

PLANNING COMMISSION

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Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

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

AGENDA

Thursday, February 4, 2021

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/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 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, 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>

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. Simply Humboldt, LLC Conditional Use Permit and Zoning Clearance Certificate

Record Numbers: PLN-11787-CUP and PLN-2020-16849

Assessor's Parcel Number (APN) 104-321-010 and 104-131-016 (retiring parcel)

37577 Mattole Road, Petrolia

An application for a Conditional Use Permit for 57,000 square feet of outdoor cannabis cultivation, consisting of 37,000 square feet of existing cultivation, and 20,000 square feet of new as a result of a Retirement, Remediation, and Relocation (RRR). The applicant proposes to relocate and reorganize existing cultivation away from watercourses to an environmentally superior location in the center of the parcel. The proposed consolidated operation would occur in nineteen (19) 30' X 100' greenhouses. Propagation occurs onsite in 5,760 SF of immature plant greenhouses. Estimated annual water use for the operation is 423,680 gallons (7.5 gal/sf). Water for irrigation is sourced from a permitted groundwater well. The project proposes to construct a 1,000,000-gallon off-stream rainwater catchment pond. Processing, including drying and trimming, occurs on-site in an existing processing facility. Applicant is also proposing to construct a 7,200 SF processing/drying building. 15 employees would be necessary at peak operations. Electricity is sourced from P.G.&E. A propane generator is onsite for backup power in the case of emergency.

Recommendation: Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CCMLUO) as described by Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Simply Humboldt, LLC Conditional Use Permit and the Resolution approving the Zoning Clearance Certificate as recommended by staff subject to the recommended conditions.

Attachments: [11787 Staff Report 2.4.21.pdf](#)
[Attachment 3.A Cultivation Operation Plan 08.01.2017.pdf](#)
[Attachment 3.B Lake and Streambed Alteration Agreement 12.21.2020.pdf](#)
[Attachment 3.C Water Resource Protection Plan 01.03.2020.pdf](#)
[Public Comment - PLN-11787-CUP and PLN-2020-16849 Simply Humboldt - Waters_1](#)
[Public Comment - PLN-11787-CUP and PLN-2020-16849 Simply Humboldt - 2-2-20.p](#)

2. Sage Koenig, Conditional Use Permits

Record Numbers PLN-11295-CUP and PLN-11277-CUP

Assessor Parcel Numbers (APNs) 108-011-026 and 221-171-029

140 Country Lane, Ettersburg area and 400 Country Lane, Honeydew area

The applicant requests approval of two conditional use permits to total 28,800 square feet of pre-existing cannabis cultivation. PLN-11295 is for 3,300 square feet of outdoor full season and 9,600 square feet of mixed light cannabis cultivation. PLN-11277 is for 15,900 square feet of outdoor cultivation to occur in hoop houses using light deprivation. The cultivation areas will be supported by a proposed 3,024-square-foot ancillary nursery. The project includes a merger of APNs 108-011-026 and 221-171-029, which are adjacent parcels. The project includes a Special Permit for work within the SMA to support the relocation of a cultivation area and the restoration an area located in the SMA. Water for cannabis cultivation will be provided by a permitted agricultural well. A rainwater catchment pond is proposed for the site and will provide 800,000 gallons of irrigation water storage. Processing, including drying, curing and trimming, will take place on site within a proposed 20' X 25' processing structure totaling 500 square feet and a proposed 1,500 square feet commercial processing structure. All power to the site will be provided by P. G. & E and no generators will be used on site in association with commercial cannabis activities.

Recommendation: 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, make all of the required findings for approval of the Conditional Use Permits and Special Permit and adopt the Resolutions approving the Sage Koenig Conditional Use Permits as recommended by staff, subject to the recommended conditions.

