



MINUTES

THURSDAY, JULY 01, 2021

Regular Meeting

The Honorable Planning Commission of the County of Humboldt met in a regular meeting on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Thursday, September 2, 2021, with the vote as shown below.

The motion was made by Commissioner Noah Levy and seconded by Commissioner Mike Newman.

AYES: Commissioners Alan Bongio, Thomas Mulder, Noah Levy, Mike Newman, Peggy O'Neill, Brian Mitchell, Melanie McCavour

ABSENT:

DECISION: Motion carries 7/0.



Laura McClenagan
Deputy Clerk of the Planning Commission



John H. Ford
Secretary of the Planning Commission

PLANNING COMMISSION

First District
Alan Bongio - Chair
Second District
Thomas Mulder
Third District
Noah Levy - Vice Chair
Fourth District
Mike L Newman
Fifth District
Peggy O'Neill
At-Large
Brian Mitchell
At-Large
Melanie McCavour



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, July 1, 2021

6:00 PM

Regular Meeting - Virtual

NOTE: In accordance with Executive Order N-29-20 the Planning Commission meeting was held virtually.

A. CALL TO ORDER / SALUTE TO FLAG

Chair Alan Bongio called the meeting to order at 6:02 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

E. CONSENT AGENDA

4. Rockaway Investments, LLC, Conditional Use Permit
Application Number PLN-12280-CUP
Assessor's Parcel Number 208-111-028-000.
Bridgeville Area

A Conditional Use Permit for commercial cannabis cultivation consisting of 9,948 square feet of existing outdoor cultivation within greenhouses and 1,400 square feet of existing full-sun outdoor cultivation. 900 sf of ancillary propagation space is also proposed. Water for irrigation is sourced from an existing permitted well. Water is stored in eight HDPE water tanks and one water bladder, totaling 19,900 gallons. Processing will occur off-site by a third party. The site is supported by solar panels and one backup generator contained within a shed.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Rockaway Investments 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

5. Ambiguity Farm, LLC, Conditional Use Permit
Record Number PLN-12812-CUP
Assessor's Parcel Number 223-011-009.
Garberville area

A Conditional Use Permit for 34,560 square feet of existing outdoor and 10,000 square feet of existing mixed-light cannabis cultivation. The applicant projects two to three cultivation cycles per year. Water for irrigation is sourced from an on-site 450,000-gallon pond and a point of diversion. Water is stored in two tanks totaling 100,000 gallons. Processing, including drying and trimming occur off site at a licensed processing facility. Electricity is sourced from solar with generator back up.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Ambiguity Farm 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

- 6. Bosim 4373, LLC, Conditional Use Permit
 Record Number PLN-2020-16405
 Assessor’s Parcel Number: 511-321-031.
 McKinleyville area

A Conditional Use Permit modification to convert 10,000 square feet of mixed light cannabis cultivation approved under application 12642 to 6,660 square feet of commercial nursery, and 3,552 square feet of mixed-light cultivation. The nursery will not be open to the public. Water for irrigation will be supplied by the McKinleyville Community Service District. Anticipated annual water usage for the project is 90,000 gallons, and watering is done through a drip irrigation system with supplemental hand watering. Total water storage on-site is 1,000 gallons within one 1,000-gallon water tank. Power is supplied by PG&E.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Bosim 4373 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

F. ITEMS PULLED FROM CONSENT

- 1. Vajra Gita Grounds, LLC, Conditional Use Permit
 Record Number PLN-10677-CUP
 Assessor’s Parcel Numbers: 314-153-004 & 314-143-005.
 Kneeland area

A Conditional Use Permit for 1-acre of existing outdoor commercial cannabis cultivation, with 4,356 square feet of ancillary propagation space. Irrigation water is sourced from a permitted well on-site, and the applicant plans to install a 500,000-gallon rainwater catchment pond. The projected water usage is approximately 350,000 gallons a year (8.03 gallons/square foot/year). Total existing water storage on-site is 27,500 gallons in hard water tanks. Full processing will occur on-site within an existing building. Power is currently sourced by on-site generators, and the applicant is planning to install a solar system with solar arrays to provide 80% renewable energy within three years from the date of approval.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Vajra Gita Grounds project be approved as modified. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour and Commissioner O’Neill

Nay: 1 - Commissioner Newman

Not Present: 1 - Commissioner Mulder

2. Chamise Creek Farms, LLC, Conditional Use Permit
Record Number PLN-11562-CUP
Assessor's Parcel Number: 218-161-007.
Palo Verde area

A Conditional Use Permit for a total of 22,800 square feet (SF) of existing outdoor cannabis cultivation and a 2,280-SF ancillary nursery. Irrigation water is sourced from two (2) offstream rainwater catchment ponds that have a combined storage capacity of 560,000 gallons. Total estimated annual water use is 342,000 gallons (15 gallons/SF). Water is stored in the rainwater catchment ponds, three (3) 50,000-gallon bladders, one (1) 3,000-gallon hard plastic tank, and one (1) 2,500-gallon hard plastic tank. Total water storage is 715,500 gallons. Drying occurs onsite in a 750-SF barn, and further processing occurs offsite at a licensed third party facility. The primary source of electrical power for outdoor cultivation is a solar array and several generators used in emergencies.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the Chamise Creek Farms project be approved as modified. 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. Sun House Farms, LLC, Conditional Use Permit
Record Number PLN-12029-CUP
Assessor's Parcel Number: 218-151-006.
New Harris area

A Conditional Use Permit for 43,560 square feet (SF) of existing outdoor cannabis cultivation, and a 4,420 SF of nursery propagation area. Irrigation water is sourced from an onsite surface water diversion. Estimated onsite water use is 450,000-gallons (10.3 gallons/SF). Water is stored within sixty-three (63) hard tanks for a total of 302,400 gallons. Drying and processing is proposed to occur onsite. Power is provided by three (3) generators, that include one (1) 14.4 KW diesel-powered Whisperwatt generator and one (1) Honda EU 7000 and one (1) Honda EU 3,000 generator.

