

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, June 16, 2022

6:00 PM

Regular Meeting - Hybrid

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**A. CALL TO ORDER / SALUTE TO FLAG**

*Chair Alan Bongio called the meeting to order at 6:00 p.m.*

**B. COMMISSIONERS PRESENT**

Present : 4 - Commissioner Alan Bongio, Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner Peggy O'Neill  
Absent : 3 - Commissioner Noah Levy, Commissioner Brian Mitchell and Commissioner Thomas Mulder

**C. DISCUSSION OF REMOTE MEETINGS**

1. Discussion and Possible Adoption of Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of June 12, 2022, through July 11, 2022, Pursuant to the Ralph M. Brown Act

*A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Resolution for the Planning Commission to hold remote teleconference meetings June 12, 2022, through July 11, 2022 be approved. The motion carried by the following vote:*

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

**D. AGENDA MODIFICATIONS**

*Consent Item F-5 Lost Coast Elixers is to be removed from Consent  
PH item I-1 Ford PMS and CDP is to be continued to the July 7th meeting*

**E. PUBLIC COMMENTS**

*Public comment period opened and closed*

**F. CONSENT AGENDA****G. COMMISSIONERS PRESENT**

Present : 5 - Commissioner Alan Bongio, Commissioner Brian Mitchell, Commissioner Mike L  
Newman, Commissioner Melanie McCavour and Commissioner Peggy O'Neill  
Absent : 2 - Commissioner Noah Levy and Commissioner Thomas Mulder

**1. Throgmorton Minor Subdivision**

Record Number PLN-2022-17707 (filed 04/06/2022)

Assessor's Parcel Number: 508-052-082

1153 Central Avenue, McKinleyville area

A Minor Subdivision of an approximately 0.55-acre parcel into three parcels of approximately 9,076 square feet, 6,633 square feet and 8,360 square feet. The parcel is currently developed with three single-family residences and an apartment building. Two of the residences will remain on proposed Parcel 1, the apartment building will remain on proposed Parcel 2 and the third residence will remain on proposed Parcel 3. The site is served with community water and sewer provided by the McKinleyville Community Services District.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Throgmorton Minor Subdivision be approved. The motion carried by the following vote:*

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner McCavour and  
Commissioner O'Neill

2. Forrest Farm Inc.; Conditional Use Permit  
Record Number PLN-12455-CUP (filed 12/23/2016)  
Assessor's Parcel Number: 208-271-001  
445 Oak Road, Dinsmore area

The applicant seeks a Conditional Use Permit for 12,950 sq. ft. of pre-existing outdoor cultivation with 1,296 square feet of ancillary propagation. Cultivation uses light-deprivation techniques without supplemental lights. The primary water source is a permitted well which has been demonstrated by a licensed geologist to be disconnected from surface waters, and supplemental water will come from rain catchment collected off rooftops connected to water tanks. The applicant has 28,000 gallons of existing water storage and is proposing an additional 122,500 gallons in hard tanks with one 2,500-gallon tank designated for fire suppression. The annual water usage is approximately 197,800 gallons (13.9 gallons/sq. ft./ year). Processing is proposed on-site. The power source is provided by a generator, and the applicant is seeking grid power with PG&E and a solar array. The project is recommended to be conditioned to provide 100% of power by 100% renewable sources by 2026.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Forrest Farm Inc., Conditional Use Permit be approved. The motion carried by the following vote:*

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner McCavour and  
Commissioner O'Neill

3. Silk Ranch, Inc; Modification  
Record Number PLN-2019-15749 (filed 12/19/2019)  
Assessor's Parcel Number: 223-111-006  
Garberville area

Modify of an approved Conditional Use Permit (CUP) to change the approved square footage. Resolving an error in the original site plan that was utilized for the staff analysis and issuance of the original Conditional Use Permit. The previously approved project (PLN-12043-CUP) was approved for a total cultivation amount of 9,960 square feet of outdoor cannabis cultivation however the cultivation area on the original site plan utilized the definition of cultivation area under the State Licensing process. The cultivation amount sought by the applicant would have correctly been identified as 13,800 square feet of cannabis cultivation consistent with County prepared Cultivation Area Verification and the adopted definition of cultivation area in the CMMLUO. While a change in listed cultivation area this modification does not result in any additional footprint of the cultivation on the ground than what was already permitted.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Silk Ranch, Inc, Modification be approved. The motion carried by the following vote:*

