

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, August 1, 2024

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

Vice Chair Commissioner Iver Skavdal called the meeting to order at 6:00 p.m.

B. COMMISSIONERS PRESENT

Present : 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Peggy O'Neill,
Commissioner Sarah West and Commissioner Jerome Qiriaz
Absent : 2 - Commissioner Thomas Mulder and Commissioner Lorna McFarlane

C. AGENDA MODIFICATIONS

*Supplemental information supplied for Item E9 - Red Tail Ranch BMC Conditional Use Permit to
modify condition of approval #19.*

D. PUBLIC COMMENT ON NON-AGENDA ITEMS:

E. CONSENT AGENDA

2. The 2015 Sean O'Day and Kathryn O'Day Family Trust Agricultural Preserve and Land Conservation Contract
Assessor Parcel Number: 106-091-009
Record Number: PLN-2024-18974
Ferndale area

An application to establish a Class "A" Agricultural Preserve of approximately 200 acres

pursuant to the California Land Conservation Act and the Humboldt County Williamson Act Guidelines and enter into a Land Conservation Contract.

Recommend approval of the 2015 Sean O'Day and Kathryn O'Day Family Trust Agricultural Preserve and Land Conservation Contract to the Board of Supervisors as recommended by staff, subject to conditions of approval.

3. The 2015 Sean O'Day and Kathryn O'Day Family Trust Agricultural Preserve, Coastal Development Permit, Notice of Merger, and Land Conservation Contract
Assessor Parcel Numbers: 403-071-052, 403-071-059, 403-071-060, and 403-071-061
Record Number: PLN-2024-18973
Freshwater area

An application to establish a Class "A" Agricultural Preserve of approximately 157 acres pursuant to the California Land Conservation Act and the Humboldt County Williamson Act Guidelines and enter into a Land Conservation Contract, and to merge APNs 403-071-052 and 403-071-060 into one parcel of approximately 44 acres in size pursuant to Section 1.A(1) of Humboldt County Board of Supervisors Resolution No. 16-144 (Humboldt County Williamson Act Guidelines). A Coastal Development Permit is required for the merger of lands within the coastal zone.

Approve the 2015 Sean O'Day and Kathryn O'Day Family Trust Agricultural Preserve, Coastal Development Permit, Notice of Merger, and recommend approval to the Board of Supervisors, the Land Conservation Contract as recommended by staff, subject to conditions of approval.

4. Tomasini Zone Reclassification
Assessor Parcel Number (APN): 316-195-002 and 316-196-007 (one separate legal parcel)
Record Number: PLN-2024-18912
High Prairie area

A Zone Reclassification to rezone one legal parcel of approximately 120 acres (APN 316-195-002 and 316-196-007) from both Agriculture Exclusive with Special Building Site combining zone specifying a 160-acre minimum lot size (AE-B-5(160)) and Unclassified (U) into Timberland Production Zone (TPZ). The General Plan designation is Agricultural Grazing (AG), which is consistent with TPZ and does not need to be changed. The parcel is currently managed for timber production as part of a larger land unit that includes APN 316-196-004.

Recommend approval of the Tomasini Zone Reclassification to the Board of Supervisors as recommended by staff, subject to conditions of approval.

6. Green With Envy, LLC Conditional Use Permit and Special Permit
Assessor's Parcel Numbers: 210-131-015
Record Numbers: PLN-12323-CUP
Dinsmore area

A Conditional Use Permit for 17,780 square feet of existing outdoor commercial cannabis cultivation on parcel 210-131-015 supported by a 1,700 square foot ancillary nursery on parcel

210-131-018. Estimated annual irrigation water usage is approximately 143,000 gallons. Irrigation water is sourced from two rainwater catchment ponds located on parcel 210-131-015 with a total storage capacity of 465,930 gallons. The water sources are also shared with applications 11942 and 12321 which are owned and operated by the same applicant. Drying will occur onsite parcel 210-131-018 and trimming will occur offsite at a licensed facility. Power is provided by generators with a transition to renewable energy by January 2026 reserving generators for emergency use only. A Special Permit is included for encroachment into streamside management areas for irrigation water lines.

