

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, April 21, 2022

6:00 PM

Regular Meeting - Hybrid

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/87544807065> Password: 200525*
- 2. Call in via telephone at 346 248-7799, enter meeting ID 875 4480 7065 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 channel 10*

PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:

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

- 1. In Person: Any person may appear and present testimony in regard to this matter at the hearing located in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California. The Planning Commission needs 15 COPIES of any materials submitted at the meeting.*
- 2. 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.*
- 3. Via phone call using cellphone 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.*

PUBLIC COMMENT PRIOR TO THE MEETING:

Public comments may be submitted via email to Planningclerk@co.humboldt.ca.us. Please provide the project title, record or case number and date of the hearing. The deadline for submitting written comments is 12:00 p.m. Wednesday, April 20, 2022. After the deadline, written comments may be submitted to the commission in person during the meeting. Verbal comments may be made in person, or on zoom. Comments received after the agenda is posted on Friday, April 15, 2022, 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. If you do not have access to email, contact the planning clerk at 707-268-3702. 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.

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT**C. AGENDA MODIFICATIONS****D. PUBLIC COMMENTS**

At this time persons may appear before this Commission on any matter pertinent to the Commission's Jurisdiction and that is not on the Agenda. When the Chair asks for public comment, please address the Commission from the microphone. Unless otherwise stated, speakers will have three (3) minutes for public comment. Although the Commission may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Commission at this time.

E. CONSENT AGENDA

These Public Hearing matters are routine in nature and are usually approved by a single vote. The Chair will poll the audience and members of the Commission to determine if any item on the consent agenda should be pulled for public comment or further discussion.

1. MDRV Realty Holdings, LLC: Conditional Use Permit and Special Permit
Record Number PLN-11212-CUP (filed 9/22/2016)
Assessor's Parcel Number: 208-241-007
Dinsmore/Mad River area

A Conditional Use Permit for 14,450 sf of existing outdoor & 3,600 sf of existing mixed-light cannabis cultivation with 1,480 sf of ancillary propagation area. The proposed project includes a Special Permit for the relocation of a historic cultivation outside of a streamside management area. Water for irrigation is provided by a spring diversion (POD 2 under Water Right Certificate H100730), and a Special Permit is being requested to approve the continued use and maintenance of the spring diversion. Annual water usage is estimated at 150,000 gallons (7.68 gal/sf/yr). There is a total of 90,000 gallons of existing water storage on-site and 63,000 additional water storage is proposed for a total of 153,000 gallons. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Power is provided by one generator, and future solar is proposed. An additional Special Permit is being requested to reduce the 600-foot setback to public lands (SRNF), to approximately 497 feet.

Recommendation: Continue to May 5, 2022

2. MDRV Realty Holdings, LLC: Special Permit (2)
Record Number PLN-11214-SP (filed 9/22/2016)
Assessor's Parcel Number (APN) 208-241-006
Dinsmore/Mad River Area

A Special Permit for 2,000 square feet (sf) existing outdoor and 4,850 sf existing mixed-light cultivation with a 720 sf ancillary propagation area. Water for irrigation is provided by a stream diversion (POD 1 under Water Right Certificate H100730), and a Special Permit is being requested to approve the continued use and maintenance of the stream diversion. There is a total of 50,000 gallons of water stored on-site in hard sided tanks, and estimated annual water usage is 50,000 gallons. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Power is sourced from an on-site generator, and future solar is proposed. An additional Special Permit is being requested to reduce the 600-foot setback to public lands (SRNF), to approximately 320 feet.

