

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

Resolution Number: 22-

Records Number: PLN-2022-16826

Assessor's Parcel Number: 210-142-005-000

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Buck Mountain Gardens, LLC., Special Permit.

WHEREAS, Buck Mountain Gardens, LLC., submitted an application on November 25, 2020 for a Special Permit for 10,000 square feet of new outdoor commercial cannabis cultivation; and

WHEREAS, the subject property is located in the Little Van Duzen Watersshed, which is identified as an "impacted" watershed pursuant to Resolution 18-43 of the Board of Supervisors; 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 **November 3, 2022**, and reviewed, considered, and discussed the application for a Special Permit, 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 Special Permit for 10,000 square feet of new outdoor commercial cannabis cultivation.

EVIDENCE: a) Project File: PLN-2020-16826

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 SPECIAL PERMIT

3. FINDING The project does not qualify to be considered as "pre-existing" cultivation under the CCLUO.

EVIDENCE a) Section 314-55.4.6.5 of the Humboldt County Code states that no new applications for Pre-Existing Cultivation Sites shall be accepted after December 31, 2019 and the application was submitted on November 25, 2020.

4. FINDING Pursuant to Board of Supervisors Resolution 18-43 the proposed project may not be approved.

EVIDENCE a) The project site is located in the Little Van Duzen subwatershed. Pursuant to Resolution 18-43 of the Board of Supervisors permits for new Open Air Cultivation Activities (including Outdoor and Mixed-Light Cultivation) shall be temporarily prohibited.

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 Special Permit for Buck Mountain Farms, LLC., based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on **November 3, 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