



MINUTES

THURSDAY, JULY 29, 2021

Regular Meeting

The Honorable Planning Commission of the County of Humboldt met in a regular meeting on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Thursday, September 2, 2021, with the vote as shown below.

The motion was made by Commissioner Noah Levy and seconded by Commissioner Mike Newman.

AYES: Commissioners Alan Bongio, Thomas Mulder, Noah Levy, Mike Newman, Peggy O'Neill, Brian Mitchell, Melanie McCavour

ABSENT:

DECISION: Motion carries 7/0.

Laura McClenagan  
Deputy Clerk of the Planning Commission

John H. Ford  
Secretary of the Planning Commission

PLANNING COMMISSION

First District  
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, July 29, 2021

6:00 PM

Special Meeting - Virtual

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*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 6:01 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

**D. PUBLIC COMMENTS**

*Public Comment*

*7454 Ken Swatski was called to speak*

*George Truett was called to speak*

*7108 Bonnie Blackberry was called to speak*

*Charles Lamont was called to speak*

**E. CONTINUED PUBLIC HEARINGS**

1. Seaside Ranch, LLC  
Record Number PLN-9633-CDP  
Assessor's Parcel Numbers: 111-221-034, 111-221-035, 108-104-004.  
Shelter Cove area

Coastal Development Permit, Conditional Use Permit, and Special Permit as required by an Emergency Coastal Development Permit, Conditional Use Permit, and Special Permit issued on February 20, 2015 and to clear an existing violation, (15-102 and 15-104), on the subject properties. The applicant is requesting approval of the site in its existing condition with no further remediation. Emergency permits were issued to authorize interim treatments to stabilize and control potential erosion and sedimentation resulting from extensive ground disturbance and vegetation removal. The earthwork and vegetation clearing occurred during the Summer and Fall of 2014, without benefit of County review, and surrounded efforts to develop a private nature trail and fire break.

*A motion was made by Commissioner Levy, seconded by Commissioner Newman, that the Seaside Ranch 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

2. The Humboldt Cure, Inc.  
Record Number PLN-10954-CUP  
Assessor Parcel Number (APN) 216-381-021.  
Alderpoint area

A Conditional Use Permit for continued cultivation of 15,500 square feet (SF) of cannabis that includes 6,000 SF of outdoor cultivation and 9,500 SF of s mixed light cultivation. Ancillary propagation occurs in a 1,680-square-foot greenhouse. Irrigation water is sourced from a permitted groundwater well and point of diversion as a secondary water source. Existing available water storage for irrigation totals 33,000 gallons. Estimated annual water usage totals 191,813 gallons. Processing activities including drying, trimming, and packaging will occur in a proposed two-story 4,800-square-foot building onsite. Power is provided by a generator to be replaced by a PG&E agricultural drop. The proposed project includes a Special Permit for development within the Streamside Management Area (SMA) to allow continued use of a 1,344-square-foot structure used for drying and bucking.

*Public Comment*

*7108 Bonnie Blackberry was called to speak*

*Ken Swatski was called to speak*

*David Nicoletti PE was called to speak*

*7429 Roby T. was called to speak*

*A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that The Humboldt Cure project be approved as modified. The motion carried by the following vote:*

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

Nay: 2 - Commissioner Mitchell and Commissioner O'Neill

**3. Big Sun Farms**

Record Number PLN-11457-CUP

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

Harris area

Big Sun Farms seeks a Conditional Use Permit for 27,500 square feet (SF) of existing outdoor cultivation in eleven (11) greenhouses. Propagation occurs in three (3) nursery areas (3,280 SF total). 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. The catchment pond is located on the adjacent parcel under the same ownership (PLN-11458-CUP, APN 216-073-002), and currently supplies water for agricultural activities on both parcels. Total estimated annual water use for the subject parcel is 365,000 gallons (13.27 gallons/SF). Drying occurs on the neighboring parcel (PLN-11458-CUP, APN 216-073-002) in an existing 5,000-SF metal building that is pending a Building Permit and includes commercial drying activities for both projects. The applicant is proposing an additional 30' x 40' drying facility on the subject parcel. The project requires ten (10) to twelve (12) employees. Electrical power is provided by PG&E, as well as two (2) 6,500 kw generators that are used primarily for exhaust fans during the late summer months. 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.

