



MINUTES

THURSDAY, May 19, 2022

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, August 4, 2022, with the vote as shown below.

The motion was made by Commissioner Melanie McCavour and seconded by Commissioner Mike Newman.

AYES: Commissioners Melanie McCavour, Alan Bongio, Thomas Mulder, Noah Levy, Mike Newman, Peggy O'Neill

ABSENT: Commissioners Brian Mitchell

ABSTAIN: Commissioners

DECISION: Motion carries 6/1.



Trip J. Giannini III
Clerk of the Planning Commission



John H. Ford
Secretary of the Planning Commission

PLANNING COMMISSION

First District
Alan Bongio - Chair
Second District
Thomas Mulder
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, May 19, 2022

6:00 PM

Regular Meeting - Hybrid

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 Mike L Newman, Commissioner Melanie McCavour, Commissioner Peggy O'Neill and Commissioner Thomas Mulder
Absent : 1 - Commissioner Brian Mitchell

C. AGENDA MODIFICATIONS

Item E-6 Hog Trap Farm PLN-13336-CUP was continued to a date uncertain.

D. PUBLIC COMMENTS

Public Comment period opened and closed.

E. CONSENT AGENDA

1. Lang: Minor Subdivision
Record Number: PLN-2021-17184 (filed 04/27/2021)
Assessor's Parcel Number: 204-131-016
Hydesville area

The project is a Minor Subdivision to divide an approximately 13.2-acre parcel into two parcels of approximately 7.5 acres and 5.7 acres. The parcel being divided is currently developed with two residences, a barn, sheds, and a greenhouse. All existing development will be located on Parcel 1 with Parcel 2 being vacant for future development. Access will be provided by a 20-foot non-exclusive access easement, portions of which include use of the existing driveway access of the site currently serving the existing residences. Pursuant to Section 325-9 of the Humboldt County Code, an exception to right of way width and improvements has been requested to reduce the private road width from 40 feet to 20 feet. The property currently receives water service from the Hydesville Community Water District and sewage disposal is handled by an existing on-site waste treatment system (OWTS). Septic testing has been completed for parcel 2. Additionally, a Lake or Streambed Alteration Agreement may be required for the installation of a culvert within a Class III watercourse.

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the Lang Minor Subdivision be approved as recommended. The motion carried by the following vote:

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

- 2. Strombeck: Minor Subdivision and Planned Unit Development
 Record Number PLN-2021-17334 (filed 06/25/2021)
 Assessor's Parcel Number: 019-111-003
 Eureka Area

A Minor Subdivision of an approximate 1.62-acre parcel into 2 parcels of 31,193 sq. ft. and 39,591 sq. ft. The project includes a Planned Unit Development to develop 10 low-income housing units on proposed Parcel 2 in addition to the 11 existing affordable housing units on Parcel 1. Land Use on adjacent parcels is residential with a mobile home park to the north and single-family housing to the east, south, and west. Proposed development includes two separate buildings totaling 3,920 square feet with sidewalks, curbs, and a concrete pad for garbage collection. Access and parking are proposed to be developed with 5,827 square feet of semi-permeable pavers. Emergency vehicle access is accommodated by a planned Y-turnaround between the parking lot and refuse collection area. The project will receive sewer and water service from the Humboldt Community Services District.

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the Strombeck Minor Subdivision and Planned Unit Development be approved as recommended. The motion carried by the following vote:

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

- 6. Hog Trap Farms, LLC: Conditional Use Permit
 Record Number PLN-13336-CUP (filed 12/30/2016)
 Assessor Parcel Numbers (APNs) 218-071-003 and 218-081-003
 New Harris area

A Conditional Use Permit for an existing 33,634-square-foot (SF) cannabis cultivation operation consisting of 21,634 SF of outdoor and 12,000 SF of mixed-light on parcel 218-071-003. Drying

and processing occur in a two-story 1,800-SF drying barn on the adjacent parcel 218-081-003 which is already permitted to cultivate 10,000 SF (PLN-13356-SP). The applicant seeks to reserve the right to continue to process onsite, process offsite at a licensed facility, or to harvest straight to extraction without processing in the future. Water for irrigation is sourced from a shared 2-million-gallon rainwater catchment pond on the adjacent parcel and two 25,000-gallon rainwater catchment tanks on the subject parcel which gravity feed an additional four 2,500 tanks. Total tank storage amounts to 65,000 gallons. Estimated annual water use on the subject parcel is 456,200 gallons whereas 114,050 gallons are used annually on 218-081-003. Power is provided by Pacific Gas and Electric Company. Motion sensor lighting and security cameras are installed around cultivation facilities; fencing and guard dogs provide additional security.

