

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, August 24, 2017

6:00 PM

Special Meeting

CALL TO ORDER / SALUTE TO FLAG

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

COMMISSIONERS PRESENT

Present 7 - Commissioner Robert E. Morris, Commissioner David Edmonds, Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Kevin McKenny, Commissioner Ben Shepherd, and Commissioner Brian Mitchell

AGENDA MODIFICATIONS

APPROVAL OF ACTION SUMMARY

PUBLIC COMMENTS

CONSENT AGENDA

1 Humboldt Cannabis Tours

Case Number: SP 17-004

Assessor Parcel Number: 000-000-000 (County-wide)

Humboldt Cannabis Tours is applying for a Special Permit pursuant to Section 311-4 Humboldt County Code for the Planning Director's interpretation of unclear provisions to allow for an agricultural tourism operation that will tour existing and compliant cannabis businesses, as well as traditional tour destinations. Example destinations are cannabis farms, concentrate manufactures, retail outlets, breweries, the redwoods, and local beaches. Tour destinations will include those within the incorporated cities but the permit will apply only to the unincorporated areas of the county. The applicant will obtain a County business license (either a home occupation or address of convenience), and State Transportation Charter Party license from the Public Utilities Commission. Vehicles for tour transport will be stored at a location approved for commercial vehicle storage. The business's administrative functions will be run out of the applicant's home office located in his residence. Employees and customers will not visit or meet at the home office of the applicant. Tour destinations in the unincorporated areas shall meet performance standards for access, parking, ADA compliance, and sanitation whereby the use could be considered an accessory and appurtenant to principal use.

A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, to approve the Humboldt Cannabis Tours Special Permit as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

2 Wonderland Nursery Conditional Use Permit

Case Number CUP 16-864

Assessor's Parcel Number (APN) 033-271-004

705 US Highway 101 #1, Benbow Area

The project is a Conditional Use Permit to allow for the operation of a medical cannabis dispensary that would provide medical marijuana to collective members in accordance with the Humboldt County Code Section 314-55.3 of Chapter 4 of Division 1 of Title III Medical Cannabis Dispensaries. The proposed dispensary will be located within 272 square feet of an existing 1,999 square foot building. The hours of operation for the proposed project will be Tuesday through Saturday, 10:00 AM to 5:00 PM; the dispensary will be closed on Sunday and Monday.

A motion was made by Commissioner Shepherd, seconded by Commissioner Bongio, to approve the Wonderland Nursery Conditional Use Permit subject to the recommended conditions of approval as amended to include implementation of site design features including landscaping and improvements to the building and parking lot compatible to the area. The motion carried by the following vote:

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

Nay: 1 - Commissioner Edmonds

3 Humboldt Alchemy Group Zone Reclassification and Special Permit

Case Numbers ZR 17-005, SP 16-067

Assessor Parcel Numbers (APNs): 222-091-014, 222-241-009

77 Avenue of the Giants, State Route 254, Phillipsville area

A zone reclassification to change the principal zone from Highway Service Commercial (CH) to Community Commercial Zone (C-2) for the subject parcels. No changes to the existing Design Control (D) or Qualified (Q) combining zones is proposed. Also, a Special Permit is proposed for commercial medical cannabis manufacturing facility inside an existing single story building that will be remodeled as required by the California Building Code. The operation consists of an extraction lab that will occupy an approximately 1,150 square foot interior space of the existing structure with some equipment being installed adjacent to the lab inside a fenced area. The operator will use the CO2 extraction method to produce polished/purified oil that can be formulated for different applications, e.g., vapor pens, tinctures, edibles, and encapsulated doses. The initial qualified-customer product line will be filled cartridges for vapor pens. In addition to the extraction lab, a separate building is used for leaf intake, drying and testing prior to and accessory to the manufacturing use. The operation will initially be staffed on a full time basis by two of the owners, with staffing transitioning to two full time employees. The applicant anticipates maximum staffing levels to be 10 full time employees. Hours of operation will be 6:30 am to 8:30 pm, Monday through Friday, but may expand operating hours to meet manufacturing goals. The final product will be shipped to a Type 11 Distribution facility by a Type 12 Transporter. The subject parcel is served by on-site water and sewage disposal systems. The Zone Reclassification to change the principal zoning of the property from Highway Service Commercial (CH) to Community Commercial (C-2) must be approved by the Board of Supervisors before the special permit for cannabis manufacturing is effective because cannabis activities are allowed on properties zoned C-2, but they are not allowed on properties zoned CH. While the zoning change is proposed for both properties, no development is proposed on APN 214-181-018, which is currently vacant.

