

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 16-48**

**Case Numbers: CDP 16-029, SP 16-058, CDP 017-97M, CUP 007-97M, and SP-014-97M
Assessor Parcel Numbers 111-181-002, 111-181-004, 111-181-005, and 111-181-006**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Resort Improvement District No. 1's (District) Coastal Development Permit, Special Permit, Coastal Development Permit Modification, Conditional Use Permit Modification, and Special Permit Modification request.

WHEREAS, the Resort Improvement District No. 1 (District), submitted an application and evidence in support of approving a Coastal Development Permit, Special Permit, Coastal Development Permit Modification, Conditional use Permit Modification, and Special Permit Modification for the expansion of its recycled water program, including the installation of underground water storage tanks; and

WHEREAS, the County 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 project is subject to environmental review pursuant to of the California Environmental Quality Act (CEQA); and

WHEREAS, the District as the Lead Agency prepared a draft Initial Study and Mitigate Negative Declaration), dated February 2016, and posted a Notice of Intent on April 14, 2016 for the subject proposal in accordance with the California Environmental Quality Act (CEQA);

WHEREAS, the District as Lead Agency, in response to comments received on the Mitigate Negative Declaration, dated February 2016, revised the Mitigate Negative Declaration; and

WHEREAS, the District as Lead Agency determined that the revisions to the Mitigate Negative Declaration did not constitute a substantial revision pursuant to Section 15073.5(b) of the CEQA Guidelines, and did not require the recirculation of the referenced Mitigate Negative Declaration pursuant to Section 15073.5(c) of the CEQA Guidelines; and

WHEREAS, the District as Lead Agency adopted the Mitigated Negative Declaration, dated May 2016, contained in Attachment 5, on May 19, 2016 by Resolution 16-13; and

WHEREAS, that none of the conditions described in Section 15052(a)(2) CEQA Guidelines have occurred that would require a shift in Lead Agency designation from the Resort Improvement District No. 1 to the County of Humboldt; and

WHEREAS, the County of Humboldt, as Responsible Agency pursuant to Section 15381 CEQA Guidelines, has considered the environmental effects of the project as shown and described in the Resort Improvement District's Mitigated Negative Declaration, dated May 2016, in Attachment 5; and

WHEREAS, the County of Humboldt has determined that the Resort Improvement District's Mitigated Negative Declaration in Attachment 5 adequately addresses the project's impacts based on the independent judgment of the County of Humboldt; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Coastal Development Permit, Special Permit, Coastal Development Permit Modification, Conditional Use Permit Modification, and Special Permit Modification.

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. Pursuant to Section 15096 of the CEQA Guidelines, the Planning Commission has considered the Mitigated Negative Declaration, in Attachment 5, prepared and approved for the project by Resort Improvement District No.1, Lead Agency, and exercising independent judgement finds the project's impacts are adequately addressed; and
2. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers CDP 16-029, SP 16-058, CDP 017-97M, CUP 007-97M, and SP 014-97M, based on the submitted evidence; and
3. The Planning Commission conditionally approves the proposed Coastal Development Permit and Special Permit as recommended in the Planning Division staff report for Case Numbers CDP 16-029, SP 16-058, CDP 017-97M, CUP 007-97M, and SP-014-97M.

Adopted after review and consideration of all the evidence on December 1, 2016.

The motion was made by Commissioner Ulansey and seconded by Commissioner Shepherd.

AYES: Commissioners Ulansey, Levy, McKenny, Morris, Shepherd, Bongio.
NOES: None
ABSTAIN: None
ABSENT: Commissioner Edmonds
DECISION: Motion carries by 6/0.



Robert Morris, Chair

I, Suzanne Lippre, Clerk 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.



Suzanne Lippre, Clerk