



MINUTES

THURSDAY, APRIL 6, 2023

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, May 4, 2023, with the vote as shown below.

The motion was made by Commissioner Brian Mitchell and seconded by Commissioner Lonyx Landry.

AYES: Commissioners Iver Skavdal, Thomas Mulder, Noah Levy, Lonyx Landry, Peggy O'Neill, Brian Mitchell, Sarah West

ABSENT: Commissioners

ABSTAIN: Commissioners

DECISION: Motion carries 7/0.

Laura McClenagan  
Deputy Clerk of the Planning Commission

John H. Ford  
Secretary of the Planning Commission

PLANNING COMMISSION

IVER SKAVDAL  
First District  
THOMAS MULDER  
Second District  
NOAH LEVY  
Chair - Third District  
LONYX LANDRY  
Fourth District  
PEGGY O'NEILL  
Fifth District  
BRIAN MITCHELL  
Vice Chair - At-Large  
SARAH WEST  
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, April 6, 2023

6:00 PM

Revised Agenda  
Regular Meeting - Hybrid

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

**B. COMMISSIONERS PRESENT**

*Commissioner Sarah West had not yet been sworn in.*

Present : 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry,  
Commissioner Thomas Mulder, Commissioner Peggy O'Neill and Commissioner Brian  
Mitchell

Absent : 0

**C. AGENDA MODIFICATIONS**

**D. PUBLIC COMMENT ON NON-AGENDA ITEMS:**

**E. CONSENT AGENDA**

1. Review and approval of the January 19, 2023, Action Summary:
3. Proposed street name change from Lake Benbow Drive to Benbow Inn Drive.
7. Cali's Finest Gardens, LLC Conditional Use Permit  
Record Number PLN-12468-CUP (filed 12/23/2016)  
Assessor's Parcel Number: 210-072-009.  
Bridgeville area

**9. Sun Ocean West Expansion, LLC Conditional Use Permit, Special Permit, and Notice of Merger Extension**

Assessor Parcel Numbers (APN) 510-171-039-000, 510-171-040-000, 510-171-060-000

Record No.: PLN-2022-18039

McKinleyville Area

A two-year extension to a previously approved Conditional Use Permit (CUP), Special Permit (SP) and a Notice of Merger (NOM) (PLN-14268-CUP). The previously approved project included a CUP and associated permits for a proposed expansion of Ocean West Manufactured Home Park. The NOM portion of the proposed project consists of the merging of two vacant 4.5 acre and 0.57-acre parcels into the 25.33 acre developed manufactured home park for a total of 30.4 acres. The merger would allow for the expansion of 25 spaces for a total of 155 units. The CUP is required to operate a manufactured home park in the C-1 Neighborhood Commercial zoning district. There is a previously approved CUP (CUP-37-77) for the existing 25.33-acre portion of Ocean West. The proposed road connecting the proposed western expansion to the rest of the park will result in approximately 82 square feet of a one-parameter wetland being filled and 3,049 square feet of encroachment into the Streamside Management Area (SMA). The SP is required for development within the SMA protective buffer of Widow White Creek, resulting in temporary and permanent impacts to the riparian habitat and associated wetlands. Mitigation measures will be required to reduce the potentially significant impact to wetlands, the SMA, water quality, and to habitats. Mitigation measures include invasive and non-native vegetation and tree removal, native planting within the restoration area, 350 square feet of wetland restoration, and 15,000 square feet of riparian restoration. Twenty-nine trees are slated for removal and 185 trees will be planted. Low impact development measures are proposed to reduce stormwater runoff and to meet County standards for Hydromodification projects. These measures include the use of permeable pavement for all roadways and driveways, and the use of bioretention basins. Approximately 30,000 square feet of additional recreational space is proposed to meet requirements for the expansion of manufactured home park. This will include a dog park, trails, community garden, and picnic areas. No change to the original project is proposed. If approved, the extension will expire on January 4, 2025.

