

PLANNING COMMISSION

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COUNTY STAFF

JOHN H. FORD  
Director, Planning and Building

**COUNTY OF HUMBOLDT  
PLANNING COMMISSION**

**825 Fifth Street  
Board of Supervisors Chambers  
Eureka, California**

**AGENDA**

**Thursday, July 7, 2022**

**6:00 PM**

**Regular Meeting - Hybrid**

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*NOTE: In accordance with Assembly Bill 361 the Planning Commission meeting will be held virtually.*

***HOW TO LISTEN OR WATCH THE PLANNING COMMISSION MEETING:***

*Listen or Watch the live stream of the Planning Commission Meeting in three ways:*

- 1. <https://zoom.us/j/87544807065> Password: 200525*
- 2. Call in via telephone at 346-248-7799, enter meeting id 875 4480 7065 Password: 200525*
- 3. A live stream of the meeting can be found by using the following link: <https://humboldt.legistar.com> or by watching Access Humboldt on cable channel 10*

***PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:***

*Participate in the public comment period of the meeting in the following three ways:*

- 1. In Person: Any person may appear and present testimony in regard to this matter at the hearing located in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California. The Planning Commission needs 15 COPIES of any materials submitted at the meeting.*
- 2. Via Computer as an attendee: To raise your hand click the Raise Hand icon on the bottom of the Zoom window. When you click the Raise Hand icon, a hand icon will appear next to your name that will notify the host your hand is raised. You will also see the hand icon turn green. When you want to lower your hand, you can click the hand icon again and your hand will be lowered. When you are called upon to speak the Zoom platform will ask you for permission to unmute your mic. If you encounter any issues, please use the call-in option below.*
- 3. Via phone call using cellphone or landline: When the Planning Commission meeting begins, call in to the conference line. When the Planning Commissioner starts to discuss the item you wish to comment on, Press \*9 to raise your hand. When you are called upon to speak, you will be prompted to unmute your mic, press \*6 to unmute.*

*Please note that each Zoom meeting has a unique meeting ID and password. Any item on this agenda that is continued to a future date will use the meeting ID and password applicable to the date the agenda item is to be heard again. Agendas are posted on the Friday before the meeting at <https://humboldt.legistar.com>*

**PUBLIC COMMENT PRIOR TO THE MEETING:**

Public comments may be submitted via email to [Planningclerk@co.humboldt.ca.us](mailto:Planningclerk@co.humboldt.ca.us). Please provide the project title, record or case number and date of the hearing. The deadline for submitting written comments is 12:00 p.m. Wednesday, July 6, 2022. After the deadline, written comments may be submitted to the commission in person during the meeting. Verbal comments may be made in person, or on zoom. Comments received after the agenda is posted on Friday, July 1, 2022, can be found at the “Attachments” section of the “Meeting Details” link next to the posted Agenda at: <https://humboldt.legistar.com>, and will be included with the administrative record. If you do not have access to email, contact the planning clerk at 707-268-3702. Please note that each Zoom meeting has a unique meeting ID and password. Any item on this agenda that is continued to a future date will use the meeting ID and password applicable to the date the agenda item is to be heard again.

**NOTICE REGARDING PUBLIC COMMENT:** For items appearing on the agenda, the public is invited to make comments at the time the item comes up for consideration by the Commission. The Chair will call for public comment as each item is heard by the Commission. For items not appearing on the agenda, the public is invited to make comments during the Public Comment period for non-agenda items. All speakers are invited to state and spell their names but are not required to do so.

**A. CALL TO ORDER / SALUTE TO FLAG****B. COMMISSIONERS PRESENT****C. AGENDA MODIFICATIONS****D. PUBLIC COMMENTS**

*At this time persons may appear before this Commission on any matter pertinent to the Commission's Jurisdiction and that is not on the Agenda. When the Chair asks for public comment, please address the Commission from the microphone. Unless otherwise stated, speakers will have three (3) minutes for public comment. Although the Commission may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Commission at this time.*

**E. DISCUSSION OF REMOTE MEETINGS**

1. Resolution of the Planning Commission of the County of Humboldt re-authorizing remote teleconference meetings for the period July 12, 2022, through August 11, 2022 pursuant to the Ralph M. Brown Act.

**Recommendation:** Adopt the Resolution re-authorizing remote teleconference meetings for the period July 12, 2022, through August 11, 2022 pursuant to the Ralph M. Brown Act.

