

PLANNING COMMISSION

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



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, December 16, 2021

6:00 PM

Regular Meeting - Virtual

NOTE: In accordance with AB 361 the Planning Commission meeting was held virtually.

A. CALL TO ORDER / SALUTE TO FLAG

Chair Alan Bongio called the meeting to order at 6:00 p.m. Technical difficulty delayed the meeting for 17 minutes.

B. COMMISSIONERS PRESENT

Present : 6 - Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Mike L Newman, Commissioner Melanie McCavour, Commissioner Peggy O'Neill and Commissioner Thomas Mulder

Absent : 1 - Commissioner Brian Mitchell

C. DISCUSSION OF REMOTE MEETINGS

1. Discussion and Possible Adoption of Resolution No 21-184 Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of December 16, 2021, through January 15, 2022, Pursuant to the Ralph M. Brown Act.

A motion was made by Commissioner O'Neill, seconded by Commissioner Newman, that the Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of December 16, 2021, through January 15, 2022, be approved. The motion carried by the following vote:

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

Not Present: 1 - Commissioner Mulder

D. AGENDA MODIFICATIONS

*Item K-8 Cannaboldt PLN-11998-CUP was withdrawn
Item K-4 H2 Equity PLN-11248-CUP was continued to 1.20.2022
Item K-9 Humboldt Hempire Farms PLN-2020-16602 was continued to 1.20.2022*

Public Hearing Opened on continuances

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that both H2 Equity PLN-11248-CUP and Humboldt Hempire Farms PLN-2020-16602 be continued to the January 20, 2022 Planning Commission meeting.. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

E. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public Hearing Opened

F. CONSENT AGENDA

- 1. County of Humboldt, McKinleyville area. A General Plan Conformance review for MCSD to purchase 550 acres of timberland for a future Community Forest.

Public Hearing Opened

A motion was made by Commissioner Mulder, seconded by Commissioner Levy, that the General Plan Conformance review for MCSD be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

H. NEW BUSINESS: Election of Chair and Vice Chair for 2022.

Public Hearing Opened

A motion was made by Commissioner Newman, seconded by Commissioner O'Neill, that Alan Bongio serve as Chair and Noah Levy serve as vice chair for 2022. The motion carried by the following vote:

Aye: 5 - Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

Abstain: 1 - Commissioner Bongio

L. CANNABIS DISCUSSION

Public Hearing opened

1. The Planning Commission intends to consider and approve a letter identifying potential amendments to the Commercial Cannabis Land Use Ordinance and request that the letter be sent to the Board of Supervisors.

The Planning Commission's Letter regarding Cannabis permitting was revised, and will be sent to the Board of Supervisors

I. CONTINUED PUBLIC HEARINGS

Meeting went into Recess

Meeting Reconvened

Public Hearing opened for the continuation of the Workshop and PH items.

1. Ocean West Manufactured Home Park Expansion
 Record Number: PLN-14268-CUP
 Assessor’s Parcel Numbers: 510-171-039, 510-171-040, 510-171-060
 McKinleyville area

A Conditional Use Permit, Special Permit and Notice of Merger to facilitate a proposed expansion of Ocean West Manufactured Home Park. The expansion will add 25 spaces for a total of 155 units. The Lot Merger portion of the proposed project consists of the merging of two vacant 4.5 acre and 0.57-acre parcels into the 25.32 acre developed manufactured home park for a total of 30.4 acres. The Special Permit is required for development within the SMA protective buffer of Widow White Creek, resulting in temporary and permanent impacts to the riparian habitat and associated wetlands. Mitigation measures will be required to reduce the potentially significant impact to wetlands, the SMA, water quality, and to sensitive habitats on-site.

