

PLANNING COMMISSION

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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, December 1, 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. PUBLIC COMMENTS**

Public Comment was opened and closed

E. CONSENT AGENDA

A motion was made by Commissioner McCavour, seconded by Commissioner Bongio, to approve all items remaining on the Consent Agenda. 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

1. Adoption of Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of December 1, 2022, through December 31, 2022, Pursuant to the Ralph M. Brown Act.

A motion was made by Commissioner McCavour, seconded by Commissioner Bongio, to approve reauthorization of remote meetings. 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

2. Allison Shore Special Permits
Assessor Parcel Number: 314-203-008
Record Number: PLN-10946-SP
Kneeland area

A Special Permit for 10,000 square feet (SF) of existing outdoor cannabis cultivation utilizing light deprivation techniques and 1,000 SF of ancillary propagation. Irrigation water is sourced from a spring diversion, with plans to add rainwater catchment and install a groundwater well. Existing available water storage is 36,500 gallons in six (6) HDPE water storage tanks and a 10,000-gallon bladder. Estimated annual water usage is 107,600 gallons. Processing, including drying, trimming, and packaging, occurs onsite. A maximum of two (2) people will be on-site during peak operations. Power is provided by two (2) Honda generators, with long-term plans to convert to solar. A Special Permit is also requested for development within the Streamside Management Area (SMA) for continued use and maintenance of the point of diversion infrastructure

Continue the Allison Shore, Special Permit to a date uncertain.

3. Merry Whether Farms, LLC, Special Permit
Record Number: PLN-11734-SP
Assessor's Parcel Number (APN): 221-111-028
Whitethorn area

A Special Permit for 9,950 square feet (SF) of existing outdoor cannabis cultivation and 1,000 SF of ancillary propagation. Irrigation water is sourced from rainwater catchment. There will be a total of 162,900 gallons of onsite water storage. Estimated annual water usage is 150,000 gallons. Drying and curing occurs onsite, with all other processing occurring offsite at a licensed processing or manufacturing facility. Power is provided by solar, with a generator utilized for backup.

Continue the Merry Whether Farms, LLC, Special Permit to a date uncertain.

4. Georgi Stoyanov, Conditional Use Permit and Special Permit
Record Number: PLN-11816-CUP
Assessor's Parcel Number (APN): 221-201-007
Ettersburg area

A Conditional Use Permit for 11,600 square feet (SF) of existing outdoor cannabis and 1,190 SF of ancillary propagation. Irrigation water is sourced from three points of diversion and rainwater catchment. Estimated annual water use is 164,100 gallons. There will be a total of 164,100 gallons of onsite water storage. Processing occurs onsite. Power is provided by Pacific Gas and Electric Company (PG&E). A Special Permit is also requested for development within the Streamside Management Area for the continued use and maintenance of the points of diversion.

Continue the Georgi Stoyanov, Conditional Use Permit and Special Permit to a date uncertain.

5. Jesse Carnes Conditional Use Permit
Record Number: PLN-11919-CUP
Assessor's Parcel Number (APN): 314-191-014
Maple Creek area

A Conditional Use Permit for the continued cultivation of 22,000 square feet (SF) of existing outdoor cannabis cultivation and 1,170 SF of ancillary propagation. Irrigation water is sourced from a 700,000-gallon rainwater catchment pond. Existing available water storage is 715,000 gallons. Estimated annual water usage is 175,000 gallons. Processing with a trim machine occurs onsite. Power is provided by two (2) generators and the applicant has long-term plans to switch to solar power.

Continue the Jesse Carnes, Conditional Use Permit to a date uncertain.

