

PLANNING COMMISSION

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JOHN H. FORD
Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

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

AGENDA

Thursday, October 7, 2021

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/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 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, October 01, 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:

Discussion and Possible Adoption of Resolution No 2021-__ Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of October 7, 2021, through November 6, 2021, Pursuant to the Ralph M. Brown Act.

D. AGENDA MODIFICATIONS**E. PUBLIC COMMENTS**

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. Review and approval of the September 02, 2021, Action Summary

Recommendation: Move to approve the September 02, 2021, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

Attachments: [09.02.2021 Action Summary for review.pdf](#)

2. Review and approval of the September 16, 2021, Action Summary

Recommendation: Move to approve the September 16, 2021, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

Attachments: [09.16.2021 Action Summary for review.pdf](#)

G. CONTINUED PUBLIC HEARINGS:

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

1. Eel River Produce, LLC Special Permits, Zoning Clearance Certificates

Record Number: PLN-2020-16417

APNs: 209-331-002

Redcrest Area

A proposal to add 63,200 square foot of cultivation area consisting of a Special Permit to allow 43,200 square feet, including 33,200 square foot of outdoor light deprivation, and 10,000 square foot mixed light, and a Zoning Clearance Certificate to allow a fourth RRR on the site consisting of 20,000 square feet of outdoor light deprivation. The site is presently permitted for 60,000 square feet of full-sun outdoor through three RRRs. The total cultivation at full build-out will be 133,200 square feet (3.06 acres). A 10,000-square-foot commercial nursery in four (4) greenhouses will produce seeds and clones and was approved with a separate ZCC. No supplemental light is used in the light-deprivation or nursery greenhouses. The sole source of irrigation water is rainwater catchment captured directly in and stored in hard tanks. Estimated annual water use is 161,500 gallons, of which 19,000 gallons is used for the nursery. Water storage totals 120,000 gallons in twenty-four (24) hard tanks, with an additional 50,000 gallons proposed. Harvested product will be dried in the greenhouses, or fresh frozen and taken off-site. No processing occurs on-site. P.G.&E. supplies renewable power to the site. A Special Permit is also required to vary from the 600' setback from Humboldt Redwoods State Park by 76' to a distance of 524'.

Recommendation: Adopt Resolution which does the following: 1) Adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Eel River Produce project, 2) makes all the required findings for approval of the Special Permits and Zoning Clearance Certificates and 3) approves the Eel River Produce project subject to the recommended conditions.

Attachments: [16417 Eel River Produce Staff Report 10.7.21.pdf](#)

H. PUBLIC HEARINGS

1. Humboldt County Department of Public Works Coastal Development Permit
Record Number PLN-2021-17402
Assessor's Parcel Number: State Highway 255 Right of Way.
Manila area

A Coastal Development Permit application for Humboldt County Department of Public Works to develop a Class I bike path (also known as shared use path or multi-use trail) along the western side of the Highway 255 corridor in the Manila area. The project would start near the Pacific Avenue intersection (Post Mile 3.64) and terminate north of the Carlson Drive intersection (Post Mile 4.24) for a total length of 0.6 miles. The bike path is designed as a paved, 10-foot-wide surface with two, two-foot-wide shoulders offset variable distances from the edge of the highway shoulder. The project includes 150 feet of concrete sidewalk along Pacific Avenue, a crosswalk near the Pacific Avenue/Peninsula Drive intersection, two light standards near Pacific Avenue, crosswalks at Lupin Avenue and Carlson Drive, and on-site wetland creation. The purpose of the project is to improve safety for non-motorized and motorized travelers in Manila and increase the use of active modes of transportation. The project would enhance coastal access, heighten driver awareness of the community, and fill the gap for non-motorized travel between the Pacific Avenue and Lupin Avenue neighborhoods. The trail is needed because Highway 255 through Manila is an incomplete transportation facility that was designed primarily to support motorized vehicles.

Recommendation: Adopt the resolution to do the following: 1) Adopt the Mitigated Negative Declaration, 2) make all the required findings for approval of the Coastal Development Permit based on evidence in the staff report and 3) approve the Humboldt County Department of Public Works project subject to the recommended conditions.

