

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number 24-

Record Number PLN-11856-CUP

Assessor's Parcel Numbers: 524-123-002

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Barter Mountain Roots Conditional Use Permit.

WHEREAS, Barter Mountain Roots, has applied for a Conditional Use Permit for 36,000 square feet of existing 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 Zoning Administrator held a duly-noticed public hearing on March 7, 2024, and reviewed, considered, and discussed the application for a Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all the following findings:

1. FINDING **Project Description:** Denial of a Conditional Use Permit for 36,000 square feet of existing outdoor commercial cannabis cultivation.

EVIDENCE a) Project File: PLN-11856-CUP

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

EVIDENCE a) 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) Lack of information about the proposed groundwater well prevents staff from determining if adequate and eligible water is present to support the cultivation operation.
b) Lack of a boundary survey prevents staff from determining if adequate setbacks from cultivation areas to the property line and public lands

are maintained.

- c) Bater Mountain Roots was dissolved as a corporate entity on May 5, 2023. The application lacks a qualified legal entity.

4. FINDING

There is insufficient 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) The biological assessment that was provided with the application recommended Northern Spotted Owl (NSO) surveys to demonstrate that the project would not adversely impact the NSO. No NSO survey was provided.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Denies the Conditional Use Permit for Barter Mountain Roots, based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on **March 7, 2024**.

I, John Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

John H. Ford, Zoning Administrator
Planning and Building Department