A motion was made by Commissioner Levy, seconded by Commissioner Mulder, that the Hog Trap Farms, LLC, Conditional Use Permit be continued to a date uncertain. The motion carried by the following vote:

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

7. Holgersen: Minor Subdivision and Coastal Development Permit
Record Number PLN-2018-15039 (filed 09/18/2018)
Assessor's Parcel Number: 015-152-028
Myrtle town Area

A Minor Subdivision to create four parcels and a Remainder. The parcel is developed with a single-family residence that will remain on the proposed Remainder. The parcels will be served with community water and sewer by the Humboldt Community Services District. The project is located in the Coastal Zone, therefore a Coastal Development Permit (CDP) is required. Duplexes (two dwelling units) are proposed on Parcels 1 - 4. The proposed dwelling units on Parcels 1 and 2 each will be 1,080 square feet, 22 feet and 5 inches in height, with an attached 240 square foot one-car garage. The proposed dwelling units on Parcels 3 and 4 will be 1,200 square feet, 23 feet and 5 inches in height, with an attached 276 square foot one-car garage. The CDP also includes the construction of these duplex units and the removal of four structures. The applicant has submitted exception request letters for the following requirements: The installation of a paved access road, concrete sidewalk, curb, and gutter along the proposed access road, and the minimum easement dedication width of 40 feet to be reduced to 30 feet for the access road, drainage, and utilities to serve the project.

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the Holgersen Minor Subdivision and Coastal Development Permit be continued to the June 2, 2022 meeting.

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

8. The Vista 36, LLC: Special Permit
Record Number: PLN-2019-16038 (filed 12/11/2019)
Assessor's Parcel Numbers: (APN) 316-313-003 & 316-312-008
Blue Lake Area

A Special Permit for 27,000 square feet (SF) of new and existing mixed light cultivation, 5,588 SF of outdoor cultivation, and 3,200 SF of nursery space. The total cultivation area will be 32,588 SF. The project also includes relocation and remediation of a previously existing cultivation area which was approximately 6,000 square feet on another portion of the legal parcel. The applicant hopes to achieve three (3) harvest cycles annually. Water will be sourced from two (2) wells which were determined to be groundwater wells and from a rooftop rainwater catchment system. Four (4) 50,000 gallon water tanks and five (5) 5,000 gallon water tanks are proposed onsite, totaling 225,000 gallons of water storage. An additional 5,000 gallon water tank is designated for emergency fire suppression. The estimated water needed annually for irrigation is approximately 515,468 gallons (14.4 gal/sf/yr on average, including the nursery space usage). Drying, trimming, and processing will occur offsite on a neighboring parcel, which has a project from the same applicant, or at a licensed third-party facility. Operations will utilize up to two (2) full time employees and up to two (2) seasonal employees, totaling a maximum of four (4) employees on site. Portable restrooms will be available onsite for employees. Power will be sourced by PG&E and there is a Honda 2200-Watt Super Quiet Inverter generator available for emergency use only.

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the Vista 36 Special Permit be continued to the June 2, 2022 Planning Commission meeting.

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

F. ITEMS PULLED FROM CONSENT

3. Serendipity Associates, Inc.: Conditional Use Permit and Special Permit
Record Number PLN-11940-CUP (filed 12/16/2016)
Assessor's Parcel Number (APN) 218-091-007
Garberville area

Serendipity Associates, Inc. seeks a Conditional Use Permit (PLN-11940-CUP) for an existing 16,934 square feet (SF) of cannabis cultivation consisting of 7,060 SF mixed light cultivation and 9,874 SF outdoor cultivation, and a Special Permit for work within the Streamside Management Area (SMA) for culvert replacement and modifications to a French drain system, as recommended by the Water Resources Protection Plan (WRPP). Plants are propagated in two (2) ancillary propagation areas totaling 1,540 SF. The site is zoned as Forestry Recreation and Special Combining Zone (FR-B-5[40]) as defined in the Humboldt County 2017 General Plan Update. Drying and further processing occur onsite in two (2) sheds totaling 640 SF. Three (3) full-time and up to three (3) part-time employees are required for project operations. The primary source of electrical power is a 1.59-kW solar array supported by 20 kW of battery storage. Backup power sources include a Honda EU 7000is generator and Caterpillar MQ20 WhisperWatt diesel generator.

