

PLANNING COMMISSION

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Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

**825 Fifth Street
Board of Supervisors Chambers
Eureka, California**

AGENDA

Thursday, November 1, 2018

5:30 PM

Regular Meeting

Notice Regarding Public Comment:

For items appearing on the agenda, the public is invited to make comments at the time the item comes up for consideration by the Commission. The Chair will call for public comment as each item is heard by the Commission. For items not appearing on the agenda, the public is invited to make comments during the Public Comment period for non-agenda items. All speakers are invited to state their names, but are not required to do so.

CALL TO ORDER / SALUTE TO FLAG

COMMISSIONERS PRESENT

AGENDA MODIFICATIONS

PUBLIC COMMENTS

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.

STUDY SESSION start time 5:30 pm

Functional Road Requirements

Presentation by Public Works Land Use Deputy Director Bronkall regarding functional requirements for roads serving commercial cannabis sites.

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 Talking Trees Farms - Conditional Use Permit and Special Permit

Application Number: 11701

Case Number: CUP-16-349/SP-18-067

Assessor Parcel Number: 522-174-005

Willow Creek area

A Conditional Use Permit (CUP) to authorize 24,000 square feet (SF) of existing outdoor medical cannabis cultivation. Processing (i.e., drying) the harvested cannabis will be conducted in a 1,600 SF permitted metal building. There will be an average of 6 employees. Power will be supplied by a 45-kilowatt (kW) ultra-silent MQ diesel generator. The applicant will begin the permitting process for a 20-kw solar system upon approval of this CUP. Water is provided by wells and a rainwater catchment pond. The total available water storage on the project site will be approximately 2,042,650 gallons stored in tanks and a large pond. All plants will be irrigated by a drip system and supplemented by hand watering. Water use will vary throughout the year with peak usage occurring during summer months and would total approximately 108,000 gallons annually. Domestic water will be provided by the existing permitted wells. An ADA compliant bathroom outside the metal building will be provided with a secondary septic system. A Special Permit is required for a setback reduction to public lands.

Recommendation: Find the project exempt from environmental review pursuant to Sections 15301, 15303, and 15304 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Talking Trees Farms project subject to the recommended conditions.

Attachments: [CUP 16-349 Staff Report.pdf](#)

2 RBC Holdings, LLC Conditional Use Permit

Application Number: 10891

Case Number: CUP 16-749

Assessor's Parcel Number: 522-044-047, 522-044-037

1008 M&W Road, Willow Creek area

A Conditional Use Permit (CUP) to allow 12,000 square feet of existing cultivation including 10,000 square feet of outdoor and 2,000 square feet of mixed-light. A Special Permit for after-the-fact

development within a Stream Management Area for relocation and restoration activities. Plants are harvested and dried in the shop then machine trimmed outside and returned to the shop for curing. All processing is completed by the applicant and no employees are utilized. The applicant is seeking an off-site licensed processing facility for future use. Commercial access will be provided via M&W Ranch Road to Brannan Mountain Road to Highway 96 in Willow Creek. Water is currently sourced for irrigation from the applicant's water diversion from Anton Creek on the property. The applicant will abandon the diversion from Anton Creek and transition to a rainwater catchment system to supply water to the cultivation for future use. There is also a well on the property that is not used due to its low volumetric capacity. Total water storage is 120,000 gallons. The applicant completed relocation of a cultivation area away from an unnamed Class III watercourse in 2016 and full restoration will occur.

Recommendation: Find the project Categorical Exempt from environmental review pursuant to Section 15301 and 15333 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed RBC Holdings, LLC Conditional Use Permit subject to the recommended conditions.

Attachments: [CUP 16-749 Staff Report.pdf](#)

3 Amaranth Farms Conditional Use Permit

Application Number: N/A

Case Number: PLN-10659-CUP

Assessor's Parcel Number: 221-161-040

6191 Doodyville Road, Ettersburg area

A Conditional Use Permit to allow 43,560 square feet of existing outdoor cannabis cultivation and a Special Permit to reduce the 600-foot setback to adjacent public lands. There are six cultivation areas that the applicant is proposing to consolidate into one primary location and three greenhouses on the subject parcel. The proposed processing facility is 165 feet to the southwest of an undeveloped parcel owned by the State Lands Commission and the relocation area is approximately 400 feet to the southwest of the adjacent parcel. A 1,000-square-foot nursery greenhouse will utilize mixed light to augment natural light for 4 hours per day from March to June. The proposed project operations occur year round with cultivation activities occurring from March to October. The applicant is proposing 1 harvest annually. Approximately 1.4213 acre-feet (or 463,132 gallons) of water is required annually to meet operational needs. Water for domestic and irrigation use is sourced from two unnamed springs, proposed 500,000-gallon rainwater catchment pond, and a proposed well. Currently, water storage totals 8,500 gallons in hard-sided tanks for all uses. Processing, including drying and trimming, is completed in an existing on-site barn. The applicant is proposing a 1,800-square-foot metal building for processing activities. A maximum of 5 employees are required during peak operations. Electricity is provided by a propane generator and a solar system.

