

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 24-097

Records Number: PLN-2019-16097

Assessor's Parcel Number: 032-012-012

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Emerald Holdings, LLC, Conditional Use Permit.

WHEREAS, Emerald Holdings LLC, submitted an application on December 19, 2019, for a Conditional Use Permit to develop a cannabis dispensary and a cannabis distribution facility on the first floor of 649 Bear Creek Road in Garberville. The dispensary will operate storefront sales from 10 AM to 6 PM; non-storefront (delivery) sales may occur from 6 PM to 10 PM depending on market conditions. Distribution operations will generally take place outside dispensary hours but shipments may be received from 6 AM to 10 PM. The business includes storage of bulk cannabis product, and storage of packaged cannabis for pick-up and transport to retail facilities, as well and third-party batch testing. No packaging or labelling will occur on-site. There will be a maximum of three employees on-site during peak operations; and

WHEREAS, the applicant was generally unresponsive to requests for information necessary to review and analyze the proposed application; and

WHEREAS, the project is statutorily exempt from environmental review pursuant to Section 15270 of the State CEQA Guidelines (projects which are disapproved); and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on December 19, 2024, 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 Zoning Administrator makes all the following findings:

- 1. FINDING:** **Project Description:** A Conditional Use Permit to develop a cannabis dispensary and a cannabis distribution facility on the first floor of 649 Bear Creek Road in Garberville. The dispensary will operate storefront sales from 10 AM to 6 PM; non-storefront (delivery) sales may occur from 6 PM to 10 PM

depending on market conditions. Distribution operations will generally take place outside dispensary hours, but shipments may be received from 6 AM to 10 PM. The business includes storage of bulk cannabis product, and storage of packaged cannabis for pick-up and transport to retail facilities, as well and third-party batch testing. No packaging or labelling will occur on-site. There will be a maximum of three employees on-site during peak operations.

EVIDENCE: a) Project Files: PLN-2019-16097

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The project is statutorily exempt from CEQA as it is a project which is not approved.

EVIDENCE: a) Section 15270 of the CEQA Guidelines

FINDINGS FOR CONDITIONAL USE PERMIT

3. FINDING: The proposed development is not consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.

EVIDENCE: a) Additional information necessary to determine consistency with the ordinance has not been submitted. Requests for information were sent to the applicant and the County did not receive the requested information. Correspondence on file with the applicant indicated that unless a response was received the application would be prepared for hearing with the information currently available in the file, which would likely result in a recommendation of denial. No response has been received to date.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- **Deny** the Conditional Use Permit for Emerald Holdings LLC, based upon the Findings and Evidence; and

Adopted after review and consideration of all the evidence on **December 19, 2024**.

I, John H. Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.



John H. Ford, Zoning Administrator
Planning and Building Department