*A motion was made by Commissioner Levy, seconded by Commissioner Newman, that the Big Sun Farms project be approved as modified. 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*

*A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Big Sun Farms project be reconsidered. 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*

*A motion was made by Commissioner Newman, seconded by Commissioner Mitchell, that the Big Sun Farms project be continued to the August 19, 2021 meeting. 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. Big Sun Farms**

Record Number PLN-11458-CUP

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

Harris area

A Conditional Use Permit for 43,560 square feet (SF) of existing outdoor cultivation in twenty-one (21) greenhouses. Propagation occurs in four (4) 20' x 96' nursery areas (7,680 SF total) and one (1) propagation barn (831 SF). 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. The pond is located along the northwest edge of the parcel, and currently supplies water for agricultural activities to both this parcel and the adjacent parcel under the same ownership (PLN-11457-CUP, APN 216-073-007). Total estimated annual water use for the subject parcel is 439,000 gallons (10 gallons/SF). There is one (1) surface water diversion for domestic use (Registration No. S027167). Drying occurs in an existing 5,000-SF metal building that is pending a Building Permit. The project requires ten (10) to twelve (12) employees to oversee drying activities in the 5,000-SF metal building, which is used for both this project (PLN-11458-CUP) and the project on the adjacent parcel (PLN-11457-CUP). The applicant is proposing a 40' x 48' wooden barn (1,920 SF) that includes four (4) nursery grow rooms, as well as a break room for employees. Electrical power is provided by PG&E, and the applicant is proposing to upgrade to one (1) 80kW propane generator that will be enclosed in a shed. There are five (5) backup generators (four (4) Honda EM 6500 kw generators and one (1) Honda EU 2200 kw generator) that are used only during power outages.

*Public Comments**5288 Ken Swatsky was called to speak**7108 Bonnie Blackberry was called to speak**5288 gregg was called to speak*

***A motion was made by Commissioner Mitchell, seconded by Commissioner Newman, that the Big Sun Farms project be continued to the August 19, 2021 meeting. 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

5. Kinsey Ridge, LLC  
Record Number PLN-11841-CUP  
Assessor Parcel Number (APN) 315-045-004.  
Willow Creek area

A Conditional Use Permit for continued cultivation of 13,000 square feet (SF) of existing outdoor cannabis cultivation. Ancillary propagation occurs within a 120-square-foot hoop house. Water for irrigation is sourced from rain catchment and storm water from the roof of the on-site residence and other structures is captured in gutters and transported to rainwater catchment tanks. The applicant proposes to drill a well onsite as an additional water source. Existing available water storage onsite is 11,700 gallons in a series of hard-sided tanks. The applicant also proposes an additional 250,000-gallon rain catchment pond for a total of 261,700 gallons of onsite water storage. Estimated annual water usage is 80,000 gallons. Drying and bucking occurs onsite while processing will occur off site at a licensed processing or manufacturing facility until a proposed 900 SF onsite processing building and associated supporting septic system can be permitted. Up to six (6) employees may be utilized during peak operations. Power is provided by a generator. The proposed project also includes two (2) Special Permits: one Special Permit to reduce the 600-foot setback requirement to public lands since the proposed processing facility is within 600 feet of land owned by the Six Rivers National Forest, and another Special Permit for work within Streamside Management Areas (SMAs) to decommission and restore cultivation areas associated with a natural spring and a Class III drainage.

*Public Comment*

*7454 Ken Swatski was called to speak*

***A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the Kinsey Ridge project be approved as modified. 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. Cannatopia**

Record Number PLN-11854-CUP

Assessor Parcel Number (APN) 216-205-006.

Alderpoint area

A Conditional Use Permit for 20,000 square feet (SF) of existing outdoor cannabis cultivation of which 10,000 SF is full-sun outdoor and 10,000 SF is outdoor cultivated within eight (8) greenhouses utilizing light deprivation techniques. Ancillary propagation occurs within a 3,000-square-foot greenhouse. Irrigation water is sourced from a groundwater well. Existing available water storage is 76,900 gallons. An additional 50,000 gallons of water storage proposed on-site, for a total of 126,900 gallons of onsite water storage. Estimated annual water usage is approximately 199,940 gallons. Drying and curing occurs onsite, and, depending upon market conditions, processing may occur on- or offsite, or be sold directly for extraction. Power is provided by two (2) generators, with long-term plans to connect to grid power from Pacific Gas and Electric Company (PG&E) when financially feasible.

