

PLANNING COMMISSION

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COUNTY STAFF

JOHN H. FORD
Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

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

AGENDA

Thursday, August 20, 2020

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/91619420044> Password: 200525*
- 2. Call in via telephone at 346 248-7799, enter meeting id 916 1942 0044 Password: 200525*
- 3. Or while watching Access Humboldt on cable channel 11*

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 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.*

PUBLIC COMMENT PRIOR TO THE MEETING:

To submit public comment to the Planning Commission please email Planningclerk@co.humboldt.ca.us and provide your name, the agenda item number(s) on which you wish to speak. If you do not have access to email, a voicemail may be left at 707 445-7541 and will follow the same procedure as email public comments. All public comment submitted after the agenda has been published will be included with the administrative record after the fact.

A live stream of the meeting can be found by using the following link: <https://humboldt.legistar.com>

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT

C. AGENDA MODIFICATIONS

D. 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.

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. Holly Carr, Conditional Use Permit

Record Number PLN-12913-CUP

Assessor Parcel Numbers (APNs) 223-016-017, 223-071-004, 223-071-018 and 223-016-010

Garberville area

A Conditional Use Permit for the continued operation of 23,300 square feet of existing outdoor cannabis cultivation with ancillary propagation. Water for irrigation is sourced from two existing wells located on the subject parcel. Water is stored in hard tanks with a total of 72,000 gallons of available water storage serving the project. The applicant anticipates two cultivation cycle per year. Annual water usage is estimated at 220,850 gallons. Four employees are required during peak operations. Processing such as drying will take place on-site in an existing 1,980 square foot Agricultural Tent. Trimming will take place offsite at a licensed facility. Electricity is sourced from generators.

Recommendation: Find that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and based on evidence in the staff report and approve the proposed Holly Carr project subject to the recommended conditions.

Attachments: [PLN-12913-CUP Staff Report 8.20.20.pdf](#)
[Attachment 4.A_12913 Site Management Plan 07.23.19.pdf](#)

2. Enchanted Farms, LLC, Conditional Use Permit and Special Permit
Record Number PLN-2019-16069
Assessor's Parcel Number 524-201-032-000
Willow Creek Area

A Conditional Use Permit CUP for 3,000 square feet of existing light deprivation commercial cannabis cultivation. The CUP is a requirement of the Commercial Cannabis Land Ordinance (CCLUO) to seek an exception to the residence setbacks and odor mitigation requirements within the Community Planning Area. A Special Permit is also requested for the relaxation of the 600' setback from Six Rivers National Forest. The applicant anticipates two cultivation cycles per year. Water for irrigation is provided by from Willow Creek Community Service District. There is currently one 500-gallon mixing tank on-site, and the applicants plans to add a 2,500-gallon tank for fire suppression water storage. Processing is proposed to occur on-site. Power is provided by Pacific Gas and Electric and propane.

Recommendation: 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, make all of the required findings for approval of the Conditional Use and Special Permit based on the evidence in the staff report, and adopt the Resolution approving the proposed Enchanted Farms, LLC, project subject to the recommended conditions.

Attachments: [PLN-2019-16069 Staff Report 8.20.2020.pdf](#)
[Attachment 4.A_16069 Biological Report 12-24-19.pdf](#)
[16069 PC Supplemental #1 8-20-20.pdf](#)

3. Dean Crisp, Conditional Use Permit
Record Number PLN-11019-CUP
Assessor Parcel Number (APN) 315-093-006
Titlow Hill area

Conditional Use Permit for 43,560 square feet (SF) of existing outdoor cultivation. Water for irrigation would be sourced from three rainwater catchment ponds located on contiguous parcel under common ownership APN 315-092-007. Additional water storage is in fifteen tanks totaling 29,475 gallons. Drying and curing and processing would occur on-site in the existing ancillary processing facility. The subject property is served by generator power used to carry out processing.

Recommendation: Find that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and based on evidence in the staff report and approve the proposed Dean Crisp project subject to the recommended conditions.

Attachments: [PLN-11019-CUP Staff Report 8-20-2020.pdf](#)
[Attachment 4.A_11019 Cultivation Operations Plan.pdf](#)
[Attachment 4.B_11019 LSAA.pdf](#)
[Attachment 4.C_11019 Road Evaluation.pdf](#)
[Attachment 4.D_WRPP.pdf](#)
[11019 PC Supplemental 1 8-20-20.pdf](#)
[11019 PC Supplemental 2 8-20-20.pdf](#)

4. Rockaway Investments, LLC, Conditional Use Permit
Record Number PLN-12280-CUP
Assessor's Parcel Number 208-111-028-000
Bridgeville area

A Conditional Use Permit for commercial cannabis cultivation consisting of 9,948 square feet of existing outdoor cultivation within greenhouses and 1,400 sf existing full-sun outdoor. 900 sf of ancillary propagation space is also proposed. Water for irrigation is sourced from an existing permitted well. Water is stored in eight HDPE water tanks and one water bladder, totaling 19,900 gallons. Two (2) cultivation cycles per annum are anticipated. Processing will occur off-site by a third party. The site is supported by solar panels and one backup generator contained within a shed.

