



MINUTES

THURSDAY, APRIL 15, 2021

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, September 2, 2021, with the vote as shown below.

The motion was made by Commissioner Noah Levy and seconded by Commissioner Mike Newman.

AYES: Commissioners Alan Bongio, Thomas Mulder, Noah Levy, Mike Newman, Peggy O'Neill, Brian Mitchell, Melanie McCavour

ABSENT:

DECISION: Motion carries 7/0.

Laura McClenagan
Deputy Clerk of the Planning Commission

John H. Ford
Secretary of the Planning Commission

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, April 15, 2021

6:00 PM

Regular Meeting - Virtual

NOTE: In accordance with Executive Order N-29-20 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.

B. COMMISSIONERS PRESENT

Present : 5 - Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner Thomas Mulder

Absent : 2 - Commissioner Brian Mitchell and Commissioner Peggy O'Neill

C. AGENDA MODIFICATIONS

Item E-5 Public Comment provided

Item E-14 Supplemental Information provided

Item G-1 Supplemental Information provided

D. PUBLIC COMMENTS

E. CONSENT AGENDA

2. Salty Dawg, LLC, Conditional Use Permit and Special Permit

Record Number PLN-12129-CUP/SP

Assessor Parcel Number (APN): 210-221-013

Dinsmore area;

A Conditional Use Permit for 10,000 square feet of existing outdoor and 10,000 square feet of existing mixed light commercial cannabis cultivation, as well as a 2,000 square feet of nursery propagation space. Irrigation water is sourced from rainwater catchment. A Special Permit is also being requested for an encroachment and corrective actions within the Streamside Management Area. The projected water usage is roughly about 450,000 gallons a year. Processing will occur offsite, at a licensed processing facility. Power is provided by P.G.& E. and solar array, as well as a backup generator for emergencies only.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Salty Dawg, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

3. Martin Blue Ray Farms, LLC - Conditional Use Permit & Special Permit

Record Number PLN-12306-CUP

Assessor Parcel Number (APN): 522-034-015.

Willow Creek area

Martin Blue Ray Farms, LLC seeks a Conditional Use Permit for an existing 26,988 square foot outdoor cannabis cultivation within nineteen (19) greenhouses utilizing light-deprivation techniques without use of lights or fans. Ancillary propagation occurs within two (2) greenhouses totaling 2,680 square feet. The applicant is also applying for a Special Permit to reduce the 600 foot setback to Six Rivers National Forest. Water for irrigation is sourced from a rainwater catchment pond, and a permitted water diversion. Estimated annual water usage is 315,000 gallons (11.67 gal/ft²/year). Drying and bucking occurs on-site, and all other processing will occur off-site at a licensed processing or manufacturing facility. Power is provided by Honda EU 3000 Kw generator, but the applicant plans to transition to renewable energy source in the future.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Martin Blue Ray Farms, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

4. Forever Honeydew Farms, LLC, Conditional Use Permit
Record Number PLN-11404-CUP
Assessor Parcel Number (APN): 107-096-007.
Honeydew area

A Conditional Use Permit for existing 37,543-square-foot outdoor cannabis cultivation within three distinct cultivation areas with ancillary propagation and drying activities. Irrigation water is sourced from two groundwater wells and a point of diversion. Estimated annual water usage is 882,000 gallons. Processing, including drying, curing, and trimming, occurs in an existing 2,000-square-foot processing facility. Power is provided by 72 solar panels with an automatic backup generator in the event of a power outage. The proposed project includes a Special Permit for development within the Streamside Management Area to allow continued use of a point of diversion located on an unnamed Class II watercourse that is tributary to Squaw Creek then the Mattole River.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Forever Honeydew Farms, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

5. Top Choice Organics, LLC, Conditional Use Permit
Record Number PLN-11549-CUP
Assessor Parcel Number (APN): 216-174-010.
Alderpoint area

A Conditional Use Permit for continued cultivation of 49,198 square feet (SF) of cannabis consisting of 9,217 SF mixed-light and 39,981 SF outdoor, of which 16,981 SF is in light-deprivation hoop houses and 23,000 SF is full sun. Irrigation water is sourced from two spring diversions and a groundwater well. Annual estimated water usage is 610,000 gallons. A 2,400-square-foot structure is proposed for drying and storage, a 400-square-foot commercial building is proposed for trimming. Power for the operation is currently provided by small generators (5 x 2,200-watt generators and 1 x 7,500-watt generator), however, within 3 years the operation will be powered primarily by solar and supplemented by the existing generators. The proposed project includes a Special Permit for development in the SMA for two points of diversion used for irrigation and stream remediation to re-align a Class III unnamed watercourse.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Top Choice Organics, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