*Agent and Public comments*

*Agent - Patricia Lai was called to speak*

*Public Comments*

*7454 Ken Swatski was called to speak*

*7108 Bonnie Blackberry was called to speak*

*7429 Roby T. was called to speak*

*Patricia Lai was called to speak*

*A motion was made by Commissioner Mitchell, seconded by Commissioner O'Neill, that the Cannatopia project be continued to the August 19, 2021 meeting. The motion carried by the following vote:*

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

*Nay: 2 - Commissioner Newman and Commissioner Mulder*

*A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Cannatopia project be reconsidered. 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*

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Cannatopia project be continued to the Special meeting of August 12, 2021. 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. Cannatopia

Record Number PLN-11857-CUP

Assessor Parcel Number (APN) 216-202-014.

Alderpoint area

A Conditional Use Permit for 20,000 square feet (SF) of existing outdoor cannabis cultivation of which 10,000 SF is full-sun outdoor and 10,000 SF is outdoor cultivated within eight (8) greenhouses utilizing light deprivation techniques. Ancillary propagation occurs within an 1,800-square-foot greenhouse and a 1,400-square-foot outdoor area (3,200 square feet total). Irrigation water is sourced from a groundwater well on the subject parcel. Existing available water storage is 10,300 gallons in four (4) hard-sided tanks, with an additional 250,000 gallons of water storage proposed for fire protection and irrigation in ten (10) 5,000-gallon HDPE tanks and a 200,000-gallon rainwater catchment pond, for a total of 260,300 gallons of onsite storage. Estimated annual water usage is approximately 199,940 gallons. Drying and curing occurs onsite, and, depending upon market conditions, processing may occur on- or offsite, or be sold directly for extraction. Power is provided by two (2) generators, with long-term plans to connect to grid power from Pacific Gas and Electric Company (PG&E) when financially feasible.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Cannatopia project be continued to the Special meeting of August 12, 2021. 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

## 8. Dazey Farm, LLC

Record Number PLN-12025-CUP

Assessor Parcel Number (APN) 208-341-007.

Dinsmore area

A Conditional Use Permit for 17,492 square feet (SF) of existing outdoor cannabis cultivation in 10 greenhouses. Ancillary propagation occurs in two structures totaling 1,080 SF. Irrigation water is sourced from two permitted groundwater wells and rainwater catchment. Existing water storage is 75,200 gallons. Estimated annual water usage is 360,000 gallons. Drying and bucking occurs onsite. All other processing will occur offsite at a licensed processing or manufacturing facility. Power is provided by two generators. The applicant is proposing to install an additional 9 Kw solar array to meet site demands and further reduce generator use. The proposed project also includes Special Permits for a reduction in the 600-foot setback requirement from public lands and for development within the Streamside Management Area (SMA).

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Dazey Farm project be continued to the Special meeting of August 12, 2021. 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



9. Credo RA, LLC  
Record Number PLN-12215-CUP  
Assessor Parcel Number (APN) 210-041-011.  
Bridgeville area

A Conditional Use Permit for cultivation of 12,150 square feet (SF) of existing outdoor cannabis cultivation, in five (5) light deprivation greenhouses of various sizes that have no artificial lighting. Ancillary propagation occurs in one 1,000-square-foot greenhouse. Irrigation water is sourced from a permitted groundwater well and 30,200 gallons of water is stored in 10 hard-sided water tanks of various sizes. Drying occurs onsite and all other processing will occur off site at a licensed processing or extraction facility. Power is provided by a generator.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Credo RA project be continued to the Special meeting of August 12, 2021. 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

10. Barryland Farms  
Record Number PLN-12259-CUP  
Assessor's Parcel Number: 210-131-020.  
Dinsmore area

A Conditional Use Permit for 20,505 square feet (SF) of existing outdoor and mixed light cannabis cultivation consisting of 11,250 SF of mixed-light cultivation in three (3) greenhouses and 9,255 SF of outdoor cultivation in one consolidated area. Propagation occurs in two (2) greenhouses that are 1,000 SF each. Irrigation water is sourced from a permitted well that is hydrologically connected to surface water which has a water right (No. 16/17-0380) and is subject to forbearance. Estimated onsite water use is 122,000-gallons per year (6 gallons/SF). Total onsite water storage is 67,500-gallons. The applicant is currently in the process of adding 30,000-gallons of water storage, that includes ten (10) 3,000-gallon tanks. Drying and processing will occur onsite. Power is provided by one (1) 45 KW diesel-powered Whisperwatt generator.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Barryland Farms project be continued to the Special meeting of August 12, 2021. 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

