



MINUTES

THURSDAY, APRIL 04, 2024

Regular Meeting

The Honorable Planning Commission of the County of Humboldt met in a regular meeting on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Thursday, June 06, 2024, with the vote as shown below.

The motion was made by Commissioner Noah Levy and seconded by Commissioner Jerome Qiriaz and the following vote.

AYES: Commissioners: Iver Skavdal, Noah Levy, Jerome Qiriaz, Peggy O'Neill, Lorna McFarlane

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners: Thomas Mulder, Sarah West

DECISION: Motion carried 5/0

Laura McClenagan
Deputy Clerk of the Planning Commission

John H. Ford
Secretary of the Planning Commission

PLANNING COMMISSION

IVER SKAVDAL
First District
THOMAS MULDER
Second District
NOAH LEVY
Chair - Third District
JEROME QIRIAZI
Fourth District
PEGGY O'NEILL
Fifth District
SARAH WEST
At-Large
LORNA MCFARLANE
At-Large



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, April 4, 2024

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

Chair Noah Levy called the meeting to order at 6:00 p.m.

B. COMMISSIONERS PRESENT

Present : 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

C. CHAIR AND VICE CHAIR NOMINATION AND ELECTION

A motion was made by Commissioner Jerome Qiriazzi, seconded by Commissioner Peggy O'Neill to appoint Commissioner Thomas Mulder as Chair. The motion carried by the following vote:

Aye: Commissioners: Iver Skavdal, Noah Levy, Jerome Qiriazzi, Peggy O'Neill, Sarah West, Lorna McFarlane

Abstain: Commissioners: Thomas Mulder

Motion carried 6/0

A motion was made by Commissioner Thomas Mulder, seconded by Commissioner Peggy O'Neill to appoint Commissioner Iver Skavdal as Vice Chair. The motion carried by the following vote:

Aye: Commissioners: Noah Levy, Thomas Mulder, Jerome Qiriazzi, Peggy O'Neill, Sarah West, Lorna

McFarlane

Abstain: Commissioners: Iver Skavdal

Motion carried 6/0

D. AGENDA MODIFICATIONS

Item F4 11066 Mattole Valley Farms pulled from Consent Agenda and continued to the May 2, 2024 meeting to allow CDFW additional time to submit comments.

Item F7 18803 Garberville Sanitary District pulled from Consent Agenda and heard under "Items pulled from Consent"

Item F8 18869 I and I Ranch pulled from Consent Agenda and continued to the May 2, 2024 meeting to update outdated documents that were included in the hearing packet.

E. PUBLIC COMMENT ON NON-AGENDA ITEMS:

F. CONSENT AGENDA

1. Kalifornia Green Akres, Conditional Use Permit

Assessor Parcel Numbers: 216-271-013-000

Record Numbers: PLN-11682-CUP

Alderpoint area

Kalifornia Green Akers, MBC seeks a Conditional Use Permit (CUP) for an existing 24,500-square-foot (SF) outdoor and 3,000-SF mixed-light cannabis cultivation for a total cultivation area of 27,500 SF and 2,750 SF ancillary nursery.

Continue the Kalifornia Green Akers, Conditional Use Permit to a date uncertain.

2. Earley Farms, LLC; Conditional Use Permit

Assessor Parcel Numbers (APN's) 217-251-003, 217-244-004, 217-244-007 & 217-225-007

Record No.: PLN-12705-CUP

Blocksburg area

A Conditional Use Permit for authorizing the continued operation of pre-existing commercial cannabis cultivation on a parcel where approximately 68,000 square feet of area was historically used for outdoor cultivation and approximately 4,400 square feet of area was used for mixed light cultivation operated from the property since prior to 2016. Under the Use Permit, one (1) acre of the prior outdoor cultivation is proposed to be continued and the 4,400 square feet of Mixed-Light Cultivation will instead be operated in an Outdoor fashion, for a combined total of approximately 47,560 square feet of outdoor cultivation.

Continue the Earley Farms, LLC; Conditional Use Permit to the May 2, 2024 meeting.

5. Panther Canyon Investments, LLC Conditional Use Permit

Assessor Parcel Numbers (APN) 223-061-041 and 223-074-008.

Record No.: PLN-12441-CUP

Benbow Area

A Conditional Use Permit for 29,200 square feet of outdoor commercial cannabis cultivation.

