



**FINDINGS FOR CONDITIONAL USE PERMIT & SPECIAL PERMIT**

**3. FINDING**

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

**EVIDENCE**

Information necessary to determine consistency with the ordinance has not been submitted. Request for additional information was sent to the applicant's agent on July 27, 2021, and then to the applicant on August 16, 2021. No response was received. An email was sent to the applicant on September 13, 2022, to see if the applicant wanted to continue moving the project forward or if they would like to withdraw, and no response was received.

On October 13, 2022, the assigned planner had a phone conversation with the applicant to let them know that this project needs a Well Assessment Report in order to analyze the well for potential hydrologic connectivity to surface waters and to determine if its use for the project would result in impacts to nearby surface waters. On November 18, 2022, a follow up email was sent to the applicant to let them know that if no response was received in regards to whether they wanted to continue moving the project forward in the application process or if they would like to withdraw the application, a 30-day deficiency letter would be sent and the application may be denied. No response was received.

On December 14, 2022, a 30-day deficiency letter was sent to the applicant giving 30 days to submit additional requested items for the project. No response has been received.

**4. FINDING**

The 34,500 sq. ft. of existing outdoor cannabis cultivation and 3,488 sq. ft. of ancillary propagation and the conditions under which it may be operated or maintained could be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE**

The applicant has not provided sufficient evidence to support the continued use of the well for cannabis irrigation to show that its use will not divert surface waters and would not result in impacts to nearby surface waters.

**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 & Special Permit for Enchanted Springs Inc., based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on March 2, 2023.

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.

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John Ford, Director  
Planning and Building Department