6. Emerald Mountain Organics, LLC Conditional Use Permit
Record Number PLN-12918-CUP
Assessor's Parcel Number (APN) 216-134-012
Alderpoint, CA 95542

A Conditional Use Permit (PLN-12918-CUP) for 18,321 square feet (SF) of cannabis cultivation consisting of 12,321 SF outdoor cultivation and 6,000 SF mixed light cultivation. Plants are propagated in an 800-SF immature plant area. Irrigation water is sourced from one (1)

250,000-gallon rainwater catchment pond. Estimated annual water use is 112,000 gallons (6.09 gal/SF). Water is stored in the rainwater catchment pond and in six (6) water tanks with a combined storage capacity of 59,500 gallons. Total water storage is 309,500 gallons. Drying and trimming occur onsite in an existing 1,216-SF building. Further processing occurs offsite. Five (5) employees are required for project operations during the peak season. The primary source of electrical power is three (3) generators (Honda EU 2000-watt generator, MQ 25 kW diesel generator, and 10 kW diesel generator). Consistent with past actions of the Planning Commission, the project has been conditioned to either connect to a utility provider or have an alternative renewable power source starting January 1, 2026.

Continue the Emerald Mountain Organics, Conditional Use Permit to a date uncertain.

7. Humboldt Craft Farms, LLC, Conditional Use Permit
Record Number PLN-13399-CUP
Assessor's Parcel Number: 210-117-022
Burr Valley area

A Conditional Use Permit for 18,000 SF of existing cultivation in light deprivation hoophouses within nine (9) cultivation areas, all sized 20 feet by 100 feet (2,000 SF) each. Currently the project includes 10,000 square feet of mixed-light cultivation and 8,700 square feet of full-sun outdoor cultivation. The applicant is proposing to reduce the full-sun outdoor cultivation area to 8,000 square feet and enclose cultivation in light deprivation hoophouses. There is no onsite nursery/propagation area and juvenile plants are supplied by an off-site licensed nursery. Irrigation water is sourced from an existing spring and a proposed rainwater catchment system, and one (1) proposed groundwater well which would supplement future water needs. The applicant wants to retain the option of drilling a well for future use, if authorized by Humboldt County. Currently there is 70,200 gallons of water storage on site; twelve (12) 4,600-gallon tanks, two (2) 2,200-gallon tanks, three (3) 3,200-gallon tanks, and one (1) 1,000-gallon tank. All water storage currently occurs within hard plastic tanks. The overall water storage will be increased to 89,100 gallons sixteen (16) 4,600-gallon. The proposed rainwater catchment system and additional water tanks would have a capacity of 82,800 gallons. Water storage on the parcel will be approximately 153,000 gallons. Annual water use is estimated at 151,506 gallons (8.42 gallons/SF). Drying and trimming would occur onsite. There would be two (2) employees during peak harvest. Power is provided by one (1) generator.

Continue the Humboldt Craft Farms, LLC, Conditional Use Permit to a date uncertain.

8. Geck-Moeller Coastal Development Permit
Record Number PLN-2022-17700 (filed 03/30/2022)
Assessor's Parcel Number 308-231-002-000
Loleta Area

A Coastal Development Permit (CDP) for the construction of a new approximately 2,024 SF two-story residence, 984 SF uncovered deck, 40 SF entry deck, gravel driveway, and a detached two-car garage constructed on an existing 25x25-foot concrete slab. The CDP will also authorize brush clearing north of the residence for the planting of fruit trees, logan berries, and a residential garden area. The parcel is currently developed with a well and on-site wastewater treatment system.

Continue the Geck-Moeller, Coastal Development Permit to December 15, 2022.