Estimated annual irrigation water usage is 290,000 gallons. Rainwater Catchment will provide 292,000 gallons of water to be stored in rigid tanks. Cannabis will be bucked and dried on site and sent to a licensed processing facility for trimming and packaging. Power is provided by a generator and applicant will transition to renewable energy. The proposal includes onsite relocation and restoration.

Approve the Panther Canyon Investments, LLC Conditional Use Permit as recommended by Staff.

6. White Acres Family Farm, LLC; Conditional Use Permit and Special Permit
Assessor Parcel Numbers (APN) 207-141-007
Record No.: PLN-13373-SP
Bridgeville area

A Special Permit for a 3,000 square foot existing outdoor cannabis cultivation operation, a Special Permit for a reduced setback to a school bus stop, and a Conditional Use Permit for an exception to the requirement for planting within native Prime Agricultural Soils. The proposed project includes 320 square feet of propagation area located in the on-site garage. Water for irrigation will be provided by a rain catchment system. There are 24,500-gal. of water storage. Projected water usage is 18,000 gallons per year. The mature plants are dried in the garage and then machine trimmed by the applicants on site. There will be no employees. Electricity is provided by PGE.

Approve the White Acres Family Farm, LLC; Conditional Use Permit and Special Permit as recommended by Staff.

CONSENT AGENDA VOTE:

A motion was made by Commissioner Iver Skavdal, seconded by Commissioner Thomas Mulder to approve the Consent Agenda, including Item F1 Continuance of the Kalifornia Green Akres Conditional Use Permit to a date uncertain, Item F2 Continuance of the Earley Farms Conditional Use Permit to May 2, 2024, Item F5 Approval of the Panther Canyon Investments Conditional Use Permit and Item F6 Approval of the White Acres Family Farm Conditional Use Permit and Special Permit as recommend by Staff. The motion carried with the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

H. ITEMS PULLED FROM CONSENT

3. Bee Kind Farms, LLC Conditional Use Permits and Special Permit
Record Numbers: PLN-11544-CUP and PLN-12492-CUP
Assessor's Parcel Numbers (APN): 530-151-005 and 530-151-004
Weitchpec area

The denial of two Conditional Use Permits and a Special Permit. The proposed project includes a Conditional Use Permit for 29,500 square feet of existing outdoor light-deprivation commercial cannabis cultivation on APN 530-151-005 with 1,640 square feet of proposed propagation area (Record No. PLN-11544-CUP) and up to 14,060 of existing cultivation being relocated from the southern part of the parcel and the parcel (and separate application)

immediately to the south (APN 530-151-004, Record No. PLN-12492-CUP) in order to meet required setbacks from cultural resources. To facilitate the relocation, an unknown number of trees would require removal in an area of approximately 2.5 acres. Unauthorized timber conversion on this site has already occurred. Retired cultivation areas on APNs 530-151-005 and 530-151-004 would be restored and restocked with conifers. Annual water use is estimated at 127,305 gallons. Water for irrigation is sourced from a 750,000-gallon rainwater catchment pond. Drying of harvested cannabis will take place on site in Conex boxes and further processing will take place off site at a licensed processing facility. The project will require two employees. Power is provided by a generator. A Special Permit is also requested to reduce the 600-foot setback from Six Rivers National Forest.

A motion was made by Commissioner Thomas Mulder, seconded by Commissioner Jerome Qiriazzi to adopt the resolution (Resolution 24-014), which finds the Bee Kind Farms, LLC projects statutorily exempt from the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines, and makes the required findings for approval cannot be made, and denies the Bee Kind Farms, LLC Conditional Use Permits and Special Permit. The motion carried by the following vote:

Aye: 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

Recused: 1 - Commissioner Peggy O'Neill

4. Mattole Valley Farms Business Support Services LLC, Conditional Use Permit and Special Permits

Assessor Parcel Numbers (APN) 221-011-021

Record No.: PLN-11066-CUP (filed 08/31/2016)

8200 Salmon Creek Road, Miranda area

A Conditional Use Permit for 18,300 square feet existing outdoor commercial cultivation with 1,800 square feet of nursery space. Estimated annual irrigation water usage is 200,000 gallons. Rainwater catchment will provide 11,000 gallons and a point of diversion will provide 190,000 gallons. Water storage is 71,000 gallons of existing tanks, with an additional 130,000 gallons proposed for a total of 201,000 gallons of storage. Power is provided by solar with no generator. Drying and curing will occur onsite and additional processing such as trimming will occur offsite. The project includes a Special Permit for the point of diversion.

