

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, August 19, 2021

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 Friday, August 13, 2021, 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. AGENDA MODIFICATIONS

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS:

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. CONTINUED PUBLIC HEARINGS

The projects listed below are continued 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. David Cranmer, Zoning Clearance Certificate and Conditional Use Permit
Record Number PLN-2020-16675
Assessor's Parcel Number: 405-271-015.
Freshwater Area

A Zoning Clearance Certificate for 2,500 square feet of indoor commercial cannabis cultivation and a Conditional Use Permit for 576 square-foot proposed commercial nursery accessed by an unpaved road. All cultivation will occur in a non-residential, permitted, single story 4,000 square-foot metal building in existence before 2016. The applicant anticipates four harvests per year. Water will be provided by the Humboldt Community Services District pursuant to a will-serve letter. Power will be supplied by Pacific Gas & Electric (PG&E) with the Redwood Coast Energy Authority (RCEA) renewable energy source and a generator will be onsite for emergency use.

Recommendation: Find that the Planning Commission has considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit based on the evidence in the staff report and adopt the Resolution approving the proposed David Cranmer project subject to the recommended conditions.

Attachments: [16675 David Cranmer Staff Report 8.19.21.pdf](#)

2. Big Sun Farms, Conditional Use Permits

Record Number PLN-11457-CUP and PLN-11458-CUP

Assessor's Parcel Number (APN) 216-073-007, 216-073-002

Harris area

Big Sun Farms seeks two Conditional Use Permits for 27,500 square feet (SF) of existing outdoor cultivation in eleven (11) greenhouses (PLN-11457-CUP) and 43,560 square feet (SF) of existing outdoor cultivation in twenty-one (21) greenhouses (PLN-11458-CUP). Propagation will occur on APN 216-073-002 and will consist of 7,100 sf, which is 10% of the total cultivation area of both projects. The source of water for irrigation is a rainwater catchment pond with a storage capacity of 1.5 million gallons that has been in use since 2017. Drying occurs on APN 216-073-002 in an existing 5,000-SF metal building. Electrical power is provided by PG&E, as well as generators that are used primarily for exhaust fans during the late summer months and for backup. A solar array battery system is proposed for the project and is conditioned to be installed and operational by January 1, 2026, as well as a proposed 120-SF shed to house the battery system.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permits and adopt the Resolutions approving the Big Sun Farms projects subject to the recommended conditions.

Attachments: [11457 Big Sun Farms Staff Report 8.12.19.pdf](#)
[Attachment 3A 11457 Site Management Plan 01.13.2020.pdf](#)
[11458 Big Sun Farms Staff Report 8.19.21.pdf](#)
[Attachment 3A 11458 Site Management Plan 01.13.2020.pdf](#)

3. New Cingular Wireless PCS, Special Permit

Record Numbers PLN-2020-16754

Assessor's Parcel Number: 505-151-006

Arcata area

The New Cingular Wireless facility consists of a Special Permit application for the construction of a new 120-foot tall, freestanding faux water tower, to be located on a concrete foundation with ground-mounted equipment. The tower would be able to host up to four different wireless carriers.

Recommendation: Find that the project is exempt from environmental review pursuant to section 15303 of the CEQA Guidelines, make the findings for approval and adopt the resolution approving the New Cingular Wireless (AT&T) project.

Attachments: [16754 Cingular Wireless Staff Report 8-19-21.pdf](#)

4. Zoning Ordinance Amendments to the Commercial Cannabis Land Use Ordinance (CCLUO), Record ID #PLN-2021-17147.

This item includes revisions to the Inland CCLUO Zoning Ordinance (Section 314-55.3 of Chapter 4 of Division 1 of Title III of the Humboldt County Code) to require that applications for two (2) or more Retirement, Remediation and Relocation (RRR) sites proposing relocation on a single receiving site require a special permit. This amendment would be applicable to all zoning clearance certificate applications for RRR sites and Relocation sites, including those submitted on or before December 31, 2016. Also, the enhanced setback requirements for Cannabis Support Facilities are proposed to no longer apply to facilities for distribution and cannabis testing and research laboratories. The Planning and Building Department is recommending the Planning Commission recommend the Board of Supervisors adopt the proposed changes to the CCLUO.

Recommendation: Adopt the Resolution to make all required findings for adoption of an amendment to the CCLUO, recommending that the Humboldt County Board of Supervisors consider the Addendum to the CCLUO PEIR, find that no new information has been presented that changes the findings of the PEIR pursuant to Section 15162 of the State CEQA Guidelines and adopt the proposed amendments to the CCLUO.

