

PLANNING COMMISSION

IVER SKAVDAL
First District
THOMAS MULDER
Second District
NOAH LEVY
Chair - Third District
LONYX LANDRY
Fourth District
PEGGY O'NEILL
Fifth District
BRIAN MITCHELL
Vice Chair - At-Large
SARAH WEST
At-Large



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 30, 2023

6:00 PM

Regular Meeting - Hybrid

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 or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us.

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**

Meetings of the Humboldt County Planning Commission are held in person in the Board of Supervisors chambers, located at 825 Fifth Street, Eureka, California. The Planning Commission will broadcast most meetings via Zoom. Those not able to attend the Planning Commission meeting in person will have the opportunity to provide public comment via Zoom; however, the Planning Commission 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 Planning Commission are to attend the meeting in person or submit your comment in writing in advance of the meeting.

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 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. Via Computer as an attendee: To address the Commission, 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, 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 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 your mic, press *6 to unmute.**

Please note: 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 29, 2023. 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 Wednesday November 22, 2023, 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.

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. 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 SF). 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: Continue the VIPA Farmers project to a date uncertain.

2. Slack & Winzler - Major Subdivision

Application Number: PLN-10797-FMS

Assessor Parcel Number (APN) 304-071-018

Eureka area

A Major Subdivision of an approximately 44.2-acre parcel into five residential lots. The lots will range in size from 5.17 acres to 16.63 acres. The parcel is currently vacant and has historically been utilized for timber harvesting. The parcels will be served with community water from the Humboldt Community Services District and each parcel will be developed with an on-site wastewater treatment system.

Recommendation: That the Planning Commission:
Adopt the resolution (Attachment 1) which does the following:
a. Find that the project is consistent with the development density and policies established by an existing community plan and General Plan for which an EIR was certified, and that no additional environmental review is required per section 15183 of the State CEQA Guidelines; and
b. make all of the required findings for approval of the Final Map Subdivision; and
c. approve the Slack & Winzler Major Subdivision subject to the recommended conditions.

Attachments:

[10797 Slack & Winzler Staff Report 11.30.23](#)

[Attachment 1 - Draft Resolution](#)

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

[Attachment 1B - FMS16-004 Subdivision Requirements](#)

[Attachment 1C - Slack & Winzler Tentative Map](#)

[Attachment 2A - Soils-Geologic R-1](#)

[Attachment 2B - OWTS Reports](#)

[Attachment 2C - Botanical Survey 07.18.2007](#)

[Attachment 2D - Botanical Survey Report Turner 8-31-2021 Final](#)

[Attachment 2E - NSO Survey Winzler Subdivision PLN-10797-FMS](#)

[Attachment 2F - Wetland Delineation Memo \(1\)](#)

[Attachment 2G - Forester letter regarding wetland](#)

[Attachment 3 - Referral Table](#)

[Attachment 3A - Humboldt Bay Fire Protection District Referral](#)

[Attachment 3B - Humboldt Community Services District](#)

[Attachment 3C - CDFW Referral](#)

3. Slow and Steady LLC Special Permit

Assessor Parcel Number 210-061-008

Record No.: PLN-12408-SP
Bridgeville area

A Special Permit for 7,400 square feet of existing outdoor commercial cannabis cultivation supported by a 600 square foot ancillary nursery. Annual irrigation water usage is estimated at 35,700 gallons sourced from a point of diversion and supported by proposed storage totaling 55,775 gallons. Processing will occur offsite, energy is provided by a generator, and a maximum of two employees will be present during peak operation.

Recommendation: That the Planning Commission:

1. Adopt resolutions (Resolution 23-__) (Attachments 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 and the Addendum that was prepared for the Slow and Steady, LLC project (Attachment 3); and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Slow and Steady LLC Special Permit subject to the recommended conditions of approval (Attachments 1A).

