

PLANNING COMMISSION

Robert Morris
Chair - Second District
David Edmonds
Vice Chair - At Large
Alan Bongio
First District
Noah Levy
Third District
Kevin McKenny
Fourth District
Ben Shepherd
Fifth District
Brian Mitchell
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, April 5, 2018

6:00 PM

Regular Meeting

CALL TO ORDER / SALUTE TO FLAG

Chair Morris called the meeting to order at 6:00 p.m.

COMMISSIONERS PRESENT

Present 6 - Commissioner Robert E. Morris, Commissioner David Edmonds, Commissioner Noah Levy, Commissioner Kevin McKenny, Commissioner Ben Shepherd, and Commissioner Brian Mitchell

Absent 1 - Commissioner Alan Bongio

AGENDA MODIFICATIONS

APPROVAL OF ACTION SUMMARY

- 1 Approval of the March 15, 2018 Planning Commission Action Summary.

A motion was made by Commissioner Levy, seconded by Commissioner Shepherd, that the March 15, 2018 Planning Commission Action Summary be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

PUBLIC COMMENTS

CONSENT AGENDA

- 2 Bridgeville Qualified Patients Association, Inc Conditional Use Permit
Case Number CUP-16-753
Assessor Parcel Number (APN) 210-033-006
Bridgeville/McClellan Mountain area

A Conditional Use Permit for an existing outdoor commercial cannabis operation. The requested approval includes the operation of an existing 22,500 square foot outdoor commercial cannabis cultivation on an approximately 120-acre parcel. Water for cultivation activities will be supplied via a permitted onsite well. Water will be stored in three (3) 3,000-gallon hard tanks for a total of 9,000 gallons of water storage. The cultivation operations would use approximately 86,000 gallons of water annually. The cannabis is processed (machine trim and dry) in the applicant's residence at APN 210-032-009, approximately one mile from the cultivation site, but the applicant intends to obtain necessary permits to be in compliance with the CMMLUO. A generator provides power to the well water pump and both are stored in an enclosure for noise containment. There will be no employees; all cultivation and processing activities will be performed by the applicant and family members. The applicant has enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 2 discharger (WDID# 1B161747CHUM).

A motion was made by Commissioner McKenny, seconded by Commissioner Shepherd, that the Bridgeville Qualified Patients project be approved with revisions to the Conditions of Approval. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 3 Bridgeville Humboldt, LLC Conditional Use Permit
Case Numbers CUP 16-907 and SP-18-037
Assessor Parcel Numbers 210-022-045
Bridgeville Area

A Conditional Use Permit and Special Permit for 24,000 square feet (SF) of existing full-sun outdoor cannabis cultivation located in four areas on Assessor's Parcel Number (APN) 210-022-045, which is approximately 22 acres in size. Approximately 20,000 SF of the existing cultivation areas is planned to be relocated on site to an area identified as environmentally superior, and this project includes a Special Permit for development (removal and remediation of cultivation areas) from within an SMA. Irrigation water is sourced from an on-site permitted well and stored in three plastic storage tanks with a total storage capacity of 8,000 gallons. Water demand ranges from 200 to 30,000 gallons per month, and the annual water budget is 146,200 gallons. All product grown on-site will be processed off-site at a licensed facility. Per the applicant there will be no employees, but there may be up to three (3) volunteers on site during peak times. Structures where non-immediate family members gather must meet building code requirements and sanitation codes. Sewage disposal will be provided by an on-site septic system which the applicant will complete permitting for as part of the conditions of approval. Power will be provided by two gasoline generators and a small solar system.

