

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, March 3, 2022

6:00 PM

Regular Meeting - Hybrid

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/97637777152> 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 three ways:

- 1. In Person: Any person may appear and present testimony in regard to this matter at the hearing located in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California. The Planning Commission needs 15 COPIES of any materials submitted at the meeting.*
- 2. 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.*
- 3. 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.*

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. Comments received after the agenda is posted on Friday, February 25, 2022, 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. 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.

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT**C. AGENDA MODIFICATIONS****D. PUBLIC COMMENT ON NON-AGENDA ITEMS**

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. 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.

E. 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 February 3, 2022, Action Summary

Recommendation: Move to approve the February 3, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

Attachments: [02.03.22 Action Summary](#)

2. Review and approval of the February 17, 2022, Action Summary

Recommendation: Move to approve the February 17, 2022, Action Summary and direct the Secretary and Clerk of the Planning Commission to sign the minute sheet.

Attachments: [02.17.22 Action Summary](#)

3. 5 Star Cali, LLC: Conditional Use Permit
Record Number PLN-11181-CUP (filed 9/16/2016)
Assessor's Parcel Number: 208-271-010
Dinsmore area

A Conditional Use Permit for 17,100-square-foot (SF) of existing cannabis cultivation consisting of 9,600 SF of mixed-light occurring in eight greenhouses, and 7,500 SF of outdoor in an area to be relocated on the 40-acre (assessed) parcel. Three existing nursery buildings will support 1,300 SF of ancillary plant propagation. Irrigation water is sourced from an existing 255,000-gallon rain catchment pond. An additional seven onsite high-density polyethylene storage tanks with a capacity of 28,000 gallons bring the existing available water storage to 283,000 gallons. An estimated 250,000 gallons of water will be used per growing season for irrigation. Drying will occur in an existing onsite structure and processing would occur offsite at a licensed facility. Power is provided by two onsite generators, but an alternative energy system is to be developed to partially eliminate reliance on generator electricity.

Recommendation: Adopt the Resolution to finding 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, making all required findings for approval of the Conditional Use Permit and approving the 5 Star Cali, LLC Conditional Use Permit subject to the recommended conditions.

Attachments: [11181 5 Star Cali Executive Summary 03.03.22](#)
[11181 5 Star Cali Staff Report 03.03.22](#)
[11181 5 Star Cali Watershed Map](#)

4. MDRV Realty Holdings, LLC: Conditional Use Permit and Special Permit
Record Number PLN-11212-CUP (filed 9/22/2016)
Assessor's Parcel Number: 208-241-007
Dinsmore/Mad River area

A Conditional Use Permit for 14,450 sf of existing outdoor & 3,600 sf of existing mixed-light cannabis cultivation with 1,480 sf of ancillary propagation area. The proposed project includes a Special Permit for the relocation of a historic cultivation outside of a streamside management area. Water for irrigation is provided by a spring diversion (POD 2 under Water Right Certificate H100730), and a Special Permit is being requested to approve the continued use and maintenance of the spring diversion. Annual water usage is estimated at 150,000 gallons (7.68 gal/sf/yr). There is a total of 90,000 gallons of existing water storage on-site and 63,000 additional water storage is proposed for a total of 153,000 gallons. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Power is provided by one generator, and future solar is proposed. An additional Special Permit is being requested to reduce the 600-foot setback to public lands (SRNF), to approximately 497 feet.

Recommendation: Adopt the Resolution finding the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State CEQA Guidelines, making all required findings for approval of the Conditional Use Permit and Special Permit and approving the MDRV Realty Holdings, LLC Conditional Use Permit and Special Permits subject to the recommended conditions.