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner McCavour and  
Commissioner O'Neill

4. Fruitland Ridge Farms, LLC; Special Permit  
Record Number PLN-2021-17108 (filed 3/24/2021)  
Assessor's Parcel Number: 211-341-028  
11152 Dyerville Loop Road, Myers Flat Area

A Special Permit for 43,560 square feet of new mixed light commercial cannabis cultivation. The proposed project will occur in two phases. Phase 1 will include 11,000 square feet of mixed light cannabis cultivation and 32,210 square feet of outdoor full-sun cannabis cultivation. Phase 2 includes transitioning the 32,210 square feet of outdoor full-sun cannabis cultivation to 32,210 square feet of mixed light cannabis cultivation. Ancillary propagation will occur in three (3) greenhouses: one (1) 2,000-square-foot greenhouse and two (2) 1,000- square-foot greenhouses. The applicant anticipates there will be two cultivation cycles occurring annually. Water for irrigation will be provided by a permitted onsite well (Permit No. 20-21-0261) that has been found by a licensed geologist as likely to be disconnected to surface waters. The applicant anticipates 500,000 gallons of water will be required annually for irrigation. Existing water storage totals 40,000 gallons occurring in eight (8) 5,000-gallon tanks. Processing such as drying, curing and trimming will occur onsite in a proposed 3,200-square-foot processing building. The applicant anticipates three (3) employees will be required for operations. Power for the project will be renewable energy provided by PG&E.

*A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the Fruitland Ridge Farms, LLC, Special Permit be continued to the July 7, 2022 meeting. The motion carried by the following vote:*

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner McCavour and  
Commissioner O'Neill

## **H. CONTINUED PUBLIC HEARINGS**

1. PG&E After-the-fact Coastal Development Permit  
Record Number PLN-14376-CDP (filed 09/24/2020)  
Adjacent to Assessor's Parcel Number: 517-041-016  
Trinidad Area

An after-the-fact Coastal Development Permit which includes modification of an existing electric distribution facility previously constructed without permits. Proposed modifications to the facility consist of the following: removal of one 45-foot-tall utility pole, replacement of two 45-foot-tall utility poles with 55-foot-tall poles, installation of a new 55-foot-tall pole and 3 platform mounted voltage regulators. The poles were installed within the County right-of-way and near the driveway that serves parcel 517-041-016. An existing utility pole is located 8-feet south of the existing driveway and will remain in place. The design standards for allowable pole sizes for platform mounted voltage regulators has changed to a 55-foot-tall pole, while the previous standards allowed for a 45-foot-tall pole, driving the need for the height increase of the existing facility. PG&E is proposing to install three (3) 55-foot-tall poles in accordance with these standards. These new poles would be 10-feet taller than the existing 45-foot-tall poles. Additionally, the height of the conductor and distribution line would change from 39-feet to 47-feet. The voltage regulators and other equipment will remain at approximately the same height. The development does not qualify for the repair and maintenance exclusion under Coastal Act Section 30610(d) because the new poles are an expansion of the existing pole layout that supports the existing electric distribution line. No major vegetation removal occurred as part of the installation of the existing poles. The Humboldt County Planning Commission will consider the project which is exempt per §15303(e) of the State CEQA Guidelines.

*The PG&E After-the-fact Coastal Development Permit is continued to the July 7, 2022 meeting.*

2. Boden Wood: Special Permits  
Record Number PLN-2018-15218 (filed 12/21/2018)  
Assessor's Parcel Number: 222-071-023  
Garberville area

A Special Permit to allow for 43,000 square feet of outdoor cannabis cultivation whereas 21,740 square feet is existing outdoor cannabis cultivation, and 21,260 square feet is new outdoor cannabis cultivation. The applicant anticipates 2 harvest cycles annually. Cultivation will occur under greenhouses and full sun outdoor. Water for the project will be sourced from a 538,560-gallon rainwater catchment pond. Water storage for the project totals 662,400 gallons. The applicant anticipates 385,000 gallons of water will be required annually for irrigation for two cultivation cycles. Processing such as drying and curing will take place in a 700-square-foot processing building. The applicant proposes to trim and process cannabis on site in a proposed 1,800 square foot processing facility constructed to commercial standards. The applicant anticipates hiring a maximum of 6 employees to assist with operations. Power for the project will be provided by solar with a backup generator. The applicant is also applying for a special permit to allow pre-existing cultivation in cultivation areas between 15% and 30% slope.

