

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

Resolution Number: 26-

Record Number: PLN-2025-19211

Assessor's Parcel Numbers: 105-111-001; 105-042-002; 105-101-006; 105-071-004

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Conklin Creek Farms, Inc. Modification to approved Special Permit and Zoning Clearance Certificates.

WHEREAS, Conklin Creek Farms, Inc. provided an application and evidence in support of approving a Modification to approved Special Permit and Zoning Clearance Certificates to change the irrigation water source from 2.6-million-gallon rainwater catchment to an existing permitted groundwater well and 50,000 gallons of hard tank storage; and

WHEREAS, the County as the lead agency prepared an Addendum to the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on January 15, 2026 and reviewed, considered, and discussed the application for Modification 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 Modification to an approved Special Permit and approved Zoning Clearance Certificates (PLN-2021-17034). The applicant proposes to change the irrigation water source from 2.6-million-gallon rainwater catchment to an existing permitted groundwater well and 50,000 gallons of hard tank storage. No changes are proposed to cultivation square footage or locations, staffing needs or traffic, power source or use, water use, or project operations.

EVIDENCE: a) Project File: PLN-2025-19211

- 2. FINDING:** **CEQA.** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Planning

Commission has considered the Environmental Impact Report previously adopted for the Commercial Cannabis Land Use Ordinance as well as the Addendum to the Environmental Impact Report that was prepared for the project pursuant to Section 15164 of the CEQA guidelines.

EVIDENCE:

- a) Addendum prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) The project is required to comply with the State Water Board Cannabis General Order for Waste Discharge. A Notice of Applicability is on file for the project and no Notices of Violation have been issued by the State Water Board for the property.
- d) A Biological Report and Botanical Report were prepared for the original project. The reports concluded that impacts to sensitive habitats would not occur from the proposed cannabis project. The reports also concluded negative impacts to sensitive habitats is unlikely if the project avoids and is sufficiently setback from wetlands and streamside management areas. Recommendations in the reports were included in the original Conditions of Approval, which remain in full force and effect. No changes as proposed include ground disturbance or development within streamside management areas or within wetland area buffers.
- e) The applicant provided a Road System Assessment Report as part of the original project approval. Recommendations in the report were included in the original Conditions of Approval, which remain in full force and effect.
- f) The applicant provided a noise assessment as part of the original permit application. The noise assessment established baseline noise levels and noise limits were imposed on the project as conditions of approval. The conditions of approval applied to the original permit regarding noise limits remain in full force and effect. No changes to noise levels are anticipated as a result of approving the proposed modification.

- g) A Cultural Resources Investigation was prepared for the original project identifying two biface thinning flakes at two separate locations. Referral responses recommended inadvertent discovery protocol. No changes are proposed that would result in new ground disturbance.

FINDINGS FOR SPECIAL PERMIT AND ZONING CLEARANCE CERTIFICATES MODIFICATION

- 3. FINDING:** The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.

- EVIDENCE:**
- a) General agriculture is a use type permitted in the Agriculture General (AG) land use designation. The cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

- 4. FINDING:** The proposed development is consistent with the purposes of the existing Unclassified (U) zone in which the site is located.

- EVIDENCE:**
- a) The Unclassified (U) zone is intended to be applied to areas of the County that have not been sufficiently studied to justify precise zoning classifications.
 - b) All general agricultural uses are principally permitted in the U zone.
 - c) The modification does not include additional cannabis cultivation or major infrastructure.
 - d) All cultivation will remain at least 30 feet from all property lines as approved and there are no public parks, churches, school bus stops or other sensitive receptors within 600 feet of the cultivation areas.

- 5. FINDING:** The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.

- EVIDENCE:**
- a) The CCLUO allows existing cannabis cultivation to be permitted in areas zoned U with a Special Permit when the parcel is over 10 acres. The CCLUO also allows off-site processing, distribution, enclosed

nurseries, and up to 5,000 square feet of indoor cultivation with a Zoning Clearance Certificates subject to restrictions and performance standards. The above referenced permit and clearances were approved with the original permit approval, and no changes to cultivation amounts or locations or activity types are proposed.

- b) The parcel was created in compliance with all applicable state and local subdivision regulations. The subject parcel qualifies for a Certificate of Compliance pursuant to section 66499.35 of the Subdivision Map Act through the approval of building permit 00-853 B4.
- c) The project will obtain water from an existing permitted groundwater well, an eligible water source. The applicant has submitted an evaluation prepared by an engineer assessing the connectivity of the well and has conducted a pump test to estimate well yield and recharge.
- d) A Road Evaluation Report submitted with the original application found the access roads to be functionally appropriate for the expected traffic. No changes to traffic are proposed or anticipated.
- e) The slope of the land where existing cannabis will be cultivated is 0% to 15%. No new grading will occur as part of the proposed modification.
- f) The cultivation of cannabis will not result in the net conversion of timberland. The use of an existing groundwater well to provide irrigation water will not result in the net conversion of timberland.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING:

Approval of the Modification and the conditions under which the cannabis cultivation 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) The site is located on road that has been found to safely accommodate the amount of traffic generated by the proposed

cannabis cultivation.

- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be 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 cultivation. Cannabis cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.
- c) Irrigation water will come from an existing permitted well, an eligible water source.
- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.
- e) The applicant has submitted an evaluation prepared by an engineer assessing the connectivity of the well and has conducted a pump test to estimate well yield and recharge. The report concluded the nearest water body is outside the well's radius of influence, and the proposed water use will not outpace the estimated annual groundwater recharge on the property. Based on the information in the report the engineer concluded the proposed water source is non-diversionary and would not impact surrounding wells or surface water features.

7. FINDING: The proposed development 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.

8. FINDING: 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.

EVIDENCE: a) The project site is in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. Approval of this modification will not increase either the number of cannabis permits or the total acreage of cannabis cultivation in the Planning Watershed.

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 Modification for Conklin Creek Farms, Inc subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **January 15, 2026.**

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____ and the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

I, John H. 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.

John H. Ford, Director
Planning and Building Department