



TRINITY COUNTY PLANNING DEPARTMENT

P.O. BOX 2819 ♦ 61 AIRPORT ROAD
WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1351 ♦ FAX (530) 623-1353
Email: lhubbard@trinitycounty.org

Frequently Asked Questions Regarding the Appeal Process

Q: My cultivation site was included in a public notice recently. Will I be notified if someone files an appeal of the Planning Director's decision to issue a Trinity County Commercial Cultivation License or Trinity County Provisional Commercial Cultivation License for my cultivation site?

A: Yes, the County will inform you within five (5) business days if an appeal has been filed regarding your site.

Q: What is the status of my cultivation license while an appeal is pending?

A: If you have an existing license, the County will recognize an extension of your previously issued license until the appeal process is complete for your license renewal. If you are a new applicant, your license will not be issued until the appeal is resolved.

Q: If someone files an appeal of the Planning Director's decision to issue a license to my cultivation site, do I need to prepare any information in response to the appeal?

A: No. County Staff will present the information that supports issuance of your license to the Planning Commission. You are, however, encouraged to attend the appeal hearing, and you have a right to speak in support of your license application or in response to any assertions the appealing party makes.

Q: I received a notice regarding the County's granting of a Trinity County Commercial Cultivation License or Trinity County Provisional Commercial Cultivation License. What can I do if object to issuance of the license?

A: If you wish to formally object to issuance of a license, you may file an appeal within the 10-business day appeal period identified on the public notice.

Q: What are the grounds for an appeal?

A: As to the issuance of any cultivation license, an appeal may only raise one of two issues: (1) non-compliance with applicable County ordinances, or (2) whether the California Environmental Quality Act ("CEQA") determination concerning the license application is appropriate. The Planning Commission does not have the lawful authority to consider any other grounds for appeal.



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A link to the applicable County Ordinance concerning cannabis cultivation can be found at:
<https://www.trinitycounty.org/Commercial-Cannabis>

Q: If I want to file a formal appeal, where do I file it and how much does it cost?

A: To file an appeal, you must provide payment and a completed “Appeal of Planning Director’s Decision to Planning Commission” form. This form is available in the Trinity County Planning Department located at 61 Airport Road in Weaverville or online at
<https://www.trinitycounty.org/sites/default/files/Planning/CANNABIS/Appeal%20Form%20%28PD%20Decision%20to%20PC%29.pdf>

The fee for filing an appeal is \$500 and must be provided along with a completed appeal form to the Trinity County Planning Department between the hours of 8:00 am and 2:00 pm, Monday-Thursday (and Friday or after hours, by appointment).

Q: Can the \$500 appeal fee be waived?

A: Regarding fee waivers, only public entities or non-profits will be considered for a fee waiver.

Q: How does the notice period for licenses work?

A: An example of how the process works is as follows:

- Trinity County publishes notice on Day 1 of its intention to approve a cultivation licensee (example, March 13, 2019) and indicates that the license will be issued 10 business days later (example, March 28, 2019).
- During the 10-business day period (between March 13 and March 28), an appeal may be filed.
- At the end of the 10-business day appeal period, a commercial cultivation license will be issued (March 28, 2019).

If an appeal is filed, the County will recognize an extension of the previously issued license until the appeal process for the license renewal is complete, and a determination is made regarding the appeal.

Q: Can someone file an appeal of the Planning Commission’s decision regarding the appeal?



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A: Yes. Whatever decision the Planning Commission makes may be further appealed to the Board of Supervisors. Whoever wishes to appeal to the Board would be required to timely file a separate appeal (within 10 business day of the Planning Commission decision) and pay the \$500 appeal fee.

If you have questions or comments regarding how this process works, please contact us:

Planning Contacts:

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