



MINUTES

THURSDAY, August 18, 2022

Regular Meeting

The Honorable Planning Commission of the County of Humboldt met in a regular meeting on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Thursday, September 1, 2022, with the vote as shown below.

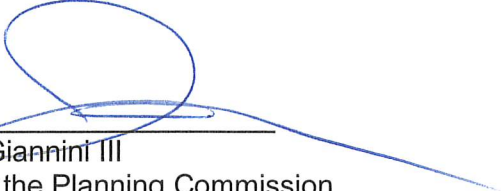
The motion was made by Commissioner Brian Mitchell and seconded by Commissioner Mike Newman.

AYES: Commissioners Melanie McCavour, Alan Bongio, Brian Mitchell, Noah Levy, Mike Newman, Peggy O'Neill

ABSENT: Commissioners Thomas Mulder

ABSTAIN: Commissioners

DECISION: Motion carries 6/1.



Trip J. Giannini III
Clerk of the Planning Commission



John H. Ford
Secretary of the Planning Commission

PLANNING COMMISSION

First District
Alan Bongio - Chair
Second District
Thomas Mulder
Third District
Noah Levy - Vice Chair
Fourth District
Mike L Newman
Fifth District
Peggy O'Neill
At-Large
Brian Mitchell
At-Large
Melanie McCavour



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 18, 2022

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT

- Present : 5 - Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Mike L Newman, Commissioner Peggy O'Neill and Commissioner Thomas Mulder
- Absent : 2 - Commissioner Brian Mitchell and Commissioner Melanie McCavour

C. DISCUSSION OF REMOTE MEETINGS

1. Discussion and Possible Adoption of Resolution Authorizing Remote Teleconference Meetings of the Humboldt County Planning Commission for the period of August 12, 2022, through September 11, 2022, Pursuant to the Ralph M. Brown Act.

A motion was made by Commissioner Levy, seconded by Commissioner O'Neill, that the recommendations be approved. The motion carried by the following vote:

- Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner O'Neill and Commissioner Mulder
- Absent : 2 - Commissioner Mitchell and Commissioner McCavour

D. AGENDA MODIFICATIONS

COMMISSIONERS PRESENT

- Present : 7 - Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Brian Mitchell, Commissioner Mike L Newman, Commissioner Melanie McCavour, Commissioner Peggy O'Neill and Commissioner Thomas Mulder
- Absent : 0

E. PUBLIC COMMENTS

Public Comment Period was opened and closed.

F. CONSENT AGENDA

4. Hunter Ranch LLC Williamson Act Preserve Contract;
Record Number PLN-2022-17674 (filed 03/18/2022)
Assessor's Parcel Number: 315-194-001-000, 315-195-001-000, 315-196-001-000, 315-201-001-000, 315-202-003-000, 315-203-005-000, 315-204-004-000, 315-204-005-000, 315-205-001-000, 315-206-006-000, 315-212-005-000, 315-213-003-000, 315-241-004-000, 315-242-001-000, 315-243-001-000, 315-244-003-000, 315-245-005-000, 315-251-002-000, 315-251-003-000, 315-252-004-000, 315-252-005-000, 315-253-001-000, 317-071-007-000, 317-075-004-000, 317-076-001-000, 317-081-001-000, 317-082-004-000, 317-085-003-000, 317-086-001-000, 317-121-002-000, 317-131-002-000, 317-132-015-000, 317-133-011-000
Korbel Area.

An application to place approximately 14,792 acres of Hunter Ranch into a Class B Grazing Land Agricultural Preserve ("Hunter Ranch Agricultural Preserve") and enter into a Land Conservation

Contract pursuant to the California Land Conservation Act, otherwise known as the Williamson Act, and the Humboldt County Agricultural Preserve Guidelines. A Zone Reclassification, of approximately 10 acres from Unclassified to Agriculture Exclusive with a combining zone establishing a 160 acre minimum parcel size, is proposed as part of this preserve application.