11. BLM Holdings, LLC  
Record No. PLN-12618-CUP  
APN 220-331-001.  
Garberville Area

A Conditional Use Permit for 37,894 square feet of existing outdoor and mixed light cannabis cultivation. Water for irrigation will be provided by an onstream pond. The applicant anticipates 183,600 gallons of water will be required annually for irrigation. Water storage onsite totals 75,000 gallons occurring in six (6) 5,000-gallon tanks, eleven (11) 3,000-gallon tanks, and five (5) 1,500-gallon tanks. Processing such as drying, and curing will occur onsite within an existing permitted residence. The applicant is proposing to construct a new processing facility in the future. Further processing such as trimming, and packaging will occur offsite at a third party licensed processing facility. The applicant anticipates up to three employees. Power will be provided by PG&E.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the BLM Holdings project be continued to the Special meeting of August 12, 2021. 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

12. Over the Bridge Farm, LLC  
Record Number PLN-13236-CUP  
Assessor Parcel Number (APN) 216-382-028  
Alderpoint area

A Conditional Use Permit (CUP) for 14,500 square feet (SF) of existing outdoor cannabis cultivation. Ancillary propagation occurs in a 1,450 SF greenhouse. Irrigation water is sourced from a groundwater well. Annual water usage is 234,900 gallons. Existing available water storage is 14,375 gallons. Drying and bucking occurs onsite in a 600-square-foot building and all other processing will occur off site at a licensed processing or manufacturing facility. Power is provided by two generators.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Over the Bridge Farm project be continued to the Special meeting of August 12, 2021. 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

**13. Doja Gold, LLC**

Record Number PLN-2020-16141

Assessor's Parcel Number: 524-201-025.

Willow Creek Area

A Conditional Use Permit for 3,000 square feet pre-existing outdoor commercial cannabis cultivation within greenhouses, and 300 ft<sup>2</sup> of ancillary propagation space in the Willow Creek Community Planning Area. A Special Permit is requested to allow up to 3,000 square feet of cultivation area on parcels between 1 and 5 acres, and a Special Permit for a setback reduction to public lands of less than 600 feet from the cultivation area. Water for irrigation is sourced from the Willow Creek Community Service District. Annual anticipated water use is 40,000 gallons. Water storage is not proposed aside from a 350-gallon tank utilized for nutrient mixing. Drying will occur onsite, and trimming will occur offsite at a licensed processing facility. No employees are proposed. Electricity is sourced from PG&E under the 100% renewable energy plan.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Doja Gold project be continued to the Special meeting of August 12, 2021. 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

**14. Mesher - Special Permit for after the fact tree removal**

Record Number PLN-2020-16825

Assessor's Parcel Number: 200-252-012-000.

Fortuna area

A Special Permit for unpermitted tree removal on a 1-acre parcel zoned Single Family Residential (R-1). Little Palmer Creek bisects the property, and there is a 200 ft. Streamside Management Area buffer zone on each side of the creek which covers the entire parcel. Tree removal occurred in areas with a slope greater than 30% grade. All trees removed are Monterey Pines. The project includes a Biological Assessment with Mitigation and Monitoring Plan (Henry, 2020).

*A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the Mesher 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

**15. Victor Blanc**

Record Number PLN-2021-16919

Assessor's Parcel Numbers: 316-205-006, 316-206-002, 316-206-009, 316-212-003.

Korbel area

Lot Line Adjustment (LLA) resulting in three parcels of approximately 10.0 acres, 146.5 acres and 179.5 acres. Also, part of the project is a Zone Boundary Adjustment to adjust the zone boundary between the Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)) and Timberland Production Zone (TPZ) boundary to follow the new parcel line. This would involve rezoning approximately 3.09 acres from TPZ to AE-B-5(160). Additionally, approximately 6.2 acres of AE-B-5(160) will be rezoned into TPZ. The smaller parcel is developed with a single-family residence and the larger parcels are managed for timber production. The purpose of the LLA is to provide a greater buffer for the residentially developed parcel to the adjoining timberlands. No development is proposed.

*A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Victor Blanc 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. ADJOURNMENT**

*Chair Alan Bongio adjourned the meeting at 9:35 p.m.*

**G. NEXT MEETING      August 05, 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](mailto:planningclerk@co.humboldt.ca.us) or the ADA Coordinator at 844-365-0352 or by email at [ada@co.humboldt.ca.us](mailto:ada@co.humboldt.ca.us)*