Attachments: [17147 CCLUO Revisions Staff Report 8-19-21.pdf](#)

F. 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. Westhaven VFD, Coastal Development and Conditional Use Permit
Record Number PLN-2020-16864 SP
Assessor's Parcel Number: 514-141-016-000.
Westhaven area

A Coastal Development Permit (CDP) and Conditional Use Permit (CUP) to construct and establish the use of a 1,536 sq. ft. single story building for fire apparatus and emergency vehicle storage associated with the Westhaven Volunteer Fire Department. The fire station is classified as an Essential Services Use Type and is an allowed use in the Residential Single-Family (RS) zoning with a CUP. The intensity of use is not expanding from historical use already established but the CUP is required to establish the new infrastructure and its intended use under the zoning regulations for the Residential Single-Family Zone. There is no vegetation removal or other development proposed.

Recommendation: Find the project exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines, make the findings for approval and adopt the resolution approving the Westhaven VFD Coastal Development Permit and Conditional Use Permit.

Attachments: [16864 Westhaven VFD Staff Report 8.19.21.pdf](#)

2. John Rotter Parcel Map Subdivision and Coastal Development Permit and Special Permit
Record Number PLN-2019-15532
Assessor Parcel Numbers (APNs) 517-261-002, 517-261-007.
Trinidad area

A Minor Subdivision of an approximately 7.08-acre parcel into two parcels of approximately 4.78 acres and 2.2 acres in size. The parcel is currently bisected by Patrick's Point Drive which would normally act as the dividing line, however, in order to comply with the Rural Land Division policies of the Coastal Act, approximately 0.72 acres of proposed Parcel 2 will be located on the west side of Patrick's Point Drive, with the remaining 1.48 acres located on the east side. The parcel is currently developed with a single-family residence on proposed Parcel 1 and an Accessory Dwelling Unit on proposed Parcel 2. A Special Permit is required for Design Review. A Coastal Development Permit issued by the California Coastal Commission is required for the approval of the subdivision. Water is provided by the Parvin Creek Mutual Water System as well as a spring on proposed Parcel 1. On-site wastewater treatment systems exist on both proposed parcels. Note: This Tentative Map Subdivision and Mitigated Negative Declaration were previously approved and certified by the Planning Commission on December 4, 2014 under PMS-13-011, SCH# 2014102071. Subsequently, the tentative map expired and this is the reapplication of the same map to which the only change is to alter the parcel sizes to comply with the Rural Land Division policies of the Coastal Act.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration pursuant to Section 15074 of the State CEQA Guidelines, make all the required findings for approval of the Parcel Map Subdivision, Coastal Development Permit and Special Permit and adopt the Resolution approving the John Rotter project subject to the recommended conditions.

Attachments: [15532 Rotter Staff Report 8.19.21.pdf](#)

3. Humboldt Heals, Conditional Use Permits

Record Numbers: PLN-11373-CUP, PLN-11963-CUP, and PLN-11965-CUP (filed 10/28/2016 and 12/16/2016); Assessor Parcel Numbers (APNs) 523-021-004, 523-023-003 and 523-026-003.

Three Conditional Use Permits and a Special Permit for the continued cultivation of existing outdoor cannabis occurring across three adjacent and contiguous parcels described as follows:

- PLN-11373-CUP: A Conditional Use Permit for existing 16,460 square feet of outdoor cannabis cultivation in four distinct cultivation areas and three greenhouses. Water for irrigation is sourced from an existing groundwater well. The applicant is proposing construction of a 230,000-gallon off-stream pond. Power is provided by solar panels and two generators.
- PLN-11963-CUP: A Conditional Use Permit for existing 11,324 square feet of outdoor cannabis cultivation that occurs in two distinct cultivation areas and three greenhouses. Water for irrigation is sourced from an existing groundwater well located on APN 523-026-003. The project proposes construction of a 200,000-gallon off-stream pond. Power is provided by two generators.
- PLN-11965-CUP: A Conditional Use Permit for existing 11,600 square feet (SF) of outdoor cannabis cultivation in four distinct cultivation areas. Water for irrigation is sourced from one existing groundwater well. The applicant is proposing construction of a 600,000-gallon off-stream pond. Power is provided by two generators. The applicant also seeks a Special Permit to reduce the 600-foot setback requirement to adjacent public lands.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permits and adopt the Resolution approving the Humboldt Heals projects subject to the recommended conditions.

