

PLANNING COMMISSION

Alan Bongio  
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Robert Morris  
Second District - Chair  
Noah Levy  
Third District  
Mike L Newman  
Fourth District  
Peggy O'Neill  
Fifth District  
Brian Mitchell  
At-Large  
Melanie McCavour  
At-Large



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, April 18, 2019

6:00 PM

Regular Meeting

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**Notice Regarding Public Comment:**

**A. CALL TO ORDER / SALUTE TO FLAG**

*Chair Morris called the meeting to order at 6:00 pm.*

**B. COMMISSIONERS PRESENT**

*Commissioner Mitchell arrived at 8:13 pm*

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

**C. AGENDA MODIFICATIONS**

- Item #F-1: Continue to a date uncertain requested at the meeting.*
- Item #F-2: Supplemental information provided at the meeting.*
- Item #F-3: Continue to the May 2, 2019 meeting of the Planning Commission.*
- Item #F-4: Supplemental information provided at the meeting.*
- Item #F-5: Continuance to a date uncertain.*
- Item #F-8: Supplemental information provided at the meeting.*
- Item #H-1: Continue to the May 2, 2019 meeting of the Planning Commission.*

**D. APPROVAL OF ACTION SUMMARY**

1. Approval of the Action Summary of the March 21, 2019 Planning Commission meeting.

*A motion was made by Commissioner Bongio, seconded by Commissioner McCavour, that this Minutes be approved. The motion carried by the following vote:*

Aye: 5 - Commissioner Morris, Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

Not Present: 1 - Commissioner Mitchell

Present:

Abstain: 1 - Commissioner Levy

2. Approval of the Action Summary of the April 4, 2019 Planning Commission meeting.

*A motion was made by Commissioner Levy, seconded by Commissioner Newman, that the Action Summary of the April 4, 2019 Planning Commission meeting be approved. The motion carried by the following vote:*

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

Not Present: 1 - Commissioner Mitchell

Present:

Abstain: 1 - Commissioner Morris

**E. PUBLIC COMMENTS**

**F. CONSENT AGENDA**

1. Miss Maggie Farms, LLC Conditional Use Permit  
 Application Number: 11540  
 Case Number; CUP 16-282  
 Assessor's Parcel Number (APN): 107-145-007  
 3848 Wilder Ridge Road, Honeydew area

Project Description: A Conditional Use Permit (CUP) for 13,500 square feet (sf) of existing cultivation consisting of 4,200 sf of outdoor cultivation and 9,300 sf of mixed-light cannabis cultivation. Processing activities will occur on-site within an approximate 675 sf processing facility processing facility. A total of five employees will be required for operational needs. Power is supplied by the Pacific Gas & Electric (PG&E) Company.

*A motion was made by Commissioner Levy, seconded by Commissioner Bongio, that the Miss Maggie Farms, LLC Conditional Use Permit item be continued to a date uncertain. The motion carried by the following vote:*

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

Not Present: 1 - Commissioner Mitchell

Present:

**2. A.S. Enterprises, LLC Conditional Use Permit**

Application Number: 12123

Case Number: CUP 16-537

Assessor’s Parcel Numbers (APNs): 223-061-049 and 222-091-002

Section 30 of Township 04 South, Range 04 East, Humboldt Base & Meridian, Garberville area

Project description: A Conditional Use Permit (CUP) for an existing 35,995 square feet (SF) of cannabis cultivation that consists of approximately 22,000 sf of mixed-light cultivation, 13,995 sf of outdoor cultivation, and 4,095 sf for use as a nursery. All cultivation will be relocated to a single environmentally superior site on APN 223-061-049. Processing activities will be conducted on-site within a proposed 4,000 SF processing facility. Power to the site is provided by P. G. & E. A generator is used only during power outage events.

***A motion was made by Commissioner Levy, seconded by Commissioner O’Neill, that the A.S. Enterprises, LLC Conditional Use Permit be approved with revised and additional conditions. The motion carried by the following vote:***

Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O’Neill

Not Present: 1 - Commissioner Mitchell

**3. Big River Farm, Conditional Use Permit**

Record Number: PLN-11892-CUP

Assessor’s Parcel Numbers (APN): 108-023-008

9320 Wilder Ridge Road, Ettersburg area

Project Description: A Conditional Use Permit (CUP) for Big River Farm, LLC to allow 22,000 square feet (SF) existing mixed light cannabis cultivation on a 90 acre parcel. The project is within 600 feet of public land and requires a Special Permit for a setback reduction from Bureau of Land Management (BLM) property on APN 108-022-006. Power for the cultivation operation is provided by PG&E, and generators will only be used for domestic emergency backup power.