**Attachments:** [PC Resolution 22-0XX County of Humboldt Remote Meetings AB-361 7.07.22](#)

## F. CONSENT AGENDA

*These Public Hearing matters are routine in nature and are usually approved by a single vote. The Chair will poll the audience and members of the Commission to determine if any item on the consent agenda should be pulled for public comment or further discussion.*

1. Review and approval of the March 03, 2022, Action Summary

**Recommendation:** Move to approve the March 03, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

**Attachments:** [03.03.22 Action Summary](#)

2. Review and approval of the March 17, 2022, Action Summary

**Recommendation:** Move to approve the March 17, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

**Attachments:** [03.17.22 Action Summary](#)

3. Review and approval of the April 07, 2022, Action Summary

**Recommendation:** Move to approve the April 07, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

**Attachments:** [04.07.22 Action Summary](#)

4. Review and approval of the April 21, 2022, Action Summary

**Recommendation:** Move to approve the April 21, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

**Attachments:** [04.21.22 Action Summary](#)

5. Review and approval of the May 05, 2022, Action Summary

**Recommendation:** Move to approve the May 05, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

**Attachments:** [05.05.22 Action Summary](#)

6. Review and approval of the May 12, 2022, Action Summary

**Recommendation:** Move to approve the May 12, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

**Attachments:** [05.12.22 Action Summary](#)

7. Review and approval of the May 19, 2022, Action Summary

**Recommendation:** Move to approve the May 19, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

**Attachments:** [05.19.22 Action Summary](#)

8. Review and approval of the June 02, 2022, Action Summary

**Recommendation:** Move to approve the June 02, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

**Attachments:** [06.02.22 Action Summary](#)

9. Review and approval of the June 16, 2022, Action Summary

**Recommendation:** Move to approve the June 16, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

**Attachments:** [06.16.22 Action Summary](#)

10. MHG LLC; Conditional Use Permit

Record Number PLN-10930-CUP (filed 08/17/2016)

Assessor's Parcel Number: 216-392-006

Alderpoint area

A Conditional Use Permit for 18,492 square feet of existing outdoor commercial cannabis cultivation using light deprivation supported by an 1,800 square foot ancillary nursery. Irrigation water use is estimated at 223,000 gallons annually and sourced from a permitted well that has been reviewed by a licensed geologist and found to be likely disconnected from surface waters. Total water storage for the project is 40,000 gallons. Power is supplied by a generator and staff is recommending a condition of approval to transition to renewable energy by January 1, 2026. The proposed project includes onsite processing. The cultivation is being relocated and the previous area will be restored. The Humboldt County Planning Commission will consider an Addendum to a previously adopted MND and has been prepared for consideration per section 15164 of the State CEQA Guidelines.

**Recommendation:** Adopt the Resolution to take the following actions: 1) Find that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State CEQA Guidelines 2) make all required findings for approval of the Conditional Use Permit, and 3) approve the proposed MHG LLC project subject to the recommended conditions.

**Attachments:** [10930 MHG LLC Executive Summary 07.07.2022](#)  
[10930 MHG LLC Staff Report 07.07.2022](#)

**11. Dyerville Farms, LLC.; Conditional Use Permit & Special Permit**

Record Number PLN-12424-CUP (filed 12/23/2016)

Assessor's Parcel Number: 216-144-017

Garberville area

A Conditional Use Permit (PLN-12424-CUP) for an existing 24,634 square feet (SF) of cannabis cultivation, consisting of 22,380 SF outdoor cultivation and 2,254 SF mixed light cultivation; and a Special Permit for work within the Streamside Management Area (SMA) involving work on culverts, as recommended by the Water Resources Protection Plan. Plants are propagated in a 2,830-SF ancillary propagation area. Irrigation water is sourced from one (1) groundwater well that was reviewed by a licensed geologist and found to likely be hydrologically disconnected from surface water. Estimated annual water use is 313,600 gallons (12.7 gal/SF). Water is stored onsite in three (3) 5,000-gallon tanks, two (2) 2,800-gallon tanks, and one (1) 500-gallon tank. Total water storage is 21,100 gallons. Drying and trimming occur onsite in a 1,160-SF barn. Further processing occurs offsite at a licensed third party facility. Five (5) employees are required for project operations. The primary source of electrical power is a solar array with battery storage. An Isuzu BV-4LE1 26.3 kW diesel generator is used for backup.

**Recommendation:** Adopt the Resolution to take the following actions: 1) Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO), as described by Section 15164 of the State CEQA Guidelines 2) Make the required findings for approval of the Conditional Use Permit; and 3) Approve the Dyerville Farms, LLC Conditional Use Permit and Special Permit subject to the recommended conditions.

