

PLANNING COMMISSION

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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, October 5, 2023

6:00 PM

Regular Meeting - Hybrid

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**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](mailto:cob@co.humboldt.ca.us) or the ADA Coordinator at 844-365-0352 or by email at [ada@co.humboldt.ca.us](mailto: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 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

Meetings of the Humboldt County Planning Commission are held in person in the Board of Supervisors chambers, located at 825 Fifth Street, Eureka, California.

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 cell phone 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.

You may access the live stream of the meeting by using the following link:  
<https://humboldt.legistar.com>

**SUBMITTING PUBLIC COMMENT PRIOR TO THE MEETING:**

Public comments may be submitted via email to [Planningclerk@co.humboldt.ca.us](mailto: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, October 04, 2023. 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. Review and approval of the September 21, 2023, Action Summary.

**Recommendation:** Approve the September 21, 2023, Action Summary.

**Attachments:** [09.21.2023 Action Summary for review](#)

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 ft<sup>2</sup>). All processing occurs onsite. Electricity is currently sourced from a diesel generator; however, the applicant is seeking to obtain grid power through PG&E.

**Recommendation:** Recommendation: Continue the VIPA Farmers project to a date uncertain.

**Attachments:** [11269 VIPA Farmers Staff Report 10.5.23](#)

**3. Brightview - Final Map Subdivision**

Application Number: PLN-2023-18247

Prior Application Number: FMS14-001

Assessor Parcel Number (APN) 510-121-026

McKinleyville area

A Major Subdivision of an approximately 1.58-acre parcel into seven residential lots utilizing a Planned Unit Development. The Planned Unit Development requests reduced front yard setbacks on proposed Lot 7, a reduced right of way width and a reduced minimum lot width on proposed Lots 1, 2 and 3. The parcel is currently vacant and will be served with community water and sewer by the McKinleyville Community Services District.

**Recommendation:** That the Planning Commission:

Adopt the resolution (Attachment 1) which does the following:

- a. Find that a Mitigated Negative Declaration was previously adopted and considered for the project (SCH# 2015112019) and no further environmental review is required; and
- b. make all of the required findings for approval of the Final Map Subdivision and Planned Unit Development; and
- c. approve the Brightview Major Subdivision and Planned Unit Development subject to the recommended conditions.

**Attachments:**

[18247 Staff Report 10.05.23](#)

[Attachment 1 - Draft Resolution](#)

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

[Attachment 1B - PW Conditions](#)

[Attachment 1C - Tentative Map 06.28.2023](#)

[Attachment 2 - Applicant's Evidence in Support of the Required Findings](#)

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

[Attachment 4A - FMS 14-001 Staff Report](#)

[Attachment 4B - PC Resolution 15-41\\_Pettlon\\_6464](#)

4. Mad River Medicinals, Inc. Conditional Use Permit and Special Permit  
Assessor Parcel Number 208-251-002  
Record No.: PLN-12498-CUP  
Dinsmore area

A Conditional Use Permit for 18,500 square feet (SF) of existing Outdoor commercial cannabis cultivation supported by a 1,920 square foot ancillary nursery, and a Special Permit for development within a Streamside Management Area (SMA) for a water diversion. Water is sourced from a groundwater well and a Point of Diversion from an onsite spring. The annual estimated water budget is 158,000-gallons is supported by 12,500-gal. of existing and 65,000-gal. proposed tank storage. Processing such as drying and curing will occur on site, with trimming and packaging occurring offsite at a licensed facility. Power source is a 1.7-kW solar system with a generator as emergency backup. No employees are proposed, only operators and one immediate family member.

**Recommendation:** That the Planning Commission:

Adopt the resolution (Resolution 23-\_\_). (Attachment 1) which does the following:

- a. Finds that the Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance as well as the Addendum to the Mitigated Negative declaration that was prepared for the Mad River Medicinals, Inc. project pursuant to Section 15164 of the CEQA guidelines; and
- b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
- c. Approves the Conditional Use Permit subject to the recommended conditions of approval (Attachment 1A)

*Attachments:*

- [12498 Staff Report 10.05.23](#)
- [Attachment 1 - Draft Resolution](#)
- [Attachment 1A - Conditions of Approval 08.07.2023](#)
- [Attachment 1B - Cultivation Operations Plan 07.14.2023](#)
- [Attachment 1C - 12498 Revised Site Plan 07.20.2023](#)
- [Attachment 2 - Maps Set](#)
- [Attachment 3 - CEQA Addendum](#)
- [Attachment 4 - Applicant Submitted Information](#)
- [Attachment 4A - Lake and Streambed Alteration Agreement](#)
- [Attachment 4B - Notice of Intent](#)
- [Attachment 4C - Right to Divert and Use Water](#)
- [Attachment 4D - Road Evaluation](#)
- [Attachment 4E - Well Completion Report](#)
- [Attachment 4F - Water Resources Protection Plan](#)
- [Attachment 5 - Referral Agency Comments and Recommendations](#)
- [Attachment 6 - Watershed Map](#)

## **F. WORKSHOP**

*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. 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

***Attachments:***

[Short-term Rental Ordinance Continued Workshop Staff Report 10.05.23](#)

[Attachment 1 - Short-term Rental Ordinance Workshop Staff Report 9.21.23](#)

[Attachment 2 - Housing & STR Data 9.21.23](#)

[Attachment 2 - Housing & STR data Hum Bay Area 9.21.23](#)

[Attachment 3 - STRO powerpoint 9.21.23](#)

[Attachment 4 - STR\\_Density](#)