***A motion was made by Commissioner Bongio, seconded by Commissioner Levy, that the Big River Farm Conditional Use Permit item be continued to the May 2, 2019 meeting of the Planning Commission. The motion carried by the following vote:***

Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O’Neill

Not Present: 1 - Commissioner Mitchell

- 4. HOG Farm, LLC, Conditional Use Permit  
 Application Number: 11403  
 Case Number: CUP 16-246  
 Assessor’s Parcel Number (APN): 210-144-010  
 5735 Burr Valley Road, Bridgeville, CA 95526

Project Description: A Conditional Use Permit for an existing 10,560-square-foot mixed-light cultivation and 4,200-square-foot outdoor cannabis cultivation operation. Processing activities include drying, trimming, and packaging, which will all occur within a new 1,200 square foot processing facility on-site. Power is provided by on-site generators.

***A motion was made by Commissioner Bongio, seconded by Commissioner Levy, that the HOG Farm, LLC, Conditional Use Permit item be approved. The motion carried by the following vote:***

Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill  
 Not Present: 1 - Commissioner Mitchell

- 5. Credo RA, LLC Conditional Use Permit  
 Application Number 12215  
 Case Number: PLN-12215-CUP  
 Assessor Parcel Number (APN); 210-041-011  
 Dinsmore Area

Project Description: A Conditional Use Permit for an existing 12,150 square foot (sf) outdoor (in greenhouses) cannabis cultivation with 1,000 square feet of appurtenant nursery. Processing will be done by an off-site by a licensed third-party processor. On-site power is supplied by generators.

***A motion was made by Commissioner Bongio, seconded by Commissioner Levy, that the Credo RA, LLC Conditional Use Permit item be continued to a date uncertain. The motion carried by the following vote:***

Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill  
 Not Present: 1 - Commissioner Mitchell

- 6. Sunrise Mountain Farms, LLC, Conditional Use Permit and Special Permit  
 Application Number: 11316  
 Case Numbers: CUP 16-225, SP 17-152  
 Assessor’s Parcel Number (APN): 522-044-028  
 3425 Brannan Mountain Road, Willow Creek area

Project Description: A Conditional Use Permit for an existing 15,980 square feet of existing commercial cannabis cultivation operation consisting of 11,850 square feet of outdoor and 4,130 square feet of mixed light. One 4,850 SF outdoor cultivation area and one 540 SF mixed light cultivation area are proposed for relocation to environmentally superior locations. A Special Permit is sought for operation of the diversion within a streamside management area, restoration within the streamside management area and a waiver of the setback requirement from federal lands. All processing occurs on-site in an existing 1,900 square foot processing facility that is proposed for improvements. Electricity is provided by PG&E and solar, with a back-up generator.

***A motion was made by Commissioner Bongio, seconded by Commissioner Levy, that the Sunrise Mountain Farms, LLC, Conditional Use Permit and Special Permit item be approved. The motion carried by the following vote:***

Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill  
 Not Present: 1 - Commissioner Mitchell

- 7. Brownfield Parcel Map Subdivision Modification and Lot Line Adjustment  
 Application Number: 14333  
 Case Numbers: PMS 163-77M, LLA 18-023  
 Assessor’s Parcel Numbers (APNs): 516-041-008, 516-041-017  
 1645 Fieldbrook Road and 206 Whittier Lane, Fieldbrook Area

Project Description: A Lot Line Adjustment (LLA) between two parcels resulting in two parcels of approximately 13.09 acres and 5.75 acres in size. Parcel 1 is developed with a portion of a horse arena that straddles the property line with APN 516-061-001. Parcel 2 is developed with a single-family residence and an on-site wastewater treatment system. The purpose of the LLA is to provide a larger buffer to a proposed residence on Parcel 1. Also part of the project is a modification to the original subdivision (PMS-163-77) to relocate the easement on Parcel 2 that serves APN 516-041-018.

