



COUNTY OF HUMBOLDT

For the meeting of: 4/3/2025

File #: 25-440

To: Planning Commission

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Pharming Humboldt Dreams Microbusiness, Special Permit
Assessor Parcel Numbers (APN) 223-241-006
Record No.: PLN-2024-19044
Garberville area

A Special Permit to conduct ancillary operations in the form of a microbusiness that will include non-volatile manufacturing, distribution, and a nursery, in an existing commercially permitted structure. All additional ancillary operations will source cannabis from cultivation onsite, no offsite cannabis is imported. The site contains an existing, approved cannabis permit for 10,000 square feet of mixed light commercial cannabis cultivation with onsite processing that was approved under a Zoning Clearance Certificate. Water source remains unchanged with an existing rainwater catchment system. Electricity is provided by PG&E and solar. Deliveries of clones will be made by the applicant in a small transport vehicle. Deliveries will be made within the local vicinity to neighboring parcels that also contain cannabis cultivation.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution, (Attachment 1) which does the following:
 - a. Finds the Planning Commission has considered the Environmental Impact Report previously certified for the Commercial Cannabis Land Use Ordinance and the Addendum that was prepared for the Pharming Humboldt Dreams Microbusiness, LLC project (Attachment 3); and
 - b. Finds the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Pharming Humboldt Dreams Microbusiness Special Permit subject to the conditions of approval (Attachments 1A).

DISCUSSION:

Project Location: This project is located in the Garberville area, on the east side of Alderpoint Road, approximately 1,200 feet southeast from the intersection of Alderpoint Road and Upper Sawmill Road, on the property known as 3295 Alderpoint Road.

Present General Plan Land Use Designation: Inland GP - RA40, RA5-20; Residential Agriculture (RA40), Density: 40 acres per unit; Residential Agriculture (RA5-20), Density: Range is 5 to 20 acres per unit; 2017 General Plan, Slope Stability: High Instability (3).

Present Zoning: Agriculture Exclusive (AE), Building site area as shown on subdivision maps of record, front, side, and rear yards to be not less than B-4 requirements, unless otherwise indicated on the subdivision map of record (B-6).

Environmental Review: An Addendum to a previously adopted 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: A Special Permit to conduct ancillary operations in the form of a microbusiness that will include non-volatile manufacturing, distribution, a nursery, and a microbusiness in a commercially permitted structure. All additional ancillary operations will source cannabis from cultivation onsite, no offsite cannabis is imported. The site contains an existing, approved cannabis permit for 10,000 square feet of mixed light commercial cannabis cultivation with onsite processing (PLN-2020-16677) that was approved under a Zoning Clearance Certificate. Water source remains unchanged with an existing rainwater catchment system. Electricity is provided by PG&E and solar.

The building that will be utilized for the purposes of this permit has received a building permit, but this permit has not yet received its final inspection approvals or granted occupancy clearance. The two-story structure was proposed as part of the original project (PLN-2020-16677). The project is conditioned to finalize the permitting for the structure prior to operating (Permit #58676). Additional permitting for: grading, plumbing, electrical, and mechanical and/ or agriculture exemptions is required prior to operating in the two-story structure (**Condition A1**).

The activities that will occur within the processing and commercial nursery building include extraction, incubation, plantlet development, and hardening. Once the clones are placed in the clone room and fully rooted, they are transplanted into containers and moved into the nursery greenhouse.

Distribution will occur via truck or trailer. Cannabis product will be stored within the trailer of the vehicle authorized to transport cannabis products. Deliveries will be made by the applicant in a small transport vehicle. Deliveries of clones will be made within the local vicinity to neighboring parcels that also contain cannabis cultivation. The number of round trips will range from 0-5 per day and 0-25 deliveries are expected per week.

As discussed above, the site was approved for 10,000 square feet of mixed light commercial cannabis cultivation with onsite processing (PLN-2020-16677) under a Zoning Clearance Certificate. The County has received a fairly significant number of complaints regarding the grading and development activities that have taken place under the Zoning Clearance Certificate, many of which have had to do with how prominently visible the site is and the fact that no public notice was provided for the Zoning Clearance Certificate. Under the Humboldt County Code, Zoning Clearance Certificates do not require public noticing and must be approved if they meet the zoning requirements. Additional complaints were received regarding the construction of the building that is proposed for the microbusiness activities, which was constructed without first obtaining a building permit, and for unpermitted grading that occurred to open up a secondary access off of Sawmill Road. Both of these have been rectified through issuance of building and grading permits. The applicant is proposing to use this Sawmill Road access as the primary access, as the approved access off of Alderpoint is at a sharp bend in the road and the applicant believes accessing off of Sawmill Road is safer. There is a school bus stop on the north side of the intersection of Sawmill Road and Alderpoint Road within 50 feet of this proposed new access. The cannabis cultivation and microbusiness activities are located 600 feet from the bus stop, as required under County Code (although exceptions can be granted).

