




TRINITY COUNTY
COMMUNITY DEVELOPMENT SERVICES

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

Kim Hunter, Director

MEMORANDUM

DATE: April 22, 2020
TO: Members of the Planning Commission
FROM: Kim Hunter, Director of Building & Planning 
SUBJECT: Agenda Item 4 – Appeal of Planning Director’s Decision (P-20-12)

The following attached comments have been received for this agenda item regarding CCL2019-618:

1. Paul Hauser received via email on 4/20/2020
2. Debbie Johnston received via email on 4/20/2020 and by mail on 4/22/2020
3. Tom Sanders received via email on 4/20/2020



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SUBJECT: Agenda Item 4 – Appeal of Planning Director’s Decision (P-20-12)

The following attached comments have been received for this agenda item regarding CCL2019-618 and the property located at 3120 Bear Creek Road:

1. Paul Hauser received via email on 4/20/2020
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3. Tom Sanders received via email on 4/20/2020

Kim Hunter

From: Paul Hauser [REDACTED]
Sent: Monday, April 20, 2020 3:48 PM
To: Info.Planning
Subject: Appeal of Planning Director's Decision for Cultivation License 2019-618

Dear Sir or Madam,

I would like to request that the Planning Director's decision to deny the renewal of commercial cannabis cultivation license 2019-618 for Bear Creek Road, Weaverville be upheld. The law enforcement raid of this property and the discovered violations justify the denial of any renewal request for this property and any others owned by Leon Draper. 400 plants were found on this specific property and a total of approximately 500 plants were found on the combination of the three properties owned by Leon Draper.

Please do not reward this history of criminal activity by permitting this site again.

Paul Hauser
[REDACTED]

Weaverville

Kim Hunter

From: Debbie Johnston [REDACTED]
Sent: Monday, April 20, 2020 12:01 PM
To: Info.Planning
Subject: Commercial Cannabis Permits Bear Creek Road

To Planning Commission

I am writing this to protest, along with my other neighbors, the commercial grow permits in the Bear Creek subdivision.

I have many concerns about this commercial grow. I will start with the water situation in this subdivision. This is the headwaters of Little Browns creek. There are many homes that depend on this watershed. In the 43 years that we have lived on Bear Creek Road we have had minimum water on three occasions. We had to limit to house use only. A commercial grow pulling from this watershed would seriously affect everyone from Bear Creek to Roundys Road across to Little Browns Creek. If this watershed was to become compromised due to over draw or contamination were to occur many families would be left without water.

My next concern is the use of a private road that has been maintained by a road association required by the county. We have already seen a large increase in traffic due to the illegal cultivation that has taken place. If this grow is allowed will the county compensate the association? Will the county take over the maintenance?

There are three parcels that are part of this grow. They are generally associated with Leon Draper which seems to be listed under other names or LLC. These owners and tenants are known to the local code enforcement due to prior code violations at these locations and other locations in our county. I would ask that all permits be denied for all three parcels. These owners have shown complete disregard for the Commercial Cannabis Ordinance in the past. I feel that this will continue if allowed to proceed.

There are places that this type of development would not be a problem. I believe if you allow this to go forward in a family built subdivision you are setting a precedent for our county. Please deny this action today.

Thank


you

Debbie Johnston

Find messages, documents, photos or people

Home



To  info.planning@trinitycounty.org

CC / BCC

X



Commercial Cannabis Permits Bear Creek Road

AD

To Planning Commission

I am writing this to protest, along with my other neighbors, the commercial grow permits in the Bear Creek subdivision.

I have many concerns about this commercial grow. I will start with the water situation in this subdivision. This is the headwaters of Little Browns creek. There is many homes that depend on this watershed. In the 43 years that we have lived on Bear Creek Road we have had minimum water on three occasions. We had to limit to house use only. A commercial grow pulling from this water shed would seriously effect everyone from Bear Creek to Roundys Road across to Little Browns Creek. If this water shed was to become compromised due to over draw or contamination were to occur many family's would be left without water.

My next concern is the use of a private road that has been maintained by a road association required by the county. We have already seen a large increase in traffic due to the illegal cultivation that has taken place. If this grow is allowed will the county compensate the association? Will the county take over the maintenance?

