

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 25-**

**CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT  
PROJECT NUMBER PLN-2025-19144  
ASSESSOR PARCEL NUMBERS 308-131-012 and 308-131-020**

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE 2121, LLC CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT**

**WHEREAS**, the owner submitted an application and evidence in support of approving a Conditional Use Permit and Coastal Development Permit; and

**WHEREAS**, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

**WHEREAS**, the Zoning Administrator 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 this project pursuant to Section 15164 of the CEQA guidelines; and

**WHEREAS**, the Planning Division staff report includes evidence in support of making all of the required findings for approving the Conditional Use Permit and Coastal Development Permit (Case Number PLN-2025-19144); and

**WHEREAS**, the Humboldt County Zoning Administrator held a duly-noticed public hearing on March 6, 2025, and reviewed, considered, and discussed the application for a Conditional Use Permit and Coastal Development Permit and reviewed and considered all evidence and testimony presented at the hearing; and

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Zoning Administrator that:

## PROJECT DESCRIPTION

- 1. FINDING:** Conditional Use Permit and Coastal Development Permit for a new owner and operator of a cannabis cultivation project. The proposed project involves 28,656 sq. ft. of mixed light and 9,800 sq. ft. of outdoor cultivation within existing greenhouses, for a total of 38,465 sq. ft. Water for cannabis irrigation is sourced from an existing permitted groundwater well, as well as dehumidifiers that will capture up to 15% of estimated needs during peak demand. Processing, including trimming, will be completed off site at a licensed third-party processing facility. The parcel was previously approved for cannabis cultivation under PLN-11065-CUP. The 2121, LLC proposal does not include any increase in cultivation area, water use, or electrical consumption. The project is intended to operate within the existing footprint of the original project with no new ground disturbance proposed.

**EVIDENCE:** a) Project File: PLN-2025-19144

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

- 2. FINDING:** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Zoning Administrator 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 this project pursuant to Section 15164 of the CEQA guidelines.

- EVIDENCE:**
- a) An addendum was prepared for this project.
  - b) The proposed project does not present substantial changes that would require major revisions to the previous Final Environmental Impact Report. No new information of substantial importance that was not known and could not be known at the time was presented as described by section 15162(c) of CEQA Guidelines.
  - c) The project will not have one or more significant effects not discussed in the previous Environmental Impact Report section 15162(a)(3)(A).
  - d) Significant effects previously examined will not be substantially more severe than shown in the previous Environmental Impact Report section 15162(a)(3)(B).
  - e) No mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more

significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative section 15162(a)(3)(C).

- f) No mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative section 15162(a)(3)(D).

### COMMUNITY PLAN FINDINGS – EEL RIVER AREA PLAN

**3. FINDING:** The proposed development is in conformance with all applicable policies and standards in the Eel River Area Plan (ERAP).

**EVIDENCE:** a) §3.26 Housing - The proposed project is consistent with the County's Housing Element and will not reduce the number of residential units.

b) §3.28 Hazards

Geologic – Geologic hazard maps show that the majority of the property to be relatively stable (low instability). The area of cannabis operations is located on an area of less than 15% slopes with no mapped historic landslides and outside of areas of potential liquefaction. No known earthquake faults are mapped on or adjacent to the site. No new exterior construction is proposed, therefore no soils report is required.

Flooding/Tsunami – The project site is not located in a FEMA 100-year flood zone, is not located in a tsunami hazard zone nor susceptible to coastal inundation related to sea level rise (1 meter). The project therefore conforms with the County's Flood Insurance Program.

Fire – The project site is located within the CalFire State Responsibility Area as well as the Loleta Fire Protection District and is mapped as an area of moderate fire hazard. There is an existing on-site 2,500-gallon water tank dedicated to fire suppression. All structures on the property meet the 30-foot SRA setback requirement. The project was referred to CAL FIRE and the local fire district for review and did not result in any comments or issues being raised with the proposal.

c) §3.29 Archaeological and Paleontological Resources - A referral was sent to Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe on January 15, 2025. The site has been analyzed for sensitive cultural or archaeological resources that could be impacted from on-going cultivation, per original permit PLN-11065-CUP. A Cultural Resource Survey conducted by William Rich and Associates (October 2018) found

that no potential significant cultural resources were identified at the site and that no project-specific recommendations are warranted. No new construction is proposed, so no ground disturbance will occur. Nonetheless, the project is conditioned to include an inadvertent discovery protocol should the project encounter undocumented cultural resources.

- d) §3.34 Agriculture – Agricultural Exclusive is intended for prime and non-prime agricultural lands for long-term productive agricultural use. The Applicant is proposing to permit an existing commercial cannabis cultivation operation consisting of 28,656 square feet of existing mixed light and 9,800 square feet of existing outdoor commercial cannabis cultivation on lands designated as Agriculture Exclusive. General and intensive agriculture are allowable use types for this designation.

