



MINUTES

THURSDAY, SEPTEMBER 3, 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, September 3, 2020

6:00 PM

Regular Meeting - Virtual

NOTE: In accordance with Executive Order N-29-20 the Planning Commission meeting will be held virtually until further notice.

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>

A. CALL TO ORDER / SALUTE TO FLAG

Chair Bongio called the meeting to order at 6:05 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

Cannabis Ordinance item: Supplemental Information #1 provided.

Adesa Organics item: Public comments provided

Humboldt County Fair Assn item: Supplemental Information #1 and #2 provided along with public comments and emails.

Vehicle Miles Traveled item: Supplemental Information #1 provided, continuance requested to a date uncertain and public comments provided.

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

1. Review and approval of the January 9, 2020 Action Summary.

A motion was made by Commissioner Mitchell, seconded by Commissioner Pellegrini, that the revisions made to the January 9, 2020 Action Summary be approved as amended. 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. Review and approval of the May 7, 2020 Action Summary

A motion was made by Commissioner Mitchell, seconded by Commissioner Pellegrini, that the May 7, 2020 Action Summary 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. Review and approval of the May 21, 2020 Action Summary.

A motion was made by Commissioner Mitchell, seconded by Commissioner Pellegrini, that the May 21, 2020 Action Summary 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. Review and approval of the July 9, 2020 Action Summary.

A motion was made by Commissioner Mitchell, seconded by Commissioner Pellegrini, that the July 9, 2020 Action Summary 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 PUBLIC HEARING ITEMS**

1. Cannabis Ordinance Amendments for Small Cultivators, Personal Use and Financial Security
Case Numbers PLN-2020-16447, PLN-2020-16571 and PLN-2020-16479
Countywide

The proposed Small Cultivator amendments modify Sections 314-55.4.5.1.5, 314-55.4.6.1, 314-55.4.6.5 and 314-55.4.12.1.10 of the Commercial Cannabis Land Use Ordinance in Chapter 4 - the Zoning Regulations (Title III of Humboldt County Code) to facilitate permitting of small new and pre-existing cannabis farms adjacent to homes that existed prior to December 31, 2016 by establishing a streamlined permitting pathway. The eligible farms minimize the impacts on the environment and archaeological resources because they are owner-occupied, the cultivation area is no more than 2,000 square feet in size and within the already disturbed homesite area of the existing

home. Also, water for irrigation is provided from permitted non-diversionary sources, permaculture is practiced, and the cultivation is done outdoors or in permitted or ag exempted hoopouses/greenhouses and does not use generators for electrical power. The proposed Personal Use on Small Parcel Ordinance amendments modifies Section 314-55.2 of Chapter 4 - the Zoning Regulations (Title III of Humboldt County Code) to establish standards for cannabis cultivation for personal use on parcels larger than five acres in size. The maximum allowed personal use cultivation area on these parcels is proposed to be 200 square feet, which is the same as the maximum amount allowed on parcels between one and five acres in size. The proposed Financial Security amendments to the CCLUO and the Commercial Marijuana Cultivation Tax Ordinance establish financial security requirements in the CCLUO and better align the provisions of the CCLUO with the Marijuana Cultivation Tax Ordinance. The amendments would add sections 313-55.4.12.2.9 and 314-55.4.12.9.9 to create alternative ways to provide surety for payment of cultivation taxes as imposed by Chapter 9 of Division 1 of Title VII of the Humboldt County Code. The proposed Small Cultivator and Personal Use ordinance amendments will apply to all areas of the County outside of the coastal zone. The proposed Financial Security amendments will apply countywide.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Cannabis Ordinance Amendments for Small Cultivators, Personal Use and Financial Security be recommended to the Board of Supervisors for approval. 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. Adesa Organic, LLC, Conditional Use Permits

Application Number 11923

Case Number PLN-11923-CUP

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

23550 Maple Creek Road, Korbel, 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 Pellegrini, seconded by Commissioner O'Neill, that the project exempt from CEQA and adopt the resolution denying the Adesa Organics LLC project due to its adverse impact on the public welfare as previously discussed. The motion failed by the following vote:

Ayes: Commissioners Bongio, Pellegrini and O'Neill

Nays: Commissioners Levy, Newman, Mitchell and McCavour.

A follow up motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Adesa Organic, LLC, Conditional Use Permits be approved with the added condition to have renewable powered generators after two years. The motion carried by the following vote:

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

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

G. PUBLIC HEARINGS

1. Humboldt County Fair Association, Conditional Use Permit

Case Number PLN-2019-15519

Assessor Parcel Numbers (APNs) 030-071-001, 030-011-003, 030-021-003, 030-112-017, 030-112-020, 030-081-006, and 100-181-003

1250 5th Street, Ferndale area

A Conditional Use Permit to authorize use of the Humboldt County Fairgrounds for a maximum of ten (10) concerts and four (4) motorsports events. All events would be held at the oval racetrack and nearby grandstands located within the southern portion of the Fairgrounds. Events would be pre-scheduled and occur between March and October, excepting a six-week period (August 1st thru September 15th) associated with preparation, operation, and cleanup for the annual Humboldt County Fair. All events would end on or before 10 pm. Concerts would occur from a temporary stage placed directly in front of the grandstands and feature a range of different performance types from amplified music featuring a full band to smaller acoustic events. Motorsports activities include: Tractor Pulls, 4x4 Truck events, Go Carts, Monster Trucks, and Motorcycle Racing. Motorcycle racing events would occur on the dirt oval racetrack and involve up to 18 riders. The permit is being processed along with a request to amend the terms of the lease agreement between the County of Humboldt and the Humboldt County Fair Association (HCFA), a private non-profit organization responsible for management and operation of the Humboldt County Fair and County Fairgrounds.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the Humboldt County Fair Association, Conditional Use Permit item be continued to the September 17, 2020 meeting of the Planning Commission. 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. Thresholds of Significance for Vehicle Miles Traveled (VMT) to evaluate environmental impacts of projects

Case Number: PLN-2020-16529

Countywide

Project Description: To comply with new California Environmental Quality Act (CEQA) requirements, the County is adopting thresholds of significance for vehicle miles traveled (VMT) to evaluate environmental impacts of projects. "Vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. The proposed thresholds of significance are based on the

type of project, and/or location, and projects that meet these criteria are expected to result in less-than significant VMT impacts.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the Thresholds of Significance for Vehicle Miles Traveled item be continued 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

I. ADJOURNMENT

Meeting adjourned at 9:26 p.m.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, to adjourn the meeting. 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

J. NEXT MEETINGS

September 17, 2020

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