

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on April 18, 2023

Resolution No. 23-52

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT SUSTAINING THE ABBEY ROAD FARMING, LLC, APPEAL OF THE FEBRUARY 16, 2023, ZONING ADMINISTRATOR DECISION (PLN-2023-18132) AND CONTINUING THE ABBEY ROAD FARMING, LLC, CONDITIONAL USE PERMIT (PLN-12861-CUP) ON APN 220-221-023 TO A DATE UNCERTAIN.

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.

WHEREAS, On February 16, 2023, the Zoning Administrator denied the Abbey Road, LLC, Conditional Use Permit (PLN-12861-CUP) for 15,236 square feet of existing outdoor commercial cannabis cultivation; and

WHEREAS, On March 15, 2023, the Planning and Building Department received an appeal of the Zoning Administrator's decision (PLN-2023-18132); and

WHEREAS, On April 18, 2023, the Board of Supervisors conducted a de novo review of the appeal and Conditional Use Permit application; and

WHEREAS, On April 18, 2023, the Board of Supervisors sustained the appeal by Abbey Road Farming LLC and continued the Conditional Use Permit to give the applicant more time to complete the application.

NOW, THEREFORE, BE IT RESOLVED by the Humboldt County Board of Supervisors that the following findings are hereby made:

FINDINGS FOR APPEAL

1. FINDING

The Board found that at the time the Zoning Administrator made its decision, there was no response from the applicant indicating a desire and intention to move the application to completion. As part of the appeal hearing, the Board found that had changed and the applicant expressed a commitment to complete the application.

- EVIDENCE** a) Public testimony by applicant's agent that the applicant has secured the assistance of Pacific Watershed Associates to complete the application.
- 2. FINDING** The Board found that an additional deposit was necessary to ensure sufficient funds are available for staff costs associated with continuing the processing of the conditional use permit application.
- EVIDENCE** a) Staff and public testimony
- 3. FINDING** The Board found that the applicant has additional documentation and studies to provide the Planning and Building Department and it took time for the new applicant to obtain the assistance of a qualified professional. This delayed the applicant's ability to provide timely responses to the requests for information.
- EVIDENCE** a) Public testimony by applicant's agent which provided assurance that they would actively work to complete the application and provide missing items in a timely manner.

BE IT FURTHER RESOLVED that based on the above findings, the findings in the staff report, evidence in the file for the project, and public testimony received on the project, the Board of Supervisors sustains the appeal of the Zoning Administrator's February 16, 2023, denial of the Abbey Road Farming, LLC Conditional Use Permit.

BE IT FURTHER RESOLVED that the Conditional Use Permit is continued to a date uncertain.

BE IT FURTHER RESOLVED that the applicant must provide a \$3,000 deposit to the Planning and Building Department to continue processing of the Conditional Use Permit.

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to provide notice of this decision to all interested parties.



Steve Madrone, Chair

Chair of the Board, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Bohn seconded by Supervisor Arroyo and the following vote:

AYES:	Supervisors	Bohn, Bushnell, Arroyo
NOES:	Supervisors	Wilson, Madrone
ABSENT:	Supervisors	

ABSTAIN: Supervisors

STATE OF CALIFORNIA)
) ss.
County of Humboldt)

I, KATHY HAYES, 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

NIKKI TURNER

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

A handwritten signature in blue ink, appearing to read "Nikki Turner", is written over a horizontal line.