

PLANNING COMMISSION

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Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

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

AGENDA

Thursday, December 14, 2017

6:00 PM

Special Meeting

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.

CALL TO ORDER / SALUTE TO FLAG

COMMISSIONERS PRESENT

AGENDA MODIFICATIONS

PUBLIC COMMENTS

At this time persons may appear before this Commission on any matter 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.

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 Redwood Roots Inc. Zone Reclassification and Special Permit

Case Numbers ZR 17-004, SP 16-552

Assessor Parcel Number (APNs): 033-160-001

6840 Benbow Drive, Benbow area

A zone reclassification to change the principal zone from Neighborhood Commercial (C-1), to Qualified (Q) Community Commercial Zone (C-2) for the subject parcel. The proposed Q - Qualified Zone will maintain the development standards of the C-1 Zone in terms of building height, setbacks and minimum lot size. No changes to the existing Design Control (D) combining zone is proposed. Also, a Special Permit is proposed for commercial medical cannabis distribution facility inside an existing single story building that will be remodeled as required by the California Building Code. The operation consists of deliveries to the existing 4,400 square foot commercial building in bulk packages, offsite testing of samples, packaging for retail sale, which will include rolling joints, and transportation to qualified vendors. The existing building is already approved for a cannabis dispensary, which will share the space with the proposed distribution facility. The hours of operation for the dispensary are 10 am - 7 pm Monday through Saturday, the same for the proposed distribution facility. The subject parcel is served by public water and an on-site sewage disposal system. The Zone Reclassification to change the principal zoning of the property from Neighborhood Commercial (C-1) to Community Commercial (C-2) must be approved by the Board of Supervisors before the special permit for cannabis distribution is effective because cannabis activities are allowed on properties zoned C-2, but they are not allowed on properties zoned C-1.

Recommendation: A) Move to make all of the required findings, based on evidence in the staff report and public testimony, and recommend the Board of Supervisors approve the Redwood Roots Zone Reclassification by adopting the attached Resolution of Approval #1(roll call vote).

B) Move to make all of the required findings, based on evidence in the staff report and public testimony, and approve the Redwood Roots Special Permit application subject to the approved conditions by adopting the attached Resolution of Approval #2.

Attachments: [ZR 17-004 and SP 16-552 Staff Report](#)

- 2 West River Lane, LLC Zoning Reclassification, Special Permits and Conditional Use Permit
Case Number ZR17-002, SP16-717, SP16-725, CUP16-945
Assessor Parcel Number 077-331-032-000
3525 Redwood Drive, Redway, CA 95560

This project includes four components. First, West River Lane LLC seeks to rezone the entire property from CH-Highway Service Commercial to Qualified C-2 Community Commercial. The proposed Q - Qualified Zone will maintain the development standards of the CH Zone in terms of building height, setbacks and minimum lot size. Second, Redline LLC requests a Special Permit for a cannabis manufacturing facility, Bravo Zulu LLC requests a Special Permit for a cannabis distribution facility, and Eagle One LLC requests a Conditional Use Permit for a cannabis dispensary within an existing 3,600 square foot commercial structure. All three businesses would be open from 7am - 7 pm Monday through Sunday. The proposed manufacturing use takes raw plant materials and uses a heated bench-press to squeeze the oils out. It also involves packaging of cannabis material and cannabis extracts for sale. The use of “chemicals” is limited to standard household cleaning supplies. The application includes detailed Operations Plans for each business addressing all the requirements of the County’s Dispensary and Commercial Medical Marijuana Ordinances. Third, are requests for exceptions from the parking and loading space requirements. Including reducing the parking requirement from 15 spaces to 8 spaces, and Reducing the loading space from 10’ x 60’ to 10’x20’.

Recommendation: A) Move to make all of the required findings, based on evidence in the staff report and public testimony, and approve West River Lane, LLC Special Permits and Conditional Use Permit applications subject to the approved conditions by adopting the attached Resolution of Approval #1 - #3.
B) Move to make all of the required findings, based on evidence in the staff report and public testimony, and recommend the Board of Supervisors approve the West River Lane LLC Zone Reclassification by adopting the attached Resolution of Approval #4 (by roll call vote).

Attachments: [ZR17-002, SP16-717, SP16-725, CUP16-945 Staff Report](#)

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

3 MCMP, LLC, Zone Reclassification and Special Permit

Case Numbers ZR-16-002 and SP-16-014

Assessor's Parcel Number (APN) 522-491-017

533 State Highway 96, Willow Creek area

A Zone Reclassification (ZR) to change the zoning of APN 522-142-017 from Highway Service Commercial (CH) to Heavy Industrial with a Qualified combining zone (MH-Q) in order to implement the General Plan land use designation of Industrial, Resource Related (IR). A Special Permit to allow a 5,000 square foot cannabis products manufacturing facility producing medical cannabis products using both nonvolatile and volatile solvents. The facility may operate 24 hours a day during peak season, and will have a maximum of four (4) full time employees. The facility will not be open to the general public and will not accept visitors. The Willow Creek Community Services District provides water to the subject property, and the applicant will to develop an on-site septic system to serve the new facility.

Recommendation: A) Move to adopt the Addendum to the Mitigated Negative Declaration (MND) for the Mercer Fraser Company's Conditional Use Permit, Surface Mining Permit, Special Permit, and Reclamation Plan, State Clearinghouse Number 2016082006, adopted by the Planning Commission on March 2, 2016, and make all of the required findings, based on evidence in the staff report and public testimony, and approve the MCMP, LLC Special Permit application subject to the conditions by adopting the attached Resolution of Approval #1.