Approval of the Green With Envy, LLC Conditional Use Permit and Special Permit

7. Green With Envy, LLC Special Permit
Assessor's Parcel Numbers: 210-131-018
Record Numbers: PLN-12321-SP
Dinsmore area

A Special Permit for 8,370 square feet of existing outdoor commercial cannabis cultivation on parcel 210-131-018 supported by a 700 square foot ancillary nursery on adjacent parcel 210-131-017. Estimated annual irrigation water usage is approximately 67,000 gallons. Irrigation water is sourced from two rainwater catchment ponds located on parcel 210-131-015 with a total storage capacity of 465,930 gallons. The water sources are also shared with applications 11942 and 12323 which are owned and operated by the same applicant. Drying will occur onsite on parcel 210-131-018 and trimming will occur offsite at a licensed facility. Power is provided by generators with a transition to renewable energy by January 2026 reserving generator use for emergencies only. The Special Permit includes encroachment into streamside management areas for irrigation water lines.

Approval of the Green With Envy, LLC Special Permit

8. Green With Envy, LLC Special Permit
Assessor's Parcel Numbers: 210-131-017
Record Numbers: PLN-11942-SP
Dinsmore area

A Special Permit for 7,680 square feet of existing outdoor commercial cannabis cultivation supported by a 700 square foot ancillary nursery on the parcel 210-131-017. Estimated annual irrigation water usage is approximately 62,000 gallons. Irrigation water is sourced from two rainwater catchment ponds located on parcel 210-131-015 with a total storage capacity of 465,930 gallons. The water sources are also shared with applications 12321 and 12323 which are owned and operated by the same applicant. Drying will occur onsite on parcel 210-131-018 and trimming will occur offsite at a licensed facility. Power is provided by generators with a transition to renewable energy by January 2026 reserving generators for emergency use only. The Special Permit includes encroachment into streamside management areas for irrigation water lines.

Approval of the Green With Envy, LLC Special Permit

9. Red Tail Ranch MBC Conditional Use Permit

Assessor Parcel Numbers (APN) 316-086-017, 316-086-011, 316-086-023, 316-086-025

Record No.: PLN-12269-CUP

Redwood Valley/Berry Summit area

An application for a Conditional Use Permit for 43,550 sf of existing outdoor cultivation, 5,121 sf of existing mixed-light cultivation, and ancillary nursery space of 4,867 square feet. Cultivation is being relocated from APN's 316-086-011 and 316-086-023 to 316-086-017. Cultivation on APN 316-086-017 is also being further consolidated into one central cultivation area to comprise the totality of proposed cultivation. Proposed water use is 480,000 gallons sourced from a groundwater well, a diversion, and a rainwater catchment pond. A total of 579,800 gallons of water storage exists on the property. As part of the consolidation four points of diversion will be eliminated and a new diversion upstream from the existing diversions is proposed. Power is primarily provided by a solar system with a backup propane generator. Drying occurs on-site in existing barn structures, with two additional proposed to be near the consolidated cultivation area. No employees are proposed for this project. A lot line adjustment is also proposed between APN 316-086-017 and 316-086-025 resulting in two parcels of approximately 49 acres and 23 acres.

Approval of the Red Tail Ranch MBC Conditional Use Permit**11. Great Expectations Inc. Conditional Use Permit**

Assessor's Parcel Numbers: 216-026-013-000

Record Number: PLN-11674-CUP

Alderpoint area.

A Conditional Use Permit for 33,072 square feet (SF) of existing outdoor cannabis cultivation and a Zoning Clearance Certificate for an additional 20,000 SF of outdoor cultivation transferred from a Retirement, Relocation, and Remediation (RRR) site to the property to total 53,072 SF of outdoor cannabis cultivation. The project includes 4,731 SF of ancillary nursery space. Drying/curing of harvested cannabis to occur within an on-site shed. All processing activities occur at a licensed facility off-site. Irrigation water is sourced from a rainwater catchment pond (600,000-gallon capacity) and water storage is a combination of the rain catchment pond and 132,000 gallons of hard sided tanks with a total capacity of 618,000 gallons after accounting for evaporation loss in the pond. Total estimated annual water use is 558,650 gallons. Power is provided by PG&E with generator power for emergency backup only.

Approval of the Great Expectations Inc. Conditional Use Permit**13. Yeti Enterprises LLC Special Permit**

Assessor Parcel Numbers: 214-234-007-000

Record Numbers: PLN-10842-SP

Miranda area

Yeti Enterprises LLC seeks a Special Permit (SP) for an existing 8,640-square-foot (SF) outdoor cultivation. Water for irrigation is sourced from an existing well on a neighboring parcel.

