

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

Resolution Number: 23-

Records Number: PLN-13201-CUP

Assessor's Parcel Number: 522-175-004

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Enchanted Springs Inc. Conditional Use Permit.

WHEREAS, Enchanted Springs Inc., submitted an application on December 30, 2016 for a Conditional Use Permit for 1-acre pre-existing cannabis cultivation; and

WHEREAS, the applicant was generally unresponsive to requests for information necessary to review and analyze the proposed application; 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 **January 5, 2023**, and reviewed, considered, and discussed the application for a Conditional Use 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:

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| 1. FINDING | Project Description: The denial of a Conditional Use Permit for 1-acre of pre-existing outdoor cannabis cultivation. |
| EVIDENCE | Project File: PLN-13201-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 | Section 15270 of the CEQA Guidelines |
| FINDINGS FOR CONDITIONAL USE 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 information was sent to the applicant on August 24, 2017, and a secondary request was sent on October 12, 2018 and the County received no response, which led to a 30-day Deficiency letter being sent to the applicant on October 12, 2022, stating that if the information requested in the Deficiency letter was not submitted within 30 days of the letter, the application would be denied. No response has been received. |

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 for Enchanted Springs Inc., based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on January 5, 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.

John Ford, Director
Planning and Building Department