6. Promethean Industries, LLC, Conditional Use Permit and Special Permit
Record Number PLN-11710-CUP
Assessor Parcel Number (APN): 217-255-002.
Blocksburg area

A Conditional Use Permit (CUP) for an existing 43,560 square foot (SF) cannabis cultivation operation of which 21,560 SF is full-sun outdoor and 22,000 SF is mixed light. Ancillary propagation is proposed in two 2,160-square-foot greenhouses, with housing of genetic stock proposed in another three 2,160-square-foot greenhouses. Irrigation water is sourced from a permitted groundwater well. Estimated maximum annual water usage to support three (3) cycles of cultivation is 2,877,000 gallons (22.0 gal/SF). Drying and storage occurs onsite in two existing 3,000-square-foot buildings. A new 10,000-square-foot processing facility is proposed for all drying, storage, and processing activities. Until the applicant can permit an on-site processing building, the applicant will process cannabis at a licensed off-site processing facility. The applicant is also proposing a 6,000-square-foot structure to be used for employee facilities and storage. Power is provided by three generators. P. G. & E. improvements are proposed to move to grid power in the future. The project includes a Special Permit for development within a Streamside Management Area for remediation of a historic cultivation site as initially authorized by an emergency Special Permit issued in 2019.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Promethean Industries, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

7. Greentech Industries, LLC, Conditional Use Permit
Record Number PLN-12823-CUP
Assessor Parcel Number (APN): 222-222-013-000.
Redway area

Greentech Industries, LLC seeks approval for a total of 13,150 square feet (SF) of existing cannabis cultivation consisting of 6,800 SF of mixed light and 6,350 SF of outdoor cannabis cultivation. Propagation occurs in a 1,700 SF nursery. Irrigation water is sourced from a spring diversion from an unnamed onsite Class II watercourse that is a tributary to the South Fork Eel River. Existing onsite water storage is 77,500 gallons in the following HDPE hard tanks: fourteen (14) 5,000-gallon tanks and three (3) 2,500-gallon tanks. Annual water use is estimated at 155,000 gallons (11.8 gal/SF). Post-cultivation processing activities include drying, trimming and packaging and will occur in a proposed 4,500-SF building onsite. Electricity will be provided by PG&E, and one (1) backup generator (7 kW) is onsite in the event of power outages.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Greentech Industries, LLC project be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

8. Mermaid Spring Estate, LLC, Conditional Use Permit

Record Number PLN-12471-CUP

Assessor Parcel Number (APN): 216-025-002.

Redway area

A Conditional Use Permit to allow an existing 13,600 square feet of outdoor cannabis cultivation operation. Water for irrigation will be provided by two rainwater catchment ponds located on APN 216-025-009. The northern pond is 965,000 gallons and the southern pond is 200,000 gallons. Water storage is also located on APN 216-025-009. The applicant anticipates 72,000 gallons of water will be required for irrigation annually. Processing such as drying and curing will occur onsite within the existing 816-square-foot barn. Trimming is proposed to occur offsite in a 1,200-square-foot metal building located on APN 216-025-009, which is the adjacent northeast parcel under the same ownership as the applicant, with an approved County cannabis permit (PLN-11102-CUP). The project will be operated by three family members. Cannabis cultivation activities onsite do not require any power.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Mermaid Spring Estate, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

9. Open Circle, LLC, Conditional Use Permit

Record Number PLN-13398-CUP

Assessor Parcel Number (APN): 077-202-025.

Redway area

A Conditional Use Permit to convert an existing two-story 4,216-square-foot bar establishment into a cannabis dispensary and a juice bar with an onsite cannabis consumption area. The applicant is also proposing to utilize the existing care takers unit on the second floor of the bar establishment for management staff. Water for the project will be provided by the Redway Community Services District (RCSD). The applicant is proposing a maximum of eight (8) employees. There is a total of twenty-one (21) existing parking spaces onsite. Power for the project will be provided by P.G.&E.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Open Circle, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

10. Humboldt's Dankest, LLC, Conditional Use Permit and Special Permit

Record Number: PLN-11878-CUP

Assessor Parcel Numbers (APNs): 081-091-008 and 081-091-009.

Myers Flat area

A Conditional Use Permit for 1,500 square feet of existing outdoor cannabis cultivation and 3,500 square feet of new mixed light cannabis cultivation activities totaling 5,000 square feet of cultivation area. Propagation would occur on-site in a proposed 320-square-foot structure. Irrigation water is provided by Myers Flat Mutual Water System, Inc. Trimming would occur in a proposed 320-square-foot structure while drying and storage occurs in existing structures. Power is provided by P. G. & E. The proposed project includes a Special Permit to reduce the required 600-foot setback from the public lands as the subject parcels are located adjacent to a parcel owned by the California State Parks.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Humboldt's Dankest, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

11. Emerald Dragonfly Farms, LLC, Conditional Use Permit

Record Number PLN-2020-16168

Assessor Parcel Number (APN): 206-191-019-000.

