

Resolution of the Planning Commission of the County of Humboldt
Making Findings Pursuant to CEQA and Recommending that the
Draft Commercial Cannabis Land Use Ordinance Amendment
be Adopted by the Humboldt County Board of Supervisors

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

Resolution Number 26-054

Record Number PLN-2026-19583

Recommending that the Board of Supervisors make the required findings to adopt the amendment to the Commercial Cannabis Land Use Ordinance.

WHEREAS, California Government Code Section 65850, et seq. authorizes counties to regulate land use, and to adopt and amend general plans and zoning and building ordinances for such purposes, and sets forth procedures governing the adoption and amendment of such ordinances; and

WHEREAS, the Humboldt County Board of Supervisors adopted the Commercial Cannabis Land Use Ordinance on May 18, 2018, which has been effective since June 8, 2018; and

WHEREAS, on September 2, 2026, the Planning Division caused to be published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, a Notice of Public Hearing on the proposed zoning amendment regarding indoor cannabis cultivation, in accordance with Section 65854 of California Government Code; and

WHEREAS, the Humboldt County Planning Commission held a public hearing on the amended Commercial Cannabis Land Use Ordinance on September 17, 2026, to receive a report and any supplements to the report on the draft amendments, as well as evidence and testimony; and

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

REQUIRED FINDINGS OF APPROVAL

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

- 1. FINDING:** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Planning Commission has considered the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018, and the Addendum to the EIR.

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 EIR. 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 Draft EIR identifies that the subject zoning districts are appropriate for cannabis cultivation because they are zone districts in which agriculture is a principal permitted use and cannabis cultivation is an agricultural product. Regardless of the type of cultivation (outdoor, mixed-light, indoor), cannabis is an agricultural product that is consistent with the identified potential uses of these areas in the EIR.
- d) Requirements in the existing CCLUO for indoor cultivation ensure no adverse impacts will occur.
- e) Existing mitigation measures in the EIR apply to proposed indoor operations and to proposed new structures.

PUBLIC INTEREST

2. FINDING: The amendments are in the public interest.

- EVIDENCE:**
- a) Locations with flat ground, well developed access, adequate water and grid power are appropriate for indoor cultivation and many of these areas are zoned AE, AG, FR and U (with Resource Production land use designations).
 - b) Restricting indoor cultivation in these areas to existing buildings has limited the opportunity for many of these locations to engage in this activity. Allowing new buildings to be used for indoor operations will enable some of the more suitable locations for indoor cultivation to be able to obtain a permit and contribute to the local economy.

CONSISTENCY WITH THE GENERAL PLAN

3. FINDING: The proposed Commercial Cannabis Land Use Ordinance amendment is consistent with the General Plan.

- EVIDENCE:**
- a) The amendment to the Inland Commercial Cannabis Land Use Ordinance provides an opportunity for local cannabis operators to

diversify their business operations and be more competitive in the statewide market, but does not change development standards, density, or design standards within any of the designations where the uses are allowed, making the ordinance consistent with the General Plan.

- b) The General Plan identifies where commercial, agricultural, and industrial uses are allowed. This ordinance amendment would not change that.
- c) The Ordinance Amendment would not directly grant any additional development entitlements which do not already exist. New agricultural buildings are already allowed to be constructed on these properties and indoor cultivation is already allowed to occur on these properties.

CONSISTENCY WITH STATE PLANNING LAW

4. FINDING: Humboldt County Code Section 312-50.3.4 requires that any proposed amendment must 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, unless specific findings are made. The proposed amendment does not limit the number of housing units which may be constructed on an annual basis.

EVIDENCE: a) The Commercial Cannabis Land Use Ordinance and this amendment do not reduce residential density for any parcel utilized by the Department of Housing and Community Development in determining compliance with housing element law.

The allowance of these uses will not alter the residential density of parcels within Humboldt County.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law; and
2. Adopt the Planning Commission recommended amendments to the Commercial Cannabis Land Use Regulations.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on September 17, 2026.

The motion was made by COMMISSIONER LORNA MCFARLANE and second by COMMISSIONER TODD FULTON and the following vote:

AYES: COMMISSIONERS: Jerome Qiriaz, Lorna McFarlane, Todd Fulton, Iver Skavdal

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Noah Levy, Peggy O'Neill, Sarah West

ABSTAIN: COMMISSIONERS:

DECISION: Motion carried 4/0

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

ORDINANCE AMENDING TITLE III, DIVISION 1, CHAPTER 4 OF HUMBOLDT COUNTY CODE Section 314-55.4.8.1; allowing indoor cannabis cultivation in AE, AG, FR and U zones to be conducted in buildings constructed after January 1, 2016.

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

SECTION 1. PURPOSE OF ZONING REGULATION AMENDMENTS.

Title III, Division 1, Chapter 4 of the Planning Regulations, addressing Section 314-55.4.8.1 – Indoor Cultivation, allowing indoor cannabis cultivation in AE, AG, FR and U zones to be conducted in non-residential buildings constructed after January 1, 2016. Currently indoor cultivation in these zones is only permitted within non-residential buildings that were in existence prior to January 1, 2016.

The intent is to remove a restriction that has prevented indoor cultivation from occurring on some of the most appropriate locations for such activities.

SECTION 2. Indoor Cultivation

Section 314-55.4.8.1 regarding Indoor Cultivation in Title III, Division 1, Chapter 4 of the Humboldt County Code, is hereby amended as follows (modifications deleting text are shown in strike out and additions as underlined text):

314-55.4

55.4.8

55.4.8.1.1 Indoor Cultivation.

55.4.8.1.1 Within those zones specified under 55.4.6.1.1 (AE, AG, FR, and U), up to 5,000 square feet of Indoor Cultivation may be permitted with a Zoning Clearance Certificate, ~~but may only be conducted within a non-residential structure which was in existence prior to January 1, 2016.~~ On parcels 320 acres or larger in size, with a Special Permit, up to 10,000 square feet of Indoor Cultivation may be permitted within a new or existing structure, where the building is also approved and utilized for Cannabis Support Facilities. All properties must meet the locational criteria of 55.4.8.1.3 (no exceptions permitted) and the structure must be sited and designed to minimize the fragmentation of useable agricultural land on the parcel. The cultivation area of the Indoor Facility shall be included in the calculation of total cultivation area of the parcel, where determining conformance with the (parcel-specific) cultivation acreage limits of 55.4.6.1.2(c).