**Attachments:** [12424 Dyerville Farms Executive Summary 07.07.22](#)  
[12424 Dyerville Farms Staff Report 07.07.22](#)

**12. Fruitland Ridge Farms, LLC; Special Permit**

Record Number PLN-2021-17108 (filed 3/24/2021)

Assessor's Parcel Number: 211-341-028

Myers Flat Area

A Special Permit for 43,560 square feet of new mixed light commercial cannabis cultivation. The proposed project will occur in two phases. Phase 1 will include 11,000 square feet of mixed light cannabis cultivation and 32,210 square feet of outdoor full-sun cannabis cultivation. Phase 2 includes transitioning the 32,210 square feet of outdoor full-sun cannabis cultivation to 32,210 square feet of mixed light cannabis cultivation. Ancillary propagation will occur in three (3) greenhouses: one (1) 2,000-square-foot greenhouse and two (2) 1,000- square-foot greenhouses. The applicant anticipates there will be two cultivation cycles occurring annually. Water for irrigation will be provided by a permitted onsite well that has been found by a licensed geologist as likely to not be connected to surface waters. The applicant anticipates 500,000 gallons of water will be required annually for irrigation. Existing water storage totals 40,000 gallons occurring in eight (8) 5,000-gallon tanks. Processing such as drying, curing and trimming will occur onsite in a proposed 3,200-square-foot processing building. The applicant anticipates three (3) employees will be required for operations. Power for the project will be renewable energy provided by PG&E.

**Recommendation:** Adopt the Resolution to take the following actions: 1) Find that the Planning Commission 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 2) make all of the required findings for approval of the Special Permit and 3) approve the Fruitland Ridge Farms, LLC, Special Permit subject to the recommended conditions of approval.

**Attachments:** [17108 Fruitland Ridge Executive Summary 07.07.22](#)  
[17108 Fruitland Ridge Staff Report 07.07.22](#)

**G. ITEMS PULLED FROM CONSENT****H. PUBLIC HEARINGS**

*The projects listed below are public hearing items that have generated public comment prior to the hearing date or have other issues related to them that may require discussion*

1. Vesuvio Gardens, LLC; Special Permit  
Record Number PLN-12605-ZCC (filed 12/28/2016)  
Assessor's Parcel Number: (APN) 220-141-009  
Whitethorn Area

A Special Permit for 10,000 square feet of existing outdoor cannabis cultivation, and ancillary drying and propagation activities. Irrigation is provided by a point of diversion for which the applicant has demonstrated a valid water right, and a proposed rainwater catchment system. The applicant estimates annual water use at 100,000 gallons and proposes to purchase and install 100,000 gallons of hard water tank storage to adhere to forbearance requirements, with the intent to install gutters on greenhouses to provide rainwater catchment as an additional water source. Drying will occur on the parcel, with all other processing activities occurring off site at a licensed third-party processing facility. Power will be supplied via a solar array, with a generator for emergency backup use.

**Recommendation:** Continue to a date uncertain.



2. PG&E After-the-fact Coastal Development Permit  
Record Number PLN-14376-CDP (filed 09/24/2020)  
Adjacent to Assessor's Parcel Number (APN) 517-041-016  
Trinidad Area

An after-the-fact Coastal Development Permit which includes modification of an existing electric distribution facility previously constructed without permits. Proposed modifications to the facility consist of the following: removal of one 45-foot-tall utility pole, replacement of two 45-foot-tall utility poles with 55-foot-tall poles, installation of a new 55-foot-tall pole and 3 platform mounted voltage regulators. The poles were installed within the County right-of-way and near the driveway that serves parcel 517-041-016. An existing utility pole is located 8-feet south of the existing driveway and will remain in place. The design standards for allowable pole sizes for platform mounted voltage regulators has changed to a 55-foot-tall pole, while the previous standards allowed for a 45-foot-tall pole, driving the need for the height increase of the existing facility. PG&E is proposing to install three (3) 55-foot-tall poles in accordance with these standards. These new poles would be 10-feet taller than the existing 45-foot-tall poles. Additionally, the height of the conductor and distribution line would change from 39-feet to 47-feet. The voltage regulators and other equipment will remain at approximately the same height. The development does not qualify for the repair and maintenance exclusion under Coastal Act Section 30610(d) because the new poles are an expansion of the existing pole layout that supports the existing electric distribution line. No major vegetation removal occurred as part of the installation of the existing poles. The Humboldt County Planning Commission will consider the project which is exempt per § 15303(e) of the State CEQA Guidelines.

**Recommendation:** Adopt the resolution to 1) find the project subject to a Categorical Exemption (Section 15303(d)), 2) make all of the required findings for approval of the modification of a Coastal Development Permit based on evidence in the staff report, and 3) approve the PG&E project subject to the recommended conditions.