Public Comment period opened and closed.

A motion was made by Commissioner Mulder, seconded by Commissioner Newman, that the Serendipity Associates Conditional Use Permit and Special Permit be approved as recommended.

The motion carried by the following vote:

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

5. Bear Creek Ranch Farm, Inc: Conditional Use Permit
Record Number PLN-12656-CUP (filed 12/16/2016)
Assessor Parcel Number (APN) 208-271-003
Dinsmore area

A Conditional Use Permit for 12,420 square feet (SF) of existing outdoor cannabis cultivation and 1,200 SF of ancillary propagation. Irrigation water is sourced from a 250,000-gallon rainwater catchment pond. Existing available water storage is 283,100 gallons. Annual water usage is 125,089 gallons. Processing occurs onsite within an existing 1,200 SF building. Power is provided by 3 generators and a small photovoltaic solar system, with an additional generator utilized for back-up power only. The applicant proposes to expand the onsite photovoltaic solar system to reduce the carbon footprint and eliminate the generator use except for emergency purposes by 2026.

Public Comment period opened and closed.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Bear Creek Ranch Farms Conditional Use Permit be approved as recommended. The motion carried by the following vote:

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

4. Daydream Enterprise, LLC: Conditional Use Permit and Special Permit
Record Number PLN-12493-CUP (filed 12/23/2016)
Assessor's Parcel Number: 208-231-011
Dinsmore area

A Conditional Use Permit for continued cultivation of 18,135 square feet (SF) of existing outdoor cannabis cultivation and 1,000 SF of proposed ancillary propagation. Irrigation water is sourced from a 145,000-gallon rainwater catchment pond. Existing available water storage is 164,150 gallons. Estimated annual water usage is 106,800 gallons. Processing activities will occur in a proposed 768 SF commercial building. Power is provided by 2 generators and a 320-watt solar array, and the applicant has long-term plans to add additional solar once financially feasible. A Special Permit is included also requested for relocation and remediation activities occurring within the Streamside Management Area (SMA).

Public Comment period opened and closed.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Daydream Enterprise Conditional Use Permit and Special Permit be approved as recommended. The motion carried by the following vote:

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

9. Natures Health Group Inc.: Special Permit (2)
Record Number PLN-2019-16073 (filed 12/23/2019)
Assessor's Parcel Number: 402-021-050
Kneeland Area

A Special Permit to permit a microbusiness with the following activities: 9,900 square feet (sf) of mixed-light cultivation, non-volatile manufacturing, and distribution. Cultivation activities will occur ear-round with 4 to 5 cycles per year, and a 1,125 sf greenhouse is proposed for ancillary propagation. Total existing water storage is 36,800 gallons in hard plastic water tanks, and the applicant plans to add an additional 27,600 gallons of water storage on-site for a total of 64,400 gallons. Anticipated annual water usage for the project is 94,000 gallons: 90,000 gallons for irrigation (8.16 gal/sq. ft./year), 1,000 gallons for distribution, and 3,000 gallons for manufacturing. Water will be recycled throughout the year with the use of dehumidifiers within the greenhouses. Processing will be performed off-site at a licensed third-party processing facility. The parcel is powered by PG&E and the applicant is enrolled in the solar choice program. An additional Special Permit is being requested to approve a setback reduction to a nearby school bus stop approximately 200 feet to the nearest cultivation area. Cultivation is not visible from the school bus stop, and greenhouses will be fully enclosed with carbon filters used for odor mitigation.

Public Comment period opened and closed.

