

**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, September 16, 2021

6:00 PM

Regular Meeting - Virtual

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*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](mailto: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. After the Agenda is posted on Friday, September 10, 2021, comments 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.

**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. CONTINUED PUBLIC HEARINGS

*The projects listed below are public hearing items that have been continued from a previous meeting and has generated public comment prior to the hearing date or have other issues related to them that may require discussion*

1. New Cingular Wireless PCS, Special Permit  
Record Number PLN-2020-16754  
Assessor's Parcel Number: 505-151-006.  
Arcata area

The proposed project consists of a Special Permit application for the construction of a new 120-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 four different wireless carriers. The application requires a Special Permit for an exception to the height limit of the AG zone district.

**Recommendation:** Find that the Planning Commission has considered the Categorical Exemption for the project as described by Section 15303 of the State CEQA Guidelines; make the required findings for approval of the Special Permit; and approve the AT&T project as recommended by staff and subject to the recommended conditions.

**Attachments:** [16754 New Cingular Wireless PCS Staff Report 9.16.21.pdf](#)

## F. 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. Diamond C Ranch,**

Record Number PLN-2020-16295

Assessor's Parcel Number: 223-016-017, 23-071-013, 223-071-004, 223-052-007, 223-016-006, 216-134-010, 223-012-009, 223-016-008, 223-071-015

Garberville area

An application to dis-establish a portion of an existing Class B preserve and create a new Class B preserve of approximately 1,796.5 acres pursuant to the California Land Conservation Act and the Humboldt County Agricultural Preserve Guidelines. Included in this request is a Zone Reclassification of 80 acres from Unclassified to Agricultural Exclusive with a Combining Zone specifying a minimum parcel size of 160 acres. The project is categorically exempt from environmental review pursuant to §15317 of the State CEQA Guidelines (establishment of open space contracts).

**Recommendation:** Make all of the required findings for approval of the disestablishment, agricultural preserve reformation, and agricultural Zone reclassification based on evidence in the staff report, and recommend that the Board of Supervisors approve the Diamond C Ranch project subject to the recommended conditions.

**Attachments:** [16295 Diamond C Staff Report 9.16.21.pdf](#)

**2. 28759 Humboldt Inc, Conditional Use Permit**

Record Number PLN-10994-CUP

Assessor's Parcel Number: 211-401-018, 28759

Miranda area

Humboldt Inc. seeks approval for a Conditional Use Permit to permit a maximum of 12,600 square feet (SF) of mixed light cannabis cultivation in eight (8) greenhouses and 700 SF nursery and Special Permit to reduce the required 600-foot setback from public lands. Irrigation water is sourced from an existing groundwater well located (Permit No. 11/12-0233). Annual water use is estimated at 196,000 gallons (15.5 gallons/SF). A total of 86,150 gallons of water storage is proposed. Electricity is provided through the use of a 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 the required findings for approval of the Special Permit and adopt the Resolution approving the 28759 Humboldt Inc project subject to the recommended conditions.

**Attachments:** [10994 28759 Humboldt Staff Report 9.16.21.pdf](#)

**3. New Earth Farms, LLC, Conditional Use Permit**

Record Number PLN-11166-CUP

Assessor's Parcel Number: 316-174-008

Titlow Hill area

A Conditional Use Permit for 22,167 square feet (SF) of existing outdoor cannabis cultivation and a 2,220-square-foot nursery for propagation. Anticipated water use is 330,000 gallons. Irrigation water is sourced from an off-stream pond and an existing point of diversion. Total storage of 453,000 gallons. Processing and packaging of cannabis will occur on-site in a proposed 2,400-square-foot processing facility. Power is provided by PGE and generators are for emergency use only.

**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 the required findings for approval of the Special Permit and adopt the Resolution approving the New Earth Farms project subject to the recommended conditions.

