

PLANNING COMMISSION

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JOHN H. FORD  
Director, Planning and Building

**COUNTY OF HUMBOLDT  
PLANNING COMMISSION**

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

**AGENDA**

**Thursday, May 16, 2019**

**6:00 PM**

**Regular Meeting**

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**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.*

**A. CALL TO ORDER / SALUTE TO FLAG**

**B. COMMISSIONERS PRESENT**

**C. AGENDA MODIFICATIONS**

*Item #F-5 Van Duzen Storage: This project has been withdrawn by the applicant.*

**D. APPROVAL OF ACTION SUMMARY**

1. Review and approve the May 2, 2019 Planning Commission Action Summary.

**Recommendation:** Move to approve the May 2, 2019 Planning Commission Action Summary and direct the Secretary of the Planning Commission and the Clerk of the Planning Commission to sign the Minute Book.

**Attachments:** [PC Action Summary 5.2.19 for review and approval.pdf](#)

## **E. 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.*

## **F. 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. Northern Night Music Group, LLC/Blap Productions  
Northern Nights Music Festival and One-Day Event  
Modification to Conditional Use Permit  
Review of 2019 post-event Annual Report  
Application Number: 15400  
Case Number: PLN-2019-15400  
Assessor's Parcel Number (APN): 033-271-007  
240 Cooks Valley Road, Benbow area

**Project Description:** A modification to the Special Event Use Permit for the County Line Ranch. The permit currently authorizes land within the Humboldt County portion of the ranch to be used for auxiliary facilities during the annual Northern Nights Music Festival (NNMF). The Special Event Use Permit also allows this same area of the ranch to be used for a separate 2,000 person one-day event usually occurring during the weekend nearest Independence Day (July 4th) or Labor Day (generally the last week in August or first week in September). The Humboldt County Use Permit was last modified in 2017 (CUP-04-38MMMMM), which resulted in extension of the term of approval for five additional years, through 2022.

The modification to the permit is requested to allow establishment of a cannabis vending and consumption area within the Humboldt County portion of the festival, pursuant to section 314-55.4.10.4 of Humboldt County Code, which authorizes Temporary Special Events of this sort. The permit modification is also requested to establish consistency with the approved attendance levels and festival duration recently authorized by the County of Mendocino for a 4-day event (NNMF), and to allow attendance during the 1-day event to be increased from 2,000 persons to 3,000 persons, through use of lands within the Mendocino County portion of the ranch for auxiliary parking and camping.

**Recommendation:** A) Consider the Addendum to the Final Supplemental Environmental Impact Report, make all of the required findings, based on evidence in the staff report and public testimony, and approve the modification to the conditional use permit as described in the Agenda Item Transmittal subject to the recommended conditions by adopting Resolution of Approval A in the staff report, and

B) Make all of the required findings, based on evidence in the staff report and public testimony, and approve the Annual Report for the 2018 event and set the attendance level for the 2019 1-day event at 3,000 total attendees subject to the recommended conditions by adopting the attached Resolution of Approval B.

**Attachments:** [PLN-2019-15400 Staff Report.pdf](#)

**2. Miss Maggie Farms, LLC, Conditional Use Permit**

Application Number: 11540

Case Number: CUP 16-282

Assessor's Parcel Number (APN): 107-145-007

3848 Wilder Ridge Road, Honeydew area

Project description: A Conditional Use Permit (CUP) for 15,300 square feet (sf) of existing mixed light cultivation and a 3,000-square-foot appurtenant nursery. Processing activities will occur on-site within an 675 sf processing facility. Power is supplied by the Pacific Gas & Electric (PG&E) Company.

**Recommendation:** Consider the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 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 adopt the Resolution approving the proposed Miss Maggie Farms, LLC, project subject to the recommended conditions.

**Attachments:** [CUP-16-282 Staff Report\\_5.16.19 PC.pdf](#)

**3. Dos Rios Ranch, LLC Conditional Use Permit**

Application Number: 11510

Case Number: CUP 16-272

Assessor's Parcel Number (APN): 210-191-024

40777 State Highway 36, Bridgeville, CA 95526

Project Description: A Conditional Use Permit (CUP) for 22,993 square feet of existing cannabis cultivation. The cultivation consists of 2,989 square feet of mixed-light in one greenhouse and 20,004 square feet of outdoor arranged in seven greenhouses. The project includes onsite relocation to protect sensitive environmental and cultural resources. Power is currently supplied by a generator.

**Recommendation:** Consider the Addendum to the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit based on evidence in the staff report and adopt the Resolution approving the propose Dos Rios Ranch, LLC Conditional Use Permit subject to the recommended conditions.

**Attachments:** [CUP-16-272 Staff Report.pdf](#)

4. 36 Works, LLC, Conditional Use Permit

Application Number: 12473

Case Number: CUP 16-700, Special Permit

Assessor's Parcel Numbers (APNs): 210-192-014210-191-046, and 210-191-045

39883 Highway 36, Bridgeville, CA 95526

Project Description: 36 Works, LLC is seeking a Conditional Use Permit for an existing 28,250 square foot outdoor commercial cannabis cultivation. Water for irrigation is an existing in-stream pond located adjacent to the parcel on APN: 210-191-046. Power is provided by PG&E.