Recommendation: Continue to May 5, 2022

3. Dustin Silva: Conditional Use Permit

Record Number PLN-13264-CUP (filed 12/30/2016)

Assessor Parcel Numbers (APNs) 216-142-006, 216-143-005, 216-143-010, 216-144-008 (one legal parcel)

Garberville area

A Conditional Use Permit for for 11,950 square feet (SF) of existing cannabis cultivation consisting of entirely of outdoor cultivation, and a 1,200-SF ancillary nursery. Mixed-light cultivation, allowed under the applicants' interim permit, is no longer proposed by this project. Water for irrigation is sourced from an onsite 487,500-gallon rainwater and spring-fed catchment pond, and two points of diversion used to fill 93,500 gallons of tank and bladder storage. Estimated annual water usage is 140,000 gallons (11.7 gallons/SF/year). Processing will be performed offsite at a third-party permitted processing facility. Power is provided by a 10-kilowatt generator and the applicant intends to develop solar power infrastructure to operate artificial lights, drying building and irrigation pump systems, including that required for domestic needs, within 3 years of permit approval (i.e., April 7, 2025). A Special Permit is also requested for ongoing maintenance of permitted water diversions.

Recommendation: Adopt the resolution to find the Commission has considered the Addendum to the adopted Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines, make all of the required findings for approval of the Conditional Use Permit and Special Permit and approve the Dustin Silva Conditional Use Permit and Special Permit as recommended subject to the recommended conditions.

Attachments: [13264 Dustin Silva Executive Summary 04.21.22](#)
[13264 Dustin Silva Staff Report 04.21.22](#)
[13264 Dustin Silva Waershed Map](#)

4. Dustin Silva

Record Number PLN-13266-CUP (filed 12/30/2016)

Assessor's Parcel Number: 216-143-012.

Garberville area

A Conditional Use Permit for 15,840 sq ft of existing outdoor cultivation. Water for irrigation is sourced from three (3) spring and stream diversions, which are permitted under the applicant's permit for Right to Divert and Use Water (Cert H100408) issued by the SWRCB. Water storage consists of three (3) 50,000 gallon bladders, one (1) 10,000 gallon bladder, four (4) 3,000 water tanks, seven (7), 2,500 gallon water tanks, two (2) 1,550 gallon water tanks, two (2) 1,000 gallon water tanks, one (1) 550 gallon water tank & one (1) 300 gallon water tank for a total of 195,450 gallons of water storage. The applicant estimates the project will demand 182,000 gallons of water per year. Generators provide power and are housed in a shed behind the existing 34'x40' residence and solar panels are proposed to be installed to offset generator use. Drying of harvested cannabis takes place in the garage under the existing residence and is transported off site for processing. The project will require a maximum of three employees, including the operator.

Recommendation: Adopt the resolution to find the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and approve the Dustin Silva project as recommended subject to the recommended conditions.

Attachments: [13266 Dustin Silva Executive Summary 04.21.22](#)
[13266 Dustin Silva Staff Report 04.21.22](#)
[13266 Dustin Silva Watershed Map](#)

5. Boden Wood

Record Number PLN-2018-15218 (filed 12/21/2018)

Assessor's Parcel Number: 222-071-023

Garberville area

A Special Permit to allow for 43,000 square feet of outdoor cannabis cultivation where 17,715 square feet is existing outdoor cannabis cultivation, and 25,285 square feet is new outdoor cannabis cultivation. The applicant anticipates 2 harvest cycles annually. Cultivation will occur under greenhouses and full sun outdoor. Water for the project will be sourced from a 538,560-gallon rainwater catchment pond. Water storage for the project totals 662,400 gallons. The applicant anticipates 385,000 gallons of water will be required annually for irrigation for two cultivation cycles. Processing such as drying and curing will take place in a 700-square-foot processing building. The applicant proposes to trim and process cannabis on site in a proposed 1,800 square foot processing facility constructed to commercial standards. The applicant anticipates hiring a maximum of 6 employees to assist with operations. Power for the project will be provided by solar with a backup generator. The applicant is also applying for a special permit to allow pre-existing cultivation in cultivation areas between 15% and 30% slope.

Recommendation: Adopt the resolution to find the Planning Commission has considered the Addendum to the adopted EIR for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permits, and approve the Boden Wood, Special Permits project as recommended subject to the recommended conditions.

