

PLANNING COMMISSION

Robert Morris
Chair - Second District
David Edmonds
Vice Chair - At Large
Alan Bongio
First District
Noah Levy
Third District
Kevin McKenny
Fourth District
Ben Shepherd
Fifth District
Brian Mitchell
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, February 15, 2018

6:00 PM

Special Meeting

CALL TO ORDER / SALUTE TO FLAG

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

COMMISSIONERS PRESENT

Present 7 - Commissioner Robert E. Morris, Commissioner David Edmonds, Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Kevin McKenny, Commissioner Ben Shepherd, and Commissioner Brian Mitchell

AGENDA MODIFICATIONS

Item # 4 to be continued to 3.15.18 instead of the previous request for continuance to 3.1.18.

PUBLIC COMMENTS

CONSENT AGENDA

1 Reliable Organic Farms, LLC Conditional Use Permit

Case Number CUP 17-049

Assessor's Parcel Number 107-233-006

Honeydew area

Reliable Organic Farms, LLC, is seeking a Conditional Use Permit for an existing sixteen-thousand (16,000) square foot (SF) commercial medical cannabis cultivation occurring in five (5) greenhouses. Irrigation water is from an onsite well with a solar-powered pump and a flow meter for monitoring and reporting. Water storage consists of twenty-nine thousand (29,000) gallons in a bladder and hard tanks for use during the May to October forbearance period. Annual water budget is approximately one-hundred twenty-eight thousand (128,000) gallons. Processing will be onsite in an existing eight-hundred twenty (820) SF building by the Applicant and one (1) full-time seasonal employee who lives onsite.

A motion was made by Commissioner Shepherd, seconded by Commissioner Levy, that this Zoning Item be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

Nay: 1 - Commissioner Edmonds

2 Mountainwise Farms Conditional Use Permit

Case Numbers CUP 16-444

Assessor's Parcel Numbers (APN) 317-183-000

3070 Pigeon Point Rd., Eureka, CA 95503

Mountainwise Farms is seeking a Conditional Use Permit for an existing 22,000 square foot (sf) outdoor commercial medical cannabis cultivation. All water used for cultivation of cannabis is sourced on-site from a shallow hand-dug (seep) well that, although registered with the State Water Resources Control Board, does not flow off the property. Water is stored in three bladders (60,000 gallons), and two hard-sided storage tanks (4,350 gallons). The applicant estimates 369,200 gallons of water use annually. To meet the need for added storage of water for cultivation during the forbearance period, a 500,000 gallon rain catchment pond and well are planned. The Applicant will install a water meter to document compliance. Appurtenant processing of cannabis product grown on-site occurs inside an existing shop structure. There will be between two to four employees at full operation. Electricity is provided by a solar power and back-up generator power. The property is also developed with an existing single-family residence served by on-site water and sewage disposal systems. Site restoration plans include removal and replacement of a derelict barn and the restoration of a Class III stream that passed under a historic greenhouse location.

A motion was made by Commissioner Mitchell, seconded by Commissioner Shepherd, that this Zoning Item be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 3** Lazy S Ranch, LLC Conditional Use Permit
Case Number CUP 17-018
Assessor's Parcel Numbers (APNs) 033-130-002 and 033-130-007
2557 Blue Rock Road, Benbow Area

A Conditional Use Permit for 37,010 square feet of existing outdoor commercial cannabis cultivation. Water for irrigation is sourced from a rainwater catchment system that captures rainwater from nearby existing and future structures. Water is stored in a series of four ponds with a total storage capacity of approximately 1,137,000 gallons, and nine hard tanks with a total capacity of 18,900 gallons. Projected water use is 241,000 gallons per growing season. Processing, drying, and curing of cannabis takes place in a 3,200-square-foot barn. The cannabis cultivation operation currently employs four full-time workers and four part-time workers. Solar panels (16 panels, 250 watts each) supply the power source for cultivation and processing activities.

