PLANNING COMMISSION

COUNTY STAFF

JOHN H. FORD Director, Planning and Building



IVER SKAVDAL
First District
THOMAS MULDER
Second District
NOAH LEVY
Chair - Third District
JEROME QIRIAZI
Fourth District
PEGGY O'NEILL
Fifth District
SARAH WEST
At-Large
LORNA MCFARLANE
At-Large

COUNTY OF HUMBOLDT PLANNING COMMISSION

825 Fifth Street
Board of Supervisors Chambers
Eureka, California

AGENDA

Thursday, April 4, 2024 6:00 PM 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 qualified disabilities as required under the Americans with Disabilities Act. With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Clerk of the Board Office at 707-476-2390 or by email cob@co.humboldt.ca.us or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us.

Please note: Those not able to attend the Planning Commission meeting in person will have the opportunity to provide public comment via Zoom; however, the County of Humboldt cannot guarantee that the Zoom system will be available for the entirety of every meeting. The only ways to guarantee that your comment is received and considered by the Board of Supervisors are to attend the meeting person or submit your comment in writing in advance of the meeting.

HOW TO LISTEN OR WATCH THE PLANNING COMMISSION MEETING:

1. https://zoom.us/j/87544807065 Password: 200525

 Call in via telephone at 346 248-7799, enter meeting id 875 4480 7065 Password: 200525
 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

Meetings of the Humboldt County Planning Commission are held in person in the Board of Supervisors chambers, located at 825 Fifth Street, Eureka, California.

- In Person Public Comment:: Any person may appear and present testimony for an item on this agenda 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. Zoom Public Comment: When the Planning Commission announce the agenda item that you wish to comment on, call the conference line, enter the Meeting ID and press star (*) 9 on your phone, this will raise your hand. You'll continue to hear the Planning Commission meeting on the call. When it is your turn to speak, you'll hear a prompt to unmute, press star (*) 6. Please turn off your TV or live stream to avoid delays. If you encounter any issues, please use the call-in option below.
- 3. Phone call using cellphone or landline: When the Planning Commission meeting begins, call in on the conference line. When the Planning Commission Chair 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, press *6 to unmute.

You may access the live stream of the meeting by using the following link: https://humboldt.legistar.com

SUBMITTING 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, April 03, 2024. After the deadline, written comments may be submitted to the commission in person during the meeting (15 copies). Comments 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.

- A. CALL TO ORDER / SALUTE TO FLAG
- **B. COMMISSIONERS PRESENT**

C. CHAIR AND VICE CHAIR NOMINATION AND ELECTION

D. AGENDA MODIFICATIONS

E. PUBLIC COMMENT ON NON-AGENDA ITEMS:

At this time persons may appear before this Commission on any matter pertinent to the Commission's Jurisdiction and that is not on the Agenda. When the Chair asks for public comment, please address the Commission from the microphone. Unless otherwise stated, speakers will have three (3) minutes for public comment. Although the Commission may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Commission at this time.

F. CONSENT AGENDA

These Public Hearing matters are routine in nature and are usually approved by a single vote. The Chair will poll the audience and members of the Commission to determine if any item on the consent agenda should be pulled for public comment or further discussion.

 Kalifornia Green Akres, Conditional Use Permit Assessor Parcel Numbers: 216-271-013-000

Record Numbers: PLN-11682-CUP

Alderpoint area

Kalifornia Green Akers, MBC seeks a Conditional Use Permit (CUP) for an existing 24,500-square-foot (SF) outdoor and 3,000-SF mixed-light cannabis cultivation for a total cultivation area of 27,500 SF and 2,750 SF ancillary nursery.

Recommendation: Recommendation: Continue the Kalifornia Green Akres project to a date

uncertain.