Attachments: [15218 Wood Executive Summary 04.21.22](#)
[15218 Wood Staff Report 04.21.22](#)
[15218 Wood Watershed Map](#)

6. Hatchery Road Solar CUP Extension.

Record Number PLN-2022-17636 (filed 02/18/2022);

Assessor's Parcel Number: 313-091-019.

Blue Lake area.

Two-Year extension of an approved Conditional Use Permit for the Hatchery Road Solar Project (PLN-2020-16320), a small-scale commercial energy generating facility that would be located on □26.56 acres of two (2) adjoining parcels (APNs 313-091-019 & -020) that together total □38 acres of undeveloped land. The Project would generate approximately four (4) megawatts (MW) of alternating current (AC) emission free, clean, renewable power. The Project would interconnect to PG&E's pre-existing electrical distribution system located along Hatchery Road. Power generated by this facility would be sold to the Redwood Coast Energy Authority (RCEA) through a long-term Power Purchase Agreement (PPA). The Project would utilize 14,336 modules and 32 string inverters which convert the sun's energy into usable AC power. Single axis tracking technology would be utilized to allow the modules to efficiently track the sun throughout the day and maximize the efficiency of solar collection. The modules would be mounted on a steel racking system, which would be anchored into the ground using driven steel piers. The overall height of the array would be no more than 8-feet tall as measured from existing grade. An MND was certified by the Humboldt County Planning Commission on April 1, 2021.

Recommendation: Adopt the resolution to make all of the required findings for the extension, and approve the Renewable Properties, LLC Hatchery Road Solar Project Conditional Use Permit extension subject to the recommended conditions.

Attachments: [17636 Hatchery Rd Solar Executive Summary 04.21.22](#)
[17636 Hatchery Rd Solar Staff Report 04.21.22](#)

7. Reggae on the River 2022

Record Number PLN-17653-CUP (filed 02/28/2022)

Assessor's Parcel Number: 033-271-007 (Count Line Ranch) & 033-271-005 (French's Camp).

Cooks Valley area

A modification to an approved Special Event Use Permit (CUP-12-17 / SP-12-030) authorizing operation of the Reggae on the River Music Festival (ROTR) for a period of five (5) years (2018-2022). A three-day event featuring live music and on-site camping at the property known as "French's Camp", it is held annually during the first weekend of August. The event was not held in 2019, 2020, and 2021. The requested modification seeks permission to operate two (2) two-day events in lieu of the annual 3-day camping event. Both events are proposed to occur exclusively from the neighboring County Line Ranch property (formerly Dimmick). Events proposed for 2022 include the annual Summer Arts & Music Festival to be held on June 18th and 19th and the Harvest Hangout, to be held on October 1st and 2nd. Daily attendance at both events will not exceed 4,000 persons and on-site camping will be restricted to staff, vendors, volunteers, artists, and guests of the property owners (maximum 400 persons). Parking for a maximum of 2,000 vehicles is expected to be needed and is available on the property. All events will feature daily live music, starting around 10am and finishing by midnight. Portable toilets and hand wash stations will be provided for event attendees. Traffic control measures will be implemented along Highway 101 consistent with those used during similarly sized events at this location. Potable water for the ranch comes from a well located on the eastern side of the property which is stored in one (1) 50,000-gallon water storage tank. Stored water from this tank will be used to supply water for both proposed events, which are not expected to require more than 10,000 gallons total. A second Final Supplemental Environmental Impact Report (FSEIR) was certified for the project on January 3, 2013 (SCH #2012082108) and Addendums to the second supplemental EIR were prepared in 2018 and 2019. A new Addendum to the FSEIR (SCH #2012082108) has been prepared in concert with the current modification request and is being presented for consideration by the Planning Commission.

