

**DRAFT RESOLUTION – OPTION B
(DENIAL)**

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

Resolution Number: 22-

Record Number: PLN-11734-SP

Assessor's Parcel Number: 221-111-028

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Merry Whether Farms, LLC, Special Permit request.

WHEREAS, Merry Whether Farms, LLC, submitted an application on December 9, 2016, for a Special Permit for 9,950 square feet (SF) of existing outdoor cannabis cultivation and a proposed 995 SF nursery; 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 Special 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:

- 1. FINDING** **Project Description:** Special Permit for 9,950 square feet (SF) of existing outdoor cannabis cultivation and a proposed 995 SF nursery.

EVIDENCE a) Project File: PLN-11734-SP

- 2. FINDING** **CEQA.** The project is statutorily exempt from the California Environmental Quality Act (CEQA).

EVIDENCE a) Section 15270 of the CEQA Guidelines (Projects Which Are Disapproved).

FINDINGS FOR SPECIAL PERMIT

- 3. FINDING** Sufficient evidence was not provided to support a finding that the project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE a) Sufficient evidence was not provided by the applicant to demonstrate the project would not impact nearby sensitive habitats or species, including NSO.

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 Merry Whether Farms, LLC, based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on December 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