



MINUTES

THURSDAY, AUGUST 6, 2020

Regular Meeting

The Honorable Planning Commission of the County of Humboldt met in a regular meeting on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Thursday, October 15, 2020 with the vote as shown below.

The motion was made by Commissioner McCavour and seconded by Commissioner O'Neill

AYES:	Commissioners Bongio, Pellegrini, Newman, O'Neill, and McCavour
ABSENT:	Commissioners Mitchell
NOT PRESENT:	Commissioners Levy
DECISION:	Motion carries 5/0.

Suzanne Lippre
Deputy Clerk of the Planning Commission

John H. Ford
Secretary of the Planning Commission

PLANNING COMMISSION

First District
Alan Bongio - Chair
Second District
Ronnie Pellegrini
Third District
Noah Levy - Vice Chair
Fourth District
Mike L Newman
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, August 6, 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 6:02 p.m.

B. COMMISSIONERS PRESENT

Present : 7 - Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Brian Mitchell, Commissioner Mike L Newman, Commissioner Melanie McCavour, Commissioner Peggy O'Neill and Commissioner Ronnie Pellegrini

C. AGENDA MODIFICATIONS

Item H-1 Supplemental Information provided

Item H-2 Supplemental Information provided

Item E-7 Supplemental Information provided

D. PUBLIC COMMENTS

E. CONSENT AGENDA

1. Double G, LLC; Conditional Use Permit and Special Permits
Record Number PLN-12051-CUP
Assessor's Parcel Number: 216-023-019
1551 Miller Ranch Road, New Harris area

A Conditional Use Permit for 37,000 square feet of existing outdoor cannabis cultivation. Water for irrigation is sourced from two (2) permitted groundwater wells. Storage capacity totals 15,000 gallons in four (4) hard tanks. The estimated annual water use for irrigation is 240,000 gallons. Processing, including drying and trimming, is done on-site in existing buildings. Electricity is provided by solar, hydroelectric, and supplemental generator use. A Special Permit is included to reduce the setback from the processing building to public lands to 110 feet. A Special Permit is also requested for after-the-fact permitting for work consisting of restoration and a hydroelectric system within the Streamside Management Area.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Double G LLC project be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

2. HWY 36 Homestead, LLC, Conditional Use Permit and Special Permit
Record Number PLN-11208-CUP
Assessor Parcel Number (APN) 210-191-050
Dinsmore area

A Conditional Use Permit for 17,220 square feet (SF) of existing outdoor cannabis cultivation with appurtenant propagation area and processing facility. The project includes a Special Permit for development within the Streamside Management Area to allow restoration of a pond. The projected annual water usage is approximately 142,005 gallons. Water storage currently consists of two 1,500 gallons of rainwater catchment tanks. A well is also being proposed on the adjacent property APN: 210-191-049 also owned by the applicant; Hwy 36 Homestead, LLC. Drying will occur onsite and further processing will occur offsite at a licensed facility. Two employees are required to meet operational needs. Power is provided by P.G.&E.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the HWY 36 Homestead LLC project be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

3. Humboldt Leaf, Inc, Conditional Use Permit
Record Number PLN-12601-CUP
Assessor Parcel Number (APN) 211-371-007
Miranda area

A Conditional Use Permit for an existing 43,100 square feet of outdoor cannabis cultivation. Cultivation activities will extend from February to November. The applicant anticipates two cultivation cycles. Water for irrigation is sourced from one on-site well and two proposed wells. Water storage onsite includes ten 3,000-gallon hard tanks and four 5,000-gallon tanks for a total of 50,000 gallons of water storage for cultivation activities. Processing such as drying and curing will be performed onsite in a proposed 3,240-square-foot facility and an existing 2,100-square-foot facility. Further processing such as trimming will be performed offsite at a licensed third-party processor. There will be

a maximum of 13 employees during peak operations. Electricity is sourced from solar and a generator.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Humboldt Leaf, Inc. project be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

4. Indra Valley Strategic Marketing Group, LLC, Conditional Use Permit and Special Permit
Record Number PLN-11122-CUP
Assessor's Parcel Numbers 314-201-001, 314-143-006 and 314-153-005
Kneeland Area