Estimated annual water usage is 106,963 gallons (12.38 gallons/SF/year). Total water storage is 35,000 gallons in hard tank storage. Drying and bucking will occur onsite while all other processing will be performed offsite at a licensed third-party processing facility. Power is provided by generators but are conditioned to convert to a renewable source by January 1st, 2026.

Approval of the Yeti Enterprises LLC Special Permit.

CONSENT AGENDA VOTE:

A motion was made by Commissioner Noah Levy and seconded by Commissioner Sarah West to approve the Consent Agenda, including Item E-2 The 2015 Sean O'Day and Kathryn O'Day Family Trust Agricultural Preserve and Land Conservation Contract recommendation of approval to the Board of Supervisors, Item E-3 Approval of the 2015 Sean O'Day and Kathryn O'Day Family Trust Agricultural Preserve, Coastal Development Permit, Notice of Merger, and the Approval recommendation to the Board of Supervisors, for the Land Conservation Contract, Item E-4 the Approval recommendation to the Board of Supervisors for the Tomasini Zone Reclassification, Item E-6 Approval of the Green With Envy, LLC Conditional Use Permit and Special Permit, Item E-7 and E-8 Approval of the Green With Envy, LLC Special Permits, Item E-9 Approval of the Red Tail Ranch MBC Conditional Use Permit, Item E-11 Approval of the Great Expectations Inc. Conditional Use Permit, and Item E-13 Approval of the Yeti Enterprises LLC Special Permit.

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qiriaz

Absent: 2 - Commissioner Thomas Mulder and Commissioner Lorna McFarlane

ITEMS PULLED FOR ADMINISTRATIVE CORRECTIONS

1. Wennerholm Minor Subdivision
Assessor Parcel Numbers (APN) 206-211-014
Record No.: PLN-2024-17362
Carlotta area

A Minor Subdivision of an approximately 6.7-acre parcel into two parcels of approximately 3.1 acres (Parcel 1) and 3.6 acres (Parcel 2). The property is currently developed with a residence, an accessory dwelling unit (ADU), garage, and a barn. The ADU will become the primary dwelling on Parcel 1, and all other existing development will be located on proposed Parcel 2. Access to both parcels is provided by a 50-foot non-exclusive easement. Water for the residences is provided by an existing well located on proposed Parcel 1. Sewage disposal for existing development is currently handled by two on-site waste treatment systems (OWTS). The resulting parcels will each feature one OWTS. This subdivision was previously approved and recently expired.

Pulled due to an administrative error - Date in the "WHERE AS" section of the Resolution to be corrected.

A motion was made by Commissioner Noah Levy, seconded by Commissioner Peggy O'Neill to adopt Resolution 24-050 finding the project consistent with the development density and policies established by an existing community plan and General Plan for which an EIR was certified, and

that no additional environmental review is required per section 15183 of the State CEQA Guidelines; and makes all the required findings for approval of the Parcel Map Subdivision; and approves the Wennerholm Parcel Map Subdivision subject to the conditions of approval.

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qiriaz

Absent: 2 - Commissioner Thomas Mulder and Commissioner Lorna McFarlane

- 12.** Mikes Farm, LLC; Conditional Use Permit
Assessor Parcel Numbers (APN) 221-021-003
Record No.: PLN-11002-CUP
Ettersburg area

The applicant seeks a Conditional Use Permit for an existing 19,026 square foot outdoor light deprivation cannabis cultivation operation and 1,900 square feet of ancillary nursery space. Cultivation includes 2 harvest cycles per year. Irrigation water is sourced from an off-stream rainwater catchment pond. Total water storage for the project is 291,715 gallons, including the 273,715 gallon capacity pond and 18,000 gallons of hard tank storage. Annual water use is estimated to be 155,500 gallons (8.17 gallons per square foot per year). The applicant is proposing to dry and cure cannabis onsite, with all further processing proposed off site at a third-party licensed processing facility until the proposed processing building has been constructed to commercial standards. Energy is provided by a 45kw generator and a 25kw generator. The applicant has proposed to install a solar system to supply 13kw of electricity for the project and retaining a generator on site for as needed emergency use.

Pulled due to an administrative error - Resolution finding #8 regarding acreage cap to be corrected.

