

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, July 1, 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/9763777152> 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 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 cell phone 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. The Agenda is posted on the Friday prior to the meeting. Comments received after the agenda has been published can be found at the “Attachments” section of the “Meeting Details” link next to the posted Agenda at: <https://humboldt.legistar.com>. All public comment and supplemental information submitted after Wednesday, June 23, 2021 will be included with the administrative record after the fact.

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. Vajra Gita Grounds, LLC, Conditional Use Permit
Record Number PLN-10677-CUP
Assessor's Parcel Numbers: 314-153-004 & 314-143-005.
Kneeland area

A Conditional Use Permit for 1-acre of existing outdoor commercial cannabis cultivation, with 4,356 square feet of ancillary propagation space. Irrigation water is sourced from a permitted well on-site, and the applicant plans to install a 500,000-gallon rainwater catchment pond. The projected water usage is approximately 350,000 gallons a year (8.03 gallons/square foot/year). Total existing water storage on-site is 27,500 gallons in hard water tanks. Full processing will occur on-site within an existing building. Power is currently sourced by on-site generators, and the applicant is planning to install a solar system with solar arrays to provide 80% renewable energy within three years from the date of approval.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Vajra Gita Grounds, LLC, Conditional Use Permit subject to the recommended conditions.

Attachments: [10677 Vajra Gita Grounds Staff Report 7.1.21.pdf](#)

2. Chamise Creek Farms, LLC, Conditional Use Permit

Record Number PLN-11562-CUP

Assessor's Parcel Number: 218-161-007.

Palo Verde area

A Conditional Use Permit for a total of 22,800 square feet (SF) of existing outdoor cannabis cultivation and a 2,280-SF ancillary nursery. Irrigation water is sourced from two (2) offstream rainwater catchment ponds that have a combined storage capacity of 560,000 gallons. Total estimated annual water use is 342,000 gallons (15 gallons/SF). Water is stored in the rainwater catchment ponds, three (3) 50,000-gallon bladders, one (1) 3,000-gallon hard plastic tank, and one (1) 2,500-gallon hard plastic tank. Total water storage is 715,500 gallons. Drying occurs onsite in a 750-SF barn, and further processing occurs offsite at a licensed third party facility. The primary source of electrical power for outdoor cultivation is a solar array and several generators used in emergencies.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Chamise Creek Farms, LLC, Conditional Use Permit subject to the recommended conditions.

Attachments: [11562 Chamise Creek Farms Staff Report 7.1.21.pdf](#)

3. Sun House Farms, LLC, Conditional Use Permit

Record Number PLN-12029-CUP

Assessor's Parcel Number: 218-151-006.

New Harris area

A Conditional Use Permit for 43,560 square feet (SF) of existing outdoor cannabis cultivation, and a 4,420 SF of nursery propagation area. Irrigation water is sourced from an onsite surface water diversion. Estimated onsite water use is 450,000-gallons (10.3 gallons/SF). Water is stored within sixty-three (63) hard tanks for a total of 302,400 gallons. Drying and processing is proposed to occur onsite. Power is provided by three (3) generators, that include one (1) 14.4 KW diesel-powered Whisperwatt generator and one (1) Honda EU 7000 and one (1) Honda EU 3,000 generator.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Sun House Farms, LLC, Conditional Use Permit subject to the recommended conditions.

Attachments: [12029 Sun House Farms 7.1.21.pdf](#)

4. Rockaway Investments, LLC, Conditional Use Permit

Application 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 square feet of existing full-sun outdoor cultivation. 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. 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 Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Rockaway Investments, LLC, Conditional Use Permit subject to the recommended conditions.

Attachments: [12280 Rockaway Investments Staff Report 7.1.2021.pdf](#)

5. Ambiguity Farm, LLC, Conditional Use Permit

Record Number PLN-12812-CUP

Assessor's Parcel Number 223-011-009.

Garberville area

A Conditional Use Permit for 34,560 square feet of existing outdoor and 10,000 square feet of existing mixed-light cannabis cultivation. The applicant projects two to three cultivation cycles per year. Water for irrigation is sourced from an on-site 450,000-gallon pond and a point of diversion. Water is stored in two tanks totaling 100,000 gallons. Processing, including drying and trimming occur off site at a licensed processing facility. Electricity is sourced from solar with generator back up.

Recommendation: Continue to a date uncertain, project to be re-noticed.

6. Bosim 4373, LLC, Conditional Use Permit
Record Number PLN-2020-16405
Assessor's Parcel Number: 511-321-031.
McKinleyville area

A Conditional Use Permit modification to convert 10,000 square feet of mixed light cannabis cultivation approved under application 12642 to 6,660 square feet of commercial nursery, and 3,552 square feet of mixed-light cultivation. The nursery will not be open to the public. Water for irrigation will be supplied by the McKinleyville Community Service District. Anticipated annual water usage for the project is 90,000 gallons, and watering is done through a drip irrigation system with supplemental hand watering. Total water storage on-site is 1,000 gallons within one 1,000-gallon water tank. Power is supplied by PG&E.

Recommendation: Find that the Commission has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) 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 Bosim 4373, LLC Conditional Use Permit as recommended by staff subject to the recommended conditions.

Attachments: [16405 Bosim 4373 Staff Report 7.1.21.pdf](#)
[Attachment 12642 ZCC Staff Report.pdf](#)

F. ITEMS PULLED FROM CONSENT

G. 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. Morris Coastal Development Permit and Special Permit

Record Number PLN-13908-CDP

Assessor's Parcel Number: 515-271-024.

