL SERVICE**

CUSTOMER'S RECEIPT

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION NOT NEGOTIABLE	Pay to	KEEP THIS RECEIPT FOR YOUR RECORDS		
	Address			
Serial Number	Year, Month, Day	Post Office	Amount	Clerk
[REDACTED]	2020-11-09	955400	\$500.00	33



Financial Reports by Receipt Date Range

From 11/25/2020 through 12/02/2020

Paid by: ALL PAYMENT TYPES

Summary Reports

FMS/GL Totals

Tran Code	FMS/GL	Total
CONST PERMITS	101-2480 / 6151	\$13,622.22
FOOD FACILITY 1	101-2481 / 6405	\$188.33
WELL PERMITS 1	101-2481 / 6406	\$1,576.00
SEWAGE DISP. / ST. PUMP 1	101-2481 / 6408	\$914.00
BLDG PERM/ZONING	101-2800 / 8413	\$165.00
MARIJUANA	238-8238 / 6448	\$1,000.00
GENERAL PLAN UPDATE	238-8238 / 8420	\$3,185.65
MED MARIJUANA	239-8239 / 6448	\$7,500.00
OTHER REVENUE - CANNABIS	239-8239 / 9299	\$25.00
FUND BALANCE - STRONG MOTION	420-0420 / 0580	\$149.80
FUND BALANCE - BUILDING	427-0427 / 0580	\$26.00
FUND BALANCE - CERTIFIED ACCESS -	719-0719 / 0580	\$28.00
		\$28,380.00

Payment Type Summary

CHECK	CREDIT CARD	Total
\$27,628.65	\$751.35	\$28,380.00

ATTACHMENT 10

ZOOM INFORMATION

Join Zoom Meeting
<https://zoom.us/j/5950072851?pwd=RHp6TDhNajNJMVJHZFJIRmhacmJjUT09>

Meeting ID: 595 007 2851
Passcode: 267684

Dial In:
1 (669) 900-6833

If you need assistance with Zoom please go to this website:
<https://support.zoom.us/hc/en-us/articles/201362283-Testing-computer-or-device-audio>

Just a reminder that the chat feature is not the appropriate forum to ask questions or provide comments. This chat should only be used to notify us of technical issues. No response will be given in acknowledgement or otherwise via the Zoom chat.

Public Comment given via Zoom can only be done audibly (not via chat), and you must either "Raise Your Hand" or use the chat to request your turn.

CALL MEETING TO ORDER IN OPEN SESSION

10:00 AM

PLEDGE OF ALLEGIANCE

10:00 AM Public Hearings

Planning and Zoning

- 1.1 Conduct a public hearing to consider introducing, waiving the reading of and extending Urgency Ordinance 315-850 enacted on June 15, 2021, imposing a temporary moratorium on the issuance of new Commercial Cannabis Cultivation Licenses (CCCL) in, and the transfer of existing CCCLs into, the Lewiston community area for 10 months and 15 days.

Unknown fiscal impact.

County Matters

These items include non-routine, or controversial matters and are listed alphabetically by department. A member of the Board or Staff may request that an item be heard out of order.

Planning and Zoning

- 2.1 Continue from July 20, 2021 the appeal hearing to consider upholding, modifying or overturning the Planning Commission's decision to make a determination for a Mitigated Negative Declaration in accordance with the California Environmental

ATTACHMENT 10

Exhibit A

**FRIENDS OF THE LEWISTON GRASS VALLEY CREEK
OPT OUT EXPANSION - WORKING LIST
as of 4/19/2021**

124	PROPOSED TOTAL PARCELS FOR INCLUSION
Zoned ELIGIBLE for Cannabis Cultivation	
112	Total Parcels
73	SP = Signed Petition in Favor of
3	N = Not in Favor of
4	G = Existing Commercial Cultivation
32	NR = No Response to Mailed Petition
Zoned INELIGIBLE for Cannabis Cultivation	
12	Total Parcels
9	B = BLM/State Owned
3	Z = Timberland Production Zones

APN	PHYSICAL ADDRESS	STATUS	ZONING	OWNER
025-020-05	NOT ADDRESSED	B	A	
025-020-06	1200 MOUNTAIN SRPINGS RD	Z	TPZ	
025-020-07	446 MOUNTAIN SPRINGS RD	Z	TPZ	
025-020-08	356 MOUNTAIN SPRINGS RD	Z	TPZ	
025-020-09	640 BROWNS MOUNTAIN RD	SP	TPZ	
025-120-01	7001 BROWNS MOUNTAIN RD	SP	RR1	
025-120-02	294 STEELHEAD CIRCLE	SP	RR1	
025-120-03	292 STEELHEAD CIRCLE	SP	RR1	
025-120-04	276 STEELHEAD CIRCLE	SP	RR1	
025-120-13	240 BROWNS MOUNTAIN RD	SP	OS	
025-120-21	NOT ADDRESSED	B	OS	
025-120-22	NOT ADDRESSED	B	RR5	
025-120-23	NOT ADDRESSED	B	OS	
025-120-24	NOT ADDRESSED	B	RR1	
025-180-02	5870 BROWNS MOUNTAIN	SP	RR5	
025-180-04	3671 LEWISTON ROAD	SP	A10	
025-180-08	NOT ADDRESSED	B	OS	
025-180-10	310 COFFIN ROAD	G	RR5	
025-180-15	NOT ADDRESSED	B	AF	
025-180-16	NOT ADDRESSED	B	AF	
025-180-17	3700 LEWISTON ROAD	B	A10	
025-180-18	5920 BROWNS MOUNTAIN	NR	RR5	
025-180-19	275 WELLOCK ROAD	SP	A10	
025-180-21	270 WELLOCK	SP	A10	
025-180-22	270 WELLOCK	SP	RR5	
025-180-24	311 OAK RANCH ROAD	NR	AF40	
025-180-25	1551 OAK RANCH ROAD	SP	AF40	
025-180-26	601 OAK RANCH ROAD	SP	AF40	
025-180-27	251 OAK RANCH ROAD	SP	A10	
025-180-28	240 OAK RANCH ROAD	NR	A10	
025-180-29	410 OAK RANCH ROAD	NR	A10	
025-180-30	480 OAK RANCH ROAD	NR	A10	
025-180-31	70 BENVENUTO WAY	SP	RR5	
025-180-32	160 BENVENUTO WAY	SP	RR5	
025-180-33	75 BENVENUTO WAY	SP	RR5	
025-180-34	345 BENVENUTO WAY	NR	RR5	
025-180-35	250 BENVENUTO WAY	SP	RR5	
025-180-36	100 COFFIN ROAD	NR	RR5	

