

PLANNING COMMISSION

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COUNTY STAFF

JOHN H. FORD  
Director, Planning and Building

**COUNTY OF HUMBOLDT  
PLANNING COMMISSION**

**825 Fifth Street  
Board of Supervisors Chambers  
Eureka, California**

**REVISED AGENDA**

Thursday, December 16, 2021

6:00 PM

Regular Meeting - Virtual

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*NOTE: In accordance with AB 361 the Planning Commission meeting will be held virtually 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/9763777152> Password: 200525*
- 2. Call in via telephone at 346 248-7799, enter meeting id 976 3777 7152 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.*

***PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:***

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

- 1. 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.*
- 2. Via phone call using cell phone 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:**

Submit public comments via email to [Planningclerk@co.humboldt.ca.us](mailto:Planningclerk@co.humboldt.ca.us) and provide the Project title, Record or Case number and date of the hearing. If you do not have access to email, contact the planning clerk at 707-268-3702. After the Agenda is posted on Friday, December 10, 2021, comments 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 after the fact.

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

**B. COMMISSIONERS PRESENT**

**C. DISCUSSION OF REMOTE MEETINGS**

1. Discussion and Possible Adoption of Resolution No 21-184 Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of December 16, 2021, through January 15, 2022, Pursuant to the Ralph M. Brown Act.

*Attachments:*        [PC Resolution 21-184 County of Humboldt Subsequent Remote Meetings](#)

#### **D. AGENDA MODIFICATIONS**

#### **E. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

*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.*

#### **F. 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.*

1. County of Humboldt, McKinleyville area. A General Plan Conformance review for MCSD to purchase 550 acres of timberland for a future Community Forest.

*Recommendation:* Find project to be in conformance with the General Plan based on findings in the staff report

*Attachments:*        [17528 McK CSD GPC Executive Summary 12.16.21](#)  
                              [17528 McK CSD GPC Staff Report 12.16.21](#)

#### **G. ITEMS PULLED FROM CONSENT**

#### **H. NEW BUSINESS: Election of Chair and Vice Chair for 2022.**

#### **I. CONTINUED PUBLIC HEARINGS**

*The projects listed below are public hearing items that have been continued from a previous meeting.*

**1. Ocean West Manufactured Home Park Expansion**

Record Number: PLN-14268-CUP

Assessor's Parcel Numbers: 510-171-039, 510-171-040, 510-171-060

McKinleyville area

A Conditional Use Permit, Special Permit and Notice of Merger to facilitate a proposed expansion of Ocean West Manufactured Home Park. The expansion will add 25 spaces for a total of 155 units. The Lot Merger portion of the proposed project consists of the merging of two vacant 4.5 acre and 0.57-acre parcels into the 25.32 acre developed manufactured home park for a total of 30.4 acres. The Special Permit 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 sensitive habitats on-site.

**Recommendation:** Adopt the resolution to take the following actions: 1) Find that there is no substantial evidence that the project will have a significant impact on the environment and adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and substituted mitigation measure pursuant to Section 15074, 15074.1 and 15097 of the CEQA Guidelines, 2) make all of the required findings for approval of the Ocean West Manufactured Home Park Expansion, and 3) approve the project subject to the recommended conditions.

**Attachments:** [14268 Ocean West Executive Summary 12.16.21](#)  
[14268 Ocean West Staff Report 12.16.21](#)

2. Green Crows, LLC  
Record Number PLN-11976-CUP  
Assessor Parcel Number (APN) 033-120-013  
Benbow area

A Conditional Use Permit for 14,814 square feet (SF) of existing outdoor and mixed-light cannabis cultivation, with 1,481 SF of outdoor propagation. The cultivation consists of 11,314 of full sun outdoor, and 3,500 sf of mixed light. Proposed mixed-light cultivation activities are contingent upon Pacific Gas and Electric Company (PG&E) power lines being developed. Annual water use is 163,600 gallons based on existing outdoor cultivation or 229,600 gallons with mixed-light included. Water for irrigation use is provided by a rain catchment system. There are 219,000 gallons of water storage in a series of hard-sided tanks and bladders and 50,000 more gallons of storage are proposed. A 2,000-watt solar system supplies all power for cultivation activities. Two generators are stored onsite for emergency use only.