A motion was made by Commissioner Iver Skavdal, seconded by Lorna McFarlane to continue the Mattole Valley Farms Business Support Services LLC, Conditional Use Permit and Special Permits to the May 2, 2024 meeting. The motion carried by the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

8. I and I Ranch, LLC Permit Extension

Assessor Parcel Numbers (APN) 214-112-006

Record No.: PLN-2023-18869

Phillipsville area

A two-year extension for an approved permit (PLN-13324-SP). Original permit includes a Special Permit for one acre of mixed light cannabis cultivation. No changes to the approved project are proposed. If approved, the extension will expire April 4th, 2026.

A motion was made by Commissioner Jerome Qiriaz, seconded by Commissioner Peggy O'Neill to continue the I and I Ranch, LLC Permit Extension to the May 2, 2024 meeting. The motion carried by the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriaz and Commissioner Lorna McFarlane

G. NEW BUSINESS

1. SN Indianola Coastal Development Permit and Special Permits

Record Number: PLN-2023-18856

Assessor Parcel Numbers: 402-032-002 and 402-032-035

Bayside area

A Coastal Development Permit (CDP) and Special Permits for the after-the-fact tree removal associated with a 10% Dead, Dying, or Diseased Tree CALFIRE exemption (1-23EX-00780-HUM).

A motion was made by Commissioner Iver Skavdal, seconded by Commissioner Thomas Mulder to adopt the Resolution (Resolution 24-015) which finds the project complies with the Local Coastal Plan and Zoning Ordinance; and finds the project exempt from CEQA pursuant to Section 15304 of the CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and approves the SN Indianola Coastal Development Permit and Special Permits subject to the conditions of approval.

Aye: 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qiriaz

Nay: 1 - Commissioner Lorna McFarlane

2. Sutter Parcel Map Subdivision and Special Permits

Assessor Parcel Number: 509-321-018

Record Number: PLN-2023-18146

McKinleyville area

A Parcel Map Subdivision of an approximately 2.26-acre parcel into four parcels with a 0.55-acre Remainder. The created parcels will range between 0.23 to 0.70 acres in size. An existing single-family residence will remain on the proposed Remainder, an existing Accessory Dwelling Unit will remain on proposed Parcel 2, and the existing detached garage and accessory structures will remain on proposed Parcel 1. A Special Permit is required pursuant to Section 314-43.1.1 of the Humboldt County Code (H.C.C.) to allow the existing detached garage and accessory structures to remain on proposed Parcel 1 prior to the development of a main building. An additional Special Permit is required pursuant to Section 314-99.1.2 of H.C.C. to utilize Lot Size Modification to allow lots less than the minimum 10,000 square feet in size required within the R-1-B-2 zone. The parcel is served with community water and sewer

provided by the McKinleyville Community Services District.

A motion was made by Commissioner Peggy O'Neill, seconded by Commissioner Lorna McFarlane to adopt the resolution (Resolution 24-016), which finds the project is 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 of the required findings for approval of the Parcel Map Subdivision and Special Permits; and approves the Sutter Parcel Map Subdivision and Special Permits subject to the conditions of approval. The motion carried by the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

3. Ridgefield Events; Conditional Use Permit

Assessor Parcel Number: 500-011-007

Record Number: PLN-2024-18885

Arcata area

A Conditional Use Permit (CUP) to authorize the use of the property as a seasonal venue for special events (primarily weddings) between April and October. The events would include up to 120 guests per event and a maximum of 30 events per year. Elopement events would be scheduled Monday through Thursday (typically between 2-20 guests max) and weddings on Friday through Sunday (typically between 30-120 guests). Hours of operations will be 9:30am to 9:30pm, with guests on site generally from 1pm to 9:30pm. Events will be centered in the terrace area in front of the existing residence. Portable toilets will be used during events and on-site parking will be made available. Food for events will be provided through off-site catering.

