

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

**Resolution Number: 25-078**

**Record Number: PLN-11852-CUP**

**Assessor's Parcel Number: 221-171-022**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Joshua Gatlin Conditional Use Permit.**

**WHEREAS**, Joshua Gatlin, provided an application and evidence in support of approving a Conditional Use Permit for an existing 24,420 square feet of existing commercial cannabis cultivation of which 16,170 square feet is mixed light, and 8,250 square feet is full-sun outdoor cultivation. Estimated annual water usage is 295,800 gallons and is sourced from two permitted groundwater wells. Water storage totals 124,350 gallons. Onsite processing is proposed, and power is sourced from PGE; and

**WHEREAS**, the lead agency, prepared an Addendum to the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous Mitigated Negative Declaration. 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 December 18, 2025 and reviewed, considered, and discussed the application for a Conditional Use Permit 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 Conditional Use Permit for 24,420 square feet of existing commercial cannabis cultivation of which 16,170 square feet is mixed light, and 8,250 square feet is full-sun outdoor cultivation. Estimated annual water usage is 295,800 gallons and is sourced from two permitted groundwater wells. Water storage totals 124,350 gallons. Onsite processing is proposed, and power is sourced from PGE.

**EVIDENCE:**        a) Project File: PLN-11852-CUP

**2. FINDING:** **CEQA.** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance as well as the Addendum to the Mitigated Negative Declaration 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 MND. 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) A Water Resource Protection Plan (WRPP) showing compliance with the State Water Board Cannabis General Order for Waste Discharge. Conditions of approval (**Item C14**) require the applicant to adhere to and implement the recommendations of the WRPP and maintain enrollment in the State Cannabis Cultivation Policy for the life of the project.
  - d) The project is for pre-existing cultivation. The nearest spotted owl activity center is approximately 2.5 miles to the west and additional owl activity centers are further from the site. Use of the generator is subject to the standard condition limiting noise to 50dB at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect the northern spotted owl or other sensitive species.
  - e) The Department of Public Works has found the road serving the site to be functionally equivalent of a road category 4 and capable of serving the traffic associated with the site. Both Cal-Fire and the local Fire Protection District have stated that the road is suitable for emergency access needs.

#### **FINDINGS FOR CONDITIONAL USE PERMIT**

**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 Residential Agriculture (RA) land use designation. The proposed 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 in which this area has not been sufficiently studied to justify precise zoning classifications. Additionally, general agriculture is a principally permitted use. Compatible uses other than the direct growing, harvesting, and portable processing of timber include grazing and other agricultural uses.

b) All general agricultural uses are principally permitted in the U zone.

c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis cultivation and up to 22,000 square feet of existing mixed-light commercial cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 24,420 square feet of cultivation on a 80-acre parcel is consistent with this and with the cultivation area verification conducted by staff.

d) 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.

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

**EVIDENCE:** a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Unclassified (HCC 314-55.4.8.2.2).

- b) The parcel was created in 2007 without the benefit of county subdivision review. A Determination of Status application (PLN2025-19217) found that the parcel complies with all required subdivision standards and is eligible for an Unconditional Certificate of Subdivision Compliance recognizing the parcel as compliant with the Subdivision Map Act and county subdivision requirements.
- c) The project will obtain water from two permitted, existing groundwater wells.
- d) The Department of Public Works has reviewed the roadway and found it to be improved to the functional equivalent of a category 4 roadway. As part of a separate Determination of Status application the Department of Public Works required certain improvements to the roadway, which the applicant completed, and DPW has approved the roadway as meeting required standards for both cannabis and subdivision purposes.
- e) The slope of the land where cannabis will be cultivated is on existing flats.
- f) A Timber Conversion Evaluation identified that the North Flat was converted between 2006 and 2009 with subsequent enlargement between 2012 and 2018. The applicant is conditioned to submit a plan prepared by a registered professional forester that delineates the post 2016 enlargement of the subject area and a plan for restocking of an equivalent area prior to cultivation in 2026. The restocking will be required to be completed within 2 years.
- 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:**

The continued cultivation of 24,420 square feet of existing cannabis cultivation and the conditions under which it 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. Approving 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 two permitted groundwater wells. A 24-hour well production test was completed for one of these wells (Well #1) that identified that the well was likely capable of sustainably producing 1000 gallons per day, which is approximately the annual needs for cultivation. With the additional well (Well#2) and substantial water storage, there is sufficient water available for irrigation purposes.
- 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.

