

PLANNING COMMISSION

First District
Alan Bongio
Second District
Thomas Mulder
Third District
Noah Levy - Chair
Fourth District
Mike L Newman
Fifth District
Peggy O'Neill
At-Large
Brian Mitchell - Vice Chair
At-Large
Melanie McCavour



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, November 17, 2022

6:00 PM

Regular Meeting - Hybrid

NOTE: The County of Humboldt Planning Commission meeting will be held virtually pursuant to Assembly Bill 361 until further notice.

HOW TO LISTEN OR WATCH THE PLANNING COMMISSION MEETING:

Listen or Watch the live stream of the Planning Commission Meeting in three ways:

- 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 channel 11**

PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:

Participate in the public comment period of the meeting in the following three ways:

- 1. In Person: Any person may appear and present testimony in regard to this matter 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. Via Computer as an attendee: To raise your hand click the Raise Hand icon on the bottom of the Zoom window. When you click the Raise Hand icon, a hand icon will appear next to your name that will notify the host your hand is raised. You will also see the hand icon turn green. When you want to lower your hand, you can click the hand icon again and your hand will be lowered. When you are called upon to speak the Zoom platform will ask you for permission to unmute your mic. If you encounter any issues, please use the call-in option below.**
- 3. Via phone call using cellphone or landline: When the Planning Commission meeting begins, call in to the conference line. When the Planning Commissioner 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 your mic, press *6 to unmute.**

Please note that each Zoom meeting has a unique meeting ID and password. Any item on this agenda that is continued to a future date will use the meeting ID and password applicable to the date the agenda item is to be heard again. Agendas are posted on the Friday before the meeting at <https://humboldt.legistar.com>

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, November 16, 2022. After the deadline, written comments may be submitted to the commission in person during the meeting. Verbal comments may be made in person, or on zoom. Comments received after the agenda is posted on Thursday, November 10, 2022, 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.

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. The public is invited to make comments during the Public Comment period for non-agenda items, not appearing on the agenda. All speakers are invited to state and spell their names but are not required to do so.

A. CALL TO ORDER / SALUTE TO FLAG**B. COMMISSIONERS PRESENT****C. AGENDA MODIFICATIONS****D. 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.

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. Review and approval of October 20, 2022, Action Summary;

Recommendation: Approve the October 20, 2022, Action Summary

Attachments: [Corrected Action Summary 10.20.22](#)

2. Review and approval of November 3, 2022, Action Summary;

Recommendation: Approve the November 3, 2022, Action Summary

Attachments: [Action Summary 11.03.22](#)

3. Geck-Moeller Coastal Development Permit
Record Number PLN-2022-17700 (filed 03/30/2022)
Assessor's Parcel Number 308-231-002-000
Loleta Area

A Coastal Development Permit (CDP) for the construction of a new approximately 2,024 SF two-story residence, 984 SF uncovered deck, 40 SF entry deck, gravel driveway, and a detached

two-car garage constructed on an existing 25x25-foot concrete slab. The CDP will also authorize brush clearing north of the residence for the planting of fruit trees, logan berries, and a residential garden area. The parcel is currently developed with a well and on-site wastewater treatment system.

Recommendation: Continue the Geck-Moeller Coastal Development Permit to December 1, 2022.

4. Jess Bareilles Conditional Use Permit

Assessor Parcel Number 201-322-006

Record No.: PLN-2021-17253

Fortuna area

A Conditional Use Permit located in the Fortuna Community Planning Area for one acre (43,560 square feet) of new mixed-light commercial cannabis cultivation supported by a 4,360 square foot ancillary nursery. Also proposed is a 2,400 square foot support facility for both offsite processing and distribution. The estimated 535,000 gallons annual irrigation water budget is sourced from rainwater catchment and is supported by 500,000 gallons of water storage tanks. Power is proposed to be provided by PGE.

