



MINUTES

THURSDAY, OCTOBER 17, 2019

Regular Meeting

The Honorable Planning Commission of the County of Humboldt met in a regular meeting on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Thursday, January 9, 2020 with the vote as shown below.

A Motion was made by Commissioner McCavour and Seconded by Commissioner Newman:

AYES: Commissioners: Newman, Bongio, McCavour and O'Neill

ABSENT: Commissioners: Levy and Mitchell

Suzanne Lippre
Suzanne Lippre
Deputy Clerk of the Planning Commission

John H. Ford
John H. Ford
Secretary of the Planning Commission

PLANNING COMMISSION

Alan Bongio
First District - Vice-Chair
Robert Morris
Second District - Chair
Noah Levy
Third District
Mike L Newman
Fourth District
Peggy O'Neill
Fifth District
Brian Mitchell
At-Large
Melanie McCavour
At-Large



COUNTY STAFF

JOHN H. FORD
Director, Planning and Building

**PLANNING COMMISSION
COUNTY OF HUMBOLDT**

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

ACTION SUMMARY

Thursday, October 17, 2019

6:00 PM

Regular Meeting

Notice Regarding Public Comment:

A. CALL TO ORDER / SALUTE TO FLAG

Chair Morris called the meeting to order at 6:00 p.m.

B. COMMISSIONERS PRESENT

Present : 5 - Commissioner Robert Morris, Commissioner Alan Bongio, Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner Peggy O'Neill

Absent : 2 - Commissioner Noah Levy and Commissioner Brian Mitchell

C. AGENDA MODIFICATIONS

Item E-5: Public comment letters submitted

Item E-6: Supplemental information #1 provided

Item H-1: Supplemental information #1 provided

Item H-2: Supplemental information #1 provided

Correspondence from Robert Sutherland provided

D. PUBLIC COMMENTS

E. CONSENT AGENDA

1. Headwater Organics LLC
Application Number 15753
Record Number PLN-2019-15753
Assessor's Parcel Number 404-023-018
3527 Greenwood Heights Dr, Kneeland area

Project Description: Headwater Organics, LLC requests a Modification to an approved Special Permit for Microbusiness (PLN-2018-15092) consisting of 1,800 square feet of mixed light cannabis cultivation, non-volatile manufacturing, and distribution on a 5-acre parcel. The Modification is to change the location of the processing, manufacturing, and distribution activity to a proposed new 880 square-foot commercial building instead of an existing garage.

A motion was made by Commissioner Bongio, seconded by Commissioner McCavour, that the Headwater Organics LLC Special Permit be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

2. Rolling Fog, LLC Special Permit
Record Number: PLN-12876-SP
Assessor's Parcel Number: 095-181-008
180 Madrone Drive, Weott area

Project Description: A Special Permit (SP) for 7,575 square feet of existing cannabis cultivation, of which 4,215 square feet (sf) is outdoor and 3,360 sf is mixed-light. Two (2) existing cultivation areas are proposed to be decommissioned and relocated on-site to an environmentally superior area.

A motion was made by Commissioner Bongio, seconded by Commissioner McCavour, that the Rolling Fog, LLC Special Permit be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

4. Skyline Farms, LLC Special Permit & Lot Line Adjustment
Record No.: PLN-11812-SP & PLN-2018-15087
Assessor's Parcel Number 220-312-011 & 220-312-007
209 Seely Creek Road, Redway area

Project Description: A Special Permit for an existing 10,000 square foot (sf) cannabis cultivation operation with a 1,000-sf ancillary nursery, a special permit for agricultural diversion within the Streamside Management Area, and a Lot Line Adjustment (LLA) between two parcels resulting in two parcels of 58 acres and 85 acres respectively. The purpose of the LLA is to place a pre-existing cultivation site on the parcel associated with its operation and to meet all applicable setbacks.

A motion was made by Commissioner Bongio, seconded by Commissioner McCavour, that the Skyline Farms, LLC Special Permit & Lot Line Adjustment be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

6. Danny King, Conditional Use Permit
Record Number PLN-12231-CUP
Assessor's Parcel Number 206-451-002
467 Corbett Ranch Lane, Carlotta, CA

Project Description: A Conditional Use Permit for 5,000 square feet new outdoor commercial cannabis cultivation within five (5) greenhouses. Water is sourced from an onsite permitted groundwater well. Proposed water usage for irrigation is 19,540 gallons annually. The power source is PG&E.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Danny King, Conditional Use Permit be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

7. Jason Miller, Conditional Use Permit
Application Number 11484
Record Number CUP16-262, PLN-11484- SP
Assessor's Parcel Number (APN) 210-144-008
Dinsmore area

Project Description: A Conditional Use Permit for 18,120 square feet of existing outdoor cannabis cultivation and ancillary processing activity. Water for irrigation is sourced exclusively from an existing rainwater catchment pond with a capacity of 720,000 gallons.

A motion was made by Commissioner Bongio, seconded by Commissioner McCavour, that the Jason Miller, Conditional Use Permit be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

8. Parnell Kaiser and Michelle Walker, Conditional Use Permit and Special Permit
Record Number PLN-11401-CUP
Assessor's Parcel Number (APN) 107-104-010
42808 Mattole Road, Honeydew, CA 95545

Project Description: A Conditional Use Permit for 31,750 square feet of existing full-sun outdoor. Propagation occurs in a 600 foot area of an existing barn. Water for irrigation is sourced from a diversion on Woods Creek and a diversion from an unnamed creek. The applicant proposes a 1-million gallon rainwater catchment pond. A Special Permit is requested to allow for the existing stream diversion.