**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 but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

**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) 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 subject parcel resides within the

Cape Mendocino watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of the project the total approved permits in this Planning Watershed would be 245 permits and the total approved acres would be approximately 107.03 acres of cultivation.

**9. FINDING:** The use of the well for cultivation purposes will not have any adverse impacts on any public trust resources.

**EVIDENCE:** a) A report from a licensed Geologist concluded that the well #1 was not hydraulically connected to surface waters. This report did not review the potential connectivity of well #2 however the two wells are substantially similar in location. The two wells are approximately 150 feet away from each other and both installed at a surface elevation of approximately 1,240 feet above sea level and to a depth of 140 feet (well #1) and 300 feet (well #2) below the surface. The screening depths of the wells are between 60 to 140 feet (well #1) and between 100-200 and 220 feet to 240 feet below the surface (well #2). The water bearing unit is listed in both well completion reports list a combination of basalt, fractured shale & quartz, and shale clay & sandstone which are indicative of a water bearing that is hard stone as opposed to alluvial. The nearest surface water feature is an unnamed perennial stream that eventually flows into the Mattole River, which is a river that includes important public trust resources such as fisheries and recreation. The stream at its closet point of approximately 1,240 feet to the wells is approximately 820 feet above sea level, which is below the bottom of the wells. Given the linear distance, elevation distance and geology of the screened intervals, any significant or direct hydraulic connection between the wells and the watercourse is unlikely. Based on all the above facts, it is unlikely that the use of this well will have any adverse impacts to the public trust resources.

## 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 Conditional Use Permit for Joshua Gatlin subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **December 18, 2025**.

The motion was made by COMMISSIONER NOAH LEVY and Seconded by COMMISSIONER SARAH WEST and the following vote:

AYES: COMMISSIONERS: Iver Skavdal, Noah Levy, Jerome Qiriazzi, Peggy O'Neill, Sarah West, Lorna McFarlane

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS: Thomas Mulder

DECISION: Motion carried 6/0

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.



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John H. Ford, Director  
Planning and Building Department

**Conditions of Approval  
PLN-11852-CUP**

**APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS.**

**A. Conditions subject to the compliance agreement must be satisfied before the provisional cannabis cultivation permit is no longer considered provisional. This section also includes conditions that must be completed within specified time frames or completed prior to commencing cultivation.**

1. Prior to operation, applicant shall remove and discontinue the usage of water bladders associated with cannabis cultivation.
2. Within 60 days of the effective date of permit approval, the permittee shall execute a Compliance Agreement with the Humboldt County Planning and Building Department described under Conditions of Approval **A3** through **A10**. All activities described in the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
3. Within 60 days of the effective date of project approval, the permittee shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning and Building Department.
4. Within 60 days of the effective date of project approval, the permittee shall obtain a will serve letter from the Fire Protection District OR cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
5. Within 60 days of the effective date of project approval, the permittee shall pay a conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The permittee is responsible for costs for post-approval review for determining project conformance with conditions. Payment shall be made to the Humboldt County

Planning Division, 3015 H Street, Eureka. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection.

6. Applicant shall submit an erosion control plan within 60 days of permit approval and complete all work associated with the erosion control plan by no later than October 31, 2026.
7. The permittee shall obtain grading permits for all existing, unpermitted grading associated with the existing cannabis operation. No new grading is authorized.
8. The permittee shall obtain permits or exemptions for all structures associated with the cannabis operation.
9. The applicant shall adhere to and complete the items listed within the LSAA.
10. The applicant shall maintain water meters at the point of diversion to tanks for both wells on the property and maintain monthly logs of irrigation water use.
11. Prior to cultivating in 2026, the applicant shall submit a plan prepared by a registered professional forester (RPF) delineating the post 2016 enlargement of the North Flat, the report shall specify restoration methods and timeline for these post 2016 expansion areas. The restoration of these areas shall be complete within two year of project approval.