Attachments:

- [12048 Slow & Steady LLC Staff Report 11.30.23](#)
- [Attachment 1 - Draft Resolution](#)
- [Attachment 1A - Conditions of Approval](#)
- [Attachment 1B - Cultivation and Operations Plan 12408 Slow and Steady](#)
- [Attachment 1C - Site Plan](#)
- [Attachment 2 - Map Set](#)
- [Attachment 3 - CEQA Addendum](#)
- [Attachment 4 - Applicant's Evidence in Support of Findings](#)
- [Attachment 4A - Right to Divert Water](#)
- [Attachment 4B - Lake or Streambed Alteration Agreement](#)
- [Attachment 4C - Road Evaluation](#)
- [Attachment 4D - BLM Right of Way](#)
- [Attachment 5 - Referral Agency Comments](#)

4. Sanders Hurlbutt Lot Line Adjustment, Zone Boundary Adjustment, and Amended Land Conservation Contract
Assessor Parcel Numbers: 214-141-001 and 223-141-010
Record Number: PLN-2023-18159
Redway area

A Lot Line Adjustment (LLA) between two parcels of approximately 328 acres (Parcel 1) and 167 acres (Parcel 2). The LLA will exchange 13.1 acres resulting in no change to parcel sizes. A Zone Boundary Adjustment (ZBA) is also requested to adjust the zone boundaries between the Timberland Production Zone (TPZ) and Agriculture Exclusive with a 160-acre minimum parcel size

(AE-B-5(160)) zone to coincide with the adjusted parcel boundaries. The purpose of the LLA is to make the property lines work better with the topography of the parcels and to achieve an equal exchange of acreage between the two parcels as part of an agreement to bring PG&E power to the Sanders parcel along an existing PG&E easement currently on the Hurlbutt property. As part of the LLA, the existing Hurlbutt Williamson Act contract will be amended to accommodate the exchange of lands. APN 214-141-001 is currently utilized for grazing cattle and APN 223-141-010 has an approved cannabis cultivation permit (PLN-11874-CUP). No development is proposed.

Recommendation: That the Planning Commission:

1. Adopt the resolution (Resolution 23-__). (Attachment 1) which does the following:
 - a. Find the project exempt from further environmental review pursuant to Sections 15305(a), 15317, and 15061(b)(3) of the State CEQA Guidelines; and
 - b. Make all of the required findings for approval as described in the Agenda Item Transmittal, subject to the recommended conditions of approval.

Attachments:

- [18159 Sanders Hurlbutt Staff Report 11.30.23](#)
- [Attachment 1 - Draft Resolution](#)
- [Attachment 1A - Conditions of Approval](#)
- [Attachment 1B - Lot Line Adjustment Map](#)
- [Attachment 1C - Draft Ordinance for Adoption by the Board of Supervisors](#)
- [Attachment 2 - Location Map](#)
- [Attachment 3 - TPZ Inclusion Letter](#)
- [Attachment 4 - Forestry Review Committee Draft Minutes May 25, 2023](#)
- [Attachment 5 - Williamson Act Committee Draft Minutes September 13, 2023](#)
- [Attachment 6 - Applicant's Evidence in Support of the Required Findings](#)
- [Attachment 7 - Referral Agency Comments and Recommendations](#)

5. North Coast Hitching Post - Conditional Use Permit and Coastal Development Permit Extension
Application Number: PLN-2023-18783
Assessor Parcel Number (APN) 308-131-033
Table Bluff area

Extension of a previously approved Coastal Development Permit and Conditional Use Permit (PLN-2022-17766) authorizing use of a property as a seasonal venue for special events (primarily weddings) between May and October. The extension is being requested to allow the permittee additional time to complete Conditions of Approval for the project, including securing a building permit for upgrades to the property to comply with the Americans with Disabilities Act (ADA) and to ensure the structural integrity of a barn used during events.

Recommendation: That the Planning Commission:

1. Describe the application as part of the Consent Agenda
2. Survey the audience and Commission to see if any person(s) would like to discuss the project proposal; and
3. If no one from the audience or Commission requests discussion of the item, make

the following motion to approve the application as part of the Consent Agenda; and

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

- a. Finds that during prior approval of the project the Humboldt County Planning Commission determined the project was exempt from environmental review pursuant to section 15301 and 15304(e) of the State CEQA Guidelines, and further environmental review is unnecessary as no changes to the project are proposed; and
- b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
- c. Approves the Coastal Development Permit and Conditional Use Permit Extension subject to the original conditions of approval.

