

PLANNING COMMISSION

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At-Large
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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, April 7, 2022

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

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

B. COMMISSIONERS PRESENT

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

C. AGENDA MODIFICATIONS

D. PUBLIC COMMENTS

E. OTHER BUSINESS

1. *Planning Commission Seating Chart*
2. *Planning Watershed Map Discussion*

F. CONSENT AGENDA

1. VIPA Farmers, LLC: Conditional Use Permit
Record Number PLN-11269-CUP (filed 09/30/2016)
Assessor's Parcel Number: 219-011-007
Salmon Creek area

A Conditional Use Permit for 12,536 (SF) of existing mixed-light cannabis cultivation and 1,250 SF of ancillary propagation. Irrigation water is sourced from a 300,000-gallon rain catchment reservoir. Existing available water storage for irrigation use is 306,200 gallons in the pond and a series of HDPE water tanks. Estimated annual water usage is 142,395 gallons. Processing, including drying, curing, and trimming, will occur onsite within a proposed 576 SF building. A maximum of three (3) employees may be utilized during peak operations. Power is provided by a diesel generator; however, the applicant is proposing to install Pacific Gas and Electric (PG&E) power onsite and has an application in progress.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the VIPA Farmers, LLC, Conditional Use Permit be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman,
Commissioner McCavour and Commissioner Mulder

2. Ten Redwoods, LLC: Conditional Use Permit and Special Permit
Record Number PLN-11737-CUP (filed 12/09/2016)
Assessor's Parcel Number: 208-241-017
Dinsmore area

A Conditional Use Permit for 11,700 square feet (SF) of existing cannabis cultivation (4,050 SF of mixed light and 7,650 SF of outdoor) and 1,123 SF of ancillary propagation. Irrigation water is sourced from a 300,000-gallon rainwater catchment pond and a Class II stream diversion. Existing available water storage is 425,000 gallons in the pond and a series of hard-sided tanks. Estimated annual water usage is 151,750 gallons. Drying and curing occurs onsite, with all other processing occurring off-site at a licensed processing or manufacturing facility. A maximum of six (6) people may be onsite during peak operations. Power is provided by three (3) diesel generators; however, the applicant plans to develop solar within five (5) years of project approval. The proposed project also includes Special Permits for development within the Streamside Management Area for use and maintenance of the point of diversion, for relocation of existing cultivation and infrastructure outside of required SMA buffers, including associated remediation, and a for a reduced setback to public lands

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Ten Redwoods, LLC, Conditional Use Permit and Special Permit be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman,
Commissioner McCavour and Commissioner Mulder

3. Dustin Silva: Conditional Use Permit
Record Number PLN-13264-CUP (filed 12/30/2016)
Assessor Parcel Numbers (APNs) 216-142-006, 216-143-005, 216-143-010, 216-144-008 (one legal parcel)
Garberville area

A Conditional Use Permit for 11,950 square feet (SF) of existing cannabis cultivation consisting of

entirely of outdoor cultivation, and a 1,200-SF ancillary nursery. Mixed-light cultivation, allowed under the applicants' interim permit, is no longer proposed by this project. Water for irrigation is sourced from an onsite 487,500-gallon rainwater and spring-fed catchment pond, and two points of diversion used to fill 93,500 gallons of tank and bladder storage. Estimated annual water usage is 140,000 gallons (11.7 gallons/SF/year). Processing will be performed offsite at a third-party permitted processing facility. Power is provided by a 10-kilowatt generator and the applicant intends to develop solar power infrastructure to operate artificial lights, drying building and irrigation pump systems, including that required for domestic needs, within 3 years of permit approval (i.e., April 7, 2025). A Special Permit is also requested for ongoing maintenance of permitted water diversions.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Dustin Silva, Conditional Use Permit be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman,
Commissioner McCavour and Commissioner Mulder

5. Wennerholm: Minor Subdivision and Accessory Dwelling Unit Special Permit.
Record Number: PLN-2021-17362 (filed 07/13/2021)
Assessor's Parcel Number: 206-211-014
Carlotta area

A Minor Subdivision of an approximately 6.7-acre parcel into two parcels of approximately 3.1 acres (Parcel 1) and 3.6 acres (Parcel 2). A Special Permit is also being requested to pre-authorize construction of an approximately 1,512 square foot residence as an Accessory Dwelling Unit (ADU) prior to completion of the subdivision. The property is currently developed with a residence, garage, and barn. All existing development will be located on proposed Parcel 2. Proposed Parcel 1 is currently undeveloped pasture. Access to both parcels is provided by a 50-foot non-exclusive easement. Water for the residence is provided by an existing well located on proposed Parcel 1. The well will also be used to supply water for future development of proposed Parcel 2. Sewage disposal for existing development is currently handled by an on-site waste treatment system (OWTS) located on proposed Parcel 1. Testing for a new septic system on proposed Parcel 1 has been completed.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Wennerholm, Minor Subdivision and Accessory Dwelling Unit Special Permit be approved as recommended by staff. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman,
Commissioner McCavour and Commissioner Mulder

