

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

Resolution Number 23-

Record Number PLN-18086-CUP

Assessor's Parcel Numbers: 507-261-020

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves JBL Ventures LLC Conditional Use Permit

WHEREAS, JBL Ventures LLC provided an application and evidence in support of approving a Distribution operation within an existing structure.

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

- 1. FINDING** Conditional Use Permit to add distribution to a previously approved cannabis operation. Project is located within 1,000 feet of an incorporated city. Previously approved uses per PLN-11968-CUP include 10,000 square feet of indoor commercial cannabis cultivation, a 2,800 square foot nursery, and 2,250 square feet of on-site processing. The added distribution use will occur within existing buildings so the project footprint is not changing. Power is provided through enrollment in PGE's Repower+ program. Water is provided by McKinleyville CSD, and wastewater through an onsite sewage disposal system.

EVIDENCE a) Project File: PLN-18086-CUP

- 2. FINDING** **CEQA:** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Planning Commission has considered the Final Environmental Impact Report previously adopted for the Commercial Cannabis Land Use Ordinance as well as the addendum to the that was prepared for the JBL Ventures LLC project pursuant to Section 15164 of the CEQA guidelines.

EVIDENCE a) Addendum Prepared for the proposed project.
b) The parcel takes access from a paved, publicly maintained category 4 road.
c) No new ground disturbance is proposed.
d) Distribution will occur within existing structure.

FINDINGS FOR CONDITIONAL USE PERMIT

- 3. FINDING** The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.

EVIDENCE a) The parcel has a designation of Industrial General. The proposed project is not located within an Open Space Action Program because the project site is not planned or zoned as open space, does not have a combining zone that would be considered open space, and there are no other open space general plan or zoning code overlays affecting this project.

4. FINDING The proposed development is consistent with the purposes of the existing Heavy Industrial (ML) zone in which the site is located.

EVIDENCE a) The addition of distribution activities to the approved indoor cannabis cultivation operation is considered a similar and compatible use allowable with a Conditional Use Permit.

b) The location of all project elements meets the setback requirements for the ML Zone.

5. FINDING The proposed development is consistent with the requirements of the CCLUO provisions of the Zoning Ordinance.

EVIDENCE a) The CCLUO allows distribution to be permitted in areas zoned ML (HCC 314-55.4.7.1).

b) The parcel was created in compliance with all applicable state and local subdivision regulations. The subject parcel has been determined to be one legal parcel created through and approved Lot Line Adjustment (Record of Survey, Book 507, Pages 26 recorded July 1989).

c) The project will obtain water from a community service district.

d) The parcel is accessed from a publicly maintained, paved, category 4 road.

e) No ground disturbance is proposed.

f) The modified operation occurs within an enclosed setting.

6. FINDING The commercial cannabis operation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE a) The project parcel takes access from a category 4 road.

b) The proposed project will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park, or other use which may be sensitive to cannabis cultivation. Continuing cultivation on this site will not change the character of the area due to the historic and current uses in the area.

c) The location of the proposed cannabis operation is in an enclosed building.

- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

7. FINDING

The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

8. FINDING

Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE

- a) This project is not for cultivation and is therefore not subject of Resolution 18-43.

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
- Conditionally approves the Conditional Use Permit for **JBL Ventures LLC** subject to the conditions of approval attached hereto as Attachment 1A and the Cultivation Operations Plan attached hereto as Attachment 1B and Site Plan attached hereto as Attachment 1C.

Adopted after review and consideration of all the evidence on **July 20, 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 H. 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