

PLANNING COMMISSION

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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, January 19, 2023

6:00 PM

Regular Meeting - Hybrid

NOTE: The County of Humboldt Planning Commission meeting will be held virtually pursuant to Assembly Bill 361 until further notice.

HOW TO LISTEN OR WATCH THE PLANNING COMMISSION MEETING:
Listen or Watch the live stream of the Planning Commission Meeting in three ways:

1. <https://zoom.us/j/87544807065> Password: 200525
2. Call in via telephone at 346 248-7799, enter meeting ID 875 4480 7065 Password: 200525
3. A live stream of the meeting can be found by using the following link:
<https://humboldt.legistar.com> or by watching Access Humboldt on cable channel 11

PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:
Participate in the public comment period of the meeting in the following three ways:

1. **In Person:** Any person may appear and present testimony in regard to this matter at the hearing located in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California. The Planning Commission needs 15 COPIES of any materials submitted at the meeting.
2. **Via Computer as an attendee:** To raise your hand click the Raise Hand icon on the bottom of the Zoom window. When you click the Raise Hand icon, a hand icon will appear next to your name that will notify the host your hand is raised. You will also see the hand icon turn green. When you want to lower your hand, you can click the hand icon again and your hand will be lowered. When you are called upon to speak the Zoom platform will ask you for permission to unmute your mic. If you encounter any issues, please use the call-in option below.
3. **Via phone call using cellphone or landline:** When the Planning Commission meeting begins, call in to the conference line. When the Planning Commissioner starts to discuss the item you wish to comment on, Press *9 to raise your hand. When you are called upon to speak, you will be prompted to unmute your mic, press *6 to unmute.

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>

PUBLIC COMMENT PRIOR TO THE MEETING:

Public comments may be submitted via email to Planningclerk@co.humboldt.ca.us. Please provide the project title, record or case number and date of the hearing. The deadline for submitting written comments is 12:00 p.m. Wednesday, January 18, 2023. After the deadline, written comments may be submitted to the commission in person during the meeting. Verbal comments may be made in person, or on zoom. Comments received after the agenda is posted on Friday, January 13, 2023, can be found at the "Attachments" section of the "Meeting Details" link next to the posted Agenda at:

<https://humboldt.legistar.com>, and will be included with the administrative record. If you do not have access to email, contact the Planning Clerk at 707-267-9409.

NOTICE REGARDING PUBLIC COMMENT: For items appearing on the agenda, the public is invited to make comments at the time the item comes up for consideration by the Commission. The Chair will call for public comment as each item is heard by the Commission. For items not appearing on the agenda, the public is invited to make comments during the Public Comment period for non-agenda items. All speakers are invited to state and spell their names but are not required to do so.

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT

Present : 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Brian Mitchell, Commissioner Melanie McCavour, Commissioner Peggy O'Neill and Commissioner Thomas Mulder

Absent : 1 - Commissioner Lonyx Landry

C. AGENDA MODIFICATIONS

D. PUBLIC COMMENTS

E. CONSENT AGENDA

A motion was made by Commissioner Mulder, seconded by Commissioner Mitchell, that all items remaining on the Consent Agenda be approved as recommended. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

1. Review and approval of January 5, 2022, Action Summary;

A motion was made by Commissioner Mulder, seconded by Commissioner Mitchell, that all items remaining on the Consent Agenda be approved as recommended. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

2. Bridgeville Organic Pharms, LLC; Conditional Use and Special Permit

Record Number: PLN-10822-CUP (filed 09/09/2016)

Assessor's Parcel Number: 210-012-019

Dinsmore area

A Conditional Use Permit for 40,025 square feet (SF) of existing outdoor cannabis cultivation (26,025 SF of full-sun outdoor and 14,000 SF of outdoor utilizing light deprivation techniques) and 1,920 SF of ancillary propagation. Irrigation water is currently sourced from a permitted groundwater well on the subject parcel; however, use of the well for cannabis irrigation will be replaced by rainwater catchment for the foreseeable future, with a permitted point of diversion as a potential

backup water source. Existing available water storage is 105,100 gallons. Estimated annual water usage is 74,263 gallons. Processing occurs onsite. Power is currently provided by three (3) generators; however, there are long-term plans for solar. A Special Permit is also requested for development within a Streamside Management Area (SMA) for installation, use, and maintenance of the point of diversion infrastructure.