Attachments: [11373 11963 11965 Humboldt Heals COMBINED Staff Report 8.19.21.pdf](#)
[Attachment 3A 11373 Water Resource Protection Plan 07.11.2017.pdf](#)
[Attachment 3A 11963 Water Resource Protection Plan.pdf](#)
[Attachment 3A 11965 Water Resource Protection Plan.pdf](#)
[Attachment 3B 11373 Timberland Conversion Evaluation 9.10.2018.pdf](#)
[Attachment 3B 11965 Timber Conversion Report 11.09.2018.pdf](#)
[Attachment 3C 11963 Road Evaluation Report 08.13.2018.pdf](#)
[Attachment 3C 11965 Road Evaluation 11.09.2018.pdf](#)
[Attachment 3E 11963 Grading Plans.pdf](#)
[Attachment 3E 11965 Grading Plans 02.28.2018.pdf](#)

4. Bubba Bud Farm, LLC, Conditional Use Permit
Record Number PLN-11516-CUP
Assessor's Parcel Number: 223-281-003.
Garberville area

A Conditional Use Permit for continued cultivation of 15,000 square feet (SF) of outdoor cannabis. Ancillary propagation is 1,500 square feet. Irrigation water is sourced from rainwater catchment. Power for the operation is provided by PG&E.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Bubba Bud Farm project subject to the recommended conditions.

Attachments: [11516 Bubba's Bud Farm Staff Report 8.19.21.pdf](#)

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) on unnamed streams that are tributaries to the Mad River. The primary source of electrical power are generators.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Nijushi project subject to the recommended conditions.

Attachments: [12245 Nijushi Staff Report 8.19.21.pdf](#)

6. High Country Farms, Inc. Conditional Use Permit
Record Number PLN-12552-CUP
Assessor Parcel Number (APN) 223-261-005.
Garberville area

Conditional Use Permit for an existing 13,470-square-foot (SF) cannabis cultivation operation of which 9,150 SF is full sun outdoor and 4,320 is mixed-light cannabis cultivated in 12 greenhouses. Ancillary propagation occurs in a 1,200-SF outdoor area. A 1,920-SF nursery propagation metal building is proposed that would include a laboratory-grade preparation area, clone room, vegetative room, and employee bathroom. Water for irrigation is to be entirely provided by a 629,207-gallon rainwater catchment system. Power is provided by Pacific Gas & Electric Company.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the High Country Farms project subject to the recommended conditions.

Attachments: [12552 The High Country Farms Staff Report 8.19.21.pdf](#)
[Attachment 3A 12552 Timber Conversion Mitigation.pdf](#)

7. Lassik Farms, LLC, Conditional Use Permit
Record Number PLN-12593-CUP
Assessor Parcel Number (APN) 217-381-007.
Blocksburg area

A Conditional Use Permit for 24,687-square-feet of existing outdoor cannabis cultivation including 4,614 square feet of full-sun outdoor and 20,073 square feet of outdoor in three (3) light deprivation greenhouses without artificial lighting. Ancillary propagation occurs in a 300 SF greenhouse. Irrigation water is sourced from a permitted groundwater well. Power for cultivation is sourced primarily from solar and wind power, with generators to provide power for ancillary support and drying activities.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Lassik Farms project subject to the recommended conditions.

Attachments: [12593 Lassik Farms Staff Report 8.19.21.pdf](#)
[Attachment 3A Final Road Evaluation Lassik Farm APN 217-381-007 APPS 12593.pdf](#)

8. Keith Rowland, Conditional Use Permit
Record Number PLN-12664-CUP
Assessor's Parcel Number: 524-062-017.
Willow Creek Area

A Conditional Use Permit for the operation of a cannabis microbusiness within the Willow Creek Community Planning Area. The microbusiness will consist of 10,000 square feet of outdoor cannabis cultivation within greenhouses, distribution, and non-volatile manufacturing. The applicant is also proposing a processing facility to process on-site cannabis product and to provide processing services for off-site licensed cannabis operations. A proposed building will house the distribution, manufacturing and processing activities, which will have an ADA compliant bathroom with permitted septic system. The project will source water from the Willow Creek Community Services District (WCCSD). The parcel will be powered by PG&E with a future Ag drop, and the applicant will either obtain 100% renewable energy source from PG&E or purchase carbon offset credits. A Special Permit is also being requested for a setback reduction to Six Rivers National Forest

Recommendation: Continue to a date uncertain.