A motion was made by Commissioner Shepherd, seconded by Commissioner McKenny, that this Zoning Item be continued to the March 1, 2018 meeting. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

PUBLIC HEARINGS

- 4** MBC Valley Properties, LLC, Conditional Use Permit
Case Numbers CUP-17-053, CUP-18-005, CUP-18-006
Assessor's Parcel Numbers (APNs) 107-102-003, -004, -005, -103-007, -012
1890 and 2188 Burrel Road and SW Quarter of Section 01, Township 03 South, Range 01 West, Honeydew area

MBC Valley Properties seeks approval of three Conditional Use Permits for a proposed 2.5-acre outdoor and 22,000-square-foot mixed light medical cannabis cultivation operation. The Applicant is proposing to consolidate cultivation activities on several parcels to one parcel and not cultivate on the adjacent parcels. The Applicant states that a covenant will be developed to join contiguous parcels (107-103-012, 107-102-005, 107-103-007, 107-102-004, 107-102-003), creating an area totaling approximately 325 acres in size. Water for irrigation will be provided by a proposed 3,000,000-gallon rainwater catchment pond. Processing, including drying and curing, will occur on-site while the proposed project includes utilization of an off-site trimming facility when available. Four full-time and up to 10 seasonal employees are required to meet operational needs. Electricity is provided by PGE.

A motion was made by Commissioner Levy, seconded by Commissioner Shepherd, that this Zoning Item be continued to the March 15, 2018 meeting. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 5** CannaBoutique Dispensary Conditional Use Permit
Case Number CUP 16-632
Assessor's Parcel Number (APN) 015-011-029
1672 Myrtle Avenue, Eureka Area

CannaBoutique Dispensary is applying for a Conditional Use Permit to allow for the operation of a medical cannabis dispensary that would provide medical marijuana to collective members in accordance with Humboldt County Code Section 314-55.3, Medical Cannabis Dispensaries, of Chapter 4 of Division 1 of Title III. The proposed dispensary (project) would be located within 1,200 square feet of an existing commercial building. The hours of operation for the proposed project would be Monday through Friday, 10:00 AM to 7:00 PM; the dispensary would be closed on Saturday and Sunday.

A motion was made by Commissioner Shepherd, seconded by Commissioner Mitchell, that this Zoning Item be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, and Commissioner Shepherd

Nay: 3 - Commissioner Edmonds, Commissioner McKenny, and Commissioner Mitchell

- 6** Zoning Ordinance Amendments
Interim Permitting of Existing Cultivation Activities
Case Number OR 18-001

Humboldt County has existing ordinances regulating commercial medical cannabis activities, including the Commercial Medical Marijuana Land Use Ordinance (Ordinance No. 2544, which was adopted February 26, 2016 and modified on September 13, 2016 (Ordinance 2559). On November 14, 2017, the ordinance was further modified by Ordinance 2588 to include provisions for the issuance of interim permits to certain eligible applicants seeking to permit lawful pre-existing cultivation sites in accordance with provisions for temporary licensing now authorized under the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94). Since becoming effective in mid-December 2017, the Department has processed and issued over 350 Interim Permits to applicants and operators of pre-existing cultivation sites. The project proposes amendments to the interim permitting provisions in Section 314-55.4.8.11 of Humboldt County Code to allow issuance of interim permits to additional eligible pre-existing cultivation sites.

A motion was made by Commissioner Shepherd, seconded by Commissioner Levy, that this Zoning Ordinance be recommended for approval. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

ADJOURNMENT

Chair Morris adjourned the meeting at 8:44 p.m.

NEXT MEETINGS

March 1, 2018 Regular Meeting

March 15, 2018 Special Meeting

I, SUZANNE LIPPRE, Planning Commission Clerk, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above entitled meeting of the Humboldt County Planning Commission held in Eureka, California.

SUZANNE LIPPRE

Planning Commission Clerk of the County of Humboldt, State of California.