



MINUTES

THURSDAY, NOVEMBER 19, 2020

Regular Meeting

The Honorable Planning Commission of the County of Humboldt met in a regular meeting on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Thursday, January 21, 2021 with the vote as shown below.

The motion was made by Commissioner Levy and seconded by Commissioner McCavour

AYES: Commissioners Bongio, Levy, Newman, O'Neill, and McCavour
NOT PRESENT: Commissioners Mitchell, Pellegrini
DECISION: Motion carries 5/0.



Laura McClenagan
Deputy Clerk of the Planning Commission



John H. Ford
Secretary of the Planning Commission

PLANNING COMMISSION

First District
Alan Bongio - Chair
Second District
Ronnie Pellegrini
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, November 19, 2020

6:00 PM

Regular Meeting - Virtual

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/99910147343> Password: 200525*
- 2. Call in via telephone at 346 248-7799, enter meeting id 999 1014 7343 Password: 200525*
- 3. A live stream of the meeting can be found by using the following link: <https://humboldt.legistar.com> Or while 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 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 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.*

CONTINUED ITEMS: 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:

To submit public comment to the Planning Commission please email Planningclerk@co.humboldt.ca.us and provide your name, the agenda item number(s) on which you wish to speak. If you do not have access to email, a voicemail may be left at 707 445-7541 and will follow the same procedure as email public comments. All public comment submitted after the agenda has been published will be included with the administrative record after the fact.

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. For items not appearing on the agenda, the public is invited to make comments during the Public Comment period for non-agenda items. All speakers are invited to state and spell their names but are not required to do so.*

A. CALL TO ORDER / SALUTE TO FLAG

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

B. 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 Ronnie Pellegrini

C. AGENDA MODIFICATIONS

Item E-1: Supplemental #1 and #2 provided

Item E-2: Supplemental #1 provided

Item E-8: Supplemental #1 provided

Item G-1: Comment letter provided

D. PUBLIC COMMENTS

E. CONSENT AGENDA

7. Judy Davis Parcel Map Subdivision and Special Permit
Case Number PLN-2019-16070
Assessor Parcel Number 510-101-011
McKinleyville area

A minor subdivision of an approximately one-acre parcel into two ½-acre parcels. The property is currently developed with a residence with attached garage, deck and detached shop. All of these structures are situated within the proposed boundaries of Parcel 2 of the proposed subdivision. No development is currently located within the proposed boundaries of Parcel 1. Planned improvements include construction of a 5-foot wide sidewalk along Reasor Road, installation of a new ADA-compliant driveway serving Parcel 1 and retrofit of an existing driveway serving Parcel 2. Both parcels are proposed to be approximately 75 feet wide and 290 feet long, and a Special Permit is being requested to allow each parcel to exceed the maximum allowable ratio of lot depth to lot width for the R-1 zone. To comply with drainage requirements for the McKinleyville planning area, a stormwater detention facility will be constructed on proposed Parcel 1. A Special Permit is also being requested to pre-authorize construction of an approximately 2,000 square foot residence as an Accessory Dwelling Unit (ADU) prior to completion of the subdivision. Removal of one or more mature evergreen trees will be required during construction of planned improvements on Proposed Parcel 1. The McKinleyville Community Services District currently provides water and sewer service to the property and are expected to provide new services to the proposed residence and future development of Parcel 1.

A motion was made by Commissioner Mitchell, seconded by Commissioner Pellegrini, that the Judy Davis Parcel Map Subdivision and Special Permit item 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 Pellegrini

8. MCSD Habitat Restoration and Public Access

Case Number PLN-2019-15879
Assessor's Parcel Number 506-341-017, 508-021-006 & 508-021-007
McKinleyville area

A Conditional Use Permit (CUP) for the McKinleyville Community Services District for habitat restoration, establishing public access, and road modifications. A consolidated Coastal Development Permit will be processed by the California Coastal Commission.

