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COUNTY OF HUMBOLDT PLANNING COMMISSION

825 Fifth Street Board of Supervisors Chambers Eureka, California

AGENDA

Thursday, May 5, 2022

6:00 PM

Regular Meeting - Hybrid

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

HOW TO LISTEN OR WATCH THE PLANNING COMMISSION MEETING:

Listen or Watch the live stream of the Planning Commission Meeting in three ways:
1. https://zoom.us/j/87544807065 Password: 200525

2. Call in via telephone at 346 248-7799, enter meeting ID 875 4480 7065 Password: 200525

3. A live stream of the meeting can be found by using the following link: https://humboldt.legistar.com or by watching Access Humboldt on cable channel 10

PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:

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

1. In Person: Any person may appear and present testimony in regard to this matter at the hearing located in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California. The Planning Commission needs 15 COPIES of any materials submitted at the meeting.

- 2. 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.
- 3. Via phone call using cellphone or landline: When the Planning Commission meeting begins, call in to the conference line. When the Planning Commissioner 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:

Public comments may be submitted via email to Planningclerk@co.humboldt.ca.us. Please provide the project title, record or case number and date of the hearing. The deadline for submitting written comments is 12:00 p.m. Wednesday, May 4, 2022. After the deadline, written comments may be submitted to the commission in person during the meeting. Verbal comments may be made in person, or on zoom. Comments received after the agenda is posted on Friday, April 29, 2022, 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. If you do not have access to email, contact the planning clerk at 707-268-3702. 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.

- A. CALL TO ORDER / SALUTE TO FLAG
- **B. COMMISSIONERS PRESENT**
- C. AGENDA MODIFICATIONS

D. PUBLIC COMMENTS

At this time persons may appear before this Commission on any matter pertinent to the Commission's Jurisdiction and that is not on the Agenda. When the Chair asks for public comment, please address the Commission from the microphone. Unless otherwise stated, speakers will have three (3) minutes for public comment. Although the Commission may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Commission at this time.

E. CONSENT AGENDA

These Public Hearing matters are routine in nature and are usually approved by a single vote. The Chair will poll the audience and members of the Commission to determine if any item on the consent agenda should be pulled for public comment or further discussion.

 MDRV Realty Holdings, LLC; Conditional Use Permit & Special Permits Record Numbers PLN-11212-CUP and PLN-11214-SP (filed 9/22/2016) Assessor's Parcel Numbers (APNs) 208-241-007 and 208-241-006 Dinsmore/Mad River area

Two separate applications owned and currently operated by the same party. The first is a Conditional Use Permit for 14,450 sf of existing outdoor & 3,600 sf of existing mixed-light cannabis cultivation with 1,480 sf of ancillary propagation area. The proposed project includes a Special Permit for the relocation of a historic cultivation outside of a streamside management area. Water for irrigation is provided by an on-site spring diversion (POD 2 under Water Right Certificate H100730), and a Special Permit is being requested to approve the continued use and maintenance of the spring diversion. Annual water usage is estimated at 150,000 gallons (7.68 gal/sf/yr). There is a total of 110,000 gallons of existing water storage on-site and 63,000 additional water storage is proposed for a total of 173,000 gallons. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Power is provided by one generator, and future solar is proposed. An additional Special Permit is being requested to reduce the 600-foot setback to public lands (SRNF), to approximately 497 feet. The Humboldt County Planning Commission will consider an Addendum to a previously adopted Mitigated Negative Declaration that has been prepared for consideration per □15164 of the State CEQA Guidelines.

The second application is a request for a Special Permit for 2,000 square feet (sf) existing outdoor and 4,850 sf existing mixed-light cultivation with a 720 sf ancillary propagation area. Water for irrigation is provided by a stream diversion (POD 1 under Water Right Certificate H100730), and a Special Permit is being requested to approve the continued use and maintenance of the stream diversion. There is a total of 110,000 gallons of water stored on-site, and estimated annual water usage is 50,000 gallons. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Power is sourced from an on-site generator, and future solar is proposed. An additional Special Permit is being requested to reduce the 600-foot setback to public lands (SRNF), to approximately 320 feet. The Humboldt County Planning Commission will consider an Addendum to a previously adopted MND and has been prepared for consideration per \Box 15164 of the State CEQA Guidelines.

