



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 24-910 **Version:** 1 **Name:**

Type: Resolution **Status:** Passed

File created: 5/14/2024 **In control:** Planning and Building

On agenda: 6/11/2024 **Final action:** 6/11/2024

Title: Revocation of a Conditional Use Permit for a Cannabis Dispensary and a Special Permit for a Cannabis Distribution Facility

Sponsors:

Indexes: 9999 - Core Services / Other

Code sections:

Attachments: 1. Staff Report, 2. Attachment 1A - DRAFT Country Club Revocation Resolution, 3. Attachment 1B - DRAFT Grass Roots Revocation Resolution, 4. Attachment 2A - PC Resolution 17-81_West River Lane_13421, 5. Attachment 2B -PC Resolution 17-80_West River Lane_13421, 6. Attachment 3A - Country Club CUP Revocation Notice, 7. Attachment 3B - Grass Roots SP Revocation Notice, 8. Resolution No. 24-69.pdf, 9. Resolution No. 24-68.pdf

Date	Ver.	Action By	Action	Result
6/11/2024	1	Board of Supervisors		

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Public Hearing

Vote Requirement: Majority

SUBJECT:
Revocation of a Conditional Use Permit for a Cannabis Dispensary and a Special Permit for a Cannabis Distribution Facility

RECOMMENDATION(S):
That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the permit holder (also referenced herein as applicant) and testimony from the public on any of the additionally submitted information; and
2. Close the public hearing; and
3. Adopt the resolutions (Attachment 1 and 2) which do the following:
 - a. Finds that the use for which the permits were granted have ceased to exist; and
 - b. Revokes the Conditional Use Permit and Special Permit pursuant to Section 312-14 of the Humboldt County Code.
4. Direct the Clerk of the Board to give notice of the decision to the permit holder, land owner, the Planning and Building Department, and any other interested party.

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Core Services/Other

Strategic Plan Category: 9999 - Core Services/Other

DISCUSSION:

Executive Summary

This item recommends revocation of a Conditional Use Permit for cannabis dispensary and a Special Permit for a cannabis distribution facility. Revocation is appropriate because the uses for which the permits were granted have ceased to exist.

Project History

Both the Conditional Use Permit and Special Permit are located on the same property. These permits were approved by the Humboldt County Planning Commission on Dec. 14, 2017, with an effective date of Dec. 29, 2017. The Conditional Use Permit for the dispensary was issued to Eagle One, LLC, and the Special Permit for distribution was issued to Bravo Zulu, LLC. Both operations met the conditions of approval and began operating, thereby vesting the permits. On Oct. 24, 2018, Eagle One, LLC reorganized as The Country Club, LLC and on Oct. 25, 2018, Bravo Zulu, LLC reorganized as The Broker Bros, LLC. On July 16, 2019, the Broker Bros, LLC reorganized as Grass Roots Distribution, LLC.

On May 8, 2024, the county received notice from the property owner that the operator of these permits, The Country Club, LLC and Grass Roots Distribution, LLC, were evicted and no longer authorized to operate these permits on the property. There is a desire to operate similar uses on the property with a new permit holder, however the current permit holder has been unwilling or unable to transfer the permits to a new operator. On May 10 the Planning and Building Department sent correspondence to the permit holder of both permits requesting that if the permits were not withdrawn that the permits would have a public hearing requesting revocation on June 11, 2024. This correspondence was sent certified mail, return receipt requested. On May 13, 2024 a notice of this potential action was posted on the building entrance. No response from the permit holder has been received.

Revocation of these permits will allow for a new permit to be applied for and issued for similar uses. Humboldt County Code Section 312-14.1 states that a permit or variance may be revoked if *"The use for which such permit or variance was granted has ceased to exist..."*. In this instance, the use has ceased, and the current permit holder does not have the legal ability to operate on the property.

SOURCE OF FUNDING:

There is no identified funding source for this action. This is funded by the General Fund Contribution to department operations.

FINANCIAL IMPACT:

There are no funds that have been identified to cover the costs of processing this revocation.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to revoke the Conditional Use Permit and Special Permit. The Planning and Building Department does not recommend this because the uses have ceased to exist, and the permit holder does not have the legal ability to operate the permit on the subject property.

ATTACHMENTS:

Attachment 1A: Draft Board Resolution Revoking the CUP

Attachment 1B: Draft Board Resolution Revoking the SP

Attachment 2A: Approved Planning Commission Resolution for the CUP

Attachment 2B: Approved Planning Commission Resolution for the SP

Attachment 3A: CUP Notice of Permit Revocation

Attachment 3B: SP Notice of Permit Revocation

PREVIOUS ACTION/REFERRAL:

Meeting of: Planning Commission 12/14/2017

File No.: 13421