



COUNTY OF HUMBOLDT

For the meeting of: 12/18/2025

File #: 25-1430

To: Planning Commission

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Gatlin Conditional Use Permit

Assessor Parcel Numbers (APN) 221-171-022

Record No.: PLN-11852-CUP

Ettersburg area

A Conditional Use Permit for 24,420 square feet of existing commercial cannabis cultivation of which 16,170 square feet is mixed light, and 8,250 square feet is full-sun outdoor cultivation. Estimated annual water usage is 295,800 gallons and is sourced from two permitted groundwater wells. Water storage totals 124,350 gallons. Onsite processing is proposed, and power is sourced from PGE.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Attachments 1) which does the following:
 - a. Finds the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance and the Addendum that was prepared for the Gatlin project (Attachment 3); and
 - b. Finds the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Gatlin Conditional Use Permit subject to the recommended conditions of approval (Attachments 1A).

DISCUSSION:

Project Location: The project is located in the Ettersburg area, on both sides of Crooked Prairie Road, approximately 1.4 miles northeast from the intersection of Dutyville Road and Crooked Prairie Road, on the property known to be in the south half of Section 32, Township 03 South, Range 02 East, Humboldt Base & Meridian.

Present General Plan Land Use Designation: Residential Agriculture (RA); 2017 General Plan; Density: 40 acres per unit; Slope Stability: Moderate Instability (2).

Present Zoning: Unclassified (U).

Environmental Review: An Addendum to a previously adopted Mitigated Negative Declaration 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 request for 24,420 square feet of existing commercial cannabis cultivation of which 16,170 square feet is mixed light, and 8,250 square feet is full-sun outdoor cultivation. The cultivation occurs in two distinct cultivation areas on the property. This commercial cannabis activity is authorized by Section 314-55.4.8.2.2 of the CMMLUO. The application meets the requirements of zoning, size of cultivation area, setbacks from property lines and listed incompatible uses (e.g., schools), and is accompanied by the documentation, plans, descriptions, and agency clearances set forth in the CMMLUO.

The operation involves one to three cultivation cycles per year. Irrigation water is sourced from two existing permitted wells. Estimated annual water usage is 295,800 gallons. Onsite water storage totals 124,350 gallons.

Drying and bucking occurs onsite while all other processing will occur at a licensed third-party processing facility. Electricity is provided by PG&E and a backup generator for emergency purposes only. If the applicant intends to process onsite, DEH requests that processing activities be supported by an approved OWTS (Condition B1).

Water Resources: The estimated annual water usage is 295,800 gallons and is sourced from two existing permitted wells. Water meters are installed to track water use. The wells feed into water storage tanks totaling 124,350 gallons of storage. The applicant proposes adding an additional (5) 5,000-gallon tanks. Both of these wells are in the same general location and at the same elevation. One of the wells (referred to as Well#1 in this report) was reviewed by a licensed geologist and found to be unlikely to have any connection to surface waters. The other well was not reviewed by the geologist but is similar in nature and staff has concluded has a similar likelihood of having no hydraulic connection to surface waters. A 24-hour pump test was performed on Well#1 which concluded that the well is capable of sustainably providing the annual irrigation needs of the project.

Biological Resources: The project is 2.53 miles from the nearest Northern Spotted Owl activity center. 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. Being that the power source is PG&E, the proposed project will be well below the thresholds that could cause disturbance to the species. Additionally, the project is 0.4 miles from the northern steelhead and 0.82 miles from the southern torrent salamander. The recommended Conditions of Approval requested by CDFW have been added (Conditions A1, A6, A9 and C5)

Energy: Electricity is provided by PG&E and a back-up generator for emergency purposes only.

Access: Access is provided by Dutyville Road to Crooked Prairie Road. The Department of Public Works has reviewed the roadway and found it to be improved to the functional equivalent of a category 4 roadway. As part of a separate Determination of Status application the Department of Public Works required certain improvements to the roadway, which the applicant completed, and DPW has approved the roadway as meeting required standards for both cannabis and subdivision purposes. Both Cal-Fire and the Brice Land Fire Protection District have responded that the road is sufficient for emergency vehicles and emergency access purposes.

Geologic Suitability: The project parcel is mapped in the County GIS as moderate instability. The existing cultivation is in area ranging from 15-30%. No new grading is proposed to implement the project. After the fact grading permits are required for grading that was done previously without permits.

Timber Conversion: Timberland Resource Consultants performed a Timberland Conversion Evaluation Report that focused on the North Flat and South Flat. The report states that the North Flat was originally converted between 2006 and 2009 with subsequent enlargement occurring along the southern periphery between 2012 and 2018.

The South Flat was originally converted between 2006 and 2009. The Southern portion of the site appears to have burned between 2016 and 2018. The report concludes that the North Flat and South Flat cultivation sites are in compliance with the Forest Practice Rules and that the RPF had no further recommendations, however the post-2016 tree removal is required to be restocked in order to comply with the environmental baseline requirements of the CMMLUO. The project is conditioned for the applicant to submit a plan prepared by a registered professional forester that delineates the post 2016 enlargement of the subject area and a plan for restocking of an equivalent area prior to cultivation in 2026. The restocking will be required to be completed within 2 years.

Security and Safety: Access to the parcel is gated and locked with the entire perimeter fenced. Doors to any facilities as well as any cultivation related materials will always remain locked.

Tribal Consultation:

The project was referred to NWIC and Bear River. A Cultural Resources Investigation in June 2017 by William Rich and Associates. The investigation concluded that no artifacts, features, sites, or other cultural resources were identified. The standard inadvertent discovery protocol has been added as an ongoing condition of approval.

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 subject parcel resides within the Cape Mendocino watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of the project the total approved permits in this Planning Watershed would be 245 permits and the total approved acres would be approximately 107.03 acres of cultivation.

Environmental Review: Environmental review for this project was conducted and based on this analysis, staff concludes that all aspects of the project have been considered in a previously adopted Mitigated Negative Declaration (MND) that was adopted for the CMMLUO. Staff prepared an addendum (Attachment 3) to the MND for consideration by the Planning Commission.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval. (Attachment 5)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect to add or delete other conditions of approval. The Planning Commission could deny approval if unable to make all the required findings. Staff has concluded the required findings in support of the proposal can be made. Consequently, Staff does not recommend further consideration of these alternatives.
2. The Planning Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As the lead agency, the Department has determined that the project is consistent with the MND for the CMMLUO as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

ATTACHMENTS:

1. Resolution
 - A. Conditions of Approval
 - B. Cultivation Operations Plan

C. Site Plan

2. Location Maps
3. CEQA Addendum
4. Applicant's Evidence in Support of the Required Findings
 - A. LSAA
 - B. Timberland Conversion Evaluation
 - C. Road Evaluation Report
 - D. Well Completion Reports and Pump Test
 - E. Hydrologic Connectivity Report for Well #1
 - F. Water Resources Protection Plan
5. Referral Agency Comments and Recommendations
 - A. CDFW
 - B. Environmental Health

Applicant

Joshua Gatlin
PO Box 753
Hydesville, CA 95547

Owner

Joshua Gatlin & Daniel Tanner
PO Box 753
Hydesville, CA 95547

Agent

Omsberg & Preston
402 E. Street
Eureka, CA 95501

Please contact Derek Wiles, Planner, at dwiles@co.humboldt.ca.us or 707-268-3727 if you have questions about this item.