



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: April 6, 2017

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Zoning Ordinance Amendments**
Commercial Cannabis Land Use Ordinance (CCLUO)
Case Numbers OR-17-002
Assessor Parcel Number (APN): 000-000-000 [countywide]

For your information, please find attached the draft project description and list of regulatory objectives developed as part of forthcoming amendments to county code, concerning commercial cannabis activities. The County will soon be executing a contract with Ascent Environmental to assist with preparation of an Environmental Impact Report in conjunction with these amendments. The Notice of Preparation for the EIR was recently released in association with this. The Department expects to present draft ordinance amendments to the Planning Commission and Board of Supervisors in October or November of this year.

PROJECT DESCRIPTION:

The proposed amendments to the Humboldt County Code, including provisions previously established by Ordinance Nos. 2554 and 2559 are intended to achieve the following regulatory objectives:

- Repeal the deadline for applications, and continue to accept applications under Ordinance No. 2559 for medical cannabis without significant changes.
- Expand the scope of the Ordinance Nos. 2554 and 2559 to include commercial marijuana operations for adult recreational use now authorized by AUMA, under the same general regulations as medical cannabis.
- Expand the areas where new cultivation or expansion of existing cultivation sites will be permitted to locations with or without prime agricultural soils that are planned and zoned for agricultural use, meeting specific criteria to be established:
 - natural slopes 15 percent or less
 - in lower portions of principal watersheds where established riparian water rights exist
 - with viable local on-site water source:
 - rainwater capture and storage
 - surface water diversion and storage under standard forbearance period or refined or dynamic period set by flow data or localized water management plan
 - groundwater, where known to be non-hydrologically connected
 - located on or within 1 mile of county-maintained roads
 - or located on private road systems meeting the category 4 road standard
 - with on-grid power or alternative energy source (solar, wind, or micro-hydro)
- Restrict or prohibit generator use
- Limit new cultivation or expansion to areas not requiring conversion of timberland
- Provide for micro-business license type within 2 miles of state highways
- Apply special requirements/limitations for projects located within spheres of influence or community areas
- Develop performance standards for controlling odor impacts from cultivation
- Provide consistency with state law amendments to medical cannabis regulations (MCRSA)
- Provide consistency with state agency regulations to implement MCRSA and AUMA by Departments of Consumer Affairs, Food & Agriculture and Public Health, or other agencies
- Provide consistency with forthcoming interim principles and guidelines for diversion and use of water for cannabis cultivation to be prepared by the State Water Resources Control Board in consultation with the Department of Fish & Wildlife
- Provide for additional amendments to existing ordinance provisions including: application requirements, performance standards, general provisions, and permit types
- Amendments to other relevant provisions of Humboldt County Code including but not limited to:
 - County Code Enforcement provisions
 - Humboldt County Streamside Management Area Ordinance
 - Business License provisions
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