BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of August 13, 2024

RESOLUTION NO. 24 –

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT DENYING THE GENERAL PLAN AMENDMENT AND ZONE RECLASSIFICATION PETITION; APN 217-252-002; CASE NUMBER PLN-2024-18952

WHEREAS, Section 65358 of the State Government Code allows the Board of Supervisors to amend the General Plan up to four times in any calendar year;

WHEREAS, Section 3.4 of Humboldt County General Plan specifies that a petition for amendment of this Plan may be accepted for processing upon the Board of Supervisors making one or more of the following findings:

A. Base information or physical conditions have changed; or
B. Community values and assumptions have changed; or
C. There is an error in the plan; or
D. To maintain established uses otherwise consistent with a comprehensive view of the plan; or
E. The proposed amendment has the potential for public benefit and is consistent with the Guiding Principles and applicable goals of the Plan.

WHEREAS, Section 312-50.6 of Humboldt County Code specifies that petitions for amendment of the Zoning Regulations may also be initiated in conjunction with a petition for a General Plan Amendment; and

WHEREAS, Section 312-50.4 Humboldt County Code allows a property owner to petition the Board of Supervisors to initiate a zone reclassification; and

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

WHEREAS, the property owner has submitted an application requesting a plan amendment and zone reclassification for properties as identified in Project Case Number PLN-2024-18952; and

WHEREAS, Planning and Building Department, Planning Division, staff have received information and evidence from the applicant in support of the project and the required findings, and the evidence received within the planning files is insufficient to support the findings required to amend the General Plan designation of the property to facilitate

development of a cannabis-centered resort-type development offering accommodations and services for guests; 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, denial of the petition for zone reclassification and general plan amendment is not a project as defined in Section 21065 of the Public Resources Code and is not subject to CEQA.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Humboldt County Board of Supervisors that the following findings are hereby made; and

FINDINGS FOR DENYING THE GENERAL PLAN & ZONE RECLASSIFICATION PETITION			
1.	**FINDING:**		The General Plan Amendment petition is consistent with one or more of the General Plan's required findings and criteria for amendments: A. Base information or physical conditions have changed; or B. Community values and assumptions have changed; or C. There is an error in the plan; or D. To maintain established uses otherwise consistent with a comprehensive view of the plan; or E. The proposed amendment has the potential for public benefit and is consistent with the Guiding Principles and applicable goals of the Plan. The Applicant submitted a letter (Attachment 3) requesting a General Plan Amendment and Zone Reclassification. The following information supports the findings above.
	EVIDENCE:	a)	B - The property owner wishes to develop a commercial cannabis farm as a resort-type destination for visitors interested in comfortably experiencing cannabis cultivation and consumption in an authentic rural setting. A variety of recreational experiences are also planned to be offered to guests together with food and spa services. At this time, the

			General Plan and Inland Zoning Regulations do not provide many pathways for proposals of this scale and sort. Primarily for this reason, a change in the zoning and land use of the site is being requested.
		b)	E/F - The proposed amendment has the potential for public benefit through job creation and helping support and showcase cannabis culture in this region of the county. It is also consistent with the Guiding Principles and applicable goals of the Plan as it is in the public interest to facilitate agricultural tourism in cannabis growing regions.
		c)	F - One of the General Plan's Guiding Principles includes "support (of) the County's economic development strategy and efforts to retain and create living-wage job opportunities". The applicant anticipates that the project will create high-quality job and career opportunities related to management and operation of the proposed commercial cannabis operation and resort.
2.	**FINDING:**		There is factual evidence that the petition for general plan amendment and zone reclassification is **not** in the public interest.
	EVIDENCE:	a)	Amending the General Plan and Zoning will allow the potential permitting of a commercial cannabis farm that will dual as a resort-type destination. The proposed amendment has the potential for public benefit through job creation and helping showcase cannabis culture in this region of the county. Tourism of this sort raises the profile of the county's commercial cannabis industry and can help it stabilize and flourish in the years to come.
		b)	The singular nature of the proposed mapping amendments are problematic as they would result in "spot zoning" (i.e. the creation of a single parcel with land use and zoning different from all adjoining lands) creating potential incompatibility with neighboring lands exclusively planned and zoned for agricultural uses.

3.	**FINDING:**		The petition for an amendment of the County's zoning maps is **not** consistent with the General Plan.
		a)	The singular nature of the proposed mapping amendments are problematic as they would result in "spot zoning" (i.e. the creation of a single parcel with land use and zoning different from all adjoining lands) creating potential incompatibility with neighboring lands exclusively planned and zoned for agricultural uses.
		b)	The closest nearby lands with matching land use and zoning (RA/FR) are part of the Larabee Creek Ranch, which lies on the west side of Alderpoint Road approximately ¾ of a mile west of the parcel targeted for rezoning.
		c)	The majority of adjoining parcels lie within agricultural preserves under Williamson Act contracts for land conservation.
		d)	The proposal conflicts with 'No Net Loss' policies of the General Plan designed to discourage and prevent lands planned or zoned Agriculture Exclusive (AE) from being converted to non-agricultural uses.
4.	**FINDING:**		The amendments are **not** appropriate for the next scheduled update of the General Plan.
	EVIDENCE:	a)	For the reasons outlined above, it is appropriate to deny the current petition request at this time and not delay further action on the matter.

BE IT FURTHER RESOLVED that based on the above findings, the findings in the staff report, evidence in the file for the project, and public testimony received on the project, the Board of Supervisors denies the Twinkle Acres General Plan Amendment and Zone Reclassification petition as recommended by the Planning and Building Department, Project Case No. PLN-2024-18952.

IT IS FURTHER PROCLAIMED AND ORDERED that the Clerk of the Board is directed to provide notice of this decision to all interested parties.

Dated:_____

_____
Supervisor Rex Bohn, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor_____, Seconded by Supervisor _____, and the following vote:

AYES: Supervisors: --
NAYES: Supervisors: --
ABSENT: Supervisors: --
ABSTAIN: Supervisors: --
STATE OF CALIFORNIA
County of Humboldt

I, Tracy Damico, 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