

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on April 18, 2023

Resolution No. 23-_____

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT ACCEPTING THE ZONING TEXT AMENDMENT PETITION APPLICATION CASE NUMBER PLN-2022-18016

WHEREAS, the Planning and Building Department is initiating a text amendment to the CCLUO to allow indoor cultivation in MB zones in the inland area as identified in Project File Number PLN-2022-18016 which was originally brought forward by a property owner; and

WHEREAS, Section 312-50.2 of the Humboldt County Code allows the Board of Supervisors to initiate, grant, deny, or modify proposed amendments to Zoning Regulations; and

WHEREAS, Section 312-50.5.2 Humboldt County Code requires that the petition demonstrate that the change be in the public interest and consistent with the General Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Humboldt County Board of Supervisors that the following findings are hereby made:

FINDINGS FOR TEXT AMENDMENT PETITION

1. FINDING The petition for a text amendment to the CCLUO to allow cannabis cultivation in the MB (Business Park) Zoning District is in the public interest.

- EVIDENCE**
- a) There is a market for indoor cannabis and proving appropriate locations for indoor cannabis cultivation will create opportunities without negative environmental effects.
 - b) Access to business parks is from paved roads meeting category 4 standards. Allowing cultivation in MB zones would not result in a substantive change to the number of potential vehicles trips occurring because cultivation is similar to other allowed cannabis and non-cannabis uses regarding the number of employees.
 - c) Business parks are also typically already served with adequate PG&E power connections.

- d) Enabling additional location options for cannabis cultivation would likely help cultivators adapt to evolving market conditions.
- e) If adopted, this text amendment would benefit all inland MB zoned parcels, not just the applicant.

2. FINDING The petition is consistent with the General Plan.

- EVIDENCE**
- a) For the CS use type, indoor cultivation would fall under a similar compatible use (Land Use Element Table 4-C, pg. 4-3). Indoor cultivation could be considered a similar compatible use because it has fewer impacts than heavy commercial uses, which are allowed under the CS designation. Heavy commercial uses include activities such as transfer, storage, or processing of used, scrap or waste materials, including automobile wrecking, the sales, storage of building materials, construction and agricultural equipment, kennels, and animal hospitals.
 - b) Indoor cultivation would not impact nor be impacted by adjacent heavy commercial uses.
 - c) Other cannabis uses such as nurseries are considered compatible with the CS designation.

3. FINDING The proposed amendment does not reduce the residential density for any parcel below the inventory adopted in the housing element.

- EVIDENCE**
- a) Allowing indoor cultivation in MB zones would not affect any current housing inventories nor would change eligibility criteria for housing development currently allowed in MB zones.

4. FINDING The text amendment petition is consistent with CEQA.

- EVIDENCE**
- a) The text amendment petition is not a project as defined in Section 21065 of the Public Resources Code and is not subject to CEQA.

BE IT FURTHER RESOLVED that based on the above findings, the Board of Supervisors accepts the Evergreen Exotics Zoning Text Amendment petition, Case No. PLN-2022-18016.

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to provide notice of this decision to all interested parties.

Steve Madrone, Chair

Adopted on motion by Supervisor seconded by Supervisor and the following vote:

AYES: Supervisors:
NOES: Supervisors:
ABSENT: Supervisors:
ABSTAIN: Supervisors:

STATE OF CALIFORNIA)
) ss.
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have
hereunto set my hand and affixed the Seal of
said Board of Supervisors

NIKKI TURNER

Deputy Clerk of the Board of Supervisors of
the County of Humboldt, State of California
