



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**LONG RANGE PLANNING**

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Date: Meeting of July 7, 2022  
To: Humboldt County Planning Commission  
From: John H. Ford, Director of Planning and Building Department  
Subject: **Draft Policy Regarding Small Farmer Nurseries**

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Attachment 1 Staff Analysis

Please contact Cliff Johnson, at 707-445-7541 or [cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us), if you have any questions about this draft policy.

## AGENDA ITEM TRANSMITTAL

<b>Meeting Date</b> July 7, 2022	<b>Subject</b> Draft Small Farmer Propagation Policy	<b>Contact</b> Cliff Johnson
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**Project Description:** The purpose of this staff report is to provide a framework for the County to consider appropriately sized propagation facilities for small cannabis cultivation permits.

**Project Location:** All of the unincorporated areas of Humboldt County, including the Coastal Zone.

**Present Plan Designations:** All land use designations.

**Present Zoning:** All zoning districts.

**Environmental Review:** Not a project.

**State Appeal Status:** Not appealable.

## SMALL CULTIVATION SITE PROPAGATION POLICY

### Recommended Commission Action

1. Request staff present the staff report.
2. Receive public testimony.
3. Deliberate and comment on the draft policy and alternatives presented.
4. Direct staff to draft a letter summarizing the Planning Commission's direction.

### EXECUTIVE SUMMARY:

This is to set the stage for a discuss the Planning Commission asked to have put on the agenda relative to the appropriate size for propagation area allowed.

Neither the CMMLUO (Ordinance 1.0) nor the CCLUO (Ordinance 2.0) set specific limitations on the amount of propagation space that may be permissible. It has been a long-standing practice of the Department and the Planning Commission to limit ancillary propagation facilities to no more than 10% of the approvable cultivation area.

At the June 16, 2022, hearing the Planning Commission heard an application for a small farm that was requesting an ancillary propagation area of 25% of the cultivation area. During this discussion the applicant's agent presented in many cases a propagation space of 10% or less is too small to hold the number of immature plants necessary to propagate the primary cultivation area and in particular that it would leave no room for experimentation or maintenance of unique genetic plant stock. The Commission was sympathetic to these concerns, particularly for smaller farms that would have very limited propagation space under the current framework and asked to be given some options to make recommendations to the Board of Supervisors for policy guidance on when greater than 10% propagation space would be justifiable.

The Planning Commission previously heard a proposed ordinance amendment that would have increased the allowable propagation facilities to all cultivation sites to up to 25% of the approved cultivation area. Due to concern and opposition from members of the public this proposed amendment was tabled indefinitely. Some members of the cannabis industry argued against it, and members of the public argued that even the 10% allowance which has been used since the beginning of the permitting process is not specifically allowed by ordinance and should not be allowed. This discussion has those supportive of the idea and those who oppose any expansion of what is currently being allowed.

Some cultivators are looking to allow their plants to get a little larger within the nursery area, which means they spend less time in the cultivation area which could allow and increased number of crops. This is particularly true of mixed light cultivation. On the other hand the Commission expressed support for additional space for genetic experimentation and to give additional consideration to the smaller farmers. The struggle will be to define what is a smaller farm, and if allowing experimentation with genetics how that is structured within the permit.

In preparation for the discussion the following questions are important:

1. What is the purpose of expanding the propagation space?
  - a. Allow increased productivity
  - b. Better support small farmer (what is a small farmer)

- c. Allow genetic experimentation outside the cultivation area.
2. How should this be implemented?
- a. Policy of Board of Supervisors (Resolution)
  - b. Ordinance Amendment

The following options have been written for Planning Commission consideration and discussion.

- Option 1) Farms approved under the small farmer requirements (2,000 square feet or less) that provide a demonstration that they primary cultivate their own unique cannabis genetic strain may be principally permitted for a dedicated propagation space of up to 25% of the cultivation area.
- Option 2) Farms approved that are less than 5,000 square feet of cultivation area that provide a demonstration that they primary cultivate their own unique cannabis genetic strain may be principally permitted for a dedicated propagation space of up to 25% of the cultivation area.
- Option 3) All farms that can demonstrate that they primarily cultivate their own unique genetic strain of cannabis may be principally permitted for a dedication propagation space of up to 25% of the cultivation area.

Once the Planning Commission gives some guidance and the desired approach the Department will prepare a letter to the Board of Supervisors expressing the Commission's recommendation and will identify any environmental considerations associated with the change. The letter will then be brought back to the Planning Commission for consideration.