

PLANNING COMMISSION

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Ronnie Pellegrini
Third District
Noah Levy - Vice Chair
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Fifth District
Peggy O'Neill
At-Large
Brian Mitchell
At-Large
Melanie McCavour



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, December 17, 2020

6:00 PM

Regular Meeting - Virtual

NOTE: In accordance with Executive Order N-29-20 the Planning Commission meeting was held virtually.

A. CALL TO ORDER / SALUTE TO FLAG

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

B. COMMISSIONERS PRESENT

Present : 6 - Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Brian Mitchell,
Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner
Ronnie Pellegrini
Absent : 1 - Commissioner Peggy O'Neill

C. AGENDA MODIFICATIONS

Item E-2: Supplemental Information provided.
Item E-6: Supplemental Information provided and continued to the January 7, 2021 meeting.
Item E-7: Supplemental Information provided and continued to the January 21, 2021 meeting.
Item E-8: Supplemental Information provided and continued to the January 7, 2021 meeting.
Item G-1: Supplemental Information provided and continued to the January 7, 2021 meeting.
Item G-2: Continued to the January 7, 2021 meeting.
Item H-1: A continuance requested to a date uncertain with re-noticing provided to the public.
Item I - New Business: Continued to the January 7, 2021 meeting.
Non-Agenda item: Planning Commission asked Director John Ford to draft a "Proof of Access" ordinance.

D. PUBLIC COMMENTS**E. CONSENT AGENDA**

1. Alderpoint Road Farms, LLC, Conditional Use Permits
Record Number PLN-10818-CUP
Assessor Parcel Number: APN 217-031-001
35082 Alderpoint Road, Blocksburg area

Conditional Use Permits (CUP-16-074 and CUP-17-025) to permit a maximum of 60,360 square feet (SF) of existing medical cannabis cultivations, consisting of an area of 43,560 SF outdoor cultivation and 16,800 SF indoor mixed light cultivation. Irrigation water is sourced from three different sources: an onsite rain catchment pond, an onsite well, and diversion from an existing spring. Existing water storage is 692,000 gallons, stored as follows: one 400,000-gallon pond; 14 5,500-gallon High Density Polyethylene plastic (HDPE) tanks (77,000 total gallons); three 5,000-gallon HDPE tanks (15,000 total gallons); and one 200,000-gallon metal tank. Estimated annual water usage is 370,000 gallons: 120,000 gallons for outdoor use(s); 220,000 gallons for mixed light; and 50,000 gallons for the nursery area(s). Drying and bucking (trimming) will occur onsite in existing structures. The project proposes the placement of three new 1,600-SF processing accessory structures. On average three employees will be utilized throughout the year, with up to 5 to 10 employees utilized during peak operations. Power is provided by PG&E and two onsite generators used for backup (one 165 kW and one 200 kW).

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the Alderpoint Road Farms, LLC be approved as amended. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Pellegrini

F. ITEMS PULLED FROM CONSENT

2. 30 Deep, LLC; Conditional Use Permit
Record Number: PLN-11637-CUP
Assessor's Parcel Number: 216-154-025
11477 Alderpoint Road, Alderpoint area

A Conditional Use Permit (CUP) for an existing, commercial cannabis cultivation operation totaling approximately 28,668 square feet (sf) outdoor cultivation and 4,110 sf mixed-light cultivation, and a Special Permit for restoration within the Streamside Management Area associated with relocating a cultivation area. The applicant proposes on-site relocation of an outdoor cultivation site away from wetland features into an existing clearing. The applicant estimates 322,000 gallons of water are required to meet operational demands. Water for irrigation is sourced from a hydrologically contained well. Total water storage capacity is 15,000 gallons in hard plastic tanks. Processing would occur on-site in an existing 1,200 square foot facility. There would be a maximum of ten employees during peak operations. Housing would be provided on-site for some employees. Electricity to the site is provided by a solar system with a backup generator for power outages and foul weather events.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that 30 Deep, LLC be approved as amended. The motion carried by the following vote:

Aye: 4 - Commissioner Levy, Commissioner Mitchell, Commissioner Newman and Commissioner McCavour