Attachments: [17402 Humboldt County Public Works Staff Report 10.7.21.pdf](#)

2. Westhaven VFD Coastal Development Permit
Record Number PLN-2020-16864
Assessor's Parcel Number: 514-141-016
Trinidad Area

A Coastal Development Permit (CDP) for the construction of a new 375 square foot (SF). One-story accessory pre-engineered metal building with concrete footings to store emergency vehicles and equipment for the Westhaven Volunteer Fire Department.

Recommendation: Adopt the Resolution which does the following: 1) Finds the project exempt from environmental review pursuant to Sections 15303(e) of the State CEQA Guidelines, 2) makes all of the required findings for approval of the Coastal Development Permit, and 3) approves the Westhaven Volunteer Fire Department project subject to the recommended conditions.

Attachments: [16864 Westhaven VFD Staff Report 10.7.21.pdf](#)

3. McGuire Coastal Development Permit
Record Number PLN-2021-17292
Assessor's Parcel Number: 306-024-004
Fields Landing area

A Coastal Development Permit for demolition of an existing 1,700 square-foot residence and existing fence, and construction of a new residence. The new 2-story residence would consist of a 788 square foot garage with a 788 square foot 1 bedroom accessory dwelling unit above. This new structure will be built adjoining an existing 960 square-foot garage/shop which will remain on site.

Recommendation: Adopt the resolution to do the following: 1) Find the project exempt from environmental review pursuant to Section 15303(a) of the State CEQA Guidelines, 2) make all of the required findings for approval of the Coastal Development Permit, and 3) approve the McGuire project subject to the recommended conditions.

Attachments: [17292_McGuire Staff Report 10.07.21.pdf](#)

4. Macras Land Company, Conditional Use Permit
Record Number PLN-11099-CUP
Assessor's Parcel Number: 317-033-008
Kneeland Area

A Conditional Use Permit to permit a maximum of 24,123 square feet (SF) of cannabis cultivation, consisting of 17,262 SF outdoor cultivation and 6,861 SF mixed light cultivation. A total of 720 SF of immature/nursery space will be used for propagation. Irrigation water is sourced from two existing groundwater wells [Permit Nos. 18/19-0423 (30 gpm) and 18/19-0264 (1 gpm)] and a permitted stream diversion (1.79 acre-feet - Registration No. H501532/ Certificate No. H100454). Annual water use is estimated at 123,840 gallons (12.38 gallons/SF). Water storage totals 25,000 gallons in eight (8) 2,500-gallon containers, and one (1) 5,000-gallon container. Electricity is provided through the one generator, housed in a semi-enclosed structure, running at 50% load.

Recommendation: Continue the Macras Land Company project to a date uncertain.

5. Aloha Top Shelf, LLC, Conditional Use Permits

Record Number PLN-12333-CUP, PLN 12337-CUP, PLN-12637-CUP

Assessor's Parcel Number: 522-511-016, 522-511-013, 522-511-014 & 522-511-015

Willow Creek area

Three Conditional Use Permit to allow a total of 10,250 sq. ft. of new mixed-light cannabis cultivation and 2,250 square feet of new indoor cultivation on four parcels within the Willow Creek Community Planning Area. Two of the parcels are proposed to be merged into a single parcel, resulting in a total of three parcels proposed for cannabis cultivation permits. An additional Special Permit is being requested to reduce the 600-foot setback to public lands for each of the three operations. Water will be provided by the WCCSD, and a will-serve letter is on-file. A total of 231,800 gallons of water is estimated for annual irrigation needs. There is no existing water storage on-site and no storage is required. Power is sourced by PG&E.

Recommendation: Continue the three Aloha Top Shelf LLC applications to the October 21, 2021, Planning Commission meeting.

6. High Spirits 1 and 2, LLC, Conditional Use Permit and Special Permit

Record Number PLN-12414-CUP, PLN-2021-16957

Assessor's Parcel Number: 315-291-001

Willow Creek area

High Spirits 1, LLC seeks a Conditional Use Permit and a Special Permit for a total of 37,925 square feet (SF) of existing outdoor cannabis cultivation and 31,560 of new outdoor light-deprivation cultivation with ancillary propagation totaling 6,956 square feet. Irrigation water is sourced from three (3) groundwater wells and rainwater catchment. Estimated annual water use is 755,955 gallons. Electricity is sourced from generators.