A Conditional Use Permit for an existing commercial medical cannabis cultivation operation consisting of an 11,000-square-foot (sf) outdoor cultivation area and a 21,500 SF mixed-light cultivation area. Outdoor cultivation is consolidated in one area including two existing greenhouses on APN 314-153-005. The mixed light cultivation area is contained within 10 existing greenhouses and the Applicant proposes to reconfigure into five greenhouses total. Also, a Special Permit to allow a cultivation area setback of less than 600-feet from the adjacent National Forest lands south of the property. The Applicant proposes one ancillary propagation area in a 2,100-square-foot greenhouse. In addition to the indoor propagation area, the proposed 2,400 SF ancillary processing building will house a drying room, a trimming room, and an ADA-compliant bathroom. Annual projected water use is 375,000 gallons (1.15 acre-feet) and is sourced from the permitted on-site well. Water storage capacity on the property is 70,300 gallons in twelve (12) hard-sided tanks including two 20,000-gallon bladders that are to be removed, plus one 2,600-gallon tank which is available for fire protection use only. Power for the cultivation operations is provided by a generator: for supplemental lighting in greenhouses, for water pumps, and for backup. Fertilizers, soil amendments, and pesticides are secured on-site in a metal shipping container.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Indra Valley Strategic Marketing Group, LLC project be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

5. Tim and Kathleen Ryan, Parcel Map Subdivision and Special Permit
Record Number PLN-2019-15819
Assessor Parcel Number (APN) 516-061-008
1357 Fieldbrook Road, Fieldbrook area

A Minor Subdivision of an approximately 10-acre parcel into two parcels of approximately 2.5 acres and 7.5 acres. A Special Permit is required to allow Lot Size Modification to create a parcel below the 5-acre minimum pursuant to Section 314-99.1 H.C.C. The parcel is developed with a single-family residence, accessory structures and an on-site wastewater treatment system which will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant and suitable for residential development. An exception request to allow a 20-foot setback to the barn on proposed Parcel 1 has been reviewed and approved by CAL FIRE. Both parcels will be served with water provided by the

Fieldbrook-Glendale Community Services District and on-site wastewater treatment systems.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Ryan project be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

6. Alan and Sharon Parks Final Map Subdivision

Record Number PLN-2019-15467

Assessor Parcel Numbers (APNs) 510-193-022, 510-193-023

2416 and 2422 McKinleyville Avenue, McKinleyville area

A Major Subdivision of two parcels totaling approximately 1.75 acres into ten lots between 5,002 square feet (net) and 7,728 square feet (net). The site is developed with two single family residences that will remain on proposed Lots 1 and 2, respectively. Pursuant to Section 325-9 of the Subdivision Regulations, an exception request has been submitted to allow a reduced right of way width. The parcels will be served with community water and sewer provided by the McKinleyville Community Services District.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Parks project be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

7. Garrelts Parcel Map Subdivision and Special Permit

Record Number PLN-2019-15813

Assessor Parcel Number 303-111-019

1470 Ridgewood Drive, Eureka Area

A Minor Subdivision of an approximately 1.89-acre parcel to create two parcels of approximately 0.94 acres and 0.95 acres. A Special Permit is required pursuant to Section 314-99.1 to utilize Lot Size Modification to allow the created parcels to exceed the maximum lot depth. The parcel is currently developed with two single-family residences which will be sited on individual parcels. Additionally, an exception request pursuant to Section 325-9 was submitted to eliminate the frontage improvement requirements. The parcel is served with community water and sewer provided by the Humboldt Community Services District.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Garrelts project be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

F. ITEMS PULLED FROM CONSENT

G. CONTINUED HEARING ITEMS

1. The Hills, LLC Conditional Use Permits and Special Permits

Record Numbers: PLN-11638-CUP and PLN-11643-CUP

Assessor Parcel Numbers (APNs) 223-061-038, 223-061-043, 223-073-004, 223-073-005

960 Shadow Light Ranch Road and Section 19 of Township 04 South, Range 04 East, Humboldt Base & Meridian, Garberville area

