



# COUNTY OF HUMBOLDT

For the meeting of: 4/16/2026

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**File #:** 26-343

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**To:** Planning Commission

**From:** Planning and Building Department

**Agenda Section:** Public Hearing

**SUBJECT:**

Plant Humboldt, LLC Special Permit  
Assessor's Parcel Numbers: 220-251-029  
Record Numbers: PLN-12788-SP  
Briceland Area

A Special Permit for a wholesale and retail commercial cannabis nursery of 10,000 square feet including self-distribution. Estimated annual water usage is no more than 160,000 gallons sourced by a rainwater catchment pond of approximately 250,000 gallons. Power is provided by PGE through an eligible renewable energy program. The Special Permit also proposes reducing the streamside management area setback. The project also includes a Zone Reclassification from Neighborhood Commercial (C-1) to Agriculture General (AG).

**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 previously adopted for the Commercial Cannabis Land Use Ordinance and the Addendum that was prepared for the Plant Humboldt, LLC project (Attachment 3) and;
  - b. Finds the proposed project complies with the General Plan and Zoning Ordinance; and
  - c. Finds the proposed project does not reduce the residential density for any parcel below the inventory adopted in the housing element; and
  - d. Approves the Plant Humboldt, LLC Special Permit subject to the conditions of approval (Attachment 1A); and

- e. Recommend the Board of Supervisors approve the rezoning of APN 220-251-029 from Neighborhood Commercial (C-1) to Agriculture General (AG).

**DISCUSSION:**

**Project Location:** This project is in the Briceland area, on the southeast side of Briceland-Thorne Road, approximately at the intersection of Old Briceland Road and Briceland-Thorne Road, on property known as 6070 Briceland-Thorne Road, Redway.

**Present General Plan Land Use Designation:** Rural Community Center (RCC); 2017 General Plan; Density: IDU 2.5 acres; Slope Stability: Moderate Instability (2).

**Present Zoning:** Neighborhood Commercial (C-1).

**Environmental Review:** An Addendum to a previously certified Environmental Impact Report 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:**

This project was originally brought before the Planning Commission on February 19, 2026. Due to a noticing error that was discovered after the hearing, it was determined that the project was not properly heard and approved. This project was then correctly noticed and rescheduled for decision before the Planning Commission for April 16<sup>th</sup>. The streamside management area section of this staff report has been updated to reflect the outcome of a March 25, 2026, site visit and additional consultation with the California Department of Fish and Wildlife.

A Special Permit for a wholesale and retail commercial cannabis nursery of 10,000 square feet including self-distribution. Estimated annual water usage is no more than 160,000 gallons sourced by a rainwater catchment pond of approximately 250,000 gallons. Power is provided by PGE through an eligible renewable energy program. The Special Permit also proposes reducing the streamside management area setback based on the recommendation of a qualified biologist. The project also includes a Zone Reclassification from Neighborhood Commercial (C-1) to Agriculture General (AG).

The project site is a legal parcel. If approved this project will be subject to the performance standards of the CCLUO. Using available data, an analysis demonstrated the pond and catchment area are adequate to provide annual irrigation water in an average drought year. The Division of Environmental Health recommended conditional approval.

As proposed and conditioned, the project is consistent with CCLUO performance standards and California Department of Fish and Wildlife (CDFW) guidance and will not negatively affect the northern spotted owl or other sensitive species. As conditioned, the project is adequately setback from surface waters and no fill is proposed. Comments from CDFW have been considered and incorporated into the conditions of approval. A noise assessment will be required to establish baseline values.

**Water Resources:** Annual water usage is estimated at 160,000 gallons (16 gallons per square foot) from a rainwater catchment pond located on the project parcel. Per the Operations Plan, the pond is 250,000 gallons in capacity and there is an additional 5,000-gallon tank that supports the nursery.

A rainwater catchment analysis (**Attachment 4D**) concludes that adequate rainwater can be captured in average as well as low average rainfall years. The analysis concludes that in a severe drought year such as 2013, sufficient irrigation water may not be available for irrigation. However, the pond can hold more water than is needed on an annual basis providing a buffer year to year. If insufficient rainwater is available, the operation must reduce the size of the nursery proportional to the availability of rainwater. (**Condition of Approval B1**). The point of diversion cannot be used for cannabis irrigation (**Condition of Approval B1**). The conditions of approval require providing a detailed water distribution plan with water meters and logbooks to track water usage and ensure only eligible sources are used (**Condition of Approval A4**). Per the Operations Plan, irrigation is conducted by hand watering with a hose.

