



COUNTY OF HUMBOLDT

For the meeting of: 7/20/2023

File #: 23-1037

To: Planning Commission
From: Planning and Building Department
Agenda Section: Consent

SUBJECT:

JBL Ventures LLC Conditional Use Permit
Assessor Parcel Numbers (APN) 507-261-020
Record No.: PLN-2023-18086
Arcata area

Conditional Use Permit to add distribution to a previously approved cannabis operation 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.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 23-__). (Attachment 1) which does the following:
 - a. Finds that the Planning Commission has considered the Final Environmental Impact Report for the Commercial Cannabis Land Use Ordinance and the Addendum that was prepared for the JBL Ventures LLC project); and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Conditional Use Permit subject to the recommended conditions of approval (Exhibit A); and
 - d. Approves the Cultivations Operations Plan (Attachment 1B) and Site Plan (Attachment 1C).

DISCUSSION:

Project Location:

The project is in Humboldt County, in the Arcata area, on the North side of Boyd Road, approximately

0.52 miles East from the intersection of Giuntoli Lane and Boyd Road, on the property known as 5208 Boyd Road.

Present General Plan Land Use Designation:

Industrial General (IG) 2017 General Plan; Density: Unidentified; Slope Stability: Relatively Stable (0).

Present Zoning:

Limited Industrial (ML).

Environmental Review:

An Addendum to a previously adopted Final Environmental Impact Report has been prepared for consideration per §15164 of the State CEQA Guidelines.

State Appeal:

Project is NOT appealable to the California Coastal Commission.

Major Concerns:

None.

Executive Summary:

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.

The Conditional Use Permit also clarifies that harvested cannabis produced by the same owner operator at a second cultivation facility in the City of Eureka (Eureka City Permit No. CLR-22-0055 and State License No. CCL-21-0006) may be processed in the previously approved ancillary processing area. No third-party cannabis may be processed in the ancillary processing facility.

Water Resources:

Water source and annual water usage is unchanged by addition of the distribution facility as the number of employees has not changed. Water is sourced from the McKinleyville Community Service District.

Biological Resources:

The California Natural Diversity Database indicates the potential presences of a ranked plant Eulachon (*Thaleichthys pacificus*) within the vicinity. However, this project site is mostly paved and contains existing buildings. The project footprint is not changing and no ground disturbance is proposed. Therefore, staff concluded there is little to no risk of significant impact to any sensitive communities or

species.

Energy:

Energy continues to be provided by PGE through an eligible renewable energy program such as Repower+.

Access:

Access to the parcel is taken from Boyd Road, a publicly maintained category 4 paved road with a centerline stripe. Consultation with Public Works determined that re-referral was not needed because there is no substantial change to the use of the road. The distribution and additional processing will result in approximately six to nine additional trips to the site per year.

The number of employees at peak operation is not changing and remains at fifteen. Adequate parking is provided.

Geologic Suitability:

The project parcel is mapped in the County GIS as relatively stable. The site is generally flat with slopes between 0% and 15%. The proposed distribution facility will occur in an existing building and no grading is proposed.

Timber Conversion:

No timberland conversion is associated with this project. The CalFire referral responded with no comments. The project footprint is not changing and is located on an existing industrial site with no timber resources.

Security and Safety:

Per the originally approved project, the site has a fence and door to the building are lockable. The building also has an alarm system. The project site is served by the Arcata Fire Protection district which did not comment on the project.

Tribal Consultation:

The project is within the historic aboriginal territory of the Bear River Band of the Rohnerville Rancheria, the Blue Lake Rancheria, and the Wiyot Tribe. The project was referred to all three tribes. Bear River and Wiyot requested the standard inadvertent discovery protocol which has been incorporated into the project as a condition of approval (**Condition of Approval C1**).

Consistency with Humboldt County Board of Supervisors Resolution No. 18-43:

The Conditional Use Permit is for distribution and is therefore not subject to the Resolution 18-43.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval. (Attachment 5)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect to add or delete conditions of approval. The Planning Commission could deny approval if unable to make all the required findings. Staff has concluded the required findings in support of the proposal can be made. Consequently, staff does not recommend further consideration of these alternatives.

ATTACHMENTS:

1. Resolution
 - A. Conditions of Approval
 - B. Cultivation Operations Plan
 - C. Site Plan
2. Location Maps
3. CEQA Addendum
4. Applicant's Evidence in Support of the Required Findings
5. Referral Agency Comments and Recommendations

Applicant

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