Recommendation: Continue the two High Spirits applications to a date uncertain.

7. Karina Mata, Conditional Use Permit
Record Number PLN-13037-CUP
Assessor's Parcel Number: 522-171-004
Willow Creek area

A Conditional Use Permit for 17,585 square feet (SF) of existing cannabis cultivation, consisting of 7,705 SF outdoor cultivation and 9,880 SF mixed light cultivation, and a Special Permit to reduce the 600-foot setback from the Six Rivers National Forest. Plants are propagated in three (3) immature plant areas (IPAs) totaling 2,650 SF. Irrigation water is sourced from a permitted groundwater well. Annual water use is estimated at 115,500 gallons. Total water storage is 25,000 gallons and the applicant plans to increase storage to 80,000 gallons by adding more water tanks. Drying and further processing will take place onsite in a 625-SF auxiliary structure until the proposed 1,925-SF barn is permitted and constructed onsite. Power is provided by an onsite Honda Eu7000iS 7kW gasoline generator.

Recommendation: Adopt the Resolution which does the following: 1) Finds 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; 2) makes all of the required findings for approval of the Conditional Use Permit and 3) approves the Karina Mata Conditional Use Permit as recommended by staff subject to the recommended conditions

Attachments: [13037 Karina Mata Staff Report 10.7.21.pdf](#)

8. Brandon Bilandzija, Conditional Use Permit
Record Number PLN-12730-CUP
Assessor Parcel Number (APN) 216-381-034
Alderpoint area

A Conditional Use Permit for existing 13,350 square feet (SF) of outdoor cannabis cultivation. Irrigation water will be sourced from a proposed groundwater well. Existing available water storage will be 18,000 gallons. Estimated annual water usage is 195,517 gallons. Drying, bucking, and processing occurs onsite. Power for cultivation will be sourced from a proposed PG&E agricultural connection.

Recommendation: Adopt the Resolution to do the following: 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) 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 Brandon Bilandzija project as recommended by staff subject to the recommended conditions.

Attachments: [12730 Brandon Bilandzija Staff Report 10.7.21.pdf](#)
[Attachment 3A - 12730 Water Resource Protection Plan.pdf](#)
[Attachment 3B - 12730 Final Road Evaluation.pdf](#)

9. J and R Ranch, Conditional Use Permit and Special Permit

Record Number PLN-11503-CUP

Assessor Parcel Number (APN) 316-015-006

Willow Creek area

Conditional Use Permit for an existing 14,000-square-foot (SF) outdoor cannabis cultivation operation and a 1,400 SF appurtenant nursery. J and R Ranch also seeks a Special Permit for work completed within a Streamside Management Areas (SMA). The project also includes the permitting of existing facilities appurtenant to the cultivation, and relocation and remediation of a historic guerrilla grow area. Irrigation water is sourced from a 295-foot-deep permitted groundwater well. Existing available water storage capacity is 11,500 gallons in five plastic water tanks. Estimated annual water usage is 240,000 gallons (17.1 gallons/SF/year). Drying occurs onsite in an existing shed and processing will occur offsite at a licensed processing or manufacturing facility. Power is sourced from five onsite generators located in two noise containment sheds.

Recommendation: Adopt the Resolution which does the following: 1) Finds 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; 2) makes all of the required findings for approval of the Conditional Use Permit and Special Permit and 3) approves the J and R Ranch Conditional Use Permit and Special Permit recommended by staff subject to the recommended conditions.

Attachments: [11503 J & R Ranch Staff Report 10.7.21.pdf](#)

10. Humboldt's Own, Inc. Special Permit

Record Number PLN-2021-11786

Assessor's Parcel Number: 105-071-006.

Petrolia area

A Special Permit for 24,800 square feet (SF) of existing outdoor cultivation, a Special Permit to relocate existing cultivation within the project area, and a Special Permit for 40,000 SF of new outdoor cultivation. Total cultivation area is 64,800 SF. Propagation occurs in four (4) greenhouses totaling 9,984 SF. The source of water for irrigation is an onsite permitted well (No. 16/17-0721). Total estimated annual water use is 1,018,450 gallons (15.7 gal/SF). There is no onsite water storage for irrigation purposes. Drying will occur in a 7,200 SF facility onsite. Further processing occurs offsite at a licensed third-party facility. The project requires a maximum of fifteen (15) employees during peak staffing season, which lasts for approximately six (6) to eight (8) weeks. Electrical power is provided by PG&E.