Recommendation:

Adopt the resolutions, both of which 1) find that the Commission has considered the Addendum to the adopted Mitigative Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section \$\Begin{array}\] 15164 of the State CEQA Guidelines, 2) make all of the required findings for approval of the Conditional Use Permit and Special Permits and 3) approve the MDRV Realty Holdings, LLC Conditional Use Permit and Special Permits as recommended by staff subject to the recommended conditions.

Attachments: 11212 MDRV Executive Summary 05.05.22

11212 MDRV Staff Report 05.05.22

Attachment 3A - 11212 Remediation Plan

Attachment 3B - 11212 Road Evaluation Report 12.8.2021

11212 MDRV Watershed Map

11214 MDRV Executive Summary 05.05.22

11214 MDRV Staff Report 05.05.22

Attachment 3A - 11214 Site Management Plan 12.8.2021

Attachment 3B - 11214 LSA 2.2.2022

Attachment 3C - 11214 Timber Conversion Report 12.8.2021

Attachment 3D - 11214 Road Evaluation Report 12.8.2021

11214 MDRV Watershed Map

 Nikolai Erickson; Conditional Use Permit Record Number PLN-11219-CUP (filed 09/23/2016) Assessor's Parcel Number (APN) 208-201-020 Dinsmore area

A Conditional Use Permit for 22,649 square feet of pre-existing outdoor cannabis cultivation, and 2,200 square feet of ancillary propagation. Water for irrigation is provided by rain catchment from rooftops of three existing structures on-site. The applicant anticipates using 100,000 gallons of water per year (4.02 gal/sq.ft./yr.), and the applicant utilizes several water conservation methods on-site. A total of 160,000 gallons of water storage exists on-site in thirty-six hard sided tanks. Processing at the site includes drying and curing, and trimming will occur off-site at a licensed processing facility. There will be 2 employees on site for cultivation activities. Power is provided by two portable generators and will transition to full renewable energy sources by 2026. The Humboldt County Planning Commission will consider an Addendum to a previously adopted MND and has been prepared for consideration per \Box 15164 of the State CEQA Guidelines.

Recommendation: Adopt the resolution to 1) find that the Commission 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, 2) make all of the required findings for approval of the Conditional

Use Permit and 3) approve the Nikolai Erickson Conditional Use Permit as

recommended by staff subject to the recommended conditions.

Attachments: 11219 Nikolai Erickson Executive Summary 05.05.22

11219 Nikolai Erickson Staff Report 05.05.22

Attachment 3A - 11219 Site Management Plan 2.10.2022

Attachment 3B - 11219 Timber Conversion Report 2.10.2022

Attachment 3C - 11219 Forest Fire Prevention 2.11.2022

Attachment 3D - 11219 Oak Woodland Management 2.11.2022

11219 Nikolai Erickson Watershed Map

 Love and Laughter Farms; Special Permit Record Number PLN-12457-SP (filed 12/23/2016) Assessor's Parcel Number (APN) 522-941-001 Hoopa area

The applicant is seeking a Special Permit for 10,000 square feet of existing full-sun outdoor commercial cannabis cultivation. One harvest is obtained annually. Water for irrigation was historically sourced from a registered spring diversion from Pine Creek, however, the applicant is transitioning to entirely rainwater catchment. The applicants projected annual water usage is 37,500 gallons. Water storage onsite totals 37,500 gallons. Processing such as drying and curing occurs onsite in an existing 770 square foot structure, further processing occurs offsite at a licensed third-party processing facility. The project is owner operated; therefore, no employees are required. The minimal energy required for the project is sourced from a generator however alternative energy will be required. The Humboldt County Planning Commission will consider an Addendum to a previously adopted Mitigated Negative Declaration and has been prepared for consideration per \Box 15164 of the State CEQA Guidelines.

