

PLANNING COMMISSION

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At-Large
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COUNTY STAFF

JOHN H. FORD
Director, Planning and Building

**PLANNING COMMISSION
COUNTY OF HUMBOLDT**

**825 Fifth Street
Board of Supervisors Chambers
Eureka, California**

ACTION SUMMARY

Thursday, January 6, 2022

6:00 PM

Regular Meeting - Virtual

NOTE: In accordance with AB 361 the Planning Commission meeting was held virtually.

A. CALL TO ORDER / SALUTE TO FLAG

Chair Alan Bongio called the meeting to order at 6:00 p.m.

B. COMMISSIONERS PRESENT

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

C. DISCUSSION OF REMOTE MEETINGS:

1. Discussion and Possible Adoption of Resolution No 22-001 Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of January 6, 2022, through February 4, 2022, Pursuant to the Ralph M. Brown Act.

A motion was made by Commissioner Mulder, seconded by Commissioner Mitchell, that the Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of January 6, 2022, through, February 4, 2022 be adopted. 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

D. AGENDA MODIFICATIONS

Public Comment will be limited to 2 minutes per speaker.

Item F-1 North McKay Ranch PLN-9902-GPA Public comment received and supplemental information provided.

Item G-1 PLN-2019-15661 Salmonid Restoration Federation, Marshall Ranch Public comment received.

Item G-9 PLN-12812-CUP Ambiguity Farms Public comment received.

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Hearing opened

PLN-14268-CUP Ocean West Expansion received public comment.

F. PUBLIC HEARING FOR PRIORITY HOUSING PROJECT:

1. North McKay Ranch General Plan Amendment, Zone Reclassification, Tentative Subdivision Map Subdivision, Planned Unit Development, Special Permit and Development Agreement
Record Number PLN-9902-GPA
Assessor’s Parcel Numbers 017-032-003, 017-071-004, 017-071-009, 017-072-002, 017-072-003, 017-073-007, 017-073-009 and 303-012-020.
Cутten area

A General Plan Amendment, Zone Reclassification, Tentative Subdivision Map, Planned Unit Development, Development Agreement and Special Permit for a mixed-use development with 320 residential units and approximately 22,000 square feet of commercial development. The Tentative Subdivision Map would create 146 single-family lots, 6 lots to support construction of up to 174 multi-family residential units, 2 commercial parcels supporting up to approximately 22,000 square feet of commercial space and 6 parcels totaling 21.73 acres to be dedicated to the County for future trail management and open space. The proposed project would require annexation into HCSD for the provision of utilities. The project includes an amendment to the Eureka Community Plan land use map to change the land use designation from Residential Low Density (1-7) to Commercial General (CG) and Residential Medium Density (RM) and to reclassify the zoning district from One Family Residential (R-1) with overlays for Planned Development, Recreation and Greenway and Open Space to Neighborhood Commercial (C-1) and Apartment-Professional (R-4) zoning. The project will be a Planned Development. A Special Permit is required for work within Streamside Management Areas for two isolated wetlands in the northern part of the project, a wetland at the proposed location of the Arbutus Street extension and stream crossings related to the extension of Redwood Street. An Environmental Impact Report (SCH#2019049166) has been prepared for the project finding potentially significant and unavoidable impacts related to greenhouse gases and wildfire. The developer is requesting approval of a Development Agreement to allow for phasing of the subdivision project for a period of up to 20 years.

*Meeting went into Recess after Staff Report presentation and Commissioners discussion
Meeting Reconvened
Public Hearing opened.*

A motion was made by Commissioner Mulder, seconded by Commissioner Newman, that the North McKay Ranch General Plan Amendment, Zone Reclassification, Tentative Subdivision Map Subdivision, Planned Unit Development, Special Permit and Development Agreement be approved as revised with the supplied supplemental. The motion carried by the following vote:

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

Recused: 1 - Commissioner McCavour

G. CONTINUED PUBLIC HEARINGS

1. Salmonid Restoration Federation, Marshall Ranch Streamflow Enhancement Project
Record Number PLN-2019-15661
Assessor's Parcel Number 220-061-011.
Briceland area

The Project entails construction of 10 million-gallons of off-stream water storage. Water storage is proposed in two ponds and five tanks designed to fill with rainwater (~3.5 million gallons) and water diverted from two Redwood Creek tributaries during the wet season (~6.5 million gallons). The Project seeks to improve habitat for coho salmon and steelhead in Redwood Creek, an important salmon-bearing tributary, by addressing the limiting factor of low summer streamflows. The storage facilities have been sited and designed to fill during the winter wet season and release their stored water directly to Redwood Creek during the five-month dry season providing increased flows of approximately 30 gallons per minute along a 5.5-mile stream reach. Other ancillary Project components include installation of one large wood habitat enhancement and bank stabilization structure in Redwood Creek, stabilization of two seasonal tributaries, construction of a passive on-demand cooling and filtration gallery to provide treatment of the flow releases as needed, construction of an off-grid solar energy power system to support operations, upgrading access roads, riparian exclusion fencing for cattle, and installation of plumbing infrastructure to allow water stored in the tanks to be utilized for domestic, ranch, and fire suppression needs.

