

PLANNING COMMISSION

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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, February 17, 2022

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

Absent : 0

C. BOARD OF SUPERVISORS LETTER REGARDING CANNABIS PERMITTING

Director John Ford summarizes letter

D. AGENDA MODIFICATIONS

*Item F-2 Full Moon Farms PLN-11241-CUP Supplemental information provided.
Item F-3 Jake Perkins PLN-12905-CUP Public comment and supplemental information provided.
Item F-5 David Thomas PLN-12196-CUP was removed from consent and public comment received.*

E. PUBLIC COMMENTS

Public comment period opened / closed.

F. CONSENT AGENDA

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

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the recommendations be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

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.

Public comment period opened / closed

A motion was made by Commissioner Levy, seconded by Commissioner Mulder, that the Golden Bud project be approved as recommended by staff. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

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.

Continue to the March 3, 2022 meeting

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the Proposed Communications Facilities Ordinance be continued to the March 3, 2022 meeting. The motion carried by the following vote:

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

Nay: 1 - Commissioner Mulder

H. ITEMS PULLED FROM CONSENT

Meeting went into Recess / Meeting Reconvened

- 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.

Public comment period opened / closed

A motion was made by Commissioner Newman, seconded by Commissioner Mitchell, that the Full Moon Farms project be approved as recommended by staff. The motion carried by the following vote:

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

Nay: 1 - Commissioner Mulder

- 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.

Public comment period opened / closed

A motion was made by Commissioner Levy, seconded by Commissioner Mulder, that the Jake Perkins project be approved as recommended by staff. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

- 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.

Public comment period opened / closed

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the The Emerald Kid project be approved as recommended by staff. The motion carried by the following vote:

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

Abstain: 1 - Commissioner Mitchell

- 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.

Public comment period opened / closed

A motion was made by Commissioner Levy, seconded by Commissioner Mulder, that the David Thomas project be approved as modified with the added condition to join/form a road maintenance to repair the road as designed by a professional engineer, or pay for improvements themselves, along with an updated cultivation amount of 12,033. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

- 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.

Public comment period opened / closed

A motion was made by Commissioner Mitchell, seconded by Commissioner O'Neill, that the Reed Mountain Farms project be approved as recommended by staff. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

I. ADJOURNMENT

Commissioner Melanie McCavour - Monitoring of Dark Sky status update requested; List of projects with enhanced monitoring status update requested, along with any violations after approval. Reminder that the next planning commission conference is in Sacramento in October.

Commissioner Brian Mitchell - Question on jurisdiction of the Old Arcata Road round-about project. Discussion / presentation to be added to the 3.3.22 agenda so that public comment can be heard and relayed to the City of Arcata.

Commissioner Alan Bongio - Acknowledgment of John Wisler's passing, who will be dearly missed.

Commissioner Thomas Mulder - While out with the family, noticed endangered species that didn't seem annoyed by the traffic in the area.

Chair Alan Bongio adjourned the meeting at 9:36 p.m.

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