A motion was made by Commissioner Mitchell, seconded by Commissioner Newman, that the Sun House Farms project be approved as modified. 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

G. PUBLIC HEARINGS

A request was made by the Commissioners to place the PUBLIC HEARINGS items before the ITEMS PULLED FROM CONSENT.

1. Morris Coastal Development Permit and Special Permit
Record Number PLN-13908-CDP
Assessor's Parcel Number: 515-271-024.
Trinidad area

A Coastal Development Permit and Special Permit for new residential accessory structures, Major Vegetation Removal of trees with a diameter greater than twelve (12) inches at four and one-half (4.5) feet trunk height, and development within the 100-ft. protective buffer for Streams and Riparian Corridor and Wetlands and ESHA. Development within the protective buffer involves the removal of 163 trees with an average diameter of 18 inches, for public safety purposes under a CalFire 150 ft. and 150-300 ft. Structure Protection Exemption. The installation of two wells, one located 20 feet from Hobson Creek, and the second well located at the edge of the Riparian Corridor buffer. Other accessory structures include the remodel of an existing single story 1,070 square foot single story garage/guest house including the addition of 96 square feet of enclosed, heated area along the existing covered porch; a new 728 sq. ft. two car garage; construction of a 992 sq. ft. shop building and replacement with a two-story shop building and office; construction of a new single story detached 96 square foot ADA restroom; and a new front entry gate.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Morris project be approved as modified. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder
Nay: 2 - Commissioner Levy and Commissioner Newman

2. New Cingular Wireless PCS, Special Permit and PWM Inc. Conditional Use Permit and Special Permit
Record Numbers PLN-2020-16754 and PLN-2021-17005
Assessor's Parcel Number: 505-151-006 and 506-231-010.
Arcata area

The consideration of two separate new wireless communication facilities in the Arcata bottoms area. The New Cingular Wireless facility consists of a Special Permit application for the construction of a new 100-foot tall, freestanding faux water tower, to be located on a concrete foundation and with ground-mounted equipment. The tower would be able to host up to two different wireless carriers. The PWM, Inc. Wireless facility involves the construction of a new 130-foot-tall freestanding lattice tower, to be located on a concrete foundation and with ground-mounted equipment. The tower would be able to host up to four different wireless carriers.

A motion was made by Commissioner Mulder, seconded by Commissioner Levy, that the New Cingular Wireless PCS and the PWM projects be continued to the July 15, 2021 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

3. Humboldt Hempire Farms, LLC, Special Permit
Record No. PLN-2020-16602
Assessor's Parcel Number: 223-061-011.
Garberville Area

A Special Permit for 43,560 square feet of new mixed light cannabis cultivation. There is an approved land use permit on the subject parcel that allows for a business engaged in the collection, storage, delivery, and sale of non-potable water to residents in the Southern Humboldt area for primarily agricultural use (e.g., irrigation). The applicant will utilize water from this onsite business to support the cultivation. The applicant anticipates approximately 600,000 gallons of water will be required annually for irrigation. There is 3,360,000 gallons of water storage onsite. Processing such as drying, and curing will occur in a 5,060-square-foot structure. Further processing will occur offsite at a licensed processing facility. Power of the project will be provided by PG&E.

A motion was made by Commissioner Mulder, seconded by Commissioner Levy, that the Humboldt Hempire Farms projects be continued to the July 15, 2021 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. Zoning Ordinance Amendments to the Commercial Cannabis Land Use Ordinance (CCLUO), Record ID #PLN-2021-17147.

This item includes revisions to the Inland CCLUO Zoning Ordinance (Section 314-55.3 of Chapter 4 of Division 1 of Title III of the Humboldt County Code) to require that applications for two (2) or more Retirement, Remediation and Relocation (RRR) sites proposing relocation on a single receiving site require a special permit. These amendments would be applicable to all zoning clearance certificate applications for RRR sites and Relocation sites, including those submitted on or before December 31, 2016. Additionally, this item includes proposed amendments to the CCLUO Section 314-55.4, providing updated definitions for "Propagation" for allowance of an area, not to exceed 25% of the cultivation area, for the use of nursery and immature plants. Additionally, an updated definition for "Outdoor" allows use of lights requiring 60 watts of electricity or less to be used for employee safety and/or to maintain plants in a non-flowering vegetative state in the area approved for Cultivation or Propagation. Also, the enhanced setback requirements for Cannabis Support Facilities are proposed to no longer apply to facilities for distribution and cannabis testing and research laboratories. The Planning and Building Department is recommending the Planning Commission recommend the Board of Supervisors adopt the proposed changes to the CCLUO.

A motion was made by Commissioner Mulder, seconded by Commissioner Levy, that the Zoning Ordinance Amendments to the Commercial Cannabis Land Use Ordinance be continued to the July 15, 2021 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. ADJOURNMENT

Chair Alan Bongio adjourned the meeting at 9:21 p.m.

I. NEXT MEETINGS: July 15, 2021 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