There are three parcels that are part of this grow. They are generally associated with Leon Draper which seems to be listed under other names or LLC. These owners and tenants are known to the local code enforcement due to prior code violations at these locations and other locations in our county. I would ask that all permits be denied for all three parcels. These owners have shown complete disregard for the Commercial Cannabis Ordinance in the past. I feel that this will continue if allowed to proceed.

There are places that this type of development would not be a problem. I believe if you allow this to go forward in a family built subdivision you are setting a precedent for our county. Please deny this action today.

Thank you
Debbie Johnston

RECEIVED

APR 22 2020

TRINITY COUNTY
PLANNING DEPARTMENT

Kim Hunter

From: Thomas Sanders [REDACTED]
Sent: Monday, April 20, 2020 5:14 PM
To: Info.Planning
Subject: April 23, 2020 appeal of Planning Director's decision (P-20-12)
Attachments: 4-23-2020 appeal vs barrows.pdf

I am writing on behalf of Brian and Sally Barrow's request to reject the appeal regarding issuance of a commercial cannabis permit for Dina Obrenovic at 3120 Bear Creek Rd Weaverville, CA APN 010 690 02.

I request that the Planning Commission reject the appeal for reasons I have listed in the attached pdf file "4-23-20 appeal vs barrows".

Thank you,
Tom Sanders

April 20, 2020-04-20

I am writing on behalf of Brian and Sally Barrows request that a commercial cannabis permit **Not Be Issued** for license application 2019-618 at 3120 Bear Creek Rd Weaverville, CA, APN 010 690 02 Applicant Dina Obrenovic.

This property is owned by a man named Leon Draper who now owns three properties on Bear Creek Rd adjacent to the Barrows' property and also a nearby property at 211 Goa Way Weaverville, CA. My wife and I own the adjacent property at 180 Goa Way.

In May of 2017, Mr. Draper acquired the 211 Goa Way parcel and moved in a tenant grower by the name of Calvin Jones. When hoop houses were erected and cannabis cultivation commenced without a permit, I filed an online complaint to no avail.

In May of 2018, substantial grading commenced at 211 Goa along with numerous imports of cultivation material and water imported by water truck. I found that although a permit had been applied for (Application #CCL 2018-475), none had been issued. The permit listed a 75% interest in the name of Ameriquest (which Leon Draper is the Corporate Officer) and 25% interest in the name of Calvin Jones. County Planning finally responded to my numerous complaints and the partners were told to remove the numerous plants and given a citation dated July 16, 2018. They were told to stop importing water (38,000 gallons imported as witnessed between May and June 2018). Additionally they were instructed to drill new wells to qualify for a permit.


Two new wells were drilled and the applicants attested to having adequate production. A permit was issued August 22, 2018. In spite of this, water imports continued and I continued to complain to Planning. In January 2019, a site inspection by Planning at 211 Goa Way found that the two new wells had never been hooked up, a state license had never been acquired and cultivation on additional undisclosed locations, including a large greenhouse. **See attached License revocation for additional stated violations including providing false documents or testimony.**

By February, 2019, Leon Draper listed the 211 property for sale on Real Estate Websites. With no offers for the stated listing price of \$72,000 for a 3.25 acre parcel, he solicited for tenants stating that the property had been previously licensed and was ready to grow. May of this same year the property was leased for \$58,000/year. The new tenants applied for a permit and immediately start growing cannabis. They soon found out that both of the two new wells (which Leon Draper's lease required the tenants to install all pumps, wiring and piping) were non-productive. By the summer of 2019 the new tenants were denied a permit due to importing large quantity of water.

Given the recent criminal complaint against Leon Draper's tenant at 3120 Bear Creek Rd., along with his previous tenant's revocations at 211 Goa Way for cultivation without appropriate licensing and misrepresentations, it demonstrates a pattern of behavior by Draper's tenants that disregard Trinity County Ordinance requirements for commercial

cannabis cultivation. I ask that you reject this appeal in agreement with the previous ruling.

