

PLANNING COMMISSION

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Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

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

AGENDA

Thursday, October 6, 2022

6:00 PM

Regular Meeting - Hybrid

NOTE: The County of Humboldt Planning Commission will be held as a hybrid meeting pursuant to Assembly Bill 361 until further notice.

**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/87544807065> Password: 200525**
- 2. Call in via telephone at 346-248-7799, enter meeting id 875 4480 7065 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 channel 10**

**PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:
Participate in the public comment period of the meeting in the following three ways:**

- 1. In Person: Any person may appear and present testimony in regard to this matter at the hearing located in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California. The Planning Commission needs 15 COPIES of any materials submitted at the meeting.**
- 2. 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.**
- 3. Via phone call using cellphone 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> encounter any issues, please use the call-in option below.

PUBLIC COMMENT PRIOR TO THE MEETING:

Public comments may be submitted via email to Planningclerk@co.humboldt.ca.us. Please provide the project title, record or case number and date of the hearing. The deadline for submitting written comments is 12:00 p.m. Wednesday, September 28, 2022. After the deadline, written comments may be submitted to the commission in person during the meeting. Verbal comments may be made in person, or on zoom. Comments received after the agenda is posted on Friday, September 30, 2022, 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. If you do not have access to email, contact the Planning Clerk at 707-267-9409.

NOTICE REGARDING PUBLIC COMMENT:

For items appearing on the agenda, the public is invited to make comments at the time the item comes up for consideration by the Commission. The Chair will call for public comment as each item is heard by the Commission. The public is invited to make comments during the Public Comment period for non-agenda items, not appearing on the agenda. All speakers are invited to state and spell their names but are not required to do so.

A. CALL TO ORDER / SALUTE TO FLAG**B. COMMISSIONERS PRESENT****C. AGENDA MODIFICATIONS****D. PUBLIC COMMENTS**

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. ADOPTION OF REMOTE MEETINGS

1. Adoption of Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of October 6, 2022, through November 5, 2022, pursuant to the Ralph M. Brown Act.

Attachments: [PC Resolution 22-0XX County of Humboldt Remote Meetings AB-361 10.06.22](#)

F. CONSENT AGENDA

These Public Hearing matters are routine in nature and are usually approved by a single vote. The Chair will poll the audience and members of the Commission to determine if any item on the consent agenda should be pulled for public comment or further discussion.

1. Review and approval of September 15, 2022, Action Summary;

Recommendation: Approve the September 15, 2022, Action Summary.

Attachments: [Action Summary 09.15.22](#)

2. Davies Lot Line Adjustment and Zone Boundary Adjustment

Record Number PLN-2022-17758

Assessor Parcel Numbers 500-011-007 & 500-011-007

Fickle Hill Road, Arcata Area

A Lot Line Adjustment (LLA) and Zone Boundary Adjustment (ZBA) between two parcels, Parcel A (APN 500-011-008) & Parcel B (APN 500-011-007). The purpose of this LLA is to move the existing property line to match the current general plan boundary between the Timber (T) and Residential Estates (RE 2.5-5) plan designation, and upon completion of this adjustment a conservation easement for forest management will be gifted to the City of Arcata over the majority of APN 500-011-007.

Recommendation: That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Find the project exempt from environmental review per Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA).
 - b. Make all of the required findings for approval; and
 - c. Recommend the Board of Supervisors approve the Zone Boundary Adjustment and Lot Line Adjustment subject to the recommended conditions of approval.

Attachments: [17758 Davies Staff Report 10.06.22](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 1A - Conditions of Approval](#)

[Attachment 1B - Conditions of Approval \(Zoning Boundary Adjustment\)](#)

[Attachment 1C - Draft Zone Boundary Adjustment](#)

[Attachment 1D - Site Plan](#)

[Attachment 2 - Location Map](#)

[Attachment 3 - Applicant's Evidence In Support of the Required Findings](#)

[Attachment 4 - Referral Agency Comments](#)

3. James Alves - Parcel Map Subdivision

Application Number PLN-2022-17840

Prior Application Number PMS-10-002

Assessor Parcel Number (APN) 306-293-031

7283 and 7285 Dauber Lane, Humboldt Hill area

A Minor Subdivision of a 26,695 square foot (net) parcel into two parcels of 11,322 square feet (net) and 15,373 square feet (net). The parcel is currently developed with two single family residences which will each be situated on individual parcels. The parcels are served with community water and sewer by the Humboldt Community Services District. Note: an identical subdivision proposal was previously approved in 2011 (PMS-10-002) but has since expired.

