

PLANNING COMMISSION

First District
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, November 3, 2022

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

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 Thomas Mulder

Absent : 0

C. AGENDA MODIFICATIONS

D. ELECTION OF CHAIR AND VICE CHAIR

A motion was made by Commissioner Mitchell, seconded by Commissioner O'Neill, that Noah Levy be nominated for Planning Commission Chair. The motion carried by the following vote:

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

Nay: 2 - Commissioner Bongio and Commissioner Newman

A motion was made by Commissioner Newman, seconded by Commissioner Bongio, that Thomas Mulder be nominated for Vice Chair of the Planning Commission. The motion failed by the following vote:

Aye: 2 - Commissioner Bongio and Commissioner Newman

Nay: 4 - Commissioner Levy, Commissioner Mitchell, Commissioner McCavour and Commissioner O'Neill

Abstain: 1 - Commissioner Mulder

A motion was made by Commissioner O'Neill, seconded by Commissioner McCavour, that Commissioner Brian Mitchell be nominated for Planning Commission Vice Chair. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

Abstain: 1 - Commissioner Mitchell

E. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public Comment period was opened and closed

F. CONSENT AGENDA

1. Adoption of Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of November 3, 2022, through December 3, 2022, Pursuant to the Ralph M. Brown Act.

A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, to reauthorize remote meetings, pursuant to the Ralph M. Brown Act. The motion carried by the following vote:

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

3. Humboldt Native Healing, Conditional Use Permit and Special Permit Denial
 Assessor Parcel Number (APN) 522-470-009
 Record No.: PLN-11678-CUP
 Willow Creek area

A Conditional Use Permit for 5,000 square feet (sf) of new outdoor commercial cannabis cultivation, a Special Permit for 5,000 sf of new indoor commercial cannabis cultivation, and a Special Permit for a setback reduction from public lands. Water is proposed to come from the Willow Creek Community Services District, and there is no water storage on-site. Processing will occur on-site in the Barn, and the site will be owner-operated with no employees. Power will be sourced from PG&E.

A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, to deny Humboldt Native Healing, Conditional Use Permit and Special Permit. The motion carried by the following vote:

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

4. Buck Mountain Gardens, LLC, Special Permit Denial
Application Number PLN-2020-16826
Assessor's Parcel Number (APN) 210-142-005-000
Dinsmore area

A Special Permit 10,000 sf of new outdoor commercial cannabis cultivation. Water for irrigation is sourced from a 250,000-gallon rainwater catchment pond. Projected annual water usage totals 88,000 gallons and there is 10,600 gallons of hard tank water storage onsite. Drying and curing will occur on site and trimming will occur offsite at a licensed third-party processing facility. A portable generator is proposed to be used to power small hand tools.

A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, to deny Buck Mountain Gardens, LLC, Special Permit. The motion carried by the following vote:

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

5. South Fork River Ranch, LLC, Conditional Use Permit and Special Permits
Record Number: PLN-13164-CUP (filed 12/30/2016)
Assessor Parcel Numbers (APN) 524-114-005
Willow Creek area

A Conditional Use Permit for 18,200 square feet (SF) of existing outdoor cannabis cultivation and 1,600 SF of ancillary propagation. Water for irrigation is sourced from rainwater catchment supplemented by a point of diversion. Existing available water storage is 113,800 gallons stored in a 100,000-gallon rainwater catchment pond and a series of hard-sided water tanks, with an additional 65,000 gallons of storage proposed in tanks, for a total of 178,800 gallons of onsite water storage. Estimated annual water usage is 169,329 gallons. Drying and curing occurs onsite, with all other processing occurring off-site at a licensed processing or manufacturing facility. Electricity is sourced from generator power. Special Permits are also requested for continued use and maintenance of the point of diversion infrastructure and for a reduction to the 600-foot setback to adjacent public lands.