ATTACHMENT 10

M: (530) 739-9908
O: (800) 811-4356, ext 502

Schedule an appointment with me through Calendly:
<https://calendly.com/ana-138>



On Mon, Aug 2, 2021 at 11:38 AM Ana Wright <[REDACTED]> wrote:

Good morning Kim,

In light of the meeting on Friday, I believe it's time you give Stefan direction on what is happening on his application. Do you have time for a meeting this week or next Monday?

Thank you!

Best,

Ana Wright
Executive Vice President
Flowra

[REDACTED]

Schedule an appointment with me through Calendly:
<https://calendly.com/ana-138>



On Wed, Jul 14, 2021 at 8:34 AM Ana Wright <[REDACTED]> wrote:

We'll do 3pm next Wednesday, just sent a calendar invite.

Thanks!


ATTACHMENT 10

What is your availability the week of the 12th?

Thank you!

Best,

Ana Wright
Executive Vice President
Flowra


Schedule an appointment with me through Calendly:
<https://calendly.com/ana-138>



ZONING ORDINANCE NO. 315-850**AN URGENCY INTERIM ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF TRINITY
IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE
OF COMMERCIAL CANNABIS CULTIVATION LICENSES WITHIN
THE AREA OF LEWISTON**

The Board of Supervisors of the County of Trinity, State of California, ordains as follows:

SECTION I: PURPOSE AND AUTHORITY.

The purpose of this urgency ordinance is to create a moratorium on the issuance of new and transferred licenses within the area of Lewiston, identified by the map and list of Assessor's Parcel Numbers hereto attached at "Exhibit A." (Lewiston Opt Out Extension). This urgency ordinance is adopted pursuant to California Constitution Article 11, Section 7, Government Code sections 65800, et seq., particularly section 65858, and other applicable law.

SECTION II: FINDINGS.

The Board of Supervisors of the County of Trinity makes the following findings in support of the immediate adoption and application of this urgency ordinance:

1. The state and federal law governing the definition and cultivation of commercial cannabis cultivation is complex, evolving, and may adversely affect the public, peace, health, or safety of residents or of visitors to Trinity County.
2. The majority residents and property owners within the Lewiston Opt Out Extension area have signed a petition requesting that commercial cannabis cultivation be prohibited as it has been detrimental to the neighborhoods.
3. There is no feasible alternative to enactment of this moratorium ordinance that will satisfactorily mitigate or avoid the previously identified impacts to the public health, safety and welfare with a less burdensome or restrictive effect.
4. In order to ensure the effective implementation of the County of Trinity's land use objectives and policies, a temporary moratorium on the issuance of new licenses and the transfer establishment and/or approval of commercial cannabis cultivation is necessary.
5. This ordinance complies with State law and imposes reasonable regulations that the Board of Supervisors concludes are necessary to protect the public safety, health and welfare of residents and business within the County.

SECTION III. COMMERCIAL CANNABIS CULTIVATION PROHIBITED

A. During the term of this interim ordinance, no new Commercial Cannabis Cultivation Licenses shall be issued within the Lewiston Opt Out Extension area. Current Commercial Cannabis

Ordinance No. 315-850
June 15, 2021
Page 2 of 3

Cultivation Licensees within the Lewiston Opt Out Extension area can transfer their licenses to properties outside of the Lewiston Opt Out Extension area or to a new owner of their legally licensed property within the Lewiston Opt Out Extension area, pursuant to County Code.

B. The provisions of this section shall not be construed to protect any person from prosecution pursuant to any laws that may prohibit the cultivation, sale, distribution, possession, and/or use of controlled substances, or to authorize conduct that is unlawful under state or federal law. As authorized by Government Code section 25132, and except as otherwise provided by state statute, any person or entity violating any provision of this ordinance shall be guilty of a misdemeanor. Moreover, absent a certificate of registration from the federal government, the cultivation of commercial cannabis remains a violation of federal law as of the date of adoption of this ordinance and this ordinance is not intended to, and does not authorize conduct or acts that violate federal law, does not serve in any manner as an obstacle to enforcement of federal law, and does not protect any of the above-described persons from arrest or prosecution under those

SECTION IV. CONFLICTING LAWS.

For the term of this ordinance, as set forth in Section 8 below, the provisions of this ordinance shall govern. To the extent that there is any conflict between the provisions of this ordinance and the provisions of any other County Code, ordinance, resolution or policy, all such conflicting provisions shall be suspended.

SECTION V. DECLARATION OF URGENCY.

Based on the findings set forth above, this ordinance is declared to be an urgency ordinance that shall be effective immediately upon adoption by the Board of Supervisors.

SECTION VI. CONFLICTING LAWS.

For the term of this ordinance, as set forth in Section 8 below, the provisions of this ordinance shall govern. To the extent that there is any conflict between the provisions of this ordinance and the provisions of any other County Code, ordinance, resolution or policy, all such conflicting provisions shall be suspended.

SECTION VIII. CEQA.

This ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). In addition to the foregoing general exemptions, the following categorical exemption applies: section 15308 (actions taken as authorized by local ordinance to assure protection of the environment). There are no unusual circumstances under CEQA Guideline 15300.2(c). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.


Ordinance No. 315-850
June 15, 2021
Page 3 of 3

SECTION VIII. EFFECTIVE DATE AND TERM

This ordinance is an interim ordinance adopted as an urgency measure pursuant to Government Code section 65858, and it shall be of no further force and effect forty-five (45) days from its date of adoption, unless it is extended by further action of the Board of Supervisors, pursuant to Section 65858.

Introduced, passed and enacted on this 15th day of June 2021, by the Board of Supervisors, of the County of Trinity by motion, second (Groves/Cox), and the following vote:


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



JEREMY BROWN, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

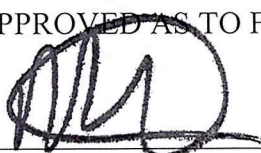
ATTEST:

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

By: 

Deputy

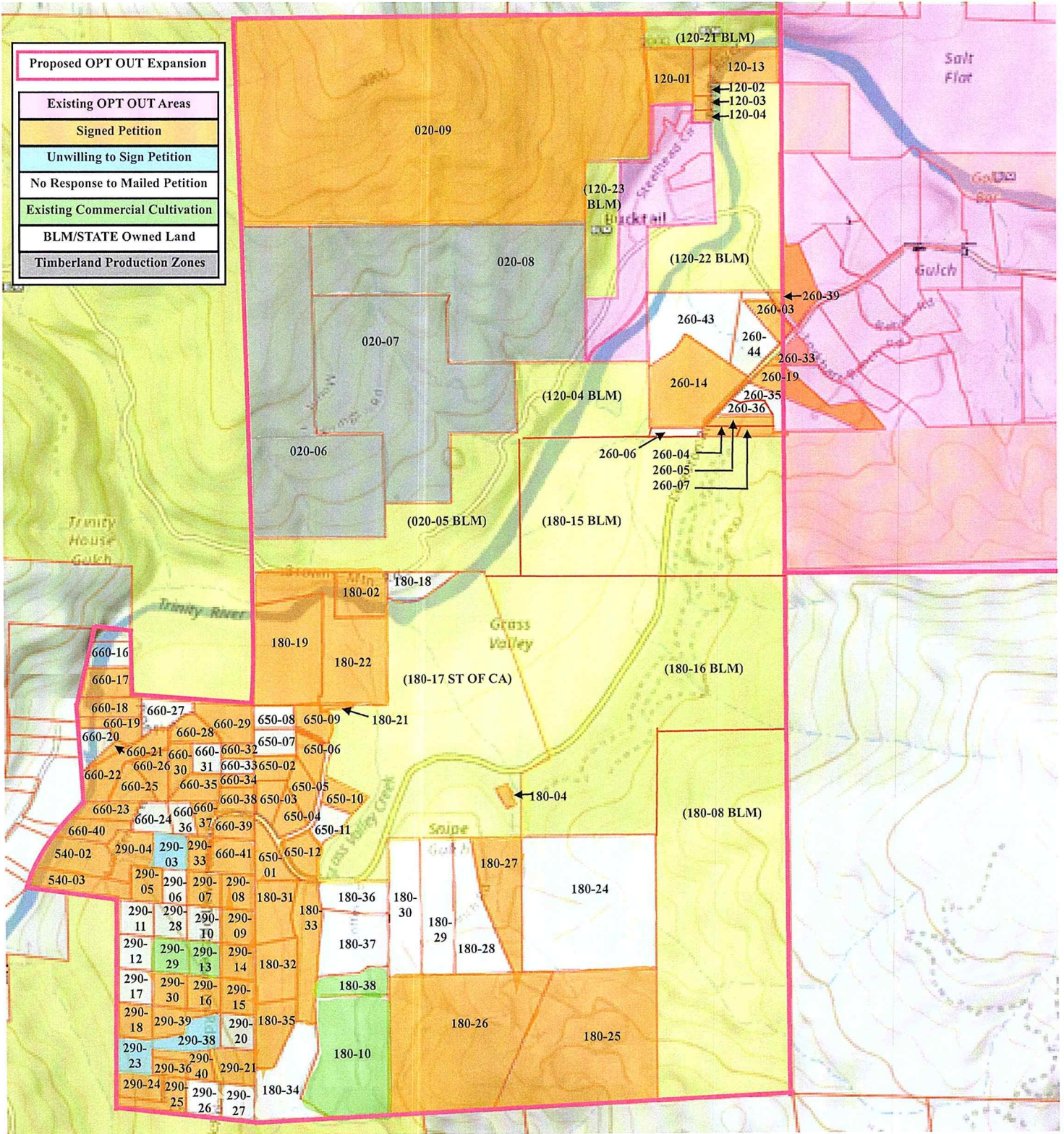
APPROVED AS TO FORM AND LEGAL EFFECT:



