

PLANNING COMMISSION

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THOMAS MULDER
Second District
NOAH LEVY
Chair - Third District
LONYX LANDRY
Fourth District
PEGGY O'NEILL
Fifth District
BRIAN MITCHELL
Vice Chair - At-Large
SARAH WEST
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, November 2, 2023

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

Chair Noah Levy called the meeting to order at 6:34 p.m.

B. COMMISSIONERS PRESENT

Present : 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

C. AGENDA MODIFICATIONS

Item E-1 Pulled from the consent agenda for corrections.

Item G-1 Moved to the consent agenda.

Item G-2 Continue to the January 18, 2023 meeting.

Item G-3 Continue to the November 16, 2023 meeting.

D. PUBLIC COMMENT ON NON-AGENDA ITEMS:

E. CONSENT AGENDA

2. VIPA Farmers, LLC, Conditional Use Permit
Assessor Parcel Numbers (APN) 219-011-007-000
Record No.: PLN-11269-CUP
Salmon Creek area

A Conditional Use Permit for 12,536 square feet of existing mixed light cannabis cultivation. Three harvests are anticipated annually. The project is supported by a 1,250 square foot propagation greenhouse. Water for irrigation is sourced from an existing 300,000-gallon rainwater catchment pond and 6 hard tanks totaling 6,200 gallons. Ordinary annual water usage totals 216,895 gallons (21.8 gallons per ft²). All processing occurs onsite. Electricity is currently sourced from a diesel generator; however, the applicant is seeking to obtain grid power through PG&E.

Continue the VIPA Farmers' Conditional Use Permit to the November 16, 2023 meeting.

3. Panther Rock Growers, MBC, Conditional Use Permit

Assessor's Parcel Numbers: 210-162-007

Record Numbers: PLN-11496-CUP

Dinsmore area

A Conditional Use Permit for 5,120 square feet of existing mixed light and 15,841 square feet of existing outdoor commercial cannabis cultivation supported by a 1,792 square foot ancillary nursery. Estimated annual water usage is 126,000 gallons and is sourced from a point of diversion and rainwater catchment. Water storage totals 197,750 gallons. Onsite processing is proposed and power is sourced from a generator.

Continue the Panther Rock Growers' Conditional Use Permit to the November 16, 2023 meeting.

5. Gage & Amy Duran Conditional Use Permit

Assessor Parcel Number: 205-432-005

Record Number: PLN-2022-18014

Scotia area

A Conditional Use Permit is being requested to allow the upper floors of the former Scotia Hospital building to be adapted for use as a Hotel with up to nine (9) units. The Use Permit is sought to allow flexibility in leasing these units as monthly rentals as well as on a less-than-monthly basis as short-term lodging. Transient Habitation includes Hotels, which are a conditionally permitted use in the Community Commercial (C-2) zone in which the property is located. Design Review is not required as no exterior alterations to the building or site are proposed at this time.

Approve the Gage and Amy Duran Conditional Use Permit.

G-1 Emerald Mountain Coast LLC, Conditional Use Permit

Assessor Parcel Number (APN) 522-021-009-000

Record No.: PLN-11291-CUP

4054 Cloud Crossing Rd. Blue Lake, CA 95525

A Conditional Use Permit for 18,050 square feet of mixed light commercial cannabis cultivation supported by an 1,805 square foot ancillary nursery. Estimated annual irrigation water usage is 180,500 gallons and is sourced from a groundwater well and proposed rainwater catchment. Water storage consists of 51,400 gallons in tanks and a proposed 500,000-gallon rain catchment pond. Drying and curing will occur onsite and additional processing such as trimming will occur offsite. Power is provided by a generator and applicant proposes transition to renewable. The proposal

includes onsite relocation and restoration.

Approve the Emerald Mountain Coast Conditional Use Permit.

CONSENT AGENDA VOTE

A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Thomas Mulder to approve the Consent Agenda, including item E-1 Continuation of the 10/19/2023 and 10/26/2023 Action Summaries, item E-2 Continuation of VIPA Farmers Conditional Use Permit to the November 16, 2023 meeting, item E-3 Continuation of Panther Rock Growers Conditional Use Permit to the November 16, 2023 meeting, item E-5 Approval of the Gage and Amy Duran Conditional Use Permit, and item G-1 Approval of the Emerald Mountain Coast Conditional Use Permit. The motion carried with the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

G. PUBLIC HEARINGS

2. High Art, LLC Conditional Use Permit
Assessor's Parcel Number: 522-022-015-000
Record Number: PLN-11525-CUP
Old Three Creeks Road, Willow Creek area

Denial of a Conditional Use Permit for an existing 20,180-square-foot (SF) outdoor cannabis cultivation operation.