**Recommendation:** Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines, make all of the required findings for approval of the Conditional Use Permit, and adopt the Resolution approving the Green Crows, LLC, Conditional Use Permit as recommended by staff subject to the recommended conditions.

**Attachments:** [11976 Green Crow Executive Summary 12.16.21](#)  
[11976 Green Crow Staff Report 12.16.21](#)  
[Attachment 3A - 11976 Site Management Plan 2.5.20 signed](#)

3. RAINBOW SELF STORAGE Coastal Development Permit and Conditional Permit  
Record Number PLN-2021-17222  
Assessor's Parcel Numbers (APNs) 016-231-025, -026, and -027  
Eureka Area

A Coastal Development Permit and Conditional Use Permit to convert the former McKenny's Do It Best building center and lumber yard into the Rainbow Self-Storage facility. The project area is comprised of three (3) APNs with a total area of 1.84 acres. The proposal is to enlarge an existing structure with second story additions that will increase the total square footage of the structure from 30,816 square feet to 41,374 square feet. In addition, two new buildings are proposed. The first building will be a 24,000 square foot, two-story self-storage unit; the second building will be a one-story, 6,500 square foot self-storage unit. The entire site is either developed with existing structures or paved. The applicant proposes to address run-off from storm water via the installation of a 2,635 square foot gravel retention area.

**Recommendation:** Adopt the Resolution to take the following actions 1) Find that there is no substantial evidence that the project will have a significant impact on the environment and adopt the Negative Declaration pursuant to Section 15074 of the CEQA Guidelines, 2) make all of the required findings for approval of the Rainbow Self-Storage CDP and CUP, and 3) approve the project subject to the recommended conditions.

**Attachments:** [17222 Rainbow Self Storage Executive Summary 12.16.21](#)  
[17222 Rainbow Self Storage Staff Report 12.16.21](#)

4. Green Management Group of Humboldt, LLC  
Record Number PLN-11713-CUP  
Assessor Parcel Number (APN) 223-032-001  
Garberville area

A Conditional Use Permit for 17,740 square feet (SF) of existing mixed-light cannabis cultivation with 3,210 SF of ancillary propagation. Irrigation water is sourced from a 150,000-gallon rainwater catchment pond and two (2) spring diversions. Existing water storage is 222,825 gallons. Estimated annual water usage is 222,000 gallons. Drying and bucking occurs onsite in an existing metal building, with all other processing occurring off-site at a licensed processing or manufacturing facility. Power is provided by generators. The proposed project also includes a Special Permit for development within the Streamside Management Area for use and maintenance of the two (2) points of diversion (POD), decommissioning of two additional PODs, culvert replacement and maintenance, and decommissioning of four (4) existing stream crossings and associated restoration.

**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 Conditional Use Permit and Special Permit, and 3) approve the Green Management Group of Humboldt, LLC, project as recommended by staff subject to the recommended conditions.

**Attachments:** [11713 Green Management Group Executive Summary 12.2.21](#)  
[11713 Green Management Group Staff Report 12.2.21](#)

## J. PUBLIC WORKSHOP

1. PROPOSED COMMUNICATIONS FACILITIES ORDINANCE;  
Record Number PLN-2021-17452.

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.