Margaret E. Long, County Counsel

ATTACHMENT 11

Exhibit A



ATTACHMENT 11

Exhibit A

**FRIENDS OF THE LEWISTON GRASS VALLEY CREEK
OPT OUT EXPANSION - WORKING LIST
as of 4/19/2021**

124	PROPOSED TOTAL PARCELS FOR INCLUSION
Zoned ELIGIBLE for Cannabis Cultivation	
112	Total Parcels
73	SP = Signed Petition in Favor of
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APN	PHYSICAL ADDRESS	STATUS	ZONING	OWNER
025-020-05	NOT ADDRESSED	B	A	
025-020-06	1200 MOUNTAIN SRPINGS RD	Z	TPZ	
025-020-07	446 MOUNTAIN SPRINGS RD	Z	TPZ	
025-020-08	356 MOUNTAIN SPRINGS RD	Z	TPZ	
025-020-09	640 BROWNS MOUNTAIN RD	SP	TPZ	
025-120-01	7001 BROWNS MOUNTAIN RD	SP	RR1	
025-120-02	294 STEELHEAD CIRCLE	SP	RR1	
025-120-03	292 STEELHEAD CIRCLE	SP	RR1	
025-120-04	276 STEELHEAD CIRCLE	SP	RR1	
025-120-13	240 BROWNS MOUNTAIN RD	SP	OS	
025-120-21	NOT ADDRESSED	B	OS	
025-120-22	NOT ADDRESSED	B	RR5	
025-120-23	NOT ADDRESSED	B	OS	
025-120-24	NOT ADDRESSED	B	RR1	
025-180-02	5870 BROWNS MOUNTAIN	SP	RR5	
025-180-04	3671 LEWISTON ROAD	SP	A10	
025-180-08	NOT ADDRESSED	B	OS	
025-180-10	310 COFFIN ROAD	G	RR5	
025-180-15	NOT ADDRESSED	B	AF	
025-180-16	NOT ADDRESSED	B	AF	
025-180-17	3700 LEWISTON ROAD	B	A10	
025-180-18	5920 BROWNS MOUNTAIN	NR	RR5	
025-180-19	275 WELLOCK ROAD	SP	A10	
025-180-21	270 WELLOCK	SP	A10	
025-180-22	270 WELLOCK	SP	RR5	
025-180-24	311 OAK RANCH ROAD	NR	AF40	
025-180-25	1551 OAK RANCH ROAD	SP	AF40	
025-180-26	601 OAK RANCH ROAD	SP	AF40	
025-180-27	251 OAK RANCH ROAD	SP	A10	
025-180-28	240 OAK RANCH ROAD	NR	A10	
025-180-29	410 OAK RANCH ROAD	NR	A10	
025-180-30	480 OAK RANCH ROAD	NR	A10	
025-180-31	70 BENVENUTO WAY	SP	RR5	
025-180-32	160 BENVENUTO WAY	SP	RR5	
025-180-33	75 BENVENUTO WAY	SP	RR5	
025-180-34	345 BENVENUTO WAY	NR	RR5	
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025-180-36	100 COFFIN ROAD	NR	RR5	

ATTACHMENT 11

APN	PHYSICAL ADDRESS	STATUS	ZONING	OWNER
025-180-37	150 COFFIN ROAD	NR	RR5	
025-180-38	200 COFFIN ROAD	G	RR5	
025-260-03	2720 LEWISTON ROAD	SP	RR5	
025-260-04	2981 LEWISTON ROAD	SP	A10	
025-260-05	2951 LEWISTON ROAD	SP	A10	
025-260-06	2994 LEWISTON ROAD	NR	RR5	
025-260-07	2987 LEWISTON ROAD	SP	A10	
025-260-14	2872 LEWISTON ROAD	SP	RR5	
025-260-19	90 LOCKHART RANCH	SP	A10	
025-260-33	48 LOCKHART RANCH	SP	A10	
025-260-35	2891 LEWISTON ROAD	NR	A10	
025-260-36	2697 LEWISTON ROAD	NR	A10	
025-260-39	7205 BROWNS MOUNTAIN RD	SP	RR5	
025-260-43	7204 BROWNS MOUNTAIN RD	NR	RR5	
025-260-44	7202 BROWNS MOUNTAIN RD	NR	RR5	
025-290-03	151 S PONDEROSA PINE	N	RR2.5	
025-290-04	271 LOWDEN VIEW	SP	RR2.5	
025-290-05	301 LOWDEN VIEW	SP	RR2.5	
025-290-06	167 S PONDEROSA PINE	NR	RR2.5	
025-290-07	4611 LEWISTON ROAD	SP	RR2.5	
025-290-08	150 DIRT ROAD	SP	RR2.5	
025-290-09	230 DIRT ROAD	SP	RR2.5	
025-290-10	4710 LEWISTON ROAD	NR	RR2.5	
025-290-11	NOT ADDRESSED	NR	RR2.5	
025-290-12	NOT ADDRESSED	NR	RR2.5	
025-290-13	4790 LEWISTON ROAD	G	RR2.5	
025-290-14	250 DIRT ROAD	SP	RR2.5	
025-290-15	300 DIRT ROAD	SP	RR2.5	
025-290-16	4860 LEWISTON ROAD	SP	RR2.5	
025-290-17	NOT ADDRESSED	NR	RR2.5	
025-290-18	NOT ADDRESSED	SP	RR2.5	
025-290-20	310 DIRT ROAD	NR	RR2.5	
025-290-21	5001 LEWISTON ROAD	SP	RR2.5	
025-290-23	161 OHIO LANE	N	RR2.5	
025-290-24	141 OHIO LANE	SP	RR2.5	
025-290-25	150 OHIO LANE	SP	RR2.5	
025-290-26	10 OHIO LANE	NR	RR2.5	
025-290-27	5041 LEWISTON ROAD	NR	RR2.5	
025-290-28	4718 LEWISTON ROAD	NR	RR2.5	
025-290-29	4798 LEWISTON ROAD	G	RR2.5	
025-290-30	4868 LEWISTON ROAD	SP	RR2.5	
025-290-33	41 S PONDEROSA PINE	SP	RR2.5	
025-290-36	211 OHIO LANE	SP	RR2.5	
025-290-38	4930 LEWISTON ROAD	N	RR2.5	
025-290-39	4900 LEWISTON ROAD	SP	RR2.5	
025-290-40	4940 LEWISTON ROAD	SP	RR2.5	
025-290-41	4501 LEWISTON ROAD	SP	RR2.5	
025-540-02	320 LOWDEN VIEW	SP	RR5	
025-540-03	360 LOWDEN VIEW	SP	RR5	
025-650-01	4361 LEWISTON ROAD	SP	RR5	
025-650-02	4428 LEWISTON ROAD	SP	A10	

