

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

**Resolution Number 23-**

**Record Number PLN-12861-CUP**

**Assessor's Parcel Numbers: 220-221-023**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Abbey Road Farming, LLC Conditional Use Permit.**

**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 February 16, 2023, 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 Zoning Administrator makes all the following findings:

**1. FINDING**                      **Project Description:** Denial of a Conditional Use Permit for 15,236 square feet of existing outdoor commercial cannabis cultivation.

**EVIDENCE**            a) Project File: PLN-12861-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) No hydrologic study for the groundwater well prevents staff from determining if there is an adequate and eligible water source.

b) Lack of a noise management plan for the generator prevents staff from determining if the energy source will comply with applicable standards given the proximity of northern spotted owl.

c) Because the incomplete materials prevented the creation of a complete project description, the project has not been placed in referrals. The lack of agency and tribal consultation prevents staff from proposing appropriate conditions.

**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 project application does not contain a wetland delineation nor an environmental superiority analysis and restoration plan for onsite relocation. Staff is unable to determine if the project will cause any significant impacts or provide mitigations consistent with the measures in the adopted MND for the CMMLUO.

## 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 Abby Road Farming LLC, based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on **February 16, 2023**.

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.

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John H. Ford, Zoning Administrator  
Planning and Building Department