

PLANNING COMMISSION

Robert Morris  
Chair - Second District  
David Edmonds  
Vice Chair - At Large  
Alan Bongio  
First District  
Noah Levy  
Third District  
Mike L. Newman  
Fourth District  
Ben Shepherd  
Fifth District  
Brian Mitchell  
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, November 1, 2018

5:30 PM

Regular Meeting

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**CALL TO ORDER / SALUTE TO FLAG**

*Chair Morris called the meeting to order at 5:30 p.m.*

**COMMISSIONERS PRESENT**

Present: 7 - Commissioner Robert Morris, Commissioner David Edmonds, Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Ben Shepherd, Commissioner Brian Mitchell, and Commissioner Mike L. Newman

**AGENDA MODIFICATIONS**

*Item #1 Supplemental information submitted  
Item #4 Supplemental information submitted  
Email submitted  
Miscellaneous communications related to the GPU rezone  
Letter related to the Sea Level Rise*

**PUBLIC COMMENTS**

**STUDY SESSION start time 5:30 pm**

Functional Road Requirements  
Presentation by Public Works Land Use Deputy Director Bronkall regarding functional requirements for roads serving commercial cannabis sites.

**CONSENT AGENDA****1 Talking Trees Farms - Conditional Use Permit and Special Permit**

Application Number: 11701

Case Number: CUP-16-349/SP-18-067

Assessor Parcel Number: 522-174-005

Willow Creek area

A Conditional Use Permit (CUP) to authorize 24,000 square feet (SF) of existing outdoor medical cannabis cultivation. Processing (i.e., drying) the harvested cannabis will be conducted in a 1,600 SF permitted metal building. There will be an average of 6 employees. Power will be supplied by a 45-kilowatt (kW) ultra-silent MQ diesel generator. The applicant will begin the permitting process for a 20-kw solar system upon approval of this CUP. Water is provided by wells and a rainwater catchment pond. The total available water storage on the project site will be approximately 2,042,650 gallons stored in tanks and a large pond. All plants will be irrigated by a drip system and supplemented by hand watering. Water use will vary throughout the year with peak usage occurring during summer months and would total approximately 108,000 gallons annually. Domestic water will be provided by the existing permitted wells. An ADA compliant bathroom outside the metal building will be provided with a secondary septic system. A Special Permit is required for a setback reduction to public lands.

***A motion was made by Commissioner Bongio, seconded by Commissioner Shepherd, that the Talking Trees Farms project be approved as part of the Consent Agenda. The motion carried by the following vote:***

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner Shepherd, Commissioner Mitchell, and Commissioner Newman

- 2 RBC Holdings, LLC Conditional Use Permit  
Application Number: 10891  
Case Number: CUP 16-749  
Assessor's Parcel Number: 522-044-047, 522-044-037  
1008 M&W Road, Willow Creek area

A Conditional Use Permit (CUP) to allow 12,000 square feet of existing cultivation including 10,000 square feet of outdoor and 2,000 square feet of mixed-light. A Special Permit for after-the-fact development within a Stream Management Area for relocation and restoration activities. Plants are harvested and dried in the shop then machine trimmed outside and returned to the shop for curing. All processing is completed by the applicant and no employees are utilized. The applicant is seeking an off-site licensed processing facility for future use. Commercial access will be provided via M&W Ranch Road to Brannan Mountain Road to Highway 96 in Willow Creek. Water is currently sourced for irrigation from the applicant's water diversion from Anton Creek on the property. The applicant will abandon the diversion from Anton Creek and transition to a rainwater catchment system to supply water to the cultivation for future use. There is also a well on the property that is not used due to its low volumetric capacity. Total water storage is 120,000 gallons. The applicant completed relocation of a cultivation area away from an unnamed Class III watercourse in 2016 and full restoration will occur.

***A motion was made by Commissioner Bongio, seconded by Commissioner Shepherd, that the RBC Holdings, LLC project be approved as part to the Consent Agenda. The motion carried by the following vote:***

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner Shepherd, Commissioner Mitchell, and Commissioner Newman

- 3** Amaranth Farms Conditional Use Permit  
Application Number: N/A  
Case Number: PLN-10659-CUP  
Assessor's Parcel Number: 221-161-040  
6191 Doodyville Road, Ettersburg area

A Conditional Use Permit to allow 43,560 square feet of existing outdoor cannabis cultivation and a Special Permit to reduce the 600-foot setback to adjacent public lands. There are six cultivation areas that the applicant is proposing to consolidate into one primary location and three greenhouses on the subject parcel. The proposed processing facility is 165 feet to the southwest of an undeveloped parcel owned by the State Lands Commission and the relocation area is approximately 400 feet to the southwest of the adjacent parcel. A 1,000-square-foot nursery greenhouse will utilize mixed light to augment natural light for 4 hours per day from March to June. The proposed project operations occur year round with cultivation activities occurring from March to October. The applicant is proposing 1 harvest annually. Approximately 1.4213 acre-feet (or 463,132 gallons) of water is required annually to meet operational needs. Water for domestic and irrigation use is sourced from two unnamed springs, proposed 500,000-gallon rainwater catchment pond, and a proposed well. Currently, water storage totals 8,500 gallons in hard-sided tanks for all uses. Processing, including drying and trimming, is completed in an existing on-site barn. The applicant is proposing a 1,800-square-foot metal building for processing activities. A maximum of 5 employees are required during peak operations. Electricity is provided by a propane generator and a solar system.

