

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 5, 2023

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT

- Present : 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Brian Mitchell, Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner Thomas Mulder
- Absent : 1 - Commissioner Peggy O'Neill

C. AGENDA MODIFICATIONS

D. PUBLIC COMMENTS

E. CONSENT AGENDA

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

- Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

1. Adoption of Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of January 5, 2022, through February 4, 2022, Pursuant to the Ralph M. Brown Act.

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

- Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

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 McCavour, seconded by Commissioner Mitchell, that the Willow Creek Ventures, LLC Conditional Use Permit be continued to January 19, 2023. on the Consent Agenda. The motion carried by the following vote:

- Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

4. Denali Farm LLC Conditional Use Permit

Assessor Parcel Number 210-250-008

Record No.: PLN-10989-CUP

Dinsmore area

Conditional Use Permit for 7,713 square feet of existing mixed light and 17,813 square feet of existing outdoor commercial cannabis cultivation supported by a 512 square foot ancillary nursery. The 255,000-gallon annual irrigation water budget is sourced exclusively from rainwater catchment and supported by 264,700 gallons of storage. Power is provided by a generator supplemented by a solar array. Drying will occur onsite and any additional processing will occur offsite. The project includes restoration and relocation of approximately 10,000 square feet of outdoor cultivation and includes a Special Permit for restoration within the streamside management area.

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

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

5. Enchanted Springs Inc. Conditional Use Permit

Application Number PLN-13201-CUP

Assessor’s Parcel Number (APN) 522-175-004

Willow Creek area

The denial of a Conditional Use Permit for 1-acre of pre-existing outdoor cannabis cultivation.

A motion was made by Commissioner McCavour, seconded by Commissioner Mitchell, that the Staff Recommendation for Denial on the Consent Agenda be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

6. Verdant Futures, LLC Conditional Use and Special Permits Modification

Application Number: PLN-2022-17972 (filed 10/06/2022)

Assessor’s Parcel Number: 223-171-001-000

Garberville Area

A Modification to a previously approved Conditional Use Permit and Special Permit (PLN-12933-CUP) to allow for a microbusiness with 8,000 square feet of outdoor light deprivation commercial cannabis cultivation within the existing and previously approved greenhouses and commercial cannabis processing within the previously approved 6,000 sf building. The original approval was for the entitlement of 7,920 square feet (sf) of commercial nursery area and commercial processing and manufacturing. Water for the operation will be supplied by the Garberville Community Services District. The projected annual water usage totals 104,000 gallons and there is 600 gallons of existing water storage, and an additional 50,000 gallons is proposed. Electric power will be sourced from solar panels with a generator back-up. This is intended to be an interim use of the site until PG&E is able to adequately serve the previously approved cannabis support facility.

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

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

9. Humboldt Hill Land and Cattle Co. Parcel Map Subdivision and Lot Line Adjustment Second Extension

Assessor Parcel Number: 307-031-024, 307-031-052, 307-041-007

Record Number: PLN-2022-17987

Humboldt Hill area

A second two-year extension to an approved Parcel Map Subdivision and Lot Line Adjustment. The Lot Line Adjustment will adjust the boundaries between three parcels resulting in three parcels (Parcel A, Parcel B and Parcel C). Proposed Parcel A will be approximately 91 acres in size and utilized for agricultural purposes. The majority of Parcel A is located within the Coastal Zone; however, no line is being added in the Coastal Zone. Therefore, no Coastal Development Permit (CDP) is required. Proposed Parcel B will be divided into four parcels and a Remainder ranging in size between 16 acres and 22 acres. The parcels will be served with community water and sewer provided by the Humboldt Community Services District. A Fault Evaluation Report has been prepared and approved by the County's consulting geologist. An exception request to the maximum length of a dead-end road has been submitted to and approved by Calfire. Proposed Parcel C will be approximately 40 acres in size and may be divided in the future, however, no application has been submitted. No change to the original project is proposed. This is the second extension requested and if approved, the extension will expire on December 27, 2024.

