

PLANNING COMMISSION

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Second District  
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Chair - Third District  
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Fourth District  
PEGGY O'NEILL  
Fifth District  
BRIAN MITCHELL  
Vice Chair - At-Large  
SARAH WEST  
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, July 20, 2023

6:00 PM

Regular Meeting - Hybrid

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**A. CALL TO ORDER / SALUTE TO FLAG**

*Chair Noah Levy called the meeting to order at 6:00 p.m.*

**B. COMMISSIONERS PRESENT**

Present : 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry,  
Commissioner Brian Mitchell and Commissioner Sarah West

Absent : 2 - Commissioner Thomas Mulder and Commissioner Peggy O'Neill

**C. AGENDA MODIFICATIONS**

**E. CONSENT AGENDA**

1. Review and approval of the July 06, 2023, Action Summary.

*Approve the July 06, 2023 Action Summary*

2. Carlotta Gardens, LLC Conditional Use Permit Modification  
Record Number PLN-2022-17611-MOD01 (filed 05/03/2023)  
Assessor's Parcel Number 206-331-028-000  
6287 State Highway 36, Carlotta, CA

Conditional Use Permit (CUP) Modification to approved project PLN-2022-17611 for a 200 SF portable farm stand for the sale of Farm Based Retail products including cannabis grown on site.

*Continue the Carlotta Gardens project to the August 3, 2023 meeting.*

3. Humboldt Spirit, Inc. Conditional Use Permit and Special Permit  
Assessor Parcel Number: 222-071-030  
Record No's.: PLN-12244-CUP  
Garberville area

A Conditional Use Permit for 30,000 square feet of existing outdoor light-deprivation cannabis cultivation. The proposed project includes relocation of eight historic cultivation areas into three cultivation areas. There is a 3,000-square-foot nursery to support on-site operations. The applicant estimates 264,825 gallons of water is required to meet annual needs. Water for irrigation is sourced from an existing 930,626-gallon off-stream rainwater catchment pond. Water is stored in the described pond and three hard tanks for a total capacity of 932,531 gallons. Drying will occur on-site within a proposed 2,000 SF structure, with other processing completed offsite. Electricity is provided by a propane generator and solar power. There will be up to three employees onsite. The application also includes a Special Permit as is required for development in the Streamside Management Area (SMA) for the realignment of native channels and restoration efforts within the SMA associated with the removal of cannabis cultivation and associated infrastructure.

*Approve the Humboldt Spirit, Inc. Conditional Use Permit and Special Permit*

4. Benbow Properties, Inc. Zone Reclassification  
Assessor Parcel Numbers (APNs) 033-041-039 (formerly 033-041-036) and 033-160-002  
Record No.: PLN-2021-17037  
Garberville/Benbow Area

A Zoning Reclassification (ZR) of two parcels totaling 11.21 acres from the Neighborhood Commercial Zone (C-1) to Community Commercial Zone (C-2).

*Approve the Benbow Properties, Inc. Zone Reclassification*

6. Chuck Wright Lot Line Adjustment, Zone Boundary Adjustment, and Joint Timber Management Plan  
Assessor Parcel Numbers: 316-134-005, 316-135-005, 316-135-004  
Record Number: PLN-2023-18059  
Korbel area

A Lot Line Adjustment (LLA) between two parcels resulting in two parcels of approximately 284 acres (Parcel A) and 40 acres (Parcel B) and a Zone Boundary Adjustment (ZBA) to adjust the zone boundary between the Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) boundary on Parcel B. An acre of property zoned Agriculture Exclusive will be converted to Timber Production Zone, to meet the 40-acre minimum TPZ area requirement on Parcel B. A Joint Timber Management Plan (JTMP) is required due to Parcel B containing less than 160 acres of TPZ. The smaller parcel (Parcel B) is developed with a single-family residence and associated residential development, and the larger parcel (Parcel A) is managed for timber production. The purpose of the LLA is to facilitate the

conveyance of the majority of the timberland to the adjacent landowner. No development is proposed.

***Approve the Chuck Wright Lot Line Adjustment, Zone Boundary Adjustment, and Joint Timber Management Plan***

7. JBL Ventures LLC Conditional Use Permit  
Assessor Parcel Numbers (APN) 507-261-020  
Record No.: PLN-2023-18086  
Arcata area

Conditional Use Permit to add distribution to a previously approved cannabis operation within 1,000 feet of an incorporated city. Previously approved uses per PLN-11968-CUP include 10,000 square feet of indoor commercial cannabis cultivation, a 2,800 square foot nursery, and 2,250 square feet of on-site processing. The added distribution use will occur within existing buildings so the project footprint is not changing. Power is provided through enrollment in PGE's Repower+ program. Water is provided by McKinleyville CSD, and wastewater through an onsite sewage disposal system.

