

PLANNING COMMISSION

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JOHN H. FORD
Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

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

AGENDA

Thursday, February 17, 2022

6:00 PM

Regular Meeting - Virtual

NOTE: In accordance with Executive Order N-29-20 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/9763777152> Password: 200525*
- 2. Call in via telephone at 346 248-7799, enter meeting id 976 3777 7152 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*

PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:

Participate in the public comment period of the meeting in the following two ways:

- 1. 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.*
- 2. Via phone call using cell phone 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:

Submit public comments via email to Planningclerk@co.humboldt.ca.us and provide the Project title, Record or Case number and date of the hearing. If you do not have access to email, contact the planning clerk at 707-268-3702. After the Agenda is posted on Thursday, February 10, 2022, comments 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 after the fact.

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT

C. BOARD OF SUPERVISORS LETTER REGARDING CANNABIS PERMITTING

Recommendation: Read the letter from the Board of Supervisors into the record.

Attachments: [Executed Letter to the Planning Commission](#)

D. AGENDA MODIFICATIONS

E. PUBLIC COMMENTS

F. CONSENT AGENDA

1. Review and approval of the January 20, 2022, Action Summary

Recommendation: Move to approve the January 20, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

Attachments: [01.20.2022 Action Summary for review](#)

2. Full Moon Farms Inc. Conditional Use Permit and Special Permit

Record Number PLN-11241-CUP (filed 9/27/2016)

Assessor's Parcel Number: 208-201-026

Dinsmore area

A Conditional Use Permit for 19,661 sq. ft. of pre-existing outdoor cannabis cultivation. Water for irrigation is sourced from two spring diversions on-site under Water Right Certificate H100541. A Special Permit is being requested to allow the continued use of the spring diversions, and to relocate water tanks outside of the streamside management area for the springs. An additional Special Permit is required for the removal of an on-stream pond and restoration of a stream on-site. A total of 194,500 gallons of water storage for irrigation exists on-site, and one 2,500-gallon tank is designated for fire suppression. Annual water usage is 124,000 gallons (6.3 gal/sq. ft./year). Drying and curing will occur on-site, and trimming will occur off-site at a licensed processing facility. Electricity is sourced from 2 portable generators, and the applicant will transition to 100% renewable energy by the 2026 cultivation season.

Recommendation: Find that the Commission has considered the Addendum to the adopted Mitigative Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and Special Permits and approve the Full Moon Farms Inc. Conditional Use Permit and Special Permits as recommended by staff subject to the recommended conditions.

Attachments: [11241 Full Moon Farms Executive Summary 02.17.22](#)

[11241 Full Moon Farms Staff Report 02.17.22](#)

[Attachment 3A - 11241 WRPP 10.16.2020](#)

[PLN-11241-CUP Watershed Map](#)

3. Jake Perkins; Conditional Use Permit

Record Number PLN-12905-CUP (filed 12-29-2016)

Assessor's Parcel Number: 218-141-006

New Harris area

A Conditional Use Permit (PLN-12905-CUP) for 25,366 square feet (SF) of existing outdoor cannabis cultivation. Propagation occurs in three (3) areas totaling 2,952 SF. Irrigation water is sourced from four (4) onsite rainwater catchment ponds totaling approximately 1,100,000 gallons. Water is stored in the ponds and twelve (12) hard storage tanks, including four (4) 5,000-gallon tanks and eight (8) 3,000-gallon tanks. Total water storage is 1,144,000 gallons. Cultivation areas are watered by drip irrigation systems. Total annual water use is estimated to be 210,000 gallons (8.3 gal/SF). Drying, hand trimming and packaging occurs onsite in a 2,400-SF facility. No additional employees are needed to assist with cultivation operations. Electrical power is provided by a solar array, and a Kohler 8.5-kW propane generator is used as a backup power source.

Recommendation: Adopt the Resolution to 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, make the required findings for approval of the Conditional Use Permit; and approve the Jake Perkins' Conditional Use Permit as recommended by staff subject to the recommended conditions.

Attachments: [12095 Jake Perkins Executive Summary 02.17.22](#)
[12095 Jake Perkins Staff Report 02.17.22](#)
[PLN-12905-CUP Watershed Map](#)

4. The Emerald Kid Inc, Conditional Use Permit Modification
Record Number PLN-2021-17458 (filed 9/24/2021)
Assessor's Parcel Number's: 522-211-053 & 522-211-055
Willow Creek area

A Modification to two approved Conditional Use Permits (PLN-12251-CUP & PLN-12011-CUP) and one approved Modification to those Conditional Use Permits (PLN-2020-16323), to allow for farm-based retail sales to tourists already on-site, and retail sales off-site through delivery or off-site pickup. No increased traffic is anticipated as part of this project. The approved projects include a microbusiness consisting of up to 10,000 SF of commercial cannabis cultivation, non-volatile manufacturing, distribution, and on-site tours. Water is sourced from the Willow Creek Community Services District and power is provided by PG&E.

Recommendation: 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 the required findings for approval of the Conditional Use Permit Modification and approve the Emerald Kid Inc. Conditional Use Permit Modification subject to the recommended conditions.

