

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, October 20, 2022

6:00 PM

Regular Meeting - Hybrid

---

**A. ELECTION FOR PLANNING COMMISSION CHAIR PRO TEMPORE**

*A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that Commissioner Brian Mitchell be nominated for Planning Commission Chair Pro Tempore. The motion carried by the following vote:*

Aye :           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

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

**C. 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

Absent :        0

**D. AGENDA MODIFICATIONS**

**E. PUBLIC COMMENTS**

*Public Comment was opened and closed*

**F. CONSENT AGENDA**

1. Review and approval of October 6, 2022, Planning Commission Action Summary;

*A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, that the Action Summary be approved. 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

2. Krystal Kings Farms, LLC, Conditional Use Permit and Special Permits

Record Number: PLN-11066-CUP (filed 08/31/2016)

Assessor's Parcel Number (APN): 221-011-021

8200 Salmon Creek Road, Miranda area

A Conditional Use Permit for 18,300 square feet (SF) of existing mixed-light cultivation. Ancillary propagation totals 1,830 SF. Water sourced for cultivation occurs from a point of diversion on an unnamed Tributary of Salmon Creek and from rainwater catchment. Total proposed irrigation water storage is 205,000 gallons. Drying and curing occurs on-site while other processing will occur off-site. Power is provided by a generator.

*A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, that Krystal Kings Farms, LLC, Conditional Use Permit and Special Permits be approved. 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. Salmon Creek Farms, LLC, Special Permit

Application Number: PLN-2022-17876

Assessor's Parcel Number: 212-061-030

Salmon Creek area

The applicant is seeking a Special Permit for a Microbusiness which will permit the applicant to conduct non-storefront retail sales and commercial distribution activities, and a Conditional Use Permit for cannabis support facilities on a road not meeting the Category 4 Standard. The site currently contains an approved Zoning Clearance Certificate (apps 11822) for 10,000 square feet of new and existing outdoor cultivation and 20,000 square feet of outdoor cultivation approved under the RRR program. Following the approval of this Special Permit, the applicant proposes to obtain a Microbusiness license for 9,640 square feet of approved outdoor cultivation, commercial distribution, and non-store front retail sales. No changes are proposed to the approved cultivation area onsite.

*Continue the Salmon Creek Farms, LLC, Special Permit to November 3, 2022*

4. Geck-Moeller Coastal Development Permit  
Record Number PLN-2022-17700 (filed 03/30/2022)  
Assessor's Parcel Number 308-231-002-000  
Loleta Area

A Coastal Development Permit (CDP) for the construction of a new approximately 2,024 SF two-story residence, 984 SF uncovered deck, 40 SF entry deck, gravel driveway, and a detached two-car garage constructed on an existing 25x25-foot concrete slab. The CDP will also authorize brush clearing north of the residence for the planting of fruit trees, logan berries, and a residential garden area. The parcel is currently developed with a well and on-site wastewater treatment system.

***Continue the Geck-Moeller Coastal Development Permit to a date uncertain.***

6. Crisp Farms, LLC; Conditional Use Permit and Special Permit (Setbacks)  
Assessor Parcel Numbers (APN) 315-094-003  
Record No.: PLN-12456-CUP (Filed 12/23/2016)  
Willow Creek area

A Conditional Use Permit for 25,130 SF of proposed outdoor cannabis cultivation within five (5) cultivation areas. Plants are propagated in a 2,500-SF immature plant area. A Special Permit to allow a reduction of the 600-foot setback to Six Rivers National Forest, which is located adjacent to the subject parcel. Irrigation water is sourced from a proposed rainwater catchment pond and one (1) existing stream diversion. Currently there is 69,100-gallons of water storage on site. The overall water storage will be increased to 89,100-gallons. The proposed rainwater catchment pond would have a capacity of 280,000 gallons. Current water storage on the parcel is approximately 369,100 gallons. Annual water use is estimated at 145,000 gallons (5.7 gallons/SF). Drying and further processing activities would occur onsite. There would be two (2) employees during peak harvest. Power is provided by two (2) Honda generators.

***A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, that Crisp Farms, LLC; Conditional Use Permit and Special Permit be approved. 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

7. Carlotta Gardens, LLC Conditional Use Permit  
Record Number PLN-2022-17611 (filed 02/02/2022)  
Assessor's Parcel Number 206-331-028-000  
6287 State Highway 36, Carlotta, CA

Conditional Use Permit (CUP) for a 200 SF portable farm stand for the sale of Farm Based Retail products, including cannabis, located on the approved cultivation parcel. All cannabis products that are produced at the farm will be transported and tested by a licensed distributor. The mobile farm stand will be staffed by one employee during the hours of operation. Operating hours will be limited to 9AM - 6PM, Monday through Sunday. Hours and days of operation may vary depending on weather conditions and holidays. Customer traffic will occur on-site during the operating hours. At the end of each business day, the farm stand will be stored on site and all products will be removed and stored inside a secure location. Power is provided by PG&E.

