RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT

Resolution Number: 26-

Record Number: PLN-11025-CUP

Assessor's Parcel Number: 212-041-005 and 214-233-008

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

WHEREAS, **Humboldt Farm, LLC,** provided an application for a Conditional Use Permit for 40,000 square feet of existing outdoor commercial cannabis cultivation and 4,000 SF of ancillary propagation; 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 May 7, 2026, 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 40,000 square feet of existing outdoor commercial cannabis cultivation and 4,000 square feet of ancillary propagation. All water for cultivation is sourced from a permitted well. Existing water storage is 101,200 gallons in a series of tanks. Estimated annual water usage is 194,500 gallons. Power is provided by a proposed solar system with generators reserved for emergency use only.

   EVIDENCE: a) Project File: PLN-11025-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 §15162(c) of CEQA Guidelines.

c) The project has demonstrated compliance with the State Water Board Cannabis General Order (WQ 2019-0001-DWQ) for Waste Discharge by providing a copy of the Notice of Applicability and a Site Management Plan.

d) The Timberland Conversion Evaluation Report, prepared by Timberland Resource Consultants indicates one observation of a sensitive, rare, threatened, or endangered species or special of special concern within a 0.7-mile radius. A peregrine falcon was observed in the southern parcel (APN 214-233-008). The Report concluded the sighting may be associated with a nesting site somewhere on the Bear Buttes in the surrounding area. The nearest NSO Activity Center is 0.7 miles north (HUM0527). Another activity center is 1.49 miles northwest (HUM0528) and 1.8 miles west (HUM1122). The project proposes outdoor cultivation utilizing light deprivation techniques only. The project has been conditioned to ensure supplemental lighting associated with the nursery adheres to Dark Sky Association standards including security lighting (Condition of Approval C3). Permit conditions of approval also prohibit using synthetic netting for erosion control (Condition of Approval B12 and C5), ensure refuse is contained in wildlife-proof storage (Condition of Approval C6), and prohibit use of anticoagulant rodenticides to further protect wildlife (Condition of Approval C8). Additionally, any noise sources are limited to 50dB at 100 feet or forest edge, whichever is closer (Condition of Approval C2). 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) The project parcel is zoned TPZ and almost entirely forested**.** Cannabis cultivation and accessory activities such as trimming occur in clearings and previously converted areas. A Less Than 3 Acre Conversion Exemption totaling 2.9 acres was approved by Cal Fire in November 2015. Additionally, a Timberland Conversion Evaluation Report prepared by a Registered Professional Forester determined that Site F was previously used as a log landing under an approved Timber Harvest Plan (THP 1-07-047 HUM). The Forester concluded that the total conversion area that occurred is approximately 2.74 acres, which is less than what was contemplated under the Conversion Exemption approved by Cal Fire.

f) Relocation of approximately 8,000 square feet of cultivation will occur because the two areas identified have been deemed unsuitable by the California Department of Fish and Wildlife (CDFW). The conditions of approval require the development and implementation of a restoration plan for the two retired areas. Prior to relocating any cultivation to this area, the applicant is conditioned to provide a Biological Assessment and a seasonally appropriate, protocol level Botanical Survey prepared by a qualified professional. The project is further conditioned that if sensitive resources are identified and mitigation is not possible, the cultivation cannot be relocated and will be permanently retired.

g) Referrals were sent to area tribes, and the project is conditioned with the standard inadvertent discovery protocol as a condition of approval.

h) Access is taken from French Road, which is privately maintained, and takes access from Highway 101. Staff reviewed a road evaluation for an approved Conditional Use Permit for cannabis cultivation that also takes access from French Road and determined that there is sufficient evidence to conclude that French Road functions equivalent to a Category 4 standard.

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 Timberland (T) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for Timberland (T) uses,

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 TPZ zone in which the site is located.

EVIDENCE:

a) The Timber Production Zone (TPZ) is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use, and in which protection of the timber and recreational lands is essential to the general welfare.

b) All general agricultural uses are principally permitted in the TPZ zone.

c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 sf existing outdoor 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 40,000 square feet of outdoor cultivation on a 160-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

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 TPZ (HCC 314-55.4.8.2.2).

b) The parcel consists of two APN's that are one legal parcel and was created per an approved and recorded lot line adjustment (LLA-00-10) as described in Notice of Lot Line Adjustment Certificate of Subdivision Compliance 2001-25234.

c) Water for irrigation is provided by a permitted groundwater well, an eligible water source. The well has been deemed hydrologically disconnected by a Geologist.

d) The access road is privately maintained and can accommodate the expected traffic based on a review of a road evaluation of a nearby approved Conditional Use Permit.

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

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

6. FINDING: The cultivation of 40,000 square feet of 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 a county roadway that can safely accommodate the amount of traffic generated by the proposed cannabis cultivation.

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 sized in the area.

c) Irrigation water is sourced from a permitted groundwater well.

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 is currently developed with one housing unit. The approval of cannabis cultivation on this parcel will

not conflict with the ability for the existing residence to continue to be utilized 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 project the total approved permits in this Planning Watershed would be 308 permits and the total approved acres would be 95 acres of cultivation.

9. FINDING: The use of the well for irrigation will not have any adverse impact on any public trust resources.

EVIDENCE: a) According to Humboldt County WebGIS there are two named streams within one mile of the well. Coon Creek is more than 1,300 feet to the west and Hooker Creek is one mile south of the well site, both of which are tributaries to the South Fork of the Eel River. The South Fork of the Eel River does contain important public trust resources, including fisheries and recreational opportunities, however this watercourse is approximately 1.4 miles to the east. According to the report prepared by a professional geologist the water source from which the well draws appears to be a subsurface aquifer not connected to any other unconfined, near-surface aquifer(s), and the onsite well has a low likelihood of being hydrologically connected to nearby surface waters in any manner that could affect adjacent wetlands, surface waters, springs, and/or nearby wells in the vicinity.

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
- Approves the Conditional Use Permit for Humboldt Farm, LLC, subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **May 7, 2026.**

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