This project was originally intended to be heard on March 20th however the public notices to neighboring property owners were not sent on-time. In response to the project appearing on the March 20, 2025 agenda one public comment was received raising concerns regarding the lack of notice, the history of unpermitted activity on the site, and the change of access to Sawmill Road, which the commentor states is already being used for the cultivation operation. To address the concern regarding Sawmill Road a condition of approval has been added requiring that the applicant join the Road Maintenance Association and provide evidence of contributions to the Association (**Condition B4**). The project has been properly noticed for the April 3, 2025 Planning Commission meeting.

Water Resources: The total estimated annual manufacturing distribution water usage will be approximately 500 gallons per day for all uses within the facility. Water is sourced from rainwater catchment to one 5,000-gallon water tank for the processing facility. Additionally, water for irrigation will be contained within the existing sixty-one 5,000-gallon tanks. Water tank will be equipped with a UV disinfection system and filter.

Biological Resources: A Biological Resource Assessment was prepared by TransTerra Consulting in September 2020. The report contains descriptions of existing site conditions with additional analysis

on their relationship to animal species of special concern, plant species of special concern, sensitive natural communities, and potential environmental impacts prepared by a qualified biologist. The report found no presence of plant species, one special-status animal species with a high potential to be found in the project area. Suitable habitat for the special status species, American Peregrine falcon, was recorded during the field survey, but evidence for this taxon, was not detected in the project area; thus, the proposed project is unlikely to adversely affect the species which habitat is present on-site. Lastly, no sensitive natural communities were observed during the field survey. The report concluded with recommending that if any work is to occur within or adjacent to watercourse, it could affect aquatic species and will need to be addressed through the Lake and Streambed Alteration Agreement (LSAA) and Water Resource Protection Plan (WRPP). Per California Water Boards Stream Classification Finder, the nearest water course is a class 3 ephemeral stream that only flows during rain or precipitation events. This water course will provide habitat for aquatic invertebrates or fish. The water course is 65 feet from the structure, which, satisfies the Ephemeral Watercourse Class 3 setback of 50 feet.

The Department of Environmental Health was referred this project and requested that industrial wastewater tailing from indoor cultivation and/ or manufacturing activities cannot be discharged to DEH approved onsite wastewater treatment system. Lastly, the applicant is to contact North Coast Regional Water Quality Control Board regarding industrial wastewater disposal requirements. These requests have been added as **Condition A2**.

Energy: Applicant proposes energy for microbusiness will be sourced from PG&E and solar.

Access: The subject parcel takes access from highway 101 to Redwood Dr. to Alderpoint Rd. The project was referred to the Department of Public Works who stated that an encroachment permit was previously written and completed on 5/11/2023, further encroachment permits would be required for any additional encroachments from Alderpoint Road. All encroachments shall be surfaced to County Standards (**Condition A3**).

Geologic Suitability: The project parcel is mapped in the County GIS as high instability. No new grading is proposed to implement the project.

Timber Conversion: No timber conversion is associated with this project.

Security and Safety: Per the project Operations Plan, access to the parcel is gated and locked. The operations plan states a 5,000-gallon water tank will be available for emergency fire suppression. The project was referred to the Alderpoint Volunteer Fire Department which did not respond.

Tribal Consultation: No new ground disturbance is proposed. The project was referred to the Northwest Information Center (NWIC) and the Bear River Band of the Rohnerville Rancheria in 2020 as part of the previously approved permit. The Tribe responded requesting that conditions of approval

are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources and tribal cultural resources (**Condition of Approval B1**).

Environmental Review: An 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 previous Final Environmental Impact Report (EIR) that was adopted for the CCLUO. Staff has prepared an addendum (Attachment 3) to the EIR 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 choose not to approve this project, or to modify the approval and/or add conditions of approval.

ATTACHMENTS:

1. Draft 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
5. Referral Agency Comments and Recommendations
6. Public Comment

Applicant

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File #: 25-440

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