

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

Resolution Number: 22-

Records Number: PLN-12452-CUP

Assessor's Parcel Number: 217-381-008

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Ecoyard, Inc. Conditional Use Permit application.

WHEREAS, Ecoyard, Inc, submitted an application on December 23, 2016, for a Conditional Use Permit for 30,563 square feet of existing outdoor and 4,700 square feet of existing mixed-light commercial cannabis cultivation: and

WHEREAS, the property has repeatedly been operated in violation of the county ordinance and state law; 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 Humboldt County Planning Commission held a duly-noticed public hearing on October 6, 2022, 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 Planning Commission makes all the following findings:

FINDING: **Project Description:** A Conditional Use Permit for 30,563 square feet of existing outdoor and 4,700 square feet of existing mixed-light commercial cannabis cultivation.

EVIDENCE: Project File: PLN-12452-CUP

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The project is statutorily exempt from CEQA as it is a project which is not approved.

EVIDENCE: a) Section 15270 of the CEQA Guidelines

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) The applicant has repeatedly violated Humboldt County Code Section 314-55.4.11(m) which states that permittees and operators shall source water on-site and trucked water shall not be allowed except for emergencies.

 b) The applicant has been unable to demonstrate that sufficient water for the cultivation operation can be sourced on-site, as required by Section 314-55.4.11(m) of the Humboldt County Code.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Denies the Conditional Use Permit for Ecoyard, Inc, based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on **October 6, 2022**.

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

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

I, John 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 Ford, Director
 Planning and Building Department