A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, to approve South Fork River Ranch, LLC, Conditional Use Permit and Special Permits. The motion carried by the following vote:

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

7. North Coast Hitching Post Coastal Development Permit & Special Permit

Assessor Parcel Numbers (APN) 308-131-033

Record No.: PLN-2022-17766

Table Bluff area

A Coastal Development Permit and Special Permit to authorize a seasonal venue for special events (primarily weddings) between May and October. A maximum of 200 guests per event and 18 events per year are proposed. Events are mainly expected to occur during weekends (Friday through Sunday) and only occasionally on a weekday. During the day of an event, activity will begin no earlier than 10am and end no later than midnight. Events will be staged from an historic barn and grassy areas around the structure. A nearby small cottage on the property will also be available for short-term rental both during and separately from events. Portable toilets will be used during events and on-site parking will be made available in several areas of mowed grass/pasture. Alcohol and food will be served during events. Food for events will be provided through mobile food trucks, catering with off-site prep, or on-site barbecuing from an existing gravel area in back of the barn.

A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, to approve North Coast Hitching Post Coastal Development Permit & Special Permit The motion carried by the following vote:

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

8. John Callahan Variance

Assessor Parcel Numbers (APN) 513-181-010

Record Number: PLN-2022-17770

Westhaven area

A variance is being sought to allow a reduced building setback for a proposed new residence. The request seeks to reduce the setback to 5 feet from the eastern property line where a setback of 20 or 30 feet would ordinarily be required. A vegetation management easement will be granted over the adjoining parcel to allow for the maintenance of defensible space around the structure in the event of wildland fire. The parcel is currently developed with a well and septic system and an assortment of accessory structures.

A motion was made by Commissioner McCavour, seconded by Commissioner Mulder, to approve John Callahan Variance. The motion carried by the following vote:

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

G. ITEMS PULLED FROM CONSENT

- 2. Review and approval of October 20, 2022, Action Summary;

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Action Summary be denied and return with corrections. The motion carried by the following vote:

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

- 6. Collins/Goldstein, Parcel Map Subdivision
 Application Number PLN-2022-17740
 Assessor Parcel Number (APN) 509-061-025
 2500 block of Sutter Road, McKinleyville area

A Minor Subdivision of an approximately 10-acre parcel into four parcels of approximately 20,000 square feet, 30,830 square feet, 32,336 square feet and 7.97 acres. A Planned Development Permit is requested to allow significantly reduced sizes and clustering of development along the road frontage, to observe setbacks from riparian and wetland areas associated with Mill Creek. The site is currently vacant and will be served with community water and sewer provided by the McKinleyville Community Services District. The majority of the parcel is forested with the exception of the northern portion, which was cleared as part of a recent less than 3-acre conversion completed in late 2021.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, to approve Collins/Goldstein, Parcel Map Subdivision. The motion carried by the following vote:

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

H. PUBLIC HEARINGS

I. REVIEW OF PLANNING COMMISSION RULES AND PROCEDURES

- 1. Review and allow Public Comment on the Planning Commission Rules and Procedures

Commissioner Mulder: Post Planning Commission Procedure where applicants can review before presenting. Review and edit Reconsider on Pg 7 item (f).

*Commissioner Newman: Post the Procedure of Conduct for Public Hearings(Pgs 4-6) Ask Supervisors to add Planning Commission Discussion Items to Page 4 under header **Order of Business***

Commissioner Levy: Build in prompt for the chair to disclose any Ex-parte communications

Staff will review and return with recommendations.

J. NEW BUSINESS

K. REPORT FROM PLANNER

L. PLANNING COMMISSION DISCUSSION ITEMS

Commissioner Bongio: Informational report on the Application Process with a focus on the Tribal and Referral Agencies Process on December 1st Agenda.

Commissioner Mitchell: Cancel December 15th meeting of the Humboldt County Planning Commission

M. ADJOURNMENT

NEXT MEETING November 17, 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.