

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

Resolution Number: 25-

**Record Number: PLN-12017-CUP
Assessor's Parcel Number: 208-341-005**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Matthew Dazey Conditional Use Permit and Special Permit.

WHEREAS, Matthew Dazey provided an application and evidence in support of approving a Conditional Use Permit for 18,162 square feet of existing outdoor commercial cannabis cultivation supported by a 1,600 square foot ancillary nursery and a Special Permit for a setback reduction to public lands; 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 Section 15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on October 2, 2025 and reviewed, considered, and discussed the application for a Conditional Use Permit and Special 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:** A Conditional Use Permit for 18,162 square feet of existing outdoor commercial cannabis cultivation supported by a 1,600 square foot ancillary nursery. Estimated annual irrigation water is 160,000 gallons provided by rainwater catchment and a permitted well. There is 72,785 gallons of water storage capacity. Processing other than drying will occur offsite at a licensed facility. Power will be provided from renewable sources reserving generator use for emergencies only. The project includes onsite relocation and restoration and a Special Permit for a reduced setback to adjacent public land of less than 600 feet.

EVIDENCE: a) Project File: PLN-12017-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 section 15162(c) of CEQA Guidelines.
- c) The project is conditioned to demonstrate compliance with the State Water Board Cannabis General Order for Waste Discharge by providing a copy of the Notice of Applicability.
- d) A review of the California Natural Diversity Database did not indicate any known rare or endangered species in the project area. The nearest mapped Northern Spotted Owl activity center (HUM0152) is 1.28 miles to the southwest and another (HUM0043) is 1.53 miles to the Northeast. The project utilizes a pre-existing disturbed area and cultivation does not use artificial light nor is there an ancillary nursery. The project has been conditioned to ensure any project lighting associated with adheres to Dark Sky Association standards including security lighting. 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) A review of the California Natural Diversity Database does not indicate the presence of species or sensitive communities of concern.
- f) An evaluation of the road to the subject parcel indicates it can accommodate expected traffic.

- g) The continued cultivation of commercial cannabis will not result in a net timber conversion.
- h) The project is conditioned with the standard inadvertent discovery protocol as a condition of approval.
- i) The setback reduction to public lands is consistent with the Land and Resource Management Plan for the Six River National Forest.

FINDINGS FOR CONDITIONAL USE PERMIT AND SPECIAL 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 applied to all the unincorporated areas of the County that are not otherwise zoned.

b) General agriculture is a principally permitted use in the Unclassified (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 or 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 18,162 square feet of existing outdoor commercial cannabis cultivation on a 3.73-acre parcel is consistent with this and with the cultivation area verification conducted by staff.

d) All structures meet applicable setbacks.

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 (U) (HCC 314-55.4.8.2.2).
 - b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created as part of the Cobb Station subdivision in August 1989 as depicted as parcel 3 in Book 19 of recorded maps page 29.
 - c) The project will obtain water from a permitted well supplemented by rainwater catchment, both eligible water sources. Analysis concludes use of the well will not interfere with the Public Trust and groundwater recharge exceeds proposed use even in a drought year.
 - d) A road evaluation conducted by an Engineer found the access roads can accommodate the expected traffic. Recommendations for improvements and maintenance are incorporated in the conditions of approval.
 - e) The slope of the land where existing cannabis will be cultivated is 0% to 30%. No new grading will occur.
 - f) The continued cultivation of cannabis 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.
 - h) The setback reduction to public lands is consistent with the Land and Resource Management Plan for the Six River National Forest because as conditioned, the operation will be conducted in a manner to protect natural resources and wildlife species.

6. FINDING: The continued cultivation 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. 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. There are other cannabis cultivation operations in the vicinity. 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.
 - c) Irrigation water will come from a permitted well supplemented by rainwater catchment, both eligible water sources.
 - 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) The project site is in the Van Duzen Watershed, which under Resolution 18-43 is limited to 425 permits and 146 acres of cultivation. With the approval of this Conditional Use Permit, the total approved permits for cultivation in this Planning Watershed would be 145 permits and the total approved acres would be 49.03 acres of cultivation.

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 and Special Permit Matthew Dazey subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **October2, 2025**.

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