**Recommendation:** Consider the Addendum to the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit based on evidence in the staff report and adopt the Resolution approving the propose 36 Works, LLC Conditional Use Permit subject to the recommended conditions.

**Attachments:** [CUP-16-700 Staff Report.pdf](#)

5. Van Duzen Storage, LLC, Conditional Use Permit, Special Permit and Lot Line Adjustment

Application Number: 15417

Case Number: PLN-2019-15417

Assessor's Parcel Numbers (APNs): 207-074-027, 208-111-014, 207-311-002

26388 State Highway 36, Bridgeville, CA 95526

Project Description: A Conditional Use Permit, Special Permit and Lot Line Adjustment to allow a battery energy storage system (BESS) and upgrades to the existing PG&E Bridgeville substation. The proposed battery storage system would be built on approximately 2 acres, and the Bridgeville Substation upgrades would require up to 2 additional acres. The BESS portion of the project would consist of 20 containers, each measuring 53 feet long, 8.5 feet wide, and 9.5 feet tall, and each containing batteries capable of 2 megawatt hours (MWh) of energy storage; the Project would thus provide 40 MWh of energy storage. The Project includes upgrades to the existing PG&E Bridgeville 115kV Substation to accommodate interconnection of the BESS to the grid including an expansion area, pad, fence, construction of a 480 square foot single-story building, infrastructure, and overhead lines. A Lot Line Adjustment between APNs 207-074-027 and 208-111-014 (which comprise one legal parcel) and 207-311-002-000 is proposed to allow for the 2 acres of substation expansion to be located on the same parcel (APN: 207-311-002) as the existing substation. The resultant parcel sizes would be approximately 78 acres and 4 acres respectively. A Special Permit is required pursuant to the County's Streamside Management Area Ordinance because the access road crosses an ephemeral drainage. An existing residence is located on APN 207-074-027.

**Recommendation:** This project has been withdrawn by the applicant.

**6. MFGF Mgmt, LLC, Boundary Interpretation**

Application Number: PLN-2019-15314

Zone Boundary Interpretation

Assessor's Parcel Number (APN): 522-142-031

1422 Patterson Road, Willow Creek area

Project Description: A Zone Boundary Interpretation to align the Flood Plain (FP) designated area on the property with recent mapping of the 500-year flood hazard. The proposed interpretation would relocate the boundary between the Flood Plain and Residential Suburban zoning east, further upslope from the Trinity River. The effect of this interpretation would be to change the FP Zoning from approximately 7 acres to approximately 8.3 acres, and the RS-T designation would be applied to approximately 4.5 acres of the 12.8 acre property.

**Recommendation:** Move to find the Zone Boundary Interpretation is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines - Common Sense Exemption, make all the required findings, based on evidence in the staff report, and adopt the Resolution approving the proposed MFGF MGMT LLC project subject to the recommended conditions.

**Attachments:** [PLN-2019-15314 Staff Report.pdf](#)

**7. Wolfe Parcel Map Subdivision and Special Permit**

Case Number: PLN-2018-15012

Assessor's Parcel Number (APN): 504-271-001

441 Hilton Lane, Arcata area

Project: A Minor Subdivision of an approximately 10-acre parcel into two parcels of approximately 2.5 acres and 7.5 acres. The parcel is developed with two residences, accessory structures, a well and onsite wastewater treatment systems. The subdivision will site each residence on a separate parcel. A Special Permit is required for the removal of two trees within the Streamside Management Area (SMA). Pursuant to Section 325-9, an exception request is included to reduce the right of way width and road width. An exception request has been granted by CalFire to allow a reduced road width and an exception to the maximum length of a dead-end road. The applicant will convey secondary (or accessory) dwelling unit rights such that the subdivision does not increase the overall density.

**Recommendation:** Adopt the Mitigated Negative Declaration and make all the required findings for approval of the Parcel Map Subdivision, including the exception request to allow a reduced right-of-way, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Wolfe project subject to the recommended conditions.

**Attachments:** [PLN-2018-15012 Staff Report.pdf](#)

**G. CONTINUED PUBLIC HEARINGS**

## 1. Housing Element

The 2019 Housing Element updates the 2014 Humboldt County Housing Element, and a required element of the General Plan. The Housing Element consists of a narrative describing the purpose of the Housing Element, the requirements of state law, the relationship of the Housing Element to the rest of the General Plan, background information regarding past elements, current and projected housing needs and conditions, and a residential land inventory sufficient to meet the County's share of the state prescribed housing need. The core of the Housing Element is a series of goals, policies, standards, and implementation measures for the preservation, improvement, and development of housing. . The 2019 Housing Element Update would apply throughout the unincorporated areas of Humboldt County.

**Recommendation:** Accept a staff report and public comment on the draft Policies and Programs Report and continue the public hearing to June 6, 2019

**Attachments:** [Housing Element Staff Report 5.16.19.pdf](#)

## H. CORRESPONDENCE

### 1. Correspondence from Harriet Hill

**Attachments:** [Correspondence from Harriet Hill - Agricultural Exclusive \(AE\) Timber Production prin](#)

## I. ADJOURNMENT

### NEXT MEETINGS

*June 6, 2019*

*June 20, 2019*