

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

Resolution Number: 23-082

Records Number: PLN-11892-CUP

Assessor's Parcel Number: 108-023-008

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Big River Farm, LLC Conditional Use Permit and Special Permit.

WHEREAS, Big River Farm, LLC submitted an application on December 15, 2016, for a Conditional Use Permit for 22,000 square feet of pre-existing outdoor commercial cannabis cultivation, and a Special Permit for setback reduction to public lands; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on September 21, 2023, and reviewed, considered, and discussed the application for a Conditional Use Permit and 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:

FINDING: **Project Description:** A Conditional Use Permit for 22,000 square feet of pre-existing outdoor commercial cannabis cultivation, and Special Permit for setback reduction to public lands.

EVIDENCE: Project File: PLN-11892-CUP

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 ALL PERMITS

3. FINDING The proposed cannabis operation would be detrimental to the public health, safety and welfare, and is in conflict with the General Plan.

EVIDENCE a) Public comments have been received indicating criminal and dangerous activity have occurred and continue to occur on the site, including a gun fight on the subject property on or around November 2018.

b) There is no evidence presented that the approval of this use would not be detrimental to the public health, safety, and welfare.

c) The manner in which the site had been graded had potential for sedimentation and the construction of green housed over the property line onto BLM property shows a past practice of not complying with regulations.

d) The BLM property to the South is potential habitat for Northern Spotted Owl. The General Plan calls for protection of listed species

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

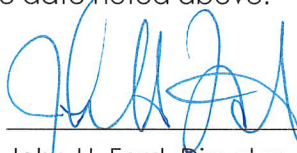
- Adopt the findings set forth in this resolution; and
- Denies the Conditional Use Permit and Special Permit for Big River Farms, LLC based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on September 21, 2023.

The motion was made by COMMISSIONER Brian Mitchell and second by COMMISSIONER Peggy O'Neill and the following ROLL CALL vote:

AYES:	COMMISSIONERS:	Noah Levy, Thomas Mulder, Peggy O'Neill, Brian Mitchell
NOES:	COMMISSIONERS:	Iver Skavdal, Lonyx Landry, Sarah West
ABSENT:	COMMISSIONERS:	
ABSTAIN:	COMMISSIONERS:	
DECISION:		Motion carries 4/3

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 H. Ford, Director
Planning and Building Department