A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, that the Bridgeville Humboldt project be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 4 Tehan Buehler Conditional Use Permit
Case Number CUP 16-498
Assessor Parcel Number 522-211-053
Willow Creek Area

A Conditional Use Permit for a new commercial medical cannabis cultivation operation. The requested approval is for 5,000 square feet of mixed-light cultivation on a 2.54-acre parcel. The proposed cultivation area consists of two greenhouses; one is 1,500 square feet and the other is 3,500 square feet. Irrigation water will be sourced from the municipal water supply (Willow Creek Community Services District), and the total projected water usage is approximately 25,000 gallons per year. Power for the cannabis cultivation activities will be supplied by Pacific Gas & Electric. Processing and drying of cannabis will take place on-site in a portable carport tent. There will be no employees for the operation. Cultivation and processing activities will be performed by the property owner/applicant and his family. The applicant has enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 1 discharger.

A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, that the Tehan Buehler project be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 5 Redwood Parks Lodge Co., Inc. Coastal Development Permit, Conditional Use Permit and Special Permit Extension
Case Numbers CDP-14-016XX, CUP-14-008XX, SP-14-022XX
Assessor's Parcel Number 520-142-009-000
Orick Area

The project is a second two-year extension of the following project: A Coastal Development Permit, Conditional Use Permit and Special Permit for a 152 unit transient habitation facility (special occupancy park), to include: a campground, RV Park, Lodge (commercial center), and gas station. The special occupancy park will include 82 RV sites, 48 tent camping sites, 12 park model cabins, 10 cottages, 3 bathhouses, internal trails connecting to the existing Redwood Creek Levee Trail, an open playing field, and a commercial center constructed in a traditional lodge building style. The commercial center will include the resort activity center, administrative offices, a deli and convenience store/gift shop, a touring center, and gas station. An existing residence will remain and be used as a caretaker's residence and office space. A 2,076 square foot maintenance barn will be constructed to the north of the residence and will house the wastewater treatment system operations and maintenance area. The on-site sewage disposal system proposed is an Orenco Advantex Wastewater Treatment system suitable for processing approximately 19,500 gallons of waste per day. The primary leach field will be located near the existing house. Water will be provided by the Orick Community Services District. All utility lines will be underground. The resort will host up to 12 special events per year such as weddings, celebrations, family reunions, school/youth field trips, and small musical productions.

Events will generate a maximum of 100 attendees who are not staying on site and may be held between the hours of 12 PM and 9 PM. A Special Permit is included to establish parking for a non-enumerated use. A maximum of 100 additional guests (those not staying overnight at the Resort) will be attending special events. To meet this demand 50 parking spaces are proposed in addition to those required by the other facilities (277 parking spaces). Wetland 1 located at the base of the Redwood Creek Levee is partially located within the Coastal Zone. This wetland will not be altered as a result of the project. Other non-coastal wetlands (2 through 5) on site are NWI wetlands and will be filled to facilitate the project. Wetland fill will be mitigated by wetland creation and enhancement, to be implemented at a 2:1 ratio on the coastal portion of the site adjacent to the existing wetland within the 100-foot wetland setback area. Proposed on-site signage will include up to three monument signs that will be backlit or illuminated with down-shielding lighting. No changes to the project are proposed.

A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, that the Redwood Parks Lodge project be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 6** Humboldt Bay Harbor, Recreation and Conservation District (HBHRCD) Coastal Development Permit
Case Numbers CDP-15-043M/CUP-15-014M
Assessor Parcel Number 401-112-021-000
Samoa Area

The project is a Minor Modification to add a saltwater test well to an existing Coastal Development Permit and Conditional Use Permit for renovation of existing facilities and infrastructure within that portion of the property within the coastal permit jurisdiction of the County. A 5-inch diameter test well up to 300 feet in depth will be developed on the site in a location outside of sensitive biological and cultural resource areas. The purpose of the test well is to determine if there is sufficient salt water supply and salinity for prospective aquaculture uses at Redwood Marine Terminal II (RMT II). The existing CDP and CUP allowed facility renovations including new roofing, building siding and access doors, water, wastewater and fire suppression system upgrades, electrical upgrades, and upgraded security fencing. These renovations have been mostly completed and do not expand the facility capacity.