Attachments:

[18783 North Coast Hitchin' Post Staff Report 11.30.23](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 1A Resolution Previously Approved by PC \(11-3-2022\)](#)

[Attachment 1B Conditions of Approval](#)

[Attachment 1C Public Works Conditions of Approval](#)

[Attachment 1D Project Description](#)

[Attachment 1E Site Plan](#)

[Attachment 2 - Location Map](#)

[Attachment 3 - Photos of Site](#)

[Attachment 4 - Referral Agency Comments and Recommendations](#)

[Attachment 4A - Fortuna FPD - Inspection Rpt](#)

F. OLD BUSINESS

1. JDS Construction Inc. Special Permit
Record Number: PLN-2023-18288
Assessor Parcel Number: 512-072-002

A Special Permit for the construction of a new 2,032 square foot two-story two-bedroom Accessory Dwelling Unit (ADU) pursuant to Section 314-69.05.4.3.1 of the Humboldt County Code (HCC).

Recommendation:

That the Planning Commission:

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

- a. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
- b. Finds the project exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and
- c. Approves the Special Permit subject to the recommended conditions of approval (Attachment 1A).

- Attachments:**
- [18288 JDS Construction Staff Report 11.30.23](#)
 - [Attachment 1 - Draft Resolution](#)
 - [Attachment 1A - Conditions of Approval](#)
 - [Attachment 1B - Site and Construction Plans](#)
 - [Attachment 2 - Wetland and Other Waters Delineation Report](#)
 - [Attachment 3 - Leach Field Suitability Report](#)
 - [Attachment 4 - Referral Agency Comments and Recommendations](#)
 - [Attachment 5 - Public Comment](#)

2. Georgi Stoyanov Special Permit

Assessor Parcel Number: 212-311-002

Record No.: PLN-11929-SP

Miranda Area

A Special Permit for 9,975 square feet (SF) of existing outdoor cannabis utilizing light deprivation techniques and 1,470 SF of ancillary propagation, which will be reduced to 980 SF. Irrigation water is sourced from a permitted groundwater well. A hydrogeological report concludes the well is not hydrologically connected to surface waters or other significant groundwater sources. Existing available water storage is 6,300 gallons in four (4) hard-sided tanks. The applicant has proposed to obtain an additional 20,000 gallons of hard tank water storage for a total of 26,300 gallons. Estimated annual water usage is 132,000 gallons. Drying and processing occurs onsite in an existing residential accessory structure pursuant Department Policy Statement No. 21-02. No employees are proposed for project operations. Power is provided by Pacific Gas and Electric Company (PG&E).

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 Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CCMLUO) that was prepared for the Georgi Stoyanov project (Attachment 3); 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:

- [11929 Georgi Stoyanov Staff Report 11.30.23](#)
- [Attachment 1 - Draft Resolution](#)
- [Attachment 1A - Conditions of Approval](#)
- [Attachment 1B - Cultivation and Operations Plan](#)
- [Attachment 1C - Cultivation Operations Plan Addendum](#)
- [Attachment 1D - Site Plan](#)
- [Attachment 2 - Location Maps](#)
- [Attachment 3 - CEQA Addendum](#)
- [Attachment 4 - Applicant's Evidence in Support of Required Findings](#)
- [Attachment 4A - Notice of Applicability](#)
- [Attachment 4B - Water Resource Protection Plan](#)
- [Attachment 4C - Notification of Lake or Streambed Alteration](#)
- [Attachment 4D - Timber Conversion Evaluation](#)
- [Attachment 4E - Timber Restocking Report](#)
- [Attachment 4F - Public Works Road Evaluation Report Form](#)
- [Attachment 4G - Hydrogeologic Report](#)
- [Attachment 5 - Referral Agency Comments and Recommendations](#)
- [Attachment 5A - Public Works, Land Use Division Response](#)
- [Attachment 5B - CalFIRE Response](#)
- [Attachment 5C - CDFW Response](#)
- [Attachment 6 - Public Comment](#)

3. Draft Short-term Rental Ordinance

Record No.: LRP-2022-17963 & LRP-2023-18254

All unincorporated areas of Humboldt County

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

The new ordinance would affect the following code sections:

1. Inland: Adds section 314-60.05, amends the tables in section 314-6 and 314-9, amends sections 314-37, 314-44, 314-55, 314-138, 314-141, 314-143, 314-153, 314-154, 314-157, 314-158, 314-163, 314-174 and 314-177 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.