ATTACHMENT 11

APN	PHYSICAL ADDRESS	STATUS	ZONING	OWNER
025-650-03	4420 LEWISTON ROAD	SP	A10	
025-650-04	11 WELLOCK ROAD	SP	A10	
025-650-05	121 WELLOCK ROAD	SP	A10	
025-650-06	215 WELLOCK ROAD	SP	A10	
025-650-07	221 WELLOCK ROAD	NR	A10	
025-650-08	227 WELLOCK ROAD	NR	A10	
025-650-09	237 WELLOCK ROAD	SP	A10	
025-650-10	110 WELLOCK ROAD	SP	A10	
025-650-11	100 WELLOCK ROAD	NR	A10	
025-650-12	20 WELLOCK ROAD	SP	A10	
025-660-16	161 RIVERFRONT ROAD	NR	RR5	
025-660-17	121 RIVERFRONT ROAD	SP	RR5	
025-660-18	400 PONDEROSA PINES	SP	RR5	
025-660-19	390 PONDEROSA PINES	SP	RR5	
025-660-20	381 PONDEROSA PINES	NR	RR5	
025-660-21	361 PONDEROSA PINES	SP	RR5	
025-660-22	341 PONDEROSA PINES	SP	RR5	
025-660-23	220 LOWDEN VIEW	SP	RR5	
025-660-24	215 LOWDEN VIEW	NR	RR5	
025-660-25	170 LOWDEN VIEW	SP	RR5	
025-660-26	130 LOWDEN VIEW	SP	RR5	
025-660-27	290 PONDEROSA PINES	NR	RR5	
025-660-28	141 PONDEROSA PINES	SP	RR5	
025-660-29	150 PONDEROSA PINES	SP	RR5	
025-660-30	60 LOWDEN VIEW	SP	RR5	
025-660-31	20 LOWDEN VIEW	NR	RR5	
025-660-32	130 PONDEROSA PINES	SP	RR5	
025-660-33	80 PONDEROSA PINES	NR	RR5	
025-660-34	60 PONDEROSA PINES	SP	RR5	
025-660-35	17 PONDEROSA PINES	SP	RR5	
025-660-36	70 S PONDEROSA PINE	NR	RR5	
025-660-37	11 PONDEROSA PINES	SP	RR5	
025-660-38	4440 LEWISTON ROAD	SP	RR5	
025-660-39	40 DIRT ROAD	SP	RR5	
025-660-40	250 LOWDEN VIEW	SP	RR5	

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.

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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

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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.

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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.

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DATE

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Introduced at a regular meeting of the Board of Supervisors held on the 3rd 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

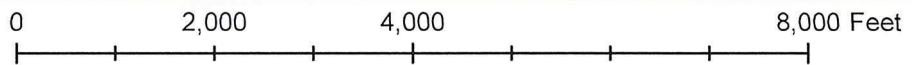
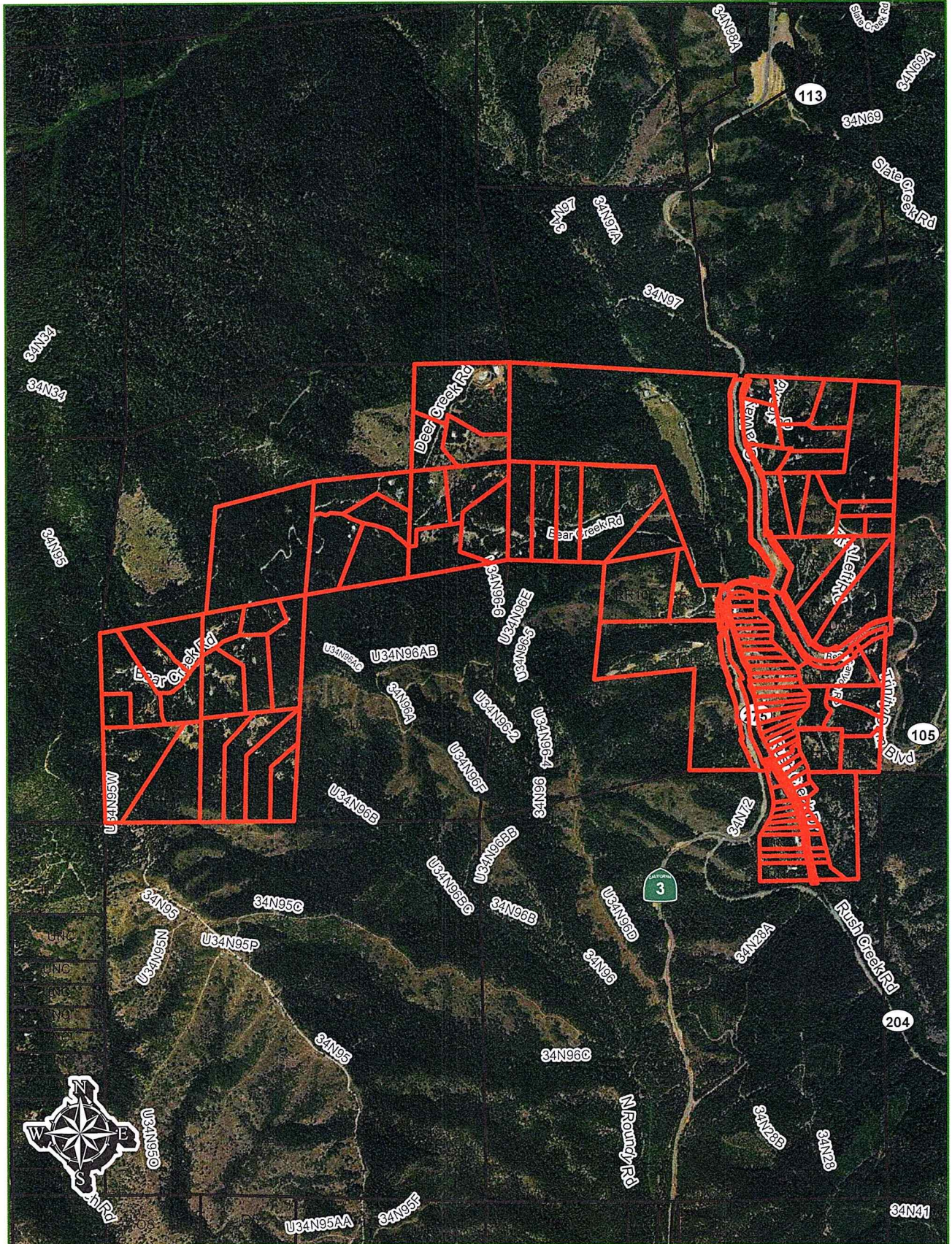
By: 
Deputy

