

ZONING ADMINISTRATOR

JOHN H. FORD
Director, Planning and Building



COUNTY STAFF

MICHAEL RICHARDSON
Supervising Planner
CLIFF JOHNSON
Supervising Planner

COUNTY OF HUMBOLDT
ZONING ADMINISTRATOR
Planning and Building Department
3015 H St.
Eureka, CA 95501

AGENDA

Thursday, April 21, 2022

10:00 AM

Regular Meeting - Virtual

NOTE: In accordance with Executive Order N-29-20 the County of Humboldt Zoning Administrator meeting will be held virtually until further notice.

HOW TO LISTEN OR WATCH THE ZONING ADMINISTRATOR MEETING:

You may access the live stream of the meeting in two ways:

- 1. You may access the live stream of the meeting by using the following link:
<https://zoom.us/j/86599462366> Password: 604225*
- 2. Call in via telephone at 346 248-7799, enter meeting ID 865 9946 2366 Password: 604225*

PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:

Participate in the public comment period of the meeting in the following two ways:

- 1. 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.*
- 2. Via phone call using cellphone or landline: When the Zoning Administrator meeting begins, call in to the conference line. When the Zoning Administrator 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>

PUBLIC COMMENT PRIOR TO THE MEETING:

Submit public comments via email to Planningclerk@co.humboldt.ca.us and provide the Project title, Record or Case number and date of the hearing. If you do not have access to email, contact the planning clerk at 707-268-3702. All public comments must be received by Wednesday, April 20, 2022, to be provided to the Zoning Administrator for consideration. After agenda is posted on the Friday prior to the meeting comments 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 after the fact.

A. CALL TO ORDER**B. AGENDA MODIFICATIONS****C. CONSENT CALENDAR**

1. New Earth Farms, LLC: Special Permit (2)
Record Number PLN-12260-CUP (filed 12/22/2016)
Assessor's Parcel Number (APN) 524-072-010.
Willow Creek area

A Special Permit for 10,000 square feet (SF) of existing mixed light cultivation with 1,000 SF of ancillary propagation. Irrigation water will be sourced from rainwater catchment. Estimated annual water usage is currently 150,000 gallons. Water storage will total 247,500 gallons. Processing will occur in a proposed 2,500-square-foot structure. Power will be provided by Pacific Gas and Electric Company (PG&E) and a generator for emergency purposes only. A Special Permit is also requested to reduce the required 600-foot setback from Public Lands. The Humboldt County Zoning Administrator will consider an Addendum to a previously adopted Mitigated Negative Declaration.

Recommendation: Adopt the resolution to find the Zoning Administrator has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permits, and approve the proposed New Earth Farms, LLC, project subject to the recommended conditions.

Attachments: [12260 New Earth Farms LLC Executive Summary 4.21.2022](#)
[12260 New Earth Farms LLC Staff Report 4.21.2022](#)
[Attachment 3A - 12260 Site Management Plan](#)

2. Mayers Flat Farm, LLC: Special Permit
Record Number PLN-12651-SP (filed 12/28/2016)
Assessor's Parcel Number (APN) 211-372-006
Myers Flat Area

A Special Permit to expand an existing 8,750-square-foot (SF) cannabis cultivation operation consisting of two light-deprivation greenhouses to 41,300 SF of outdoor cultivation in 11 light-deprivation greenhouses. Ancillary propagation would occur also expand to 3,900-SF consisting of a 3,360-SF propagation area and within an existing 840-SF greenhouse. Water is sourced from a 350,000-gallon onsite rainwater catchment pond with excess flows would be pumped to a collection of 40,000 gallons of proposed tank storage. A point of diversion (POD) and groundwater well are used for domestic purposes. Water usage is estimated to require 379,444 gallons for irrigation, per growing season, at full buildout (9.2 gallons/SF/year), with an additional 18,250-gallons used domestically. Existing water storage of 364,100 gallons would be expanded to 404,100 gallons at full buildout. Drying of cannabis would continue onsite in an existing outbuilding using dehumidifiers and fans. Offsite processing in a licensed facility is proposed. Up to three independent contract employees are anticipated during peak operations. Power is provided by a 25-kilowatt (kW) (and backup 45-kW) diesel generator as the applicant finalizes plans to install a solar array. Expansion is only allowed once the applicant demonstrates conversion to alternative energy to meet total power needs within 3 years of the permit as a condition of approval. Two additional Special Permits are required for the buffer reduction of the storage pond located within delineated wetland buffers and for the ongoing maintenance or decommissioning of the registered point of diversion.

