

PLANNING COMMISSION

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



COUNTY STAFF

JOHN H. FORD
Director, Planning and Building

COUNTY OF HUMBOLDT
PLANNING COMMISSION
825 Fifth Street
Board of Supervisors Chambers
Eureka, California

AGENDA

Thursday, August 15, 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 in 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
 2. Call in via telephone at 346 248-7799, enter meeting id 875 4480 7065 Password: 200525
 3. 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
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1. **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.

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, August 14, 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. AGENDA MODIFICATIONS****D. 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.

E. 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.

1. Gardiner Parcel Map Subdivision
Record Number: PLN-2023-18782
Assessor Parcel Number: 016-011-046
Myrtle town area

A Parcel Map Subdivision of an approximately 0.41-acre parcel into two parcels of approximately 10,953 square feet (Parcel 1) and approximately 6,963 square feet (Parcel 2), respectively. The parcel is currently developed with a single-family residence, a detached bedroom with deck, two sheds, and a carport, which will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant and intended for residential development. The parcel is served with community water and sewer provided by the Humboldt Community Services District.

- Recommendation:** That the Planning Commission:
Adopt the resolution (Resolution 24-) (Attachment 1) which does the following:
- a. Finds the proposed project complies with the Eureka Community Plan, the Humboldt County General Plan, and Zoning Ordinance; and
 - b. Finds the project exempt from CEQA pursuant to Section 15183 Projects Consistent with a Community Plan or Zoning 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 Parcel Map Subdivision subject to the recommended conditions of approval (Attachment 1A).

- Attachments:**
- [18782 Staff Report 8.15.24](#)
 - [Attachment 1 - Draft Resolution](#)
 - [Attachment 1A - Conditions of Approval](#)
 - [Attachment 1B - Public Works Subdivision Requirements](#)
 - [Attachment 1C - Tentative Parcel Map](#)
 - [Attachment 1D - Access Right of Way Width Exception Request](#)
 - [Attachment 1E - Parking Lane and Road Width Improvements Exception Request](#)
 - [Attachment 1F - Public Works Exception Requests Response](#)
 - [Attachment 1G - Humboldt Bay Fire Letter to Public Works](#)
 - [Attachment 2 - Applicant's Evidence in Support of the Required Findings](#)
 - [Attachment 3 - Referral Agency Comments and Recommendations](#)

F. PUBLIC HEARINGS

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. Heavenly Rooted Estate - PROJECT WITHDRAWN
Record Number PLN-2024-18884
Assessor's Parcel Number (APN) 312-071-050.
Glendale area;

Attachments: [18884 Withdrawn Staff Report 8.15.24](#)

2. Draft Commercial Residential Ordinance
Assessor Parcel Numbers (APN) 000-000-000
Record No.: LRP-2023-18805
All the unincorporated areas of Humboldt County.

The Commercial Residential Ordinance is to implement and expand upon Senate Bill 6 (SB 6), which allows for residential development in zones where office, parking, or retail uses are permitted. Based upon the County's zoning regulations, various commercial and industrial zoning designations may qualify. Commercial residential is proposed as a new type of development that consists of residential dwellings or a mixture of dwellings and commercial uses within certain commercial and industrial zones.

The Zoning Updates Ordinance is to update our zoning code to be consistent with California State Building Code, set a maximum height for fences within the front yard setback in certain residential zones, implement Humboldt County General Plan Implementation Measure H-IM63, define "mini-storage" and allow with a Use Permit in certain zones, encourage residential infill projects in the Business Park (MB) zone, and allow flexibility in housing types in the Inland Residential Multiple Family (R-3) zone.

Recommendation: That the Planning Commission take the following actions:
1. Adopt resolutions (Resolution 24-__) [Attachment 1] recommending that the

Humboldt County Board of Supervisors take the following actions:

- a) Find the proposed Inland and Coastal Commercial Residential Ordinances are exempt from CEQA pursuant to §15061(b)(3) of CEQA Guidelines. Public Resources Code Sections 21080.5 and 21080.9 and Sections 15250, 15251(f) and 15265 of the CEQA Guidelines identify that CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program, and therefore the County adoption of the LCP Amendment is statutorily exempt from environmental review. Approval of the LCP Amendment by the California Coastal Commission is the functional equivalent of the environmental review process required by CEQA and is still pending for PLN-2023-18805; and
- b) Find the proposed Inland and Coastal Commercial Residential Ordinances are in the Public Interest; and
- c) Find the proposed Inland and Coastal Commercial Residential Ordinances are consistent with the General Plan or Local Coastal Plan.
- d) Adopt the Inland Commercial Residential Ordinance adding section 314-56.5 and amending the tables in sections 314-2.1, 314-2.2, 314-2.3, 314-2.4, 314-3.1 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County. [Attachment 2]
- e) Adopt the Coastal Commercial Residential Ordinance adding section 313-56.5 and amending the tables in sections 313-2.1, 313-2.2, 313-3.1 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County. [Attachment 3]

2. Adopt resolutions (Resolution 24-___) [Attachment 4] recommending that the Humboldt County Board of Supervisors take the following actions:

- a) Find the proposed Inland and Coastal Zoning Updates Ordinance is exempt from CEQA pursuant to §15061(b)(3) of CEQA Guidelines. Public Resources Code Sections 21080.5 and 21080.9 and Sections 15250, 15251(f) and 15265 of the CEQA Guidelines identify that CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program, and therefore the County adoption of the LCP Amendment is statutorily exempt from environmental review. Approval of the LCP Amendment by the California Coastal Commission is the functional equivalent of the environmental review process required by CEQA and is still pending for PLN-2023-18805; and
- b) Find the proposed Inland and Coastal Zoning Updates Ordinances are in the Public Interest; and
- c) Find the proposed Inland and Coastal Zoning Updates Ordinances are consistent with the General Plan or Local Coastal Plan, and state law.
- d) Adopt the Inland Zoning Updates Ordinance adding section 314-102.1.4 and amending sections 314-102.1.3, 314-141, 314-148, 314-154, 314-163.1.3, and the tables in sections 314-2.3, 314-3.1, 314-3.2, 314-6.4, in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County. [Attachment 5]
- e) Adopt the Coastal Zoning Updates Ordinance adding section 313-102.1 and amending sections 313-141, 313-148, 313-154, 313-163.1.3, and the tables in sections 313-2.2, 313-3.1, 313-3.2, in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County. [Attachment 6]

- Attachments:**
- [18805 Staff Report 8.15.24](#)
 - [Attachment 1 - Commercial Residential Draft Resolution \(Inland Coastal\)](#)
 - [Attachment 2 - Inland Commercial Residential Ord](#)
 - [Attachment 3 - Coastal Commercial Residential Ord](#)
 - [Attachment 4 - Zoning Updates Draft Resolution](#)
 - [Attachment 5 - Inland Zoning Updates Ord](#)
 - [Attachment 6 - Coastal Zoning Updates Ord](#)
 - [Attachment 7 - Public Comments](#)

G. ITEMS PULLED FROM CONSENT

H. REPORT FROM PLANNER

I. PLANNING COMMISSION DISCUSSION ITEMS

J. ADJOURNMENT

K. NEXT MEETINGS: September 19, 2024 6:00 p.m. Regular Meeting - Hybrid