

PLANNING COMMISSION

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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, September 2, 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 : 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

C. AGENDA MODIFICATIONS

*PLN-11881-CUP GLG received public comment
PLN-2020-16308 Rynearson received public comment
Green Growth Enterprises received public comment*

D. PUBLIC COMMENT

*Bonnie Blackberry was called to speak
Commission asked that Action Summaries include reference to any Modifications to Conditions of Approval.*

E. CONSENT AGENDA

Public Comment:

*Robie Tenario was called to speak
Bonnie Blackberry was called to speak*

A motion was made by Commissioner Levy, seconded by Commissioner Newman, to approve all items on the consent calendar. 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

CONTINUED PUBLIC HEARINGS

- 1. LSK Art, LLC, Conditional Use Permit
Record Number PLN-12556-CUP
Assessor Parcel Numbers (APNs) 317-182-021 and 317-033-007.
Shower’s Mountain/Pilot Ridge area

A Conditional Use Permit for 13,686-square-feet of existing outdoor cannabis cultivation. Water is sourced from a permitted groundwater well and two surface water diversions located in an unnamed Class II watercourse. A total of 115,000 gallons of hard tank storage is proposed. Estimated annual water usage is 125,932 gallons (8.4 gallons/SF/year). Drying and curing occurs on-site, and all processing is currently done outdoors using a trimming machine. Electricity is currently sourced from generators. A Special Permit is also requested for the ongoing use and maintenance of two points of diversion from a Class II watercourse.

Public Hearing Opened

A motion was made by Commissioner Levy, seconded by Commissioner Mulder, that the LSK Art project be approved with conditions as recommended. 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

F. PUBLIC HEARINGS

Meeting went into Recess

Meeting Reconvened

- 1. Rynearson Parcel Map Subdivision and Special Permit
 Record Number PLN-2020-16308
 Assessor’s Parcel Number: 510-041-019.
 McKinleyville Area

A minor subdivision of an approximately 1.3-acre parcel into two (2) parcels of 0.64 acres and 0.66 acres. The parcel is currently developed with an existing 1,658 square foot single-family residence with a 576 square foot attached garage as well as a 2,052 square foot detached garage and shop building. The home and attached garage will be located on proposed parcel 2 (0.66 acres) while the detached garage/shop will be located on proposed parcel 1 (0.64 acres). Separate water and sewer service is currently provided to both the residence and detached accessory structures by the McKinleyville Community Services District. The property is located within the State Responsibility Area for fire protection (SRA) and an exception to the State Firesafe Regulations has been granted by Cal-FIRE to allow for use of a road (Babler) not meeting the minimum road width and secondary access requirements of the State Firesafe Regulations (1273.01 & 1273.08). An exception is also being sought pursuant to section 325-9 of county code, to permit use of a right-of-way less than 40 feet in width. A Special Permit is also being requested to pre-authorize conversion of the garage/shop on proposed parcel 1 into an Accessory Dwelling Unit (ADU) exceeding 1,200 square feet, prior to completion of the subdivision.

Public Hearing Opened

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Rynearson project be approved with conditions as recommended with the 2 alternative (in lieu of the sidewalk requirements, pave a 5 foot strip in addition to the 20 foot right of way). The motion carried by the following vote:

- Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder
- Nay: 1 - Commissioner Newman

- 2. Mark Felix Conditional Use Permit and Special Permit
 Record Number PLN-13204-CUP
 Assessor’s Parcel Number: 081-021-038.
 Myers Flat area

A Conditional Use Permit for 36,990 sf of new outdoor commercial cannabis cultivation, a Special Permit for a commercial processing, manufacturing and distribution facility, and a retail nursery as well as a Special Permit for a reduction in the setback from public lands.

Public Hearing Opened

A motion was made by Commissioner McCavour, seconded by Commissioner O'Neill, that the Mark Felix project be denied. 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

- 3. Grouse Valley Farms, Inc, Conditional Use Permit and Special Permit
Record Number PLN-11672-CUP
Assessor Parcel Number (APN) 315-271-006 & 315-073-002.
Hyampom area

A Conditional Use Permit for 22,000 square feet (SF) of existing outdoor and mixed-light cultivation. Outdoor cultivation totals 19,000 SF and the mixed-light cultivation totals 3,000 SF. The site also includes a 960-SF existing appurtenant nursery. Irrigation water is sourced from a permitted groundwater well and an onsite spring diversion. Estimated annual water usage is 145,000 gallons (6.6 gallons/SF/year) with 99,000 gallons of available water storage. Onsite trimming and drying is conducted in an existing building to be replaced with a new 3,000-SF processing and drying building with a rooftop solar system. Power is currently provided by generators. A Special Permit is also required for a setback reduction from Public Lands managed by Six Rivers National Forest to allow for an approximate 300-foot setback from the cultivation area on both the north and east sides of the property.

