

**RESOLUTION NO. \_\_\_\_-2021**

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL  
UPHOLDING THE PLANNING COMMISSION'S DECISION TO DENY MINOR  
USE PERMIT 1-21 FOR A CANNABIS DISPENSARY AT 144 N. FRANKLIN.**

**WHEREAS**, there was filed with the Fort Bragg Planning Commission a verified application on the forms prescribed by the Commission requesting approval of a Minor Use Permit under the provisions of Chapter 18 Article 7 of the Inland Land Use Development Code to permit the following Use:

*Establish a cannabis dispensary on the property located at Assessor's Parcel No. 008-164-39 as shown on the Fort Bragg Parcel Map and addressed as 144 N. Franklin Street.*

**WHEREAS**, the City Council upon holding the hearing on September 1, 2021, determined that there was not sufficient evidence that the required noticing for the Minor Use Permit and the Minor Use Permit Administrative Hearing were properly posted at the property; and

**WHEREAS**, the approval of a project requires that all findings for a Minor Use Permit be made; and

**WHEREAS**, at the public hearing the appellant has not presented compelling evidence that the proposed project would be compatible with the mixed-use neighborhood which consists of commercial properties as well as heavily populated residential properties;

The City Council established the following required finding for approving a Minor Use Permit, finding c. could not be made:

c. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity; and

**NOW, THEREFORE, BE IT RESOLVED** that pursuant of all the evidence presented on September 1, 2021, both oral and documentary, and further based on the recitals as stated above, Minor Use Permit 1-21 is denied subject to the provisions of the City of Fort Bragg Municipal Code Title 18 Inland Land Use Development Code based on the following findings:

1. There was not sufficient evidence that the required noticing for the Minor Use Permit and the Minor Use Permit Administrative Hearing were properly posted at the property.
2. The proposed use is not compatible with the existing and future land uses.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby deny Minor Use Permit 1-21 for a Cannabis Dispensary at 144 N. Franklin St.

The above and foregoing Resolution was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and passed and adopted at a special meeting of the City Council of the City of Fort Bragg held on the 1<sup>st</sup> day of September, 2021, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**
- RECUSED:**

\_\_\_\_\_  
**BERNIE NORVELL**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**June Lemos, CMC**  
City Clerk