**Recommendation:** Hold the Workshop and take public comments and provide direction to staff.

**Attachments:** [Telecommunications Facilities Ordinance 12.16.21](#)

## K. 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*



1. Salmonid Restoration Federation, Marshall Ranch Streamflow Enhancement Project  
Record Number PLN-2019-15661  
Assessor's Parcel Number 220-061-011.  
Briceland area

The Project entails construction of 10 million-gallons of off-stream water storage. Water storage is proposed in two ponds and five tanks designed to fill with rainwater (~3.5 million gallons) and water diverted from two Redwood Creek tributaries during the wet season (~6.5 million gallons). The Project seeks to improve habitat for coho salmon and steelhead in Redwood Creek, an important salmon-bearing tributary, by addressing the limiting factor of low summer streamflows. The storage facilities have been sited and designed to fill during the winter wet season and release their stored water directly to Redwood Creek during the five-month dry season providing increased flows of approximately 30 gallons per minute along a 5.5-mile stream reach. Other ancillary Project components include installation of one large wood habitat enhancement and bank stabilization structure in Redwood Creek, stabilization of two seasonal tributaries, construction of a passive on-demand cooling and filtration gallery to provide treatment of the flow releases as needed, construction of an off-grid solar energy power system to support operations, upgrading access roads, riparian exclusion fencing for cattle, and installation of plumbing infrastructure to allow water stored in the tanks to be utilized for domestic, ranch, and fire suppression needs.

**Recommendation:** Adopt the Resolution to take the following actions 1) Find that there is no substantial evidence that the project will have a significant impact on the environment and adopt the Mitigated Negative Declaration 2) Adopt the Mitigation Monitoring and Reporting Program pursuant to Section 15074 and 15097 of the CEQA Guidelines, 2) make all of the required findings for approval of the Special Permit, and 3) approve the Salmonid Restoration Federation project subject to the recommended conditions.

**Attachments:** [15661 Salmonid Restoration Executive Summary 12.16.21](#)  
[15661 Salmonid Restoration Staff Report 12.16.21](#)  
[Attachment 4 Draft MND 2021-10-6](#)

2. Midgad, LLC Conditional Use Permit  
Record Number PLN-10651-CUP  
Assessor's Parcel Number: 219-051-009  
Salmon Creek Area

A Conditional Use Permit for 19,800 square feet of existing outdoor commercial cannabis cultivation. The project will be supported by a 1,000 square-foot propagation greenhouse. Water for irrigation is sourced from an existing 194,000-gallon rainwater catchment pond. The capacity of this pond is proposed to be expanded to 236,000 gallons. Water storage for irrigation totals 210,000 gallons between the 194,000-gallon rainwater catchment pond and existing hard-tank storage. The projected annual water usage for the project totals 227,000 gallons. All processing activities occur onsite in existing structures. Energy for the operation is sourced from a solar array with a generator to provide supplemental energy.

**Recommendation:** Adopt the Resolution to take the following actions: 1) find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO) pursuant to Section 15164 of the State CEQA Guidelines, 2) make all the required findings for approval of the Conditional Use Permit and 3) approve the Migdad, LLC, project subject to the recommended conditions.

**Attachments:** [10651 Midgad Executive Summary 12.16.21](#)  
[10651 Midgad Staff Report 12.16.21](#)  
[Attachment 3A - 10651 Road Evaluation 08.05.19](#)

3. Asia's Best, Coastal Development Permit and Conditional Use Permit  
Record Number PLN-2020-16426 (filed 6/11/2020)  
Assessor's Parcel Number 015-211-010  
Eureka area

A conditional Use Permit and a Coastal Development Permit to allow for a retail food and dry goods market in an existing 600 sq. ft. space within the Sacred Heart Church campus located at 2085 Myrtle Avenue Eureka. Parking would be shared with the activities of the church and an administrative office for the Humboldt-Del Norte County Medical Society. The retail food market also proposes a ground mounted sign near the entrance into the campus off Edgewood Road.

**Recommendation:** Adopt the Resolution to take the following actions: 1) find the project exempt from environmental review pursuant to Section 15301(a) of the State CEQA Guidelines, 2) make all of the required findings for approval of the Conditional Use Permit and Coastal Development, and 3) approve the Asia's Best Market project subject to the recommended conditions.

