



COUNTY OF HUMBOLDT

For the meeting of: 3/18/2025

File #: 25-348

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Public Hearing

Vote Requirement: Majority

SUBJECT:

Revocation of 15 Permits Due to Unpaid Measure S Taxes and Planning Fees (PLN-11293, PLN-11394, PLN-11403, PLN-11404, PLN-11496, PLN-11535, PLN-11536, PLN-11537, PLN-11844, PLN-11967, PLN-12473, PLN-12647, PLN-12889, PLN-13245, PLN-15222)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Open the public hearing, receive, and consider the staff report and accept public comment; and
2. Close the public hearing; and
3. Adopt the resolutions (Attachment 1-15) which do the following:
 - a. Find the permits have been exercised contrary to the terms and conditions of approval; and
 - b. Revoke the 15 Permits per Section 312-14 of the Humboldt County Code.
4. Direct the Clerk of the Board to provide a certified Board Order to the Planning and Building Department to be included with the notification of decision to the appropriate parties.

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Core Services/Other

Strategic Plan Category: 9999 - Core Services/Other

DISCUSSION:

Executive Summary

This item requests the Board of Supervisors revoke 15 approved permits for cannabis cultivation due to the permits being exercised contrary to the terms, requirements, and conditions of approval.

On Oct. 24, 2023, the Board of Supervisors received a report that there are approximately \$14 million in unpaid Measure S Taxes and \$2.1 million in unpaid permit processing costs associated with cannabis permit applications. The Board directed a series of actions to address these conditions. That direction resulted in a series of communications to applicants and permit holders to inform them of the needed actions and deadlines to keep their permits in good standing. This included a detailed Jan. 9, 2024, letter, emails, and social media announcements applicants and permit holders to bring their account current before March 31, 2024. Each of these projects were suspended last year due to failure to bring their accounts current and they remain out of compliance.

Revocation of these permits is appropriate due to permit holders' failure to pay the required Measure S taxes as outlined in

Humboldt County Code 314.55.4.12.2.9 as well as the failure to pay accumulated permit costs to the Humboldt County Planning and Building Department as conditioned by the permit.

Before the Board of Supervisors consideration are 15 permits, one Zoning Clearance Certificate, six Special Permits, and eight Conditional Use Permits, under the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) described below:

1. **PLN-11293-CUP, Georgi Aleksandrov, APN 108-065-013**: Revocation of a Conditional Use Permit for 14,560 square feet of existing mixed-light cannabis cultivation, 4,215 square feet of outdoor cannabis cultivation, and 1,050 square feet of ancillary nursery and a Special Permit for setback reductions from Public Lands. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid department invoices and failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$2,875.08 and unpaid Measure S taxes of \$43,584.64 and has NOT established a payment plan for those taxes owed.
2. **PLN-11394-ZCC, Emerald Honey Collective MBC APN 105-081-016**: Revocation of a Zoning Clearance Certificate for 2,400 square feet of existing outdoor commercial cannabis cultivation and for 2,400 square feet of existing mixed light cultivation. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$3,360.81 and unpaid Measure S taxes of \$12,401.76 and has NOT established a payment plan for those taxes owed.
3. **PLN-11403-CUP, HOG Farm, LLC APN 210-144-010**: Revocation of a Conditional Use Permit for 10,560 square feet of existing mixed-light and 4,200 square feet of outdoor commercial cannabis cultivation. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid departments invoice and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$701.45 and unpaid Measure S taxes of \$15,865.88 and has NOT established a payment plan for those taxes owed.
4. **PLN-11404-CUP, Forever Honeydew Farms, LLC APN 107-096-007-000**: Revocation of a Conditional Use Permit for 37,543 square feet of existing outdoor commercial cannabis cultivation. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$9,464.30 and unpaid Measure S taxes of \$3,157.65 and has NOT established a payment plan for those taxes owed.
5. **PLN-11496-CUP, Panthers Rock Growers, MBC, APN 210-162-007**: Revocation of a Conditional Use Permit for 5,120 square feet of existing mixed light and 15,841 square feet of existing outdoor commercial cannabis cultivation. A letter was sent to the permit holder on April 24, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$3,556.99 and unpaid Measure S taxes of \$28,752.90 and has NOT established a payment plan for those taxes owed.
6. **PLN-11535-ZCC, Kings Peak, LLC APN 107-261-010**: Revocation of a Zoning Clearance Certificate for 3,000 square feet of existing outdoor commercial cannabis cultivation and a Special Permit to authorize a reduction in the 600-foot setback from nearby public lands. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$7,397.35 and unpaid Measure S taxes of \$1,879.13 and has NOT established a payment plan for those taxes owed.
7. **PLN-11536-SP, Kings Peak, LLC APN 107-261-011**: Revocation of a Zoning Clearance Certificate for 3,000 square feet of existing outdoor commercial cannabis cultivation and a Special Permit to authorize a reduction in the 600-foot setback from nearby public lands. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid department invoice and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$7,132.47 and unpaid Measure S taxes of \$1,879.13 and has NOT established a payment plan for those taxes owed.
8. **PLN-11537-ZCC, Kings Peak, LLC APN 107-236-013**: Revocation of a Zoning Clearance Certificate for 3,000 square feet of existing outdoor commercial cannabis cultivation and a Special Permit for work within a Streamside Management Area. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid department invoices and the

failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$3,306.23 and unpaid Measure S taxes of \$1,879.13 and has NOT established a payment plan for those taxes owed.