Public Hearing Opened

A motion was made by Commissioner Mulder, seconded by Commissioner O'Neill, that the Ocean West Manufactured Home Park Expansion be approved as modified to clearly mark street parking. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

2. Green Crows, LLC
Record Number PLN-11976-CUP
Assessor Parcel Number (APN) 033-120-013
Benbow area

A Conditional Use Permit for 14,814 square feet (SF) of existing outdoor and mixed-light cannabis cultivation, with 1,481 SF of outdoor propagation. The cultivation consists of 11,314 of full sun outdoor, and 3,500 sf of mixed light. Proposed mixed-light cultivation activities are contingent upon Pacific Gas and Electric Company (PG&E) power lines being developed. Annual water use is 163,600 gallons based on existing outdoor cultivation or 229,600 gallons with mixed-light included. Water for irrigation use is provided by a rain catchment system. There are 219,000 gallons of water storage in a series of hard-sided tanks and bladders and 50,000 more gallons of storage are proposed. A 2,000-watt solar system supplies all power for cultivation activities. Two generators are stored onsite for emergency use only.

A motion was made by Commissioner Levy, seconded by Commissioner Newman, that the Green Crows project be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

3. RAINBOW SELF STORAGE Coastal Development Permit and Conditional Permit
Record Number PLN-2021-17222
Assessor's Parcel Numbers (APNs) 016-231-025, -026, and -027
Eureka Area

A Coastal Development Permit and Conditional Use Permit to convert the former McKenny's Do It Best building center and lumber yard into the Rainbow Self-Storage facility. The project area is comprised of three (3) APNs with a total area of 1.84 acres. The proposal is to enlarge an existing structure with second story additions that will increase the total square footage of the structure from 30,816 square feet to 41,374 square feet. In addition, two new buildings are proposed. The first building will be a 24,000 square foot, two-story self-storage unit; the second building will be a one-story, 6,500 square foot self-storage unit. The entire site is either developed with existing structures or paved. The applicant proposes to address run-off from storm water via the installation of a 2,635 square foot gravel retention area.

A motion was made by Commissioner Levy, seconded by Commissioner Newman, that the Rainbow Self Storage project be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

4. Green Management Group of Humboldt, LLC
Record Number PLN-11713-CUP
Assessor Parcel Number (APN) 223-032-001
Garberville area

A Conditional Use Permit for 17,740 square feet (SF) of existing mixed-light cannabis cultivation with 3,210 SF of ancillary propagation. Irrigation water is sourced from a 150,000-gallon rainwater catchment pond and two (2) spring diversions. Existing water storage is 222,825 gallons. Estimated annual water usage is 222,000 gallons. Drying and bucking occurs onsite in an existing metal building, with all other processing occurring off-site at a licensed processing or manufacturing facility. Power is provided by generators. The proposed project also includes a Special Permit for development within the Streamside Management Area for use and maintenance of the two (2) points of diversion (POD), decommissioning of two additional PODs, culvert replacement and maintenance, and decommissioning of four (4) existing stream crossings and associated restoration.

A motion was made by Commissioner Levy, seconded by Commissioner Newman, that the Green Management Group of Humboldt project be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

J. PUBLIC WORKSHOP

1. PROPOSED COMMUNICATIONS FACILITIES ORDINANCE;
Record Number PLN-2021-17452.

The proposed ordinance affects all unincorporated areas of Humboldt County. The purpose and intent of this Telecommunications Ordinance is to provide a uniform and comprehensive set of standards for the development, siting and installation of wireless telecommunications facilities. These standards do all the following: protect and promote the public health, safety and welfare of the residents of the unincorporated areas of Humboldt County; protect aesthetic values in accordance with the guidelines and intent of the Telecommunications Act of 1996; encourage siting in preferred locations to help preserve the County's rural character, including the protection of scenic, natural and cultural resources; and minimize the intrusion of these uses into residential areas. The proposed ordinance uses a tiered approach to permitting communication facilities: the lowest tier ("Tier 1") applies a streamlined permit process to easily allow telecommunication facilities least likely to have any impacts. Conversely, the highest tier ("Tier 3") requires a public review process through conditional use permits for projects most likely to have impacts. Since this is a public workshop, no action will be taken by the Planning Commission. Instead, the Planning Commission will be asked to take public comment and provide informal feedback that will be used to develop a public hearing draft for review by the Planning Commission at a later date.

