

ATTACHMENT E
Resolution of the Board of Supervisors

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings; Meeting on September 6, 2016

RESOLUTION No. ____-____

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT DENYING THE APPEAL AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION ON THE DOLLAR GENERAL PROJECT FILE #305-101-054; CASE # CDP-14-033AA AND SP-14-049AA

WHEREAS, Dan Dover of Cross Development submitted an application and evidence on behalf of Dollar General in support of approving a Coastal Development Permit and Special Permit for a commercial retail store; and

WHEREAS, the Planning and Building Department – Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the Planning Division, the lead agency, has prepared a Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission staff report includes evidence in support of making all of the required findings for approving CDP-14-033 and SP-14-049; and

WHEREAS, the Planning Commission held a public hearing on July 7, 2016 during which they considered the Mitigated Negative Declaration and received staff reports, accepted public comment, and deliberated on the proposed project;

WHEREAS, the Planning Commission, in conformance with Sections 15090 and 15091 of the State CEQA Guidelines, (a) reviewed and found that the Mitigated Negative Declaration in Attachment C has been completed in compliance with CEQA and reflects the Lead Agency's independent judgment and analysis; (b) it has reviewed and considered the information contained in the Mitigated Negative Declaration for the project; and (c) the proposed project, as conditioned and mitigated, will not have a significant effect on the environment;

WHEREAS, The Planning Commission made the findings in the Planning Division staff report for Case Nos.: CDP-14-033 and SP-14-049 based on the submitted evidence;

WHEREAS, The Planning Commission conditionally approved the Coastal Development Permit and Special Permit as recommended in the Planning Division staff report for Case Nos.: CDP-14-033 and SP-14-049; File No. APN: 305-101-054;

WHEREAS, On July 20, 2016, the Planning Commission approval was appealed by Dan and Kelly Noga;

WHEREAS, the Board of Supervisors on September 6, 2016 held a public hearing on the project and considered the issues of appeal and staff recommendations;

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NOW, THEREFORE, be it resolved, determined, and ordered by the Board of Supervisors that:

1. The Board of Supervisors denies the appeal in full, upholds the Planning Commission approval of the project, adopts the Mitigated Negative Declaration (Attachment C to the Board Staff Report) and adopts the Planning Commission's findings and approves the Dollar General Application (Case Nos.: CDP-14-033 and SP-14-049; File No. APN: 305-101-054), subject to the conditions of approval.

DATED: September 6, 2016

MARK LOVELACE, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor
and the following vote:

, seconded by Supervisor

AYES: Supervisors:
NOES: Supervisors:
ABSENT: Supervisors:
ABSTAIN: Supervisors:

STATE OF CALIFORNIA)
County of Humboldt)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

In Witness Whereof, I have hereunto set
my hand and affixed the Seal of said
Board of Supervisors..

KATHY HAYES
Clerk of the Board of Supervisors of
the County of Humboldt, State of California