



# COUNTY OF HUMBOLDT

For the meeting of: 5/15/2025

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File #: 25-555

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**To:** Planning Commission

**From:** Planning and Building Department

**Agenda Section:** Consent

SUBJECT:

MMF Land V LLC  
Assessor Parcel Numbers (APN) 033-120-009  
Record No.: PLN-11971-CUP  
Benbow area

An application for a Conditional Use Permit for 33,699 square feet of outdoor and 650 square feet of mixed light commercial cannabis cultivation activities for a total of 34,349 sf and an additional 3,435 sf of ancillary propagation. Irrigation needs are estimated at 650,000 gallons per year (18.9 gallons per sf). The water source is two existing rainwater catchment ponds totaling 628,000 gallons. One of these ponds is on-stream and subject to forbearance. Current hard tank water storage totals 227,500 in a series of HDPE tanks with an additional proposal of fifteen 5,000- gallon tanks which equates to 75,000-gallons for a total of 302,500- gallons of storage. Anticipated annual water usage is 650,000 gallons. Processing has historically occurred onsite in an existing residence but is conditioned to occur offsite. A maximum of eight employees is anticipated. Power is provided by solar panels and battery storage; additionally, applicant has applied for PG&E connectivity. A generator will be used as emergency backup.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt resolutions (Resolution 25-\_\_) (Attachments 1) which does the following:
  - a. Finds the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance and the Addendum that was prepared for the MMF Land V LLC, project (Attachment 3); and
  - b. Finds the proposed project complies with the General Plan and Zoning Ordinance; and
  - c. Approves the MMF Land V LLC Conditional Use Permit subject to the recommended conditions of approval (Attachments 1A).

**DISCUSSION:**

**Project Location:** The project is located in the Benbow area, on the East and West side of Red Rock Road, approximately 1.7 miles South from the intersection of Red Rock Road and Fairway Drive, on the property known as 1391 Red Rock Road.

**Present General Plan Land Use Designation:** Residential Agriculture, 20 to 160 acres per dwelling unit (RA 20-160); Humboldt County General Plan.

**Present Zoning:** Agriculture Exclusive (AE).

**Environmental Review:** An Addendum to a previously adopted Mitigated Negative Declaration has been prepared for consideration per §15164 of CEQA Guidelines.

**State Appeal:** Project is NOT appealable to the California Coastal Commission.

**Major concerns:** None.

**Monitoring:** Post Approval Monitoring required.

**Executive Summary:** An application for a Conditional Use Permit for 33,699 square feet of outdoor and 650 square feet of mixed light commercial cannabis cultivation activities for a total of 34,349 sf and an additional 3,435 sf of ancillary propagation. Irrigation needs are estimated at 650,000 gallons per year (18.9 gallons per sf). The water source is two (2) existing rainwater catchment ponds totaling 628,000 gallons. One of these ponds is on-stream. Current hard tank water storage totals 227,500 in a series of HDPE tanks with an additional proposal of fifteen (15) 5,000- gallon tanks which equates to 75,000-gallons for a total of 302,500- gallons of hard tank storage. Anticipated annual water usage is 650,000 gallons. Processing has historically occurred onsite in an existing residence but is conditioned to occur offsite (**Condition A.14**). A maximum of eight (8) employees. Power is provided by solar panels and battery storage; additionally, applicant has applied for PG&E connectivity. A generator will be used as emergency backup.

**Water Resources:** The estimated annual water usage of 650,000 is sourced from rainwater catchment. The project will obtain water from two of three rainwater catchment ponds. Two of the three ponds are on-stream ponds; currently, the applicant has an LSAA for one of the two ponds. Diversion from the pond at coordinates 40.05122, -123.760624 is not permitted. Current hard tank water storage totals 227,500 in a series of HDPE tanks with an additional proposal of fifteen (15) 5,000- gallon tanks which equates to 75,000-gallons for a total of 302,500- gallons of hard tank storage. The one off-stream rainwater pond is 300,000 gallons, for a total of 602,500 gallons of water storage available at full build out.

**Biological Resources:** The project is approximately 1.53 miles away from the nearest Northern

Spotted Owl activity center. 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.

While onsite, CDFW observed adult bullfrogs. Subsequently, CDFW recommends as a condition of approval, a Bullfrog Management plan (**Condition 13**). A Bullfrog Monitoring and Management Plan was submitted (**Attachment 4C**).

Per California Natural Diversity Database (CNDDDB), the nearest sensitive species which is 0.35 miles from the subject parcel is the steelhead - northern California DPS winter-run. Additionally, the western bumble bee is 0.62 miles from the subject parcel.

**Energy:** The applicant currently utilizes a solar system for power. Additionally, they have applied for PG&E as an additional power source. The applicant currently has a generator onsite for emergency backup power.

**Access:** A Road Evaluation Report was prepared and details that the East Blue Rock Rd. meets category 4 standards. Additionally, county staff have been on East Blue Rd. and can confirm that East Blue Rock Rd. meets category 4 standards. Per the Department of Public Works, applicant must help repave the entrance of East Blue Rock Rd.

**Geologic Suitability:** The project parcel is mapped in the County GIS as high instability. The existing cultivation is in areas ranging from 15% slope or less to 15% to 30%. No new grading is proposed to implement the project. After the fact grading permits are required for grading that was done previously without permits (**Condition A.6**).

**Timber Conversion:** No timberland conversion is associated with this project. After being referred, CalFire replied with requests for the standard safety measures such as dedicated water source and emergency turnarounds (see Security and Safety section below).

**Security and Safety:** Per the project Operations Plan, access to the parcel is gated and locked. There are also game cameras strategically placed throughout the parcel. The applicant has three (3) 2,500-gallon hard storage water tanks designated for fire protection.

**Tribal Consultation:** The project was referred to Bear River Band of Rohnerville Rancheria and the Northwest Information Center. A Cultural Resources Investigation (report) was prepared by Archaeological Research and Supply Company. The report states that no archaeological or prehistoric resources were identified on the property and the cultivation operation would not have any adverse impact on these resources.

**Consistency with Humboldt County Board of Supervisors Resolution No. 18-43:** 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 project site is in the South Fork Eel Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of the project the total approved permits in this Planning Watershed would be 309 permits and the total approved acres would be approximately 94 acres of cultivation.

**Environmental Review:** 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 previously adopted Mitigated Negative Declaration (MND) that was adopted for the CMMLUO. Staff has prepared an addendum (**Attachment 3**) to the MND 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 elect to add or delete other conditions of approval. The Planning Commission could deny approval if unable to make all the required findings. Staff has concluded the required findings in support of the proposal can be made. Consequently, Staff does not recommend further consideration of these alternatives.
2. The Planning Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As the lead agency, the Department has determined that the project is consistent with the MND for the CMMLUO as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

ATTACHMENTS:

1. 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
  - A. CDFW
  - B. Environmental Health
  - C. Building Inspection Division

6. Watershed Map

**Applicant**

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