***A motion was made by Commissioner Bongio, seconded by Commissioner Levy, that the Brownfield Parcel Map Subdivision Modification and Lot Line Adjustment item be approved. The motion carried by the following vote:***

Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill  
 Not Present: 1 - Commissioner Mitchell

- 8. Nathan Young, Parcel Map Subdivision  
 Application Number: 14160  
 Case Number: PMS 18-010  
 Assessor’s Parcel Number (APN): 510-101-009  
 1410 Reasor Road, McKinleyville

Project Description: A Minor Subdivision of an approximately one-acre parcel into three parcels ranging in size from 9,478 square feet (net) to 10,462 square feet (net). The parcel is currently developed with a single-family residence which will remain on proposed Parcel 1. Proposed Parcels 2 and 3 will be vacant and suitable for residential development. Pursuant to Section 325-9 of the Humboldt County Code, an exception request is required to allow a reduced right of way width for the private access road. A Special Permit is required to remove five trees in order to facilitate development. The parcels will be served with community water and sewer provided by the McKinleyville Community Services District.

*A motion was made by Commissioner Bongio, seconded by Commissioner Levy, that the Nathan Young Parcel Map Subdivision item be approved. The motion carried by the following vote:*

- Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill
- Not Present: 1 - Commissioner Mitchell

**G. CONTINUED PUBLIC HEARINGS**

## 1. GPU Zoning Text

**Project Description:** This project proposes adding new Zoning Districts to the Inland Zoning Ordinance and amending other Zoning Ordinance language to be consistent with the 2017 Humboldt County General Plan. The Humboldt County General Plan was adopted in October 2017, which established the kinds, locations, and intensities of land uses within the unincorporated areas of the County by establishing new standards and by applying land use designations to properties on Land Use Maps. To be consistent with the new Land Use Maps of the General Plan and new standards, the new Zoning Districts are proposed to be added and other regulations are proposed to be modified in the Inland Zoning regulations. At the April 18 meeting the Commission is scheduled to consider the following text amendments

- 1) Add a new “MU1” (Urban) and “MU2” (Rural) Mixed Use Zones to be applied to areas with MU - Mixed Use, VC - Village Center, or RCC - Rural Community Center General Plan designations,
- 2) Modify Section 314-17.1 the “B - Special Building Site” Combining Zone to reduce the minimum parcel size for the “B-1” Zone from 8,000 square feet to 6,000 square feet.
- 3) Add a new “TE - Timberland Exclusive” Zone to be applied to areas with a “T - Timberland” General Plan Land Use designation that are not zoned “TPZ” or AE-B-5-(160) and part of an agricultural preserve.
- 4) Add a new “PRD - Planned Rural Development” Combining Zone to be applied to agricultural and forest resource lands to encourage long-term conservation for resource production use,
- 5) In addition, edits are recommended to Section 314-7.1 “AE - Agriculture Exclusive Zone,” Section 314-7.4 “TPZ - Timberland Production Zone”, Section 314-21.1 “F - Flood Hazard Areas” Combining Zone, Section 314-38.1 “WR - Streamside Management Areas and Wetlands” Combining Zone, to implement the General Plan Open Space Plan.

***A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the GPU zoning text amendments #1 and #4 be recommended for approval with revisions. The motion carried by the following vote:***

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

***A motion was made by Commissioner Mitchell, seconded by Commissioner Newman, that the GPU zoning text amendments item be continued to May 2, 2019 meeting of the Planning Commission. The motion carried by the following vote:***

*Ayes - 7: Commissioners Mitchell, Levy, Newman, Morris, Bongio, McCavour and O'Neill*

## H. PUBLIC HEARINGS

1. Housing Element: Continued to the May 2nd meeting of the Planning Commission.

*A motion was made by Commissioner Newman, seconded by Commissioner Bongio, that the Housing Element Workshop be continued to the May 2, 2019 meeting of the Planning Commission. The motion carried by the following vote:*

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

Not Present: 1 - Commissioner Mitchell

## **I. ADJOURNMENT**

*Chair Morris adjourned the meeting at 9:41 pm*

## **J. NEXT MEETINGS**

*May 2, 2019*

*May 16, 2019*