

PLANNING COMMISSION

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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, September 15, 2022

6:00 PM

Regular Meeting - Hybrid

NOTE: The County of Humboldt Planning Commission meeting will be held virtually pursuant to Assembly Bill 361 until further notice.

**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 11

**PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:
Participate in the public comment period of the meeting in the following three 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, September 14, 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, September 9, 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 707-267-9409.

NOTICE REGARDING PUBLIC COMMENT:

For items appearing on the agenda, the public is invited to make comments at the time the item comes up for consideration by the Commission. The Chair will call for public comment as each item is heard by the Commission. The public is invited to make comments during the Public Comment period for non-agenda items, not appearing on the agenda. All speakers are invited to state and spell their names but are not required to do so.

A. CALL TO ORDER / SALUTE TO FLAG**B. COMMISSIONERS PRESENT**

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

C. AGENDA MODIFICATIONS**D. PUBLIC COMMENTS**

Public comment period was opened and closed

E. DISCUSSION ON REMOTE MEETINGS

1. Discussion and Possible Adoption of Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of September 15, 2022, through October 15, 2022, Pursuant to the Ralph M. Brown Act.

A motion was made by Commissioner Mitchell, seconded by Commissioner O'Neill, that the recommendations be approved. The motion carried by the following vote:

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

F. CONSENT AGENDA

1. Review and approval of September 1, 2022, Action Summary;

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the recommendations be approved. The motion carried by the following vote:

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

3. Lost Coast Collective, Inc. Conditional Use Permit and Special Permit
Record Number PLN-11292-CUP (filed 10/11/2016)
Assessor’s Parcel Number: 221-240-015
Ettersburg area

A Conditional Use Permit for 22,000 square feet of existing commercial cannabis cultivation of which 18,500 square feet is mixed light cultivation and 3,500 square feet is outdoor cultivation. The mixed light cultivation area achieves three harvests annually and the outdoor cultivation area achieves one harvest annually. The project is supported by 2,180 square feet of propagation space. Water for irrigation is sourced from an existing well and two registered spring diversions from unnamed springs. The applicant is also proposing to construct a 500,000-gallon rainwater catchment pond. Projected annual water usage totals 156,980 gallons (7.13 gal/SF) and water storage onsite totals 87,850 gallons. All processing will occur onsite. Energy is sourced from a 20kW solar array, hydropower, and a 45kW and 25kW generator. The applicant is also seeking a Special Permit for the ongoing use and maintenance of two points of diversion located within the Streamside Management Area.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the recommendations be approved. The motion carried by the following vote:

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

OLD BUSINESS

1. AMENDMENTS TO THE INLAND ZONING REGULATIONS, GENERAL PLAN, AND COASTAL ZONING REGULATIONS PERTAINING TO EMERGENCY SHELTERS;

Record Number PLN-2022-17866 (filed 08/25/2022)

Assessor’s Parcel Number: 000-000-000

Project area: Countywide

The Humboldt County Planning Commission will consider updates to the inland and coastal zoning codes and the General Plan and Local Coastal Program to conform to state housing law changes regarding emergency shelters codified in Government Code 65582 and 65583. By statute, cities and counties must designate at least one zone where emergency shelters are allowed by right, and may specify limited, objective standards for their development and operation. This item amends the existing Emergency Shelter code, adds Day Shelters and Low Barrier Navigation Centers to the inland ordinance; and adds for the first time a definition and use types for emergency shelters in the Coastal Zone.

A motion was made by Commissioner Mitchell, seconded by Commissioner O'Neill, that the recommendations be approved. The motion carried by the following vote:

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

2. H1 Canyon, LLC; Conditional Use Permit

Record Number PLN-10845-CUP (filed 08/05/2016)

Assessor’s Parcel Number: 524-115-006

Willow Creek area

A Conditional Use Permit for 42,188 square feet (sf) of existing outdoor commercial cannabis cultivation with 3,770 sf of ancillary propagation. The main water source is a 400,000 gallon rainwater catchment pond. Supplemental water comes from a well and two on-site spring diversions under Water Right Certificate H100110. The applicant has obtained a Well Assessment from a licensed geologist supporting the continued use of the well. Water is stored in the 400,000 gallon pond as well as hard tanks for a total of 439,300 gallons. Annual projected water usage is 413,775 gallons (9 gal/sf/yr). Product will be dried on-site and additional processing will occur off-site at a licensed facility. Two (2) to four (4) employees will be used for cultivation activities. Power is sourced by four (4) generators used for drying, and the project will transition to 100% renewable energy by 2026. This application includes a Special Permit for the relocation and remediation of a historic cultivation area in the Stream Management Area, and a Special Permit to reduce the 600-ft setback to public lands (SRNF) to approximately 220 feet. The Humboldt County Planning Commission will consider an Addendum to a previously adopted MND and has been prepared for consideration per §15164 of the State CEQA Guidelines.