*Meeting went into Recess**Meeting Reconvened*

A motion was made by Commissioner Levy, seconded by Commissioner Shepherd, to approve the Humboldt Alchemy group Special Permit subject to the conditions of approval with the additional condition that signage will be reviewed by the Planning director for conformance with performance standards. The motion carried by the following vote:

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

Nay: 1 - Commissioner Mitchell

A motion by Commissioner Levy and seconded by Commissioner Shepherd to recommend the Board of Supervisors approve the Humboldt Alchemy Group Zone Reclassification by adopting the attached Resolution of Approval #2 as amended by the Commission to include that the Q Zone development standards will still apply to the parcel that will be rezoned CH to C2. The Q zone will specify that the site development standards of the CH zone shall apply to the property. The motion carried by the following Roll Call vote:

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

Nay: 2 - Commissioner Morris, and Commissioner Mitchell

4 Toms Parcel Map Subdivision Modification

Case Numbers PMS-12-011M

Assessor Parcel Numbers 524-114-010, 524-114-011

5600 South Fork Road, Salyer area

A Modification to a previously approved subdivision (PMS-12-011) that is located in both Humboldt and Trinity County. The project proposes to reconvey development rights to Parcel 2 and Parcel 3 of Parcel Map No. 3573, filed in Book 35 of Parcel Maps, pages 94 through 97. The previous subdivision did not propose any development on the Humboldt County portion of the subdivision, however, a field survey accurately determined the County line and development is now proposed or exists in that area. The parcels are or will be served by a shared water system and individual on-site wastewater treatment systems.

A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, to approve the Toms Parcel Map Subdivision Modification as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

5 CalFire Trinidad, General Plan Amendment

Case Numbers GPA 16-004

Assessor's Parcel Number 515-241-011

923 Patrick Point Road, Trinidad Area

A General Plan Amendment/Local Coastal Plan Amendment to the Trinidad Area Plan to allow for a water line extension from the City of Trinidad domestic water system to serve CalFire's Trinidad Fire Station.

A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, to approve the CalFire General Plan Amendment as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

6 Furber Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit, and Special Permit Extension

Case Numbers PMS-02-026XX, CDP-02-104XX, CUP-02-037, SP-02-110XX

Assessor Parcel Number (APN) 511-021-003

1050 Gassaway Road, McKinleyville Area

A two-year extension of a Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit and Special Permit (PMS-02-026X, CDP-02-104X, CUP-02-037X, SP-02-110X), originally approved February 2, 2006. The original project consisted of the subdivision of an approximately one acre parcel into three (3) parcels ranging in size from 6,000 square feet (net) to ± 21,400 square feet (net). A Coastal Development Permit is required for both the subdivision and to bring the existing secondary dwelling unit (SDU) into compliance. Because the SDU is over 1,000 square feet in size, a Conditional Use Permit is also required. Besides the residences, proposed Parcel 1 is developed with two (2) 64 square feet movable sheds. The remaining proposed parcels are vacant. An exception to the required road width and lot frontage standards is requested pursuant to H.C.C. Section 325-9. An exception to the 100 foot riparian corridor buffer setback from Widow White Creek is also requested based on a Biological Report prepared for the project and approved by the Department of Fish and Game. Water and sewer services are to be provided by the McKinleyville Community Services District. No change to the original project is proposed. This is the second extension requested and if approved, the extension will expire on March 2, 2019.

A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, to approve the Furber Parcel Map Subdivision, Coastal Development Permit, Conditional Use Permit and Special Permit as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 7 Lake Parcel Map Subdivision, Planned Development Permit and Special Permit Extension
Case Numbers PMS-08-014X, PDP-09-003X, SP-08-107X
Assessor Parcel Number (APN) 509-091-074-000
2758 Central Avenue, McKinleyville area

A two-year extension, in addition to two automatic two-year extensions as allowed by State Assembly Bills 208 and 116, of a Parcel Map Subdivision (PMS-08-014) originally approved December 3, 2009. The project consisted of a subdivision of an approximate 0.9 acre parcel into four (4) parcels between 3,135 square feet (net) and 8,378 square feet (net). A Special Permit is required for an exception to the loading space requirement for commercial development based on the level of anticipated use. The parcel is currently planned both Residential Multi-Family (RM) and Commercial Services (CS), however, under the General Plan Update, additional lands are proposed to change to RM. The subdivision design can be supported with either plan designation. Also the project includes an exception to the minimum right of way width requirement and a Planned Development Permit to allow flexibility for future residential development with regard to parking and lot coverage. Water and sewer service is provided by the McKinleyville Community Services District. No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on December 18, 2017.