**Attachments:** [11166 New Earth Staff Report 9.16.21.pdf](#)  
[Attachment 3A 11166 WRPP.pdf](#)

**4. Rebel Grown, LLC. Conditional Use Permit and Special Permit**

Record Number PLN-11223-CUP

Assessor's Parcel Number: 218-091-008

New Harris area

A Conditional Use Permit for continued cultivation of 30,620 square feet (SF) of cannabis of which 6,942 SF is mixed light and 23,678 SF is outdoor cultivation. Ancillary propagation totals 3,065 SF. Water for irrigation is sourced from the points of diversions including an onstream pond. Water storage totals 1,590,000 gallons. Drying and curing activities occur within three 600-square-foot rooms within a two story 1,800-square-foot structure. All other processing including trimming and packaging will occur offsite at a third-party licensed processing facility. Power is provided by a 5 KW solar array and two generators. A Special Permit is required for the continued use of the three points of diversion.

**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 the required findings for approval of the Special Permit and adopt the Resolution approving the Rebel Grown project subject to the recommended conditions.

**Attachments:** [11223 Rebel Grown Staff Report 9.16.21.pdf](#)  
[Attachment 3A 11223 WRPP.pdf](#)

5. Tony Palamara, Stacy Palamara, and Rachel Starr, Conditional Use Permit  
Record Number PLN-11952-CUP  
Assessor Parcel Number (APN) 216-261-053  
Alderpoint area

A Conditional Use Permit for an existing 24,000-square-foot cannabis cultivation operation. Ancillary propagation will occur in a proposed 2,400-square-foot greenhouse. Water for irrigation supplied by a groundwater well. Existing available water storage is 3,800 gallons in two (2) hard tanks. Estimated annual water usage is 219,347 gallons. Processing activities including drying, bucking, trimming, and packaging occurs onsite in an existing 4,000-square-foot two-story building. Power is provided by a generator but will be transitioning to PG&E within two years.

**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 the required findings for approval of the Special Permit and adopt the Resolution approving the Tony Palamara, Stacy Palamara, and Rachel Starr project subject to the recommended conditions.

**Attachments:** [11952 Palamara Tony Stacy Staff Report 9.16.2021.pdf](#)

6. Soul Arc Solutions, Inc. Conditional Use Permit  
Record Number: PLN-12085-CUP  
Assessor's Parcel Number: 108-012-008  
Ettersburg area

A Conditional Use Permit for 27,000 square feet of existing outdoor cannabis cultivation. Water for irrigation is sourced from a point of diversion and rainwater catchment, as well as a pond on an adjacent parcel (APN 108-012-009). Propagation occurs within the existing hoop houses and is not in addition to the 27,000 square feet. Water storage totals 455,000 gallons. Drying and curing will be performed on-site in a 2,400-square-foot facility, with other processing (trimming) occurring off-site at a licensed facility. Electricity is sourced from generator power with solar power proposed.

**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 the required findings for approval of the Special Permit and adopt the Resolution approving the Soul Arc Solutions project subject to the recommended conditions.

**Attachments:** [12085 Soul Arc Solutions Staff Report 9.16.21.pdf](#)  
[Attachment 3A 12085 Less 3 Acre Conversion 2018.pdf](#)  
[Attachment 3B 12085 Restoration Plan 05.2021.pdf](#)  
[Attachment 3C 12085 Botanical Survey 2018.pdf](#)

7. Green Wave Farms, LLC, Conditional Use Permit

Record Number PLN-2020-16842

Assessor's Parcel Number: 204-091-012

Hydesville area

A Conditional Use Permit for 10,000 square feet of new mixed light cannabis cultivation in the Hydeville-Carlotta Community Planning Area. The project includes 1,000 square feet of ancillary propagation, a 2,500 square foot onsite processing facility, and 1,280 square feet for drying and storage in four, 320 square foot shipping containers. Annual water usage is estimated at 154,400 gallons and supplied by a combination of rainwater catchment, water recapture from dehumidifiers, and a proposed well. Total water storage is 47,000 gallons. The project will include up to nine employees at peak operation with electricity powered by PGE.

**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 the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the proposed Green Wave Farms project subject to the recommended conditions.