Recommendation: Adopt the Resolution to find the Zoning Administrator has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines, make all of the required findings for approval of the Special Permits (3) and approve the Mayers Flat Farm, LLC, Special Permits (3) as recommended subject to the recommended conditions.

Attachments: [12651 Mayers Flat Executive Summary 04.21.22](#)
[12651 Mayers Flat Staff Report 04.21.22](#)
[Attachment 3A - LSAA REVISIONS Response](#)
[Attachment 3B - Site Management Plan Pt. 1 & 2 Final Revised 4-9-20 TRC 106 Reduce](#)
[Attachment 3D - Mayers Flat Farm Biological Assessment Final 2 0](#)
[Attachment 3E - Mayers Flat Botanical Survey 10 13 21](#)

3. Ronald Sherr: Special Permit

Record Number PLN-11668-SP (filed 12/06/2016)

Assessor's Parcel Number (APN) 218-071-005.

New Harris Area

The applicant is seeking a Special Permit for an existing 9,446 square feet of cannabis cultivation and a Special Permit for restoration work in a Streamside Management Area (SMA). Irrigation for cultivation is provided by one (1) rainwater catchment pond. There are 676,000 gallons of water storage for the project, and the applicant expects water use to total 250,000 gallons annually. Power is supplied by solar and wind power. The applicant proposes to process cannabis on site

Recommendation: Find that the Zoning Administrator has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Ronald Sherr project as recommended subject to recommended conditions of approval.

Attachments: [11668 Ronald Sherr Executive Summary 04.21.22](#)
[11668 Ronald Sherr Staff Report 04.21.22](#)

4. Salmon Creek High Grade LLC: Modification to Special Permit
Record Number PLN-2019-16114 (filed 12/30/2019)
Assessor's Parcel Number (APN) 219-011-009
Miranda Area

A Modification to a Special permit for 10,000 square feet of existing outdoor commercial cannabis and 1,824 square foot ancillary nursery previously approved under record number PLN-12482-SP. The modification adds an additional 1,350 square feet of existing outdoor commercial cannabis cultivation increasing the total to 11,350 which will be comprised of 4,599 square feet of light deprivation for two harvest cycles and 6,751 of full sun for one harvest cycle. The water budget is increasing from 44,000 gallons annually to 120,00 gallons annually to correct an error in the original estimation. The change in water budget will be met through the addition of rainwater catchment. The modification includes reconfiguration of outdoor cultivation areas consistent with the operations plan. Water storage is also increasing from 75,000 gallons to 155,200 gallons which includes 75,200 gallons of rainwater catchment tanks. Other aspects of the operation concerning nursery size, processing, power source, and number employees remain the same.

Recommendation: Find that the Zoning Administrator has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section 15164 of the State CEQA Guidelines, make all required findings for approval of the Special Permit modification, and adopt the Resolution approving the Salmon Creek High Grade, LLC Special Permit Modification as recommended by staff subject to the recommended conditions.

Attachments: [16114 Salmon Creek High Grade Executive Summary 04.21.2022](#)
[16114 Salmon Creek High Grade Staff Report 04.21.2022](#)

5. Organic Humboldt, LLC: Special Permit
Record Number PLN-2020-16475 (filed 06/26/2020)
Assessor's Parcel Number (APN) 205-231-029.
Scotia area

A Special Permit for 57,060 square feet of commercial cannabis cultivation of which 43,560 square feet is new cultivation and 13,500 square feet is pre-existing cultivation being relocated to the parcel under the RRR program. Light degravation techniques will be used to achieve two harvests annually. The project will be supported by 5,706 square feet of propagation space. Irrigation water will be sourced entirely from an existing rainwater catchment system; however, dry farming techniques are also utilized. The projected annual water usage is 10,000 gallons and the proposed water storage totals 50,000 gallons in hard sided tanks. All processing will occur offsite at a licensed third-party processing facility. Energy for the operation will be supplied by the existing grid power. The Humboldt County Planning Commission will consider an Addendum to a previously adopted EIR and has been prepared for consideration per §15164 of the State CEQA Guidelines.