Recommendation: Adopt the resolution to find that the Planning Commission has considered the Addendum to the Final Supplemental Environmental Impact Report, make all of the required findings for approval of the Conditional Use Permit and approve the modification to the conditional use permit and special permit subject to the recommended conditions, which will set the attendance level for the 2022 events at 4,000 daily attendees.

Attachments: [PLN-2022-17653 Mateel Community Center Executive Summary 04.21.22](#)
[PLN-2022-17653 Mateel Community Center Staff Report 04.21.22](#)

8. PROPOSED COMMUNICATIONS FACILITIES ORDINANCE:

Case Number PLN-2021-17452

Humboldt County

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: 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 Telecom Facilities Ord. 04.21.22](#)

F. ITEMS PULLED FROM CONSENT**G. PUBLIC HEARINGS**

The projects listed below are public hearing items that have generated public comment prior to the hearing date or have other issues related to them that may require discussion

1. Nava Ranch, Inc: Special Permit

Record Number PLN-2021-17162 (filed 4/15/2021)

Assessor's Parcel Number (APN) 107-106-006

Honeydew Area

A Special Permit for expansion of approved project PLN-12657-SP. The project will consist of 43,560 square feet (SF) of mixed light cultivation in twelve (12) greenhouses and 2,500 SF of indoor cultivation in a converted barn. The original project consisted of 6,600 square feet of outdoor cultivation, 2,500 square feet of mixed light cultivation, and 2,500 square feet of indoor cultivation. The outdoor cultivation will be converted to mixed light and the total mixed light cultivation area will be expanded to one acre. This represents a total increase of 36,960 SF of cultivation area. The applicant hopes to achieve up to three (3) harvests annually. All water will be sourced by rainwater catchment from an existing pond, a proposed pond, and an existing rooftop rainwater catchment system. The estimated water needed annually for irrigation is approximately 315,000 gallons (6.83 gal/sq.ft./yr). The ponds will total approximately 1,050,000 gallons of storage, and twelve (12) 5,000 gallon tanks are proposed, for a total of 1,110,000 gallons of water storage. There is also one separate 5,000 gallon tank designated for fire suppression. Drying, trimming, and processing will occur onsite in the existing 900 SF storing, processing, and packaging building. Operations will utilize one (1) full-time employee and up to three (3) additional seasonal employees, totaling four (4) employees. There is a portable restroom facility on site for employees, and a cannabis support building is proposed with an additional septic system. Power is sourced from PG&E via a green energy program and there is an existing solar array onsite featuring six (6) panels with outputs of 235 watts each. There is a 25 kilowatt (kW) Whisperwatt generator kept onsite for emergency use only. This project is within 600 feet of Kings Range National Conservation Area, but the parcel has already been issued a setback reduction for cultivation and the setback would not require further reduction.

Recommendation: Adopt the resolution to find that the Planning Commission has considered the Addendum to the adopted EIR for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permits, and adopt the Resolution approving the Nava Ranch, Special Permit project as recommended by staff subject to the recommended conditions.

Attachments: [17162 Nava Ranch Executive Summary 04.21.22](#)
[17162 Nava Ranch Staff Report 04.21.22](#)
[17162 Attachment 3A - Biological Report 04.15.2021](#)
[17162 Nava Ranch Watershed Map](#)

2. Blocksburg Family Farms, LLC: Conditional Use Permit and Special Permit
Record Number PLN-12265-CUP. (filed 12/22/2016)
Assessor Parcel Numbers (APN) 217-471-001
Blocksburg area

A Conditional Use Permit for 6.39 acres of outdoor cultivation including 16,800 sf of existing cannabis authorized under interim permit, on a parcel of approximately 1,221 acres. The proposed six acres of new will comprise of three acres full term outdoor and three acres of Light Deprivation, and with ancillary facilities, will be developed in four phases over four years. Water would be provided by an onsite well, a 2.2 million-gallon rain catchment pond, and a one million-gallon rainwater catchment tank. Total irrigation demand by Phase IV is anticipated to be approximately 3.1 million gallons per year, with the rain catchment pond being the primary source of water by Phases II and III. The project includes 8,000 sf of proposed and 2,000 sf of existing ancillary nursery space. Processing would occur onsite in a proposed 7,200 sf multi-use building in the footprint of a burned down barn. Power would be provided principally by a generator for Phase I and Phase II. By Phase III, a solar array would provide the power, with generators retained for backup use only. Phase I of the project would require approximately six employees. Phase II & III would require a maximum of twenty-five employees and incorporates a vanpool.

