



COUNTY OF HUMBOLDT

Legislation Text

File #: 22-1499, Version: 1

To: Zoning Administrator
From: Planning and Building Department
Agenda Section: Public Hearing

SUBJECT:

Highpoint Honeydew Farm, LLC, Special Permit
Record Number: PLN-2018-15260
Assessor's Parcel Number: 107-054-036
Honeydew area

A Special Permit for 23,616 square feet of new outdoor commercial cannabis cultivation in light deprivation greenhouses. Cultivation will take place in four (4) 130'x32' greenhouses, one (1) 110'x32' greenhouse, and one (1) 108'x32' greenhouse. Ancillary propagation will occur in one (1) 20'x100' greenhouse and in a 20'x20' mother room in the proposed propagation area for a total propagation space of 2,400 square feet. Processing such as drying, curing and trimming is proposed onsite within an existing 2,880-square-foot structure that will be upgraded to commercial standards. The applicant anticipates a maximum of three (3) employees will be required for operations. Water for irrigation will be provided by an existing permitted groundwater well. The applicant anticipates 201,390 gallons of water will be required annually for irrigation. Processing such as drying, curing and trimming is proposed onsite within an existing 2,880-square-foot structure that will be upgraded to commercial standards. Power for the project will be provided by PG&E and a backup generator.

RECOMMENDATION(S):

That the Zoning Administrator:

1. Describe the application as a Public Hearing
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a Public Hearing; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Finds that the Zoning Administrator has considered the Addendum to the that the Zoning Administrator has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section §15164 of the State CEQA Guidelines; and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Special Permit subject to the recommended Conditions of Approval (**Attachment 1A**)

DISCUSSION:

Executive Summary: Highpoint Honeydew Farm, LLC seeks a Special Permit to allow for 23,616 square feet

of new outdoor light deprivation cannabis cultivation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Cannabis Land Use Ordinance (CCLUO). Cultivation takes place on north portion of the parcel. Cultivation will take place in four (4) 130'x32' greenhouses, one (1) 110'x32' greenhouse, and one (1) 108'x32' greenhouse. Ancillary propagation will occur in one (1) 20'x100' greenhouse and in a 20'x20' mother room in the proposed propagation area for at total propagation space of 2,400 square feet.

Processing such as drying, curing and trimming is proposed onsite within an existing 2,880-square-foot structure that will be upgraded to commercial standards. The applicant anticipates a maximum of three (3) employees will be required for operations. Artificial lighting used for processing activities will adhere to shielding and International Dark Sky Association standards as set forth in the CCLUO. Power for the project will be provided by PG&E and a backup generator.

Water Resources: Water for irrigation will be provided by an existing permitted groundwater well. The applicant anticipates 201,390 gallons of water will be required annually for irrigation. The applicant has submitted a report prepared by Lindberg Geologic Consulting which evaluates the hydrological connectivity of the well. The report concluded that the well has a low likelihood of being connected to surface water resources or nearby wells in a way that may impact adjacent wells, wetlands, or surface water.

Additionally, the use of the well would not deplete surface waters of necessary water to support healthy stream flows due to the low withdrawal rate compared to the amount of water infiltrating to groundwater from rainfall. The subject property is 47 acres in size and the cultivation requires approximately 201,390 gallons of water annually for irrigation. According to the USGS publication Fine-scale hydrologic modeling for regional landscape applications: the California Basin Characterization Model development and performance. Flint, 2013, a property of this size in our region is capable of providing 25 million gallons of water to recharge the subsurface aquifer in an average rainfall year of 57.7 inches, assuming any particular year is only half of average rainfall, the property is still capable of recharging as much as 12.5 million gallons to groundwater. This indicates that the withdrawal of 201,390 gallons from the groundwater well would be as little as 1.6% of the total potential recharge to groundwater that would occur on the property even if only 50% of average annual rainfall is received. Accordingly, impacts to groundwater from the use of this well would be negligible.

Fire Safety: Honeydew VFC recommended provisions for the use of portable pumps in ponds, however as the applicant is not proposing the pond for cannabis use, including this in the conditions of approval is beyond the purview of this cannabis permit application. The applicant may still voluntarily provide portable pumps for the use of the pond for fire suppression. Honeydew VFC also recommended 1 ½" or 2 ½" fire hose connections in water infrastructure, which has been included in the recommended conditions of approval.

Pursuant to Honeydew VFC referral comments, the applicant has been conditioned to maintain defensible space with vegetation management along ingress routes and 100 feet from structures. Defensible space shall be achieved utilizing methods recommended by CAL FIRE referenced in Development Restrictions B.4. No tree removal is authorized with the approval of this permit.