[Attachment 4 - STR\\_Location](#)

[Attachment 5 - Draft Short-term Rental Ordinance\\_inland 9.15.23](#)

[Attachment 6 - Draft Short-term Rental Ordinance\\_coastal 9.22.23](#)

[Attachment 7 - Chapter 2 Administration, Procedures, Amendments and Enforcement](#)

[Attachment 8A - Post Workshop - Housing Stock & Cap](#)

[Attachment 8B - Post Workshop - Neighborhood Concern](#)

[Attachment 8C - Post Workshop - Miscellaneous](#)

[Attachment 9A - Pre Workshop - AOB](#)

[Attachment 9B - Pre Workshop - Housing Stock and Cap](#)

[Attachment 9C - Pre Workshop - Neighborhood Concerns](#)

[Attachment 9D - Pre Workshop - Miscellaneous](#)

**G. PUBLIC HEARINGS**

**1. Patient 2 Patient, Inc.; Conditional Use Permit and Special Permit**

Record Number: PLN-12426-CUP (filed 12/23/2016)

Assessor Parcel Numbers (APN) 214-142-012

Wood Ranch area (Redway)

A Conditional Use Permit and Special Permit to recognize lawful pre-existing cannabis cultivation and authorize relocation and expansion of cultivation activities on an approximately 361-acre parcel. The project includes two distinct parts. Part 1 involves a Special Permit to authorize development within riparian and wetlands areas as part of remediation and restoration of approximately 6.7 acres of land disturbance associated with seven (7) discrete areas historically used for cannabis cultivation. Part 2 involves a Conditional Use Permit to allow development and operation of approximately 86,000 square feet of Outdoor cannabis cultivation in greenhouses within an approximately 6-acre area in the northern portion of the project parcel. The Conditional Use Permit is being requested pursuant to the Humboldt County Commercial Cannabis regulations which allow up to 1-acre of cultivation per 100 acres on parcels where 320 acres or larger in size. The amount of cultivation area proposed is approximately one third larger (33%) in size than historic cultivation levels managed during the peak of prior lawful pre-existing operations at the property and will accommodate relocation of cultivation activities from the seven former sites targeted for remediation and restoration.

**Recommendation:** That the Planning Commission:

1. Adopt the resolution (Resolution 23-\_\_), (Attachment 1) which does the following:

a. Finds that the Planning Commission has considered the Mitigated Negative Declaration prepared for the Commercial Medical Marijuana Land Use Ordinance (SCH# 2015102005) and the Mitigated Negative Declaration prepared for the project (SCH# 2023080682); and

b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and

c. Approves the Conditional Use Permit and Special Permit, subject to the recommended conditions of approval (Attachment 1A).



*Attachments:*

- [12426 Staff Report 10.05.23](#)
- [Attachment 1 - Draft Resolution](#)
- [Attachment 1A - Conditions of Approval](#)
- [Attachment 1B - MMRP with Subst Mit Measures](#)
- [Attachment 1C - Site Planset](#)
- [Attachment 1D - Revised Cultivation Area Verification](#)
- [Attachment 2 - Vicinity Map](#)
- [Attachment 3 - Draft ISMND \(sans appendices\)](#)
- [Attachment 3A - ISMND Appendix 1 - App AQ\\_CalEEMod Output Files](#)
- [Attachment 3B - ISMND Appendix 2 - Biological Resources Assessment Rincon](#)
- [Attachment 3C - ISMND Appendix 3 - Energy Budget](#)
- [Attachment 3D - ISMND Appendix 4 - Noise Measurements and Calcs](#)
- [Attachment 3E - ISMND Appendix 5 - Draft Cleanup, Restoration, and Monitoring Pl](#)
- [Attachment 3F - ISMND Appendix 6 - Redway APN 214-142-009 Aquatic Resources](#)
- [Attachment 3G - ISMND Appendix 7 - Young Aquatic Impact Assessment 3.4.22](#)
- [Attachment 3H - ISMND Appendix 8 - Wood Ranch Wetland Delineation Report](#)
- [Attachment 3I - ISMND Appendix 9 - Hydrological Connectivity Report 12.30.2022](#)
- [Attachment 3J - ISMND Appendix 10 - P2P 2021 Botany Report](#)
- [Attachment 3K - ISMND Appendix 11 - Water management plan Woods Ranch](#)
- [Attachment 4- Evidence in Support of Required Findings](#)
- [Attachment 4C - Wood Ranch Road Historic Vehicle Use \(SL rev\)](#)
- [Attachment 5A - Table Summarizing Referral Agency Comments and Recommendations](#)
- [Attachment 5B - CEQA-2023-0216-R1 Wood Ranch Cannabis MND\\_LTR\\_FINAL](#)
- [Attachment 5C - Comments re ISMND Wood Ranch Cannabis Cultivation Project](#)
- [Attachment 6A - Pubic Comment - Glen Hass](#)
- [Attachment 6B - Pubic Comment - Marcia Murphy](#)
- [Attachment 7 - Watershed Map](#)

## **H. ITEMS PULLED FROM CONSENT**

## **I. REPORT FROM PLANNER**

## **J. PLANNING COMMISSION DISCUSSION ITEMS**

## **K. ADJOURNMENT**

**L. NEXT MEETINGS:**

<b>October 19, 2023</b>	<b>6:00 p.m.</b>	<b>Regular Meeting - Hybrid</b>
<b>October 26, 2023</b>	<b>6:00 p.m.</b>	<b>Special Meeting - Hybrid</b>