COUNTY OF HUMBOLDT

Legislation Text

File #: 20-1071, **Version:** 1

Cannabis Ordinance Amendments for Small Cultivators, Personal Use and Financial Security

Case Numbers PLN-2020-16447, PLN-2020-16571 and PLN-2020-16479

Countywide

The proposed Small Cultivator amendments modify Sections 314-55.4.5.1.5, 314-55.4.6.1, 314-55.4.6.5 and 314-55.4.12.1.10 of the Commercial Cannabis Land Use Ordinance in Chapter 4 - the Zoning Regulations (Title III of Humboldt County Code) to facilitate permitting of small new and pre-existing cannabis farms adjacent to homes that existed prior to December 31, 2016 by establishing a streamlined permitting pathway. The eligible farms minimize the impacts on the environment and archaeological resources because they are owner-occupied, the cultivation area is no more than 2,000 square feet in size and within the already disturbed homesite area of the existing home. Also, water for irrigation is provided from permitted non-diversionary sources, permaculture is practiced, and the cultivation is done outdoors or in permitted or ag exempted hoophouses/greenhouses and does not use generators for electrical power. The proposed Personal Use on Small Parcel Ordinance amendments modifies Section 314-55.2 of Chapter 4 - the Zoning Regulations (Title III of Humboldt County Code) to establish standards for cannabis cultivation for personal use on parcels larger than five acres in size. The maximum allowed personal use cultivation area on these parcels is proposed to be 200 square feet, which is the same as the maximum amount allowed on parcels between one and five acres in size. The proposed Financial Security amendments to the CCLUO and the Commercial Marijuana Cultivation Tax Ordinance establish financial security requirements in the CCLUO and better align the provisions of the CCLUO with the Marijuana Cultivation Tax Ordinance. The amendments would add sections 313-55.4.12.2.9 and 314-55.4.12.9.9 to create alternative ways to provide surety for payment of cultivation taxes as imposed by Chapter 9 of Division 1 of Title VII of the Humboldt County Code. The proposed Small Cultivator and Personal Use ordinance amendments will apply to all areas of the County outside of the coastal zone. The proposed Financial Security amendments will apply countywide.

That the Planning Commission approve the proposed changes to the Zoning Regulations and Marijuana Tax Ordinance and make recommendations to the Board of Supervisors for final action. The proposed Small Cultivator ordinance amendments are subject to environmental review under the California Environmental Quality Act. The proposed Personal Use and Financial Security ordinance amendments are exempt from environmental review.

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