9. Walker Ridge Family Farm, LLC; Conditional Use Permit
Record Number PLN-13029-CUP
Assessor Parcel Number (APN) 216-073-006.
Alderpoint area

A Conditional Use Permit for existing 12,896-square-foot cannabis cultivation of which 10,396 square feet (SF) is outdoor and 2,500 SF is mixed-light. Ancillary propagation totals 1,310 SF that will be reduced to 1,289 SF. Irrigation water is sourced from two groundwater wells. Power is provided by Pacific Gas and Electric Company (PG&E). The proposed project also includes a Special Permit for development within the Streamside Management Area (SMA) for culvert replacement and crossing upgrades and for relocation of existing cultivation and a greenhouse from within the SMA.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Walker Ridge Family Farm project subject to the recommended conditions.

Attachments: [13029 Walker Ridge Family Farm Staff Report 8.19.21.pdf](#)
[Attachment 3A 13029 Water Resource Protection Plan 12.17.2019.pdf](#)

10. Fertilia, LLC; Conditional Use Permit

Record Number PLN-13180-CUP

Assessor Parcel Number (APN) 221-202-001.

Ettersburg area

A Conditional Use Permit for an 18,200-square-foot (SF) cannabis cultivation consisting of 14,560 SF of existing outdoor light-deprivation cannabis cultivation and 3,640 SF of existing mixed-light cannabis cultivation within five existing greenhouses. An existing 3,200-SF barn would be used for drying, once permitted, and a second new 3,400-SF building is proposed for processing and use as an ancillary nursery. The project includes a Special Permit for maintenance of an encroachment point of diversion historically used for cannabis irrigation. A 730,000-gallon rainwater catchment pond system (with 42,000 SF of catchment area) was constructed to allow forbearance from summertime diversions. Electricity is sourced from Pacific Gas and Electric Company through the solar choice program and an emergency backup generator.

Recommendation: Continue to a date uncertain.

11. Furtado-Washington Terrace Final Subdivision and Planned Unit Development Permit

Record Number PLN-2020-16515

Assessor's Parcel Number (APN) 508-242-044.

McKinleyville area

The project is a Major (Final Map) Subdivision of an approximately 7.6-acre parcel into forty (40) residential lots, ranging in size from approximately 3,800 square feet to 7,500 square feet, along with parcels for use as a bio-retention overflow basin and for bio-swales. A Planned Unit Development Permit is also requested to allow for reduced lot sizes on 10 of the 40 lots (below the R-1 Zone's standard minimum lot size of 5,000 square feet), and to allow 40 foot-wide lot widths on 10 smaller lots. Additionally, an exception to County shading requirements is requested for Lots 12-15 and 37-40.

Recommendation: Adopt the Mitigated Negative Declaration (IS/MND) and the Mitigation Monitoring and Reporting Program prepared for the Project consistent with the requirements of CEQA, make all the required findings for approval of the Final Subdivision and Planned Unit Development Permit and adopt the Resolution approving the Furtado-Washington Terrace project subject to the recommended conditions.

Attachments:

[16515 Furtado Staff Report 8.19.21.pdf](#)

[Attachment 2A FurtadoBotanyTechMemo_20210401.pdf](#)

[Attachment 2A FurtadoBotanyTechMemo2_20210623.pdf](#)

[Attachment 2B 16515 Fault Evaluation Report LACO.pdf](#)

[Attachment 2B 16515 Geotechnical Report 07.15.2020.pdf](#)

[Attachment 2C 16515 Drainage Analysis 07.15.2020.pdf](#)

12. BFCCF, LLC Modification to Conditional Use Permit

Record Number PLN-2020-16847

Assessor's Parcel Number: 220-282-008.

Whitethorn area

The project includes the addition of a commercial nursery in two phases. The first phase will be 3,243 square feet comprised of three, 675 square foot greenhouses and a 1,218 square foot outdoor area. The second phase will add a 1,600 square foot building. At completion, the commercial nursery will be 4,843 square feet. The proposed commercial nursery will provide cannabis nursery products such as seeds, starts and clones for other permitted and licensed cannabis farms. Also added will be a 1,012 square foot cannabis research garden to develop and maintain genetics. The research garden will occur in an existing greenhouse space that was previously used for ancillary propagation. This total cultivation area will be reduced from 16,440 square feet of outdoor to 13,197 square feet outdoor cannabis cultivation, a total reduction of 3,243 square feet. Ancillary propagation area will also be reduced from 3,925 square feet to 2,912 square feet.

Recommendation: The Humboldt County Planning Commission has considered an Addendum to a previously adopted Final Environmental Impact report pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the modified Conditional Use Permit and adopt the Resolution approving the proposed BFCCF project subject to the recommended conditions.

Attachments: [16847 BFCCF Staff Report 08.19.2021.pdf](#)

G. ADJOURNMENT

H. NEXT MEETINGS: September 02, 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