A motion was made by Commissioner Mitchell, seconded by Commissioner Levy, to approve staff recommendations. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

G. ITEMS PULLED FROM CONSENT

1. Steve Morris Minor Subdivision;
Record Number PLN-2019-15935 (filed 10/29/2019)
Assessor's Parcel Number: 402-061-012
Eureka/Indianola Area

A Minor Subdivision to divide an approximately 9.47-acre parcel into three parcels. The parcel being divided is currently developed with a residence, barns, and greenhouses which are located towards the rear of the property. All of these improvements will be located within proposed Parcel 3. The two remaining parcels are vacant and proposed to each be 2.50 acres in size. Future residential development of these parcels will require installation of individual on-site waste treatment systems (OWTS) for sewage disposal. The parcel has two (2) wells, located on opposite ends of the property. A recently installed well near the southwest corner of the property is proposed to be used as the water source for the two vacant parcels to be created, as well as planned new residential development on an adjacent vacant parcel to the south (APN 402-061-028). A similar minor subdivision proposal has been submitted on this adjacent parcel (PLN-2019-15937) and proposes division of a 5.27-acre parcel into two parcels. Parcel 3 is already developed with an separate existing well and septic system. Pursuant to Section 325-9 of the Humboldt County Code, an exception to right of way width and improvements has been requested. The project is exempt from environmental review pursuant to Section 15183 of the State CEQA Guidelines, applicable to projects that are consistent with a Community Plan, General Plan, or Zoning.

A motion was made by Commissioner Levy, seconded by Commissioner Newman, that the recommendations be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

2. Tawnya Morris Minor Subdivision;
Record Number PLN-2019-15937 (filed 10/29/2019)
Assessor's Parcel Number: 402-061-028
Eureka/Indianola Area

A Minor Subdivision to divide an approximately 5.27-acre parcel into two parcels. The parcel being divided is currently vacant and was created through a previous parcel map filed on October 6, 1978. The proposed re-subdivision will result in two parcels of approximately 2.63 and 2.64 acres in size.

Installation of individual on-site waste treatment systems (OWTS) for sewage disposal is anticipated to occur during future residential development and an existing well on an adjacent property will serve as the water source for both parcels. Access to proposed Parcel 1 is available from Pomeroy Hollow Road. Access to both parcels will also be provided using an existing private road on the adjacent property to the north (APN 402-061-012), which is proposed to be extended by approximately 250 feet to connect with the parcel being divided. Note: a similar minor subdivision of 9.47-acres has been separately submitted on this parcel (PLN-2019-15935) and proposes division of a 9.47-acre parcel into three parcels. Pursuant to Section 325-9 of the Humboldt County Code, an exception to right of way width and improvements has been requested. The project is exempt from environmental review pursuant to Section 15183 of the State CEQA Guidelines, applicable to projects that are consistent with a Community Plan, General Plan, or Zoning.

A motion was made by Commissioner Levy, seconded by Commissioner McCavour, that the recommendations be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

3. Blocksburg Hill Top Organics, LLC; Special Permit
Record Number PLN-2021-17309 (filed 06/17/2021)
Assessor's Parcel Number: 217-411-013
Blocksburg area

A Special Permit for 43,560 square feet of new outdoor commercial cannabis cultivation supported by 4,090 square feet of ancillary nursery. Annual water usage is estimated at 590,000 gallons from rainwater catchment with 735,000 gallons of total storage from a proposed 575,000-gallon pond and 160,000 gallons in tanks. Onsite processing is proposed and power will be provided by a solar array. The Humboldt County Planning Commission will consider an Addendum to a previously adopted Environmental Impact Report and has been prepared for consideration per section 15164 of the State CEQA Guidelines.

A motion was made by Commissioner Levy, seconded by Commissioner Mulder, that the recommendations be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner McCavour, Commissioner O'Neill and Commissioner Mulder

H. PUBLIC HEARINGS

1. Friends of the Dunes Trail and Habitat Restoration; Amendment to Permit
Record Number PLN-9175-CDP (filed 04/28/2015)
Assessor's Parcel Numbers (APN) 400-011-075, 506-111-004, 506-111-021, 506-111-024, 506-111-025.

Manila area The proposed FOD Trail and Habitat Restoration Project (project) would amend the previously approved 2009 CDP (CDP-06-49MMX) and CUP/SP (CUP-06-14MMX/SP-06-71M), which allows use of a converted residence as the HCNC office/education center, relocation of a parking area, a notice of parcel merger, removal of 19 nonnative trees, and trail establishment and restoration activities on approximately 93 of the total 122 acres of beach and dune habitat in the Manila area of Humboldt County under management by the FOD. The permit amendment based on this subsequent IS/MND prepared for the project would allow trail work, restoration, and related activities on the 3.6-acre former Barr property on Lupin Avenue in Manila and would incorporate these additional 3.6 acres into the previously approved restoration plan. The improvements are intended to minimize impacts on sensitive habitat while allowing continued access by hikers, equestrians, and dog walkers. The Humboldt County Planning Commission intends to adopt a Mitigated Negative Declaration and mitigation Monitoring Reporting Program for the project pursuant to §15074 and §15097 of the State CEQA Guidelines.

