

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

**Resolution Number 24-**

**Record Number PLN-2024-18986**

**Assessor's Parcel Numbers: 077-331-032-000**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving DC Eden – Dispensary Conditional Use Permit.**

**WHEREAS, DC Eden** – provided an application in support of approving a Conditional Use Permit for the cannabis dispensary; and.

**WHEREAS,** the project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities).

**WHEREAS,** the Humboldt County Planning Commission held a duly-noticed public hearing on June 27, 2024, 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 a cannabis dispensary.. The dispensary is proposed to operate in the retail space on the first floor of the building, consuming approximately 680 square feet. Hours of operation will typically be 7am to 7pm however they may seasonally operate between 7 am and 10 pm. The project includes an exception to the parking requirements to allow a reduction in the number of parking spaces required and the size of the loading space required, for a total of 8 on-site parking spaces and one 10' x 20' loading space to serve all the uses on the property.

**EVIDENCE:**    a)    Project File: PLN-2024-18986

- 2. FINDING:**                    **CEQA.** The project complies with the requirements of the California Environmental Quality Act. The project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities).

**EVIDENCE:**    a)    Section 15301 of the CEQA Guidelines consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures. The proposed dispensary will be located in an existing building with minimal to no structural alterations required.

## **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.

**4. FINDING:** The proposed development is consistent with the purposes of the existing Community Commercial (C-2) in which the site is located.

**EVIDENCE:** a) The C2 Zone is intended to provide necessary services and conveniences for community members. Stores and similar uses are the desirable predominant uses.

**5. FINDING:** b) All general store uses are principally permitted in the C2 Zone. The proposed dispensary is consistent with the requirements of the Cannabis Land Use Code for Medical Dispensaries.

**EVIDENCE:** a) The proposed dispensary meets the setback requirements on the dispensary ordinance. There are no schools within 600 feet of the site.

b) The applicant has provided an operations manual detailing the proposed dispensary operations are in compliance with the dispensary regulations.

c) The proposed dispensary is consistent with the operating standards of 314-55.3.11

**6. FINDING:** The existing dispensary facility 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) Access to the site is by Redwood Drive via Highway 101 which is county maintained, and the existing building has all services necessary to support the use. The property has been utilized as a dispensary in the past with no adverse impacts to public health, safety, or welfare.

b) The existing dispensary facility is not 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 related activities.

c) The existing dispensary facility will utilize a public water and sewer system.

**7. FINDING:** The existing facility 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.

### **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 DC Eden subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **June 27, 2024.**

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

AYES: COMMISSIONERS:  
NOES: COMMISSIONERS:  
ABSENT: COMMISSIONERS:  
ABSTAIN: COMMISSIONERS:  
DECISION:

I, John 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.

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John Ford, Director  
Planning and Building Department