A motion was made by Commissioner Bongio, seconded by Commissioner McCavour, that the Parnell Kaiser and Michelle Walker, Conditional Use Permit and Special Permit be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

9. MMF Management II, LLC Conditional Use Permit and Special Permit
Record Number PLN-11188-CUP
Assessor's Parcel Number (APN) 033-130-005
3450 E Branch Road, Garberville, CA

Project Description: A Conditional Use Permit for a 11,500-square foot (SF) mixed light cannabis cultivation operation composed of five greenhouses. There is an additional 1,196 SF greenhouse used as a propagation nursery. A Special Permit is also requested for the continued use and maintenance of the two points of diversion on the parcel.

A motion was made by Commissioner Bongio, seconded by Commissioner McCavour, that the MMF Management II, LLC Conditional Use Permit and Special Permit be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

F. ITEMS PULLED FROM CONSENT

3. Domeside Gardens, LLC
Record Number: PLN-11414-SP
Assessor's Parcel Number: 221-061-016
3780 Thomas Road, Myers Flat area

A Special Permit for an existing 9,700-square-foot commercial cannabis operation, consisting of 8,100 square feet (sf) of outdoor cultivation and 1,600 sf of mixed light cultivation. The applicant is proposing to re-organize outdoor and mixed light cultivation in the pre-existing cultivation footprint. The proposed project also includes a Special Permit to reduce the 600-foot setback from adjacent public lands owned by the Bureau of Land Management.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Domeside Gardens, LLC Special Permits be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Morris, Commissioner Bongio, Commissioner Newman and Commissioner McCavour

Nay: 1 - Commissioner O'Neill

5. Sawtooth Ridge LLC, Special Permits
Record Number PLN-11378-SP
Case Number SP16-216
Assessor's Parcel Number (APN) 529-282-012 & 529-282-013
1528 Red Cap Road, Orleans area

Project Description: Sawtooth Ridge, LLC seeks a Special Permit (SP16-216) for an existing 6,700 square foot (SF) mixed-light cultivation operation consisting of four (4) greenhouses utilizing low-wattage lighting and light deprivation to obtain up to two (2) harvests annually. A Special Permit is requested for a setback reduction to Six Rivers National Forest to less than 600 feet.

Meeting went into Recess

Meeting Reconvened

A motion was made by Commissioner Newman, seconded by Commissioner Bongio, that the Sawtooth Ridge LLC, Special Permits be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

G. CONTINUED PUBLIC HEARING

1. Amendment to the Humboldt County Zoning Maps to be consistent with the 2017 Humboldt County General Plan

Project Description: Humboldt County Zoning Maps are proposed to be amended to be consistent with the 2017 Humboldt County General Plan. The following Zoning Districts are proposed to be applied: 1) Mixed Use Zones will be applied to areas with MU - Mixed Use, VC - Village Center, or RCC - Rural Community Center General Plan designations, 2) an "RR - Railroad" Combining Zone will be applied to railroad rights of way held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake, 3) a "MR - Mineral Resources" Combining Zone will be applied to parcels with permitted surface mining operations; 4) a "TL - Tribal Land" Zone will be applied to the areas with a "TTL - Tribal Trust Lands" or a "TL - Tribal Lands" Land Use designation that are not zoned "TPZ"; and 5) a "WR - Streamside Management Areas and Wetlands" Combining Zone will be applied to properties designated by the General Plan as Streamside Management Areas and/or Wetlands. In addition, specific zones are proposed to be assigned to all areas currently zoned "U - Unclassified". Other minor changes to the Zoning Maps are also proposed to be consistent with the General Plan. The rezoned properties occur throughout the non-coastal areas of unincorporated Humboldt County.

A motion was made by Commissioner Bongio, seconded by Commissioner Newman, that the Amendment to the Humboldt County Zoning Maps to be consistent with the 2017 Humboldt County General Plan item be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

H. PUBLIC HEARINGS

1. Soul Arc Solutions, Inc., Conditional Use Permit and Special Permit
Record Number: PLN-11598-CUP
Assessor's Parcel Number (APN): 108-012-009
12023 Wilder Ridge Road, Ettersburg area

A Conditional Use Permit for an existing 14,247 square feet (sf) of mixed light cannabis cultivation and a Special Permit for activity within the Streamside Management Area (SMA) of the Mattole River. Water for irrigation is sourced from a point of diversion on the Mattole River and a rainwater catchment pond. Total water storage capacity is 561,000 gallons with the pond providing up to 400,000 gallons and hard tanks providing 161,000 gallons. Drying and curing would occur on-site in 2,400 square foot drying facility and further processing would occur at a licensed 3rd party facility.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Soul Arc Solutions, Inc., Conditional Use Permit and Special Permit item be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

2. Industrial Hemp Ordinance Workshop

Case # PLN-2019-15590

Project Description: Proposed zoning ordinance amendments to allow cultivation of Industrial Hemp and other Industrial Hemp activities in Humboldt County. The proposed zoning ordinance amendments would establish the types, location and performance standards for all Industrial Hemp activities in the unincorporated areas of Humboldt County, including the Coastal Zone.

Meeting went into Recess

Meeting Reconvened

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, to find that the 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, make all of the required findings for prohibiting cultivation, distribution, testing, manufacturing and sale of industrial hemp based on evidence in the staff report and public testimony, and adopt a Resolution recommending the Board of Supervisors approve the zoning ordinance amendments as recommended by staff. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

CORRESPONDENCE

Email from Robert Sutherland

I. ADJOURNMENT

Chair Morris adjourned the meeting at 8:38p.m.

J. NEXT MEETINGS

Persons wishing to file documentation on any agenda item for the official record must submit an original and fourteen (14) copies of each document to the Planning Commission Clerk, 3015 H Street in Eureka.

The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations to participate in this meeting, please contact the Planning Commission Clerk at 707-445-7541, or 707-268-3792 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.