The existing cultivation is an agricultural use, and the supportive infrastructure for this use is accessory to the agricultural use and already permitted as agricultural related infrastructure under a previous Coastal Development Permit (CCC Permit 80-P-5). Installation of the proposed 20,000-gallons of water storage will not require development on grazing lands.

- e) §3.41 Environmentally Sensitive Habitats – The California Natural Diversity Database indicates that a portion of the property is within the territory of the Siskiyou checkerbloom and Point Reyes salty bird's-beak. Habitat for Northern Spotted Owl also exists in the project vicinity (approximately 3.45 miles away) but as no generators (except as an emergency back-up) are proposed, the noise impacts on NSO from the project will be well below the thresholds that could cause disturbance of the species. The project site exhibits upland characteristics as shown by the 2017 National Wetland Inventory (NWI) mapping. A review of the Eel River Area Plan Resources map and County GIS shows that an adjacent parcel to the west of the project parcel contains seasonally flooded palustrine wetland. This is approximately 800 feet away from the project activities. There are no sensitive or critical habitats on the project parcel.

There is no additional development planned for with this proposed project – use of the project parcel will be restricted to the existing footprint and operations that were previously permitted under PLN-11065-CUP. California Department of Fish and Wildlife (CDFW) was sent a referral for the proposed project and no response was received.

- f) §3.42 Visual Resources - The proposed project is not within a Coastal

Zone Scenic View Area, nor within a Coastal Zone Scenic Area, as depicted on the County's GIS database. The proposed project does not alter any natural landforms. The existing on-site structures utilized for the project were built in the 1980's and are not considered historical buildings. No new exterior development is proposed.

- g) §3.50 Access – The project site does not include any coastal access points, accessways, scenic views, or scenic areas. The project will not have an impact on coastal access.
- h) §4.41 Agricultural Lands – Grazing lands along Table Bluff are planned Agriculture Exclusive – Grazing (AEG). Minimum parcel size for Table Bluff is 160 acres. New homesites can be created with a density not to exceed 20 acres per dwelling unit. The existing parcel size for the project is 26.1 acres. This parcel was created by a Notice of Merger in 1980 and has been recognized as a separate legal parcel. It is existing non-conforming as to parcel size, however, the project will not increase the severity of this non-conformance. The installation of the proposed 20,000 gallons of water storage will not require the development of grazing lands.
- i) §4.71 Resource Protection, Wetlands – There are no wetland or transitional agricultural lands located in the immediate project vicinity. A seasonally flooded palustrine wetland is located approximately 800 feet away from the project site. Due to these circumstances, the project will not impact wetlands or transitional agricultural lands and is consistent with these resource protection policies.
- j) §5.30 Rural Plan Designations – Agriculture Exclusive/Grazing Lands (1) – AEG(1) allows for production of food, fiber, or plants, with residence as a use incidental to this activity, including two separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator. The project involves a continuation of cannabis cultivation, originally part of a CUP to change of use from one type of agricultural use to another, namely a former flower farm to cannabis cultivation. The site has one (1) existing residence with no nexus to cannabis.

#### **ZONING COMPLIANCE AND CONFORMITY WITH APPLICABLE STANDARDS AND REQUIREMENTS OF THESE REGULATIONS**

- 4. FINDING:** The proposed development is consistent with the purposes of the existing zone and combining zone in which the site is located and conforms with all applicable standards and requirements of the zoning

regulations.

- EVIDENCE:**
- a) The subject parcel known as APN 308-131-012 and 308-131-020 is comprised of one separate legal parcel created by Notice of Merger recorded on February 29, 1980, in Book 1605 of Official Records at Page 886. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.
  - b) §313.7.1 Use Regulations – The Agriculture Exclusive (AE) zone principally permits general agriculture, single family residential, and timber production. The subject parcel was granted a CUP and CDP in 2020 (CUP16-139), permitting a change of uses from orchid production to cannabis cultivation. While that CUP and CDP have since been revoked, this proposed project replicates the former cannabis production footprint and operations and is therefore simply a continuation of cannabis production. The use of the site will remain agricultural, and the project is therefore consistent with the Agricultural Exclusive zone district. Since there is a new applicant/permit holder, in accordance with the CCCLUO, the project requires a CUP and a CDP to legally be permitted for commercial cannabis production.
  - c) §313.7.1 Development Standards – The AE-160/A,W,T designation meets the standards as follows: (i) The legal parcel is 26.1 acres, below the 160 acre minimum parcel size, but the project will not further reduce the existing non-conformity; (ii) Maximum Ground Coverage, Minimum Lot Width, Maximum Lot Depth, and Maximum Building Height are not enumerated, therefore the project is in conformity; (iii) Minimum Yard Setbacks are listed below:

Front: 20 feet	Proposed: 120 feet
Rear: 30 feet	Proposed: 770 feet
Interior Side: 30 feet	Proposed: 370 feet
Exterior Side: 20 feet	Proposed: 180 feet
SRA setback: 30 feet	Proposed: setbacks met
  - d) “A” Combining zone - No additional structures are proposed. A Cultural Resource Survey conducted by William Rich and Associates found that no potential significant cultural resources were identified at the project site and no project-specific recommendations are warranted. No new construction is proposed, and no ground disturbance will occur. Nonetheless, the project is conditioned to include an inadvertent discovery protocol should the project encounter undocumented cultural

resources.