Public Hearing opened

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the Salmonid Restoration Federation, Marshall Ranch be approved 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. RAINBOW SELF STORAGE Coastal Development Permit and Conditional Permit
 Record Number PLN-2021-17222
 Assessor’s Parcel Numbers (APNs) 016-231-025, -026, and -027
 Eureka Area

A Coastal Development Permit and Conditional Use Permit to convert the former McKenny's Do It Best building center and lumber yard into the Rainbow Self-Storage facility. The project area is comprised of three (3) APNs with a total area of 1.84 acres. The proposal is to enlarge an existing structure with second story additions that will increase the total square footage of the structure from 30,816 square feet to 41,374 square feet. In addition, two new buildings are proposed. The first building will be a 24,000 square foot, two-story self-storage unit; the second building will be a one-story, 6,500 square foot self-storage unit. The entire site is either developed with existing structures or paved. The applicant proposes to address run-off from storm water via the installation of a 2,635 square foot gravel retention area.

Public Hearing Opened

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Rainbow Self Storage project be approved 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

- 3. Asia’s Best, Coastal Development Permit and Conditional Use Permit
 Record Number PLN-2020-16426 (filed 6/11/2020)
 Assessor’s Parcel Number 015-211-010
 Eureka area

A Conditional Use Permit and a Coastal Development Permit to allow a retail food and dry goods market in an existing 600 sq. ft. space within the Sacred Heart Church campus located at 2085 Myrtle Avenue Eureka. Parking would be shared with the activities of the church and an administrative office for the Humboldt-Del Norte County Medical Society. The retail food market also proposes a ground mounted sign near the entrance into the campus off Edgewood Road.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Asia’s Best project be continued to the 1.20.22 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. Midgad, LLC Conditional Use Permit
Record Number PLN-10651-CUP
Assessor's Parcel Number: 219-051-009
Salmon Creek Area

A Conditional Use Permit for 19,800 square feet of existing outdoor commercial cannabis cultivation. The project will be supported by a 1,000 square-foot propagation greenhouse. Water for irrigation is sourced from an existing 194,000-gallon rainwater catchment pond. The capacity of this pond is proposed to be expanded to 236,000 gallons. Water storage for irrigation totals 210,000 gallons between the 194,000-gallon rainwater catchment pond and existing hard-tank storage. The projected annual water usage for the project totals 227,000 gallons. All processing activities occur onsite in existing structures. Energy for the operation is sourced from a solar array with a generator to provide supplemental energy.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Midgad project be continued to the 1.20.22 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. Green Management Group of Humboldt, LLC
Record Number PLN-11713-CUP
Assessor Parcel Number (APN) 223-032-001
Garberville area

A Conditional Use Permit for 17,740 square feet (SF) of existing mixed-light cannabis cultivation with 3,210 SF of ancillary propagation. Irrigation water is sourced from a 150,000-gallon rainwater catchment pond and two (2) spring diversions. Existing water storage is 222,825 gallons. Estimated annual water usage is 222,000 gallons. Drying and bucking occurs onsite in an existing metal building, with all other processing occurring off-site at a licensed processing or manufacturing facility. Power is provided by generators. The proposed project also includes a Special Permit for development within the Streamside Management Area for use and maintenance of the two (2) points of diversion (POD), decommissioning of two additional PODs, culvert replacement and maintenance, and decommissioning of four (4) existing stream crossings and associated restoration.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Green Management Group project be continued to the 1.20.22 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

6. Green Crows, LLC
Record Number PLN-11976-CUP
Assessor Parcel Number (APN) 033-120-013
Benbow area

A Conditional Use Permit for 14,814 square feet (SF) of existing outdoor and mixed-light cannabis cultivation, with 1,481 SF of outdoor propagation. The cultivation consists of 11,314 of full sun outdoor, and 3,500 sf of mixed light. Proposed mixed-light cultivation activities are contingent upon Pacific Gas and Electric Company (PG&E) power lines being developed. Annual water use is 163,600 gallons based on existing outdoor cultivation or 229,600 gallons for mixed-light. Water for irrigation is provided by a rain catchment system. There are 219,000 gallons of water storage in a series of hard-sided tanks and bladders and 50,000 more gallons of storage are proposed. A 2,000-watt solar system supplies all power for cultivation activities. Two generators are stored onsite for emergency use only.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Green Crows project be continued to the 1.20.22 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

