

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

Resolution Number: 25-

Record Number: PLN-2020-16889

Assessor's Parcel Numbers: 210-051-059

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Matthew Puckett - Modification of PLN-10269-CUP, Conditional Use Permit Modification.

WHEREAS, Matthew Puckett - Modification of PLN-10269-CUP, submitted an application and evidence in support of approving a Conditional Use Permit Modification to Record No, PLN-2020-16889 to allow for a 6,120 square foot accessory building to be used for a nursery and storage and drying.

WHEREAS, the County Planning Division, as lead agency, has determined that the project qualifies for categorical exemption found in Section 15301 (Existing Facilities); and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on April 17, 2025 and reviewed, considered, and discussed the application for the Conditional Use Permit Modification, 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 Modification to an approved Conditional Use Permit (PLN-10269-CUP) for the inclusion of a two-story, 6,120-square-foot (60'x102') metal building to be used as a nursery and drying/storage area. The approved Conditional Use Permit was for one-acre of outdoor cannabis cultivation. The Modification will also convert the outdoor cultivation to light deprivation with hoop houses. While proposed at 5,000 square feet for the nursery, the nursery is conditioned to consist of no more than 4,356 square feet to start plants which is 10% of their approved 43,560 square feet of outdoor and mixed light cultivation (PLN-10269-CUP). Processing will continue to take place at a licensed third-party facility. PG&E provides power to the site.

EVIDENCE: a) Project Files: PLN-10269-CUP and PLN-2020-16889

2. FINDING: **CEQA:** The proposed project does not present substantial changes thus the project is exempt from environmental review pursuant to Section: 15301 – Existing Facilities.

EVIDENCE: a) The proposed project is exempt from environmental review pursuant to Section: 15301 – Existing Facilities because it will utilize an existing structure for the purposes of cannabis production.

FINDINGS FOR CONDITIONAL USE PERMIT MODIFICATION

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 (RA40) 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 the Open Space Action Program.

b) The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program.

4. FINDING: The proposed development conforms with all applicable standards and requirements of these regulations.

EVIDENCE: a) The Forestry Recreation Zone allows agriculture and timber processing with a Use Permit.

b) The structure has met requirements for a building permit.

- c) The structure is ready to be approved for a building permit once the Conditional Use Permit Modification is approved.
- d) The structure meets the setbacks of the zoning code.
- e) The structure is in compliance with the wetlands and streamside management ordinance.

5. FINDING: The proposed development is consistent with the purposes of the existing Forestry Recreation (FR) zone in which the site is located.

- EVIDENCE:**
- a) The Forestry Recreation (FR) Zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use, and in which protection of the timber and recreational lands is essential to the general welfare.
 - b) The FR zone is principally permitted to allow General agriculture, nurseries and greenhouses, and roadside stands.
 - c) The location and height of all modified project elements meet the setback and building height requirements for the FR and B5 zones.

6. FINDING: The modified project 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) Access to the property is on private road off a County maintained road. Compliance with these standards has been made a condition of approval for a conditional use permit.
 - b) The existing structure has applied for a building permit; however, the modification needs to be completed prior to issuance.

7. FINDING: The modified project 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.

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
- Approve Conditional Use Permit Modification for Matthew Puckett subject to the Conditions of Approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on April 17, 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