

PLANNING COMMISSION

IVER SKAVDAL
Vice Chair - First District
THOMAS MULDER
Chair - Second District
NOAH LEVY
Third District
JEROME QIRIAZI
Fourth District
PEGGY O'NEILL
Fifth District
SARAH WEST
At-Large
LORNA MCFARLANE
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, November 7, 2024

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

Commissioner Chair Thomas Mulder called the meeting to order at 6:02 p.m.

B. COMMISSIONERS PRESENT

Present : 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

C. CHAIR AND VICE CHAIR NOMINATION AND ELECTION

A motion was made by Commissioner Thomas Mulder, seconded by Commissioner Noah Levy to elect Iver Skavdal as chair.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

C. CHAIR AND VICE CHAIR NOMINATION AND ELECTION

A motion was made by Commissioner Noah Levy, seconded by Thomas Mulder to elect Sarah West as Vice Chair.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

D. AGENDA MODIFICATIONS

Item H. ITEMS PULLED FROM CONSENT moved up before item G. PUBLIC HEARINGS.

Supplemental information supplied for item F2 - MIB 2, LLC

Supplemental information supplied for item F3 - Ten Redwoods, LLC

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. CONSENT AGENDA

1. Review and approval of the October 03, 2024, Action Summary

CONSENT AGENDA VOTE:

A motion was made by Commissioner Sarah West, seconded by Lorna McFarlane to approve the Consent Agenda, including Item F-1 Approval of the October 03, 2024, Action Summary.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

H. ITEMS PULLED FROM CONSENT

2. MIB 2, LLC Conditional Use Permit and Special Permit
Assessor Parcel Number 221-021-026
Record No.: PLN-11543-CUP
Miranda Area

A Conditional Use Permit for 33,000 square feet of existing outdoor commercial cannabis cultivation with 3,160 square feet of ancillary propagation. Estimated annual irrigation water usage of 200,000 gallons will be sourced from rainwater catchment and a groundwater well. Water storage is provided by a 250,000-gallon pond. Processing, including trimming, will occur onsite. Electricity is provided by solar power with a generator reserved for emergencies only. A Special Permit is included because the project is within 600 feet of Public Lands managed for open space and requires a setback reduction.

A motion was made by Commissioner Jerome Qiriazzi, seconded by Commissioner Noah Levy to adopt Resolution 24-076 which finds the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance and the Addendum prepared for the MIB 2, LLC project; and finds the project complies with the General Plan and Zoning Ordinance; and approves the MIB 2, LLC Conditional Use Permit and Special Permit subject to the conditions of approval.

Aye: 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

Nay: 1 - Commissioner Sarah West

3. Ten Redwoods LLC Conditional Use Permit and Special Permit

Assessor Parcel Numbers (APN) 208-241-017

Record No.: PLN-11737-CUP

Dinsmore Area

DENIAL of a Conditional Use Permit for 11,700 square feet of existing outdoor cannabis cultivation and a Special Permit for development and restoration in a streamside management area.

A motion was made by Commissioner Peggy O'Neill, seconded by Commissioner Sarah West to continue the Ten Redwoods LLC Conditional Use Permit and Special Permit to the December 05, 2024 meeting.

Aye: 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qiriazzi

Nay: 1 - Commissioner Lorna McFarlane

4. Renewable America, LLC Conditional Use Permit Modification

Assessor Parcel Numbers: 505-151-012, 506-231-019 and 506-231-022 (one separate legal parcel)

Record Number: PLN-2022-17922-MOD01

Arcata area

A Modification to an approved Conditional Use Permit. The approved Conditional Use Permit was for a two phased community-scale solar energy and storage project that included the development of approximately 549,696 square feet of solar panels and a 5,000 square-foot equipment pad within pollinator habitat, in an area of approximately 30 acres (Record Number: PLN-2022-17922). The Modification to the approved project is to allow for the design change and reconfiguration of the solar panels and the equipment pad. The new design will include approximately 493,389 square feet of solar panels and two equipment pads, 2,500 and 2,156 square feet in size within pollinator habitat, in an area of approximately 27.43 acres. In addition, the layout of the panels will now shift from the west and extend north to within 50 feet of the northern parcel boundary. The new solar panels will be configured like those proposed in the approved permit; however, they are approximately 9.75 feet in height instead of 14 feet.