Recommendation: Find that the Zoning Administrator has considered the Addendum to the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permits and adopt the Resolution approving the Organic Humboldt, LLC, project subject to the recommended conditions.

Attachments: [16475 Organic Humboldt Executive Summary 04.21.22](#)
[16475 Organic Humboldt Staff Report 04.21.22](#)
[Attachment 3A - 16475 Biological Assessment 07.10.20](#)
[Attachment 3B - 16475 Wetland Determination Report 03.17.21](#)

6. Bell: CDP/CUP/SP Modifications and Notice of Merger
Record Number PLN-2020-16840 (filed 12/3/2020)
Assessor's Parcel Number (APN) 109-351-061
Shelter Cove Area

A Modification to a previously issued Coastal Development Permit, Conditional Use Permit, and Special Permit (CDP-46-90/CUP-35-90/SP-44-90) to authorize the after-the-fact permitting of the following development: 1) Construction of a 120 square foot garden shed, 2) Construction of a 15 square foot concrete pad for the installation of a generator, 3) Construction of a 2-inch deep, quarter inch-wide underground coaxial cable, 4) Addition of 192 square foot extension of an existing deck and two staircases on either side of the deck on the western side of the existing residence, 5) repair of existing 45" fence on the eastside of the residence using existing footings 6) Removal of 11 dead/dying trees (<12" DBH) within 30-feet of a residence. All of the work was completed prior to County review. The parcel is developed with an existing single-family residence, gravel driveway and served community water and sewer by the Shelter Cove Resort Improvement District. The original CDP authorized construction of a Bed and Breakfast. The residence is no longer occupied as such, therefore a modification to the CUP is required to authorize the change of the use to a single-family residence. A Notice of Merger of three legal parcels into one legal parcel is also proposed, due to development across all three parcels.

Recommendation: Find that the project is Categorical Exempt from environmental review pursuant to Section 15302, 15303, and 15305 of the CEQA Guidelines, make all of the required findings for approval of the Coastal Development Permit and adopt the Resolution approving the Bell Coastal Development Permit, Special Permit, and Conditional Use Permit Modifications, and Notice of Merger, as recommended by staff subject to the recommended conditions.

Attachments: [16840 Bell Executive Summary 04.21.22](#)
[16840 Bell Staff Report 04.21.22](#)

7. Humboldt Spirit, Inc.: Special Permit
Record Number PLN-2021-17171 (filed 04/23/2021)
Assessor's Parcel Number (APN) 220-071-028.
Garberville area

The applicant is seeking a Special Permit for 22,000 SF of new outdoor commercial cannabis cultivation, in addition to PLN-11905-ZCC which is an approved permit for 4,000 SF of existing outdoor commercial cannabis cultivation and 6,000 SF of existing mixed-light cultivation. The combined projects will total 32,000 SF of commercial cannabis cultivation. The project is supported by 1,700 square feet of existing propagation space and an additional 1,500 square feet of propagation space is proposed for a total of 3,200 square feet of propagation space. Water for irrigation is sourced from an existing rainwater catchment system and the new cultivation will utilize a proposed 1,000,000-gallon rainwater catchment pond. The projected annual water usage for the combined projects totals 484,500 gallons (15.1 gal/SF). Existing available water storage totals 207,000 gallons, which will increase to 1,207,000 gallons upon the completion of the rainwater catchment pond. Energy for the operation is currently sourced from an existing solar array, additional solar panels are proposed to support the increased energy demands of the expansion. All processing will occur onsite.

Recommendation: Continue to a date uncertain.