Recommendation: That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-__). (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 Jess Bareilles project); and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Special Permit subject to the recommended conditions of approval (Attachment 1A)

Attachments: [17253 Jess Bareilles Staff Report 11.17.2022.docx](#)
[Attachment 1 - Draft Resolution](#)
[Attachment 1A - Conditions of Approval](#)
[Attachment 1B - Cultivation and Operations Plan](#)
[Attachment 1C - Site Plan](#)
[Attachment 2 - Location Map](#)
[Attachment 2A - Watershed Map](#)
[Attachment 3 - CEQA Addendum](#)
[Attachment 4 - Applicant's Evidence in Support of Findings](#)
[Attachment 4A - Phase I and Phase II Studies](#)
[Attachment 4B - Noise Assessment](#)
[Attachment 4C - Prime Soils Technical Memorandum](#)
[Attachment 4D - Plan for Adaptive Reuse of Developed Industrial Site](#)
[Attachment 5 - Referral Agency Comments](#)

5. Sand Pointe Subdivision Coastal Development Permit Extension

Assessor Parcel Numbers (APN) 511-471-003, 511-471-004, 511-471-009, 511-471-011, 511-471-012, 511 471-013, 511-471-016, 511-471-017, 511-471-018, 511-471-020, 511-471-021, 511-471-024, 511-471-025, 511-471-026, 511-471-027, 511-471-028, 511-471-030, 511-471-031, 511-471-032, 511-471-033, 511-471-037

Record No.: PLN-2022-17948

McKinleyville Area

A seven-year extension of a Coastal Development Permit (CDP-99-42MM) associated with the Sand Pointe subdivision recorded December 13th, 2001 as Tract 533 in Book 23, pages 6-9. The original project included a blanket Coastal Development Permit for the development of one single family dwelling unit on lots 1 through 37. To date, sixteen (16) of the lots have been developed and twenty-one (21) are currently vacant. The blanket Coastal Development Permit was valid for seven years following the recordation of the tract map and was therefore due to expire on December 13th, 2008. A Modification was approved on December 4th, 2008 which changed the blanket permit validation period from seven (7) years to fourteen (14) years, and a subsequent modification was approved which changed the blanket permit validation from fourteen (14) years to twenty-one (21) years. The current extension request will change the validation period of twenty-one (21) years to twenty-eight (28) years. All parcels will be served by public sewer and water services provided by the McKinleyville Community Services District. There are no changes to the previously approved blanket Coastal Development Permit Modification. As previously approved, structures on Lots 1 through 8, 13, 22 through 29 and 34 through 37 are limited to a maximum of 23 feet tall. If approved, the blanket Coastal Development Permit will expire on December 13, 2029.

Recommendation: That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience for any person who would like to discuss the application.

3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda; and
4. Adopt the resolution (Resolution 22-). (Attachment 1) which does the following:
 - a. Finds that the Planning Commission has considered the Addendum to the Final Environmental Impact Report (SCH# 1995033058) that was prepared for the Sand Pointe Subdivision Coastal Development Permit; and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Coastal Development Permit Extension subject to the recommended conditions of approval (Attachment 1A)

Attachments:

[17948 Sand Pointe CDP Extension Staff Report 11.17.22](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 1A - Conditions of Approval](#)

[Attachment 2 - Location Map](#)

[Attachment 3 - Referral Agency Comments and Recommendations](#)

F. ITEMS PULLED FROM CONSENT**G. 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. Cisco Farms, Inc.

Assessor Parcel Number(s) (APN) 105-101-011, 104-232-005, and 104-191-001

Record No.: PLN-2021-17384

Petrolia area

A Conditional Use Permit for 5 acres of new cannabis cultivation, appurtenant drying facilities, commercial processing, and a community propagation center. Of the 5 acres being applied for, 3 acres will be full sun outdoor, 1 acre will be light deprivation outdoor in traditional greenhouses, and 1 acre will be mixed-light cultivation in gutter connect greenhouses. Cultivation will result in 1-3 harvests annually. Nursery areas will consist of 40,320 SF in greenhouses, 6,000 SF of indoor/enclosed nursery, 21,440 SF of nursery gutter connect greenhouses, for a total of 67,760 SF of propagation space. Processing includes 19,200 SF of dry space. The applicant proposes to construct a 3,000 square foot processing facility to process cannabis produced on site, as well as cannabis produced off site by other cultivators. The applicant proposes to utilize a groundwater well and rainwater catchment to supply water for the project. A total of 2,840,000 gallons of water storage are proposed for irrigation storage, consisting of 2,650,000 gallon rainwater catchment pond and 38 -5,000 gallon hard tanks (190,000 gallons of hard tank storage). Annual water usage for cannabis cultivation is estimated at 2,154,095 gallons (7.54 gallons/SF/yr). Power will be provided by PG&E, which includes a proposed upgrade, and solar panels. There will be a maximum of 34 employees at peak of season with 12 employees anticipated as permanent employees. 1,280 SF farmhouse/employee housing is proposed for up to 12 employees. Water for domestic use and cannabis processing will be sourced