Attachments: 11682 Staff Report 4.4.24

2. Earley Farms, LLC; Conditional Use Permit

Assessor Parcel Numbers (APN's) 217-251-003, 217-244-004, 217-244-007 & 217-225-007

Record No.: PLN-12705-CUP

Blocksburg area

A Conditional Use Permit for authorizing the continued operation of pre-existing commercial cannabis cultivation on a parcel where approximately 68,000 square feet of area was historically used for outdoor cultivation and approximately 4,400 square feet of area was used for mixed light cultivation operated from the property since prior to 2016. Under the Use Permit, one (1) acre of the prior outdoor cultivation is proposed to be continued and the 4,400 square feet of Mixed-Light Cultivation will instead be operated in an Outdoor fashion, for a combined total of approximately 47,560 square feet of outdoor cultivation.

Recommendation: Recommendation: Continue the Earley Farms project to the May 2, 2024,

meeting.

Attachments: 12705 Staff Report 4.4.24

3. Bee Kind Farms, LLC Conditional Use Permits and Special Permit

Record Numbers: PLN-11544-CUP and PLN-12492-CUP

Assessor's Parcel Numbers (APN): 530-151-005 and 530-151-004

Weitchpec area

The denial of two Conditional Use Permits and a Special Permit. The proposed project includes a Conditional Use Permit for 29,500 square feet of existing outdoor light-deprivation commercial cannabis cultivation on APN 530-151-005 with 1,640 square feet of proposed propagation area (Record No. PLN-11544-CUP) and up to 14,060 of existing cultivation being relocated from the southern part of the parcel and the parcel (and separate application) immediately to the south (APN 530-151-004, Record No. PLN-12492-CUP) in order to meet required setbacks from cultural resources. To facilitate the relocation, an unknown number of trees would require removal in an area of approximately 2.5 acres. Unauthorized timber conversion on this site has already occurred. Retired cultivation areas on APNs 530-151-005 and 530-151-004 would be restored and restocked with conifers. Annual water use is estimated at 127,305 gallons. Water for irrigation is sourced from a 750,000-gallon rainwater catchment pond. Drying of harvested cannabis will take place on site in Conex boxes and further processing will take place off site at a licensed processing facility. The project will require two employees. Power is provided by a generator. A Special Permit is also requested to reduce the 600-foot setback from Six Rivers National Forest.

Recommendation: That the Planning Commission:

1. Adopt the resolution (Resolution 24- $_$) (Attachment 1), which does the

following:

a. Finds the Bee Kind Farms, LLC projects statutorily exempt from the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.

b. Finds the required findings for approval cannot be made.

c. Denies the Bee Kind Farms, LLC Conditional Use Permits and Special Permit.

Attachments: 11544 and 12492 Denial Staff Report 4.4.24

Attachment 1 - Draft Resolution

Attachment 2 - Location Maps

Attachment 3 - Site Visit 30 day letter notice.

Attachment 4 - Referral responses and request for application denial

<u>Attachment 5 - Watershed Maps</u>

Attachment 6A - Operations Plan and Addendum on file for PLN-11544-CUP

Attachment 6B - Operations Plan on file for PLN-12492-CUP

Attachment 6C - Site Plan on file for PLN-11544-CUP

Attachment 6D - Site Plan on file for PLN-12492-CUP

<u>Attachment 6E - Potential Relocation Plan</u>

Attachment 6F - 11544 Biological Assessment 11.26.2019

4. Mattole Valley Farms Business Support Services LLC, Conditional Use Permit and Special Permits

Assessor Parcel Numbers (APN) 221-011-021 Record No.: PLN-11066-CUP (filed 08/31/2016) 8200 Salmon Creek Road, Miranda area

A Conditional Use Permit for 18,300 square feet existing outdoor commercial cultivation with 1,800 square feet of nursery space. Estimated annual irrigation water usage is 200,000 gallons. Rainwater catchment will provide 11,000 gallons and a point of diversion will provide 190,000 gallons. Water storage is 71,000 gallons of existing tanks, with an additional 130,000 gallons proposed for a total of 201,000 gallons of storage. Power is provided by solar with no generator. Drying and curing will occur onsite and additional processing such as trimming will occur offsite. The project includes a Special Permit for the point of diversion.