## **B. General Conditions**

1. Onsite processing is not authorized until a commercial structure is permitted and an adequate and approved Onsite Wastewater Treatment System (OWTS) installed. Processing will occur offsite at a licensed facility until an eligible onsite structure is completed and approved.
2. The permittee shall take action to form or join a Road Maintenance Association (RMA) for the maintenance of the roads. In the event the applicant is unable to coordinate formation or join an RMA, the permittee shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the roads.
3. Cultivation activities may be supported by portable toilets.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for

this project in accordance with the State CEQA Guidelines. The Department will file the NOD and the applicant is responsible for this cost to the project.

5. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
6. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection to keep the permit valid.
7. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. All outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

**C. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project**

1. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground-stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.
2. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl

species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.

3. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low-pressure sodium (LPS) light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed.
4. Should the Humboldt County Planning Division receive complaints that lighting or noise is not complying with the standards listed above in this permit, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the light shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. The use of monofilament (synthetic) netting for all uses, including but not limited for erosion control, shall be prohibited unless authorized by subsequent county ordinance. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
6. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.

9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the CMMLUO and these conditions of approval. The Site Plan and the Plan of Operations have inconsistencies which must be modified to be consistent with the project description. Within 30 days of approval, the Site Plan and the Plan of Operations shall be modified to be consistent with the Project Description. Once these changes are made, the project shall be operated in conformance to the site plan and plan of operations.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
12. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
13. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
14. Applicant must adhere to and implement the Water Resource Protection Plan (WRPP). A copy of the reporting form portion of the Mitigation and Reporting

Program (MRP) shall be submitted to the Planning and Building Department upon request.

15. Applicant must demonstrate and maintain enrollment in Tier 1 or 2 in accordance with State Water Resources Control Board Order No. WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Agreement obtained from the California Department of Fish and Wildlife (CDFW).
17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Refrain from the improper storage or use of any ads, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
22. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

#### Performance Standards for Cultivation and Processing Operations

24. Pursuant to Business and Professions Code section 26051.5(a)(8), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman

Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law.”

25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
26. Cultivators engaged in processing shall comply with the following Processing Practices:
  - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
  - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
  - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
  - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - (1) Emergency action response planning as necessary;
    - (2) Employee accident reporting and investigation policies;
    - (3) Fire prevention;
    - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - (5) Materials handling policies;
    - (6) Job hazard analyses; and
    - (7) Personal protective equipment policies, including respiratory protection.
  - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts; and

(3) Poison control contacts.

- c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
- d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

28. All cultivators shall comply with the approved processing plan as to the following:

- a. Processing practices
- b. Location where processing will occur
- c. Number of employees, if any
- d. Employee Safety Practices
- e. Toilet and handwashing facilities
- f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
- g. Drinking water for employees
- h. Plan to minimize impact from increased road use resulting from processing
- i. On-site housing, if any

29. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO or CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

30. Inspections. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance.

Failure to request reinspection or to cure any items of noncompliance shall terminate the Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.

The permit holder and subject property owner are to allow the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
  - a. Identifying information for the new owner(s) and management as required in an initial permit application;
  - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
  - c. The specific date on which the transfer is to occur;
  - d. Acknowledgement of full responsibility for complying with the existing permit; and
  - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

**Informational Notes:**

1. Per Section 1273.03 of State Fire Safe Regulations: (a) At no point shall the grade for all roads and driveways exceed 16 percent; (b) The grade may exceed 16%, not to exceed 20%, with approval from the County of Humboldt Planning & Building Department with mitigations, such as paving, to provide for the same practical effect.