A motion was made by Commissioner Levy, seconded by Commissioner Mitchell, that the Friends of the Dunes be continued to August 4. The motion carried by the following vote:

Aye: 6 - Commissioner Bongio, Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner O'Neill and Commissioner Mulder

Absent: 1 - Commissioner McCavour

2. Schneider Coastal Development Permit Modification;
Record Number PLN-17762 (filed 05/12/2022)
Assessor's Parcel Number: 402-171-030, 402-171-029
Eureka/Indianola Area

An application for a Coastal Development Permit and Special Permit Modification for an alteration in the configuration and location of a single-family residence and for the removal of the temporary road installed previously without permits. The residence has been partially constructed in a location not consistent with the approved Coastal Development Permit site plan or building permit site plan and within 100 feet of a one parameter wetland and adjacent to Environmentally Sensitive Habitat areas. The road was installed on both parcels. The CDP modification includes after the fact major vegetation removal for removal of native blackberries within a one parameter wetland and removal of native blackberries and willow and alder trees adjacent to the slough in an Environmentally Sensitive Habitat Area (ESHA). Construction of a wood fence for protection of existing sensitive areas are also proposed. The road and proposed fencing, as well as a portion of the residence are located within 100 feet of a coastal wetland area. The project is exempt from environmental review pursuant to Sections 15301, 15303, 15304 and 15333 of the State CEQA Guidelines.

A motion was made by Commissioner Mulder, seconded by Commissioner Newman, that the recommendations be approved. The motion failed by the following vote:

Aye: 3 - Commissioner Bongio, Commissioner Newman and Commissioner Mulder

Nay: 3 - Commissioner Levy, Commissioner Mitchell and Commissioner O'Neill

Recused: 1 - Commissioner McCavour

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Levy, Commissioner Mitchell, Commissioner Newman, Commissioner O'Neill and Commissioner Mulder

Nay: 1 - Commissioner Bongio

Recused: 1 - Commissioner McCavour

3. AMENDMENTS TO THE INLAND ZONING REGULATIONS, GENERAL PLAN, AND COASTAL ZONING REGULATIONS PERTAINING TO EMERGENCY SHELTERS;

Record Number PLN-2022-17866 (filed 08/25/2022)

Assessor's Parcel Number: 000-000-000

Project area: Countywide

The Humboldt County Planning Commission will consider updates to the inland and coastal zoning codes and the General Plan and Local Coastal Program to conform to state housing law changes regarding emergency shelters codified in Government Code 65582 and 65583. By statute, cities and counties must designate at least one zone where emergency shelters are allowed by right, and may specify limited, objective standards for their development and operation. This item amends the existing Emergency Shelter code, adds Day Shelters and Low Barrier Navigation Centers to the inland ordinance; and adds for the first time a definition and use types for emergency shelters in the Coastal Zone.

Based on evidence in the staff report and public testimony, make all the required findings and adopt the Resolution recommending that the Humboldt County Board of Supervisors find that the proposed amendments are exempt from CEQA pursuant to Section 15269(c), and Section 15061(b)(3) of the CEQA Guidelines, Public Resources Code 21080.5 and 21080.9, and to CEQA Guidelines Sections 15269(c), and 15061(b)(3), and adopt the proposed amendments to the Inland Zoning Regulations and General Plan, and approve the amendments to the Coastal Zoning Regulations (as may be modified by the Planning Commission).

I. ADJOURNMENT

J. NEXT MEETING September 1, 2022 6:00 p.m. Regular meeting - Hybrid

The Chamber is wheelchair accessible, the accessible entrance to the Courthouse is the 4th Street entrance. Accessible parking is available adjacent to the 4th Street entrance and on the 4th Street side of the K Street lot. If you are a person with a qualified disability, and need a modification or accommodation to participate in this meeting, please contact the Planning Commission Clerk at 707-445-7541 or by email planningclerk@co.humboldt.ca.us or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us.