A motion was made by Commissioner Mitchell, seconded by Commissioner Pellegrini, that the MCSD Habitat Restoration and Public Access item 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 Pellegrini

F. ITEMS PULLED FROM CONSENT

1. Mattole River Farms, LLC,
Record Number PLN-11752-CUP
Assessor's Parcel Number 108-161-034-000
Whitethorn area

A Conditional Use Permit for 17,000 square feet existing outdoor cultivation and a 4,800 square foot mixed-light greenhouse. Propagation occurs in a 2,172 square foot nursery. The applicant expects one outdoor harvest and two mixed light harvests annually. Existing cultivation claimed to have occurred between orchard rows would be reorganized into five (5) proposed 3,400 square foot greenhouses (100' x 34'). Irrigation water is provided by a 1-million-gallon off-stream rain catchment pond. An existing water right to the Mattole River would be used for domestic purposes only with no nexus to the cannabis permit. Estimated annual irrigation use is 275,000 gallons. Processing includes drying and trimming and occurs with the existing agricultural building, garage and containers on-site. Power is provided by P.G.&E. and solar panels. The Planning Commission will consider an Addendum to a Mitigated Negative Declaration.

A motion was made by Commissioner Pellegrini, seconded by Commissioner Mitchell, that the Mattole River Farms, LLC, item 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 Pellegrini

2. Mad River Horticulture, LLC, Conditional Use Permit & Special Permit
Record Number PLN-13139-CUP
Assessor's Parcel Number (APN) 208-231-015-000
Dinsmore/Mad River area

Pursuant to Humboldt County Code Section 314.55.4.8.2.1 et seq., the applicant has applied for a Conditional Use Permit to allow the continued allowing for the continued operation of an existing 27,825 square foot (SF) commercial cannabis cultivation of which 5,425 SF mixed light and 22,400 SF outdoor. And, pursuant to Humboldt County Code Section 314.55.48.6 et seq., the applicant has

applied for a Special Permit allowing for a water diversion from the Mad River used for irrigation water. Irrigation water is sourced from an existing permitted well and the surface water diversion. Water storage consists of 21,000 gallons of HDPE water tanks. Total projected water use is 386,500 gallons (13.9 gallons per square foot). No employees are proposed. Processing will occur off-site at a licensed third-party facility or processing onsite (at a later date) by methods that meets all industry, county, state, and federal regulations. Power is provided by generators.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Commission has considered the addendum to the adopted Mitigated Negative Declaration for the CMMLUO, make all of the required findings for approval of the Conditional Use Permit and Special Permit based on evidence in the staff report, and adopt the Resolution approving the proposed Mad River Horticulture, LLC project subject to the recommended conditions approved as amended: the approval is consistent with what was noticed, that the generator will be replaced by solar by the 2025 grow season and that the LSAA Water Management Plan be submitted to the County. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Pellegrini

Nay: 1 - Commissioner O'Neill

- 3. Mamba Humboldt Logistics, LLC Conditional Use Permit and Special Permit, Record Number PLN-12949-CUP
Assessor's Parcel Number 208-251-006-000
Dinsmore Area

A Conditional Use Permit for 10,000 square feet (SF) of existing outdoor and 4,500 SF of existing mixed light cannabis cultivation with appurtenant propagation area and processing facility. A Special Permit is also requested for an encroachment within a Streamside Management Plan to allow onsite relocation and remediation. Approximately 3,600 SF of mixed light cultivation is to be relocated from an area within a streamside management area to an existing graded flat. Water source is a groundwater well and about 25,500 gallons of water stored in hard tanks. The total water usage for cannabis irrigation about 183,700 gallons a year (12.6 gallons per square foot). Processing will occur onsite in a proposed, 1,600 SF ADA complaint facility. Four employees are required to meet operational needs. Power Source is currently provided by a generator; however, the applicant is proposing to install solar power to support operations.

Meeting went into Recess

Meeting Reconvened

A motion was made by Commissioner Pellegrini, seconded by Commissioner Mitchell, that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and Special Permit on evidence in the staff report and approve the proposed Mamba Humboldt Logistics, LLC project subject to the recommended conditions. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

4. Ancient Truth Inc., Conditional Use Permit

Case Number PLN-10888-CUP

Assessor Parcel Number 210-042-003

Bridgeville area

A Conditional Use Permit for 22,000 square feet (SF) of existing mixed light, 43,560 SF of existing outdoor commercial cannabis cultivation. Processing is proposed to occur in a 2,500 SF existing building and alternate between processing activities and indoor cultivation. Power is currently provided by 3 (three) generators. The applicant proposes future electricity be provided by Pacific Gas and Electric (PG&E) in 2021. Water for irrigation is sourced from two existing permitted wells with an annual water demand estimate of 631,800 gallons per annum (9.64 gallons per SF) applied via drip irrigation. The applicant currently has 12,800 gallons of HDPE water tanks storage. The applicant proposes to add 11,500 gallons additional storage for a total of 24,300 gallons of water storage. The project site includes a permitted septic system for the existing shop. The applicant proposes up to ten (10) employees.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Ancient Truth Inc., Conditional Use Permit item be continued to the December 17, 2020 meeting of the Planning Commission. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