9. Ivan Stoyanov Conditional Use Permit
Application Number PLN-11928-CUP
Assessor's Parcel Number (APN) 212-201-009
950 Felt Road, Miranda, CA 95553

A Conditional Use Permit (PLN-11928-CUP) for a maximum of 11,900 square feet allowed per the existing cultivation area verification, the current application is for 11,500 square feet of existing mixed light cannabis cultivation within three (3) greenhouses, measuring: (1) 34 feet x 116 feet (3,944 SF), (2) 34 feet x 114 feet (3,876 SF), and (3) 34 feet x 108 feet (3,672 SF) in size. Greenhouses would be extended by up to 4 feet to total 11,500 square feet. Plants are propagated in a 1,190-square foot immature plant area/nursery. This allotment is consistent with the 10 percent maximum growing area. Irrigation water is sourced from an engineered 348,864-gallon catchment pond located on the parcel. Water is pumped from the pond and stored in hard tanks on site, consisting of five (5) 2,500-gallon tanks (12,500 gallons of storage total), with one (1) additional 15,000-gallon tank to provide 27,500 gallons total. Annual water use is estimated to be approximately 212,000 gallons per year (18.43 gallons/SF). Drying would occur onsite, and trimming would occur offsite. There would be three (3) family members as employees during peak harvest. Power is provided by one (1) WhisperWatt generator.

A motion was made by Commissioner Mulder, seconded by Commissioner Newman, that the recommendations 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 Mulder

10. Lower Thomas Road, LLC Conditional Use Permit and Special Permit

Record Number: PLN-12214-CUP

Assessor's Parcel Number (APN): 219-041-012

Garberville area

Conditional Use Permit (PLN-12214-CUP) for an existing 9,248 square feet (SF) of outdoor cannabis cultivation, contained within 17 greenhouses. Plants are propagated in a nursery (400 SF) and secondary ancillary nursery (250 SF) totaling 650 SF (7% of cultivation area), and a Special Permit to allow the continued use of existing onsite buildings and a portion of the road located within the 100-foot setback of a Class II watercourse. Irrigation water is sourced from a permitted groundwater well (Humboldt County permit number 18/19-0859). Estimated annual irrigation water usage is 144,500 gallons (15.63 gal/SF). At the time of drilling, June 2019, the driller estimated a yield of one gallon per minute (gpm), based on a 4-hour air lift pump test. Due to reliance on a well, the applicant has submitted a "Hydrologic Isolation of Existing Well from Surface Waters" report, prepared by Lindberg Geologic Consulting (David Lindberg), dated October 11, 2022. Water is stored onsite utilizing twenty (20) storage tanks consisting of: 4-3,000 gallon tanks, 8-5,000 gallon tanks, 2-4,700 gallon tanks, 1-1,010 gallon tank, 2-500 gallon tanks, and 3-300 gallon tanks. Total water storage onsite is 64,310 gallons. Drying and trimming occur onsite in two existing sheds totaling 768 SF (384 SF each). Further processing occurs offsite at a licensed third-party facility. A total of three (3) employees will be required for project operations. The primary source of electrical power is a solar array with battery storage, and backup propane generator (Kohler 8.5kW).

A motion was made by Commissioner McCavour seconded by Commissioner Bongio, to approve all remaining items on the Consent Agenda. 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

11. High Grade 007, LLC Conditional Use Permit

Record Number PLN-12569-CUP

Assessor's Parcel Number (APN) 208-341-021

Dinsmore area

A Conditional Use Permit for 10,000 square feet (SF) of existing outdoor light-deprivation cultivation operation in six greenhouses on two flats, along with 971 SF of ancillary nursery propagation. Irrigation water will be sourced from an onsite well. According to a well hydrologic connectivity report prepared by a professional engineering geologist, the well on the subject parcel has a minimal likelihood of being hydrologically connected in any manner that might significantly affect adjacent wetlands or surface waters in the vicinity. Estimated maximum annual water usage for the single 7-month harvest is approximately 80,000 gallons (8 gallons/SF/year), with peak monthly demands reaching 15,000 gallons/month June through August. Existing tank storage for irrigation total 16,000 gallons. Drying and seasonal cloning would continue in an existing 288 SF drying shed. Power is provided by one Honda 7000 generator housed in a noise limiting shed. The applicant would use generators for 100% of its energy needs until Pacific Gas and Electric connects to Cobb Road or a solar power system capable of supplying 80% of annual energy demands can be established. The

project would utilize up to four seasonal employees during peak season to perform cultivation activities.