Recommendation: Find that the Zoning Administrator has considered the Addendum to the Environmental Impact Report for the Commercial Cannabis Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Special Permit and adopt the Resolution approving the Humboldt's Own project subject to the recommended conditions.

Attachments: [11786 Humboldt's Own Staff Report 9.2.21.pdf](#)

11. Mad River Family Farms, LLC, Conditional Use Permits and Special permit
Record Number PLN-11727-CUP, PLN-11728-CUP, PLN-11730-CUP
Assessor Parcel Numbers (APNs) 208-221-015, 208-221-016, 208-221-008
Dinsmore area

Three Conditional Use Permits for the operation of existing full sun and light deprivation outdoor cannabis cultivation operations occurring across three adjacent and contiguous parcels, for a total of 63,701 square feet with 6,424 square feet of ancillary propagation, and a Special permit for work within SMA areas and restoration of SMA areas including the removal of an in-stream pond. A total of 540,000 gallons of water is needed annual for all three projects, sourced from two groundwater wells and a 275,000-gallon rainwater catchment pond. A total of 437,950 gallons of water storage is available over the three properties. Processing activities are performed on APN 208-221-016 in a proposed 2,400-square-foot building or taken to a licensed off-site processing facility. Electricity is sourced from onsite solar and generator power. Access to the site is via West River Road off River Road which runs to the Humboldt/Trinity County Line.

Recommendation: Adopt the Resolutions to do the following: 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) pursuant to Section 15164 of the State CEQA Guidelines, 2) make all the required findings for approval of the Conditional Use Permits and Special Permit, and 3) approve the Mad River Family Farms, LLC, projects subject to the recommended conditions.

Attachments: [11727, 11728, 11730 Mad River Family Farm Staff Report 10.7.21.pdf](#)
[Attachment 3A - 11727 11728 11730 WRPP.pdf](#)
[Attachment 3B - 11727 LSAA 3.13.19.pdf](#)
[Attachment 3C - 11727 11728 11730 Timberland Conversion Report 4.25.2019.pdf](#)
[Attachment 3D - 11727 11728 11730 Biological Report Revised_Mad River Family Fa](#)
[Attachment 3E - 11727 11728 11730 Road Evaluation Report 03.13.2019.pdf](#)

12. The Apartment, LLC, Special Permit and Zoning Clearance Certificates
Record Number PLN-2020-16774
Assessor's Parcel Number's 211-363-012 & 211-362-013
Miranda area

A Special Permit for Non-Flammable Cannabis Manufacturing, and Infusion and two Zoning Clearance Certificates for Distribution and Commercial (off-site) processing activities within two proposed structures totaling 14,000 square feet. Water for the project will be provided by a proposed one-million-gallon rainwater catchment pond and an existing well. The applicant is also proposing to construct a new well. The applicant anticipates 60,000 gallons of water will be required for cannabis activities annually. Water storage onsite totals 30,000 gallons and an additional 2,500-gallon water tank. Power for the project will be provided by solar and wind energy. A backup generator will be onsite for emergency use only. The project involves a Conditional Use Permit for a Labor Camp consisting of a 5,120-square-foot boarding house for employee housing. The site is located on a county-maintained road however a Conditional Use Permit is required for the use of this non-paved access road for cannabis support facilities.

Recommendation: Adopt the Resolution to do the following: 1) Find that the Planning Commission has considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, 2) make all of the required findings for approval of the Conditional Use Permit, Special Permit and Zoning Clearance Certificates based on evidence in the staff report and 3) approve The Apartment, LLC project subject to the recommended conditions.

Attachments: [16774 The Apartment Staff Report 10.7.21.pdf](#)

I. DISCUSSION OF CANNABIS PERMITTING

The Planning Commission intends to discuss issues surrounding Cannabis Permitting with the potential to provide recommendation to the Board of Supervisors. The discussion will focus on the following topics:

1. Wells/Water Use
2. CEQA Potential for Changed Circumstances
3. Electricity – Generators and Solar Power

J. ADJOURNMENT

K. NEXT MEETINGS: October 21, 2021, 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 or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us