Public Hearing Opened

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the Grouse Valley Farms project be approved with conditions as recommended. The motion carried by the following vote:

- Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder
- Nay: 1 - Commissioner O'Neill
- Not Present: 1 - Commissioner Mitchell

- 4. GLG, LLC, Conditional Use Permit and (3) Special Permits
 Record Number PLN-11881-CUP
 Assessor’s Parcel Number: 210-071-013
 Dinsmore area

A Conditional Use Permit for an existing 26,400-square-foot (SF) cannabis cultivation consisting of 19,080 SF outdoor and 7,320 SF mixed-light cannabis cultivation and onsite processing with 2,640 SF of ancillary nursery activities. Irrigation water is sourced from an onsite groundwater well and a permitted water diversion. Annual water usage of 250,000 gallons (9.5 gallons/SF/year) and proposed water storage is 150,000 gallons in hard sided tanks. Processing would be completed onsite in an existing 1,800-SF metal building. Power is sourced from generators and an existing solar array that provides electricity for water pumps. An existing cabin and proposed 1,200-SF building will serve as employee housing. Special Permits (3) are needed for decommissioning a stream crossing, maintenance of a water diversion, and for one streamside management area (SMA) setback reduction for an existing parking area within the SMA.

Public Hearing Opened

A motion was made by Commissioner Levy, seconded by Commissioner Mitchell, that the GLG project be approved with added conditions to address forbearance period and Generator use. The motion carried by the following vote:

- Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder
- Nay: 1 - Commissioner O'Neill

- 5. Nijushi, LLC, Conditional Use Permit
 Record Number PLN-12245-CUP
 Assessor’s Parcel Number: 208-271-007.
 Bridgeville Area

A Conditional Use Permit for 14,944 square feet (SF) of mixed light cannabis cultivation. Plants are propagated in a 1,488-SF nursery onsite. Irrigation water is sourced from a 450,000-gallon rainwater catchment pond and two (2) points of diversion (PODs). The primary source of electrical power are generators. Note: This project was inadvertently and erroneously noticed for the September 2nd meeting after being separately noticed for and heard on the August 19th Planning Commission meeting, where it was approved.

Note: This project was inadvertently and erroneously noticed for the September 2nd meeting after being separately noticed for and approved at the August 19th Planning Commission meeting.

No Action needed or made.

6. Humboldt Sunrise Farms, Conditional Use Permit
Record Number PLN-12285-CUP
Assessor's Parcel Number: 217-411-008.
Blocksburg area

A Conditional Use Permit for continued cultivation of 9,300 square feet of outdoor cannabis cultivation and 1,800 square feet of mixed light cannabis cultivation. Propagation will occur in one (1) 900-square-foot nursery. Water for irrigation will be provided by a 607,700-gallon rainwater catchment pond located on the adjacent parcel (APN 217-411-009) which is under the ownership as the applicant. The applicant anticipates 95,150 gallons of water will be required for irrigation annually. Processing such as drying and curing will occur onsite in a 625-square-foot shed. Further processing such as trimming will occur offsite at a licensed processing facility until the applicant constructs an onsite processing facility. Power for the project will be provided by solar with a backup generator.

A motion was made by Commissioner O'Neill, seconded by Commissioner McCavour, that the Humboldt Sunrise Farms project be approved with conditions as recommended. 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

7. Lance Berry, Conditional Use Permit
Record Number PLN-12674-CUP
Assessor's Parcel Number: 208-261-009,
Dinsmore area

A Conditional Use Permit for 20,700 square feet (SF) of existing outdoor cannabis cultivation and 2,700 SF existing mixed light cultivation for a total cultivation of 23,400 SF. Ancillary propagation is 2,340 sf. Irrigation water is sourced from a permitted well and a 388,000-gallon rain catchment pond. Estimated annual water use is 296,000 gallons (12.64 gal/SF). Drying occurs onsite. Further processing will occur off-site. The primary source of electrical power (propagation lights and pump water) is a generator.

The Lance Berry project was continued to a date uncertain.

- 8. Platinum King Farms, LLC, Conditional Use Permit and Special Permits
 Record Numbers PLN-2018-15196 and PLN-2018-15200
 Assessor’s Parcel Number:104-071-004 and 104-071-005
 Petrolia area

A Special Permit for 15,700 square feet of existing mixed light and 8,800 square feet of full sun outdoor cannabis cultivation on APN 104-071-004 and a Special Permit for 30,000 square feet of new mixed light cannabis cultivation to occur on APN 104-071-005. Propagation for both parcels will occur on APN 104-071-005 in a of 5,451 square foot nursery. Water for the project will be provided by a proposed 2.5-million-gallon rainwater catchment pond on APN 104-071-004 and by two onsite permitted groundwater wells utilizing solar powered pumps. The applicant estimates 1,012,102 gallons of water will be required for irrigation annually for both projects. Curing, trimming, packaging and storing will occur on APN 104-071-005 in an existing 2,600-square-foot processing facility that is also proposed to be permitted as a commercial processing facility. Power for the project will be provided by PG&E, purchased through the Redwood Coast Energy Authority’s RePower+ electricity service to ensure that the project runs on 100% renewable energy. A generator will be kept for use during emergency power outages.

Public Hearing Opened

A motion was made by Commissioner Levy, seconded by Commissioner Mitchell, that the Platinum King Farms projects be approved with conditions as recommended. 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. ADJOURNMENT

Chair Alan Bongio adjourned the meeting at 8:37 p.m.

H. NEXT MEETINGS September 16, 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