



**COUNTY OF HUMBOLDT**  
PLANNING AND BUILDING DEPARTMENT

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## **Commercial Medical Marijuana Land Use Ordinance Cultivation Application Checklist**

Payment of a deposit is required when submitting an application. Upon receipt of payment and a complete application package, an Application Assistance meeting with a Planner will be scheduled to review the application materials. The purpose of the meeting is to answer questions about the process, verify eligibility for the type of permit or clearance requested, and identify solutions for compliance with applicable state and local regulations. The Planner will identify if additional material or information is needed or if information requires correction, refinement, or clarification to demonstrate conformance with Ordinance #2544. This checklist may be used as a guide for applications involving outdoor, mixed light, and indoor cultivation. Please submit this checklist with the application.

### Exclusions and Restrictions:

- Applications for projects located in the Coastal Zone are not being processed at this time. The ordinance has not yet been certified by the California Coastal Commission and application requirements are subject to change.
- No more than four permits may be issued to a person or group, including any natural person who owns or controls any interest, directly or indirectly within any of the aforementioned group(s) pursuant to 55.4.8.10 of the Commercial Medical Marijuana Land Use Ordinance.

### Application:

- Planning & Building Department Application Form.
- Indemnification and Hold Harmless Agreement.
- Application Fee.
- Completed Commercial Cannabis Activity Registration Form.
- Check in the amount of \$75.00 payable to the Northwest Information Center (NWIC) of the California Historical Resources Information System.
- Commercial Medical Marijuana Land Use Ordinance Acknowledgement Form.
- Affidavit - Commercial Cannabis Activity.
- Documentation of cultivation activities occurring prior to January 1, 2016 (not required for new cultivation).

### Evidence of Ownership & Authorization:

- Copy of current deed for the property where commercial activity will occur.
- Copy of lease or similar instrument authorizing application for development / permits (if you are not the owner).
- Notarized written consent of owner (if you are not owner of record and do not have authority to apply for commercial cannabis permits through lease or written agreement).
- Copy of ownership instrument, showing all owner names (if more than one owner).
- Legal documentation describing the composition of the organization showing those empowered to direct the affairs and those holding an interest in the organization (if application is submitted by a firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit).

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### Site Plan of Entire Parcel Showing:

- Owner's name and assessor's parcel number.

- Easements.
- Natural waterways including streams, springs, ponds, culverts, and any other water features.
- Location and area of cultivation or commercial activity.
- Setbacks of cultivation area from property lines.
- Access roads.
- Graded flats.
- Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity.
- Water storage structures labeled as to type, capacity, and date of construction.
- Water diversions including culverts, ponds, dams, and other ground disturbance from water diversion.
- Dimensions showing 600 square feet around the cultivation site, including notations describing distance from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources, and off-site residences within 300 feet.

Cultivation and Operations Plan:

- Description of water source, storage, irrigation plan, and projected water usage.
- Description of site drainage, including runoff and erosion control measures.
- Detail of measures taken to ensure protection of watershed and nearby habitat.
- Protocols for proper storage and use of fertilizers, pesticides, and other regulated products utilized.
- Description of cultivation activities (e.g. outdoor, indoor, mixed light).
- Processing Plan.
- If mixed light cultivation proposed, identify number of cultivation cycles.
- Schedule of activities during each month of the growing and harvesting season, including projected generator use.
- Security Plan.

Indoor Cultivation Facilities (attach if applicable):

- Identify source of electrical power.
- Include description of how it will meet energy requirements described in section 314-55.4.8.3 of the Zoning Code.

Retirement, Remediation, and Relocation (RRR) (attach if applicable):

- Documentation of cultivation activities occurring prior to January 1, 2016, including evidence and calculation of square footage, and notation that the parcel is zoned TC, FR, TPZ, U, RA, AG, or AE.
- Documentation that the cultivation activities source of irrigation water is from surface water diversion without DWR water right or permit or DFW streambed alteration permit.
- Documentation that the cultivation activities occurred on a parcel with slopes in excess of 15%.
- Documentation that the site of relocation is eligible as specified under §55.4.8.2.1.**
- Documentation that the proposed relocation does not exceed either the four (4) times the square footage of the preexisting cultivation site (i.e. 2,500'sq preexisting = 10,000'sq RRR site), or the 20,000'sq maximum, whichever is less.
- If the RRR site is over ten (10) acres and is being proposed for granting of more than one (1) RRR Site Zoning Clearance Certificate, document that the cumulative total area of RRR cultivation site(s) does not exceed twenty percent (20%) of the area of Prime Agricultural Soils on the parcel.

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- RRR Site Plan that includes and is not limited to:
  - Full remediation of the prior cultivation site.
  - Removal of all cultivation related materials.
  - Equipment and improvements.
  - Regrading to preexisting contours.
  - Reseeding with native vegetation; and/or,
  - Reforestation; and/or,
  - Habitat Restoration.
- Execute an agreement and post a bond sufficient enough to complete the RRR Site Plan by the County should the applicant fail to execute the remediation plan within twelve (12) months of approval.
- Record a Covenant executed by the property owner not to cultivate marijuana or disturb the remediation area on the subject property in perpetuity, with an enforcement clause that in the event that the covenant is violated, the County of Humboldt, shall on motion in Superior Court, be entitled to an immediate lien on the property in the amount necessary to remediate the property, but in no event less than the sum of \$50,000.00.
- Agree to abide by the Covenant with the understanding that a violation will terminate the permit for the RRR Site.

Other Permits, Licenses, and Documents (attach if applicable):

- Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights.
- Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Board.
- Streambed Alteration Permit obtained from the Department of Fish and Wildlife.
- Copy of County of Humboldt well permit.
- If parcel is zoned FR, U or TPZ, or involves conversion of timberland, a copy of less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE. Alternately for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE.