

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

**Resolution Number: 23-**

**Records Number: PLN-12170-ZCC**

**Assessor's Parcel Number: 210-051-064**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and approving the Happy Valley Farms, Inc. Zoning Clearance Certificate.**

**WHEREAS, Happy Valley Farms, Inc.** submitted an application on December 21, 2016 for a Zoning Clearance Certificate for 2,500 square feet of pre-existing Outdoor cannabis cultivation; and

**WHEREAS,** the County prepared an Addendum to the Final Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO), adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not represent substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented, as described by §15162(c) of the CEQA guidelines; and

**WHEREAS,** the Humboldt County Planning Commission held a duly-noticed public hearing on **August 17, 2023**, and reviewed, considered, and discussed the application for a Zoning Clearance Certificate 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:

- 1. FINDING:**                   **Project Description:** Approval of a Zoning Clearance Certificate for 2,500 square feet of pre-existing Outdoor commercial cannabis cultivation. Irrigation water is sourced from one permitted groundwater well that has been analyzed to be hydrologically disconnected from surface waters. Annual water use is approximately 25,000-gal. and is stored in 180,000-gal. of existing storage, with an additional 35,000-gal. of storage to be added via approved grant finding. Power is provided by a 6-kilowatt (kW) solar array with a generator used as backup. Maximum of 5 employees will support operations.

**EVIDENCE:**                   Project File: PLN-12170-ZCC

- 2. FINDING:**                   **CEQA.** The requirements of the California Environmental Quality Act have been complied with.

**EVIDENCE:**   a)   The County prepared an Addendum to the Final Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO), adopted by the Humboldt County Board of

Supervisors on January 26, 2016. The proposed project does not represent substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented, as described by §15162(c) of the CEQA guidelines.

### **FINDINGS FOR ZONING CLEARANCE CERTIFICATE**

#### **3. FINDING**

The proposed development is consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.

#### **EVIDENCE**

- a) General agriculture is a use type permitted in the Residential Agriculture (RA) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
- b) The proposed project is not located within any riparian setbacks or streamside management areas.

#### **4. FINDING**

The continued operation of the pre-existing cannabis cultivation site and the conditions under which it may be operated or maintained would be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

- a) All access roads on the property shall be maintained in compliance with the State Water Resources Control Board Order WQ 2019-0001-DWQ, which states that all access roads are to be hydrologically disconnected to receiving waters. To ensure that roads meet this condition, the applicant shall implement the erosion control measures outlined in the SMP that address undersized culverts and maintenance of rocked fords.
- b) The site is in a rural part of the County where the typical parcel size is over 20 acres, and many of the land holdings are very large. The proposed cannabis 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. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.

#### **5. 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.

The project site is in the Van Duzen Watershed, which under Resolution 18-43 is limited to 425 permits and 146 acres of cultivation. With the approval of this project the total approved permits for cultivation in this Planning Watershed would be 123 permits and the total approved acres would be 42.91 acres of cultivation.

**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 approve the Conditional Use Permit (PLN-12170-ZCC) and Special Permit for Happy Valley Farms, Inc. based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and
- Adopted after review and consideration of all the evidence on August 17, 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