Nay: 2 - Commissioner Bongio and Commissioner Pellegrini

3. Reed Mountain Pharms Cooperative, Inc.; Conditional Use Permit, Special Permit
Record Number PLN-12723-CUP
Assessor's Parcel Number: 223-043-005
1000 Reed Loop Road, and the Benbow area

A Conditional Use Permit for existing 15,000 square feet of mixed light and 25,370 square feet of outdoor medical commercial cannabis cultivation. Total cultivation area is 40,370 square feet in one consolidated cultivation area. The applicant proposes to construct four commercial greenhouses to replace hoop houses in the future. On-site propagation totals 4,000 square feet. Irrigation water is sourced from a groundwater well located on APN 223-043-003 and is supplemented by rainwater catchment and is stored in hard tanks for water storage. The Applicant expects to use 475,000 gallons annually for irrigation and water storage will total 90,000 gallons. The applicant proposes to construct one 4,000-square-foot, two-story accessory structure. The two-story structure will be utilized for storage, drying, bucking and curing. Additional processing will occur off-site at a licensed facility. A maximum of 20 employees will be on-site during peak operations. Power will be primarily be provided by a solar array and battery storage with a backup generator. The proposed project includes a Special Permit for development within the Streamside Management Area for restoration of three historic cultivation areas.

A motion was made by Commissioner Pellegrini, seconded by Commissioner McCavour, that Reed Mountain Pharms Cooperative, Inc. be approved as amended. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour and Commissioner Pellegrini

Recused: 1 - Commissioner Newman

4. WC Grace, LLC; Conditional Use Permit
Record Number PLN-13041-CUP
Assessor's Parcel Number: 522-113-003
Willow Creek area

A Conditional Use Permit (CUP) for an existing, commercial cannabis cultivation operation totaling approximately 17,300 ft² outdoor cultivation and 1,730 ft² of ancillary propagation space, and a Special Permit for a setback reduction to Public Lands. Remediation and relocation of cannabis within unstable areas to more stable areas is part of the project. Cultivation will consist of two seasonal harvests utilizing light-deprivation techniques within twelve greenhouses, and ancillary propagation will occur within one greenhouse. Annual water use is estimated at 180,000 gallons. There is a total of 28,000 gallons of water storage onsite in 16 hard-sided tanks. One groundwater well provides water

for irrigation. Drying and bucking will occur onsite and all other processing will occur offsite at a licensed processing facility. The project anticipates using four to six employees. Portable toilets will be used until the onsite wastewater treatment system (OWTS) can be permitted or a new one is installed. Electricity is provided by a solar power system for 60% of the projects electricity needs, as well as three generators housed within three structures.

A motion was made by Commissioner Levy, seconded by Commissioner Pellegrini, that WC Grace, LLC be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Bongio, Commissioner Levy, Commissioner McCavour and Commissioner Pellegrini

Nay: 1 - Commissioner Mitchell

Recused: 1 - Commissioner Newman

5. Calinola, Inc., Conditional Use Permit
Record Number PLN-12295-CUP
Assessor Parcel Number: 314-193-004
Kneeland area

A Conditional Use Permit for 4,060 square feet existing outdoor cultivation and 9,400 square feet of existing mixed-light cultivation. Propagation occurs in a 1,920 square foot nursery. The applicant expects one outdoor harvest and one to two mixed light harvests annually. Irrigation water is provided by a permitted ground water well. Water storage consists of eight (8) hard tanks holding 12,700 gallons and a 250,000-gallon rain catchment pond totaling 262,700 gallons. Estimated annual irrigation use is 142,500 gallons. Processing is proposed onsite pending the completion of a permitted ADA compliant 30x60 two-story barn to be used for drying, trimming, and living quarters. Power is provided by six (6) enclosed generators.