9. **PLN-11844-CUP, DSCD Holdings, LLC APN 210-071-007**: Revocation of a Conditional Use Permit for an existing 14,322 square feet of outdoor commercial cannabis cultivation. A letter was sent to the permit holder on April 24, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$713.09 and unpaid measure S taxes of \$16,445.37 and has NOT established a payment plan for those taxes owed.
10. **PLN-11967-SP, Tree House Culture, LLC APN 210-051-060**: Revocation of a Special Permit for 5,200 square feet of existing mixed light and 3,500 square feet of existing outdoor commercial cannabis cultivation. A letter was sent to the permit holder on April 24, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid Department invoice amounts of \$8,777.45 and unpaid Measure S taxes of \$16,589.79 and has NOT established a payment plan for those taxes owed.
11. **PLN-12473-CUP, Tapn Humboldt, LLC APN 210-192-014**: Revocation of a Conditional Use Permit for an existing 28,250 square feet of outdoor commercial cannabis cultivation. A letter was sent to the permit holder on April 24, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$1,097.82 and unpaid Measure S taxes of \$20,078.68 and has NOT established a payment plan for those taxes owed.
12. **PLN-12647-SP, Nottingham APN 208-271-002**: Revocation of a Special Permit for 8,825 square feet of existing outdoor commercial cannabis cultivation. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$3,658.67 and unpaid Measure S taxes of \$10,429.14 and has NOT established a payment plan for those taxes owed.
13. **PLN-12889-CUP, Bridgeville Humboldt, LLC APN 210-022-045**: Revocation of a Conditional Use Permit and Special Permit for 24,000 square feet of existing outdoor commercial cannabis cultivation. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$7,743.72 and unpaid Measure S taxes of \$20,098.62 and has NOT established a payment plan for those taxes owed.
14. **PLN-13245-SP, Bellflower Farm APN 214-121-012**: Revocation of a Special Permit for 1,012 square feet of existing and 8,334 square feet of new outdoor cannabis cultivation. A letter was sent to the permit holder on April 24, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$3,315.36 and unpaid Measure S taxes of \$10,609.58 and has NOT established a payment plan for those taxes owed.
15. **PLN-15222-SP, Dank Ape Farm LLC, APN 208-241-019**: Revocation of a Special Permit for 8,830 square feet of existing full-sun outdoor commercial cannabis cultivation. A letter was sent to the permit holder on April 23, 2024, suspending the permit due to unpaid department invoices and the failure to establish a payment plan for Measure S taxes. The above-referenced permit has unpaid department invoice amounts of \$1,865.56 and unpaid Measure S taxes of \$1,490.06 and has NOT established a payment plan for those taxes owed.

SOURCE OF FUNDING:

There is no identified funding source for this action. This is funded by the General Fund Contribution to department operations. The unpaid Planning Department invoices for these 15 permits totaled \$64,966.35 not counting the time spent preparing these permits for this hearing, which has not yet been invoiced.

FINANCIAL IMPACT:

There are no funds to cover the costs of processing this revocation. The unpaid Measure S taxes from these 15 permits total

\$211,784.12.

OTHER AGENCY INVOLVEMENT:

Humboldt County Tax Collector

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to revoke the Permits. The Planning and Building Department does not recommend this because of the continued cost of permitting and inspections, as well as the potential continued loss of tax funds and operator fees.

ATTACHMENTS:

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

1. PLN-11293 Draft Resolution
2. PLN-11394 Draft Resolution
3. PLN-11403 Draft Resolution
4. PLN-11404 Draft Resolution
5. PLN-11496 Draft Resolution
6. PLN-11535 Draft Resolution
7. PLN-11536 Draft Resolution
8. PLN-11537 Draft Resolution
9. PLN-11844 Draft Resolution
10. PLN-11967 Draft Resolution
11. PLN-12473 Draft Resolution
12. PLN-12647 Draft Resolution
13. PLN-12889 Draft Resolution
14. PLN-13245 Draft Resolution
15. PLN-15222 Draft Resolution

PREVIOUS ACTION/REFERRAL:

Meeting of: April 5, 2018, May 16, 2019, November 7, 2019, February 18, 2021, April 15, 2021, May 6, 2021, July 15, 2021, October 7, 2021, February 3, 2022,

File No.: 12889, 19-738, 19-1616, 21-222, 21-441, 21-583, 21-991, 21-992, 15222, 11967, 23-1521, 23-1084