A motion was made by Commissioner Jerome Qiriaz, seconded by Commissioner Sarah West to adopt Resolution 24-051 finding the Planning Commission has considered the Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance and the Addendum that was prepared for the Mikes Farm, LLC project; and finds the proposed project complies with the General Plan and Zoning Ordinance; and approves Mikes Farm, LLC; Conditional Use Permit subject to the conditions of approval.

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qiriaz

Absent: 2 - Commissioner Thomas Mulder and Commissioner Lorna McFarlane

F. PUBLIC HEARINGS

- 1.** Geck-Moeller; Coastal Development Permit
Record Number: PLN-2022-17700
Assessor Parcel Numbers (APN) 308-231-002
12 Hawks Hill Road, Loleta area

A Coastal Development Permit (CDP) for construction of a new 2,024 SF two-story residence (1,012 SF ground footprint). Included is a 456 SF uncovered deck, 40 SF entry deck, gravel

driveway with paved apron, a detached two-car garage constructed on an existing 25x25-foot concrete slab, and 48 SF pump house. The CDP will also authorize 1.75 acres of brush clearing for the home site, and north of the residence for the planting of fruit trees, berries, and a residential garden area.

A motion was made by Commissioner Noah Levy, seconded by Commissioner Sarah West to adopt Resolution 24-052 finding the project exempt from further environmental review pursuant Section 15303 of CEQA Guidelines; and makes all the required findings for approval of the Geck-Moeller; Coastal Development Permit; and approves the Geck-Moeller; Coastal Development Permit subject to the conditions of approval.

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qiriaz

Absent: 2 - Commissioner Thomas Mulder and Commissioner Lorna McFarlane

G. ITEMS PULLED FROM CONSENT

5. Onedrop Agronomics Conditional Use Permit

Assessor Parcel Numbers: 214-234-006-000

Record Numbers: PLN-10841-CUP

Miranda area

Onedrop Agronomics seeks a Conditional Use Permit (CUP) for an existing 21,478-square-foot (SF) outdoor cultivation and 10% ancillary nursery space. Water for irrigation is sourced from an existing well. Estimated annual water usage is 265,898 gallons (12.38 gallons/SF/year). Total water storage is 37,500 gallons in hard tank storage. Drying and bucking will occur onsite while all other processing will be performed offsite at a licensed third-party processing facility. Power is provided by generators but is conditioned to switch to a renewable source by January 1st, 2026.

A motion was made by Commissioner Jerome Qiriaz, seconded by Commissioner Sarah West to adopt Resolution 24-053 finding the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance and the Addendum that was prepared for the Onedrop Agronomics project; and finding the project complies with the General Plan and Zoning Ordinance; and approves the Onedrop Agronomics Conditional Use Permit subject to the conditions of approval.

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qiriaz

Absent: 2 - Commissioner Thomas Mulder and Commissioner Lorna McFarlane

10. Overland Road, LLC Conditional Use Permit and Special Permit

Assessor's Parcel Numbers: 217-271-002

Record Numbers: PLN-12171-CUP

Blocksburg Area

A Conditional Use Permit for 11,700 square feet of existing mixed light and 4,050 square feet of existing full sun commercial cannabis cultivation. Ancillary nursery uses will not be separate and occur within an existing cultivation greenhouse. Annual water usage is

estimated at 160,000 gallons from a point of diversion. Water storage consists of an on-stream pond and 30,000 gallons of proposed tank storage. Power is to be provided by PGE through an eligible renewable energy program augmented by solar. No generators will be used. Processing will occur offsite at a licensed facility. Onsite relocation and restoration of a previous cultivation area is proposed. The project includes a Special Permit for restoration within a Streamside Management Area.

A motion was made by Commissioner Noah Levy, seconded by Commissioner Sarah West to adopt Resolution 24-054 finding the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance and the Addendum that was prepared for the Overland Road, LLC project; and finding the project complies with the General Plan and Zoning Ordinance; and approves the Overland Road, LLC Conditional Use Permit subject to the conditions of approval.

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qirazi

Absent: 2 - Commissioner Thomas Mulder and Commissioner Lorna McFarlane

H. REPORT FROM PLANNER

I. PLANNING COMMISSION DISCUSSION ITEMS

J. ADJOURNMENT

Vice Chair Commissioner Iver Skavdal adjourned the meeting at 7:33 p.m.

K. NEXT MEETINGS: August 15, 2024 6:00 p.m. Regular Meeting - Hybrid