Recommendation: Find that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and based on evidence in the staff report and approve the proposed Rockaway Investments, LLC project subject to the recommended conditions.

Attachments: [PLN-12280-CUP Staff Report 8.20.2020.pdf](#)
[12280 PC Supplemental #1 08.20.2020.pdf](#)

5. Riverbar Lavendar Farm, LLC; Conditional Use Permit
Record Number PLN-15779-CUP
Assessor Parcel Number (APN)204-331-019
Hydesville area,

An application for a Conditional Use Permit for 12, 000 square feet (SF) of new cultivation in the Hydesville Community Planning Area. Project includes for 6,000 SF of new mixed-light cultivation in two hoop houses and 6,000 SF of new open air outdoor commercial cannabis cultivation. Water for irrigation is sourced from a well onsite. Annual water use is estimated at 52,800 gallons. Processing will occur off site at a licensed processing facility. On-grid power is provided to the site.

Recommendation: Find that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and based on evidence in the staff report and approve the proposed Riverbar Lavender Farm LLC project subject to the recommended conditions.

Attachments: [PLN-2019-15779 Staff Report.pdf](#)
[Attachment 4.A_15779 Biological Report 08-22-19.pdf](#)
[PC Supplemental #1 Riverbar Lavender.pdf](#)

6. Yeti Enterprises, LLC, Conditional Use Permit
Record Number PLN-12241-CUP
Assessor Parcel Number (APN) 510-211-053
McKinleyville area

Conditional Use Permit for 4,775 square feet (SF) of new indoor cultivation. The proposed project includes a new two story 3,844 SF building. The applicant projects 4-5 cultivation cycles per year. Water for irrigation would be sourced from the McKinleyville Community Services District. Water would be stored in nine tanks totaling 2,900 gallons. Drying and curing would occur on-site, with all other processing occurring in a licensed off-site processing facility. The subject property is served by P.G.&E. power and the applicant will enroll in the P.G.&E. Solar and Renewable Energy Program.

Recommendation: 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, make all of the required findings for approval of the Conditional Use Permit based on the evidence in the staff report, and adopt the Resolution approving the proposed Yeti Enterprises LLC, project subject to the recommended conditions.

Attachments: [PLN-12241-CUP Staff Report 8.20.2020.pdf](#)
[12241 PC Supplemental #1 8-20-20.pdf](#)
[12241 PC Supplemental #2 8-20-20.pdf](#)

F. ITEMS PULLED FROM CONSENT

G. CONTINUED ITEMS

1. Adesa Organic, LLC, Conditional Use Permits

Application Number 11923

Case Number PLN-11923-CUP

Assessor's Parcel Numbers (APNs) 315-145-002, 315-211-003 and 315-211-004

23550 Maple Creek Road, Korb, Maple Creek area

Conditional Use Permits to allow 86,400 square feet of new mixed-light cannabis cultivation, a drying facility, a storage facility, associated cloning/propagation facilities (not to exceed 8,640 square feet) and other improvements in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The business is proposed to operate on one legal parcel consisting of three APNs (315-145-002, 315-211-003 and 315-211-004) and totaling 443 acres. A total of four permits are being requested in accordance with the parcel size allowances specified in section 55.4.8.2.1.1 of the CMMLUO (parcels 320 acres or larger in size). Electrical power will be generated by a combination of on-site solar power and diesel generators. A total of approximately 20 employees are proposed. Processing will occur off-site.

Recommendation: Adopt the Mitigated Negative Declaration prepared for the Adesa Organics LLC project pursuant to Section 15074 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permits based on evidence in the staff report and adopt the Resolution approving the proposed Adesa Organic, LLC project subject to the recommended conditions.

Attachments: [PLN-11923-CUP Staff Report 8.20.20.pdf](#)
[Attachment 3_Adesa ISMND with Attachments.pdf](#)
[Attachment 3_Adesa ISMND with Attachments_Part 1.pdf](#)
[Attachment 3_Adesa ISMND with Attachments_part 2.pdf](#)
[PC Supplemental #1_11923 Adesa Organics 8-20-20.pdf](#)
[G-1_11923 Public Comments 1-10.pdf](#)
[G-1_11923 Public Comments 11-14.pdf](#)

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. Rolling Meadow Ranch, LLC; Conditional Use Permits

Record Number PLN-12529-CUP

Assessor Parcel Numbers (APNs) 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001
2189 & 2487 McCann Road, and in the Blocksburg/Myers Flat area

Six Conditional Use Permits for 5.77 acres of mixed light cultivation and processing facilities located in five distinct cultivation areas. The proposed cannabis operation will be primarily located on APNs 217-181-002 and 217-201-001. Cultivation would occur in 16 greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Annual water use is approximately 4,628,200 gallons. Water will be provided by three existing wells. There will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet. There will be a maximum of 30 employees during peak operations. The proposed project includes development of power from P. G. & E. The overall development will total 7.04 acres. The project is accessed by McCann Road using the McCann Bridge. Approximately 5 miles of private ranch roads will be used to access cultivation areas. At the property entrance, employees will park their vehicles and an electric bus or similar type vehicle will be used to transport employees to the cultivation and processing areas. Secondary access through Alderpoint Road will be utilized during the rainy season when the low-water bridge is not in use.