Attachments: [11212 MDRV Executive Summary 03.03.22](#)
[11212 MDRV Staff Report 03.03.22](#)
[Attachment 3A - 11212-Remediation Plan](#)
[11212 MDRV Reality Watershed Map](#)

5. Lost Coast Collective, Inc. Conditional Use Permit and Special Permit
Record Number PLN-11292-CUP
Assessor's Parcel Number: 221-240-015
Ettersburg area

A Conditional Use Permit for 22,000 square feet of existing commercial cannabis cultivation of which 18,500 square feet is mixed light cultivation and 3,500 is outdoor cultivation. The project is supported by 2,180 square feet of propagation space. Water for irrigation is sourced from an existing well and two registered spring diversions. Projected annual water usage totals 128,800 gallons and water storage onsite totals 90,000 gallons. All processing will occur onsite. Energy is sourced from solar, hydropower, and generators. The applicant is also seeking a Special Permit for the ongoing use and maintenance of two points of diversion located within the Streamside Management Area.

Recommendation: Project to be continued to a date uncertain.

6. Vasi Ray Farms, LLC: Conditional Use Permit and Special Permit
Record Number PLN-11775-CUP (filed 12/13/2016)
Assessor Parcel Number (APN) 219-061-013.
Salmon Creek area

A Conditional Use Permit for 15,900 square feet (SF) of existing cultivation with 1,400 SF of ancillary propagation. Irrigation water is sourced from rainwater catchment. Existing available water storage is 623,000 gallons in a 600,000-gallon pond and a series of hard-sided tanks. Estimated annual water usage is 112,000 gallons. Drying and curing occurs onsite within the existing residence, with all other processing occurring offsite at a licensed facility. Power is provided by 3 generators. A Special Permit is also requested for relocation of an existing greenhouse located within a Streamside Management Area (SMA) outside of the riparian buffer.

Recommendation: Adopt the Resolution finding the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State CEQA Guidelines, making all required findings for approval of the Conditional Use Permit and Special Permit and approving the Vasi Ray Farms, LLC, project subject to the recommended conditions.

Attachments: [11775 Vasi Ray Farms, LLC Executive Summary 03.03.22](#)
[11775 Vasi Ray Farms, LLC Staff Report 03.03.22](#)
[Attachment 3A - 11775 LSAA 07.03.19](#)
[Attachment 3B - 11775 Less than 3 Acre Mitigation 07.03.19](#)
[11775 Vasi Ray Farms Watershed Map](#)

7. BCRD LLC: Conditional Use Permit(filed 12/22/2016)

Record Number PLN-12765-CUP

Assessor's Parcel Number: 314-224-003

Kneeland area

A Conditional Use Permit for 18,283 square feet (SF) of cannabis cultivation, consisting of 5,323 SF outdoor cultivation and 12,960 SF mixed light cultivation. A total of 4,500 SF of immature/nursery space is requested for approval for propagation. Irrigation water is sourced from existing groundwater wells [Permit Nos. 17/18-1659 (10 gpm)]. Annual water use is estimated at 187,500 gallons (10.25 gallons/SF). Water storage totals 41,020 gallons in seventeen (17) poly tanks [eleven (11) 2,600-gallon tanks; two (2) 2,500-gallon tanks; one (1) 1,320-gallon tank; one (1) 1,500-gallon tank; one (1) 1,600-gallon tank; and one (1) 3,000-gallon tank]. A 1,800 square foot commercial structure is proposed to be built to support onsite processing. Electricity is provided by a 2.5kw solar array with two (2) 6000kw inverters and 23kw of battery storage. A backup diesel generator (MQ Whisperwatt 2500) will be onsite and used when required or if energy needs exceed the solar input.

Recommendation: Adopt the resolution to find that the 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; and make the required findings for approval of the Special Permit; and approve the BCRD LLC (12765) Conditional Use Permit subject to the recommended conditions.