7. Soul Arc Solutions, Inc
Record Number PLN-11402-CUP
Assessor Parcel Number (APN) 108-012-010.
Ettersburg area

A Conditional Use Permit for 18,092 square feet (SF) of existing cannabis cultivation. Water for irrigation is sourced from a point of diversion and rainwater catchment pond. Water storage totals 290,000 gallons. Drying and curing would be on-site in a proposed 1,000-square-foot facility, with other processing occurring off-site. Electricity is sourced from generator power with solar power proposed.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Soul Arc Solutions project be continued to the 1.20.22 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

- 8. Forever Loving Humboldt Inc. Conditional Use Permit
 Record Number PLN-12436-CUP
 Assessor’s Parcel Number: 211-374-014
 Myers Flat area

A Conditional Use Permit for 32,500 square feet of existing commercial cannabis cultivation, consisting of 22,000 square feet of outdoor cultivation and 10,500 square feet of mixed light cultivation. Water for irrigation is sourced from two groundwater wells, which are registered as riparian diversions due to their proximity to the water course. The applicant estimates 475,000 gallons are needed for irrigation annually. Drying occurs on-site in an existing barn, with other processing activities occurring off-site at a licensed processing facility. Electricity is sourced from PGE and a generator.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Forever Loving Humboldt project be continued to the 1.20.22 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

- 9. Ambiguity Farm LLC
 Record Number PLN-12812-CUP
 Assessor’s Parcel Number: 223-011-009, 223-011-007.
 Garberville area

A Conditional Use Permit for 43,560 square feet of existing outdoor cannabis cultivation, and a Special Permit for restoration work within the SMA. Ancillary propagation will occur in two 1,250-square-foot greenhouses for a total propagation space of 2,500 square feet. There will be three cultivation cycles occurring annually. All processing will occur offsite. Water for the project will be sourced from an onsite 800,000-gallon onstream-pond and a proposed rainwater catchment system. The applicant anticipates 400,000 gallons of water will be required for irrigation annually. There are 100,000 gallons of available water storage occurring in two 50,000-gallon metal tanks, with 300,000 gallons of additional water storage proposed for the project. There will be a maximum of four employees required for operations. Power for the project is sourced from a solar array with a backup generator.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Ambiguity Farm project be continued to the 1.20.22 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

H. NEW PUBLIC HEARINGS

1. MDF Enterprises, Inc,
 Record Number PLN-12095-ZCC
 Assessor’s Parcel Number: 210-250-022.
 Bridgeville area

A Special Permit and Zoning Clearance Certificate to receive 60,000 square feet of mixed light cultivation in 24 greenhouses from three retirement sites, add 6,000 square feet of additional propagation space in two greenhouse/nursery buildings, and add a 2,400 square foot metal building for processing. The proposed uses would add to an existing approved 30,000 square feet of mixed light cultivation and 3,000 square feet of propagation in 13 greenhouses. Existing and proposed cultivation will total 90,000 square feet in 37 greenhouses, and 9,000 square feet of propagation in three greenhouses. An existing 1,500 square foot metal building will be retrofitted to code as a cottage/office for a caretaker/manager who will be onsite 24 hours per day. An existing 1.5 million-gallon rainwater catchment pond, and two existing wells for backup, will serve the existing and proposed cultivations. There are 16 existing water tanks, which, with the pond, provide 1,547,500 gallons of storage. The mixed light cultivation power is currently sourced from generator which will continue to be used for the expansion. The applicant has applied for a PG&E agricultural drop to obtain grid power.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the MDF Enterprises project be continued to the 1.20.22 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

2. Conklin Creek Farms, Inc.
 Record Number PLN-2021-17034
 Assessor’s Parcel Numbers (APNs) 105-042-002; 105-111-001; 105-071-005; and 105-101-006.
 Petrolia Area,

A Special Permit for 43,560 square feet (one acre) of new mixed light cultivation. Four Zoning Clearance Certificates for 5,000 square feet of indoor cultivation; 23,500 square feet of enclosed wholesale nursery; offsite processing; and distribution. Power is provided by PGE and solar. Irrigation water is provided by a 2.6-million-gallon rainwater catchment pond. Annually water usage is estimated at 655,000 gallons. The indoor cultivation is associated with a 500 square foot ancillary nursery. The mixed light cultivation is associated with a 4,360 square foot ancillary nursery.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Conklin Creek Farms project be continued to the 1.20.22 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

I. PUBLIC WORKSHOP

1. PROPOSED COMMUNICATIONS FACILITIES ORDINANCE
 Record Number PLN-2021-17452.

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.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Proposed Communications Facilities Ordinance be continued to the 1.20.22 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

J. ADJOURNMENT

Chair Alan Bongio adjourned the meeting at 9:23 p.m.

NEXT MEETINGS: January 20, 2022 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