- e) “W” Combining zone - The project area is located at least 800 feet from the nearest mapped wetland which is located on an adjacent property. No negative impacts to sensitive biological resources are anticipated.
- f) “T” Combining zone - The project area is located at least 3,800 feet from the nearest mapped transitional agriculture land which is located on an adjacent property. No negative impacts to sensitive biological resources are anticipated.
- g) §313-121 Geologic Hazard Regulations – The project area is classified as low instability. The proposed project will not alter the land nor contribute to erosion, geological instability, or the destruction of development sites in the vicinity, and is therefore in conformity.
- h) §313-125 Wetland Buffer Areas - The proposed project is situated upland from the surrounding parcels where mapped wetlands exist. The closest NWI wetland is approximately 800 feet west on an adjacent parcel and the closest Farmed Wetland is 3,000 feet northeast on an adjacent parcel. The proposed cannabis operation does not encroach upon any of these buffer areas, and none of the employees or participants of the proposed project will have access beyond the project site, therefore no negative impacts to sensitive biological resources are anticipated.

**§313-55.4 COMMERCIAL CULTIVATION, PROCESSING, MANUFACTURING, DISTRIBUTION, TESTING AND SALE OF CANNABIS LAND USE REGULATION FOR THE COASTAL ZONE OF THE COUNTY OF HUMBOLDT – COASTAL COMMERCIAL CANNABIS LAND USE ORDINANCE (CCCLUO)**

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

- EVIDENCE:**
- a) §313-55.4.5 General Provisions – The project is located more than 600 feet away from any schools and is not located on Tribal Lands. There are no ESHA or coastal wetlands within 100 feet of the project site and no negative impacts to sensitive biological resources are anticipated. According to records maintained by the Planning Department, the applicant, submitted one (1) application for a commercial cannabis permit.
  - b) §313-55.4.6.1 Eligibility Criteria, AE – The proposed project is consistent with the Agriculture Exclusive zoning designation as well as the parcel size and cultivation area standards.

- c) §313-55.4.6.3 Siting Criteria – The project sources water from a permitted groundwater well, the access road is consistent with a Category 4 road standard, and the project has been conditioned to meet the Energy Source criteria.
- d) §313-55.4.6.4 Siting Criteria – The cultivation site has a slope of less than 15 percent and there is no removal of timber associated with the project. The prime agricultural soils being utilized do not exceed 20% of the area of Prime Agricultural Soil on the Parcel or legal lot. Removal/replacement of native soils is not proposed.
- e) §313-55.4.6.4.4 Standard Setbacks – All setbacks for the proposed cannabis cultivation project meet the standards outlined in the ordinance. All cultivation is at least 30 feet from all property lines and there are no public parks, churches, school bus stops or other sensitive receptors within 600 feet of the cultivation areas.
- f) §313-55.4.6.8 Cap on Permits – This section sets a cap of 112 permits and 39 acres of cannabis cultivation in the Eel River Area Plan (ERAP). This project is under 1 acre of total cultivation area (38,465 sq. ft). The water is sourced from a permitted groundwater well. Once approved this will be the second permitted cannabis project in the ERAP and less than 1.5 permitted acres of cultivation will be in existence in the ERAP.
- g) §313-55.4.12.1.10 Performance Standards, Biological Resource Protections – No new development is proposed. No biological reconnaissance survey was carried out or submitted due to lack of ground disturbance associated with this project. The CNDB did not show any avian or mammalian species of concern on or adjacent to the property. Two special-status plants were identified on the parcel, but no further ground-disturbance is associated with this project, thus little likelihood of impact.
- h) §313-55.4.12.1.12-15 Performance Standards – A Site Drainage Plan has been included as a section of the Cultivation and Operations Plan for the project, noting enrollment with SWRCB; The project has been conditioned to properly dispose of project-related wastes that conforms the to the Management of Waste and Hazardous Materials Performance Standards; No new construction is proposed, so no ground disturbance will occur. Nonetheless, the project is conditioned to include an inadvertent discovery protocol should the project encounter undocumented cultural resources.