Project Description: Two Conditional Use Permits to allow continued cultivation of 60,940 square feet of existing outdoor and mixed light cannabis cultivation. There is 22,200 square feet of existing outdoor cultivation on APN 223-061-043 grown in 23 greenhouses. There is 38,740 square feet of cultivation on APNs 223-061-038, 223-073-004 and 223-073-005 that consists of 32,500 square feet of existing outdoor and 6,240 square feet of mixed light cultivation grown in 22 greenhouses. The proposed project includes relocation of five historic cultivation areas to environmentally superior locations on the subject parcels. Water is provided by an on-site well and a 2,800,000-gallon rain catchment pond. Processing, including drying, curing and trimming, will occur on APN 223-073-005 in three proposed structures as follows: (1) one-story, 1,200-square-foot warehouse; (1) one-story, 5,050-square-foot processing facility; (1) two-story, 7,592-square-foot processing facility and office uses (footprint = 4,776 square feet); and associated parking facilities. The proposed project also includes a Special Permit for a 10,080-square-foot wholesale nursery on APNs 223-061-038, 223-073-004 and 223-073-005. A maximum of 11 employees will be on-site during peak operations. Two Special Permits for Development within the Streamside Management Area are also a part of the proposed project. The Special Permits would allow for 9 remediation projects required by the California Department of Fish and Wildlife to resolve a Notice of Violation on the subject parcels. There are 22 other projects (total of 31) require by CDFW for resolution of the of Violation that are for the replacement and/or maintenance of stream crossings.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that The Hills project be approved for continuance to a date uncertain. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

H. PUBLIC HEARINGS

1. Maple Creek Investments, LLC

Record Number: PLN-2018-15197

Assessor's Parcel Number (APN): 315-011-009,
Butler Valley Road, Maple Creek area

A Special Permit for an new commercial medical cannabis cultivation operation consisting of an 27,025-square-foot (sf) outdoor cultivation area. Outdoor cultivation is consolidated in one area on 315-011-009. The outdoor cultivation is carried out in native soils. The Applicant proposes to acquire seeds and clones from a licensed nursery. The proposed 2,000 SF ancillary processing building will house a drying room, a trimming room, and an ADA-compliant bathroom. Annual projected water use is 200,000 gallons (.61 acre-feet) and is sourced from the proposed on-site rainwater catchment tanks. Water storage capacity currently on the property is 14,000 gallons in hard-sided tanks including one 2,500-gallon tank which is available for fire protection use only. Power for the cultivation operations is provided by a PG&E: for the ancillary processing. Fertilizers, soil

amendments, and pesticides are secured on-site in a contained storage shed.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Maple Creek Investments, LLC be approved. The motion failed by the following vote:

Aye: 2 - Commissioner Mitchell, Commissioner McCavour

Nay: 4 - Commissioner Bongio, Commissioner Pellegrini, Commissioner Levy, Commissioner O'Neill

Recused 1 - Commissioner Newman

A second motion was made by Commissioner O'Neill, seconded by Commissioner Pellegrini, that the Maple Creek Investments, LLC be denied. The motion carried by the following vote:

Aye: 4 - Commissioner Bongio, Commissioner Levy, Commissioner O'Neill and Commissioner Pellegrini

Nay: 2 - Commissioner Mitchell and Commissioner McCavour

Recused: 1 - Commissioner Newman

2. Adesa Organic, LLC, Conditional Use Permits

Record Number PLN-11923-CUP

Assessor's Parcel Numbers (APNs) 315-145-002, 315-211-003 and 315-211-004

23550 Maple Creek Road, Korb, Maple Creek area

Conditional Use Permits to allow 86,400 square feet of new mixed-light cannabis cultivation, a drying facility, a storage facility, associated cloning/propagation facilities (not to exceed 8,640 square feet) and other improvements in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The business is proposed to operate on one legal parcel consisting of three APNs (315-145-002, 315-211-003 and 315-211-004) and totaling 443 acres. A total of four permits are being requested in accordance with the parcel size allowances specified in section 55.4.8.2.1.1 of the CMMLUO (parcels 320 acres or larger in size). Electrical power will be generated by a combination of on-site solar power and diesel generators. A total of approximately 20 employees are proposed. Processing will occur off-site.

A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the Adesa Organic, LLC project be approved. The motion failed by the following vote:

Aye: 3 - Commissioner Newman, Commissioner McCavour, Commissioner Mitchell

Nay: 3 - Commissioner Bongio, Commissioner Pellegrini, Commissioner O'Neill

Abstain 1 - Commissioner Levy

A second motion was made by Commissioner Levy, seconded by Commissioner O'Neill, that the Adesa Organic, LLC be continued to the August 20, 2020 hearing with CDFW present. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

Nay: 1 - Commissioner Mitchell

I. ADJOURNMENT

A vote was taken to adjourn the meeting.. The vote carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Pellegrini

J. NEXT MEETINGS

August 20, 2020 Regular Meeting - Virtual