The project is subject to the State Water Board General Order No. WQ 2019-0001-DWQ. Project conditions include providing documentation demonstrating enrollment (**Condition of Approval A5**).

The project referral to the Division of Environmental Health (**Attachment 5A**) resulted in a recommendation of approval with conditions. Seasonal cultivation areas may be supported by portable toilets. If portable toilets are used, records must be kept and made available upon request during annual inspections (**Condition of Approval B3**). The onsite septic system may not be used to support the nursery unless an evaluation by a qualified professional is provided certifying system capacity and functionality. The septic system evaluation must be reviewed and approved by the Division of Environmental Health. (**Condition of Approval B3**).

The project site has an active Lake or Streambed Alteration Agreement (LSAA) (EPIMS-HUM-52532-R1C) (**Attachment 4B**). The project is conditioned to comply with the terms of the LSAA (**Condition of Approval C16**).

**Biological Resources:** A review of the California Natural Diversity Database indicates the presence of habitat for California Steelhead in Somerville Creek. No other species or sensitive communities of concern. The nearest mapped Northern Spotted Owl activity centers are (HUM0580) approximately

1.92 miles to the southwest and (HUM0531) approximately 1.96 miles to the northwest. A Biological Assessment was provided that evaluated the streamside management area which is discussed further in the section below.

The proposed project will utilize the pre-existing disturbed areas or clearings in existence prior to the environmental baseline of the project. The project has been conditioned to ensure supplemental lighting associated with the nursery adheres to Dark Sky Association standards including security lighting (**Condition of Approval C3**). Permit conditions of approval also prohibit using synthetic netting for erosion control (**Condition of Approval B12 and C5**), ensure refuse is contained in wildlife-proof storage (**Condition of Approval C6**), and prohibit use of anticoagulant rodenticides to further protect wildlife (**Condition of Approval C8**). Additionally, any noise sources are limited to 50dB at 100 feet or forest edge, whichever is closer (**Condition of Approval C2**) in addition to the ambient noise standards discussed later in this staff report. As proposed and conditioned, the project is consistent with CCLUO performance standards and CDFW guidance and will not negatively affect the Northern Spotted Owl or other sensitive species. Comments from included requests for a bull frog management plan, an invasive species management plan, best practices for soil management, and after the fact grading permit evaluation of the pond and spillway. These requests have been included in the conditions of approval (**Conditions of Approval A7, A8, and A11**).

**Streamside Management Area:** A Biological Assessment was provided (**Attachment 4A**) to evaluate a proposed reduction in the streamside management area setback. Section 61.1.7.6.2.1 of the Streamside Management Areas and Wetlands Ordinance (SMAWO) requires a setback of 100 feet measured as the horizontal distance from the top of bank or edge of riparian drip-line whichever is greater on either side of perennial streams. Redwood Creek is a perennial, fish-bearing stream. Section 61.1.7.6.3 of the SMAWO states that the streamside management area may be reduced or eliminated where the county determines "...the reduction will not significantly affect the biological resources of the streamside management area on the property." A qualified Biologist determined that based on the setting and history of the site a reduction is possible without posing a significant impact to resources. The May 19, 2025, Biological Assessment recommended a reduced streamside management area to 20 feet from top of bank.

On February 25, 2026, correspondence was received (**Attachment 4E**) from the applicant's agent stating that the recommendation and mapping of the reduced streamside management area (SMA) in the Assessment were in error and the intention was to reduce the SMA to top of bank. This revised recommendation would reduce the SMA to zero feet and in some limited spots to a negative setback as it would be inside the riparian drip line.

A site visit was conducted on March 25, 2026, and was attended by the applicant, agent, Biologist, county staff, and CDFW. During the visit it was determined by staff and CDFW that the fence line along the northwestern and northern portion of the property represent the top of bank. During the site visit the agent used small pink flags to demonstrate the proposed, revised streamside

management area which followed the fence line / top of bank from west to east until a cluster of bamboo. Staff took measurements and photos of blue flags to represent a boundary location approximately 20 feet from top of bank in this area. CDFW provided additional comment after the site visit (**Attachment 5**) stating that it would be appropriate for items and supplies be relocated to the south side of the parcel, furthest from the stream. CDFW does not support a reduction of the buffer to the top of bank. After careful consideration, staff recommends a hybrid reduced streamside management area following the originally proposed 20 feet from top of bank for the northwestern on northern portion of the property and then after the bamboo cluster, follow the pink flagged line proposed during the site visit. Staff has prepared a photographic exhibit (**Attachment 4F**) to depict the site conditions and recommended reduction.