2. Coastal: Adds section 313-61.05, amends the tables in section 313-6, and amends sections 313-44, 313-50, 313-55, 313-141, 313-143, 313-154, 313-157, 313-163, 313-172, and 313-177 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

Recommendation: That the Planning Commission:

1. Request staff provide introduction to the changes made to the draft Short-term Rental Ordinance in response to comments and Planning Commission deliberations at the October 26, 2023, and the November 2, 2023, Planning Commission meetings.
2. Allow for public comment on the proposed draft ordinance.
3. Deliberate and comment on the draft Short-term Rental Ordinance.
4. Provide guidance to Planning & Building Staff on any desired amendment selections to the draft ordinance and provide a recommendation to the Board of Supervisors.

Attachments: [17969 & 18254 Draft Short-term Rental Ordinance Staff Report 11.30.23](#)
[Attachment 1 Inland Draft Short-term Rental Ordinance_11.8 cm es.pdf](#)
[Attachment 2 Coastal Short-term Rental Ordinance 11.8 cm.pdf](#)
[Attachment 3 STR PC Resolutions \(Inland & Coastal\) 11.8 cm.pdf](#)
[Attachment 4 - Public Comments](#)
[Attachment 5 - PC Staff Report File ID 23-1445 10.26.23.pdf](#)

G. NEW BUSINESS

1. John Piccirilli

Assessor's Parcel Numbers: 522-024-004

Record Numbers: PLN-12750-CUP

Willow Creek Area

A Conditional Use Permit for 8,475 square feet of existing mixed light and 7,000 square feet of existing outdoor commercial cannabis cultivation supported by a 1,500 square foot ancillary nursery. The estimated annual irrigation water budget is 64,200 gallons and is sourced from a groundwater well. There is 8,500 gallons of existing tank storage and 24,000 gallons of tank storage proposed for a total of 32,500 gallons. Drying occurs onsite and all other processing occurs offsite. Power to be provided by a proposed solar system. The project includes restoration of former cultivation areas.

Recommendation: That the Planning Commission:

1. Adopt resolutions (Resolution 23-__) (Attachments 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 and the Addendum to the Mitigated Negative Declaration that was prepared for the John Piccirilli Conditional Use Permit (Attachment 3); and
b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
c. Approves the John Piccirilli Conditional Use Permit subject to the recommended conditions of approval (Attachments 1A).

Attachments:

[12750 John Piccirilli Staff Report 11.30.23](#)

[Attachment 1 - Draft Resolution](#)

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

[Attachment 1B - Cultivation and Operations Plan](#)

[Attachment 1C - Site Plan](#)

[Attachment 2 - Location Map](#)

[Attachment 3 - CEQA Addendum](#)

[Attachment 4 - Applicant's Evidence in Support of Findings](#)

[Attachment 4A - Well Completion Report](#)

[Attachment 4B - Well Permit](#)

[Attachment 4C - Timberland Conversion Evaluation](#)

[Attachment 4D - Site Management Plan](#)

[Attachment 4E - Supply Creek Ambient Water Grab Sampling Results](#)

[Attachment 4F - Supply Creek Surface Water Supply Study](#)

[Attachment 4G - Supply Creek Cumulative Impact Assessment](#)

[Attachment 4H - Road Evaluation](#)

[Attachment 5 - Referral Agency Comments](#)

H. ITEMS PULLED FROM CONSENT

I. ADJOURNMENT

J. NEXT MEETING: December 14, 2023 6:00 p.m. Regular Meeting - Hybrid