Trinidad area

A Coastal Development Permit and Special Permit for new residential accessory structures, Major Vegetation Removal of trees with a diameter greater than twelve (12) inches at four and one-half (4.5) feet trunk height, and development within the 100-ft. protective buffer for Streams and Riparian Corridor and Wetlands and ESHA. Development within the protective buffer involves the removal of 163 trees with an average diameter of 18 inches, for public safety purposes under a CalFire 150 ft. and 150-300 ft. Structure Protection Exemption. The installation of two wells, one located 20 feet from Hobson Creek, and the second well located at the edge of the Riparian Corridor buffer. Other accessory structures include the remodel of an existing single story 1,070 square foot single story garage/guest house including the addition of 96 square feet of enclosed, heated area along the existing covered porch; a new 728 sq. ft. two car garage; construction of a 992 sq. ft. shop building and replacement with a two-story shop building and office; construction of a new single story detached 96 square foot ADA restroom; and a new front entry gate.

Recommendation: Find the project exempt from environmental review pursuant to Section 15301, 15302, 15303 and 15304(i) of the State CEQA Guidelines, make all of the required findings for approval of the Coastal Development Permit and Special Permit, and adopt the Resolution approving the Morris project subject to the recommended conditions.

Attachments: [13908 Morris Staff Report 7.1.21.pdf](#)

2. New Cingular Wireless PCS, Special Permit and PWM Inc. Conditional Use Permit and Special Permit

Record Numbers PLN-2020-16754 and PLN-2021-17005

Assessor's Parcel Number: 505-151-006 and 506-231-010.

Arcata area

The consideration of two separate new wireless communication facilities in the Arcata bottoms area. The New Cingular Wireless facility consists of a Special Permit application for the construction of a new 100-foot tall, freestanding faux water tower, to be located on a concrete foundation and with ground-mounted equipment. The tower would be able to host up to two different wireless carriers. The PWM, Inc. Wireless facility involves the construction of a new 130-foot-tall freestanding lattice tower, to be located on a concrete foundation and with ground-mounted equipment. The tower would be able to host up to four different wireless carriers.

Recommendation: Staff does not recommend approval of both applications. The recommendation is to receive the staff report and public testimony, deliberate and continue the items to the July 15th Planning Commission Meeting with direction to staff on appropriate resolutions for each application.

Attachments: [Combined Cell Tower 16754_17005 Staff Report 7.1.21.pdf](#)

3. Humboldt Hempire Farms, LLC, Special Permit

Record No. PLN-2020-16602

Assessor's Parcel Number: 223-061-011.

Garberville Area

A Special Permit for 43,560 square feet of new mixed light cannabis cultivation. There is an approved land use permit on the subject parcel that allows for a business engaged in the collection, storage, delivery, and sale of non-potable water to residents in the Southern Humboldt area for primarily agricultural use (e.g., irrigation). The applicant will utilize water from this onsite business to support the cultivation. The applicant anticipates approximately 600,000 gallons of water will be required annually for irrigation. There is 3,360,000 gallons of water storage onsite. Processing such as drying, and curing will occur in a 5,060-square-foot structure. Further processing will occur offsite at a licensed processing facility. Power of the project will be provided by PG&E.

Recommendation: Find that the Planning Commission has considered the Addendum to the Environmental Impact Report 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 Special Permit and adopt the Resolution approving the proposed Humboldt Hempire Farms, LLC project subject to the recommended conditions.

Attachments: [16602 Humboldt Hempire Staff Report 7.1.21.pdf](#)
[Attachment 3A Humboldt Hempire Farms Noise Assessment.pdf](#)
[Attachment 4A DRosas.JTaylor Jessie Jeffries Inspection Report INV. # 11785 APN # 2](#)

4. Zoning Ordinance Amendments to the Commercial Cannabis Land Use Ordinance (CCLUO), Record ID #PLN-2021-17147.

This item includes revisions to the Inland CCLUO Zoning Ordinance (Section 314-55.3 of Chapter 4 of Division 1 of Title III of the Humboldt County Code) to require that applications for two (2) or more Retirement, Remediation and Relocation (RRR) sites proposing relocation on a single receiving site require a special permit. These amendments would be applicable to all zoning clearance certificate applications for RRR sites and Relocation sites, including those submitted on or before December 31, 2016. Additionally, this item includes proposed amendments to the CCLUO Section 314-55.4, providing updated definitions for “Propagation” for allowance of an area, not to exceed 25% of the cultivation area, for the use of nursery and immature plants. Additionally, an updated definition for “Outdoor” allows use of lights requiring 60 watts of electricity or less to be used for employee safety and/or to maintain plants in a non-flowering vegetative state in the area approved for Cultivation or Propagation. Also, the enhanced setback requirements for Cannabis Support Facilities are proposed to no longer apply to facilities for distribution and cannabis testing and research laboratories. The Planning and Building Department is recommending the Planning Commission recommend the Board of Supervisors adopt the proposed changes to the CCLUO.

Recommendation: Based on evidence in the staff report and public testimony, make all the required findings and adopt Resolution #1 (Attachment 2) recommending that the Humboldt County Board of Supervisors consider the Addendum to the CCLUO PEIR, find that no new information has been presented that changes the findings of the PEIR pursuant to Section 15162 of the State CEQA Guidelines and adopt the proposed amendments to the CCLUO.

Attachments: [17147 CCLUO Revisions 7.1.21.pdf](#)

H. ADJOURNMENT

I. NEXT MEETINGS: July 15, 2021 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