Carlotta area

Emerald Dragonfly Farms seeks a Conditional Use Permit (PLN-2020-16168) for an additional 5,000 square foot (SF) outdoor commercial cannabis cultivation to a previously permitted 10,000 sf commercial cannabis operation (PLN-10329-ZCC). Ancillary propagation occurs in a 960 SF existing greenhouse. Irrigation water is currently sourced from a well. Proposed water storage is 135,000 gallons in 27 5,000-gallon hard tanks. Estimated annual water usage is 130,800 gallons (8.7 gal/SF). Drying and processing of harvested cannabis is proposed within the building referred to on the site plan as processing building. Up to eight (8) employees are proposed. Power is provided by PG&E.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Emerald Dragonfly Farms, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

12. Moser Properties - Final Map Subdivision Extension

Record Number PLN-2020-16784

Assessor Parcel Number (APN): 511-461-015, 511-461-016.

McKinleyville area

A two-year extension to an approved Final Map Subdivision for the creation of 12 commercial lots within the Airport Business Park. The lots will be created from the two Remainder Parcels from the original subdivision and range in size between 30,310 and 61,230 square feet. The parcels will be served by community water and sewer. Note: This Final Map Subdivision and Mitigated Negative Declaration were previously approved and certified by the Planning Commission on June 7, 2007 under FMS-05-10, SCH# 2007052016. Subsequently, the tentative map expired, and this is the reapplication of the same map to which there have been no changes in the design of the map or any conditions of approval for this project. No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on February 5, 2023.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Moser Properties project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

13. Hand to Land Group, LLC, Conditional Use Permit and Special Permit

Record Number PLN-11632-CUP

Assessor Parcel Number (APN): 223-123-001.

Garberville area

A Conditional Use Permit for an existing 21,150 square feet (SF) of outdoor cannabis cultivation of which 7,790 SF is full-sun outdoor and 13,360 SF is outdoor that is cultivated using light deprivation techniques. Ancillary propagation occurs from March to May within 2,000-square-foot of an existing greenhouse. Irrigation water is sourced from deeded access to a spring on APN 222-124-001, and a permitted groundwater well on the subject parcel. Estimated annual water usage is 140,000 gallons. Drying, bucking and processing occurs onsite. Power is provided by a permitted solar system, with a supplemental generator utilized as a backup power source. The proposed project also includes a Special Permit for development within the Streamside Management Area for use of a point of diversion located on APN 222-124-001 and restocking and remediation of retired cultivation areas within the Streamside Management Area.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Hand to Land Group, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

14. Top Camp, LLC, Conditional Use Permit and Special Permit

Record Number PLN-12947-CUP

Assessor Parcel Number (APN): 210-131-021.

Dinsmore area

A Conditional Use Permit for continued cultivation of 12,700 square feet (SF) outdoor cannabis. Ancillary propagation occurs in a 1,000-square-foot greenhouse. Estimated annual water usage is 130,254 gallons. Irrigation water is sourced from a 165,000-gallon on-stream pond constructed on a tributary to Dairy Creek and the Little Van Duzen River. Processing activities including drying and trimming will occur onsite in a 512-square-foot existing barn. Power is provided by a generator and solar. The proposed project includes a Special Permit for development within the Streamside Management Area, which includes after-the-fact permitting for the pond developed between 2010 - 2012 and the proposed expansion of the pond to 280,000 gallons.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Top Camp, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

15. Mystic Mountain Farms, LLC Conditional Use Permit

Record Number PLN-12024-CUP

Assessor Parcel Number (APN): 217-381-001.

Blocksburg area

A Conditional Use Permit to allow 15,440 square feet (SF) of existing cannabis cultivation, consisting of 10,695 SF of outdoor and 4,745 SF of mixed light cultivation. Irrigation water is sourced from an onsite well and a 500,000-gallon rainwater catchment pond. Drying and further processing activities would occur onsite in a proposed 2,400-SF building (40' x 60'). Power is provided primarily by four onsite generators; two (2) Honda EU2000 (2,000 watts) to run the pumps and lights, and two (2) Honda 7000 (7,000 watts) generators used to run de-humidifiers and well pumps.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Mystic Mountain Farms, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

16. Kings Peak Farms, LLC, Conditional Use Permit

Record Number PLN-12188-CUP

Assessor Parcel Number (APN): 108-024-008.