5. Benbow Valley Farms Conditional Use Permit and Special Permit

Record Number PLN-11802-CUP

Assessor Parcel Numbers 223-032-004

Benbow area

A Conditional Use Permit for 36,640 square feet of existing outdoor cannabis cultivation in two distinct cultivation areas. There will be a maximum of two harvests annually. Historic cultivation occurs in four distinct cultivation areas and the proposed project includes relocation of two cultivation areas to environmentally superior locations. The applicant is also proposing to reorganization 25,136 square feet of full-sun outdoor cultivation into greenhouses. There are four greenhouses in two cultivation areas totaling 11,475 square feet that will be used for propagation. Annual water use is 417,550 gallons. Water is sourced from a permitted well. There is 65,000 gallons of water storage in hard-sided tanks. There are three ponds on the subject parcel previously used for cultivation that will remain for aesthetics, fire protection and livestock uses. Processing is proposed on-site within one structure totaling 3,600 square feet. The project also includes a change of use for the existing 672-square-foot cabin, which will become an office for administrative functions. A maximum of five employees will be on-site during peak operations. Power is provided by generators and solar panels. The project also includes a Special Permit for development within the Streamside Management Area for an on-stream pond used historically for cultivation.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the

Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and Special Permit based on evidence in the staff report and approve the proposed Benbow Valley Farms project subject to the recommended conditions as amended: that there will be solar powered generators by the 2025 grow season and that staff corrections stating that 2,700 square feet of propagation is permitted. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

- 6. Green Crows, LLC, Conditional Use Permit
 Record Number: PLN-11976-CUP
 Assessor's Parcel Number (APN): 033-120-013
 Benbow area

A Conditional Use Permit to allow for continued cultivation of 14,814 square feet consisting of 11,314 square feet of outdoor cannabis and 3,500 square feet of mixed light cannabis. There will be 1,814 square feet of propagation. Cultivation activities extend from April to October. There will be one harvest annually. Annual water use is 188,500 gallons. Water for irrigation use is provided by a rain catchment system. There is 274,000 gallons of water storage in a series of hard-sided tanks and bladders. The applicant is proposing to construct an 800-square-foot processing facility as shown on the site plan. The applicant is also proposing to construct a 288-square-foot drying shed and a 384-square-foot storage shed. A maximum of four employees are required during peak operations. Power is provided by solar and generators will be used as a back-up power source for emergencies only.

A motion was made by Commissioner Newman, seconded by Commissioner O'Neill, that the Green Crows, LLC, Conditional Use Permit item be continued to the December 17, 2020 meeting of the Planning Commission. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

G. CONTINUED PUBLIC HEARINGS

- 1. Rolling Meadow Ranch, LLC, Conditional Use Permits
 Record Number PLN-12529-CUP
 Assessor Parcel Numbers (APNs) 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001
 Blocksburg/Myers Flat area

Six Conditional Use Permits for 5.77 acres of mixed light cultivation and processing facilities located in five distinct cultivation areas. The proposed cannabis operation will be primarily located on APNs 217-181-002 and 217-201-001. Cultivation would occur in 16 greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Annual water use is approximately 4,628,200 gallons. Water will be provided by three existing wells. There will be

320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet. There will be a maximum of 30 employees during peak operations. The proposed project includes development of power from P. G. & E. The overall development will total 7.04 acres. The project is accessed by McCann Road using the McCann Bridge. Approximately 5 miles of private ranch roads will be used to access cultivation areas. At the property entrance, employees will park their vehicles and an electric bus or similar type vehicle will be used to transport employees to the cultivation and processing areas. Secondary access through Alderpoint Road will be utilized during the rainy season when the low-water bridge is not in use.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the Rolling Meadow Ranch, LLC, Conditional Use Permits item be continued to a date uncertain. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

H. ADJOURNMENT

Chair Bongio adjourned the meeting to order at 8:01 p.m.

I. NEXT MEETINGS

December 3, 2020

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