8. Cedar Farm West, LLC: Special Permit (2)
Record Number PLN-13340-SP (filed 12/30/2016)
Assessor's Parcel Number (APN) 317-055-001.
Korbel Area

Cedar Farm West, LLC is applying for a Special Permit for 9,000 sq. ft. of pre-existing outdoor cannabis cultivation and 900 sq. ft. of ancillary propagation area. The applicant is proposing greenhouses for light-deprivation methods without the use of supplemental lights. Historic cultivation areas will be relocated to a central location on the parcel with environmental superiority. Water will be sourced primarily from a stream diversion under Water Right Certificate H100570, and supplemental water will be sourced from an on-site well. A Special Permit is being requested in order to allow the use of the stream diversion for cannabis irrigation. Total annual water usage is estimated at 117,000 gallons per year (11.8 gal/sq. ft./yr.). There is currently a total of 5,000 gallons of water storage on-site, and the applicant will add additional storage, prior to cultivating on-site, in order to abide by a forbearance period. Portable toilets and hand washing stations will be available on-site. Trimming will occur off-site at a licensed processing facility. Power will be sourced from an on-site generator.

Recommendation: Continue to a date uncertain

9. Rosen Rusinov: Special Permit

Record Number PLN-15298-CUP (filed 12/31/2018)

Assessor's Parcel Number (APN) 107-136-005.

Honeydew Area

A Special Permit for 10,000 square feet of existing outdoor cannabis cultivation. The operation will achieve up to two harvest cycles with the use of light deprivation methods. Propagation is on-site in a 1,000 sf nursery area within a proposed cultivation greenhouse. Irrigation water is sourced from a proposed rainwater catchment system. Estimated annual water use is 70,000 gallons due to an irrigation practice of watering every other to every third day. Proposed water storage totals 70,600 gallons in fourteen (14) five-thousand-gallon hard tanks and two (2) three hundred gallon hard tanks. Up to 10 workers are estimated to be on-site during peak operations, in addition to the residents. Drying, curing and processing is proposed on-site in a building that will be constructed to meet commercial building standards. The applicant is proposing a solar array to provide for energy needs with generators as a backup energy source.

Recommendation: Find that the Zoning Administrator has considered the Addendum to the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Rusinov, project as recommended by staff subject to the recommended conditions.

Attachments: [15298 Rusinov Rosen Executive Summary 04.21.22](#)
[15298 Rusinov Rosen Staff Report 04.21.22](#)

- 10. Vesuvio Gardens: Special Permit (4) Notice of Merger**
Record Number PLN-12615-SP (filed 12/28/2016)
Assessor's Parcel Number (APN) 220-161-017
Whitethorn Area

A Special Permit for 10,000 square feet of existing light-deprivation outdoor cannabis cultivation and 1,000 square feet of ancillary propagation space, a Special Permit for a setback reduction to public lands, a Special Permit for work in a Streamside Management Area (SMA), a Special Permit for the ongoing use and maintenance of a point of diversion (POD) within an SMA used for irrigation, and a Notice of Merger of two parcels of approximately 10.7 and 4.3 acres, to result in one parcel of approximately 15 acres. Propagation space totals 1,000 square feet. Water for irrigation will be provided by a POD from an onsite spring. Water storage onsite totals 80,000 gallons occurring in one (1) 30,000-gallon tank and ten (10) 5,000-gallon tanks. The applicant anticipates 100,000 gallons of water will be required annually for irrigation. The applicant has been conditioned to obtain additional hard tank storage to meet projected irrigation needs. Processing will take place offsite until a permitted processing facility is constructed. There will be two family members operating the farm. Power for the project will be provided by PG&E.

Recommendation: Find that the Zoning Administrator has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permits and Notice of Merger, and adopt the Resolution approving the Vesuvio Gardens, LLC, project as recommended by staff subject to the recommended conditions.

Attachments: [12615 Vesuvio Gardens Executive Summary 04.21.22](#)
[12615 Vesuvio Gardens Staff Report 04.21.22](#)

D. ITEMS PULLED FROM CONSENT

E. PUBLIC HEARINGS

F. ADJOURNMENT

NEXT MEETING May 5, 2022 10:00am 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 Clerk of the Zoning Administrator 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.