**Attachments:** [16426 Asia's Best Executive Summary 12.16.21](#)  
[16426 Asia's Best Staff Report 12.16.21](#)

4. H2 Equity, LLC Conditional Use Permit  
Record Number PLN-11248-CUP)  
Assessor's Parcel Number: 221-021-008  
Salmon Creek area

A Conditional Use Permit for 49,650 square feet of existing commercial cannabis cultivation of which 8,782 square feet is mixed light cultivation and 40,868 square feet is outdoor cultivation utilizing light deprivation techniques. The project is supported by 2,363 square feet of propagation space. Water for irrigation is sourced from an existing well, a hydrologically connected pond, and rainwater catchment. The projected annual water usage totals 892,176 gallons and existing available water storage totals 416,500 gallons. All processing occurs onsite in an existing structure. Energy is sourced from solar and generators.

**Recommendation:** Adopt the Resolution to take the following actions: 1) find that the exempt from environmental review pursuant to State CEQA Guidelines Section 15270, 2) make the finding that the project site is in violation of Humboldt County Code and that the applicant has not provided the County the information necessary to make the required findings for approval and 3) deny the H2 Equity, LLC Conditional Use Permit.

**Attachments:** [11248 H2 Denial Executive Summary 12.16.21](#)  
[11248 H2 Denial Staff Report 12.16.21](#)

5. Soul Arc Solutions, Inc  
Record Number PLN-11402-CUP  
Assessor Parcel Number (APN) 108-012-010.  
Ettersburg area

A Conditional Use Permit for 18,092 square feet (SF) of existing cannabis cultivation. Water for irrigation is sourced from a point of diversion and rainwater catchment pond. Water storage totals 290,000 gallons. Drying and curing would be on-site in a proposed 1,000-square-foot facility, with other processing occurring off-site. Electricity is sourced from generator power with solar power proposed.

**Recommendation:** Adopt the Resolution to take the following actions 1) find 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 Conditional Use Permit and 3) approve the Soul Arc Solutions, Inc., project as recommended by staff subject to the recommended conditions.

**Attachments:** [11402 Soul Arc Solutions Executive Summary 12.16.2021](#)  
[11402 Soul Arc Solutions Staff Report 12.16.2021](#)  
[Attachment 3A - 11402 WRPP 09.12.2017](#)

**6. Forever Loving Humboldt Inc. Conditional Use Permit**

Record Number PLN-12436-CUP

Assessor's Parcel Number: 211-374-014

Myers Flat area

A Conditional Use Permit for 32,500 square feet of existing commercial cannabis cultivation, consisting of 22,000 square feet of outdoor cultivation and 10,500 square feet of mixed light cultivation. Water for irrigation is sourced from two groundwater wells, which are registered as riparian diversions due to their proximity to the water course. The applicant estimates 475,000 gallons are needed for irrigation annually. Drying occurs on-site in an existing barn, with other processing activities occurring off-site at a licensed processing facility. Electricity is sourced from PGE and a generator.

**Recommendation:** Adopt the Resolution to take the following actions: 1) find the project exempt from environmental review pursuant to State CEQA Guidelines Section 15270, 2) make the finding that the project site is in violation of Humboldt County Code and that the applicant has not provided the County the information necessary to make the required findings for approval and 3) deny the Forever Loving Humboldt, Inc., project.

**Attachments:** [12436 Forever Loving Humboldt Denial Executive Summary 12.16.21](#)  
[12436 Forever Loving Humboldt Denial Staff Report 12.16.21](#)

**7. Ambiguity Farm LLC**

Record Number PLN-12812-CUP

Assessor's Parcel Number: 223-011-009, 223-011-007.

Garberville area

A Conditional Use Permit for 43,560 square feet of existing outdoor cannabis cultivation, and a Special Permit for restoration work within the SMA. Ancillary propagation will occur in two 1,250-square-foot greenhouses for a total propagation space of 2,500 square feet. There will be three cultivation cycles occurring annually. All processing will occur offsite. Water for the project will be sourced from an onsite 800,000-gallon onstream-pond and a proposed rainwater catchment system. The applicant anticipates 400,000 gallons of water will be required for irrigation annually. There are 100,000 gallons of available water storage occurring in two 50,000-gallon metal tanks, with 300,000 gallons of additional water storage proposed for the project. There will be a maximum of four employees required for operations. Power for the project is sourced from a solar array with a backup generator.