6. Jackson Major Subdivision: Final Map Subdivision
Record Number PLN-2021-17302 (filed 06/15/2021)
Assessor's Parcel Number: 511-361-058
McKinleyville area

The project is a Major (Final Map) Subdivision of an approximately 3.1-acre parcel into five parcels ranging in size from approximately 6,600 square feet (0.15 acres) to 10,940 square feet (0.25 acres). The proposal also includes creation of an approximately 2-acre remainder parcel which contains an

existing single-family dwelling, detached barn, and shed. Several trees will require removal due to conflicts with the location of the proposed road extension providing access to the parcels. Sewer and water service is provided to the existing residence by the McKinleyville Community Services District (MCS D). MCS D will provide water and sewer services to the project.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Jackson Major Subdivision, Final Map Subdivision be approved as recommended by staff. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman,
Commissioner McCavour and Commissioner Mulder

7. Laurel Tree Charter School: Coastal Development Permit Modification
Record Number PLN-2021-17206 (filed 05/05/2021)
Assessor's Parcel Number: 511-401-039
McKinleyville area

Modification of a previously approved Coastal Development Permit to accommodate a proposal to develop a vacant parcel with a school to be operated by Laurel Tree Charter School serving children from Kindergarten through High School. The school is expected to serve between 180 and 200 children with approximately 24 employees. Drop off and pick up times are staggered to reduce traffic congestion. The whole school facility will be fenced. The main buildings include: seven (7) 36 feet by 48 feet passive solar design classroom pods with two 980 square feet classrooms per pod with 6 restrooms and outdoor storage, kitchen/office/janitorial building with classroom, and 16 foot by 24 foot barn with 4 single occupancy restrooms at north end of building with electrical and hose bib. Outdoor features include: a 16 foot by 50 foot outdoor kitchen, a children's stage with 40 foot conex box for storage/backstage space, 30 foot by 80 foot hoop house with hose bib, a 20 feet by 30 feet covered bike/skateboard/scooter storage, trash enclosure, impervious basketball court, tree fort area, 30 foot by 30 foot outdoor workspaces to have wind or solar power, 233 cubic yard capacity pond, access path to the Hammond Trail, entry fence with 2 automatic rolling gates, 8,400 square feet of pervious surface, gated walking path from Hammond Trail, gated entry to fire pit, and a sidewalk along Ledru Ave. The proposed permeable parking lot with 52 spaces includes 5 electric vehicle spaces and 3 accessible spaces, and a drive aisle for pick up and drop off. The outdoor stage/play area will host student presentations and creative plays. The space will also serve as venue for periodic small theatrical productions of student work. These types of events are expected to occur in the evening from 6-8pm, approximately 3-4 times a year. Events ordinarily include a potluck and attendance by approximately 80 parents is anticipated. The parcel to be developed is approximately 4.5 acres in size and is served by public water and sewer. The originally approved project was approved by the Board of Supervisors in 2008 and the Coastal Commission in 2011, and included development of a church and private school in three phases (CDP-07-067 - New Heart Community Church), but the project was never built.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Laurel Tree Charter School: Coastal Development Permit Modification be approved as recommended by staff. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

G. ITEMS PULLED FROM CONSENT

- 4. Holgersen: Minor Subdivision and Coastal Development Permit
Record Number PLN-2018-15039 (filed 09/18/2018)
Assessor’s Parcel Number: 015-152-028
Myrtle town Area

A Minor Subdivision to create four parcels and a Remainder. The parcel is developed with a single-family residence that will remain on the proposed Remainder. The parcels will be served with community water and sewer by the Humboldt Community Services District. The project is located in the Coastal Zone, therefore a Coastal Development Permit (CDP) is required. Duplexes (two dwelling units) are proposed on Parcels 1 - 4. The proposed dwelling units on Parcels 1 and 2 each will be 1,080 square feet, 22 feet and 5 inches in height, with an attached 240 square foot one-car garage. The proposed dwelling units on Parcels 3 and 4 will be 1,200 square feet, 23 feet and 5 inches in height, with an attached 276 square foot one-car garage. The CDP also includes the construction of these duplex units and the removal of four structures. The applicant has submitted exception request letters for the following requirements: The installation of a paved access road, concrete sidewalk, curb, and gutter along the proposed access road, and the minimum easement dedication width of 40 feet to be reduced to 30 feet for the access road, drainage, and utilities to serve the project.