Recommendation: Adopt the resolution to 1) find that the Commission has considered the Addendum to

the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) pursuant to Section ☐ 15164 of the State CEQA Guidelines, 2) make all of the required findings for approval of the Special Permits,

and 3) approve the Love and Laughter Farms, LLC., project subject to the

recommended conditions.

Attachments: 12457 Love and Laughter Farms Executive Summary 05.05.22

12457 Love and Laughter Farms Staff Report 05.05.22

Attachment 3A - 12457 SMP with WRPP 05.10.21

Attachment 3B - 12457 Timber Conversion Evaluation Report 9.10.21

12457 Love and Laughter Watershed Map

4. Humboldt IQ, LLC; Conditional Use Permit Record Number PLN-2021-17254 (filed 05/26/2021) Assessor's Parcel Number (APN) 201-322-011 Fortuna area

Conditional Use Permits for commercial cannabis distribution and off-site processing in the Fortuna Community Planning Area. The annual water budget of 72,000 gallons is provided exclusively by rainwater catchment supported by 35,000 gallons of storage. Power is sourced from PGE through an eligible renewable energy program. There will be 10 employees at peak operations. The Conditional Use Permits include allowing the proposed uses in the Qualified (Q) zone. The Humboldt County Planning Commission will consider an Addendum to a previously adopted EIR and has been prepared for consideration per \Box 15164 of the State CEQA Guidelines.

Recommendation: Adopt the resolution to 1) find that the Commission 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, 2) make all required findings for approval of the Conditional Use Permits, and 3) approve the Humboldt IQ, LLC Conditional Use Permits as recommended by staff

subject to the recommended conditions.

Attachments: 17254 Humboldt IQ LLC Executive Summary 05.05.2022

17254 Humboldt IQ LLC Staff Report 05.05.2022

17254 Humboldt IQ Watershed Map

 Organic Humboldt, LLC; Special Permit and Zoning Clearance Certificate Record Number PLN-2020-16475 (filed 06/26/2020)
 Assessor's Parcel Number (APN) 205-231-029
 Scotia area

The applicant is seeking a Special Permit for 43,560 square feet of new outdoor commercial cannabis cultivation and a Zoning Clearance Certificate for 13,500 square feet of existing outdoor cultivation being relocated to the subject parcel under the RRR program. Total cultivation on the parcel totals 57,060 square feet of outdoor commercial cannabis cultivation. Light depravation techniques may be utilized to achieve two harvests annually. The project will be supported by 5,706 square feet of propagation space. The applicant will implement dry farming practices, although supplemental irrigation water will be sourced from the existing rainwater catchment system. The projected annual water usage is estimated to be 20,000 gallons and the existing water storage totals 50,000 gallons. All processing will occur offsite at a licensed third-party processing facility. Energy for the operation will be supplied by the existing P.G. & E. service. Up to three employees may be utilized for the operation. The Humboldt County Planning Commission will consider an Addendum to a previously adopted EIR which has been prepared for consideration per □15164 of the State CEQA Guidelines.

Recommendation: Continue to May 19, 2022

Humboldt County Fair Association; Conditional Use Permit Modification
 Case Number PLN-2022-17561 (filed 12/29/2021)
 Assessor Parcel Numbers (APNs) 030-071-001, 030-011-003, 030-021-003, 030-112-017, 030-112-020, 030-081-006, and 100-181-003.
 Ferndale area

Humboldt County Fair Association (HCFA) is seeking to modify a Conditional Use Permit which authorizes five (5) concerts and two (2) motorcycle racing events to be held each year at the Humboldt County Fairgrounds. The approved permit places limitations on event-related noise levels, including a 63-decibel limit on composite noise measured by averaging noise readings collected during a 24-hour period surrounding each event, as well as a 90-decibel instantaneous noise limit applied to all motorcycles participating in racing events. In their modification request, HCFA is seeking authorization to raise the 90-decibel motorcycle noise limit to 99 decibels to be consistent with common national testing standards for competition established by the American Motorcyclist Association (AMA). Analysis of the proposal's effect on composite noise levels has been performed by Whitchurch Engineering and has determined that composite noise will remain at or below the 63-decibel limit, even with the requested increase. To help reduce event-related noise, HCFA is now proposing: 1. creation of two (2) sound barriers during racing events, fashioned by temporarily placing tractor trailers or strawbales (or some combination thereof) adjacent to motorcycle acceleration zones; and 2. acoustic treatment of the internal wall of the grandstands using special materials designed to decrease reverberation. Under the approved permit, each "event" occurs within the course of a single day, and concerts cannot last longer than 2 consecutive days. An additional day of racing can be allowed if all the racing on that day is by electrical motorcycles, but in no case can the total amount of motorcycle racing exceed 4 days per year. Other types of motorsports events are prohibited, including (but not limited to): Tractor Pulls, 4x4 Trucks, Go Carts, and Monster Trucks. As Lead Agency, the Humboldt County Planning and Building Department has prepared and circulated for public review a draft Supplemental Mitigated Negative Declaration for the project.