***Approve the JBL Ventures LLC Conditional Use Permit***

8. Orick Community Services District Community Tank Replacement Project - Tank 2 Replacement Coastal Development Permit, Conditional Use Permit, General Plan Conformance Review, and Special Permits.  
Assessor Parcel Number: 519-311-027  
Record Number: PLN-2023-18134  
Orick area

A Coastal Development Permit, Conditional Use Permit and General Plan Conformance Review for to replace an existing leaking 100,000-gallon redwood water tank with a new 100,000-gallon welded steel tank on a concrete foundation in the same footprint as the existing tank. A PG&E power pole upslope of the tank would be replaced with a taller pole to provide adequate clearance for the power lines, and a 40-foot-tall communications tower would be constructed at the water tank. Special Permits are requested for Design Review and for an exception to the height standard of the Rural Residential Agriculture zoning district as the proposed PG&E power pole and 40-foot-tall communications tower will exceed the maximum height requirements of the zone.

***Approve the Orick Community Services District Community Tank Replacement Project - Tank 2 Replacement Coastal Development Permit, Conditional Use Permit, General Plan Conformance Review, and Special Permits.***

***Approval of the Consent Agenda***

***A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Sarah West to approve the Consent Agenda, including items E-1 July 6, 2023 Action Summary, E-2 Carlotta Gardens, E-3 Humboldt Spirit, E-4 Benbow Properties, E-6 Chuck Wright, E-7 JBL Ventures,***

*E-8 Orick Community Services District as recommended by staff. The motion carried with the following vote:*

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Brian Mitchell and Commissioner Sarah West

Absent: 2 - Commissioner Thomas Mulder and Commissioner Peggy O'Neill

#### **D. PUBLIC COMMENT ON NON-AGENDA ITEMS:**

#### **F. OLD BUSINESS**

**Commissioner Thomas Mulder joined the meeting.**

1. Nancy Young Special Permit  
Assessor Parcel Number: 304-231-019  
Record Number: PLN-2022-17962  
Elk River area

A Special Permit to allow operation of a bed & breakfast-type establishment using an existing single-family residence and a detached cottage. A maximum of two bedrooms would be made available for nightly accommodation serving no more than four (4) guests at a time. Breakfast will not be served to guests.

*The Planning Commission adopted the resolution (Resolution 23-070). (Attachment 1) which finds the project exempt from environmental review pursuant to Section 15301 of the State CEQA Guidelines; and makes all required findings for approval of the Special Permit; and approves the Nancy Young Special Permit as recommended by staff and subject to the recommended conditions of approval (Attachment 1A).*

Aye: 4 - Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder and Commissioner Sarah West

Nay: 2 - Commissioner Iver Skavdal and Commissioner Brian Mitchell

#### **G. PUBLIC HEARING**

1. We Are Up, Conditional Use Permit and Special Permit  
Assessor Parcel Number (APN) 509-181-061 (formerly 509-191-030 and 509-181-057), and APNs 509-191-031, 509-191-048, and 509-221-006.  
Record No.: PLN-2022-18047  
McKinleyville area

A Conditional Use Permit to allow a Quasi-Public use including 50 units of housing, a community center with commercial kitchen, a greenhouse, barn, orchard and associated site improvements,

including an access road, walking trails, wetland creation, riparian planting, and community access, and indoor and outdoor events with associated parking. The Project would create functional and community spaces to be used by We Are Up residents and for classroom purposes and include garden space and shelters/pens for livestock to provide opportunities for resident enrichment and education. Special Permits are requested for an exception to the height standards, to allow the building height to be up to 45 feet, and for creation and enhancement of wetland and streamside habitat areas.

***A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Thomas Mulder to approve the We Are Up Conditional Use Permit and Special Permit. The motion carried with the following vote:***

- Aye: 5 - Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Brian Mitchell and Commissioner Sarah West
- Absent: 1 - Commissioner Peggy O'Neill
- Recused: 1 - Commissioner Iver Skavdal

**H. ITEMS PULLED FROM CONSENT**

- 5. Rock and Sky, LL, General Plan Amendment and Zone Reclassification  
 Assessor Parcel Numbers (APNs) 033-101-011, 033-041-038, 033-091-025, 033-091-026, 033-091-027, 033-091-033, 033-091-034, 033-091-035, 033-101-001, 033-101-002, 033-101-003, 033-101-004, 033-101-005, 033-101-006, 033-101-007, 033-101-008, 033-101-010, 033-101-015, 033-101-021, 033-101-022, 033-101-028, 033-101-029, 033-101-031, 033-101-032, and 033-101-035  
 Record No.: PLN-2021-17209  
 Garberville/Benbow Area

A General Plan Amendment (GPA) and Zoning Reclassification (ZR) of 25 parcels totaling 33.46 acres. The GPA is from Residential Low Density (RL) and Residential Estates (RE) to Residential Agriculture (RA). The Zone Reclassification is from Residential Single Family (R-1), Residential Multi-Family (R-3) and Residential Suburban (RS) to Agriculture General (AG).

***A motion by Commissioner Sarah West, seconded by Commissioner Iver Skavdal, to approve the Rock and Sky, LL, General Plan Amendment and Zone Reclassification. The motion carried with the following vote:***

- Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder and Commissioner Sarah West
- Abstain: 1 - Commissioner Brian Mitchell

**I. REPORT FROM PLANNER**

**J. PLANNING COMMISSION DISCUSSION ITEMS**

**K. ADJOURNMENT**

*Chair Noah Levy adjourned the meeting at 9:33 p.m.*

**L. NEXT MEETINGS: August 3, 2023 6:00 p.m. Regular Meeting - Hybrid**