A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the Proposed Communications Facilities Ordinance be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

K. PUBLIC HEARINGS

1. Salmonid Restoration Federation, Marshall Ranch Streamflow Enhancement Project
Record Number PLN-2019-15661
Assessor's Parcel Number 220-061-011.
Briceland area

The Project entails construction of 10 million-gallons of off-stream water storage. Water storage is proposed in two ponds and five tanks designed to fill with rainwater (~3.5 million gallons) and water diverted from two Redwood Creek tributaries during the wet season (~6.5 million gallons). The Project seeks to improve habitat for coho salmon and steelhead in Redwood Creek, an important salmon-bearing tributary, by addressing the limiting factor of low summer streamflows. The storage facilities have been sited and designed to fill during the winter wet season and release their stored water directly to Redwood Creek during the five-month dry season providing increased flows of approximately 30 gallons per minute along a 5.5-mile stream reach. Other ancillary Project components include installation of one large wood habitat enhancement and bank stabilization structure in Redwood Creek, stabilization of two seasonal tributaries, construction of a passive on-demand cooling and filtration gallery to provide treatment of the flow releases as needed, construction of an off-grid solar energy power system to support operations, upgrading access roads, riparian exclusion fencing for cattle, and installation of plumbing infrastructure to allow water stored in the tanks to be utilized for domestic, ranch, and fire suppression needs.

A motion was made by Commissioner Levy, seconded by Commissioner Newman, that the Salmonid Restoration Federation, Marshall Ranch Streamflow Enhancement project be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

2. Midgad, LLC Conditional Use Permit
Record Number PLN-10651-CUP
Assessor's Parcel Number: 219-051-009
Salmon Creek Area

A Conditional Use Permit for 19,800 square feet of existing outdoor commercial cannabis cultivation. The project will be supported by a 1,000 square-foot propagation greenhouse. Water for irrigation is sourced from an existing 194,000-gallon rainwater catchment pond. The capacity of this pond is proposed to be expanded to 236,000 gallons. Water storage for irrigation totals 210,000 gallons between the 194,000-gallon rainwater catchment pond and existing hard-tank storage. The projected annual water usage for the project totals 227,000 gallons. All processing activities occur onsite in existing structures. Energy for the operation is sourced from a solar array with a generator to provide supplemental energy.

A motion was made by Commissioner Levy, seconded by Commissioner Newman, that the Midgad project be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

3. Asia's Best, Coastal Development Permit and Conditional Use Permit
Record Number PLN-2020-16426 (filed 6/11/2020)
Assessor's Parcel Number 015-211-010
Eureka area

A conditional Use Permit and a Coastal Development Permit to allow for a retail food and dry goods market in an existing 600 sq. ft. space within the Sacred Heart Church campus located at 2085 Myrtle Avenue Eureka. Parking would be shared with the activities of the church and an administrative office for the Humboldt-Del Norte County Medical Society. The retail food market also proposes a ground mounted sign near the entrance into the campus off Edgewood Road.

A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the Asia's Best project be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

- 4. H2 Equity, LLC Conditional Use Permit
 Record Number PLN-11248-CUP)
 Assessor’s Parcel Number: 221-021-008
 Salmon Creek area

A Conditional Use Permit for 49,650 square feet of existing commercial cannabis cultivation of which 8,782 square feet is mixed light cultivation and 40,868 square feet is outdoor cultivation utilizing light deprivation techniques. The project is supported by 2,363 square feet of propagation space. Water for irrigation is sourced from an existing well, a hydrologically connected pond, and rainwater catchment. The projected annual water usage totals 892,176 gallons and existing available water storage totals 416,500 gallons. All processing occurs onsite in an existing structure. Energy is sourced from solar and generators.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the H2 Equity project be continued to January 20, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

- 5. Soul Arc Solutions, Inc
 Record Number PLN-11402-CUP
 Assessor Parcel Number (APN) 108-012-010.
 Ettersburg area

A Conditional Use Permit for 18,092 square feet (SF) of existing cannabis cultivation. Water for irrigation is sourced from a point of diversion and rainwater catchment pond. Water storage totals 290,000 gallons. Drying and curing would be on-site in a proposed 1,000-square-foot facility, with other processing occurring off-site. Electricity is sourced from generator power with solar power proposed.

