



COUNTY OF HUMBOLDT

For the meeting of: 5/21/2026

File #: 26-500

To: Planning Commission

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Carlotta Gardens, LLC; Conditional Use Permit
Assessor Parcel Numbers (APN) 206-331-028
Record No. PLN-2024-18969
Carlotta area

A Conditional Use Permit (CUP) to add 20,000 square feet of outdoor cultivation to the existing permitted 20,000 square feet of mixed-light cultivation and 30,000 square feet of outdoor cultivation. If approved, cannabis cultivation on the property will total 70,000 square feet. The total cultivation includes 40,000 square feet of RRR cannabis cultivation. The approved ancillary nursery space is 5,000 square feet, and the applicant is proposing to add an additional 1,300 square feet of nursery space. Estimated annual water use is 1.02 million gallons (approximately 14.57 gallons/square foot/year) sourced from a permitted groundwater well. Water storage totals 5,000 gallons. Trimming will occur offsite at a licensed third-party processing facility and power is provided by PG&E. The applicant is also requesting a CUP for cultivation within the Hydesville-Carlotta Community Planning Area (CPA) and a CUP for an exception from the 600' setback required for residences on separately owned parcels in Community Planning Areas.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution, (Attachment 1) which does the following:
 - a. Finds the Planning Commission has considered the Final Environmental Impact Report for the Commercial Cannabis Land Use Ordinance and the Addendum that was prepared for the Carlotta Gardens, LLC project; and
 - b. Finds the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Denies the request for an exception to the requirement for fully enclosing the proposed

cultivation; and

- d. Approves the Conditional Use Permits as recommended by staff and subject to the conditions of approval (Attachment 1A).

DISCUSSION:

Project Location: The project is located in the Carlotta area, on the North side of State Highway 36, approximately at the intersection of Hagwood Lane and State Highway 36, on the property known as 6287 State Highway 36.

Present General Plan Land Use Designation: Agriculture Exclusive, Carlotta/Hydesville Community Plan, Density: 20 Acres per Unit, Slope Stability: Low Instability (1)

Present Zoning: Agriculture Exclusive (AE)

Environmental Review: An Addendum to a previously adopted EIR has been prepared for consideration per §15164 of the State CEQA Guidelines.

State Appeal: Project is NOT appealable to the California Coastal Commission.

Major Concerns: None

Monitoring Required:

Annual Compliance Monitoring

Executive Summary: A Conditional Use Permit (CUP) to add 20,000 square feet of outdoor cultivation to the existing permitted 20,000 square feet of mixed-light cultivation and 30,000 square feet of outdoor cultivation. If approved cannabis cultivation on the property will total 70,000 square feet. Approved ancillary nursery space is 5,000 square feet, and the applicant is proposing to add an additional 1,300 square feet of nursery space. Estimated annual water use would increase to 1.02 million gallons (approximately 14.57 gallons/square foot/year) sourced from a permitted groundwater well. Water storage totals 5,000 gallons. Trimming will occur offsite at a licensed third-party processing facility and power is provided by PG&E. The applicant is also requesting a CUP for cultivation within the Hydesville-Carlotta Community Planning Area (CPA) and a CUP for an exemption from the 600' setback required for residences on separately owned parcels in Community Planning Areas.

This project was discussed at the May 7, 2026, Planning Commission hearing and continued to May 21st to bring back additional information on water usage. As presented at the May 7th hearing, the estimated annual water use is 1.76 million gallons (approximately 23.1 gallons/square foot/year). After additional discussions with the applicants and review of previous records it was determined that

this number was artificially high and the proposal would utilize no more than 1.02 million gallons per year, which is 14.57 gallons per square foot. As discussed below, the Groundwater Basin Administrator for the Eel River Groundwater Basin has reviewed the proposal and determined that there would be no adverse impacts to the groundwater basin from the increase in irrigation usage. That analysis was based on the larger amount of 1.76 million gallons.