**Recommendation:** Adopt the Resolution to take the following actions 1) find that the Planning 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 Special Permit, and 3) adopt the Resolution approving the Ambiguity Farm, LLC, project as recommended by staff subject to the recommended conditions.

**Attachments:** [12812 Ambiguity Farm Executive Summary 12.16.21](#)  
[12812 Ambiguity Farm Staff Report 12.16.21](#)  
[Attachment 3A - Site Management Plan](#)

8. Cannaboldt;  
Record Number PLN-11998-CUP  
Assessor's Parcel Number: 212-201-013.  
Miranda area

A Conditional Use Permit for 14,182 square feet of existing cannabis cultivation consisting of 9,790 square feet of existing outdoor and 4,392 square feet of existing mixed light. Water for irrigation is sourced from an existing well. Water is stored in 26 tanks (239,300 gallons) and a pond. Processing, including drying and trimming, occurs on-site in shipping containers. Electricity is sourced from generator power.

**Recommendation:** Adopt the Resolution to take the following actions: 1) find the project exempt from environmental review pursuant to State CEQA Guidelines Section 15270, 2) make the finding that the project site is in violation of Humboldt County Code and that the applicant has not provided the County the information necessary to make the required findings for approval and 3) deny the Cannaboldt, Inc. project.

**Attachments:** [11998 Cannaboldt Executive Summary 12.16.21](#)  
[11998 Cannaboldt Staff Report Denial 12.16.21](#)

9. Humboldt Hempire Farms, LLC  
Record No. PLN-2020-16602  
APN 223-061-011  
Garberville Area

A Special Permit for 43,560 square feet of new mixed light cannabis cultivation. The applicant anticipates 3 harvest cycles annually. Cultivation will occur in twelve (12) 1,600 square foot greenhouses, four (4) 2,000-square-foot greenhouses, two (2) 1,950 square foot greenhouses, and two (2) 2,600-square-foot greenhouses. Water for irrigation will be provided by rainwater catchment. There is an approved land use permit on the subject parcel that allows for a business engaged in the collection, storage, delivery, and sale of non-potable water to residents in the Southern Humboldt area for primarily agricultural use (e.g., irrigation). The applicant will utilize water from this onsite business to support the cultivation. The applicant anticipates approximately 600,000 gallons of water will be required annually for irrigation. There is 3,360,000 gallons of water storage onsite. Processing such as drying and curing will occur in a 5,060-square-foot structure. Further processing will occur offsite at a licensed processing facility. Power of the project will be provided by PG&E.

**Recommendation:** Adopt the Resolution to take the following actions: 1) find that the project is exempt from environmental review pursuant to Section 15270 of the CEQA Guidelines, 2) find that proposed development is not consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance, and 3) deny the Humboldt Hempire Farms Special Permit.

**Attachments:** [16602 Humboldt Hempire Executive Summary 12.16.21](#)  
[16602 Humboldt Hempire Staff Report 12.16.21](#)

## L. CANNABIS DISCUSSION

1. The Planning Commission intends to consider and approve a letter identifying potential amendments to the Commercial Cannabis Land Use Ordinance and request that the letter be sent to the Board of Supervisors.

**Attachments:** [LTR.Planning Commission Cannabis Concerns.draft](#)

## M. ADJOURNMENT

**NEXT MEETINGS**      **January 06, 2022**      **6:00 p.m.**      **Regular Meeting - Virtual**

*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](mailto:planningclerk@co.humboldt.ca.us) or the ADA Coordinator at 844-365-0352 or by email at [ada@co.humboldt.ca.us](mailto:ada@co.humboldt.ca.us)*