**Attachments:** [16842 Green Wave Farms Staff Report 09.16.2021 Final.pdf](#)

**8. West Side Heritage Inc. Conditional Use Permit**

Record Number PLN-12928-CUP

Assessor's Parcel Number: 220-312-007

Redway area

The applicant is seeking a Conditional Use Permit for 14,400 square feet of existing outdoor commercial cannabis cultivation. The project is supported by a nursery located on the adjacent parcel under the same ownership (APN 220-312-010). Water for irrigation is sourced from an existing well located on an adjacent parcel under the same ownership (APN 220-312-010) and a 2-million-gallon rainwater catchment pond is proposed. Projected annual water usage totals 150,000 gallons. Existing available hard tank water storage totals 50,000 gallons. Processing such as drying and curing will occur onsite in shipping containers, and further processing occurs offsite at a licensed third-party processing facility. Electricity is sourced from a solar array and the applicant will have a generator onsite to provide supplemental energy, if needed.

**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 the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the proposed West Side Heritage project subject to the recommended conditions.

**Attachments:** [12928 West Side Heritage Farms Staff Report 9.16.21.pdf](#)

9. Hum Fire, LLC, Conditional Use Permit  
Record Number PLN-12943-CUP  
Assessor's Parcel Numbers: 222-042-011  
Garberville Area

The applicant is seeking a Conditional Use Permit for 17,900 square-feet of existing outdoor commercial cannabis cultivation. The project will be supported by an 850 square foot nursery. Irrigation water is sourced from a registered spring diversion and an existing permitted well. Estimated annual water usage is 125,000 gallons and existing available water storage totals 107,000 gallons. Additional water storage is proposed. Drying and curing occurs onsite and all other processing will occur off-site at a licensed third-party processing facility. Energy for the project is supplied by a generator and the well utilizes a solar pump.

**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 the required findings for approval of the Special Permit and adopt the Resolution approving the Hum Fire project subject to the recommended conditions.

**Attachments:** [12943 Hum Fire Staff Report 9.16.21.pdf](#)  
[Attachment 3A - 12943 Site Management Plan 04.07.21.pdf](#)

**10. Eubank Creek, LLC Conditional Use Permit, Special Permit and Lot Line Adjustment**

Record Number PLN-12972-CUP

Assessor's Parcel Number: 220-171-017, 220-171-018, 220-171-021

Briceland Area

The applicant is seeking a Conditional Use Permit for 43,560 square-feet of existing commercial cannabis cultivation. Light depravation techniques are utilized to achieve two harvests annually. The project will be supported by 3,320 square-feet of proposed propagation space. Irrigation water is sourced from an existing permitted groundwater well located on the adjacent parcel under the same ownership (APN 220-072-006), a registered point of diversion from Eubank Creek, and a proposed 1.4-million-gallon rainwater catchment pond. Existing available hard tank water storage totals 205,000 gallons. Projected annual water usage totals 594,500 gallons. Processing such as drying and curing will occur onsite in a proposed 3,200 square-foot ag-exempt barn. Energy for the project will be supplied by generators until the 800 square-foot solar array can be installed on the proposed ag-exempt barn. The applicant is also seeking a Special Permit for the ongoing use and maintenance of the point of diversion located in the Streamside Management Area. The applicant is also proposing a Lot Line Adjustment involving the reconfiguration of APN's 220-171-021 and 220-171-018, creating two 80-acre parcels.

**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 the required findings for approval of the Special Permit and adopt the Resolution approving the Eubank Creek project subject to the recommended conditions.