At the May 7th hearing a neighboring property owner spoke and expressed concern regarding odor from the existing outdoor and mixed-light operation. Under Humboldt County Code (HCC) Section 314.55.4.6.4.4, because the parcel is located within a mapped community plan area, the applicant must “demonstrate all areas of open air cultivation activities maintain setbacks of six hundred (600) feet or greater from any residence(s) located on a separately owned parcel and are located six hundred (600) feet or greater from any residentially zoned area or applicable community planning area boundary” or be located in enclosed structures with odor control measures, or obtain approval of a Conditional Use permit. Pursuant to this requirement, a discretionary permit was approved on April 26, 2021, for the existing 50,000 square feet to remain unenclosed without odor control. There were no objections from neighboring property owners at that time. The purpose of this requirement is to ensure that the odors that are typical with cannabis cultivation do not adversely affect adjacent residents. This standard is only applicable in community plan areas because these are generally smaller parcels with more residential development than found outside of community plan areas, where agriculture and other activities are far more common.

Due to the concerns expressed by neighboring property owners, staff is recommending that the Use Permit for the exception to these standards be denied. Should the commission follow this recommendation, the proposed additional cultivation would be approved but would be required to be sited in an enclosed structure with odor control measures in place. NO additional requirements would apply to the existing 50,000 square feet of cultivation as this has already been approved to be located in unenclosed structures.

Water Resources: Carlotta Gardens utilizes a permitted well drilled to a depth of 170 feet with a logged output of approximately 15 gal/min. This well is specifically used for cannabis cultivation, is not connected to any other systems on the property and is be metered for monthly monitoring. Water will be temporarily stored in several five-hundred-gallon (500 gal) mixing tanks connected to the greenhouse irrigation system. Storage of water will not be for long-term use and is only for operational purposes. It is intended that the mixing tanks shall be used to add compost tea and liquid fertilizer to the irrigation system. More water tanks will be added as licenses are approved and operational. In addition, a two-thousand-five-hundred-gallon (2,500 gal) water storage will be used for fire suppression purposes.

The well is located in the Eel River Groundwater Basin and is subject to the Eel River Groundwater Sustainability Plan and common law public trust doctrine. The proposed water increase was referred to the Humboldt County Groundwater Sustainability Agency (GSA) Administrator in June of 2024

(Attachment 5A). The proposal involves an annual water increase from 864,474 gallons (2.7 acre-feet) to 1.02 million gallons (3.13 acre-feet) from a permitted existing well Record 16/17-0015. The existing well is located approximately 190 feet from Wilson Creek, a tributary to Yager Creek and subsequently the Van Duzen River. The well is located approximately 2,600 feet from the Van Duzen River. The GSA considered the well output, previous water usage on the parcel, hydrological connectivity to surrounding surface waters, and the Basin's estimated annual average total groundwater use (14,837 acre-feet) versus its estimated sustainable yield (30,000 acre-feet). The Administrator concluded the proposed groundwater well would not interfere with the Public Trust or substantially impair the public rights to navigation, fisheries, water-related recreation, public access, open space, or other Public Trust needs and values. In addition, staff concluded that the proposed groundwater well is consistent with the Eel River Valley Groundwater Sustainability Plan. This determination was based on the originally presented irrigation amount of 1.76 million gallons, which was substantially more than what will be used.

Cultivation is proposed to utilize drip irrigation controlled by a timer and irrigation shall be at an agronomic rate not to go beyond the root zone. Further water conservation methods, such as the use of hygrometers and infra-red spectrum analysis, may be implemented in the future. A detailed daily schedule of watering activities shall be developed conspicuously posted on-site.

To ensure compliance with North Coast Regional Water Quality Control Board Orders, Carlotta Gardens has installed a water meter on the well, and is monitoring withdrawals. The applicant is required, according to the CCLUO, to monitor water use and submit water use records for County review.

Biological Resources: The property is an agriculturally zoned property in an agriculture area that has consistently been utilized for agricultural purposes, historically hay production. The nearest mapped Northern Spotted Owl (NSO) activity center (HUM1037) is approximately 0.42 miles northeast from the proposed cultivation area. The cultivation area is approximately 1.9 miles from the nearest mapped marbled murrelet critical habitat. Per a review of the CNDDDB the parcel is included in mapped occurrences for bank swallow, maple leaved checkerbloom, Humboldt marten, Townsend's big eared bat, northern red-legged frog, and foothill yellow legged frog.

