

PLANNING COMMISSION

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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, October 5, 2023

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

Chair Noah Levy called the meeting to order at 6:00 p.m.

B. COMMISSIONERS PRESENT

Commissioner Thomas Mulder arrived immediately after Item E3 - Brightview was pulled from the Consent Agenda

Present : 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry,
Commissioner Thomas Mulder and Commissioner Sarah West

Absent : 2 - Commissioner Peggy O'Neill and Commissioner Brian Mitchell

C. AGENDA MODIFICATIONS

Removal of Item E1 - 9.21.23 Action Summary from the Consent Agenda, to be modified and return to the Planning Commission October 19, 2023.

D. PUBLIC COMMENT ON NON-AGENDA ITEMS:

E. CONSENT AGENDA

2. VIPA Farmers, LLC, Conditional Use Permit
Assessor Parcel Numbers (APN) 219-011-007-000
Record No.: PLN-11269-CUP
Salmon Creek area

A Conditional Use Permit for 12,536 square feet of existing mixed light cannabis cultivation. Three harvests are anticipated annually. The project is supported by a 1,250 square foot propagation greenhouse. Water for irrigation is sourced from an existing 300,000-gallon rainwater catchment pond and 6 hard tanks totaling 6,200 gallons. Ordinary annual water usage totals 216,895 gallons (21.8 gallons per ft²). All processing occurs onsite. Electricity is currently sourced from a diesel generator; however, the applicant is seeking to obtain grid power through PG&E.

Continue the VIPA Farmers, LLC Conditional Use Permit to a date uncertain.

4. Mad River Medicinals, Inc. Conditional Use Permit and Special Permit
Assessor Parcel Number 208-251-002
Record No.: PLN-12498-CUP
Dinsmore area

A Conditional Use Permit for 18,500 square feet (SF) of existing Outdoor commercial cannabis cultivation supported by a 1,920 square foot ancillary nursery, and a Special Permit for development within a Streamside Management Area (SMA) for a water diversion. Water is sourced from a groundwater well and a Point of Diversion from an onsite spring. The annual estimated water budget is 158,000-gallons is supported by 12,500-gal. of existing and 65,000-gal. proposed tank storage. Processing such as drying and curing will occur on site, with trimming and packaging occurring offsite at a licensed facility. Power source is a 1.7-kW solar system with a generator as emergency backup. No employees are proposed, only operators and one immediate family member.

Approve the Mad River Medicinals, Inc. Conditional Use Permit and Special Permit

E. CONSENT AGENDA

A motion was made by Commissioner Lonyx Landry, seconded by Commissioner Iver Skavdal to approve the Consent Agenda, including items E-2 VIPA Farmers and Mad River Medicinals as recommended by staff. The motion carried with the following vote:

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder and Commissioner Sarah West

F. WORKSHOP

1. Inland and coastal zone ordinances to allow the use of residences for short-term rentals within the unincorporated areas of Humboldt County. The ordinance does the following:
 - a) Creates two tiers of rentals consisting of units partially rented by the occupants of the residence and rental of the whole unit;
 - b) Establishes performance criteria for the operation of short term rentals;
 - c) Creates an Administrative Permit to authorize rentals which comply with the ordinance and allows approval of a discretionary permit when deviations from standards are requested;
 - d) Creates a cap for the number of units allowed around the Humboldt Bay Area

The Planning Commission reviewed and discussed the proposed Short-term Rental Ordinance.

G. PUBLIC HEARINGS

1. Patient 2 Patient, Inc.; Conditional Use Permit and Special Permit
Record Number: PLN-12426-CUP (filed 12/23/2016)
Assessor Parcel Numbers (APN) 214-142-012
Wood Ranch area (Redway)

A Conditional Use Permit and Special Permit to recognize lawful pre-existing cannabis cultivation and authorize relocation and expansion of cultivation activities on an approximately 361-acre parcel. The project includes two distinct parts. Part 1 involves a Special Permit to authorize development within riparian and wetlands areas as part of remediation and restoration of approximately 6.7 acres of land disturbance associated with seven (7) discrete areas historically used for cannabis cultivation. Part 2 involves a Conditional Use Permit to allow development and operation of approximately 86,000 square feet of Outdoor cannabis cultivation in greenhouses within an approximately 6-acre area in the northern portion of the project parcel. The Conditional Use Permit is being requested pursuant to the Humboldt County Commercial Cannabis regulations which allow up to 1-acre of cultivation per 100 acres on parcels where 320 acres or larger in size. The amount of cultivation area proposed is approximately one third larger (33%) in size than historic cultivation levels managed during the peak of prior lawful pre-existing operations at the property and will accommodate relocation of cultivation activities from the seven former sites targeted for remediation and restoration.

The Planning Commission adopted the resolution (Resolution 23-087) which finds that the Planning Commission has considered the Mitigated Negative Declaration prepared for the Commercial Medical Marijuana Land Use Ordinance (SCH# 2015102005) and the Mitigated Negative Declaration prepared for the project (SCH# 2023080682); and finds that the proposed project complies with the General Plan and Zoning Ordinance; and approves the Conditional Use Permit and Special Permit, subject to the conditions of approval (Attachment 1A); with modifications to allow Part 2 of the project to proceed provided a financial surety has been secured covering the full projected cost of all remediation and restoration work (described in Part 1 of the project description).

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder and Commissioner Sarah West

H. ITEMS PULLED FROM CONSENT

1. Review and approval of the September 21, 2023, Action Summary.

Continued the 9.21.23 Action Summary to the October 19, 2023 meeting

3. Brightview - Final Map Subdivision
Application Number: PLN-2023-18247
Prior Application Number: FMS14-001
Assessor Parcel Number (APN) 510-121-026
McKinleyville area

A Major Subdivision of an approximately 1.58-acre parcel into seven residential lots utilizing a Planned Unit Development. The Planned Unit Development requests reduced front yard setbacks on proposed Lot 7, a reduced right of way width and a reduced minimum lot width on proposed Lots 1, 2 and 3. The parcel is currently vacant and will be served with community

water and sewer by the McKinleyville Community Services District.

The Planning Commission adopted the resolution (Resolution 23-088) which finds that a Mitigated Negative Declaration was previously adopted and considered for the project (SCH# 2015112019) and no further environmental review is required; and makes all of the required findings for approval of the Final Map Subdivision and Planned Unit Development; and approves the Brightview Major Subdivision and Planned Unit Development subject to the conditions of approval.

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry,
Commissioner Thomas Mulder and Commissioner Sarah West

I. REPORT FROM PLANNER

J. PLANNING COMMISSION DISCUSSION ITEMS

K. ADJOURNMENT

Chair Noah Levy adjourned the meeting at 9.48 p.m.

L. NEXT MEETINGS: **October 19, 2023 6:00 p.m. Regular Meeting - Hybrid**
 October 26, 2023 6:00 p.m. Special Meeting - Hybrid