Recommendation:

That the Planning Commission:

Adopt the resolution (Resolution 24-__). (Attachment 1) which does the following:

a. Finds that the Planning Commission has considered the Addendum to the Environmental Impact Report for the Commercial Cannabis Land Use Ordinance that was prepared for the Mattole Valley Farms Business Support Services LLC project; and

b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and

c. Approves the Conditional Use and Special Permit subject to the recommended conditions of approval (Attachment 1A).

Attachments: 11066 Staff Report 4.4.24

Attachment 1 - Draft Resolution 11066

Attachment 1A - Conditions of Approval

Attachment 1B - Operations Plan 02-26-24

Attachment 1C - Site Plan Mattole Valley Farms

Attachment 2 - Location Maps

Attachment 3 - CEQA Addendum

Attachment 4 - Applicant's Evidence in Support of Findings 11066

Attachment 4A - 11066 WRPP

Attachment 4B - Lake and Streambed Alteration Agreement

Attachment 4C - 11066 Timber Conversion Mitigation Plan

Attachment 4D - Road Evaluation Report

Attachment 4E - 2nd Road Evaluation Report

Attachment 4F - 11066 Biological Resource Assessment

Attachment 4G - Water Right

Attachment 5 - Referral table

Attachment 5A - Building Inspection

Attachment 5B - DEH Referral Response

Attachment 5C - CDFW Referral Comments

Attachment 5D - Staff Response to CDFW Comments

Attachment 5E - CALFIRE

Attachment 5F - Public Works

Attachment 6 - Watershed Map

5. Panther Canyon Investments, LLC Conditional Use Permit

Assessor Parcel Numbers (APN) 223-061-041 and 223-074-008.

Record No.: PLN-12441-CUP

Benbow Area

A Conditional Use Permit for 29,200 square feet of outdoor commercial cannabis cultivation. Estimated annual irrigation water usage is 290,000 gallons. Rainwater Catchment will provide 292,000 gallons of water to be stored in rigid tanks. Cannabis will be bucked and dried on site and sent to a licensed processing facility for trimming and packaging. Power is provided by a generator and applicant will transition to renewable energy. The proposal includes onsite relocation and restoration.

Recommendation: That the Planning Commission:

1. Adopt Resolution (Resolution 24-__) (Attachment 1) which does the following:

a. Finds that the Planning Commission has considered the Mitigated Negative

Declaration for the Commercial Medical Marijuana Land Use Ordinance and the Addendum that was prepared for the Panther Canyon Investments LLC project; and

b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and

c. Approves the Conditional Use Permit subject to the recommended conditions of approval (Attachment 1A)

Attachments:

12441 Staff Report 4.4.24

Attachment 1 - Draft Resolution

Attachment 1A - Conditions of Approval

Attachment 1B - Operations Plan

Attachment 1C - Site Plan

Attachment 2- Location Maps

Attachment 3 - CEQA Addendum

Attachment 4 - Applicant's Evidence in Support of Findings

Attachment 4A - Restoration Plan 10.21.2020

Attachment 4B - Road Evaluation

Attachment 5 - Referral Agency Comments and Recommendations

Attachment 5A - Ref_Public Works

Attachment 5B - CDFW Comments

Attachment 5C - Ref Dept. Environmental Health Comments

Attachment 6 - Watershed Map

 White Acres Family Farm, LLC; Conditional Use Permit and Special Permit Assessor Parcel Numbers (APN) 207-141-007

Record No.: PLN-13373-SP

Bridgeville area

A Special Permit for a 3,000 square foot existing outdoor cannabis cultivation operation, a Special Permit for a reduced setback to a school bus stop, and a Conditional Use Permit for an exception to the requirement for planting within native Prime Agricultural Soils. The proposed project includes 320 square feet of propagation area located in the on-site garage. Water for irrigation will be provided by a rain catchment system. There are 24,500-gal. of water storage. Projected water usage is 18,000 gallons per year. The mature plants are dried in the garage and then machine trimmed by the applicants on site. There will be no employees. Electricity is provided by PGE.

