

RESOLUTION NO. PC 09-2021

**RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION FOR DENIAL OF
MINOR USE PERMIT 1-21 FOR THE ESTABLISHMENT OF A CANNABIS
DISPENSARY AT 144 NORTH FRANKLIN STREET.**

WHEREAS, there was filed with this 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 Planning Commission upon holding the hearing on June 23, 2021 determined that there was not sufficient evidence that the required noticing for the Minor Use Permit, the Minor Use Permit Administrative Hearing, and the Minor Use Permit Appeal 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 presented compelling evidence that the proposed project would be incompatible with the mixed-use neighborhood which consists of commercial properties as well as heavily populated residential properties;

Planning Commission established the following 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;

NOW, THEREFORE, BE IT RESOLVED that pursuant of all the evidence presented on June 23, 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, the Minor Use Permit Administrative Hearing, and the Minor Use Permit Appeal were properly posted at the property.
2. The proposed use is not compatible with the existing and future land uses.

The above and foregoing Resolution was introduced by Commissioner Logan, seconded by Commissioner Roberts, and passed and adopted at a special meeting of the Planning Commission of the City of Fort Bragg held on the 5th day of August 2021, by the following vote:

AYES: Rogers, Roberts, Logan.
NOES: None.
ABSENT: Andreis.
ABSTAIN: None.
RECUSED: Miklose.



Jeremy Logan, Chair

ATTEST:



Sarah Peters, Administrative Assistant