RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT

Resolution Number: 25-

Record Number: PLN-12990-CUP
Assessor's Parcel Number: 221-071-020

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Humboldt Sanctuary Farm, LLC Conditional Use Permit.

WHEREAS, Humboldt Sanctuary Farm, LLC provided an application and evidence in support of approving a Conditional Use Permit for 28,500 square feet of existing outdoor commercial cannabis cultivation with onsite relocation supported by a 1,900 square foot ancillary nursery; and

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

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on March 20, 2025 and reviewed, considered, and discussed the application for a Conditional Use Permit and 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:** A Conditional Use Permit for 28,500 square feet of existing outdoor commercial cannabis cultivation supported by a 1,900 square foot ancillary nursery. Estimated annual water usage is 300,000 gallons and is sourced from rainwater catchment. Water storage consists of an approximately 600,000-gallon pond and 9,900 gallons in tanks. Onsite processing is proposed, and electricity is provided by solar and generators. The project is conditioned to transition to renewable energy by January 1, 2026, reserving generator use for emergencies only. The project includes onsite relocation and restoration.

   EVIDENCE: a) Project File: PLN-12990-CUP

2. FINDING: **CEQA.** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance as well as the Addendum to the Mitigated Negative Declaration that was prepared for the project pursuant to Section 15164 of the CEQA guidelines.

EVIDENCE:

a) Addendum prepared for the proposed project.

b) The proposed project does not present 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 section 15162(c) of CEQA Guidelines.

c) The project is conditioned to demonstrate compliance with the State Water Board Cannabis General Order for Waste Discharge by providing a copy of the Notice of Applicability and a Site Management Plan.

d) The nearest mapped Northern Spotted Owl activity centers are (HUM0976) approximately 2.2 miles to the north and (HUM0699) approximately 3 miles to the west. The proposed project will utilize the pre-existing disturbed areas created prior to baseline. The project has been conditioned to ensure supplemental lighting associated with the nursery adheres to Dark Sky Association standards including security lighting. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect the northern spotted owl or other sensitive species.

e) A review of the California Natural Diversity Database indicates the likely presence of the Giant Fawn Lily (*Erythronium oregonum*) a rare, ranked plant. A survey conducted by a qualified professional determined that the Giant Fawn Lily is not present in the cultivation areas.

f) A Road Evaluation Report prepared by an engineer concludes the route leading to the subject parcel can accommodate expected traffic if certain improvements are made according to project conditions.

g) The continued cultivation of commercial cannabis will not result in a net timber conversion.

h) Consultation with the Bear River Band of the Rohnerville Rancheria resulted in the standard inadvertent discovery protocol as a condition of approval.

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) 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.

4. FINDING: The proposed development is consistent with the purposes of the existing Unclassified Zone (U) zone in which the site is located.

EVIDENCE:

a) The Unclassified Zone (U) zone is intended to be applied to areas of the County that have not been sufficiently studied to justify precise zoning classifications.

b) General agriculture is a principally permitted use in the Unclassified (U) zone.

c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis cultivation and up to 22,000 square feet of existing mixed-light commercial cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 28,500 square feet of existing outdoor commercial cannabis cultivation on a 57-acre parcel is consistent with this and with the cultivation area verification conducted by staff.

d) All cultivation is at least 30 feet from all property lines and there are no public parks, churches, school bus stops or other sensitive receptors within 600 feet of the cultivation areas.

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

EVIDENCE:

a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Unclassified (U) (HCC 314-55.4.8.2.2).

b) The parcel was created in compliance with all applicable state and local subdivision regulations as certified in the Certificate of Subdivision Compliance (2023-001750) February 7, 2023.

c) The project will obtain water from rainwater catchment, an eligible water source. The applicant has provided a rainwater catchment analysis demonstrating sufficient irrigation water can be collected in a low rainfall year.

d) A Road Evaluation Report conducted by an engineer found the access roads can accommodate the expected traffic if recommended improvements are made according to the permit conditions.

e) The slope of the land where existing cannabis will be cultivated is 0% to 30%. No new grading will occur.

f) The continued cultivation of cannabis will not result in the net conversion of timberland.

g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING: The continued cultivation of 28,500 square feet of existing cannabis cultivation 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 site is located on road that has been found to safely accommodate the amount of traffic generated by the proposed cannabis cultivation if recommended improvements are made

consistent with project conditions.

b) The site is in a rural part of the County where the typical parcel size is over 40 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.

c) Irrigation water will come from rainwater catchment, an eligible water source.

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) The project site is in the South Fork Eel Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this Conditional Use Permit, the total approved permits in this Planning Watershed would be 305 permits and the total approved acres would be approximately 89.18 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 approves the Conditional Use Permit for Humboldt Sanctuary Farm, LLC subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **March 20, 2025**.

The motion was made by COMMISSIONER _____and second by COMMISSIONER _____ and the following 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