Recommendation: Continue to May 19, 2022

F. ITEMS PULLED FROM CONSENT

G. PUBLIC HEARINGS

The projects listed below are public hearing items that have generated public comment prior to the hearing date or have other issues related to them that may require discussion

 Nava Ranch, LLC: Special Permit Record Number PLN-2021-17162 (filed 4/15/2021) Assessor's Parcel Number (APN) 107-106-006 Honeydew area

A Special Permit for the expansion of an approved cultivation site (PLN-12657-SP). The project will consist of 43,560 square feet (SF) of mixed light cultivation in twelve (12) greenhouses and 2,500 SF of indoor cultivation in a converted barn. The original project consisted of 6,600 square feet of mixed light cultivation, 2,700 square feet of outdoor cultivation, and 2,500 square feet of indoor cultivation. The outdoor cultivation will be converted to mixed light and the total mixed light cultivation area will be expanded to one acre. This represents a total increase of 34,260 SF of cultivation area. The applicant hopes to achieve up to three (3) harvests annually. All water will be sourced by rainwater catchment from an existing pond, a proposed pond, and an existing rooftop rainwater catchment system. The estimated water needed annually for irrigation is approximately 550,000 gallons (11.94 gal/sq.ft./yr). Please note that this estimate may change to be more accurate prior to the hearing. The ponds will total approximately 1,050,000 gallons of storage, and twelve (12) 5,000 gallon tanks are proposed, for a total of 1,110,000 gallons of water storage. There is also one separate 5,000 gallon tank designated for fire suppression. Drying, trimming, and processing will occur onsite in the existing 900 SF storing, processing, and packaging building. Operations will utilize one (1) full-time employee, up to three (3) additional seasonal employees, and up to four (4) family members, totaling eight (8) laborers. There is a portable restroom facility on site for employees, and a cannabis support building is proposed with an additional septic system. Power is sourced from PG&E via a green energy program and there is an existing solar array onsite featuring six (6) panels with outputs of 235 watts each. There is a 25 kilowatt (kW) Whisperwatt generator kept onsite for emergency use only. This project is within 600 feet of Kings Range National Conservation Area, but the parcel has already been issued a setback reduction for cultivation and the setback would not require further reduction.

Recommendation: Adopt the resolution to 1) find that the Planning Commission has considered the

Addendum to the adopted EIR for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section $\Box 15164$ of the State CEQA Guidelines, 2) make all of the required findings for approval of the Special Permits, and 3) approve the Nava Ranch, Special Permit project as recommended by staff subject to the

recommended conditions.

Attachments: 17162 Nava Ranch Executive Summary 05.05.22

17162 Nava Ranch Staff Report 05.05.22

17162 Attachment 3A - Biological Report 04.15.2021

17162 Attachment 3B - Soils Report 04.15.2021

17162 Nava Ranch Watershed Map

2. Blocksburg Family Farm, LLC: Conditional Use Permit

Record Number: PLN-12265-CUP (filed 12/22/2016)