Recommendation: Find the project exempt from environmental review pursuant to Sections 15301, 15303, 15304 and 15333 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and Application Assistance based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Amaranth Farms, project subject to the recommended

conditions.

Attachments: [CUP 16-047 Staff Report.pdf](#)

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

- 4 H36P, LLC, Conditional Use Permit
Application Number 11754
Case Number CUP 16-377, CUP 18-046; SP 18-132; SP 18-133
Assessor Parcel Number (APN) 201-322-012
Highway 36, Alton

A Conditional Use Permit for new cultivation, processing, manufacturing, and retail. Phase One of the project will consist of volatile and non-volatile extraction in a proposed 2,932 square foot (sf) building, and retail at an on-site dispensary in the footprint of an existing mobile home. Phase Two will consist of adding 10,000 sf of new indoor cultivation in a proposed 16,000-sf building, 10,000 sf of new mixed-light cultivation in greenhouses, a new 20,000-sf processing and manufacturing building, a 2,000 sf outdoor propagation area, a well, and a septic system. Parking and internal circulation roadways will be constructed during each phase. The water source for Phase One is a permitted well installed prior to 1991 and renovated in 2017 under a newly-issued well permit. Water for Phase Two would be supplied by the proposed well, and the existing well would be decommissioned following completion of the proposed well. If the proposed well proves to be infeasible, a rainwater catchment and cistern system would be installed to meet at least the irrigation demand of the proposed cultivation. Up to 200,000 gallons of water storage capacity in plastic tanks would be installed during Phase Two if necessary to provide water for fire-fighting. If the proposed well should prove to be infeasible, a rainwater catchment and cistern system would be installed to meet, at a minimum, the irrigation needs of the proposed cultivation. Processing would occur on-site and include drying and trimming of cannabis flower, with the majority being manufactured into extract. Staffing at peak operation would be 37 employees. The facility would be fenced and there would be two full-time security guards. Electric service is provided by PGE with carbon offset purchased through the ClimateSmart program and the applicant plans to meet 100-percent renewable energy requirement with a solar array in the future. A Conditional Use Permit is also needed for the proposed uses according to the applicable Q-Zone.

Recommendation: Move to adopt the Mitigated Negative Declaration, and to make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed H36P LLC project subject to the recommended conditions.

Attachments: [CUP-16-377 Staff Report.pdf](#)

CONTINUED PUBLIC HEARINGS

- 5 County of Humboldt New Zoning Districts (GPU ZR 10.04.18)

Countywide

New Zoning Districts are proposed to be added to the Inland Zoning Ordinance and properties are proposed to be rezoned to be consistent with the 2017 Humboldt County General Plan. Implementation of Zoning Designations to be consistent with the Land Use Maps, adopted as part of the 2017 General Plan Update. The new Zoning Districts are proposed to be added to the Inland Zoning Ordinance (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) including the following: 1) new Mixed Use Zones that will be applied to areas with MU - Mixed Use, VC - Village Center, or RCC - Rural Community Center General Plan designations, 2) a new "RR - Railroad" Combining Zone that will be applied to railroad rights of way held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake, and 3) a new "MR - Mineral Resources" Combining Zone that will be applied to parcels with permitted surface mining operations. In addition, specific zones are proposed to be assigned to all areas currently zoned "U - Unclassified". Other minor changes to the Zoning Maps are also proposed to be consistent with the General Plan. The proposed new Zone Districts and the rezoned properties occur throughout the non-coastal areas of unincorporated Humboldt County.

Recommendation: The Planning and Building Department is recommending the Planning Commission consider the Addendum to the General Plan Environmental Impact Report (EIR) prepared for this project, adopt the resolution recommending that the Board of Supervisors adopt an ordinance to make the proposed changes to the Zoning Ordinance and the Zoning Maps as identified in the proposed ordinance

Attachments: [GPU Rezone PC Staff Report Corrected.pdf](#)

NEW BUSINESS

- 6 Sea Level Rise Policy Background Study - Planning Commission Workshop
Case Numbers: N/A
Assessor Parcel Number: N/A
Humboldt Bay Area Plan planning area

Planning Commission Sea Level Rise Policy Background Study Workshop

Attachments: [11-1-18 PC Sea Level Rise Workshop Final.pdf](#)

OLD BUSINESS

- 7 Commercial Cannabis Application Process
Per the request of the Commission this item is up for further discussion and possible action.

ADJOURNMENT

NEXT MEETINGS

November 15, 2018

December 6, 2018