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

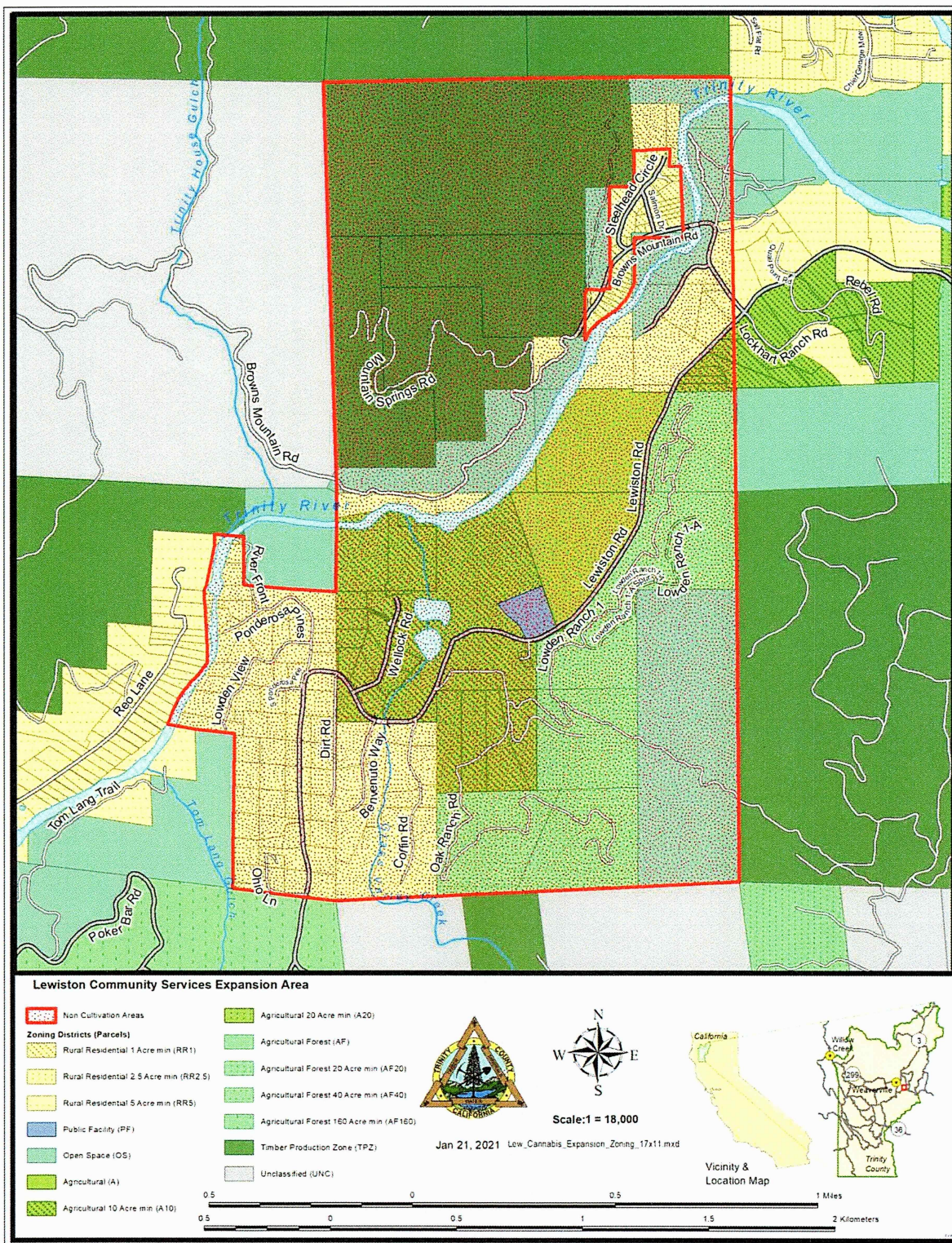
Rush Creek Opt Out Area



ATTACHMENT 12

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
010-690-03-00	010-690-47-00	010-670-09-00
010-690-04-00	010-690-48-00	010-670-10-00
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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010-690-56-00	010-610-07-00	
010-690-57-00	010-610-08-00	
010-680-02-00	010-610-09-00	



ATTACHMENT 12

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
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025-020-09-00	025-180-35-00	025-290-36-00	025-510-16-00	025-660-36-00
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025-120-02-00	025-180-37-00	025-290-39-00	025-510-18-00	025-660-38-00
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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	
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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	
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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	



September 30, 2021

VIA E-MAIL & HAND DELIVERY

Ms. Kim Hunter
Director of Building & Planning
Trinity County
61 Airport Road PO Box 2819
Weaverville, CA 96093-2819
khunter@trinitycounty.org

Re: Stefan Monev – License Transfer (CCL-208)

Dear Ms. Hunter:

Our office represents Mr. Stefan Monev in assisting him to navigate the cannabis licensing process in Trinity County. Attached you will find the communications and a check issued by the County to Mr. Monev purportedly to “return[] the application and refund[] all fees that have been paid for the transfer of CCL 208 to APN 025-180-29.” (**Attachment 1.**) Mr. Monev rejects the County’s attempt to summarily “return” his application and respectfully requests the County to immediately reinstate his application for the following reasons:

I. Mr. Monev Is Entitled To Continued Processing Of His Application Short Of A Final Decision Until The Moratorium Is Lifted.

