

Mammoth Lakes Planning and Economic Development Commission Agenda Action Sheet

Title: Update PEDC Regarding the Voluntary Recission of Two Use Permits for Property Addressed 160 Commerce Drive.

Council Meeting Date: 12/8/2021

Prepared by: Kim Cooke, Associate Planner

Recommended Motion: No Motion. This is an informational item.

Summary: On September 22, 2021, Town staff received a request from the property owner, Mark Ross, to voluntarily surrender two Use Permits previously granted for the property addressed 160 Commerce Drive. The property owner indicated that because the Use Permits were for medical marijuana cultivation and commercial cannabis uses, the title company would not issue title insurance for the property. The property owner was in the process of selling the property and completion of a pending sale was the property owner's objective.

The property owner provided a written statement requesting the Town rescind Use Permit number (UPA) 17-001, which granted approval for operation of a medical marijuana cultivation facility and Use Permit number (UPA) 17-001A, which granted approval for the operation of a commercial cannabis nonvolatile manufacturing facility.

Staff consulted with the Town Attorney regarding the correct process for recording a voluntary recission of the Use Permits and it was determined that a public hearing would not be required pursuant to M.C. Chapter 17.128 (*Revocations and Modifications*), because the Use Permits were being surrendered voluntarily.

An agreement for voluntary recission of the two Use Permits was recorded on September 28, 2021 (**Attachment 1**). If a commercial cannabis business proposes to operate at 160 Commerce Drive in the future, a new Use Permit application will be required to permit the use.