A motion was made by Commissioner Edmonds, seconded by Commissioner Shepherd, that the Humboldt Bay Harbor, Recreation and Conservation District project be approved. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 7** Lazy S Ranch, LLC Conditional Use Permit
Case Number CUP 17-018
Assessor's Parcel Numbers (APNs) 033-130-002 and 033-130-007
2557 Blue Rock Road, Benbow Area

A Conditional Use Permit for 37,010 square feet of existing outdoor commercial cannabis cultivation. Water for irrigation is sourced from a rainwater catchment system that captures rainwater from nearby existing and future structures. Water is stored in a series of four ponds with a total storage capacity of approximately 1,137,000 gallons, and nine hard tanks with a total capacity of 18,900 gallons. Projected water use is 241,000 gallons per growing season. Processing, drying, and curing of cannabis takes place in a 3,200-square-foot barn. The cannabis cultivation operation currently employs four full-time workers and four part-time workers. Solar panels (16 panels, 250 watts each) supply the power source for cultivation and processing activities.

Meeting went into Recess

Meeting Reconvened

A motion was made by Commissioner Shepherd, seconded by Commissioner Mitchell, that the Lazy S Ranch project be continued to a date uncertain. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

PUBLIC HEARINGS

- 8** SUMMIT WEST PROPERTY MANAGEMENT, LLC Zone Reclassification and PROXIMA INVESTMENTS, LLC Special Permit
Case Numbers ZR-17-006 and SP-16-123
Assessor Parcel Number (APN) 313-203-020
Fickle Hill/Arcata Area

A Zone Reclassification (ZR) to change the zoning of APN 313-203-020 from the Unclassified (U) zone to Agriculture General with a Special Building Site Combining Zone of 10-acres AG B-5(10) in order to implement the General Plan land use designation of Residential Agricultural (RA) with a density range of one dwelling unit per five acres to one dwelling per 20 acres (5-20). The subject 12.81 acre parcel. A Special Permit (SP) for an indoor commercial cannabis cultivation operation to occur inside two existing non-residential structures, with a total cultivation area of 3,565 square feet. Commercial cannabis will be cultivated using hydroponic methodologies. The proposed indoor cultivation of commercial cannabis is occurring and is an existing operation on the property. A permitted well is the irrigation water source and the applicant has a total of 22,000 gallons of hard tank water storage on site. Plants will be dried, cured, and stored in the drying room on-site, and processing will occur off-site with a third party licensed processor. The applicant estimates two employees throughout the year and up to eight employees during at peak operations. The power source is PG&E, and the applicant has enrolled in the Solar Choice Program to meet the 100 percent renewable power source requirement for indoor cultivation. An existing generator will be used only on an emergency basis during power outages. The applicant has enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 1 discharger. The Zone Reclassification to change the principal zoning of the property from Unclassified (U) to Agricultural General (AG) must be approved by the Board of Supervisors before the Special Permit for indoor cannabis cultivation is effective because indoor cannabis cultivation is allowed on properties zoned AG, but is only allowed in the Unclassified zoning district where the subject property is

developed with an industrial use [Reference Humboldt County Code Section 314-55.4.8.3. The subject parcel is not developed with an industrial use.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, that the Summit West Zone Reclassification be recommended to the Board of Supervisors for approval and that the Proxima Investments Special Permit be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Edmonds, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

Abstain: 1 - Commissioner Morris

ADJOURNMENT

Chair Morris adjourned the meeting at 9:11 p.m.

NEXT MEETINGS

April 19, 2018 Special Meeting

May 3, 2018 Regular Meeting

I, SUZANNE LIPPRE, Planning Commission Clerk, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above entitled meeting of the Humboldt County Planning Commission held in Eureka, California.

SUZANNE LIPPRE

Planning Commission Clerk of the County of Humboldt, State of California.