A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, to approve the Lake Parcel Map Subdivision, Planned Development Permit and Special Permit as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

8 Frank Parcel Map Subdivision and Special Permit Extension

Case Numbers: PMS-08-002X, SP-08-009X

Assessor Parcel Number (APN) 303-071-007

6188 Avalon Drive, Eureka Area

A two-year extension of a Parcel Map Subdivision, of an approximately 31,911 square foot parcel into four parcels. The subject parcel is developed with legal non-conforming residences. Upon approval of the subdivision, all of the residences will be situated on separate, legal parcels and conform to all zoning regulations including setbacks. Proposed Parcel 1 will be approximately 5,683 square feet (net) and is developed with a single-residence and an attached secondary dwelling unit. Proposed Parcel 2 will be approximately 9,018 square feet (net) and is developed with a single family residence and an attached secondary dwelling unit. Proposed Parcel 3 will be approximately 7,562 square feet (net) and is developed with a single family residence. Proposed Parcel 4 will be approximately 5,791 square feet (net) and is currently vacant. Besides improvements associated with the subdivision, no new development is proposed at this time. Minimal grading is anticipated and one tree, within the proposed access road right of way, is proposed to be removed as a part of this project. Water and sewer services are provided by the Humboldt Community Services District. A Special Permit is required for an exception to the minimum lot size requirement per Humboldt County Zoning Code Section 314-99.1.2 for proposed Parcels 1 and 4 and for the secondary dwelling unit on proposed Parcel 1. The secondary unit on proposed Parcel 2 is principally permitted. The applicant has also requested approval of an exception to allow for a reduced frontage for proposed Parcel 1 and 3 as well as an exception to the right of way width requirement per Section 325-9 of the Subdivision Regulations. No change to the original project is proposed. This is the first extension requested and if approved, the extension will expire on December 30, 2018.

A motion was made by Commissioner Shepherd, seconded by Commissioner Edmonds, to approve the Frank Parcel Map Subdivision and Special Permit Extension as part of the Consent Agenda.

The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

CONTINUED PUBLIC HEARINGS**PUBLIC HEARINGS**

- 9 Satori Wellness Collective Conditional Use Permit and Special Permit
Case Number CUP 16-170
Assessor's Parcel Number (APN) 508-251-054
1551 Nursery Way, McKinleyville Area

Satori Wellness Collective is applying for a Conditional Use Permit to allow for the operation of a medical cannabis dispensary in accordance with Humboldt County Code Section 314-55.3 of Chapter 4 of Division 1 of Title III Medical Cannabis Dispensaries and for the operation of a nursery that would provide cloned marijuana plants for sale to collective members in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The proposed medical cannabis dispensary and nursery (Project) will be located within 3,312 square feet of an existing 5,988-square-foot building. The hours of operation for the proposed project will be Monday through Friday, 10:00 AM to 6:00 PM, and Saturday and Sunday, 10:00 AM to 4:00 PM.

A motion was made by Commissioner Shepherd, seconded by Commissioner Mitchell, that the Satori Wellness Collective item be continued to the September 7, 2017 meeting of the Planning Commission. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 10 Hilltop Farm, LLC Conditional Use Permit
Case Number CUP16-542
Assessor's Parcel Number (APN) 307-041-011-000
7333 Humboldt Hill Road Eureka, CA

Hilltop Farm, LLC is applying for a Conditional Use Permit (CUP) for 7,560 square feet (sf) of new, mixed light cannabis cultivation. The harvested cannabis will be dried in an existing shed and trimmed by the owners in their existing residence. Water for domestic use and irrigation will be supplied by Humboldt County Community Services District. The applicant also has a 2,500 gallon water tank for storage and fire suppression. The applicant has submitted an Enrollment Notice of Intent form for the Commercial Cannabis Waste Discharge Regulatory Program administered by the North Coast Regional Water Quality Control Board (RWQCB).

A motion was made by Commissioner Shepherd, seconded by Commissioner Mitchell, that the Hilltop Farm LLC Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Edmonds, Commissioner Levy, Commissioner Shepherd, and Commissioner Mitchell

Nay: 2 - Commissioner Bongio, and Commissioner McKenny

Recused: 1 - Commissioner Morris

ADJOURNMENT

Chair Morris adjourned the meeting at 8:15pm.

NEXT MEETINGS

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.