- Recommendation:** That the Planning Commission:
1. Describe the application as part of the Consent Agenda
 2. Survey the audience for any person who would like to discuss the application.
 3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
 4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Find the project exempt from further environmental review pursuant to Section 15183 of the State CEQA Guidelines); and
 - b. make all of the required findings for approval of the Parcel Map Subdivision, including the exception request removing sidewalk improvements; and
 - c. approve the Alves Minor Subdivision subject to the recommended conditions.

- Attachments:**
- [17840 James Alves Staff Report 10.06.22](#)
 - [Attachment 1 - Draft Resolution](#)
 - [Attachment 1A - Conditions of Approval](#)
 - [Attachment 1B - Public Works Department Conditions of Approval](#)
 - [Attachment 1C - Site Plan](#)
 - [Attachment 2 -Location Map](#)
 - [Attachment 3 - Applicant's Evidence in Support of the Required Findings](#)
 - [Attachment 3A - Exception Request](#)
 - [Attachment 4 - Referral Agency Comments and Recommendations](#)

4. Hansen Family Agricultural Preserve

Case Number PLN-2022-17731

Assessor Parcel Numbers (APNs)106-101-006-000, 106-101-007-000, 106-101-008-000,
106-111-002-000

Ferndale Area

An application to establish a Class C Agricultural Preserve, Hansen Family Agricultural Preserve, of approximately 115 acres in the Ferndale area pursuant to the California Land Conservation Act, otherwise known as the Williamson Act, and the Guidelines for Establishment of Agricultural Preserves in the County of Humboldt, Res. No. 16-144 Humboldt County Williamson Act Guidelines. The property is owned by Darren and Karen Hansen and is utilized as an organic dairy farm, to grow hay and to raise beef cattle. The subject property consists of four Assessors Parcel Numbers (APNs). A Zone Reclassification is proposed to place approximately 23 acres of land zoned Unclassified in APN 106-111-002 into the Agricultural Exclusive zone district in order to facilitate the establishment of the

Agricultural Preserve. The project is categorically and statutorily exempt from environmental review pursuant to Sections 15317 and 15061b(3) of the CEQA Guidelines.

- Recommendation:** That the Planning Commission:
1. Describe the application as part of the Consent Agenda
 2. Survey the audience for any person who would like to discuss the application.
 3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
 4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Recommend that the Board of Supervisors find the project exempt from environmental review pursuant to Sections 15061(b,3) and 15317 of the State CEQA Guidelines; and
 - b. make all of the required findings for approval of the Zone Reclassification, and Agricultural Preserve and Land Conservation Contract; and
 - c. approves the Zone Reclassification and Agricultural Preserve subject to the recommended conditions of approval (Exhibit A); and
 - d. enter into a Land Conservation Contract with Darren and Karen Hansen.

- Attachments:**
- [17731 Hansen Ag Preserve Staff Report 10.06.22](#)
 - [Attachment 1 - Draft Resolution](#)
 - [Attachment 1A - Conditions of Approval](#)
 - [Attachment 1B - Site Plan](#)
 - [Attachment 2 - Location Map](#)
 - [Attachment 3 - Applicant's Evidence In Support Of The Required Findings](#)
 - [Attachment 3A - WAC Draft Minutes 6.27.22](#)
 - [Attachment 4 - Referral Agency Comments and Recommendations](#)

5. Diane Lavelle-Usrey Parcel Map Subdivision and Coastal Development Permit Extension
Application Number PLN-2022-17607
Prior Application Number PLN-2018-15181
Assessor Parcel Number (APN) 510-231-027
880 Eucalyptus Road, McKinleyville

Time extension of an Approved Parcel Map Subdivision and Coastal Development Permit to subdivide approximately 2.5-acre parcel into four parcels and a remainder, all approximately 0.5 acres in size. The parcel is currently developed with a single-family residence and barn that are sited on the proposed remainder parcel. Pursuant to Section 325-9, an exception to allow use of a 35-foot right of way to access the proposed parcels instead of the standard 50-foot right-of-way requirement. The parcels will be served with community water and sewer provided by the McKinleyville Community Services District. This is the first extension requested by the applicant. No change to the original project is proposed. If approved, the extension will extend the life of the tentative map to January 29, 2024.