Recommendation: Adopt the Mitigated Negative Declaration prepared for the proposed project pursuant to Section 15074 of the State CEQA Guidelines, and make all of the required findings for approval of the Conditional Use Permits, based on evidence in the staff report and adopt the Resolutions approving the Rolling Meadow Ranch LLC project subject to the recommended conditions.

Attachments: [PLN-12529-CUP Staff Report 8.20.20.pdf](#)
[12529 Draft ISMND Rolling Meadows FINAL 07152020.pdf](#)
[12536 Appendices ISMND Rolling Meadows 07022020.pdf](#)

2. Cannabis Ordinance Amendments for Small Cultivators, Personal Use and Financial Security
Case Numbers PLN-2020-16447, PLN-2020-16571 and PLN-2020-16479
Countywide

The proposed Small Cultivator amendments modify Sections 314-55.4.5.1.5, 314-55.4.6.1, 314-55.4.6.5 and 314-55.4.12.1.10 of the Commercial Cannabis Land Use Ordinance in Chapter 4 - the Zoning Regulations (Title III of Humboldt County Code) to facilitate permitting of small new and pre-existing cannabis farms adjacent to homes that existed prior to December 31, 2016 by establishing a streamlined permitting pathway. The eligible farms minimize the impacts on the environment and archaeological resources because they are owner-occupied, the cultivation area is no more than 2,000 square feet in size and within the already disturbed homesite area of the existing home. Also, water for irrigation is provided from permitted non-diversionary sources, permaculture is practiced, and the cultivation is done outdoors or in permitted or ag exempted hoopouses/greenhouses and does not use generators for electrical power. The proposed Personal Use on Small Parcel Ordinance amendments modifies Section 314-55.2 of Chapter 4 - the Zoning Regulations (Title III of Humboldt County Code) to establish standards for cannabis cultivation for personal use on parcels larger than five acres in size. The maximum allowed personal use cultivation area on these parcels is proposed to be 200 square feet, which is the same as the maximum amount allowed on parcels between one and five acres in size. The proposed Financial Security amendments to the CCLUO and the Commercial Marijuana Cultivation Tax Ordinance establish financial security requirements in the CCLUO and better align the provisions of the CCLUO with the Marijuana Cultivation Tax Ordinance. The amendments would add sections 313-55.4.12.2.9 and 314-55.4.12.9.9 to create alternative ways to provide surety for payment of cultivation taxes as imposed by Chapter 9 of Division 1 of Title VII of the Humboldt County Code. The proposed Small Cultivator and Personal Use ordinance amendments will apply to all areas of the County outside of the coastal zone. The proposed Financial Security amendments will apply countywide.

Recommendation: That the Planning Commission approve the proposed changes to the Zoning Regulations and Marijuana Tax Ordinance and make recommendations to the Board of Supervisors for final action. The proposed Small Cultivator ordinance amendments are subject to environmental review under the California Environmental Quality Act. The proposed Personal Use and Financial Security ordinance amendments are exempt from environmental review.

Attachments: [PLN-2020-16447-16571-16479 Staff Report Combined 8.20.20.pdf](#)
[Public Comment.pdf](#)
[H-2_Public Comment.pdf](#)

3. Thresholds of Significance for Vehicle Miles Traveled (VMT) to evaluate environmental impacts of projects

Case Number: PLN-2020-16529

Countywide

Project Description: To comply with new California Environmental Quality Act (CEQA) requirements, the County is adopting thresholds of significance for vehicle miles traveled (VMT) to evaluate environmental impacts of projects. "Vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. The proposed thresholds of significance are based on the type of project, and/or location, and projects that meet these criteria are expected to result in less-than significant VMT impacts.

Recommendation: The Planning Commission approve the proposed VMT thresholds of significance and recommendations to the Board of Supervisors for final action. Adoption of the proposed VMT thresholds of significance are exempt from environmental review as provided in Section 15308 of the California Environmental Quality Act (Local agency actions to assure protection of the environment).

Attachments: [PLN-2020-16529 Staff Report.pdf](#)
[16529 PC Supplemental #1 8-20-2020.pdf](#)
[Public Comment.pdf](#)

I. ADJOURNMENT

J. NEXT MEETINGS

September 3, 2020 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