

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

Resolution Number: 25-043

Record Number: PLN-2025-19195

Assessor's Parcel Numbers: 529-036-011

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Terrapin Farms - Modification of PLN-12136-SP, Special Permit Modification.

WHEREAS, Terrapin Farms submitted an application and evidence in support of approving a Special Permit Modification to Record No, PLN-12136-SP to allow a microbusiness; and

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 Zoning Administrator held a duly-noticed public hearing on May 15, 2025, and reviewed, considered, and discussed the application for the Special Permit Modification, 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 Modification to an approved Special Permit (PLN-12136-SP) to allow for a microbusiness. The approved Special Permit was for an existing commercial cannabis operation consisting of 6,500 square feet of outdoor cultivation. The Modification to the approved project is to add manufacturing, distribution, and processing. Proposed manufacturing activities include extraction utilizing ice water, no use of solvents is proposed. The modification will also allow hoop houses to cover existing garden beds.

EVIDENCE: a) Project Files: PLN-2025-19195 and PLN-12136-SP

- 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.

FINDINGS FOR SPECIAL 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 (RA5-20) 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 Unclassified Zone allows general agriculture processing with a Use Permit and a microbusiness including these uses is permitted with a Special Permit.

- b) The microbusiness will obtain power through renewable sources by solar power and PG&E.

- c) The structure has been reviewed and is ready to be approved for a building permit once the Special Permit Modification is approved.

- d) Water for the operation is obtained from rainwater collection.
- e) No additional development is proposed and the existing structures to be used are in compliance with all applicable setbacks.

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

EVIDENCE: a) The Unclassified (U) Zone is intended to be applied all of the unincorporated area of the County not otherwise zoned is designated as the Unclassified or U Zone. This area has not been sufficiently studied to justify precise zoning classifications. The following Code sections have been adopted to protect the health, safety and general welfare of the citizens and to insure orderly development in conformance with the General Plan.

b) The U zone is principally permitted to allow General agriculture.

c) The location and height of all modified project elements meet the setback and building height requirements for the U zone.

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 which is functionally equivalent to a Road Category 4 standard per the Department of Public Works. No additional traffic is expected as a result of the microbusiness.

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 Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Approve Special Permit Modification for Terrapin Farms subject to the Conditions of Approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **May 15, 2025.**

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, 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 Plan (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. The applicant shall improve any existing or proposed driveways that serve as access for the proposed project that connect to a county-maintained road to current standards for a commercial driveway. This project requires paving the driveway apron a minimum of width of 18 feet and a length of 50 feet at the point of connection to Bark Shanty Road. A letter or similar communication from the Department of Public Works Land Use Division verifying that the recommendations have been completed will satisfy this condition.
4. The applicant shall improve and maintain all driveways and private intersections onto the County Road in accordance with County Code Section 341-1 (Sight Visibility Ordinance) to the satisfaction of the Humboldt County Department of Public Works Land Use Division.
5. Industrial wastewater tailings from manufacturing activities cannot be discharged to DEH approved OWTS. The applicant shall contact the North Coast Regional Water Quality Control Board regarding industrial wastewater disposal requirements and provide evidence of an acceptable waste disposal system.

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. No development, mowing, or removal of native vegetation shall occur within the setback buffers surrounding the wetlands or environmental avoidance area as depicted on the Site and Utility Plan.
3. Mowing the project area shall not be permitted during the blooming period (March-August).
4. 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.



Project Description-

We are currently a permitted 6,500 sf farm- all cultivation is done full sun, in native, living soil and plants are grown organically with rainwater collected and stored throughout the winter- we have 57,000 gallons of rainwater storage and power is supplied by our 5kw Solar intertie with PGE. Processing is currently done in our permitted garage. We are not increasing of cultivated square footage at all, we are simply looking to add 10' wide seasonal hoop houses over our existing garden beds-our garden beds are 6'wide in native living soils and we are adding square footage to accommodate the 2' wide aisles on both sides of the existing beds. There will be no grading or disturbing of any soil in the installation of the seasonal hoop houses.

We are applying for a micro-business license to allow us to distribute and process our cannabis in our existing, permitted garage where we currently process our flower. We are planning on doing solventless extraction with only ice and water, no solvents or chemicals of any kind. Water and ice use is minimal, under 2,000 gallons, and will be supplied by our rainwater catchment system- we currently have had over 10,000 gallons of water left at the end of the season with our rainwater catchment from the garage and will be topping that off throughout the winter while we are processing. Chest freezers and any associated equipment are all energy star certified and will be supplied 100% by our 5kw solar l grid - intertie system, using less power than it currently takes to dry and store our flower.

Our property is accessed by Bark Shanty Rd, a paved county road. As per communication with Ken Freed, on 1//6/2025, Bark Shanty is a category 4 road where it meets our driveway .We live on site and are a family owned and operated farm with no employees-there will be no increase in traffic on the county road which serves our property.

Addendum to our operations plan as far as water use projection for proposed project- We plan on processing 1000-1200 lbs of fresh frozen material. Each wash uses 100 gallons of water to processes 100lbs of material at a time, using a total of 1,200 gallons to process 1200lbs of material. Additional water use to clean processing equipment and make ice is expected to be another 800 gallons, for a projected total of 2,000 gallons of water. Most processing will be in the winter months and supplied from our current 57,000 gallon rain water catchment system. We have had 5,000-10,000 gallons left over each season the past few years (see waterboard reporting documents) and can capture more water throughout the winter to fill all tanks before the start of the season.

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Applicant has one withstanding compliance item from his current special permit, which is to pave the lip of the driveway where it meets the county road. Applicant has spoken to Ken Freed at public works about this outstanding issue-due to circumstances beyond his control, the applicant was unable to get that done before the paving season ended this year. Applicant will complete this requirement in summer of 2025 as soon as the asphalt plant reopens for the year in willow creek, the closest possible source for pavement to Orleans. Applicant has spoken to Ken about this and was granted permission to add that compliance agreement to the special permit for the micro business.

Our water system for the farm is supplied by our rainwater catchment system and is outlined in detail on our enclosed Property Diagram and consists of 57,000 gallons of storage. Our domestic water system is supplied by our spring with an additional 14,000 gallons of storage and is covered by an LSA agreement with Fish and Wildlife. We had an inspection from them this year where they inspect the farm and our domestic water diversion logs and intake system and make sure we are compliant with the terms of our LSA agreement, which we are.

On our farm, we grow cover crops and practice no till, regenerative farming and cultivate in native living soils which we amend with organic compost from the farm and bio char from our fuels reduction projects, all of which greatly reduces water and nutrient inputs to the native clay soil. We have consistently had over 10,000 gallons of water left over the last several years with our rainwater catchment system and can collect more water than we can store throughout the winter when we'll be doing our processing for the micro-business.

Our grid-tied 5 kw solar system consists of 36 165W solar panels and a 5kw inverter and supplies power currently for the farm and will for the micro-business as well.

Distribution Operations Plan for Terrapin Farms

We will only be distributing products from our farm and will be delivering products ourselves approximately once a month to customers throughout the state. There will be no increased traffic or deliveries associated with our proposed project.