1. Mr. Monev did not authorize the “return” of his application.

Mr. Monev paid substantial sums to purchase an existing cannabis license and timely filed an application for his Request to Transfer CCL-208 to APN 025-180-29, along with the required payment of fees, on November 30, 2020. (**Attachment 2.**) In June 2021, the County adopted an urgency ordinance covering the Lewiston Area and extended that urgency ordinance on July 30, 2021. Though the ordinance would purportedly preclude the transfer of an existing cannabis cultivation license to the property selected by Mr. Monev, it is in fact nothing more than a time-limited moratorium. The urgency ordinance process does not authorize the County to force the withdrawal of applications, or even reject new ones, because as a matter of law, only the issuance of licenses, not processing the applications establishes an imminent threat to public health & safety. (*Bldg. Indus. Legal Def. Found. v. Superior Court* (1999) 72 Cal.App.4th 1410, 1420 [“Nothing in [Gov. Code section 65858] permits a city to prohibit the formal processing of development applications. ...”].) Thus, it is an applicant’s decision whether to risk the potential adoption of a permanent ordinance prohibiting his desired activities, not the County’s staff. Thus, the County’s attempt to force Mr. Monev to accept the withdrawal of his application was unlawful, and the County must immediately reinstate his application.

ATTACHMENT 13

Ms. Kim Hunter
September 30, 2021
Page 2 of 2

2. Any action on Mr. Monev's request to transfer CCL-208 is premature.

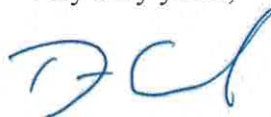
The County extended Urgency Ordinance 315-850 on July 30, 2021 but has not yet adopted any permanent ordinance regarding the Lewiston Area. As the County knows, the urgency ordinance authority provided under Government Code section 65858 is an extraordinary tool designed to protect the public from imminent threat, while the agency "consider[s] or stud[ies] or intends to study [how best to address the issue] within a reasonable time." (Gov. Code §65858(a).) It is a moratorium on approval of licenses, not a permanent prohibition. The County retains full discretion as to how it will address the issue, including whether the County even needs to address it at all. If no permanent ordinance is adopted, then the prohibition against transfers within the Lewiston Area will sunset and Mr. Monev's application could proceed.

The County's actions here are simply premature. Unless County staff is now arguing the County has already predetermined the outcome of this process (in violation of Planning & Zoning Law and the California Environmental Quality Act), Mr. Monev should be afforded the opportunity to determine for himself how to best protect his considerable investment, including the option to continue processing his application to a point just shy of the County taking final action on his application, pending further direction from the Board of Supervisors regarding the Lewiston Area.

II. Conclusion

We respectfully request that the County reinstate Mr. Monev's application for his Request to Transfer CCL-208 to APN 025-180-29 and proceed with processing his application to the point that it is ready to be acted upon once the Board of Supervisors has either adopted a new ordinance or allowed the Urgency Ordinance to expire. If you have any questions, or would like to discuss this any further, please do not hesitate to contact us at 916-456-9595 or dcucchi@aklandlaw.com.

Very truly yours,



Daniel S. Cucchi

DSC/ro

ATTACHMENT 1

ATTACHMENT 13

Dan Cucchi

From: Stefan Monev [REDACTED]
Sent: Monday, September 13, 2021 6:35 PM
To: Dan Cucchi; Robin Orlansky
Subject: Fw: Meeting to Discuss Lewiston Pending Applicatin

[Sent from Yahoo Mail for iPhone](#)

Begin forwarded message:

On Thursday, August 19, 2021, 1:38 PM, Kim Hunter <khunter@trinitycounty.org> wrote:

Ana & Stefan

Based on the direction provided by the Board of Supervisors and discussed with County Counsel during the meeting on 7/30/21 regarding the Urgency Ordinance 315-850 (agenda item 1.1.) for the Lewiston area , the Planning Dept. Cannabis Division will be returning the application and refunding all fees that have been paid for the transfer of CCL 208 to APN 025-180-29. K.