Staff provided their recommendation for the reduced SMA to the applicant and agent on April 2, 2026. (**Attachment 4E**). The applicant did not agree with the staff recommendation and is insistent that there should not be a setback from Redwood Creek, so the matter was agendized as a public hearing item instead of the consent calendar. The Special Permit for the reduced streamside management area is a separate entitlement that will persist into the future. Therefore, all possible permitted uses must be considered. To allow structures and uses at the top of bank represents a substantive long-term risk to the healthy functioning of the riparian ecosystem and has the potential to adversely impact water quality and fish habitat. The additional space past the top of bank also allows for replanting and natural regeneration of native species. During the site visit it was noted that invasive bamboo was established within the riparian corridor and portions of the stream channel.

The Assessment also includes a series of recommendations regarding the cleanup of green waste, fencing, removal of bamboo, and planting of native trees and shrubs. These recommendations are included in the project conditions of approval (**Condition of Approval A8**). All storage, parking, and uses will need to occur outside the revised boundary (**Condition of Approval B5**). The Assessment was also reviewed by CDFW which concurred with its findings and requested that the revised boundary be delineated on site with a physical barrier. This request is included in the conditions of approval (**Condition of Approval A8**). The physical barrier does not need to be a solid fence; it can be a run of T-Posts with a single strand of wire. Both staff and CDFW support the need for a physical barrier both because the setback would be reduced significantly but also because the property has clear evidence of encroachments into the riparian dripline. The conditions of approval also include a Site Plan Update to show the revised boundary consistent with the Biological Assessment recommendation (**Condition of Approval A9**).

#### **Setback to Adjacent Residences and Bus Stops:**

The CCLUO (HCC 314-55.4.6.4.1.2) requires cultivation sites, which include nurseries, to be at least three hundred feet from any residence on an adjacent separately owned parcel. The applicant sent letters to neighboring parcels and obtained waivers from the four potentially affected properties (**Attachment 4C**). The proposed project is within 600 feet of a school bus stop. The Southern Humboldt Unified School District provided a waiver to the setback (**Attachment 5C**).

**Prime Soils:** The project is for an existing nursery and is not located within any areas mapped as prime soils.

**Noise:** While the proposed project does not include any of the typical noise sources such as fans or generators, it is subject to the noise performance standards of the CCLUO (HCC 314-55.3.12.6.2). These standards state noise emissions are limited to 3dB above ambient noise levels. Therefore, the project is conditioned to require at least three ambient noise measurements from property lines for purposes of establishing a baseline **(Condition of Approval A)**.

**Energy:** Power is provided by PGE through an eligible renewable energy program. Generators will not be used **(Condition of Approval B4)**.

**Access:** The project parcels are accessed from Briceland - Thorne Road, which is publicly maintained. The project's referral response from Public Works includes standard comments regarding encroachment and visibility **(Condition of Approval B6)**. The Operations Plan states there are up to twelve parking spaces including a dedicated ADA space. The Operations plan states there are typically no more than five customers at once.

**Geologic Suitability:** The project parcel is mapped in the County GIS as moderate instability. The existing nursery is in areas mapped as less than 15% slope. No new grading is proposed or authorized to implement the project **(Condition of Approval B2)**. The project is conditioned to obtain after the fact grading permits for the pond **(Condition of Approval A11)**.

**Timber Conversion:** Review of aerial imagery and the project materials indicate that no timber conversion is associated with historic cultivation operation or the proposed project. The project is in an area mapped as high fire hazard severity. CalFire responded to the project's referral with general comments.

**Security and Safety:** Per the project Operations Plan, the parcel is fenced and surveillance cameras are in use. The Site Plan provided by the applicant shows adequate space for emergency vehicle turnaround but does not show water storage dedicated to fire suppression. The project conditions include a Site Plan update that includes the location of water storage dedicated to fire suppression **(Condition of Approval A9)**. The project parcel is within the Briceland Fire Protection District.