A motion was made by Commissioner O'Neill, seconded by Commissioner Levy, that the Natures Health Group Inc., Special Permits be denied. The motion carried by the following vote:

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

G. PUBLIC HEARINGS

1. Humboldt County Fair Association: Modification to Conditional Use Permit
Case Number PLN-2022-17561 (filed 12/29/2021)
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
Ferndale area

Humboldt County Fair Association (HCFA) is seeking to modify a Conditional Use Permit which authorizes five (5) concerts and two (2) motorcycle racing events to be held each year at the Humboldt County Fairgrounds. The approved permit places limitations on event-related noise levels, including a 63-decibel limit on composite noise measured by averaging noise readings collected during a 24-hour period surrounding each event, as well as a 90-decibel instantaneous noise limit applied to all motorcycles participating in racing events. In their modification request, HCFA is seeking authorization to raise the 90-decibel motorcycle noise limit to 99 decibels to be consistent with common national testing standards for competition established by the American Motorcyclist Association (AMA). Analysis of the proposal's effect on composite noise levels has been performed by Whitchurch Engineering and has determined that composite noise will remain at or below the 63-decibel limit, even with the requested increase. To help reduce event-related noise, HCFA is now proposing: 1. creation of two (2) sound barriers during racing events, fashioned by temporarily placing tractor trailers or strawbales (or some combination thereof) adjacent to motorcycle acceleration zones; and 2. acoustic treatment of the internal wall of the grandstands using special materials designed to decrease reverberation. Under the approved permit, each "event" occurs within the course of a single day, and concerts cannot last longer than 2 consecutive days. An additional day of racing can be allowed if all the racing on that day is by electrical motorcycles, but in no case can the total amount of motorcycle racing exceed 4 days per year. Other types of motorsports events are prohibited, including (but not limited to): Tractor Pulls, 4x4 Trucks, Go Carts, and Monster Trucks.

Public Comment period opened and closed.

A motion was made by Commissioner McCavour, seconded by Commissioner O'Neill, that the Humboldt County Fair Association Modification to a Conditional Use Permit project be approved as recommended. The motion carried by the following vote:

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

2. Boden Wood
Record Number PLN-2018-15218 (filed 12/21/2018)
Assessor's Parcel Number: 222-071-023
Garberville area

A Special Permit to allow for 43,000 square feet of outdoor cannabis cultivation whereas 21,740 square feet is existing outdoor cannabis cultivation, and 21,260 square feet is new outdoor cannabis cultivation. The applicant anticipates 2 harvest cycles annually. Cultivation will occur under greenhouses and full sun outdoor. Water for the project will be sourced from a 538,560-gallon rainwater catchment pond. Water storage for the project totals 662,400 gallons. The applicant

anticipates 385,000 gallons of water will be required annually for irrigation for two cultivation cycles. Processing such as drying and curing will take place in a 700-square-foot processing building. The applicant proposes to trim and process cannabis on site in a proposed 1,800 square foot processing facility constructed to commercial standards. The applicant anticipates hiring a maximum of 6 employees to assist with operations. Power for the project will be provided by solar with a backup generator. The applicant is also applying for a special permit to allow pre-existing cultivation in cultivation areas between 15% and 30% slope.

Public Comment period opened and closed.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the Boden Wood Special Project approved for existing cultivation only and denied for new cultivation. The motion failed by the following vote:

Aye: 3 - Commissioner Levy, Commissioner McCavour and Commissioner O'Neill

Nay: 3 - Commissioner Bongio, Commissioner Newman and Commissioner Mulder

A motion was made by Commissioner McCavour, seconded by Commissioner Newman, that the Boden Wood Special Permit be continued to the June 16, 2022 meeting. The motion carried by the following vote:

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

3. Organic Humboldt, LLC: Special Permit and Zoning Clearance Certificate
Record Number PLN-2020-16475 (filed 06/26/2020)
Assessor's Parcel Number: 205-231-029
Scotia area

The applicant is seeking a Special Permit for 43,560 square feet of new outdoor commercial cannabis cultivation and a Zoning Clearance Certificate for 13,500 square feet of existing outdoor cultivation being relocated to the subject parcel under the RRR program. Total cultivation on the parcel totals 57,060 square feet of outdoor commercial cannabis cultivation. Light deprivation techniques may be utilized to achieve two harvests annually. The project will be supported by 5,706 square feet of propagation space. The applicant will implement dry farming practices, although supplemental irrigation water will be sourced from the existing rainwater catchment system. The projected annual water usage is estimated to be 20,000 gallons and the existing water storage totals 50,000 gallons. All processing will occur offsite at a licensed third-party processing facility. Energy for the operation will be supplied by the existing P.G. & E. service. Up to three employees may be utilized for the operation.