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

Aye: 3 - Commissioner Levy, Commissioner Mitchell and Commissioner McCavour

Nay: 2 - Commissioner Bongio and Commissioner O'Neill

H. ITEMS PULLED FROM CONSENT

- 2. Krystal Kings Farms, LLC: Conditional Use Permit and Special Permits
 Record Number: PLN-11066-CUP (filed 8/31/2016)
 Assessor’s Parcel Number: 221-011-021
 Miranda area

A Conditional Use Permit for 18,300 square feet (SF) of existing mixed-light cultivation within seven (7) greenhouses and 1,830 SF of ancillary propagation. Estimated annual water usage is 200,000 gallons (11.11 gal/SF). Irrigation water is sourced from one (1) point of diversion on an unnamed Class II tributary of Salmon Creek. A gutter rain catchment system will also be developed to capture rainwater off the 40’x50’ (2,000 SF) barn to reduce reliance on the diversion. Existing available water storage is 15,000 gallons in a series of hard-sided tanks, with an additional 190,000 gallons proposed, for a total of 205,000 gallons of onsite water storage. One (1) 2,500-gallon fire storage tank is also present on the site. Drying will occur in an existing a 40’x50’ barn, with all other processing occurring offsite at a licensed processing or manufacturing facility. Power is provided by a generator. A maximum of six (6) employees will be onsite during peak operations. The proposed project also includes Special Permits for development within the Streamside Management Area (SMA) for the continued use and maintenance of the one (1) point of diversion on the project parcel and for removal of portions of existing greenhouses located within the SMA and associated restoration.

A motion was made by Commissioner Mitchell, seconded by Commissioner O’Neill, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour and Commissioner O’Neill

- 4. Cedar Farm South, LLC;
 Record Number PLN-13349-CUP (filed 08/25/2022)
 Assessor’s Parcel Number: 317-055-009
 South Fork Mountain Area;

A Conditional Use Permit for 17,200 SF of pre-existing outdoor cannabis cultivation with 1,700 SF of ancillary propagation. Water is sourced from a well. Annual water usage is approximately 232,200 gallons of water (12.29 gal/SF/yr). There are eight 2,500-gallon hard tanks existing on-site and two 2,500-gallon tanks proposed for a total of 25,000 gallons of water storage. Portable toilets and hand washing stations will be provided. Processing will occur off-site at a licensed processing facility. Power is sourced from three generators and the project is conditioned to transition to 100% renewable energy by 2026.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the recommendations be approved. The motion carried by the following vote:

Aye: 3 - Commissioner Levy, Commissioner Mitchell and Commissioner McCavour

Nay: 2 - Commissioner Bongio and Commissioner O’Neill

H. PUBLIC HEARINGS

- 1. Lucas & Myrtle Mini-Storage Center;
 Record Number PLN-16400-CUP (filed 5/28/2020)
 Assessor Parcel Numbers (APN’s) 015-111-006, 015-111-012, and 015-111-013.
 Myrtle town area

A lot line adjustment, general plan amendment, zone reclassification, and a conditional use permit (CUP) for the construction and operation of a mini-storage. The site would consist of two parcels - a small 5,500-square-foot (sf) residential lot on the northern end of the site and a 2 acres lot supporting the mini-storage. The general plan designation boundary between the Commercial General (CG) and Residential Medium Density (RM) designations and the corresponding zoning boundary between the Neighborhood Commercial zone (C-1/GO) and Apartment Professional residential zone (R-4/GO, Q). Will be modified to follow the new property boundary. The final design, dimensions, and configuration of the storage units have not been determined; however, based on preliminary plans, the overall footprint of the storage units and the office would not exceed 37,000 sf.

A motion was made by Commissioner Levy, seconded by Commissioner Mitchell, that the recommendations be approved. The motion carried by the following vote:

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

I. ADJOURNMENT

J. NEXT MEETING October 6, 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.