**10. Hosford Final Map Subdivision, Lot Line Adjustment, and Special Permit Extension**

Record Number: PLN-2023-18081 (filed 01/24/2023)

Assessor Parcel Numbers (APN) 018-031-020 & 018-032-008

Cutten area

A two-year extension of a previously approved Final Map Subdivision (FMS) to create 4 parcels and a fifth adjusted by a Lot Line Adjustment (LLA). All parcels will be accessed via Redwood Street, a paved County road, which will be significantly improved as a result of this project. The Special Permit is required for the removal of five (5) redwood trees and for an exception to the parking requirements for proposed Parcel 4 and Parcel B of the LLA. The area is served by community water and sewer. No change to the original project is proposed. This is the second extension requested and if approved, the extension will expire on January 28, 2025. This project was previously automatically extended once in 2019 for two years, and again for

18 months under AB1561.

- 11. Tony Ellena Parcel Map Subdivision Extension  
 Record Number: PLN-2023-18097 (filed 02/07/2023)  
 Assessor Parcel Number (APN) 510-291-087  
 McKinleyville area

A two-year extension to a Minor Subdivision of an approximately 21,842 square foot parcel to divide it into three parcels ranging in size from 5,005 square feet to 6,233 square feet. An exception to the right of way width is requested to allow the subdivision to be served by a 20-foot-wide easement. The parcel is currently vacant and served with community water and sewer. The new expiration date will be February 13, 2025. The project was previously automatically extended for 18 months under AB 1561. This is the first extension application submitted to Humboldt County.

*Approval of the Consent Agenda*

*A motion by Commissioner Brian Mitchell and seconded by Commissioner Thomas Mulder to approve the Consent Agenda, including items E1 1.19.2023 Action Summary, E3 Street Name Change, E7 Cali's Finest Gardens, E9 Sun Ocean West Extension, E10 Hosford FMS Extension, and E11 Ellena PMS Extension, as recommended. The motion carried by the following vote:*

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Landry, Commissioner Mulder, Commissioner O'Neill and Commissioner Mitchell

**F. ITEMS PULLED FROM CONSENT**

- 2. Review and approval of the February 16, 2023, Action Summary:

*A motion by Commissioner Brian Mitchell, seconded by Commissioner Iver Skavdal, to approve the February 16, 2023 Action Summary. The motion carried by the following vote:*

Aye: 5 - Commissioner Skavdal, Commissioner Levy, Commissioner Landry, Commissioner O'Neill and Commissioner Mitchell

Abstain: 1 - Commissioner Mulder

- 4. Healing Sun, LLC  
 Assessor Parcel Numbers (APN) 220-082-020  
 Record No.: PLN-12072-CUP  
 Willow Creek area

Healing Sun seeks 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 applicant has obtained a Well Assessment Report for the well. The projected annual water usage totals 280,000 gallons (15 gallons/SF/year) and water storage on-site 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.

***A motion by Commissioner Brian Mitchell, seconded by Commissioner Thomas Mulder, to continue the Healing Sun Conditional Use Permit to the April 20, 2023 meeting. The motion carried by the following vote:***

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Landry, Commissioner Mulder, Commissioner O'Neill and Commissioner Mitchell

5. Myers and Aquarian, LLC  
Assessor Parcel Number (APN) 216-135-015  
Record No.: PLN-12124-CUP  
New Harris area

A Conditional Use Permit for 24,000 square feet (SF) of existing cannabis cultivation that includes 20,800 SF of light deprivation cultivation in twenty-four (24) greenhouses and 3,200 SF of outdoor cultivation that occurs in pots. Propagation will take place in one (1) nursery area (2,400 SF). Irrigation water is currently sourced from well and a surface water diversion. Existing water storage includes onsite water tanks of various capacities that total 31,000 gallons. The applicant is proposing to transition away from the use of the well by obtaining water from either a 6-million-gallon on-stream reservoir on a separate legal parcel or from rainwater catchment for at least half of the irrigation needs, with the remainder from the existing surface water diversion, with an appropriate increase in water storage to ensure adherence to the required forbearance period. Estimated onsite water use is 270,000 gallons per year (approximately 11.25 gallons/sf/year). Drying and processing occur onsite within an existing metal building (1,500 SF). The project requires up to four (4) seasonal employees. Power is provided by one (1) 36-kw Whisper Watt Super Silent mobile generator, that is used to power the metal drying building as well as existing solar panels. The applicant proposes to transition to PG&E with only backup generator use within five years or in the event that PG&E is not available to continue to build out solar capabilities on site to meet power needs.

