

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

Resolution Number: 24-

Record Number: PLN-11737-CUP

Assessor's Parcel Number: 208-241-017

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Ten Redwoods LLC Conditional Use Permit and Special Permit.

WHEREAS, Ten Redwoods LLC, has applied for a Conditional Use Permit for 11,700 square feet of existing outdoor cannabis cultivation and a Special Permit for development and restoration in a streamside management area; 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 Planning Commission held a duly-noticed public hearing on November 7, 2024, and reviewed, considered, and discussed the application for a Conditional Use Permit and Special 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:** DENIAL of a Conditional Use Permit for 11,700 square feet of existing outdoor cannabis cultivation and a Special Permit for development and restoration in a streamside management area.

EVIDENCE: a) Project File: PLN-11737-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 AND SPECIAL PERMIT

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

- EVIDENCE:**
- a) Allegations of theft of water from the adjacent parcel 208-241-011 prevents staff from determining if the project has sufficient eligible irrigation water and that the project is operated as described in the operations plan and site map. Planning staff has repeatedly asked the operator to respond to this allegation, no response from the operator has been received.
 - b) According to eyewitness accounts, the project was staffed with multiple employees in contradiction to the statements in the operations plan.

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) A fire occurred on October 2, 2024. The fire started in a structure associated with the cannabis operation and burned 15-20 acres of vegetation and spread north to parcel 208-241-016. CalFire, USFS, and neighbors responded to fight the fire, but the operators were reportedly seen leaving the area without contacting emergency response or making significant efforts to fight the fire. Despite repeated requests by Planning staff for the operator to explain what happened, no response from the operator has been received.

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 and Special Permit for Ten Redwoods LLC, based upon the Findings and Evidence.

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

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

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

I, John H. 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 H. Ford, Director
Planning and Building Department