**Tribal Consultation:** The project was referred to the Northwest Information Center and the Bear River Band of the Rohnerville Rancheria. Because the project proposal does not include any ground disturbing activities, the Bear River THPO did not request a cultural resource survey. The standard inadvertent discovery protocol which has been included as a condition of approval **(Condition of Approval C1)**.

**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 South Fork Eel Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this Special Permit, the total approved permits in this planning watershed would be 308 permits and the total approved acres would be approximately 94.42 acres of cultivation.

**Zone Change:** To approve the application for zone reclassification, the following findings must be made:

- The proposed amendment is in the public interest; and
- The proposed amendment is consistent with the General Plan; and
- The proposed amendment does not reduce the residential density for any parcel below the inventory adopted in the housing element.

**Public Interest:** The property has historically been operated as a commercial nursery, primarily for bamboo and then more recently for cannabis. The bamboo nursery was started circa 2005 and the cannabis nursery has been operated since 2012. It is in the public interest to change the zoning to allow commercial cannabis nursery on a parcel that would otherwise support a non-cannabis nursery as a conditionally permitted use. There is a need for commercial cannabis nurseries to support the local cannabis industry and the zoning change will facilitate the continued operation of an existing cannabis nursery with no impacts to county roads or other neighboring land uses because the use has been in existence for approximately 15 years. As shown on the aerial map attached to the staff report, the site is centrally located in the town of Briceland. The parcel was previously zoned AG and was changed to C-1 to facilitate the construction of a mini storage facility that was never constructed. Changing the zoning back to its original zoning to enable the continued use of the property as a commercial nursery is in the public interest.

**General Plan Consistency:** No general plan amendment is being requested. The zone reclassification is consistent with the General Plan because:

- For the Rural Community Center (RCC) use type that applies, the nursery would be considered as General Agriculture. (Land Use Element Table 4-D, page 4-49).
- The AG zone is consistent with the RCC designation per the Zoning Consistency Matrix (Land Use Element Table 4-H, page 4-55).

**Residential Density:** The proposed rezone does not reduce the residential density for any parcel below the inventory adopted in the housing element because it would not affect any current housing inventories. The rezone to AG would make a family dwelling a principally permitted use.

**Environmental Review:** The Special Permit is consistent with the Environmental Impact Report that was certified for the Commercial Cannabis land Use Ordinance and an Addendum to this previously certified Environmental Impact Report has been prepared for consideration per §15164 of the State CEQA Guidelines. The rezone from C-1 to AG is consistent with the 2017 Humboldt County General Plan. Staff have prepared an addendum (**Attachment 3**) to the EIR for consideration by the Planning Commission.

OTHER AGENCY INVOLVEMENT:

The project was sent to responsible agencies, and all responding agencies have either replied with no comments, comments, or recommended approval or conditional approval (**Attachment 5**).

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect to add or delete conditions of approval. The Planning Commission could deny approval if unable to make all the required findings. The Planning Commission could also consider establishing a different streamside management areas setback than recommended by staff or could eliminate it entirely as requested by the applicant.

ATTACHMENTS:

1. Draft Resolution
  - A. Conditions of Approval
  - B. Operations Plan
  - C. Site Plan
  - D. C-1 to AG Rezone Ordinance
2. Location Map
3. CEQA Addendum
4. Applicant's Evidence in Support of the Required Findings
  - A. Biological Assessment
  - B. Lake or Streambed Alteration Agreement
  - C. Neighbor Setback Waivers
  - D. Rainwater Catchment Analysis
  - E. Email from Agent and Applicant Regarding SMA
  - F. Staff Recommended SMA Alignment
5. Referral Agency Comments and Recommendations
  - A. Division of Environmental Health
  - B. Public Works

- C. School District
- D. California Department of Fish and Wildlife (Multiple)

**Applicant:**

Plant Humboldt, LLC  
Mikal Jakubal  
PO Box 5  
Redway CA 95560

**Owner:**

Mikal Jakubal  
PO Box 5  
Redway CA 95560

**Agent:**

None.

Please contact Steven A. Santos, Senior Planner, at [sasantos@co.humboldt.ca.us](mailto:sasantos@co.humboldt.ca.us) or (707)268-3749 for questions about this scheduled item.