A motion was made by Commissioner Levy, seconded by Commissioner Mitchell, that Calinola, Inc. be approved as amended. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Pellegrini

6. Emerald Coast Genetics, Inc.; Conditional Use Permit, Special Permit
Record Number PLN-10559-CUP
Assessor's Parcel Number: 314-131-033
12395 Fickle Hill Road, Kneeland area

A Conditional Use Permit for 11,440 square feet of mixed light cannabis cultivation. Cultivation will take place in existing and proposed greenhouses, with proposed on-site relocation of existing outdoor cultivation to be consolidated on to existing graded flats into proposed greenhouses. Ancillary propagation activities will take place in a proposed 660 sf lean-to structure, and in the first story of the existing 2,640 sf permitted shop. This project includes a Special Permit for a setback reduction from public lands owned by the City of Arcata to allow cultivation within 150 feet of the public lands. The permitted, existing, two-story, 2,640 sf shop on site is proposed to be used for propagation activities, and as an employee break room. Processing will occur off-site at a licensed facility. Water is sourced

from a permitted, on-site well, and estimated annual water use is 123,355 gallons. Water storage totals 6,500 gallons. Power is supplied by PG&E with a backup generator within a shed.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that Emerald Coast Genetics, Inc. be continued to January 7, 2021. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Pellegrini

7. Organic Medicinals, Inc.; Special Permit and Zoning Clearance Certificates
Record Numbers: PLN-2019-15602, PLN-11660-ZCC; PLN-12945-ZCC, PLN-11567-ZCC;
PLN-11333-ZCC; PLN-12560-ZCC
Assessor's Parcel Number: 209-191-018
125 Shively Flat Road, Shively area

A Special Permit for 33,560 square feet of new outdoor cannabis cultivation. A previous permit (APPS #12134) authorized 10,000 square feet on the parcel. This application brings the total permitted cultivation area up to one (1) acre. The site will also be the host site for a total of 92,000 square feet of cultivation from five (5) Retirement, Restoration and Relocation (RRR) projects. The action includes approval of these Zoning Clearance Certificates. In sum, the total cultivation will be 135,560 square feet (3.1 acres). All commercial cultivation is full-sun outdoor and dry farmed in native soil. No irrigation water is used in cultivation. Ancillary propagation will occur in 7,400 square feet of temporary hoop houses. The applicant is also seeking a Zoning Clearance Certificate for a 10,000 square foot commercial nursery that will conduct genetic research and development and produce seed stock and starts for use on-site and for sale at a licensed off-site location. Water use for the combined nursery is approximately 20,000 gallons. The water source is rainwater catchment and a permitted groundwater well. Water storage totals 8,000 gallons. Drying will occur in the propagation hoop houses and storage of harvested cannabis will occur in shipping containers. Processing will occur offsite. Power to the site is 100% renewable energy from RePower+ and existing solar panels for well pump. Seasonal laborers are hired from an employment agency and carpool to the site.

A motion was made by Commissioner Pellegrini, seconded by Commissioner Levy, that Organic Medicinals, Inc. be continued to January 21, 2021. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Pellegrini

8. Ancient Truth Inc., Conditional Use Permit
Case Number PLN-10888-CUP
Assessor Parcel Number 210-042-003
Bridgeville area

A Conditional Use Permit for 22,000 square feet (SF) of existing mixed light, 43,560 SF of existing outdoor commercial cannabis cultivation. Processing is proposed to occur in a 2,500 SF existing building and alternate between processing activities and indoor cultivation. Power is currently provided by 3 (three) generators. The applicant proposes future electricity be provided by Pacific Gas and Electric (PG&E) in 2021. Water for irrigation is sourced from two existing permitted wells with an

annual water demand estimate of 631,800 gallons per annum (9.64 gallons per SF) applied via drip irrigation. The applicant currently has 12,800 gallons of HDPE water tanks storage. The applicant proposes to add 11,500 gallons additional storage for a total of 24,300 gallons of water storage. The project site includes a permitted septic system for the existing shop. The applicant proposes up to ten (10) employees.

A motion was made by Commissioner Newman, seconded by Commissioner Pellegrini, that Ancient Truth Inc. be continued to January 7, 2021. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Pellegrini

G. CONTINUED PUBLIC HEARINGS

1. Amendments to the Humboldt Bay Area Plan and Coastal Zoning Regulations to Allow the Samoa Peninsula Wastewater Project
Case Number: PLN 2020-16642
Samoa Peninsula area

