

Calaveras County Planning Commission
891 Mountain Ranch Road
San Andreas, CA 95249

ATTN VIA EMAIL:

Michelle Plotnick, Chair
c/o Annette Huse, Recording Secretary
ahuse@co.calaveras.ca.us

Cc:

Gabriel Elliot, Planning Director
GElliot@co.calaveras.ca.us
Julie Moss-Lewis, County Counsel
Jmoss-lewis@co.calaveras.ca.us

RE: Project Number/Name: 2021-055 Zoning Amendment
Applicants Brief in Support of Staff Recommendation of Approval

Madam Chair and Members of the Commission-

On behalf of the Applicant, Whiskey Slide Farms, LLC we offer the following as clarifying points in support of Staff's Recommendation of Approval of the Zoning Amendment:

1. **Current Permitted Cultivation Site is fully developed with no need for physical expansion of footprint or infrastructure to accommodate 2nd Permit upon Rezone Approval**

The location of the cannabis cultivation site includes an existing garden terrace (repurposed grape vineyard) upon which one fully licensed acre of cannabis is currently planted on the lower half of the garden plot. In the event of approval of this zoning amendment from RA to A1, and subsequent approval by the Department of Cannabis Control for a 2nd Permit to allow one additional acre of cannabis to be planted on the upper half of the terrace, there will be no need to expand the established footprint of the cultivation site or supporting infrastructure. All of the work, as built, has been subject to grading and building permits being issued, with follow up inspection by multiple County agencies to certify its specifications, and full regulatory compliance of the site and operations.

2. **6/7 parcels contiguous to the subject parcel are currently Zoned A1, clearly illustrating Zoning Amendment is consistent with Calaveras County's General Plan and Zoning Policies for the General Agriculture (A1) Zone, with no new use**

resulting from Rezone of subject parcel with cannabis cultivation already in operation.

Currently, 647 acres of land surrounding the subject parcel are zoned A1, including: **APN: 016027085** [235 acres] (**North**), **APN(s): 016027033** [20 acres], **016027034** [20 acres] (**East**), **APN: 016026008** [46 acres] (**Southeast**), **APN: 016026043** [285 acres] (**Southwest**), **APN: 016027086** [41 acres] (**West**).

Although potential feasible uses were considered in the County's environmental study, no intensive or expansive agricultural uses would result from zoning amendment approval. With Applicant's current RA zoning which already allows cannabis cultivation, as well as other cultivation sites within the relevant vicinity, a rezone to A1 would make Applicant's zoning designation consistent with the predominant zoning of surrounding parcels and maximize use of existing physical infrastructure with no additional impacts to surrounding uses. (See attached '**Exhibit 1: Adjacent Zoning Illustration**'))

3. **Rezone for cannabis cultivation contemplated within the scope of the 2019 cannabis program EIR with potential impacts mitigated by existing regulation and decreased overall with (2) permits being co-located on one (existing) site.**

With the County's 2019 Cannabis EIR considering a limited number of cannabis sites County-wide, consolidation of (2) permits co-located on a single site would reduce potential impacts on traffic and resulting greenhouse emissions. Deliveries of supplies and materials, as well as transport of products, to and from a single location, as opposed to multiple locations decreases vehicle traffic and environmental impact.

4. **Cannabis site located over 800 ft. from western property line, 2nd acre of cannabis would be further than existing planted area at a distance exceeding 1,100 ft.**

Currently, the nearest point of area of the garden terrace currently planted with cannabis sits at over 800 ft. from the neighboring parcel to the west. In the event of zoning amendment approval, and subsequent planting of a 2nd acre of cannabis following potential permit approval, the area to be planted would in fact be further from this neighboring parcel. Not only would no new use result from approval of the zoning amendment, but addition of a 2nd acre would not affect neighboring parcels in any way.

5. **(13) Letters of Support for Zoning Amendment Provided from Community Members**

Over a dozen letters of support have been submitted in support of the application from community members who speak not only to the quality of the project itself, but also to the good character and reputation of the Applicants both as individuals and small business owners operating in the County. This includes former local public safety

officials, ranchers, small business owners, and multiple neighbors with property adjacent to the subject parcel. It is clear Ms. Alexander and Mr. Schirmer have an established track record in the County as responsible property owners and business operators. Additionally, the quality of workmanship and full regulatory compliance of the existing commercial cannabis site, as well as the fact that no new use or additional impacts would result from approving this application, has resulted in numerous community members agreeing that the project application should be approved.

Most importantly, Staff's recommendation of approval, issued in recognition of the project meeting all County criteria, supported by intensive due diligence, analysis, and substantial evidence, provides ample grounds for approval by the Planning Commission and Board of Supervisors.

Respectfully Submitted,



Zach Drivon, General Counsel
Whiskey Slide Farms, LLC

Exhibit 1:

‘Adjacent Zoning Illustration’

'Whiskey Slide Ranch'
235 Acres
Zoning: A1

APN: 016-027-033
20 Acres
Zoning: A1

APN: 016-027-034
20 Acres
Zoning: A1

APN: 016-027-086
41 Acres
Zoning: A1

Subject Parcel
'Whiskey Slide Farms, LLC'

APN: 016-026-071
25 Acres
Zoning: RA-X

APN: 016-026-008
46 Acres
Zoning: A1

APN: 016-026-043
285 Acres
'BLM Land'
Zoning: A1

JESUS MARIA RD

SLIDE RD

PONDEROSA WY

PONDEROSA WY

PONDEROSA WY

JESUS MARIA RD