***A motion by Commissioner Thomas Mulder, seconded by Commissioner Iver Skavdal, to continue the Myers and Aquarian Conditional Use Permit to the April 20, 2023 meeting. The motion carried by the following vote:***

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Landry, Commissioner Mulder, Commissioner O'Neill and Commissioner Mitchell

6. Humboldt Kingz, LLC  
Assessor Parcel Number(s) (APN) 216-135-008 & 216-136-004  
Record No.: PLN-12125-CUP  
New Harris area

A Conditional Use Permit for 37,250 square feet of existing outdoor cannabis cultivation and a Special Permit for restoration work within Streamside Management Area (SMA). Outdoor cannabis cultivation will occur in light deprivation greenhouses and full sun. There will be a maximum of two cultivation cycles occurring annually. Water for irrigation is currently provided by a well and rainwater catchment in hard sided tanks totaling 15,000 gallons. The applicant is proposing to transition away from the use of the well and has proposed that water

for irrigation be provided either by a 6-million-gallon on-stream reservoir or rainwater catchment utilizing 400,000 gallons of rainwater catchment tanks (15,000 gallons existing and 385,000 gallons proposed). The applicant anticipates 400,000 gallons of water will be required annually for irrigation. Processing such as drying and curing are proposed onsite within an existing 1,440-square-foot dry shed. Further processing such as trimming is proposed offsite at a licensed processing facility. The applicant anticipates two (2) full-time employees and six (6) seasonal employees will be required for a total of eight (8) employees at peak operations annually. Power for the project will be provided by solar with an emergency backup generator. The applicant is seeking to transition to PG&E power if available within five years; however, in the event that it is not available the power source will be solar with a generator available for emergency backup only.

***A motion by Commissioner Lonyx Landry, seconded by Commissioner Brian Mitchell, to continue the Humboldt Kingz Conditional Use Permit to the April 20, 2023 meeting. The motion carried by the following vote:***

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Landry, Commissioner Mulder, Commissioner O'Neill and Commissioner Mitchell

- 8.** American Hospital Management Corp Conditional Use Permits and Special Permits  
Record Number: CUP-16-1057 (filed 12/30/2016)  
Assessor Parcel Number (APN) 522-492-016  
Willow Creek Area

Denial of two (2) Conditional Use Permits and three (3) Special Permits under the Commercial Medical Marijuana Land Use ordinance (CMMLUO) for commercial cannabis Distribution, Manufacturing, Indoor Cultivation, Offsite Processing, and Commercial Nursery. Water would be provided by Willow Creek Community Services District. Water use proposed for 10,000 square feet of indoor cultivation was 180,000-gallons/year, with an unknown amount of additional water required for Manufacturing and Commercial Nursery activities. Power source or number of employees were not included in Cultivation and Operations Plan provided by the applicant.

***A motion by Commissioner Brian Mitchell, seconded by Commissioner Thomas Mulder, to deny the Conditional Use Permit. The motion carried by the following vote:***

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Landry, Commissioner Mulder, Commissioner O'Neill and Commissioner Mitchell

## **I. REPORT FROM PLANNER**

*Director Ford gave update on recent actions by the Board of Supervisors*

## **J. PLANNING COMMISSION DISCUSSION ITEMS**

## **K. ADJOURNMENT**

*Noah Levy adjourned the meeting at 7:30 p.m.*

**L. NEXT MEETINGS      April 20, 2023      6:00 p.m.      Regular meeting - Hybrid**

**The Chamber is wheelchair accessible, the accessible entrance to the Courthouse is the 4th Street entrance. Accessible parking is available adjacent to the 4th Street entrance and on the 4th Street side of the K Street lot. If you are a person with a qualified disability, and need a modification or accommodation to participate in this meeting, please contact the Clerk of the Board at (707) 476-2384, or (707) 445-7299 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.**