A motion was made by Commissioner Mulder, seconded by Commissioner Mitchell, to continue the Bridgeville Organic Farms, LLC; Conditional Use and Special Permit to the meeting of February 16, 2023, as part of the Consent Agenda.

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

F. OLD BUSINESS

H. NEW BUSINESS

1. Elevated Farms, LLC Special Permit

Assessor Parcel Number 220-011-018 and 220-011-002

Record No.: PLN-2019-16130

Denial of a Special Permit for 15,374 square feet of existing outdoor cultivation and a 625 square feet ancillary nursery. The water source is a well supplemented by rainwater catchment. The total water usage is unknown. Onsite processing is proposed in a 1500 square foot building. Power is provided by a generator.

A motion was made by Commissioner Mitchell, seconded by Commissioner Skavdal, to deny the Elevated Farms, LLC Special Permit. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

2. Renewable America, LLC Conditional Use Permit

Assessor Parcel Number: 505-151-012, 506-231-019 and 506-231-022 (one separate legal parcel)

Record Number: PLN-2022-17922

Arcata area

A Conditional Use Permit for the proposed construction and operation of a two phased community-scale solar energy and storage project referred to as: Foster Clean Power A (Phase 1) & Foster Clean Power B (Phase 2). Phase 1 would involve the construction of a 3-megawatt alternating current (MWac), photovoltaic (PV) solar energy facility with associated inverters, fencing, and access road. The access for Phase 1 would be approximately 15 feet wide and have a total length of approximately 164 feet, approximately 73 feet of which would be a new road that connects Foster Avenue to an existing agricultural road located on the south and east perimeters of the project site. The equipment pad would be approximately 50 feet by 100 feet in size. Phase 1 would also include a 1.25-MW battery energy storage system. The project footprint (fence line boundary) for Phase 1 would be approximately 12 acres in size. Phase 2 would involve the construction of an additional 4-MWac PV solar energy facility immediately north of the Phase 1 site with an additional 3.75-MW battery energy storage system. The project footprint (fence line boundary) for Phase 2 would be approximately 18 acres in size. Phase 2 would utilize the same equipment pad area identified for Phase 1. The project proposes ongoing agricultural uses on the property through establishing and maintaining

pollinator habitat within the project boundaries. Other agricultural uses on the property may include, but not be limited to grazing and the keeping of honeybees.

A motion was made by Commissioner Mulder, seconded by Commissioner McCavour, that the Renewable America Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

An amending motion was made by Commissioner Mitchell, seconded by Commissioner Levy, requiring the addition of Condition of Approval 11, which states applicant shall make provisions for decommissioning the project by taking the action listed in Condition of Approval 11 prior to issuance of any construction. The motion as amended carried by the following vote:

Aye: 5 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill

Nay: 1 - Commissioner Mulder

G. ITEMS PULLED FROM CONSENT

- 3. Willow Creek Ventures, LLC
 Assessor Parcel Numbers (APN) 524-114-007
 Record No.: PLN-13169-CUP
 Willow Creek area

A Conditional Use Permit for 20,000 sq. ft. existing outdoor cannabis cultivation and 1,902 sq. ft. of ancillary propagation. Water source is a permitted well (Permit #11/12-1271). Estimated annual water usage is 337,364 gallons (15.4 gal/sq. ft./yr.). Water storage of 12,500 gallons exists in five (5) 2,500-gallon tanks, and three (3) 2,500-gallon tanks are proposed for a total of 20,000 gallons of water storage on-site. Power will be sourced by a 2,500-Watt solar array with one emergency backup generator. Processing will occur off-site at a licensed processing facility. The site will utilize a maximum of four (4) workers on-site during peak season. The project also includes a Special Permit to approve cultivation within 600 feet of Public Lands, the Six Rivers National Forest (SRNF).