- Recommendation:** That the Planning Commission:
1. Describe the application as part of the Consent Agenda

2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Finds that Per 15074(b) of the State CEQA Guidelines, the Planning Commission has considered the previously adopted a Mitigated Negative Declaration. No change to the project is proposed, further environmental is unwarranted; and
 - b. Find the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Public Works Department Conditions of Approval; and
 - d. Approves the Parcel Map Subdivision and Coastal Development Permit Extension subject to the recommended conditions of approval (Exhibit 1A), original conditions of approval (Exhibit 1B)

Attachments:

[17607 Usrey PMS Extention Staff Report 10.06.22](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 1A - Conditions of Approval](#)

[Attachment 1B - Public Works Department Conditions of Approval](#)

[Attachment 1C - Site Plan](#)

[Attachment 2 - Location Maps](#)

[Attachment 3 - Applicant's Evidence In Support of the Required Findings](#)

[Attachment 4 - Referral Agency Comments](#)

6. Ron Lundblade

Application Number PLN-12543-CUP

Assessor's Parcel Number (APN) 210-042-004

Larabee Valley Area

A Conditional Use Permit for up to one acre of existing outdoor commercial cannabis cultivation. The 44,000 gallons annual water budget is sourced from a rainwater catchment pond of unknown size with an additional 5,000 gallons of tank storage. Processing will occur offsite. Power source is unknown.

Recommendation:

That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Find the project statutorily exempt from the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.
 - b. Find the applicant has not provided sufficient evidence necessary to make the required findings for approval

c. Deny the Ron Lundblade Conditional Use Permit.

Attachments:

[12543 Ron Lundblade Denial Staff Report 10.06.22](#)

[Attachment 1 - Draft Denial Resolution](#)

[Attachment 2 - Location Maps](#)

[Attachment 3 - Correspondence Requesting Additional Evidence](#)

7. Ron Lundblade

Application Number PLN-12544-CUP

Assessor's Parcel Number (APN) 210-044-004

Larabee Valley Area

A Conditional Use Permit for 10,000 existing outdoor commercial cannabis cultivation. The 44,000 gallons annual water budget is sourced from a rainwater catchment pond of unknown size on adjacent parcel 210-042-004 with an additional 5,500 gallons of tank storage. Processing will occur offsite. Power source is unknown.

Recommendation:

That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Find the project statutorily exempt from the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.
 - b. Find the applicant has not provided sufficient evidence necessary to make the required findings for approval
 - c. Deny the Ron Lundblade Conditional Use Permit.

Attachments:

[12544 Ron Lundblade Denial Staff Report 10.06.22](#)

[Attachment 1 - Draft Denial Resolution](#)

[Attachment 2 - Location Maps](#)

[Attachment 3 - Correspondence Requesting Additional Evidence](#)

8. Ecoyard, Inc.

Record Number: CUP-16-12452

Assessor's Parcel Numbers (APN): 217-381-008

At the end of a shared private road one-half mile south of Sunset Ridge Rd. in the Blocksburg area.

A Conditional Use Permit for 30,563 square feet of existing outdoor and 4,700 square feet of existing mixed-light medical cannabis cultivation. The applicant projects up to five cycles per year. Water for irrigation is proposed to be sourced from an onsite well and spring. Water is stored in 22 hard tanks

and 1 pond totaling 313,300 gallons. Processing, including drying and trimming, occurs on-site in an existing shed. Electricity is sourced from a generator.

Recommendation: That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to deny the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Finds the Ecoyard, Inc., project statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.
 - b. Denies the Conditional Use Permit

Attachments:

- [12452 Ecoyard Staff Report 10.06.22](#)
- [Attachment 1 - Draft Denial Resolution](#)
- [Attachment 1A - Cultivation & Operations Plan](#)
- [Attachment 1B - Site Plan](#)
- [Attachment 2 - Location Maps](#)
- [Attachment 3 - CEU Inspection Notes](#)
- [Attachment 4 - Violation Memo](#)
- [Attachment 5 - Chronology of Events](#)

9. Healing Sun, LLC, Conditional Use Permit

Record Numbers: PLN-12072-CUP

Assessor's Parcel Numbers: 220-082-020

Ettersburg area

A Conditional Use permit for 16,800 square feet (SF) of existing outdoor commercial cannabis cultivation, with 1,900 SF of ancillary propagation. Two harvests are anticipated annually. Water for irrigation is sourced from an existing permitted well (permit# 18/19-1012). The projected annual water usage totals 280,000 gallons (15 gallons/SF/year) and water storage onsite totals 76,800 gallons in hard sided storage tanks. Processing and trimming will occur on-site in an existing building. Power is provided by a 12.5 kW solar array. No employees are required for the project, however the applicant will utilize help from family members.