Recommendation: That the Planning Commission:

1. Adopt the resolution (Resolution 24-__). (Attachment 1) which does the following:

a. Finds that the Zoning Administrator has considered the Final Environmental Impact Report for the Commercial Cannabis Land Use Ordinance and the Addendum that was prepared for the White Acres Family Farm, LLC project; and

b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and

c. Approves the Special Permit and the Conditional Use Permit subject to the recommended conditions of approval (Attachment 1A).

Attachments:

13373 Staff Report 4.4.24

Attachment 1 - Draft Resolution

Attachment 1A - Conditions of Approval 08.15.2023

Attachment 1B - Revised Cultivation and Operations Plan 08.15.2023

Attachment 1C - Revised Site Plan 08.14.2023

Attachment 2 - Location Maps

Attachment 3 - CEQA Addendum

Attachment 4 - Applicant's Evidence in Support of the Required Findings

Attachment 4A - Site Management Plan

Attachment 4B - Notice of Applicability 09.05.2018

Attachment 4C - DEH Form undated

Attachment 4D - Preliminary Biological Assessment

Attachment 4E - Neighbor Support Letters

Attachment 4F - Setback Reduction

Attachment 4G - White Acres Bus Stop Pics 1.30.2023

Attachment 5 - Referral Agency Comments and Recommendations

Attachment 6 - Watershed Map

7. Garberville Sanitary District Water System Improvements Project General Plan Conformance Review and Special Permit

Record Number: PLN-2023-18803

Assessor Parcel Numbers: 032-121-009, 032-135-002, 032-211-011, 032-211-021, 032-211-035,

223-181-020, 223-181-024, 223-181-025, 223-183-003, 223-191-006 and 223-191-011

Garberville area

A General Plan Conformance Review and a Special Permit for the Garberville Sanitary District (GSD) to replace the existing 180,000-gallon, in-ground, concrete, finished water storage tank (Hurlbutt/Main Tank) and a 20,000-gallon, failing, redwood drinking water storage tank (Wallan Tank) with two new increased capacity tanks. In addition, the failing Robertson Tank, which has been taken out of service, would be demolished. The new Main Tank would be an in-ground, approximately 550,000-gallon, pre-stressed concrete tank located on an adjacent parcel and similar elevation to the existing tank. The existing Wallan Tank would be replaced with an approximately 77,000-gallon bolted steel tank. Both of the existing tanks in operation

are leaking and lack sufficient storage capacity for maximum daily consumption and fire suppression; they also do not meet current seismic design standards. In addition, the GSD proposes to replace or upgrade three booster pump stations (Upper Maple Lane Pump Station, Arthur/Alderpoint Pump Station, and Wallan Pump Station). The existing Upper Maple Lane Pump Station is located in the existing Hurlbutt Tank and would be demolished when the Hurlbutt Tank is demolished. A new Upper Maple Lane Pump Station would need to be constructed at the site of the new Main Tank. The existing Arthur Pump Station is in poor condition and has operational deficiencies that would be improved when this pump station is replaced by the Alderpoint Pump Station. The Wallan Pump Station is in poor condition and requires upgrades to meet the operational requirements of the new Wallan Tank. New backup generators would be installed at each replaced or upgraded booster pump station and at the Tobin Well. The proposed project includes conveyance of the existing Hurlbutt/Main Tank parcel (APN: 032-211-011) to the existing landowner and creation of a separate legal parcel for the proposed 550,000-gallon tank on APN: 032-211-021 for development of the access road and ground disturbances to install water lines to the new 550,000-gallon Main tank. The Special Permit is required for work proposed within the streamside management area (SMA) of an unnamed ephemeral stream on APN: 032-211-021. As Lead Agency, the Garberville Sanitary District adopted a Mitigated Negative Declaration (State Clearinghouse #2023100664) pursuant to Section 15074 of the CEQA Guidelines.