**Attachments:** [14376 PGE CDP Executive Summary 07.07.22](#)  
[14376 PGE CDP Staff Report 07.07.22](#)

**3. Ford Parcel Map Subdivision and Coastal Development Permit**

Record Number PLN-2021-17091 (filed 03/19/2021)

Assessor's Parcel Number: 511-031-011

990 Myers Road, McKinleyville area

A minor subdivision of an approximately 1.17-acre parcel into 4 new parcels with areas of 5,489 sq. ft., 5,228 sq. ft., 5,583 sq. ft., and 5,430 sq. ft. and a remainder parcel of 16,368 sq. ft. The parcel is accessed from Myers Road and Lily Avenue which will continue to serve the remainder parcel. The four new parcels will be served by a proposed 22-foot-wide access road to be developed from Myers Road. Water and sewer service will be provided by the McKinleyville Community Services District. Grading will occur for the new roadway and construction of detention facilities, and a 30-foot pine is proposed for removal in the Public Utility Easement. An Exception Request from the road requirements has been submitted which would allow the current 40 foot wide Meyers Road at the access point to the project parcel to remain without expanding the road width to 50 feet per HCC 324-1(b). The applicant is also asking for an exception to allow the proposed new access road to be 22 feet with no sidewalks as opposed to the required 50-foot right-of-way with sidewalks, curb and gutter. The Planning Department and Public Works Department support the 40 foot right of way on Myers but do not support the exception request to 22 feet for the new access road. Staff is recommending the project be conditioned for the development of two ten-foot travel lanes, curb and gutter with sidewalks and a landscaped strip.

**Recommendation:** Adopt the resolution to take the following actions: 1) Find that the Ford Minor Subdivision and Coastal Development Permit is exempt from CEQA pursuant to Section 15183 of the State CEQA Guidelines, 2) make all the required findings for approval of the Project and 3) approve the proposed Ford Minor Subdivision and Coastal Development Permit project subject to the recommended conditions.

**Attachments:** [17091 Ford Subdivision Exective Summary 07.07.22](#)  
[17091 Ford Subdivision Staff Report 07.07.22](#)

4. Beere Minor Subdivision, Coastal Development Permit and Special Permit  
Number PLN-2021-16997 (filed 02/04/2021)  
Record Assessor's Parcel Number: 510-371-044  
McKinleyville Area

A minor subdivision of a 1.49-acre parcel into 2 parcels. Proposed Parcel 1 will be 42,489 square feet in size while parcel 2 will be 22,555 ft square feet in size (16,621 ft.  $\square$  net). Parcel 1 is currently developed with an existing residence, detached garage and accessory structure. Parcel 2 is developed with a manufactured home, detached garage, and two sheds. Water and sewer service is provided by the McKinleyville Community Services District and PG&E provides gas and electric service. No additional development is currently proposed. A Special permit is requested for proposed parcel 2 to be below 20,000 square feet in net lot area and for the subdivision to be allowed in an Alquist-Priolo fault hazard zone. An exception to reduce the right-of-way width of Boiler Avenue to 40 feet has been requested as part of the project as well as an exception request to reduce the paving requirement and to eliminate the requirement for curb, gutter and sidewalk. The County Planning and Building Department and Public Works Department support the right-of-way exception request but do not support the other exception requests.

**Recommendation:** Adopt the Resolution to take the following actions: 1) Find the project exempt from environmental review pursuant to Section 15183 of the CEQA Guidelines, 2) make all of the required findings for approval and 3) approve the proposed Beere Minor Subdivision, Special Permit and Coastal Development Permit project subject to the recommended conditions.

**Attachments:** [16997 Beere Parcel Map Executive Summary 07.07.22](#)  
[16997 Beere Parcel Map Staff Report 07.07.22](#)

## I. DEPARTMENT REPORT

1. Small Cultivation Site Propagation Policy

**Recommendation:** 1) Request staff present the staff report 2) Receive public testimony 3) Deliberate and comment on the draft policy and alternatives presented 4) Direct staff to draft a letter summarizing the Planning Commission's direction.

**Attachments:** [Draft Policy on Small Farmer Nurseries](#)

## J. ADJOURNMENT

**K. NEXT MEETING**      **July 21, 2022**      **6:00 p.m.**      **Regular meeting - Hybrid**

*The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Planning Commission Clerk at 707-445-7541 or by email [planningclerk@co.humboldt.ca.us](mailto:planningclerk@co.humboldt.ca.us) or the ADA Coordinator at 844-365-0352 or by email at [ada@co.humboldt.ca.us](mailto:ada@co.humboldt.ca.us)*