

**RIO DELL PLANNING COMMISSION  
SPECIAL MEETING MINUTES  
MARCH 12, 2024**

**CALL TO ORDER**

Commissioner Knight called the special meeting of the Rio Dell Planning Commission to order at 6:05 p.m.

Present were Commissioners Knight, Arsenault, and Millington. Absent was Commissioner Angeloff (Arrived at 6:30 p.m.).

Others present were Community Development Director Caldwell and City Clerk Dunham.

**CEREMONIAL MATTERS**

Swearing in of newly appointed Planning Commissioner Reshell Gurney  
The swearing of Reshell Gurney was continued to the next regular meeting.

**CONSENT CALENDAR**

Approve Minutes of the November 28, 2024 Regular Meeting  
A motion was made by Millington/Arsenault to approve the Consent Calendar including approval of minutes of the November 28, 2024 regular meeting. Motion carried 3-0.

**PUBLIC PRESENTATIONS**

Commissioner Knight called for public comment on non-agenda items. No public comment was received.

**AGENDA APPROVAL**

Community Development Director Caldwell recommended an agenda modification regarding the order of agenda items of the three (3) Scheduled Matters as follows:

- 1) Roscoe Subdivision Extension
- 2) Petranoff Lot Line Adjustment
- 3) Northwestern Flower Company

There were objections from the Commission.

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**SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS**

Approve Resolution No. PC-175-2024 Approving Extension of the Roscoe Subdivision at 98 Painter St. – File No. 052-162-018 – Case No. PMS-21-02

Community Development Director Caldwell provided a staff report recommending approval of a one (1) year extension to the Roscoe subdivision. He explained that the Planning Commission approved the subdivision on January 22, 2022. The Subdivision Map Act and the Rio Dell Municipal Code (RDMC) allow a total of three (3) one-year extensions to the original two (2) year approval for a total of five years for a parcel map.

He said that the property is currently developed with three (3) single-family residences. The easterly residence will be relocated to Parcel 2 as an Accessory Dwelling Unit (ADU), with Parcel 4 vacant with no development currently proposed.

Community Development Director Caldwell indicated that staff referred the project to the normal referral agencies for comment and one response was received from the California Department of Fish and Wildlife (CDFW). They requested an additional condition regarding the possibility of a tree being removed and asked that if removed, it occurs outside of the nesting season to avoid impacts on native and migratory birds. If not, have a qualified biologist survey for active bird nests no more than seven (7) days before the tree removal. He said that the project was conditioned accordingly.

Commissioner Knight called for questions and/or comments from the Commission or the public. No comments were received.

A motion was made by Millington/Arsenault to approve Resolution No. PC-175-2024 approving the extension of the Roscoe Subdivision at 98 Painter St. – File No. 052-162-018 Case No. PMS-21-02. Motion carried 3-0.

Approve Petranoff/Hoffman Lot Line Adjustment and a Variance to Create a Parcel less than 5,000 sq. ft. at 267 Berkeley St. – File No. 053-163-002 – Case No. LLA 01-2024

Community Development Director Caldwell provided a staff report requesting approval of a lot-line adjustment and variance at 267 Berkeley St. He said that the parcels are two separate legal parcels created in 1930. The proposed lot-line adjustment will be adjusting approximately 500 square feet from one parcel to another resulting in two parcels of 5,500 square feet and 4,500 square feet.

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The purpose of the lot-line adjustment is to adjust the common property line since one of the residences was built over the property line. He then reviewed the required findings and recommended approval of the lot-line adjustment as conditioned.

He said that the proposed lot-line adjustment would resolve the existing building encroachment over the common property line however, it represents a special circumstance with one of the parcels reduced to 4,500 square feet. As such, the applicant is requesting to utilize the Lot Size Modification provisions of the Rio Dell Municipal Code which allows exceptions to lot sizes allowing parcels to be modified down to not less than 50%, or 5,000 square feet, whichever is greater.

Community Development Director Caldwell said that he was in support of a Variance to the 5,000 square-foot minimum parcel size requirement, noting that the variance is consistent with the General Plan.

Commissioner Knight called for questions and/or comments from Commissioners or the public. No comments were received.

A motion was made by Arsenault/Knight to approve Resolution No. PC-176-2024 approving the Petranoff Lot Line Adjustment and a Variance to create a parcel less than 5,000 sq. ft. at 267 Berkeley St. – File No. 053-163-002 – Case No. LLA 01-2024. Motion carried 3-0.

A short break was called at 6:20 p.m. waiting for the arrival of Commissioner Angeloff.

The meeting resumed at 6:30 p.m. with the arrival of Commissioner Angeloff.

Approve Resolution No. PC-174-2024 Approving Design Review and Cannabis Cultivation Expansion Conditional Use Permit for Northwestern Flower Co.