**Attachments:** [12972 Eubank Creek Staff Report 9.16.21.pdf](#)  
[Attachment 3A 12972 Site Management Plan 02.25.2020.pdf](#)  
[Attachment 3B 12972 Road Evaluation 02.25.2020 \(1\).pdf](#)

**11. House of Flower, LLC Conditional Use Permit**

Record Number PLN-13040-CUP

Assessor Parcel Number (APN) 033-120-016

Benbow area

One Conditional Use Permit for an existing 22,000-square-foot (SF) outdoor cannabis cultivation operation occurring in 17 light-deprivation greenhouses on two graded flats; an 18th greenhouse is proposed. Existing nursery greenhouses totaling will be limited to 2,200 SF. Irrigation water is sourced from three existing ponds with approximately 472,300 gallons of storage capacity and an additional 96,000 gallons of hard tank storage. Estimated annual water usage is approximately 355,000 gallons (16 gallons/SF/year). Bucking and drying will occur on-site and processing would occur offsite at a licensed facility. Power is provided by a small solar power system and two generators housed within noise containment sheds.

**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 the required findings for approval of the Special Permit and adopt the Resolution approving the House of Flower project subject to the recommended conditions.

**Attachments:** [13040 House of Flower Staff Report 9.16.21.pdf](#)

**12. Westpoint Timberland, Inc. Special Permits**

Record Number PLN-2019-16086

Assessor's Parcel Number: 208-231-002

Dinsmore area

The applicant is seeking a Special Permit for one-acre of pre-existing outdoor commercial cannabis cultivation. Light deprivation techniques are utilized to achieve two harvests annually. Water for irrigation will be sourced from a proposed well. The applicant is proposing to install 151,800 gallons of water storage. The applicant's estimated annual water use is 77,000 gallons. Energy for the project will be sourced from a proposed solar array. No generators will be used on site for cannabis cultivation or ancillary activities. Processing will occur on site. A Special Permit is also required for existing cultivation sites on slopes of 15-30% and for remediation efforts within the Streamside Management Area.

**Recommendation:** Find that the project is exempt from environmental review pursuant to Section 15270 of the CEQA Guidelines (projects which are disapproved), find that the project is not consistent with the requirements of the Humboldt County Code, and adopt the resolution denying the proposed Westpoint Timberland Special Permits.

**Attachments:** [16086 Westpoint Timberland Staff Report 9.16.21.pdf](#)

**13. Eel River Produce, LLC Special Permits, Zoning Clearance Certificates**

Record Number: PLN-2020-16417

APN: 209-331-002

Redcrest Area

A proposal to add 63,200 s.f. of cultivation area consisting of a Special Permit to allow 43,200 s.f., including 33,200 s.f. of outdoor light deprivation in fourteen greenhouses, and 10,000 s.f. mixed light in four greenhouses to be cultivated year-round, and a Zoning Clearance Certificate to allow a fourth RRR consisting of 20,000 s.f. of outdoor light deprivation in five greenhouses. Cultivation will occur from April 15th to October 15th and will achieve up to two harvest cycles. The site is presently permitted for 60,000 square feet of full-sun outdoor through three RRRs. The total cultivation at full build-out will be 133,200 square feet (3.06 acres). A 10,000-square-foot commercial nursery in four (4) greenhouses will produce seeds and clones and was approved with a separate ZCC. No supplemental light is used in the light-deprivation or nursery greenhouses. The sole source of irrigation water is rainwater catchment captured directly in and stored in hard tanks. Estimated annual water use is 161,500 gallons, of which 19,000 gallons is used for the nursery. Water storage totals 120,000 gallons in twenty-four (24) hard tanks, with an additional 50,000 gallons proposed. Harvested product will be dried in the greenhouses, or fresh frozen and taken off-site. No processing occurs on-site. P.G.&E. supplies renewable power to the site. A Special Permit is also required to vary from the 600' setback from Humboldt Redwoods State Park by 76' to a distance of 524'.

**Recommendation:** Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Eel River Produce project, make all the required findings for approval of the Special Permits and Zoning Clearance Certificates and adopt the Resolution approving the Eel River Produce project subject to the recommended conditions.

**Attachments:** [16417 Eel River Produce Staff Report 9.16.21.pdf](#)

**G. ADJOURNMENT**

**H. NEXT MEETING:      October 7, 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](mailto:planningclerk@co.humboldt.ca.us) or the ADA Coordinator at 844-365-0352 or by email at [ada@co.humboldt.ca.us](mailto:ada@co.humboldt.ca.us)*