Assessor's Parcel Number (APN): 217-471-001

Blocksburg area

A Conditional Use Permit for 6.39 acres of outdoor cultivation including 16,800 sf of existing cannabis authorized under interim permit, on a parcel of approximately 1,221 acres. The proposed six acres of new will comprise of three acres full term outdoor and three acres of Light Deprivation, and with ancillary facilities, will be developed in four phases over four years. Water would be provided by an onsite well, a 2.2-million-gallon rain catchment pond, and a one-million-gallon rainwater catchment tank. Total irrigation demand by Phase IV is anticipated to be approximately 3.1 million gallons per year, with the rain catchment pond being the primary source of water by Phases II and III. The project includes 8,000 sf of proposed and 2,000 sf of existing ancillary nursery space. Processing would occur onsite in a proposed 7,200 sf multi-use building in the footprint of a burned down barn. Power is proposed to be provided principally by a generator for Phase I and Phase II (staff is recommending a condition of approval for renewable energy to be established before any new expansion of cultivation). By Phase III, a solar array would provide the power, with generators retained for backup use only. Phase I of the project would require approximately six employees. Phases II & III would require a maximum of twenty-five employees and incorporates a vanpool.

Recommendation:

Adopt the resolution to (a) Find that the Planning Commission has considered the Mitigated Negative Declaration prepared for the Blocksburg Family Farm, LLC. project, together with all comments received during the public review process, pursuant to Section 15074 of the State CEQA Guidelines; (b) Make the findings in support of the Mitigated Negative Declaration; (c) Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program; (d) Make all the required findings for approval of the Conditional Use Permit; and (e) Approve the Blocksburg Conditional Use Permit as recommended by staff and subject to the recommended conditions.

Attachments:

12265 Blocksburg Executive Summary 5.5.22

12265 Blocksburg Staff Report 5.5.22

12265_MND_BlocksburgFamilyFarmsLLC_3.9.2022

12265 Appendixes AtoO CEQA ISMND 3.09.222

12265 Blocksburg Watershed Map

3. Old Arcata Road Rehabilitation and Pedestrian/Bikeway Improvements Coastal Development Permit Record Number PLN-2022-17654 (filed 02/28/2022)

Assessor's Parcel Number: County right-of-way does not have APNs. Adjacent APNs include but not limited to 501-012-012, 501-031-032, 501-011-006, and 501-031-031. Bayside area

A Coastal Development Permit (CDP) for the small portion of the project that is located within the County's jurisdiction of the Coastal Zone. The project would improve motorized and non-motorized transportation and user safety in Bayside. The Project would repave Old Arcata Road, include bike lanes on both sides of the roadway alignment, and improve and extend an existing shared use walkway along the west side of Old Arcata Road from approximately 600 feet south of the Buttermilk Road Roundabout and extending south to approximately 300 feet beyond the Jacoby Creek Road intersection. The total Project length is approximately one mile. The portion of the project within both the Coastal Zone and the County's jurisdiction is located at the southern end of the project, is approximately 530 feet in length, and includes a portion of the proposed roundabout. As a Responsible Agency, the Humboldt County Planning Commission will consider the final EIR (SCH #2021010176) that the city of Arcata approved, per \Box 15096 of the State CEQA Guidelines.

Recommendation: Adopt the resolution to 1) find that the Planning Commission has considered the EIR,

including the environmental effects of the project, and 2) make all of the required findings for approval of the Coastal Development Permit and 3) approve the Old Arcata Road Coastal Development Permit as recommended by staff subject to the

recommended conditions.

Attachments: 17654 Arcata roundabout CDP Executive Summary 05.05.22

17654 Arcata roundabout CDP Staff Report 05.05.22

 PG&E After-the-fact Coastal Development Permit Record Number PLN-14376-CDP (filed 09/24/2020)
 Adjacent to Assessor's Parcel Number (APN) 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 $\Box 15303(e)$ of the State CEQA Guidelines.

Recommendation: Adopt the resolution to 1) find the project subject to a Categorical Exemption (Section

15303(d)), 2) make all of the required findings for approval of the modification of a Coastal Development Permit based on evidence in the staff report, and 3) approve the

PG&E project subject to the recommended conditions.

Attachments: 14376 PGE CDP Staff Report 14376

14376 PGE CDP Executive Summary 14376

H. ADJOURNMENT

I. NEXT MEETING May 19, 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 707-445-7541 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