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

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

G. OLD BUSINESS

1. High Grade 007, LLC Conditional Use and Special Permit

Record Number PLN-12569-CUP

Assessor's Parcel Number (APN) 208-341-021

Dinsmore area

A Conditional Use Permit for 10,000 square feet (SF) of existing outdoor light-deprivation cultivation operation in six greenhouses on two flats, along with 971 SF of ancillary nursery propagation. A Special Permit is required for a setback reduction from public lands managed by Six Rivers National Forest located 500 feet to the southwest of the cultivation area. Irrigation water will be sourced from an onsite well. According to a well hydrologic connectivity report prepared by a professional engineering geologist, the well on the subject parcel has a minimal likelihood of being hydrologically connected in any manner that might significantly affect adjacent wetlands or surface waters in the vicinity. Estimated maximum annual water usage for the single 7-month harvest is approximately 80,000 gallons (8 gallons/SF/year), with peak monthly demands reaching 15,000 gallons/month June through August. Existing tank storage for irrigation total 16,000 gallons. Drying and seasonal cloning would continue in an existing 288 SF drying shed. Power is provided by one Honda 7000 generator housed in a noise limiting shed. The applicant would use generators for 100% of its energy needs until Pacific Gas and Electric connects to Cobb Road or a solar power system capable of supplying 80% of annual energy demands can be established. The project would utilize up to four seasonal employees during peak season to perform cultivation activities.

A motion was made by Commissioner Newman, seconded by Commissioner Skavdal, that the High Grade 007, LLC Conditional Use and Special Permit be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

2. Jesse Carnes Conditional Use Permit

Record Number: PLN-11919-CUP (filed 12/15/2016)

Assessor's Parcel Number: 314-191-014

Maple Creek area

A Conditional Use Permit for the continued cultivation of 22,000 square feet (SF) of existing outdoor cannabis cultivation and 1,170 SF of ancillary propagation. Irrigation water is sourced from a 700,000-gallon rainwater catchment pond. Existing available water storage is 715,000 gallons. Estimated annual water usage is 175,000 gallons. Processing with a trim machine occurs onsite. Power is provided by two (2) generators and the applicant has long-term plans to switch to solar power.

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the Jesse Carnes Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

F. ITEMS PULLED FROM CONSENT**6. Earthgreen Cali Farms Conditional Use Permit**

Assessor Parcel Number: 217-032-013

Record No.: PLN-11850-CUP

Blocksburg area

A Conditional Use Permit for continued cultivation of 38,800 square feet (SF) of outdoor cannabis cultivation and 4,320 SF of ancillary propagation. Water for irrigation is sourced from a permitted groundwater well. Existing available water storage is 38,400 gallons in a series of hard sided tanks, with an additional 40,000 gallons proposed, for a total of 78,400 gallons of onsite water storage for cannabis irrigation. Estimated annual water usage is 540,000 gallons. Drying, curing, and bucking activities occur onsite, with all other processing occurring offsite at a licensed processing or manufacturing facility. A maximum of seven (7) employees may be utilized during peak operations. Power is provided by solar power and two (2) back-up generators, with long-term plans to connect to PG&E.

A motion was made by Commissioner Newman, seconded by Commissioner Skavdal, that the Earthgreen Cali Farms Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 6- Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

7. Dave Thomas Conditional Use Permit and Special Permits

Assessor Parcel Number: 221-121-001

Record No.: PLN-12179-CUP

9850 Upper Mattole Canyon Road, Honeydew area

A Conditional Use Permit for 12,440 square feet (SF) of existing outdoor cannabis cultivation and 1,231 SF of ancillary propagation. Irrigation water is sourced from a 280,000-gallon rainwater catchment pond. Existing available water storage is 520,000 gallons consisting of the pond and a series of hard-sided tanks. Estimated annual water usage is 102,650 gallons. The water supply is shared with PLN-11751-SP (previously approved) on a contiguous parcel, Assessor's Parcel Number (APN): 221-121-013, located immediately south of the subject site. Drying and curing occurs onsite and on the adjacent property (APN: 221-121-013) within two (2) structures totaling 1,380 SF, with all other processing occurring offsite at a licensed processing or manufacturing facility or at one of the applicant's other properties (APN: 221-201-021), located southwest of the site. A maximum of three (3) people will be onsite during peak operations. Power is currently provided by a generator; however, the project is conditioned for conversion to renewable energy. The proposed project also includes Special Permits for reduction of the required 600-foot buffer from public lands and for relocation of existing infrastructure outside of the required Streamside Management Area (SMA) buffer and associated restoration.

A motion was made by Commissioner Newman, seconded by Commissioner Mulder, that the Dave Thomas Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Skavdal, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour and Commissioner Mulder

- 2. Review and approval of December 15, 2022, Action Summary;

A motion was made by Commissioner Mitchell, seconded by Commissioner McCavour, that the December 15, 2022 Action Summary be approved. The motion carried by the following vote:

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

Nay: 1 - Commissioner Mulder

Abstain: 1 - Commissioner Skavdal

H. NEW BUSINESS

I. REPORT FROM PLANNER

J. PLANNING COMMISSION DISCUSSION ITEMS

K. ADJOURNMENT

NEXT MEETING January 19, 2022 6:00 p.m. Regular meeting - Hybrid

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.