Kim Hunter

Director of Building & Planning

Building/Planning/Environmental Health/Cannabis

(530)623-1351 Ext. 2

61 Airport Road PO Box 2819

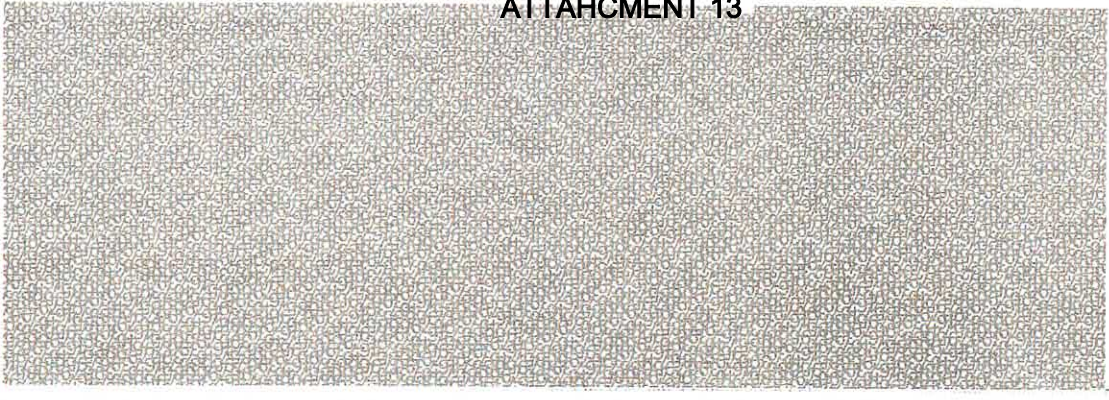
Weaverville CA. 96093-2819

www.trinitycounty.org/Building-Environmental-Health

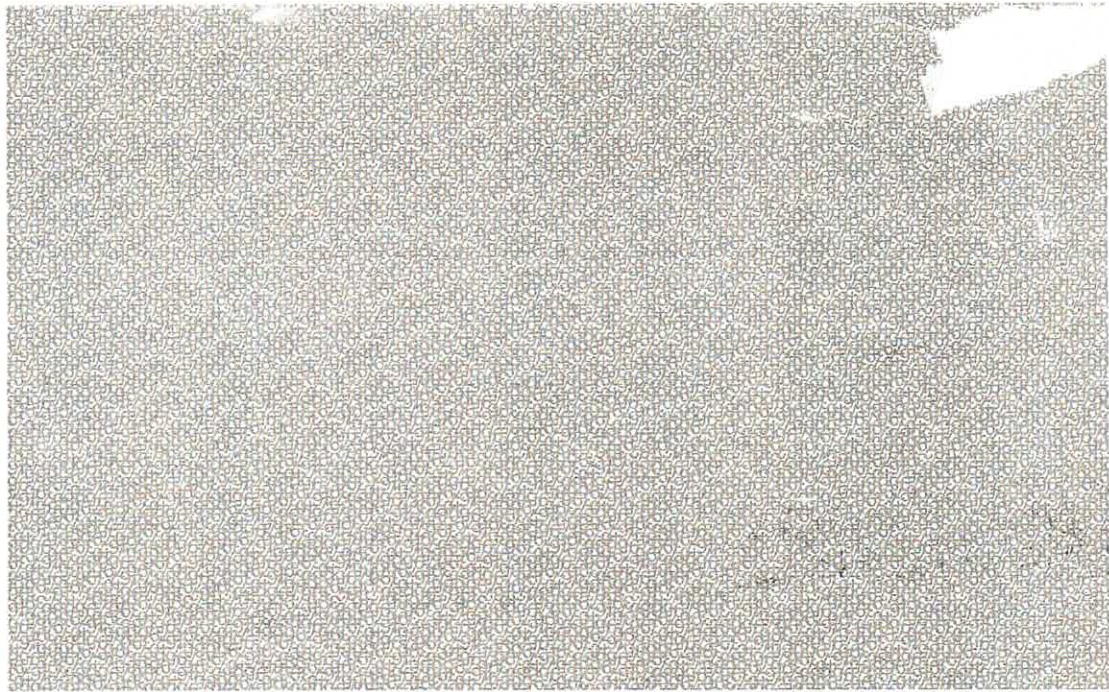
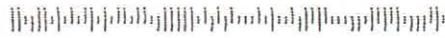
www.trinitycounty.org/Planning

www.trinitycounty.org/Commercial-Cannabis

ATTACHMENT 13



5501-013632



REMOVE STUBS AT BOTH ENDS FIRST THEN FOLD, CREASE AND REMOVE THIS STUB AT PERFORATION

REMOVE BOTH SIDE STUBS FIRST FOLD, CREASE AND REMOVE THIS STUB AT PERFORATION

ATTACHMENT 13

VENDOR: V30922

WARRANT DATE: 08/31/21
WARRANT NO.: 01362754

STEFAN MONEY
[REDACTED]

DEPT	ACCOUNT	DATE	DESCRIPTION	INVOICE #	AMOUNT
8239	6448	08/20/21	REFUND CCL-2020-208	CA2020-00572	2,500.00

U.S. Post # 8095/407
E7707/814

THIS DOCUMENT HAS A VOID PANTOGRAPH, MICROPRINTING AND AN ARTIFICIAL WATERMARK.

TRINITY COUNTY VENDOR WARRANT



UMPQUA BANK 96-505
641 MAIN STREET 1232
WEAVERVILLE, CA 96093 01362754

DATE
08/31/21

AMOUNT
\$2,500.00

VOID AFTER 6 MONTHS

PAY TWO Thousand FIVE Hundred Dollars and ZERO Cents
TO THE ORDER OF STEFAN MONEY

Angela C. Pickle
AUTHORIZED SIGNATURE

[REDACTED]

See Reverse Side For Easy Opening Instructions

SACRAMENTO CA 957

Auditor-Controller
PO Box 1230
Weaverville, CA 96093

1 SEP 2021 PM 7:11



STEFAN MONEY
[REDACTED]

ATTACHMENT 2

ATTACHMENT 13



Trinity County Cannabis Division
61 Airport Road PO Box 2819
Weaverville, CA 96093

Receipt Number: CA2020-00572

Payer/Payee: MONEV, STEFAN
[REDACTED]

Cashier: Mary Beth Brinkley

Date: 11/30/2020

Fee Description	Fee Amount	Amount Paid	Fee Balance
CCL-2020-208 CAN - SMALL MIXED LIGHT CULTIVATION 1632 Broadway, #348			
INITIAL SMALL OUTDOOR/ MIXED LIGHT CULTIVATION FEE	\$2,500.00	\$2,500.00	\$0.00
	\$2,500.00	\$2,500.00	\$0.00

Payment Method	Reference Number	Payment Amount
CHECK	MO 7377, 7366, 7388	\$2,500.00
Total Paid:		\$2,500.00