Public comment period opened and closed.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Holgersen Minor Subdivision and Coastal Development Permit be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

- 8. Humboldt GT, LLC: Conditional Use Permit and Special Permit
Record Number PLN-12453-CUP (filed 12/23/2016)
Assessor Parcel Number (APN) 210-221-001
Dinsmore area

A Conditional Use Permit for Permit for 9,978 square feet (SF) of existing cannabis cultivation area, which includes 9,078 SF of mixed-light cannabis cultivation in two greenhouses and 900 SF of outdoor greenhouse cultivation using no artificial lighting. A Special Permit is also sought for an encroachment of a Streamside Management Area for the usage of the spring and to relocate legacy cultivation out of stream and wetland setbacks to an environmentally superior area. Irrigation water is sourced from rainwater catchment supplemented by a spring diversion subject to forbearance. Total existing water storage is 136,750 gallons, consisting of 80,000 gallons in four water bladders and 56,750 gallons in 15 high-density polyethylene (HDPE) tanks. An additional 30,000 gallons in six more HDPE tanks are proposed to bring total water storage to approximate annual requirements of 168,000 gallons (16.8 gallons/SF/year). Electricity is currently sourced by two onsite Honda E7000

generators, and the applicant has applied for an electrical power drop from Pacific Gas and Electric Company and will develop an alternative renewable (e.g., solar, wind, micro-hydro) energy plan that will be fully implemented within 5 years of project approval. Processing will occur offsite at a licensed facility until a commercial Americans with Disabilities Act-compliant facility can be built. Two full-time employees will be required for daily operations, with an additional two employees needed during peak operations.

Public comment period opened and closed.

A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, that the Humboldt GT, LLC, Conditional Use Permit and Special Permit be approved as modified by removing condition of approval #A11. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

- 9. Dare Farms, LLC: Conditional Use Permit
Record Number PLN-13225-CUP (filed 12/30/2016)
Assessor’s Parcel Number: 215-172-031
Whitethorn area

A Conditional Use Permit for 10,249 square feet of existing outdoor commercial cannabis cultivation. Light deprivation techniques are utilized to achieve between two and five harvests annually. The project is supported by 1,025 square feet of propagation space. Irrigation water will be supplied entirely from stored water and the existing rainwater catchment system. Projected annual water usage totals 122,600 gallons (11.96 gal/SF) and water storage onsite totals 135,000 gallons. All processing occurs offsite. Energy is sourced primarily by P.G.&E. and there is a 25-kW backup generator onsite.

Public comment period opened and closed.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Dare Farms, LLC, Conditional Use Permit be approved as recommended by staff. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

H. PUBLIC HEARINGS

- 1. PROPOSED COMMUNICATIONS FACILITIES ORDINANCE:
Case Number PLN-2021-17452
Humboldt County

The proposed ordinance affects all unincorporated areas of Humboldt County. The purpose and intent of this Telecommunications Ordinance is to provide a uniform and comprehensive set of standards for the development, siting and installation of wireless telecommunications facilities. These standards do all the following: protect and promote the public health, safety and welfare of the residents of the unincorporated areas of Humboldt County; protect aesthetic values in accordance with the guidelines and intent of the Telecommunications Act of 1996; encourage siting in preferred

locations to help preserve the County’s rural character, including the protection of scenic, natural and cultural resources; and minimize the intrusion of these uses into residential areas. The proposed ordinance uses a tiered approach to permitting communication facilities: the lowest tier (“Tier 1”) applies a streamlined permit process to easily allow telecommunication facilities least likely to have any impacts. Conversely, the highest tier (“Tier 3”) requires a public review process through conditional use permits for projects most likely to have impacts. Since this is a public workshop, no action will be taken by the Planning Commission. Instead, the Planning Commission will be asked to take public comment and provide informal feedback that will be used to develop a public hearing draft for review by the Planning Commission at a later date.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Proposed Communications Facilities Ordinance be continued to the April 21, 2022 meeting. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

I. REPORT FROM PLANNER

Request to schedule a Special Meeting on May 12, 2022 to hold a workshop for Nordic Fish Farm approved.

J. ADJOURNMENT

Chair Alan Bongio adjourned the meeting at 8:55 p.m.

NEXT MEETINGS April 21, 2022 6:00pm Virtual - 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