Recommendation:

That the Planning Commission:

- 1. Adopt the resolution (Resolution 24-__). (Attachment 1) which does the following:
- a. Finds that the Planning Commission has considered the Mitigated Negative Declaration, including the environmental effects of the project, and as a Responsible Agency, agrees with the lead agency's findings; and
- b. Makes all required findings for approval of the General Plan Conformance Review and Special Permit; and

c. Approves the Garberville Sanitary District General Plan Conformance Review and Special Permit as recommended by staff and subject to the recommended conditions of approval (Attachment 1A).

Attachments:

18803 Staff Report 4.4.24

<u>Attachment 1 - Draft Resolution</u>

Attachment 1A - Conditions of Approval

Attachment 1B - 60% Design Plans

Attachment 2 - Applicant's Evidence in Support of the Required Findings

Attachment 2A - Project Description

Attachment 2B - Biological and Wetland Assessment

Attachment 2C - Engineering Geological and Geotechnical Investigation Report t

Attachment 3 - Final Initial Study Checklist and Proposed Mitigated Negative Declaration

Attachment 4 - California Government Code Section 65402

Attachment 5 - Referral Agency Comments and Recommendation

Attachment 6 - Public Comment

Attachment 7 - GSD Response 2024 0327

8. I and I Ranch, LLC Permit Extension

Assessor Parcel Numbers (APN) 214-112-006

Record No.: PLN-2023-18869

Phillipsville area

A two-year extension for an approved permit (PLN-13324-SP). Original permit includes a Special Permit for one acre of mixed light cannabis cultivation. No changes to the approved project are proposed. If approved, the extension will expire April 4th, 2026.

Recommendation: That the Planning Commission:

Adopt the resolution (Resolution 24-__). (Attachment 1) which does the

following:

a. Finds that the Planning Commission has made all of the required findings for

approval of the Extension based on the evidence in the staff report and

approves the I and I Ranch, LLC Special Permit extensions subject to the original

conditions.

Attachments: 18869 Staff Report 4.4.24

Attachment 1 - DRAFT Resolution

Attachment 1A - Original Project Conditions of Approval

Attachment 1B - Cultivation and Operations Plan

Attachment 1C - Site Plan

Attachment 2 PLN-13324-SP ZA Staff Report 5.20.21

G. NEW BUSINESS

The projects listed below are public hearing items that have generated public comment prior to the hearing date or have other issues related to them that may require discussion

1. SN Indianola Coastal Development Permit and Special Permits

Record Number: PLN-2023-18856

Assessor Parcel Numbers: 402-032-002 and 402-032-035

Bayside area

A Coastal Development Permit (CDP) and Special Permits for the after-the-fact tree removal associated with a 10% Dead, Dying, or Diseased Tree CALFIRE exemption (1-23EX-00780-HUM).

Recommendation: That the Planning Commission:

Adopt the Resolution (Attachment 1) which does the following:

a. Finds that the proposed project complies with the Local Coastal Plan and

Zoning Ordinance; and

b. Finds the project exempt from CEQA pursuant to Section 15304 of the CEQA Guidelines, and that there is no substantial evidence that the project will have

a significant effect on the environment; and

c. Approves the Coastal Development Permit and Special Permits subject to the

recommended conditions of approval (Attachment 1A).