from rainwater catchment and bottled water, and septic system associated with the farmworker housing and processing facility will be installed. The site will be accessed via Chambers Rd. A transport-only self-distribution license will be sought at the state level to satisfy operational logistics. The Humboldt County Planning Commission will consider adoption of a Mitigated Negative Declaration that has been prepared for the project pursuant to State CEQA Guidelines. The project is located in the Petrolia Area, on Chambers Road, approximately 1 mile east of the intersection of Chambers Road and Mattole Road, on the property identified as 1414 Chambers Road.

Recommendation: That the Planning Commission:
Open the public hearing, receive and consider the staff report, and accept public comments; and
1. Close the public hearing; and
2. Adopt the resolution (Resolution 22-__). (Attachment 1) which does the following:
a. Adopt the Mitigated Negative Declaration prepared for the Cisco Farms, Inc. project pursuant to section 15074 of the State CEQA guidelines; and
b. Make all required findings for approval of the Conditional Use Permits; and
c. Approve the Cisco Farms, Inc. Conditional Use Permits as recommended by staff and subject to the recommended conditions.

Attachments: [17384 Cisco Farms Staff Report 11.17.22](#)
[Attachment 1 - Draft Resolution](#)
[Attachment 1A - Conditions of Approval](#)
[Attachment 1B - Mitigation Monitoring Report](#)
[Attachment 1C - Cultivation and Operations Plan](#)
[Attachment 1D - Site Plan](#)
[Attachment 2 - Location Map](#)
[Attachment 2A - Watershed Map](#)
[Attachment 3 - IS MND](#)
[Attachment 3A - Appendix 1](#)
[Attachment 3B - Appendix 2](#)
[Attachment 4 - Evidence in Support of Required Findings](#)
[Attachment 4A - PVFD Will Serve Letter](#)
[Attachment 4B - Cisco Farms Alternate Evac Route](#)
[Attachment 4C - Final Road Evaluation](#)
[Attachment 5 - Referral Agency Comments and Recommendations](#)
[Attachment 6 - Agency and Public Comment for CEQA Circulation Period and 10-Da](#)

2. Appointment Term and Removal of Planning Commissioners
Countywide
Record No.: PLN-2022-17995

Amendment to the Section 312.1.3 of the Zoning Ordinance to modify the term of Planning

Commissioners appointed at large and to create provisions for removal of Planning Commissioners by the Board of Supervisors

Recommendation: That the Planning Commission:

Adopt the resolution (Resolution 22-__). (Attachment 1) doing the following:

- a. Find the project exempt from further environmental review pursuant to Section 15061(b (3)) of the State CEQA Guidelines
- b. Make the required findings for adoption of the ordinance; and
- c. Recommend the Board of Supervisors adopt the Ordinance.

Attachments:

[17995 PC Appointment and Removal Staff Report 11.17.22](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 1A - Ordinance Section 312-1.3 PC Appointment and Removal](#)

H. PLANNING COMMISSION DISCUSSION ITEMS

I. ADJOURNMENT

NEXT MEETING December 1, 2022 6:00 p.m. Regular meeting - Hybrid

The Chamber is wheelchair accessible, the accessible entrance to the Courthouse is the 4th Street entrance. Accessible parking is available adjacent to the 4th Street entrance and on the 4th Street side of the K Street lot. If you are a person with a qualified disability, and need a modification or accommodation to participate in this meeting, please contact the Clerk of the Board at (707) 476-2384, or (707) 445-7299 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.