



COUNTY OF HUMBOLDT

For the meeting of: 3/22/2022

File #: 22-320

To: The Humboldt County Board of Supervisors

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Forever Loving Humboldt, Inc., appeal of the Planning Commission decision denying application 12436 Forever Loving Humboldt, Inc., for a Conditional Use Permit to allow 32,500 square feet of existing commercial cannabis cultivation.

RECOMMENDATION:

That the Board of Supervisors:

1. Open the Public Hearing and receive comments from the public on the continuance; and
2. Continue the appeal to a date uncertain.

SOURCE OF FUNDING:

The appellant has paid the fee associated with filing this appeal.

DISCUSSION:

Executive Summary

This is an appeal of the Humboldt County Planning Commission's Jan. 20, 2022, denial of the Conditional Use Permit by a 4-3 vote (YES: McCavour, Bongio, Levy, O'Neill. NOES: Mulder, Newman, Mitchell). The project was denied by the Planning Commission due to violations of Humboldt County Code and various provisions of state law.

On March 10, 2022, Brad Johnson of Everview Law submitted a request to the Planning Department on behalf of the appellant to postpone the appeal by at least 6 months to allow the appellant additional time to address the issues that led to the denial of the application. This request came after the project had been noticed for the March 22, 2022, hearing.

The applicant is the appellant and there is not ongoing cultivation on the site so there is no urgency in addressing the appeal. Staff recommends the Board of Supervisors grant the appeal

FINANCIAL IMPACT:

There will be no additional impact on the General Fund.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect Residents.

OTHER AGENCY INVOLVEMENT:

Humboldt County Sheriff's Department
Regional Water Quality Control Board
State Water Resources Control Board Office of Enforcement
California Department of Fish and Wildlife

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors could elect to deny the request for a continuance to a date uncertain and instead continue this to date certain to hear the appeal. The Planning Department is prepared to submit a complete staff report addressing the appeal and therefore this continuance could be to any date that the Board chooses.

ATTACHMENTS:

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

1. Email Requesting Continuance

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A
Meeting of: N/A
File No.: N/A