A motion was made by Commissioner Mulder, seconded by Commissioner Mitchell, that the Willow Creek, LLC, Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

- 4. Friedley Minor Subdivision and Coastal Development Permit
 Record Number: PLN-2022-17910 (filed 09/06/2022)
 Assessor Parcel Numbers (APN) 015-081-008-000
 1780 Quaker St, Eureka, CA

A minor subdivision of an approximately 12,600 sf parcel into two parcels of 7,346 sf (Parcel One) and 5,266 sf (Parcel Two). The existing parcel is developed with a single-family residence and garage, which will remain on proposed Parcel One. The existing parcel is served with community water and sewer by Humboldt Community Services District. The parcel is located in the Coastal Zone and a Coastal Development Permit is required. The project is categorically exempt from environmental review pursuant to Class 15, Section 15315 of the State CEQA Guidelines.

A motion was made by Commissioner Mitchell, seconded by Commissioner Skavdal, that the Friedley Minor Subdivision and Coastal Development Permit be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

5. Punta Canna, LLC, Conditional Use Permit and Special Permit
Assessor's Parcel Numbers: 216-317-006 and 216-317-004
Record Number: PLN-11915-CUP
Alderpoint area

A Conditional Use Permit for 19,500 square feet (SF) of existing outdoor cultivation utilizing light deprivation techniques within 21 greenhouse structures, with and 2,000 SF of existing ancillary propagation. Irrigation water is sourced from a point of diversion located on APN 216-317-006. Existing available water storage is 206,000 gallons in a series of hard-sided tanks. Estimated annual water usage is 228,096 gallons. Drying will occur in a proposed 2,160-square-foot drying building and processing will occur within a proposed 1,140-square-foot structure. A maximum of ten (10) employees may be onsite during peak operations. Power is provided by a 4,000-watt solar array. The applicant has long-term plans for connection to Pacific Gas and Electric Company (PG&E) to offset the needs of the new structures and facilities as proposed. A Special Permit is also requested for development within the Streamside Management Area (SMA) for continued use and maintenance of the point of diversion infrastructure.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Punta Canna, LLC, Conditional Use Permit and Special Permit be continued to February 16. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

6. Georgi Aleksandrov Conditional Use Permit and Special Permit
Assessor's Parcel Number: 220-071-008
Record Number.: PLN-11426-CUP
3550 Goodman Ranch Road, Whitethorn area

A Conditional Use Permit for 22,000 square feet (SF) of existing mixed light cannabis cultivation and 2,800 SF of ancillary propagation. Irrigation water is sourced from a spring diversion. Existing available water storage is 62,000 gallons in a series of hard-sided tanks and two (2) 20,000-gallon bladders, including 5,000 gallons dedicated to fire suppression. Estimated annual water usage is 159,200 gallons. Drying and curing occurs onsite, with all other processing occurring offsite at a licensed processing or manufacturing facility. A maximum of four (4) people will be onsite during peak operations. Power is provided by two (2) generators; however, there are long-term plans for solar and conversion to solar is a recommended condition of approval. A Special Permit for development in the Streamside Management Area (SMA) is also requested for continued use and maintenance of the existing point of diversion and relocation of two (2) existing water tanks outside of the required buffer.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, to continue the Georgi Aleksandrov, LLC, Conditional Use Permit and Special Permit to the meeting of February 16, 2023. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

J. REPORT FROM PLANNER

K. PLANNING COMMISSION DISCUSSION ITEMS

L. ADJOURNMENT

NEXT MEETING February 16, 2023, 6:00 p.m. REGULAR MEETING - VIRTUAL

The Chamber is wheelchair accessible, the accessible entrance to the Courthouse is the 4th Street entrance. Accessible parking is available adjacent to the 4th Street entrance and on the 4th Street side of the K Street lot. If you are a person with a qualified disability, and need a modification or accommodation to participate in this meeting, please contact the Clerk of the Board at (707) 476-2384, or (707) 445-7299 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.