Attachments: [11295_11277 Staff Report.pdf](#)
[Attachment 3.A_11295_11277_RevisedOpsPlan_11.23.2020.pdf](#)
[Attachment 3.B_11295_11277_WRPP_12.17.2020.pdf](#)
[Attachment 3.C_11277 Lake or Streambed Alteration Agreement 01.14.2020.pdf](#)
[Attachment 3.D_11295_11277_CAVReport_09.30.2020.pdf](#)
[Public Comment - PLN-11295-CUP and PLN-11277-CUP Sage Koenig 2.4.21.pdf](#)

3. Bellis Heritage Farms, LLC. Conditional Use Permit

Record Number PLN-11744-CUP

Assessor's Parcel Number: 216-072-010

4808 Bell Springs Road, Garberville area

A Conditional Use Permit for an existing 4,488 square feet of mixed light and 15,640 square feet of outdoor commercial cannabis cultivation. Drying, curing and storage will occur in existing structures on the subject parcel. Irrigation water is sourced from a well and a rainwater catchment system and hard tanks are utilized for water storage. There is 74,100 gallons of water storage onsite and the applicant is proposing to add 48,400 gallons for a total of 122,500 gallons of water storage. Additional processing, such as trimming, will occur off-site at a licensed facility. Power for this project is sourced from P.G. & E. The Planning Commission will consider an addendum to a previously adopted Mitigated Negative Declaration. The project is in Humboldt County, in the New Harris area, on the west side of Bell Springs Road, approximately 0.65 miles southwest from the intersection of Belles Road and Bell Springs Road, on the property known as Specific questions regarding the proposed project may be directed to Abbie Strickland, Planner, at (707) 445-7541 or astrickland@co.humboldt.ca.us <mailto:astrickland@co.humboldt.ca.us>.

Recommendation: 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, make all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Bellis Heritage Farms, LLC, project as recommended by staff subject to the recommended conditions.

Attachments: [11744 Staff Report 2.4.21.pdf](#)
[Attachment 3.A 11744 Environmental Report 05.22.2020.pdf](#)
[Attachment 3.B 11744 Addendum to the Environmental Report 01.12.21.pdf](#)
[Attachment 3.C 11744 Cultivation and Operations Plan 05.22.2020.pdf](#)
[11744 Supplemental 2.4.21.pdf](#)
[Public Comment - PLN-11744-CUP Bellis Heritage Farms_Kenneth Claypool.pdf](#)
[Public Comment - PLN-11744-CUP Bellis Heritage Farms.pdf](#)

4. Verdant Futures, LLC, Conditional Use Permits and Special Permits

Record Number: PLN-12933-CUP

Assessor Parcel Number (APN) 223-171-001

1560 Redwood Drive, Garberville area

A Conditional Use Permit for a commercial cannabis nursery to take place in four greenhouses totaling 7,920 sq. ft., Special Permits for a cannabis processing facility and a cannabis manufacturing facility in two proposed buildings, 6,000 sq. ft. and 4,000 sq. ft. The proposed 6,000 sq. ft. building will enclose 4,500 sq. ft. of commercial cannabis processing area, and 1,500 sq. ft. of clone rooting space. The 4,000 sq. ft. building will enclose approximately 2,000 sq. ft. of commercial cannabis manufacturing area, and approximately 2,000 sq. ft. dedicated to cold storage of fresh frozen cannabis flower. An Onsite Wastewater Treatment System (OWTS) will be constructed to serve these buildings. Water will be supplied by Garberville community Service District. Water storage onsite currently consists of two 300-gallon mixing tanks. Proposed is an additional 50,000 gallons of storage in the form of ten 5,000-gallon poly tanks. This additional storage is in anticipation of projected water shutoff for AG projects by Garberville Sanitary District when river flows drop below the allowable threshold. There a maximum of 24 employees anticipated for operations. Minimal grading and tree removal were performed without authorization in 2019 to facilitate the construction of these structures, and as a result, remediation and restoration work is included within the requested project. Special Permits are requested for restoration work and minor development within a Streamside Management Area.