- i) §313-55.4.12.2 General Standards – The proposed project is projected to operate in conformance with the specified General Standards applicable to all Commercial Cannabis Activities 55.4.12.1-8 for the Eel River Area Plan (Coastal).
- j) §313-55.4.12.4-5 Performance Standards – The project has been conditioned to comply with the International Dark Sky Association standards. Electricity will be supplied by Pacific Gas and Electric Company (PG&E) and the cited performance standard is incorporated into the Conditions of Approval.
- k) §313-55.4.12.6 Performance Standards, Noise – The applicant measured the ambient noise produced for the existing use at each property line with all cultivation fans running. Maximum noise levels ranged from approximately 59 to 74 dBA. It is anticipated that these measured noise levels represent a typical day of commercial cannabis cultivation activities associated with the proposed project. Noise from the proposed cultivation activities is not anticipated to result in any increase in sound level above existing ambient noise levels.
- l) §313-55.4.12.7-8 Performance Standards, Irrigation – Water for this project is sourced from a permitted groundwater well and the applicant has provided a monthly and annual budget for water. The project has been conditioned to require metering and record keeping of water use. All water storage equipment and facilities are proposed to conform to the Standards for Water Storage a) through f).
- m) §313-55.4.12.9 Performance Standards, Wells – The well being utilized for cultivation, irrigation, and domestic purposes is a permitted groundwater well. As the parcel is under 40 acres in size and the well is within 400 feet of a property line, a groundwater drawdown test was completed. A drawdown test was completed on January 20, 2020 by Watson Well Service using an adjacent well located approximately 3,327 feet southwest from the subject well. The well was pumped continuously at 33 gallons per minute for 8 hours. The subject well stabilized after ten minutes of pumping and held static for the remainder of the test, and the monitoring well showed no change in static water level throughout the test. On October 25 and 29, 2024 Fisch Drilling and Pump conducted two separate water production tests with drawdown and recovery. The nearest neighboring well was monitored, as part of the October 29th well test, with a Heron Instruments Inc. Groundwater Data Logger during the well test and for an additional 70 hours after cessation of pumping. During the October 25th test, the well was pumped at an average of

about 28.0 gallons per minute (gpm) for 11.7 hours with a total drawdown of 9.1 ft. The well recovered quickly, 11 minutes after the cessation of pumping. During the October 29th test, the well was pumped at an average of about 30.5 gpm for 11.7 hours with a total drawdown of 7.1 ft. The well recovered quickly, 4 minutes after the cessation of pumping. It was concluded that using the proposed water source for the proposed irrigation activities would not have an impact on the surrounding wells. Testing reports are included as attachments.

- n) §313-55.4.12.10-16 Performance Standards – The project has been conditioned to provide a soil management plan detailing the use of imported and native soil on the parcels or premises. The project utilizes the same footprint as the previously permitted operation, so no reconfiguration is required or proposed. The project has been conditioned such that the applicant identifies and eradicate invasive plant species classified as invasive by the California Invasive Plant Council.

#### **FINDINGS APPLICABLE TO ALL PERMITS**

**6. FINDING:** §312-17.1.4 Public Health, Safety and Welfare - There is no indication that the proposed project will be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE:** a) The proposed project includes an operations plan that mirrors a previously approved cannabis cultivation permit, with no alterations to the project site, water usage, waste disposal, employment conditions or other. No detrimental conditions to public health, safety or welfare have been identified nor is the proposed project expected to have a detrimental effect on neighboring property values. The proposed project complies with all development standards of the zone and is therefore in compliance.

**7. FINDING:** §312-17.1.5 Residential Density – The proposed project does not reduce the residential density for the 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.

b) The project is proposing to continue agricultural production on an existing parcel that is zoned Agriculture Exclusive. An existing residence is on the

parcel but not affiliated with the proposed project. The existing residence will remain unchanged and approval of cannabis cultivation on this parcel will have no impact on compliance with the standards in the Housing Element.

## **SUPPLEMENTAL FINDINGS**

**8. FINDING:** §312-30.1 Coastal Zone Agriculture Use Type – The proposed use will not impair the continued agricultural use on the subject property, or on adjacent lands, or the economic viability of agricultural operations on the site.

**EVIDENCE:** a) The Agriculture Exclusive (AE) zone principally permits general agriculture, single family residential, and timber production. The parcel was previously approved for cannabis cultivation under PLN-11065-CUP. The proposed project continues agricultural operations (cannabis cultivation) within the existing footprint of the original project with no new ground disturbance proposed. The 2121, LLC proposal does not include any increase in cultivation area, water use, or electrical consumption.

## DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

1. Adopts the findings set forth in this resolution; and
2. Conditionally approves the Conditional Use Permit and Coastal Development Permit (Record Number: PLN-2025-19144), and subject to the recommended conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **March 6, 2024**.

I, John H. Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

---

John H. Ford, Director  
Planning and Building Department