The Humboldt Bay Area Plan (HBAP) and the Coastal Zoning Regulations are proposed to be amended to allow the Samoa Peninsula Wastewater Project (SPWP) to proceed. The SPWP includes the construction and operation of a consolidated wastewater collection, treatment, and disposal system intended to correct public health and water quality problems resulting from failed on-site wastewater treatment systems on the Samoa Peninsula outside the Town of Samoa, including the community of Fairhaven. The proposed amendments to allow the SPWP would: (1) provide an exception in the Humboldt Bay Area Plan to allow the extension of wastewater service outside the Urban Limit Line within the Peninsula Community Services District for existing structures served by on-site wastewater systems; and, (2) provide an exception in the Humboldt Bay Area Plan to allow wastewater from outside the Samoa Town Master Plan Overlay Area (STMP) to be treated at the STMP Wastewater Treatment Plant; and, (3) amending Section 311-7 of Chapter 1, Division 1, Title III, of Humboldt County Code (HCC) to change the zoning of properties in the Fairhaven area to apply a Q - Qualified Zone prescribing performance standards for new infill development in Fairhaven on parcels planned and zoned for residential uses located within 300 feet of the public sewer lines to address hazards relating to sea level rise and tsunami inundation and to protect Environmentally Sensitive Habitat Areas (EHSAs) as an interim measure while comprehensive planning that will culminate in future amendments to the HBAP that is underway to address exposure to sea level rise and tsunami hazards and ESHA protection in the area is complete.

A motion was made by Commissioner Newman, seconded by Commissioner Pellegrini, that the Samoa Peninsula Wastewater Project be continued to January 7, 2021. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Pellegrini

2. Draft Amendments to the Cannabis Dispensaries Ordinance
Case No.: PLN-2020-16688

Amendments to the Coastal and Inland Dispensary Ordinances (Section 313-55.3 and 314-55.3 of Chapter 4 of Division 1 of Title III of the Humboldt County Code) to modify the allowed hours of operation for cannabis dispensaries to conform to state law. The allowed hours of operation would expand to 6 a.m. to 10 p.m., which is eight hours longer allowed under the current ordinance. Also, the Dispensaries Ordinance is being amended to ensure information is provided to both employees and the public about the danger of cannabis use during pregnancy and while breastfeeding. The Planning and Building Department is recommending the Planning Commission approve of the proposed changes to the Zoning Regulations. The Planning Commission will be making recommendations to the Board of Supervisors for final action.

A motion was made by Commissioner Newman, seconded by Commissioner Pellegrini, that the Cannabis Dispensaries Ordinance be continued to January 7, 2021. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Pellegrini

H. PUBLIC HEARINGS

1. Salmonid Restoration Federation, Marshall Ranch Streamflow Enhancement Project, Special Permit Record Number PLN-2019-15661
Assessor's Parcel Number 220-061-011
195 Old Somerville Creek Road, Briceland area

The Project entails construction a 15.3-million-gallon off-stream pond on the Marshall Ranch, adjacent to Redwood Creek, a tributary to the South Fork Eel River. The pond is designed to fill with rainwater (~5.5 million gallons) and water pumped from Redwood Creek during the wet season (~9.8 million gallons). This Project seeks to improve habitat for coho salmon (*Oncorhynchus kisutch*) and steelhead (*Oncorhynchus mykiss*) in Redwood Creek, an important salmon bearing tributary, by addressing the limiting factor of low summer streamflows. The pond has been sited and designed to fill during the winter wet season and release most of its stored water directly to Redwood Creek providing increased flows of 50 gallons per minute during the 5-month dry season. It is anticipated that the pond will be nearly drained at the end of each dry season for bull frog management. The Project also includes cooling gallery, associated infrastructure, erosion control, instream habitat enhancement structures, and a solar energy generation system to operate the Project.

The Salmonid Restoration Federation, Marshall Ranch Streamflow Enhancement project was continued to a date uncertain. Noticing to be provided to the public.

I. NEW BUSINESS:

Election of Chair and Vice Chair for 2021.

Departmental Report: Ad Hoc Committee on Street Improvements

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the New Business: Election of Chair and Vice Chair for 2021 and the Ad Hoc Committee on Street Improvements Departmental Report was continued to the January 7, 2021 meeting of the

Planning Commission. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Pellegrini

J. ADJOURNMENT

Chair Alan Bongio adjourned the meeting at 9:36 p.m.

K. NEXT MEETINGS: January 7, 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