*Public comment period opened and closed*

***A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Boden Wood, Special Permits be approved as modified by approving the pre-existing cultivation and require an NSO survey that must show no NOS habitat onsite before the new cultivation can begin. If there is NSO habitat on the property then the new cultivation can not begin. The motion carried by the following vote:***

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman,  
Commissioner McCavour and Commissioner O'Neill

- 3. Homegrown, LLC; Special Permit  
 Record Number PLN-2021-17510 (filed 11/10/2021)  
 Assessor’s Parcel Number (APN): 107-272-011  
 Honeydew area

A Special Permit for 43,560 square feet of new commercial cannabis cultivation, comprised of 17,850 square feet of mixed light cultivation and 25,710 square feet of outdoor cultivation. One partitioned and shielded 4,375 square foot section of the greenhouse will house ancillary propagation during the beginning of the year, and transition to mixed light cultivation during the latter half of the year. Water for irrigation will be provided by a proposed 300,000-gallon rainwater catchment pond and an existing well. The applicant estimates an annual projected water use of 653,400. Water will be stored in the proposed 300,000-gallon rainwater catchment pond and 80,000 gallons of hard tank storage comprised of sixteen (16) 5,000-gallon tanks. The remaining water required for irrigation (approximately 273,400 gallons) will be sourced from the well or from additional rainwater catchment should the well be shown to be hydrologically connected to surface waters. Drying will occur onsite in a 2,500 square foot drying structure. Further processing including trimming will occur onsite within a proposed 400-square-foot commercial processing facility. The applicant anticipates a maximum of eight (8) employees will be required for operations. Power for the project will be provided by an onsite solar array system and an emergency backup generator until PG&E power can be secured.

*Public comment period opened and closed*

***A motion was made by Commissioner McCavour, seconded by Commissioner O'Neill, that the Homegrown, LLC, Special Permit be approved as modified by conditioning the project to adhere to the Biological recommendations and adhere to the invasive species recommendations. The motion carried by the following vote:***

- Aye: 4 - Commissioner Bongio, Commissioner Mitchell, Commissioner McCavour and Commissioner O'Neill
- Recused: 1 - Commissioner Newman

**I. COMMISSIONERS PRESENT**

- Present : 6 - Commissioner Alan Bongio, Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner Peggy O'Neill, Commissioner Thomas Mulder, Commissioner Brian Mitchell
- Absent : 1 - Commissioner Noah Levy

- 4. Mezzrow Farms, LLC; Special Permit  
 Record Number PLN-2020-16621 (filed 09/01/2020)  
 Assessor’s Parcel Numbers (APN): 104-121-020, 104-281-004, and 104-311-020  
 Petrolia Area

A Special Permit for 43,560 square feet (SF) of new outdoor cannabis cultivation in greenhouses. Propagation occurs in two (2) 3,500-SF nursery structures (7,000 SF total) and staff is recommending that this be limited to 10% of the cultivation area. Irrigation water is provided from a proposed 1.2-million-gallon rain catchment pond. Total estimated annual water use is 720,000 gallons (16.53 gallons/SF). Water storage would be provided in eight (8) 5,000-gallon hard plastic tanks (40,000-gallons). Drying and further processing occur onsite in two (2) 2,400-SF barns (4,800 SF total). The project requires up to ten (10) employees. PG&E or Redwood Coast Energy Authority (RCEA) provides electrical power.

*Public comment period opened and closed*

Present: 6 - Commissioner Alan Bongio, Commissioner Brian Mitchell, Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner Peggy O'Neill

Absent: 1 - Commissioner Noah Levy

***A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Mezzrow Farms, LLC, Special Permit be approved as modified that the sole source of water being rain water catchment and the applicant is responsible for adjusting the size of cultivation to match available water. The motion carried by the following vote:***

Aye: 4 - Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

Nay: 2 - Commissioner Bongio and Commissioner O'Neill



5. Emerald Sky Growers Inc: Conditional Use Permit  
Record Number PLN-2020-16733 (filed 10/21/2020)  
Assessor's Parcel Number: 200-232-026  
Fortuna area

A Conditional Use Permit to modify an approved Zoning Clearance Certificate in the Fortuna Community Planning Area. The modification proposes to increase ancillary nursery space from 600 square feet to 1,500 square feet. The previously approved 2,000 square foot operations building will become a commercial structure to conduct onsite processing and will also be relocated but the size remains the same. The previously approved 5,976 square feet of new mixed light commercial cannabis cultivation remain unmodified as to size and type but the cultivation area will be reconfigured.

