

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 22-

**Records Number: PLN-12543-CUP
Assessor's Parcel Number: 210-042-004**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Ron Lundblade Conditional Use Permit.

WHEREAS, Ron Lundblade submitted an application on December 27, 2016, for a Conditional Use Permit up to one acre existing outdoor commercial cannabis cultivation; and

WHEREAS, the project is statutorily exempt from environmental review pursuant to Section 15270 of the State CEQA Guidelines (Projects Which Are Disapproved); and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on October 6, 2022, and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

1. FINDING: **Project Description:** Conditional Use Permit up to one-acre of existing outdoor commercial cannabis cultivation.

EVIDENCE: a) Project File: PLN-12543-CUP

2. FINDING: **CEQA:** The project is statutorily exempt from the California Environmental Quality Act.

EVIDENCE: b) Section 15270 of the CEQA Guidelines (Projects Which Are Disapproved).

FINDINGS FOR CONDITIONAL USE PERMIT

3. FINDING The proposed development is not consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.

EVIDENCE a) The operations plan does not provide an adequate analysis of rainwater catchment capacity to demonstrate consistency with Section 314-55.4.11 (m) which requires all irrigation to be sources on-site.

b) The operations plan does not provide adequate evidence demonstrating that 44,000 gallons of water will support the annual irrigation needs of one acre of cannabis cultivation.

c) No cultural resource survey was provided to demonstrate that the project is consistent with Section 314-55.4.6.4.4 that requires a 600-foot setback from Tribal Cultural Resources.

4. FINDING The proposed project is not consistent with section 312-1.1.2 of the Humboldt County Code because it is not proposed on a legally created parcel.

EVIDENCE a) The project is proposed on APN 210-042-004 which is only a portion of a larger legal, patent parcel.

5. FINDING There is no evidence to support a finding that the project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) No road analysis has been submitted to demonstrate that the access road is functionally safe or appropriate for the proposed use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Denies the Conditional Use Permit for Ron Lundblade based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on **October 6, 2022**.

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____ and the following ROLL CALL vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
DECISION:	

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

 John Ford, Director
 Planning and Building Department