A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Lonyx Landry to continue the High Art project to the January 18, 2023 meeting. The motion carried with the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

3. Valadao - Final Map Subdivision, Conditional Use Permit, Planned Unit Development
Application Number: PLN-2021-17560
Assessor Parcel Number (APN) 510-381-021
McKinleyville area

A Major Subdivision of an approximately 2.47-acre parcel into nineteen (19) parcels. The parcel is currently developed with a single-family residence which will be sited on its own parcel along with shared parking facilities, a laundry building, and a storage building and accessory dwelling unit. An existing detached garage and two other outbuildings are proposed to be removed. A Planned Development Permit is also being requested to allow for clustered development of approximately 61 units, and to allow for shared parking facilities, reduced setbacks from interior lot lines, reduced lot size, and a reduced road right-of-way width. The proposed development includes three different housing types: thirty-two (32) one-bedroom units and twenty-four (24) two-bedroom townhouse units

configured in a four-plex fashion, and four (4) single-family dwelling units. A Conditional Use Permit is requested to allow four (4) of the proposed parcels to host single-family dwelling units. The site will be served with community water and sewer provided by the McKinleyville Community Services District.

A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Iver Skavdal to continue the Valadao project to the November 16, 2023 meeting. The motion carried with the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

H. ITEMS PULLED FROM CONSENT

1. Review and approval of the October 19, 2023, and the October 26, 2023, Action Summaries.

Action Summaries pulled from the Consent Agenda for corrections.

4. Watersong, LLC, Conditional Use Permit
Assessor Parcel Number: 522-031-007
Record Number: PLN-12002-CUP
Willow Creek area

A Conditional Use Permit for 21,469 square feet (SF) of existing outdoor cannabis cultivation, including 1,200 SF of ancillary propagation. Water sourced for cultivation from a permitted, groundwater well. There are three 3,500-gallon hard-sided tanks totaling 10,500 gallons of water storage. Estimated annual water use is 135,000 gallons. Outdoor cultivation occurs in the southeastern portion of the parcel consisting of 2 cultivation areas. Drying and curing occurs on-site in existing shipping containers while other processing is completed off-site. A maximum of 3 employees may be utilized during peak operations. Power is provided by three (3) generators and solar power is used for the well pump. The project is conditioned for transition to renewable energy by January 1, 2026.

A motion was made by Commissioner Sarah West, Seconded by Commissioner Brian Mitchell to adopt the resolution (Resolution 23-098), which finds that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CCMLUO) that was prepared for the Watersong, LLC project; and finds that the proposed project complies with the General Plan and Zoning Ordinance; and approves the Conditional Use Permit subject to the conditions of approval. The motion carried with the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

F. OLD BUSINESS

1. Draft Short-term Rental Ordinance
Record No.: LRP-2022-17963 & LRP-2023-18254
All unincorporated areas of Humboldt County

Inland and coastal zone ordinances to allow the use of residences for short-term rentals within the unincorporated areas of Humboldt County. The ordinance does the following:

- a) Creates two tiers of rentals consisting of units partially rented by the occupants of the residence and rental of the whole unit;
- b) Establishes performance criteria for the operation of short term rentals;
- c) Creates an Administrative Permit to authorize rentals which comply with the ordinance and allows approval of a discretionary permit when deviations from standards are requested.
- d) Creates a cap for the number of units allowed around the Humboldt Bay Area

The new ordinance would affect the following code sections:

1. Inland: Adds section 314-60.05, amends the tables in section 314-6 and 314-9, amends sections 314-37, 314-44, 314-55, 314-138, 314-141, 314-143, 314-153, 314-154, 314-157, 314-158, 314-163, 314-174 and 314-177 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.

2. Coastal: Adds section 313-61.05, amends the tables in section 313-6, and amends sections 313-44, 313-50, 313-55, 313-141, 313-143, 313-154, 313-157, 313-163, 313-172, and 313-177 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Sarah West to continue the Short-term Rental Ordinance to the November 16, 2023 meeting. The motion carried with the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

2. Sign Ordinance

Assessor Parcel Numbers (APN) 000-000-000

Record No.: PLN-2023-18801

Countywide

Amendment of provisions within the Zoning Ordinance regulating Signs and Nameplates. This ordinance will provide a uniform set of standards for the development, siting, size and installation of signs and billboards in the Zoning Ordinance (Section 87.3 of Chapter 3 and Section 87.2 of Chapter 4 of Division 1 of Title III of Humboldt County Code). These standards will protect aesthetic values along scenic highways, coastal views, and scenic areas; encourage siting in preferred locations to help preserve the County's environmentally sensitive habitat areas; ensure compatibility with CalTrans Outdoor Advertising Act permit requirements; and create standards to manage the size and locations of signs. The new ordinance proposes changes to the following sections:

1. Amends sections 314-87.2.1 through 314-87.2.2 and adds sections 314-87.2.3, 87.2.4, 87.2.5, 87.2.6, 87.2.7, 87.2.8, and 87.2.9 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.

2. Amends sections 313-87.3.1, 87.3.2, and 87.3.3 and adds sections 313-87.3.4 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

A motion was made by Commissioner Thomas Mulder, seconded by Commissioner Brian Mitchell to continue the Sign Ordinance to the November 16, 2023 meeting. The motion carried with the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

I. REPORT FROM PLANNER

J. PLANNING COMMISSION DISCUSSION ITEMS

K. ADJOURNMENT

Chair Noah Levy adjourned the meeting at 9:40 p.m.

L. NEXT MEETING: November 16, 2023 6:00 p.m. Regular Meeting - Hybrid