A motion was made by Commissioner Thomas Mulder, seconded by Commissioner Peggy O'Neill to adopt the resolution (Resolution 24-017), which finds the project complies with the General Plan and Zoning Ordinance; and finds the project exempt from further environmental review pursuant to Section 15301 Existing Facilities and 15304 Minor Alterations to Land of the State CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and approves the Ridgefield Events Conditional Use Permit subject to the conditions of approval as modified by requiring monitoring devices placed on the west property boundary at 80 decibels if 2 or more complaints regarding noise are received within a 12 month period. The motion carried by the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

PUBLIC HEARING

7. Garberville Sanitary District Water System Improvements Project General Plan Conformance Review and Special Permit

Record Number: PLN-2023-18803

Assessor Parcel Numbers: 032-121-009, 032-135-002, 032-211-011, 032-211-021, 032-211-035, 223-181-020, 223-181-024, 223-181-025, 223-183-003, 223-191-006 and 223-191-011

Garberville area

A General Plan Conformance Review and a Special Permit for the Garberville Sanitary District (GSD) to replace the existing 180,000-gallon, in-ground, concrete, finished water storage tank (Hurlbutt/Main Tank) and a 20,000-gallon, failing, redwood drinking water storage tank (Wallan Tank) with two new increased capacity tanks. In addition, the failing Robertson Tank, which has been taken out of service, would be demolished. The new Main Tank would be an in-ground, approximately 550,000-gallon, pre-stressed concrete tank located on an adjacent parcel and similar elevation to the existing tank. The existing Wallan Tank would be replaced with an approximately 77,000-gallon bolted steel tank. Both of the existing tanks in operation are leaking and lack sufficient storage capacity for maximum daily consumption and fire suppression; they also do not meet current seismic design standards. In addition, the GSD proposes to replace or upgrade three booster pump stations (Upper Maple Lane Pump Station, Arthur/Alderpoint Pump Station, and Wallan Pump Station). The existing Upper Maple Lane Pump Station is located in the existing Hurlbutt Tank and would be demolished when the Hurlbutt Tank is demolished. A new Upper Maple Lane Pump Station would need to be constructed at the site of the new Main Tank. The existing Arthur Pump Station is in poor condition and has operational deficiencies that would be improved when this pump station is replaced by the Alderpoint Pump Station. The Wallan Pump Station is in poor condition and requires upgrades to meet the operational requirements of the new Wallan Tank. New backup generators would be installed at each replaced or upgraded booster pump station and at the Tobin Well. The proposed project includes conveyance of the existing Hurlbutt/Main Tank parcel (APN: 032-211-011) to the existing landowner and creation of a separate legal parcel for the proposed 550,000-gallon tank on APN: 032-211-021 for development of the access road and ground disturbances to install water lines to the new 550,000-gallon Main tank. The Special Permit is required for work proposed within the streamside management area (SMA) of an unnamed ephemeral stream on APN: 032-211-021. As Lead Agency, the Garberville Sanitary District adopted a Mitigated Negative Declaration (State Clearinghouse #2023100664) pursuant to Section 15074 of the CEQA Guidelines.

A motion was made by Commissioner Sarah West, seconded by Commissioner Thomas Mulder to adopt the resolution (Resolution 24-018), which finds the Planning Commission has considered the Mitigated Negative Declaration, including the environmental effects of the project, and as a Responsible Agency, agrees with the lead agency's findings; and makes all required findings for approval of the General Plan Conformance Review and Special Permit; and approves the Garberville Sanitary District General Plan Conformance Review and Special Permit as recommended by staff and subject to the conditions of approval as modified by changing Condition of Approval #3 to "as applicable" and by adding conveyance language. The motion carried by the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazzi and Commissioner Lorna McFarlane

I. REPORT FROM PLANNER

*Short-term Rental applications are being received electronically.
Sign Ordinance going to the Board of Supervisors April 9, 2024.*

Notice of Preparation issued for the McKinlyville Town Center and a public workshop to receive public comment is scheduled at the Family Live Center in McKinlyville on April 16, 2024 at 6:00 p.m.

Upcoming Commissioner Training.

J. PLANNING COMMISSION DISCUSSION ITEMS

K. ADJOURNMENT

Chair Noah Levy adjourned the meeting at 9:28 p.m.

L. NEXT MEETINGS: April 18, 2024 6:00 p.m. Regular Meeting - Hybrid