Attachments: 18856 Staff Report 4.4.24

Attachment 1 - Draft Resolution

Attachment 1A - Conditions of Approval

Attachment 1B - Plot Plan

Attachment 2 - Botany & Wetland Resource Assessment

Attachment 3 - CALFIRE Letter of Acceptance

Attachment 4 - Referral Agency Comments and Recommendations

<u>Attachment 5 - Public Comment</u>

Attachment 6 - Letter from Forester

Attachment 7 - Timber Removal Satellite Imagery

2. Sutter Parcel Map Subdivision and Special Permits

Assessor Parcel Number: 509-321-018 Record Number: PLN-2023-18146

McKinleyville area

A Parcel Map Subdivision of an approximately 2.26-acre parcel into four parcels with a 0.55-acre Remainder. The created parcels will range between 0.23 to 0.70 acres in size. An existing single-family residence will remain on the proposed Remainder, an existing Accessory Dwelling Unit will remain on proposed Parcel 2, and the existing detached garage and accessory structures will remain on proposed Parcel 1. A Special Permit is required pursuant to Section 314-43.1.1 of the Humboldt County Code (H.C.C.) to allow the existing detached garage and accessory structures to remain on proposed Parcel 1 prior to the development of a main building. An additional Special Permit is required pursuant to Section 314-99.1.2 of H.C.C. to utilize Lot Size Modification to allow lots less than the minimum 10,000 square feet in size required within the R-1-B-2 zone. The parcel is served with community water and sewer provided by the McKinleyville Community Services District.

Recommendation: That the Plan

That the Planning Commission:

- 1. Adopt the resolution (Resolution 24-__). (Attachment 1) which does the following:
- a. Find that the project is consistent with the development density and policies established by an existing community plan and General Plan for which an EIR was certified, and that no additional environmental review is required per section 15183 of the State CEQA Guidelines; and
- b. Make all of the required findings for approval of the Parcel Map Subdivision and Special Permits; and
- c. Approve the Parcel Map Subdivision and Special Permits subject to the recommended conditions of approval (Attachment 1A)

Attachments: 18146 Staff Report 4.4.24

Attachment 1 - Draft Resolution

Attachment 1A - Conditions of Approval

Attachment 1B - Public Works Subdivision Requirements

Attachment 1C - Tentative Parcel Map

Attachment 1D - Public Works Exception Request

Attachment 1E - Public Works Exception Request Response

Attachment 1F - CALFIRE Excetion Request

Attachment 1G - CALFIRE Exception Request Response

Attachment 2 - Location Map

Attachment 3 - Applicant's Evidence in Support of the Required Findings

Attachment 3A - Stormwater Mitigation Plan, Calculations, and Control Plan

Attachment 4 - Referral Agency Comments and Recommendations

 Ridgefield Events; Conditional Use Permit Assessor Parcel Number: 500-011-007 Record Number: PLN-2024-18885

Arcata area

A Conditional Use Permit (CUP) to authorize the use of the property as a seasonal venue for special events (primarily weddings) between April and October. The events would include up to 120 guests per event and a maximum of 30 events per year. Elopement events would be scheduled Monday through Thursday (typically between 2-20 guests max) and weddings on Friday through Sunday (typically between 30-120 guests). Hours of operations will be 9:30am to 9:30pm, with guests on site generally from 1pm to 9:30pm. Events will be centered in the terrace area in front of the existing residence. Portable toilets will be used during events and on-site parking will be made available. Food for events will be provided through off-site catering.

Recommendation: That the Planning Commission:

- 1. Adopt the resolution (Resolution 24-__). (Attachment 1) which does the following:
- a. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and

b. Finds the project exempt from further environmental review pursuant to Section 15301 Existing Facilities and 15304 Minor Alterations to Land of the State CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and

c. Approves the Ridgefield Events Conditional Use Permit subject to the conditions of approval (Attachment 1A).

Attachments: 18885 Staff Report 4.4.24

Attachment 1 - Draft Resolution

Attachment 1A - Conditions of Approval

Attachment 1B - Operations Plan

Attachment 1C - Site Plan

Attachment 1D - Applicant Response to Public Comment and Expanded Project Description

Attachment 2 - Applicant's Evidence in Support of the Required Findings

Attachment 3 - Referral Agency Comments and Recommendations

Attachment 4 - Public Comment

H. ITEMS PULLED FROM CONSENT

- I. REPORT FROM PLANNER
- J. PLANNING COMMISSION DISCUSSION ITEMS
- K. ADJOURNMENT
- L. NEXT MEETINGS: April 18, 2024 6:00 p.m. Regular Meeting Hybrid