A motion was made by Commissioner Jerome Qiriazzi, seconded by Sarah West adopt Resolution 24-077, which finds the Planning Commission has considered the adopted Initial Study/Mitigated Negative Declaration for the previously approved project (SCH No. 2022110533) and the Addendum that was prepared for the project Modification; and finds the project Modification complies with the General Plan and Zoning Ordinance; and approves the Renewable America, LLC Conditional Use Permit Modification subject to the conditions of approval.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

G. PUBLIC HEARINGS

1. Showers Pass LLC Conditional Use Permits and Special Permit
Assessor Parcel Numbers (APN) 317-182-019-000 and 317-182-020-000
Record Numbers.: PLN-10854-CUP
Kneeland area

Project Description: A Conditional Use Permit for 12,200 square feet (SF) existing outdoor cannabis cultivation and includes 1,400 SF of ancillary nursery and propagation space. A permitted well supplies cultivation water. Water storage of 10,000 gallons occurs in tanks. Annual water budget is approximately 93,000 gallons. Processing is proposed onsite but will utilize offsite processing until an appropriate facility is constructed. Power is provided by generators, the project is conditioned to transition to 100% renewable power by January 1, 2026, with generators reserved for emergencies only. The project includes a special permit for reduced setbacks to public lands.

A motion was made by Commissioner Sarah West, seconded by Commissioner Lorna McFarlane to adopt Resolution 24-078 which finds the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance and the Addendum that was prepared for the Showers Pass Farms LLC project; and finds the proposed project complies with the General Plan and Zoning Ordinance; and approves the Showers Pass Farms LLC Conditional Use Permit and Special Permit subject to the conditions of approval.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qirhazi and Commissioner Lorna McFarlane

2. Showers Pass Farms LLC Conditional Use Permit and Special Permit
Assessor Parcel Numbers (APN) 317-182-020-000 and 317-182-019-000
Record Numbers.: PLN-11989-CUP
Kneeland/Showers Pass area

Project Description: Conditional Use Permit for 18,634 square feet of existing, outdoor cannabis cultivation. A permitted well on APN 317-182-019 provides cultivation water. 10,000 gallons of water is stored in hard tanks. An estimated 160,000 gallons of water is needed annually for irrigation. Drying/curing of harvested cannabis to occur within an on-site shed. All processing activities occur at a licensed facility off-site. Power is provided by generators, the project is conditioned to transition to 100% renewable power by January 1, 2026, with generators reserved for emergencies only. Special permit for the use and maintenance of a waterline in the Streamside Management Area.

A motion was made by Commissioner Sarah West, seconded by Commissioner Lorna McFarlane to adopt Resolution 24-079 which finds the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance and the Addendum that was prepared for the Showers Pass Farms LLC project; and finds the proposed project complies with the General Plan and Zoning Ordinance; and approves the Showers Pass Farms LLC Conditional Use Permit and Special Permit subject to the conditions of approval.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

3. Marcas Land Co., Inc., Conditional Use Permit
Assessor Parcel Numbers (APN) 317-033-008-000
Record No.: PLN-11099-CUP
Pilot Ridge>Showers Pass area

A Conditional Use Permit 19,595 square feet (sf) of pre-existing outdoor commercial cannabis cultivation and 1,142 sf of ancillary nursery area. Processing, including drying and trimming occurs in an existing building on-site. Water for irrigation is sourced from two permitted groundwater wells. The applicant estimates 577,500 gallons of water used for irrigation per year. Off-grid power is supplied by one generator and proposed solar arrays. The project is proposed to be conditioned to transition to 100 percent on-site renewable energy by January 1, 2026.