Recommendation: Adopt the Resolution to take the following actions: 1) Adopt the Mitigated Negative Declaration prepared for the Blocksburg Family Farms LLC project as described by Section 15074 of the State CEQA Guidelines, 2) adopt the Mitigation Monitoring & Reporting Program, 3) make the findings for approval of the Conditional Use Permit; and 4) approve the Blocksburg Conditional Use Permit and Special Permit subject to the recommended conditions.

Attachments: [12265 Blocksburg Executive Summary 4.21.22](#)
[12265 Blocksburg Staff Report 4.21.22](#)
[ATTACHMENT 3 - 12265_Blocksburg IS-MND_11.3.2021](#)
[ATTACHMENT 4 - 12265 Blocksburg IS appendices 11.3.2021](#)
[12265 Blocksburg Watershed Map](#)

H. INFORMATIONAL WORKSHOP

1. Nordic Aquafarms California, LLC; Coastal Development Permit and Special Permit
Record Number PLN-2020-16698 (filed 10-05-20)
Assessor's Parcel Number (APN): 401-112-021
Samoa area

The applicant (Nordic Aquafarms California, LLC. (NAFC)) is requesting a Coastal Development Permit and Special Permit for the demolition and remediation of the Freshwater Tissue Samoa Pulp Mill facility and the construction of a land-based finfish recirculating aquaculture system (RAS) facility. This includes the development of five buildings totaling approximately 766,530 square feet and the installation of 4.8 megawatt (MW) solar panel array mounted on building rooftops, covering approximately 690,000 square feet. A Special Permit is required pursuant to Section 313-109.1.5.2 for an exception to the loading space requirements. The height of the tallest proposed building is 60 feet. The facility would have an annual production capacity of approximately 25,000-27,000 metric tons of Head on Gutted (HOG) fish once complete. The aquaculture facility would produce fresh head on gutted fish and fillets for delivery to regional markets. The species to be produced at the facility is intended to be Atlantic Salmon, pending approval from CDFW. The project will include ancillary support features such as paved parking, fire access roads, security fencing, and stormwater management features. The project would require approximately 2.5 million gallons per day (MGD) of freshwater and industrial water provided by the Humboldt Bay Municipal Water District, sourced from the Mad River. Existing on-site water service supplied by the Humboldt Bay Municipal Water District would be connected to the new buildings for potable use, fire sprinklers, and irrigation. The project would require approximately 10 MGD of salt water, which will be provided via existing sea chest infrastructure located adjacent to the NAFC Project Site, which will be modernized and operated by the Humboldt Bay Harbor, Recreation, and Conservation District. Treated wastewater would be discharged utilizing the existing Redwood Marine Terminal II ocean outfall pipe, which extends one and a half miles offshore. A total volume of 12.5 MGD is anticipated to be released daily. Wastewater discharge is permitted by the North Coast Regional Water Quality Control Board.

Recommendation: Receive the staff report. This is an informational presentation only. No action is being requested at this time.

Attachments: [16698 Nordic Aquafarms Workshop Executive Summary 4.21.22](#)
[16698 Nordic Aquafarms Workshop Staff Report 4.21.22](#)

I. OTHER BUSINESS

1. Planning Commission Seating Chart

J. ADJOURNMENT

K. NEXT MEETINGS **May 5, 2022** **6:00pm** **Virtual - 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