A Biological Resources Assessment dated June 2019 was prepared by Begreen Legal for a previous iteration of the cannabis cultivation and evaluated the entirety of the subject property. The Assessment noted that while there may be a number of animal species occurring within a 2-mile radius of the property, the habitat on the property is anthropogenic pasture, which does not support the life history of those species. The Assessment concluded that the project will not have any significant impacts on wetlands, water resources, or biological resources. Per the assessment the property does not contain any jurisdictional wetlands or water courses that provide habitat for aquatic species that could be affected by the project and will not have any direct or indirect habitat modifications on any identified special status species. The project has been referred to the California

Department of Fish and Wildlife, but no response was received.

Energy: Power is provided by Pacific Gas & Electric (PG&E). The project has been conditioned to provide evidence that grid power is provided through a qualified renewable energy program (**Condition B1**).

Access: The property is accessed via Hagwood Lane, a privately maintained road which connects to State HWY 36.

The project was also referred to the California Department of Forestry and Fire Protection (CalFire) and Carlotta Community Services District (CCSD). Neither referral agency responded with recommendations.

Hazards: The project site is mapped low instability, there are no historically mapped landslides or areas of potential liquefaction on the property, and the property is approximately 1,020 feet outside the nearest mapped earthquake fault hazard zone. All cannabis activities and infrastructure occur in areas with slopes of less than 15%. A portion of the property is within the mapped FEMA flood zone; however, no project activities are proposed within the flood zone.

Tribal Consultation: The project is within the historic aboriginal territory of the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. The project was referred to the Northwest Information Center at Sonoma State and Tribal Historic Preservation Officers (THPOs) of the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. A Cultural Resources Investigation dated October 2018 prepared by Archaeological Research and Supply Company concluded that no archaeological or historical resources, for the purposes of CEQA, exist in the project area. The standard inadvertent discovery protocol has been incorporated into the project as a condition of approval.

55.4.5.1.4 - City Spheres of Influence, Community Planning Areas, Tribal Lands

A conditional use permit is required for any commercial cannabis activity where located within the sphere of influence (SOI) of any incorporated city or within mapped community planning areas (CPAs). The parcel in question is located within the Hydesville-Carlotta mapped community plan area, which is identified as one of the special areas requiring a conditional use permit. The site currently has 50,000 square feet of approved cannabis cultivation (PLN-10369 & PLN-13327) and approved retail sales on site PLN-17611. In each of those cases, Public Notices were sent to the surrounding Community within 1000 feet of the parcel due to the provisions of Section 314-55.4.5.1.4. Public notices of the hearing for this project were also sent to property owners and occupants within 1,000 feet of the property.

Consistency with Humboldt County Board of Supervisors Resolution No. 18-43: 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. The project site is in the Van Duzen Watershed, which under Resolution 18-43 is limited to 425 permits and 146-acres of cultivation. With the approval of this project the total approved permits for cultivation in this Planning Watershed would be 145 permits and the total approved acres would be 53.5 acres of cultivation.

Environmental Review: An environmental review for this project was conducted and based on this analysis; staff conclude that all aspects of the project have been considered in a previous Final Environmental Impact Report (EIR) that was adopted for the CCLUO. Staff has prepared an addendum (Attachment 3) to the EIR for consideration by the Planning Commission.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies either responded with no comment or recommended approval or conditional approval.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect to add or delete other conditions of approval. The Planning Commission could deny the project if unable to make all the required findings. Staff have concluded the required findings in support of the proposal can be made. Consequently, staff does not recommend further consideration of these alternatives.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Operations, Cultivation and Waste Management Plan
 - C. Site Plan
2. Biological Assessment
3. CEQA Addendum
4. Applicant's Evidence in Support of the Required Findings
 - A. Water Production - Drawdown 6287 Hwy 36
 - B. Water Production - Recovery 6287 Hwy 36
 - C. Notice of Applicability
 - D. Noise Study
5. Referral Agency Comments and Recommendations
 - A. Humboldt County Public Works Groundwater Sustainability Agency (GSA) Letter

Applicant:

Irene Levi
2216 Arbutus St, Apt 6
Eureka, CA 95503

File #: 26-500

Owner:

Same as Applicant

Agent:

N/A

Please contact Michael Kein, Associate Planner, at MKein2@co.humboldt.ca.us or 707-268-3739 if you have questions about this item.