

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

Resolution Number: 22-

**Records Number's: PLN-12847-SP, PLN-12860-CUP, PLN-13310-ZCC
Assessor's Parcel Number: 221-271-001**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Canigou Inc. Conditional Use Permit and Special Permit, and deny the Solimar, LLC Zoning Clearance Certificate.

WHEREAS, Canigou Inc. & Solimar, LLC, submitted three applications on December 29th and 30th, 2016 for a Conditional Use Permit for new commercial cannabis cultivation, a Special Permit for new commercial cannabis cultivation and a wholesale nursery, and a Zoning Clearance Certificate for new cannabis cultivation; and

WHEREAS, the applicant was generally unresponsive to requests for information necessary to review and analyze the proposed application; 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 December 15, 2022, and reviewed, considered, and discussed the application for a Conditional Use Permit, Special Permit, and Zoning Clearance Certificate 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:** Three applications on one legal parcel. Application PLN-13310-ZCC (a Zoning Clearance Certificate for 10,000 square feet (sf) of new mixed-light cannabis cultivation on historic parcel 221-211-022), application PLN-12847-SP (a Zoning Clearance Certificate for 10,000 sf of new outdoor cannabis cultivation, and a Special Permit for a wholesale nursery on historic parcel 108-064-003), and application PLN-12860-CUP (a Zoning Clearance Certificate for 10,000 sf of new outdoor cannabis cultivation, and a Conditional Use Permit for 7-acres of new outdoor cannabis cultivation on historic parcel 108-063-015).

EVIDENCE: Project Files: PLN-12487-SP, PLN-12860-CUP, PLN-13310-ZCC

- 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 AND SPECIAL PERMIT AND ZONING CLEARANCE CERTIFICATE

3. FINDING

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

EVIDENCE

- a) Information necessary to determine consistency with the ordinance has not been submitted. After it was determined that all three applications were on one legal parcel, a request for information was sent to the applicant on October 11, 2018 and the County received no response. This led to a 60-day Deficiency letter being sent to the applicant on July 15, 2022, stating that if the information requested in the Deficiency letter was not submitted within 60 days of the letter, the application would be denied. No response has been received.

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 and Special Permit for Canigou Inc., and Zoning Clearance Certificate for Solimar, LLC, based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on October 15, 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