A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the Soul Arc Solutions project be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

- 6. Forever Loving Humboldt Inc. Conditional Use Permit
 Record Number PLN-12436-CUP
 Assessor’s Parcel Number: 211-374-014
 Myers Flat area

A Conditional Use Permit for 32,500 square feet of existing commercial cannabis cultivation, consisting of 22,000 square feet of outdoor cultivation and 10,500 square feet of mixed light cultivation. Water for irrigation is sourced from two groundwater wells, which are registered as riparian diversions due to their proximity to the water course. The applicant estimates 475,000 gallons are needed for irrigation annually. Drying occurs on-site in an existing barn, with other processing activities occurring off-site at a licensed processing facility. Electricity is sourced from PGE and a generator.

A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the Forever Loving Humboldt project be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

- 7. Ambiguity Farm LLC
 Record Number PLN-12812-CUP
 Assessor’s Parcel Number: 223-011-009, 223-011-007.
 Garberville area

A Conditional Use Permit for 43,560 square feet of existing outdoor cannabis cultivation, and a Special Permit for restoration work within the SMA. Ancillary propagation will occur in two 1,250-square-foot greenhouses for a total propagation space of 2,500 square feet. There will be three cultivation cycles occurring annually. All processing will occur offsite. Water for the project will be sourced from an onsite 800,000-gallon onstream-pond and a proposed rainwater catchment system. The applicant anticipates 400,000 gallons of water will be required for irrigation annually. There are 100,000 gallons of available water storage occurring in two 50,000-gallon metal tanks, with 300,000 gallons of additional water storage proposed for the project. There will be a maximum of four employees required for operations. Power for the project is sourced from a solar array with a backup generator.

A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the Ambiguity Farm project be continued to January 6, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

- 8. Cannaboldt;
 Record Number PLN-11998-CUP
 Assessor’s Parcel Number: 212-201-013.
 Miranda area

A Conditional Use Permit for 14,182 square feet of existing cannabis cultivation consisting of 9,790 square feet of existing outdoor and 4,392 square feet of existing mixed light. Water for irrigation is sourced from an existing well. Water is stored in 26 tanks (239,300 gallons) and a pond. Processing, including drying and trimming, occurs on-site in shipping containers. Electricity is sourced from generator power.

The Cannaboldt project was withdrawn.

- 9. Humboldt Hempire Farms, LLC
 Record No. PLN-2020-16602
 APN 223-061-011
 Garberville Area

A Special Permit for 43,560 square feet of new mixed light cannabis cultivation. The applicant anticipates 3 harvest cycles annually. Cultivation will occur in twelve (12) 1,600 square foot greenhouses, four (4) 2,000-square-foot greenhouses, two (2) 1,950 square foot greenhouses, and two (2) 2,600-square-foot greenhouses. Water for irrigation will be provided by rainwater catchment. There is an approved land use permit on the subject parcel that allows for a business engaged in the collection, storage, delivery, and sale of non-potable water to residents in the Southern Humboldt area for primarily agricultural use (e.g., irrigation). The applicant will utilize water from this onsite business to support the cultivation. The applicant anticipates approximately 600,000 gallons of water will be required annually for irrigation. There is 3,360,000 gallons of water storage onsite. Processing such as drying and curing will occur in a 5,060-square-foot structure. Further processing will occur offsite at a licensed processing facility. Power of the project will be provided by PG&E.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Humboldt Hempire Farms project be continued to January 20, 2022. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

M. ADJOURNMENT

Chair Alan Bongio Adjourned the meeting at 9:55 p.m.

NEXT MEETINGS January 06, 2022 6:00 p.m. Regular Meeting - Virtual

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 or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us