Public Comment period opened and closed.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Organic Humboldt Special Permit and Zoning Clearance Certificate be continued to the June 2, 2022 meeting. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

Nay: 1 - Commissioner Mulder

4. Emerald Sky Growers Inc: Conditional Use Permit
Record Number PLN-2020-16733 (filed 10/21/2020)
Assessor's Parcel Number: 200-232-026
Fortuna area

A Conditional Use Permit to modify an approved Zoning Clearance Certificate in the Fortuna Community Planning Area. The modification proposes to increase ancillary nursery space from 600 square feet to 1,500 square feet. The previously approved 2,000 square foot operations building will become a commercial structure to conduct onsite processing and will also be relocated but the size remains the same. The previously approved 5,976 square feet of new mixed light commercial cannabis cultivation remain unmodified as to size and type but the cultivation area will be reconfigured. The water source of a disconnected well, the 119,800-gallon annual water budget, the number of employees, and power source of PGE with a generator for emergencies remain unmodified from what was approved under PLN-11927-ZCC. Water storage will be increased by the modification from 5,000 gallons to 15,000 gallons

Public Comment period opened and closed.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Emerald Sky Growers Conditional Use Permit be continued to the June 2, 2022 meeting. The motion carried by the following vote:

- 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill
- 1 - Commissioner Mulder

H. INFORMATIONAL WORKSHOP

Nordic Aquafarms California, LLC; Coastal Development Permit and Special Permit
 Record Number PLN-2020-16698 (filed 10-05-20)
 Assessor’s Parcel Number (APN): 401-112-021
 Samoa area

The applicant (Nordic Aquafarms California, LLC. (NAFC)) is requesting a Coastal Development Permit and Special Permit for the demolition and remediation of the Freshwater Tissue Samoa Pulp Mill facility and the construction of a land-based finfish recirculating aquaculture system (RAS) facility. This includes the development of five buildings totaling approximately 766,530 square feet and the installation of 4.8 megawatt (MW) solar panel array mounted on building rooftops, covering approximately 690,000 square feet. A Special Permit is required pursuant to Section 313-109.1.5.2 for an exception to the loading space requirements. The height of the tallest proposed building is 60 feet. The facility would have an annual production capacity of approximately 25,000-27,000 metric tons of Head on Gutted (HOG) fish once complete. The aquaculture facility would produce fresh head on gutted fish and fillets for delivery to regional markets. The species to be produced at the facility is intended to be Atlantic Salmon, pending approval from CDFW. The project will include ancillary support features such as paved parking, fire access roads, security fencing, and stormwater management features. The project would require approximately 2.5 million gallons per day (MGD) of freshwater and industrial water provided by the Humboldt Bay Municipal Water District, sourced from the Mad River. Existing on-site water service supplied by the Humboldt Bay Municipal Water District would be connected to the new buildings for potable use, fire sprinklers, and irrigation. The project would require approximately 10 MGD of salt water, which will be provided via existing sea chest infrastructure located adjacent to the NAFC Project Site, which will be modernized and operated by the Humboldt Bay Harbor, Recreation, and Conservation District. Treated wastewater would be discharged utilizing the existing Redwood Marine Terminal II ocean outfall pipe, which extends one and a half miles offshore. A total volume of 12.5 MGD is anticipated to be released daily. Wastewater discharge is permitted by the North Coast Regional Water Quality Control Board.

Public Comment period opened and closed.

A motion was made by Commissioner Newman, seconded by Commissioner McCavour, that the Nordic Aquafarms California project be continued to the June 2, 2022 meeting. The motion carried by the following vote:

- Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill
- Nay: 1 - Commissioner Mulder

I. ADJOURNMENT

Chair Alan Bongio adjourned the meeting at 9:45 p.m.

J. NEXT MEETING June 2, 2022 6:00 p.m. Regular meeting - Hybrid

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