Attachments: [17458 The Emerald Kid Executive Summary 02.17.22](#)
[17458 The Emerald Kid Staff Report 02.17.22](#)
[PLN-2021-17458 Watershed Map](#)

5. David Thomas; Conditional Use Permit and Special Permit
Record Number PLN-12196-CUP (filed 12/21/2016)
Assessor Parcel Numbers (APNs) 221-201-022 and 221-171-042
Whitethorn area

A Conditional Use Permit for 13,350 square feet (SF) of existing outdoor cannabis, which includes 1,200 SF of ancillary propagation. Irrigation water is currently sourced from a point of diversion on an adjacent parcel (APN 221-171-044); however, a 292,000-gallon rainwater catchment pond is proposed onsite to serve the project. Existing available water storage is 130,000 gallons. Estimated annual water usage is 120,360 gallons. Drying and processing occurs onsite within 3 separate structures totaling 830 SF. Power is provided by P.G. & E. with a portable generator utilized for back-up. The proposed project also includes a Special Permit for development within the Streamside Management Area for continued use and maintenance of the point of diversion located on APN 221-171-044.

Recommendation: Adopt the Resolution to find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CCMLUO) as described by Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and Special Permit and approve the David Thomas project as recommended by staff subject to the recommended conditions.

Attachments: [12196 David Thomas Executive Summary 02.17.22](#)
[12196 David Thomas Staff Report 02.17.22](#)
[PLN-12196-CUP Watershed Map](#)

6. Reed Mountain Farms, LLC, Conditional Use Permit
Record Number PLN-13186-CUP (filed 12/30/2016)
Assessor Parcel Number (APN) 033-140-008
Benbow area

A Conditional Use Permit for an existing 16,050-square-foot outdoor cannabis cultivation including 1,590 square feet (SF) of ancillary propagation. Irrigation water is sourced from the Del Oro Water Company. Estimated annual water usage is 162,500 gallons. Existing available water storage is 12,750 gallons. Processing will occur onsite within a proposed 2,400 SF building. A maximum of 9 employees may be utilized during peak operations. Power is provided by a generator, utilized for drying, curing, and supplemental domestic uses; however, the applicant is proposing to transition to Pacific Gas and Electric (PG&E) prior to the 2025 cultivation season.

Recommendation: 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, make all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Reed Mountain Farms, LLC, project subject to the recommended conditions.

Attachments: [13186 Reed Mountain Farms LLC Executive Summary 02.17.22](#)
[13186 Reed Mountain Farms LLC Staff Report 02.17.22](#)
[Attachment 3A - 13186 LSAA 07.13.2016](#)
[Attachment 3B - 13186 R2 Soils Report 02.05.2020](#)
[Attachment 3C - 13186 Road Evaluation 12.20.2019](#)
[PLN-13186-CUP Watershed Map](#)

G. OLD BUSINESS

1. Golden Bud, LLC Special Permit

Record Numbers: PLN-11439-SP and PLN-2020-16911

Assessor's Parcel Number: 218-031-008

Palo Verde area

A Special Permit for 7,700 square feet (SF) of existing cultivation and 35,860 SF of new cultivation. Ancillary propagation will occur in a 960 SF greenhouse. Irrigation water will be sourced from a rainwater catchment system. Estimated annual water usage is currently 282,000 gallons and is anticipated to be 607,200 gallons at full project build-out. There will be a total of 607,200 gallons of water storage onsite. Processing will occur in a proposed 1,334-square-foot structure. Power will be provided by solar and wind, with PG&E to offset any additional needs.

Recommendation: Adopt the Resolution to take the following actions: 1) find that the Planning Commission has considered the Addendum to the adopted Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, 2) make all of the required findings for approval of the Special Permit based on evidence in the staff report, and 3) approve the proposed Golden Bud, LLC, projects subject to the recommended conditions.

Attachments: [11493 16911 Golden Bud LLC Executive Summary 02.17.22](#)
[11493 16911 Golden Bud LLC Staff Report 02.17.22](#)
[Attachment 3A - 11439 16911 Lake Or Streambed Alteration](#)
[Attachment 3B - 2020.10.15 SMP](#)
[Attachment 3C - 11439 Biological Report 11.02.2020](#)
[Watershed Map PLN-11439-SP PLN-2020-16911](#)

2. PROPOSED COMMUNICATIONS FACILITIES ORDINANCE; Case 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.

Recommendation: Based on evidence in the staff report and public testimony, make all the required findings and adopt the Resolution recommending that the Humboldt County Board of Supervisors find that the proposed ordinance is exempt from CEQA pursuant to □15307 and □15308 of the State CEQA Guidelines and adopt the proposed Wireless Telecommunications Facilities ordinance (as modified by the Planning Commission) along with its related zoning code amendments

Attachments: [17452 Telecommunications Facilities Ordinance Executive Summary 2.10.22](#)
[17452 Telecommunications Facilities Ordinance Staff Report 2.10.22](#)

H. ITEMS PULLED FROM CONSENT

I. ADJOURNMENT

J. NEXT MEETINGS March 3, 2022 6:00 pm 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 or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us