B) Move to make all of the required findings, based on evidence in the staff report and public testimony, and recommend the Board of Supervisors approve the MCMP, LLC Zone Reclassification by adopting the attached Resolution of Approval #2 (roll call vote).

Attachments:[ZR 16-002, SP 16-014 Staff Report](#)[10345 PC approved IS-MND](#)[PC Resolution 17-08_Mercer Fraser-Willow Creek_10345](#)[Proof of NOD posting at the Records 10345](#)

- 4 Tristin Oates, Humboldt's Finest Dispensary Conditional Use Permit
Case Numbers CUP-16-667
Assessor's Parcel Number (APN) 032-141-010
401 Redwood Drive, Garberville

A Conditional Use Permit (CUP) for an 852 square foot (SF) medical cannabis dispensary on an approximately 1.3-acre parcel. The proposed medical cannabis dispensary will be located within the ancillary conference room that is part of an approved hotel that is not yet constructed. On May 18, 2017, the Zoning Administrator approved a Conditional Use Permit, Special Permit, and Inland Design Review (Application No. 10858) for the development of the hotel and conference room. The proposed project will change only the use of the conference room structure from a conference room to a dispensary; no other changes are proposed as part of this CUP application. The applicant will lease the 852 SF space. No cultivation is associated or authorized by this Conditional Use Permit. The project will be served for water and sewer by the Garberville Sanitary District.

Recommendation: Move to make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Tristin Oates' Humboldt's Finest Dispensary project subject to the conditions of approval.

Attachments: [CUP 16-667 Staff Report](#)

CONTINUED PUBLIC HEARINGS

- 5 EcoMeds, LLC Conditional Use Permit
Case Number: CUP 17-003 Assessor's Parcel Number: 223-111-004
Garberville area on west side of Homestead Road

A Conditional Use Permit (CUP 17-003) to permit an existing 18,000 square foot (sf) commercial medical cannabis cultivation site, consisting of approximately 15,600 sf of outdoor and 2,400 sf of mixed-light cultivation. Irrigation Water is from a rain water catchment system and stored in bladders totaling 120,000 gallons. Projected water use is approximately 87,500 gallons per year. An average of 3 employees will be engaged in cultivation activities on-site and up to 5 employees will be employed during harvest operations. Processing will occur at an off-site commercial processing center in Redway.

Recommendation: A continuance is being requested to a date uncertain. Re-noticing will be provided to the public.

Attachments: [PC 12.14.17 Continuance Request for EcoMeds 10706](#)

6 County of Humboldt
OR 17-005
County Wide

This item involves amendments to the Zoning Ordinance to allow improved floors and footpaths in greenhouses on prime agricultural soils where certain conditions are met to ensure the long-term protection of the underlying soil for future agricultural use. The current Zoning Ordinance prohibits improved floors and footpaths in greenhouses on prime agricultural soils. This limits the types of greenhouses for new commercial cannabis cultivation, which can only occur on prime agricultural soils. The amendments would modify sections 314-43.1.3.2 and 314-69.1.1.2 of Title III, Division 1, Chapter 4 (Inland Zoning Regulations); and section 313-69.1.5 to Title III, Division I, Chapter 3 (Coastal Zoning Regulations) of the Humboldt County Code.

Recommendation: Move to make all the required findings based on evidence in the staff report, and recommend that the Board of Supervisors approve the proposed amendments relating to agricultural accessory structures on prime agricultural soils in Attachment 3 (subject to the following modifications....) by adopting the attached Resolution.

Attachments: [OR 17-005 Staff Report](#)
[PC Supplemental 1 Ord 17-005 Greenhouse Floors](#)
[PC Supplemental 2 Ord 17-005 Greenhouse Floors](#)

7 Zoning Ordinance Amendments
Commercial Cannabis Land Use Ordinance (CCLUO)
Case Number OR 17-02

At the December 7, 2017 meeting the Commission will continue the CCLUO item for further discussion and review on December 14, 2017.

ADJOURNMENT

NEXT MEETING

January 11, 2017 Regular Meeting
January 18, 2017 Special Meeting

Any member of the public wishing to distribute materials to the Planning Commission at least 72 hours prior to a meeting may send them electronically to the Planning Commission Clerk at Planningclerk@co.humboldt.ca.us or fourteen (14) copies may be delivered to the Planning Commission Clerk at 3015 H St., Eureka, CA 95501. If any member of the public wishes to distribute materials during a meeting of the Planning Commission, it is requested that fourteen (14) copies of the materials be given to the Planning Commission Clerk for distribution to the Commission, staff, and the public. Any written materials related to an item on this agenda submitted to the Planning Commission less than 72 hours prior to the meeting, and that are public records subject to the Public Records Act are available for public inspection at the Planning and Building Department located at 3015 H Street, Eureka, California (707-445-7541) during normal business hours. The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations to participate in this meeting, please contact the Planning Division at (707) 445-7541, or (707) 268-3792 (fax). Requests for such modifications or accommodations must be made at least two full business days before the start of the meeting. Commission meetings are recorded on both video and audio media. The meetings are broadcast live on cable channel 10 and may be streamed over the internet.