

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

Resolution Number 25-005

Record Number PLN-2023-18206

**Assessor's Parcel Numbers: 223-311-010, 223-311-011, 223-311-012, 223-311-043,
223-311-035, 223-311-030, and 223-311-029. 033-041-039 and 033-160-002**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves Benbow Properties Zone Reclassification.

WHEREAS, Evergreen Exotics, LLC., provided an application and evidence in support of approving a zone reclassification to adopt an Indoor Cultivation Q – Qualified Combining Zone affecting seven parcels within the Redway Business Park as well as an ordinance amendment for a text change to the Commercial Cannabis Land Use Ordinance to allow indoor commercial cannabis cultivation in Business Park (MB) zones in the inland area of the county that are within the Indoor Cultivation Q- Qualified Combining Zone; and

WHEREAS, the application was reviewed by referral agencies and County departments; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on February 6, 2025 to receive other evidence and testimony; and

WHEREAS, the Planning Commission has reviewed and considered said other written evidence and testimony presented to the Commission; and

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

- 1. FINDING:** **Project Description:** A zone reclassification to adopt an Indoor Cultivation Q – Qualified Combining Zone affecting seven parcels within the Redway Business Park as well as an ordinance amendment for a text change to the Commercial Cannabis Land Use Ordinance to allow indoor commercial cannabis cultivation in Business Park (MB) zones in the inland area of the county that are within the Indoor Cultivation Q- Qualified Combining Zone.

EVIDENCE: a) Project File: PLN-2023-18206

- 2. FINDING:** **CEQA.** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Planning Commission has considered the Environmental Impact Report

previously adopted for the Commercial Cannabis Land Use Ordinance as well as the Addendum to the Environmental Impact Report 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 Final Environmental Impact Report. 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 will not have one or more significant effects not discussed in the previous Environmental Impact Report section 15162(a)(3)(A).
 - d) Significant effects previously examined will not be substantially more severe than shown in the previous Environmental Impact Report section 15162(a)(3)(B).
 - e) No mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative section 15162(a)(3)(C).
 - f) No mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative section 15162(a)(3)(D).

FINDINGS FOR ZONE RECLASSIFICATION TEXT AMENDMENT

- 3. FINDING:** The proposed reclassification and ordinance amendment has the potential for public benefit.

- EVIDENCE:**
- a) As part of the Board of Supervisors Approval of the Zone Reclassification Petition on April 18, 2023, the Board found there was public interest because:

- There is a market for indoor cannabis and providing appropriate locations for indoor cannabis cultivation will create opportunities without negative environmental effects.
- 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 like other allowed cannabis and noncannabis uses regarding the number of employees.
- Business parks are also typically already served with adequate PGE power connections.
- Enabling additional location options for cannabis cultivation would likely help cultivators adapt to evolving market conditions.

4. FINDING: The proposed amendment and ordinance amendment is consistent with the Guiding Principles and applicable goals of the General Plan.

EVIDENCE: a) The zone reclassification is consistent with the General Plan because:

- For the Commercial Services (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.
- Indoor cultivation would not impact nor be impacted by adjacent heavy commercial uses.
- Other cannabis uses such as nurseries are considered compatible with the CS designation.

5. 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 subject to the Indoor Cultivation Q – Qualified Combining zone would not affect any current housing inventories nor would change eligibility criteria for housing development currently allowed in MB zones.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby recommend that the Humboldt County Board of Supervisors:

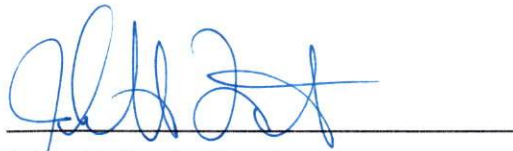
1. Adopt the necessary findings set forth in this resolution; and
2. Recommend that the Board of Supervisors adopt the draft Q Zone ordinance rezoning seven parcels, 223-311-010, 223-311-011, 223-311-012, 223-311-043, 223-311-035, 223-311-030, and 223-311-029 in the Redway Business Park with the Indoor Cultivation Q – Qualified Combining Zone; and
3. Recommend that the Board of Supervisors adopt the draft ordinance amending the Commercial Cannabis land use ordinance section 55.3.8.1.2 to allow indoor cultivation in Business Park (MB) zones with the Indoor Cultivation Q – Qualified Combining Zone.

Adopted after review and consideration of all the evidence on February 6, 2025

The motion was made by COMMISSIONER NOAH LEVY and second by COMMISSIONER PEGGY O'NEILL and the following vote:

AYES: Commissioners: Noah Levy, Thomas Mulder, Peggy O'Neill, Jerome Qiriaz, Iver Skavdal
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners: Lorna McFarlane
DECISION: Motion carried 5/0

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

ATTACHMENT 1A

Ordinance No. ____ Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Redway Area.

- Exhibit A: Map**
- Exhibit B: Legal Description**



**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT,
STATE OF CALIFORNIA**
Certified copy of portion of proceedings, Meeting on March ____, 2025

ORDINANCE NO. _____

AMENDING SECTION 311-7 OF THE COUNTY CODE
BY REZONING PROPERTY IN THE REDWAY AREA
[PLN-2023-18206 (Evergreen Exotics, LLC)]

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended by rezoning lands in the Redway area to add the Indoor Cultivation Q – Qualified Combining Zone to seven parcels, 223-311-010, 223-311-011, 223-311-012, 223-311-043, 223-311-035, 223-311-030, and 223-311-029 in the Redway Business Park. The area described is also shown on the Humboldt County zoning maps for the Redway area and on the map attached as Exhibit A.