Biological Resources: According to the California Natural Diversity Database there are no mapped sensitive species on the subject parcel. There is a mapped Northern Spotted Owl (NSO) Activity Center (HUM0881) located approximately 1.7 miles north from the project site. The nearest NSO observation is mapped approximately 2.45 miles north from the project site. Marbled Murrelet habitat is mapped approximately 1.75 miles south from the project site. The applicant submitted a *Biological Reconnaissance Assessment* prepared by ETA Humboldt, which includes recommendations to minimize potential impacts on biological resources. Biologist recommendations have been included as recommended conditions of approval.

The applicant submitted an *Aquatic Resources Delineation* prepared by Kyle Wear, which concluded that there are no wetlands on site, although it did note that the pond on site proposed for cultivation activities is connected to surface water. The pond is not proposed for cannabis activities.

Access: The property is accessed via private driveway from Mattole Road, a category 4 County maintained road. The project was referred to the Department of Public Works for review and comments. The Department of Public Works recommended approval of the project with conditions. The conditions include relocation of any gates out of the County right-of-way, paving the driveway apron for a minimum width of 18 feet and a minimum length of 50 feet, and to maintain the driveway intersection with Mattole Road in accordance with the County Sight Visibility Ordinance. These have been included in the recommended conditions of approval.

Tribal Consultation: The project is located in the Bear River Band and Sinkyone Aboriginal Ancestral Territories. The project was referred to Northwest Information Center, Bear River Band, and Sinkyone tribe. The Bear River Band Rancheria recommended the applicant to survey the project site for cultural resources. The applicant submitted a Cultural Resource Investigation prepared by Archaeological Resource and Supply Company dated August 2022 documenting no identified cultural resources. The report was sent to relevant agencies for review and comment. Inadvertent Discovery Protocol has been included in the recommended conditions of approval.

Cap on Permits: Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds. The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 228 permits and the total approved acres would be 80.01 acres of cultivation.

Environmental Review: Based on the results of the analysis, staff finds that all aspects of the project have been considered in a previously adopted Environmental Impact Report that was adopted for the Commercial Cannabis Land Use Ordinance and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information).

Project Description: A Special Permit for 23,616 square feet of new outdoor commercial cannabis cultivation in light deprivation greenhouses. Cultivation takes place on north portion of the parcel. Cultivation will take place in four (4) 130'x32' greenhouses, one (1) 110'x32' greenhouse, and one (1) 108'x32' greenhouse. Ancillary propagation will occur in one (1) 20'x100' greenhouse and in a 20'x20' mother room in the proposed propagation area for at total propagation space of 2,400 square feet. Processing such as drying, curing and trimming is proposed onsite within an existing 2,880-square-foot structure that will be upgraded to commercial standards. The applicant anticipates a maximum of three (3) employees will be required for operations. Water for irrigation will be provided by an existing permitted groundwater well. The applicant anticipates 201,390 gallons of water will be required annually for irrigation. Processing such as drying, curing and trimming is proposed onsite within an existing 2,880-square-foot structure that will be upgraded to commercial standards. The applicant anticipates a maximum of three (3) employees will be required for operations. Power for the project will be provided by PG&E and a backup generator.

Project Location: The project is located in Humboldt County, in the Honeydew area, on the west side of Mattole Road, approximately 0.5 miles southwest from the intersection of Mattole Road and Meaux Road, on the property known as 47730 Mattole Road.

Present General Plan Land Use Designation: Agricultural Exclusive (AE), Density: Range is 20 to 60 acres per unit; Residential Agriculture (RA40), Density: 40 acres per unit, 2017 General Plan, Slope Stability: Moderate Instability (2).

Present Zoning: Agricultural Exclusive (AE), Building site area is shown on subdivision maps, Front, side, and rear yards must be greater than the B-4 requirements (one acre), unless otherwise indicated on the subdivision maps (B-6)

Environmental Review: An Addendum to a previously adopted Environmental Impact Report has been prepared for consideration per §15164 of CEQA Guidelines.
State Appeal: Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

Major concerns: None.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either recommended approval or conditional approval. (Attachment 4)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project
2. The Zoning Administrator could elect to add or delete conditions of approval
3. The Zoning Administrator could deny approval of the requested permits if unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Cultivation Operations Plan
 - C. Site Plan
2. Location Maps
3. CEQA Addendum
4. Applicant's Evidence in Support of the Required Findings
 - A. Well Permit Documents
 - B. Biological Assessment
 - C. Wetland Delineation
 - D. Well Evaluation by Lindberg Geologic Consulting
 - E. Well Completion Report
5. Referral Agency Comments and Recommendations
 - A. DEH Referral Response
 - B. Public Works Referral Response

Applicant

Highpoint Honeydew Farm, LLC

Evan Kouchalakos

48000 Mattole Road

Honeydew, CA 95545

Owner

Evan Kouchalakos

74 Amherst Rd

Merrimack, MH 03054

Please contact Michael Holtermann, Planner, at (707) 268-3737, or by email mholtermann@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.