Attachments: [12765 BCRD LLC Executive Summary 03.03.22](#)
[12765 BCRD LLC Staff Report 03.03.22](#)
[12765 BCRD Watershed Map](#)

F. ITEMS PULLED FROM CONSENT**G. OLD BUSINESS**

1. PROPOSED COMMUNICATIONS FACILITIES ORDINANCE:

Case Number PLN-2021-17452

Humboldt County

The proposed ordinance affects all unincorporated areas of Humboldt County. The purpose and intent of this Telecommunications Ordinance is to provide a uniform and comprehensive set of standards for the development, siting and installation of wireless telecommunications facilities. These standards do all the following: protect and promote the public health, safety and welfare of the residents of the unincorporated areas of Humboldt County; protect aesthetic values in accordance with the guidelines and intent of the Telecommunications Act of 1996; encourage siting in preferred locations to help preserve the County's rural character, including the protection of scenic, natural and cultural resources; and minimize the intrusion of these uses into residential areas. The proposed ordinance uses a tiered approach to permitting communication facilities: the lowest tier ("Tier 1") applies a streamlined permit process to easily allow telecommunication facilities least likely to have any impacts. Conversely, the highest tier ("Tier 3") requires a public review process through conditional use permits for projects most likely to have impacts.

Recommendation: Adopt the Resolution recommending that the Humboldt County Board of Supervisors find that the proposed ordinance is exempt from CEQA pursuant to 15307 and 15308 of the State CEQA Guidelines and adopt the proposed Wireless Telecommunications Facilities ordinance (as modified by the Planning Commission) along with its related zoning code amendments.

Attachments: [17452 Telecommunications Facilities Ordinance Executive Summary 03.03.22](#)
[17452 Telecommunications Facilities Ordinance Staff Report 03.03.22](#)

H. PUBLIC HEARINGS

The projects listed below are public hearing items that have generated public comment prior to the hearing date or have other issues related to them that may require discussion

1. Blocksburg Family Farms, LLC: Conditional Use Permit and Special Permit
Record Number PLN-12265-CUP. (filed 12/22/2016)
Assessor Parcel Numbers (APN) 217-471-001
Blocksburg area

A Conditional Use Permit for 6.39 acres of outdoor cultivation including 16,800 sf of existing cannabis authorized under interim permit, on a parcel of approximately 1,221 acres. The proposed six acres of new will comprise of three acres full term outdoor and three acres of Light Deprivation, and with ancillary facilities, will be developed in four phases over four years. Water would be provided by an onsite well, a 2.2 million-gallon rain catchment pond, and a one million-gallon rainwater catchment tank. Total irrigation demand by Phase IV is anticipated to be approximately 3.1 million gallons per year, with the rain catchment pond being the primary source of water by Phases II and III. The project includes 8,000 sf of proposed and 2,000 sf of existing ancillary nursery space. Processing would occur onsite in a proposed 7,200 sf multi-use building in the footprint of a burned down barn. Power would be provided principally by a generator for Phase I and Phase II. By Phase III, a solar array would provide the power, with generators retained for backup use only. Phase I of the project would require approximately six employees. Phase II & III would require a maximum of twenty-five employees and incorporates a vanpool.

Recommendation: Adopt the Resolution to take the following actions: 1) Adopt the Mitigated Negative Declaration prepared for the Blocksburg Family Farms LLC project as described by Section 15074 of the State CEQA Guidelines, 2) adopt the Mitigation Monitoring & Reporting Program, 3) make the findings for approval of the Conditional Use Permit; and 4) approve the Blocksburg Conditional Use Permit and Special Permit subject to the recommended conditions.

Attachments: [12265 Blocksburg PC Executive Summary 03.03.22](#)
[12265 Blocksburg PC Staff Report 03.03.22](#)
[ATTACHMENT 3 - 12265_Blocksburg IS-MND_11.3.2021](#)
[ATTACHMENT 4 - 12265 Blocksburg IS appendices 11.3.2021](#)
[12265 Blocksburg Family Farms Watershed Map](#)

I. OTHER BUSINESS

1. Report - Old Arcata Road Project:
Old Arcata Road Area

The Planning Commission requested an update of the status of the Old Arcata Road improvement Project being undertaken by the City of Arcata and partially within the County. Staff will provide a brief presentation of the project and status.

J. ADJOURNMENT

K. NEXT MEETINGS March 17, 2022 6:00pm Regular Meeting - Hybrid

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