Recommendation: Continue the Healing Sun, LLC, Conditional Use Permit project to a date uncertain.

10. Alchemy Atelier, LLC, Conditional Use Permit and Special Permit Modification

Application Number: PLN-2020-16326

Assessor's Parcel Number: 216-141-005 and 216-144-006

16875 Dyerville Loop Road, Alderpoint

Modification to an approved Conditional Use Permit and Special Permit (PLN-11813-CUP) to

consolidate and reconfigure 13,383 square of feet existing previously approved cultivation areas. Also proposed is the addition of an ancillary propagation greenhouse of 1,300 SF. Applicant proposes light deprivation cultivation methodology to yield two (2) harvest cycles per year. The proposed modification will not increase the existing cultivation entitlement. No changes are proposed for the water source or projected annual water use; it will remain at 141,120 gallons per year (9.61 gal/square foot).

Recommendation:

That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Finds that the Planning Commission has considered the Addendum to the Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section 15164 of the State CEQA Guidelines; and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Conditional Use Permit and Special Permit Modification subject to the recommended conditions of approval (Exhibit A)

Attachments:

[16326 Alchemy Atelier Staff Report 10.06.22](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 1A - Conditions of Approval](#)

[Attachment 1B - Addendum to Cult-Ops](#)

[Attachment 1C - Site Plan](#)

[Attachment 2 - Location Maps](#)

[Attachment 2A - Watershed Map](#)

[Attachment 3 - CEQA Addendum](#)

[Attachment 4 - Applicant's Evidence in Support of Required Findings](#)

[Attachment 5 - Referral Agency Comments and Recommendations](#)

G. 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. Krystal Kings Farms, LLC, Conditional Use Permit and Special Permits
Record Number: PLN-11066-CUP
Assessor's Parcel Number (APN): 221-011-021
8200 Salmon Creek Road, Miranda area

A Conditional Use Permit for 18,300 square feet (SF) of existing mixed-light cultivation. Ancillary propagation totals 1,830 SF. Water sourced for cultivation occurs from a point of diversion on an unnamed Tributary of Salmon Creek and from rainwater catchment. Total proposed irrigation water

storage is 205,000 gallons. Drying and curing occurs on-site while other processing will occur off-site. Power is provided by a generator. The Planning Commission will consider an addendum to a previously adopted Mitigated Negative Declaration.

- Recommendation:** That the Planning Commission:
1. Describe the application as a Public Hearing
 2. Survey the audience for any person who would like to discuss the application.
 3. Open the public hearing, receive, and consider the staff report, and accept public comments; and
 4. Close the public hearing; and
 5. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
 - a. Finds that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CCMLUO) as described by Section 15164 of the State CEQA Guidelines; and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Conditional Use Permit and Special Permits subject to the recommended conditions of approval (Exhibit A); and
 - d. Approves the Cultivations Operations Plan (Exhibit B) and Site Plan (Exhibit C).

Attachments:

[11066 Krystal Kings Staff Report 10.06.22](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 1A - Conditions of Approval](#)

[Attachment 1B - Cultivation and Operations Plan](#)

[Attachment 1C - Site Plan](#)

[Attachment 2 - Location Maps](#)

[Attachment 2A - Watershed Map](#)

[Attachment 3 - CEQA Addendum](#)

[Attachment 4 - Applicant's Evidence in Support of the Required Findings](#)

[Attachment 4A - Water Rights Protection Plan](#)

[Attachment 4B - Lake and Streambed Alteration Agreement](#)

[Attachment 4C - Timber Conversion Mitigation Plan](#)

[Attachment 4D - Road Evaluation Report](#)

[Attachment 4E - Chapman Engineering Road Evaluation](#)

[Attachment 4F - Biological Resource Assessment](#)

[Attachment 5 - Referral Agency Comments and Recommendations](#)

H. ITEMS PULLED FROM CONSENT

I. LETTER TO THE WIYOT TRIBES

Review and Approval of Draft Apology Letter to the Tribes

Recommendation: Finalize and Approve Apology Letter to the Tribes.

Attachments: [Draft Apology Letter to Tribes](#)

J. ADJOURNMENT

K. NEXT MEETING October 20, 2022 6:00 p.m. Regular meeting - Hybrid

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 707-267-9409 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.