

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings, Meeting of Tuesday, February 5, 2013

SUBJECT: Appeal of the Planning commission Approval of the Mateel Community Center Conditional Use Permit and Special Permit Application.

ACTION: A motion was made to deny the appeal but add a condition to the first year of the Condition Use Permit to seek ways to improve the entrance to the festival for safety and access to local businesses by exploring other options such as using the Cook Valley Entrance. Approve the revised Resolution to include the new wording below:

“Whereas, the California Highway Patrol (CHP) has the authority to adjust the traffic control measures based on site conditions to improve access to neighboring businesses during the event.”

Require data from the 2013 event to be collected by staff and included in next year’s review of the permit including, but not limited to traffic flow data, actual attendance numbers, pedestrian safety and information from local businesses on their sales.

Approve staff recommendation #2 - 4 as seen below:

2. Based on the finding in the staff report and public testimony, deny the appeal and adopt Resolution 13-09 (Attachment A) certifying the Final Supplemental Environmental Impact Report (SEIR) and approving the Mateel Conditional Use Permit and Special Permit Application subject to the conditions of approval (beginning on Page 7 of Attachment D).
3. Direct the Clerk of the Board to give notice of the decision to the appellant, the project applicant, the applicant’s agent, and any other interested party.
4. Direct the Planning and Building Department Planning Division to file a Notice of Determination with the Humboldt County Recorder’s Office, pursuant to the California Environmental Quality Act.

Adopted on motion by Supervisor Fennell and seconded by Supervisor Bass and the following vote:

AYES: Supervisors: Bass, Lovelace, Sundberg, Fennell
NAYS: Supervisors: Bohn
ABSENT: Supervisors:

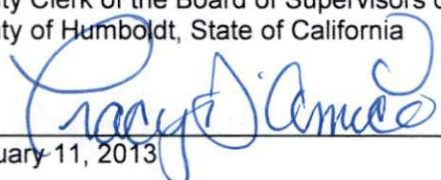
STATE OF CALIFORNIA)
County of Humboldt) s.s.

I, TRACY DAMICO, Deputy Clerk of the Board of Supervisors, 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-entitled 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.

TRACY DAMICO

Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California



February 11, 2013

(B-1)

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on February 11, 2013

RESOLUTION NO. 13-09

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF HUMBOLDT
CERTIFYING COMPLIANCE WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
AND APPROVING WITH CONDITIONS THE
MATEEL COMMUNITY CENTER CONDITIONAL USE PERMIT
AND SPECIAL PERMIT CASE No.: CUP-12-017 & SP-12-030; FILE No.: APN 033-271-005

WHEREAS, the Mateel Community Center submitted an application and evidence in support of approving a Conditional Use Permit and Special Permit for a music festival event in the Cooks Valley area; 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 Supplemental Environmental Impact Report for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Commission staff report includes evidence in support of making all of the required findings for approving CUP-12-017 & SP-12-030; and

WHEREAS, the Planning Commission held public hearings on December 6, 2012 and January 3, 2013 during which they considered the Final Supplemental Environmental Impact Report and received staff reports, accepted public comment, and deliberated on the proposed Conditional Use Permit and Special Permit;

WHEREAS, the Planning Commission, in conformance with Sections 15090 and 15091 of the State CEQA Guidelines, found and certified that (a) the Final Supplemental Environmental Impact Report in Attachment 5 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 Final Supplemental Environmental Impact Report 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 Attachment 2 of the Planning Division staff report for Case Nos.: CUP-12-017 & SP-12-030 based on the submitted evidence;

WHEREAS, The Planning Commission conditionally approved the Conditional Use Permit and Special Permit as recommended in the Planning Division staff report for Case Nos.: CUP-12-017 & SP-12-030;

WHEREAS, On January 17, 2013, the Planning Commission approval was appealed by Zachary Bowman;

WHEREAS, Board of Supervisors held a public hearing de novo on February 11, 2013 to consider the project application; and

WHEREAS, the California Highway Patrol (CHP) has the authority to adjust the traffic control measures based on site conditions to improve access to neighboring businesses during the event; and

WHEREAS, Board of Supervisors has considered the issues raised in the appeal, the submitted evidence and testimony, and staff recommendations;

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

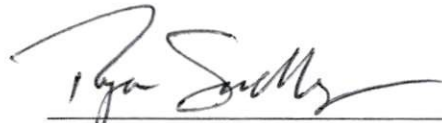
1. The Board of Supervisors, in conformance with Sections 15090 and 15091 of the State CEQA Guidelines, certifies that (a) the Final Supplemental Environmental Impact Report in Attachment D has been completed in compliance with CEQA and reflects the Lead Agency's independent judgment and analysis; (b) it has reviewed and considered the information contained in the Final Supplemental Environmental Impact Report for the project; and (c) the proposed project, as conditioned and mitigated, will not have a significant effect on the environment.
2. The Board of Supervisors adopts the findings in the Planning Commission staff report for the Mateel Community Center Conditional Use Permit and Special Permit; Case No. CUP-12-017 & SP-12-030; (Attachment D).
3. The Board of Supervisors denies the appeal and sustains the Planning Commission's approval of the Mateel Community Center Conditional Use Permit and Special Permit; Case Nos.: CUP-12-017 & SP-12-030.

Adopted on motion by Supervisor Fennell, and seconded by Supervisor Bass and the following vote:

AYES: Supervisors: Bass, Lovelace, Sundberg, Fennell

NOES: Supervisors: Bohn

ABSENT: Supervisors:



RYAN SUNDBERG, Chair

STATE OF CALIFORNIA

County of Humboldt

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) SS.
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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.

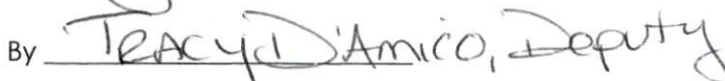
KATHY HAYES Clerk of the Board of Supervisors of the County of Humboldt, State of California

By:



KATHY HAYES

Date: February 11, 2013

By:  Tracy D'Amico, Deputy