Thank you for you consideration,

Tom Sanders

Weaverville, CA

Encl - 4



Trinity County
Planning and Building Department
Commercial Cannabis Cultivation

Business Disclosure Form

*Please list all owners of the business,
and at what percentage they own the business*

Business Name:

AMERIGUEST, INC

Owner's Name	Ownership Percentage
LEON S DRAPER	75%
CALVIN L. JONES JR.	25%

By signing below, I agree that this statement reflects the financial interests invested in my Cannabis Cultivation venture

Signature [Handwritten Signature]

Date 5-10-18

Signature [Handwritten Signature]

Date 7-16-18

Signature _____

Date _____

Please sign in blue ink to distinguish that this is an original document

Disclaimer: You have a responsibility to know if your property is restricted by Ordinance No. 315-823. We will not issue a refund if your parcel is in violation of the ordinance.

RECEIVED

JUL 17 2018

TRINITY COUNTY
PLANNING DEPARTMENT

COUNTY OF TRINITY
COMMERCIAL CANNABIS

ORDINANCE VIOLATION 7-DAY CORRECTION
NOTICE

Page 1 of 2

475
3
FILE
COPY

APPLICATION NUMBER:	CCL-2018-475
PARCEL NUMBER:	010-680-19-00
APPLICANT:	Leon Draper and Calvin Jones

Leon Draper
Calvin Jones
211 Goa Way, Weaverville, CA 96093

July 16, 2018

The Trinity County Planning Department has determined that there is a violation of Trinity County Ordinance 315-823 on the above-mentioned property. The violation(s) are as listed below:

(1) Denial/Revocation of License

- (a) Applicant shall be denied a license or the approval of a license shall be revoked if the County becomes aware that:
 - i. The applicant has provided materially false documents or testimony; or
 - ii. The applicant has not complied fully with the provisions of this Ordinance, including any of the requirements of NCRWQCB Order #2015- 0023, SWRCB, or CDFW; or
 - iii. The operation as proposed by the applicant, if permitted, would not have complied with all applicable County and State laws, including, but not limited to; the Building, Planning, Housing, Fire and Health Codes of the County, including the provisions of this Ordinance and with all applicable laws including Zoning and County Ordinances.
- (b) Applicant shall be given up to seven (7) business days to correct deficiencies prior to denying or revoking the license; if the deficiencies are deemed an immediate threat to environmental and/or public health and safety, they shall be corrected immediately.

TRINITY COUNTY
COMMERCIAL CANNABIS
CULTIVATION LICENSE REVOCATION

APPLICATION NUMBER: CCL 2018-475
PARCEL NUMBER: 010-680-19
APPLICANT: Calvin Jones

Calvin Jones



Job Site: 211 Goa Way, Weaverville, CA 96093

February 14, 2019

After careful consideration of your Commercial Cannabis Application for the above-mentioned property the County has determined that your license will be revoked due to violations of Ordinance No. 315-823 Section I.(&)(a)i. and iii. by cultivating illegally on the parcel licensed for commercial Cannabis by Trinity County. Revocation of your license is effective immediately.

Ordinance No. 315-823 states the following:

(7) Denial/Revocation of License

- (a) Applicant shall be denied a license or the approval of a license shall be revoked if the County becomes aware that:
 - i. The applicant has provided materially false documents or testimony; or
 - ii. The applicant has not complied fully with the provisions of this Ordinance, including any of the requirements of NCRWQCB Order #2015- 0023, SWRCB, or CDFW; or
 - iii. The operation as proposed by the applicant, if permitted, would not have complied with all applicable County and State laws, including, but not limited to; the Building, Planning, Housing, Fire and Health Codes of the County, including the provisions of this Ordinance and with all applicable laws including Zoning and County Ordinances.

The County has determined that your license will be revoked effective immediately, February 14, 2019, due to violations of subsections i, and iii, of Section 7, as outlined above, for cultivating on additional, undisclosed locations on the parcel and for cultivating without a State license as determined during a site visit conducted by Trinity County Code Compliance Specialists on February 7, 2019.

You have the right to appeal this decision, any time within ten (10) working days from date on notice, as prescribed in Chapter 8.90.130 of the Trinity County Code.

If any questions, comments, or concerns arise please contact the Trinity County Planning Department at (530) 623-1351 ext. 3 or by email at lhubbard@trinitycounty.org



Leslie Hubbard, Deputy Director
Trinity County Planning Department