Recommendation: Adopt the Mitigated Negative Declaration prepared for the Verdant Futures LLC project pursuant to Section 15074 of the State CEQA Guidelines, (b) Make all the required findings for approval of the Conditional Use Permit and Special Permit; and (c) Approve the Verdant Futures Conditional Use Permit as recommended by staff and subject to the recommended conditions.

Attachments: [12933 Staff Report.pdf](#)
[Attachment 2 - Bear Canyon Road Project ISMND Draft Final.pdf](#)
[Attachment 5 - Public Comment_Ed Voice.pdf](#)

5. The George Steven Lewis Trust; Parcel Map Subdivision Extension

Record Number PLN-2020-16413

Assessor Parcel Number (APN) 511-031-036

1161 Gassaway Road, McKinleyville area

A two-year extension to a previously approved subdivision. The original project, approved on June 21, 2018, included a Minor Subdivision of a 21,977 square foot parcel into two parcels of 10,110 square feet (net) and 7,420 square feet (net). The parcel is developed with a single-family residence that will remain on proposed Parcel 1. Pursuant to County Code Section 325-9, the applicant has submitted an exception request for a reduced right-of-way width for Hazel Avenue. Water and sewer are provided by the McKinleyville Community Services District. No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on July 3, 2022.

Recommendation: Move to make all of the required findings, based on evidence in the staff report, and approve the application(s) on the Consent Agenda subject to the recommended conditions of approval.

Attachments: [16413 Staff Report 2.4.21.pdf](#)

F. ITEMS PULLED FROM CONSENT**G. CONTINUED 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. Rising Goat Limited, Special Permit
Record Number PLN-2020-16188
Assessor's Parcel Number: 223-101-004
1400 Ross Road, Garberville area

A Special Permit for 18,000 square feet (sf) of new mixed light cannabis cultivation. The proposed project would be phased to begin outdoor at 10,000 sf and expand to a total of 18,000 sf mixed light cultivation within two years. Annual water use is estimated at 366,660 gallons. The irrigation source is a permitted groundwater well and rainwater catchment. Processing, such as trimming, will occur at an off-site licensed processing facility. There will be a maximum of 3 employees during peak operations. Solar power will be required to be the main power source and generators will only be used as an emergency power source.

Recommendation: Find that the Planning Commission has considered the Addendum to the Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit based on evidence in the staff report, and adopt the Resolution approving the proposed Rising Goat Limited project subject to the recommended conditions.

Attachments: [16188 Staff Report 2.4.21 .pdf](#)
[Attachment 4.A_16188 Operations Plan 01.27.2020 and Addendum.pdf](#)
[Attachment 4.B_Final_Biological Report_Rising Goat.pdf](#)
[16188 Supplemental 2.4.21.pdf](#)
[Public Comment PLN-2020-16188 Rising Goat Limited_2-4-21 Plan Com.pdf](#)

H. NEW BUSINESS

1. McGuire, Jerry; Coastal Development Permit
Record Number PLN-2019-15773
Assessor Parcel Number (APN) 306-024-004
6766 West Avenue, Fields Landing area

Application for an after-the-fact Coastal Development Permit (CDP) for unpermitted development associated with construction of a single-family residence. The residence is two story and approximately 1,700 sq. ft. on a 4,791 sq. ft. corner lot in Fields Landing. The site plan shows the residence encroaching into the rear, front, and exterior side yard setbacks.

Recommendation: Adopt the resolution to take the following actions: 1) Find the project exempt from environmental review pursuant to State CEQA Guidelines Section 15270, 2) Find that the Coastal Development Permit is inconsistent with the Zoning Ordinance and will be detrimental to the public, health, safety and welfare, and: 3) Deny the Gerald McGuire Coastal Development Permit.

Attachments: [15773 Staff Report 2.4.21.pdf](#)

I. ADJOURNMENT

NEXT MEETINGS

February 18, 2021

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