***A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, that Carlotta Gardens, LLC Conditional Use Permit be approved. 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

- 8. Nickerson Minor Subdivision  
 Record Number PLN-2022-17687 (filed 03/22/2022)  
 Assessor’s Parcel Number (APN) 511-191-030  
 McKinleyville Area

A minor subdivision of an approximately 16.5-acre parcel into two parcels: Parcel A = 7.08 acres and Parcel B = 9.62 acres. The area of proposed Parcel A is developed with two existing residences; the area of proposed Parcel B is undeveloped with the exception of three small sheds, and is envisioned to be a future homesite and would be set back 120 from the onsite Streamside Management Area. The site is served with community water provided by the McKinleyville Community Services District.

***A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, that the Nickerson Minor Subdivision be approved. 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. OLD BUSINESS**

- 1. Alchemy Atelier, LLC, Conditional Use Permit and Special Permit Modification  
 Application Number: PLN-2020-16326  
 Assessor’s Parcel Number: 216-141-005 and 216-144-006  
 Alderpoint area

Modification to an approved Conditional Use Permit and Special Permit (PLN-11813-CUP) to consolidate and reconfigure 13,383 square of feet existing previously approved cultivation areas. Also proposed is the addition of an ancillary propagation greenhouse of 1,300 SF. Applicant proposes light deprivation cultivation methodology to yield two (2) harvest cycles per year. The proposed modification will not increase the existing cultivation entitlement. No changes are proposed for the water source or projected annual water use; it will remain at 141,120 gallons per year (9.61 gal/square foot).

***A motion was made by Commissioner Mulder, seconded by Commissioner O’Neill, that Alchemy Atelier, LLC, Conditional Use Permit and Special Permit Modification be approved. 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. ITEMS PULLED FROM CONSENT

### 5. Tristen Oates Conditional Use Permit

Application Number PLN-2020-16765-CUP (filed 11/03/2020)

Assessor's Parcel Number (APN) 223-141-008

Garberville area

A Conditional Use Permit for 22,000 SF of new mixed light cannabis cultivation on a property with an approved 22,000 SF cultivation operation. Plants are propagated in a 2,200-SF immature/nursery plant area. Irrigation water is sourced from an engineered 1.15 million gallon catchment pond located on the adjacent parcel (APN 223-141-010). Water is pumped from the pond and stored in hard tanks on site. Annual water use is estimated to be approximately 264,000 gallons per year (12 gallons/SF). The project will contract with a licensed processor to manage the harvest. The cannabis will either be harvested fresh and bagged to be frozen or will be transported to a licensed processing facility to be hung, dried, and trimmed. The project will utilize a full-time staff of four (4) individuals with two (2) part-time staff. There will be a maximum of ten (10) employees on site during peel harvest and re-planting season. Power will be provided by solar panels. No generator use is proposed for the project.

*A motion was made by Commissioner Newman, seconded by Commissioner Mulder, that Tristen Oates Conditional Use Permit recommend conditions be approved with revisions to conditions A15 and B1.*

*A15: Within 60 days of the effective date of project approval the applicant shall submit a revised site plan reflecting the approval of 21,560 square feet of new mixed-light cannabis cultivation and no more than 2,156 sf of propagation area.*

*B1: The combined noise from any background generator, if permitted, as well as any greenhouse fans, or other operational activities and equipment must not result in the harassment of Northern Spotted Owl (NSO) species, as required to meet the performance standards for noise set by Department Policy Statement No. 16-005. The combined noise levels measured at 100 feet or the edge of NSO habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.*

*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

**I. PUBLIC HEARINGS**

- 1. Public Hearing on Amendments to the Inland Zoning Regulations, General Plan, and Coastal Zoning Regulations Pertaining to Transitional and Supportive Housing  
 Application Number: PLN-2021-17303 (Filed: 01/28/2020)  
 Countywide

Updates to the Inland and Coastal Zoning Regulations and the General Plan to conform to State housing law changes regarding supportive and transitional housing. Supportive Housing is rental housing with rent support, offered for a specified Target Population (usually defined by statute or by a funding source), with offsite or onsite services and no limit on the length of stay. Transitional Housing is rental housing under a rental assistance program, with or without services, offered for a period of at least six months, but that terminates at some specified time. The changes ensure that these housing types are treated the same as other residential uses and include permit streamlining provisions prescribed under State Housing Law. Changes will apply in areas already zoned for residential and mixed uses.

*A motion was made by Commissioner Mulder, seconded by Commissioner McCavour, that the recommendations be approved with the modification to require a Special Permit for additional Transitional Supportive Housing on the ground floor in Commercial Zone and Office or Office Park Zones. The motion carried by the following vote:*

Aye: 6 - Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

Nay: 1 - Commissioner Bongio

**J. BROWN ACT TRAINING**

**K. ADJOURNMENT**

**L. NEXT MEETINGS                      November 3, 2022                      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.**