*Public comment period opened and closed.*

*A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Emerald Sky Growers Inc, Conditional Use Permit be approved as modified by adding a condition that if the policy is to change in the future this project is able to take advantage of the change without re-modification.. The motion carried by the following vote:*

Aye: 5 - Commissioner Bongio, Commissioner Newman, Commissioner McCavour,  
Commissioner O'Neill and Commissioner Mulder

Nay: 1 - Commissioner Mitchell

## **J. ITEMS PULLED FROM CONSENT**

- 5. Lost Coast Elixers, LLC; Conditional Use Permit  
 Record Number PLN-11247-CUP (filed 10/01/2016)  
 Assessor’s Parcel Number (APN): 220-081-016  
 Briceland area

A Conditional Use Permit for 16,144 sf of existing outdoor and 7,710 sf of existing mixed light cannabis cultivation with 2,746 sf of ancillary propagation. Water for irrigation is sourced from a permitted well (Permit #20/21-0663) that has been determined by a licensed geologist to be disconnected to surface waters. The applicant plans to add rain catchment for up to 20,000 gallons per year. Anticipated annual water usage is 383,472 gallons (14.4 gal/sf/yr). There is a total of 365,000 gallons of existing hard tank water storage on-site designated for irrigation. Drying and curing will occur on-site, and trimming will occur off-site at a licensed processing facility. The project is currently sourced by two diesel generators housed within secondary containment and is recommended to be conditioned to transition to 100% renewable energy source by 2026.

*Public comment period opened and closed*

***A motion was made by Commissioner Mulder, seconded by Commissioner Newman, that the Lost Coast Elixers, LLC, Conditional Use Permit be approved as modified by having within 2 years 200000 gallons of rain catchment storage and within 12 months the timber restocking plan should be complete. . The motion failed by the following vote:***

- Aye: 2 - Commissioner Mulder, Commission Newman
- Nay: 4 - Commissioner O'Neill, Commission McCavour, Commission Mitchell, Commissioner Bongio

***A motion was made by Commissioner Mitchell, seconded by Commissioner O'Neill, that the Lost Coast Elixers, LLC; Conditional Use Permit be denied. The motion carried by the following vote:***

- Aye: 4 - Commissioner O'Neill, Commission McCavour, Commission Mitchell, Commissioner Bongio
- Nay: 2 - Commissioner Mulder, Commission Newman

**K. NEW PUBLIC HEARINGS**

1. Ford Parcel Map Subdivision and Coastal Development Permit  
Record Number PLN-2021-17091 (filed 03/19/2021)  
Assessor's Parcel Number: 511-031-011  
990 Myers Road, McKinleyville area

A minor subdivision of an approximately 1.17-acre parcel into 4 new parcels with areas of 5,489 sq. ft., 5,228 sq. ft., 5,583 sq. ft., and 5,430 sq. ft. and a remainder parcel of 16,368 sq. ft. The parcel is accessed from Myers Road and Lily Avenue which will continue to serve the remainder parcel. The four new parcels will be served by a proposed 22-foot-wide access road to be developed from Myers Road, and an exception to the minimum right-of-way width requirements is being sought. Water and sewer service will be provided by the McKinleyville Community Services District. Grading will occur for the new roadway and construction of detention facilities, and 1 30-foot pine is proposed for removal in the Public Utility Easement.

*A motion was made by Commissioner McCavour, seconded by Commissioner O'Neill, that the Ford Parcel Map Subdivision and Coastal Development Permit be continued to the July 7, 2022 meeting. The motion carried by the following vote:*

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

## L. ADJOURNMENT

*Director Ford asked for a special meeting on July 14, 2022.*

*A motion was made by Commissioner Mulder, seconded by Commissioner O'Neill, that the meeting be adjourned. The motion carried by the following vote:*

Aye: 6 - Commissioner Bongio, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill, Commissioner Mitchel, Commissioner Mulder

**NEXT MEETINGS      July 7, 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](mailto:planningclerk@co.humboldt.ca.us) or the ADA Coordinator at 844-365-0352 or by email at [ada@co.humboldt.ca.us](mailto:ada@co.humboldt.ca.us)*