

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

Resolution Number 23-049

**Application Numbers PLN-2023-18107 & PLN-2023-18108
Assessor's Parcel Numbers: 033-271-007, 033-271-009, 033-271-008,
033-271-004, 033-271-005, and 033-271-015**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with
the California Environmental Quality Act.**

WHEREAS, the Mateel Community Center and Northern Nights Music Group submitted applications and evidence in support of approving a renewal and modification of several Conditional Use Permits allowing temporary events in the Cooks Valley area (PLN-2023-18107 & PLN-2023-18108); and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the Planning and Building Department considered all the comments made by other departments and agencies and evaluated the application in light of the Humboldt County General Plan and Zoning Ordinance and formulated a recommendation supporting approval of the application; and

WHEREAS, the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the Humboldt County Planning Commission certified a Final Environmental Impact Report for an earlier version of the project in 1992 (SCH 92-033035); and

WHEREAS, the Humboldt County Planning Commission certified Final Supplemental Environmental Impact Reports for earlier versions of the project in 2005 and 2008 (SCH 92-033035); and

WHEREAS, the Humboldt Planning Commission certified a third Final Supplemental Environmental Impact Report (FSEIR) for the project on January 3, 2013 (SCH #2012082108); and

WHEREAS, the Humboldt County Planning Commission has approved numerous Addendums prepared in concert with prior modifications to these permits.

WHEREAS, the Mendocino County Planning Commission has approved several Mitigated Negative Declarations during approval of discretionary permits for use of the Cooks Valley Campground (Bowman) property during special events; and

WHEREAS, in conjunction with review of the current requests to renew and modify the Use Permits, a Draft Initial Study and Mitigated Negative Declaration have been prepared and processed in compliance with CEQA; and

WHEREAS, both the Draft Mitigated Negative Declaration have been reviewed and considered by the Planning Commission; and

WHEREAS, on **May 18, 2023** the Humboldt County Planning Commission held a duly noticed public hearing during which the Planning Commission reviewed, considered, and discussed the applications for the Use Permit renewals and modifications and reviewed and considered all evidence and testimony presented at the hearing; and

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

1. FINDING:

Project Description: A five-year renewal and modification of two previously approved Conditional Use Permits, which have historically authorized use of French's Camp and Dimmick Ranch for musical events ordinarily held between May and October. All events feature live music, camping and various vendors, including cannabis-related concessions and consumption within discrete areas on the properties. The County Line Ranch and Cooks Valley Campground span both Humboldt and Mendocino Counties and will serve as the principal venue for all events.

One Use Permit (PLN-2023-18107) is being requested by the Northern Nights Music Group to allow temporary use of County Line Ranch (APN 033-271-033) for two annual events. One event includes camping and parking at the County Line Ranch during a three or four-day, 8,000-person event, ordinarily held on the third weekend of July, known as the Northern Nights Music Festival. The applicant is seeking to expand this event to 10,000 persons. The second event includes entertainment, camping and parking provisions for an additional one-day, 3,000-person event ordinarily held on a weekend in either July or September. The applicant is seeking to expand this event to two (2) days and 5,000 persons.

The other Use Permit (PLN-2023-18108) is being requested by the Mateel Community Center to allow two events annually in a similar size, location, and fashion. One event is the Summer Arts and Music Festival which occurs over two days and is ordinarily held during the third weekend in June. The event was first operated at the County Line Ranch in 2022 and the applicant is seeking to increase attendance from 4,000 to 5,000 persons under the modification request. The second event is Reggae on the River, which ordinarily occurs over three days and is held during the first weekend in August. The Reggae on the River event has not occurred since 2018 and is planned to be held annually beginning in 2024. The event will not be held in 2023. The applicant is seeking to expand attendance at this event to 8,000 persons.

If approved, the term of both permits would be extended through 2027 and a total of four (4) events could be held annually in the Cooks Valley area. The applicants seek flexibility to conduct the four (4) events at any time during the event season (May thru October) with no two events occurring concurrently.

EVIDENCE: a) Project Files: PLN-2023-18107 & PLN-2023-18108

2. FINDING:

CEQA. The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the previous environmental documents that were previously prepared, approved, considered, and certified, during approval and modifications to prior permit requests (CUP-15-91, CUP-24-97, CUP-04-38, and CUP-12017) including:

- The Initial EIR and MND (SCH #1992-033035)
- 1st and 2nd Supplemental EIR's (SCH #1992-033035)
- 3rd Supplemental EIR (SCH #2012082108)
- Eight (8) Addendums prepared during prior permit modifications

The Humboldt County Planning Commission has also considered the most recent Initial Study and Mitigated Negative Declaration which has been prepared in conjunction with the current requests to extend the term and modify the two Conditional Use Permits (PLN-2023-18107 & PLN-2023-18108)

- EVIDENCE:**
- a) Renewal and modification of the Conditional Use Permits is discretionary in nature and constitutes a "project" subject to compliance with the California Environmental Quality Act ("CEQA"). Substantial evidence supports the conclusion that there will be no significant adverse effects on the environment, based upon the Lead Agency's independent judgment and analysis.
 - b) An Initial Study and Mitigated Negative Declaration (IS/MND) has been prepared in association with the current requests, in compliance with CEQA. The project includes a variety of operational commitments, restrictions, and mitigation measures designed to ensure that all potential impacts will either be avoided or reduced to less than significant levels, as documented in the Initial Study/Mitigated Negative Declaration. Based on the whole of the record there is no substantial evidence that the project will have a significant impact on the environment and the Mitigated Negative Declaration and Addendum reflects the county's independent judgement and analysis.

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
- The Planning Commission adopts the Mitigated Negative Declaration dated April 17, 2023, as required by Section 15074(b) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment.

Adopted after review and consideration of all the evidence on **May 18, 2023**.

The motion was made by COMMISSIONER Brian Mitchell and second by COMMISSIONER Thomas Mulder and the following ROLL CALL vote:

AYES: COMMISSIONERS: Iver Skavdal, Noah Levy, Thomas Mulder, Peggy O'Neill,
Brian Mitchell

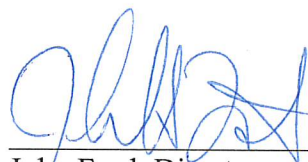
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Sarah West, Lonyx Landry

ABSTAIN: COMMISSIONERS:

DECISION: Motion Carries 5/0/2

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