SECTION 2. ZONE QUALIFICATION. The special restrictions and performance standards set forth herein are hereby made applicable to the property described in Section 1 in accordance with Humboldt County Code Section 312-50.3 (Required Findings for Amendments to Zoning Regulations and Zoning Maps).

SECTION 3. PURPOSE OF QUALIFICATION. The purpose of the special restrictions and performance standards applied to the property described in Section 1 are:

- a. To allow indoor commercial cannabis cultivation to occur within identified areas with the Business Park (MB) zone within the inland portion of the County of Humboldt in conjunction with a text amendment to the Commercial Cannabis Land Use Ordinance; and
- b. Ensure there is adequate water to serve commercial cannabis operations; and
- c. Ensure there is adequate electricity to serve commercial cannabis operations; and
- d. Ensure commercial cannabis operations are compatible with adjacent uses.

SECTION 4. SPECIAL RESTRICTIONS AND PERFORMANCE STANDARDS. The following standards apply to the processing of applications for indoor commercial cannabis cultivation under the Commercial Cannabis Land Use Ordinance (Ord. No. 2599). In addition to meeting the requirements and standards of Ordinance 2599, indoor commercial cannabis cultivation shall only be allowed on the properties described in Section 1 if the following criteria are met:

- a. Operators of indoor cannabis cultivation intending to use municipal water shall obtain a will-serve letter from the Redway Community Services District (RCSD).
- b. Water sourced from the RCSD for indoor cannabis cultivation shall not exceed 91,250 gallons (12,200 cubic feet) annually.
- c. To be able to demonstrate enough onsite water storage in the event of an RCSD Curtailment Order, operators of indoor cannabis cultivation shall demonstrate enough onsite water storage to forebear from the use of RCSD water for indoor cannabis cultivation from June 1st through October 31st.
- d. Water sourced from RCSD for cannabis cultivation irrigation shall be separately metered from other onsite property uses and activities.
- e. Operators of indoor cannabis cultivation who source water from the RCSD shall submit a Water Use and Storage Plan with their application to the County that includes the following:
 - i. Description of all existing or proposed onsite activities, businesses, etc., as applicable.
 - ii. Description of current service(s) and/or agreements with the RCSD.
 - iii. Description of typical monthly water usage of existing onsite activities, as applicable.
 - iv. Description of all water sources and projected monthly water demand for the indoor cannabis cultivation irrigation.
 - v. Projected monthly water demand for employees associated with proposed indoor cannabis cultivation (e.g., showers, bathrooms, etc.).
 - vi. Volume and type of proposed water storage.
 - vii. Description of how these Special Restrictions and Performance Standards will be met.

- f. In addition to the above limits, operators of indoor cannabis cultivation shall follow all water restrictions, limitations, curtailment orders, and conservation measures set by RCSD, including but not limited to the RCSD Commercial Agricultural Policy when formally adopted, revised, or amended by the RCSD.
- g. Operators of indoor cannabis cultivation using grid power shall demonstrate that the existing onsite power from Pacific Gas and Electric Company (PGE) is adequate for the proposed operation.
- h. Indoor cultivation occurring within the Indoor Cultivation Q – Qualified Combining Zone shall employ mechanical ventilation controls in concert with carbon filtration or other equivalent or superior method(s) minimizing the odor of cannabis outside of the structure. Ventilation controls must also regulate odor inside the structure if the structure has multiple units not occupied by indoor cultivation.

Section 5. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED, APPROVED, AND ADOPTED this _____ day of March ____, 2025 on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

 Chairperson of the Board of Supervisors of
 the County of Humboldt, State of California

(SEAL)

ATTEST:

Tracy Damico

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

Exhibit A: Map



Exhibit B: Legal Description

“Indoor Cultivation Q – Qualified Combining Zone” means and refers to the inland unincorporated area in the County of Humboldt that lies within the exterior boundaries of the reclassification area shown in Exhibit A: Map, of Ordinance No. _____.

ATTACHMENT 1B

Ordinance No. ____ Amending Section 314-55.4.8.1.2 of the Humboldt County Code by allowing indoor cultivation in Business Park Zones (MB) with the Indoor Cultivation Q – Qualified Combining Zone.



**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT,
STATE OF CALIFORNIA**
Certified copy of portion of proceedings, Meeting on March ____, 2025

ORDINANCE NO. _____

AMENDING SECTION 314-55.4.8.1.2 OF THE COUNTY CODE
BY ALLOWING INDOOR CULTIVATION IN BUSINESS PARK ZONES (MB)
WITH THE INDOOR CULTIVATION Q - QUALIFIED COMBINING ZONE.
[PLN-2023-18206 (Evergreen Exotics, LLC)]

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. TEXT AMENDMENT. The Commercial Cannabis Land Use Ordinance (CCLUO) – Inland Zone Ordinance No. 2599 is proposed to be amended as follows [changes are underlined]:

55.4.8.1.2. Within those zones specified under 55.4.6.2.1 (C-3, ML – MH, and U), MB with the Indoor Cultivation Q – Qualified Combining Zone, and C-2 as part of a microbusiness provided all cannabis activities occur within a building that is two-stories or less in height, cultivation area is limited to 2,500 square feet, and where the cultivation and cannabis activities are in scale with the surrounding community.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED, APPROVED, AND ADOPTED this _____ day of March ____, 2025 on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Chairperson of the Board of Supervisors of
the County of Humboldt, State of California

(SEAL)

ATTEST:

Tracy Damico

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