A motion was made by Commissioner Sarah West, seconded by Commissioner Lorna McFarlane to adopt Resolution 24-080 which finds the Planning Commission has considered the Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance and the Addendum that was prepared for the Marcas Land Company, Inc. project; and finds the proposed project complies with the General Plan and Zoning Ordinance; and approves the Conditional Use Permit subject to the conditions of approval.

4. The Hills, LLC and Shadow Light Ranch, LLC; Conditional Use Permits and Special Permits
Record Numbers: PLN-11638-CUP, PLN-11642-ZCC, PLN-11643-CUP (filed 12/2/2016)
Assessor Parcel Numbers (APN) 223-061-003, 223-061-038, 223-061-039, 223-061-043, 223-061-046, 223-073-004 and 223-073-005
Garberville area

Two Conditional Use Permits and a Zoning Clearance Certificate for continued commercial cannabis cultivation and two Special Permits for commercial cannabis processing, including packaging, and a wholesale nursery. The project site consists of three legal parcels, one of which is proposed to be retired from cannabis operations. The total commercial cultivation proposed is 60,940 square feet of existing cannabis, of which 50,940 square feet is outdoor and 10,000 square feet is mixed light. The project includes relocation and consolidation of cultivation areas to environmentally superior locations with the remediation of the retired cultivation areas. New development activities associated with this project include greenhouses for existing and relocated cultivation areas, a proposed 10,080 square foot wholesale nursery, which will also support on-site operations, a warehouse processing facility with support office space that would total up to 13,472 square feet, and employee housing of up to approximately 5,184 square feet. Water for irrigation purposes is anticipated to be approximately 756,900 gallons annually and is from an existing permitted groundwater well to be supplemented by rainwater catchment. Water for domestic purposes is from an existing spring. On-site power is currently provided by generators and solar and PG&E power is proposed.

In addition to the cultivation operation, wholesale nursery, processing operations and employee housing, the proposed project also includes decommissioning and restoration of three existing on-site ponds. These actions are proposed to satisfy requirements associated with the December 2023 Stipulated Judgement from the Superior Court of California Case No. CV2001113.

A motion was made by Commissioner Noah Levy, seconded by Commissioner Sarah West to continue the The Hills, LLC and Shadow Light Ranch, LLC; Conditional Use Permits and Special Permits to the November 21, 2024, meeting.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

5. Laura Muzzy Conditional Use Permit Modification
Record Number: PLN-2024-19013, PLN-12468-SP
Assessor Parcel Number: 210-072-009-000
Carlotta area

A modification to Conditional Use Permit PLN-12648-CUP to add a well as an additional water source for the project and increase the amount of water used for irrigation annually from 200,000 gallons to 759,480 gallons. The approved permit authorized 30,000 square feet of outdoor cannabis cultivation with a 3,000 square foot nursery. The proposed well on the project parcel is likely to be hydrologically disconnected from surface waters...end

A motion was made by Commissioner Sarah West, seconded by Commissioner Noah Levy to continue the Laura Muzzy Conditional Use Permit Modification to the November 21, 2024, meeting.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

6. Lynnette Chen Coastal Development Permit
Assessor's Parcel Numbers: 017-192-006
Record Numbers: PLN-2024-19041
Eureka area

A Coastal Development Permit (CDP) for a repair of a damaged leach fields and tree removal of approximately 60 trees for structure protection for the existing residence and pump house for Humboldt Community Services District (HCSD).

A motion was made by Jerome Qiriazzi, seconded by Lorna McFarlane to adopt Resolution 24-081, which finds the project complies with the Humboldt Bay Area Plan and Zoning Ordinance; and finds the project exempt from CEQA pursuant to Section 15302(c) (Replacement or Reconstruction) and 15304 Minor Alterations to Land of the CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and approves the Coastal Development Permit subject to the conditions of approval.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

I. REPORT FROM PLANNER

J. PLANNING COMMISSION DISCUSSION ITEMS

K. ADJOURNMENT

Commissioner Chair Mulder adjourned the meeting at 9:45 p.m.

- L. NEXT MEETINGS: November 21, 2024 6:00 p.m. Regular Meeting - Hybrid**
December 05, 2024 6:00 p.m. Regular Meeting - Hybrid