Community Development Director Caldwell provided a staff report recommending approval of the design review and cannabis expansion Conditional Use Permit for Northwestern Flower Company.

He explained that Northwestern Flower Company is requesting a Conditional Use Permit (CUP) for the indoor cannabis cultivation of an additional 12,200 square feet of canopy. The site is currently developed with an existing 2-story 19,200 square-foot building accommodating 9,600 square feet of cannabis cultivation.

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The expansion is proposed to occur in two phases. The first phase would include a 60' x 200' building identified as (B2) on the plan accommodating approximately 6,480 square-feet of cultivation. The second phase would include three additional buildings identified at (B3, B4 and B5). B3 and B4 would each accommodate 3,240 square feet of cultivation and B5 would be utilized for drying, processing, and storage.

Community Development Director Caldwell said that at full buildout, the applicant anticipates four (4) full-time employees and three or four additional part-time employees for planting and harvesting activities.

He then reviewed the required findings and performance standards for cultivation. He commented that the City does not have canopy limits on cultivation and bases it on the State's limits.

He also noted that the site is provided with community water and no surface water withdrawals are proposed. In addition, all on-site drainage is proposed to be directed to the existing on-site detention/retention basin located on the west side of the parcel.

Commissioner Arsenault referred to (g) of the Performance Standards which said that trucked water shall not be allowed as the primary water source and expressed concern regarding water usage from the City's water system in the event of a drought.

Community Development Director Caldwell explained that this language was taken from the County's ordinance and they didn't want water trucked in on rural roads increasing and degrading the road. He said that a couple of years ago during the drought when the Governor put water use restrictions in place, the city was concerned. Staff let the applicants know at Humboldt 454 and they brought in two 50,000-gallon bladders to store water. As it turned out, agricultural uses were not subject to the restrictions.

He pointed out that under the City's Water Rights Permit, the City is allocated 1,565 acre ft. or 510 million gallons of water annually and only uses less than 90 million gallons annually. He said that the City is in a very good position with the Metropolitan Wells as a backup water supply, noting that during the drought, the wells were able to produce 200 gallons/minute. He added that the estimated water usage for the existing 9,600 square feet of cultivation is 290,000 gallons a year and it is estimated that the expansion will utilize an additional 328,000 gallons.

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Commissioner Arsenault commented that the City went through a 5-year drought and asked what would happen if there was a 7-year drought. He said that Rio Dell citizens should not be forced to limit their water usage if the cultivators don't have to and that the issue should be addressed.

Community Development Director Caldwell reiterated that the City is in a very good position concerning water capacity and storage and said that the City would be doubling water storage capacity very soon. He said that the applicant actually paid for the expansion of the Dinsmore Tank, increasing the size of the tank from 100,000 gallons to 200,000 gallons.

Commissioner Angeloff pointed out that cannabis is in the same category as other agricultural products but if it came down to not having enough water for residents, there would be restrictions on water usage for cannabis activities although likely voluntary.

Commissioner Knight stated for clarification that in the event of an emergency, water could be trucked in for cultivation activities.

Community Development Director Caldwell said that the only concern with the Design Review had to do with landscaping and the concern that Sergeant Cherry Trees don't necessarily grow well in Zone 9. He said if the applicant can show that Sergeant Cherry trees do grow well here, staff will support that recommendation. If not, staff will ask that he substitute the Sergeant Cherry Trees with trees that are recognized to grow well in this zone.

Next was the review of the Conditions of Approval and General Plan policies.

Jesse Jeffries said that they hope to be in operation by October 2024 but can't start cultivation until they get approval of the State license.

Commissioner Angeloff called for comments and/or questions from the Commission or the public.

Jesse said he had nothing to add as the Community Development Director explained it very well in the staff report.

Commissioner Knight commented that if this project is built out as proposed, it will be one of the finest developments in Rio Dell.

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Commissioner Millington commented that when you go to Hershey, Pennsylvania you smell chocolate, when you go to Gilroy, California you smell garlic so when you go to Rio Dell she wants everyone to smell cannabis.

A motion was made by Arsenault/Knight to approve Resolution No. PC-174-2024 approving Design Review and Cannabis Cultivation Expansion Conditional Use Permit for Northwestern Flower Co. Motion carried 4-0.

Community Development Director Caldwell announced that the next regular meeting scheduled for March 26, 2024, was canceled so the next regular meeting would be held on April 23, 2024.

**ADJOURNMENT**

A motion was made by Arsenault/Knight to adjourn the meeting at 7:10 p.m. to the April 23, 2024 regular meeting. Motion carried 4-0.

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Nick Angeloff, Chair

Attest:

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Karen Dunham, City Clerk