*A motion was made by Commissioner Bongio, seconded by Commissioner Shepherd, that the Amaranth Farms project be approved as part of the Consent Agenda. The motion carried by the following vote:*

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner Shepherd, Commissioner Mitchell, and Commissioner Newman

## **PUBLIC HEARINGS**

- 4 H36P, LLC, Conditional Use Permit  
 Application Number 11754  
 Case Number CUP 16-377, CUP 18-046; SP 18-132; SP 18-133  
 Assessor Parcel Number (APN) 201-322-012  
 Highway 36, Alton

A Conditional Use Permit for new cultivation, processing, manufacturing, and retail. Phase One of the project will consist of volatile and non-volatile extraction in a proposed 2,932 square foot (sf) building, and retail at an on-site dispensary in the footprint of an existing mobile home. Phase Two will consist of adding 10,000 sf of new indoor cultivation in a proposed 16,000-sf building, 10,000 sf of new mixed-light cultivation in greenhouses, a new 20,000-sf processing and manufacturing building, a 2,000 sf outdoor propagation area, a well, and a septic system. Parking and internal circulation roadways will be constructed during each phase. The water source for Phase One is a permitted well installed prior to 1991 and renovated in 2017 under a newly-issued well permit. Water for Phase Two would be supplied by the proposed well, and the existing well would be decommissioned following completion of the proposed well. If the proposed well proves to be infeasible, a rainwater catchment and cistern system would be installed to meet at least the irrigation demand of the proposed cultivation. Up to 200,000 gallons of water storage capacity in plastic tanks would be installed during Phase Two if necessary to provide water for fire-fighting. If the proposed well should prove to be infeasible, a rainwater catchment and cistern system would be installed to meet, at a minimum, the irrigation needs of the proposed cultivation. Processing would occur on-site and include drying and trimming of cannabis flower, with the majority being manufactured into extract. Staffing at peak operation would be 37 employees. The facility would be fenced and there would be two full-time security guards. Electric service is provided by PGE with carbon offset purchased through the ClimateSmart program and the applicant plans to meet 100-percent renewable energy requirement with a solar array in the future. A Conditional Use Permit is also needed for the proposed uses according to the applicable Q-Zone.

***A motion was made by Commissioner Shepherd, seconded by Commissioner Newman, that the H36P, LLC project (Case Numbers CUP 16-377, CUP 18-046, SP18-132 & SP 18-133) be approved, and to continue to the November 15, 2018 Planning Commission the dispensary aspect of the permit application (PLN-11754-CUP). The motion carried by the following vote:***

- Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner Shepherd, and Commissioner Newman
- Nay: 1 - Commissioner Mitchell

**CONTINUED PUBLIC HEARINGS**

**5** County of Humboldt New Zoning Districts (GPU ZR 10.04.18)  
Countywide

New Zoning Districts are proposed to be added to the Inland Zoning Ordinance and properties are proposed to be rezoned to be consistent with the 2017 Humboldt County General Plan. Implementation of Zoning Designations to be consistent with the Land Use Maps, adopted as part of the 2017 General Plan Update. The new Zoning Districts are proposed to be added to the Inland Zoning Ordinance (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) including the following: 1) new Mixed Use Zones that will be applied to areas with MU - Mixed Use, VC - Village Center, or RCC - Rural Community Center General Plan designations, 2) a new “RR - Railroad” Combining Zone that 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, and 3) a new “MR - Mineral Resources” Combining Zone that will be applied to parcels with permitted surface mining operations. 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 proposed new Zone Districts and the rezoned properties occur throughout the non-coastal areas of unincorporated Humboldt County.

*Meeting went into Recess*

*Meeting Reconvened*

***A motion was made by Commissioner Shepherd, seconded by Commissioner Newman, that the GPU Zone Reclassifications be recommended for approval with added conditions to not include specific rezone requests discussed and that the Board of Supervisors attempt outreach to the Blue Lake, Glendale, and Willow Creek Community Plan areas. The motion carried by the following vote:***

Aye: 5 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Shepherd, and Commissioner Newman

Nay: 2 - Commissioner Levy, and Commissioner Mitchell

**NEW BUSINESS**

**6** Sea Level Rise Policy Background Study - Planning Commission Workshop  
Case Numbers: N/A  
Assessor Parcel Number: N/A  
Humboldt Bay Area Plan planning area

Planning Commission Sea Level Rise Policy Background Study Workshop

***This Special Presentation was continued to the November 15, 2018 meeting of the Planning Commission.***

**OLD BUSINESS**

7 Commercial Cannabis Application Process

Per the request of the Commission this item is up for further discussion and possible action.

**ADJOURNMENT**

*Chair Morris adjourned the meeting at 9:02 pm.*

*I, SUZANNE LIPPRE, Planning Commission Clerk, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above entitled meeting of the Humboldt County Planning Commission held in Eureka, California.*

*SUZANNE LIPPRE*

*Planning Commission Clerk of the County of Humboldt, State of California.*