A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the recommendations 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 Mulder

12. Salmon Creek Farms, LLC, Special Permit

Application Number: PLN-2022-17876

Assessor's Parcel Number: 212-061-030

Salmon Creek area

The applicant is seeking a Special Permit for a Microbusiness which will permit the applicant to conduct non-storefront retail sales and commercial distribution activities, and a Conditional Use Permit for cannabis support facilities on a road not meeting the Category 4 Standard. The site currently contains an approved Zoning Clearance Certificate (apps 11822) for 10,000 square feet of new and existing outdoor cultivation and 20,000 square feet of outdoor cultivation approved under the RRR program. Following the approval of this Special Permit, the applicant proposes to obtain a Microbusiness license for 9,640 square feet of approved outdoor cultivation, commercial distribution, and non-store front retail sales. No changes are proposed to the approved cultivation area onsite.

A motion was made by Commissioner McCavour seconded by Commissioner Bongio, to approve all item remaining on the Consent Agendag. 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

13. Judy Davis Extension of Parcel Map Subdivision and Special Permit

Application Number PLN-2022-17961
 Prior Application Number PLN-2019-16070
 Assessor Parcel Number (APN) 510-101-011
 McKinleyville area

A two-year extension to a previously approved Minor Subdivision and Special Permit (PLN-2019-16070). The project involves division of a 1-acre property into two parcels, each approximately ½-acre in size. The property is currently developed with a residence, attached garage, deck and detached shop. All of these structures are situated within the boundaries of Parcel 2 of the proposed subdivision. No development is currently located within the proposed boundaries of Parcel 1. Though proposed Parcel 1 is currently vacant, the approved Special Permit allows construction of an approximately 2,000 square foot residence on Proposed Parcel 1 as an Accessory Dwelling Unit (ADU) prior to completion of the subdivision. Planned improvements include construction of a 5-foot wide sidewalk along Reasor Road, installation of a new ADA-compliant driveway serving Parcel 1, retrofit of an existing driveway serving Parcel 2, and development of a stormwater detention facility on Parcel 1. 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.

A motion was made by Commissioner McCavour, seconded by Commissioner Bongio, to approve all items remaining on the Consent Agenda. 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

14. The Apartment, LLC Permit Extension

Assessor Parcel Numbers (APN) 211-363-012 & 211-362-013
 Record No.: PLN-2022-17971
 Miranda area

A two-year extension for an approved permit (PLN-2020-16774). Original permit includes a Special Permit for Non-Flammable Manufacturing, and Infusion, two Zoning Clearance Certificates for Distribution and Offsite Site Processing activities. The project also involved a Conditional Use Permit for the use of a non-paved access road without a centerline stripe per Sections 314-55.4.7.3 and 314-55.4.8.2.3 Locational Criteria, and an additional Conditional Use Permit for a new 5,120-square-foot boarding house (labor camp) for employee housing in the AG zone. No changes to the approved project are proposed. If approved, the extension will expire November 5th, 2024.

A motion was made by Commissioner McCavour, seconded by Commissioner Bongio, to approve all items remaining on the Consent Agenda. 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

F. PUBLIC HEARINGS

G. ITEMS PULLED FROM CONSENT

H. REPORT FROM PLANNER

The Planning Commission heard staff presentation on Planning and Referral Process and decision on approving authority.

The Planning Commission reviewed Planning Commission Procedures. Letter to Board of Supervisors.

A motion was made by Commissioner Mulder, seconded by Commissioner Newman, to approve the Letter to Board of Spervisors with edits applied at the meeting. The motion carried by the following vote:

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

Abstain: 1 - Commissioner Bongio

I. PLANNING COMMISSION DISCUSSION ITEMS

J. ADJOURNMENT

NEXT MEETING December 15, 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.