Garberville area

A Conditional Use Permit to allow 10,770 square feet (SF) of existing medical cannabis cultivation, consisting of 6,045 SF outdoor cultivation and 4,725 SF mixed light cultivation. A propagation facility/nursery totaling 480 SF is also proposed. Water for irrigation is currently sourced from a surface water diversion (SIUR Certificate# H100544) from a Class II spring/seep. Estimated annual water use is 162,000 gallons, which equates to 15 gallons per SF of cultivation area. Drying will occur onsite within 1,950-SF workshop. Further processing would occur at a licensed third-party facility. There is an average of four (4) employees utilized throughout the year, and up to six (6) employees during peak operations. Electricity is provided by PG&E and two onsite generators: a Multiquip Whisperwatt 70 kVA generator is used to power the nursery and an Isuzu 25 kW diesel generator is used for domestic purposes and backup power source.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Kings Peak Farms, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

17. JMP Ranch, LLC, Conditional Use Permit

Record Number PLN-10678-CUP

Assessor Parcel Number (APN): 314-193-008

Kneeland area

JMP seeks a Conditional Use Permit for continued cultivation of 21,100 square feet of mixed-light cannabis. The proposed project includes replacement of the existing hoop houses with one (1) 22,000-square-foot greenhouse. There will be a 2,110-square-foot propagation area. Irrigation water is sourced from an existing 400,000-gallon off-stream pond. Annual water usage 243,750 gallons. Drying, harvest storage, processing, and packing will occur onsite in a proposed 2,500-square-foot metal barn. Power will be provided by two generators.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the JMP Ranch, LLC project be approved with conditions. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

F. ITEMS PULLED FROM CONSENT

1. Jeff Diehl, Conditional Use Permit
Record Number PLN-12504-CUP
Assessor Parcel Number (APN) 208-341-008.
Dinsmore area

A Conditional Use Permit for continued cultivation of 11,000 square feet (SF) of outdoor cannabis, of which 10,000 SF is full-sun outdoor and 1,000 SF is mixed light in one (1) 1,000 SF greenhouse. Ancillary propagation occurs within the 1,000 SF mixed light greenhouse, which is used as storage space as well. Irrigation water is sourced from an onsite groundwater well. Annual water usage is 46,500 gallons. The proposed project includes a Special Permit to allow a reduction in the 600-foot setback requirement from public lands.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Jeff Diehl project be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

G. PUBLIC HEARINGS

1. Maple Creek Ranch Corp., Conditional Use Permits and Zoning Clearance Certificate
Record Numbers: PLN-12154-CUP and PLN-2018-15197
Assessor Parcel Number (APN) 313-145-006.
Korbel area

Four Conditional Use Permits for new outdoor commercial cannabis cultivation under the CMMLUO, totaling 4-acres (174,240 square feet) of cultivation on a 420-acre legal parcel in the Korbel area. Water will be sourced from a groundwater well and from rainwater catchment. The total existing and proposed water storage capacity on the parcel will be 250,000 gallons. Water will be delivered to the cannabis plants using a pump-driven drip irrigation system with adjustable emitters and in-line meters. The applicant's estimated annual water use is 800,000 gallons. The power sources for the project are a proposed solar system and 25 kw whisper watt diesel generators. The project includes a proposed ancillary nursery of 6,600 square feet and a proposed ancillary support facility of 4,800 square feet to be used for onsite drying and processing. Four full time and a maximum of 10 seasonal employees will work on the site. Additionally, a Zoning Clearance Certificate under the CCLUO is sought for the relocation of 27,000 square feet of outdoor cannabis from APN 315-011-009.

A motion was made by Commissioner Levy, seconded by Commissioner Mulder, that the Maple Creek Ranch Corp. project be approved with conditions. The motion carried by the following vote:

Aye: 4 - Commissioner Bongio, Commissioner Levy, Commissioner McCavour and Commissioner Mulder

Abstain: 1 - Commissioner Newman

H. GENERAL PLAN CONFORMANCE REVIEW

1. County of Humboldt and Loleta Community Services District.

A General Plan Conformance review for the County of Humboldt and Loleta Community Services District ("LCSD") for the conveyance of real property from the County to the LCSD. The real property to be conveyed is approximately 0.80 acres in size and is excess right-of-way. The property will be used by the LCSD for the future installation of two new water storage tanks that will replace their existing water storage tank located o APN 309-042-025. All permits required for the decommission of the existing tank, and the development, installation and operation of the new water tanks shall be sought under a separate and future application. The project site is located in the Coastal Zone.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the County of Humboldt and Loleta Community Services District General Plan Conformance review be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

INFORMATION REPORTS**1. Humboldt County's 2020 General Plan and Housing Element Annual Progress Reports**

The Humboldt County's 2020 General Plan and Housing Element Annual Progress Reports were reviewed.

I. ADJOURNMENT

Chair Alan Bongio adjourned the meeting at 6:50 p.m.

J. NEXT MEETINGS	April 22, 2021	6:00 p.m.	Special Meeting - Virtual
	May 6, 2021	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