

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

Resolution Number: 25- 022

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 Sarah West and second by COMMISSIONER Noah Levy and the following vote:

AYES: COMMISSIONERS: Sarah West, Noah Levy, Peggy O'Neill, Iver Skavdal,
Jerome Qiriazzi, Thomas Mulder

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Lorna McFarlane

ABSTAIN: COMMISSIONERS:

DECISION: Motion Carries 6/0/1

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

CONDITIONS OF APPROVAL

Approval of the Conditional Use Permit is conditioned on the following Development Restrictions, General Conditions, and Ongoing Requirements.

A. Development Restrictions Which Must be Satisfied Before Site Development or Initiation of Operations.

1. The project shall be developed and operated in accordance with the Project Description and Operations and Maintenance Plan, the Site and Utility Plan, and the adopted Mitigation and Monitoring Report (Attachment 1B).
2. The applicant shall obtain from the Building Division any Building or other required permits prior to commencing construction activities or the approved use (i.e., grading, building, plumbing, electrical, mechanical, fences and gates over six feet in height, etc.).
3. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low-pressure sodium (LPS) light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed.
4. The applicant shall secure permits for all structures and grading related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing or proposed structures associated with drying and storage or any activity with a nexus to cannabis, generators, any noise containment structures and graded flats, as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
5. Within 60 days of the effective date of project approval, the applicant shall submit a site and floor plan for the proposed nursery limiting the square footage to no more than 4,356 square feet. The plan shall include an interior partition or other method to permanently ensure that the space utilized for the nursery does not exceed this amount.

B. General Conditions.

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.

C. Ongoing Requirements Which Must be Satisfied for the Life of the Project.

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description and Operations and Maintenance Plan, the approved Site and Utility Plan, the Mitigation and Monitoring Report, and these operational conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. Any outdoor construction activity and use of heavy equipment outdoors shall be limited to the hours between 7:00 a.m. and 6:00 p.m., Monday through Friday, and between 9:00 a.m. and 6:00 p.m. on Saturday and Sunday.

Informational Notes:

1. This permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Humboldt County Code.
2. If suspected archaeological resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during Project activities, work shall be stopped within 100 feet of the discovery. Contact would be made to the County, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, Wiyot Tribe, and any other tribe

that may be identified by the NAHC as traditionally or culturally affiliated with the Project area. The professional archaeological resource consultant, Tribes, and County officials would coordinate provide an assessment of the find and determine the significance and recommend next steps.

If human remains are discovered during Project activities, work would stop at the discovery location, within 100 feet, and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

APN: 210-0510-059



Puckett, Matthew



Proposed Cultivation and Operations Plan

The proposed cultivation and operations plans will replace the current plan by means of project modification if approved by planning department. The proposed cultivation activities consist of 43,560 square feet of outdoor cultivation in twenty-two 20-foot x 96-foot green houses (each being 1,920 square feet) and one 20-foot x 66-foot green house (1320 square feet). Green houses are temporary, and all coverings will be taken down by Nov. 14 every year. No supplemental lights are to be used in cultivating this area although light deprivation techniques will be utilized for a portion of the season. The existing 2,000 square foot dry building will still be solely used for drying and storage purposes. The applicant is proposing to add a 60-foot x 102-foot metal building. The proposed uses of this building will be as a nursery and drying/storage area. The nursery will consist of 5,000 square feet of to be used to start plants for approximately twenty days before being moved into greenhouses. The proposed dry/storage area will be on the second floor and will consist of a 5,000 sq foot area also. Processing will take place at a certified/permitted facility and not at this property. The power source for the property is PGE. Water for the site is provided by two water wells which supply 22,500 gallons of water storage and 10,000 gallons of water for fire suppression. Security for the property consists of security fencing, gated access, cameras and trained k9 patrol.

APPROVED

APR 17 2025
Humboldt County
PLANNING

APN: 210-051-059
Name: Matthew M. Puckett
CA Permit: LCA-18-0000390
Date: 3-21-2021
Scale: 1/8" = 1'-0"

Site Plan

