

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 19-16**

**Case Number SP-16-667
Assessor Parcel Numbers: 530-102-004, 530-101-009 & 530-101-010**

Makes the required findings for certifying compliance with the California Environmental Quality Act and denies The Bluff Creek Company, Inc. Special Permit request.

WHEREAS, The Bluff Creek Company, Inc. submitted an application and evidence in support of approving a Special Permit for 9,200 square feet of existing outdoor cannabis cultivation located on APN 530-102-004.

WHEREAS, The County Planning and Building Department has reviewed the submitted application and evidence; and

WHEREAS, The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines; and

WHEREAS, Attachment 2 to the Planning Division staff report includes a resolution by the Yurok Tribal Council designating the Ke'Wet Ceremonial District in which this project is located within; and

WHEREAS, Section 314-55.4.7 of the Humboldt County Code defines a Tribal Cultural Resource as sites or resources identified by the tribe through an action of the Tribal Council; and

WHEREAS, Section 314-55.4.11 (d) of the Humboldt County Code requires the area of cannabis cultivation to be set back at least 600 feet from a Tribal Cultural Resource, and

WHEREAS, A public hearing was held on the matter before the Humboldt County Planning Commission on February 7, 2019.

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

1. The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines; and
2. The findings in Attachment 1 of this resolution cannot be made for this project, specifically that the area of cannabis cultivation is not set back at least 600-foot from a Tribal Cultural Resources per CMMULO - 55.4.11 (d); and
3. Special Permit Case Number SP-16-667 is denied as recommended.

Adopted after review and consideration of all the evidence on February 7, 2019.

The motion was made by Commissioner Levy and seconded by Commissioner McCavour.

AYES: Commissioners Levy, Morris, McCavour

NOES: Commissioners Newman and Bongio

RECUSED: Commissioner O'Neill

ABSENT: Commissioner Mitchell

DECISION: Motion carries 3/2.

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